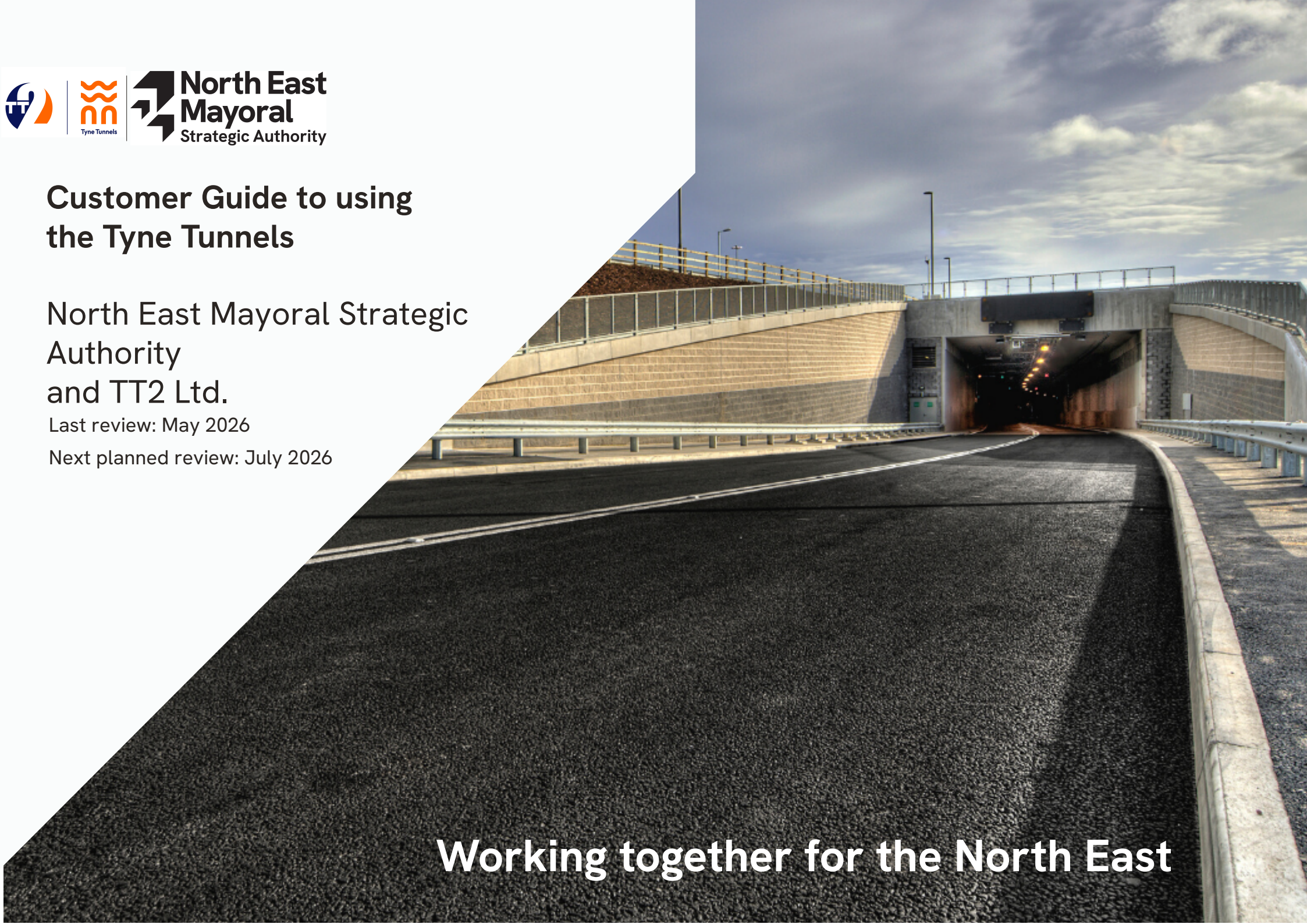
Customer Guide to using the Tyne Tunnels

North East Mayoral Strategic Authority
and TT2 Ltd.

Last review: May 2026

Next planned review: July 2026



Working together for the North East

Contents

1.	Using the Tyne Tunnels	2
2.	Paying the Tyne Tunnels Toll	3
3.	Ways to Pay the toll	4
4.	Exemptions from the toll	5
5.	Unpaid Toll Charge Notice (UTCN)	6
6.	How to challenge a UTCN	8
7.	What happens if you do not pay the UTCN?	11
8.	Court Proceedings	13
9.	Civil Court Proceedings	13
10.	Criminal Court Proceedings	15
11.	Useful Links	18

Glossary

ANPR – Automatic Number Plate Recognition

CCJ – County Court Judgment

CPS – Crown Prosecution Service

DBS – Disclosure and Barring Service

EPC – Euro Parking Collection plc

UTCN – Unpaid Toll Charge Notice

Introduction

This guide was produced by the North East Mayoral Strategic Authority (North East MSA) and TT2 Limited with input from local customer groups connected to the Tyne Tunnels.

The aim is to provide a clear and customer friendly document to help users understand how to use and pay for the Tyne Tunnels. This is intended to be a simple guide which explains the toll system including:

- How and why there is a charge for using the tunnels;
- The process for paying the toll;
- The obligations on users of the Tyne Tunnels; and
- What happens if the toll is not paid.*

If you have a query which is not addressed by this document or you require further information, please get in touch with the TT2 Customer Experience Team who can assist with any queries. You can contact them by telephone, submitting an online enquiry or writing to them. The contact centre number is **0191 5740 031** and the opening times are:

Monday – Friday 08:00 – 18:00
Saturday 09:00 – 13:00
Sunday 09:00 – 12:30

Further contact information can be found on TT2's website using the link here: **Contact**

(All weblinks used are shown in full type at the end of the document so that they can be accessed using a printed or PDF version.)

