



## Driver and Vehicle Licensing Agency

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Your Ref  
Our Ref FOIR 688

Date: 2 August 2007

### Freedom of Information Request

I am writing regarding your letter received on 5 July 2007 at the Driver and Vehicle Licensing Agency's (DVLA) Continuous Registration Enforcement Centre (CREC) in Bournemouth, in relation to the enforcement action being taken against you for vehicle. Your letter contains a request for information and this has been managed under the terms of the Freedom of Information Act 2000 (FOIA). This response deals specifically with that request. Bournemouth CREC has addressed the other issues of concern to you in her letter of 11 July 2007.

At the outset, I need to advise you that, whilst the Agency may hold the information you have requested, some of the statistical data is not held in the format requested and cannot be provided.

Your request reads:

*"... please advise me of the number of late penalties imposed, the value of those penalties and the number and value subsequently cancelled under any form of appeal. Could you provide me with your internal benchmarking and efficiency statistics produced for the department. Could you also provide me with the case law that you rely on in making the claim that the Courts uphold your view that it is the recorded keepers responsibility to check the effectiveness of Royal Mail and DVLA."*

The statutory obligations placed on vehicle keepers under the system of Continuous Registration (CR) legislation and corresponding regulations have already been set out for you. When dealing with your requests, we have taken your concerns to rest with those vehicle keepers who have received a CR penalty letter for a failure to notify DVLA that a vehicle is being kept off the road.

I will deal separately with each of the 5 components of your request.

In answer to the first part of your request: -

*"...please advise me of the number of late penalties imposed,..."*



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It has already been explained that, from March 2004, enforcement action in respect of a failure to re-license or declare Statutory Off Road Notification (SORN) for a vehicle has been taken under the CR legislation. Statistical information for either of these offences is, therefore, recorded under the 'CR offence umbrella'.

Each month, DVLA carries out a check of the vehicle register to identify vehicles apparently without a valid licence or SORN declaration in force. Where a breach of the CR legislation is thought to have occurred, penalty letters are issued automatically to the registered keeper. Late Licensing Penalty (LLP) letters are issued in accordance with Section 7A of the Vehicle Excise and Registration Act 1994 (VERA). The penalties are for the amount of £80, reduced to £40 on early settlement. County Court action may ensue where the penalty remains unpaid to afford recovery of the debt to the Crown.

As your request does not indicate a specific time-scale, we have taken it to mean the total number of LLPs issued since the inception of CR from March 2004 which are tabled below.

<b>Period/Year</b>	<b>Total number of LLPs issued</b>
Mar 2004 to Dec 2004	957,131
Jan 2005 to Dec 2005	1,419,899
Jan 2006 to Dec 2006	1,274,143
Jan 2007 to July 2007	717,464

In answer to the second part of your request: -

*"...the value of those penalties..."*

It is not possible to provide accurate statistics to answer your request. Therefore, we have determined the value of the LLPs issued each year at both the higher and lower rates of penalty since the inception of CR, but would ask you to bear in mind that the majority of offenders settle at the lower rate. The information for which you have asked is detailed below:

<b>Period/Year</b>	<b>Value of penalties issued @ £40</b>	<b>Value of penalties issued @ £80</b>
2004 (since March 2004)	£31,602,280	£63,204,560
2005	£56,795,960	£113,591,920
2006	£50,965,720	£101,931,440
2007 (to the present date)	£28,698,560	£57,397,120

In answer to the third part of your request: -

*"...and the number and value subsequently cancelled under any form of appeal."*

The Agency does not record statistics in a format that would supply the requested data. CR cases are not pursued for a variety of reasons. In order to collate this information, we would need to conduct a manual interrogation of each individual CR enforcement case to determine the reasons why cases were closed. I should explain that, whilst DVLA may hold this information, it is the Agency's policy not to process requests likely to exceed the cost limit of

£600 for provision of information under the FOIA. This information will not, therefore, be made available to you as in the circumstances we are not obliged to do so by virtue of section 12 of the FOIA.

In answer to the fourth part of your request: -

*“Could you provide me with your internal benchmarking and efficiency statistics produced for the department.”*

I can advise that the Agency has its own accuracy targets to ensure, as much as possible, that we capture information correctly once we have received it. Our annual target is to capture 97.5% of information correctly based on the details provided to us.

The current measures for accuracy of input show that approximately 98% of the documents received at DVLA are keyed accurately. This equates to 98.21% for vehicles records and 97.58% for drivers.

I can tell you that DVLA continues to look at ways to prevent documents becoming mislaid on receipt in the Agency. In this regard, the Agency is undergoing a large programme of work that entails managing operational documents through the capture of electronic images linked to specific business systems or linked more permanently to casework records or invoicing records.

Multiple-handling of documents will be replaced by automated processes to capture, deliver and archive documents in one pass and subsequent movement of documents will be achieved economically by electronic means. Limiting human intervention to mail receipt/scanning areas will greatly reduce the time spent, and the number of people involved, in transporting documents within DVLA. The likelihood of losses caused by manual handling and transportation of documents will be minimised. Any errors that may be caused by such losses will also be reduced as a result. The ongoing programme of work will provide DVLA with a state-of-the-art information capture and document archiving system to meet current and future business needs.

In relation to outgoing mail, DVLA uses the services of an independent third party to monitor and report on the delivery service provided by Royal Mail. The company, Research International, provides DVLA with dummy 'seed' items, which are despatched with Agency mailings on a daily basis. DVLA receives monthly updates on the quality of service received from these mailings.

You may be interested to know that the Customer Satisfaction Surveys held each year indicate that we are succeeding in this. Service Standards are agreed by the Secretary of State (SoS) in the target-setting process carried out between the Department for transport (DfT) and its Executive Agencies. In 2006 the survey revealed that 91% of our customers, against the SoS target of 88%, were satisfied with the service received. The SoS target for 2007 is 90% and research will take place in Autumn 2007.

In answer to the fifth part of your request: -

*“Could you also provide me with the case law that you rely on in making the claim that the Courts uphold your view that it is the recorded keepers responsibility to check the effectiveness of Royal Mail and DVLA.”*

Whilst there is no specific case law to answer your request, the reliance of a 3rd party (in this case Royal Mail) for the delivery of a SORN declaration has never been accepted by court as a valid reason for the non-receipt of notification by the Agency. To assist our customers to fulfil their responsibilities in this regard, guidance notes are provided on both the dual-purpose licence renewal form/SORN declaration (V11) and the separate V890 SORN application form. These make clear that, whilst DVLA will issue an acknowledgement to confirm receipt of the declaration, if this is not received within 4 weeks the sender should contact DVLA. It is accepted, therefore, that the responsibility for notification remains with the registered keeper.

The information supplied to you continues to be protected by the Copyright, Designs and Patents Act 1988. You are free to use it for your own purposes, including any non-commercial research you are doing and for the purposes of news reporting. Any other re-use, for example commercial publication, would require the permission of the copyright holder.

Most documents supplied by the Driver and Vehicle Licensing Agency will have been produced by government officials and will be Crown Copyright. You can find details on the arrangements for re-using Crown copyright on the Office of Public Sector Information website at:

<http://www.opsi.gov.uk/click-use/index.htm>.

If you are unhappy with the way the Agency has handled your request, you may ask for an internal review.

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. Further guidance of DfT complaints procedures are detailed in **Annex A**.

If you have any queries about this letter, please contact me, quoting the above reference in any future communications.

Yours sincerely