

Navigation Committee

14 January 2021

Agenda item number 10

Tolls enforcement

Report by Chief Executive and Collector of Tolls

Purpose

This report gives a briefing on a change in the tolls collection process for those boat owners who persistently delay payment of the charge.

Broads Plan context

Effective tolls collection underpins Aspiration 4 to 'maintain a safe, open navigation and reduce pressures on busy or vulnerable areas.'

1. Introduction

- 1.1. There are around 10,000 private boat owners on the Broads. The majority (77%) of tolls are paid before the end of April and 86% before the end of May. This has been an exceptional year for late payments because of the COVID-19 pandemic, and the Tolls staff have had to send over 1,000 reminder letters (840 first letters and 240 follow up letters). Currently, 157 payments are outstanding, which is higher than normal. This year has drawn attention to a small core of boat owners who appear to deliberately delay payment as long as possible and thereby create a significant additional workload for our small Tolls team and additional work for our Ranger service.
- 1.2. The current process is as follows. Reminder letters are sent to all toll payers from late February through to early March. In May, the Ranger Team surveys the navigation area and adjacent waters to identify boats present in the water and checks whether they have paid a toll and have a valid Boat Safety Certificate. Our procedures state that boat owners that have not paid the toll are given a Notice of Contravention. This is either affixed to the boat or handed to the owner. It is then followed up by letter with a copy of the Notice. If the toll is not paid in the following 10 days a second letter is sent, which states that the Authority will go to the Courts if the charge is not paid and will seek to recover its costs.
- 1.3. This process works well and most of outstanding toll monies are paid. In the process it is important to demonstrate that the Notice of Contravention (which sets out the alleged offence committed) has been served and brought to the attention of the registered owner and demonstrates fairness in the legal process. It also secures the Authority's position in seeking costs, as the evidence shows that the registered owner

has received the Notice and has had the opportunity to respond to the circumstances and settle the account before court action is taken.

- 1.4. For those boat owners who have a history of not paying in a timely way it is intended that, in future, a first and final letter will be sent to speed up the process and avoid an unnecessary call upon the Authority's limited resources.

2. Risk implications

- 2.1. Legal advice on this matter has been gained and this confirms that the change proposed is sound. The majority of the Authority's toll payers will not notice any difference in the way tolls are managed, as the change only concerns a small number of boat owners.

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