

**NATIONAL PARKING ADJUDICATION SERVICE  
MEETING OF THE JOINT COMMITTEE**

To be held at 12 Noon on 16<sup>th</sup> July 2004

At The David Heath Suite, Warwickshire County Cricket Club, The County  
Ground, Edgbaston, Birmingham, B5 7QU.

**AGENDA**

**PART A**

1. **APPOINTMENT OF CHAIR, VICE CHAIR and ASSISTANT CHAIR**  
To appoint Members to serve as Chair, Vice Chair and Assistant Chair of the Joint Committee.  
(These appointments to be effective until the Annual meeting in June 2004)
2. **URGENT BUSINESS**  
To consider any items which the Chair has agreed to have submitted as urgent.
3. **APPEALS**  
To consider any appeals from the public against refusal to allow inspection of background documents and/or the inclusion of items in the confidential part of the agenda.
4. **DECLARATIONS OF INTERESTS**  
To allow Members an opportunity to [a] declare personal or prejudicial interests in any items which appear on this agenda; and [b] record any items from which they are precluded from voting as a result of Council Tax/Council rent arrears; and [c] the existence and nature of any party whipping arrangements in respect of any item to be considered at this meeting.  
Members with a personal interest should declare that interest at the start of the item under consideration. If members also have a prejudicial interest they should withdraw from the meeting during the consideration of the item.

**5. MINUTES**

(a) To approve as a correct record the Minutes of the meeting held at 12.00 on 30<sup>th</sup> September 2003  
[Enclosed]

(b) To note the Minutes of the Executive Sub-committee meeting held at 12.00 on 27th January 2004  
[Enclosed]

(c) To note the Minutes of the Five Year Review Sub-committee held at 11.00 a.m. on 26th March 2004  
[Enclosed]

**6. FINAL REVENUE AND CAPITAL ACCOUNTS 2003/2004**

(a) To submit for approval the Revenue and Capital Accounts of the Joint Committee for the year 2003/2004.

(b) To receive the Auditor's report in respect of the Joint Committee's Revenue and Capital Accounts for year 2003/4.  
[Report Enclosed]

**7. NEW NPASJC MEMBER COUNCILS**

To note that a number of existing SPA / PPA authorities in England [outside London] and Wales have joined NPASJC.  
To extend the appointment of the Chief Parking Adjudicator to cover the areas of these Councils.  
[Report enclosed]

**8. GENERAL PROGRESS AND SERVICE STANDARDS**

To provide information in respect of the take up of decriminalised parking enforcement powers by Councils in England [outside London] and Wales.  
To provide monitoring information regarding service charter standards.  
To provide an overview of progress in relation to the service's information and communication technology and other areas of service development.  
[Report enclosed]

**9. ANNUAL REPORT OF THE ADJUDICATORS FOR 2003**

To receive the annual report from the Adjudicators for the period ending 31<sup>st</sup> December 2003.  
To forward the Adjudicators' annual report to the Secretary of State.  
[Report enclosed]

**10. ESTABLISHMENT OF EXECUTIVE SUB-COMMITTEE**

To establish an Executive Sub-Committee including its Terms of Reference.

To appoint Members to the Executive Sub-Committee for the period until the annual meeting of the Joint Committee in June 2005.

**[Report enclosed]**

**11. APPOINTMENTS TO THE ADVISORY BOARD**

To request appointments to the Advisory Board for the period until the annual meeting of the Joint Committee in June 2005.

**[Report enclosed]**

**EXCLUSION OF PUBLIC**

**To consider passing the following resolution:**

"That the public be excluded from the meeting during consideration of the following item containing confidential information as defined in Schedule 12A of the Local Government Act, 1972 and as indicated against the relevant item".

**12. REVIEW OF SENIOR STAFFING STRUCTURE**

To note the outcome of the restructuring the senior posts of the staff assignment.

(Paragraph 1 – Information relating to individuals)

**[Note enclosed]**

**SIR HOWARD BERNSTEIN**

Chief Executive  
Manchester City Council  
Town Hall, Albert Square,  
Manchester, M60 2LA

**CONTACT OFFICER**

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Committee Services Unit  
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**AGENDA ISSUED: 8 July 2004**

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**NATIONAL PARKING ADJUDICATION SERVICE JOINT COMMITTEE  
MINUTES OF THE MEETING HELD AT 12 NOON AT THE WARWICKSHIRE  
COUNTY CRICKET CLUB, EDGBASTON, BIRMINGHAM, ON 30TH  
SEPTEMBER, 2003.**

**PRESENT:**

Councillor Tony Burns - Manchester City Council  
Councillor Ken Gregory - Thanet District Council  
Councillor David Rowlands - Buckinghamshire County Council  
Councillor John Chapman - Birmingham City Council  
Councillor P. A. Rees - Neath Port Talbot County Borough Council  
Councillor John Beveridge - Winchester City Council  
Councillor Colin Meredith - Gravesham Borough Council  
Councillor Roland Dibbs - Rushmoor Borough Council  
Councillor J P Johnson - Wiltshire County Council  
Councillor Rev. Robert Barker - South Lakeland District Council  
Councillor Richard Poulter - Chelmsford Borough Council  
Councillor Robert Glozier - Epping Forest District Council  
Councillor Robert Peachey - Worcestershire District Council  
Councillor Ian Galbraith - Sunderland City Council  
Councillor Sir Elgar Jenkins - Bath and North East Somerset Council  
Councillor Ian Dobie - Swindon Borough Council

**Also in attendance:**

Messrs Adecott, Alcock, Bayless, Cook, Howard, Jowsey, Keasley, Pulham,  
Robinson, Spicer and Tinsley and Christine Crisp and Caroline Sheppard.

**NPAS/03/01                    APPOINTMENT OF CHAIR AND VICE CHAIR**

**DECISION/-**

1. To appoint Councillor Gregory (Thanet) as Chair and Councillor Burns (Manchester) as Vice Chair until the Annual meeting of the Joint Committee in 2004.
2. To appoint, Councillor Beveridge (Winchester) as Assistant Chair.

**NPAS/03/02                    COUNCILLOR ROGER WEAVER**

Members of the Committee paid tribute to the former Chair who was no longer serving on the Joint Committee because of other commitments, and wished him well in the future.

**NPAS/03/03                    MINUTES**

**DECISION/-**

To approve as a correct record the Minutes of the meeting held on 18 November, 2002.

**NPAS/03/04            EXECUTIVE SUB-COMMITTEE**

**DECISION/-**

1. To note the Minutes of the meeting of the Executive Sub-Committee held on 28 January, 2003.
2. To amend the Minutes by the deletion of Councillor Weaver and the inclusion of Councillor Dibbs

**NPAS/03/05            FINAL REVENUE ACCOUNTS, 2002/2003**

The Revenue Accounts for the years 2002/2003, together with the Auditor's report on the accounts were submitted.

**DECISION/-**

1. To approve the 2002/2003 Revenue Accounts for the NPASJC as prepared by the Lead Authority.
2. To agree to carry forward the excess of income over expenditure recorded in the 2002/2003 Revenue Accounts to the 2003/2004 Revenue Account.
3. To note the District Auditors reports in relation to both year 2001/2002 and 2002/2003..

**NPAS/03/06            NEW MEMBER COUNCILS**

A report of the Lead Officer was submitted seeking approval to extend the Chief Parking Adjudicator's appointment to cover the areas of a number of Councils who have become party to the NPASJC Agreement.

**DECISION/-**

1. To note that Worcestershire County Council in respect of the Worcester area, Worcester District Council, Sunderland City Council, Bath & North East Somerset District Council, Christchurch Borough Council, Maldon District Council, Basildon District Council, Slough Borough Council, Redcar and Cleveland Borough Council, Aylesbury Vale District Council, Middlesbrough Borough Council, Swindon Borough Council, Peterborough City Council and Copeland Borough Council, have become party to the NPASJC agreement.

2. To confirm the appointment of the Chief Parking Adjudicator and other part-time Adjudicators (coterminous to their appointments) to cover the areas of the Councils referred to above with effect from their various commencement dates appropriate to each authority area.

**NPAS/03/07**

#### **GENERAL PROGRESS AND SERVICE STANDARDS**

The Lead Officer presented a report on progress in respect of the take up of decriminalised parking enforcement powers by Councils in England (outside London) and Wales; service standard performance against which NPAS is measuring the service delivered; and information and communication technology developments.

#### **DECISION/-**

1. To note the expected take up of decriminalised parking enforcement powers during 2003 - 2005.
2. To note the performance attained against the agreed service standard indicators for the year 2002/2003.
3. To note the progress being made in respect of the service's information and communication technology developments.

**NPAS/03/08**

#### **CHIEF ADJUDICATOR'S REPORT**

Caroline Sheppard, Chief Adjudicator, gave a presentation to the Joint Committee which included the showing of a video used for training purposes. The Chief Adjudicator then answered questions.

**NPAS/03/09**

#### **ANNUAL REPORT OF THE PARKING ADJUDICATORS**

The Annual report of the Adjudicators for the period 1 April 2002 to 31 March, 2003 was submitted.

#### **DECISION/-**

1. To note the Annual Report, and forward it to the Secretary of State for Transport, and the First Secretary of the National Assembly for Wales.
2. To approve the translation of the report into the Welsh language for the purpose of forwarding it to the First Minister.

3. To agree that the report is published and circulated free of charge.

#### **NPAS/03/10 ESTABLISHMENT OF EXECUTIVE SUB-COMMITTEE**

A report was submitted on the appointment of an Executive Sub-Committee for the forthcoming year.

#### **DECISION/-**

1. To approve the establishment of an Executive Sub-Committee to act on behalf of the Joint Committee until the annual meeting in September 2004, comprising Councillors Bob Barker (South Lakeland D.C.), John Beveridge (Winchester C.C.), Tony Burns (Manchester C.C.), John Chapman (Birmingham C.C.), Phryette Dickens (Hampshire C.C.), Robert Glozier (Epping Forest D.C.), Ken Gregory (Thanet D. C.), Sir Elgar Jenkins (Bath and North East Somerset), P.A. Rees (Neath Port Talbot B. C.), David Rowlands (Buckinghamshire C.C.) and Roland Dibbs (Rushmoor B.C.)
2. To agree that the next meeting of the Executive Sub-Committee be held on 27 January, 2004 at the Warwickshire County Cricket Club, Edgbaston.

#### **NPAS/03/11 APPOINTMENTS TO THE ADVISORY BOARD**

A report was submitted on the appointment of representatives to the Advisory Board and detailing changes to the current composition.

#### **DECISION/-**

1. To appoint representatives to serve on the Advisory Board as follows:-

The Lead Officer plus 10 people:-

At least one representing an English Authority -

*Bournemouth Unitary Council - John Satchwell*

At least one representing a Welsh Authority -

*Neath Port Talbot C. B. Council - Mike Richardson*

At least one representing a District Council -

*Winchester City Council - Alan Jowsey*

At least one representing a County Council -

*Hampshire County Council - Peter Bayless*

At least one representing a Unitary or Metropolitan Council -

*Manchester City Council - Andrew Vaughan*



A representative each from the DfT and NAFW (Ex-Officio) - *John Gant* (DfT), *Mike Burnell* (NAFW)

A representative from a motoring association - *Kevin Delayney* (RAC Foundation)

An independent person with knowledge of judicial or tribunal systems - *Graham Addicott*

2. Delegate to the Lead Officer in consultation with the Chair of the Advisory Board the appointment of a replacement for Kent County Council
3. To record the thanks of the Joint Committee to George Chandler and Kent County Council for the significant contribution they have made to the Advisory Board and the Joint Committee.

#### **NPAS/03/12 REVIEW OF STAFF STRUCTURE**

A report was submitted giving an update on the development of the service and how it is impacting on the current staffing structure, and proposing delegating authority to the Lead Officer in consultation with the Chair, Deputy and Assistant Chair to conduct a review of the staffing structure and implement revisions to the staff assignment.

#### **DECISION/-**

1. To note the growth in the service and the need to address the staffing arrangements to provide for the future.
2. To delegate authority to the Lead Officer in consultation with the Chair, Deputy and Assistant Chair to conduct a review of the staffing structure in line with the terms of reference detailed in the report.
3. To agree that following any such review and changes made, the Lead Authority make the necessary arrangements for a revised and agreed NPAS staff assignment.

#### **NPAS/03/13 FIVE YEAR REVIEW**

A report was submitted proposing the establishment of a Five Year Review Sub-Committee with delegated authority to receive reports and agree future arrangements in relation to (a) the joint review between the Lead Authority and the Joint Committee of the NPASJC Agreement (as required by the NPASJC Agreement; and, (b) the Chief Adjudicator's Appointment.

In discussion members felt that the proposed membership should be increased to five.

**DECISION/-**

1. To approve the appointment of a Five Year Review Sub-Committee to act on behalf of the Joint Committee until the annual meeting in September, 2004.
2. To approve the Terms of Reference for the Sub-Committee as detailed in the report.
3. To appoint the following members to serve on the Sub-Committee, Councillors Gregory (Thanet), Burns (Manchester), Beveridge (Winchester), Rowlands (Buckinghamshire) and Barker (South Lakeland).

**NPAS/03/14      ANNUAL MEETING OF THE JOINT COMMITTEE, 2004**

**DECISION/-**

To agree that the Annual meeting of the Joint Committee be held on Tuesday, 29 September, 2004 at the Warwickshire County Cricket Club Edgbaston.

H/committee/npasjc/30sept03

**NATIONAL PARKING ADJUDICATION SERVICE JOINT COMMITTEE  
EXECUTIVE SUB-COMMITTEE  
MINUTES OF THE MEETING HELD AT THE WARWICKSHIRE COUNTY  
CRICKET CLUB, EDGBASTON, BIRMINGHAM, ON 27TH JANUARY, 2004.**

**PRESENT:** Councillor Rev. Robert Barker - South Lakeland District Council  
Councillor Roland Dibbs - Southend Borough Council  
Councillor Robert Glozier - Epping Forest District Council  
Councillor Ken Gregory - Thanet District Council  
Councillor Sir Elgar Jenkins - Bath and North East Somersert Council  
Councillor David Rowlands - Buckinghamshire County Council  
Councillor P A Rees - Neath Port Talbot County Borough Council

**Also in attendance:**

Messrs Bayless, Cook, Pulham, Spicer and Tinsley and Christine Crisp and Caroline Sheppard.

**NPAS/EX/04/01      Appointment of Chair and Vice Chair**

**Decision**

1. To appoint Councillor Gregory (Thanet) as Chair and Councillor Mrs Dickens as Vice Chair until the Annual meeting of the Joint Committee in 2004.
2. To appoint Councillor Burns (Manchester) as Assistant Chair.

**NPAS/EX/04/02      Executive Sub-Committee Minutes**

**Decision**

To approve as a correct record the Minutes of the meeting held on 28 January, 2003.

**NPAS/EX/04/03      NPASJC Minutes**

The Minutes of the National Parking Adjudication Service Joint Committee held on 30 September, 2003 were submitted for information.

**Decision**

To note the Minutes

**NPAS/EX/04/04      New Member Councils**

A report of the Lead Officer was submitted seeking approval to extend the Chief Parking Adjudicator's appointment to cover the areas of a number of Councils who have become party to the NPASJC Agreement.

**Decision**

1. To note that since the 30 September, 2003, the following Councils have become a party to the NPASJC Agreement: Dacorum Borough Council, Allerdale Borough Council, Test Valley Borough Council, Harlow District Council, Blackpool Borough Council and Wirral Metropolitan Borough Council.

2. To confirm the appointment of the Chief Parking Adjudicator and other part-time Adjudicators (coterminous to their appointments) to cover the areas of the Councils referred to above with effect from their various commencement dates appropriate to each authority area.

#### **NPAS/EX/04/05      Monitoring of Revenue and Capital Accounts for 2003/2004**

A report was submitted presenting expenditure monitoring information in respect of the Revenue and Capital Accounts for 2003/2004.

#### **Decision**

1. To note the expenditure monitoring information contained within the report.
2. To authorise the Lead Office to incur expenditure against the revenue budget in excess of the £1,812,900 set by the Committee should the need arise, provided such expenditure is within the total income for the year.
3. To agree that should there be a surplus of income in the 2003/04 revenue account this be carried forward to 2004/05.

#### **NPAS/EX/04/06      General progress and Service Standards**

The Lead Officer presented a report on progress in respect of the take up of decriminalised parking enforcement powers by Councils in England (outside London) and Wales; interim service standard performance against which NPAS is measuring how swift the service is delivered; proposed revised service standards from April 2004; and staff assignments.

#### **Decision**

1. To note the expected take up of decriminalised parking enforcement powers during 2004 - 2005.
2. To note the performance attained against the agreed service standard indicators during the first two quarters of 2003/2004.
3. To agree to keep the current service standards and review them at a future meeting of the Committee.
4. To note the progress in respect of the revised staffing assignments and the filling of posts.

#### **NPAS/EX/04/07      Revenue and Capital Budget Estimates 2004/2005**

A report was submitted requesting approval of the Revenue and Capital Budget Estimates for 2004/2005.

#### **Decision**

1. To adopt the Revenue Budget estimates for 2004/2005 as detailed in the report.
2. To adopt the five year projected capital estimates as detailed in the report and request the Lead Authority to include this within their future LTP funding bids to government.
3. To approve the adoption of a Capital Budget estimate of £200,000 for 2004/5 in line with the LTP Transport Block Minor Works settlement.
4. To agree that the Capital budget for 2004/5 be utilised on: the development of the 'AIMS' case management system and that the accepted contractor Sopra Group Limited be treated as preferred supplier; piloting of appeal hearings via Video Conferencing and other incidental items suitable for capital funding.

#### **NPAS/EX/04/08 NPASJC Service Charges to user Councils for 2004/2005**

A report was submitted on the establishment of charges to be levied from local authorities participating in the Joint Committee's adjudication service during 2004/2005.

#### **Decision**

1. To adopt the following charges in support of the service to be made by participating local authorities during the financial year 2003/2004:-

<b>ELEMENT</b>	<b>CHARGE</b>
Annual Charge	£250.00 (per SPA)
Charge per PCN Issued	£0.65
Charges per Adjudication Case	nil

2. To agree that Service Charges are levied at the beginning of the year for the Annual Charge, and on a quarterly in advance basis for the PCN charge based on estimated figures and subsequently adjusted.

#### **NPAS/EX/04/09 Revised Committee Cycle of Meetings**

The Sub Committee were advised of proposals for a revised cycle of Committee meetings from 2004/05.

#### **Decision**

1. To agree that from 2004 onwards the Annual Meeting of the Joint Committee be held in June, with the exception of June 2004 because of the Elections being held that month.

2. To agree that the Annual Meeting this year be held on 16 July at the Warwickshire County Cricket Club, Birmingham.

**NPAS/EX/04/10      Part-Time Parking Adjudicator Appointments.**

A report was submitted providing an update on part-time adjudicator appointments and the appointment of a part-time HQ based Adjudicator.

**Decision**

1. To note the appointment of the part-time Parking Adjudicators detailed in the report.
2. To approve the appointment of one current part-time Parking Adjudicator as a Head Quarters Adjudicator with a time commitment equivalent to 3 days per week.
3. To request the Lead Authority to make the necessary employment arrangements for the Head Quarters Adjudicator.

committee/npasjc/exsub /27jan04

**NATIONAL PARKING ADJUDICATION SERVICE JOINT COMMITTEE  
FIVE YEAR REVIEW SUB-COMMITTEE  
MINUTES OF THE MEETING HELD AT THE NPAS OFFICES, MANCHESTER ON  
26TH MARCH, 2004.**

**PRESENT:** Councillor Rev. Robert Barker - South Lakeland District Council  
Councillor John Beveridge - Winchester City Council  
Councillor Tony Burns - Manchester City Council  
Councillor Ken Gregory - Thanet District Council

**Also in attendance:** Councillor Val Stevens, Executive Member, Planning & Transport  
Manchester City Council, Mr John Gant, DfT.

Messrs Bayless, Jowsey, Pulham, Spicer, Tinsley and Christine Crisp and Caroline Sheppard.

**NPAS/FIVE/04/01 Appointment of Chair, Vice Chair and Assistant Chair**

**Decision**

1. To appoint Councillor Gregory (Thanet) as Chair and Councillor Burns as Vice Chair until the Annual meeting of the Joint Committee in 2004.
2. To appoint Councillor Beveridge as Assistant Chair.

**NPAS/FIVE/04/02 Executive Sub-Committee Minutes**

The Minutes of the Executive Sub-Committee held on 27 January, 2004 were submitted for information.

**Decision**

To note the Minutes

**NPAS/FIVE/04/03 The Governance of the NPASJC Arrangements**

**NPAS/FIVE/04/04    The next five years - Forward Plan**

A report was submitted presenting information regarding the future requirements likely to be placed on the Joint Committee's service arrangements.

**Decision**

To note the demands likely to be placed on the National Parking Adjudication Service's (NPAS) service arrangements and the projects under development during the next five years as outlined in the report.

**NPAS/FIVE/04/05    Exclusion of Public**

**Decision**

To exclude the public during consideration of the following item which contains confidential information as defined in Schedule 12A of the Local Government Act 1972 and as indicated in these Minutes.

**NPAS/FIVE/04/06    Re-appointment of the Chief Parking Adjudicator**



(Public excluded, Paragraph 1, Schedule 12A, Local Government Act 1972 - Information relating to individuals)

h/committee/five/npas

## **NATIONAL PARKING ADJUDICATION SERVICE JOINT COMMITTEE**

### **REPORT FOR RESOLUTION**

**DATE:** 16<sup>th</sup> July 2004  
**AGENDA ITEM:** Number 6  
**SUBJECT:** Final Accounts for 2003/2004.  
**JOINT REPORT OF:** The Lead Authority

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#### **PURPOSE OF REPORT**

To present to the Committee Final Accounts for the year 2003/2004.

#### **RECOMMENDATIONS**

It is recommended that the Joint Committee:

- [i] Receive and approve the 2003/2004 Account for the NPASJC as prepared by the Lead Authority and detailed in the appendix.
- [ii] Agree to carry forward the excess of income over expenditure in the 2003/2004 Revenue Account to the 2004/2005 Revenue Account.
- [iii] Note the District Auditor's reports in relation to year 2003/4.

#### **CONTACT OFFICERS**

Bob Tinsley NPAS Headquarters, Barlow House, Minshull Street,  
Manchester.  
Tel: 0161 242 5252

#### **BACKGROUND DOCUMENTS**

Minutes of the NPASJC Executive Sub-committee meeting 28<sup>th</sup> January 2003.  
Minutes of the NPASJC Executive Sub-committee meeting 27<sup>th</sup> January 2004.  
Accounts and Audit Regulations 2003, S.I. 2003 No 533.

## **1.0 INTRODUCTION**

- 1.1 The adjudication service is operated on a self-financing basis with income obtained from charges made to NPASJC member authorities.
- 1.2 At the meeting of Executive Sub-Committee held on 28<sup>th</sup> January 2003 it was agreed to: [i] adopt the Revenue Budget estimates for 2003/2004; [ii] adopt the five year projected capital estimates and request the Lead Authority to include this within their future LTP funding bids to government; and [iii] adopt the Capital Budget estimate of £100,000 for 2003/4 in line with the LTP Credit Approvals settlement.
- 1.3 At the meeting of the Executive Sub-Committee held on 27<sup>th</sup> January 2004 the Lead Officer was given authorisation to incur expenditure against the revenue budget in excess of the £1,812,900 set by the Committee should the need arise, provided such expenditure is within the total income for the year
- 1.4 This report provides details of the 2003/2004 final accounts for approval by the Joint Committee.

## **2.0 REVENUE ACCOUNTS**

- 2.1 Details of the revenue accounts for 2003/2004 are provided in the Appendix. The accounts for 2003/2004 have been recorded and prepared under the NPASJC structure in accordance with the requirements of the Accounts and Audit Regulations 2003.
- 2.2 The Revenue Account includes a line for capital financing charges, to repay the borrowing used to finance capital expenditure. As the Lead Authority receives an increase in its Revenue Support Grant resulting from the capital credit approval it has been assumed that only 20% of the gross capital expenditure has been borrowed.
- 2.3 During 2003/2004 the service received income of £1,688,411 and incurred expenditure of £1,591,903 producing a revenue surplus of £96,508. It is recommended that the surplus from 2003/2004 be carried forward into the Joint Committee's revenue reserves for use in future years. The combined surpluses as at 31<sup>st</sup> March 2004 amount to £336,890.
- 2.4 In year 2002/3 there was a contribution from revenue income to capital outlay of £17,684 and in 2003/4 a contribution of £6,126 such that full advantage could be made of the credit approvals.
- 2.5 After the Accounts were finalised it was discovered that some minor errors had occurred in the raising of invoices to the authorities. This has resulted in the income for 2003/4 being understated by £12,116

and the total income should therefore be £1.701m. This will be adjusted and reflected in the Accounts and financial ledger for 2004/5.

### **3.0 CAPITAL EXPENDITURE**

#### **Previous Years**

- 3.1 Capital financing charges, to repay the borrowing used to finance capital expenditure incurred between 1998/99 to 2000/2001, was fully repaid by the end of the 2001/2002.
- 3.2 Via the lead authority's LTP credit approvals of £200,000 were obtained from central government for years 2001/2002 and 2002/2003 combined over the two years. The Committee previously agreed to treat the two years together for expenditure purposes. It was reported to the meeting held on 30<sup>th</sup> September 2003 that expenditure for 2001/2002 and 2002/3 was fully utilised in accordance with the LTP credit approvals.

#### **Year 2003/4**

- 3.3 For the year 2003/4 capital funding of £100,000 was made available via the Lead Authority's Annual Capital Guideline for Integrated Transport Minor Works 'ring fenced' for NPAS. As previously identified this funding was utilised to provide the part-time adjudicators with IT hardware and communication links to the NPAS HQ. This project has been completed with expenditure for the year of £106,126. There was a contribution from revenue income to capital outlay of £6,126 such that full advantage could be made of the credit approvals.
- 3.4 Details of the Capital Account for 2003/4 are provided in the Appendix.

#### **Other Statements**

- 3.5 A number of other statements are included in the accounts to satisfy the Regulations. A Balance Sheet and a Cash Flow Statement are detailed in Appendix.
- 3.6 A statement of the accounting principles used in the preparation of the accounts is also provided in the Appendix.
- 3.7 The Joint Committee is recommended to receive and approve the Accounts as shown in the Appendices.

### **4.0 AUDITOR'S REPORT**

- 4.1 The Audit Commission's report in relation to the accounts for year 2003/4 is attached.
- 4.2 The Committee is recommended to note the Auditor's report.

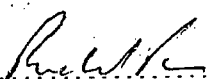
# APPENDIX

## NATIONAL PARKING ADJUDICATION SERVICE

### SUMMARY REVENUE ACCOUNT 2003/2004

2002-2003		2003-2004
£		£
-153,211	Surplus b/f	-240,381.61
448,788	Adjudicators	522,718.54
301,390	Employees	301,036.93
134,828	Premises	125,918.45
23,357	Transport	25,030.47
507,626	Supplies and Services	594,642.25
15,190	Capital Financing	22,557.15
<u>1,431,179</u>	Gross Expenditure	<u>1,591,903.79</u>
-1,518,349	Fees and Charges	-1,688,411.84
<u>-1,518,349</u>	Gross Income	<u>-1,688,411.84</u>
<u>-87,171</u>	Surplus	<u>-96,508.05</u>
-240,382	Surplus c/f	-336,889.66

I certify that the above presents fairly the financial position of the National Parking & Adjudication Service at the 31/3/04 and it's income and expenditure

Treasurer :   
Date : 2/7/04

NATIONAL PARKING ADJUDICATION SERVICE

BALANCE SHEET 31ST MARCH 2004

31-Mar-03		31-Mar-04	31-Mar-04
£		£	£
	<b>Fixed Assets</b>		
0	Fixed Assets (see note 8)		0
	<b>Current Assets</b>		
454,830	Debtors (see note 9)	516,358	
<u>454,830</u>	Payments in Advance (see note 9)	<u>20,807</u>	
		537,165	
	<b>Current Liabilities</b>		
-15,555	Creditors (see note 11)	-69,533	
<u>-198,893</u>	Cash (see note 10)	<u>-130,743</u>	
-214,448		-200,276	
240,382	<b>Net Current Assets</b>		336,889
0	Long-term Borrowing in excess of one year (see note 8)		0
0	Deferred Contributions (see note 8)		0
<u>240,382</u>			<u>336,889</u>
	<b>Reserves</b>		
240,382	Revenue Account Surplus		336,889
<u>240,382</u>			<u>336,889</u>

*h.c.w./h*  
2/7/04

**NATIONAL PARKING ADJUDICATION SERVICE**

**CASH FLOW STATEMENT 2003/04**

<b>02/03</b>		<b>03/04</b>
<b>£</b>		<b>£</b>
	<b>REVENUE ACTIVITIES</b>	
	<b>Cash Outflows</b>	
441,249.43	Cash paid to and on behalf of employees	451,662.71
1,040,034.27	Other operating cash payments	1,081,946.32
	<b>Cash Inflows</b>	
-1,361,856.68	Cash received for goods and services	-1,601,759.15
<b>119,427.02</b>	<b>(Increase)/Decrease in cash</b>	<b>-68,150.12</b>

## **National Parking Adjudication Service Joint Committee**

### **Notes and Statement of Accounting Policies**

#### **1 Explanatory Forward**

The National Parking Adjudication Service is an independent tribunal where impartial lawyers consider appeals by motorists and vehicle owners, whose vehicles have been issued with Penalty Charge Notices (or have been removed or clamped) by Councils in England and Wales enforcing parking under the Road Traffic Act 1991.

The accounts reflect the cost of providing this service, which is funded by charges to member authorities

#### **2 General**

These Accounts have been prepared, as far as possible, in accordance with the Code of Practice on Local Authority Accounting issued by the Chartered Institute of Public Finance and Accountancy (CIPFA) and also with guidance notes issued by CIPFA on the application of accounting and financial reporting standards.

#### **3 Revenue Summary - Growth in the Service**

You will see from the Revenue Summary that the gross expenditure increased from £1.431m in 02/03 to £1.592m in 03/04 (+11%). The income is based on an annual charge of £500 per council in 02/03 reduced to £250 in 03/04, and a PCN charge of £0.70 in 02/03 reduced to £0.65 in 03/04. Income rose from £1.518m in 02/03 to £1.688m in 03/04 (+11%).

This is a reflection of the growth of the service during the last twelve months, which has seen the number of subscribing Councils rise from 68 to 86, the number of appeals increase from 8,537 to 9,744 (+14%), and the number of penalty charge notices, on which income is mainly based, go from 2.146m to 2.592m (+21%).

In 02/03 there was a revenue contribution to Capital Outlay of £17,684 and in 03/04 a contribution of £6,126.

#### **Addendum to Note 3 - Income Adjustment**

After the Accounts were finalised it was discovered that some minor errors had occurred in the raising of Invoices to the authorities. This has resulted in the income for 2003/4 being understated by £12,116 and the total income should therefore be £1.701m. This will be adjusted and reflected in the Accounts and financial ledger for 2004/5.

#### **4 Revenue Summary - Basis of Capital Financing Charges**

For the purposes of these Accounts it has been assumed that the balance of the capital expenditure (20%) has been financed by charges from the Lead Authority, paid over a three year period



## **5 Revenue Summary - Debtors & Creditors**

The Accounts are maintained on an accruals basis, in accordance with the Accounting Code of Practice. Expenditure is charged to the period in which goods or services are received rather than when the payment is made. Similarly, income is credited to the period it falls due rather than when it is received.

## **6 Revenue Summary - Value Added Tax (VAT)**

VAT is excluded from both income and expenditure where it can be recovered

## **7 Revenue Summary - Officers' Emoluments**

The following number of employees received remuneration in excess of £50,000 :-

	2002/2003	2003/2004
£70,000 - £79,999	1	0
£80,000 - £89,999	0	1

## **8 Balance Sheet - Fixed assets**

Fixed Assets and the corresponding entries have been excluded from the accounts. This is because capital expenditure is financed by Manchester City Council, with NPAS paying an appropriate proportion of the capital financing costs.

## **9 Balance Sheet - Debtors**

These mainly represent the value of unpaid contributions from member authorities. Since the contributions are based on information received from members relating to the issue of notices in the previous quarter, the whole of the final quarter's contributions and a substantial part of the third quarter's contributions make up this total. Payments in Advance consist of rent paid in advance for the first quarter 2004/5.

## **10 Balance Sheet - Cash**

This represents the calculated value of cash at the bank. The negative value indicates an overdrawn position. The Service does not have its own bank account, but is subsumed into that of Manchester City Council.

## **11 Balance Sheet - Creditors**

The value of goods and services received in 2003/04 but not paid for by 31/3/04



## **AUDITOR'S REPORT TO THE NATIONAL PARKING ADJUDICATION SERVICE JOINT COMMITTEE**

We have audited the financial statements on pages 1 to 3 which have been prepared in accordance with the accounting policies applicable to local authorities as set out on page 4.

This report is made solely to the National Parking Adjudication Service Joint Committee in accordance with Part II of the Audit Commission Act 1998 and for no other purpose, as set out in paragraph 54 of the Statement of Responsibilities of Auditors and of Audited Bodies, prepared by the Audit Commission.

### **Respective Responsibilities of the Responsible Financial Officer and Auditors**

As described on page 4 the Responsible Financial Officer is responsible for the preparation of the financial statements. Our responsibilities, as independent auditors are established by statute, the Code of Audit Practice issued by the Audit Commission and our profession's ethical guidance.

We report to you our opinion as to whether the financial statements present fairly the financial position of the Authority and its income and expenditure for the year.

We review whether the statement on page 4 reflects compliance with the requirements of the Statement of Recommended Practice on Local Authority Accounting in the United Kingdom 2003. We report if it does not meet the requirements specified by CIPFA/LASAAC or if the statement is misleading or inconsistent with other information we are aware of from our audit of the financial statements. We are not required to consider whether the statement on internal financial control covers all risks and controls, or to form an opinion on the effectiveness of the Authority's system of internal financial control. Our review was not performed for any purpose connected with any specific transaction and should not be relied upon for any such purpose.

We read the other information published with the statement of accounts and consider the implications for our report if we become aware of any apparent misstatements or material inconsistencies with the statement of accounts.

### **Basis of audit opinion**

We conduct our audit in accordance with the Audit Commission Act 1998 and the Code of Audit Practice issued by the Audit Commission, which requires compliance with relevant auditing standards issued by the Auditing Practices Board.

Our audit included examination, on a test basis, of evidence relevant to the amounts and disclosures in the financial statements. It also included an assessment of the significant estimates and judgements made by the Authority in the preparation of the financial statements, and of whether the accounting policies are appropriate to the Authority's circumstances, consistently applied and adequately disclosed.

We planned and performed our audit so as to obtain all the information and explanations which we consider necessary in order to provide us with sufficient evidence to give reasonable assurance that the financial statements are free from material misstatement, whether caused by fraud or other irregularity or error. In forming our opinion we evaluated the overall adequacy of the presentation of the information in the financial statements.



#### Opinion

In our opinion the statement of accounts presents fairly the financial position of the National Parking Adjudication Service Joint Committee as at 31 March 2004 and its income and expenditure for the year then ended.

#### Certificate

We certify that we have completed the audit of accounts in accordance with the requirements of the Audit Commission Act 1998 and the Code of Audit Practice issued by the Audit Commission.

Date: 1 July 2004

A handwritten signature in cursive script that reads 'Simon Hardman'.

Simon Hardman  
Audit Manager

## **NATIONAL PARKING ADJUDICATION SERVICE JOINT COMMITTEE**

### **REPORT FOR RESOLUTION**

**DATE:** 16<sup>th</sup> July 2004  
**AGENDA ITEM** Number 7  
**SUBJECT:** New NPASJC Councils  
**REPORT OF:** The Lead Officer,  
On behalf of the Advisory Board

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#### **PURPOSE OF REPORT**

To request the Committee to confirm the extension of the Chief Parking Adjudicator's appointment to cover the areas of a number of Councils who have become party to the NPASJC Agreement.

#### **RECOMMENDATIONS**

It is recommended that the Joint Committee:

[i] Note that since the meeting held on 30<sup>th</sup> September 2003 the Councils listed in the Appendix have become a party to the NPASJC agreement and,

[ii] Confirm the appointment of the Chief Parking Adjudicator and other part-time Adjudicators (coterminous to their current appointments) to cover the areas of the authorities detailed in Appendix 1 with effect from their various commencement dates appropriate to each authority area.

#### **FINANCIAL CONSEQUENCES FOR THE REVENUE AND CAPITAL BUDGETS**

There are no immediate consequences to either the Revenue or Capital budgets. However, authorities taking up decriminalised parking enforcement powers will help to assist in future economies of scale.

#### **CONTACT OFFICER**

Bob Tinsley NPAS Headquarters, Barlow House, Minshull Street, Manchester.  
Tel: 0161 242 5252

## **BACKGROUND DOCUMENTS**

Minutes of the NPAS Joint Committee held on 30<sup>th</sup> September 2003  
National Parking Adjudication Service Joint Committee Agreement.

Files containing associated correspondence.

Road Traffic Act 1991.

The following associated Special Parking Area / Permitted Parking Area  
Designation Order Statutory Instruments:

Dacorum	S.I. 2003 No. 2326
Allerdale	S.I. 2003 No. 2334
Test Valley	S.I. 2003 No. 2336
Harlow	S.I. 2003 No. 2440
Blackpool	S.I. 2003 No. 2677
Wirral	S.I. 2003 No. 2711
Carmarthenshire	Welsh S.I. 2004 No.104 (W.11)
Mid Bedfordshire	S.I. 2004 No.13 &
	S.I. 2004 No.538
South Bedfordshire	S.I. 2004 No.13 &
	S.I. 2004 No.538
Mole Valley	S.I. 2004 No.914
Guildford	S.I. 2004 No.1278
Reigate and Banstead	S.I. 2004 No.1285
Wigan	S.I. 2004 No.1305
Rochdale	S.I. 2004 No.1402
Denbighshire	Welsh S.I. 2004 No. 1608 (W.167)

## 1.0 BACKGROUND

- 1.1 Since the meeting of the Joint Committee on 30<sup>th</sup> September 2003, the local authorities listed in the Appendix have become a party to the NPASJC Agreement.
- 1.2 Hertfordshire County Council is already a party to the agreement and therefore does not need to rejoin in respect of the Dacorum area. Cumbria County Council is already a party to the agreement and therefore does not need to rejoin in respect of the Allerdale area. Hampshire County Council is already a party to the agreement and therefore does not need to rejoin in respect of the Test Valley area. Essex County Council is already a party to the agreement and therefore does not need to rejoin in respect of the Harlow area. Bedfordshire County Council is already a party to the agreement and therefore does not need to rejoin in respect of the Mid Bedfordshire and South Bedfordshire areas. It is however necessary to extend the appointment of the Chief Parking Adjudicator to cover the on-street areas of the districts in these county councils areas.
- 1.3 In order to avoid the need for the Joint Committee to meet on each occasion that a Council wishes to join NPASJC it was delegated to the Lead Officer to extend the appointment of the Chief Parking Adjudicator to cover such areas. Similarly, the authority to appoint part-time Parking Adjudicators to the areas of joining Councils was delegated to the Chief Parking Adjudicator.
- 1.4 Leading Counsel previously advised that as soon as possible after such delegation has been exercised it is prudent for the Joint Committee to resolve to confirm the appointment of the Chief Parking Adjudicator to cover these areas. Accordingly, the Committee is requested to confirm the action of the Lead Officer as detailed in the recommendations of this report.

## APPENDIX

List of local authorities that have become a party to the NPASJC Agreement since the meeting of the Joint Committee held on 30<sup>th</sup> September 2003.

Dacorum Borough Council  
Allerdale Borough Council  
Test Valley Borough Council  
Harlow District Council  
Blackpool Borough Council  
Wirral Metropolitan Borough Council  
Carmarthenshire County Council  
South Bedfordshire District Council  
Mid Bedfordshire District Council  
Surrey County Council  
Mole Valley District Council  
Guildford Borough Council  
Reigate and Banstead Borough Council  
Wigan Metropolitan Borough Council  
Rochdale Metropolitan Borough Council  
Denbighshire County Council

## **NATIONAL PARKING ADJUDICATION SERVICE JOINT COMMITTEE**

### **REPORT FOR RESOLUTION**

**DATE:** 16<sup>th</sup> July 2004  
**AGENDA ITEM** Number 8  
**SUBJECT:** General Progress and Service Standards  
**JOINT REPORT OF:** The Lead Officer  
On behalf of the Advisory Board

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#### **PURPOSE OF REPORT**

To report to the Committee on progress in respect of: (a) the take up of decriminalised parking enforcement powers by Councils in England [outside London] and Wales; (b) service standard performance against which NPAS is measuring the service delivered during 2003; (c) information and communications technology; (d) other areas of service development.

