

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

To be held at 11.45am on 30th June 2005

At The National Motorcycle Museum, Coventry Road, Bickenhill, Solihull,
West Midlands

AGENDA

PART A

- 1. APOINTMENT 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 2006)
- 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 16th July 2004
[Enclosed]
 - (b) To note the Minutes of the Executive Sub-committee meeting held at 12.00 on 27th January 2005
[Enclosed]
6. **FINAL REVENUE AND CAPITAL ACCOUNTS 2004/2005**
 - (a) To submit for approval the Revenue and Capital Accounts of the Joint Committee for the year 2004/2005.
[Report to follow]
 - (b) To receive the Auditor's report in respect of the Joint Committee's Revenue and Capital Accounts for year 2004/5.
[Report to be provided at the meeting if available]
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.
[Report enclosed]
9. **ANNUAL REPORT OF THE ADJUDICATORS FOR 2004**

To receive the annual report from the Adjudicators for the year ending 31st December 2004.
To forward the Adjudicators' annual report to the Secretary of State.
[Committee Report enclosed, Adjudicators' Report to follow]
10. **USER SURVEY RESULTS**

Presentation by Prof John Raine, University of Birmingham
[Copy of the user survey report circulated separately]
11. **THE NPAS USER SURVEY**

To report to the key findings of the user survey and set out proposals for addressing the main recommendations.
[Report enclosed]

12. PART-TIME PARKING ADJUDICATOR APPOINTMENTS

To inform the Joint Committee of part-time Parking Adjudicator appointments.

[Report enclosed]

13. 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 2006.

[Report enclosed]

14. 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 2006.

[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”.

15. REVIEW OF MANAGEMENT STRUCTURE WITHIN NPAS

To set out proposals to disestablish the post of Service Director, NPAS and to seek delegated approval to create a new post of Head of Service within NPAS.

To agree arrangements for the review and implementation of a revised staffing structure.

[Report enclosed]

SIR HOWARD BERNSTEIN

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

CONTACT OFFICER

Christine Crisp
Committee Services Unit
Tel: 0161 234 3037 (Direct)
Fax: 0161 234 3241

AGENDA ISSUED: 21st June 2005

**NATIONAL PARKING ADJUDICATION SERVICE JOINT COMMITTEE
MINUTES OF THE MEETING HELD AT THE WARWICKSHIRE COUNTY
CRICKET CLUB, EDGBASTON, BIRMINGHAM, ON 16TH JULY, 2004.**

PRESENT: Councillor Rev. Robert Barker - South Lakeland District Council
Councillor Tony Burns – Manchester City Council
Councillor Herbert Chapman – Dacorum Borough Council
Councillor James Davies – Carmarthenshire County Council
Councillor Roland Dibbs - Rushmoor Borough Council
Councillor Phyllis Dickens – Hampshire County Council
Councillor David Fleet – Herefordshire Council
Councillor John Hayter – Bournemouth Borough Council
Councillor Sir Elgar Jenkins - Bath and North East Somersert
Councillor Richard Knasel – Winchester City Council
Councillor Joseph Lawson – Sunderland City Council
Councillor Matthew Lock – East Sussex County Council
Councillor Peter O'Brien – Chelmsford Borough Council
Councillor John Peach – Peterborough City Council
Councillor Robert Peachy – Worcestershire County Council
Councillor Roy Pennington – Brighton & Hove Council
Councillor James Tombe – Mid Bedfordshire District Council

Also in attendance:

Messrs Bayless, Davey-Thomas, Jowsey, Pulham, Richardson, Sage, Satchwell, Spicer and Tinsley, and Christine Crisp, Eileen Dunstan, and Caroline Sheppard.

NPAS/04/01 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 2005.
2. To appoint Councillor Dibbs (Rushmoor) as Assistant Chair.

NPAS/04/02 NPASJC Minutes

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

Decision

To approve as a correct record the Minutes of the meeting held on 30 September, 2003.

NPAS/04/03 Executive Sub-Committee Minutes

Decision

To note that Councillor Dibbs represents Rushmoor Borough Council and not Southend as appeared on the minutes circulated.

To note the Minutes of the meeting held on 27 January, 2004.

NPAS/04/04 Five Year Review Sub-Committee Minutes

Decision

To note the Minutes of the meeting held on 27 January, 2004 and, in particular, the re-appointment of the Chief Parking Adjudicator

NPAS/04/05 Councillor John Beveridge

The Joint Committee were informed that Councillor Beveridge (Winchester Council) had recently changed portfolio and was no longer a member of the Joint Committee.

Decision

That a letter of thanks be sent to Councillor Beveridge to thank him for his very valuable contribution to the work of the Joint Committee.

NPAS/04/06 Final Revenue and Capital Accounts, 2003/2004

The final accounts for the years 2003/2004, together with the Auditor's report on the accounts were submitted.

Decision

1. To approve the 2003/2004 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 2003/2004 Revenue Accounts to the 2004/2005 Revenue Account.
3. To note the District Auditor's reports in relation to the year 2003/2004.

NPAS/04/07

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, 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 Barnstead Borough Council, Wigan Metropolitan Borough Council, Rochdale Metropolitan Borough Council and Denbighshire County 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/04/08 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 how swift the service is delivered; information and communications technology and other areas of service development.

Decision

1. To note the expected take up of decriminalised parking enforcement powers.
2. To note the performance attained against the agreed service standard indicator.
3. To note the progress in respect of ICT and other areas of service development in support of the service.

NPAS/04/09 ANNUAL REPORT OF THE PARKING ADJUDICATORS

The Annual report of the Adjudicators for the calendar year 2003 was submitted.

Decision

1. To note the Annual Report, and forward it to the Secretary of State for Transport, and the First Minister 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/04/10 ESTABLISHMENT OF EXECUTIVE SUB-COMMITTEE

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

The Lead Officer amended the date of the annual meeting in the recommendation to read, annual meeting in 2005.

In view of the need to consider additional accommodation for the Headquarters it was suggested that the Terms of Reference be amended to include the following:

- “5. Accommodation
Matters in relation to the provision of accommodation that have not been delegated to officers.”

DECISION/-

1. To approve the establishment of an Executive Sub-Committee to act on behalf of the Joint Committee until the annual meeting in 2005, comprising Councillors Bob Barker (South Lakeland D.C.), Tony Burns (Manchester C.C.), Roland Dibbs (Rushmoor B.C.), Phrynnette Dickens (Hampshire C. C.), Ken Gregory (Thanet D.C.), Sir Elgar Jenkins (Bath and North East Somerset), Joseph Lawson (Sunderland C. C.), Matthew Lock (East Sussex C. C.) Roy Pennington (Brighton and Hove) and a representative from Wales.
2. To agree the terms of reference contained in the body of the report with the additional reference relating to accommodation.
3. To agree that the next meeting of the Executive Sub-Committee be held in January, 2005 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 -

Carmarthanshire County Council – Trevor Sage

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

At least one representing a County Council –

Hertfordshire County Council – Deborah Davies

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

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

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

2. To record the thanks of the Joint Committee to Mike Richardson and Neath Port Talbot County Borough Council for the significant contribution they have made to the Advisory Board and the Joint Committee.

NPAS/04/07 Exclusion of Public

Decision

To exclude the public from the meeting during consideration of the following item containing confidential information as detailed in Paragraph 1, Schedule 12A, Local Government Act, 1972 – Information relating to individuals.

NPAS/04/07 Review of Senior Staffing Structure 2003/04

(Public excluded Paragraph 1, Information relating to individuals)

A report from the Chair and Deputy was submitted outlining a Panel meeting to consider the review of the Senior Management Structure which was delegated to the Chief Executive of the Lead Authority in consultation with the Chair and Deputy and the Head of Personnel of the Lead Authority.

Decision

To note the report.

committee/npasjc/16july04

**NATIONAL PARKING ADJUDICATION SERVICE JOINT COMMITTEE
EXECUTIVE SUB-COMMITTEE
MINUTES OF THE MEETING HELD AT THE WARWICKSHIRE COUNTY
CRICKET CLUB, EDGBASTON, BIRMINGHAM, ON 24TH JANUARY, 2005.**

PRESENT: Councillor Rev. Robert Barker - South Lakeland District Council
Councillor Tony Burns - Manchester City Council
Councillor Roland Dibbs - Rushmoor Borough Council
Councillor Phrynnette Dickens - Hampshire County Council
Councillor Ken Gregory - Thanet District Council
Councillor Sir Elgar Jenkins - Bath and North East Somerset Council
Councillor Joseph Lawson - Sunderland City Council
Councillor Roy Pennington - Brighton and Hove Council
Councillor Elwyn Williams - Carmarthenshire County Council

Also in attendance:

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

NPAS/EX/05/01 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 2005.
2. To appoint Councillor Burns (Manchester) as Assistant Chair.

NPAS/EX/05/02 Andrew Pulham

The Committee was informed that Andrew Pulham was attending his last meeting prior to leaving the service to take up a new appointment with East Hertfordshire District Council.

Members thanked Andrew for the work undertaken by him on behalf on the Joint Committee and offered their good wishes for the future.

NPAS/EX/05/03 Executive Sub-Committee Minutes

Decision

To approve as a correct record the Minutes of the meeting held on 27 January, 2004.

NPAS/EX/05/04 NPASJC Minutes

The Minutes of the National Parking Adjudication Service Joint Committee held on 16 July, 2004 were submitted for information.

Decision

To note the Minutes

NPAS/EX/05/05 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 16 July, 2004, the following Councils have become a party to the NPASJC Agreement: Rochdale Metropolitan Borough Council, Lancashire County Council, Lancaster City Council, Wyre Borough Council, Ribble Valley Borough Council, Pendle Borough Council, Fylde Borough Council, Preston City Council, Burnley Borough Council, Hyndburn Borough Council, South Ribble Borough Council, Rossendale Borough Council, Chorley Borough Council, West Lancashire District Council, Lewes District Council, St. Albans City and District Council, Eastleigh Borough Council, Tendering District Council, Castle Point Borough Council, Rochford District Council, Braintree District Council, Uttlesford District Council, Blackburn with Darwen Borough Council, Stratford on Avon District Council, Warwickshire County Council, Wychavon District Council, Cambridgeshire County Council, Cambridge City Council, Runnymede Borough Council, East Hertfordshire District Council and North Hertfordshire District 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/05/06 Service Development Programme

A report of the Lead Officer was submitted outlining service developments at NPAS in the context of a report to the Five Year Review Sub-Committee, and suggesting how the findings of the University of Birmingham User Survey may be used to shape developments over the next five years.

Members commented on the amount and type of information being considered for publication on the www.parking-appeals.gov.uk web site and agreed that there was a need to exercise caution in this regard. Whilst it was necessary to publish information, the focus should be on a user friendly basis.

Decision

1. To note the initial findings of the University of Birmingham user survey.
2. To endorse the service development proposals contained within the report.
3. To request the Lead Officer to submit an interim report to the meeting of the Joint Committee in June on the information to be made available on the web.

NPAS/EX/05/07
2004/2005

Monitoring of Revenue and Capital Accounts for

A report was submitted presenting expenditure monitoring information in respect of the Revenue and Capital Accounts for 2004/2005.

Decision

1. To note the expenditure monitoring information contained within the report.
2. To authorise the Lead Officer in consultation with the Chair, Vice chair or Assistant Chair to incur expenditure against the revenue budget in excess of the £1,987,880 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 2004/05 revenue account this be carried forward to 2005/06.

NPAS/EX/05/08

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 how swift the service is delivered; accommodation at the headquarters.

Decision

1. To note the expected take up of decriminalised parking enforcement powers.
2. To note the performance being attained during 2004 and the agreed service standard indicators.
3. To agree to change the telephone answering target from 80% to 90%, and the Acknowledgement of Appeal target from 80% to 95% with effect from 1st January, 2005.
4. To authorise the Lead Officer to enter into an appropriate lease arrangement for the 5th Floor of Barlow House, the present headquarters building, on behalf of the Joint Committee, should this become available.

NPAS/EX/05/09

Revenue and Capital Budget Estimates 2005/2006

A report was submitted requesting approval of the Revenue and Capital Budget Estimates for 2005/2006.

Decision

1. To note that whilst in previous years the bids for capital funding for government have all been met, the bid for £200,000 within the LTP Transport Block Minor Works settlement in 2005/6 has not been accepted.
2. To approve the adoption of a zero capital budget for 2005/06.
3. To request the Lead Officer to keep under the review the need for future capital funding of projects and if so required, 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.
4. To agree that the development programme proposed for inclusion in the capital budget for 2005/06 be included in the revenue budget but implemented in a phased manor in order to spread the costs over 2005/06 as detailed in the report.
5. To adopt the Revenue Budget estimates for 2005/2006 as detailed in the report.
6. To agree that the development of enhancements to the 'AIMS' case management system continues to be developed by the previously accepted contractor Sopra Group Limited as preferred supplier.

NPAS/EX/05/10 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 2005/2006.

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:-

ELEMENT	CHARGE
Annual Charge (per SPA)	nil
Charge per PCN Issued	£0.60
Charges per Adjudication Case	nil

2. To agree that Service Charges are levied on a quarterly in advance basis for the PCN charge based on estimated figures and subsequently adjusted.

NPAS/EX/05/11 Annual Meeting of the Joint Committee

Decision

To note the Annual Meeting this year will be held on 30 June, 2006 at the Motorcycle Museum, Birmingham.

committee/npasjc/exsu

NATIONAL PARKING ADJUDICATION SERVICE JOINT COMMITTEE

REPORT FOR RESOLUTION

DATE: 30th June 2005
AGENDA ITEM: Number 6
SUBJECT: Final Accounts for 2004/2005.
JOINT REPORT OF: The Lead Authority

PURPOSE OF REPORT

To present to the Committee Final Accounts for the year 2004/2005.

RECOMMENDATIONS

It is recommended that the Joint Committee:

- [i] Receive and approve the 2004/2005 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 2004/2005 Revenue Account to the 2005/2006 Revenue Account.
- [iii] Delegate to the Lead Officer in consultation with the Treasurer, Chair and Deputy Chair of the Committee the adoption of a System of Internal Control in accordance with the Accounts and Audit Regulations.
- [iv] Note the District Auditor's reports in relation to year 2004/5.

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 27th January 2004.
Minutes of the NPASJC meeting 16th July 2004.
Minutes of the NPASJC Executive Sub-committee meeting 24th January 2005.
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 27th January 2004 it was agreed to: [i] adopt the Revenue Budget estimates for 2004/2005; [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 £200,000 for 2004/5 in line with the LTP Credit Approvals settlement.
- 1.3 At the meeting of the Executive Sub-Committee held on 24th January 2005 the Lead Officer was given authorisation in consultation with the Chair, Vice Chair or Assistant Chair to incur expenditure against the revenue budget in excess of the £1,987,880 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 2004/2005 final accounts for approval by the Joint Committee.

2.0 REVENUE ACCOUNTS

- 2.1 Details of the summary revenue and capital accounts for 2004/2005 are provided in the Appendix. The accounts for 2004/2005 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 2004/2005 the service received income of £1,989,647 and incurred expenditure of £1,797,841 (this excludes £35,150 pension costs which are now required to be calculated and reflected in the revenue accounts) producing a revenue surplus of £191,806. It is recommended that the surplus from 2004/2005 be carried forward into the Joint Committee's revenue reserves for use in future years. The combined surpluses as at 31st March 2005 amount to £528,696. This indicates a healthy financial situation that has enabled the service charges to be reduced for the 2005/6 financial year.
- 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 in those years. This pattern has been repeated in 2004/5 with a contribution from the revenue account of £1,842.

- 2.5 After the Accounts were finalised for year 2003/4 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 have been £1.701m. This has been 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 30th September 2003 that expenditure for 2001/2002 and 2002/3 was fully utilised in accordance with the LTP credit approvals. It was reported at the meeting held on 16th July 2004 that expenditure for 2003/4 was fully utilised in accordance with the credit approvals.

Year 2004/5

- 3.3 For year 2004/5 capital funding of £200,000 was made available via the Lead Authority's Annual Capital Guideline for integrated Transport Minor Works 'ring fenced' for NPAS. This funding was utilised on the development of the first phase of the AIMS case managements system, associated computer hardware and minor alterations to the HQ offices. Expenditure for the year totalled £201,842. There was a contribution from revenue income to capital outlay of £1,842 such that full advantage could be made of the credit approvals.
- 3.4 Details of the Capital Account for 2004/5 are provided in the Notes to the Balance Sheet.

4.0 FUTURE COMMITMENTS

- 4.1 In order to repay the 20% of the gross capital expenditure referred to in paragraph 2.2 above, future commitments on the revenue account will arise from capital expenditure during years 2002/3 to 2004/5 for a period of three years (includes the year monies were expended) after each of the accounting years. As there is a zero capital budget for year 2005/6, and unless there are other capital budgets in subsequent years, by the end of year 2006/7 all of the gross capital expenditure that has been borrowed would be fully repaid.
- 4.2 Actual repayments in years 2005/6 and 2006/7 will be dependent on interest rates during the period. However, based on the current interest rates the repayment profile would be:
- | | |
|--|------------------|
| | 2005/6 = £22,600 |
| | 2006/7 = £15,233 |

5.0 OTHER STATEMENTS

- 5.1 The Accounts now incorporate Capital and have been brought more in line with and to satisfy Regulations. A number of other statements are included in the accounts to satisfy the Regulations. These include a Balance Sheet and Cash Flow Statement.
- 5.2 Notes to the accounts and a statement of the accounting principles used in their preparation are also attached in the Appendix.
- 5.3 The Joint Committee is recommended to receive and approve the Accounts as shown in the Appendix.

6.0 SYSTEM OF INTERNAL CONTROL

- 6.1 The Accounts and Audit Regulations require the publication of a System of Internal Control (SIC) with the financial statements. This represents the end result of the review of internal control, including the process of risk management that should be embedded throughout the activities of the Joint Committee. As such, the production of the SIC should not be conducted as an 'add-on' end of year activity. The SIC should explain the nature of control, and any material changes in control, exercised through the whole of the accounting period.
- 6.2 Although published with the financial statements, the SIC is a broad reflection of the whole governance of the Joint Committee.
- 6.3 To date the systems of internal control adopted have not been explicitly stated but where appropriate those used by the Lead Authority have been used. With the continuing growth of the service activities and budgets, and the requirement of the regulations to provide for an SIC it is recommended that a system specific to the Joint Committee is now adopted. CIPFA recommend that the SIC should be approved by an Authority, in this case the NPASJC or delegated to a committee. In view of the time scale it is proposed to delegate to the Lead Officer in consultation with the Treasurer, Chair and Deputy Chair of the Committee the adoption of a SIC.
- 6.4 Should an Executive Sub-Committee (reported separately on the agenda) be established for the succeeding year, provision has also been made within the recommended terms of reference in regard to approving a SIC.

7.0 AUDITOR'S REPORT

- 7.1 The Audit Commission's report in relation to the accounts for year 2004/5 is to follow when available.
- 7.2 The Committee is recommended to note the Auditor's report, should this be available for the meeting.

APPENDIX

NATIONAL PARKING ADJUDICATION SERVICE

Statement of Accounting Policies

1. Explanatory Foreword

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 (outside London) 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 in the United Kingdom, issued in 2004 by the Chartered Institute of Public Finance and Accountancy (CIPFA) and with guidance notes issued by CIPFA on the application of accounting standards (SSAPs) and Financial Reporting Standards (FRSs).

3. Fixed Assets

All expenditure on the acquisition, creation or enhancement of fixed assets has been capitalised on an accruals basis.

The asset values have been depreciated in 2004-05. Depreciation has been calculated using a straight line method for all assets, where a finite life could be determined, in accordance with the Accounting Code of Practice.

4. Creditors and Debtors

The revenue and capital accounts are maintained on an accruals basis in accordance with the Accounting Code of Practice. Expenditure is charged to the account in the period in which goods or services are received; similarly, income is credited in the period in which it falls due. The payment or receipt of cash does not determine the period of account. Revenue and capital grants are accrued and credited to income in the same period in which the related expenditure was charged.

5. V.A.T.

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

6. Reserves

The National Parking Adjudication Service maintains certain reserves to defray general rather than specific items of future expenditure. These are detailed in note 6 to the Balance Sheet.

7. Pensions

The National Parking Adjudication Service pays an employer's contribution into the Greater Manchester Pension Fund which is a fully funded defined benefits scheme administered by Tameside Metropolitan Borough Council from whom an Annual Report is available.

8. Method of Estimating Pension Fund Liabilities

The pension disclosures have been prepared by an actuary in accordance with guidance note 36 issued by the Institute and the Faculty of Actuaries. In order to assess the value of the employer's liabilities in the fund at 31st March 2005 the value of employer's liabilities have been rolled forward from those at the formal valuation for 31st March 2004 allowing for the different financial assumptions required for 2004-05. The liabilities for active members have been adjusted to take account of any change in payroll of active members since April 2004. In the calculating the asset share the employer's share of the assets allocated as at the latest formal funding valuation has been rolled forward allowing for investment returns (estimated where necessary), the effect of contributions paid into and estimated benefits paid from the fund by the employer and its employees. This approach should not introduce any material distortion in the results.

In assessing liabilities for retirement benefits at 31st March 2004 for the 2003-04 Statement of Accounts, the actuary was required by the SORP to use a discount rate of 3.5%. For the 2004-05 Statement of Accounts, a rate based on the current rate of return on a high-quality corporate bond of equivalent currency and term to scheme liabilities is to be used. The actuary has advised that a rate of 5.5% is appropriate.

NATIONAL PARKING ADJUDICATION SERVICE

SUMMARY REVENUE ACCOUNT 2004/2005

2003-2004 Actual £		2004-2005 Budget £	2004-2005 Actual £
	Cost of Service		
522,719	Adjudicators	653,491	571,366
301,037	Employees	660,948	546,427
125,919	Premises	204,500	130,007
25,030	Transport	0	50,662
594,642	Supplies and Services	477,091	507,292
22,557	Capital Financing	27,000	27,237
1,591,904	Gross Total Costs	2,023,030	1,832,991
-1,688,412	Less Fees and Charges	-1,987,880	-1,989,647
	Pensions Interest Cost and Expected		
	Return on Pension Assets	-28,540	-28,540
	Contributions to / (from) Pensions Reserve	-6,610	-6,610
-96,508	Net (Surplus) / Deficit	0	-191,806
-240,382	Balance on Reserve b/f	0	-336,890
-336,890	Balance on Reserve c/f	0	-528,696

I certify that the above presents fairly the financial position of the National Parking & Adjudication Service at the 31/3/05 and it's income and expenditure

Richard Paver, City Treasurer



Date

22.6.05

NATIONAL PARKING ADJUDICATION SERVICE

Notes to the Revenue Account

1. Officers' Emoluments

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

	2003/2004	2004/2005
£80,000 - £89,999	1	
£90,000 - £99,999		1

2. Pension Scheme

The Greater Manchester Pension Scheme is a fully funded defined benefits scheme. Tameside MBC administer the scheme on behalf of the Greater Manchester Authorities.

Additional information in relation to the Local Government pension scheme is shown in note 6 to the Balance Sheet and in the Statement of Total Movement in Reserves.

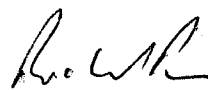
Attributable Movement in Schemes (Surplus) / Deficit	2004/2005 £
(Surplus) / Deficit at 1 April	181,216
Current Service Cost	84,263
Employer Contributions	(49,113)
Contributions - Unfunded Benefits	-
Past Service Costs	-
Impact of Curtailments	-
Expected Return on Employer Assets	(188,010)
Interest on Pension Scheme Liabilities	159,470
Actuarial (Gains) / Losses	531,903
(Surplus) / Deficit at 31 March	719,729

NATIONAL PARKING ADJUDICATION SERVICE

BALANCE SHEET as at 31 MARCH 2005

	Note	2004-2005	
		£	£
Fixed Assets			
Operational Assets			
Furniture and Equipment	2&3		166,667
TOTAL FIXED ASSETS			<u>166,667</u>
Current Assets			
Debtors and Payments in Advance	4	294,504	
Cash at Bank		1,010,955	
Total Current Assets			<u>1,305,459</u>
Current Liabilities			
Creditors and Receipts in Advance	5	-1,276,763	
Cash at Bank		-	
Total Current Liabilities			<u>-1,276,763</u>
Net Current Assets / (Liabilities)			28,696
TOTAL NET ASSETS			<u><u>195,363</u></u>
Long Term Liabilities			
Long Term Liabilities		166,667	
Liability Relating to Defined Benefit Pension Scheme	6	719,729	
			<u>886,396</u>
Reserves			
Revenue Account Surplus	7		528,696
Fixed Asset Restatement Account	7		-525,653
Capital Financing Account	7		25,653
Pension Reserve	6		-719,729
			<u><u>195,363</u></u>

Richard Paver, City Treasurer


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Date

22.6.05
.....

NATIONAL PARKING ADJUDICATION SERVICE

Notes to Balance Sheet

1. General

From 1 April 2004 the National Adjudication Service Capital Accounts were to be no longer incorporated in Manchester City Council's Accounts.

The accounts now incorporate both Revenue and Capital.

2. Capital Expenditure

Expenditure	2004/2005 £
Furniture and Equipment	201,842
Funded By	
Loan	200,000
Revenue Contributions	1,842
	201,842

3. Fixed Assets

Movements in Fixed Assets During the Year were as follows:

	Furniture and Equipment £
Net Book Value as at 1 April 2004	87,298
Expenditure in Year	200,000
Depreciation for Year	(120,631)
Net Book Value as at 31 March 2005	166,667
Gross Book Value as at 1 April 2004	153,964
Accumulated Depreciation as at 1 April 2004	66,666
Net Book Value as at 1 April 2004	87,298
Gross Book value as at 31 March 2005	353,964
Accumulated Depreciation as at 31 March 2005	187,297
Net Book Value as at 31 March 2005	166,667

Depreciation has been charged on a straight line method for all assets where a finite life can be determined.

