

'Present Occupier

www.tvlicensing.co.uk

/60 London

December 2009
Ref: 3314361561BS

Your address has been passed to our Enforcement Division

Recently, we wrote to advise you that your address is unlicensed. We haven't received a response, so we've passed your address to our Enforcement Division. The next step is for our Enforcement Officers to schedule a visit to your premises.

There are two ways to stop this investigation immediately:

1. Buy a TV Licence today. It costs £142.50 for colour or £48 for black and white. Simply visit www.tvlicensing.co.uk and pay either in full or in payments spread monthly or quarterly. Alternatively, call us on 0844 800 6766.
2. Or write to us confirming that you do not use TV receiving equipment at this address. You can use the form overleaf.

If you choose not to respond, please be aware that our Enforcement Officers may visit you at any time during working hours.

You have been advised that it is illegal to watch or record television programmes as they are being shown on TV without a valid licence. The law applies whether you or your staff are using a business PC, laptop, mobile phone, television or any other device on these premises.

If you have any questions, you'll find the answers at www.tvlicensing.co.uk/information. Of course, if you have just bought a TV Licence, thank you.

Yours faithfully,



Carl Shimeild
Operations Director

If you are not the business named above, please do not ignore this letter. This address still requires a TV Licence if you use TV.

My Ref: 4

letters/ TVlic221209

Carl Shimeild
Operation Director
TV Licensing
Bristol
BS98 1TL

22 December 2009

Dear Mr Shimeild

I received a copy of the enclosed which I regard as harassment. I had already replied to say that the staff of [redacted] do not watch television programmes on any apparatus in the office. We are a small charity and the staff are not paid to watch television; they are paid to work. I also called TV licensing on 21st December at 10.40am and relayed the fact that we do not watch television.

I find the term Enforcement Division gratuitous, threatening and menacing; I also find the action of TV Licensing vexatious.

I require by return the names and postal addresses for the Chairman and Managing Director of TV Licensing. I also require the exact wording of the TV licensing regulation that permits you to behave in this outrageous way. Your letter (and I use the term in its loosest possible sense of the word) of December 2009 (copy enclosed) is notable for its abject failure to quote current legislation that allows you to behave like some 20's habitu  of a Munich Beer Hall.

Next time you write to people, first find out the name of the MD of the company. This form addressed to "I [redacted] /Present Occupier" displays a woeful and insouciant attitude to standard commercial practice; in fact, not to put too fine a point on it, it is appalling.

I suggest that in future that you apply the tried and tested principles of marketing to build good relationships with potential license holders. Your actions to date are redolent of the Stasi, the Guoanbu, Vevak and the North Korean State Safety and Security Agency.

I am copying this letter to the MPs listed below. I am also enclosing an invoice for the amount of my time you have wasted; my hourly rate is  250 for consultation. Please make the cheque payable to the Musicians' Benevolent Fund of the Musicians' Union.

Yours faithfully

Chris Hodgkins

Cc:

[redacted]
[redacted]
[redacted]
[redacted]
[redacted]

Tel : 0844 800 5843
Fax : 0844 800 5839



www.tvlicensing.co.uk

Bristol, BS98 1TL

Our Ref: COM/473658/AB

4 January, 2010

Mr C Hodgkins

London

Dear Mr Hodgkins

Thank you for your letter. We've recorded it under our complaint reference number above. Please use this number if you need to contact us again.

I am sorry you have been given cause to complain and have had to contact us more than once about this matter.

I have now correctly updated the records to show that there is no television receiving equipment used to record or receive television broadcast signals at the address at the top of this letter. This will prevent any further enquiries for some time.

Although I should explain that it is important that we ensure that people are aware of their legal requirements and the consequences of unlicensed use of television. Therefore, we occasionally write to businesses/charities/schools reminding them that a TV Licence is required if they have television equipment installed on their premises for the purpose of receiving broadcast programmes.

In line with our policy for all types of address, we may ask a Visiting Officer to call and confirm there is no need for a licence.