* This guide is intended to provide simple and clear guidance for customers and therefore does not cover every possible scenario nor is it intended to be a legal document or contract.

1. Using the Tyne Tunnels

1.1 Northbound

When travelling Northbound on the A19, before entering the tunnel you will see signage informing users that there is a toll to pay. There is no need to stop your vehicle, and you should keep your vehicle moving on the approach to the tunnel and within the tunnel. The speed limit in the Northbound tunnel is shown on the signage and is 30mph.

Upon exiting the tunnel, you may use either lane to carry along the A19, with a slip road from the right-hand lane connecting to the A187; however if this is missed you can also exit at the next junction and follow signs to North Shields/Wallsend.

1.2 Southbound

When travelling Southbound on the A19, before entering the tunnel you will see signage informing users that there is a toll to pay. There is no need to stop your vehicle, and you should keep your vehicle moving on the approach to the tunnel and within the tunnel. The speed limit in the Southbound tunnel is shown on the signage and is 40mph.

Upon exiting the Southbound tunnel, you may use either lane to continue along the A19 with a slip road from the left-hand lane connecting to roads leading to Jarrow/South Shields.

1.3 Driving safely in the Tyne Tunnels

When making use of the tunnels, please keep yourself and others safe by:

- Making sure that your headlights and taillights are on while inside the tunnels;
- Turning on your radio for any safety messages;
- Not switching lanes to over/undertake in the tunnels;
- Keeping a safe distance from the vehicle in front; and
- Allowing space for vehicles to merge before entering the tunnels.

2. Paying the Tyne Tunnels Toll

2.1 Toll Charges

Tolls are payable for use of the vehicle tunnels. These are reviewed annually and the latest toll prices are shown in the table below and can be found on TT2's website using the link here: **Toll Prices**.

Vehicle	Cost per Passage	10% discount Pre-Paid Account
Motorbike, Exempt Account Holder	Free	N/A
Car, Van or Bus less than 3.5 tonnes	£2.60	£2.34
LGV, Van or Bus over 3.5 tonnes	£5.20	£4.68

*all tolls & charges are exempt from VAT

2.2 Why is there a toll to pay?

The Tyne Tunnels are an integral piece of the North East's road network, providing a connection between North and South Tyneside. When the tunnel first opened in 1967, it carried just 4,000 vehicles per day, but by the 1980's it had grown to 23,000 vehicles per day, almost reaching capacity.

The second tunnel was therefore commissioned to cope with the growing number of vehicles on the road. There are now typically 60,000 vehicles each weekday using the tunnels.

When the contract was awarded to TT2 Limited in 2007 to construct and operate the Tyne Tunnels, Government policy was for new estuarial crossings (such as the Tyne Tunnels) to be built under Concession contracts, with private sector investment to construct the new tunnel, and tolls in place to pay back the costs. The regional authorities agreed to this model being used for the building of the second road tunnel and the refurbishment of the old tunnel. As a result, tolls continue to be charged and are required to repay the borrowings incurred in the construction of the second tunnel and to pay the ongoing operating costs of the tunnels.

The contract with TT2 Limited is now half-way through its 30-year term. At the time of writing this document in 2023, TT2 still owes the lenders that funded the construction of the second tunnel around £240m, and the local authorities also have borrowings relating to the tunnel construction which must be repaid from toll money.

2.3 Where does the toll money go?

The toll is used to pay for the operation of the Tyne Tunnels and the debt incurred in 2007 in the construction of the second tunnel and refurbishment of the first tunnel.

The construction of both Tyne Tunnels was required by Government to be self-funded, through toll revenue. The tunnels do not benefit from local authority or Government funded maintenance, refurbishment, or operational support. It is therefore vital that tolls continue to be collected to cover the costs to pay for the extensive operations, safety and maintenance of the tunnels.

2.4 Pay before midnight the day after your journey

Tolls are payable for use of the vehicle tunnels. The toll can be pre-paid or paid before midnight of the day following your journey.

This is defined in legislation and set out in the Tyne Tunnel Bylaws. You can read a full copy of the legislation using the links below:

- The bylaws using the link here: **Bylaws**
- The River Tyne (Tunnels) Order 2005 using the link here: **The River Tyne (Tunnels) Order 2005**
- The latest modification order is available using the link here: **Legislation**

3. Ways to pay the toll

It has not been possible to pay the toll at the tunnel since the introduction of open road tolling in 2021. This modernisation of the toll payment system was implemented in order to upgrade from the outdated coin-based system which required customers to stop and make payment at the toll barriers. This caused delay for drivers and resulted in excess carbon emissions from traffic queueing then accelerating after leaving the toll plaza. As such the scheme was planned to reduce journey times, cut carbon emissions and create new local jobs and we are pleased to report that the aims are being achieved. The scheme has taken learning from other barrierless systems in operation across the UK and Ireland.

There are multiple options to make payment which are outlined below.

More information can also befound on TT2's website using the link here: **How do you want to pay**

3.1 Guest Payment (online or app)

Guest Payment allows you to pay for journeys without having to set up a pre-paid account by entering your vehicle registration which is used to match the payment to your journey.

You can pay in advance for your journey or before midnight of the day following your journey. It is possible to purchase up to 10 journeys 1 year in advance.

3.2 Pre-paid accounts (online or app)

With a pre-paid account, you get 10% discount on every journey and can log in online or via the TT2 app.

Pre-paid is easier to use and more convenient, removing the need to make payment manually for each journey.

Automatic number plate recognition (ANPR) means your vehicle registration is quickly read as you drive through the tunnel and the toll is deducted from your account automatically.