4. Debtors and Payments in Advance

	31 March 2005
Amounts Falling Due in One Year	294,504
Represented By:	
Other Local Authorities	127,566
Other Public Bodies	166,938
	294,504

5. Creditors and Receipts in Advance

31 March 2005	
Amounts Falling in One Year	1,276,763
Represented By:	
Other Local Authorities	1,187,849
Other	88,914
	1,276,763

6. Local Government Pension Scheme

The National Parking Adjudication Service Pension Scheme is a fully funded defined benefits scheme. The last triennial valuation was on 31 March 2004.

The financial assumptions used at 31 March 05 were for inflation 2.9%, rate of increase in salaries 4.4%, rate of increase for pensions in payment and deferred pensions 2.9% and rate used to discount scheme liabilities 5.4%.

The fair value of the assets held by the pension scheme are analysed as follows:

Assets at 31 March 05 £		Long Term Rate of Return at 31 March 05 %
Equities	2,176,765	7.7
Bonds	433,110	4.8
Property	311,184	5.7
Cash	249,049	4.8
	3,170,108	

	31 March 05 £
Pension Scheme Asset	3,170,108
Present Value of Pension Scheme Liabilities	3,727,038
Present Value of Unfunded Liabilities	162,799
(Surplus) / Deficit of Pension Scheme	719,729

The present value of the pension scheme liabilities are based on actuarial assumptions.

This has the effect of reducing the reserves by £719,729.

7. Reserves

The National Adjudication Service maintains a number of reserves to meet general rather than specific expenditure and fund balances which represents its net worth.

Movements on these reserves were as follows:

	Balance at 1 April 2004 £	Applied 2004-05 £	Contributions 2004-05 £	Balance at 31 March 2005 £
Revenue Reserve	336,890	-	191,806	528,696
Capital Financing Account	23,811	-	1,842	25,653
Fixed Asset Restatement Account	(323,811)	-	(201,842)	(525,653)

8. Financial Reporting and the Euro

No commitments have been entered into at 31 March 2005 in respect of costs likely to be incurred in the introduction of the Euro. At this time the financial implications of the introduction cannot be assessed.

NATIONAL PARKING ADJUDICATION SERVICE

Statement of Total Movement in Reserves 1 April 2004 – 31 March 2005

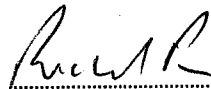
	CAPITAL RESERVES		REVENUE RESERVES	
	Fixed Asset Restatement Account £	Capital Financing Account £	General Reserve £	Pension Reserve £
Balance at 1 April	(323,811)	23,811	336,890	(181,216)
Net Surplus / (Deficit) for Year	(201,842)	1,842	191,806	(538,513)
Balance at 31 March	(525,653)	25,653	528,696	(719,729)

NATIONAL PARKING ADJUDICATION SERVICE

CASH FLOW STATEMENT FOR YEAR ENDED 31 MARCH 2005

	Notes	2004-2005	
		£	£
REVENUE ACTIVITIES			
Cash Outflows			
Cash Paid to and on Behalf of Employees		648,760	
Other Operating Cash Payments		55,232	
		<hr/>	703,992
Cash Inflows			
Cash Received for Goods and Services			-2,378,169
Net Cash Flow from Revenue Activities			-1,674,177
CAPITAL ACTIVITIES			
Cash Outflows			
Purchase of Fixed Assets		232,480	
Cash Inflows			
Cash Received for Goods and Services		-81	
		<hr/>	232,399
Increase in Cash	1		<u><u>-1,441,779</u></u>

Richard Paver, City Treasurer


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Date

22.6.05
.....

NATIONAL PARKING ADJUDICATION SERVICE

Notes to Cash Flow Statement

1. Increase in Cash

	2004-2005 £
Bank Balance at 1 April 2004	(430,824)
Movements in Year	1,441,779
Bank Balance at 31 March 2005	1,010,955

The bank account balance includes £1,021,259 of cash due to be paid to Manchester City Council.

NATIONAL PARKING ADJUDICATION SERVICE

THE STATEMENT OF RESPONSIBILITIES FOR THE STATEMENT OF ACCOUNTS

The National Parking Adjudication Service Joint Committee Responsibilities

The Joint Committee is required:

to make arrangements for the proper administration of its financial affairs and to make secure that one of its officers has responsibility for the administration of those affairs. In this case, that officer is the Service Director;

to manage its affairs to secure economic, efficient and effective use of resources and safeguard its assets;

to approve the statement of accounts.

The City Treasurer of Manchester City Council's Responsibilities

The City Treasurer is responsible for the preparation of the Joint Committee's statement of accounts in accordance with proper practices as set out in the CIPFA / LASAAC Code of Practice on Local Authority Accounting in the United Kingdom ("the Code of Practice").

In preparing this statement of accounts, the City Treasurer has:

selected suitable accounting policies and then applied them consistently;

made judgements and estimates that were reasonable and prudent;

complied with the Code of Practice.

The City Treasurer has also:

kept proper accounting records which were kept up to date;

taken reasonable steps for the prevention and detection of fraud and other irregularities.

The statement of accounts presents fairly the position of the Joint Committee as at 31 March 2005, and its income and expenditure for the year ended 31 March 2005.

Richard Paver, City Treasurer  Date ..22.6.05

NATIONAL PARKING ADJUDICATION SERVICE

Statement on Internal Control

1. Scope of responsibility

The National Parking Adjudication Joint Committee (NPAJC) is responsible for ensuring that its business is conducted in accordance with the law and proper standards, and that public money is safeguarded and properly accounted for, and used economically, efficiently and effectively. NPAJC also has a duty under the Local Government Act 1999 to make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness.

In discharging this overall responsibility, NPAJC is also responsible for ensuring that there is a sound system of internal control which facilitates the effective exercise of NPJAC's functions and which includes arrangements for the management of risk.

2. The Purpose of the System of Internal Control

The system of internal control is designed to manage risk to a reasonable level rather than to eliminate all risk of failure to achieve policies, aims and objectives; it can therefore only provide reasonable and not absolute assurance of effectiveness. The system of internal control is based on an ongoing process designed to identify and prioritise the risks to the achievement of NPAJC policies, aims and objectives, to evaluate the likelihood of those risks being realised and the impact should they be realised, and to manage them efficiently, effectively and economically.

The system of internal control has been in place at NPAJC for the year ended 31 March 2005 and up to the date of approval of the annual report and accounts.

3. The Internal Control Environment and Review of Effectiveness

There has not previously been a statement on internal control formally adopted by the NPAS Joint Committee. Manchester City Council is the "Lead Authority" on behalf of the NPAS Joint Committee (NPASJC). To date the systems of internal control has used systems that exist within the lead authority.

The system of control is based on a framework arising from the NPASJC agreement entered into under section 101(5) of the Local Government Act 1972, administrative and reporting procedures to the joint committee and their officer advisory board, a scheme of officer delegation and accountability, financial regulations, and regular financial management information. Development and maintenance of the system is undertaken by managers within the lead authority, and NPAS.

In particular, the system includes: a comprehensive budgeting system; the preparation of regular financial reports which indicate actual expenditure against the forecast; risk management.

4 Significant Internal Control Issue

No significant internal control issues have been identified, however for the future the NPASJC is to be recommended to adopt a formal system of Internal Control as required by the Accounts and Audit Regulations and as recommended by CIPFA

Service Director on behalf of the Lead Officer  24-06-05.

Chair, NPASJC

Date

GLOSSARY OF FINANCIAL TERMS

Actuarial Gains and Losses

For a defined benefit pension scheme, the changes in actuarial deficits or surpluses that arise because events have not coincided with the actuarial assumptions made for the last valuation (experience gains and losses) or the actuarial assumptions have changed.

Assets

Items of worth which are measurable in terms of value. Current assets are ones that may change in value on a day-to-day basis (i.e. stocks). Fixed assets are assets that yield benefit to the Council for a period of more than one year (i.e. land).

Balances

The reserves of the National Parking Adjudication Service, which include the accumulated surplus of income over expenditure.

Capital Charge

The charge to services for the use of fixed assets. As a minimum, the capital charge must cover the annual provision for depreciation, where appropriate, based on the useful life of the asset plus a capital financing charge determined by applying a specified notional rate of interest to the amount at which the asset is included in the balance sheet.

Capital Expenditure

Expenditure on the acquisition or enhancement of fixed assets that have a long-term value to the Council. This includes grants or advances paid to third parties to assist them in acquiring or enhancing their own fixed assets.

Creditors

Amounts owed by the Council for goods and services provided, where payment has not been made at the date of the balance sheet.

Current Service Cost

The increase in present value of a defined benefit pension scheme's liabilities expected to arise from employee service in the current financial year.

Curtailments

For a defined benefit pension scheme, an event that reduces the expected years of future service of present employees or reduces the accrual of defined benefits for a number of employees for some or all of their future service.

Debtors

Sums of money owed to the Council but not received at the date of the balance sheet.

Defined Benefit Scheme

A pension or other retirement benefit scheme other than a defined contribution scheme. Usually, the scheme rules define the benefits independently of the contributions payable, and the benefits are not directly related to the investments of the scheme. The scheme may be funded or unfunded.

Defined Contribution Scheme

A pension or other retirement benefit scheme into which an employer pays regular contributions fixed as an amount or percentage of pay and will have no legal or constructive obligation to pay further contributions if the scheme does not have sufficient assets to pay all employee benefits relating to employee service in the current and prior periods.

Expected Return on Pension Assets

For a funded defined benefit pension scheme, the average return, including both income and changes in fair value but net of scheme expenses, expected over the remaining life of the related obligation on the actual assets held by the scheme.

Expenditure

Amounts paid by the Council for goods received or services rendered of either a capital or revenue nature. This does not necessarily involve a cash payment - expenditure is deemed to have been incurred once the goods or services have been received even if they have not been paid for.

Fees and Charges

Income arising from the provision of services, e.g. the use of leisure facilities.

Income

Amounts due to the Council for goods supplied or services rendered of either a capital or revenue nature. This does not necessarily involve cash being received - income is deemed to have been earned once the goods or services have been supplied even if the cash has not been received.

Interest Cost (Pensions)

For a defined benefit scheme, the expected increase during the period in the present value of the scheme liabilities because the benefits are one period closer to settlement.

Liabilities

Amounts due to individuals or organisations which will have to be paid at some time in the future. Current liabilities are usually payable within one year of the balance sheet date.

Operational Assets

Fixed assets occupied, used or consumed by the Council in direct delivery of services for which it has a statutory or discretionary responsibility.

Past Service Cost

For a defined benefit pension scheme, the increase in present value of the scheme liabilities related to employee service in prior periods arising in the current period as a result of the introduction of, or improvement to, retirement benefits.

Reserves

These are sums set aside to meet possible future costs where there is no certainty about whether or not these costs will be incurred.

Revenue Contributions

The method of financing capital expenditure directly from revenue.

Revenue Expenditure

Expenditure incurred on the day-to-day running of the Council. This mainly includes employee costs, general running expenses and capital financing costs.

Statement of Standard Accounting Practice (SSAPs)

These are statements prepared by the Accounting Standards Committee (established by the major accounting bodies) to ensure consistency in accountancy matters. Many of these standards now apply to local authorities and any departure from these must be disclosed in the published accounts.

NATIONAL PARKING ADJUDICATION SERVICE JOINT COMMITTEE

REPORT FOR RESOLUTION

DATE: 30th June 2005
AGENDA ITEM Number 7
SUBJECT: New NPASJC Councils
REPORT OF: The Lead Officer,
On behalf of the Advisory Board

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 24th January 2005 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 24th January 2005
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:

Leeds	S.I. 2005 No.95
Stockport	S.I. 2005 No.81
Havant	S.I. 2005 No.233
Sheffield	S.I. 2005 No.194
Thurrock	S.I. 2005 No.370
Coventry	S.I. 2005 No.378
Torbay	S.I. 2005 No.387
Spelthorne	S.I. 2005 No.403
Epsom and Ewell	S.I. 2005 No.388
Broxbourne	S.I. 2005 No.405
Stevenage	S.I. 2005 No.452
Welwyn Hatfield	S.I. 2005 No.779

1.0 BACKGROUND

- 1.1 Since the meeting of the Committee on 24th January 2005, the local authorities listed in the Appendix have become a party to the NPASJC Agreement.
- 1.2 Hampshire County Council is already a party to the agreement and therefore does not need to rejoin in respect of the Havant area. Surrey County Council is already a party to the agreement and therefore does not need to rejoin in respect of the Epsom & Ewell and Spelthorne areas. Hertfordshire County Council is already a party to the agreement and therefore does not need to rejoin in respect of the Broxbourne, Stevenage, and Welwyn Hatfield 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 Committee held on 24th January 2005

Leeds City Council
Stockport Metropolitan Borough Council
Sheffield City Council
Havant Borough Council
Coventry City Council
Torbay Borough Council
Epsom and Ewell Borough Council
Spelthorne Borough Council
Broxbourne Borough Council
Stevenage Borough Council
Welwyn Hatfield District Council

NATIONAL PARKING ADJUDICATION SERVICE JOINT COMMITTEE

REPORT FOR RESOLUTION

DATE: 30th June 2005

AGENDA ITEM Number 8

SUBJECT: General Progress and Service Standards

JOINT REPORT OF: The Lead Officer
On behalf of the Advisory Board

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 during 2004.

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 2004 against the agreed service standard indicators.

CONTACT OFFICER

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

BACKGROUND DOCUMENTS

Report to NPASJC Committee Meeting held on 18th September 2002.
Report to NPASJC Committee Meeting held on 30th September 2003.
Report to NPASJC Committee Meeting held on 16th July 2004
Report to Executive Sub-Committee held on 24th January 2005

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 2004.
- 1.3 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 150 councils that are a party to the NPASJC agreement, with some 130 Special & Permitted Parking Areas (SPAs) established in the scheme. It is predicted that there will be a further 28 SPAs by the end of the current financial year.
- 2.4 In 2006/7/8 another 8 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 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. The indicators for year 2004 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%
Year 2004	79% (6,568 Appeals)	80%	88% (3,873 Appeals)	80%

3.3 It should be noted that data reported in Table1 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* has been delivered by the system developer and is currently undergoing extensive testing prior to the role out and training phases. It is expected to become operational during 2005 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. 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 19th 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. At the meeting of the Executive Sub-committee held on 24th January 2005, it was agreed to change the telephone answering target from 80% to 90%, and the Acknowledgement of Appeal target from 80% to 95% with effect from 1st January, 2005.
- 3.7 Details for year of 2004 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%
Year 2004	97% (29,764 calls)	80%	99% (10,441 appeals)	80%

- 3.5 The Committee is requested to note the performance attained against the agreed service standard indicators for year 2004.

APPENDIX 1**Existing and future Special & Permitted Parking Areas****Councils with SPA/PPA Areas**

Allerdale	Hampshire	Rushmoor
Ashford	Harlow	Salford
Aylesbury Vale	Harrogate	Salisbury
Barrow	Hart	Sandwell
Basildon	Hastings	Sefton
Basingstoke and Deane	Havant	Sevenoaks
Bath and North East Somerset	Herefordshire	Sheffield
Bedford	Hertfordshire	Shepway
Bedfordshire	Hyndburn	Slough
Birmingham	Kent	Somerset
Blackburn with Darwen	Lancashire	South Bedfordshire
Blackpool	Lancaster	South Lakeland
Bolton	Leeds	South Ribble
Bournemouth	Lewes	Southampton
Braintree	Liverpool	Southend-on-Sea
Brentwood	Luton	Spelthorne
Brighton & Hove	Maidstone	St Albans
Bristol	Maldon	Stevenage
Broxbourne	Manchester	Stockport
Buckinghamshire	Medway	Stoke-on-Trent
Burnley	Mid Bedfordshire	Stratford
Bury	Middlesbrough	Sunderland
Cambridge	Milton Keynes	Surrey
Cambridgeshire	Mole Valley	Swale
Canterbury	Neath Port Talbot	Swindon
Carlisle	Norfolk	Taunton Deane
Carmarthenshire	North Dorset	Tendring
Castle Point	North Hertfordshire	Test Valley
Chelmsford	North Yorkshire	Thanet
Chorley	Northampton	Three Rivers
Christchurch	Northamptonshire	Thurrock
Colchester	Norwich	Tonbridge & Malling
Copeland	Nottingham	Trafford
Coventry	Oldham	Torbay
Cumbria	Oxfordshire	Tunbridge Wells
Dacorum	Pendle	Uttlesford
Dartford	Peterborough	Wareham Town
Denbighshire	Plymouth	Warwickshire
Dorset	Poole	Welwyn Hatfield
Dover	Portsmouth	West Lancashire
East Hertfordshire	Preston	Weymouth and Portland
East Sussex	Purbeck	Wigan
Eastleigh	Reading	Wiltshire
Eden	Redcar and Cleveland	Winchester
Epping Forest	Reigate and Banstead	Wirral
Epsom and Ewell	Ribble Valley	Worcester
Essex	Rochdale	Worcestershire
Fylde	Rochford	Wychavon
Gravesham	Rossendale	Wyre
Guildford	Runnymede	York

Future Special and Permitted Parking Areas

Areas expected in 2005/6 with nominal start dates

Area	Expected commencement date
Hartlepool	4 July 2005
Barnsley	4 July 2005
Rotherham	4 July 2005
Doncaster	4 July 2005
Woking	25 July 2005
Stockton on Tees	1 September 2005
Chiltern	1 September 2005
Horsham	29 September 2005
Mid Sussex	29 September 2005
Surrey Heath	September 2005
Hertsmere	1 October 2005
Ipswich	1 October 2005
Scarborough	3 October 2005
Northamptonshire (remaining districts)	October 2005
Elmridge	December 2005
Dudley	2005
Rugby	2005
Newcastle	2005
South Tyneside	2005
Gateshead	2005
Hull	2005
Wolverhampton	2005
Solihull	2005
Walsall	2005
Warwick	2005
New Forest	1 January 2006
Tandridge	March 2006
Nuneaton and Bedworth	March 2006

Areas expected in 2006/7/8

Area	Expected commencement date
Bracknell Forest	1 April 2006
Waverley	June 2006
Tameside	July 2006
Kirklees	3 July 2006
Conwy	September 2006
Nottinghamshire	29 January 2007
Chester	April 2007
Crewe and Nantwich	April 2007
Ellesmere Port and Neston	April 2007

NATIONAL PARKING ADJUDICATION SERVICE JOINT COMMITTEE

REPORT FOR RESOLUTION

DATE: 30th June 2005
AGENDA ITEM: Number 9
SUBJECT: Annual Report of the Parking Adjudicators
REPORT OF: The Chief Adjudicator

PURPOSE OF REPORT

To receive the annual report from the Adjudicators for the calendar year 2004. 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 1st January to 31st December 2004.
- [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 The report of the adjudicators, incorporating the service annual report, is enclosed with the committee papers.
- 1.3 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.
- 1.4 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.
- 1.5 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.
- 1.6 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.
- 1.7 The report is a joint report for the period 1st January to 31st December 2004 of all the Adjudicators. I have pleasure in introducing this sixth report of the Parking Adjudicators.

**The Joint Report of the Parking
Adjudicators for England and Wales
2004**

National Parking Adjudication Service

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Chief Adjudicator's Foreword

2004 will prove to be a turning point for the National Parking Adjudication Service (NPAS). This is principally because the Traffic Management Act 2004 when implemented will extend council enforcement of minor traffic contraventions beyond parking. Penalty Charge Notices will be issued by Councils for moving traffic offences such as bus lane contraventions, no right turn, remaining in yellow boxes at junctions, and various other minor moving traffic offences. The jurisdiction of the now 'parking' adjudicators will be similarly extended to embrace the wider jurisdiction.

It is anticipated that some of the new powers will be given to local authorities in 2006. This will require a change in the name of the National Parking Adjudication Service to signify that our remit extends beyond parking.

A further consideration will be that the TMA powers apply separately to England and Wales since council traffic matters have been devolved to the Welsh Assembly. At present it is anticipated that TMA powers will be adopted in England first. It will therefore be necessary to deliver appeal arrangements for the Welsh councils in a different way which will impact on what is now NPAS.

The change in name will provide an opportunity to re-examine the values and principals of this tribunal and to respond to the recommendations made by Professor Raine and Eileen Dunstan from the School of Public Policy at Birmingham University in their report on the User Survey they conducted for NPAS. The research for that report was conducted in 2004 and reveals some highly significant issues, both in terms of existing users' satisfaction and some pointers to the future to help us improve our services to motorists and councils alike. The findings of that report are contained in this Annual Report.

Of further significance was the Local Government Ombudsman's Special Report (LGO) into Parking Enforcement by Councils. It made enlightening comments and recommendations about consideration of representations by councils under the Road Traffic Act 1991. That report reminds councils of the importance of giving proper consideration to the exercise of discretion. It also pointed to a number of flaws in council processes and gave examples of over-restrictive, and in some case wrong, advice provided on council forms.

This helpful intervention by the LGO comes at an opportune time since before implementing the TMA powers the Department for Transport must issue new Guidance to councils on the exercise of those powers. It is to be hoped that the LGO will be invited to comment upon, or even contribute to the Guidance.

In addition to the Guidance, the civil enforcement powers for local authorities cannot be implemented until the Lord Chancellor has made the Regulations dealing with enforcement of penalty charges and representations in appeals. Bearing in mind the LGO's comments it is significant that the new enabling provisions provide for Adjudicators to have the express power to refer cases back to Councils for reconsideration. This is a welcome development for cases where the Adjudicator is of the opinion that the Council did not properly consider the representations, or new facts have arisen in the evidence and during the course of the appeal which should be further considered by the local authority. These new provisions will provide a safe guard for the public to ensure that all relevant matters relating to the enforcement of a penalty charge can be considered at the appropriate level.

Those new provisions will also help to reinforce one of the fundamental principals of adjudication, which is that the Adjudicators on appeal have a full range over the issues in the case. One of the findings of Professor Raine's user survey report was that there is a misunderstanding on the part of Councils of the judicial process, and that not all appellants realise that Adjudicators are lawyers. One of the misunderstandings about the judicial process is that it appears that many Councils believe that the role of the Adjudicator is to conduct a review of the Councils original decision to reject the vehicle owner's representation. Some seem to believe that the Adjudicator should be deciding whether the Council made a reasonable decision to reject representations, based on the information that was available to the Council. However that is not the approach on an appeal. The Adjudicator is entitled to take into account all the evidence available, whether or not it was available to the Council originally and they consider evidence that would not otherwise be admissible in an ordinary court. In fact the Road Traffic Act 1991 expressly allows an appeal to be made on a ground different from the original ground for the making of representations.

It must also be borne in mind that the first time that the vehicle owner has seen the Council's evidence is when the bundle of evidence is submitted for the Adjudicator to consider. It is often the case that having seen this evidence, and in particularly photographs, Appellants realise that there has been a mistake, or indeed that the Council evidence confirms the Appellant's account. It is not surprising, given the large number of representations that Councils receive, that they may not always accept what has been expressed to them in simple terms, either on the representation forms or a short letter. The Adjudicator's specific task is to explore the issues more fully, consider more detailed evidence and accordingly make findings of fact. It is inevitable that there will be a wider range of evidence available on appeal than was available to the Council.

At the time of writing this Foreword the powers of adjudicators to consider matters of discretion have been considered in the High Court in *R (Walmsley) v Lane* and another [2005] EWHC 896 (Admin), On the face of it that decision appears to conflict the judgment of Elias J in *Westminster Council v. The Parking Adjudicator* [2002] EWHC 1007 (Admin) where the court considered that the powers of a Parking Adjudicator to direct cancellation of a penalty charge notice were limited to circumstances where the statutory grounds of appeal applied and the consideration of wider mitigating circumstances was inappropriate. In the more recent *Walmsley* case the High Court has interpreted the Adjudicator's powers rather differently. The case involved an appeal against a penalty charge issued under the Central London Congestion Charging Scheme but the wording of the Congestion Charging Regulations is identical to the wording of the 1991 Road Traffic Act setting out the powers of the Parking Adjudicator. Burnton J interpreted identical wording of the powers of an adjudicator to include the power to give direction even if a statutory ground has not been established.

Therefore the combination of *Walmsley* judgment and the LGO's report strengthen the need for the TMA Regulations and Guidance to provide clear provisions for dealing with cases which demand the exercise of discretion.

In the forward to the NPAS Annual Report last year I called for more openness in terms of Councils publishing their statistics and accounts. I made this suggestion in the knowledge that, contrary to considerable public and press belief, a significant number of Councils are conducting their parking enforcement affairs very well indeed. I am pleased to say that in the last year there have been two important reports that have been commissioned with a view to examining performance quality by Councils in their civil enforcement activities. The first report has been commissioned by the British Parking Association (BPA) and has

been conducted by Richard Childs QPM. He has interviewed a wide number of participants in the civil enforcement scheme and will be presenting his full recommendations in a report in July 2005. The second report arose as a consequence of the NPAS user survey, whereby Professor Raine's team at Birmingham University were commissioned by a steering group chaired by Robert Buchanan of the Audit Commission, to investigate performance standards for Council parking departments and to recommend some standards that could be applied to assess that performance. Professor Raine's report will also be published in July 2005. The combination of these two reports, which have looked at different aspects of Council parking enforcement in a different amount of detail, will provide a sound and fundamental basis for the Secretary of State's guidance which will be issued on the implementation of the Traffic Management Act. It is also to be hoped that the Audit Commission will adopt performance targets for Council's Civil Enforcement Departments to add to their existing scrutiny of other functions and departments of local authorities.