You can of course escalate your complaint by writing to:

Carl Shimeild
Operations Director
TV Licensing
Bristol
BS98 1TL

Again I am sorry you have been troubled but hope that my letter has explained the matter satisfactorily.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Amanda Beresford'.

Amanda Beresford
Customer Relations

Carl Shimeild
Operation Director
TV Licensing
Bristol
BS98 1TL

07 January 2010

Dear Mr Shimeild

I received another piece of egregious correspondence from you which commences by stating:

"Thank you for telling us that you don't need a TV licence. It is unfortunately necessary for TV licensing to visit homes to confirm there is no TV being used".

_____ is not my home, it is my office. Perhaps you would therefore reply to my letter of the 22nd December 2009 and also put your correspondence in some kind of logical order.

I have subsequently received a letter from a Ms A Beresford of Customer Relations – an oxy moron surely. For your information, _____ is not a customer. Ms Beresford writes "that if I want to escalate my complaint I should write to you."

1. Escalate is an intransitive verb and does not have a direct object.
2. As I wrote to you in the first place I think I must be losing my presence of mind.

Please respond to my letter of the 22nd December. I enclose a reminder invoice for £250 for my time on the matter.

I am copying this letter to the MPs listed below.

Yours faithfully

Chris Hodgkins

Tel : 0844 800 5843
Fax : 0844 800 5839



www.tvlicensing.co.uk

Bristol, BS98 1TL

Our Ref: COM/474498/CG

15 January, 2010

Mr C Hodgkins

LONDON

Dear Mr Hodgkins

Thank you for your letter dated the 7 January 2010. This has been forwarded to me as part of our escalation process.

I'm sorry you're unhappy about the letter you received from us. We wrote to you originally to see if your situation is still the same, as many businesses do decide to install TV-receiving equipment. Often television equipment is installed in a staff rest room, or because part of their business requires watching television broadcasts.

As part of our work, we do write to ask about the licensable status of any unlicensed address appearing in our files. An Officer may also be asked to call and confirm the situation.

It may be useful to clarify that under section 180 of the Broadcasting Act 1990, the function of the Television Licensing Authority was transferred from the Home Office to the BBC. The BBC is therefore responsible for enforcing the obligations specifically referred to in the Communications Act 2003. This Act also empowers the BBC to put in place policies and procedures as they see fit for the administration of the licensing system.

As agents of the BBC, TV Licensing are authorised to collect the Television Licence fee, to administer the licence system, and to carry out enforcement proceedings. Our licence enquiry process (letters and visits to confirm the licensing needs of an address) is carried out in line with the responsibility of ensuring that a valid TV Licence is in place at any address where one is required.

We write to addresses because we are unaware of the situation. If we are given a contact name, we will address future correspondence to that person.

Although we are entitled to make such enquiries, our letters hold no implication for those who don't need a TV Licence, nor is there any obligation upon the recipients to respond. But, we do appreciate any help in maintaining our records, and our files will be updated if we're told that a licence isn't needed.

TV Licensing won't accept an invoice for time and costs. This is because you have not rendered services on our instruction and no agreement exists between us. To form a contract there must be an acceptance of terms and we can't accept these.

Looking to our formal complaints procedure, it's the responsibility of the Customer Relations team to record and respond to all complaints that TV Licensing receives. Customer Relations will always aim to resolve a complaint first time, but if the customer feels this has not been done, they can request that the matter is escalated for my attention.

If the matter remains unresolved after this, and should the customer wish to pursue it, they can do so by writing to the BBC, to whom we act as agents. The address for this is as follows:

Pipa Doubtfire
Head of Revenue Management
BBC TV Licensing
Room 4436
White City
201 Wood Lane
London
W12 7TS.

Finally, looking to your licensing needs, please be assured that we have noted that you do not need a TV Licence. Once we've visited you and confirmed the situation we can stop further contact for up to four years.

I hope the above information has been helpful.

Yours sincerely


Carl Shimeild
Operations Director

Carl Shimeild
Operation Director
TV Licensing
Bristol
BS98 1TL

21 January 2010

Dear Mr Shimeild

Thank you for your letter of 15th January 2010.