#### **RECOMMENDATIONS**

It is recommended that the Committee:

- [i] Note the information provided in Appendix 1 to the report in respect to the current and future take up of decriminalised parking enforcement powers.
- [ii] Note the performance attained during 2003 against the agreed service standard indicator.
- [iii] Note the progress being made in ICT and other areas of service development in support of the service.

#### **CONTACT OFFICER**

Bob Tinsley, NPAS Headquarters, Barlow House, Minshull Street,  
Manchester,  
Tel: 0161 242 5252

#### **BACKGROUND DOCUMENTS**

Reports to NPASJC Committee Meeting held on 18<sup>th</sup> September 2002.  
Reports to NPASJC Committee Meeting held on 30<sup>th</sup> September 2003.



## **BACKGROUND**

### **1.0 INTRODUCTION**

- 1.1 Reports have been submitted to previous meetings of the Joint Committee that provided information in respect of likely take up of decriminalised parking enforcement by local authorities in future years; this report provides the latest picture.
- 1.2 The service standard performance indicators are reported and figures are provided for year 2003.
- 1.3 Progress is reported in respect of the various ICT and other areas of service projects that are under development.
- 1.4 It is too early in the 2004/5 financial year to provide interim income and expenditure information.

### **2.0 TAKE UP OF DECRIMINALISED PARKING ENFORCEMENT POWERS**

- 2.1 The latest information regarding the current and expected take up of the Road Traffic Act 1991 powers is given in Appendix 1.
- 2.2 As predicted there has been a further take up of decriminalised parking enforcement powers by councils since the Joint Committee last met.
- 2.3 There are now 110 councils that are a party to the NPASJC agreement, with some 95 Special & Permitted Parking Areas (SPAs) established in the scheme. It is predicted that there will be a further 29 SPAs by the end of the current financial year.
- 2.4 In 2005/6 another 32 SPAs are expected.
- 2.5 The Committee is requested to note the information provided in Appendix 1 of the report in respect to the current and future take up of decriminalised parking enforcement powers.

### **3.0 SERVICE STANDARDS - PERFORMANCE INDICATORS**

- 3.1 Two performance indicators are used that nominally measure how swiftly appeals are being processed between the appeal being received and the adjudicators' decision being issued. The two indicators are 80% of postal appeals to be processed within 42 days, and 80% of personal appeals to be processed within 56 days.
- 3.2 The indicators measuring how swiftly the service is being delivered were measured and previously reported on a financial year basis. As

agreed by the Committee from 2003 onwards indicators are being measured and reported on a calendar year basis. Interim indicators for year 2003 are given in Table 1 below.

**TABLE 1**

PERIOD	% OF POSTAL APPEALS DECIDED WITHIN 42 DAYS	TARGET	% OF PERSONAL APPEALS DECIDED WITHIN 56 DAYS	TARGET
Year 2000/1	57% (1,477 Appeals)	80%	59% (713 Appeals)	80%
Year 2001/2	80% (3,178 Appeals)	80%	82% (1,339 Appeals)	80%
Year 2002/3	78% (5,726 Appeals)	80%	89% (2,811 Appeals)	80%
Year 2003	77% (6,180 Appeals)	80%	91% (3,033 Appeals)	80%

- 3.3 It should be noted that data reported in Table 1 includes those appeals received and decided during the period but appeals that were not decided, for example because the appellant has requested their personal hearing to be rescheduled, have been excluded from the figures.
- 3.4 The performance indicator for the postal appeals continues to be just below the minimum target set by the Committee. The adjudicator regulations provide for a postal appeal to be considered 4 weeks after the appeal has been received by NPAS and acknowledged. This date may be brought forward for an individual appeal provided both parties agree. Therefore to meet this 42 days indicator there is only a narrow window of two weeks before the appeal decision would usually be made and decision issued. As the number of appeals increased it became necessary to send the case files to adjudicators, rather than the postal decisions being largely made by adjudicators local to the headquarters. Once the AIMS case management system has been developed the adjudicators will be able to remotely and directly access the system. AIMS is expected to become operational by the end of

2004 after which a substantial improvement to this service standard indicator should result.

- 3.5 A further factor has been the need to recruit appeals coordinators. One appeals coordinator left the service during 2003 and the increased number of appeals has required an additional coordinator. Two new appeals coordinators were appointed in early 2004 and this is helping in the timely processing of appeals.
- 3.6 At the meeting of 19<sup>th</sup> November 2001, it was agreed that two additional indicators would be measured from 1st April 2002. These give an indication of availability and responsiveness for the service. Details for year of 2003 are given in Table 2 below.

**TABLE 2**

PERIOD	% of phone calls answered within 15 seconds	TARGET	% of appeals acknowledged within 2 working days	TARGET
2002/3	96% (24,375 calls)	80%	99% (8,537 appeals)	80%
Year 2003	96% (24,327 calls)	80%	99% (9,213 appeals)	80%

- 3.5 The Committee is requested to note the performance attained against the agreed service standard indicators for year 2003.

#### **4.0 INFORMATION AND COMMUNICATIONS TECHNOLOGY**

- 4.1 A number of information and communications technology (ICT) projects have either been recently completed or are under development details are provided below.
- 4.2 Following an extensive specification development and procurement process a web based Appeals and Information Management System (AIMS) is now under development. It is expected that this will reach the testing stage after the summer and go live towards the end of this year. Once operational the AIMS system will provide a platform for a number of further developments and benefits. The time to process postal appeals will be reduced as a result of this development. A facility for the electronic transfer of councils' evidence can be provided and is at the early stages of testing with two of the ticket processing suppliers at

present. Development of the ability for appellants and councils to track their cases via the web site would become possible. Tables of 'live' information and appeal outcomes could also be made available. These later two developments are likely to take place during 2005/6.

- 4.3 The services' [www.parking-appeals.gov.uk](http://www.parking-appeals.gov.uk) web site continues to be well used by members of the public. During the next year a re-design of the site is planned to enable future developments associated with the new AIMS system to give enhanced functionality, with interim measures to ensure that as far as possible the site meets the requirements of people with disabilities i.e. is 'Bobby Compliant'.
- 4.4 A facility for prospective appellants to lodge their appeal 'on-line' has now reached the initial testing phase and it is anticipated that this will go live during this autumn. This development is an optional means for appellants to that of posting a paper appeal form. Cooperation with the councils and their IT ticket processing system suppliers is needed for this project to succeed as a PIN number has to be printed on the councils' Notice of Rejection (NoR) to representations. As the various councils switch on the printing of the PIN in their NoR appellants will progressively be able to use this option.
- 4.5 During 2003/4 capital funding was used to equip the adjudicators with ICT equipment so that they are able to access centrally held information via the virtual private network. This project is complete as far as possible and the technology is working satisfactorily. Much more functionality will become available to the adjudicators once the AIMS system is operational.
- 4.6 An electronic document repository and virtual private network have been developed. These enable scans of appeals and traffic regulation orders to be remotely accessed by the adjudicators. The library of information held is beginning to build with all appeal documents scanned into the system and most of the councils are providing a copy of their various traffic regulation orders.
- 4.7 A pilot study is planned for 2004/5 to test the feasibility of video conferencing of personal appeals.

## **5.0 OTHER SERVICE IMPROVEMENTS**

- 5.1 As NPAS grows and develops, so there will be an increasing need to systematise management practices and introduce appropriate reporting and monitoring measures to ensure the quality of service offered to users. To assist in this process and as a tangible sign of progress to achieving service excellence it is proposed to begin work in 2004 towards securing 'Chartermark' accreditation, probably during 2006.

- 5.2 In addition to the NPAS HQ in Manchester the service has identified some 50 locations where personal appeals are heard. Each location is hired on an ad hoc needs basis. The practical implications of legislation such as the Disability Discrimination Act 1995 (DDA) and the tribunal's responsibility for the health and safety of its staff and service users will have to be borne in mind when considering such venues. Institute of Safety & Health (IOSH) accredited Hearing Centre Supervisors have now visit each personal hearing centre and undertaken health and safety risk assessments and disability access checks. These are also inspected and reported on a regular basis. All the venues currently in use meet our understanding of the legislation requirements.
- 5.3 An NPAS-commissioned User Survey is being undertaken by the University of Birmingham's Institute of Local Government Studies (INLOGOV) during 2004 and their preliminary report will be issued during late October 2004. It is likely that this will identify a range of opportunities for service improvement and thus it is likely to shape the future development of the service throughout much of the next five years. This survey and the development work it is likely to stimulate are fully in line with the recommendations of Sir Andrew Leggatt in his report "Tribunals for Users", issued in 2002.
- 5.4 During the next year a review is to be undertaken of the current scheme of delegation from the NPASJC to officers. The development of a service level agreement between the lead authority and NPAS, to place the relationship on a firmer and clearer footing is also to be undertaken.

## APPENDIX 1

### Existing and future Special & Permitted Parking Areas

#### Existing SPA/PPA Areas

Allerdale	Mole Valley
Ashford	Neath Port Talbot
Aylesbury Vale	Norfolk [Norwich]
Blackpool	Northampton
Barrow-in-Furness	Northamptonshire [Northampton]
Basingstoke and Deane	North Dorset
Basildon	North Yorkshire [Harrogate]
Bath & North East Somerset	Norwich
Bedford	Nottingham
Bedfordshire [Bedford, Mid Bedfordshire, South Bedfordshire]	Oldham
Birmingham	Oxfordshire [Oxford]
Bolton	Peterborough
Bournemouth	Plymouth
Brentwood	Poole
Brighton & Hove	Portsmouth
Bristol	Purbeck
Buckinghamshire [High Wycombe]	Reading
Bury	Redcar and Cleveland
Canterbury	Reigate and Banstead
Carlisle	Rochdale
Carmarthenshire	Rushmoor
Chelmsford	Salford
Christchurch	Salisbury
Colchester	Sandwell
Copeland	Sefton
Cumbria [Allerdale, Barrow, Carlisle, Copeland, Eden, & South Lakeland]	Sevenoaks
Dacorum	Shepway
Dartford	Slough
Denbighshire	Somerset [Taunton Deane]
Dorset [All Districts]	South Bedfordshire
Dover	Southampton
East Dorset	Southend-on-Sea
East Sussex [Hastings]	South Lakeland
Eden	Stoke-on-Trent
Epping Forest	Surrey [Mole Valley, Reigate and Banstead, Guildford]
Essex [Basildon, Brentwood, Chelmsford, Colchester, Epping Forest, Harlow, Maldon]	Sunderland
Gravesham	Swale
Guildford	Swindon
Hampshire [Basingstoke and Deane, Hart, Rushmoor, Test Valley & Winchester]	Taunton Deane
Harlow	Test Valley
Harrogate	Thanet
Hart	Three Rivers
Hastings	Tonbridge & Malling
Herefordshire	Trafford
Hertfordshire [Dacorum, Watford & Three Rivers]	Tunbridge Wells
Kent [All Districts]	Wareham
Liverpool	West Dorset
Luton	Weymouth and Portland
Maidstone	Wigan
Maldon	Wiltshire [Salisbury]
Manchester	Winchester
Medway Unitary	Wirral
Mid Bedfordshire	Worcester
Middlesbrough	Worcestershire [Worcester]
Milton Keynes	York

## Future Special Parking Areas

### Areas expected in 2004/5 with nominal start dates

Area	Expected commencement date
Lancaster [Lancashire]	5 Sept 04
Wyre [Lancashire]	5 Sept 04
Ribble Valley [Lancashire]	5 Sept 04
Fylde [Lancashire]	5 Sept 04
Preston [Lancashire]	5 Sept 04
Pendle [Lancashire]	5 Sept 04
Burnley [Lancashire]	5 Sept 04
Rossendale [Lancashire]	5 Sept 04
Hyndburn [Lancashire]	5 Sept 04
Chorley [Lancashire]	5 Sept 04
South Ribble [Lancashire]	5 Sept 04
West Lancashire [Lancashire]	20 Sept 04
Lewes [East Sussex]	1 Oct 04
St Albans [Herts]	1 Oct 04
Eastleigh [Hants]	1 Oct 04
Tendring [Essex]	1 Oct 04
Castle Point [Essex]	1 Oct 04
Rochford [Essex]	1 Oct 04
Braintree [Essex]	1 Oct 04
Uttlesford [Essex]	1 Oct 04
Blackburn with Darwin	4 Oct 04
Stratford on Avon [Warwickshire]	11 Oct 04
Wychavon [Worcestershire]	25 Oct 04
Cambridge [Cambridgeshire]	1 Nov 04
Runnymede [Surrey]	1 Nov 04
Broxborne [Herts]	Winter 2004/5
Hertsmere [Herts]	15 Jan 05
East Hertfordshire [Herts]	1 March 05
Leeds	

# **Areas expected in 2005/6**

Area	Expected commencement date
Stockport	1 April 2005
North Hertfordshire [Herts]	Early 2005
Barnsley	April 2005
Doncaster	April 2005
Rotherham	April 2005
Sheffield	April 2005
Scarborough [North Yorkshire]	April 2005
Epsom & Ewell [Surrey]	April 2005
Nuneaton & Bedworth [Warwicks]	April 2005
Chiltern [Bucks]	May 2005
Stevenage [Herts]	June 2005
Welwyn [Herts]	June 2005
Woking [Surrey]	June 2005
Spelthorne [Surrey]	June 2005
Elmbridge [Surrey]	June 2005
Northamptonshire (remaining districts)	October 2005
Surrey Heath [Surrey]	December 2005
Coventry	2005
Dudley	2005
Wolverhampton	2005
Solihull	2005
Walsall	2005
New Forest [Hants]	2005
Rugby [Warwicks]	2005
Newcastle	2005
South Tyneside	2005
Gateshead	2005
Hull	2005
Stockton-on-Tees	2005
Warwick [Warwicks]	2005
Tandridge [Surrey]	March 2006
Waverley [Surrey]	June 2006





## **NATIONAL PARKING ADJUDICATION SERVICE JOINT COMMITTEE**

### **REPORT FOR RESOLUTION**

**DATE:** 16<sup>th</sup> July 2004  
**AGENDA ITEM:** Number 9  
**SUBJECT:** Annual Report of the Parking Adjudicators  
**REPORT OF:** The Chief Adjudicator

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### **PURPOSE OF REPORT**

To receive the annual report from the Adjudicators for the calendar year 2003. To forward the Adjudicators' annual report to the Secretary of State for Transport, and the First Secretary of the National Assembly for Wales.

### **RECOMMENDATIONS**

It is recommended that the Joint Committee:

- [i] Receive the annual report from the Adjudicators for the period 1<sup>st</sup> January to 31<sup>st</sup> December 2003.
- [ii] Forward the Adjudicators' annual report to the Secretary of State for Transport, and the First Secretary of the National Assembly for Wales.
- [iii] The report is translated into the Welsh language for the purposes of forwarding it to the First Minister.
- [iv] Agree that the report is published and circulated free of charge.

### **CONTACT OFFICERS**

Caroline Sheppard, NPAS Headquarters, Barlow House, Minshull Street,  
Manchester.  
Tel: 0161 242 5252

### **BACKGROUND DOCUMENTS**

1991 Road Traffic Act

## **1.0 INTRODUCTION**

- 1.1 Under Section 73(17) of the Road Traffic Act 1991 the Adjudicators are obliged to make an Annual Report to the Joint Committee on the discharge of their functions.
- 1.2 Under Section 73(18) of the Road Traffic Act 1991 the Joint Committee are obliged to make an Annual Report to the Secretary of State on the discharge of the adjudicators functions.
- 1.3 As the powers in relation to parking enforcement matters in Wales have been devolved to the National Assembly for Wales it will be necessary to also forward the report to the First Minister.
- 1.4 As the report is to be forwarded to the First Minister it is recommended that for this purpose it should be translated into the Welsh language so that the First Minister may receive the report in both languages.
- 1.5 It is further recommended that the report should be published and circulated free of charge. This would give an opportunity to add additional information to the report such as the Joint Committee's accounts, and other relevant types of information that will be of interest to those involved in parking enforcement.
- 1.6 The report is a joint report for the period 1<sup>st</sup> January to 31<sup>st</sup> December 2003 of all the Adjudicators. I have pleasure in introducing this fifth report of the Parking Adjudicators which is attached.
- 1.7 The report is attached.

# **ANNUAL REPORT 2003**

**NPAS**  
**National Parking Adjudication Service**

## Chief Adjudicator's Foreword

I am pleased to present the Annual Report for the year 2003. This year we have moved from reporting for the period covering the usual financial year from the beginning of April of one year to the end of March the following year. There are a number of reasons why we have decided to focus our report on the calendar year, not least because it makes it easier for our readers to follow.

Whilst 20 new councils joined the scheme in 2003 there has been no significant increase in the volume of appeals compared to the previous year. This may well be due to a number of councils having become more familiar with the scheme.

For example, formerly Manchester City Council accounted for some 40% of all appeals to the Parking Adjudicator. In 2003 this figure was down to less than 9%. While much of this reduction was due to the number of councils taking on DPE arrangements, it is also apparent from the tables published elsewhere in this report that in 2003, across a range of key indicators, the number and proportion of appeals brought against Manchester City Council fell in real terms compared to the previous year. This demonstrates the value of NPAS publishing year on year statistics relating to council performance through appeals, as it enables trends to be identified and analysed.

Whilst acknowledging what appears to be genuine and welcome improvement in the performance of a number of councils, this report also highlights progress that NPAS itself is making across a range of service development initiatives. These will ensure that NPAS continues to develop as a user-focused tribunal, capable of treating service users as individuals and offering them the choice and quality of service they have the right to expect.

As always, I must emphasise that a very small proportion of Penalty Charge Notices issued by councils result in an appeal. However we believe that the issues that are raised in the appeals are a useful barometer of what is happening in the decriminalised parking enforcement scheme as a whole.

A natural comment to make is that since Adjudicators only see an average of 0.5 % of cases that councils handle, any remarks that we may make have a very limited application. Some councils point out that we have no idea of the instances where they have exercised discretion or indeed how they have handled motorists' representations. This is undoubtedly a valid argument. However the difficulty is that the councils themselves do not appear to publish statistics about how they handle representations, or indeed about their decriminalised parking enforcement activities.

We can only publish the statistics that apply to our area of the scheme. We do this in a number of ways since we do believe that analysing our statistics goes some way to shed some light. This year we have presented the tables to emphasise those councils which, perhaps, rarely come under the scrutiny of the Adjudicators. They have a small proportion of appeals, and on the whole they send in appropriate evidence when contesting those appeals. They are also characterised by a significant number of appeals which are dismissed, therefore confirming their approach to having dealt with the complaint.

In making these observations it might appear that we are implying that actions of a few councils should apply to the many. However it is self-evident that the best way to recognise the success and best practice of the majority of councils is for wider publication of statistics relating to their activities and more transparency with respect to their policy.

Nevertheless in our report we have again featured difficulties that have been thrown up in the course of the year in cases which Adjudicators have dealt with. We make no apology for doing this, particularly in view of the opportunities afforded by the Traffic Management Act to adjust the appeals and representations to reflect anomalies in the Road Traffic Act 1991 procedure.

For example, the proper exercise of discretion, and delay in council processes have appeared in Adjudicator reports over and over again. We do not, however, wish to give the impression that these problems exist in all councils. Scrutiny of our tables clearly indicates that there are a significant number of councils that do not experience these problems. There is clearly a significant degree of best practice operating across the country which does not necessarily come to the attention of the Adjudicators. We therefore hope that by taking the approach we do it will enable councils that have overcome their difficulties to share their solutions with councils that still appear to have problems.

However, in the Adjudicators' view there is an urgent need for more transparency and accountability in the councils' activities and it would be more informative for the public to have the whole picture.

We believe that the Government should require this information to be published each year, along with the parking accounts. In fact we would go further than that; we consider that a council's decriminalised parking enforcement and the proposed civil enforcement in the Traffic Management Act, should be subject to Audit Commission scrutiny. The Traffic Management Act proposes that high performing councils should be able to widen the ring fence of their parking accounts to enable surpluses to be used for other council projects. We believe that before this happens there should be standards set for civil traffic enforcement and that councils should achieve "Beacon" status in these departments before the ring fence is widened to other projects. We have quoted examples of delay in council correspondence and dealing with representation, and sometimes sending out Notices to Owner.

We believe that councils ought to publish statistics in terms of:

1. The number of penalty charges they issue each year
2. The number that are paid at the reduced penalty
3. The number of Notices to Owner they issue
4. The number of representations they receive
5. The number of representations they accept
6. The number of representations they reject
7. The number of appeals that they have lodged against them
8. The outcome of those appeals
9. The number of charge certificates they issue and the proportion paid
10. The number of cases they refer to the County Court.

It would also be helpful if they reported on the number of penalty charges they resolved prior to the Notice to Owner after informal representations.

Added to that, our staff are frequently requested to allow extra time for the production of evidence by councils on the basis that there are staff shortages or personnel are on holiday etc. In our view the council should dedicate sufficient resources to dealing with representations and appeals (and other service requirements of the Parking Enforcement Scheme) before any surplus on the accounts is allocated to other projects.

We were surprised to learn that the Local Government Ombudsman was not on the list of consultees in the run up to the Traffic Management Bill. The Adjudicators consider that many of the process and administrative difficulties, reported on in this report, could benefit from the advice of the Local Government Ombudsman. We therefore hope that when the enforcement and appeals regulations are drafted and the new Secretary of State's Guidance is being prepared that the Ombudsman will be consulted, and where appropriate be invited to contribute.

The Traffic Management Act will also provide a welcome opportunity for a further Audit Commission report on parking enforcement. The last report was a review of the police traffic warden service undertaken in anticipation of the Road Traffic Act 1991. In our view a comprehensive report will throw valuable light on councils where decriminalised parking enforcement is a notable success. It would also provide the basis for setting industry standards for the private sector operating in the civil enforcement field.

We therefore recommend:-

1. That councils are required to produce annual statistics relating to their civil enforcement activities,
2. That the Local Government Ombudsman is fully involved in the drafting of the Traffic Management Act regulations and the Secretary of State's Guidance
3. That the Audit Commission considers setting standards and targets for local authority civil enforcement departments
4. The Audit Commission compiles a special report on council traffic enforcement and the operations of the private sector contractors
5. Consideration is given to establishing an inspectorate of civil traffic enforcement within local authorities.

Finally over the last 10 years there has been consistent concern about councils approach to dealing with issues of discretion. In many ways the councils cannot be criticized in cases where there is compelling mitigation because they do not have the full picture presented to them when the initial representations are made. Adjudicators, often during the hearing of an appeal, have much fuller information and better evidence of the circumstances which gave rise to the parking contravention. We therefore urge the government in the new regulations emanating from the Traffic Management Act to give Adjudicators an expressed power to refer appropriate cases back to councils for reconsideration. This is not to say that this practice does not exist at the moment. However councils are often unclear as to how to react to Adjudicators requests and from time to time their responses indicate that they still have not recognized the findings of fact and suggestions made by the Adjudicator. We believe that by including an express power in the regulations this important area of the scheme which is of particular concern to the public would be addressed without giving rise to motorists having to resort to judicial review in the high court.

**Caroline Sheppard**  
**Chief Adjudicator for England and Wales**

# Annual Report 2003

## Introduction

The last report covered the fiscal year 2002/3 (April to March). From 2003 the reporting year has changed to a calendar year basis. This change has been brought about by the need to comply with a number of changes to the legislative requirements.

The published version of the report contains the Adjudicators' annual report, the annual financial accounts information as well as other relevant information. The Accounts and Audit Regulations have brought forward the timescale for reporting on financial matters.

So that we can produce the one annual report document for publication it was decided that in future the Adjudicators' annual report would be based on calendar years. Inevitably this change has meant that the statistics contained in the last quarter of 2002/3 are also contained within this report covering the 2003 calendar year.

The next annual report will cover the 2004 calendar year and this pattern will be repeated thereafter.

This is the fifth Annual Report of the National Parking Adjudication Service and in each we have published the Aims and Objectives of the service. These remain as valid now as they did on the day they were formulated. One of the Aims and Objectives is that users should be provided with *"a tribunal service which is user-focussed, efficient, timely, helpful and readily accessible."*

In 2001 Sir Andrew Leggatt issued his seminal report "Tribunals for Users" which made recommendations to the Lord Chancellor on the future of the tribunals system and at the same time addressed the sometimes delicate nature of the relationship between tribunals and their users. Leggatt concurred with the above NPAS Objectives; *"No matter how good tribunals may be, they do not fulfill their function unless they are accessible by the people who want to use them, and unless the users receive the help they need to prepare and present their cases."*

## Access and Choice

From the earliest beginnings of NPAS we have taken the view that in order to be user-focussed and create an easily accessible tribunal, appellants need a wide degree of choice. Our regulations provide for there to be either a hearing or a decision made by the Adjudicator without a hearing, i.e. on consideration of the paperwork sent in by both parties. Therefore the Notice of Appeal which is sent to the appellant with the council's rejection of the original representations gives a potential appellant the choice of whether to put his or her case to the Adjudicator in person, or have a decision sent to them in the post without a hearing.

No doubt there are various reasons why an appellant chooses whether to attend a hearing or not; however, we strive not to create the situation whereby an appellant must choose a postal decision because it is simply too inconvenient to attend a hearing. Appellants can choose to see the Adjudicator at any of the 49 places where our hearings are held regardless of where the PCN was issued. In some of our busier locations we offer hearings in the evening or on a Saturday morning.

Where appellants want to see the Adjudicator at a hearing they can list a first, second and third choice of hearing venue. Invariably a hearing can be arranged at their first choice of venue, although if time is important, or if the appellant has a preference for a particular day of the week, the second or third choice of venue may turn out to be more convenient.

Therefore we do our best to give each appellant individual attention. NPAS appeal coordinators handle their own portfolio of cases from particular councils. They explain to each appellant when acknowledging the appeal that they will be handling their case and can be contacted at any stage.



Therefore if the time or place initially offered for the hearing is unsuitable the appellant can telephone their coordinator to discuss other options. Hearing sessions are organised session by session, rather than on an automatic basis so that the constraints of individual appellants can where possible, be accommodated. In this sense the coordinators truly coordinate their lists with sensitivity to the needs of the parties.

In 2003, 16% of appellants selecting a personal hearing chose a venue other than the one nearest to where the PCN was issued.

Although NPAS does not deal with appeals from the London councils we hold hearings in London on a regular basis and this is a popular choice of hearing venue for appellants from the Home Counties, Essex and London commuters. We are able to do this thanks to the generous cooperation of the Appeals Service who allow us to use their new hearing venue in Holborn. We also hold hearings in Birmingham and Liverpool at Appeals Service hearing centres.

**We therefore take this opportunity to thank the Appeals Service for assisting NPAS and our appellants by sharing their tribunal venues with us.**

### **Hearing Venue Standards**

The Appeals Service venues we use are of a very high standard having recently been refurbished to meet the needs of modern day tribunal users. This accords with our commitment at NPAS that all hearing venues are chosen and regularly reassessed to ensure their compliance with a detailed specification developed by NPAS. As emphasised in our 2002/03 Annual Report, a key factor in our choice of venue is its accessibility for people with disabilities.

In July 2003 four of the NPAS personnel attended a training course at the University of Kent at Canterbury which led to their accreditation as health and safety risk assessors by the Institute of Occupational Safety and Health (IOSH). In late 2003 these officers commenced a round of visits to each NPAS hearing venue and conducted a formal risk assessment and access check aimed at confirming the venue's continued suitability for personal appeal hearings. Where possible these visits were made in conjunction with the stewarding of hearings at that venue. These venue checks continued into 2004 and thus a report on progress will be given in that year's Annual Report.

The aim of this exercise is twofold:

- i) Certainty that access to all personal hearing venues will meet the requirements of the Disability Discrimination Act 1995, the main provisions of which will come into effect on 1 October 2004.
- ii) Confidence that to the fullest possible extent the health and safety implications of personal hearings as they pertain to Adjudicators, officers and other parties have been understood and that all reasonably practicable precautions have been put in place in respect of each venue.

### **Appellants choose how we communicate with them**

We now provide for appellants to select for their appeal coordinator to communicate with them by email. Many appellants who have created the original correspondence with the councils on their computers, or have taken photographs with a digital camera find this a more convenient method of communication.

The next step is to enable appellants to lodge their appeal on-line. While this might appear to be a technically easy initiative to achieve, progress is complicated by the RTA process whereby the right to appeal to the Parking Adjudicator only arises when the motorist or vehicle owner has already made

representations to the council and had them rejected. An appeal form simply based on the PCN number would result in many recipients of PCNs wanting to appeal to the Adjudicator immediately without reference to the council.

Therefore a system has had to be devised based on an algorithm so that only motorists who have followed the statutory procedure and had their representation formally rejected by the council can access an on-line appeal form. This has taken time since the project involves the close cooperation of the private sector providers of the various different PCN processing systems. At the time that this report will be published the pilots for two councils will be underway. More of that in next year's annual report.

We are also working with the suppliers of the council processing systems to achieve electronic submission of the council evidence. It is the practice in most councils for the parking attendants to issue the PCN by means of a handheld computer and the data is downloaded into the council processing system. Any correspondence with the motorist is normally scanned and held electronically. We have therefore been working with some of the system developers to transfer the case file evidence electronically.

#### **Adjudicators On-line**

During the latter half of 2003 all the Adjudicators around the country were connected to the NPAS case database by way of broadband connections and a virtual private network. This enables an Adjudicator, from their home or normal office, to view the case evidence on-screen from the scanned case file held centrally. They have large flat screens to ensure that the detail is clear and they can print out the case file, or a particularly piece of evidence if they need to.

We are currently developing a new case management system which will provide enhanced features for the Adjudicators and improved case tracking. In due course both parties in a case will be able to check the progress of their case on screen.

**Nevertheless, we will always offer a range of communication methods and there will always be a person answering the telephone and a dedicated coordinator to deal with arrangements in each case.**

#### **Traffic Regulation Order Electronic Library**

A problem of significant magnitude for NPAS is access to council Traffic Regulation Orders. As the Adjudicators discussed in last year's Annual Report, a parking contravention is a contravention of a provision in a council TRO. Therefore the Adjudicators need to be able to examine and consider those provisions. For most of NPAS's existence the councils have been providing a copy of the TRO in each case, but this made the case files very large, incomprehensible to most appellants receiving their copy, and inconveniently repetitive for the council to copy the same TRO over and over again.

In 2003 NPAS embarked on creating a central electronic database of council TROs. Under the new system, the council will merely be required to name the Order and any relevant amendment, plus the specific Article(s) and Schedule(s) upon which it is relying in contesting the appeal. Using this information, Adjudicators will be able to access an electronic copy of that Order, held in a central image repository at NPAS, no matter where they may be in the country. The saving to councils in terms of time and other resources should be obvious and it is hoped that all councils will support this initiative. It does require them to ensure that the NPAS database is up to date.

Adjudicators emphasise that councils will be unlikely to succeed in seeking a review if they have not supplied the relevant material. Adjudicators cannot research the full set of council TROs in cases where the council case summary identifies the wrong Articles or Schedules.

It is to be hoped that in this new process council officers preparing the appeal papers will become ever more familiar with the salient provisions of their own TROs.

### **Revised Evidence Procedures**

As the number of councils operating decriminalised parking enforcement increased during 2003, a growing divergence in terms of how they prepared and presented their appeal evidence also became apparent. Accordingly, during that year the format in which councils are requested to submit their evidence to NPAS was completely overhauled. This revised format, together with procedural guidance, was issued to councils in a series of "roadshows" during the autumn of 2003.

There were a number of reasons for taking this step:

1. **Clarity of Presentation**

Feedback from councils and Adjudicators has suggested that by bringing core facts to the fore and placing them in a logical order on a header sheet, all parties are able to identify the main aspects of the case quickly and easily. Repetition and redundancy is minimised.

2. **Standardisation of Layout**

The new, standardised format means that evidence is presented in broadly the same way, irrespective of the council involved. This brings benefits to all concerned. For the council, the header sheet itself acts as a prompt to the evidence required. Feedback from councils suggests that standardisation has also enabled the process of gathering and preparing evidence to be speeded up through repetition of the process. From the perspective of the appellant, greater understanding is likely to be engendered through receipt of a logically constructed and easily accessible bundle of evidence from the council. The Adjudicator is likely to be able to identify and access salient documents quickly and easily.

3. **Further Service Development Initiatives**

As is discussed elsewhere in this report, NPAS is working with major notice processing system suppliers to enable electronic transfer of appeal evidence direct from council systems into the NPAS case management system. To facilitate electronic transfer it is important that as far as is possible the way in which council evidence is presented is standardised. Electronic transfer of data is being piloted with a number of councils and system suppliers during 2004 and a report on this initiative will appear in the Annual Report for that year.

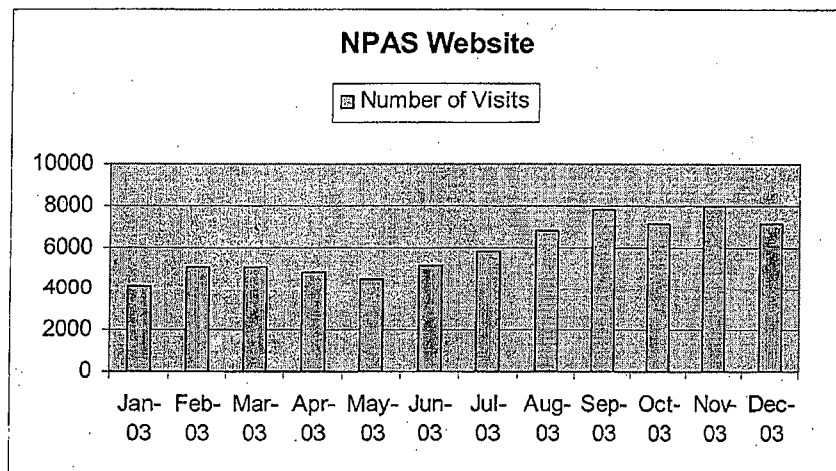
### **The NPAS Website**

In the 2002/03 Annual Report we advised that the NPAS website was launched officially on 1 November 2002. Therefore, 2003 saw its first full year of operation.

Figures indicate that from an average of 101 daily visits in November 2002 and 188 in March 2003, the number of visits to the website grew steadily throughout 2003. Across the year as a whole there were a total of 76,000 visits to the site. This equates to an average of 207 visits each day, with the average visit duration just over 7 minutes.

We continue to offer a link from our website to the website of every council in England and Wales within our jurisdiction. In setting up these links it has become apparent that the quality and quantity of information offered by local authorities in respect of their parking enforcement policies and parking provision in general is extremely variable.

One of the objectives of decriminalised parking enforcement is that within legislative and regulatory boundaries it enables a local authority to tailor its enforcement policies and practices to meet local priorities. In addition, more and more members of the motoring public are likely to turn to the internet for information on parking provision before visiting an area for the first time.



<b>Hits</b>	Entire site	1,004,243
	Average per day	2,825
<b>Page Views</b>	Page views	218,177
	Average view per day	596
	Average per unique visitor	9
	Document views	209,504
<b>Visits</b>	Visits	75,978
	Average per day	207
	Average visit length	00:07:18
	Median visit length	00:00:29
	International visits	0.00%
<b>Visitors</b>	Visits referred by search engines	27,078
	Unique visitors	23,533
	Visitors who visited once	18,886
	Visitors who visited more than once	4,647

## What we are and what we are not

*"There is scope for better publicity for the scheme and the appeal process."*<sup>1</sup>

On the evidence of the many telephone calls, emails and letters received by NPAS each year, not all of which concern appeal-related matters, there appears to exist a degree of uncertainty among appellants, the wider public and even some councils about the nature of the tribunal and in particular the role of the independent Parking Adjudicator within the decriminalised parking enforcement process (DPE). Many motorists solicit advice or seek to engage the services of NPAS as if it were a legal advice service or industry watchdog. Many councils approach officers of the tribunal to seek their 'opinion' or secure some form of sanction for their proposed actions in areas which fall wholly outside the tribunal's jurisdiction.

However regrettable it may seem, this apparent lack of awareness is perhaps unsurprising. For many motorists their only encounter with parking adjudication occurs when they wish to dispute a Penalty Charge Notice and are thus locked in to the enforcement and appeals process. Even then it is regrettable that information concerning the enforcement process in general and the appeals process in particular is only made available to the motorist on a piecemeal basis. This was identified as a cause for concern by Sir Andrew Leggatt and led to the recommendation cited at the top of this section.

Thus NPAS has a clear mandate to inform motorists of the role of adjudication within the DPE scheme and to raise awareness of the right to appeal to the independent Adjudicator. The publication and maintenance of an independent and authoritative website forms a part of this strategy. In raising levels of awareness, NPAS finds it increasingly necessary to reinforce the point that as an independent and impartial tribunal it cannot give the type of advice or assistance that many inquirers seek.

Of greater concern is the number of occasions when councils seek the views or involvement of NPAS in matters where the tribunal simply has no jurisdiction whatsoever. In simple terms, just as the National Parking Adjudication Service cannot offer advice to appellants or councils on the merits of individual cases, so it must not be looked upon as a source of free consultancy or advice to councils in the development or running of their DPE operations. It is perhaps regrettable that when for quite proper reasons officers of the tribunal find it necessary to decline requests for advice or assistance of a wholly inappropriate nature, whether from motorists or councils, this response can sometimes be regarded as unhelpful.

It is said often, but clearly bears restating that NPAS is a tribunal; therefore it does NOT:

- Discuss individual cases
- Give advice about parking incidents or problems
- Deal with general complaints about council parking departments
- Comment on parking schemes
- Get involved with parking enforcement policy
- Collect or accept payment of penalty charges on its own behalf or on behalf of local authorities
- Deal with challenges to private clamping

*"Actively seeking the views of user groups as to what information and facilities are required, tribunals should try to do all they can to make themselves understandable, unthreatening and useful to users."*<sup>2</sup>

For these reasons alone, councils are encouraged to offer comprehensive details of their parking operations on their website and to ensure that this information is updated regularly. Councils are also encouraged to establish a reciprocal link to the NPAS website at [www.parking-appeals.gov.uk](http://www.parking-appeals.gov.uk)

<sup>1</sup> *Tribunals for Users – One System, One Service*  
*Report of the Review of Tribunals by Sir Andrew Leggatt 2001*

<sup>2</sup> *Tribunals for Users – One System, One Service*  
*Report of the Review of Tribunals by Sir Andrew Leggatt 2001*

Tribunals play an important role in identifying possible systemic problems in decision-making and administrative practice. However, there is also a requirement on them to provide information and advice of a procedural nature and to promote the overall accessibility and user-friendliness of the service. At the same time, the views of users and potential users of the tribunal will always be at the heart of NPAS' commitment to continued development as a user-focused tribunal. Tangible examples of this commitment include the annual Council Conferences and the 'Appellant User Group'.

### **User Conferences**

The fourth NPAS Annual Conference was held in Birmingham on 11 November 2003. Although aimed primarily at councils in England and Wales that operate decriminalised parking enforcement, or are planning to do so in the near future, in 2003 all councils in England and Wales received an invitation.

Over 250 delegates attended the conference, representing more than 100 local authorities. Topics covered in 2003 included the pivotal role of Traffic Regulation Orders in council enforcement operations and the judicial concept of proportionality as applied to parking enforcement. The conference was also addressed by Professor John Raine from the University of Birmingham who launched the NPAS User Survey mentioned later in this report.

All delegates were invited to offer anonymous feedback at the end of the conference. Over 95% indicated that the arrangements and the topics covered found the conference useful. This overwhelmingly positive response suggests there is merit in continuing with such conferences and preparations are already underway for 2004.

NPAS also facilitated meetings of the Appellant User Group in April and October 2003. Chaired by a representative of a major motoring organisation, the Appellant User group brings together representative bodies such as the AA Motoring Trust, RAC Foundation, Road Haulage Association, Disabled Drivers Association and Citizens Advice. Comments and suggestions received at these meetings have proved useful in developing NPAS as a "tribunal for users".