In the autumn of 2004 the NPAS Adjudicators held their annual conference in Edinburgh, jointly with the Scottish Parking Adjudicators. This proved to be a great success and Adjudicators from both sides of the Border welcomed the opportunity to share common experiences and interpretations of the law. While traffic has been devolved to the Scottish Parliament and the Welsh Assembly, nevertheless the Adjudicators recognise that motorists need consistency of approach to similar issues throughout the UK. However consistency in itself is a brittle concept. The NPAS user survey revealed that Councils desired greater consistency between Adjudicators. Nothing more than the issue of consistency highlights the difference between the administrative and judicial mindsets identified by Professor Raine. The resolution of those differences may prove to be a lengthy and enlightening process.

Introduction

The National Parking Adjudication Service Adjudicators have pleasure in presenting their joint Annual Report for 2004.

34 new councils took on DPE powers during 2004 so that by the end of the year there were 117 councils in England and Wales in our jurisdiction. The number of PCN's in 2004 issued rose proportionately but not excessively, from 2,500,398 to 2,853,089. Interestingly, the appeal rate was precisely the same as in 2003, namely 0.37% that is 10,441 appeals registered in 2004 compared with 9,213 in 2003.

Each year we always emphasise that it is only a very small proportion of PCN's that result in an appeal. This is often cited as evidence that over 99% of PCN's issued are correct and justified. We caution against that conclusion since it must always be borne in mind that the scheme is designed to encourage swift payment at the 50% reduced rate. The reasons for this are to some extent a matter for speculation, but many appellants who attend oral hearings complain that the representation and appeal process is time consuming and bureaucratic. Another explanation for the low appeal rate was identified by Professor Raine and Eileen Dunstan of the School of Public Policy at Birmingham University who conducted an extensive survey of the NPAS users, not only appellants and councils, but also potential appellants. Their research clearly demonstrated that there is considerable lack of public awareness of the right to appeal. Accordingly they recommended that we must take immediate steps to raise awareness of the right to appeal.

Another important finding of the User Survey was that appellants who attend a personal hearing experience a high degree of satisfaction (even if they loose their appeal) and are in no doubt about the judicial nature of the proceedings and that the Adjudicator is a Lawyer. We are, however, concerned that the same impression is not gained by appellants who ask for a postal decision. Worst still, there are potential Appellants who know of their right to appeal but do not do so because they are sceptical about the independent and judicial nature of our process. The Adjudicators are committed to working together with the NPAS administrative staff to endeavour to address any misconceptions that exist..

The report also confirmed that, again despite the low proportion of PCN's that come to appeal, council officers have strong views, both positive and negative, about adjudicators' decisions and their effect on parking enforcement. The researchers drew some thought provoking conclusions that lack of understanding about the judicial process is not confined to appellants; they found that many councils officers are under the impression that the role of the adjudicators is to take an administrative approach rather than the traditional judicial one. This can give rise to misunderstandings and unrealistic expectations. Accordingly, the adjudicators are committed to working with the NPAS staff to raise awareness of the principles of the judicial approach to deciding appeals.

The Birmingham University report and recommendations are examined in full later in this report

The statistics that emerge from our years' work show that while the overall appeal rate remains is 0.37%, the proportion varies considerably from council to council. Whether that is attributable to quality of performance or differing enforcement polices is in itself worthy of further research. The effect that a change in policy can have on the volume of appeals is demonstrated by the statistics for 2004 about vehicles that were towed away in addition to being issued with a PCN. In 2004 Manchester City Council, partly in response to attention

we drew in our 2001/2002 annual report to need for proportionality policies where vehicles are towed away, reconsidered their approach, developed clear and focussed policies resulting in half the number of vehicles being removed, as few as 25 appeals of which the adjudicators allowed only 27%.

Bearing in mind the Manchester initiative we were struck when compiling the statistics for 2004 by the number of cases where motorists have appealed against their vehicle being towed away yet the Council, at the appeal stage, has decided not to contest the appeal, refunding the release charges. In our 2003 Annual Report we drew attention to the high percentage of cases where Councils do not contest an appeal that has been lodged at NPAS. Adjudicators considered that these cases merited close examination so we have prepared a detailed report. We regret that, particularly with respect to one council, the evidence points to a failure on the part of councils to consider the first representations properly. We have commented on this in earlier reports and it is disappointing that, especially where a council has used the draconian enforcement power of removing the vehicle, that in some cases the complaint has not been investigated properly until such time as the motorist appeals. Again, the conclusions of our research into these cases causes considerable concern for motorists whose representations have been rejected but have given up on taking their case further by way of an appeal.

We have also identified cases for one council where adjudicators have repeatedly commented about the need for proportionality in the decision to tow away a vehicle, yet the council has continued to tow away vehicle in the same circumstances. Disregard for adjudicators decisions is not simply regrettable but contrary to the principles involved in civil enforcement of parking regulations.

Having said that, there is plenty of evidence that for most councils the greater their experience of civil parking enforcement the better they get at dealing with representations. This is demonstrated by the lack of increase in the overall volume of appeals where the numbers of appeals from experienced councils diminish as new councils come into the scheme. The need for a detailed and thoughtful approach to representations is illustrated well by two of the topics which we have decided to highlight in this report. They illustrate the variety of issues that can apply to apparently similar types of cases.

We have looked particularly at cases involving Blue Badges for people with disabilities. 2004 saw the bringing into force of the last provisions of the Disability Discrimination Act. This placed a much greater duty on public authorities to make proper provision for people with disabilities. The Blue Badge Scheme for parking, which is applicable across the EU, provides for exemptions from parking restrictions and some payment for parking for people with disabilities displaying a blue badge in the vehicle. Over the years there have been consistently issues arising out of the display of blue badges, failure to display blue badges, vehicles parking in disabled bays without badges, and various other issues. Therefore this year we have included an analysis of some of the cases that Adjudicators dealt with in 2004 involving blue badges or badge holders.

We have also featured cases involving parking enforcement on sporting match days. As the civil parking enforcement expands across England and Wales it incorporates more Councils that have a football ground in their area. A number of schemes have been devised by Councils to cope with the influx of vehicles on match days and inevitably there have been numerous appeals from vehicle owners whose vehicles were caught up in the match day restrictions. We have therefore analysed a variety of the cases that came before us in 2004 in the hope that some consistency can be adopted by Councils so that football fans have a clear idea before they set out of what the parking arrangements may be at the football ground they are visiting.

Disabled drivers and the blue badge scheme

The blue badge scheme

The blue badge scheme provides a range of parking benefits for disabled people with severe walking difficulties who travel either as drivers or passengers. It also applies to the registered blind and people with certain upper limb disabilities. The scheme was introduced on 1 April 2001 and had wholly replaced the old orange badge scheme by 31 March 2003. In **HI 477** an orange badge was doctored so that the 2001 expiry date appeared to read 2004. The parking attendant, who realised that the badge had been tampered with, correctly issued a PCN.

Blue badges are issued by local authority social services departments on application. A successful application leads to the issue of:

- a badge;
- a special parking disc (clock); and
- an explanatory booklet.

Misuse of a blue badge may result in the badge being withdrawn. In particular, it is an offence:

- for a non-disabled person to use a badge; or
- to drive a vehicle displaying a blue badge unless the badge holder is in the vehicle.
- Badge holders are also discouraged from allowing non-disabled people to take advantage of the benefits while they themselves sit in the car.

Badges are issued for three years. A badge which is no longer required must be returned to the issuing authority.

The benefits of the scheme

The purpose of the scheme is to enable disabled people to park close to their destination in places where ordinary road users are not allowed to park. A blue badge confers a number of on-street parking concessions. Badge holders may park:

- for up to three hours on single or double yellow lines;
- in a designated disabled person's parking bay; and
- free of charge in on-street pay and display parking facilities.
- They may also be exempt from time limits on parking imposed on other users.

PCN's issued to non-badge holders who park in designated bays are usually upheld on appeal. The fact that the appellant in **NG 524** could find nowhere else to park in order to unload his vehicle did not justify stopping in a disabled person's bay.

The limits of the scheme

A blue badge is not a general licence to park. Pages 7 and 8 of the explanatory booklet explain where parking is not permitted. Appeals against PCN's issued to vehicles displaying blue badges in places where scheme concessions do not apply seldom succeed, as these dismissed appeals demonstrate: **SS 887** (parked in a bus stop); **CH 90** (parked in a residents-only space); **RG 2322** (parked where loading restrictions were in force; it made no difference that all the nearby disabled spaces were full). In **HS 340**, the appellant parked overnight on a double yellow line. The adjudicator decided that no badge had in fact been on display but, even if it had, the appellant would not have been entitled to park for more than three hours let alone overnight.

A vehicle displaying a blue badge may not be wheel clamped for decriminalised parking contraventions on the public highway, although a vehicle parked dangerously or causing an obstruction may be subject to enforcement, including removal, by the police.

Expired and non-existent badges

To take advantage of the benefits of the scheme, the appellant must actually have a badge and it must be valid. In **BI 12** the appellant parked on a single yellow line while waiting to receive the badge which had been applied for. In **PL 1189** the appellant was actually on her way to the council's offices to renew her badge and (understandably) took the old badge with her. Both appeals were dismissed. In **SS 917** the badge on display had expired. The adjudicator rejected the appellant's argument that the council was under a duty to remind him to renew his badge. Section 11 of the explanatory leaflet informs badge holders of the need to re-apply several weeks before a badge expires.

Off street parking places

The blue badge scheme does not automatically confer concessions in off street parking places. Although many TRO's (and the corresponding signage) do allow badge holders to park in off street car parks in specially designated spaces and/or on superior terms to ordinary users, this is not necessarily the case. In **GM 170** the appellant parked in a p&d car park and displayed his blue badge instead of purchasing a ticket. A PCN was issued and the subsequent appeal dismissed. The adjudicator confirmed that badge holders are not entitled to park free of charge as of right in off street p&d parking places; nor is there a legitimate expectation that designated spaces will be provided for them.

Where disabled spaces are provided, attendants and councils must be careful to ensure that PCN's in respect of alleged misuse are issued under the correct contravention code. In **PL 1515** the appellant, a wheelchair user, parked in a pay and display car park which contained designated spaces for disabled drivers. The PCN was issued for parking without clearly displaying a valid p&d ticket. The appellant had been unable to display her badge because it had been stolen; a note to that effect was left in the vehicle. The adjudicator, after carefully weighing the evidence, found as a fact (although the council had disputed) that the appellant had parked in a designated disabled person's bay. The PCN had therefore been issued under the wrong contravention code and the appeal was allowed.

Displaying the badge

Sections 11 and 12 of the explanatory booklet specify when and how the badge and clock must be displayed. It is up to the driver to comply with these requirements. In **BO 626** the adjudicator said, "It is the responsibility of the driver to ensure that the badge is correctly displayed in order to claim the disabled badge exemption from the need to purchase a pay and display ticket". In **BO 662** a different adjudicator dismissed the appeal of a badge holder who displayed her badge in such a way that it was obscured by the clock and could not be read by the parking attendant.

Some councils give considerable latitude and go to some lengths to assist badge holders to display their badges correctly, even visiting them at home if necessary. Councils who take such steps are unlikely to attract criticism from adjudicators if, despite their efforts, the badge holder continues to fail to display the badge correctly.

When parking is permitted for a limited time only, for example on a single or double yellow line, the parking disc clock must also be displayed and set to show the time of arrival.

The manner of display

The scheme rules (and often the corresponding Traffic Regulation Orders) are quite specific about the manner in which badges should be displayed on the dashboard or fascia panel. Many councils, quite rightly, are not overly strict about the manner of display so long as the relevant details can be read from outside the vehicle. The appellant in **SK 404** found it more convenient to fix his badge with rubber bands to the sun visor, simply flipping the visor down when he wished the badge to be seen. The adjudicator found as a fact that he had, on the occasion in question, forgotten to put the visor down. However, the council explained that its attendants are instructed not to issue a PCN to a vehicle displaying a badge in this non-orthodox manner, so long as it can be read.

Badges upside down

The blue badge has information on both sides. One side of the badge (printed with the wheelchair symbol) specifies the expiry date, the issuing authority and the serial number. This is the side that must be visible from outside the vehicle when the badge is displayed, although the badge itself does not specifically identify it as the 'front'. The other side contains the badge holder's photograph, name and signature.

The upside down badge is a perennial problem for attendants, councils and adjudicators alike. If the badge is displayed upside down, the driver's personal details will be uppermost rather than the information which the attendant needs to see in order to ascertain that the badge is valid. However, as many councils appreciate, these are usually cases where the appellant is a genuine badge holder who has made a fairly minor mistake.

It is significant that the explanatory booklet itself does not contain an illustration to demonstrate which side of the badge is the 'front'. The advice about how to display the badge appears only in the text. Councils should appreciate that this may well cause difficulties for some badge holders. Indeed, as the Chief Adjudicator observed, the disabled appellant in **NG 254** (see below) had quite genuinely failed to appreciate the importance of having the front of his badge on display. NPAS recommends that the explanatory leaflet should be revised so as to make this point absolutely clear to badge holders.

Evidence

It is common for the parties to dispute whether a badge was or was not on display or displayed properly. When this happens, the adjudicator will weigh the evidence and decide which version of events, on the balance of probabilities, is more likely to be correct.

In **WY 33** the attendant's notes, in which he recorded that no badge was on display, demonstrated that the vehicle had been very carefully observed. The appellant's written evidence however was ambivalent. He said he "believed" that the badge had been on display and, "I am perfectly aware of how the blue badge is to be displayed, but it is not uncommon for them to slip from view for one reason or another." The adjudicator concluded that the badge had not in fact been displayed and dismissed the appeal. By contrast, in **OD 173** the adjudicator gave more weight to the appellant's compelling oral evidence than to the simple statement "no clock" in the attendant's notes. Good contemporaneous photographic evidence will often put the matter beyond doubt. In **CH 102** the attendant's photographs clearly showed that no badge was on display.

Mitigating factors

Appellants have given a variety of reasons for failing to display their badges. These generally amount to mitigating factors and fall within the remit of the council rather than the adjudicator. In **BH 655**, the appellant explained that she had needed to rush to the lavatory so urgently that there was no time to display the badge. The appeal was dismissed, as was that in **MK 312**, when the badge had fallen to the floor, presumably as the appellant left the vehicle.

However, councils must consider (and demonstrate that they have considered) all representations made by the appellant including those which amount to mitigating circumstances. The duty to consider and respond to representations is clearly set out in paragraph 2(7) of schedule 6 to the Road Traffic Act 1991.

The council's discretion

Councils have discretion to decide at any stage in the proceedings not to enforce a PCN even if, technically, it was correctly issued. Many councils need no reminding about this and give real thought to exercising their discretion in cases involving disabled drivers. Indeed most (though not all) have a policy of cancelling at least the first PCN issued for displaying a valid badge upside down or in other circumstances where the blue badge holder has contravened inadvertently and it is obvious that no abuse of the scheme has taken place.

While such practices are sensible and commendable, each case must nevertheless be considered on its own merits, including the particular facts of the original incident compared to the one now being considered. As the Chief Adjudicator emphasised in **NG 254**:

- The purpose of the blue badge scheme is to provide exemptions from parking restrictions and some payments for those with severe mobility problems.
- There is a general public duty to be sensitive towards those with disabilities and to recognise that it may take some people longer to adapt to new procedures than others. For the same reason it may be more difficult for some drivers to check how their badge is displayed.
- While it is recognised that there is considerable abuse of the scheme, councils must nevertheless always examine the evidence in the particular case to see whether, had it not been for the minor transgression, the appellant would otherwise have been entitled to the benefit of the exemption.

Some councils have put in place a more formal system of issuing a warning notice rather than a PCN the first time such a contravention occurs. In **TR 191** the council decided not to contest the appeal when it realised that it had, in error, issued a PCN which had not been preceded by a warning notice. The appellant's subsequent application for costs was refused.

Badge holders must be prepared to comply with the council's reasonable investigations when the exercise of discretion is being considered. In **SN 169**, the vehicle was parked with no badge on display. The council said it would consider exercising its discretion if the appellant produced a copy of his badge but, despite being a genuine badge holder, the appellant did not do so. The appeal was dismissed.

With many councils handling issues of discretion involving disabled drivers so sensibly and sensitively, it is disappointing that a minority continue to take an extremely hard line with disabled badge holders, which many adjudicators consider to be wholly unjustified in the context of decriminalised parking.

In **CF 242** (an appeal which was allowed following consideration of the evidence because the contravention had not been properly established), the adjudicator said: "Whilst a Parking Attendant cannot ascertain whether the badge is valid when only the photograph side is showing such that a PCN can reasonably be issued, it is nevertheless surprising when a Council refuses to cancel the PCN once they are satisfied that the badge is indeed valid and that it was the badge on display at the time of the incident."

In **PL 1189** (appeal dismissed) and **PL 1515** (appeal allowed) (both see above) the adjudicators found it necessary to remind Plymouth Council of its power to exercise discretion. Similarly, in **BP 90**, where the evidence showed that although the badge had been displayed the clock had fallen down, the adjudicator dismissed the appeal but said

“Some Councils have a policy of exercising their discretion favourably towards disabled motorists for a first contravention where (as here) the error was unintentional – on the basis that a second similar contravention would be less likely to receive sympathetic consideration. I do not know whether Blackpool Council have such a policy, or whether the Appellant would on this occasion be covered by it – but I remind the Council that, having established that the PCN was correctly issued, they retain a discretion to waive the penalty charge in appropriate cases.”

In **PL 1205** the adjudicator (having allowed the appeal for other reasons) said that “the Council should not be seeking to issue PCN’s to holders of valid disabled permits where it is clear that some confusion or error has occurred and that no abuse of the scheme has occurred. This is clearly not what the decriminalised parking enforcement powers were intended for.”

NPAS hopes that the minority of councils who follow such unrelenting policies in relation to blue badge holders will in due course see fit to revise them.

The adjudicators recognise that councils have a difficult task in dealing with abuse of the Blue Badge Scheme. However the complex problems involved in parking control and enforcement should not have the effect of frustrating the purpose of the scheme. An open and structured system for the consideration of representations relating to disability will ensure that Local Authorities are seen to be actively promoting equal treatment.

In order that challenges in relation to contraventions of the Blue Badge Scheme can be responded to by Local Authorities in a robust manner Adjudicators recommend that all Local Authorities ;

- 1. Ensure that all staff involved in the parking enforcement process receive relevant and regular training in relation to the operation of the Blue Badge scheme and that such training encourages and supports a sound understanding of disability issues.**
- 2. Formulate clear and concise protocols and guidance for dealing with representations based on disability, and ensure that they are implemented, monitored and reviewed at operational level within parking departments.**

Football and Rugby Match Days

A number of Decriminalised Parking Enforcement (DPE) councils have major sporting venues within their areas. Of these, football grounds tend to be the oldest established; many were located in inner city residential areas long before the motor car became the favoured mode of transport to the game and, unlike modern mass-entertainment venues, may lack local or on-site parking facilities. It follows that football match day parking creates some very specific issues in the context of decriminalised parking enforcement. With thousands of drivers converging on an area all looking for somewhere to park, maintaining traffic flow and parking facilities for locals can pose unique problems.

Traffic Regulation Orders

Many of the Traffic Regulation Orders (TRO's) which apply in areas close to football grounds contain specific provisions in relation to match days. Single yellow line restrictions may apply at match times, parking places (including free, p&d or permit spaces) may be suspended or, (particularly in residential areas) special match-day permits may be required. By way of example, the Borough of Watford (West Watford Area) (Controlled Match Day Parking Zones) Order 2000 (as amended), adopts all three of these mechanisms at various locations surrounding Vicarage Road.

Some councils have through their TRO's reserved to themselves a considerable degree of flexibility. The City of Southampton (Northam) (Residents' Parking Scheme) Order 2002 is an example. It defines "Restricted Hours" as: "*...the hours at which the City Council, in their absolute discretion, decide the restrictions should apply, on the days that Southampton Football Club First Team play at home at their stadium in Britannia Road, Southampton, The Restricted Hours will be displayed on the appropriate traffic signs in the vicinity of the roads ...*"

While this approach might have seemed unnecessary in the days when most games took place at 3pm on Saturday or occasionally on a weekday evening, the involvement of satellite television in Premiership football in particular means that kick-off times are now variable and subject to change at short notice. Matches in the Barclays Premiership during the 2004-2005 season kicked off at various times including: 12 noon, 1pm, 2pm, 3pm, 4.05pm, 5.15pm, 6pm, 7.45pm, and 8pm. Many of these actual kick-off times and indeed match dates were different from those published in the pre-season fixture lists.

Signage

Signage is, as ever, a key issue in decriminalised parking enforcement. However, where parking restrictions and permissions are variable, it is especially important to ensure that the signage is clear, accurate and in no way misleading to motorists. The adjudicator in SN 319 said "In circumstances where there are restrictions that only apply on certain dates and in certain circumstances, it is even more important than usual that the signage as to the terms of those restrictions is particularly clear. Obviously, a council is entitled to expect drivers in its area to comply with the restrictions, but the drivers can only do so if they can be sure what those restrictions are."

Depending on the nature of the arrangements, permanent signage, temporary signage or a combination of the two will be required.

Permanent signage

The appellants in both MC 3647 and MC 3543 parked in streets close to the Manchester City ground in order to attend matches. The respective TRO's required permits to be displayed on match days. The council contended that each of the locations in question lay within a CPZ; therefore if signs were placed at all access routes, there was no need for repeater signs in the individual streets within the zone. This is generally correct but both

appeals were in fact allowed for reasons connected with the signage. In **MC 3543** the adjudicator held that the a statement in the council's evidence to the effect that that signage was in place at all entry points to the zone was not by itself sufficient to establish that such signage was in fact adequate. In **MC 3647**, the relevant TRO and signage referred to "the Phillips Park Road Zone". The adjudicator accepted the appellant's evidence that he originally intended to park on Philips Park Road itself but then saw the council's sign, which he understood to mean that, on match days, parking was permitted in Philips Park Road for permit holders only. He therefore drove into nearby Edwin Road, where there were no signs and no road markings, and parked there believing that he was entitled to do so. The adjudicator held that the signage fell short in two respects. First, it misleadingly referred to "the Phillips Park Road Zone" when in fact it applied to other roads as well. Secondly, in breach of the Traffic Signs Regulations and General Directions 2002, the permit spaces within the zone had not been marked on the road.

Temporary signage

In **SN 257**, the adjudicator had to consider the Southampton TRO referred to above. The road in question was within a CPZ and marked with a single yellow line. The adjudicator said: "It is apparent that enforcement of such a variable restriction may be problematical, and requires that the Council take appropriate steps to ensure that clear and unambiguous signing is in place well in advance in order to inform motorists when they may not park, and to give due notice to motorists already parked that they will be required to move their vehicle. Signs must be sufficient that a reasonably careful driver would realise the nature of the restrictions: a single yellow line puts motorists on notice that there are some restrictions: there should be signs nearby explaining clearly what those restrictions are. If the area is a Controlled Parking Zone, and there are indications that that is the case here, then the signing would still need to be sufficient in those circumstances." It emerged that the council did not erect temporary signage itself but relied upon the AA to do so. Following a very detailed analysis of the evidence, the adjudicator was not satisfied that the restriction had on this occasion been adequately signposted, either by the erection of appropriate temporary signage or at all, and allowed the appeal.

Local information

It is usual in areas close to football grounds for local residents and businesses to receive information from the council about match day arrangements and dates, including a fixture list. However, for the reasons mentioned above, the timing of such arrangements is difficult to fix in advance. If a ground is shared, (Vicarage Road is used both by Watford FC and Saracens RUFC) the provision of accurate information may be particularly problematic.

Where match day restrictions are relied upon, it is for the council to prove that it actually was a match day when the PCN was issued. In **WT 419** the appellant knew nothing about any match and the council provided no such evidence. The appeal was allowed.

The adequacy of the information provided to local residents by the council was considered in **WT 518**. In the area in question, residents and their visitors were required to display a special permit on match days. The council displayed signs outside the stadium and at each entry point to the various match day zones but conceded that a motorist travelling from one zone to another without passing the stadium would not pass such signs but must rely on a fixtures list issued to residents at the start of the season. The appellant, a visitor, was unaware that a rugby match was taking place on 10th May. The resident whom he was visiting specifically checked the fixtures lists provided to ascertain that no such match was scheduled to take place. The council's list indicated nothing taking place on 10th May but did say that fixtures are always subject to change. The council said that a Saracens fixtures list stated that all matches in the last round of the Zurich Premiership would be played at the same time, either Saturday 10th/Sunday 11th May to be confirmed, but there was no copy of this list among the evidence. The adjudicator allowed the appeal. He said, "How is

a resident, who does not pass an advisory sign, to know that a first team game has been scheduled to take place but is not confirmed by the fixtures list? The Council appears to place upon the resident the onus of finding this out by ringing a hotline number given in the Match Day Scheme leaflet. The Appellant has argued that visitors do not have this number and by leaving it to residents to find out the Council is neglecting its duty to inform. I accept that it is outside the control of the Council if changes are made to the fixtures, but if parking enforcement is to take place on such occasions the onus must rest with the Council to forewarn residents and their visitors. It is beyond what can be reasonably required of a resident within the affected zone to regularly telephone the hotline number when there is no inkling of a match taking place.”