In some cases, there may be a short delay in the journey showing on your account while TT2 double check the system has read your licence plate correctly. As long as your account has enough funds available before midnight the day following your journey the system will deduct your toll as normal once these checks have been completed.

You can also manage multiple vehicles from one personal account.

YOU MUST ENSURE YOU HAVE ADEQUATE FUNDS ON YOUR ACCOUNT TO COVER THE COST OF YOUR JOURNEY OR ADD FUNDS TO YOUR ACCOUNT BEFORE MIDNIGHT OF THE DAY FOLLOWING YOUR JOURNEY.

On your pre-paid account, you can also enable automatic top-up, meaning you will always have credit on your account. You can choose the amount you would like to top-up and the amount of your minimum balance. This ensures that your balance never falls below the minimum amount, as well as the comfort of knowing that if payment fails due to an issue with your payment provider, there is a safety net of funds covering a number of journeys. For example you can choose to top-up with £10 whenever your balance falls below £5 and this will happen automatically. You will receive an email to notify you that a top-up has occurred.

To set up a pre-paid account follow this link: **Sign up**

3.3 Pay by phone

You can pay for your journey via telephone on the automated payment line, which is available 24/7.

You can pay for a journey up until midnight the day after it has been made.

To pay via phone, call **0191 574 0030**.

3.4 Pay at a PayPoint

Due to the removal of the toll barriers, cash is no longer accepted at the tunnel crossing. If you would wish to pay by cash, you can do so at a PayPoint retailer. These are typically small local shops where you can also make other types of payments such as your electricity or gas bill.

You can pay for your journey up until midnight of the day following your journey or you can pay up to 10 journeys in advance.

At the PayPoint you will receive a receipt showing the amount you have paid, the number of journeys, the vehicle registration and a reference number. You should check the shop staff have typed your vehicle registration correctly and keep your receipt in case you need to check any of the details later.

If for any reason you lose your receipt, TT2 are in many cases able to recover this information and we recommend contacting them if you face any issues or suspect that the registration may have been entered incorrectly.

Local PayPoints can be found using the link here: **Find your local PayPoint store**

4. Exemptions from the toll

4.1 Blue Badges and Disability Exemptions

If you are a Blue Badge holder or you are entitled to nil road tax either through the Motability scheme or if your vehicle is tax exempt due to a disability, you will qualify for exempt travel through the Tyne Tunnels in your registered vehicle.

You will need to complete an application form online via **Apply for a toll exemption account** or a postal form and send TT2 the following:

TT2 Limited
Administrative Building
Wallsend
Tyne and Wear
NE28 0PD

Blue Badge Holders should fill in the application form and send a:

- Photo or copy of both sides of your Blue Badge; and
- Copy of a recent official document showing the name and address of the Blue Badge holder.

Users of vehicles which are tax exempt due to disability should fill in the application form and send:

- Disability DVLA Tax Exemption – copy of page 2 of the V5C Document (Logbook); and
- A copy of the DWP letter confirming your higher or enhanced DLA/PIP.

The exemption permits are valid for 12 months and must be renewed each year to ensure you qualify for exempt travel through the tunnel.

4.2 Other exempt vehicles

Exemptions from the toll apply to various types of vehicles for example local bus services, TT2's own service vehicles, ambulances, police and fire vehicles. These exemptions do not apply to private vehicle owners.

WHAT HAPPENS IF YOU DO NOT PAY THE TOLL ON TIME?

If you do not pay the toll due before midnight of the day following your journey you will receive an Unpaid Toll Charge Notice (UTCN).

5. Unpaid Toll Charge Notice (UTCN)

5.1 What is a UTCN?

A UTCN is issued when:

- you do not pay within the payment window (before midnight of the day following your journey);

  or

- you are a pre-paid customer who has travelled without sufficient funds on your account and didn't top up before midnight the day following your journey;

  or

- you are an Exemption Account customer, and your Blue Badge or Exemption Account has expired, and you have not renewed it or made a toll payment for your journey.

When a vehicle travels through the tunnels and no toll payment is made within the payment window, a UTCN is generated and sent to the registered keeper of the vehicle. UTCNs are normally issued within 14 days of the journey/missed payment deadline, however, this can sometimes be longer depending on how long it takes the DVLA to confirm the address or where there are issues with the keeper details. This will not affect the length of time a customer is given to pay the reduced rate of £30 plus the toll (see below). In the vast majority of cases, TT2 will issue the UTCN within 6 months of the journey date.

The amount payable will be £60.00 + the toll amount (reduced to £30.00 + your toll amount if paid within 14 days of the UTCN generated date). The price increases if you do not pay within the timescales shown over.

	UTCN Issued	Reminder Letter	Final Notice	Case moved to 3rd party collection agency
Example Breakdown of Charges	£30 Charge + Toll	£60 Charge + Toll	£100 Charge + Toll	£100 Charge + Toll + £75 Charge (Collection Agency)
Example date progressions	e.g. 1st January	e.g. 15th January	e.g. 30th January	e.g. 13th February
Number of Days for progression*	Day 1	Day 15	Day 30	**Day 37-44

5.2 Paying a UTCN

The UTCN shows the details of how to pay, the amount payable, and the deadline for you to do so.

You can pay your UTCN online at Tyne Tunnel Pay Toll Charge or you can pay via phone on **0191 574 0030**.

*All UTCNs are issued via first class post.

**Dates provided for illustrative purposes, charges are sent in batches so timescales may vary

A day is added for each bank holiday

Where an appeal is submitted, this pauses the progression of the disputed charge until a response is provided by TT2. Where there is any change to the progression of your charge, this will be clearly communicated by TT2 on a case by case basis.

5.3 Hire/Lease/Rental vehicles

When a UTCN is issued, TT2 must send it to the registered keeper of the vehicle. In the case of some vehicles this is the lease/hire/rental company. This is the same as the process for parking charges and traffic offences for a lease car – the letters will be sent to the lease company if it is the registered keeper.