**We are grateful to those bodies that give freely of their time to attend these meetings, for their continued advice and support for the work of the tribunal.**

### **User Survey**

In 2003 NPAS commissioned the Institute of Local Government Studies at the University of Birmingham, (INLOGOV), to undertake a wide-ranging user survey. Those surveyed included local authorities, motorists who had brought an appeal to the independent Parking Adjudicator and motorists whose initial representations had been rejected by the local authority and who therefore enjoyed the right to appeal to the Adjudicator but for whatever reason failed to appeal.

The survey was launched formally at the Appellant User Group on 29 October 2003 and at the Annual Council Conference on 11 November 2003. On both occasions the opportunity was taken to canvass for volunteers to participate in the survey. To emphasise the independent nature of the research, once the outline terms of reference had been agreed, the final choice of respondents was left entirely to INLOGOV.

Much of the survey itself, including of course the preparation and presentation of the University's findings and recommendations, will take place during 2004 and is therefore outside the period of this report. Professor Raine of INLOGOV will deliver the Institute's preliminary findings at the Annual Conference on 10 November 2004 and possibly at a meeting of the Appellant User Group in October 2004.

The final report will doubtless include recommendations for service improvement and as the final stage of their involvement INLOGOV will work with NPAS to trial and follow up a number of pilot projects based on these recommendations. Indeed it is likely that the report's findings and recommendations will have a significant impact on service development for a number of years.

A full report on the NPAS/INLOGOV user survey will be contained in the NPAS Annual Report 2004.

### **Cooperation with Other Tribunals**

*"The most striking feature of tribunals is their isolation. This is a serious problem. Apart from the narrowness of outlook which it engenders, it leads to duplication of effort."<sup>3</sup>*

NPAS was pleased to continue its membership of a number of inter-tribunal working parties throughout 2003. Including representatives from other tribunals such as the Appeals Service, the Employment Tribunals Service, the Immigration Appellate Authority and others, these groups offer an excellent opportunity to share best practice in areas such as human resource management, communications and information technology.

As plans are beginning to firm up for the first wave of tribunals to begin the process of transferring into a new Tribunals Service, a reform prompted by the key recommendation of the Leggatt Report, so these working parties have come to be regarded by the Department for Constitutional Affairs as an important source of grass-roots feedback and recommendations on the appropriate strategies to be followed.

Although NPAS is unlikely to be directly affected by the Leggatt reforms for a number of years, the opportunity to participate in these groups, both to learn and to contribute towards the shaping of the future of the tribunals system in this country has been extremely beneficial.

### **Service Standards & Performance Indicators**

All organisations experience administrative problems from time to time, not least the National Parking Adjudication Service. Looking at our service targets, we are aware that whilst we are satisfied with the targets that we have set, there is still room for improvement. We are also aware that due to a number of developmental initiatives that we have been pursuing this year, inevitably some cases have been delayed and in a few cases overlooked for an unacceptable time. We are in the process of commissioning a case management system that will identify the progress and every step of each case. In our view this should eliminate any future problems regarding the occasional case going astray.

We would add however that the reason why we are not pursuing a 100% target in terms of the time in which a case should be dealt with is because of the interests of justice. There are clearly reasons where cases should be adjourned or postponed, or where Adjudicators make a direction that several cases are consolidated because they deal with the same issue. There are also cases that require more complex hearings and these need to be arranged at dates suitable to both parties. Therefore the fact that we do not achieve 100% of cases being dealt with in our target times is in many cases justified.

The fact that we acknowledge, and indeed apologise, for cases where delay has been within this office should not undermine the comments that the Adjudicators have made in a number of cases where significant delay has been observed in the council processes.

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<sup>3</sup> *Tribunals for Users – One System, One Service*  
*Report of the Review of Tribunals by Sir Andrew Leggatt 2001*

From the inception of the tribunal the Joint Committee agreed two performance indicators that indicate how swiftly appeals are processed. In each case, the time is measured between the appeal being received and the Adjudicators' decision being issued. The minimum service standards in respect of these performance indicators are that 80% of postal appeals should be processed within 42 days and 80% of personal appeals processed within 56 days. Year on year performance is detailed in the table below.

PERIOD	% OF POSTAL APPEALS DECIDED WITHIN 42 DAYS	TARGET	% OF PERSONAL APPEALS DECIDED WITHIN 56 DAYS	TARGET
Year 2000/1	57% (1,477 Appeals)	80%	59% (713 Appeals)	80%
Year 2001/2	80% (3,178 Appeals)	80%	82% (1,339 Appeals)	80%
Year 2002/3	78% (5,726 Appeals)	80%	89% (2,811 Appeals)	80%
<b>Year 2003</b>	<b>77%</b> <b>(6,180 Appeals)</b>	<b>80%</b>	<b>91%</b> <b>(3,033 Appeals)</b>	<b>80%</b>

It should be noted that the above figures relate to appeals received *and* decided during the period. Appeals that were not decided, for example because the appellant had requested their personal hearing to be rescheduled have been excluded from the figures.

From 1st April 2002 two additional indicators were agreed and measured. These give a further indication of the availability and responsiveness of the service. Details of performance are given below.

PERIOD	% of phone calls answered within 15 seconds	TARGET	% of appeals acknowledged within 2 working days	TARGET
2002/3	96% (24,375 calls)	80%	99% (8,537 appeals)	80%
<b>Year 2003</b>	<b>96%</b> <b>(24,327 calls)</b>	<b>80%</b>	<b>99%</b> <b>(9,213 appeals)</b>	<b>80%</b>



It will be noted from the first table that year on year the number of appeals received has approximately doubled since the tribunal was established in 1999. Whilst the indicators show a generally improving trend to our performance, staff numbers have not grown in the same proportion and remain remarkably low. In part this has been achieved through considerable investment in information technology. Additional staff were recruited in early 2004 and IT projects currently under development will help improve our postal appeal indicator detailed in the previous table, from 2005 onwards.

### **Statistical Tables**

We have found in our last three annual reports that representing more detailed statistical tables of the outcomes of appeals has proved enlightening. Of course, as more councils join the DPE scheme the volume of tables in our annual report increases. However we consider that it is worthwhile presenting these tables in detail, albeit that the annual report becomes a weightier document each year.

The three different presentations of the same information focus on:

- The percentage of the PCNs issued by each council that result in an appeal
- The percentage of appeals lodged that are allowed by the Adjudicator
- The percentage of appeals that are not contested by the council

### **Issues Arising in Appeals**

This year we undertook a project whereby the Adjudicators, in addition to their written reasons, would record for the case management database the main issue involved in the appeal. This, we felt, would enable us to compare the issues arising in different councils and for the councils themselves perhaps to look at the tables of other councils to see where similar issues arose, and indeed did not arise. We undertook this initiative for a period of time in 2003 and therefore the figures in the "issues" tables for each council should not be taken to apply to all the appeals decided for the council in the full year.

We have, however, decided to publish these tables, along with the other statistical information for each council, to give a snap shot of the points that appellants have raised in relation to each council.

We will continue with this initiative and are developing a more robust method of recording this information in the specification for our new case management system. We would welcome views, particularly from the councils, as to whether these comparators will be useful.

Again, there clearly are anomalies where some councils appear to have particular issues raised over and over again whereas other councils have different ones.

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NC1	112	Councils predicted to take on decriminalised parking enforcement

**Table III**

**Details of the issues raised in appeals received during 2003 for all councils**

Issue Code	Issue Type	Number of PCN Appeals with this Issue	Percentage of PCN Appeals with this Issue
1	Signs and Lines	449	11%
2	CPZ	20	1%
3	No PCN on vehicle	285	7%
4	P & D Tickets	438	11%
5	Loading/Unloading	311	8%
6	Setting Down	34	1%
7	Ownership	472	12%
8	Hire Agreement	103	3%
9	Breakdown	58	1%
10	Meter feeding/second P&D ticket	8	0%
11	Going for Change	13	0%
12	Disabled badge not displayed	166	4%
13	Residents/Visitors Permit	321	8%
14	Beyond bay markings	75	2%
15	Suspended bay	22	1%
16	Taxi Rank	28	1%
17	Return within 1 or 2 hours	35	1%
18	Loading Bay	18	0%
19	Disabled Bays and Badges	17	0%
20	Motor cycle/doctors bay	7	0%
21	Broken meter/machine	27	1%
22	Football match day	12	0%
23	Bank Holiday	2	0%
24	Traffic Regulation Order	104	3%
25	Proportionality	15	0%
26	Remove/clamp issues	25	1%
27	Procedural/process defect/delay	96	2%
28	Wrong contravention on PCN	29	1%
29	Discretion	79	2%
30	Mitigation	115	3%
31	Payment/posting	74	2%
32	Car park issues	65	2%
33	Other	244	6%
34	No Council evidence	171	4%
35	Taken Without Consent	29	1%
	Total Number	3967	

### Percentage of Appeals with this Issue during 2003

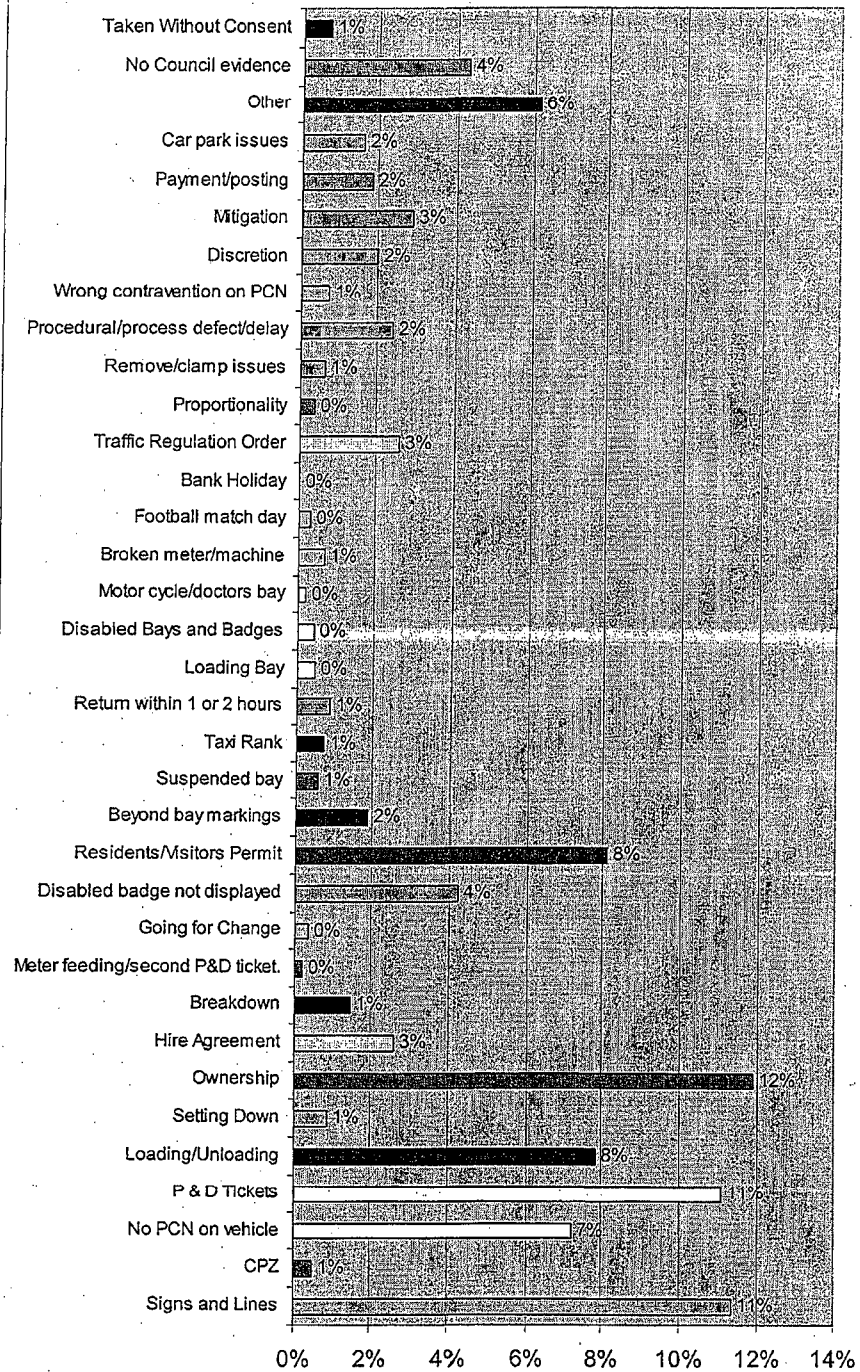


Table S1

Details of Councils in the scheme, their SPA start date, Number of Appeals received and Appeal Rate per PCN for All Councils, 2003

COUNCIL	PCNs	PCNs Appealed	% of cases per PCN	Start Date	Period of Enforcement											
					Jan-03	Feb-03	Mar-03	Apr-03	May-03	Jun-03	Jul-03	Aug-03	Sep-03	Oct-03	Nov-03	Dec-03
Winchester	15,866	26	0.16	20/05/1996												
Oxfordshire [Oxford]	55,970	193	0.34	03/02/1997												
Bucks [High Wycombe]	18,607	30	0.16	03/03/1997												
Maidstone	21,838	138	0.62	23/09/1997												
Watford	32,294	94	0.28	27/11/1997												
Luton	44,688	150	0.34	19/01/1999												
Manchester	131,374	806	0.61	05/04/1999												
Portsmouth	49,169	246	0.50	05/04/1999												
Hastings	32,693	88	0.27	10/05/1999												
Neath Port Talbot	16,448	84	0.51	01/06/1999												
Medway	53,205	176	0.33	03/01/2000												
Grovesham	14,042	27	0.19	04/01/2000												
Canterbury	25,592	115	0.45	10/01/2000												
Sevensoaks	7,686	5	0.07	10/01/2000												
Swale	12,229	19	0.16	10/01/2000												
Thanet	18,033	83	0.46	10/01/2000												
Tunbridge Wells	34,879	123	0.35	10/01/2000												
Seton	51,378	52	0.10	01/02/2000												
Bristol	50,630	224	0.44	01/04/2000												
Sandwell	42,043	125	0.30	01/04/2000												
Shepway	11,284	19	0.17	03/04/2000												
Tonbridge & Malling	14,877	10	0.07	01/09/2000												
Bolton	42,592	229	0.54	04/09/2000												
Ashford	12,280	39	0.32	02/10/2000												
York	26,872	73	0.27	08/10/2000												
Reading	69,014	743	1.08	30/10/2000												
Bedford	22,490	78	0.35	13/11/2000												
Trafford	40,794	47	0.12	15/01/2001												
Dover	16,093	21	0.13	23/01/2001												
Taunton Deane	15,405	66	0.43	19/02/2001												
Plymouth	49,803	551	1.11	01/04/2001												
Salisbury	21,542	36	0.17	01/04/2001												
Salford	31,108	341	1.10	02/04/2001												
Three Rivers	6,354	10	0.16	01/07/2001												
Northampton	65,580	140	0.21	02/07/2001												
Dartford	9,179	16	0.17	02/07/2001												
Brighton & Hove	160,546	232	0.14	16/07/2001												
Southend-on-Sea	49,281	444	0.90	01/09/2001												
Barrow-in-Furness	10,532	21	0.20	03/09/2001												
Birmingham	175,926	751	0.43	03/09/2001												
Bournemouth	37,843	228	0.60	03/09/2001												
Oldham	22,128	99	0.45	01/10/2001												
Stoke-on-Trent	53,307	209	0.39	01/10/2001												
Herefordshire	24,001	70	0.29	05/11/2001												
Carlisle	19,059	49	0.25	26/11/2001												
Norwich	40,971	54	0.13	04/02/2002												
Southampton	46,298	205	0.44	25/02/2002												
South Lakeland	16,436	58	0.35	04/03/2002												
Milton Keynes	56,150	135	0.24	25/03/2002												
Poole	23,640	148	0.62	02/04/2002												
Hart	6,727	21	0.31	05/06/2002												
Rushmoor	14,736	51	0.35	05/06/2002												
Liverpool	114,268	138	0.12	01/07/2002												
Dorset	13,577	23	0.17	01/07/2002												
Harrogate	20,593	87	0.42	15/07/2002												
Basingstoke and Deane	7,570	9	0.12	01/10/2002												
Brentwood	10,278	28	0.25	01/10/2002												
Chelmsford	21,411	151	0.71	01/10/2002												
Colchester	16,977	46	0.27	01/10/2002												
Epping Forest	22,813	31	0.14	01/10/2002												
Nottingham	95,116	238	0.25	01/10/2002												
Bury	31,345	117	0.37	14/10/2002												
Weymouth and Portland	18,772	28	0.15	25/11/2002												
Eden	8,036	15	0.19	20/01/2003												
Worcester	14,495	15	0.10	03/02/2003												
Sunderland	27,169	77	0.28	03/02/2003												
Bath and North East Somerset	35,806	81	0.23	17/02/2003												
Christchurch	6,151	17	0.28	03/03/2003												
Malden	2,688	0	0.00	01/04/2003												
Basildon	5,442	15	0.28	01/04/2003												
Slough	24,000	91	0.38	21/04/2003												
Redcar & Cleveland	7,843	6	0.08	02/06/2003												
Aylesbury Vale	8,579	0	0.00	30/06/2003												
Middlesbrough	5,554	0	0.00	01/09/2003												
Swindon	9,642	3	0.03	01/09/2003												
Peterborough	4,885	2	0.04	22/09/2003												
Copeland	1,271	0	0.00	28/09/2003												
Dacorum	3,497	1	0.03	05/10/2003												
Allerdale	5,365	2	0.04	13/10/2003												
Test Valley	1,741	0	0.00	20/10/2003												
Harlow	922	0	0.00	01/11/2003												
Blackpool	6,903	0	0.00	10/11/2003												
Wirral	4,057	0	0.00	17/11/2003												
All SPA areas	2,800,398	6,213	0.27													

Note: It can be about three months from the start date before it is time for the first appeal to be received by NPAS.

Table S2 - Details of Appeals Received and their outcome for All Councils Year 2003

SPA/PPA Area	Appeals Received	Postal	Personal	Not Contested by council	Allowed by Adjudicator	Total allowed including not contested by council	Refused by Adjudicator incl. out of time and withdrawn by appellant	Awaiting decision
Allerdale	2	2 (100%)	0 (0%)	1 (50%)	1 (50%)	2 (100%)	0 (0%)	0 (0%)
Ashford	39	24 (62%)	15 (38%)	14 (36%)	16 (41%)	30 (77%)	9 (23%)	0 (0%)
Aylesbury	0	0	0	0	0	0	0	0
Barrow-in-Furness	21	11 (52%)	10 (48%)	2 (10%)	11 (52%)	13 (62%)	8 (38%)	0 (0%)
Basildon	15	14 (93)	1 (7%)	6 (40%)	6 (40%)	12 (80%)	3 (20%)	0 (0%)
Basingstoke	9	8 (89%)	1 (11%)	4 (44%)	3 (33%)	7 (78%)	2 (2%)	0 (0%)
Bath and North East Somerset	81	65 (80%)	16 (20%)	21 (26%)	26 (32%)	47 (58%)	33 (41%)	1 (1%)
Bedford	78	53 (68%)	25 (32%)	24 (31%)	17 (22%)	41 (53%)	30 (38%)	7 (9%)
Birmingham	751	557 (74%)	194 (26%)	509 (68%)	112 (15%)	621 (83%)	120 (16%)	10 (1%)
Blackpool	0	0	0	0	0	0	0	0
Bolton	229	107 (47%)	122 (53%)	45 (20%)	80 (35%)	125 (55%)	101 (44%)	3 (1%)
Bournemouth	228	147 (64%)	81 (36%)	117 (51%)	48 (21%)	165 (72%)	61 (27%)	2 (1%)
Brentwood	26	15 (58%)	11 (42%)	11 (42%)	2 (8%)	13 (50%)	7 (27%)	6 (23%)
Brighton & Hove	232	161 (69%)	71 (31%)	61 (26%)	70 (30%)	131 (56%)	99 (43%)	2 (1%)
Bristol	224	159 (71%)	65 (29%)	117 (52%)	37 (17%)	154 (69%)	68 (30%)	2 (1%)
Buckinghamshire (High Wycombe)	30	24 (80%)	6 (20%)	13 (43%)	6 (20%)	19 (63%)	10 (33%)	1 (3%)
Bury	117	58 (50%)	59 (50%)	10 (9%)	69 (59%)	79 (68%)	28 (24%)	10 (9%)
Canterbury	115	74 (64%)	41 (36%)	70 (61%)	24 (21%)	94 (82%)	21 (18%)	0 (0%)
Carlisle	49	24 (49%)	25 (51%)	6 (12%)	17 (35%)	23 (47%)	25 (51%)	1 (2%)
Carmarthenshire	0	0	0	0	0	0	0	0
Chelmsford	151	104 (69%)	47 (31%)	99 (66%)	46 (30%)	145 (96%)	6 (4%)	0 (0%)
Christchurch	17	9 (53%)	8 (47%)	3 (18%)	9 (53%)	12 (71%)	5 (29%)	0 (0%)
Colchester	46	28 (61%)	18 (39%)	9 (20%)	25 (54%)	34 (74%)	12 (26%)	0 (0%)
Copeland	0	0	0	0	0	0	0	0
Dacorum	1	1 (100%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	1 (100%)	0 (0%)
Dartford	16	9 (56%)	7 (44%)	4 (25%)	10 (63%)	14 (88%)	2 (13%)	0 (0%)
Dorset (East Dorset, North Dorset, Purbeck, Wareham, and West Dorset)	23	13 (57%)	10 (43%)	6 (26%)	6 (26%)	12 (52%)	11 (48%)	0 (0%)

SPA/PPA Area	Appeals Received	Postal	Personal	Not Contested by council	Allowed by Adjudicator	Total allowed including not contested by council	Refused by Adjudicator incl. out of time and withdrawn by appellant	Awaiting decision
Dover	21	8 (38%)	13 (62%)	5 (24%)	12 (57%)	17 (81%)	4 (19%)	0 (0%)
Eden	15	8 (53%)	7 (47%)	4 (27%)	3 (20%)	7 (47%)	7 (47%)	1 (7%)
Epping Forest	31	13 (42%)	18 (58%)	4 (13%)	10 (32%)	14 (45%)	16 (52%)	1 (3%)
Gravesham	27	13 (48%)	14 (52%)	13 (48%)	11 (41%)	24 (89%)	3 (11%)	0 (0%)
Harlow	0	0	0	0	0	0	0	0
Harrogate	87	56 (64%)	31 (36%)	1 (1%)	26 (30%)	27 (31%)	57 (66%)	3 (3%)
Hart	21	14 (67%)	7 (33%)	4 (19%)	7 (33%)	11 (52%)	10 (48%)	0 (0%)
Hastings	88	46 (52%)	42 (48%)	10 (11%)	34 (39%)	44 (50%)	43 (49%)	1 (1%)
Herefordshire	70	48 (69%)	22 (31%)	13 (19%)	24 (34%)	37 (53%)	32 (46%)	1 (1%)
Liverpool	138	106 (77%)	32 (23%)	73 (53%)	28 (20%)	101 (73%)	33 (24%)	4 (3%)
Luton	150	79 (53%)	71 (47%)	48 (32%)	41 (27%)	89 (59%)	57 (38%)	4 (3%)
Maidstone	136	70 (51%)	66 (49%)	21 (15%)	67 (49%)	88 (65%)	46 (34%)	2 (1%)
Maldon	0	0	0	0	0	0	0	0
Manchester	806	528 (66%)	278 (34%)	258 (32%)	235 (29%)	493 (61%)	297 (37%)	16 (2%)
Medway	176	102 (58%)	74 (42%)	54 (31%)	64 (36%)	118 (67%)	58 (33%)	0 (0%)
Middlesbrough	0	0	0	0	0	0	0	0
Milton Keynes	135	102 (76%)	33 (24%)	93 (69%)	17 (13%)	110 (81%)	18 (13%)	7 (5%)
Neath Port Talbot	84	53 (63%)	31 (37%)	39 (46%)	24 (29%)	63 (75%)	19 (23%)	2 (2%)
Northampton	140	87 (62%)	53 (38%)	55 (39%)	35 (25%)	90 (64%)	42 (30%)	8 (6%)
Norwich	54	40 (74%)	14 (26%)	23 (43%)	8 (15%)	31 (57%)	22 (41%)	1 (2%)
Nottingham	238	149 (63%)	89 (37%)	127 (53%)	29 (12%)	156 (66%)	72 (30%)	10 (4%)
Oldham	99	66 (67%)	33 (33%)	34 (34%)	38 (38%)	72 (73%)	26 (26%)	1 (1%)
Oxfordshire (Oxford)	193	150 (78%)	43 (22%)	60 (31%)	27 (14%)	87 (45%)	104 (54%)	2 (1%)
Peterborough	2	1 (50%)	1 (50%)	0 (0%)	2 (100%)	2 (100%)	0 (0%)	0 (0%)
Plymouth	551	378 (69%)	173 (31%)	120 (22%)	205 (37%)	325 (59%)	225 (41%)	1 (0%)
Poole	146	98 (67%)	48 (33%)	50 (34%)	42 (29%)	92 (63%)	54 (37%)	0 (0%)
Reading	743	546 (73%)	197 (27%)	277 (37%)	219 (29%)	496 (67%)	242 (33%)	5 (1%)
Redcar	6	1 (17%)	5 (83%)	0 (0%)	1 (17%)	1 (17%)	1 (17%)	4 (67%)
Rushmoor	51	31 (61%)	20 (39%)	19 (37%)	13 (25%)	32 (63%)	19 (37%)	0 (0%)
Salford	341	251 (74%)	90 (26%)	101 (30%)	189 (55%)	290 (85%)	51 (15%)	0 (0%)

SPA/PPA Area	Appeals Received	Postal	Personal	Not Contested by council	Allowed by Adjudicator	Total allowed including not contested by council	Refused by Adjudicator incl. out of time and withdrawn by appellant	Awaiting decision
Salisbury	36	16 (44%)	20 (56%)	4 (11%)	19 (53%)	23 (64%)	12 (33%)	1 (3%)
Sandwell	125	90 (72%)	35 (28%)	54 (43%)	25 (20%)	79 (63%)	46 (37%)	0 (0%)
Sefton	52	35 (67%)	17 (33%)	3 (6%)	18 (35%)	21 (40%)	29 (56%)	2 (4%)
Sevenoaks	5	4 (80%)	1 (20%)	0 (0%)	3 (60%)	3 (60%)	2 (40%)	0 (0%)
Shepway	19	15 (79%)	4 (21%)	1 (5%)	7 (37%)	8 (42%)	11 (58%)	0 (0%)
Slough	91	57 (63%)	34 (37%)	61 (67%)	15 (16%)	76 (84%)	14 (15%)	1 (1%)
South Bedfordshire	0	0	0	0	0	0	0	0
South Lakeland	58	42 (72%)	16 (28%)	32 (55%)	14 (24%)	46 (79%)	12 (21%)	0 (0%)
Southampton	205	118 (58%)	87 (42%)	32 (16%)	69 (34%)	101 (49%)	103 (50%)	1 (0%)
Southend-on-Sea	444	322 (73%)	122 (27%)	206 (46%)	125 (28%)	331 (75%)	109 (25%)	4 (1%)
Stoke-on-Trent	209	135 (65%)	74 (35%)	105 (50%)	36 (17%)	141 (67%)	63 (30%)	5 (2%)
Sunderland	77	43 (56%)	34 (44%)	19 (25%)	12 (16%)	31 (40%)	44 (57%)	2 (3%)
Swale	19	15 (79%)	4 (21%)	2 (11%)	6 (32%)	8 (42%)	11 (58%)	0 (0%)
Swindon	3	1 (33%)	2 (67%)	1 (33%)	0 (0%)	1 (33%)	0 (0%)	2 (67%)
Taunton Deane	66	38 (58%)	28 (42%)	15 (23%)	16 (24%)	31 (47%)	35 (53%)	0 (0%)
Test Valley	0	0	0	0	0	0	0	0
Thanet	83	64 (77%)	19 (23%)	19 (23%)	33 (40%)	52 (63%)	31 (37%)	0 (0%)
Three Rivers	10	6 (60%)	4 (40%)	3 (30%)	1 (10%)	4 (40%)	5 (50%)	1 (10%)
Tonbridge & Malling	10	8 (80%)	2 (20%)	1 (10%)	5 (50%)	6 (60%)	4 (40%)	0 (0%)
Trafford	47	34 (72%)	13 (28%)	18 (38%)	12 (26%)	30 (64%)	16 (34%)	1 (2%)
Tunbridge Wells	123	95 (77%)	28 (23%)	53 (43%)	32 (26%)	85 (69%)	36 (29%)	2 (2%)
Watford	94	70 (74%)	24 (26%)	26 (28%)	25 (27%)	51 (54%)	43 (46%)	0 (0%)
Weymouth	28	10 (36%)	18 (64%)	19 (68%)	0 (0%)	19 (68%)	7 (25%)	2 (7%)
Winchester	26	14 (54%)	12 (46%)	4 (15%)	4 (15%)	8 (31%)	18 (69%)	0 (0%)
Wirral	0	0	0	0	0	0	0	0
Worcester	15	12 (80%)	3 (20%)	3 (20%)	3 (20%)	6 (40%)	9 (60%)	0 (0%)
York	73	53 (73%)	20 (27%)	6 (8%)	18 (25%)	24 (33%)	44 (60%)	5 (7%)
All Areas	9213	6180 (67%)	3033 (33%)	3451 (37%)	2610 (28%)	6061 (66%)	3001 (33%)	151 (2%)



### Table S3 Details of Appeals for each Council and the issues arising in their cases

(Note: figures for years 2001-2 and 2002-3 relate to PCNs appealed, previous years are number of cases)

#### Allerdale

SPA Commencement Date: 13<sup>th</sup> October 2003

##### Year 2003

Appeals Received	Postal	Personal	Not Contested by council	Allowed by Adjudicator	Total allowed including not contested by council	Refused by Adjudicator incl. out of time and withdrawn by appellant	Awaiting decision
2	2 (100%)	0 (0%)	1 (50%)	1 (50%)	2 (100%)	0 (0%)	0 (0%)

#### Ashford

SPA Commencement Date: 2<sup>nd</sup> October 2000

##### Year 2003

Appeals Received	Postal	Personal	Not Contested by council	Allowed by Adjudicator	Total allowed including not contested by council	Refused by Adjudicator incl. out of time and withdrawn by appellant	Awaiting decision
39	24 (62%)	15 (38%)	14 (36%)	16 (41%)	30 (77%)	9 (23%)	0 (0%)

##### Year 2002-2003

47	33 70%	14 30%	12 26%	18 38%	30 64%	17 36%	0 0%
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##### Year 2001 - 2002

32	24 75%	8 25%	13 41%	3 9%	16 50%	15 47%	1 3%
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##### Year 2000 - 2001

4	3 75%	1 25%	0 0%	1 25%	1 25%	3 75%	0 0%
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#### Ashford Appeal Issues

Issue	Number	Percentage of Total
Signs and Lines	1	4%
No PCN on vehicle	1	4%
P & D Tickets	9	38%
Ownership	3	13%
Disabled badge not displayed	1	4%
Residents/Visitors Permit	1	4%
Traffic Regulation Order	2	8%
Proportionality	2	8%
Mitigation	2	8%
Payment/posting	1	4%
Car park issues	1	4%

**Aylesbury**SPA Commencement Date: 30<sup>th</sup> June 2003**Year 2003**

Appeals Received	Postal	Personal	Not Contested by council	Allowed by Adjudicator	Total allowed including not contested by council	Refused by Adjudicator incl. out of time and withdrawn by appellant	Awaiting decision
0	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)

**Barrow-in-Furness**SPA Commencement Date: 3<sup>rd</sup> September 2001**Year 2003**

Appeals Received	Postal	Personal	Not Contested by council	Allowed by Adjudicator	Total allowed including not contested by council	Refused by Adjudicator incl. out of time and withdrawn by appellant	Awaiting decision
21	11 (52%)	10 (48%)	2 (10%)	11 (52%)	13 (62%)	8 (38%)	0 (0%)

**Year 2002-2003**

29	14 48%	15 52%	2 7%	12 41%	14 48%	15 52%	0 0%
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**Year 2001 - 2002**

9	5 55%	4 45%	2 22%	1 11%	3 33%	5 56%	1 11%
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**Barrow-in-Furness Appeal Issues**

Issue	Number	Percentage of Total
Loading/Unloading	4	33%
Ownership	5	42%
Return within 1 or 2 hours	1	8%
Procedural/process defect/delay	1	8%
Discretion	1	8%

**Basildon**SPA Commencement Date: 1<sup>st</sup> April 2003**Year 2003**

Appeals Received	Postal	Personal	Not Contested by council	Allowed by Adjudicator	Total allowed including not contested by council	Refused by Adjudicator incl. out of time and withdrawn by appellant	Awaiting decision
15	14 (93)	1 (7%)	6 (40%)	6 (40%)	12 (80%)	3 (20%)	0 (0%)

### Basildon Appeal Issues

Issue	Number	Percentage of Total
Loading/Unloading	1	50%
Procedural/process defect/delay	1	50%

### Basingstoke and Deane

SPA Commencement Date: 1<sup>st</sup> October 2002

#### Year 2003

Appeals Received	Postal	Personal	Not Contested by council	Allowed by Adjudicator	Total allowed including not contested by council	Refused by Adjudicator incl. out of time and withdrawn by appellant	Awaiting decision
9	8 (89%)	1 (11%)	4 (44%)	3 (33%)	7 (78%)	2 (2%)	0 (0%)

#### Year 2002-2003

3	3 100%	0 0%	3 100%	0 100%	3 100%	0 0%	0 0%
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### Basingstoke and Deane Appeal Issues

Issue	Number	Percentage of Total
No PCN on vehicle	1	25%
Proportionality	1	25%
Discretion	1	25%
Other (please state)	1	25%

### Bath and North East Somerset

SPA Commencement Date: 17<sup>th</sup> February 2003

#### Year 2003

Appeals Received	Postal	Personal	Not Contested by council	Allowed by Adjudicator	Total allowed including not contested by council	Refused by Adjudicator incl. out of time and withdrawn by appellant	Awaiting decision
81	65 (80%)	16 (20%)	21 (26%)	26 (32%)	47 (58%)	33 (41%)	1 (1%)

#### Year 2002-2003

0	0	0	0	0	0	0	0
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### Bath and North East Somerset Appeal Issues

Issue	Number	Percentage of Total
Signs and Lines	10	29%
Loading/Unloading	4	11%
Ownership	1	3%
Residents/Visitors Permit	11	31%
Beyond bay markings	1	3%
Traffic Regulation Order	3	9%
Discretion	3	9%
Mitigation	1	3%
Car park issues	1	3%

### Bedford

SPA Commencement Date: 13<sup>th</sup> November 2000

#### Year 2003

Appeals Received	Postal	Personal	Not Contested by council	Allowed by Adjudicator	Total allowed including not contested by council	Refused by Adjudicator incl. out of time and withdrawn by appellant	Awaiting decision
78	53 (68%)	25 (32%)	24 (31%)	17 (22%)	41 (53%)	30 (38%)	7 (9%)

#### Year 2002-2003

162	115 71%	47 29%	37 23%	38 23%	75 46%	84 52%	3 2%
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#### Year 2001 - 2002

68	55 81%	13 19%	16 24%	11 16%	27 40%	34 50%	7 10%
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#### Year 2000 - 2001

0	0	0	0	0	0	0	0
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### Bedford Appeal Issues

Issue	Number	Percentage of Total
Signs and Lines	4	9%
CPZ	1	2%
P & D Tickets	9	21%
Loading/Unloading	3	7%
Ownership	7	16%
Hire Agreement	1	2%
Breakdown	1	2%
Meter feeding/second P&D ticket.	1	2%
Going for Change	1	2%
Residents/Visitors Permit	4	9%
Beyond bay markings	1	2%
Disabled Bays and Badges	2	5%
Procedural/process defect/delay	1	2%
Wrong contravention on PCN	2	5%

Discretion	3	7%
Mitigation	1	2%
Taken Without Consent	1	2%

## Birmingham

SPA Commencement Date: 3<sup>rd</sup> September 2001

### Year 2003

Appeals Received	Postal	Personal	Not Contested by council	Allowed by Adjudicator	Total allowed including not contested by council	Refused by Adjudicator incl. out of time and withdrawn by appellant	Awaiting decision
751	557 (74%)	194 (26%)	509 (68%)	112 (15%)	621 (83%)	120 (16%)	10 (1%)

### Year 2002-2003

630	455 72%	175 28%	442 70%	80 13%	523 83%	102 16%	5 1%
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### Year 2001 - 2002

29	26 90%	3 10%	28 97%	1 3%	29 100%	0 0%	0 0%
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### Birmingham Appeal Issues

Issue	Number	Percentage of Total
Signs and Lines	19	11%
CPZ	3	2%
No PCN on vehicle	20	12%
P & D Tickets	32	19%
Loading/Unloading	7	4%
Ownership	16	10%
Hire Agreement	7	4%
Breakdown	2	1%
Disabled badge not displayed	5	3%
Suspended bay	1	1%
Taxi Rank	1	1%
Return within 1 or 2 hours	1	1%
Disabled Bays and Badges	1	1%
Broken meter/machine	1	1%
Traffic Regulation Order	6	4%
Remove/clamp issues	1	1%
Procedural/process defect/delay	7	4%
Wrong contravention on PCN	2	1%
Mitigation	5	3%
Payment/posting	10	6%
Car park issues	2	1%
Other (please state)	7	4%
No Council evidence	9	5%
Taken Without Consent	1	1%

## Blackpool

SPA Commencement Date: 10<sup>th</sup> November 2003

### Year 2003

Appeals Received	Postal	Personal	Not Contested by council	Allowed by Adjudicator	Total allowed including not contested by council	Refused by Adjudicator incl. out of time and withdrawn by appellant	Awaiting decision
0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)

## Bolton

SPA Commencement Date: 4<sup>th</sup> September 2000

### Year 2003

Appeals Received	Postal	Personal	Not Contested by council	Allowed by Adjudicator	Total allowed including not contested by council	Refused by Adjudicator incl. out of time and withdrawn by appellant	Awaiting decision
229	107 (47%)	122 (53%)	45 (20%)	80 (35%)	125 (55%)	101 (44%)	3 (1%)

### Year 2002-2003

226	117 52%	109 48%	40 18%	76 34%	116 51%	110 49%	0 0%
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### Year 2001 - 2002

98	58 59%	40 41%	29 30%	38 39%	67 68%	31 32%	0 0%
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### Year 2000 - 2001

0	0	0	0	0	0	0	0
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### Bolton Appeal Issues

Issue	Number	Percentage of Total
Signs and Lines	10	11%
No PCN on vehicle	5	6%
P & D Tickets	18	20%
Loading/Unloading	1	1%
Setting Down	1	1%
Ownership	7	8%
Breakdown	2	2%
Meter feeding/second P&D ticket.	1	1%
Going for Change	1	1%
Disabled badge not displayed	9	10%
Residents/Visitors Permit	5	6%
Beyond bay markings	10	11%
Taxi Rank	1	1%
Disabled Bays and Badges	2	2%

Broken meter/machine	2	2%
Traffic Regulation Order	1	1%
Wrong contravention on PCN	1	1%
Discretion	1	1%
Mitigation	3	3%
Car park issues	2	2%
Other (please state)	5	6%

## Bournemouth

SPA Commencement Date: 3<sup>rd</sup> September 2001

### Year 2003

Appeals Received	Postal	Personal	Not Contested by council	Allowed by Adjudicator	Total allowed including not contested by council	Refused by Adjudicator incl. out of time and withdrawn by appellant	Awaiting decision
228	147 (64%)	81 (36%)	117 (51%)	48 (21%)	165 (72%)	61 (27%)	2 (1%)

### Year 2002-2003

157	113 72%	44 28%	70 45%	19 12%	89 57%	66 42%	2 1%
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### Year 2001 - 2002

23	14 61%	9 39%	8 35%	4 17%	12 52%	11 48%	0 0%
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### Bournemouth Appeal Issues