WT 616 also involved a Saracens fixture. The appellant parked on Vicarage Road outside the ground. As a K zone permit holder he was usually entitled to park there. However, the parking bays are suspended on days when either Watford FC or Saracens Rugby Club is playing at home. On this particular Sunday, Saracens were playing at home; the suspension came into force at 1pm and continued until 6pm. The appellant had parked on the previous day, before the bay became suspended. He said he saw no signs and was unaware of the forthcoming fixture and corresponding restriction. The adjudicator had to decide whether, at the time the appellant parked, the council had taken adequate steps to inform him of these matters. The council gave evidence of the steps that it takes to inform local residents (and permit holders in particular) of the restrictions that will apply during the year but not of the signage that it posts while the restrictions are in force or, more importantly, in advance of restrictions coming into force; this was a serious omission from the evidence. In addition, the appellant disputed that he had in fact received all the information which, according to the Council, is sent annually to all permit holders. The absence of evidence from the council relating to the signage coupled with a direct conflict of evidence between the parties as to information delivered and received, led the adjudicator to conclude that she was not satisfied on the balance of probabilities that the suspension of parking in Vicarage Road on this occasion was adequately communicated. The appeal was allowed.

Both these cases illustrate not only the importance of signage and information but also the detailed evidence which the council must produce when contesting an appeal in these circumstances. In **WT 459**, however, the adjudicator emphasised that residents too must take some degree of responsibility for ascertaining what is going on. She said, “The purpose of the match day restrictions is to ensure that local residents are not inconvenienced by visitors’ vehicles preventing residents from parking near their homes. In order to benefit from the scheme it is essential that local residents comply with it.”

Many football clubs have web sites which give information about parking in the area. Home and visiting fans should be aware that these web sites are not necessarily accurate and are certainly no substitute for looking carefully at the relevant signage. In **MW 699** the adjudicator considered an extract from the Gillingham FC web site, which she described as “very broad-brush and misleading”.

Nowhere to park

Finding a place to park near a football ground on match days can be very difficult, but fans park in contravention of marked restrictions at their peril. In **BM 495** the appellant parked in a well marked restricted street and went to watch Birmingham City play at home. He was aggrieved on returning to his car to find that a PCN had been issued; he had parked in the same spot several times previously with no problem. The adjudicator, dismissing the appeal, said the fact that the appellant had been lucky enough to avoid detection on previous occasions was no reason to suppose that he was actually entitled to park.

In **SD 404**, the appellant parked on the wide pavement directly outside the West Bromwich Albion stadium, where a double yellow line restriction was clearly marked. He was perplexed to receive a PCN when the various fast food vans which were also on the pavement did not. The adjudicator dismissed the appeal and explained that the vans and

their associated vehicles are specifically licensed by the council to park and ply their trade on match days.

The point made by the adjudicator in **WT 459** (above) is well illustrated by a number of cases in which local residents have fallen foul of match day parking difficulties. In **BS 684**, the appellant lived near the Bristol City ground. He returned home on a match day to find all nearby parking places occupied by supporters' vehicles and therefore parked on a double yellow line. The adjudicator upheld both the issue of a PCN and the subsequent removal of the car. In **PL 1220** the appellant, who lived close to Plymouth Argyll, returned home to find nowhere to park and access to his own driveway blocked by match day cars. Even this did not justify parking on a yellow line.

The role of the police

The appeal of the aggrieved resident in **PL 1220** was, however, allowed for a different reason. On finding his driveway blocked, the appellant spoke to two policemen, who advised him to park outside on the yellow line. The appellant's account of his conversation with the policemen was convincing and he also provided details of a previous incident, when he had telephoned the police and been given a log number. The adjudicator decided that while no general permission to park on match days had been granted, the appellant was on this occasion entitled to the benefit of an exemption in the TRO for parking on the direction or with the permission of a police officer in uniform.

It is usual for the police to patrol football grounds and the surrounding areas on match days. In **PO 912** the appellant said that a police officer had given him permission to park on a double yellow line. The adjudicator acknowledged the "distinct possibility that this sort of permission would have been granted in circumstances where parking was very difficult in view of the nearby football match" and found that the appellant was entitled to the benefit of an exemption in the TRO.

The missing PCN

Finally, it should be remembered that the removal of PCN's from vehicles (always a problem for motorists and parking authorities alike) is particularly prevalent on match days. PCN's are no doubt tempting targets for the frustrated or elated football fan who finds himself part of a large, slow-moving crowd after the match. It is therefore desirable for councils to adopt a pragmatic approach when considering representations.

It will be seen from the variety of cases and situations described that there are a wide range of problems associated with match days and it appears that different councils have different schemes. Of course football grounds have different types of streets in the surrounding area, some residential, others in commercial districts. Nevertheless for football grounds in particular, councils should bear in mind that fans travel extensively around the country for 'away' matches. It only adds to the confusion if each council devises its own type of scheme for parking control.

The adjudicators therefore recommend that council officers with special match day parking schemes in their area form a working party to produce a report with a view to standardising those schemes.

Cases involving Towed Away Cars

The powers to clamp and remove vehicles parked in contravention of a Traffic Regulation Order are draconian. The motorist, on his return, suffers immediate distress and inconvenience. Furthermore, the penalty charge, release and, if appropriate, storage fees must be paid straight away, irrespective of any ground for appeal which the appellant may wish to put forward. He is therefore immediately out of pocket and may remain so for weeks or months until the appeal is determined either by the council itself or by the adjudicator.

The decision whether to remove a vehicle requires the exercise of judgment. It is for the Council to prove that the removal was proportionate and necessary. They need to be able to justify in every case why the issue of a PCN alone would not have achieved the desired objective (i.e. of a reasonable level of compliance with legitimate parking restrictions). This principle was considered in BS 881. The appellant was going to the theatre in the evening and parked in a pay and display bay. Vehicles were permitted to park in this space from 6pm to 8am for an unlimited period on payment of a fee of £1.50. (The single yellow line restrictions cease at 6:30) The appellant purchased a ticket but it must have slipped since the parking attendant did not see it and issued a PCN. The vehicle was towed away an hour later. There was no suggestion that the car was causing a hazard or obstruction. The council has a priority list for removing vehicles but being parked in a designated bay without displaying a ticket was in the third priority. The adjudicator found that the parking attendants had not demonstrated any regard for the policy priorities; on the contrary, the evidence from their notebooks showed that the removal of a vehicle an hour after the PCN was issued was anticipated in every case.

The adjudicator also pointed out that additional considerations must apply when deciding to remove a vehicle at night. Council policies should be sensitive to these considerations. There are well established policy issues surrounding the use of vehicles in city centres in the working day and drivers expect parking to be increasingly restricted with rigorous enforcement. Every encouragement is given to use public transport. However in the evening public transport will be less frequent and is not necessarily compatible with a social evening. Therefore there must be significant justification for towing away a vehicle at night. In some cases removal may even jeopardise a vulnerable driver's safety.

What was of particular concern in BS881 was that in two other appeals that council, BS344 and BS498, two different adjudicators had found that it was disproportionate to tow away a car properly parked in the evening in the pay and display bay for want of payment of £1:50. One adjudicator drew the council's attention to Part II - The First Protocol - Article 1 of the Human Rights Act 1998. The other set out for the benefit of the councils the principles involved in striking a fair balance. The adjudicators' decisions went unheeded.

It is important therefore that the decision to clamp a vehicle or to tow it away is made with care and only in circumstances in which the council seriously believes that its decision can be justified if challenged by the motorist. NPAS has become concerned at the number of cases involving a vehicle being clamped or towed away in which councils have elected not to contest the appeal. An analysis has therefore been carried out of all such appeals during 2004.

There are currently seven DPE councils outside London that clamp or remove vehicles. They are: Birmingham, Blackpool, Brighton, Bristol, Manchester, Nottingham and Oxfordshire. Of these, Manchester City Council, Brighton and Hove City Council and Birmingham City Council are the largest parking authorities in terms of PCN's issued. Bristol, however, issued surprisingly few PCN's given the importance of the City within the UK, yet towed away more vehicles than any other of these authorities and, as the following table demonstrates, has a correspondingly higher number of appeals against it. It is inevitable therefore that cases involving Bristol feature prominently in this analysis.

Summary of the Total Clamp/Remove Appeals for 2004

Council	Total appeals	Allowed	Dismissed	Not Contested	% of Total Appeals Not Contested
Birmingham	19	2	6	7	37%
Blackpool	9	4	3	0	0%
Brighton	46	11	20	6	13%
Bristol	70	16	21	32	46%
Manchester	25	4	17	2	8%
Nottingham	26	5	13	7	27%
Oxfordshire	1	0	1	0	0
Total	196	42	81	54	28%

The fact that these councils between them elected not to contest 28% of the appeals brought in cases involving the clamping or removal of vehicles, gives cause for concern. The summary shows that Bristol had the highest number of appeals not contested, 32 out of the 70 lodged, representing 46%. Birmingham had the second highest percentage of not contested appeals at 37%. However, this represented only 7 cases from a total of 19 appeals, which was considerably less than the numbers in Bristol.

Whenever a council decides not to contest an appeal, it completes an 'Appeal Not Contested' form and is required to give a reason for its decision. NPAS has conducted an analysis of the reasons given by each council (except Blackpool and Oxfordshire, who did contest their appeals) for not contesting these appeals. The statistics are as follows.

Summary of reasons entered on the No Contest forms for Birmingham

Exercise of discretion	2
PCN error/insufficient pocket book evidence	2
Incorrect road markings	1
Clerical error	1
Other	1
<u>TOTAL</u>	7

Summary of reasons entered on the No Contest forms for Brighton

Missing PCN/photographic evidence	2
Additional evidence provided by Appellants (1 case part heard)	2
Review of evidence	1
TRO technicality	1
<u>TOTAL</u>	<u>6</u>

Summary of reasons entered on the No Contest forms for Bristol

Administrative error	2
Administrative staff shortages/insufficient time	4
Parking Attendant error	7
Inadequate/incorrect signage/missing signs	6
Bay markings incorrect	1
Lines unclear/incorrect	4
Not enough evidence/lost correspondence	1
Loading/unloading	2
TRO technicality	1
Representation reconsidered/car compound confirms	2
Illness (of Appellant)	1
No reason given	1
<u>TOTAL</u>	<u>32</u>

Summary of reasons entered on the No Contest forms for Manchester

Incorrect road markings	1
Other	1
<u>TOTAL</u>	<u>2</u>

Summary of reasons entered on the No Contest forms for Nottingham

Additional evidence supplied by Appellant	1
Parking Attendant's evidence insufficient	1
Incorrect road markings/inadequate signs	3
Vehicle stolen	1
Other	1
<u>TOTAL</u>	<u>7</u>

Ascertaining more detailed facts about these not contested appeals is difficult because of the limited information available to NPAS. The council's decision not to contest was always taken before its own evidence bundle was presented. (There was one exception: a Brighton case which was part heard as a personal appeal and adjourned to enable the parties to provide additional evidence. The council decided not to contest the appeal when the appellant provided a number of witness statements to support his case). The only documents generally available therefore were the Notices of Appeal (NOA) and any supporting evidence lodged by the appellant. In a few cases, appellants did submit the council's notice of rejection of representations (NOR) with the NOA. Only in those cases has it been possible to review the council's grounds of rejection. Otherwise, no evidence has been available to enable the strength of the council's case to be evaluated or to ascertain its grounds for rejecting the appellant's representations. So far as it has been possible to ascertain, appellants have appeared to lodge their appeals on the same grounds that they had raised in their initial representations.

It seems likely that in only a minority of cases did appellants produce additional evidence when lodging their appeals, which then prompted the council not to pursue the appeal. Overall, it also seems likely that in the majority of appeals no additional evidence was adduced by the appellants with the NOA. Therefore, the fundamental question must be asked: why did the council make the decision not to contest when the appeal was received, rather than when the appellant made his or her initial representations? Councils are under a duty properly to consider representations. Where there are high numbers of cases not contested, the concern naturally arises that the council may not be exercising that duty at the proper time but waiting until after an appeal has been lodged.

To this end, we have looked more closely at individual cases. Because it has by far the largest number of appeals overall and also the highest percentage of appeals not contested, we inevitably focussed on cases from Bristol. We looked at:

- The location (some occurred several times).
- Bristol City Council's reasons for not contesting the case.
- The appellant's case set out in their Notice of Appeal and any documents submitted with it including photographs.

In 11 cases (34%), the council said that the signs, lines or bay markings were inadequate, incorrect, unclear or missing. In 7 cases (more than 20%), the reason given was parking attendant error. Some of the other reasons given may also have originated as parking attendant error, so the total number involving parking attendant error may actually have been higher. There were also 6 cases (18%) relating to administrative error or insufficient time to prepare the evidence. NPAS received a number of requests for adjournments because the council was short of staff. These applications were refused by the Chief Adjudicator and 'Appeal Not Contested' forms ensued. The remainder of the reasons were miscellaneous. It seems unlikely that they involved fresh issues raised by the appellant on appeal.

In only one case did the council actually state that it had reconsidered the appellant's representation. It must be asked therefore why, in the remaining 31 cases, the reasons given on the 'Appeal Not Contested' form were not ascertained when the council considered the original representation and the appellants put back in funds there and then?

We were also surprised to see that lack of time to prepare appeal papers was given as a reason for not contesting the appeal. The councils should have assembled all the relevant evidence in their file in order to consider the representations and it should have been a simple task copy the file and prepare a short case summary.

The Adjudicators take this opportunity to remind councils of their duty under the Road Traffic Act 1991 to properly consider representations by examining all their evidence and giving clear and relevant reasons when representations are rejected.

Tow-Aways Compared Year by Year

2004 SPA Area	Number of PCN's	Number of Vehicles Towed-away	% of PCN's towed-away
Totals	731,302	21,886	2.99
Manchester	135,970	2030	1.49
Bristol	54,592	6256	11.46
Oxfordshire (Oxford)	48,534	63	0.13
Brighton & Hove	168,172	6117	3.64
Birmingham	174,852	2373	1.36
Nottingham	90,808	4282	4.72
Blackpool	58,374	765	1.31

2003 SPA Area	Number of PCN's	Number of Vehicles Towed-away	% of PCN's towed-away
Totals	676,281	18,380	2.72
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

2002-2003 SPA Area	Number of PCN's	Number of Vehicles Towed-away	% of PCN's towed-away
Totals	575,701	17,904	3.1
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

2001-2002 SPA Area	Number of PCN's	Number of Vehicles Towed-away	% of PCN's towed-away
Totals	411,805	16,085	3.91
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

2000-2001 SPA Area	Number of PCN's	Number of Vehicles Towed-away	% of PCN's towed-away
Totals	237,385	13,102	5.5
Manchester	120,175	4,989	4.15
Bristol	67,030	8,000	11.9
Oxfordshire (Oxford)	50,180	113	0.2

Case Digest for Annual Report

Evidence

One of the most important aspects of the adjudicator's role is to scrutinise and weigh up the evidence submitted by both parties. Adjudicators do this with great care, examining evidence in detail before making findings of fact.

BC 109

This is a case which gained national publicity. On examination of the evidence relating to the signage at a suspended bay, it became apparent to the adjudicator that the date on a photograph had been altered; a finding in effect that the Council's photographic evidence had been fabricated. Prosecutions followed. Fortunately, it appears that this was an isolated incident though, naturally, adverse publicity of this kind serves only to bring decriminalised parking enforcement into disrepute. An award of costs was made against the council.

NG 247

This appeal, which was heard not long afterwards, is a case in point. The issue was whether a disabled person's badge had or had not been displayed. The Council relied upon contemporaneous photographs taken by the parking attendant, which showed quite clearly that no badge was on display. The appellant, referring to **BC 109**, pointed out in response to this evidence that it is unlawful to fake or doctor photographs to ensure that disabled badges are obscured by photo and lens reflections. The adjudicator said: *"It may well be that disgraceful incidents do occur from time to time and adjudicators must be alert to that possibility. That is not to say that all photographic evidence submitted by councils is to be discredited. I have studied the Council's photographs very carefully and see nothing to indicate that they have been "doctored" or tampered with in any way. It is true that there is some reflection but I do not think that anything has been obscured, deliberately or otherwise. The dashboard is visible, as is the tax disc. I can also see inside the car to the steering wheel and the security device attached to it. I can see no disabled badge."*

PL 1251

Adjudicators take an equally hard line with appellants who are found to have been less than honest. The appellant produced a visitor's ticket in support of her contention that a valid permit had been displayed. The adjudicator found that this ticket could not have been so displayed as it had not been issued at the time of the alleged contravention; the appellant had deliberately manufactured evidence in support of her appeal. He said: *"I view very seriously this deliberate attempt to mislead me."* An Order for costs was made in the Council's favour.

HA63

The appellant questioned the admissibility of the Council's written evidence in the absence of parking attendants and other witnesses appearing at the hearing to give evidence in person. The adjudicator in refusing the appeal set out in detail the basis on which written evidence is admissible. He said: *"In virtually all appeals to a Parking Adjudicator, Councils rely on written submissions and written evidence. Parking Attendants do not, therefore, normally attend to give evidence nor do any other witnesses. There can be no criticism of Councils for this, as it is an inherent part of the statutory scheme under The Road Traffic Act 1991 that appeals are dealt with in an informal way in so far as such is consistent with the interests of justice. Similarly, an Appellant does not have to attend the*

hearing of his appeal and is given the choice of personal attendance or a decision made on the basis of his written submissions.”

BO 376

The appellant wrote to the Council as soon as he received his PCN to say that he was not in Bolton on the day in question. The Council did not disclose its evidence at that stage but, when the appellant appealed to NPAS, submitted photographs of the vehicle in Bolton on the day in question. The Council argued that it did not need to disclose its evidence until such time as there was an appeal. The case itself was decided on another point but the adjudicator expressed the view that the Council ought to have disclosed its evidence as soon as the appellant wrote in.

MC3494

Plans are often extremely helpful to the adjudicator and the absence of a plan may in some circumstances make it difficult for the Council to establish all elements of the contravention. This appeal was allowed because there was doubt as to where the appellant's vehicle was situated in relation to the parking restrictions on the road in question. No plan had been submitted.

MC 3796

Different lengths of the street were subject to various different restrictions. A temporary restriction was also in place overnight. In the absence of a clear indication as to position of vehicle it was unclear to the adjudicator where the appellant's vehicle was in relation to time plate. The contravention was not therefore established.

MW 664

In this appeal it was apparent from the parking attendant's own evidence that he had not taken the necessary steps to ascertain whether a contravention had occurred. The appellant was collecting an elderly relative from premises nearby. The TRO contained an exemption permitting vehicles to wait "for as long as necessary" to enable passengers to board or alight. However, the attendant issued the PCN immediately without any observation and hence had been in no position to address the issue of how long was reasonable.

SK 552

Parking was limited to one hour. The appellant said that he had removed the vehicle and returned between the parking attendant's first observation and the issue of the PCN. The attendant's notes referred to total observation time of 105 minutes (not continuous). However, the he had made no pocketbook entry of the precise time of his initial observation, nor had he at any time recorded the tyre valve positions. This evidence was not sufficient to establish that the contravention had occurred.

SS 477 and SS 468

These appeals concerned the same facts and were heard together. Both appellants had parked in bays immediately adjacent to suspended bays. There were neither signs at the bays in questions nor cones and the ticket machine was uncovered. It was evident that the attendant had failed to check the vehicles and had instead proceeded immediately to issue PCN's. The Council was also directed to take action in respect of four other PCN's issued to vehicles which had parked in the bays in question.

Taking without Consent

Cases where it is alleged that the vehicle was taken without the consent of the registered keeper always require a very close examination of the evidence and the surrounding circumstances.

BH 467

The vehicle was purchased just hours before the appellant was arrested; he remained in custody for 13 days. During this period his house was broken into and the car keys taken. The adjudicator found that the exemption afforded by paragraph 2 (4) (c) of schedule 6 to the Road Traffic Act 1991 had been satisfied and the appeal was allowed.

SN 238

Some considerable time before the contravention, the vehicle had been left with a mechanic for repair. The appellant was aware that the mechanic previously parked in contravention but had not expressly prohibited him from taking the car onto the road. The adjudicator found that there was implied consent for the vehicle to be used by the mechanic in connection with the repairs and there had been no explicit withdrawal of that consent. The appeal was dismissed.

BH 468

In this case, the vehicle was taken and parked in contravention by the appellant's lodger. The keys were kept in a box by the front door. However, there had been no prior discussion concerning the vehicle's use and the lodger had his own car. There was found to be no implied or express consent to the lodger using the car and the appeal was allowed.

Cloned Vehicles

There is a known national problem with the cloning of vehicles including details of the road fund licence.

BH 318

The vehicle in question was a garage courtesy car. The adjudicator was not persuaded that such cloning would involve the duplication of the name of the garage as displayed on the actual courtesy car.

Condition of Signage and Road Markings

There have been a number of cases during 2004 concerning the state of road markings where these have become worn. The Council's obligation to maintain signs/markings is to be found at Regulation 18(1) of The Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996.

B0355

This case from 2003, which was not included in last year's annual report, is mentioned here because it contains a particularly helpful summary of the position. The adjudicator said: "Regulation 11 of The Traffic Signs Regulations and General Directions 1994... provides that the Council's lines "shall be of the size, colour and type shown on this diagram". The relevant diagram is 1018.1. However, in my opinion, it is not the law that these lines must be in a perfect condition all of the time. It is a question of fact and degree and Councils

cannot be expected to repaint them at regular intervals or on every occasion when repairs to the road surface may have created minor diversions. What is important in my opinion is whether or not the state and quality of the lines at any one time make it clear to motorists that there are in fact double yellow lines there. Lines clearly become worn and faded in varying degrees from time to time for various reasons, but they are still enforceable if a motorist, looking at the quality and state of the lines, would inevitably have to say to himself that, despite their minor imperfections and fading colour, it is nevertheless clear that they are and remain double yellow lines."

OX 828

In this example from Oxford, the adjudicator found that although the yellow lines were worn and no longer bright and fresh, they were nonetheless adequate to inform the motorist of the restriction. The appeal was dismissed.

PL 1477

By contrast, in this case from Plymouth the appellant mistook a worn double yellow line for a single yellow line. He had been assisted in this misapprehension by the fact that the time plate was obscured by foliage so that he did not see it. The adjudicator found that the road markings were not in adequate condition and allowed the appeal.

MK 329

Signage, even if it is in pristine condition, must also be visible. In this case a problem arose because signage placed near to a tree became obscured by foliage during the summer months. The sign in question was in good condition and may well have been perfectly visible in winter. However, it was found to have been insufficiently visible during August when the trees were in full leaf to alert the appellant, a stranger to the area, to the presence of a restriction.

BM 2145

It is always pleasing when the adjudicator's findings about signage are noted and acted upon by a council. In this case, Birmingham Council attended a hearing and acknowledged, when the photographic evidence came to be examined in detail, that the signage actually present was not as shown on the Council's plan. The Council indicated at the hearing that the matter would be looked into and, shortly afterwards, new signage was in fact erected along the whole length of the road in question.

The Council's Discretion

Issues concerning councils' discretion have already been raised in this Report in the context of disabled drivers. Councils do, of course, have absolute discretion to cancel a PCN at any stage in the enforcement process (even at the hearing or after the adjudicator has decided the matter). Councils also have a duty to consider representations, even if those representations are directed to mitigating circumstances rather than the statutory grounds of appeal. Many councils give proper consideration to the exercise of discretion as a matter of course; others need to be reminded. Discretion is a fundamental part of the enforcement process and if ignored is likely to raise a genuine sense of grievance on the part of the Owner.

PL 1499

Despite a number of attempts and trying different combinations of coins, the appellant was unable to get the pay and display machine to accept his £3 payment and left a note to that effect in his vehicle. On receipt of a PCN, he wrote to the Council explaining what had happened and enclosing the £3 fee. The Council kept the payment but continued to attempt to enforce the PCN. The adjudicator held that this was "manifestly unreasonable" and allowed the appeal.

TA 145

The appellant wrote to the Council explaining the circumstances of the contravention. The Council rejected his representations by way of a pro forma letter in which the points raised by the appellant were not addressed in any way. The adjudicator criticised this practice.

RF 4

A pay and display ticket was purchased but displayed upside down so it could not be read. The Council stated that its policy was never to cancel a PCN in such circumstances even where it was clear that the parking charge had been paid. The adjudicator considered that the implementation of a policy without regard to the particular circumstances of each case was not a proper exercise of discretion.

NN 278 and SK 518

The Councils in both these cases, on attending personal hearings, changed their minds and exercised discretion in the appellants' favour at the hearings. These cases also illustrate the power and importance of oral evidence and the desirability of councils attending hearings before the adjudicator.

PCN Issues

NPAS is pleased to report that fewer cases are now arising where the PCN itself is defective. The specific requirements for the PCN are set out in section 66(3) of the Road Traffic Act 1991. The importance of issuing the PCN for the correct contravention is however emphasised.

WC 6

This appeal was allowed because the PCN showed the amount of the penalty charge in \$ instead of £.

BH 165

The adjudicator made findings of fact that two pay and display tickets, including one relating the period during which the PCN was issued, had in fact been purchased. However, this later ticket had fallen off the windscreen and was not visible to the parking attendant who, unsurprisingly, issued the PCN for parking after the expiry of time paid for. As an issue of fact, that particular contravention had not occurred, although a PCN could have been issued for failing clearly to display a valid ticket.

CF 19

The PCN was issued for parking after the expiry of time paid for. The appellant's evidence was that no p&d ticket was purchased because he had used his Blue Badge. He had however displayed the badge incorrectly, as the attendant's own evidence confirmed. Given that a p&d ticket had never been purchased, there could be no question of the time paid for expiring. Thus, the contravention cited on the PCN had not occurred.