To pay the UTCN, drivers of lease and hire vehicles can pay UTCNs directly by following the instructions on the back of the UTCN. You do not have to be the registered keeper to make a payment for a UTCN – anyone can pay a UTCN if they have the car registration number or the UTCN reference number. Further information can be found via Lease/Hire/Rental Vehicles Information

5.4 Vehicles registered outside of the UK

If a vehicle registered in a country outside of the UK travels through the Tyne Tunnels, the customer experience is largely the same during the payment window. There are minor differences when making payment on the website or app because, unlike UK registered vehicles for which details can be checked against the DVLA database, you will need to ensure the vehicle registration and class is entered accurately to prevent any issue of a UTCN due to payment not being allocated to your vehicle.

In the unfortunate event a toll is not paid within the payment window for a vehicle registered outside the UK, TT2 are unable to retrieve the registered keeper's details from the DVLA. For vehicles registered in other European countries, TT2 employ the services of Euro Parking Collection plc (EPC) which is a third-party debt collection agency headquartered in London, specialising in recovery of unpaid traffic and public transport related fees, charges and penalties.
As such, additional costs are then incurred and will be higher than the typical £30/£60/£100 levels of charge. If a customer contacts TT2 after the payment window, they will be advised that it is not possible to pay the toll for that journey and they should wait until they receive their UTCN. It is not possible to appeal UTCNs relating to vehicles registered outside the UK through TT2 directly.

6. How to challenge a UTCN

6.1 Appealing a UTCN

The registered keeper of a vehicle can appeal if they receive a UTCN and they wish to put forward reasons/evidence regarding circumstances which affected their ability to pay the toll. Each case will be managed on an individual basis to identify customer circumstances, vulnerability issues and any other factors which may have impacted the situation.

You can make an appeal on the TT2 website at **Tyne Tunnel Pay Toll Charge** or via post by sending a paper copy to:

TT2 Limited
Administrative Building
Wallsend
Tyne and Wear
NE28 0PD

If you choose to pay your UTCN charge before submitting an appeal, or you paid the charge and then believe a mistake has happened and you wish to appeal and apply for a refund you must contact TT2 via telephone or contact form

6.2 Appealing a UTCN for a hire/lease/rental vehicle

If you are a user of the Tyne Tunnels who is using a lease/hire/rental vehicle and you have been charged in relation to a UTCN and wish to appeal, you should contact the lease/hire/rental company. They will let you know whether you can appeal via their own processes or should appeal directly to TT2.

If they tell you to appeal via their own company processes, then you must follow their advice and send whatever information they require. The company will appeal for you and let you know the outcome of the appeal. TT2's response to the appeal will be sent to the lease/hire/rental company.

If the company tell you that you can appeal direct to TT2 then you can submit an online appeal form at: **Lease/Hire/Rental Company and Customer Appeal Process**

The response to the appeal will be sent to you and to the lease/hire/rental company.

6.3 Guidance on appealing a UTCN

In your appeal you should explain the circumstances of your journey and why you consider the UTCN was issued incorrectly. If you feel that there is insufficient space within the online appeal form to explain your circumstances fully, please cite this within your submission and TT2 will contact you to provide an opportunity for you to send the remaining relevant information for your appeal.

If you have any documents, photographic evidence or screen shots to support your appeal, please provide these on submission.

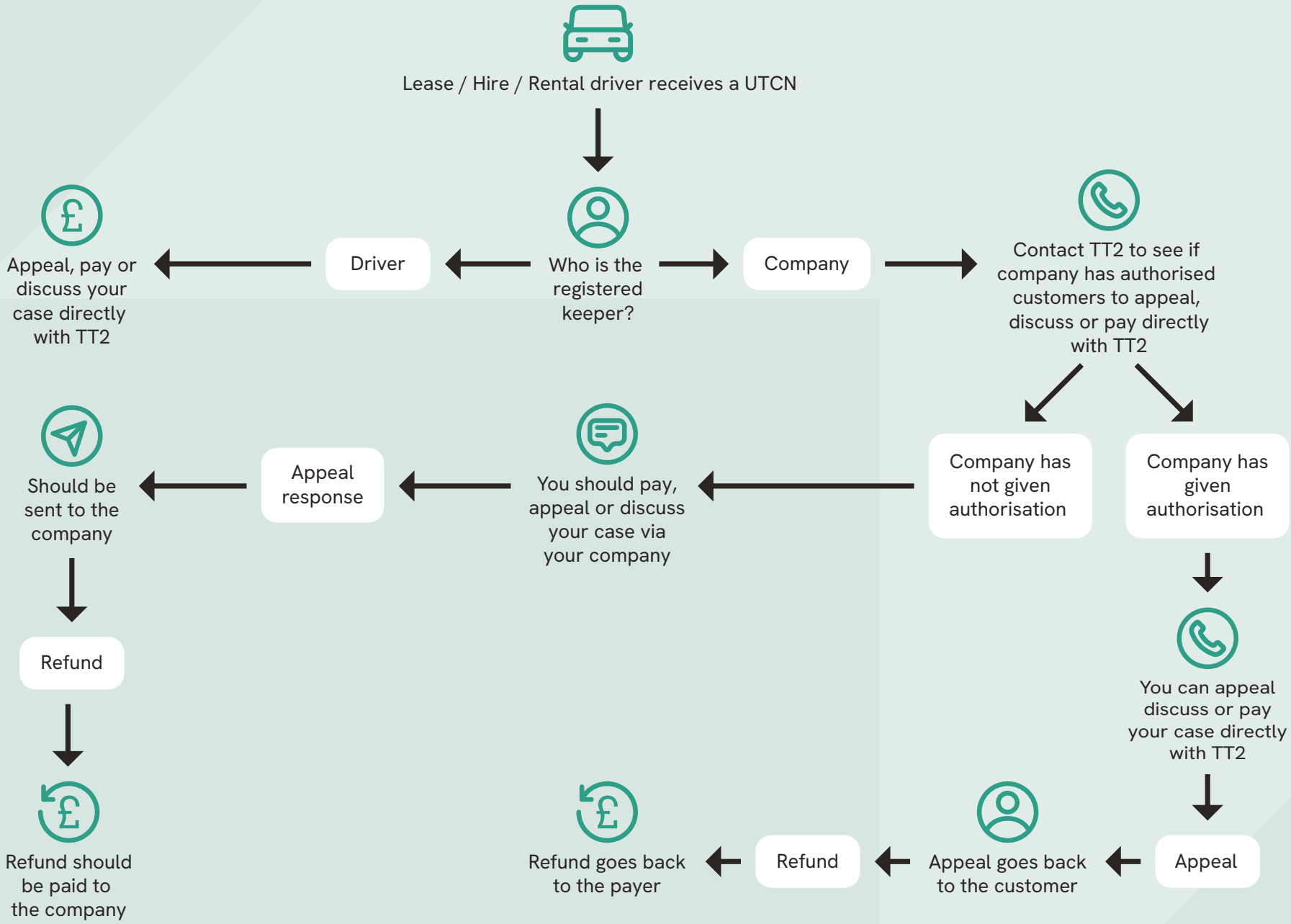
If you have experienced a fault with the payment website, you can take a screen shot at the time of the transaction attempt or a photograph of your browser showing the date and time of the transaction attempt. You can also provide screenshots as evidence of your attempts to contact TT2 within the payment window.