I received the attached from TV Licensing on 25th October 2009 since when I have been harassed with correspondence from your office. I would be grateful if you would fully address the points I made in my letters of the 22nd December and 7th January.

I also require the name and business address of the Chief Executive and Chair of TV Licensing plus details of your corporate structure. I am fully aware of contract law; however the vexatious behaviour of TV Licensing in bombarding me with menacing letters telling me I must respond leads me to charge you for my time. You have my invoice; prompt settlement will be appreciated.

Yours faithfully

Chris Hodgkins

Tel : 0844 800 5843

Fax : 0844 800 5839

Our Ref: COM/474498/CG

2 February, 2010

Mr C Hodgkins

LONDON

 TV LICENSING

www.tvlicensing.co.uk

Bristol, BS98 1TL

Dear Mr Hodgkins

Thank you for your letter, received on the 25 January 2010.

I was sorry to learn you felt I did not address all the points from your previous correspondence.

This was not my intention, as I felt that my last response was appropriate and I had addressed your points.

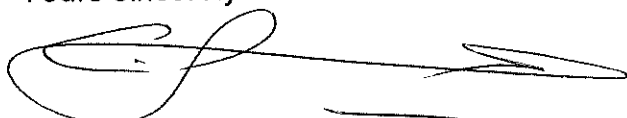
Having reread your correspondence I feel there is nothing further I can add.

As previously advised, if you wish to pursue the matter, you can contact the BBC at the following address:

Pipa Doubtfire
Head of Revenue Management
BBC TV Licensing
Room 4436
White City
201 Wood Lane
London
W12 7TS

I hope the above information has been helpful.

Yours sincerely



Carl Shimeild
Operations Director

Carl Shimeild
Operation Director
TV Licensing
Bristol
BS98 1TL

09 March 2010

Dear Mr Shimeild

Regrettably you have not fully addressed the points in my letter. You have also not explained the gratuitous and vexatious correspondence and you certainly have not supplied me with the names and business addresses of your Chairman and Chief Executive plus the details of your corporate structure. I find it curious that you are unable to supply these details.

Yours faithfully

Chris Hodgkins

Tel : 0300 790 6030
Fax : 0300 790 6026



www.tvlicensing.co.uk

Bristol, BS98 1TL

Complaint Reference Number/473658/CG

18 March, 2010

Mr C Hodgkins

LONDON

Dear Mr Hodgkins

Thank you for your recent letter. This has been forwarded to me as part of the escalation for further review.

I was disappointed to read that your recent complaint had not been resolved to your satisfaction, and I'd like to take this opportunity to address the issues you feel are outstanding.

We have a responsibility to ensure that a valid TV Licence covers any address where television is used. In line with this, we do write to any unlicensed address appearing in our records, in order to ascertain the licensing needs of each.

When we write to an address that is without licence cover, no assumption is made as to the circumstances, and we have no intention of questioning the integrity of anyone who lives at, works at, or who has a responsibility for, the property. We certainly accept that there are situations where a licence would not be needed.

However, there are those who choose to avoid purchasing a licence despite their legal responsibility to do so. It is therefore important for TV Licensing communications to contain a sufficiently strong message that advises of the possible consequences of watching television without a licence. I would stress though that our letters hold no implication for anyone who does not need a licence.

Our records have been updated and you won't receive any more letters from us for almost three years. We'll then get in touch to check whether the situation has changed. As many businesses move address or change their circumstances we're not able to put a permanent stop on letters.

It's unfortunately necessary for TV Licensing to visit properties to confirm there's no licence required as, when we make contact on these visits, a quarter of people are found to require one.

Once we've visited you and confirmed that you don't need a licence we can stop further contact for up to three years.

To clarify for you, 'TV Licensing' is a trading name used by companies contracted by the Licensing Authority (the BBC) to administer the collection of television licence fees and enforcement of the television licensing system. The majority of the administration of TV Licensing is contracted to Capita Business Services Ltd.