Issue	Number	Percentage of Total
Signs and Lines	11	12%
No PCN on vehicle	5	6%
P & D Tickets	7	8%
Loading/Unloading	4	4%
Ownership	18	20%
Breakdown	2	2%
Disabled badge not displayed	5	6%
Residents/Visitors Permit	9	10%
Beyond bay markings	3	3%
Return within 1 or 2 hours	2	2%
Disabled Bays and Badges	3	3%
Traffic Regulation Order	4	4%
Procedural/process defect/delay	2	2%
Wrong contravention on PCN	1	1%
Discretion	3	3%
Mitigation	3	3%
Payment/posting	1	1%
Other (please state)	5	6%
Taken Without Consent	1	1%

**Brentwood**SPA Commencement Date: 1<sup>st</sup> October 2002**Year 2003**

Appeals Received	Postal	Personal	Not Contested by council	Allowed by Adjudicator	Total allowed including not contested by council	Refused by Adjudicator incl. out of time and withdrawn by appellant	Awaiting decision
26	15 (58%)	11 (42%)	11 (42%)	2 (8%)	13 (50%)	7 (27%)	6 (23%)

**Year 2002-2003**

0	0	0	0	0	0	0	0
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**Brentwood Appeal Issues**

Issue	Number	Percentage of Total
Residents/Visitors Permit	2	67%
Return within 1 or 2 hours	1	33%

**Brighton & Hove**SPA Commencement Date: 16<sup>th</sup> July 2001**Year 2003**

Appeals Received	Postal	Personal	Not Contested by council	Allowed by Adjudicator	Total allowed including not contested by council	Refused by Adjudicator incl. out of time and withdrawn by appellant	Awaiting decision
232	161 (69%)	71 (31%)	61 (26%)	70 (30%)	131 (56%)	99 (43%)	2 (1%)

**Year 2002-2003**

140	85 61%	55 39%	61 44%	30 21%	91 65%	48 34%	1 1%
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**Year 2001 - 2002**

31	27 87%	4 13%	16 52%	8 26%	24 78%	6 19%	1 3%
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**Brighton & Hove Appeal Issues**

Issue	Number	Percentage of Total
Signs and Lines	8	8%
No PCN on vehicle	4	4%
P & D Tickets	9	9%
Loading/Unloading	7	7%
Setting Down	1	1%
Ownership	6	6%
Hire Agreement	3	3%
Breakdown	1	1%



Disabled badge not displayed	12	13%
Residents/Visitors Permit	12	13%
Suspended bay	8	8%
Taxi Rank	1	1%
Motor cycle/doctors bay	1	1%
Remove/clamp issues	2	2%
Procedural/process defect/delay	3	3%
Mitigation	1	1%
Payment/posting	2	2%
Other (please state)	12	13%
Taken Without Consent	2	2%

### Bristol

SPA Commencement Date: 1<sup>st</sup> April 2000

#### Year 2003

Appeals Received	Postal	Personal	Not Contested by council	Allowed by Adjudicator	Total allowed including not contested by council	Refused by Adjudicator incl. out of time and withdrawn by appellant	Awaiting decision
224	159 (71%)	65 (29%)	117 (52%)	37 (17%)	154 (69%)	68 (30%)	2 (1%)

#### Year 2002-2003

260	183 70%	77 30%	162 62%	35 13%	197 76%	60 23%	3 1%
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#### Year 2001 - 2002

166	99 60%	67 40%	99 60%	20 12%	119 72%	43 26%	4 2%
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#### Year 2000 - 2001

128	87 68%	41 32%	66 52%	46 36%	112 88%	10 8%	6 5%
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### Bristol Appeal Issues

Issue	Number	Percentage of Total
Signs and Lines	8	12%
CPZ	1	1%
No PCN on vehicle	3	4%
P & D Tickets	9	13%
Loading/Unloading	5	7%
Disabled badge not displayed	2	3%
Beyond bay markings	2	3%
Suspended bay	1	1%
Broken meter/machine	2	3%
Football match day	3	4%
Proportionality	1	1%
Remove/clamp issues	8	12%

Mitigation	3	4%
Payment/posting	2	3%
Car park issues	5	7%
Other (please state)	3	4%
No Council evidence	8	12%
Taken Without Consent	1	1%

### Buckinghamshire [High Wycombe]

SPA Commencement Date: 3<sup>rd</sup> March 1997

#### Year 2003

Appeals Received	Postal	Personal	Not Contested by council	Allowed by Adjudicator	Total allowed including not contested by council	Refused by Adjudicator incl. out of time and withdrawn by appellant	Awaiting decision
30	24 (80%)	6 (20%)	13 (43%)	6 (20%)	19 (63%)	10 (33%)	1 (3%)

#### Year 2002-2003

55	45 82%	10 18%	20 36%	7 13%	27 49%	26 47%	2 4%
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#### Year 2001 - 2002

39	31 80%	8 20%	15 38%	9 23%	24 62%	13 33%	2 5%
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#### Year 2000 - 2001

86	59 69%	27 31%	44 52%	15 17%	59 69%	26 30%	1 1%
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#### Year 1999 - 2000 part

54	40 74%	14 26%	26 48%	13 24%	39 72%	15 28%	0 0%
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#### Buckinghamshire (High Wycombe) Appeal Issues

Issue	Number	Percentage of Total
Signs and Lines	2	20%
Loading/Unloading	2	20%
Loading Bay	1	10%
Traffic Regulation Order	2	20%
Mitigation	1	10%
Taken Without Consent	2	20%

**Bury**SPA Commencement Date: 14<sup>th</sup> October 2002**Year 2003**

Appeals Received	Postal	Personal	Not Contested by council	Allowed by Adjudicator	Total allowed including not contested by council	Refused by Adjudicator incl. out of time and withdrawn by appellant	Awaiting decision
117	58 (50%)	59 (50%)	10 (9%)	69 (59%)	79 (68%)	28 (24%)	10 (9%)

**Year 2002-2003**

18	13 72%	5 28%	3 17%	12 67%	15 83%	3 17%	0 0%
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**Bury Appeal Issues**

Issue	Number	Percentage of Total
Signs and Lines	13	24%
No PCN on vehicle	4	7%
P & D Tickets	9	16%
Loading/Unloading	4	7%
Setting Down	1	2%
Residents/Visitors Permit	1	2%
Beyond bay markings	3	5%
Taxi Rank	2	4%
Return within 1 or 2 hours	1	2%
Traffic Regulation Order	5	9%
Wrong contravention on PCN	3	5%
Mitigation	1	2%
Other (please state)	8	15%

**Canterbury**SPA Commencement Date: 10<sup>th</sup> January 2000**Year 2003**

Appeals Received	Postal	Personal	Not Contested by council	Allowed by Adjudicator	Total allowed including not contested by council	Refused by Adjudicator incl. out of time and withdrawn by appellant	Awaiting decision
115	74 (64%)	41 (36%)	70 (61%)	24 (21%)	94 (82%)	21 (18%)	0 (0%)

**Year 2002-2003**

114	70 61%	44 39%	39 34%	37 32%	76 67%	38 33%	0 0%
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**Year 2001 - 2002**

216	178 82%	38 18%	134 62%	27 13%	161 75%	52 24%	3 1%
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### Year 2000 - 2001

168	124	44	82	52	134	29	5
	74%	26%	49%	31%	80%	17%	3%

### Year 1999 - 2000 part

4	4	0	2	1	3	1	0
	100%	0%	50%	25%	75%	25%	0%

### Canterbury Appeal Issues

Issue	Number	Percentage of Total
Signs and Lines	7	17%
No PCN on vehicle	1	2%
P & D Tickets	5	12%
Loading/Unloading	7	17%
Ownership	1	2%
Hire Agreement	1	2%
Disabled badge not displayed	3	7%
Residents/Visitors Permit	4	10%
Beyond bay markings	2	5%
Taxi Rank	3	7%
Return within 1 or 2 hours	1	2%
Car park issues	1	2%
Other (please state)	3	7%
No Council evidence	2	5%

### Carlisle

SPA Commencement Date: 26<sup>th</sup> November 2001

### Year 2003

Appeals Received	Postal	Personal	Not Contested by council	Allowed by Adjudicator	Total allowed including not contested by council	Refused by Adjudicator incl. out of time and withdrawn by appellant	Awaiting decision
49	24 (49%)	25 (51%)	6 (12%)	17 (35%)	23 (47%)	25 (51%)	1 (2%)

### Year 2002-2003

103	54	49	17	33	50	53	0
	52%	48%	17%	32%	49%	51%	0

### Year 2001 - 2002

0	0	0	0	0	0	0	0
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### Carlisle Appeal Issues

Issue	Number	Percentage of Total
Signs and Lines	1	3%
P & D Tickets	4	13%
Loading/Unloading	4	13%
Breakdown	2	6%
Disabled badge not displayed	2	6%

Residents/Visitors Permit	5	16%
Disabled Bays and Badges	1	3%
Traffic Regulation Order	1	3%
Procedural/process defect/delay	2	6%
Wrong contravention on PCN	1	3%
Discretion	1	3%
Mitigation	3	10%
Car park issues	1	3%
Other (please state)	3	10%

### Chelmsford

SPA Commencement Date: 1<sup>st</sup> October 2002

#### Year 2003

Appeals Received	Postal	Personal	Not Contested by council	Allowed by Adjudicator	Total allowed including not contested by council	Refused by Adjudicator incl. out of time and withdrawn by appellant	Awaiting decision
151	104 (69%)	47 (31%)	99 (30%)	46 (30%)	145 (96%)	6 (4%)	0 (0%)

#### Year 2002-2003

14	13 93%	1 7%	5 36%	9 64%	14 100%	0 0%	0 0%
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#### Chelmsford Appeal Issues

Issue	Number	Percentage of Total
Signs and Lines	5	12%
No PCN on vehicle	2	5%
P & D Tickets	3	7%
Loading/Unloading	2	5%
Ownership	2	5%
Disabled badge not displayed	6	14%
Residents/Visitors Permit	3	7%
Beyond bay markings	1	2%
Traffic Regulation Order	2	5%
Proportionality	1	2%
Procedural/process defect/delay	11	26%
Wrong contravention on PCN	3	7%
Other (please state)	2	5%

**Christchurch**SPA Commencement Date: 3<sup>rd</sup> March 2003**Year 2003**

Appeals Received	Postal	Personal	Not Contested by council	Allowed by Adjudicator	Total allowed including not contested by council	Refused by Adjudicator incl. out of time and withdrawn by appellant	Awaiting decision
17	9 (53%)	8 (47%)	3 (18%)	9 (53%)	12 (71%)	5 (29%)	0 (0%)

**Year 2002-2003**

0	0	0	0	0	0	0	0
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**Christchurch Appeal Issues**

Issue	Number	Percentage of Total
Signs and Lines	2	25%
No PCN on vehicle	1	13%
P & D Tickets	2	25%
Loading/Unloading	1	13%
Traffic Regulation Order	1	13%
Car park issues	1	13%

**Colchester**SPA Commencement Date: 1<sup>st</sup> October 2002**Year 2003**

Appeals Received	Postal	Personal	Not Contested by council	Allowed by Adjudicator	Total allowed including not contested by council	Refused by Adjudicator incl. out of time and withdrawn by appellant	Awaiting decision
46	28 (61%)	18 (39%)	9 (20%)	25 (54%)	34 (74%)	12 (26%)	0 (0%)

**Year 2002-2003**

10	6 60%	4 40%	1 10%	7 70%	8 80%	2 20%	0 0%
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**Colchester Appeal Issues**

Issue	Number	Percentage of Total
Signs and Lines	7	21%
No PCN on vehicle	7	21%
P & D Tickets	1	3%
Loading/Unloading	5	15%
Ownership	3	9%
Disabled badge not displayed	2	6%
Residents/Visitors Permit	1	3%
Return within 1 or 2 hours	1	3%

Traffic Regulation Order	2	6%
Procedural/process defect/delay	2	6%
Discretion	1	3%
Payment/posting	1	3%

### Copeland

SPA Commencement Date: 29<sup>th</sup> September 2003

#### Year 2003

Appeals Received	Postal	Personal	Not Contested by council	Allowed by Adjudicator	Total allowed including not contested by council	Refused by Adjudicator incl. out of time and withdrawn by appellant	Awaiting decision
0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)

### Dacorum

SPA Commencement Date: 6th October 2003

#### Year 2003

Appeals Received	Postal	Personal	Not Contested by council	Allowed by Adjudicator	Total allowed including not contested by council	Refused by Adjudicator incl. out of time and withdrawn by appellant	Awaiting decision
1	1 (100%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	1 (100%)	0 (0%)

### Dartford

SPA Commencement Date: 2<sup>nd</sup> July 2001

#### Year 2003

Appeals Received	Postal	Personal	Not Contested by council	Allowed by Adjudicator	Total allowed including not contested by council	Refused by Adjudicator incl. out of time and withdrawn by appellant	Awaiting decision
16	9 (56%)	7 (44%)	4 (25%)	10 (63%)	14 (88%)	2 (13%)	0 (0%)

#### Year 2002-2003

13	5 38%	8 62%	0 0%	5 38%	5 38%	8 62%	0 0%
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#### Year 2001 - 2002

5	4 80%	1 20%	1 20%	3 60%	4 80%	1 20%	0 0%
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### Dartford Appeal Issues

Issue	Number	Percentage of Total
Signs and Lines	2	17%
Loading/Unloading	3	25%
Breakdown	2	17%
Suspended bay	1	8%
Broken meter/machine	2	17%
Proportionality	1	8%
Car park issues	1	8%

### Dorset

(East Dorset, North Dorset, Purbeck, Wareham, and West Dorset)

SPA Commencement Date: 1<sup>st</sup> July 2002

#### Year 2003

Appeals Received	Postal	Personal	Not Contested by council	Allowed by Adjudicator	Total allowed including not contested by council	Refused by Adjudicator incl. out of time and withdrawn by appellant	Awaiting decision
23	13 (57%)	10 (43%)	6 (26%)	6 (26%)	12 (52%)	11 (48%)	0 (0%)

#### Year 2002-2003

10	6 60%	4 40%	2 20%	1 10%	3 30%	7 70%	0 0%
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### Dorset Appeal Issues

Issue	Number	Percentage of Total
Signs and Lines	1	8%
Loading/Unloading	5	38%
Setting Down	1	8%
Ownership	1	8%
Disabled badge not displayed	2	15%
Mitigation	1	8%
Other (please state)	2	15%

### Dover

SPA Commencement Date: 23<sup>rd</sup> January 2001

#### Year 2003

Appeals Received	Postal	Personal	Not Contested by council	Allowed by Adjudicator	Total allowed including not contested by council	Refused by Adjudicator incl. out of time and withdrawn by appellant	Awaiting decision
9	5 (56%)	4 (44%)	0 (0%)	5 (56%)	5 (56%)	4 (44%)	0 (0%)



**Year 2001 - 2002**

15	9 60%	6 40%	0 0%	5 55%	5 33%	10 67%	0 0%
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**Year 2000 - 2001**

0	0	0	0	0	0	0	0
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**Dover Appeal Issues**

Issue	Number	Percentage of Total
P & D Tickets	2	13%
Loading/Unloading	3	20%
Ownership	1	7%
Loading Bay	1	7%
Procedural/process defect/delay	6	40%
Discretion	1	7%
Other (please state)	1	7%

**Eden**SPA Commencement Date: 20<sup>th</sup> January 2003**Year 2003**

Appeals Received	Postal	Personal	Not Contested by council	Allowed by Adjudicator	Total allowed including not contested by council	Refused by Adjudicator incl. out of time and withdrawn by appellant	Awaiting decision
15	8 (53%)	7 (47%)	4 (27%)	3 (20%)	7 (47%)	7 (47%)	1 (7%)

**Year 2002-2003**

0	0	0	0	0	0	0	0
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**Eden Appeal Issues**

Issue	Number	Percentage of Total
Traffic Regulation Order	1	50%
Other (please state)	1	50%

## Epping Forest

SPA Commencement Date: 1<sup>st</sup> October 2002

### Year 2003

Appeals Received	Postal	Personal	Not Contested by council	Allowed by Adjudicator	Total allowed including not contested by council	Refused by Adjudicator incl. out of time and withdrawn by appellant	Awaiting decision
31	13 (42%)	18 (58%)	4 (13%)	10 (32%)	14 (45%)	16 (52%)	1 (3%)

### Year 2002-2003

6	4 67%	2 33%	1 17%	0 0%	1 17%	5 83%	0 0%
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### Epping Forest Appeal Issues

Issue	Number	Percentage of Total
Loading/Unloading	6	38%
Ownership	3	19%
Return within 1 or 2 hours	2	13%
Traffic Regulation Order	1	6%
Proportionality	1	6%
Procedural/process defect/delay	1	6%
Other (please state)	2	13%

## Gravesham

SPA Commencement Date: 4<sup>th</sup> January 2000

### Year 2003

Appeals Received	Postal	Personal	Not Contested by council	Allowed by Adjudicator	Total allowed including not contested by council	Refused by Adjudicator incl. out of time and withdrawn by appellant	Awaiting decision
27	13 (48%)	14 (52%)	13 (48%)	11 (41%)	24 (89%)	3 (11%)	0 (0%)

### Year 2002-2003

3	3 100%	0 0%	0 0%	1 33%	1 33%	2 67%	0 0%
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### Year 2001 - 2002

22	19 86%	3 14%	2 9%	10 46%	12 55%	10 45%	0 0%
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### Year 2000 - 2001

21	18 86%	3 14%	1 5%	8 38%	9 43%	11 52%	1 5%
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### Gravesham Appeal Issues

Issue	Number	Percentage of Total
Residents/Visitors Permit	2	17%
Procedural/process defect/delay	10	83%

### Harlow

SPA Commencement Date: 1st November 2003

#### Year 2003

Appeals Received	Postal	Personal	Not Contested by council	Allowed by Adjudicator	Total allowed including not contested by council	Refused by Adjudicator incl. out of time and withdrawn by appellant	Awaiting decision
0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)

### Harrogate

SPA Commencement Date: 15<sup>th</sup> July 2002

#### Year 2003

Appeals Received	Postal	Personal	Not Contested by council	Allowed by Adjudicator	Total allowed including not contested by council	Refused by Adjudicator incl. out of time and withdrawn by appellant	Awaiting decision
87	56 (64%)	31 (36%)	1 (1%)	26 (30%)	27 (31%)	57 (66%)	3 (3%)

#### Year 2002-2003

31	18 58%	13 42%	1 3%	6 19%	7 23%	24 77%	0 0%
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### Harrogate Appeal Issues

Issue	Number	Percentage of Total
Signs and Lines	4	11%
P & D Tickets	3	9%
Loading/Unloading	2	6%
Hire Agreement	8	23%
Disabled badge not displayed	5	14%
Residents/Visitors Permit	6	17%
Beyond bay markings	1	3%
Loading Bay	1	3%
Traffic Regulation Order	1	3%
Wrong contravention on PCN	1	3%
Discretion	2	6%
Other (please state)	1	3%

**Hart**SPA Commencement Date: 5<sup>th</sup> June 2002**Year 2003**

Appeals Received	Postal	Personal	Not Contested by council	Allowed by Adjudicator	Total allowed including not contested by council	Refused by Adjudicator incl. out of time and withdrawn by appellant	Awaiting decision
21	14 (67%)	7 (33%)	4 (19%)	7 (33%)	11 (52%)	10 (48%)	0 (0%)

**Year 2002-2003**

9	6 67%	3 33%	0 0%	4 44%	4 44%	5 56%	0 0%
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**Hart Appeal Issues**

Issue	Number	Percentage of Total
Signs and Lines	1	7%
P & D Tickets	2	13%
Loading/Unloading	2	13%
Ownership	5	33%
Going for Change	1	7%
Beyond bay markings	1	7%
Return within 1 or 2 hours	1	7%
Discretion	1	7%
Payment/posting	1	7%

**Hastings**SPA Commencement Date: 10<sup>th</sup> May 1999**Year 2003**

Appeals Received	Postal	Personal	Not Contested by council	Allowed by Adjudicator	Total allowed including not contested by council	Refused by Adjudicator incl. out of time and withdrawn by appellant	Awaiting decision
88	46 (52%)	42 (48%)	10 (11%)	34 (39%)	44 (50%)	43 (49%)	1 (1%)

**Year 2002-2003**

113	57 50%	56 50%	12 11%	38 34%	50 44%	63 56%	0 0%
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**Year 2001 - 2002**

53	27 51%	26 49%	9 17%	26 49%	35 66%	18 34%	0 0%
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**Year 2000 - 2001**

40	19 48%	21 52%	9 23%	13 32%	22 55%	17 43%	1 2%
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### Year 1999 – 2000 part

25	18	7	20	4	24	1	0
	72%	28%	80%	16%	96%	4%	0%

### Hastings Appeal Issues

Issue	Number	Percentage of Total
Signs and Lines	8	13%
No PCN on vehicle	2	3%
P & D Tickets	9	15%
Loading/Unloading	5	8%
Setting Down	3	5%
Ownership	5	8%
Breakdown	2	3%
Going for Change	1	2%
Disabled badge not displayed	7	12%
Residents/Visitors Permit	5	8%
Beyond bay markings	1	2%
Return within 1 or 2 hours	1	2%
Broken meter/machine	1	2%
Traffic Regulation Order	2	3%
Procedural/process defect/delay	1	2%
Discretion	2	3%
Car park issues	1	2%
Other (please state)	4	7%

### Herefordshire

SPA Commencement Date: 5<sup>th</sup> November 2001

### Year 2003

Appeals Received	Postal	Personal	Not Contested by council	Allowed by Adjudicator	Total allowed including not contested by council	Refused by Adjudicator incl. out of time and withdrawn by appellant	Awaiting decision
70	48 (69%)	22 (31%)	13 (19%)	24 (34%)	37 (53%)	32 (46%)	1 (1%)

### Year 2002-2003

83	56 67%	27 33%	26 31%	24 29%	50 60%	33 40%	0 0%
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### Year 2001 - 2002

4	3 75%	1 25%	1 25%	0 0%	1 25%	2 50%	1 25%
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### Herefordshire Appeal Issues

Issue	Number	Percentage of Total
Signs and Lines	3	7%
CPZ	1	2%
No PCN on vehicle	2	5%
P & D Tickets	3	7%

Loading/Unloading	1	2%
Ownership	7	17%
Hire Agreement	1	2%
Breakdown	1	2%
Taxi Rank	2	5%
Loading Bay	9	22%
Discretion	1	2%
Mitigation	1	2%
Payment/posting	4	10%
Car park issues	2	5%
Other (please state)	3	7%

### Liverpool

SPA Commencement Date: 1<sup>st</sup> July 2002

#### Year 2003

Appeals Received	Postal	Personal	Not Contested by council	Allowed by Adjudicator	Total allowed including not contested by council	Refused by Adjudicator incl. out of time and withdrawn by appellant	Awaiting decision
138	106 (77%)	32 (23%)	73 (53%)	28 (20%)	101 (73%)	33 (24%)	4 (3%)

#### Year 2002-2003

87	77 89%	10 11%	87 100%	0 0%	87 100%	0 0%	0 0%
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### Liverpool Appeal Issues

Issue	Number	Percentage of Total
Signs and Lines	1	5%
CPZ	1	5%
No PCN on vehicle	4	21%
P & D Tickets	1	5%
Loading/Unloading	3	16%
Ownership	6	32%
Traffic Regulation Order	1	5%
Other (please state)	1	5%
Taken Without Consent	1	5%

### Luton

SPA Commencement Date: 19<sup>th</sup> January 1999

#### Year 2003

Appeals Received	Postal	Personal	Not Contested by council	Allowed by Adjudicator	Total allowed including not contested by council	Refused by Adjudicator incl. out of time and withdrawn by appellant	Awaiting decision
150	79 (53%)	71 (47%)	48 (32%)	41 (27%)	89 (59%)	57 (38%)	4 (3%)

**Year 2002-2003**

188	135 72%	53 28%	35 19%	73 39%	108 57%	78 41%	2 1%
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**Year 2001 - 2002**

92	62 67%	30 33%	19 21%	33 36%	52 57%	37 40%	3 3%
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**Year 2000 - 2001**

74	40 54%	34 46%	24 32%	26 35%	50 67%	24 33%	0 0%
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**Year 1999 - 2000 part**

14	8 57%	6 43%	2 14%	8 57%	10 71%	3 21%	1 7%
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**Luton Appeal Issues**

Issue	Number	Percentage of Total
Signs and Lines	6	7%
CPZ	1	1%
No PCN on vehicle	16	17%
P & D Tickets	8	9%
Loading/Unloading	7	8%
Setting Down	2	2%
Ownership	1	1%
Breakdown	1	1%
Disabled badge not displayed	13	14%
Residents/Visitors Permit	2	2%
Beyond bay markings	3	3%
Suspended bay	1	1%
Return within 1 or 2 hours	1	1%
Football match day	1	1%
Traffic Regulation Order	13	14%
Procedural/process defect/delay	3	3%
Wrong contravention on PCN	2	2%
Mitigation	5	5%
Car park issues	2	2%
Other (please state)	3	3%
Taken Without Consent	1	1%

**Maidstone**SPA Commencement Date: 29<sup>th</sup> September 1997**Year 2003**

Appeals Received	Postal	Personal	Not Contested by council	Allowed by Adjudicator	Total allowed including not contested by council	Refused by Adjudicator incl. out of time and withdrawn by appellant	Awaiting decision
136	70 (51%)	66 (49%)	21 (15%)	67 (49%)	88 (65%)	46 (34%)	2 (1%)

**Year 2002-2003**

131	88 67%	43 33%	10 8%	54 41%	64 49%	60 46%	7 5%
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**Year 2001 - 2002**

83	51 61%	32 39%	7 8%	32 39%	39 47%	41 49%	3 4%
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**Year 2000 - 2001**

37	27 73%	10 27%	9 24%	10 27%	19 51%	17 46%	1 3%
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**Year 1999 - 2000 part**

19	13 68%	6 32%	8 42%	3 16%	11 58%	8 42%	0 0%
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**Maidstone Appeal Issues**

Issue	Number	Percentage of Total
Signs and Lines	17	19%
No PCN on vehicle	5	5%
P & D Tickets	11	12%
Loading/Unloading	20	22%
Setting Down	1	1%
Breakdown	1	1%
Going for Change	1	1%
Residents/Visitors Permit	19	21%
Taxi Rank	2	2%
Broken meter/machine	1	1%
Proportionality	1	1%
Procedural/process defect/delay	1	1%
Discretion	1	1%
Mitigation	2	2%
Other (please state)	8	9%

**Maldon**SPA Commencement Date: 1<sup>st</sup> April 2003**Year 2003**

Appeals Received	Postal	Personal	Not Contested by council	Allowed by Adjudicator	Total allowed including not contested by council	Refused by Adjudicator incl. out of time and withdrawn by appellant	Awaiting decision
0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)



## Manchester

SPA Commencement Date: 5<sup>th</sup> April 1999

### Year 2003

Appeals Received	Postal	Personal	Not Contested by council	Allowed by Adjudicator	Total allowed including not contested by council	Refused by Adjudicator incl. out of time and withdrawn by appellant	Awaiting decision
806	528 (66%)	278 (34%)	258 (32%)	235 (29%)	493 (61%)	297 (37%)	16 (2%)

### Year 2002-2003

1,162	719 62%	443 38%	503 43%	315 27%	818 70%	339 29%	5 1%
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### Year 2001 - 2002

902	609 68%	293 32%	396 44%	237 26%	633 70%	255 28%	14 2%
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### Year 2000 - 2001

665	417 63%	248 37%	321 48%	189 29%	510 77%	148 22%	7 1%
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### Year 1999 - 2000 part

272	132 49%	140 51%	87 32%	121 44%	208 76%	64 24%	0 0%
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### Manchester Appeal Issues

Issue	Number	Percentage of Total
Signs and Lines	36	12%
CPZ	6	2%
No PCN on vehicle	56	19%
P & D Tickets	37	12%
Loading/Unloading	27	9%
Setting Down	2	1%
Ownership	39	13%
Hire Agreement	5	2%
Breakdown	1	0%
Meter feeding/second P&D ticket.	1	0%
Disabled badge not displayed	3	1%
Residents/Visitors Permit	2	1%
Beyond bay markings	9	3%
Suspended bay	7	2%
Taxi Rank	8	3%
Return within 1 or 2 hours	4	1%
Loading Bay	2	1%
Broken meter/machine	1	0%
Traffic Regulation Order	1	0%
Proportionality	3	1%
Remove/clamp issues	13	4%
Procedural/process defect/delay	2	1%

Wrong contravention on PCN	1	0%
Discretion	3	1%
Mitigation	4	1%
Payment/posting	2	1%
Car park issues	1	0%
Other (please state)	18	6%
No Council evidence	2	1%
Taken Without Consent	2	1%

### Medway

SPA Commencement Date: 3<sup>rd</sup> January 2000

#### Year 2003

Appeals Received	Postal	Personal	Not Contested by council	Allowed by Adjudicator	Total allowed including not contested by council	Refused by Adjudicator incl. out of time and withdrawn by appellant	Awaiting decision
176	102 (58%)	74 (42%)	54 (31%)	64 (36%)	118 (67%)	58 (33%)	0 (0%)

#### Year 2002-2003

190	139 73%	51 27%	58 31%	56 29%	114 60%	74 39%	2 1%
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#### Year 2001 - 2002

204	139 68%	65 32%	73 36%	68 33%	141 69%	62 30%	1 1%
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#### Year 2000 - 2001

118	86 73%	32 27%	83 70%	18 15%	101 85%	17 15%	0 0%
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#### Medway Appeal Issues

Issue	Number	Percentage of Total
Signs and Lines	20	21%
No PCN on vehicle	11	11%
P & D Tickets	8	8%
Loading/Unloading	4	4%
Setting Down	2	2%
Ownership	12	12%
Breakdown	7	7%
Meter feeding/second P&D ticket.	2	2%
Going for Change	3	3%
Disabled badge not displayed	8	8%
Residents/Visitors Permit	10	10%
Motor cycle/doctors bay	1	1%
Traffic Regulation Order	5	5%
Mitigation	1	1%
Other (please state)	3	3%

## Middlesbrough

SPA Commencement Date: 1<sup>st</sup> September 2003

### Year 2003

Appeals Received	Postal	Personal	Not Contested by council	Allowed by Adjudicator	Total allowed including not contested by council	Refused by Adjudicator incl. out of time and withdrawn by appellant	Awaiting decision
0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)

## Milton Keynes

Commencement Date: 25<sup>th</sup> March 2002

### Year 2003

Appeals Received	Postal	Personal	Not Contested by council	Allowed by Adjudicator	Total allowed including not contested by council	Refused by Adjudicator incl. out of time and withdrawn by appellant	Awaiting decision
135	102 (76%)	33 (24%)	93 (69%)	17 (13%)	110 (81%)	18 (13%)	7 (5%)

### Year 2002-2003

93	69 74%	24 26%	49 53%	22 24%	71 76%	12 13%	10 11%
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### Year 2001 - 2002

0	0	0	0	0	0	0	0
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## Milton Keynes Appeal Issues

Issue	Number	Percentage of Total
Signs and Lines	6	21%
CPZ	1	4%
No PCN on vehicle	1	4%
P & D Tickets	1	4%
Loading/Unloading	1	4%
Ownership	5	18%
Going for Change	1	4%
Disabled badge not displayed	4	14%
Residents/Visitors Permit	3	11%
Loading Bay	1	4%
Traffic Regulation Order	1	4%
Procedural/process defect/delay	1	4%
Discretion	2	7%

## Neath Port Talbot

SPA Commencement Date: 1<sup>st</sup> June 1999

### Year 2003

Appeals Received	Postal	Personal	Not Contested by council	Allowed by Adjudicator	Total allowed including not contested by council	Refused by Adjudicator incl. out of time and withdrawn by appellant	Awaiting decision
84	53 (63%)	31 (37%)	39 (46%)	24 (29%)	63 (75%)	19 (23%)	2 (2%)

### Year 2002-2003

110	68 62%	42 38%	49 45%	26 24%	75 68%	34 31%	1 1%
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### Year 2001 - 2002

76	58 76%	18 24%	30 39%	23 30%	53 70%	16 21%	7 9%
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### Year 2000 - 2001

117	75 64%	42 36%	49 42%	48 41%	97 83%	19 16%	1 1%
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### Year 1999 - 2000 part

31	13 42%	18 58%	11 35%	11 35%	22 70%	9 30%	0 0%
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### Neath Port Talbot Appeal Issues

Issue	Number	Percentage of Total
No PCN on vehicle	1	4%
Loading/Unloading	1	4%
Ownership	8	35%
Disabled badge not displayed	3	13%
Beyond bay markings	1	4%
Return within 1 or 2 hours	1	4%
Discretion	1	4%
Mitigation	1	4%
Other (please state)	1	4%
No Council evidence	5	22%

## Northampton

SPA Commencement Date: 2<sup>nd</sup> July 2001

### Year 2003

Appeals Received	Postal	Personal	Not Contested by council	Allowed by Adjudicator	Total allowed including not contested by council	Refused by Adjudicator incl. out of time and withdrawn by appellant	Awaiting decision
140	87 (62%)	53 (38%)	55 (39%)	35 (25%)	90 (64%)	42 (30%)	8 (6%)

### Year 2002-2003

129	67 52%	62 48%	45 35%	46 36%	91 71%	33 26%	5 4%
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### Year 2001 - 2002

76	41 54%	35 46%	21 28%	24 24%	45 59%	30 39%	1 1%
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### Northampton Appeal Issues

Issue	Number	Percentage of Total
Signs and Lines	8	12%
No PCN on vehicle	7	11%
P & D Tickets	8	12%
Loading/Unloading	4	6%
Ownership	4	6%
Disabled badge not displayed	1	2%
Residents/Visitors Permit	5	8%
Beyond bay markings	4	6%
Return within 1 or 2 hours	1	2%
Traffic Regulation Order	1	2%
Procedural/process defect/delay	8	12%
Discretion	3	5%
Mitigation	4	6%
Car park issues	1	2%
Other (please state)	1	2%
Taken Without Consent	6	9%

## Norwich

SPA Commencement Date: 4<sup>th</sup> February 2001

### Year 2003

Appeals Received	Postal	Personal	Not Contested by council	Allowed by Adjudicator	Total allowed including not contested by council	Refused by Adjudicator incl. out of time and withdrawn by appellant	Awaiting decision
54	40 (74%)	14 (26%)	23 (43%)	8 (15%)	31 (57%)	22 (41%)	1 (2%)

### Year 2002-2003

37	27 73%	10 27%	18 49%	8 22%	26 70%	11 30%	0 0%
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### Year 2001 - 2002

0	0	0	0	0	0	0	0
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### Norwich Appeal Issues

Issue	Number	Percentage of Total
Signs and Lines	3	16%
No PCN on vehicle	2	11%
P & D Tickets	2	11%
Loading/Unloading	2	11%
Residents/Visitors Permit	6	32%
Procedural/process defect/delay	1	5%
Mitigation	1	5%
Other (please state)	2	11%

## Nottingham

SPA Commencement Date: 1<sup>st</sup> October 2002

### Year 2003

Appeals Received	Postal	Personal	Not Contested by council	Allowed by Adjudicator	Total allowed including not contested by council	Refused by Adjudicator incl. out of time and withdrawn by appellant	Awaiting decision
238	149 (63%)	89 (37%)	127 (53%)	29 (12%)	156 (66%)	72 (30%)	10 (4%)

### Year 2002-2003

40	31 78%	9 23%	21 53%	2 5%	23 58%	17 43%	0 0%
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### Nottingham Appeal Issues

Issues	Number	Percentage of Total
Signs and Lines	13	20%
No PCN on vehicle	1	2%
P & D Tickets	4	6%

Loading/Unloading	2	3%
Ownership	3	5%
Breakdown	3	5%
Disabled badge not displayed	1	2%
Residents/Visitors Permit	13	20%
Disabled Bays and Badges	1	2%
Motor cycle/doctors bay	1	2%
Traffic Regulation Order	4	6%
Remove/clamp issues	1	2%
Procedural/process defect/delay	1	2%
Discretion	2	3%
Mitigation	7	11%
Payment/posting	1	2%
Other (please state)	8	12%

### Oldham

SPA Commencement Date: 1<sup>st</sup> October 2001

### Year 2003

Appeals Received	Postal	Personal	Not Contested by council	Allowed by Adjudicator	Total allowed including not contested by council	Refused by Adjudicator incl. out of time and withdrawn by appellant	Awaiting decision
99	66 (67%)	33 (33%)	34 (34%)	38 (38%)	72 (73%)	26 (26%)	1 (1%)

### Year 2002-2003

62	43 69%	19 31%	21 34%	23 37%	44 71%	18 29%	0 0%
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### Year 2001 - 2002

0	0	0	0	0	0	0	0
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### Oldham Appeal Issues

Issue	Number	Percentage of Total
Signs and Lines	3	6%
CPZ	1	2%
No PCN on vehicle	3	6%
P & D Tickets	5	10%
Loading/Unloading	2	4%
Setting Down	1	2%
Ownership	10	20%
Disabled badge not displayed	1	2%
Residents/Visitors Permit	1	2%
Traffic Regulation Order	2	4%
Procedural/process defect/delay	1	2%
Car park issues	2	4%
Other (please state)	3	6%
No Council evidence	14	29%

## Oxfordshire (Oxford)

SPA Commencement Date: 3<sup>rd</sup> February 1997

### Year 2003

Appeals Received	Postal	Personal	Not Contested by council	Allowed by Adjudicator	Total allowed including not contested by council	Refused by Adjudicator incl. out of time and withdrawn by appellant	Awaiting decision
193	150 (78%)	43 (22%)	60 (31%)	27 (14%)	87 (45%)	104 (54%)	2 (1%)

### Year 2002-2003

128	92 72%	32 25%	26 20%	58 45%	58 45%	68 53%	2 2%
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### Year 2001 - 2002

143	100 70%	43 30%	39 27%	31 22%	70 49%	71 50%	2 1%
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### Year 2000 - 2001

95	61 64%	34 36%	23 24%	24 25%	47 49%	46 49%	2 2%
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### Year 1999 - 2000 part

86	47 55%	39 45%	25 29%	13 15%	38 44%	46 53%	2 2%
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## Oxfordshire (Oxford)

Issue	Number	Percentage of Total
Signs and Lincs	10	9%
No PCN on vehicle	1	1%
P & D Tickets	3	3%
Loading/Unloading	7	6%
Ownership	10	9%
Hire Agreement	39	35%
Breakdown	3	3%
Disabled badge not displayed	3	3%
Residents/Visitors Permit	20	18%
Return within 1 or 2 hours	1	1%
Disabled Bays and Badges	2	2%
Broken meter/machine	1	1%
Traffic Regulation Order	1	1%
Mitigation	2	2%
Other (please state)	8	7%



## Peterborough

SPA Commencement Date: 22<sup>nd</sup> September 2003

### Year 2003

Appeals Received	Postal	Personal	Not Contested by council	Allowed by Adjudicator	Total allowed including not contested by council	Refused by Adjudicator incl. out of time and withdrawn by appellant	Awaiting decision
2	1 (50%)	1 (50%)	2 (100%)	2 (100%)	2 (100%)	0 (0%)	0 (0%)

## Plymouth

SPA Commencement Date: 1<sup>st</sup> April 2001

### Year 2003

Appeals Received	Postal	Personal	Not Contested by council	Allowed by Adjudicator	Total allowed including not contested by council	Refused by Adjudicator incl. out of time and withdrawn by appellant	Awaiting decision
551	378 (69%)	173 (31%)	120 (22%)	205 (37%)	325 (59%)	225 (41%)	1 (0%)

### Year 2002-2003

573	367 64%	206 36%	188 33%	190 33%	378 66%	195 34%	0 0%
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### Year 2001 - 2002

298	205 69%	93 31%	82 28%	83 28%	165 56%	129 43%	4 1%
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### Plymouth Appeal Issues

Issue	Number	Percentage of Total
Signs and Lines	21	7%
CPZ	1	0%
No PCN on vehicle	11	4%
P & D Tickets	64	21%
Loading/Unloading	11	4%
Setting Down	2	1%
Ownership	30	10%
Hire Agreement	8	3%
Breakdown	6	2%
Meter feeding/second P&D ticket.	1	0%
Disabled badge not displayed	15	5%
Residents/Visitors Permit	45	15%
Beyond bay markings	4	1%
Taxi Rank	2	1%
Return within 1 or 2 hours	1	0%
Loading Bay	1	0%
Broken meter/machine	1	0%
Traffic Regulation Order	3	1%
Proportionality	1	0%