We would also recommend contacting your payment provider, as often issues can arise due to input error, issues with the card itself or the payment provider withholding a payment due to security reasons.

All appeals are reviewed manually by a trained member of staff and all relevant information is welcome as part of your appeal.

If you choose to pay your UTCN charge while your appeal is being considered the case will be closed. Should you wish to appeal your UTCN after payment has been made you must contact TT2 to discuss your case.

For more detailed information see: **Appeals Process**


Lease / Hire / Rental driver receives a UTCN
Who is the registered keeper?
Driver
Appeal, pay or discuss your case directly with TT2
Company
Contact TT2 to see if company has authorised customers to appeal, discuss or pay directly with TT2
Company has not given authorisation
Company has given authorisation
You should pay, appeal or discuss your case via your company
Appeal response
Should be sent to the company
Refund
Refund should be paid to the company
You can appeal discuss or pay your case directly with TT2
Appeal
Appeal goes back to the customer
Refund
Refund goes back to the payer

6.4 Appeals Process

1. When you submit an appeal, your charge will not increase whilst your case is being reviewed by TT2 within the appeals process. All correspondence will cease until your appeal is reviewed. If a letter is received while an appeal is being reviewed, this may be due to the letter being in the postal system already at the time you appealed, and we would advise calling TT2 if there is any uncertainty.
2. A dedicated Customer Service Agent will assess your case on an individual basis. All cases are assessed against a set of rules which have been agreed with the North East MSA and ensure a fair assessment of each appeal.
3. You will receive a response via email or post depending on how you originally sent your appeal. TT2 aim to respond to all cases within 14 days. Some complex cases can take longer.
4. If your appeal is not allowed, you will be given more time to pay the charge and you have the right to appeal each case a further two times.
5. If your appeal remains unresolved or you do not respond to TT2's communications, the case will be referred to a 3rd party collections agency. At this point, the TT2 appeals process is exhausted, however you can raise an "escalation" with the 3rd party. This request for escalation can be logged with the agency by email (preferred) or telephone. The escalation will be sent on the same day to a TT2 Manager and each case will be considered on an individual basis against agreed guidelines. You will receive a response with an outcome from the 3rd party collection agency within 7 days.

If you have exhausted all 3 main stages of the appeals process you can make a complaint to TT2. Complaints to the North East MSA before this has been actioned will be acknowledged however there will likely be no further action taken until we receive evidence that you have been provided a final response by TT2.

6.5 Complaints

If you have a concern about any aspect of using the Tyne Tunnels or the payment process and wish to complain you may do so by following these steps:*

Stage 1: Initial Complaint
Your complaint will be addressed by a TT2 Customer Experience Agent who will respond within 14 days.

Stage 2: Manager Escalation
If you're unhappy with the initial response, you should contact TT2 to explain why and a Customer Experience Lead will look at your case to make sure that all the processes have been followed correctly and to review your complaint. They will issue a response within 7 days.

Stage 3: Formal Resolution
If you're unable to reach agreement with a Customer Service Lead, you can ask for a final review to be undertaken by the Complaints Lead. Your case will be thoroughly investigated, and they will provide a formal written response within 6 weeks.

You can find the complaints form here: **Customer Complaints Form** You can also write to TT2 at:

TT2 Limited
Administrative Building
Wallsend
Tyne and Wear
NE28 0PD

Data Subject Access Request (DSAR) Complaints

Complaints regarding the submission or fulfilment of a DSAR will receive an acknowledgement within 30 days of receipt.

If you are still dissatisfied having followed the 3-stage appeal process and the TT2 complaints process, you can make a complaint to the North East MSA which oversees and closely monitors TT2's activities to ensure they deliver a high quality service and comply with their contractual obligations.

*Please note that outcomes to complaints are reached in line with Tyne Tunnels Bylaws 2021, The River Tyne (Tunnels) Order and guidelines agreed between TT2 and the North East MSA. On occasion therefore, it may not be possible to reach a mutually agreeable outcome. In these instances, complaints may not be escalated as above.