I do feel we have addressed all the points you have raised, if you still wish to pursue the matter, you will need to contact the BBC at the following address:

Head of Revenue Management, BBC TV Licensing, Room 4436, White City, 201 Wood Lane, London, W12 7TS

I hope the above information has been helpful.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Carl Shimeild', written over a horizontal line.

Carl Shimeild
Operations Director

Mr Carl Shimeild
Operations Manager
TV Licensing
Bristol
BS98 1TL

08 April 2010

Dear Mr Shimeild

Many thanks for your letter of the 18th March and your assurances that I will not receive any more letters from you for the next three years, after which you will then get back to me to see if the position has changed.

You then go on to say that someone will visit me and then I will not hear anything for three years. The problem with "cut and paste" letters is that they often fail to do the job the author intends. In fact, in my experience they never do the job and always serve to confuse.

However, I will take it that I will not receive any more time-wasting correspondence from TV Licensing, and if someone from TV Licensing a.k.a. Capita Business Services Ltd. has nothing else better to do than to visit an office to look at human endeavour without the aid of a television schedule, please ask them to make an appointment first in writing.

I have also asked on every occasion for the name and address of the CEO of the Capita group, and on every occasion you have failed to supply it. I shall therefore write to Paul Pindar the CEO and to Sir Michael Lyons over the lack of transparency.

Yours sincerely

Chris Hodgkins

Tel : 0300 790 6030
Fax : 0300 790 6026



www.tvlicensing.co.uk

Bristol, BS98 1TL

Complaint Reference Number/473658/OS

13 April 2010

Mr C Hodgkins

London

Dear Mr Hodgkins

Thank you for your reply of 8 April 2010.

Our records show that you have told us you do not need a TV Licence for your business premises at _____ We won't send a written enquiry to _____ again until 2013.

We may ask a member of staff to visit at some future point and if an Officer is able to verify that a licence is not needed, we will extend the three-year stop on enquiries from the date of our visit.

Due to the nature of our Officer's work, we're unable to make an appointment or give notice of an impending visit.

If you do not receive a visit and the situation remains the same in three years' time, please let us know and we will be happy to re-apply the stop on enquiries.

It is important to explain that our enquiry procedures form part of our duties in enforcing current legislation and ensuring that our records are up to date, as agent to the BBC.

The BBC has also stipulated a formal complaints procedure to handle any objection raised about TV Licensing operations. I previously provided you with the address for the BBC's Head of Revenue Management in accordance with this procedure.

I hope this explains why it was not appropriate for me to provide you with the contact details for a Capita group staff member.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Carl Shimeild', with a long horizontal flourish extending to the right.

Carl Shimeild
Operations Director

Carl Shimeild
Operation Director
TV Licensing
Bristol
BS98 1TL

29 April 2010

Dear Mr Shimeild

Thank you for your letter of the 13th April. I trust you will now furnish me with the details of the legal rights of your operatives to enter premises.

I have written to the Chairman of the holding company. Once I am in receipt of the information I will then take the matter up with the BBC.

Yours faithfully

Chris Hodgkins

Tel : 0300 790 6030

Fax : 0300 790 6026



www.tvlicensing.co.uk

Bristol, BS98 1TL

Complaint Reference Number/473658/OS

7 May 2010

Mr C Hodgkins

London

Dear Mr Hodgkins

Thank you for your letter of 29 April 2010.

Our Officers have no right of entry to an address without the occupant's permission.

If a member of staff calls at an address and access is denied, he or she will not pursue the matter at the time.

It would mean that our Officer is unable to verify that a TV Licence is not needed and we may ask a member of staff to call again at some future point.

We may also apply to the courts for a search warrant. However, we will only do this if we have good evidence to believe that TV has been watched or recorded and where there was no other option. We would not apply for a search warrant simply on the basis that the occupant has refused access.

I hope this explains our position satisfactorily.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Carl Shimeild', with a long horizontal flourish extending to the right.

Carl Shimeild
Operations Director