Procedural/process defect/delay	6	2%
Wrong contravention on PCN	3	1%
Discretion	8	3%
Mitigation	21	7%
Payment/posting	21	7%
Car park issues	8	3%
Other (please state)	11	4%
Taken Without Consent	1	0%

### Poole

SPA Commencement Date: 2<sup>nd</sup> April 2002

### Year 2003

Appeals Received	Postal	Personal	Not Contested by council	Allowed by Adjudicator	Total allowed including not contested by council	Refused by Adjudicator incl. out of time and withdrawn by appellant	Awaiting decision
146	98 (67%)	48 (33%)	50 (34%)	42 (29%)	92 (63%)	54 (37%)	0 (0%)

### Year 2002-2003

41	26 63%	15 37%	19 46%	10 24%	29 71%	12 29%	0 0%
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### Poole Appeal Issues

Issue	Number	Percentage of Total
Signs and Lines	8	12%
No PCN on vehicle	8	12%
P & D Tickets	6	9%
Loading/Unloading	7	10%
Ownership	10	15%
Hire Agreement	2	3%
Breakdown	1	1%
Residents/Visitors Permit	3	4%
Beyond bay markings	3	4%
Return within 1 or 2 hours	2	3%
Broken meter/machine	1	1%
Proportionality	1	1%
Discretion	1	1%
Mitigation	3	4%
Payment/posting	5	7%
Car park issues	2	3%
Other (please state)	3	4%
Taken Without Consent	1	1%

## Portsmouth

SPA Commencement Date: 5<sup>th</sup> April 1999

### Year 2003

Appeals Received	Postal	Personal	Not Contested by council	Allowed by Adjudicator	Total allowed including not contested by council	Refused by Adjudicator incl. out of time and withdrawn by appellant	Awaiting decision
246	172 (70%)	74 (30%)	103 (42%)	63 (26%)	166 (67%)	77 (31%)	3 (1%)

### Year 2002-2003

249	175 70%	74 30%	124 50%	57 23%	181 73%	68 27%	0 0%
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### Year 2001 - 2002

363	243 67%	120 33%	174 48%	95 26%	269 74%	92 25%	2 1%
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### Year 2000 - 2001

248	160 65%	88 35%	98 40%	78 31%	176 71%	72 29%	0 0%
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### Year 1999 - 2000 part

34	18 53%	16 47%	5 15%	15 44%	20 59%	14 41%	0 0%
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### Portsmouth Appeal Issues

Issue	Number	Percentage of Total
Signs and Lines	12	9%
CPZ	1	1%
No PCN on vehicle	9	7%
P & D Tickets	12	9%
Loading/Unloading	13	9%
Setting Down	4	3%
Ownership	35	26%
Hire Agreement	4	3%
Breakdown	3	2%
Disabled badge not displayed	4	3%
Residents/Visitors Permit	6	4%
Taxi Rank	2	1%
Return within 1 or 2 hours	5	4%
Football match day	1	1%
Traffic Regulation Order	5	4%
Proportionality	1	1%
Procedural/process defect/delay	4	3%
Discretion	3	2%
Mitigation	2	1%
Other (please state)	2	1%
No Council evidence	9	7%

## Reading

SPA Commencement Date: 30<sup>th</sup> October 2000

### Year 2003

Appeals Received	Postal	Personal	Not Contested by council	Allowed by Adjudicator	Total allowed including not contested by council	Refused by Adjudicator incl. out of time and withdrawn by appellant	Awaiting decision
743	546 (73%)	197 (27%)	277 (37%)	219 (29%)	496 (67%)	242 (33%)	5 (1%)

### Year 2002-2003

841	626 74%	215 26%	398 47%	167 20%	565 67%	276 33%	0 0%
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### Year 2001 - 2002

611	458 75%	153 25%	320 52%	100 16%	420 69%	166 27%	25 4%
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### Year 2000 - 2001

74	60 81%	14 19%	40 54%	17 23%	57 77%	13 18%	4 5%
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### Reading Appeal Issues

Issue	Number	Percentage of Total
Signs and Lines	50	15%
CPZ	1	0%
No PCN on vehicle	31	9%
P & D Tickets	7	2%
Loading/Unloading	33	10%
Setting Down	1	0%
Ownership	84	26%
Hire Agreement	5	2%
Disabled badge not displayed	8	2%
Residents/Visitors Permit	39	12%
Beyond bay markings	8	2%
Suspended bay	1	0%
Return within 1 or 2 hours	1	0%
Disabled Bays and Badges	2	1%
Motor cycle/doctors bay	2	1%
Broken meter/machine	1	0%
Traffic Regulation Order	14	4%
Proportionality	1	0%
Procedural/process defect/delay	1	0%
Wrong contravention on PCN	3	1%
Discretion	4	1%
Mitigation	4	1%
Payment/posting	8	2%
Car park issues	4	1%
Other (please state)	15	5%

**Redcar**SPA Commencement Date: 2<sup>nd</sup> June 2003**Year 2003**

Appeals Received	Postal	Personal	Not Contested by council	Allowed by Adjudicator	Total allowed including not contested by council	Refused by Adjudicator incl. out of time and withdrawn by appellant	Awaiting decision
6	1 (17%)	5 (83%)	1 (17%)	1 (17%)	1 (17%)	1 (17%)	4 (67%)

**Rushmoor**SPA Commencement Date: 5<sup>th</sup> June 2002**Year 2003**

Appeals Received	Postal	Personal	Not Contested by council	Allowed by Adjudicator	Total allowed including not contested by council	Refused by Adjudicator incl. out of time and withdrawn by appellant	Awaiting decision
51	31 (61%)	20 (39%)	19 (37%)	13 (25%)	32 (63%)	19 (37%)	0 (0%)

**Year 2002-2003**

32	24 75%	8 25%	20 63%	6 19%	26 81%	6 19%	0 0%
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**Rushmoor Appeal Issues**

Issue	Number	Percentage of Total
Signs and Lines	4	19%
P & D Tickets	3	14%
Loading/Unloading	3	14%
Ownership	2	10%
Breakdown	1	5%
Beyond bay markings	1	5%
Other (please state)	2	10%
No Council evidence	5	24%

**Salford**SPA Commencement Date: 2<sup>nd</sup> April 2001**Year 2003**

Appeals Received	Postal	Personal	Not Contested by council	Allowed by Adjudicator	Total allowed including not contested by council	Refused by Adjudicator incl. out of time and withdrawn by appellant	Awaiting decision
341	251 (74%)	90 (26%)	101 (30%)	189 (55%)	290 (85%)	51 (15%)	0 (0%)

**Year 2002-2003**

415	270	145	99	258	357	56	2
	65%	35%	24%	62%	86%	13%	1%

**Year 2001 - 2002**

38	25	13	12	11	23	10	5
	66%	34%	32%	29%	61%	26%	13%

**Salford Appeal Issues**

Issue	Number	Percentage of Total
Signs and Lines	7	4%
P & D Tickets	4	2%
Loading/Unloading	4	2%
Setting Down	3	2%
Ownership	14	8%
Hire Agreement	1	1%
Disabled badge not displayed	1	1%
Beyond bay markings	2	1%
Disabled Bays and Badges	1	1%
Broken meter/machine	1	1%
Traffic Regulation Order	3	2%
Procedural/process defect/delay	1	1%
Discretion	2	1%
Payment/posting	1	1%
Car park issues	2	1%
Other (please state)	10	6%
No Council evidence	116	65%
Taken Without Consent	5	3%

**Salisbury**SPA Commencement Date: 1<sup>st</sup> April 2001**Year 2003**

Appeals Received	Postal	Personal	Not Contested by council	Allowed by Adjudicator	Total allowed including not contested by council	Refused by Adjudicator incl. out of time and withdrawn by appellant	Awaiting decision
36	16 (44%)	20 (56%)	4 (11%)	19 (53%)	23 (64%)	12 (33%)	1 (3%)

**Year 2002-2003**

67	35	32	15	27	42	25	0
	52%	48%	22%	40%	63%	37%	0%

**Year 2001 - 2002**

49	34	15	12	16	28	21	0
	69%	31%	24%	33%	57%	43%	0%

### Salisbury Appeal Issues

Issue	Number	Percentage of Total
Signs and Lines	5	15%
P & D Tickets	5	15%
Loading/Unloading	6	18%
Residents/Visitors Permit	2	6%
Beyond bay markings	1	3%
Loading Bay	1	3%
Broken meter/machine	1	3%
Traffic Regulation Order	2	6%
Wrong contravention on PCN	1	3%
Discretion	2	6%
Mitigation	1	3%
Car park issues	5	15%
Other (please state)	1	3%

### Sandwell

SPA Commencement Date: 1<sup>st</sup> April 2000

#### Year 2003

Appeals Received	Postal	Personal	Not Contested by council	Allowed by Adjudicator	Total allowed including not contested by council	Refused by Adjudicator incl. out of time and withdrawn by appellant	Awaiting decision
125	90 (72%)	35 (28%)	54 (43%)	25 (20%)	79 (63%)	46 (37%)	0 (0%)

#### Year 2002-2003

104	70 67%	34 33%	41 39%	11 11%	52 50%	50 48%	2 2%
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#### Year 2001 - 2002

118	80 68%	38 32%	72 61%	13 11%	85 72%	31 26%	2 2%
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#### Year 2000 - 2001

66	54 82%	12 18%	29 44%	9 14%	38 58%	23 35%	5 7%
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### Sandwell Appeal Issues

Issue	Number	Percentage of Total
Signs and Lines	9	18%
No PCN on vehicle	3	6%
P & D Tickets	7	14%
Loading/Unloading	1	2%
Ownership	11	22%
Hire Agreement	2	4%
Disabled badge not displayed	2	4%
Residents/Visitors Permit	2	4%
Taxi Rank	1	2%

Disabled Bays and Badges	1	2%
Traffic Regulation Order	1	2%
Discretion	3	6%
Car park issues	1	2%
Other (please state)	5	10%
No Council evidence	1	2%

### Sefton

SPA Commencement Date: 1<sup>st</sup> February 2000

### Year 2003

Appeals Received	Postal	Personal	Not Contested by council	Allowed by Adjudicator	Total allowed including not contested by council	Refused by Adjudicator incl. out of time and withdrawn by appellant	Awaiting decision
52	35 (67%)	17 (33%)	3 (6%)	18 (35%)	21 (40%)	29 (56%)	2 (4%)

### Year 2002-2003

50	35 70%	15 30%	12 24%	15 30%	27 54%	23 46%	0 0%
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### Year 2001 - 2002

53	34 64%	19 36%	8 15%	11 21%	19 36%	33 62%	1 2%
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### Year 2000 - 2001

22	14 64%	8 36%	10 45%	6 27%	16 72%	5 23%	1 5%
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### Year 1999 - 2000 part

0	0	0	0	0	0	0	0
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### Sefton Appeal Issues

Issue	Number	Percentage of Total
Signs and Lines	3	12%
No PCN on vehicle	1	4%
P & D Tickets	5	20%
Loading/Unloading	3	12%
Ownership	2	8%
Breakdown	1	4%
Disabled badge not displayed	2	8%
Residents/Visitors Permit	2	8%
Taxi Rank	1	4%
Return within 1 or 2 hours	1	4%
Broken meter/machine	1	4%
Mitigation	2	8%
Other (please state)	1	4%



## Sevenoaks

SPA Commencement Date: 10<sup>th</sup> January 2000

### Year 2003

Appeals Received	Postal	Personal	Not Contested by council	Allowed by Adjudicator	Total allowed including not contested by council	Refused by Adjudicator incl. out of time and withdrawn by appellant	Awaiting decision
5	4 (80%)	1 (20%)	0 (0%)	3 (60%)	3 (60%)	2 (40%)	0 (0%)

### Year 2002-2003

3	2 67%	1 33%	0 0%	2 67%	2 67%	1 33%	0 0%
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### Year 2001 - 2002

1	1 100%	0 0%	0 0%	0 0%	0 0%	1 100%	0 0%
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### Year 2000 - 2001

2	2 100%	0 0%	1 50%	0 0%	1 50%	1 50%	0 0%
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### Year 1999 - 2000 part

0	0	0	0	0	0	0	0
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### Sevenoaks Appeal Issues

Issue	Number	Percentage of Total
Signs and Lines	1	20%
No PCN on vehicle	1	20%
Procedural/process defect/delay	1	20%
Other (please state)	2	40%

## Shepway

SPA Commencement Date: 3<sup>rd</sup> April 2000

### Year 2003

Appeals Received	Postal	Personal	Not Contested by council	Allowed by Adjudicator	Total allowed including not contested by council	Refused by Adjudicator incl. out of time and withdrawn by appellant	Awaiting decision
19	15 (79%)	4 (21%)	1 (5%)	7 (37%)	8 (42%)	11 (58%)	0 (0%)

### Year 2002-2003

23	14 61%	9 39%	6 26%	7 30%	13 57%	10 43%	0 0%
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### Year 2001 - 2002

19	15 79%	4 21%	4 21%	2 11%	6 32%	12 63%	1 5%
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**Year 2000 - 2001**

18	12 67%	6 33%	6 33%	5 28%	11 61%	6 33%	1 6%
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**Shepway Appeal Issues**

Issue	Number	Percentage of Total
Signs and Lines	1	6%
P & D Tickets	8	50%
Loading/Unloading	1	6%
Ownership	2	13%
Disabled badge not displayed	3	19%
Taken Without Consent	1	6%

**Slough**SPA Commencement Date: 21<sup>st</sup> April 2003**Year 2003**

Appeals Received	Postal	Personal	Not Contested by council	Allowed by Adjudicator	Total allowed including not contested by council	Refused by Adjudicator incl. out of time and withdrawn by appellant	Awaiting decision
91	57 (63%)	34 (37%)	61 (67%)	15 (16%)	76 (84%)	14 (15%)	1 (1%)

**Slough Appeal Issues**

Issue	Number	Percentage of Total
Signs and Lines	1	8%
No PCN on vehicle	1	8%
P & D Tickets	1	8%
Loading/Unloading	1	8%
Ownership	3	25%
Disabled badge not displayed	1	8%
Residents/Visitors Permit	1	8%
Loading Bay	1	8%
Traffic Regulation Order	1	8%
Discretion	1	8%

**South Lakeland**SPA Commencement Date: 4<sup>th</sup> March 2002**Year 2003**

Appeals Received	Postal	Personal	Not Contested by council	Allowed by Adjudicator	Total allowed including not contested by council	Refused by Adjudicator incl. out of time and withdrawn by appellant	Awaiting decision
58	42 (72%)	16 (28%)	32 (55%)	14 (24%)	46 (79%)	12 (21%)	0 (0%)

**Year 2002-2003**

32	21 66%	11 34%	7 22%	8 25%	15 47%	17 53%	0 0%
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**Year 2001 - 2002**

0	0	0	0	0	0	0	0
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**South Lakeland**

Issue	Number	Percentage of Total
Signs and Lines	3	19%
P & D Tickets	2	13%
Loading/Unloading	1	6%
Ownership	2	13%
Breakdown	1	6%
Traffic Regulation Order	2	13%
Procedural/process defect/delay	1	6%
Discretion	2	13%
Payment/posting	1	6%
Other (please state)	1	6%

**Southampton**SPA Commencement Date: 25<sup>th</sup> February 2002**Year 2003**

Appeals Received	Postal	Personal	Not Contested by council	Allowed by Adjudicator	Total allowed including not contested by council	Refused by Adjudicator incl. out of time and withdrawn by appellant	Awaiting decision
205	118 (58%)	87 (42%)	32 (16%)	69 (34%)	101 (49%)	103 (50%)	1 (0%)

**Year 2002-2003**

104	63 61%	41 39%	18 17%	30 29%	48 46%	55 53%	1 1%
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**Year 2001 - 2002**

0	0	0	0	0	0	0	0
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**Southampton Appeal Issues**

Issue	Number	Percentage of Total
Signs and Lines	16	13%
CPZ	1	1%
No PCN on vehicle	10	8%
P & D Tickets	8	6%
Loading/Unloading	8	6%
Setting Down	1	1%
Ownership	4	3%
Hire Agreement	6	5%
Going for Change	2	2%

Disabled badge not displayed	3	2%
Residents/Visitors Permit	24	19%
Return within 1 or 2 hours	1	1%
Broken meter/machine	1	1%
Traffic Regulation Order	1	1%
Procedural/process defect/delay	1	1%
Wrong contravention on PCN	1	1%
Discretion	5	4%
Mitigation	6	5%
Payment/posting	2	2%
Car park issues	2	2%
Other (please state)	21	17%

### Southend-on-Sea

SPA Commencement Date: 1<sup>st</sup> September 2001

#### Year 2003

Appeals Received	Postal	Personal	Not Contested by council	Allowed by Adjudicator	Total allowed including not contested by council	Refused by Adjudicator incl. out of time and withdrawn by appellant	Awaiting decision
444	322 (73%)	122 (27%)	206 (46%)	125 (28%)	331 (75%)	109 (25%)	4 (1%)

#### Year 2002-2003

452	343 76%	109 24%	232 51%	105 23%	337 75%	109 24%	6 1%
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#### Year 2001 - 2002

50	43 86%	7 14%	34 68%	6 12%	40 80%	10 20%	0 0%
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#### Southend-on-Sea Appeal Issues

Issue	Number	Percentage of Total
Signs and Lines	28	14%
No PCN on vehicle	19	10%
P & D Tickets	34	17%
Loading/Unloading	11	6%
Setting Down	4	2%
Ownership	30	15%
Hire Agreement	1	1%
Breakdown	2	1%
Going for Change	1	1%
Disabled badge not displayed	3	2%
Beyond bay markings	1	1%
Suspended bay	1	1%
Return within 1 or 2 hours	1	1%
Motor cycle/doctors bay	2	1%
Broken meter/machine	3	2%
Bank Holiday	1	1%

Traffic Regulation Order	2	1%
Procedural/process defect/delay	7	4%
Wrong contravention on PCN	1	1%
Discretion	5	3%
Mitigation	4	2%
Payment/posting	8	4%
Car park issues	6	3%
Other (please state)	20	10%
Taken Without Consent	1	1%

### Stoke-on-Trent

SPA Commencement Date: 1<sup>st</sup> October 2001

### Year 2003

Appeals Received	Postal	Personal	Not Contested by council	Allowed by Adjudicator	Total allowed including not contested by council	Refused by Adjudicator incl. out of time and withdrawn by appellant	Awaiting decision
209	135 (65%)	74 (35%)	105 (50%)	36 (17%)	141 (67%)	63 (30%)	5 (2%)

### Year 2002-2003

321	227 71%	94 29%	157 49%	73 23%	230 72%	89 28%	2 21%
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### Year 2001 - 2002

127	94 74%	33 26%	83 65%	14 11%	97 76%	27 21%	3 2%
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### Stoke-on-Trent Appeal Issues

Issue	Number	Percentage of Total
Signs and Lines	6	9%
No PCN on vehicle	1	1%
P & D Tickets	21	30%
Loading/Unloading	2	3%
Ownership	9	13%
Breakdown	1	1%
Disabled badge not displayed	4	6%
Residents/Visitors Permit	10	14%
Return within 1 or 2 hours	1	1%
Broken meter/machine	1	1%
Traffic Regulation Order	3	4%
Discretion	1	1%
Mitigation	2	3%
Payment/posting	2	3%
Other (please state)	5	7%

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## Sunderland

SPA Commencement Date: 3<sup>rd</sup> February 2003

### Year 2003

Appeals Received	Postal	Personal	Not Contested by council	Allowed by Adjudicator	Total allowed including not contested by council	Refused by Adjudicator incl. out of time and withdrawn by appellant	Awaiting decision
77	43 (56%)	34 (44%)	19 (25%)	12 (16%)	31 (40%)	44 (57%)	2 (3%)

### Year 2002-2003

0	0	0	0	0	0	0	0
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### Sunderland Appeal Issues

Issue	Number	Percentage of Total
Signs and Lines	1	3%
No PCN on vehicle	4	13%
Loading/Unloading	2	7%
Ownership	2	7%
Disabled badge not displayed	7	23%
Residents/Visitors Permit	3	10%
Broken meter/machine	1	3%
Discretion	2	7%
Mitigation	3	10%
Car park issues	2	7%
Other (please state)	3	10%

## Swale

SPA Commencement Date: 10<sup>th</sup> January 2000

### Year 2003

Appeals Received	Postal	Personal	Not Contested by council	Allowed by Adjudicator	Total allowed including not contested by council	Refused by Adjudicator incl. out of time and withdrawn by appellant	Awaiting decision
19	15 (79%)	4 (21%)	2 (11%)	6 (32%)	8 (42%)	11 (58%)	0 (0%)

### Year 2002-2003

17	14 82%	3 18%	2 12%	5 29%	7 41%	10 59%	0 0%
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### Year 2001- 2002

7	7 100%	0 0%	2 29%	3 43%	5 71%	2 29%	0 0%
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**Year 2000- 2001**

9	6	3	2	3	5	4	0
	67%	33%	22%	33%	55%	45%	0%

**Year 1999 – 2000 part**

0	0	0	0	0	0	0	0
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**Swale Appeal Issues**

Issue	Number	Percentage of Total
Signs and Lines	1	7%
P & D Tickets	6	40%
Loading/Unloading	1	7%
Residents/Visitors Permit	4	27%
Beyond bay markings	2	13%
Other (please state)	1	7%

**Swindon**SPA Commencement Date: 1<sup>st</sup> September 2003**Year 2003**

Appeals Received	Postal	Personal	Not Contested by council	Allowed by Adjudicator	Total allowed including not contested by council	Refused by Adjudicator incl. out of time and withdrawn by appellant	Awaiting decision
3	1 (33%)	2 (67%)	1 (33%)	1 (33%)	1 (33%)	0 (0%)	2 (67%)

**Taunton Deane**SPA Commencement Date: 19<sup>th</sup> February 2001**Year 2003**

Appeals Received	Postal	Personal	Not Contested by council	Allowed by Adjudicator	Total allowed including not contested by council	Refused by Adjudicator incl. out of time and withdrawn by appellant	Awaiting decision
66	38 (58%)	28 (42%)	15 (23%)	16 (24%)	31 (47%)	35 (53%)	0 (0%)

**Year 2002-2003**

50	29	21	19	7	26	23	1
	58%	42%	38%	14%	52%	46%	2%

**Year 2001 - 2002**

31	19	12	8	9	17	14	0
	61%	39%	26%	29%	55%	45%	0%

**Year 2000 - 2001**

0	0	0	0	0	0	0	0
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### Taunton Deane Appeal Issues

Issue	Number	Percentage of Total
Signs and Lines	1	2%
No PCN on vehicle	1	2%
P & D Tickets	3	7%
Loading/Unloading	14	32%
Ownership	1	2%
Going for Change	1	2%
Residents/Visitors Permit	7	16%
Beyond bay markings	3	7%
Taxi Rank	1	2%
Broken meter/machine	1	2%
Bank Holiday	1	2%
Traffic Regulation Order	2	5%
Procedural/process defect/delay	1	2%
Discretion	1	2%
Mitigation	4	9%
Other (please state)	2	5%

### Test Valley

SPA Commencement Date: 20th October 2003

#### Year 2003

Appeals Received	Postal	Personal	Not Contested by council	Allowed by Adjudicator	Total allowed including not contested by council	Refused by Adjudicator incl. out of time and withdrawn by appellant	Awaiting decision
0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)

### Thanet

SPA Commencement Date: 10<sup>th</sup> January 2000

#### Year 2003

Appeals Received	Postal	Personal	Not Contested by council	Allowed by Adjudicator	Total allowed including not contested by council	Refused by Adjudicator incl. out of time and withdrawn by appellant	Awaiting decision
83	64 (77%)	19 (23%)	19 (23%)	33 (40%)	52 (63%)	31 (37%)	0 (0%)

#### Year 2002-2003

137	63 46%	74 54%	64 47%	26 19%	90 66%	47 34%	0 0%
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#### Year 2001 - 2002

82	68 83%	14 17%	15 18%	24 29%	39 48%	42 51%	1 1%
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**Year 2000 - 2001**

30	26	4	12	6	18	11	1
	87%	13%	40%	20%	60%	37%	3%

**Year 1999 - 2000 part**

0	0	0	0	0	0	0	0
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**Thanet Appeal Issues**

Issue	Number	Percentage of Total
Signs and Lines	2	4%
No PCN on vehicle	3	6%
P & D Tickets	4	8%
Loading/Unloading	5	10%
Ownership	21	41%
Hire Agreement	1	2%
Breakdown	1	2%
Disabled badge not displayed	2	4%
Beyond bay markings	1	2%
Taxi Rank	1	2%
Return within 1 or 2 hours	1	2%
Broken meter/machine	1	2%
Procedural/process defect/delay	2	4%
Wrong contravention on PCN	1	2%
Car park issues	2	4%
Other (please state)	3	6%

**Three Rivers**SPA Commencement Date: 1<sup>st</sup> July 2001**Year 2003**

Appeals Received	Postal	Personal	Not Contested by council	Allowed by Adjudicator	Total allowed including not contested by council	Refused by Adjudicator incl. out of time and withdrawn by appellant	Awaiting decision
10	6 (60%)	4 (40%)	3 (30%)	1 (10%)	4 (40%)	5 (50%)	1 (10%)

**Year 2002-2003**

9	6	3	3	2	5	3	1
	67%	33%	33%	22%	56%	33%	11%

**Year 2001 - 2002**

1	1	0	1	0	1	0	0
	100%	0%	100%	0%	100%	0%	0%

### Three Rivers Appeal Issues

Issue	Number	Percentage of Total
Disabled badge not displayed	1	33%
Mitigation	1	33%
Taken Without Consent	1	33%

### Tonbridge & Malling

SPA Commencement Date: 1<sup>st</sup> September 2000

#### Year 2003

Appeals Received	Postal	Personal	Not Contested by council	Allowed by Adjudicator	Total allowed including not contested by council	Refused by Adjudicator incl. out of time and withdrawn by appellant	Awaiting decision
10	8 (80%)	2 (20%)	1 (10%)	5 (50%)	6 (60%)	4 (40%)	0 (0%)

#### Year 2002-2003

45	42 93%	3 7%	37 82%	1 2%	34 84%	6 13%	1 2%
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#### Year 2001 - 2002

13	10 77%	3 23%	4 31%	2 15%	6 46%	7 54%	0 0%
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#### Year 2000 - 2001

8	7 88%	1 12%	1 12%	3 38%	4 50%	3 38%	1 12%
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### Tonbridge & Malling Appeal Issues

Issue	Number	Percentage of Total
Signs and Lines	1	11%
No PCN on vehicle	1	11%
Loading/Unloading	1	11%
Beyond bay markings	1	11%
Broken meter/machine	1	11%
Traffic Regulation Order	2	22%
Wrong contravention on PCN	1	11%
Other (please state)	1	11%

## Trafford

SPA Commencement Date: 15<sup>th</sup> January 2001

### Year 2003

Appeals Received	Postal	Personal	Not Contested by council	Allowed by Adjudicator	Total allowed including not contested by council	Refused by Adjudicator incl. out of time and withdrawn by appellant	Awaiting decision
47	34 (72%)	13 (28%)	18 (38%)	12 (26%)	30 (64%)	16 (34%)	1 (2%)

### Year 2002-2003

84	52 62%	32 38%	30 36%	30 36%	60 72%	23 27%	1 1%
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### Year 2001 - 2002

43	32 74%	11 26%	25 58%	9 21%	34 79%	9 21%	0 0%
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### Year 2000 - 2001

0	0	0	0	0	0	0	0
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### Trafford Appeal Issues

Issue	Number	Percentage of Total
No PCN on vehicle	3	25%
Loading/Unloading	1	8%
Setting Down	1	8%
Ownership	1	8%
Hire Agreement	1	8%
Disabled badge not displayed	1	8%
Procedural/process defect/delay	1	8%
Wrong contravention on PCN	1	8%
Other (please state)	2	17%

## Tunbridge Wells

SPA Commencement Date: 10<sup>th</sup> January 2000

### Year 2003

Appeals Received	Postal	Personal	Not Contested by council	Allowed by Adjudicator	Total allowed including not contested by council	Refused by Adjudicator incl. out of time and withdrawn by appellant	Awaiting decision
123	95 (77%)	28 (23%)	53 (43%)	32 (26%)	85 (69%)	36 (29%)	2 (2%)

### Year 2002-2003

68	52 76%	16 24%	25 37%	13 19%	38 56%	29 43%	1 1%
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### Year 2001 - 2002

114	81 71%	33 29%	42 37%	26 23%	68 60%	45 39%	1 1%
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**Year 2000 - 2001**

24	20 83%	4 17%	9 37%	5 21%	14 58%	10 42%	0 0%
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**Year 1999 - 2000 part**

0	0	0	0	0	0	0	0
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**Tunbridge Wells Appeal Issues**

Issue	Number	Percentage of Total
Signs and Lines	4	8%
No PCN on vehicle	7	13%
P & D Tickets	5	10%
Loading/Unloading	9	17%
Setting Down	1	2%
Ownership	2	4%
Breakdown	1	2%
Meter feeding/second P&D ticket.	1	2%
Disabled badge not displayed	3	6%
Residents/Visitors Permit	6	10%
Beyond bay markings	1	2%
Broken meter/machine	1	2%
Procedural/process defect/delay	2	4%
Mitigation	2	4%
Car park issues	5	10%
Other (please state)	3	6%

**Watford**SPA Commencement Date: 27<sup>th</sup> October 1997**Year 2003**

Appeals Received	Postal	Personal	Not Contested by council	Allowed by Adjudicator	Total allowed including not contested by council	Refused by Adjudicator incl. out of time and withdrawn by appellant	Awaiting decision
94	70 (74%)	24 (26%)	26 (28%)	25 (27%)	51 (54%)	43 (46%)	0 (0%)

**Year 2002-2003**

105	70 67%	35 33%	19 18%	22 21%	41 39%	63 60%	1 1%
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**Year 2001 - 2002**

73	57 78%	16 22%	24 33%	14 19%	38 52%	34 47%	1 1%
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**Year 2000 - 2001**

80	57 71%	23 29%	19 24%	19 24%	38 48%	37 46%	5 6%
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### Year 1999 – 2000 part

71	55 77%	16 23%	13 18%	20 28%	33 46%	37 52%	1 1%
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### Watford Appeal Issues

Issue	Number	Percentage of Total
Signs and Lines	3	5%
No PCN on vehicle	2	3%
P & D Tickets	2	3%
Loading/Unloading	2	3%
Ownership	9	15%
Hire Agreement	1	2%
Breakdown	8	13%
Meter feeding/second P&D ticket.	1	2%
Disabled badge not displayed	6	10%
Residents/Visitors Permit	8	13%
Football match day	7	11%
Procedural/process defect/delay	1	2%
Mitigation	1	2%
Other (please state)	9	15%
Taken Without Consent	1	2%

### Weymouth

SPA Commencement Date: 25<sup>th</sup> November 2002

### Year 2003

Appeals Received	Postal	Personal	Not Contested by council	Allowed by Adjudicator	Total allowed including not contested by council	Refused by Adjudicator Incl. out of time and withdrawn by appellant	Awaiting decision
28	10 (36%)	18 (64%)	19 (68%)	0 (0%)	19 (68%)	7 (25%)	2 (7%)

### Year 2002-2003

0	0	0	0	0	0	0	0
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### Weymouth Appeal Issues

Issue	Number	Percentage of Total
P & D Tickets	1	50%
Ownership	1	50%

**Winchester**SPA Commencement Date: 20<sup>th</sup> May 1996**Year 2003**

Appeals Received	Postal	Personal	Not Contested by council	Allowed by Adjudicator	Total allowed including not contested by council	Refused by Adjudicator incl. out of time and withdrawn by appellant	Awaiting decision
26	14 (54%)	12 (46%)	4 (15%)	4 (15%)	8 (31%)	18 (69%)	0 (0%)

**Year 2002-2003**

41	17 41%	24 59%	5 12%	12 29%	17 41%	24 59%	0 0%
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**Year 2001 - 2002**

18	15 83%	3 17%	4 22%	3 17%	7 39%	11 61%	0 0%
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**Year 2000 - 2001**

44	33 75%	11 25%	3 7%	15 34%	18 41%	26 59%	0 0%
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**Year 1999 - 2000 part**

39	28 72%	11 28%	5 13%	7 18%	12 31%	26 67%	1 3%
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**Winchester Appeal Issues**

Issue	Number	Percentage of Total
Signs and Lines	4	15%
No PCN on vehicle	2	7%
P & D Tickets	1	4%
Setting Down	1	4%
Residents/Visitors Permit	6	22%
Beyond bay markings	3	11%
Return within 1 or 2 hours	1	4%
Discretion	3	11%
Mitigation	3	11%
Car park issues	2	7%
Other (please state)	1	4%

**Wirral**

SPA Commencement Date: 17th November 2003

**Year 2003**

Appeals Received	Postal	Personal	Not Contested by council	Allowed by Adjudicator	Total allowed including not contested by council	Refused by Adjudicator incl. out of time and withdrawn by appellant	Awaiting decision
0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)

**Worcester**SPA Commencement Date: 3<sup>rd</sup> February 2003**Year 2003**

Appeals Received	Postal	Personal	Not Contested by council	Allowed by Adjudicator	Total allowed including not contested by council	Refused by Adjudicator incl. out of time and withdrawn by appellant	Awaiting decision
15	12 (80%)	3 (20%)	3 (20%)	3 (20%)	6 (40%)	9 (60%)	0 (0%)

**Year 2002-2003**

0	0	0	0	0	0	0	0
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**Worcester Appeal Issues**

Issue	Number	Percentage of Total
Loading/Unloading	1	17%
Setting Down	1	17%
Ownership	1	17%
Mitigation	3	50%

**York**SPA Commencement Date: 8<sup>th</sup> October 2000**Year 2003**

Appeals Received	Postal	Personal	Not Contested by council	Allowed by Adjudicator	Total allowed including not contested by council	Refused by Adjudicator incl. out of time and withdrawn by appellant	Awaiting decision
73	53 (73%)	20 (27%)	6 (8%)	18 (25%)	24 (33%)	44 (60%)	5 (7%)

**Year 2002-2003**

72	49 68%	23 32%	6 8%	17 24%	23 32%	47 65%	2 3%
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**Year 2001 - 2002**

22	17 77%	5 23%	7 32%	4 18%	11 50%	11 50%	0 0%
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**Year 2000 - 2001**

12	10 83%	2 17%	5 42%	3 25%	8 67%	4 33%	0 0%
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## York Appeal Issues

Issue	Number	Percentage of Total
Signs and Lines	7	17%
No PCN on vehicle	1	2%
P & D Tickets	5	12%
Loading/Unloading	2	5%
Ownership	7	17%
Hire Agreement	6	14%
Breakdown	1	2%
Disabled badge not displayed	2	5%
Residents/Visitors Permit	2	5%
Beyond bay markings	1	2%
Suspended bay	1	2%
Disabled Bays and Badges	1	2%
Procedural/process defect/delay	1	2%
Discretion	3	7%
Payment/posting	1	2%
Other (please state)	1	2%



## All SPA Areas

### Year 2003

Appeals Received	Postal	Personal	Not Contested by council	Allowed by Adjudicator	Total allowed including not contested by council	Refused by Adjudicator incl. out of time and withdrawn by appellant	Awaiting decision
9213	6180 (67%)	3033 (33%)	3451 (37%)	2610 (28%)	6061 (66%)	3001 (33%)	151 (2%)

### Year 2002-2003

8,537	5726 67%	2811 33%	3430 40%	2250 26%	5680 67%	2786 33%	71 1%
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### Year 2001 - 2002

4517	3178 70%	1339 30%	1890 42%	1056 23%	2946 65%	1469 33%	97 2%
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### Year 2000 - 2001

2190	1477 67%	713 33%	946 43%	619 28%	1565 71%	582 27%	43 2%
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### Year 1999 - 2000 part

649	376 58%	273 42%	204 31%	216 33%	420 64%	224 35%	5 1%
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## Tables of Analysis of Appeal Outcomes

The following appeals outcome statistics are first reported as a series of tables, xx1 to xx7 for the full calendar year. A further set of tables provides appeal outcomes for the last nine months of the 2003 calendar year (Series yy8 to yy12). This recognises that the reporting year has changed in this issue of the Annual Report. Because of the over-lap between the last three months of 2002/3 and the first three months of the year 2003, the calendar year reports include data already reported as part of the year 2002/3 report. Councils that have been a Special and Permitted Parking Area (SPA) for less than six months have not been included in the data. This is because it usually takes about three months from the start of the SPA before the first appeal would be received by NPAS.

Only a small number of councils in the scheme tow the vehicle away after a PCN has been issued. Table TA1 provides details of the councils who regularly tow vehicles away and their tow away rate. When councils issue a PCN, the PCN states the alleged contravention that the Parking Attendant considers has occurred. The contraventions are worded in a standard format by all the councils. NPAS records the PCN details that were the subject of an appeal. Tables C1 to C3 provide a breakdown of the frequency of PCN/Appeal contraventions during 2003.

The following tables relate to the calendar year 2003

Table xx1

Details of the PCNs issued by councils, the number of PCNs appealed and the rate of appeal, organised in council alphabetical order.

COUNCIL	PCNs	PCNs Appealed	% of cases per PCN
Ashford	12,280	39	0.32%
Barrow-in-Furness	10,532	21	0.20%
Basildon	5,442	15	0.28%
Basingstoke and Deane	7,670	9	0.12%
Bath and North East Somerset	35,806	81	0.23%
Bedford	22,490	78	0.35%
Birmingham	175,925	751	0.43%
Bolton	42,592	229	0.54%
Bournemouth	37,843	228	0.60%
Brentwood	10,278	26	0.25%
Brighton & Hove	160,546	232	0.14%
Bristol	50,630	224	0.44%
Bucks [High Wycombe]	18,607	30	0.16%
Bury	31,345	117	0.37%
Canterbury	25,592	115	0.45%
Carlisle	19,059	49	0.26%
Chelmsford	21,411	151	0.71%
Christchurch	6,151	17	0.28%
Colchester	16,977	46	0.27%
Dartford	9,179	16	0.17%
Dorset	13,577	23	0.17%
Dover	16,093	21	0.13%
Eden	8,036	15	0.19%
Epping Forest	22,813	31	0.14%
Gravesham	14,042	27	0.19%
Harrogate	20,593	87	0.42%
Hart	6,727	21	0.31%
Hastings	32,693	88	0.27%
Herefordshire	24,001	70	0.29%
Liverpool	114,268	138	0.12%
Luton	44,698	150	0.34%
Maidstone	21,838	136	0.62%
Maldon	2,688	0	0.00%
Manchester	131,374	806	0.61%
Medway	53,205	176	0.33%
Milton Keynes	56,150	135	0.24%
Neath Port Talbot	16,448	84	0.51%
Northampton	65,580	140	0.21%
Norwich	40,971	54	0.13%
Nottingham	95,116	238	0.25%
Oldham	22,128	99	0.45%
Oxfordshire [Oxford]	56,970	193	0.34%
Plymouth	49,803	551	1.11%
Poole	23,640	146	0.62%
Portsmouth	49,169	246	0.50%
Reading	69,014	743	1.08%
Redcar & Cleveland	7,843	6	0.08%
Rushmoor	14,736	51	0.35%
Salford	31,108	341	1.10%
Salisbury	21,542	36	0.17%
Sandwell	42,043	125	0.30%
Sefton	51,378	52	0.10%
Sevenoaks	7,686	5	0.07%
Shepway	11,284	19	0.17%
Slough	24,000	91	0.38%
South Lakeland	16,436	58	0.35%

COUNCIL	PCNs	PCNs Appealed	% of cases per PCN
Southampton	46,298	205	0.44%
Southend-on-Sea	49,281	444	0.90%
Stoke-on-Trent	53,307	209	0.39%
Sunderland	27,169	77	0.28%
Swale	1,229	19	0.16%
Taunton Deane	15,405	66	0.43%
Thanet	18,033	83	0.46%
Three Rivers	6,354	10	0.16%
Tonbridge & Malling	14,877	10	0.07%
Trafford	40,794	47	0.12%
Tunbridge Wells	34,879	123	0.35%
Watford	33,294	94	0.28%
Weymouth and Portland	18,772	28	0.15%
Winchester	15,866	26	0.16%
Worcester	14,495	15	0.10%
York	26,872	73	0.27%
<b>All SPA areas</b>	<b>2,447,971</b>	<b>9,205</b>	<b>0.38%</b>

Table xx2

Details of PCNs issued by councils, the number of PCNs appealed, organised in the rate of appeal order.