You can submit a complaint by emailing complaints@northeast-ca.gov.uk or by writing to the North East MSA at:

North East Mayoral Strategic Authority
The Lumen
St James' Boulevard
Newcastle upon Tyne
NE4 5BZ

Please note that the North East MSA has its own complaints process, details of which are found on the North East MSA website here: Contact us

The North East MSA cannot overturn your UTCN, however if you consider there has been any error made by TT2 or there is an area for improvement, the North East MSA will ensure this is investigated and discussed and/or actioned on your behalf. The North East MSA is not a further stage of appeal, therefore where a complaint solely comprises an appeal it is unable to take further action. If you are unsure whether your complaint comprises an appeal we would advise contacting the MSA who can advise.

If you have already paid your UTCN, particularly if you have first exhausted the appeals and complaints process then your final recourse would be to decide whether to independently make a "small claim" via the courts. To do so can be costly, and we would in all instances suggest seeking independent legal counsel ahead of any such decision as the processes can vary from country to country, even within the UK.

There is further information hosted at the following link: TT2 Appeals Regulatory Information

7. What happens if you do not pay the UTCN?

When a customer fails to pay the toll when it is due, they will receive a UTCN. If the customer still does not pay the toll and subsequent UTCN then there is an ongoing shortfall and further steps are necessary to recoup the money.

A debt recovery process is in place where the customer is contacted and pursued as they have not paid the toll or paid the UTCN.

A debt recovery process is necessary as the unpaid toll and the costs incurred in relation to the UTCN leaves a shortfall in funding for the operation of the Tyne Tunnels.

7.1 Debt Recovery

Whilst the vast majority of customers who receive a UTCN pay within 28 days of receipt or successfully appeal, there are some who either decide to ignore the notice or simply don't pay and incur further costs.

After 28 days of the UTCN being issued, TT2 may pass on such cases to debt collection agencies. At this stage a debt collection agency will take over the case and the costs will increase. The debt collection agency will take over the case for a period of six months and use additional checks and address tracing.

The debt collection agencies currently used by TT2 are:

- CDER Group
- TRACE Debt Recovery and Enforcement Services

The costs pursued by the agency will include:

- Toll due at time of journey;
- UTCN (£100); and
- Agency enforcement costs which are currently £75

Customers who have missed the appeal stage, but still wish to put forward relevant information will have an opportunity to do so once contacted by the agency. Customers should contact the debt collection agency and make a request to use their Escalations Process – see section 6.4 above on Escalation Process.

Debt recovery agencies are only used for a small minority of customers who have failed to engage with TT2. Most customers who are contacted by the debt recovery agency either appeal or pay their UTCN. However, continued failure to engage can ultimately lead to court action against you.

7.2 Financial difficulties in paying a UTCN

If you are suffering from financial hardship and have difficulties paying your UTCN there is support available.

TT2 work with an independent debt charity called PayPlan which offers free financial advice if you are struggling with debt or payments to creditors. To obtain more information on whether this could help you, use the following link: **Free Debt Advice | PayPlan**

You can also call TT2 on **0191 574 0031** and ask an agent to refer you to for free financial advice.

TT2 can also signpost you to a number of expert mental health organisations to contact if you or someone close to you is experiencing mental health problems, regardless of whether it is toll related.

Mind

Mind provide advice and support to empower anyone experiencing a mental health problem. They campaign to improve services, raise awareness and promote understanding.

For further information visit **Mind** or call Infoline on **0300 123 3393**.

The Samaritans

"Whatever you're facing, a Samaritan will face it with you."

The Samaritans are available day and night for anyone who is struggling to cope and needs someone to listen without judgment or pressure. Every 10 seconds, Samaritans responds to a call for help.

You can contact the Samaritans here: **Samaritans** or call **116 123**.

Help with managing debt

There are some not-for-profit organisations that could help you which provide free, confidential and independent advice. Information about several of these organisations is provided below.

- Citizens Advice – visit **Citizens Advices** or call **03444 111 444** to find your local Citizens Advice.
- National Debtline – call **0808 808 4000** or visit **National Debtline**
- Money Advice Service – go to **MoneyHelper** or call **0800 138 7777** for free, unbiased advice.

8. Court Proceedings

Court proceedings – civil or criminal?

There are two types of court proceedings which could result from you not paying your toll and UTCN. These are:

- **Civil court proceedings** mean the County Court process to recover a debt. It is a money claim made by TT2 for the amount of unpaid toll plus recovery costs of up to £100 and court costs.
- **Criminal court proceedings** mean the Magistrates Court process and is a way to prosecute an individual for an offence which constitutes a breach of the Tyne Tunnel bylaws. The sentence if found guilty in a Magistrates court will be a court fine, plus costs and victim surcharge. The Judge/Magistrate will decide the amount to be paid as a punishment, and it will be based on the income of the individual. Payment of the UTCN(s) may not be ordered by the court, and therefore do not form part of their sentencing powers, however any outstanding UTCN(s) remain payable.

Both can be lawfully used by TT2 to pursue unpaid toll charges.

9. Civil Court Proceedings

The civil court process means debt collection via the County Courts. If a toll and UTCN are not paid, then this is an unpaid debt which can be claimed via the County Court process which is governed by the Civil Procedure Rules.

More information is available at: **Civil Procedure Rules**

It's legal for any debt, however small, to be sent to a civil court for recovery within 6 years of it becoming due, in addition to any associated court fees and accrued interest. Court fees can vary depending on the amount of money due.

What happens in the civil court process?

