

SCHEDULE 2 – Appendix 25
Criteria for Dealing with Clamp and Removal Representations

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Clamp and Removal

- 1.1 The person who pays or is the Registered Keeper / Person Liable of the Vehicle when it is released may make a clamping or removal Representation. To claim the Vehicle that person must prove that they are responsible for that Vehicle. If they have reclaimed the Vehicle following Removal there will be issued with a Clamp and Removal Representation form.
- 1.2 The Representation must be processed regardless of whether it is made on the form or if it is not signed. Neither of these are valid reason to reject the Representation.
- 1.3 Upon release of the Vehicle the relevant person may make a formal written Representation.
- 1.4 A Representation may also be made when the relevant person receives any sum of money following the sale or scrapping of the Vehicle or
- 1.5 When the relevant person is informed that, following the sale or scrapping of the Vehicle, the proceeds do not exceed the amounts owed.
- 1.6 Any Representations, which has not been responded to by the Enforcement Operations Service Provider within fifty-six (56) days of receipt, must automatically be accepted.
- 1.7 The Representation will be considered if the clamping or removal action carried out by the OSE Service Provider was valid.
- 1.8 Any Representation investigation must also look at all the relevant PCNs and determine if they are valid.
- 1.9 The Clamp and Removal action and subsequent Representation will deal with multiple PCNs and each PCN must be assessed according to the Clamp and Removal business rules.
- 1.10 If after consideration less than three (3) PCNs remain outstanding, then the whole Representation is accepted. If the investigation reveals that more than three (3) PCNs are still valid but others are accepted then the Clamp and Removal action is still valid and this must remain a part of the Clamp and Removal Representation consideration.

- 1.11 The Notice of Rejection must include the relevant details for each PCN. If this includes PCNs which are accepted but that the action remains valid then the details about these PCNs must be included within the Notice of Rejection referencing why the Clamp and Removal action is still valid.
- 1.12 Any accepted Clamp and Removal Representation must result in a refund of the monies paid by the relevant person.
- 1.13 Partial acceptance rejections / acceptance must result in an appropriate refund (for example five (5) PCNs and removal fee paid, Representation made and investigation reveals that two (2) of the PCNs were issued incorrectly. These two (2) PCNs therefore refunded but the Representation rejected. The removal action is still valid so a refund is not given for the three (3) other PCNs or the removal fee).
- 1.14 Clamp and removal business rules are separate from the usual / Representation rules and must be applied to any Clamp and Removal Representation.
- 1.15 Any Clamp and Removal Representation made outside these grounds must be escalated to a PMA.

[Information Redacted]

Decision Criteria for both PCN validity and Clamp and Removal Action

[Information Redacted]