COUNCIL	PCNs	PCNs Appealed	% of cases per PCN
Maldon	2,688	-	0.00%
Sevenoaks	7,686	5	0.07%
Tonbridge & Malling	14,877	10	0.07%
Redcar & Cleveland	7,843	6	0.08%
Sefton	51,378	52	0.10%
Worcester	14,495	15	0.10%
Basingstoke and Deane	7,670	9	0.12%
Liverpool	114,268	138	0.12%
Trafford	40,794	47	0.12%
Dover	16,093	21	0.13%
Norwich	40,971	54	0.13%
Brighton & Hove	160,546	232	0.14%
Epping Forest	22,813	31	0.14%
Weymouth and Portland	18,772	28	0.15%
Bucks [High Wycombe]	18,607	30	0.16%
Swale	1,229	19	0.16%
Three Rivers	6,354	10	0.16%
Winchester	15,866	26	0.16%
Dartford	9,179	16	0.17%
Dorset	13,577	23	0.17%
Salisbury	21,542	36	0.17%
Shepway	11,284	19	0.17%
Eden	8,036	15	0.19%
Gravesham	14,042	27	0.19%
Barrow-in-Furness	10,532	21	0.20%
Northampton	65,580	140	0.21%
Bath and North East Somerset	35,806	81	0.23%
Milton Keynes	56,150	135	0.24%
Brentwood	10,278	26	0.25%
Nottingham	95,116	238	0.25%
Carlisle	19,059	49	0.26%
Colchester	16,977	46	0.27%
Hastings	32,693	88	0.27%
York	26,872	73	0.27%
Basildon	5,442	15	0.28%
Christchurch	6,151	17	0.28%
Sunderland	27,169	77	0.28%
Watford	33,294	94	0.28%
Herefordshire	24,001	70	0.29%
Sandwell	42,043	125	0.30%
Hart	6,727	21	0.31%
Ashford	12,280	39	0.32%
Medway	53,205	176	0.33%
Luton	44,698	150	0.34%
Oxfordshire [Oxford]	56,970	193	0.34%
Bedford	22,490	78	0.35%
Rushmoor	14,736	51	0.35%
South Lakeland	16,436	58	0.35%
Tunbridge Wells	34,879	123	0.35%
Bury	31,345	117	0.37%
Slough	24,000	91	0.38%
Stoke-on-Trent	53,307	209	0.39%
Harrogate	20,593	87	0.42%
Birmingham	175,925	751	0.43%
Taunton Deane	15,405	66	0.43%
Bristol	50,630	224	0.44%
Southampton	46,298	205	0.44%
Canterbury	25,592	115	0.45%

COUNCIL	PCNs	PCNs Appealed	% of cases per PCN
Oldham	22,128	99	0.45%
Thanet	18,033	83	0.46%
Portsmouth	49,169	246	0.50%
Neath Port Talbot	16,448	84	0.51%
Bolton	42,592	229	0.54%
Bournemouth	37,843	228	0.60%
Manchester	131,374	806	0.61%
Maidstone	21,838	136	0.62%
Poole	23,640	146	0.62%
Chelmsford	21,411	151	0.71%
Southend-on-Sea	49,281	444	0.90%
Reading	69,014	743	1.08%
Salford	31,108	341	1.10%
Plymouth	49,803	551	1.11%
<b>All SPA areas</b>	<b>2,447,971</b>	<b>9205</b>	<b>0.38%</b>

Table xx3

Details of Appeals received for the calendar year 2003, their outcome, the number of PCNs issued and appeal rate by Council, in Alphabetical Order.

COUNCIL	Number of PCNs Appealed	% of Appeals Not Contested by Council	% of Appeals Allowed by Adjudicator	% of total appeals allowed including not contested by Council	% of Appeals refused by Adjudicator incl. out of time and withdrawn by appellant	% Awaiting decision	Total number of PCNs issued by Council	% of PCNs appealed
Ashford	39	36%	41%	77%	23%	0%	12,280	0.32%
Barrow-in-Furness	21	10%	52%	62%	38%	0%	10,532	0.20%
Basildon	15	40%	40%	80%	20%	0%	5,442	0.28%
Basingstoke and Deane	9	44%	33%	78%	2%	0%	7,670	0.12%
Bath and North East Somerset	81	26%	32%	58%	41%	1%	35,806	0.23%
Bedford	78	31%	22%	63%	38%	9%	22,490	0.35%
Birmingham	751	68%	15%	83%	16%	1%	175,925	0.43%
Bolton	229	20%	35%	55%	44%	1%	42,592	0.54%
Bournemouth	228	51%	21%	72%	27%	1%	37,843	0.60%
Brentwood	26	42%	8%	50%	27%	23%	10,278	0.25%
Brighton & Hove	232	26%	30%	56%	43%	1%	160,546	0.14%
Bristol	224	52%	17%	69%	30%	1%	50,630	0.44%
Bucks [High Wycombe]	30	43%	20%	63%	33%	3%	18,607	0.16%
Bury	117	9%	59%	68%	24%	9%	31,345	0.37%
Canterbury	115	61%	21%	82%	18%	0%	25,592	0.45%
Carlisle	49	12%	35%	47%	51%	2%	19,059	0.26%
Chelmsford	151	66%	30%	96%	4%	0%	21,411	0.71%
Christchurch	17	18%	53%	71%	29%	0%	6,151	0.28%
Colchester	46	20%	54%	74%	26%	0%	16,977	0.27%
Dartford	16	25%	63%	88%	13%	0%	9,179	0.17%
Dorset	23	26%	26%	52%	48%	0%	13,577	0.17%
Dover	21	24%	57%	81%	19%	0%	16,093	0.13%
Eden	15	27%	20%	47%	47%	7%	8,036	0.19%
Epping Forest	31	13%	32%	45%	52%	3%	22,813	0.14%
Gravesham	27	48%	41%	89%	11%	0%	14,042	0.19%
Harrogate	87	1%	30%	31%	66%	3%	20,593	0.42%

Hart	21	19%	33%	52%	48%	0%	6,727	0.31%
Hastings	88	11%	39%	50%	49%	1%	32,693	0.27%
Herefordshire	70	19%	34%	53%	46%	1%	24,001	0.29%
Liverpool	138	53%	20%	73%	24%	3%	114,268	0.12%
Luton	150	32%	27%	59%	38%	3%	44,698	0.34%
Maidstone	136	15%	49%	65%	34%	1%	21,838	0.62%
Maldon	0	0%	0%	0%	0%	0%	2,688	0.00%
Manchester	806	32%	29%	61%	37%	2%	131,374	0.61%
Medway	176	31%	36%	67%	33%	0%	53,205	0.33%
Milton Keynes	135	69%	13%	81%	13%	5%	56,150	0.24%
Neath Port Talbot	84	46%	29%	75%	23%	2%	16,448	0.51%
Northampton	140	39%	25%	64%	30%	6%	65,580	0.21%
Norwich	54	43%	15%	57%	41%	2%	40,971	0.13%
Nottingham	238	53%	12%	66%	30%	4%	95,116	0.25%
Oldham	99	34%	38%	73%	26%	1%	22,128	0.45%
Oxfordshire [Oxford]	193	31%	14%	45%	54%	1%	56,970	0.34%
Plymouth	551	22%	37%	59%	41%	0%	49,803	1.11%
Poole	146	34%	29%	63%	37%	0%	23,640	0.62%
Portsmouth	246	42%	26%	67%	31%	1%	49,169	0.50%
Reading	743	37%	29%	67%	33%	1%	69,014	1.08%
Redcar & Cleveland	6	0%	17%	17%	17%	67%	7,843	0.08%
Rushmoor	51	37%	25%	63%	37%	0%	14,736	0.35%
Salford	341	30%	55%	85%	15%	0%	31,108	1.10%
Salisbury	36	11%	53%	64%	33%	3%	21,542	0.17%
Sandwell	125	43%	20%	63%	37%	0%	42,043	0.30%
Sefton	52	6%	35%	40%	56%	4%	51,378	0.10%
Sevenoaks	5	0%	60%	60%	40%	0%	7,686	0.07%
Shepway	19	5%	37%	42%	58%	0%	11,284	0.17%
Slough	91	67%	16%	84%	15%	1%	24,000	0.38%
South Lakeland	58	55%	24%	79%	21%	0%	16,436	0.35%
Southampton	205	16%	34%	49%	50%	0%	46,298	0.44%
Southend-on-Sea	444	46%	28%	75%	25%	1%	49,281	0.90%
Stoke-on-Trent	209	50%	17%	67%	30%	2%	53,307	0.39%
Sunderland	77	25%	16%	40%	57%	3%	27,169	0.28%



Swale	19	11%	32%	42%	58%	0%	1,229	0.16%
Taunton Deane	66	23%	24%	47%	53%	0%	15,405	0.43%
Thanet	83	23%	40%	63%	37%	0%	18,033	0.46%
Three Rivers	10	30%	10%	40%	50%	10%	6,354	0.16%
Tonbridge & Malling	10	10%	50%	60%	40%	0%	14,877	0.07%
Trafford	47	38%	26%	64%	34%	2%	40,794	0.12%
Tunbridge Wells	123	43%	26%	69%	29%	2%	34,879	0.35%
Watford	94	28%	27%	54%	46%	0%	33,294	0.28%
Weymouth and Portland	28	68%	0%	68%	25%	7%	18,772	0.15%
Winchester	26	15%	15%	31%	69%	0%	15,866	0.16%
Worcester	15	20%	20%	40%	60%	0%	14,495	0.10%
York	73	8%	25%	33%	60%	7%	26,872	0.27%
All SPA areas	9205	37%	28%	66%	33%	2%	2,447,971	0.38%

Table xx4

**Details of Appeals received for the calendar year 2003, their outcome, the number of PCNs issued and appeal rate by Council, in order of appeals not contested by councils.**

COUNCIL	Number of PCNs Appealed	% of Appeals Not Contested by Council	% of Appeals Allowed by Adjudicator	% of total appeals allowed including not contested by Council	% of Appeals refused by Adjudicator incl. out of time and withdrawn by appellant	% Awaiting decision	Total number of PCNs issued by Council	% of PCNs appealed
Maldon	0	0%	0%	0%	0%	0%	2,688	0.00%
Redcar & Cleveland	6	0%	17%	17%	17%	67%	7,843	0.08%
Sevenoaks	5	0%	60%	60%	40%	0%	7,686	0.07%
Harrogate	87	1%	30%	31%	66%	3%	20,593	0.42%
Shepway	19	5%	37%	42%	58%	0%	11,284	0.17%
Sefton	52	6%	35%	40%	56%	4%	51,378	0.10%
York	73	8%	25%	33%	60%	7%	26,872	0.27%
Bury	117	9%	59%	68%	24%	9%	31,345	0.37%
Barrow-in-Furness	21	10%	52%	62%	38%	0%	10,532	0.20%
Tonbridge & Malling	10	10%	50%	60%	40%	0%	14,877	0.07%
Hastings	88	11%	39%	50%	49%	1%	32,693	0.27%
Salisbury	36	11%	53%	64%	33%	3%	21,542	0.17%
Swale	19	11%	32%	42%	58%	0%	1,229	0.16%
Carlisle	49	12%	35%	47%	51%	2%	19,059	0.26%
Epping Forest	31	13%	32%	45%	52%	3%	22,813	0.14%
Maidstone	136	15%	49%	65%	34%	1%	21,838	0.62%
Winchester	26	15%	15%	31%	69%	0%	15,866	0.16%
Southampton	205	16%	34%	49%	50%	0%	46,298	0.44%
Christchurch	17	18%	53%	71%	29%	0%	6,151	0.28%
Hart	21	19%	33%	52%	48%	0%	6,727	0.31%
Herefordshire	70	19%	34%	53%	46%	1%	24,001	0.29%
Bolton	229	20%	35%	55%	44%	1%	42,592	0.54%
Colchester	46	20%	54%	74%	26%	0%	16,977	0.27%
Worcester	15	20%	20%	40%	60%	0%	14,495	0.10%
Plymouth	551	22%	37%	59%	41%	0%	49,803	1.11%
Taunton Deane	66	23%	24%	47%	53%	0%	15,405	0.43%
Thanet	83	23%	40%	63%	37%	0%	18,033	0.46%

Dover	21	24%	57%	81%	19%	0%	16,093	0.13%
Dartford	16	25%	63%	88%	13%	0%	9,179	0.17%
Sunderland	77	25%	16%	40%	57%	3%	27,169	0.28%
Bath and North East Somerset	81	26%	32%	58%	41%	1%	35,806	0.23%
Brighton & Hove	232	26%	30%	56%	43%	1%	160,546	0.14%
Dorset	23	26%	26%	52%	48%	0%	13,577	0.17%
Eden	15	27%	20%	47%	47%	7%	8,036	0.19%
Watford	94	28%	27%	54%	46%	0%	33,294	0.28%
Salford	341	30%	55%	85%	15%	0%	31,108	1.10%
Three Rivers	10	30%	10%	40%	50%	10%	6,354	0.16%
Bedford	78	31%	22%	53%	38%	9%	22,490	0.35%
Medway	176	31%	36%	67%	33%	0%	53,205	0.33%
Oxfordshire [Oxford]	193	31%	14%	45%	54%	1%	56,970	0.34%
Luton	150	32%	27%	59%	38%	3%	44,698	0.34%
Manchester	806	32%	29%	61%	37%	2%	131,374	0.61%
Oldham	99	34%	38%	73%	26%	1%	22,128	0.45%
Poole	146	34%	29%	63%	37%	0%	23,640	0.62%
Ashford	39	36%	41%	77%	23%	0%	12,280	0.32%
Reading	743	37%	29%	67%	33%	1%	69,014	1.08%
Rushmoor	51	37%	25%	63%	37%	0%	14,736	0.35%
Trafford	47	38%	26%	64%	34%	2%	40,794	0.12%
Northampton	140	39%	25%	64%	30%	6%	65,580	0.21%
Basildon	15	40%	40%	80%	20%	0%	5,442	0.28%
Brentwood	26	42%	8%	50%	27%	23%	10,278	0.25%
Portsmouth	246	42%	26%	67%	31%	1%	49,169	0.50%
Bucks [High Wycombe]	30	43%	20%	63%	33%	3%	18,607	0.16%
Norwich	54	43%	15%	57%	41%	2%	40,971	0.13%
Sandwell	125	43%	20%	63%	37%	0%	42,043	0.30%
Tunbridge Wells	123	43%	26%	69%	29%	2%	34,879	0.35%
Basingstoke and Deane	9	44%	33%	78%	2%	0%	7,670	0.12%
Neath Port Talbot	84	46%	29%	75%	23%	2%	16,448	0.51%
Southend-on-Sea	444	46%	28%	75%	25%	1%	49,281	0.90%
Gravesham	27	48%	41%	89%	11%	0%	14,042	0.19%

Stoke-on-Trent	209	50%	17%	67%	30%	2%	53,307	0.39%
Bournemouth	228	51%	21%	72%	27%	1%	37,843	0.60%
Bristol	224	52%	17%	69%	30%	1%	50,630	0.44%
Liverpool	138	53%	20%	73%	24%	3%	114,268	0.12%
Nottingham	238	53%	12%	66%	30%	4%	95,116	0.25%
South Lakeland	58	55%	24%	79%	21%	0%	16,436	0.35%
Canterbury	115	61%	21%	82%	18%	0%	25,592	0.45%
Chelmsford	151	66%	30%	96%	4%	0%	21,411	0.71%
Slough	91	67%	16%	84%	15%	1%	24,000	0.38%
Birmingham	751	68%	15%	83%	16%	1%	175,925	0.43%
Weymouth and Portland	28	68%	0%	68%	25%	7%	18,772	0.15%
Milton Keynes	135	69%	13%	81%	13%	5%	56,150	0.24%
All SPA areas	9205	37%	28%	66%	33%	2%	2,447,971	0.38%

Table xx5

**Details of Appeals received for the calendar year 2003, their outcome, the number of PCNs issued and appeal rate by Council, in order of appeals allowed by the Adjudicator.**

COUNCIL	Number of PCNs Appealed	% of Appeals Not Contested by Council	% of Appeals Allowed by Adjudicator	% of total appeals allowed including not contested by Council	% of Appeals refused by Adjudicator incl. out of time and withdrawn by appellant	% Awaiting decision	Total number of PCNs issued by Council	% of PCNs appealed
Maldon	0	0%	0%	0%	0%	0%	2,688	0.00%
Weymouth and Portland	28	68%	0%	68%	25%	7%	18,772	0.15%
Brentwood	26	42%	8%	50%	27%	23%	10,278	0.25%
Three Rivers	10	30%	10%	40%	50%	10%	6,354	0.16%
Nottingham	238	53%	12%	66%	30%	4%	95,116	0.25%
Milton Keynes	135	69%	13%	81%	13%	5%	56,150	0.24%
Oxfordshire [Oxford]	193	31%	14%	45%	54%	1%	56,970	0.34%
Birmingham	751	68%	15%	83%	16%	1%	175,925	0.43%
Norwich	54	43%	15%	57%	41%	2%	40,971	0.13%
Winchester	26	15%	15%	31%	69%	0%	15,866	0.16%
Slough	91	67%	16%	84%	15%	1%	24,000	0.38%
Sunderland	77	25%	16%	40%	57%	3%	27,169	0.28%
Bristol	224	52%	17%	69%	30%	1%	50,630	0.44%
Redcar & Cleveland	6	0%	17%	17%	17%	67%	7,843	0.08%
Stoke-on-Trent	209	50%	17%	67%	30%	2%	53,307	0.39%
Bucks [High Wycombe]	30	43%	20%	63%	33%	3%	18,607	0.16%
Eden	15	27%	20%	47%	47%	7%	8,036	0.19%
Liverpool	138	53%	20%	73%	24%	3%	114,268	0.12%
Sandwell	125	43%	20%	63%	37%	0%	42,043	0.30%
Worcester	15	20%	20%	40%	60%	0%	14,495	0.10%
Bournemouth	228	51%	21%	72%	27%	1%	37,843	0.60%
Canterbury	115	61%	21%	82%	18%	0%	25,592	0.45%
Bedford	78	31%	22%	53%	38%	9%	22,490	0.35%
South Lakeland	58	55%	24%	79%	21%	0%	16,436	0.35%
Taunton Deane	66	23%	24%	47%	53%	0%	15,405	0.43%
Northampton	140	39%	25%	64%	30%	6%	65,580	0.21%
Rushmoor	51	37%	25%	63%	37%	0%	14,736	0.35%

York	73	8%	25%	33%	60%	7%	26,872	0.27%
Dorset	23	26%	26%	52%	48%	0%	13,577	0.17%
Portsmouth	246	42%	26%	67%	31%	1%	49,169	0.50%
Trafford	47	38%	26%	64%	34%	2%	40,794	0.12%
Tunbridge Wells	123	43%	26%	69%	29%	2%	34,879	0.35%
Luton	150	32%	27%	59%	38%	3%	44,698	0.34%
Watford	94	28%	27%	54%	46%	0%	33,294	0.28%
Southend-on-Sea	444	46%	28%	75%	25%	1%	49,281	0.90%
Manchester	806	32%	29%	61%	37%	2%	131,374	0.61%
Neath Port Talbot	84	46%	29%	75%	23%	2%	16,448	0.51%
Poole	146	34%	29%	63%	37%	0%	23,640	0.62%
Reading	743	37%	29%	67%	33%	1%	69,014	1.08%
Brighton & Hove	232	26%	30%	56%	43%	1%	160,546	0.14%
Chelmsford	151	66%	30%	96%	4%	0%	21,411	0.71%
Harrogate	87	1%	30%	31%	66%	3%	20,593	0.42%
Bath and North East Somerset	81	26%	32%	58%	41%	1%	35,806	0.23%
Epping Forest	31	13%	32%	45%	52%	3%	22,813	0.14%
Swale	19	11%	32%	42%	58%	0%	1,229	0.16%
Basingstoke and Deane	9	44%	33%	78%	2%	0%	7,670	0.12%
Hart	21	19%	33%	52%	48%	0%	6,727	0.31%
Herefordshire	70	19%	34%	53%	46%	1%	24,001	0.29%
Southampton	205	16%	34%	49%	50%	0%	46,298	0.44%
Bolton	229	20%	35%	55%	44%	1%	42,592	0.54%
Carlisle	49	12%	35%	47%	51%	2%	19,059	0.26%
Sefton	52	6%	35%	40%	56%	4%	51,378	0.10%
Medway	176	31%	36%	67%	33%	0%	53,205	0.33%
Plymouth	551	22%	37%	50%	41%	0%	49,803	1.11%
Shepway	19	5%	37%	42%	58%	0%	11,284	0.17%
Oldham	99	34%	38%	73%	26%	1%	22,128	0.45%
Hastings	88	11%	39%	50%	49%	1%	32,693	0.27%
Basildon	15	40%	40%	80%	20%	0%	5,442	0.28%
Thanet	83	23%	40%	63%	37%	0%	18,033	0.46%
Ashford	39	36%	41%	77%	23%	0%	12,280	0.32%

Gravesham	27	48%	41%	89%	11%	0%	14,042	0.19%
Maidstone	136	15%	49%	65%	34%	1%	21,838	0.62%
Tonbridge & Malling	10	10%	50%	60%	40%	0%	14,877	0.07%
Barrow-in-Furness	21	10%	52%	62%	38%	0%	10,532	0.20%
Christchurch	17	18%	53%	71%	29%	0%	6,151	0.28%
Salisbury	36	11%	53%	64%	33%	3%	21,542	0.17%
Colchester	46	20%	54%	74%	26%	0%	16,977	0.27%
Salford	341	30%	55%	85%	15%	0%	31,108	1.10%
Dover	21	24%	57%	81%	19%	0%	16,093	0.13%
Bury	117	9%	59%	68%	24%	9%	31,345	0.37%
Sevenoaks	5	0%	60%	60%	40%	0%	7,686	0.07%
Dartford	16	25%	63%	88%	13%	0%	9,179	0.17%
<b>All SPA areas</b>	<b>9205</b>	<b>37%</b>	<b>28%</b>	<b>66%</b>	<b>33%</b>	<b>2%</b>	<b>2,447,971</b>	<b>0.38%</b>

Table xx6

**Details of Appeals received for the calendar year 2003, their outcome, the number of PCNs issued and appeal rate by Council, in order of appeals allowed by the Adjudicator including not contested by the Council.**

COUNCIL	Number of PCNs Appealed	% of Appeals Not Contested by Council	% of Appeals Allowed by Adjudicator	% of total appeals allowed including not contested by Council	% of Appeals refused by Adjudicator incl. out of time and withdrawn by appellant	% Awaiting decision	Total number of PCNs issued by Council	% of PCNs appealed
Maldon	0	0%	0%	0%	0%	0%	2,688	0.00%
Redcar & Cleveland	6	0%	17%	17%	17%	67%	7,843	0.08%
Harrogate	87	1%	30%	31%	66%	3%	20,593	0.42%
Winchester	26	15%	15%	31%	69%	0%	15,866	0.16%
York	73	8%	25%	33%	60%	7%	26,872	0.27%
Sefton	52	6%	35%	40%	56%	4%	51,378	0.10%
Sunderland	77	25%	16%	40%	57%	3%	27,169	0.28%
Three Rivers	10	30%	10%	40%	50%	10%	6,354	0.16%
Worcester	15	20%	20%	40%	60%	0%	14,495	0.10%
Shepway	19	5%	37%	42%	58%	0%	11,284	0.17%
Swale	19	11%	32%	42%	58%	0%	1,229	0.16%
Epping Forest	31	13%	32%	45%	52%	3%	22,813	0.14%
Oxfordshire [Oxford]	193	31%	14%	45%	54%	1%	56,970	0.34%
Carlisle	49	12%	35%	47%	51%	2%	19,059	0.26%
Eden	15	27%	20%	47%	47%	7%	8,036	0.19%
Taunton Deane	66	23%	24%	47%	53%	0%	15,405	0.43%
Southampton	205	16%	34%	49%	50%	0%	46,298	0.44%
Brentwood	26	42%	8%	50%	27%	23%	10,278	0.25%
Hastings	88	11%	39%	50%	49%	1%	32,693	0.27%
Dorset	23	26%	26%	52%	48%	0%	13,577	0.17%
Hart	21	19%	33%	52%	48%	0%	6,727	0.31%
Bedford	78	31%	22%	53%	38%	9%	22,490	0.35%
Herefordshire	70	19%	34%	53%	46%	1%	24,001	0.29%
Watford	94	28%	27%	54%	46%	0%	33,294	0.28%
Bolton	229	20%	35%	55%	44%	1%	42,592	0.54%



Brighton & Hove	232	26%	30%	56%	43%	1%	160,546	0.14%
Norwich	54	43%	15%	57%	41%	2%	40,971	0.13%
Bath and North East Somerset	81	26%	32%	58%	41%	1%	35,806	0.23%
Luton	150	32%	27%	59%	38%	3%	44,698	0.34%
Plymouth	551	22%	37%	59%	41%	0%	49,803	1.11%
Sevenoaks	5	0%	60%	60%	40%	0%	7,686	0.07%
Tonbridge & Malling	10	10%	50%	60%	40%	0%	14,877	0.07%
Manchester	806	32%	29%	61%	37%	2%	131,374	0.61%
Barrow-in-Furness	21	10%	52%	62%	38%	0%	10,532	0.20%
Bucks [High Wycombe]	30	43%	20%	63%	33%	3%	18,607	0.16%
Poole	146	34%	29%	63%	37%	0%	23,640	0.62%
Rushmoor	51	37%	25%	63%	37%	0%	14,736	0.35%
Sandwell	125	43%	20%	63%	37%	0%	42,043	0.30%
Thanet	83	23%	40%	63%	37%	0%	18,033	0.46%
Northampton	140	39%	25%	64%	30%	6%	65,580	0.21%
Salisbury	36	11%	53%	64%	33%	3%	21,542	0.17%
Trafford	47	38%	26%	64%	34%	2%	40,794	0.12%
Maidstone	136	15%	49%	65%	34%	1%	21,838	0.62%
Nottingham	238	53%	12%	66%	30%	4%	95,116	0.25%
Medway	176	31%	36%	67%	33%	0%	53,205	0.33%
Portsmouth	246	42%	26%	67%	31%	1%	49,169	0.50%
Reading	743	37%	29%	67%	33%	1%	69,014	1.08%
Stoke-on-Trent	209	50%	17%	67%	30%	2%	53,307	0.39%
Bury	117	9%	59%	68%	24%	9%	31,345	0.37%
Weymouth and Portland	28	68%	0%	68%	25%	7%	18,772	0.15%
Bristol	224	52%	17%	69%	30%	1%	50,630	0.44%
Christchurch	17	18%	53%	71%	29%	0%	6,151	0.28%
Bournemouth	228	51%	21%	72%	27%	1%	37,843	0.60%
Liverpool	138	53%	20%	73%	24%	3%	114,268	0.12%
Oldham	99	34%	38%	73%	26%	1%	22,128	0.45%
Colchester	46	20%	54%	74%	26%	0%	16,977	0.27%
Neath Port Talbot	84	46%	29%	75%	23%	2%	16,448	0.51%

Southend-on-Sea	444	46%	28%	75%	25%	1%	49,281	0.90%
Ashford	39	36%	41%	77%	23%	0%	12,280	0.32%
Basingstoke and Deane	9	44%	33%	78%	2%	0%	7,670	0.12%
South Lakeland	58	55%	24%	79%	21%	0%	16,436	0.35%
Rasildon	15	40%	40%	80%	20%	0%	5,442	0.28%
Dover	21	24%	57%	81%	19%	0%	16,093	0.13%
Milton Keynes	135	69%	13%	81%	13%	5%	56,150	0.24%
Canterbury	115	61%	21%	82%	18%	0%	25,592	0.45%
Birmingham	751	68%	15%	83%	16%	1%	175,925	0.43%
Slough	91	67%	16%	84%	15%	1%	24,000	0.38%
Salford	341	30%	55%	85%	15%	0%	31,108	1.10%
Dartford	16	25%	63%	88%	13%	0%	9,179	0.17%
Gravesham	27	48%	41%	89%	11%	0%	14,042	0.19%
Chelmsford	151	66%	30%	96%	4%	0%	21,411	0.71%
All SPA areas	9205	37%	28%	66%	33%	2%	2,447,971	0.38%

Table xx7

Details of Appeals received for the calendar year 2003, their outcome, the number of PCNs issued and appeal rate by Council, *in order of appeals refused by the Adjudicator including appeals received out of time and withdrawn by the Appellant.*

COUNCIL	Number of PCNs Appealed	% of Appeals Not Contested by Council	% of Appeals Allowed by Adjudicator	% of total appeals allowed including not contested by Council	% of Appeals refused by Adjudicator incl. out of time and withdrawn by appellant	% Awaiting decision	Total number of PCNs issued by Council	% of PCNs appealed
Maldon	0	0%	0%	0%	0%	0%	2,688	0.00%
Basingstoke and Deane	9	44%	33%	78%	2%	0%	7,670	0.12%
Chelmsford	151	66%	30%	96%	4%	0%	21,411	0.71%
Gravesham	27	48%	41%	89%	11%	0%	14,042	0.19%
Dartford	16	25%	63%	88%	13%	0%	9,179	0.17%
Milton Keynes	135	69%	13%	81%	13%	5%	56,150	0.24%
Salford	341	30%	55%	85%	15%	0%	31,108	1.10%
Slough	91	67%	16%	84%	15%	1%	24,000	0.38%
Birmingham	751	68%	15%	83%	16%	1%	175,925	0.43%
Redcar & Cleveland	6	0%	17%	17%	17%	67%	7,843	0.08%
Canterbury	115	61%	21%	82%	18%	0%	25,592	0.45%
Dover	21	24%	57%	81%	19%	0%	16,093	0.13%
Basildon	15	40%	40%	80%	20%	0%	5,442	0.28%
South Lakeland	58	55%	24%	79%	21%	0%	16,436	0.35%
Ashford	39	36%	41%	77%	23%	0%	12,280	0.32%
Neath Port Talbot	84	46%	29%	75%	23%	2%	16,448	0.51%
Bury	117	9%	59%	68%	24%	9%	31,345	0.37%
Liverpool	138	53%	20%	73%	24%	3%	114,268	0.12%
Southend-on-Sea	444	46%	28%	75%	25%	1%	49,281	0.90%
Weymouth and Portland	28	68%	0%	68%	25%	7%	18,772	0.15%
Colchester	46	20%	54%	74%	26%	0%	16,977	0.27%
Oldham	99	34%	38%	73%	26%	1%	22,128	0.45%
Bournemouth	228	51%	21%	72%	27%	1%	37,843	0.60%
Brentwood	26	42%	8%	50%	27%	23%	10,278	0.25%
Christchurch	17	18%	53%	71%	29%	0%	6,151	0.28%
Tunbridge Wells	123	43%	26%	69%	29%	2%	34,879	0.35%

Bristol	224	52%	17%	69%	30%	1%	50,630	0.44%
Northampton	140	39%	25%	64%	30%	6%	65,580	0.21%
Nottingham	238	53%	12%	66%	30%	4%	95,116	0.25%
Stoke-on-Trent	209	50%	17%	67%	30%	2%	53,307	0.39%
Portsmouth	246	42%	26%	67%	31%	1%	49,169	0.50%
Bucks [High Wycombe]	30	43%	20%	63%	33%	3%	18,607	0.16%
Medway	176	31%	36%	67%	33%	0%	53,205	0.33%
Reading	743	37%	29%	67%	33%	1%	69,014	1.08%
Salisbury	36	11%	53%	64%	33%	3%	21,542	0.17%
Maidstone	136	15%	49%	65%	34%	1%	21,838	0.62%
Trafford	47	38%	26%	64%	34%	2%	40,794	0.12%
Manchester	806	32%	29%	61%	37%	2%	131,374	0.61%
Poole	146	34%	29%	63%	37%	0%	23,640	0.62%
Rushmoor	51	37%	25%	63%	37%	0%	14,736	0.35%
Sandwell	125	43%	20%	63%	37%	0%	42,043	0.30%
Thanet	83	23%	40%	63%	37%	0%	18,033	0.46%
Barrow-in-Furness	21	10%	52%	62%	38%	0%	10,532	0.20%
Bedford	78	31%	22%	53%	38%	9%	22,490	0.35%
Luton	150	32%	27%	59%	38%	3%	44,698	0.34%
Sevenoaks	5	0%	60%	60%	40%	0%	7,686	0.07%
Tonbridge & Malling	10	10%	50%	60%	40%	0%	14,877	0.07%
Bath and North East Somerset	81	26%	32%	58%	41%	1%	35,806	0.23%
Norwich	54	43%	15%	57%	41%	2%	40,971	0.13%
Plymouth	551	22%	37%	59%	41%	0%	49,803	1.11%
Brighton & Hove	232	26%	30%	56%	43%	1%	160,546	0.14%
Bolton	229	20%	35%	55%	44%	1%	42,592	0.54%
Herefordshire	70	19%	34%	53%	46%	1%	24,001	0.20%
Watford	94	28%	27%	54%	46%	0%	33,294	0.28%
Eden	15	27%	20%	47%	47%	7%	8,036	0.19%
Dorset	23	26%	26%	52%	48%	0%	13,577	0.17%
Hart	21	19%	33%	52%	48%	0%	6,727	0.31%
Hastings	88	11%	39%	50%	49%	1%	32,693	0.27%
Southampton	206	16%	34%	49%	50%	0%	46,298	0.44%

Three Rivers	10	30%	10%	40%	50%	10%	6,354	0.16%
Carlisle	49	12%	35%	47%	51%	2%	19,059	0.26%
Epping Forest	31	13%	32%	45%	52%	3%	22,813	0.14%
Taunton Deane	66	23%	24%	47%	53%	0%	15,405	0.43%
Oxfordshire [Oxford]	193	31%	14%	45%	54%	1%	56,970	0.34%
Sefton	52	6%	35%	40%	56%	4%	51,378	0.10%
Sunderland	77	25%	16%	40%	57%	3%	27,169	0.28%
Shepway	19	5%	37%	42%	58%	0%	11,284	0.17%
Swale	19	11%	32%	42%	58%	0%	1,229	0.16%
Worcester	15	20%	20%	40%	60%	0%	14,495	0.10%
York	73	8%	25%	33%	60%	7%	26,872	0.27%
Harrogate	87	1%	30%	31%	66%	3%	20,593	0.42%
Winchester	26	15%	15%	31%	69%	0%	15,866	0.16%
<b>All SPA areas</b>	<b>9205</b>	<b>37%</b>	<b>28%</b>	<b>66%</b>	<b>33%</b>	<b>2%</b>	<b>2,447,971</b>	<b>0.38%</b>

Table YY8 (9 months)

Details of Appeals received for the last nine months of 2003, their outcome by Council, in Alphabetical Order.