MW 625

The appellant returned to the vehicle as the PCN was being issued, got into the car and prepared to drive away. The PA grabbed the PCN from her colleague and threw it through the open window. The PCN hit the appellant in the face before falling to the ground outside the car. The adjudicator found that section 66 (1) of the Road Traffic Act 1991 had not been complied with. The attendant is required to "give" the PCN to the driver as opposed to throwing it.

Disc Zones

There have been a number of cases during the year concerning disc zones.

HA 53

The contravention alleged was that the motorist had parked in a disc parking place without displaying a valid disc. The usual disc zone sign was present. The Chief Adjudicator held that, although residents of Harrogate knew what the disc zone meant, a visitor would not because there was no information as to where and how discs were obtained, whether they were free or must be purchased and so on.

ED 20

The Council in this case had displayed in addition to the disc zone signs, other signs explaining where free discs might be obtained (local shops, the Town Hall etc). The adjudicator held that, in view of these signs, a motorist ought to be allowed a reasonable amount of time to walk to a shopping centre, obtain a disc and walk back (i.e. a similar situation to the reasonable amount of time afforded to a motorist to go to the pay and display machine and buy his ticket).

Hire and Leasing Agreements

The law relating to short term hire and long term leasing arrangements is far from straightforward and frequently misunderstood, even by large, commercial hire or leasing organisations.

BM 1060

In this lengthy decision, the adjudicator examined in detail the law relating to leasing arrangements, contrasting the short-term hire agreement where the relevant ground of appeal is that under paragraph 2(4)(a) of schedule 6 to the Road Traffic Act 1991 with long-term leasing arrangements whereby the registered keeper effectively transfers ownership of the vehicle to the lessee for a period of time and may indeed never have had the vehicle in its actual possession. In such circumstances, the correct ground of appeal is generally that under sub-paragraph (e) (ownership). As in this case, it is common for appellants (even the largest leasing organisations) to identify incorrectly the ground of appeal to be relied upon. If councils then continue to treat a long-term leasing arrangement as if it were one involving a short term hire agreement, and requests evidence accordingly, then as in this case, difficulty will ensue. The adjudicator said: *"In cases falling within Paragraph 2(4)(e) of Schedule 6 of the 1991 Act, Councils will obviously wish to see a copy of the vehicle hiring agreement so that they can satisfy themselves that the agreement contains a signed statement of liability and the particulars required by the 2000 Regulations. However, where the hire agreement or lease is for 6 months or more (and, thus, the particulars and statement of liability are not important), there would seem little point in Councils requesting sight of a copy of the hiring agreement/lease itself, although they will obviously wish to be satisfied that the vehicle was subject to a hire agreement/lease at the material time. Equally, they will also require information about the basic terms of the hire agreement/lease as, for example, the name and address of the hirer/lessee and the period of hire/lease."*

SL 615

A car belonging to a taxi firm was on weekly rental to a driver. There was no written agreement in existence and obviously no question of this being a vehicle hire agreement. It was intended that the weekly rental would cover about 16 weeks. The taxi firm had attempted to deflect liability to their driver but the adjudicator held that the taxi firm were the owners of the vehicle because the weekly rental agreement was not a disposal of keepership with such a degree of permanence such as ought to require notification to DVLA.

OX 844

This case demonstrates that if the hire agreement defence is to be established, the particulars about the hirer, as specified in section 66 of the Road Traffic Offenders Act 1988, must all be included. The vehicle had been hired to a gentleman who had provided an address which was, quite obviously, not his home address. The particulars were therefore deficient and the appeal was dismissed.

TRO Issues

NPAS reminds councils that adjudicators need to look at TRO's in detail to establish whether there has been a contravention. Here are some examples of cases which turned on issues connected with TRO's. It is important for councils to ensure that the evidence bundle contains all the relevant extracts which are required to support the signage and / or the elements of the alleged contravention or, in the case of councils which have been absolved from the requirement to include TRO's in the evidence bundle, that the TRO's on file at NPAS are up to date.

ED 2

The Council had not lodged its TRO's with NPAS. The evidence bundle did not include the relevant TRO's in full but only brief and insufficient extracts. The appeal was allowed because the adjudicator was not in a position to ascertain the legal position.

SL 548

The relevant Order contains many handwritten alterations and adjudicators had commented adversely on it on a number of previous occasions. However, the Council continued to rely upon the Order and to submit copies of it in the same state. On this occasion, the adjudicator allowed the appeal because the number of handwritten and indecipherable alterations made it impossible to tell whether the road in question was within the terms of the Order or not.

LU 356

This is one of a number of cases in which the marked restrictions were found not to correspond with the TRO. A pay and display bay had been marked on the southern side of Cheapside even though the TRO did not provide for one.

OD 109

The contravention alleged was that the appellant had parked in a permit bay on the Greaves Street car park without displaying a valid permit. The Council contended that this car park was for the use of permit holders only. However, under the provisions of the relevant TRO, this car park was designated as a pay and display car park. The appeal was allowed.

NG 162

The PCN was issued for being parked in a loading place during restricted hours without loading. The Council failed to identify the precise provision of the relevant TRO upon which it relied. The adjudicator nonetheless scrutinised the TRO and concluded that the road in question was one in which waiting was restricted but that the restriction on waiting did not apply to certain categories of goods vehicle. The adjudicator found that this arrangement did not amount to the creation of a designated loading bay; thus the contravention on the PCN had not in fact taken place and the appeal was allowed.

MW 600

The vehicle in this case was shared by husband and wife. The husband parked in the morning and purchases a p&d ticket. Later in the day the wife parked in the same parking place and also bought a ticket. Both tickets were visible to the attendant, who issued a PCN for having parked with an additional payment made to stay beyond the time first purchased. The appeal was allowed. Although the car park signage made it clear that only one ticket could be purchased within 24 hours, the TRO contained no such provision.

BO 393

This is one of several cases in which the adjudicator found that Bolton Council had failed properly to set charges for its car parks. The Council proceeded under the terms of the Bolton (Off Street Car Parks) (No. 11) Order 2001, which contained the usual provisions requiring the driver to pay the "appropriate charge" for a pay and display ticket. The Council had also provided a copy of the Bolton (Parking Places) (Charges) No. 10 Order 2001, which purported to set the charges for both off street and on street parking places. However, Article 5 of that Order stated that it applied to car parks specified in the Bolton (Off Street) (No. 12) Order 2001. As the car park in question was within the No. 11 Order, there was no evidence that charges had been set for car parks in the No. 11 Order. Thus, there was no "appropriate charge" to be paid and the appeal was allowed. The council immediately took steps to rectify the defect.

BC 123

This appeal was allowed because the adjudicator found that the Council's charges as advertised to motorists in the car park exceeded those set out in the TRO submitted by the Council as part of its evidence. This case demonstrates the importance where charges have been updated of ensuring that the most recent amending Order is available to the adjudicator.

HA 39

Arrangements which allow an hour of free parking before pay and display charges come into play are often problematic. The relevant TRO provided for motorists to pay for and display a pay and display ticket. However, the first hour of parking was free and motorists could obtain a free ticket from the pay and display machine, which gave the time of arrival and the time of departure. The signage made this requirement clear. The TRO, however, was couched in terms from which it was apparent that only a ticket for which money had been paid had to be displayed. Thus, the appeal against a PCN issued during that first free hour was allowed. The adjudicator suggested that the Council should amend its Order.

Service Report 2004

2004 was a year of growth for all areas within NPAS. The number of PCN's issued by councils operating decriminalised parking enforcement increased from 2,500,398 to 2,853,089 in addition to an extra 34 councils that took on DPE powers taking the total number of councils in our scheme to 117. There was also an increase in the number of appeals registered at NPAS with there being 10,441 appeals registered in 2004 compared with 9,213 in 2003.

In order to respond to the workload increase in 2004 the numbers of staff increased to reflect this. Six additional members of staff were appointed and have strengthened the Service Development, Administration and Information Technology teams.

NPAS Email Box

One of the IT services that we offer, and unique to other parking tribunals, is an e-mail address that is available for members of the public to use at npas@parking-adjudication.gov.uk. Service users can write in with their queries and we aim to provide a written response within 2 working days. Enquiries made via this medium have steadily increased since the system was set up in 2003.

"I have just received a parking ticket, how can I appeal?" and *"If I pay for the penalty charge notice, can I still appeal at a later stage?"* Questions such as these are entirely within our remit as NPAS does and will give advice on procedural matters but we are increasingly being asked to give comments on issues of an individual nature in which we cannot get involved.

As an independent and impartial tribunal NPAS cannot enter into giving advice to such queries as *"What can I include in my evidence bundle to ensure that I win the case"* or *"Does a Penalty Charge Notice have to be signed for it to be legal?"* or make comments on the parking enforcement operations of an individual council.

NPAS also receives enquiries from motorists who have been clamped for parking on private land and even motorists who have been given an Excess Charge Notice. It would be fair to say that certain motorists are very anxious for help to their problem and exhibit a certain degree of frustration however none of these enquiries fall within our remit.

In addition, we often receive enquiries from motorists who receive a Penalty Charge Notice from councils operating in London or Scotland or indeed council areas that have not yet begun operating DPE. From these queries, it would appear that there possibly could be more advice channels made available to the motoring public.

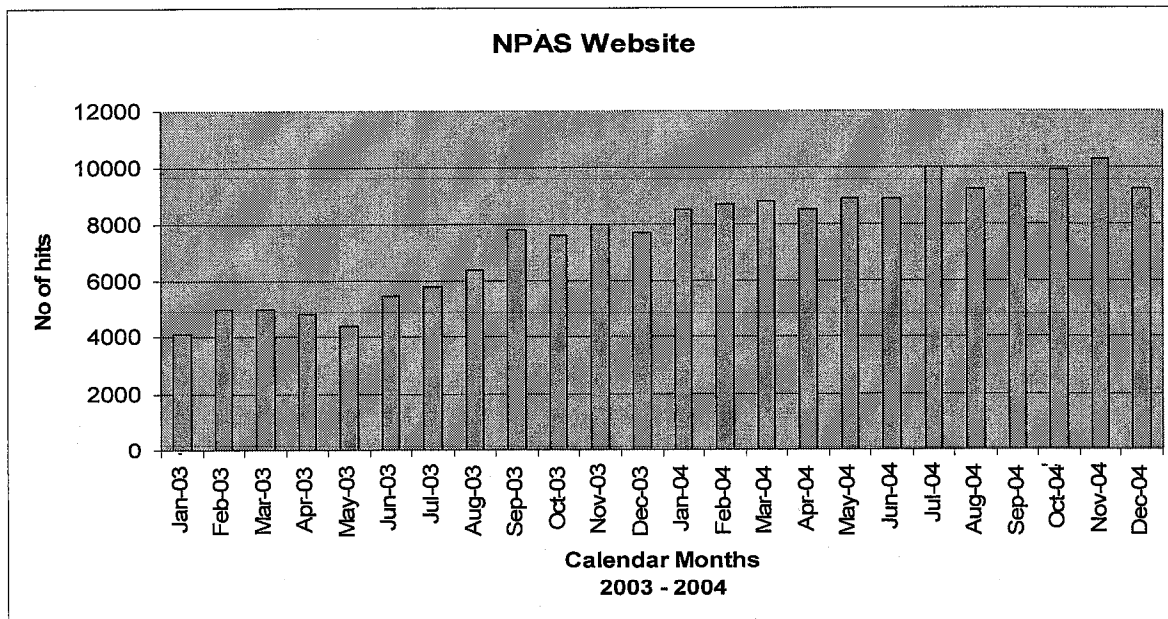
These examples further illustrate the lack of clarity and confusion that exists in the motoring world and even some councils as to what we are or more pertinently what we are not as an organisation. As the independent parking tribunal for England (excluding London) and Wales we have a clear mandate to inform motorists of the role of adjudication within the DPE scheme and to raise awareness of the right to appeal to the independent adjudicator. Part of this strategy relies on our comprehensive Notice of Appeal form that is issued by the councils with every formal notice of rejection of representations and other in-house literature. 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.

As highlighted in last year's Annual Report NPAS 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

NPAS Website

The publication and maintenance of an independent and authoritative website also forms part of our strategy 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. Our website can be accessed at www.parking-appeals.gov.uk.



Visits	2004	2003
Visits	113,043	75,978
Average per day	308	207
Average visit length	00:08:00	00:07:18
Visits referred by search engines	43,695	27,078
Visitors		
Unique visitors	35,548	23,533
Visitors who visited once	28,806	18,886
Visitors who visited more than once	6,742	4,647

As the graphs indicate, the interest in and use of our website has grown considerably from last year with 113,043 visits recorded in 2004. The number of visits across the year averaged out at 308 per day with the average visit length to the website being 8 minutes. This may be due to increased awareness of the role of adjudication and the parking appeals process in general combined with more Penalty Charge Notices being issued and an increased reliance on and use of the internet by the public at large.

It is interesting to note that the visits referred by search engines have also increased with the general public utilising all of the main search engines. For the first time we have analysed which search phrases are used by the general public accessing the website.

Top Search Phrases

	Phrase	No of times used
1	Road Traffic Act 1991	1668
2	Parking Regulations	1156
3	NPAS	1042
4	Parking Law	891
5	National Parking Adjudication Service	811
6	Statutory Declaration	733
7	Parking Appeals	575
8	Penalty Charge Notice	546
9	www.parking-appeals.gov.uk	411
10	Yellow Lines	395

The third aim of the Aims and Objectives of the National Parking Adjudication Service is *“to provide a tribunal service which is user-focussed, efficient, timely, helpful and readily accessible”* In true keeping of the spirit of this aim, during 2004 the NPAS website was made bobby compliant to ensure that the needs of website visitors with sight impairments are fully accommodated.

I am an Independent Parking Adjudicator



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\(Recommended\)](#)
[View Video Clip -
Windows Media](#)
[View Video Clip -
Quicktime](#)



As an independent tribunal, the National Parking Adjudication Service cannot offer advice to appellants or councils on the merits of individual cases.



The NPAS website continues to offer a link to the websites of all councils operating DPE and it is hoped that they in turn offer a reciprocal link on their websites thus promoting awareness of the parking appeals process. It would be fair to say that some councils also go further and devote some of their own web space to include information about the parking appeals process and also incorporate details on any literature that they produce on their own parking policies. This can only be encouraged as it strives to provide the public with as much information as possible and the council concerned can be seen to be completely open and transparent with their parking operations.

In the 2003 Annual Report, the Chief Adjudicator called for more councils operating DPE to be more open and transparent with their parking enforcement policies and it is to be noted that this caused considerable interest about NPAS and its aims. During 2004 several members of staff were asked by local, regional and national media, including certain high profile television programmes, radio stations and trade magazines to talk about the appeals process. It is hoped that this interest will continue in order to facilitate the understanding of the appeals process.

Personal Hearing Venues

One of the services that we provide at NPAS that is unique within the tribunal world is a comprehensive range of hearing venues where appellants, who indicate that they wish to have a personal appeal hearing, may have it heard. They can indicate a first, second and even a third choice of venue throughout the country. At the end of 2004 the number of personal venues increased to a total of 60. Some venues offer hearings on a Thursday evening and a Saturday morning as this is more convenient for certain appellants.

The number of appellants requesting a personal appeal rose in 2004 to 37%, an increase of 4% on the figures for 2003. Where possible the Coordinators will schedule a personal hearing at the venue that is the first choice of the appellant. Of the 3872 personal appellants in 2004, 834 (22%) gave three options of a hearing venue, and over 97% of appellants had their request granted. Situations where this was not possible include requests for venues that are seldom used due to low number of appeals in a certain area and where it is not feasible to hire a venue for just one or two hearings. Appellants are always notified in this instance and are kept informed at all times. Should they then wish to change their preferred venue, the Coordinators are more than happy to assist with this.

NPAS continues to strengthen links with the Appeals Service, a relationship that exemplifies the spirit of tribunals working together and sharing resources. We now use the Appeals Service buildings in London and Liverpool and a new satellite venue in Bedford to hear our parking appeals and when selecting a new venue for a new area we will always consider an Appeals Service venue if one is nearby. We would like to extend our gratitude to the Appeals Service in this joint venture.

All of our hearing venues are thoroughly inspected by staff who have completed an Institute of Health and Safety accredited course in Health and Safety and are qualified in completing in depth risk assessments. We have always aimed to ensure that all of our venues are accessible to people with disabilities and work was undertaken in 2004 to ensure that all of the venues comply with the requirements of the Disability Discrimination Act 1995 which came into force on 1st October 2004. Of the 3872 personal appellants in 2004, 53 (1.4%) indicated on their Notice of Appeal form that they used a wheelchair. Of course we can only collate these statistics should appellants wish to indicate this information and an appellant is never forced to supply this data before an appeal is heard.

The Notice of Appeal form also includes a section that appellants can complete if they need specialist assistance at a personal hearing. This may include language needs or hearing impairments. The majority of our venues do have a hearing loop system already installed for people who have hearing impairments but should a venue not have this system, all of the Hearing Centre Supervisors carry portable hearing loop systems with them should the need arise.

Hearing Centre Supervisors

As a tribunal, our hearings are indeed of a judicial nature but without the formality that exists in many other court buildings. Indeed we have a wide choice of venues ranging from libraries and museums to hotels all of which tread that fine balance between lack of pompous austerity and sufficient formality to convey the nature of proceedings. It needs to be remembered that many appellants have never been involved with any sort of legal proceedings before and may be quite anxious before their appeal.

The choice of venue goes a long way to provide the correct atmosphere but we also have a loyal team of Hearing Centre Supervisors who between them steward all of the personal hearings around the country and assist with the appeals procedure. The Hearing Centre Supervisor greets the appellants and the councils as they arrive, introduces the parties present for the recording of the appeal and assists the Adjudicators throughout the course of the proceedings.

Three conferences for the Hearing Centre Supervisors were held around the country in Autumn 2004. As the Supervisors are regionally based, this provided an opportunity for them to meet with other Supervisors, the Chief Adjudicator, Service Director and other colleagues to share ideas of best practice or raise any concerns about venues and other issues, with a view to providing a consistently good service to our users throughout our areas of operation.

Appellants' User Group

In accordance with Aim 8 of the Aims and Objectives of the National Parking Adjudication Service "*To create and maintain an adaptable and responsive tribunal system*" NPAS continues to hold regular meetings with representative users of the service. These meetings are particularly useful as they allow suggestions and comments to be raised about the service that we provide and how this can be developed in the future.

In the Autumn of 2004, NPAS once again held a meeting of the Appellant User Group. This group consists of representatives from motoring organisations who are able to offer an insight into the service provided by NPAS from their particular angle. The group currently includes representatives from the AA Motoring Trust, RAC Foundation, Road Haulage Association, Disabled Driver's Association and the Citizen's Advice Bureaux.

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.

Annual Conference

Continuing with the theme of the mandate of tribunals being to improve the standard of 'first round' decision making, in this case the respondent councils, NPAS held its fifth Annual Conference in Birmingham on 10th November 2004 for local authorities in England and Wales. Invitations were issued to every authority regardless of their DPE status and we were delighted to receive over 260 delegates at the conference. What is particularly pleasing is the number of delegates who attended from non DPE operating councils which illustrates the interest in the subject and the desire for knowledge about NPAS before they commence decriminalised parking enforcement.

Presentations were given by Parking Adjudicators, local authority representatives and a range of speakers including Kevin Delaney from the RAC Foundation; John Moore from the DVLA and Professor John Raine from the University of Birmingham / Institute of

Local Government Studies. Professor Raine gave the audience some key findings from its recently completed User Survey.

As in previous years the delegates were able to fill in a feedback form as to the content of the 2004 Annual Conference. 97% of delegates thought that the facilities and content were either good or excellent with over 95% requesting that they be continued in the future.

The User Survey

The results from the User Survey will provide us with the cornerstone for future developments. The details are covered elsewhere on the Committee agenda.

Service Development Initiatives

Appeal on-line

Throughout 2004 considerable work and progress was made on the development and implementation of the appeal on-line facility. As more appellants are communicating with NPAS by e-mail and use of the Internet is much more widespread it is felt that a natural progression of the service that NPAS offers is to include Appeal on-line.

Essentially an appellant will be sent a formal notice rejection of representations from a given council complete with a unique PIN number that can then be used by the appellant to appeal on-line. Such a method of appealing provides an alternative way to the more traditional ways of appealing merely to enhance the service that NPAS provides.

The involvement of several different systems of IT from different councils and issues such as security and accuracy provide several challenges for us to overcome but at the time of writing this report the Appeal on-line section on the website is in its final trial stages and it is hoped that this will be piloted shortly. If the feedback is positive after the initial trial run, it is hoped that the system will be rolled out in the coming months.

TRO Electronic Library

We have continued to maintain and develop the electronic Traffic Regulation Order library initiated in 2003. The aim of the TRO library is to provide the 32 Adjudicators with a central repository of Traffic Regulation Orders that can be remotely accessed when considering appeal cases. All councils that come on board with DPE are asked to supply NPAS with a copy of their relevant Traffic Regulation Orders, including maps where relevant. These are scanned in and indexed providing a comprehensive database of all TRO's that could be used in an appeal. A contravention can only occur when there is a contravention of a valid order and so the TRO is fundamental in every appeal.

NPAS however not only intrinsically believes in the benefits that are offered to the Adjudicators but also to the councils involved as once all of their orders have been registered with us and it has been agreed that we hold all of the necessary documentation, they are then relieved from sending a copy of the relevant order in with each appeal bundle. Currently there are now 22 councils who have been officially relieved from sending in a copy of the relevant order with each appeal bundle. We would encourage other councils to participate in this initiative.

It has been purely coincidental that some of the councils in the first wave of councils to be formally relieved are some of the biggest councils in the scheme enabling staff resources and paperwork involved in compiling an evidence bundle to be minimised. A further benefit is that the Adjudicators are now able to remotely access several hundred Traffic Regulation Orders via our virtual private communications network.

Electronic Transfer of Evidence

The piloting of this project continued in 2004 and progress was made with two of the seven local authority IT systems in this area. It is an incredibly complex task to allow all councils to supply all evidence electronically to NPAS instead of paper based bundles. It involves establishing that over seven different types of software are compatible with our own systems and software and many other technological challenges.

There are however many benefits to be made for all parties involved in the appeals process. Certainly it would be far quicker, easier and more secure for the councils to supply all their evidence electronically to NPAS and this would also be very conducive to the ethos of e-government and forward looking tribunals. Trials are currently being carried out in several councils around the country and it is hoped that detailed developments will be covered in the Annual Report for 2005.

AIMS

NPAS is currently in the process of working with a leading software provider to develop a brand new case management system AIMS (Appeal and Information Management System). The workload and throughput of data had grown to such an extent within NPAS that a new database had to be created to ensure maximum efficiency and reliability. The new system contains enhanced data recording facilities producing benefits for all staff and Adjudicators who use the system. Coordinators will be able to record more data at the appeals processing stage and Adjudicators will be able to dial in remotely to the system, collect appeal case files and decide them as opposed to bundles of postal files being delivered around the country.

Service Standards – Performance Indicators

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.

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. The indicators for year 2004 are given in Table A below.

TABLE A

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%
Year 2004	79% (6,568 Appeals)	80%	88% (3,873 Appeals)	80%

It should be noted that data reported in Table A 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.

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 during 2005 after which a substantial improvement to this service standard indicator should result.

A further factor has been the need to recruit appeals coordinators. Two new appeals coordinators were appointed in early 2004 and this is helping in the timely processing of appeals.

At the meeting of 19th 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. At the meeting of the Executive Sub-committee held on 24th January 2005, it was agreed to change the telephone answering target from 80% to 90%, and the Acknowledgement of Appeal target from 80% to 95% with effect from 1st January, 2005.

Details for year of 2004 are given in Table B below.

TABLE B

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%
Year 2004	97% (29,764 calls)	80%	99% (10,441 appeals)	80%

The Committee is requested to note the performance attained against the agreed service standard indicators for year 2004.