- The customer will firstly be issued with a **Letter before Action / Notice of Court Action** which will come from TT2 by post and is intended to encourage them to engage and provide their financial position, in order to discuss and negotiate potential debt settlement arrangements.
- Customers will have 30 days in which to respond to TT2 in relation to the **Letter before Action / Notice of Court Action**.
- If the customer does not respond adequately then a County Court Claim will be issued by TT2.
- The customer will receive court papers from the County Court setting out what debt is claimed by TT2 and allowing the customer to respond.
- The customer will then be governed by the timeline requirements of the courts and must respond to the claim. Information on how to respond can be found at: **Respond to a court claim for money: How to respond**
- If the customer wants to defend the claim or part of the claim, guidance can be found using the link here: **Respond to a court claim for money: Defend the claim**
- If the defence is accepted, proceedings will be discontinued in relation to the debt claimed by TT2 for the UTCN in question.

- If the defence is unsuccessful or the customer chooses to admit the claim, then they will need to pay the amount claimed. The customer can ask to pay in instalments or pay the full amount. More information is available at: **Respond to a court claim for money: Pay some of the money**
- There will at each stage be the opportunity for the customer to discuss their case with TT2 and attempt to resolve the claim.
- Court action will always be a last resort action for TT2. It will only be considered if a customer does not pay after being contacted numerous times or does not engage with TT2 or the debt recovery agencies.

What happens if a customer does not respond to a County Court Claim?

If a customer does not respond to a County Court claim, they may get a County Court Judgment (CCJ).

To avoid this, it is important to respond to the court claim by the date on the letter or email received.

If you get a judgment, this means that the court has formally decided that you owe the money. The judgment will come in the post and will explain:

- how much you owe;
- how to pay (in full or in instalments);
- the deadline for paying; and
- who to pay.

A CCJ against you will have a detrimental impact on your credit rating and your ability to borrow funds or arrange finance in the future. For more information see: **County court judgments for debt: Overview**

Civil courts are often used to pursue debts owed to businesses and are similar to the way bus lane and parking fines are collected by local authorities. You will not receive a criminal record for being taken to the civil court, however if you fail to pay what you are ordered to by a judge this can lead to hardship and persistent debt as well as a negative impact on your credit file for 6 years.

Never ignore any letters relating to court proceedings regardless of whether it relates to TT2 or otherwise, even if you agree or disagree with the action taken as you may be found guilty by default.

If you have received a CCJ and did not receive the letters informing you of proceedings, you may be able to ask for your case to be reviewed by the courts. If this applies to you, please seek legal advice at the first opportunity.

Following the issue of a CCJ, TT2 may choose to recover monies through additional powers.

Free available at **Legal Aid: Overview** and **Citizens Advice**

10. Criminal court proceedings

This is reserved for the most serious offenders. The reasoning for this is set out in the **Prosecutions Code** and is summarised below.

The reason a customer can be taken to the criminal court is because it is against the law, under the Tyne Tunnels Bylaws, to fail to pay the toll when it is due or to breach any of the other bylaws such as by speeding, littering, etc. in the Tyne Tunnels.

The deadline for TT2 to take an individual to the criminal court is 6 months from the offence in question. If found guilty an individual will receive a fine up to £1,000 depending on their income, in addition to a victim surcharge and other costs, and a criminal record. Payment of the UTCN(s) may not be ordered by the court, and therefore do not form part of their sentencing powers, however any outstanding UTCN(s) remain payable.

The existence of and right to prosecute under bylaws is not limited to the Tyne Tunnels, as other locations such as libraries, hairdressers and barbers, amusement premises, taxis, public swimming pools, seashores and more are also covered by bylaws set by local authorities.

Although the liability to pay tolls is enshrined in the Tyne Tunnel Bylaws, similar bylaws are in place along routes covered by a Road User Charging Scheme such as the Mersey Gateway, and thus regardless of the tolling/ charging methodology, there would remain the same rights to prosecute.

10.1 The decision to prosecute

TT2 only prosecute as a last resort when all other options have previously been exhausted. The Prosecutions Code follows the principles of the Crown Prosecution Service (CPS).

Before going forward with prosecution, a case must pass two tests:

1. An evidence test to ensure the evidence is strong enough for a realistic prospect of conviction.
2. A public interest test, which considers factors such as the personal circumstances of the individual – for example, their health – and whether an alternative to prosecution could be offered.

You may be prosecuted for non-payment of the toll – and still need to pay the outstanding UTCN(s) – if any of the following factors apply to you:

- You have consistently failed to engage with the UTCN process.
- You were offered an alternative to prosecution, but still failed to pay;
- You have a previous TT2 Bylaw conviction, or you have been considered for prosecution in the past;
- You have made a false declaration of the identity of the driver of the vehicle in question;

  or
- You have stated that you did not, or do not, intend to pay the UTCN.

10.2 What happens in the criminal process?

Proceedings will be issued by TT2 and submitted to the court. The court will write to the customer with a court summons or notice and the customer must respond directly to the Court with a Guilty/Not Guilty plea within the timescale given by the court.

- The customer is presented with 3 options:
  1. Plead Guilty, without the requirement to attend court.
  2. Plead Guilty, but request to be present for a court hearing.
  3. Plead Not Guilty. This means that the court will arrange for a hearing to take place.
- The case will be decided upon by a Magistrate and where found Guilty a sentence by way of a fine will be issued. It is the decision of the Magistrate as to how much the fine will be, but it can be up to £1,000 and will be based on the income of the individual. In addition, there will be costs and a victim surcharge to pay. The surcharge is currently 40% of the total fine value and the costs claimed by TT2 are £125 per case.

- There will be a number of deadlines and timescales associated with an individual's proceedings. The information will be communicated to the individual by the Magistrates Court.
- A person can attend court cases, represent themselves and speak to the Judge themselves – a solicitor is not needed although it may be useful to obtain independent legal advice.
- If a person is ordered to pay a fine and does not pay, it is an imprisonable offence. A term of up to 28 days imprisonment can be imposed by a Magistrates Court for an unpaid fine of £500-£1,000 once all other avenues are exhausted. Imprisonment can have a severe impact on the life of those sentenced, and thus if an individual faces any difficulties in paying any court imposed fine, they should seek legal advice as a matter of urgency and inform the court of their circumstances.
- Free advice is available at **Legal Aid: Overview** and **Citizens Advice**.