COUNCIL	Number of PCNs Appealed	% Not Contested by Council	% Allowed by Adjudicator	% Total allowed including not contested by council	% Refused by Adjudicator incl. out of time and withdrawn by appellant	% Awaiting decision
Ashford	21	38%	38%	76%	24%	0%
Barrow	15	13%	53%	67%	33%	0%
Basildon	15	40%	40%	80%	20%	0%
Basingstoke and Deane	8	38%	38%	75%	25%	0%
Bath and North East Somerset	81	26%	32%	58%	41%	1%
Bedford	45	31%	22%	53%	45%	2%
Birmingham	662	68%	15%	83%	15%	1%
Bolton	157	21%	36%	57%	42%	1%
Bournemouth	175	52%	21%	73%	25%	1%
Brentwood	26	42%	12%	54%	27%	19%
Brighton & Hove	202	21%	33%	54%	45%	0%
Bristol	164	52%	13%	65%	33%	1%
Bucks [High Wycombe]	14	7%	36%	43%	57%	0%
Bury	99	8%	58%	66%	26%	8%
Canterbury	88	68%	19%	88%	12%	0%
Carlisle	39	13%	41%	54%	46%	0%
Chelmsford	137	69%	27%	96%	4%	0%
Christchurch	17	18%	53%	71%	30%	0%
Colchester	36	22%	50%	72%	28%	0%
Dartford	13	31%	62%	92%	8%	0%
Dorset	14	29%	36%	64%	36%	0%
Dover	17	29%	53%	82%	18%	0%
Eden	15	27%	20%	47%	54%	0%
Epping Forest	25	12%	40%	52%	44%	4%
Gravesham	27	48%	41%	89%	11%	0%
Harrogate	68	0%	31%	31%	66%	3%
Hart	15	27%	20%	47%	53%	0%
Hastings	60	12%	38%	50%	49%	2%
Herefordshire	48	19%	33%	52%	46%	2%
Liverpool	107	39%	26%	65%	32%	3%
Luton	114	33%	29%	62%	35%	3%
Maidstone	102	17%	47%	64%	34%	2%
Maldon	0	0%	0%	0%	0%	0%
Manchester	587	33%	27%	60%	38%	2%
Medway	134	32%	36%	68%	32%	0%
Milton Keynes	118	73%	11%	84%	14%	3%
Neath Port Talbot	52	46%	35%	81%	19%	0%
Northampton	94	40%	19%	60%	33%	7%
Norwich	49	43%	12%	55%	45%	0%
Nottingham	203	54%	14%	68%	27%	4%
Oldham	63	30%	37%	67%	32%	2%
Oxfordshire [Oxford]	142	33%	13%	46%	53%	1%
Plymouth	397	18%	39%	57%	42%	0%
Poole	123	33%	28%	60%	40%	0%
Portsmouth	176	43%	27%	69%	29%	2%
Reading	580	35%	32%	67%	32%	1%

Redcar & Cleveland	6	17%	17%	33%	67%	0%
Rushmoor	34	24%	26%	50%	50%	0%
Salford	195	27%	57%	84%	16%	0%
Salisbury	29	10%	48%	59%	41%	0%
Sandwell	99	41%	22%	64%	36%	0%
Sefton	38	5%	37%	42%	53%	5%
Sevenoaks	3	0%	67%	67%	33%	0%
Shepway	13	8%	31%	38%	62%	0%
Slough	91	67%	16%	84%	15%	1%
South Lakeland	48	65%	21%	85%	15%	0%
Southampton	163	17%	32%	48%	52%	0%
Southend-on-Sea	308	49%	24%	73%	26%	1%
Stoke-on-Trent	128	56%	13%	70%	28%	2%
Sunderland	77	25%	16%	40%	58%	1%
Swale	16	6%	31%	38%	63%	0%
Taunton Deane	46	17%	28%	46%	54%	0%
Thanet	58	21%	41%	62%	38%	0%
Three Rivers	9	33%	11%	44%	44%	11%
Tonbridge & Malling	6	17%	50%	67%	33%	0%
Trafford	37	41%	24%	65%	32%	3%
Tunbridge Wells	94	44%	27%	70%	29%	1%
Walford	75	31%	28%	59%	41%	0%
Weymouth and Portland	28	68%	0%	68%	25%	7%
Winchester	19	11%	16%	26%	74%	0%
Worcester	15	20%	20%	40%	60%	0%
York	45	9%	31%	40%	53%	7%
<b>All SPA Areas</b>	<b>7024</b>	<b>38%</b>	<b>28%</b>	<b>66%</b>	<b>31%</b>	<b>1%</b>

Table YY9 (9 months)

Details of Appeals received for the last nine months of 2003, their outcome by Council, *in order of appeals not contested by councils.*

COUNCIL	Number of PCNs Appealed	% of Appeals Not Contested by Council	% of Appeals Allowed by Adjudicator	% of total appeals allowed including not contested by Council	% of Appeals Refused by Adjudicator incl. out of time and withdrawn by appellant	% Awaiting decision
Harrogate	68	0%	31%	31%	66%	3%
Maldon	0	0%	0%	0%	0%	0%
Sevenoaks	3	0%	67%	67%	33%	0%
Sefton	38	5%	37%	42%	53%	5%
Swale	16	6%	31%	38%	63%	0%
Bucks [High Wycombe]	14	7%	36%	43%	57%	0%
Bury	99	8%	58%	66%	26%	8%
Shepway	13	8%	31%	38%	62%	0%
York	45	9%	31%	40%	53%	7%
Salisbury	29	10%	48%	59%	41%	0%
Winchester	19	11%	16%	26%	74%	0%
Epping Forest	25	12%	40%	52%	44%	4%
Hastings	60	12%	38%	50%	49%	2%
Barrow	15	13%	53%	67%	33%	0%
Carlisle	39	13%	41%	54%	46%	0%
Maidstone	102	17%	47%	64%	34%	2%
Redcar & Cleveland	6	17%	17%	33%	67%	0%
Southampton	163	17%	32%	48%	52%	0%
Taunton Deane	46	17%	28%	46%	54%	0%
Tonbridge & Malling	6	17%	50%	67%	33%	0%
Christchurch	17	18%	53%	71%	30%	0%
Plymouth	397	18%	39%	57%	42%	0%
Herefordshire	48	19%	33%	52%	46%	2%
Worcester	15	20%	20%	40%	60%	0%
Bolton	157	21%	36%	57%	42%	1%
Brighton & Hove	202	21%	33%	54%	45%	0%
Thanet	58	21%	41%	62%	38%	0%
Colchester	36	22%	50%	72%	28%	0%
Rushmoor	34	24%	26%	50%	50%	0%
Sunderland	77	25%	16%	40%	58%	1%
Bath and North East Somerset	81	26%	32%	58%	41%	1%
Eden	15	27%	20%	47%	54%	0%
Hart	15	27%	20%	47%	53%	0%
Salford	195	27%	57%	84%	16%	0%
Dorset	14	29%	36%	64%	36%	0%
Dover	17	29%	53%	82%	18%	0%
Oldham	63	30%	37%	67%	32%	2%
Bedford	45	31%	22%	53%	45%	2%
Dartford	13	31%	62%	92%	8%	0%
Watford	75	31%	28%	59%	41%	0%
Medway	134	32%	36%	68%	32%	0%
Luton	114	33%	29%	62%	35%	3%
Manchester	587	33%	27%	60%	38%	2%
Oxfordshire [Oxford]	142	33%	13%	46%	53%	1%
Poole	123	33%	28%	60%	40%	0%
Three Rivers	9	33%	11%	44%	44%	11%
Reading	580	35%	32%	67%	32%	1%
Ashford	21	38%	38%	76%	24%	0%



Basingstoke and Deane	8	38%	38%	75%	25%	0%
Liverpool	107	39%	26%	65%	32%	3%
Basildon	15	40%	40%	80%	20%	0%
Northampton	94	40%	19%	60%	33%	7%
Sandwell	99	41%	22%	64%	36%	0%
Trafford	37	41%	24%	65%	32%	3%
Brentwood	26	42%	12%	54%	27%	19%
Norwich	49	43%	12%	55%	45%	0%
Portsmouth	176	43%	27%	69%	29%	2%
Tunbridge Wells	94	44%	27%	70%	29%	1%
Neath Port Talbot	52	46%	35%	81%	19%	0%
Gravesham	27	48%	41%	89%	11%	0%
Southend-on-Sea	308	49%	24%	73%	26%	1%
Bournemouth	175	52%	21%	73%	25%	1%
Bristol	164	52%	13%	65%	33%	1%
Nottingham	203	54%	14%	68%	27%	4%
Stoke-on-Trent	128	56%	13%	70%	28%	2%
South Lakeland	48	65%	21%	85%	15%	0%
Slough	91	67%	16%	84%	15%	1%
Birmingham	662	68%	15%	83%	15%	1%
Canterbury	88	68%	19%	88%	12%	0%
Weymouth and Portland	28	68%	0%	68%	25%	7%
Chelmsford	137	69%	27%	96%	4%	0%
Milton Keynes	118	73%	11%	84%	14%	3%
<b>All SPA Areas</b>	<b>7024</b>	<b>38%</b>	<b>28%</b>	<b>66%</b>	<b>31%</b>	<b>1%</b>

Table YY10 (9 months)

Details of Appeals received for the last nine months of 2003, their outcome by Council, *in order of appeals allowed by the Adjudicator.*

COUNCIL	Number of PCNs Appealed	% of Appeals Not Contested by Council	% of Appeals Allowed by Adjudicator	% of total appeals allowed including not contested by Council	% of Appeals Refused by Adjudicator incl. out of time and withdrawn by appellant	% Awaiting decision
Maldon	0	0%	0%	0%	0%	0%
Weymouth and Portland	28	68%	0%	68%	25%	7%
Milton Keynes	118	73%	11%	84%	14%	3%
Three Rivers	9	33%	11%	44%	44%	11%
Brentwood	26	42%	12%	54%	27%	19%
Norwich	49	43%	12%	55%	45%	0%
Bristol	164	52%	13%	65%	33%	1%
Oxfordshire [Oxford]	142	33%	13%	46%	53%	1%
Stoke-on-Trent	128	56%	13%	70%	28%	2%
Nottingham	203	54%	14%	68%	27%	4%
Birmingham	662	68%	15%	83%	15%	1%
Slough	91	67%	16%	84%	15%	1%
Sunderland	77	25%	16%	40%	58%	1%
Winchester	19	11%	16%	26%	74%	0%
Redcar & Cleveland	6	17%	17%	33%	67%	0%
Canterbury	88	68%	19%	88%	12%	0%
Northampton	94	40%	19%	60%	33%	7%
Eden	15	27%	20%	47%	54%	0%
Hart	15	27%	20%	47%	53%	0%
Worcester	15	20%	20%	40%	60%	0%
Bournemouth	175	52%	21%	73%	25%	1%
South Lakeland	48	65%	21%	85%	15%	0%
Bedford	45	31%	22%	53%	45%	2%
Sandwell	99	41%	22%	64%	36%	0%
Southend-on-Sea	308	49%	24%	73%	26%	1%
Trafford	37	41%	24%	65%	32%	3%
Liverpool	107	39%	26%	65%	32%	3%
Rushmoor	34	24%	26%	50%	50%	0%
Chelmsford	137	69%	27%	96%	4%	0%
Manchester	587	33%	27%	60%	38%	2%
Portsmouth	176	43%	27%	69%	29%	2%
Tunbridge Wells	94	44%	27%	70%	29%	1%
Poole	123	33%	28%	60%	40%	0%
Taunton Deane	46	17%	28%	46%	54%	0%
Watford	75	31%	28%	59%	41%	0%
Luton	114	33%	29%	62%	35%	3%
Harrogate	68	0%	31%	31%	66%	3%
Shepway	13	8%	31%	38%	62%	0%
Swale	16	6%	31%	38%	63%	0%
York	45	9%	31%	40%	53%	7%
Bath and North East Somerset	81	26%	32%	58%	41%	1%
Reading	580	35%	32%	67%	32%	1%
Southampton	163	17%	32%	48%	52%	0%
Brighton & Hove	202	21%	33%	54%	45%	0%
Herefordshire	48	19%	33%	52%	46%	2%
Neath Port Talbot	52	46%	35%	81%	19%	0%

Bolton	157	21%	36%	57%	42%	1%
Bucks [High Wycombe]	14	7%	36%	43%	57%	0%
Dorset	14	29%	36%	64%	36%	0%
Medway	134	32%	36%	68%	32%	0%
Oldham	63	30%	37%	67%	32%	2%
Sefton	38	5%	37%	42%	53%	5%
Ashford	21	38%	38%	76%	24%	0%
Basingstoke and Deane	8	38%	38%	75%	25%	0%
Hastings	60	12%	38%	50%	49%	2%
Plymouth	397	18%	39%	57%	42%	0%
Basildon	15	40%	40%	80%	20%	0%
Epping Forest	25	12%	40%	52%	44%	4%
Carlisle	39	13%	41%	54%	46%	0%
Gravesham	27	48%	41%	89%	11%	0%
Thanet	58	21%	41%	62%	38%	0%
Maidstone	102	17%	47%	64%	34%	2%
Salisbury	29	10%	48%	59%	41%	0%
Colchester	36	22%	50%	72%	28%	0%
Tonbridge & Malling	6	17%	50%	67%	33%	0%
Barrow	15	13%	53%	67%	33%	0%
Christchurch	17	18%	53%	71%	30%	0%
Dover	17	29%	53%	82%	18%	0%
Salford	195	27%	57%	84%	16%	0%
Bury	99	8%	58%	66%	26%	8%
Dartford	13	31%	62%	92%	8%	0%
Sevenoaks	3	0%	67%	67%	33%	0%
<b>All SPA Areas</b>	<b>7024</b>	<b>38%</b>	<b>28%</b>	<b>66%</b>	<b>31%</b>	<b>1%</b>

**Table YY11 (9 months)**

**Details of Appeals received for the last nine months of 2003, their outcome by Council, in order of appeals allowed by the Adjudicator including not contested by the Council.**

COUNCIL	Number of PCNs Appealed	% of Appeals Not Contested by Council	% of Appeals Allowed by Adjudicator	% of total appeals allowed including not contested by Council	% of Appeals Refused by Adjudicator incl. out of time and withdrawn by appellant	% Awaiting decision
Maldon	0	0%	0%	0%	0%	0%
Winchester	19	11%	16%	26%	74%	0%
Harrogate	68	0%	31%	31%	66%	3%
Redcar & Cleveland	6	17%	17%	33%	67%	0%
Shepway	13	8%	31%	38%	62%	0%
Swale	16	6%	31%	38%	63%	0%
Sunderland	77	25%	16%	40%	58%	1%
Worcester	15	20%	20%	40%	60%	0%
York	45	9%	31%	40%	53%	7%
Sefton	38	5%	37%	42%	53%	5%
Bucks [High Wycombe]	14	7%	36%	43%	57%	0%
Three Rivers	9	33%	11%	44%	44%	11%
Oxfordshire [Oxford]	142	33%	13%	46%	53%	1%
Taunton Deane	46	17%	28%	46%	54%	0%
Eden	15	27%	20%	47%	54%	0%
Hart	15	27%	20%	47%	53%	0%
Southampton	163	17%	32%	48%	52%	0%
Hastings	60	12%	38%	50%	49%	2%
Rushmoor	34	24%	26%	50%	50%	0%
Epping Forest	25	12%	40%	52%	44%	4%
Herefordshire	48	19%	33%	52%	46%	2%
Bedford	45	31%	22%	53%	45%	2%
Brentwood	26	42%	12%	54%	27%	19%
Brighton & Hove	202	21%	33%	54%	45%	0%
Carlisle	39	13%	41%	54%	46%	0%
Norwich	49	43%	12%	55%	45%	0%
Bolton	157	21%	36%	57%	42%	1%
Plymouth	397	18%	39%	57%	42%	0%
Bath and North East Somerset	81	26%	32%	58%	41%	1%
Salisbury	29	10%	48%	59%	41%	0%
Watford	75	31%	28%	59%	41%	0%
Manchester	587	33%	27%	60%	38%	2%
Northampton	94	40%	19%	60%	33%	7%
Poole	123	33%	28%	60%	40%	0%
Luton	114	33%	29%	62%	35%	3%
Thanet	58	21%	41%	62%	38%	0%
Dorset	14	29%	36%	64%	36%	0%
Maidstone	102	17%	47%	64%	34%	2%
Sandwell	99	41%	22%	64%	36%	0%
Bristol	164	52%	13%	65%	33%	1%
Liverpool	107	39%	26%	65%	32%	3%
Trafford	37	41%	24%	65%	32%	3%
Bury	99	8%	58%	66%	26%	8%
Barrow	15	13%	53%	67%	33%	0%
Oldham	63	30%	37%	67%	32%	2%
Reading	580	35%	32%	67%	32%	1%
Sevenoaks	3	0%	67%	67%	33%	0%
Tonbridge & Malling	6	17%	50%	67%	33%	0%

Medway	134	32%	36%	68%	32%	0%
Nottingham	203	54%	14%	68%	27%	4%
Weymouth and Portland	28	68%	0%	68%	25%	7%
Portsmouth	176	43%	27%	69%	29%	2%
Stoke-on-Trent	128	56%	13%	70%	28%	2%
Tunbridge Wells	94	44%	27%	70%	29%	1%
Christchurch	17	18%	53%	71%	30%	0%
Colchester	36	22%	50%	72%	28%	0%
Bournemouth	175	52%	21%	73%	25%	1%
Southend-on- Sea	308	49%	24%	73%	26%	1%
Basingstoke and Deane	8	38%	38%	75%	25%	0%
Ashford	21	38%	38%	76%	24%	0%
Basildon	15	40%	40%	80%	20%	0%
Neath Port Talbot	52	46%	35%	81%	19%	0%
Dover	17	29%	53%	82%	18%	0%
Birmingham	662	68%	15%	83%	15%	1%
Milton Keynes	118	73%	11%	84%	14%	3%
Salford	195	27%	57%	84%	16%	0%
Slough	91	67%	16%	84%	15%	1%
South Lakeland	48	65%	21%	85%	15%	0%
Canterbury	88	68%	19%	88%	12%	0%
Gravesham	27	48%	41%	89%	11%	0%
Dartford	13	31%	62%	92%	8%	0%
Chelmsford	137	69%	27%	96%	4%	0%
<b>All SPA Areas</b>	<b>7024</b>	<b>38%</b>	<b>28%</b>	<b>66%</b>	<b>31%</b>	<b>1%</b>

Table YY12 (9 months)

Details of Appeals received for the last nine months of 2003, their outcome by Council, in order of appeals refused by the Adjudicator including appeals received out of time and withdrawn by the Appellant.

COUNCIL	Number of PCNs Appealed	% of Appeals Not Contested by Council	% of Appeals Allowed by Adjudicator	% of total appeals allowed including not contested by Council	% of Appeals Refused by Adjudicator incl. out of time and withdrawn by appellant	% Awaiting decision
Maldon	0	0%	0%	0%	0%	0%
Chelmsford	137	69%	27%	96%	4%	0%
Dartford	13	31%	62%	92%	8%	0%
Gravesham	27	48%	41%	89%	11%	0%
Canterbury	88	68%	19%	88%	12%	0%
Milton Keynes	118	73%	11%	84%	14%	3%
Birmingham	662	68%	15%	83%	15%	1%
Slough	91	67%	16%	84%	15%	1%
South Lakeland	48	65%	21%	85%	15%	0%
Salford	195	27%	57%	84%	16%	0%
Dover	17	29%	53%	82%	18%	0%
Neath Port Talbot	52	46%	35%	81%	19%	0%
Basildon	15	40%	40%	80%	20%	0%
Ashford	21	38%	38%	76%	24%	0%
Basingstoke and Deane	8	38%	38%	75%	25%	0%
Bournemouth	175	52%	21%	73%	25%	1%
Weymouth and Portland	28	68%	0%	68%	25%	7%
Bury	99	8%	58%	66%	26%	8%
Southend-on-Sea	308	49%	24%	73%	26%	1%
Brentwood	26	42%	12%	54%	27%	19%
Nottingham	203	54%	14%	68%	27%	4%
Colchester	36	22%	50%	72%	28%	0%
Stoke-on-Trent	128	56%	13%	70%	28%	2%
Portsmouth	176	43%	27%	69%	29%	2%
Tunbridge Wells	94	44%	27%	70%	29%	1%
Christchurch	17	18%	53%	71%	30%	0%
Liverpool	107	39%	26%	65%	32%	3%
Medway	134	32%	36%	68%	32%	0%
Oldham	63	30%	37%	67%	32%	2%
Reading	580	35%	32%	67%	32%	1%
Trafford	37	41%	24%	65%	32%	3%
Barrow	15	13%	53%	67%	33%	0%
Bristol	164	52%	13%	65%	33%	1%
Northampton	94	40%	19%	60%	33%	7%
Sevenoaks	3	0%	67%	67%	33%	0%
Tonbridge & Malling	6	17%	50%	67%	33%	0%
Maidstone	102	17%	47%	64%	34%	2%
Luton	114	33%	29%	62%	35%	3%
Dorset	14	29%	36%	64%	36%	0%
Sandwell	99	41%	22%	64%	36%	0%
Manchester	587	33%	27%	60%	38%	2%
Thanet	58	21%	41%	62%	38%	0%
Poole	123	33%	28%	60%	40%	0%
Bath and North East Somerset	81	26%	32%	58%	41%	1%
Salisbury	29	10%	48%	59%	41%	0%

Watford	75	31%	28%	59%	41%	0%
Bolton	157	21%	36%	57%	42%	1%
Plymouth	397	18%	39%	57%	42%	0%
Epping Forest	25	12%	40%	52%	44%	4%
Three Rivers	9	33%	11%	44%	44%	11%
Bedford	45	31%	22%	53%	45%	2%
Brighton & Hove	202	21%	33%	54%	45%	0%
Norwich	49	43%	12%	55%	45%	0%
Carlisle	39	13%	41%	54%	46%	0%
Herefordshire	48	19%	33%	52%	46%	2%
Hastings	60	12%	38%	50%	49%	2%
Rushmoor	34	24%	26%	50%	50%	0%
Southampton	163	17%	32%	48%	52%	0%
Hart	15	27%	20%	47%	53%	0%
Oxfordshire [Oxford]	142	33%	13%	46%	53%	1%
Sefton	38	5%	37%	42%	53%	5%
York	45	9%	31%	40%	53%	7%
Eden	15	27%	20%	47%	54%	0%
Taunton Deane	46	17%	28%	46%	54%	0%
Bucks [High Wycombe]	14	7%	36%	43%	57%	0%
Sunderland	77	25%	16%	40%	58%	1%
Worcester	15	20%	20%	40%	60%	0%
Shepway	13	8%	31%	38%	62%	0%
Swale	16	6%	31%	38%	63%	0%
Harrogate	68	0%	31%	31%	66%	3%
Redcar & Cleveland	6	17%	17%	33%	67%	0%
Winchester	19	11%	16%	26%	74%	0%
<b>All SPA Areas</b>	<b>7024</b>	<b>38%</b>	<b>28%</b>	<b>66%</b>	<b>31%</b>	<b>1%</b>

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# TA1 - Tow-Aways Compared Year by Year

2003 SPA Area	Number of PCNs	Number of Vehicles Towed-away	% of Tow-aways per PCN
Manchester	134,788	2874	2.13
Bristol	51,845	6252	12.1
Oxfordshire (Oxford)	54,971	103	0.19
Brighton & Hove	163,000	3629	2.23
Birmingham	176,296	4725	2.68
Nottingham	95,381	797	0.84
Totals	676,281	18,380	2.72

2002-2003 SPA Area	Number of PCNs	Number of Vehicles Towed-away	% of Tow-aways per PCN
Manchester	138,797	4,665	3.4
Bristol	59,594	6,494	10.9
Oxfordshire (Oxford)	51,873	70	0.1
Brighton & Hove	161,382	3,184	2.0
Birmingham	164,055	3,491	2.1
Totals	575,701	17,904	3.1

2001-2002 SPA Area	Number of PCNs	Number of Vehicles Towed-away	% of Tow-aways per PCN
Manchester	125,747	5,470	4.35
Bristol	61,317	7,721	12.59
Oxfordshire (Oxford)	50,387	137	0.27
Brighton & Hove	100,730	1,863	1.85
Birmingham	73,624	894 Dec 01 – Mar 02	1.21
Totals	411,805	16,085	3.91

2000-2001 SPA Area	Number of PCNs	Number of Vehicles Towed-away	% of Tow-aways per PCN
Manchester	120,175	4,989	4.15
Bristol	67,030	8,000	11.9
Oxfordshire (Oxford)	50,180	113	0.2
Totals	237,385	13,102	5.5

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C1 - These tables give a breakdown of the reason for issue of PCNs that were the subject to an appeal to the Adjudicator during the calendar year 2003.

**Contraventions On-street and in car parks.**

% Occurrence	Contravention
35%	Parked in a restricted street during prescribed hours
10%	Parked in a pay & display car park without clearly displaying a valid pay & display ticket
8%	Parked in a residents' parking space without clearly displaying a valid residents' parking permit
8%	Parked without clearly displaying a valid pay & display ticket
5%	Parked for longer than permitted
5%	Parked after the expiry of time paid for in a pay & display car park
5%	Parked after the expiry of paid for time at a pay & display bay
4%	Parked or loading/unloading in a restricted street where waiting and loading/unloading restrictions are in force
4%	Parked in a permit space without displaying a valid permit
3%	Parked in a designated disabled person's parking place without clearly displaying a valid disabled person's badge
2%	Parked in a loading place during restricted hours without loading
2%	Parked beyond the bay markings
1%	Parked on a taxi rank
1%	Parked in a parking place or area not designated for that class of vehicle
1%	Parked in a disc parking place without clearly displaying a valid disc
1%	Parked on a restricted bus stop/stand
1%	Not parked correctly within the markings of the bay or space
1%	Parked in a disabled person's parking space without clearly displaying a valid disabled person's badge
1%	Parked in a permit bay without clearly displaying a valid permit
1%	Parked in a suspended bay/space or part of bay/space
1%	Other types of contravention
100%	All

## C2 - Contraventions On-street

% Occurrence	Type of Contravention
43%	Parked in a restricted street during prescribed hours
9%	Parked in a residents' parking space without clearly displaying a valid residents' parking permit
9%	Parked without clearly displaying a valid pay & display ticket
8%	Parked for longer than permitted
6%	Parked after the expiry of paid for time at a pay & display bay
5%	Parked or loading/unloading in a restricted street where waiting and loading/unloading restrictions are in force
5%	Parked in a permit space without displaying a valid permit
3%	Parked in a loading place during restricted hours without loading
3%	Parked in a designated disabled person's parking place without clearly displaying a valid disabled person's badge
2%	Parked in a disc parking place without clearly displaying a valid disc
2%	Parked on a restricted bus stop/stand
1%	Parked in a suspended bay/space or part of bay/space
1%	Parked on a taxi rank
1%	Parked in a parking place or area not designated for that class of vehicle
2%	Other types of contravention
100%	All

## C3 - Contraventions in Car Parks

% Occurrence	Type of Contravention
51%	Parked in a pay & display car park without clearly displaying a valid pay & display ticket
26%	Parked after the expiry of time paid for in a pay & display car park
10%	Parked beyond the bay markings
4%	Parked in a disabled person's parking space without clearly displaying a valid disabled person's badge
4%	Parked in a permit bay without clearly displaying a valid permit
2%	Parked in a restricted area in a car park
1%	Parked for longer than the maximum period permitted
1%	Parked in an area not designated for that class of vehicle
1%	Other types of contravention
100%	All

### Review Applications

Of the 9,213 Appeals in the year, 186 were the subject of a request for Review. 38 of those requests were accepted with 141 being refused and 7 requests were withdrawn. Of those 38 accepted reviews, 10 upheld the original decision of the case, 19 overturned the original decision of the case with 9 reviews outstanding.

### Costs Applications

Of the 9,213 Appeals in the year, 37 were the subject of a request for Costs, all from Appellants. 12 cases had costs awarded, 17 had costs refused and 8 cases are outstanding.

### NC 1 - Councils predicted to take on Decriminalised Parking Enforcement during 2004

Area	Expected commencement date
Lancaster [Lancashire]	5 Sept 04
Wyre [Lancashire]	5 Sept 04
Ribble Valley [Lancashire]	5 Sept 04
Fylde [Lancashire]	5 Sept 04
Preston [Lancashire]	5 Sept 04
Pendle [Lancashire]	5 Sept 04
Burnley [Lancashire]	5 Sept 04
Rossendale [Lancashire]	5 Sept 04
Hyndburn [Lancashire]	5 Sept 04
Chorley [Lancashire]	5 Sept 04
South Ribble [Lancashire]	5 Sept 04
West Lancashire [Lancashire]	5 Sept 04
Lewes [East Sussex]	20 Sept 04
St Albans [Herts]	1 Oct 04
Eastleigh [Hants]	1 Oct 04
Tendring [Essex]	1 Oct 04
Castle Point [Essex]	1 Oct 04
Rochford [Essex]	1 Oct 04
Braintree [Essex]	1 Oct 04
Uttlesford [Essex]	1 Oct 04
Blackburn with Darwen	1 Oct 04
Stratford on Avon [Warwickshire]	4 Oct 04
Wychavon [Worcestershire]	11 Oct 04
Cambridge [Cambridgeshire]	25 Oct 04
Runnymede [Surrey]	1 Nov 04
Broxbourne [Herts]	1 Nov 04
Hertsmere [Herts]	Winter 2004/5
East Hertfordshire [Herts]	15 Jan 05
Leeds	1 March 05

## **Adjudicators Report**

In the foreword to the last Annual Report we noted that 10 years have passed since the implementation of the Road Traffic Act 1991. In November 2003 there was a joint conference of all of the NPAS Adjudicators, the London Adjudicators and the Scottish Adjudicators. It was an excellent day where we followed the history of development of the Road Traffic Act and the three Parking Appeal Services since 1993. All three adjudication services are committed to working closely together to achieve a consistent approach across the country. We look forward to more joint conferences as time goes by, particularly with the development of the new Traffic Management Act initiatives.

Among the topics for discussion were topics which Adjudicators from each of the services have mentioned regularly in annual reports, namely the consideration by councils of representations, and how to deal with the appropriate exercise of discretion. As we have been preparing this report the same concerns have been raised in Parliament in debates about the Traffic Management Bill, and to a large extent in the press. Since many of our appellants raise these matters in their appeals there is still scope for reporting about them.

It may seem curious that Adjudicators are also reporting about the cases that were not contested and therefore never came under our direct scrutiny. Over the years we have noted that it is rare that an appellant raises new issues in the appeal and so in our view there is a clear correlation between the approach a council takes to the consideration of representations and the proportion of appeals that it decides not to contest.

As with last year's report, our Case Digest illustrates everyday examples of the type of issues which crop up in a parking appeal, rather than ones involving a detailed exposition of the law. This is not to say that legal argument is rare in our work. Last year's report covered in some detail problems we encounter with council Traffic Regulation Orders and these persist. We did not, however, consider that we could throw any more light on these perennial difficulties by giving yet more examples.

### **The Right to Make Representations**

The first non-London local authorities commenced DPE in 1996, with take-up increasing rapidly over the subsequent years. The Department for Transport's Local Authority Circular 1/95, 'Guidance on Decriminalised Parking Enforcement outside London' has been an invaluable tool to those councils in England and Wales that have embarked on this route.

As is inevitable in a new and rapidly developing area of law, this Circular has become rather out of date in a number of areas. Various Adjudicators' Annual Reports have recommended updating the Secretary of State's Guidance and we are pleased to learn that revised Statutory Guidance is to be issued subsequent to enactment of the Traffic Management Bill, due to complete its passage through Parliament during 2004.

The existing Guidance contains a number of 'model' forms and documents, upon which local authorities are encouraged to base their own. One of these model forms is the 'Notice to Owner', which occupies a critical place in the enforcement process. It is suggested that this model, and therefore a large proportion of council Notices to Owner based upon this model, risks infringing upon the absolute right of motorists to make representations against a penalty charge to the issuing council.

Councils doubtless intend to be helpful to the motorist when they list a range of "unacceptable excuses" or "unacceptable objections" on the reverse of their Notices to Owner. However whilst the Road Traffic Act 1991 specifies grounds which, if established at representation or appeal stage, require a council or Adjudicator to accept the motorist's challenge, councils are under a duty to consider all representations, including those based wholly or in part on mitigating circumstances where of course councils enjoy complete discretion to cancel or mitigate the penalty, irrespective of whether the representation appears to them to fall within one of the formal grounds.

As a more extreme example of this practice, a local authority places the following clause on the Notice to Owner 'equivalent' it issues to motorists whose vehicles have been removed:

"Unacceptable objections include: A Parking Ticket would have been fair enough – clamping/towing was unnecessary."

Whilst it is recognised that the Human Rights Act 1998 was enacted after Circular 1/95 was issued, the intervening years have established that there are clear human rights implications to the removal of a motorist's vehicle. Therefore not only might the above conflict with the grounds for representation laid out in Section 71 of the Road Traffic Act 1991, but it might also risk falling foul of a human rights test.

A far greater number of councils include a clause along the following lines on their Notice to Owner:

"Unacceptable objections include: This is too much money to ask for a parking ticket."

Although one can see what is intended in this statement, nevertheless it conflicts with one of the statutory grounds for representations against a penalty charge, set out in S71 and Schedule 6 of the Road Traffic Act 1991:

"...the penalty (or other charge in question) exceeded the amount applicable in the circumstances of the case".

Councils may wish to consider whether clauses of this nature, however well intentioned, are actually helpful to motorists and whether they bring clarity and understanding to the decriminalised enforcement process. It seems that they may have been adopted automatically for forms and correspondence without the council developing its own criteria and policy for cancelling penalty charges.

Of course it places stress on councils' resources if any type of objection to a PCN is encouraged, especially when it is of a spurious nature. But councils would do better to develop considered policies about their approach to representations which they should publish, possibly in a leaflet enclosed with a Notice to Owner, and with responses to pre Notice to Owner correspondence. This is standard practice in other administrative regimes.

We appreciate that motorists' representations are viewed with some scepticism, and we note that the word "excuse" is often used. Some councils appear to be reluctant to give motorists any information for fear that it will be used in a subversive sort of way. However, applying secret criteria equally encourages scepticism in the minds of the motoring public, because they are denied a transparent view of the objectives and policies of the council.

The Adjudicators recommend that the Secretary of State revises the model forms in the new Statutory Guidance to be issued in tandem with the Traffic Management Bill, to reflect this and other recommendations and in the light of ten years of experience. Adjudicators will be paying particular attention to these clauses, and their possible effect, when deciding future appeals.

## Consideration of Representations

Many Adjudicators' previous annual reports have made observations and recommendations concerning some councils' approach to representations.

Schedule 6 paragraph 2 of the 1991 Road Traffic Act requires a council to consider any representations made following the issue of the Notice to Owner by the individual responsible for the payment of a penalty charge.

Paragraph 2(iv) sets out the statutory grounds on which the PCN might be challenged. The most commonly raised issues being that:

- (i) The recipient of the NTO was not the owner of the vehicle at the time of issue of the PCN.
- (ii) The contravention did not occur.
- (iii) The vehicle had been taken without the consent of the owner.
- (iv) The Traffic Order was invalid.

Paragraph 3 provides that if any one or more of these grounds are accepted the council shall cancel the Notice to Owner and therefore not enforce the Penalty Charge.

The section does not provide for consideration of what might be termed mitigating or extenuating circumstances but the decision of the High Court in *R v Parking Adjudicator ex parte Westminster Council* (2002) EWCH 1007 makes it clear that the Council does have a duty to exercise its discretion in relation to parking penalties and only to pursue charges if it is appropriate to do so.

Mr. Justice Elias considered that it was well established that the purpose of Traffic Orders is to regulate traffic and not to raise money. In particular he referred to the guidance given by the Department for Transport to councils in the Local Authority Circular 1/1995 which suggests that each case should be considered on its merits, balancing the need to be flexible in exceptional cases against the need to enforce parking controls firmly. The Circular states that the Council should consider the cancellation of the PCN where there are well defined compassionate grounds.

It is the experience of the Adjudicators that the representations following the issue of the Notice to Owner are made on the basis of a wide variety of circumstances. The owner commonly will suggest it is unfair that he should be required to pay a penalty charge, in circumstances where, for example, the vehicle had been parked in an emergency or for only a very short time after the expiry of a limited parking period.

In particular there are cases where the driver is disabled. In **PL1189** the appellant had taken her Blue Badge into the council's disability offices to collect her new one. The parking department was not impressed. In **NG230** the appellant, who had parked out of the way where the exemption for badge holders applies had displayed his Blue Badge the wrong way up so that his picture and name were visible. The councils declined to cancel the PCN on the grounds that they had already cancelled one for him and "it would be unfair to other disabled drivers who contravened traffic regulations". This was in spite of a note from their own staff, including a description of his seniority in age that he had come into the council offices with the PCN to enquire what he had done wrong.

But the exercise of discretion does not simple apply to mitigation. Last year Adjudicators came across cases:

- Where a vehicle had been issued with a PCN every day for a number of days in circumstances where there had effectively been a continuing contravention, typically where a vehicle had been left for a period of time with the vehicle owner under the impression it was parked legally. (**PO1011**)

- Where the issue of the PCN appeared unnecessary and disproportionate, e.g. where a vehicle had a fraction of a wheel encroaching on a yellow line
- When for no apparent reason, parking attendants suddenly issued PCNs to residents cars at midnight for parking on double yellow lines (LU458)
- Where a regular commuter entered a multi-story car park by a station with no indication that it was full and found the only available space was reduced because of a pillar in the bay, so he parked slightly into the next bay (and the photos showed that the next door car was nevertheless parked comfortably within its own bay) (TW292)
- Where a woman collecting a TV left her car in an otherwise empty permit holders' car park opposite the shop rather than leave it where loading was prohibited on the double yellow lines in front of the TV shop. The parking attendant met her returning to the car with the shop assistant carrying the TV and made a helpful note (BR36)

However in each case the council took the simplistic view that since there was a technical parking contravention there was no scope for considering the case on its own merits and questioning whether a citizen should be financially penalised in these circumstances. These are by no means the only cases that Adjudicators encountered in 2003 where the imposition of a parking penalty gave rise to a very real sense of grievance and, whether justified or not, the expectation was that the case would be considered properly and fairly.

Such problems arise because councils do not always consider the exercise of the discretion properly. A stark example of this was in TW271 where a vehicle owner had paid over £600 for a permit for the commuters' car park but Connex had recently contracted out the permit issue function to Control Parking Services (CPS), who issued the wrong permit to him. In contesting his appeal against liability for six penalty charges the council made this telling and curious observation

*"it could well be that Connex and/or CPS might have a moral/legal obligation to reimburse the Appellant, but that is a matter outside our remit".*

In our view this demonstrates a lack of understanding of how the scheme operates and the role the council has as a public authority imposing penalties.

The imposition of a penalty charge although in a modest sum is nevertheless an important matter for the individual who may feel that the council's approach to their case is unfair. Many appellants feel that a principle is at stake and seek justice in their particular case. The sense of grievance is made worse where there is substantial delay or where the council fails to respond to correspondence.

The exercise of discretion is a matter of judgment which is best done by those with experience and training. Most importantly discretion needs to be considered fairly, impartially and objectively. Whilst the councils might meet those standards in many cases, the criticism can always be made that the decision is ultimately in the hands of those who have a financial interest in enforcing the charge and that it is all too easy for councils to implement policy rather than to consider the merits of each case.

## Delay

### The extent of the problem

During 2003, NPAS has dealt with an increasing number of cases in which there has been significant delay in the statutory enforcement process. Delay may occur before the NtO is served or later, after representations have been made.

A recent snapshot generated during 2003 and in which council evidence had been submitted, revealed some alarming statistics. In 11 out of the 24 appeals pending against Liverpool City Council at the date of our survey, more than 10 weeks had elapsed between the date of the PCN and the issue of the NtO. In 36 out of the 61 appeals pending against Birmingham City Council, more than 3 months had elapsed between the date of the appellant's representations and the council's rejection of those representations. In a quarter of those cases the council had taken 6 months or longer to reject the appellant's representations.

We used Liverpool and Birmingham as examples in this exercise because they are among the larger local authorities and generate a substantial volume of PCNs and appeals. Several Adjudicators had commented about delay in appeal decisions from those two councils. They are not, however, the only councils where delay is an issue and a cause for concern. In **TR142** the PCN was issued on 29 November 2002. The council issued the NtO more than 4 months later on 14 April 2003 and then took a further 5 months to reject the appellant's representations. In **BB267** the council took 15 months to send out the NtO, a delay for which the Adjudicator found no reasonable explanation. Similarly, in **DS16** the NtO was not issued until some 6 months after the PCN. The council stated that this was due to a "technical problem" but did not specify what the problem was. These are by no means isolated examples.

### Delay is unfair

Long delays in the statutory enforcement process are intrinsically unfair. The decriminalised parking scheme is penal in nature. Therefore when a PCN or NtO is issued, the recipient is entitled to have the matter concluded with reasonable expedition so that it is not hanging over him for a long time. In other words, motorists are entitled to expect matters to be pursued promptly or not at all. In some cases, the fact that too much time has elapsed since the contravention took place has been the principal reason that the appeal has been allowed. In **BM862** the appellant wrote to the council immediately upon receiving the PCN but, following a series of holding letters and unexplained periods of inactivity, the matter did not come before the Adjudicator until 10 months later. The Adjudicator said: "I find this delay to be wholly unacceptable...I do not regard the 9 months from the date of the contravention to the Notice of Rejection as a reasonable time. Accordingly, I find the council have failed to comply with their obligations to pursue this matter within a reasonable time. Therefore, it must follow the council can not be allowed to pursue this penalty."

The nature of the unfairness associated with delay was summed up by the Adjudicator in **GM149**. "As time passes evidential issues and difficulties arise. The council may rely predominantly upon the primary evidence collated at the time (in the form of the PA's notes) – although it is questionable whether the PA might reasonably recall the circumstances involved after 12 months. The appellant though has only their memory. Added to this is the fact that the appellant's mind set at the time was to locate suitable parking and to unload, not to identify specific facts that might subsequently relate to a PCN (that had at that time not been issued). Clearly one party has an advantage and that advantage is strengthened by the elapse of time."



### Delay dilutes evidence

A long delay may mean that it is no longer possible for the issues to be reliably decided. Because the council has the burden of proving the essential facts relating to the contravention, this will often lead to a finding that the contravention is not established. **GM51** is a case in point. The Adjudicator said "I have also considered the effects of the extremely long delay between the council's receipt of Mr W's representations in February 2003 and its rejection of those representations on 17 September 2003. No explanation for this delay has been given, but it seems to me that it can only possibly be prejudicial to Mr W's ability to say more about these matters some 16 months after the PCN was issued. I conclude in the circumstances that the council has not discharged its evidential burden in relation to this PCN and find that the contravention did not occur."

The passage of time will have the most impact on the evidence if the appellant is required to rely upon his memory or to produce documents (such as pay and display tickets) of a type which people do not normally retain. In such circumstances, when the parties' evidence is weighed, the Adjudicator may expect less of the appellant than might otherwise have been the case. In **MK161** the Adjudicator said "I would normally expect a former owner to be able to produce some evidence that the car had been reported stolen. However given the immense delay since the PCN was issued which has not been Miss W's fault, and at least part of which seems on the face of it to be the fault of the council, it would be counter-productive to delay this case any further to wait for more evidence, and completely unfair to decide the case against Miss W on the basis she has not produced evidence yet, when she only learnt of the PCN over a year after it was issued."

Even so, the facts of each case are unique and the total time taken to complete the process is not the only factor. There may be a good explanation for the delay (perhaps it was the appellant's own fault) or there was protracted correspondence or active investigation. Alternatively, the issues and the evidence pertinent to them may be of a kind unlikely to be affected by the passage of time. In such cases the Adjudicator may find that the appellant has not been prejudiced. In **BM700** the Adjudicator said: "I do sympathise with Mr D's frustration at the council's delay in responding to his representations. However, he has suffered no prejudice as a result, particularly as the council in its letter of 14 May offered to extend the availability of the 50% discount, which offer he did not accept." Similarly, in **BB253**, the Adjudicator said "I am puzzled as to why the NtO was not served until more than six months after the incident given the fact that Mr F had been in touch with the council informally within a week of the PCN being issued. No explanation has been provided by the council. However in this case as Mr F did receive the PCN at the time and had already made representations when matters were fresh in his mind, I cannot find that he was prejudiced by the delay."

### The acceptable time scale

What, then, is an acceptable time frame for dealing with a disputed PCN? The statutory framework contained in the Road Traffic Act 1991 does not specify a time limit for service of the NtO (it may not of course be sent out within 28 days of the PCN because this is the period which the motorist is given to pay the penalty charge). However, as we have seen, the absence of a time limit does not mean that a council can take as long as it likes before sending out the NtO. Councils are under a duty to act fairly and efficiently. They are under an obligation to take each step in the process within a reasonable time. Furthermore, Article 6 of The Human Rights Act 1998 provides that "everyone is entitled to a fair and public hearing within a reasonable time".

In London, the position has already been regularised by statute. Section 7 (i) of the London Local Authorities Act 2000 now provides that "*a participating council may not serve a notice to owner ..... after the expiry of a period of six months from the date on which the relevant penalty charge notice was issued*"

The new Regulations which will be made as a consequence of the Traffic Management Act 2004 will no doubt set consistent time limits for all the penalty charge enforcement processes. There will be an opportunity to apply more generally the principle contained in Section 71(9) of the Road Traffic Act 1991, whereby a council has a maximum of 56 days to respond to representations made after the release of a vehicle which has been clamped or removed.

The Adjudicators are of the view that consideration should also be given to providing that a Notice to Owner must be served within three months rather than six. The time limits imposed on vehicle owners are very strict and they may wonder why councils should not be subject to commensurate constraints. We recognise that there are occasionally difficulties in obtaining vehicle owner details from the DVLA, but these are difficulties the councils must resolve with DVLA, it is not a reason to prejudice vehicle owners.