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Table Number 1

Details of Councils in the scheme, their SPA start date, Number of Appeals received and Appeal Rate per PCN for All Councils, 2004

COUNCIL	PCNs	% of		Start Date
		PCNs Appealed	cases per PCN	
Winchester	13,938	16	0.11	20/05/1996
Oxfordshire [Oxford]	48,534	108	0.22	03/02/1997
Bucks [High Wycombe]	16,881	50	0.30	03/03/1997
Maidstone	29,658	117	0.39	29/09/1997
Watford	28,463	103	0.36	27/10/1997
Luton	43,488	106	0.24	19/01/1999
Manchester	135,970	867	0.64	05/04/1999
Portsmouth	48,620	265	0.55	05/04/1999
Hastings	29,617	113	0.38	10/05/1999
Neath Port Talbot	17,962	83	0.46	01/06/1999
Medway	47,613	95	0.20	03/01/2000
Gravesham	20,076	135	0.67	04/01/2000
Canterbury	25,856	66	0.26	10/01/2000
Sevenoaks	8,870	12	0.14	10/01/2000
Swale	10,207	14	0.14	10/01/2000
Thanet	16,397	58	0.35	10/01/2000
Tunbridge Wells	31,663	119	0.38	10/01/2000
Sefton	53,724	84	0.16	01/02/2000
Bristol	54,592	227	0.42	01/04/2000
Sandwell	40,838	140	0.34	01/04/2000
Shepway	11,629	18	0.15	03/04/2000
Tonbridge & Malling	12,250	10	0.08	01/09/2000
Bolton	44,210	228	0.52	04/09/2000
Ashford	14,050	30	0.21	02/10/2000
York	29,301	41	0.14	08/10/2000
Reading	72,139	561	0.78	30/10/2000
Bedford	25,254	68	0.27	13/11/2000
Trafford	36,498	59	0.16	15/01/2001
Dover	17,821	9	0.05	23/01/2001
Taunton Deane	15,563	60	0.39	19/02/2001
Plymouth	52,100	395	0.76	01/04/2001
Salisbury	20,484	32	0.16	01/04/2001
Salford	33,742	145	0.43	02/04/2001
Three Rivers	5,311	16	0.30	01/07/2001
Northampton	62,474	105	0.17	02/07/2001
Dartford	9,089	9	0.10	02/07/2001
Brighton & Hove	168,172	411	0.24	16/07/2001
Southend-on-Sea	48,124	276	0.57	01/09/2001
Barrow-in-Furness	8,194	20	0.24	03/09/2001
Birmingham	174,852	1,260	0.72	03/09/2001
Bournemouth	38,584	205	0.53	03/09/2001
Oldham	23,797	70	0.29	01/10/2001
Stoke-on-Trent	53,123	103	0.19	01/10/2001
Herefordshire	23,182	22	0.09	05/11/2001
Carlisle	17,442	52	0.30	26/11/2001
Norwich	36,651	131	0.36	04/02/2002
Southampton	49,464	143	0.29	25/02/2002
South Lakeland	15,498	46	0.30	04/03/2002
Milton Keynes	46,067	147	0.32	25/03/2002
Poole	20,796	202	0.97	02/04/2002
Hart	7,473	15	0.20	05/06/2002
Rushmoor	14,263	70	0.49	05/06/2002
Liverpool	109,869	222	0.20	01/07/2002
Dorset	13,991	29	0.21	01/07/2002
Harrogate	20,495	52	0.25	15/07/2002
Basingstoke and Deane	6,614	10	0.15	01/10/2002
Brentwood	13,537	79	0.58	01/10/2002

COUNCIL	PCNs	% of		Start Date
		PCNs Appealed	cases per PCN	
Chelmsford	21,706	151	0.70	01/10/2002
Colchester	20,753	67	0.32	01/10/2002
Epping Forest	22,100	45	0.20	01/10/2002
Nottingham	90,808	398	0.44	01/10/2002
Bury	28,871	109	0.38	14/10/2002
Weymouth and Portland	19,195	18	0.09	25/11/2002
Eden	7,936	54	0.68	20/01/2003
Worcester	11,701	28	0.24	03/02/2003
Sunderland	24,455	111	0.45	03/02/2003
Bath and North East Somerset	54,588	245	0.45	17/02/2003
Christchurch	9,449	25	0.26	03/03/2003
Maldon	2,225	0	0.00	01/04/2003
Basildon	9,378	89	0.95	01/04/2003
Slough	42,138	160	0.38	21/04/2003
Redcar & Cleveland	10,876	36	0.33	02/06/2003
Aylesbury Vale	13,023	104	0.80	30/06/2003
Middlesbrough	13,102	89	0.68	01/09/2003
Swindon	28,666	172	0.60	01/09/2003
Peterborough	21,200	22	0.10	22/09/2003
Copeland	4,615	7	0.15	29/09/2003
Dacorum	19,692	31	0.16	06/10/2003
Allerdale	19,277	25	0.13	13/10/2003
Test Valley	8,326	11	0.13	20/10/2003
Harlow	5,047	11	0.22	01/11/2003
Blackpool	58,374	126	0.22	10/11/2003
Wirral	41,824	88	0.21	17/11/2003
Carmarthenshire	9,588	9	0.09	01/02/2004
South Bedfordshire	6,068	3	0.05	02/02/2004
Mid Bedfordshire	874	1	0.11	02/02/2004
Mole Valley	3,167	1	0.03	26/04/2004
Guildford	15,228	0	0.00	01/06/2004
Reigate and Banstead	9,355	1	0.01	01/06/2004
Denbighshire	6,563	15	0.23	01/07/2004
Wigan	11,647	26	0.22	01/07/2004
Rochdale	14,236	30	0.21	04/07/2004
Burnley	3,334	0	0.00	06/09/2004
Chorley	3,153	0	0.00	06/09/2004
Fylde	2,902	0	0.00	06/09/2004
Hyndburn	1,802	0	0.00	06/09/2004
Lancaster	7,048	0	0.00	06/09/2004
Pendle	2,219	0	0.00	06/09/2004
Preston	8,263	0	0.00	06/09/2004
Ribble Valley	980	0	0.00	06/09/2004
Rossendale	1,096	0	0.00	06/09/2004
South Ribble	990	0	0.00	06/09/2004
West Lancashire	1,417	0	0.00	06/09/2004
Wyre	380	0	0.00	06/09/2004
East Sussex [Lewes]	4,701	0	0.00	20/09/2004
Blackburn with Darwen	3,334	0	0.00	01/10/2004
St. Albans	7,723	0	0.00	01/10/2004
Braintree	1,798	0	0.00	01/10/2004
Castle Point	1,050	0	0.00	01/10/2004
Rochford	1,150	0	0.00	01/10/2004
Tendring	3,333	3	0.09	01/10/2004
Uttlesford	1,250	1	0.08	01/10/2004
Eastleigh	3,098	0	0.00	01/10/2004
Stratford on Avon	3,573	0	0.00	04/10/2004
Wychavon	2,218	0	0.00	11/10/2004
Cambridge	4,475	0	0.00	25/10/2004
Runnymede	681	0	0.00	08/11/2004
All SPA areas	2,853,089	10,441	0.37	

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 2
Councils listed in order of highest number of PCN's

	PCN's	PCN's appealed
Birmingham	174,852	1,260
Brighton & Hove	168,172	411
Manchester	135,970	867
Liverpool	109,869	222
Nottingham	90,808	398
Reading	72,139	561
Northampton	62,474	105
Blackpool	58,374	126
Bristol	54,592	227
Bath and North East Somerset	54,588	245
Sefton	53,724	84
Stoke-on-Trent	53,123	103
Plymouth	52,100	395
Southampton	49,464	143
Portsmouth	48,620	265
Oxfordshire [Oxford]	48,534	108
Southend-on-Sea	48,124	276
Medway	47,613	95
Milton Keynes	46,067	147
Bolton	44,210	228
Luton	43,488	106
Slough	42,138	160
Wirral	41,824	88
Sandwell	40,838	140
Bournemouth	38,584	205
Norwich	36,651	131
Trafford	36,498	59
Salford	33,742	145
Tunbridge Wells	31,663	119
Maidstone	29,658	117
Hastings	29,617	113
York	29,301	41
Bury	28,871	109
Swindon	28,666	172
Watford	28,463	103
Canterbury	25,856	66
Bedford	25,254	68
Sunderland	24,455	111
Oldham	23,797	70
Herefordshire	23,182	22
Epping Forest	22,100	45
Chelmsford	21,706	151

Peterborough	21,200	22
Poole	20,796	202
Colchester	20,753	67
Harrogate	20,495	52
Salisbury	20,484	32
Gravesham	20,076	135
Dacorum	19,692	31
Allerdale	19,277	25
Weymouth and Portland	19,195	18
Neath Port Talbot	17,962	83
Dover	17,821	9
Carlisle	17,442	52
Bucks [High Wycombe]	16,881	50
Thanet	16,397	58
Taunton Deane	15,563	60
South Lakeland	15,498	46
Guildford	15,228	0
Rushmoor	14,263	70
Rochdale	14,236	30
Ashford	14,050	30
Dorset	13,991	29
Winchester	13,938	16
Brentwood	13,537	79
Middlesbrough	13,102	89
Aylesbury Vale	13,023	104
Tonbridge & Malling	12,250	10
Worcester	11,701	28
Wigan	11,647	26
Shepway	11,629	18
Redcar & Cleveland	10,876	36
Swale	10,207	14
Carmarthenshire	9,588	9
Christchurch	9,449	25
Basildon	9,378	89
Reigate and Banstead	9,355	1
Dartford	9,089	9
Sevenoaks	8,870	12
Test Valley	8,326	11
Preston	8,263	0
Barrow-in-Furness	8,194	20
Eden	7,936	54
St. Albans	7,723	0
Hart	7,473	15
Lancaster	7,048	0
Basingstoke and Deane	6,614	10
Denbighshire	6,563	15
South Bedfordshire	6,068	3
Three Rivers	5,311	16
Harlow	5,047	11

East Sussex [Lewes]	4,701	0
Copeland	4,615	7
Cambridge	4,475	0
Stratford on Avon	3,573	0
Blackburn with Darwen	3,334	0
Burnley	3,334	0
Tendring	3,333	3
Mole Valley	3,167	1
Chorley	3,153	0
Eastleigh	3,098	0
Fylde	2,902	0
Maldon	2,225	0
Pendle	2,219	0
Wychavon	2,218	0
Hyndburn	1,802	0
Braintree	1,798	0
West Lancashire	1,417	0
Uttlesford	1,250	1
Rochford	1,150	0
Rossendale	1,096	0
Castle Point	1,050	0
South Ribble	990	0
Ribble Valley	980	0
Mid Bedfordshire	874	1
Runnymede	681	0
Wyre	380	0

Table 3
Councils listed in order of highest number of appeals

	PCN's	Appeals
Birmingham	174,852	1,260
Manchester	135,970	867
Reading	72,139	561
Brighton & Hove	168,172	411
Nottingham	90,808	398
Plymouth	52,100	395
Southend-on-Sea	48,124	276
Portsmouth	48,620	265
Bath and North East Somerset	54,588	245
Bolton	44,210	228
Bristol	54,592	227
Liverpool	109,869	222
Bournemouth	38,584	205
Poole	20,796	202
Swindon	28,666	172
Slough	42,138	160
Chelmsford	21,706	151
Milton Keynes	46,067	147
Salford	33,742	145
Southampton	49,464	143
Sandwell	40,838	140
Gravesham	20,076	135
Norwich	36,651	131
Blackpool	58,374	126
Tunbridge Wells	31,663	119
Maidstone	29,658	117
Hastings	29,617	113
Sunderland	24,455	111
Bury	28,871	109
Oxfordshire [Oxford]	48,534	108
Luton	43,488	106
Northampton	62,474	105
Aylesbury Vale	13,023	104
Stoke-on-Trent	53,123	103
Watford	28,463	103
Medway	47,613	95
Basildon	9,378	89
Middlesbrough	13,102	89
Wirral	41,824	88
Sefton	53,724	84
Neath Port Talbot	17,962	83
Brentwood	13,537	79
Oldham	23,797	70
Rushmoor	14,263	70

Bedford	25,254	68
Colchester	20,753	67
Canterbury	25,856	66
Taunton Deane	15,563	60
Trafford	36,498	59
Thanet	16,397	58
Eden	7,936	54
Carlisle	17,442	52
Harrogate	20,495	52
Bucks [High Wycombe]	16,881	50
South Lakeland	15,498	46
Epping Forest	22,100	45
York	29,301	41
Redcar & Cleveland	10,876	36
Salisbury	20,484	32
Dacorum	19,692	31
Ashford	14,050	30
Rochdale	14,236	30
Dorset	13,991	29
Worcester	11,701	28
Wigan	11,647	26
Allerdale	19,277	25
Christchurch	9,449	25
Herefordshire	23,182	22
Peterborough	21,200	22
Barrow-in-Furness	8,194	20
Shepway	11,629	18
Weymouth and Portland	19,195	18
Three Rivers	5,311	16
Winchester	13,938	16
Denbighshire	6,563	15
Hart	7,473	15
Swale	10,207	14
Sevenoaks	8,870	12
Harlow	5,047	11
Test Valley	8,326	11
Basingstoke and Deane	6,614	10
Tonbridge & Malling	12,250	10
Carmarthenshire	9,588	9
Dartford	9,089	9
Dover	17,821	9
Copeland	4,615	7
South Bedfordshire	6,068	3
Tendring	3,333	3
Mid Bedfordshire	874	1
Mole Valley	3,167	1
Reigate and Banstead	9,355	1
Uttlesford	1,250	1
Blackburn with Darwen	3,334	0

Braintree	1,798	0
Burnley	3,334	0
Cambridge	4,475	0
Castle Point	1,050	0
Chorley	3,153	0
East Sussex [Lewes]	4,701	0
Eastleigh	3,098	0
Fylde	2,902	0
Guildford	15,228	0
Hyndburn	1,802	0
Lancaster	7,048	0
Maldon	2,225	0
Pendle	2,219	0
Preston	8,263	0
Ribble Valley	980	0
Rochford	1,150	0
Rossendale	1,096	0
Runnymede	681	0
South Ribble	990	0
St. Albans	7,723	0
Stratford on Avon	3,573	0
West Lancashire	1,417	0
Wychavon	2,218	0
Wyre	380	0

Table 4
Councils listed in order of highest rate of appeal per PCN

	PCN's	Appeals	Rate of Appeal
Total	2,853,089	10441	0.37%
Poole	20,796	202	0.97%
Basildon	9,378	89	0.95%
Aylesbury Vale	13,023	104	0.80%
Reading	72,139	561	0.78%
Plymouth	52,100	395	0.76%
Birmingham	174,852	1,260	0.72%
Chelmsford	21,706	151	0.70%
Eden	7,936	54	0.68%
Middlesbrough	13,102	89	0.68%
Gravesham	20,076	135	0.67%
Manchester	135,970	867	0.64%
Swindon	28,666	172	0.60%
Brentwood	13,537	79	0.58%
Southend-on-Sea	48,124	276	0.57%
Portsmouth	48,620	265	0.55%
Bournemouth	38,584	205	0.53%
Bolton	44,210	228	0.52%
Rushmoor	14,263	70	0.49%
Neath Port Talbot	17,962	83	0.46%
Sunderland	24,455	111	0.45%
Bath and North East Somerset	54,588	245	0.45%
Nottingham	90,808	398	0.44%
Salford	33,742	145	0.43%
Bristol	54,592	227	0.42%
Maidstone	29,658	117	0.39%
Taunton Deane	15,563	60	0.39%
Hastings	29,617	113	0.38%
Slough	42,138	160	0.38%
Bury	28,871	109	0.38%
Tunbridge Wells	31,663	119	0.38%
Watford	28,463	103	0.36%
Norwich	36,651	131	0.36%
Thanet	16,397	58	0.35%
Sandwell	40,838	140	0.34%
Redcar & Cleveland	10,876	36	0.33%
Colchester	20,753	67	0.32%
Milton Keynes	46,067	147	0.32%
Three Rivers	5,311	16	0.30%
Carlisle	17,442	52	0.30%
South Lakeland	15,498	46	0.30%
Bucks [High Wycombe]	16,881	50	0.30%
Oldham	23,797	70	0.29%

Southampton	49,464	143	0.29%
Bedford	25,254	68	0.27%
Christchurch	9,449	25	0.26%
Canterbury	25,856	66	0.26%
Harrogate	20,495	52	0.25%
Brighton & Hove	168,172	411	0.24%
Barrow-in-Furness	8,194	20	0.24%
Luton	43,488	106	0.24%
Worcester	11,701	28	0.24%
Denbighshire	6,563	15	0.23%
Wigan	11,647	26	0.22%
Oxfordshire [Oxford]	48,534	108	0.22%
Harlow	5,047	11	0.22%
Blackpool	58,374	126	0.22%
Ashford	14,050	30	0.21%
Rochdale	14,236	30	0.21%
Wirral	41,824	88	0.21%
Dorset	13,991	29	0.21%
Epping Forest	22,100	45	0.20%
Liverpool	109,869	222	0.20%
Hart	7,473	15	0.20%
Medway	47,613	95	0.20%
Stoke-on-Trent	53,123	103	0.19%
Northampton	62,474	105	0.17%
Trafford	36,498	59	0.16%
Dacorum	19,692	31	0.16%
Sefton	53,724	84	0.16%
Salisbury	20,484	32	0.16%
Shepway	11,629	18	0.15%
Copeland	4,615	7	0.15%
Basingstoke and Deane	6,614	10	0.15%
York	29,301	41	0.14%
Swale	10,207	14	0.14%
Sevenoaks	8,870	12	0.14%
Test Valley	8,326	11	0.13%
Allerdale	19,277	25	0.13%
Winchester	13,938	16	0.11%
Mid Bedfordshire	874	1	0.11%
Peterborough	21,200	22	0.10%
Dartford	9,089	9	0.10%
Herefordshire	23,182	22	0.09%
Carmarthenshire	9,588	9	0.09%
Weymouth and Portland	19,195	18	0.09%
Tendring	3,333	3	0.09%
Tonbridge & Malling	12,250	10	0.08%
Uttlesford	1,250	1	0.08%
Dover	17,821	9	0.05%
South Bedfordshire	6,068	3	0.05%
Mole Valley	3,167	1	0.03%

Reigate and Banstead	9,355	1	0.01%
Blackburn with Darwen	3,334	0	0.00%
Braintree	1,798	0	0.00%
Burnley	3,334	0	0.00%
Cambridge	4,475	0	0.00%
Castle Point	1,050	0	0.00%
Chorley	3,153	0	0.00%
East Sussex [Lewes]	4,701	0	0.00%
Eastleigh	3,098	0	0.00%
Fylde	2,902	0	0.00%
Guildford	15,228	0	0.00%
Hyndburn	1,802	0	0.00%
Lancaster	7,048	0	0.00%
Maldon	2,225	0	0.00%
Pendle	2,219	0	0.00%
Preston	8,263	0	0.00%
Ribble Valley	980	0	0.00%
Rochford	1,150	0	0.00%
Rossendale	1,096	0	0.00%
Runnymede	681	0	0.00%
South Ribble	990	0	0.00%
St. Albans	7,723	0	0.00%
Stratford on Avon	3,573	0	0.00%
West Lancashire	1,417	0	0.00%
Wychavon	2,218	0	0.00%
Wyre	380	0	0.00%

Table 5
Details of Appeals Received for All English Councils Year 2004

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
All Areas	10,334	6,504 63%	3,830 37%	3,557 34%	2,803 27%	6,360 62%	3,927 38%	47 0%
Allerdale	25	13 52%	12 48%	3 12%	10 40%	13 52%	11 44%	1 4%
Ashford	30	20 67%	10 33%	9 30%	8 27%	17 57%	13 43%	0 0%
Aylesbury Vale	104	50 48%	54 52%	6 6%	59 57%	65 63%	39 38%	0 0%
Barrow-in-Furness	20	10 50%	10 50%	4 20%	5 25%	9 45%	11 55%	0 0%
Basildon	89	62 70%	27 30%	17 19%	35 39%	52 58%	37 42%	0 0%
Basingstoke and Deane	10	9 90%	1 10%	2 20%	1 10%	3 30%	7 70%	0 0%
Bath and North East Somerset	245	152 62%	93 38%	36 15%	75 31%	111 45%	134 55%	0 0%
Bedford	68	50 74%	18 26%	13 19%	20 29%	33 49%	35 51%	0 0%
Birmingham	1,260	834 66%	426 34%	803 64%	216 17%	1,019 81%	240 19%	1 0%
Blackburn with Darwen	0	0	0	0	0	0	0	0
Blackpool	126	61 48%	65 52%	19 15%	50 40%	69 55%	56 44%	1 1%
Bolton	228	105 46%	123 54%	41 18%	91 40%	132 58%	92 40%	4 2%
Bournemouth	205	146 71%	59 29%	50 24%	54 26%	104 51%	100 49%	1 0%
Braintree	0	0	0	0	0	0	0	0
Brentwood	79	51 65%	28 35%	33 42%	18 23%	51 65%	28 35%	0 0%
Brighton & Hove	411	265 64%	146 36%	96 23%	117 28%	213 52%	198 48%	0 0%
Bristol	227	156 69%	71 31%	108 48%	51 22%	159 70%	68 30%	0 0%
Buckinghamshire (High Wycombe)	50	32 64%	18 36%	11 22%	19 38%	30 60%	20 40%	0 0%
Burnley	0	0	0	0	0	0	0	0
Bury	109	67 61%	42 39%	25 23%	27 25%	52 48%	57 52%	0 0%

Cambridge	0	0	0	0	0	0	0	0
Canterbury	66	43 65%	23 35%	33 50%	13 20%	46 70%	20 30%	0 0%
Carlisle	52	21 40%	31 60%	8 15%	21 40%	29 56%	22 42%	1 2%
Castle Point	0	0	0	0	0	0	0	0
Chelmsford	151	103 68%	48 32%	73 48%	39 26%	112 74%	39 26%	0 0%
Chorley	0	0	0	0	0	0	0	0
Christchurch	25	15 60%	10 40%	2 8%	5 20%	7 28%	18 72%	0 0%
Colchester	67	51 76%	16 24%	9 13%	16 24%	25 37%	42 63%	0 0%
Copeland	7	4 57%	3 43%	1 14%	5 71%	6 86%	1 14%	0 0%
Dacorum	31	23 74%	8 26%	11 35%	12 39%	23 74%	8 26%	0 0%
Dartford	9	3 33%	6 67%	3 33%	2 22%	5 56%	4 44%	0 0%
Dorset [East Dorset, North Dorset, Purbeck, Wareham, and West Dorset]	29	19 66%	10 34%	7 24%	5 17%	12 41%	17 59%	0 0%
Dover	9	6 67%	3 33%	1 11%	2 22%	3 33%	6 67%	0 0%
East Sussex [Lewes]	0	0	0	0	0	0	0	0
Eastleigh	0	0	0	0	0	0	0	0
Eden	54	24 44%	30 56%	5 9%	25 46%	30 56%	24 44%	0 0%
Epping Forest	45	32 71%	13 29%	8 18%	11 24%	19 42%	25 56%	1 2%
Fylde	0	0	0	0	0	0	0	0
Gravesham	135	95 70%	40 30%	51 38%	32 24%	83 61%	52 39%	0 0%
Guildford	0	0	0	0	0	0	0	0
Harlow	11	10 91%	1 9%	6 55%	1 9%	7 64%	4 36%	0 0%
Harrogate	52	28 54%	24 46%	0 0%	11 21%	11 21%	41 79%	0 0%
Hart	15	13 87%	2 13%	1 7%	3 20%	4 27%	11 73%	0 0%
Hastings	113	60 53%	53 47%	8 7%	49 43%	57 50%	55 49%	1 1%
Herefordshire	22	10 45%	12 55%	1 5%	6 27%	7 32%	15 68%	0 0%
Hyndburn	0	0	0	0	0	0	0	0

Lancaster	0	0	0	0	0	0	0	0
Liverpool	222	125 56%	97 44%	84 38%	81 36%	165 74%	57 26%	0 0%
Luton	106	67 63%	39 37%	23 22%	43 41%	66 62%	38 36%	2 2%
Maidstone	117	79 68%	38 32%	46 39%	33 28%	79 68%	38 32%	0 0%
Maldon	0	0	0	0	0	0	0	0
Manchester	867	506 58%	361 42%	265 31%	224 26%	489 56%	371 43%	7 1%
Medway	95	63 66%	32 34%	6 6%	42 44%	48 51%	46 48%	1 1%
Mid Bedfordshire	1	0 0%	1 100%	1 100%	0 0%	1 100%	0 0%	0 0%
Middlesbrough	89	57 64%	32 36%	30 34%	35 39%	65 73%	24 27%	0 0%
Milton Keynes	147	96 65%	51 35%	57 39%	30 20%	87 59%	59 40%	1 1%
Mole Valley	1	0 0%	1 100%	0 0%	1 100%	1 100%	0 0%	0 0%
Northampton	105	52 50%	53 50%	48 46%	24 23%	72 69%	33 31%	0 0%
Norwich	131	95 73%	36 27%	47 36%	19 15%	66 50%	64 49%	1 1%
Nottingham	398	229 58%	169 42%	169 42%	75 19%	244 61%	149 37%	5 1%
Oldham	70	46 66%	24 34%	9 13%	29 41%	38 54%	31 44%	1 1%
Oxfordshire (Oxford)	108	69 64%	39 36%	45 42%	19 18%	64 59%	44 41%	0 0%
Pendle	0	0	0	0	0	0	0	0
Peterborough	22	9 41%	13 59%	5 23%	9 41%	14 64%	6 27%	2 9%
Plymouth	395	250 63%	145 37%	52 13%	187 47%	239 61%	156 39%	0 0%
Poole	202	135 67%	67 33%	49 24%	67 33%	116 57%	85 42%	1 0%
Portsmouth	265	177 67%	88 33%	139 52%	49 18%	188 71%	77 29%	0 0%
Preston	0	0	0	0	0	0	0	0
Reading	561	368 66%	193 34%	214 38%	165 29%	379 68%	181 32%	1 0%
Redcar & Cleveland	36	27 75%	9 25%	14 39%	8 22%	22 61%	14 39%	0 0%
Reigate & Banstead	1	1 100 %	0 0%	0 0%	0 0%	0 0%	1 100%	0 0%
Ribble Valley	0	0	0	0	0	0	0	0

