

Make an appeal

You can only appeal to the Governance and Finance Manager of the Tamar Bridge and Torpoint Ferry (TBTF), if you have made a representation in time which has been rejected by our debtor team. You will have been sent a Notice of Appeal form with the Notice of Rejection.

In the normal course of events both you and our debtor team will have to comply with any decision made by the Governance and Finance Manager.

If you make a representation and disagree with our decision to reject that representation, you have the right to appeal to the Governance and Finance Manager.

To appeal you need to complete the form sent with the Notice of Rejection

Please ensure that the appeal form uses the address shown on the appeal form, not any form of that address. This will ensure that the appeal is made direct to the Governance and Finance Manager.

The hearing will normally be conducted by post but we will consider exceptional al hearing.

Remember you only have 28 days from the date of service of the Notice of Rejection to appeal to the Governance and Finance Manager.

You need to provide and address all your evidence to the Governance and Finance Manager and not to any other addressee.

When our debtor team is notified of your appeal, any further collection process associated with the Notice will be frozen as will at the relevant amount that is outstanding at that time

Our team will provide an evidence pack to the Governance and Finance Manager and will provide you with a copy of this evidence.

The Governance and Finance Manager will then make a decision looking at the evidence in your appeal and our evidence pack. When considering a case, the Governance and Finance Manager cannot consider mitigating circumstances or apply discretion.

A copy of the Governance and Finance Manager's decision will be sent to both you and the debtor team.

Appeal allowed

If your appeal is successful you will receive a decision outlining that your appeal has been 'allowed'. This means that either the debtor team has reconsidered the evidence and now decided not to contest the appeal or that the Governance and Finance Manager General Manager has considered the facts and found in your favour. This will mean that you may no longer be liable for the Notice, and if you paid the Notice amount the money paid will be refunded.

Appeal refused

If your appeal is unsuccessful you will receive a decision from outlining that your appeal has been 'refused'. This means that following consideration by the Governance and Finance Manager, the

finding is in TBTF's favour. In the decision you receive, the Governance and Finance Manager will outline the reasons why the appeal has been refused and give direction as to the amount that should be paid to us and how quickly this must be paid.

Reference to Others or response to Civil Court Proceedings

If you believe that your representation and appeal have not been handled properly or that the process has been improperly administered, then you may choose to appeal to Cornwall Council's Monitoring Officer or the Local Government Ombudsman. Contact details are available through our website [\[hyperlink to "dispute" overview page on website\]](#)

You may also still consider that you are not liable for the Notice due to other grounds including those listed below. If further appeal is made under one of these listed grounds, we recommend that you make a Statutory Declaration.

A Statutory Declaration is not a representation or a complaint. A Statutory Declaration is usually made on one of the following three grounds:

1. You did not receive the Notice. This does NOT apply if you just forgot to pay it, mislaid it or forgot to make a representation. If you did not receive the original Notice because you moved address, ensure your Statutory Declaration includes details of your new address
2. You made representations about the Notice to us using the details provided as part of the Notice Pack, within 28 days of the service of the Notice, and you did not receive a Notice of Rejection. This only applies if you made a representation within the time limit to the correct address as provided within the Notice pack and never received a response from us. It does not apply if you received a reply you disagreed with or if we refused to consider your representation because it was late.
3. You appealed to the Governance and Finance Manager against our decision to reject your representation, within 28 days of the service of the rejection notice, but you have had no response to this earlier appeal. This only applies if you made an appeal within the time limit to the Governance and Finance Manager and never received a response from the Governance and Finance Manager. It does not apply if you received a reply you disagreed with or if the Governance and Finance Manager General Manager refused to consider your appeal because it was late.

If it is not signed and witnessed, or if you do not make it on one of the three grounds, the Monitoring Officer, Ombudsman or Court may refuse your Statutory Declaration. However, as these individuals and bodies is independent of us, we have no control on the process employed and you are responsible for ensuring compliance with exact requirements each requires from a complaint or appeal.