We suggest therefore that councils would be sensible to assume that, unless the circumstances are most unusual and the delay clearly explicable, 6 months represents the very outer limit of time within which it is reasonable to issue a NtO and that an appeal in respect of a NtO issued outside this period is likely to prove difficult to defend. In **TW614** the Adjudicator found that a period of 2½ months between the issue of the PCN and the NtO was not excessive or unreasonable, had not in the circumstances prejudiced the appellant in his conduct of the case and did not therefore entitle the appellant to have his appeal allowed.

The Road Traffic Act 1991 is similarly silent as to the time within which representations must be dealt with. It is clear, however, that the architects of the decriminalised scheme anticipated that matters would proceed promptly. Paragraph 14.22 of the Department of Transport's **Guidance on Decriminalised Parking Enforcement outside London** (Local Authority Circular 1/95) states that: *"There is no statutory requirement for local authorities to reach decisions on representations within a specified period after their receipt. However, local authorities may wish to consider setting a target for dealing with all representations within, for example, 14 or 28 days."* A further indication as to the sort of time scale which may be appropriate can perhaps be drawn from section 71(6) of the Act, which relates to representations made by a motorist who has already paid to have his vehicle released following its immobilisation or removal. Such representations are deemed to have been accepted by the council unless responded to within 56 days. Clearly, a substantial delay in responding is unfair to the appellant, who will (not unreasonably) interpret the council's failure to reply as an indication that his representations have been accepted and the matter is at an end.

### **Managing delay**

We appreciate that staffing and resource issues do arise from time to time and may result in a backlog of cases. Where delay is inevitable, we would urge councils to pay attention to the manner in which it is managed. For example, when sending a "holding" letter following the receipt of representations, councils should try to be realistic as to the time it will take to reply. It is pointless and unfair to tell the appellant that the council will respond in detail within 4 weeks, if the backlog is known to be at least 4 months.

It is equally unacceptable for councils to operate a double standard, taking months to reply to correspondence yet requiring appellants to respond in a very different manner. We have seen a number of cases (particularly, but by no means exclusively, where the issue has been ownership of the vehicle) in which the council, after considerable delay, has asked the appellant to provide a variety of documentary evidence "within 14 days" and then gone on to issue a notice of rejection of representations promptly after the expiry of a deadline which it has itself imposed.

Delay sometimes occurs when the council asks DVLA to identify the registered keeper of the vehicle to which the PCN was issued. If no reply is received, the matter should be followed up. In **BB220**, the council enquired in August 2002 but DVLA did not respond. The case was then left "on hold" until April 2003, when a further enquiry was made and eventually answered. The Adjudicator found this delay to be excessive and prejudicial to the appellant, whose appeal was therefore allowed.

### **Delay favours no-one**

Delay is disadvantageous to councils. As the examples demonstrate, the council's delay in pursuing the statutory process increases the likelihood that the appeal will succeed. It may well be the case that some of the allowed appeals referred to above would not have succeeded if they had proceeded more quickly. Delay is also bad for the appellant. Instead of having his case decided promptly, the matter may drag on for months, even years. This causes annoyance and real distress to many appellants and runs contrary to the spirit of the decriminalised parking enforcement regime. We are extremely concerned at the problem of delay, which is why we have chosen to bring the matter to light at some length in this year's report. We encourage all councils to look hard at their records on delay and, if necessary, to address the issue now.

### **Appeals that are not contested by the council**

There has been some controversy surrounding our decision to report the number of appeals not contested by the councils. Some councils have complained that they do not consider these appeals to be "allowed" appeals, but rather ones where they have accepted the representations following consideration of the material submitted by the appellant with the appeal.

That approach, though understandable, is not strictly correct. The fundamental principle of the tribunal is that when an appellant appeals against the council's rejection of representation to the Parking Adjudicator they are seeking the relief of the tribunal, namely cancellation of their liability for the penalty charge, or, where the vehicle has been clamped or removed, the refund of the charges paid. When a council considers the matters raised in the appeal and takes the decision not to contest the appeal then the relief that the appellant is seeking is granted. This is provided for by virtue of Regulation 14 (2) (c) of the regulations:- "The Adjudicator may, if he thinks fit – if the local authority consents to an appeal being allowed, allow the appeal"

Councils also suggest that the reason that so many appeals are not contested is because the appellant has sent in the appropriate amount of evidence with the appeal to satisfy them that the liability for the penalty charge should be cancelled. They say that had that evidence been sent in with the representations then the matter would have been resolved at that stage. This again is understandable. However it is an anomaly that so significant a variation in the percentage of appeals not contested exists from council to council. This is demonstrated in Table xx4. As we mentioned in our last Annual Report, the motoring organisations are concerned about these matters and the variation shown in our table certainly merits some investigation into the different approaches taken by the councils.

In order to test this hypothesis we selected 20 uncontested 2003 appeals at random from three councils whose uncontested appeals rate was 50% or above.

#### **Council 1**

Few appeals had additional evidence supplied with the appeal but consisted of a written account by the appellant on the form. However the reason given in most cases for not contesting the appeal was "PA error", another reason was "Suspension signs not in place". In one case the appellant had produced the Notice of Rejection saying the council had fully investigated the matters raised in the representations. Why then were "PA errors" or "Suspension signs not in place" not identified at that stage? Only one case had additional information submitted with the appeal which was a letter from the hospital where the appellant's pregnant mother had been unexpectedly detained for a few hours following an abnormal scan. Because the case was, quite properly uncontested, the earlier correspondence was not available, but it does beg the question of whether a letter was strictly required from an overburdened hospital trust to confirm a relatively unusual occurrence which was likely to have been explained in full by the appellant. We would add that in that case the car had been removed from a pay and display bay near the hospital not long after the expiry of the ticket.

#### Council 2

The reason given in all 20 cases perused was "Late evidence". What was meant by that it is not clear because in none of the cases had any additional evidence been supplied by the appellants with their appeals. This is a council which consistently applies for an extension of time to file evidence which suggests that they simply have not allocated sufficient staff resources to prepare cases for the Adjudicators.

#### Council 3

Most of the appeals were concerned with ownership where the appellants had produced additional evidence proving the sale of the vehicle, or that the DVLA had adjusted the dates of the car keepership.

We would ask that a realistic approach is also taken towards Appellants who produce further evidence. It is, perhaps, understandable that when a vehicle owner receives a Notice to Owner they quickly write on it what their matter of complaint is, and particularly if they no longer own the vehicle, and send it off to the local authority. It is equally understandable that the local authority may not accept that simple explanation of the Appellant's case. It is when the vehicle owner receives the Notice of Rejection that they realise that they must make a significant effort to check diary dates, get statements from witnesses, details of vehicles changing hands etc to support their case. They should not necessarily be criticised for having failed to do this at the initial representation stage.

However, the Adjudicators recommend to vehicle owners that they endeavour to send in as much information as possible to the local authority when making representations on a Notice to Owner. If a satisfactory resolution to their problem can be achieved at that stage it saves considerable stress on the part of the vehicle owner and resources on the part of the local council.

#### Ownership

As well as a significant proportion of the appeals that the councils do not contest involving ownership it can also be seen from the tracking of the issues in appeals that 13% of appeals that Adjudicators consider also concern the ownership of the vehicle.

The Road Traffic Act 1991 makes the owner of a vehicle liable for payment of any penalty charge issued to the vehicle. Section 82 states:

"(2) For the purposes of this Part of this Act, the owner of a vehicle shall be taken to be the person by whom the vehicle is kept.

(3) In determining, for the purposes of this Part of this Act, who was the owner of a vehicle at any time, it shall be presumed that the owner was the person in whose name the vehicle was at that time registered under the Vehicles (Excise) Act 1971.

However a ground for representation and appeal is contained in Schedule 6 at paragraph 4(2), namely:

"(a) that the recipient -

- (i) never was the owner of the vehicle in question
- (ii) had ceased to be its owner before the date on which the alleged contravention occurred; or
- (iii) became its owner after that date

It is, of course, very difficult to prove that you have never owned a vehicle.

Occasionally cases turn on PCNs that have been issued on the day of the sale and the Adjudicator must decide who was keeping the vehicle at the material time. Others have turned on informal agreement where a friend has agreed to buy a car and taken possession of it, but reneged on the payment resulting in the car returning to the original owner.

It must also be said that the DVLA does not always assist the smooth running of the penalty charge enforcement process. Councils report delays in obtaining details from the DVLA and an equal number of appellants have to wait for a response when they are trying to set the record straight.

A problem crops up over and over again in appeals where the purchaser of a vehicle says that he or she will send the registration document in to the DVLA and so all the seller need do is sign the form and hand it over to the purchaser. It is when the seller suddenly gets one (or more often many) Notices to Owner, relating to parking contraventions which occurred after they had sold the vehicle, that they realise that the purchaser of the car did not fulfil his promise to send the registration document to DVLA.

**Adjudicators strongly urge people selling a vehicle to follow the instructions given by the DVLA**

#### **SELLING YOUR VEHICLE**

By law, you must tell us if you sell, transfer, scrap or export your vehicle. If you don't, you will continue to be liable for taxing it and will receive all correspondence relating to this and any other offences committed in the vehicle.

Tell us when you dispose of your vehicle and, from January 2004, we will send you an acknowledgement letter which proves you are no longer responsible for taxing it. You should keep this letter safe.

Don't be responsible for someone else's road tax. Make sure that your vehicle record is up to date.

**You can keep your record up to date by:**

Filling in the relevant sections of the Vehicle Registration Certificate and sending it to DVLA.

#### **Signs**

It is not, perhaps, surprising that one of the most common issues involved in parking appeals is that of the signs and lines. In fact 11% of the cases Adjudicators had to determine in 2003 involved these issues. However a range of problems was indicated in the various cases and in particular the council's duty to maintain signs became a significant issue.

Adjudicators appreciate that it is difficult for councils to keep signs in good order and there is not an inconsiderable expense involved in replacing damaged signs. However one of the key objectives of decriminalised parking enforcement by councils is that it should provide a better opportunity to become aware of wrong, damaged or bent signs and have greater resources to ensure that they are properly maintained in accordance with Regulation 18 of the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996.

## **Evidence**

### **Photographs**

Photographs are a common feature in nearly all parking appeals. Both councils and motorists produce helpful photographs of the locations, the signs, and the vehicle. It is particularly helpful when the council produces photographs of the penalty charge on the windscreen when the Parking Attendant has fixed it there. However many photographs submitted by either side do not in fact assist since they do not identify the location, or perhaps the time and date when the photograph was taken.

We appreciate that there is no requirement for the Secretary of State to authorise photographic equipment used in parking enforcement. However there does seem to be a need for an industry and council standard on how photographs are handled. We are aware that robust systems exist to ensure that photographs are properly dated, timed and stored securely. We appreciate that this might be seen as additional expense when a council is embarking upon decriminalised parking enforcement for the first time. However we believe that it is fundamental to public authorities' law enforcement operations that there are high standards set for these procedures and equipment.

The same of course applies to motorists' photographs. Many appellants go to great trouble to present their photographs clearly with helpful annotation as to dates and locations and drawing both the Adjudicator's and the council's attention to matters that they consider to be important. This approach always helps the Adjudicator resolve the case appropriately. It is less helpful when vague photographs are sent in without an indication of the location or the time and date when the photograph was taken. We therefore also recommend to vehicle owners that they should make it clear what the photograph is illustrating. We also emphasise that these points made to the council at the representation stage may assist the resolution of the challenge at that earlier stage. It goes without saying that photographs taken significantly after the event can show a different picture, for example, where foliage on trees and plants appears in a different state from the date when the Penalty Charge Notice was issued, or where the state of signs and lines may have deteriorated or indeed been repainted since the alleged parking contravention.

### **Council computer records**

Most Penalty Charge Notices are issued by means of the Parking Attendant using a hand held computer. This prints off the Penalty Charge Notice which is then put in an envelope and stuck to the windscreen of the car. Adjudicators accept that it is impracticable to expect a Parking Attendant to print a second copy of the Penalty Charge Notice and store it in his or her bag to bring back to the office as a second record. This is particularly so since only 0.5% of penalty charges result in an appeal to the Adjudicators.

Therefore it is acceptable, in accordance with more general evidential principles of computer records, that the council computer record can be submitted in an appeal to the Adjudicator as a copy of the Penalty Charge Notice. The council is required to send a copy of the Penalty Charge Notice by virtue of Regulation 4(2)(b) of the Road Traffic (Parking Adjudication)(England and Wales) Regulations 1999. Upon receipt of a copy of a Notice of Appeal sent under this regulation, the local authority shall deliver a copy of the relevant Charge Notice (if any). It is clearly envisaged by the words (that it does not anticipate their Parking Attendant making an exact copy there and then).

However it is important that the computer data sent with an appeal is the exact data that was entered by the Parking Attendant on the street. The PCN processing systems must be constructed in such a way that the fundamental data relating to the PCN cannot be subsequently changed. Therefore a problem arises where the council send a computer screen print which contains additional information relating to the Penalty Charge Notice and the vehicle owner which must have been added subsequently to the original data. Many councils are able to create a duplicate Penalty Charge Notice where the data is presented as it was on the Penalty Charge Notice that was attached to the vehicle. The Adjudicators prefer this method of submitting the Penalty Charge Notice information, not simply

because it makes it clear to the Adjudicator, but also because the council are under an obligation to send all their evidence to the Appellant and it is clearly more helpful if the Appellant can see the penalty charge information in the original format rather than having to look at a complex screen print which has other information contained on it as well.

There is a further matter of concern to the Adjudicators with some councils' computer screen prints. At least one of the PCN processing systems that the industry supplies to councils presents the vehicle owner details under the heading "debtor". This is an extremely regrettable word to describe the owner of a vehicle. Not only will it be extremely offensive to seeing himself or herself described as such in the council records but also it must reflect to a certain degree the councils approach to the vehicle owner within the office. If council staff when a vehicle owner rings up with a query, brings up the case file on the screen and sees that the person to whom they are speaking is described as a debtor it has derogatory implications. Debtor is a word used in credit control and even then usually when a case is being considered for enforcement by the courts.

Adjudicators would emphasise that under the Road Traffic Act 1991 scheme the penalty charge cannot be regarded as a debt owing to the council at the stage when there are representations or an appeal. Until all the opportunities for representation of appeal have been exhausted liability for payment of the penalty charge has not been fully established. The only stage that a possible debt arises to the council is on the issue of the Charge Certificate and even then it is providing a further opportunity for a vehicle owner simply to settle the matters.

**Adjudicators therefore recommend that the suppliers of any penalty charge processing system used for Penalty Charge Notices and parking enforcement should use the appropriate terminology envisaged in the legislation.**

#### **Motorists correspondence with the council**

The use of inappropriate language is not confined to some councils' screen prints. Adjudicators often see correspondence from motorists where, for no apparent justifiable reason, the motorist has made accusations of, for example, bureaucracy, petty mindedness, over zealousness, and worse than that. This type of language is often used with the first letter to the council. It is a fact of life that Penalty Charge Notices provoke extreme reactions in some motorists. However the use of accusatory language does not assist the objective resolution of the matter in dispute. It also is entirely counter productive where the motorist is in essence trying to put forward mitigating or extenuating circumstances. Adjudicators strongly advise motorists when writing in about a Penalty Charge Notice where they either want to explain the circumstances giving rise to the situation or indeed seeking clarification of whether the Penalty Charge Notice is correct, simply to stick to the facts. It is much easier for councils to investigate what went on if they do not have to deal with insulting language. The same obviously applies to telephone calls to councils.

**The Adjudicators therefore recommend to motorists and vehicle owners that when writing to councils they keep it simple and stick to the facts without using emotive language.**

## Case Digest

### Defects in the PCN / NTO

**BM967** The PCN was issued for parking without clearly displaying a valid pay and display ticket. The printing on the PCN was very poor with lines of print overlying one another so that the PCN could not be read. The PCN was defective; it did not comply with section 66(3) of the RTA 1991 and could not be enforced. Appeal allowed.

**RG1883** The vehicle was parked in a residents-only space without a permit. The PCN was issued under contravention code 16, parking in a permit space without displaying a valid permit. Under the nationally accepted PCN code this contravention relates to a business bay, doctor's bay, hospital bay or market trader's bay but not to a resident's bay. The appropriate contravention code was 15, parking in a residents' parking space without clearly displaying a valid residents' permit. The PCN was therefore held to be defective and could not be enforced. Appeal allowed.

**BC23** Section 66(3)(a) of the RTA 1991 provides that the PCN must state the grounds on which the parking attendant believes that a penalty charge is payable in respect of the vehicle. The details of the contravention were not written out in full on the PCN. Instead, the contravention code was stated and reference made to a separate document accompanying the PCN in which all the codes are explained. The Adjudicator found as a fact that the explanatory document had been omitted in this case. The PCN was therefore defective. Appeal allowed.

**TS02** The owner of the vehicle was not the driver when the PCN was issued and knew nothing about it until he received a Notice to Owner. The NTO did not state where the contravention had taken place. Schedule 6 of the Road Traffic Act 1991 provides that a Notice to Owner must state the grounds on which the Attendant believed a penalty charge was payable. It is not specified that the grounds should include the location but in the Adjudicator's view it was not possible to be fully informed about the grounds on which the PCN was issued without knowing where the alleged contravention took place and where it was issued. Given that liability does not lie with the driver but the owner, it is not fair or reasonable to expect someone who was not present when the alleged contravention occurred to make representations without being informed where the alleged contravention occurred. Appeal allowed.

### Parking beyond bay markings

**BB145** The PCN was issued in a car park for parking beyond the bay markings. The appellant said he could not park wholly within the bay because there was an obstruction in the first bay to his right and consequently the first car in the row was parked across the bay markings, the second car likewise with the appellant having, he said, no option but to park in the same manner. The Adjudicator found that it was a contravention of the relevant TRO to park in such a manner and that the requirement to park within the bay markings was adequately signed. The position of other vehicles did not exempt the appellant from this requirement. Appeal dismissed.

### PCN to be fixed at place of contravention

**BR44** The PCN was issued for parking on-street for longer than permitted but was not affixed to the vehicle until some 10 minutes later, by which time the vehicle had moved to an off-street car park. It was held that under Section 66 (1) of the RTA 1991 the PCN must be affixed to the vehicle at the time of the contravention. The action must be continuous; therefore the departure of the vehicle and its parking on another street thereby invalidated the PCN that the Parking Attendant issued and endeavoured to affix to the vehicle. Appeal allowed.



**SD370** The appellant returned to his vehicle as the PA was making out the PCN. He succeeded in driving out of the bay before the PCN was attached to the vehicle but quickly became held up in traffic. The PA gave chase and managed to affix the PCN to the vehicle a few yards along the road. Section 66 (1) refers to "a stationary vehicle". At the time this PCN was affixed, the vehicle had moved out of the space and was no longer stationary. Accordingly, section 66(1) was not complied with and the contravention was not established. Appeal allowed.

#### **Verbal assurances by Local Authority**

##### **MC2932**

The PCN was issued for parking in a P&D bay without displaying a valid P&D ticket. The Adjudicator found the following facts: the appellant had applied to the Council for a permit and was advised that, while his application was being processed, he would be entitled to park in a pay and display bay if he displayed an appropriate notice in the vehicle. The appellant did display such a Notice and explained its significance and the advice he had been given to two parking attendants before parking. It was held that the appellant was entitled to park. Appeal allowed.

**BO313** The PCN was issued in a P&D car park while the appellant was away for a short time seeking change for the machine. The Adjudicator referred to two High Court decisions in which it was held that drivers are not allowed a reasonable time to go for change but only "such reasonable time as is involved in getting out of the driving seat and obtaining his pay and display ticket". Appeal dismissed.

**BO317** The Adjudicator found as a fact that the appellant had spoken to a PA, who had given her specific permission to obtain change before purchasing a P&D ticket. In those circumstances she was exempt from the requirement immediately to pay and display a P&D voucher. Appeal allowed.

**SD412** The Adjudicator did not accept the appellant's evidence to the effect that a PA had given permission for him to park on a yellow line. Appeal dismissed.

**HS252** The appellant parked in the same car park every Saturday morning in order to take his son to music lessons. Being a Saturday, and the car park serving the local shops, it was usually extremely full. 18 months before this incident the appellant had been having difficulty finding somewhere to park when he had a discussion with a parking attendant who said that on Saturdays the parking reserved business permits could be used by people without permits provided they paid for and displayed a ticket. He took this to mean the ground floor of the car park which is usually reserved for business permit holders. Accordingly he parked in the ground floor business permit holders spaces every week for 18 months.

On each occasion he purchased a ticket from the ticket machine that is placed on the ground floor by the business permit spaces assuming that this was permissible, as advised by the parking attendant. Given that the appellant had been advised by a parking attendant in the past that he could use the ground floor, that he had used it consistently without any enforcement action over a significant period of time, and that pay and display tickets were available to be bought from a machine cited on the ground floor, the Adjudicator concluded that on this occasion he had a legitimate expectation that if he purchased and displayed a pay and display ticket he could park in a permit holders bay on a Saturday morning. Appeal allowed.

### **Circumstances beyond the motorist's control**

**YC102** The TRO contained an exemption for stopping or waiting due to circumstances beyond the control of the driver. The circumstances in which the appellant stopped, namely to allow his young son to use the toilet, were not sufficiently beyond his control to come within the terms of the exemption. Appeal dismissed.

**SS582** The appellant took his 2 year old son to the seaside at Southend. He parked in a P&D space but before he could purchase a ticket, the child ran off. The father set off in pursuit and recovered the boy, by which time a PCN had been issued. The Adjudicator found that the appellant had been prevented by circumstances beyond his control from purchasing his P&D ticket immediately. Appeal allowed.

**MC2793** The appellant parked at a time when no restrictions were in force. His return was prevented by a severe attack of angina. Accordingly the car remained parked when the restriction came into force and a PCN was issued. These circumstances were beyond the appellant's control. Appeal allowed.

**PE195** The TRO provided that "no person shall cause or permit any vehicle to wait...". The appellant's vehicle broke down, forcing him to abandon it while he went for help. These circumstances were found to be beyond the control of the appellant, who had therefore neither caused nor permitted it to wait in contravention of the TRO. Appeal allowed.

**RG1879** The PCN was issued for parking in a free space for longer than permitted. The appellant explained that he had returned within the hour only to find that the car had been boxed in by vehicles in the front and behind so that he could not move it. The PCN was issued as he waited in the vehicle for one of the other drivers to return. It was held that the appellant had not caused or permitted the vehicle to wait for longer than the permitted time. Appeal allowed.

### **Boarding and alighting**

**SL398** The TRO contained an exemption for enabling a person to board or alight from the vehicle. The appellant said he was helping a disabled person alight from the vehicle and enter their home safely. What this means will be a question of fact in each case. An extremely dependant, young, old, or vulnerable person may need to be taken to a safe place before they can be left by the driver, and the process of 'alighting' may not be complete until the person has reached a nearby place of safety. Clearly, this should not be extended beyond what is reasonable, the process of alighting should be completed without delay, and if a person needs help to alight, it should be possible to leave them close by. Appeal allowed.

**SL458** The appellant parked on a yellow line for the purpose of picking up a passenger. The passenger was disabled and needed to be escorted from her nearby house. It was reasonable for the appellant to do this and within the terms of the boarding and alighting exemption. Appeal allowed.

**TW207** The Chief Adjudicator held that "It is a general principle when setting down a person suffering from a disability (or incapacity, in the case of a child, for example) that the concept of setting down embraces taking the passenger inside the premises, and where necessary, handing them over to the charge of another person." Appeal allowed.

**PL706** The appellant parked on a double yellow line in order to collect his disabled mother from an old people's home. It was necessary to enter the home and prepare the lady for departure. The Adjudicator concluded that the vehicle was not waiting only for so long as was necessary to enable a person to board or alight from the vehicle. Appeal dismissed.

**PO958** The boarding and alighting exemption applies to waiting of short duration and, although flexible in cases where the passenger is infirm or disabled, did not entitle the appellant to park on double yellow lines while escorting a child into school. Appeal dismissed.

#### **Hire agreements**

**HS258** A replacement vehicle had been provided by an accident management company. Whilst provision on the agreement was made to sign and accept liability for PCNs, no signature had in fact been obtained. Accordingly, liability was not transferred from the hire company to the hirer. Appeal allowed.

**MC3023** The vehicle was owned by Avis and hired to the appellant. When the original Notice to Owner was sent, Avis returned it having ticked the box indicating that the owner was a hire company and that the hirer had signed a formal agreement accepting liability for any PCNs. A Notice to Owner was then sent to the appellant. However, there was not actually a signature on the copy of the rental agreement provided by Avis. The appellant explained that when he needed a hire car, he filled in his company's internal request form and a hire car was arranged by telephone and delivered to him together with paperwork and keys. He had no direct contact with Avis, and never signed any sort of agreement. When the business trip was complete, the car was collected by an Avis employee, there again being no direct contact between Avis and the appellant. The Adjudicator said that the wording of the 1991 Act is very clear, and requires that the hirer has signed the specified statement of liability, if liability is to pass from the owner. There is no provision enabling the vehicle-hire firm to pass liability to the hirer without such a statement being signed. Having found that the appellant signed no such statement, the Adjudicator concluded that liability for the PCN had not passed from Avis to the appellant. Appeal allowed.

#### **Signage**

**HS210** The signs advertising that the parking bay was for residents only were located not at eye level, as motorists usually expect, but 12 to 24 inches off the ground. The sign was therefore not observed by the appellant, who parked in contravention. The signage was held to be inadequate. Appeal allowed.

#### **Traffic Regulation Orders**

**AS96** The PCN was issued for parking after the expiry of time paid for in a pay and display car park. Article 5 (1) of the relevant TRO stated that "If a vehicle is left ... for longer than the initial period for which payment was made ... an additional amount of £1 ... (the "excess charge") shall be payable." The decriminalisation of parking enforcement under RTA 1991 meant the removal of excess charges and the implementation of penalty charge notices. The TRO had not been amended to incorporate that fundamental change. Thus, although a PCN was issued, the Order provided only for an excess charge, which is incompatible with the decimalised parking enforcement regime introduced by the RTA 1991. Appeal allowed.

**BC37** The PCN was issued for contravention code 45, parking on a taxi rank. The council's evidence showed that the taxi rank was designated under S 63 of the Local Government (Miscellaneous Powers Act 1976). S 64 of that Act provides that no person shall cause or permit any vehicle other than a hackney carriage to wait on any stand for hackney carriages. It is clear law that the provisions of the Road Traffic Act 1991 have not decriminalised this offence and it is still one which is enforceable by the police. Therefore a Council has no power to issue a PCN for such a contravention. Appeal allowed.

**BC123** The PCN was issued for parking after the expiry of time paid for in a pay and display car park. The advertised parking charge for a stay of over 3 hours was £2.40. However, that charge was not supported by the relevant Traffic Regulation Order, which provided for a charge of only £1.00. The appellant, having already paid more than £1.00, was therefore entitled to park. Appeal allowed.

**CF11** Under the terms of the relevant TRO different lengths of the street in question were subject to different sets of restrictions. The PA's notebook contained insufficient detail to enable the location of the vehicle to be identified. Thus, the Council failed to make out its case. Appeal allowed.

**HE120** The PCN was issued for parking in a parking place not designated for that class of vehicle (a loading bay reserved for use by goods vehicles only). The TRO defined "goods vehicle" as "a motor vehicle which is constructed or adapted for the use for the carriage of goods or burden of any description". The nature of the appellant's job meant that he carried tools and spare parts, which were heavy and bulky. The vehicle was a company car. In order to carry the weight of equipment and tools, it had been fitted with enhanced suspension including stronger struts. The Adjudicator found as a fact that the car had been adapted for the carriage of goods in accordance with the description of a goods vehicle set out in the TRO. Accordingly, it was entitled to use the loading bay. Appeal allowed.

## **Aims and Objectives of the National Parking Adjudication Service**

- 1.** To provide appellants and respondents to parking appeals with an independent, impartial and well-considered decision based on fact and law.
- 2.** To appoint Adjudicators with the appropriate knowledge, skills and integrity to make those decisions.
- 3.** To provide a tribunal service which is user-focussed, efficient, timely, helpful and readily accessible.
- 4.** To deliver that service with regard to achieving best value.
- 5.** To ensure that all persons who use, work for, or with, NPAS are treated equally and fairly regardless of race, gender, religious belief or sexual orientation.
- 6.** To provide Adjudicators with the necessary training and resources to enable them to make decisions that are concise, clear, well founded in law and relevant.
- 7.** To enhance the quality integrity of the Road Traffic Act 1991 decriminalised parking enforcement scheme.
- 8.** To create and maintain an adaptable and responsive tribunal system.

## **NATIONAL PARKING ADJUDICATION SERVICE JOINT COMMITTEE**

### **REPORT FOR RESOLUTION**

**DATE:** 16<sup>th</sup> July 2004

**AGENDA ITEM:** Number 10

**SUBJECT:** Establishment of Executive Sub-Committee  
Committee.

**REPORT OF:** The Lead Officer  
On behalf of the Advisory Board

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#### **PURPOSE OF REPORT**

To request the Committee to consider the establishment of an Executive Sub-Committee and its Terms of Reference for the forthcoming year.

#### **RECOMMENDATIONS**

It is recommended that the Joint Committee, establishes an Executive Sub-Committee to act on behalf of the Committee until the annual meeting in September 2005, in accordance with paragraph 2 and the Appendix to this report, and that it appoints members of the Executive Sub-Committee for the forthcoming year.

#### **CONTACT OFFICERS**

Bob Tinsley, NPAS Headquarters, Barlow House, Minshull Street, Manchester,  
Tel: 0161 242 5252

#### **BACKGROUND DOCUMENTS**

Standing Orders of the NPASJC.

## **1.0 INTRODUCTION**

- 1.1 Members are aware that as each Council becomes a party to the NPASJC Agreement it is required by the legislative arrangements to appoint a Member to represent their Council on the Joint Committee. This means that the Joint Committee is becoming extremely large with an estimated number of 150 Members by year 2005.
- 1.2 One way of avoiding the need for large numbers of members attending all the committee meetings would be to establish an Executive Sub-Committee. The Sub-Committee could be empowered to act on behalf of the Joint Committee as detailed in the Appendix, between the dates of the annual [September] meeting. The composition, size, and Terms of Reference for the Executive Sub-Committee would be need to be determined by the Joint Committee if and when it is set up.

## **2.0 BACKGROUND**

- 2.1 NPASJC standing Order 9 enables the Joint Committee to appoint such Sub-Committees as it thinks fit.
- 2.2 Any Terms of Reference for such Sub-Committees would need to be agreed by the Joint Committee as and when each Sub-Committee is established.
- 2.3 Many of the day to day functions of the Joint Committee have already been delegated to officers. Some of the functions that have not been delegated have been examined and it is considered that if the Joint Committee so decides an Executive Sub-Committee could deal with most of these non-delegated functions without the need for the full Committee to meet.
- 2.4 In particular there is a requirement in the NPASJC Agreement for the Joint Committee by 31<sup>st</sup> January each year to set a budget of estimated expenditure for the following year and to determine the amount of contribution of member Councils. These functions could be delegated to a Sub-Committee.
- 2.5 Should the Joint Committee decide to establish an Executive Sub-Committee the Joint Committee will need to determine the size, composition and Terms of Reference at the outset. These could be reviewed at a future date.
- 2.6 The Scheme of delegated Powers to the Lead Officer has been examined and there are a number of functions not delegated to officers that could be delegated to a Sub-Committee.

- 2.7 The functions recommended by officers for delegation to the Executive Sub-Committee are detailed in the Appendix to this report.
- 2.8 The size of the Executive Sub-Committee is recommended by officers to comprise twelve in number, including the Chair of the Joint-Committee and at least one each representing District, County, Unitary, Metropolitan councils and at least one from an English authority and one from a Welsh authority.



## **APPENDIX**

### **Terms of Reference for the Executive Sub-Committee**

#### **Delegation of the following functions to the NPASJC Executive Sub-Committee:-**

##### **1. Financial Matters.**

- (a) Deciding on the level and proportion NPASJC member Councils shall contribute to the costs and expenses of the adjudication service.
- (b) Establishing and adopting not later than 31st January in each year a budget of estimated expenditure for the ensuing year commencing 1st April.
- (c) Accepting tenders for the supply of goods, services, materials, equipment, building and civil engineering works in excess of £250,000 per contract.
- (d) Accepting the tender of a sub-contractor or supplier for specialist work or material in excess of £100,000 for which a prime cost sum is included in the main contract sum for services, building and civil engineering works.

##### **2. Human Resources.**

- (a) Approving changes above grade PO6 (SCP49) to the staff assignment, except for Adjudicator appointments.
- (b) Subject to the approval of the Lead Authority to consider applications for early retirement where there would be a financial cost to the NPASJC.

##### **3. Advisory Board.**

Making additional appointments to or amending existing appointments to the Advisory Board.

##### **4. New Council members to the NPASJC Agreement.**

Noting of the Councils that have become a party to the NPASJC Agreement and noting and confirming the extension to the appointment of the Chief Parking Adjudicator (and other adjudicators) to these new Council areas.

## **NATIONAL PARKING ADJUDICATION SERVICE JOINT COMMITTEE**

### **REPORT FOR RESOLUTION**

**DATE:** 16<sup>th</sup> July 2004  
**AGENDA ITEM:** Number 11  
**SUBJECT:** Appointments to the Advisory Board  
**REPORT OF:** The Lead Officer

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#### **PURPOSE OF REPORT**

To advise the Joint Committee of some changes and request the appointment and re-appointment of representatives to the Advisory Board

#### **RECOMMENDATIONS**

It is recommended that the Joint Committee:

- [i] Re-appoint the members of the Advisory Board as detailed in the Appendix and note the changes since the Committee last met.
- [ii] Appoint a Hertfordshire County Council representative and a Carmarthenshire County Council representative to the Advisory Board as detailed in the Appendix.
- [iii] The Committee may wish to express their thanks to Neath Port Talbot County Borough Council and Mike Richardson for the contributions they have made to the Advisory Board and the Joint Committee.

#### **CONTACT OFFICERS**

Bob Tinsley, NPAS Headquarters, Barlow House, Minshull Street,  
Manchester.  
Tel: 0161 242 5252

#### **BACKGROUND DOCUMENTS**

Standing Orders of the NPASJC.  
Minutes of the NPASJC Meeting 18<sup>th</sup> September 2002.  
Minutes of the NPASJC Executive Sub-committee 28<sup>th</sup> January 2003.  
Minutes of the NPASJC Meeting 30<sup>th</sup> September 2003

## **1.0 Introduction**

- 1.1 The Standing Orders provide for the Joint Committee to establish and appoint an Advisory Board comprising the Lead Officer and other such officers and persons appointed by the Joint Committee to advise it on its functions. In exercising his delegated functions the Lead Officer is required to consult with the Advisory Board.
- 1.2 At the meeting held on 18<sup>th</sup> September 2002 the Joint Committee established the Terms of Reference for and made appointments to the Advisory Board.
- 1.3 A number of changes to the representatives on the board were reported to the Executive Sub-Committee on 28<sup>th</sup> January 2003 and the Joint Committee on 30<sup>th</sup> September 2003.
- 1.4 Appointments are made on a four year cycle arrangement as detailed in the Appendix. As Kent County Council and their representative stood down from membership of the board at the last annual meeting there is no existing member of the board due for reappointment on this occasion.
- 1.5 At the meeting held on 30<sup>th</sup> September 2003 the lead officer in consultation with the chair of the advisory board were delegated the task of finding and appointing a suitable replacement for Kent. As there is already representation from all the types of council on the board there is considerable freedom in the search for a replacement. It is however considered more appropriate to appoint a person who would be a representative from a council that is already a member of the Joint Committee that is not involved in undertaking everyday parking enforcement activities.
- 1.6 The Advisory Board has identified and recommend for appointment John Ellison of Hertfordshire County Council as a suitable replacement. He is a lawyer and Hertfordshire do not directly enforce parking restrictions.
- 1.7 A change to the Welsh authority representative is being recommended. Internal departmental restructuring at Neath Port Talbot council has meant that their representative, Mike Richardson has not recently been able to attend meetings of the board as he was regularly able to do in the first years of his representation. Following consultation with Neath Port Talbot and Carmarthenshire councils, a suitable alternative has been identified. It is therefore recommended that Carmarthenshire County Council is appointed as the Welsh authority representative to the Advisory Board, Trevor Sage is their Head of Transport officer, as detailed in the Appendix.
- 1.8 The cycle of appointments to the Advisory Board has been adjusted to match the move of the annual meeting from September to June.

### **Neath Port Talbot County Borough Council and Mike Richardson**

Neath Port Talbot County Borough Council is one of the early members of the NPASJC agreement and was the first from Wales to implement decriminalised parking enforcement and be represented on the Advisory Board.

Their representative, Mike Richardson was a very helpful member of the advisory board and was able to play a part in the matters relating to Wales as well as the business of the board generally. In recent times Mike has not been associated with the parking potfolio and has therefore found it difficult to attend meetings, as a result he is to step down from the board.

The Committee may wish to express their thanks to both Neath Port Talbot County Borough Council and Mike Richardson for the significant contribution they have made in the furtherance of decriminalised parking enforcement generally and to NPASJC in particular.

## APPENDIX

### National Parking Adjudication Service (NPAS) Advisory Board Terms of Reference.

1. To advise the Joint Committee on the overall policies and strategies for administering the NPAS and on its responsibilities under the Road Traffic Act 1991
2. To monitor the service delivery and review the NPAS structure, organisation and administration and to scrutinise recommendations for changes before they are put before the Joint Committee
3. To monitor and review the NPAS capital and revenue budgets and to scrutinise recommendations for changes before they are put before the Joint Committee
4. To assist and advise the Service Director on the preparation of an annual service plan
5. The Board has no remit to consider or influence decisions of adjudicators and the function of the adjudication service as an Independent Tribunal.

The Board shall consist of always the Lead Officer plus ten people:

- ☐ Six representatives of participating local authorities as follows
  - At least one representing an English Authority
  - At least one representing a Welsh Authority
  - At least one representing a District Council
  - At least one representing a County Council
  - At least one representing a Unitary or Metropolitan Council.
- ☐ A representative each from the Department for Transport (DfT) and National Assembly for Wales (NAfW).
- ☐ A representative from a motoring association.
- ☐ An independent person with knowledge of judicial or tribunal systems.

The DfT, NAfW, Motoring Association and Independent members would act as ex-officio members.

The Joint Committee shall make appointments to the Advisory Board based on recommendations received from the Advisory Board. Such appointments are to be for four years but may be subject to reappointment. Except for the Lead Officer members shall retire on a four-year rotation cycle.

The Advisory Board shall recommend to the Joint Committee representatives of an appropriate motoring organisation and an appropriate independent person who should sit on the Board.

The DfT and NAfW Transport Directorate shall nominate its own representatives.

Advisory Board members should not be day-to-day managers of parking services and should where possible include representatives from legal and financial backgrounds as well as those responsible for parking.

The Board shall elect a Chairman, a Vice-Chairman and a Secretary from within the membership of the Board.

## **Appointments and four year cycle**

### **Local Authority Members**

At the meeting of the Joint Committee held on 30<sup>th</sup> September 2003 the following local authority members were appointed and retire as set out below. For convenience the recommended replacement representatives are also shown so that they match the previously agreed cycle.

<b>June 2005</b> Bournemouth	John Satchwell	English Unitary
<b>June 2006</b> Hampshire	Peter Bayless	English Shire
<b>June 2007</b> Manchester Winchester	Andrew Vaughan Alan Jowsey	English Met Authority English District
<b>June 2008</b> Hertfordshire Carmarthenshire	John Ellison Trevor Sage	English Shire Welsh Authority

### **DfT Member**

This is a matter for the DfT to decide from time to time. Currently John Gant is their representative.

### **National Assembly for Wales Member**

This is a matter for the NAW Transport Directorate to decide from time to time. Currently Michael Burnell is their representative.

### **Independent Member**

The Joint Committee has appointed Graham Addicott OBE, as the independent member for a four year period ending June 2005.

### **Motoring Organisation Member**

The Advisory Board consider it appropriate that from time to time this appointment should be rotated between the RAC Foundation and the AA. Currently, Kevin Delaney of the RAC Foundation is the motoring organisation representative.