Rochdale	30	15 50%	15 50%	15 50%	6 20%	21 70%	9 30%	0 0%
Rochford	0	0	0	0	0	0	0	0
Rossendale	0	0	0	0	0	0	0	0
Runnymede	0	0	0	0	0	0	0	0
Rushmoor	70	49 70%	21 30%	12 17%	18 26%	30 43%	40 57%	0 0%
Salford	145	85 59%	60 41%	77 53%	25 17%	102 70%	42 29%	1 1%
Salisbury	32	22 69%	10 31%	0 0%	12 38%	12 38%	20 63%	0 0%
Sandwell	140	88 63%	52 37%	59 42%	12 9%	71 51%	69 49%	0 0%
Sefton	84	54 64%	30 36%	2 2%	28 33%	30 36%	52 62%	2 2%
Sevenoaks	12	7 58%	5 42%	1 8%	6 50%	7 58%	5 42%	0 0%
Shepway	18	12 67%	6 33%	1 6%	3 17%	4 22%	14 78%	0 0%
Slough	160	113 71%	47 29%	112 70%	16 10%	128 80%	32 20%	0 0%
South Bedfordshire	3	1 33%	2 67%	3 100%	0 0%	3 100%	0 0%	0 0%
South Lakeland	46	19 41%	27 59%	21 46%	14 30%	35 76%	11 24%	0 0%
South Ribble	0	0	0	0	0	0	0	0
Southampton	143	101 71%	42 29%	24 17%	45 31%	69 48%	74 52%	0 0%
Southend-on-Sea	276	178 64%	98 36%	134 49%	50 18%	184 67%	92 33%	0 0%
St Albans	0	0	0	0	0	0	0	0
Stoke-on-Trent	103	67 65%	36 35%	20 19%	29 28%	49 48%	52 50%	2 2%
Stratford on Avon	0	0	0	0	0	0	0	0
Sunderland	111	67 60%	44 40%	29 26%	25 23%	54 49%	56 50%	1 1%
Swale	14	10 71%	4 29%	1 7%	9 64%	10 71%	4 29%	0 0%
Swindon	172	99 58%	73 42%	34 20%	53 31%	87 51%	85 49%	0 0%
Taunton Deane	60	42 70%	18 30%	23 38%	15 25%	38 63%	22 37%	0 0%
Tendring	3	3 100 %	0 0%	0 0%	1 33%	1 33%	2 67%	0 0%
Test Valley	11	7 64%	4 36%	3 27%	5 45%	8 73%	3 27%	0 0%

Thanet	58	43 74%	15 26%	12 21%	26 45%	38 66%	20 34%	0 0%
Three Rivers	16	8 50%	8 50%	4 25%	7 44%	11 69%	5 31%	0 0%
Tonbridge & Malling	10	8 80%	2 20%	1 10%	3 30%	4 40%	5 50%	1 10%
Trafford	59	36 61%	23 39%	35 59%	19 32%	54 92%	5 8%	0 0%
Tunbridge Wells	119	77 65%	42 35%	20 17%	44 37%	64 54%	54 45%	1 1%
Uttlesford	1	1 100%	0 0%	1 100%	0 0%	1 100%	0 0%	0 0%
Watford	103	59 57%	44 43%	24 23%	46 45%	70 68%	33 32%	0 0%
West Lancashire	0	0	0	0	0	0	0	0
Weymouth & Portland	18	9 50%	9 50%	3 17%	2 11%	5 28%	12 67%	1 6%
Wigan	26	14 54%	12 46%	17 65%	6 23%	23 88%	2 8%	1 4%
Winchester	16	8 50%	8 50%	0 0%	5 31%	5 31%	11 69%	0 0%
Wirral	88	71 81%	17 19%	42 48%	10 11%	52 59%	36 41%	0 0%
Worcester	28	19 68%	9 32%	10 36%	1 4%	11 39%	17 61%	0 0%
Wychavon	0	0	0	0	0	0	0	0
Wyre	0	0	0	0	0	0	0	0
York	41	17 41%	24 59%	10 24%	8 20%	18 44%	19 46%	4 10%

Details of Appeals Received for All Welsh Councils Year 2004

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
All Areas	107	64 60%	43 40%	46 43%	37 35%	83 78%	24 22%	0 0%
Carmarthenshire	9	3 33%	6 67%	1 11%	7 78%	8 89%	1 11%	0 0%
Denbighshire	15	14 93%	1 7%	4 27%	5 33%	9 60%	6 40%	0 0%
Neath Port Talbot	83	47 57%	36 43%	41 49%	25 30%	66 80%	17 20%	0 0%

**Table 6
Details of Appeals for each Council**

All SPA Areas

Year 2004

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
10,441	6,568 63%	3,873 37%	3,603 35%	2,840 27%	6,443 62%	3,951 38%	47 0%

Year 2003

9,213	6,180 67%	3,033 33%	3,451 37%	2,610 28%	6,061 66%	3,001 33%	151 2%
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Year 2002-2003

8,537	5,726 67%	2,811 33%	3,430 40%	2,250 26%	5,680 67%	2,786 33%	71 1%
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Year 2001 - 2002

4,517	3,178 70%	1,339 30%	1,890 42%	1,056 23%	2,946 65%	1,469 33%	97 2%
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Year 2000 - 2001

2,190	1,477 67%	713 33%	946 43%	619 28%	1,565 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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Notes:

[1] Figures for years 2001-2 and after relate to PCN's appealed, previous years are number of cases.

[2] Where there have been no appeals received during 2004 the Council area is not listed.

[3] Issues tables only appear for councils with a minimum of 10 appeals

Allerdale

SPA Commencement Date: 13th October 2003

Year 2004

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
25	13 52%	12 48%	3 12%	10 40%	13 52%	11 44%	1 4%

Year 2003

2	2 100%	0 0%	1 50%	1 50%	2 100%	0 0%	0 0%
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Allerdale Appeal Issues

Issue	Number	Percentage of Total
Beyond bay markings	1	5%
Car park issues	1	5%
CPZ	1	5%
Disabled Bays and Badges	3	15%
Mitigation	1	5%
Other (please state)	3	15%
Ownership	1	5%
P & D Tickets	1	5%
Procedural/process defect/delay	2	10%
Residents/Visitors Permit	1	5%
Signs and Lines	2	10%
Suspended bay	1	5%
Wrong contravention on PCN	2	10%
Total number	20	100%

AshfordSPA Commencement Date: 2nd October 2000**Year 2004**

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	20 67%	10 33%	9 30%	8 27%	17 57%	13 43%	0 0%

Year 2003

39	24 62%	15 38%	14 36%	16 41%	30 77%	9 23%	0 0%
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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
Car park issues	2	11%
Disabled Bays and Badges	1	5%
Going for Change	1	5%
Mitigation	3	16%
No PCN on vehicle	4	21%
P & D Tickets	2	11%
Return within 1 or 2 hours	1	5%
Signs and Lines	3	16%
Suspended bay	1	5%
Traffic Regulation Order	1	5%
Total number	19	100%

Aylesbury Vale

SPA Commencement Date: 30th June 2003

Year 2004

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
104	50 48%	54 52%	6 6%	59 57%	65 63%	39 38%	0 0%

Year 2003

0	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%
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Aylesbury Vale Appeal Issues

Issue	Number	Percentage of Total
Beyond bay markings	1	1%
Car park issues	3	3%
Discretion	1	1%
Going for Change	3	3%
Hire Agreement	1	1%
Loading/Unloading	14	16%
No Council evidence	3	3%
No PCN on vehicle	3	3%
Other (please state)	1	1%
P & D Tickets	23	26%
Payment/posting	8	9%
Procedural/process defect/delay	9	10%
Proportionality	1	1%
Residents/Visitors Permit	4	4%
Return within 1 or 2 hours	1	1%
Signs and Lines	11	12%
Taken Without Consent	1	1%
Traffic Regulation Order	1	1%
Total number	89	100%

Barrow-in-FurnessSPA Commencement Date: 3rd September 2001**Year 2004**

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
20	10 50%	10 50%	4 20%	5 25%	9 45%	11 55%	0 0%

Year 2003

21	11 52%	10 48%	2 10%	11 52%	13 62%	8 38%	0 0%
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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
Disabled badge not displayed	1	5%
Loading Bay	1	5%
Loading/Unloading	3	14%
Mitigation	1	5%
P & D Tickets	1	5%
Payment/posting	2	10%
Residents/Visitors Permit	7	33%
Return within 1 or 2 hours	3	14%
Signs and Lines	2	10%
Total Number	21	100%

BasildonSPA Commencement Date: 1st April 2003**Year 2004**

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
89	62 70%	27 30%	17 19%	35 39%	52 58%	37 42%	0 0%

Year 2003

15	14 93%	1 7%	6 40%	6 40%	12 80%	3 20%	0 0%
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Basildon Appeal Issues

Issue	Number	Percentage of Total
Beyond bay markings	2	3%
Car park issues	2	3%
Disabled badge not displayed	5	8%
Disabled Bays and Badges	1	2%
Discretion	1	2%
Hire Agreement	2	3%
Loading/Unloading	3	5%
Mitigation	2	3%
No PCN on vehicle	1	2%
Ownership	14	23%
P & D Tickets	7	11%
Residents/Visitors Permit	15	25%
Signs and Lines	2	3%
Taken Without Consent	1	2%
Wrong contravention on PCN	3	5%
Total Number	61	100%

Basingstoke and DeaneSPA Commencement Date: 1st October 2002**Year 2004**

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	9 90%	1 10%	2 20%	1 10%	3 30%	7 70%	0 0%

Year 2003

9	8 89%	1 11%	4 44%	3 33%	7 78%	2 2%	0 0%
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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
Beyond bay markings	1	13%
Broken meter/machine	1	13%
CPZ	1	13%
Mitigation	1	13%
No PCN on vehicle	1	13%
Other (please state)	1	13%
P & D Tickets	1	13%
Residents/Visitors Permit	1	13%
Total Number	8	100%

Bath and North East Somerset
SPA Commencement Date: 17th February 2003

Year 2004

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
245	152 62%	93 38%	36 15%	75 31%	111 45%	134 55%	0 0%

Year 2003

81	65 80%	16 20%	21 26%	26 32%	47 58%	33 41%	1 1%
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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
Beyond bay markings	2	1%
Broken meter/machine	4	2%
Car park issues	3	2%
CPZ	2	1%
Discretion	3	2%
Going for Change	3	2%
Hire Agreement	1	1%
Loading/Unloading	11	6%
Mitigation	11	6%
No PCN on vehicle	12	6%
Other (please state)	9	5%
Ownership	34	18%
P & D Tickets	20	11%
Payment/posting	1	1%
Residents/Visitors Permit	22	12%
Return within 1 or 2 hours	2	1%
Signs and Lines	40	22%
Suspended bay	2	1%
Traffic Regulation Order	2	1%
Wrong contravention on PCN	1	1%
Total number	185	100%

BedfordSPA Commencement Date: 13th November 2000**Year 2004**

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
68	50 74%	18 26%	13 19%	20 29%	33 49%	35 51%	0 0%

Year 2003

78	53 68%	25 32%	24 31%	17 22%	41 53%	30 38%	7 9%
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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
Beyond bay markings	2	6%
Breakdown	1	3%
Broken meter/machine	1	3%
Car park issues	2	6%
Disabled Bays and Badges	2	6%
Ownership	5	16%
P & D Tickets	7	22%
Residents/Visitors Permit	7	22%
Signs and Lines	3	9%
Traffic Regulation Order	2	6%
Total Number	32	100%

BirminghamSPA Commencement Date: 3rd September 2001**Year 2004**

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
1,260	834 66%	426 34%	803 64%	216 17%	1,019 81%	240 19%	1 0%

Year 2003

751	557 74%	194 26%	509 68%	112 15%	621 83%	120 16%	10 1%
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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
Beyond bay markings	1	0%
Breakdown	6	2%
Broken meter/machine	2	1%
Car park issues	5	2%
Disabled badge not displayed	4	1%
Disabled Bays and Badges	1	0%
Discretion	6	2%
Going for Change	1	0%
Hire Agreement	20	7%
Loading Bay	1	0%
Loading/Unloading	15	5%
Meter feeding/second P&D ticket.	2	1%
Mitigation	7	2%
Motor cycle/doctors bay	3	1%
No Council evidence	6	2%
No PCN on vehicle	27	9%
Other (please state)	10	3%
Ownership	47	16%
P & D Tickets	46	16%
Payment/posting	21	7%
Procedural/process defect/delay	9	3%
Remove/clamp issues	3	1%
Residents/Visitors Permit	2	1%
Return within 1 or 2 hours	2	1%
Setting Down	1	0%
Signs and Lines	31	11%
Suspended bay	1	0%
Taken Without Consent	3	1%
Taxi Rank	2	1%
Traffic Regulation Order	5	2%
Wrong contravention on PCN	2	1%
Total Number	292	100%

BlackpoolSPA Commencement Date: 10th November 2003**Year 2004**

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
126	61 48%	65 52%	18 14%	48 38%	66 52%	56 44%	4 3%

Year 2003

0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%
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Blackpool Appeal Issues

Issue	Number	Percentage of Total
Disabled badge not displayed	9	16%
Disabled Bays and Badges	2	4%
Loading/Unloading	6	11%
Mitigation	2	4%
Other (please state)	3	5%
P & D Tickets	4	7%
Procedural/process defect/delay	10	18%
Residents/Visitors Permit	8	15%
Return within 1 or 2 hours	1	2%
Signs and Lines	8	15%
Taxi Rank	2	4%
Total Number	55	100%

BoltonSPA Commencement Date: 4th September 2000**Year 2004**

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	105 46%	123 54%	41 18%	91 40%	132 58%	91 40%	5 2%

Year 2003

229	107 47%	122 53%	45 20%	80 35%	125 55%	101 44%	3 1%
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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
Beyond bay markings	11	7%
Breakdown	1	1%
Car park issues	12	8%
Disabled badge not displayed	12	8%
Disabled Bays and Badges	5	3%
Discretion	4	3%
Going for Change	3	2%
Hire Agreement	5	3%
Loading/Unloading	12	8%
Mitigation	2	1%
Motor cycle/doctors bay	1	1%
No Council evidence	1	1%
No PCN on vehicle	7	4%
Other (please state)	6	4%
Ownership	15	10%
P & D Tickets	21	13%
Payment/posting	1	1%
Procedural/process defect/delay	4	3%
Residents/Visitors Permit	3	2%
Setting Down	2	1%
Signs and Lines	21	13%
Suspended bay	4	3%
Traffic Regulation Order	4	3%
Total Number	157	100%

BournemouthSPA Commencement Date: 3rd September 2001**Year 2004**

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	146 71%	59 29%	50 24%	55 27%	105 51%	100 49%	0 0%

Year 2003

228	147 64%	81 36%	117 51%	48 21%	165 72%	61 27%	2 1%
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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
Beyond bay markings	7	6%
Breakdown	1	1%
Broken meter/machine	4	3%
Disabled badge not displayed	4	3%
Disabled Bays and Badges	1	1%
Going for Change	1	1%
Hire Agreement	1	1%
Loading/Unloading	6	5%
Mitigation	4	3%
No PCN on vehicle	2	2%
Other (please state)	3	3%
Ownership	14	12%
P & D Tickets	34	29%
Payment/posting	5	4%
Procedural/process defect/delay	1	1%
Residents/Visitors Permit	3	3%
Return within 1 or 2 hours	2	2%
Setting Down	1	1%
Signs and Lines	17	14%
Taken Without Consent	5	4%
Traffic Regulation Order	1	1%
Wrong contravention on PCN	1	1%
Total Number	118	100%

Brentwood

SPA Commencement Date: 1st October 2002

Year 2004

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
79	51 65%	28 35%	33 42%	18 23%	51 65%	28 35%	0 0%

Year 2003

26	15 58%	11 42%	11 42%	2 8%	13 50%	7 27%	6 23%
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Year 2002-2003

0	0	0	0	0	0	0	0
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Brentwood Appeal Issues

Issue	Number	Percentage of Total
Beyond bay markings	1	3%
Disabled badge not displayed	1	3%
Disabled Bays and Badges	2	6%
Hire Agreement	1	3%
Loading/Unloading	3	9%
Mitigation	2	6%
Other (please state)	1	3%
Ownership	7	20%
P & D Tickets	3	9%
Procedural/process defect/delay	2	6%
Residents/Visitors Permit	6	17%
Return within 1 or 2 hours	1	3%
Signs and Lines	3	9%
Traffic Regulation Order	1	3%
Wrong contravention on PCN	1	3%
Total Number	35	100%

Brighton & HoveSPA Commencement Date: 16th July 2001**Year 2004**

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
411	265 64%	146 36%	96 23%	117 28%	213 52%	198 48%	0 0%

Year 2003

232	161 69%	71 31%	61 26%	70 30%	131 56%	99 43%	2 1%
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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
Beyond bay markings	7	2%
Breakdown	1	0%
Broken meter/machine	1	0%
CPZ	1	0%
Disabled badge not displayed	21	7%
Hire Agreement	2	1%
Loading Bay	1	0%
Loading/Unloading	17	5%
Mitigation	13	4%
No PCN on vehicle	16	5%
Other (please state)	46	15%
Ownership	26	8%
P & D Tickets	20	6%
Payment/posting	5	2%
Procedural/process defect/delay	8	3%
Proportionality	2	1%
Remove/clamp issues	3	1%
Residents/Visitors Permit	42	13%
Return within 1 or 2 hours	6	2%
Setting Down	2	1%
Signs and Lines	51	16%
Suspended bay	13	4%
Taken Without Consent	6	2%
Traffic Regulation Order	5	2%
Wrong contravention on PCN	2	1%
Total Number	317	100%

BristolSPA Commencement Date: 1st April 2000**Year 2004**

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
227	156 69%	71 31%	108 48%	51 22%	159 70%	68 30%	0 0%

Year 2003

224	159 71%	65 29%	117 52%	37 17%	154 69%	68 30%	2 1%
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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
Beyond bay markings	1	1%
Breakdown	1	1%
Car park issues	2	2%
Disabled badge not displayed	1	1%
Discretion	1	1%
Hire Agreement	2	2%
Loading/Unloading	9	9%
Mitigation	5	5%
No PCN on vehicle	9	9%
Other (please state)	6	6%
Ownership	11	11%
P & D Tickets	2	2%
Payment/posting	6	6%
Proportionality	1	1%
Remove/clamp issues	11	11%
Residents/Visitors Permit	1	1%
Return within 1 or 2 hours	2	2%
Signs and Lines	20	20%
Taken Without Consent	1	1%
Traffic Regulation Order	5	5%
Wrong contravention on PCN	1	1%
Total Number	98	100%

Buckinghamshire [High Wycombe]
SPA Commencement Date: 3rd March 1997

Year 2004

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
50	32 64%	18 36%	11 22%	19 38%	30 60%	20 40%	0 0%

Year 2003

30	24 80%	6 20%	13 43%	6 20%	19 63%	10 33%	1 3%
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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
Breakdown	1	3%
Broken meter/machine	1	3%
Disabled Bays and Badges	1	3%
Discretion	1	3%
Hire Agreement	1	3%
Loading Bay	1	3%
Loading/Unloading	3	8%
Mitigation	2	5%
Motor cycle/doctors bay	1	3%
No PCN on vehicle	1	3%
Ownership	1	3%
P & D Tickets	2	5%
Procedural/process defect/delay	7	18%
Residents/Visitors Permit	1	3%
Signs and Lines	5	13%
Suspended bay	1	3%
Taken Without Consent	5	13%
Traffic Regulation Order	3	8%
Total Number	38	100%

BurySPA Commencement Date: 14th October 2002**Year 2004**

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
109	67 61%	42 39%	25 23%	27 25%	52 48%	57 52%	0 0%

Year 2003

117	58 50%	59 50%	10 9%	69 59%	79 68%	28 24%	10 9%
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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
Beyond bay markings	2	2%
Breakdown	2	2%
Broken meter/machine	1	1%
Car park issues	1	1%
CPZ	1	1%
Disabled badge not displayed	4	4%
Discretion	2	2%
Going for Change	1	1%
Hire Agreement	1	1%
Loading Bay	1	1%
Loading/Unloading	3	3%
Meter feeding/second P&D ticket.	1	1%
Mitigation	4	4%
No PCN on vehicle	18	20%
Other (please state)	3	3%
Ownership	2	2%
P & D Tickets	15	17%
Payment/posting	4	4%
Procedural/process defect/delay	2	2%
Setting Down	2	2%
Signs and Lines	16	18%
Suspended bay	1	1%
Wrong contravention on PCN	3	3%
Total Number	90	100%

Canterbury

SPA Commencement Date: 10th January 2000

Year 2004

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	43 65%	23 35%	33 50%	13 20%	46 70%	20 30%	0 0%

Year 2003

115	74 64%	41 36%	70 61%	24 21%	94 82%	21 18%	0 0%
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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 74%	44 26%	82 49%	52 31%	134 80%	29 17%	5 3%
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Year 1999 - 2000 part

4	4 100%	0 0%	2 50%	1 25%	3 75%	1 25%	0 0%
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Canterbury Appeal Issues

Issue	Number	Percentage of Total
Beyond bay markings	2	7%
Car park issues	2	7%
Disabled badge not displayed	1	4%
Loading/Unloading	4	15%
Mitigation	1	4%
Other (please state)	1	4%
Ownership	7	26%
P & D Tickets	1	4%
Residents/Visitors Permit	2	7%
Return within 1 or 2 hours	1	4%
Setting Down	1	4%
Signs and Lines	3	11%
Traffic Regulation Order	1	4%
Total Number	27	100%

CarlisleSPA Commencement Date: 26th November 2001**Year 2004**

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	21 40%	31 60%	8 15%	21 40%	29 56%	22 42%	1 2%

Year 2003

49	24 49%	25 51%	6 12%	17 35%	23 47%	25 51%	1 2%
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Year 2002-2003

103	54 52%	49 48%	17 17%	33 32%	50 49%	53 51%	0 0
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Year 2001 - 2002

0	0	0	0	0	0	0	0
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Carlisle Appeal Issues

Issue	Number	Percentage of Total
Broken meter/machine	1	4%
Disabled badge not displayed	1	4%
Disabled Bays and Badges	1	4%
Discretion	3	11%
Loading/Unloading	3	11%
No PCN on vehicle	2	7%
Other (please state)	5	18%
P & D Tickets	3	11%
Residents/Visitors Permit	2	7%
Signs and Lines	6	21%
Traffic Regulation Order	1	4%
Total Number	28	100%

CarmarthenshireSPA Commencement Date: 1st February 2004**Year 2004**

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	3 33%	6 67%	1 11%	7 78%	8 89%	1 11%	0 0%

ChelmsfordSPA Commencement Date: 1st October 2002**Year 2004**

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	103 68%	48 32%	73 48%	39 26%	112 74%	39 26%	0 0%

Year 2003

151	104 69%	47 31%	99 30%	46 30%	145 96%	6 4%	0 0%
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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
Broken meter/machine	1	1%
Disabled badge not displayed	2	3%
Disabled Bays and Badges	2	3%
Loading Bay	2	3%
Loading/Unloading	2	3%
Mitigation	2	3%
No PCN on vehicle	1	1%
Other (please state)	7	10%
Ownership	18	26%
P & D Tickets	8	11%
Procedural/process defect/delay	1	1%
Residents/Visitors Permit	9	13%
Signs and Lines	10	14%
Taxi Rank	1	1%
Traffic Regulation Order	3	4%
Wrong contravention on PCN	1	1%
Total Number	70	100%

Christchurch

SPA Commencement Date: 3rd March 2003

Year 2004

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
25	15 60%	10 40%	2 8%	5 20%	7 28%	18 72%	0 0%

Year 2003

17	9 53%	8 47%	3 18%	9 53%	12 71%	5 29%	0 0%
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Year 2002-2003

0	0	0	0	0	0	0	0
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Christchurch Appeal Issues

Issue	Number	Percentage of Total
Beyond bay markings	1	4%
Disabled badge not displayed	5	22%
Loading/Unloading	3	13%
Mitigation	4	17%
No PCN on vehicle	1	4%
Other (please state)	1	4%
P & D Tickets	3	13%
Signs and Lines	5	22%
Total Number	23	100%

ColchesterSPA Commencement Date: 1st October 2002**Year 2004**

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
67	51 76%	16 24%	9 13%	16 24%	25 37%	42 63%	0 0%

Year 2003

46	28 61%	18 39%	9 20%	25 54%	34 74%	12 26%	0 0%
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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
Beyond bay markings	3	7%
Breakdown	1	2%
Car park issues	1	2%
Disabled badge not displayed	3	7%
Loading Bay	2	5%
Loading/Unloading	4	10%
Mitigation	3	7%
No PCN on vehicle	5	12%
Other (please state)	2	5%
Ownership	4	10%
Payment/posting	3	7%
Procedural/process defect/delay	2	5%
Residents/Visitors Permit	4	10%
Return within 1 or 2 hours	1	2%
Signs and Lines	4	10%
Total Number	42	100%

CopelandSPA Commencement Date: 29th September 2003**Year 2004**

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
7	4 57%	3 43%	1 14%	5 71%	6 86%	1 14%	0 0%

Year 2003

0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%
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Dacorum

SPA Commencement Date: 6th October 2003

Year 2004

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	23 74%	8 26%	11 35%	12 39%	23 74%	8 26%	0 0%

Year 2003

1 100%	1 100%	0 0%	0 0%	0 0%	0 0%	1 100%	0 0%
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Dacorum Appeal Issues

Issue	Number	Percentage of Total
Broken meter/machine	1	6%
Car park issues	2	11%
Hire Agreement	1	6%
Loading/Unloading	1	6%
Mitigation	1	6%
No PCN on vehicle	1	6%
Other (please state)	1	6%
Ownership	1	6%
P & D Tickets	3	17%
Residents/Visitors Permit	1	6%
Signs and Lines	2	11%
Traffic Regulation Order	2	11%
Wrong contravention on PCN	1	6%
Total Number	18	100%

DartfordSPA Commencement Date: 2nd July 2001**Year 2004**

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	3 33%	6 67%	3 33%	2 22%	5 56%	4 44%	0 0%

Year 2003

16	9 56%	7 44%	4 25%	10 63%	14 88%	2 13%	0 0%
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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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DenbighshireSPA Commencement Date: 1st July 2004**Year 2004**

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%	4 27%	5 33%	9 60%	6 40%	0 0%

Denbighshire Appeal Issues

Issue	Number	Percentage of Total
No PCN on vehicle	2	25%
Other (please state)	1	13%
Signs and Lines	5	63%
Total Number	8	100%