10.3 What happens if a customer does not respond to a Criminal Summons/ Notice?

If you don't respond to the summons/notice from the court, the case will still go ahead, and you will lose your chance to make a plea and to provide any supporting information. This means you can be found Guilty in your absence, and you will be notified of the outcome. It is therefore important that you respond to any letter you receive from the court.

10.4 Will I get a criminal record for a Tyne Tunnels bylaw conviction?

You will get a criminal record for a criminal conviction (this is not relevant to a civil court County Court Judgment). A criminal record can affect your life, as it can affect job applications and visa applications to go on holiday or work abroad.

10.4.1 Disclosure and Barring Service (DBS) Check

A basic DBS check would reveal a TT2 bylaws conviction if a fine had been received as the sentence. However, a fine itself becomes a 'spent conviction' for individuals aged 18 and over 1 year after conviction. For under 18s it becomes spent 6 months after conviction. This means it would either disappear from the record or show up as a 'spent conviction'.

In relation to standard and enhanced DBS checks some minor offences are filtered out from showing up. These minor offences are known as 'non-specified offences'. 'Non-specified offences' are filtered from a person's standard or enhanced DBS check 11 years from the date of conviction if they are over 18. If they were under 18 at the time of conviction it is filtered after 5 and a half years.

The summary offence imposed by the TT2 Bylaws will be included as a 'non-specified offence'.

10.4.2 Criminal Records

Any conviction from the Court will remain on the Police National Computer indefinitely. This means that in future criminal proceedings it can still be mentioned even if it is spent.

The Police also have discretion to disclose a filtered offence if they deem it relevant to do so. Therefore, if relevant to whoever is making the check, the police can disclose the conviction. There are some circumstances that it could be disclosed i.e. if someone is making taxi license application. However, it is rare that these types of disclosures are made.

10.5 Other bylaws offences

TT2 may also prosecute an individual for any breach of the Tyne Tunnels bylaws, for example for speeding in the traffic tunnels or for prohibited behaviour in the Pedestrian and Cyclist tunnels such as smoking or littering.

The Tyne Tunnel bylaws are found using the Link here: **Bylaws**.

10.6 How many times could a customer be prosecuted?

Where a customer has been prosecuted in the criminal courts for an unpaid toll, they will not be pursued for the same unpaid toll in the civil courts.

However, a customer with numerous unpaid journeys may be prosecuted for each journey in either the criminal or civil courts. Each individual case will be reviewed separately, and a decision made depending on the circumstances.

TT2 can only prosecute cases in the criminal courts for up to 6 months after the date of the unpaid toll, however you can be pursued in a civil court claim for up to 6 years after the unpaid toll.

Customers' UTCN's are typically referred to third party enforcement after 28 days. If no amicable solution is reached within 6 months, cases will be referred back to TT2 who will begin the process of instigating civil court proceedings.

NOTE:

This document does not serve as a legal guarantee or legally binding document and is intended to provide advice and guidance only to members of the public. If you have any further queries, or issues arising from any topic referred to in this document please contact TT2 using the details below.

Useful links

North East Mayoral Strategic Authority homepage: northeast-ca.gov.uk

TT2 Homepage: www.tt2.co.uk

TT2 contact details: www.tt2.co.uk/contact

Guest Payment: www.tt2.co.uk/guests/passages/pay

Pre-paid account setup: www.account.tt2.co.uk/sign-up

Register a blue badge: www.tt2.co.uk/apply-for-a-toll-exemption-account/bb-application

Customer complaints form: www.tt2.co.uk/help/complaints-process/complaints-form

Appeal a UTCN: www.tt2.co.uk/pay-an-unpaid-toll-charge-notice-utcn

Appeal a UTCN for customers with leased vehicles: https://www.tt2.co.uk/help/customer-faqs/lease-company-customer-appeal/

TT2 Terms and Conditions: www.tt2.co.uk/help/terms-of-use

TT2 Appeals Regulatory Information: www.tt2.co.uk/content/uploads/2023/07/TT2-Appeals-Regulatory-Information.pdf

Tyne Tunnels Bylaws: www.tt2.co.uk/help/bylaws

The River Tyne Tunnels Order 2005: www.legislation.gov.uk/uksi/2005/2222/schedule/14/paragraph/14/made

Civil Procedure rules: www.justice.gov.uk/courts/procedure-rules/civil

Legal Aid: https://www.gov.uk/legal-aid

Further information on County Court Judgments: www.gov.uk/county-court-judgments-ccj-for-debt

Citizens advice: www.citizensadvice.org.uk

Money claim: www.moneyclaim.gov.uk/web/mcol/welcome

National Debtline: nationaldebtline.org

Samaritans: www.samaritans.org

Mind: www.mind.org.uk

Money helper: https://www.moneyhelper.org.uk/en?source=mas

TT2 Lease/Hire/Rental Vehicles Information: https://www.tt2.co.uk/help/lease-hire-rental-info/

Tunnels modification order: https://www.legislation.gov.uk/uksi/2023/139/article/2/made

How do you want to pay: https://www.tt2.co.uk/help/lease-hire-rental-info/

Appeals process info: https://www.tt2.co.uk/help/appeals-process-info/

We have the ambition, drive and knowledge needed to improve regional transport dramatically over the coming years.

Durham County Council
Gateshead Council
Newcastle City Council
North Tyneside Council
Northumberland County Council
South Tyneside Council
Sunderland City Council