Dorset

[East Dorset, North Dorset, Purbeck, Wareham, and West Dorset]

SPA Commencement Date: 1st July 2002**Year 2004**

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
29	19 66%	10 34%	7 24%	5 17%	12 41%	17 59%	0 0%

Year 2003

23	13 57%	10 43%	6 26%	6 26%	12 52%	11 48%	0 0%
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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
Going for Change	1	5%
Loading/Unloading	3	16%
Mitigation	5	26%
Ownership	1	5%
P & D Tickets	2	11%
Signs and Lines	6	32%
Traffic Regulation Order	1	5%
Total Number	19	100%

DoverSPA Commencement Date: 23rd January 2001**Year 2004**

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	6 67%	3 33%	1 11%	2 22%	3 33%	6 67%	0 0%

Year 2003

9	5 56%	4 44%	0 0%	5 56%	5 56%	4 44%	0 0%
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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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EdenSPA Commencement Date: 20th January 2003**Year 2004**

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	24 44%	30 56%	5 9%	25 46%	30 56%	24 44%	0 0%

Year 2003

15	8 53%	7 47%	4 27%	3 20%	7 47%	7 47%	1 7%
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Year 2002-2003

0	0	0	0	0	0	0	0
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Eden Appeal Issues

Issue	Number	Percentage of Total
Car park issues	2	5%
Disabled badge not displayed	2	5%
Discretion	1	2%
Loading Bay	1	2%
Loading/Unloading	3	7%
Mitigation	5	12%
No Council evidence	1	2%
No PCN on vehicle	1	2%
Other (please state)	7	17%
Residents/Visitors Permit	6	15%
Signs and Lines	12	29%
Total Number	41	100%

Epping Forest

SPA Commencement Date: 1st October 2002

Year 2004

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
45	32 71%	13 29%	8 18%	11 24%	19 42%	25 56%	1 2%

Year 2003

31	13 42%	18 58%	4 13%	10 32%	14 45%	16 52%	1 3%
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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
Car park issues	2	5%
Disabled badge not displayed	1	3%
Discretion	6	16%
Hire Agreement	1	3%
No PCN on vehicle	5	13%
Other (please state)	3	8%
P & D Tickets	7	18%
Payment/posting	1	3%
Procedural/process defect/delay	2	5%
Setting Down	1	3%
Signs and Lines	8	21%
Traffic Regulation Order	1	3%
Total Number	38	100%

Gravesham

SPA Commencement Date: 4th January 2000

Year 2004

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	95 70%	40 30%	51 38%	32 24%	83 61%	52 39%	0 0%

Year 2003

27	13 48%	14 52%	13 48%	11 41%	24 89%	3 11%	0 0%
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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
Beyond bay markings	1	2%
Disabled badge not displayed	2	4%
Loading Bay	1	2%
Loading/Unloading	6	11%
Mitigation	5	9%
No PCN on vehicle	6	11%
Other (please state)	6	11%
Ownership	3	6%
P & D Tickets	7	13%
Payment/posting	1	2%
Procedural/process defect/delay	7	13%
Residents/Visitors Permit	1	2%
Signs and Lines	6	11%
Traffic Regulation Order	1	2%
Wrong contravention on PCN	1	2%
Total Number	54	100%

Harlow

SPA Commencement Date: 1st November 2003

Year 2004

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
11	10 91%	1 9%	6 55%	1 9%	7 64%	4 36%	0 0%

Year 2003

0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%
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Harlow Appeal Issues

Issue	Number	Percentage of Total
Disabled badge not displayed	1	100%
Total Number	1	100%

Harrogate

SPA Commencement Date: 15th July 2002

Year 2004

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	28 54%	24 46%	0 0%	11 21%	11 21%	41 79%	0 0%

Year 2003

87	56 64%	31 36%	1 1%	26 30%	27 31%	57 66%	3 3%
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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
Beyond bay markings	3	5%
Breakdown	1	2%
Broken meter/machine	1	2%
Car park issues	2	3%
Disabled badge not displayed	6	10%
Disabled Bays and Badges	2	3%
Discretion	2	3%
Hire Agreement	6	10%
Loading Bay	3	5%
Loading/Unloading	5	8%
Mitigation	1	2%
No PCN on vehicle	1	2%
Other (please state)	2	3%
Ownership	3	5%
P & D Tickets	6	10%
Residents/Visitors Permit	4	7%
Return within 1 or 2 hours	2	3%
Setting Down	1	2%
Signs and Lines	9	15%
Suspended bay	1	2%
Total Number	61	100%

HartSPA Commencement Date: 5th June 2002**Year 2004**

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	13 87%	2 13%	1 7%	3 20%	4 27%	11 73%	0 0%

Year 2003

21	14 67%	7 33%	4 19%	7 33%	11 52%	10 48%	0 0%
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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
Car park issues	1	8%
Loading/Unloading	1	8%
No PCN on vehicle	4	31%
Ownership	3	23%
P & D Tickets	2	15%
Signs and Lines	2	15%
Total Number	13	100%

Hastings

SPA Commencement Date: 10th May 1999

Year 2004

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
113	60 53%	53 47%	8 7%	49 43%	57 50%	55 49%	1 1%

Year 2003

88	46 52%	42 48%	10 11%	34 39%	44 50%	43 49%	1 1%
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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 72%	7 28%	20 80%	4 16%	24 96%	1 4%	0 0%
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Hastings Appeal Issues

Issue	Number	Percentage of Total
Breakdown	2	2%
Car park issues	4	4%
Disabled badge not displayed	11	11%
Disabled Bays and Badges	1	1%
Hire Agreement	1	1%
Loading/Unloading	6	6%
Mitigation	1	1%
Motor cycle/doctors bay	1	1%
No PCN on vehicle	4	4%
Other (please state)	3	3%
Ownership	37	38%
P & D Tickets	12	12%
Payment/posting	1	1%
Procedural/process defect/delay	1	1%
Residents/Visitors Permit	3	3%
Signs and Lines	6	6%
Taken Without Consent	1	1%
Traffic Regulation Order	1	1%
Wrong contravention on PCN	1	1%
Total Number	97	100%

HerefordshireSPA Commencement Date: 5th November 2001**Year 2004**

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
22	10 45%	12 55%	1 5%	6 27%	7 32%	15 68%	0 0%

Year 2003

70	48 69%	22 31%	13 19%	24 34%	37 53%	32 46%	1 1%
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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
Beyond bay markings	3	11%
Breakdown	1	4%
Loading Bay	7	26%
Loading/Unloading	2	7%
No PCN on vehicle	1	4%
Other (please state)	2	7%
Ownership	5	19%
P & D Tickets	3	11%
Signs and Lines	2	7%
Traffic Regulation Order	1	4%
Total Number	27	100%

LiverpoolSPA Commencement Date: 1st July 2002**Year 2004**

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
222	125 56%	97 44%	84 38%	81 36%	165 74%	57 26%	0 0%

Year 2003

138	106 77%	32 23%	73 53%	28 20%	101 73%	33 24%	4 3%
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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
Beyond bay markings	1	1%
Breakdown	1	1%
Broken meter/machine	1	1%
Car park issues	1	1%
CPZ	26	16%
Disabled badge not displayed	3	2%
Disabled Bays and Badges	4	2%
Discretion	1	1%
Loading Bay	5	3%
Loading/Unloading	16	10%
Mitigation	5	3%
Motor cycle/doctors bay	1	1%
No Council evidence	18	11%
No PCN on vehicle	15	9%
Other (please state)	6	4%
Ownership	11	7%
P & D Tickets	12	7%
Payment/posting	7	4%
Proportionality	1	1%
Residents/Visitors Permit	10	6%
Setting Down	2	1%
Signs and Lines	14	9%
Traffic Regulation Order	2	1%
Total Number	163	100%

LutonSPA Commencement Date: 19th January 1999**Year 2004**

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
106	67 63%	39 37%	23 22%	43 41%	66 62%	38 36%	2 2%

Year 2003

150	79 53%	71 47%	48 32%	41 27%	89 59%	57 38%	4 3%
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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
Breakdown	2	2%
Car park issues	2	2%
CPZ	2	2%
Disabled badge not displayed	9	10%
Disabled Bays and Badges	2	2%
Discretion	1	1%
Loading Bay	1	1%
Loading/Unloading	13	15%
Mitigation	1	1%
No PCN on vehicle	9	10%
Other (please state)	6	7%
Ownership	10	11%
P & D Tickets	12	14%
Procedural/process defect/delay	2	2%
Residents/Visitors Permit	3	3%
Signs and Lines	10	11%
Traffic Regulation Order	3	3%
Total Number	88	100%

MaidstoneSPA Commencement Date: 29th September 1997**Year 2004**

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	79 68%	38 32%	46 39%	33 28%	79 68%	38 32%	0 0%

Year 2003

136	70 51%	66 49%	21 15%	67 49%	88 65%	46 34%	2 1%
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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
Beyond bay markings	4	4%
Breakdown	1	1%
Broken meter/machine	1	1%
Disabled badge not displayed	3	3%
Loading/Unloading	13	14%
Mitigation	2	2%
No PCN on vehicle	10	11%
Other (please state)	8	9%
Ownership	13	14%
P & D Tickets	12	13%
Procedural/process defect/delay	1	1%
Residents/Visitors Permit	9	10%
Return within 1 or 2 hours	1	1%
Setting Down	1	1%
Signs and Lines	13	14%
Wrong contravention on PCN	1	1%
Total Number	93	100%

ManchesterSPA Commencement Date: 5th April 1999**Year 2004**

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
867	506 58%	361 42%	265 31%	224 26%	489 56%	371 43%	7 1%

Year 2003

806	528 66%	278 34%	258 32%	235 29%	493 61%	297 37%	16 2%
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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
Beyond bay markings	30	6%
Breakdown	3	1%
Broken meter/machine	6	1%
Car park issues	4	1%
CPZ	19	4%
Disabled badge not displayed	9	2%
Disabled Bays and Badges	8	2%
Discretion	2	0%
Going for Change	8	2%
Hire Agreement	5	1%
Loading Bay	2	0%
Loading/Unloading	34	7%
Meter feeding/second P&D ticket.	3	1%
Mitigation	21	4%
No Council evidence	1	0%
No PCN on vehicle	93	18%
Other (please state)	41	8%
Ownership	44	9%
P & D Tickets	35	7%
Payment/posting	7	1%
Procedural/process defect/delay	13	3%
Proportionality	2	0%
Remove/clamp issues	10	2%
Residents/Visitors Permit	6	1%
Return within 1 or 2 hours	4	1%
Setting Down	2	0%
Signs and Lines	71	14%
Suspended bay	6	1%
Taken Without Consent	6	1%
Taxi Rank	11	2%
Traffic Regulation Order	5	1%
Total Number	511	100%

MedwaySPA Commencement Date: 3rd January 2000**Year 2004**

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
95	63 66%	32 34%	6 6%	42 44%	48 51%	46 48%	1 1%

Year 2003

176	102 58%	74 42%	54 31%	64 36%	118 67%	58 33%	0 0%
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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
Beyond bay markings	2	2%
Disabled badge not displayed	3	3%
Going for Change	1	1%
Loading/Unloading	8	8%
Mitigation	5	5%
No PCN on vehicle	3	3%
Other (please state)	5	5%
Ownership	2	2%
P & D Tickets	5	5%
Procedural/process defect/delay	7	7%
Proportionality	1	1%
Residents/Visitors Permit	24	25%
Signs and Lines	19	20%
Taxi Rank	3	3%
Traffic Regulation Order	7	7%
Total Number	95	100%

Mid BedfordshireSPA Commencement Date: 2nd February 2004

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

MiddlesbroughSPA Commencement Date: 1st September 2003**Year 2004**

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
89	57 64%	32 36%	30 34%	35 39%	65 73%	24 27%	0 0%

Year 2003

0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%
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Middlesbrough Appeal Issues

Issue	Number	Percentage of Total
Beyond bay markings	1	2%
Car park issues	1	2%
Disabled badge not displayed	1	2%
Disabled Bays and Badges	1	2%
Discretion	1	2%
Loading/Unloading	6	12%
No PCN on vehicle	2	4%
Other (please state)	6	12%
Ownership	13	25%
Payment/posting	1	2%
Procedural/process defect/delay	3	6%
Residents/Visitors Permit	3	6%
Return within 1 or 2 hours	1	2%
Setting Down	1	2%
Signs and Lines	7	14%
Traffic Regulation Order	3	6%
Total Number	51	100%

Milton KeynesCommencement Date: 25th March 2002**Year 2004**

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
147	96 65%	51 35%	57 39%	30 20%	87 59%	59 40%	1 1%

Year 2003

135	102 76%	33 24%	93 69%	17 13%	110 81%	18 13%	7 5%
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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
CPZ	1	1%
Disabled badge not displayed	1	1%
Disabled Bays and Badges	4	6%
Discretion	2	3%
Hire Agreement	2	3%
Loading/Unloading	4	6%
Mitigation	2	3%
No PCN on vehicle	4	6%
Ownership	10	14%
P & D Tickets	14	19%
Residents/Visitors Permit	6	8%
Return within 1 or 2 hours	4	6%
Signs and Lines	8	11%
Taken Without Consent	5	7%
Taxi Rank	1	1%
Traffic Regulation Order	2	3%
Wrong contravention on PCN	2	3%
Total Number	72	100%

Mole ValleySPA Commencement Date: 26th April 2004**Year 2004**

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

Neath Port TalbotSPA Commencement Date: 1st June 1999**Year 2004**

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	47 57%	36 43%	41 49%	25 30%	66 80%	17 20%	0 0%

Year 2003

84	53 63%	31 37%	39 46%	24 29%	63 75%	19 23%	2 2%
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Year 2003-2003

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
Beyond bay markings	1	3%
Breakdown	3	9%
Car park issues	2	6%
Disabled badge not displayed	3	9%
Loading/Unloading	2	6%
Mitigation	1	3%
No PCN on vehicle	3	9%
Other (please state)	1	3%
Ownership	4	11%
P & D Tickets	2	6%
Payment/posting	1	3%
Procedural/process defect/delay	2	6%
Signs and Lines	7	20%
Taken Without Consent	1	3%
Taxi Rank	1	3%
Traffic Regulation Order	1	3%
Total Number	35	100%

Northampton

SPA Commencement Date: 2nd July 2001

Year 2004

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
105	52 50%	53 50%	48 46%	24 23%	72 69%	33 31%	0 0%

Year 2003

140	87 62%	53 38%	55 39%	35 25%	90 64%	42 30%	8 6%
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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
Beyond bay markings	1	2%
Car park issues	4	7%
Disabled Bays and Badges	2	3%
Discretion	4	7%
Going for Change	1	2%
Loading Bay	1	2%
Loading/Unloading	3	5%
Meter feeding/second P&D ticket.	1	2%
No PCN on vehicle	5	8%
Other (please state)	2	3%
Ownership	4	7%
P & D Tickets	10	17%
Payment/posting	1	2%
Procedural/process defect/delay	4	7%
Return within 1 or 2 hours	1	2%
Signs and Lines	13	22%
Taken Without Consent	1	2%
Taxi Rank	1	2%
Total Number	59	100%

NorwichSPA Commencement Date: 4th February 2001**Year 2004**

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
131	95 73%	36 27%	47 36%	19 15%	66 50%	64 49%	1 1%

Year 2003

54	40 74%	14 26%	23 43%	8 15%	31 57%	22 41%	1 2%
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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
Bank Holiday	1	2%
Beyond bay markings	5	8%
Breakdown	1	2%
Disabled badge not displayed	1	2%
Loading/Unloading	3	5%
Mitigation	6	9%
No Council evidence	1	2%
No PCN on vehicle	1	2%
Other (please state)	1	2%
Ownership	2	3%
P & D Tickets	3	5%
Procedural/process defect/delay	5	8%
Residents/Visitors Permit	21	32%
Signs and Lines	12	18%
Traffic Regulation Order	2	3%
Total Number	65	100%

Nottingham

SPA Commencement Date: 1st October 2002

Year 2004

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
398	229 58%	169 42%	169 42%	75 19%	244 61%	149 37%	5 1%

Year 2003

238	149 63%	89 37%	127 53%	29 12%	156 66%	72 30%	10 4%
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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
Beyond bay markings	2	1%
Breakdown	1	1%
Car park issues	1	1%
Disabled badge not displayed	14	7%
Disabled Bays and Badges	3	2%
Discretion	2	1%
Loading/Unloading	14	7%
Mitigation	9	5%
No Council evidence	2	1%
No PCN on vehicle	12	6%
Other (please state)	6	3%
Ownership	5	3%
P & D Tickets	7	4%
Payment/posting	1	1%
Procedural/process defect/delay	1	1%
Remove/clamp issues	2	1%
Residents/Visitors Permit	61	32%
Return within 1 or 2 hours	1	1%
Signs and Lines	35	19%
Suspended bay	1	1%
Taken Without Consent	2	1%
Taxi Rank	2	1%
Traffic Regulation Order	4	2%
Total Number	188	100%

OldhamSPA Commencement Date: 1st October 2001**Year 2004**

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	46 66%	24 34%	9 13%	29 41%	38 54%	31 44%	1 1%

Year 2003

99	66 67%	33 33%	34 34%	38 38%	72 73%	26 26%	1 1%
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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
Car park issues	1	2%
Disabled badge not displayed	4	9%
Disabled Bays and Badges	1	2%
Loading/Unloading	2	4%
Mitigation	1	2%
No Council evidence	2	4%
No PCN on vehicle	4	9%
Other (please state)	4	9%
Ownership	11	23%
P & D Tickets	7	15%
Procedural/process defect/delay	1	2%
Residents/Visitors Permit	1	2%
Setting Down	1	2%
Signs and Lines	5	11%
Taxi Rank	1	2%
Traffic Regulation Order	1	2%
Total Number	47	100%

Oxfordshire [Oxford]SPA Commencement Date: 3rd February 1997**Year 2004**

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
108	69 64%	39 36%	45 42%	19 18%	64 59%	44 41%	0 0%

Year 2003

193	150 78%	43 22%	60 31%	27 14%	87 45%	104 54%	2 1%
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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] Appeal Issues

Issue	Number	Percentage of Total
Broken meter/machine	1	1%
Disabled badge not displayed	3	4%
Disabled Bays and Badges	3	4%
Hire Agreement	16	20%
Loading/Unloading	10	13%
No PCN on vehicle	2	3%
Other (please state)	3	4%
Ownership	6	8%
P & D Tickets	3	4%
Procedural/process defect/delay	2	3%
Residents/Visitors Permit	17	21%
Setting Down	1	1%
Signs and Lines	12	15%
Wrong contravention on PCN	1	1%
Total Number	80	100%

PeterboroughSPA Commencement Date: 22nd September 2003**Year 2004**

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
22	9 41%	13 59%	5 23%	9 41%	14 64%	6 27%	2 9%

Year 2003

2	1 50%	1 50%	2 100%	2 100%	2 100%	0 0%	0 0%
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Peterborough Appeal Issues

Issue	Number	Percentage of Total
CPZ	1	8%
Loading Bay	1	8%
Other (please state)	3	25%
P & D Tickets	3	25%
Residents/Visitors Permit	2	17%
Signs and Lines	1	8%
Traffic Regulation Order	1	8%
Total Number	12	100%

PlymouthSPA Commencement Date: 1st April 2001**Year 2004**

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
395	250 63%	145 37%	52 13%	187 47%	239 61%	156 39%	0 0%

Year 2003

551	378 69%	173 31%	120 22%	205 37%	325 59%	225 41%	1 0%
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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
Beyond bay markings	7	2%
Breakdown	1	0%
Broken meter/machine	10	3%
Car park issues	7	2%
Disabled badge not displayed	20	6%
Discretion	1	0%
Football match day	1	0%
Going for Change	4	1%
Hire Agreement	2	1%
Loading Bay	1	0%
Loading/Unloading	13	4%
Mitigation	12	3%
No PCN on vehicle	8	2%
Other (please state)	18	5%
Ownership	64	18%
P & D Tickets	87	25%
Payment/posting	11	3%
Procedural/process defect/delay	3	1%
Residents/Visitors Permit	38	11%
Return within 1 or 2 hours	3	1%
Setting Down	1	0%
Signs and Lines	24	7%
Taken Without Consent	13	4%
Traffic Regulation Order	2	1%
Wrong contravention on PCN	1	0%
Total Number	352	100%

PooleSPA Commencement Date: 2nd April 2002**Year 2004**

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
202	135 67%	67 33%	49 24%	67 33%	116 57%	85 42%	1 0%

Year 2003

146	98 67%	48 33%	50 34%	42 29%	92 63%	54 37%	0 0%
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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
Beyond bay markings	3	2%
Breakdown	3	2%
Car park issues	1	1%
Disabled badge not displayed	3	2%
Going for Change	7	5%
Loading/Unloading	7	5%
Mitigation	6	4%
No PCN on vehicle	13	9%
Other (please state)	2	1%
Ownership	21	14%
P & D Tickets	25	17%
Payment/posting	6	4%
Procedural/process defect/delay	1	1%
Residents/Visitors Permit	1	1%
Return within 1 or 2 hours	14	10%
Setting Down	1	1%
Signs and Lines	21	14%
Taken Without Consent	7	5%
Taxi Rank	2	1%
Traffic Regulation Order	2	1%
Total Number	146	100%

PortsmouthSPA Commencement Date: 5th April 1999**Year 2004**

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
265	177 67%	88 33%	139 52%	49 18%	188 71%	77 29%	0 0%

Year 2003

246	172 70%	74 30%	103 42%	63 26%	166 67%	77 31%	3 1%
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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
Beyond bay markings	1	1%
Breakdown	1	1%
Disabled badge not displayed	2	2%
Discretion	3	3%
Going for Change	1	1%
Hire Agreement	1	1%
Loading Bay	1	1%
Loading/Unloading	8	8%
Mitigation	4	4%
No PCN on vehicle	4	4%
Other (please state)	5	5%
Ownership	22	22%
P & D Tickets	8	8%
Payment/posting	2	2%
Procedural/process defect/delay	4	4%
Residents/Visitors Permit	5	5%
Return within 1 or 2 hours	3	3%
Signs and Lines	15	15%
Taken Without Consent	4	4%
Traffic Regulation Order	6	6%
Wrong contravention on PCN	1	1%
Total Number	101	100%

ReadingSPA Commencement Date: 30th October 2000**Year 2004**

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
561	368 66%	193 34%	214 38%	165 29%	379 68%	181 32%	1 0%

Year 2003

743	546 73%	197 27%	277 37%	219 29%	496 67%	242 33%	5 1%
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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
Beyond bay markings	5	2%
Breakdown	1	0%
CPZ	1	0%
Disabled badge not displayed	7	2%
Disabled Bays and Badges	2	1%
Discretion	1	0%
Hire Agreement	3	1%
Loading/Unloading	24	7%
Mitigation	19	6%
Motor cycle/doctors bay	1	0%
No PCN on vehicle	43	13%
Other (please state)	19	6%
Ownership	43	13%
P & D Tickets	4	1%
Payment/posting	7	2%
Procedural/process defect/delay	9	3%
Residents/Visitors Permit	63	19%
Return within 1 or 2 hours	3	1%
Setting Down	1	0%
Signs and Lines	54	16%
Taken Without Consent	2	1%
Taxi Rank	2	1%
Traffic Regulation Order	5	2%
Wrong contravention on PCN	12	4%
Total Number	331	100%

Redcar and Cleveland

SPA Commencement Date: 2nd June 2003

Year 2004

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	27 75%	9 25%	14 39%	8 22%	22 61%	14 39%	0 0%

Year 2003

6	1 17%	5 83%	1 17%	1 17%	1 17%	1 17%	4 67%
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Redcar & Cleveland Appeal Issues

Issue	Number	Percentage of Total
Beyond bay markings	1	5%
Breakdown	1	5%
Disabled badge not displayed	1	5%
Hire Agreement	1	5%
Loading/Unloading	1	5%
Mitigation	2	10%
Other (please state)	1	5%
Ownership	4	20%
P & D Tickets	4	20%
Residents/Visitors Permit	2	10%
Signs and Lines	2	10%
Total Number	20	100%

Reigate and Banstead

SPA Commencement Date: 1st June 2004

Year 2004

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%

RochdaleSPA Commencement Date: 4th July 2004**Year 2004**

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	15 50%	15 50%	15 50%	6 20%	21 70%	9 30%	0 0%

Rochdale Appeal Issues

Issue	Number	Percentage of Total
Return within 1 or 2 hours	1	100%
Total Number	1	100%

RushmoorSPA Commencement Date: 5th June 2002**Year 2004**

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	49 70%	21 30%	12 17%	18 26%	30 43%	40 57%	0 0%

Year 2003

51	31 61%	20 39%	19 37%	13 25%	32 63%	19 37%	0 0%
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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
Bank Holiday	1	2%
Beyond bay markings	1	2%
Car park issues	1	2%
Disabled badge not displayed	5	9%
Discretion	1	2%
Going for Change	1	2%
Loading/Unloading	2	4%
Mitigation	8	14%
Other (please state)	4	7%
Ownership	3	5%
P & D Tickets	15	27%
Payment/posting	3	5%
Residents/Visitors Permit	5	9%
Signs and Lines	2	4%
Taken Without Consent	1	2%
Traffic Regulation Order	3	5%
Total Number	56	100%

SalfordSPA Commencement Date: 2nd April 2001**Year 2004**

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
145	85 59%	60 41%	77 53%	25 17%	102 70%	42 29%	1 1%

Year 2003

341	251 74%	90 26%	101 30%	189 55%	290 85%	51 15%	0 0%
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Year 2002-2003

415	270 65%	145 35%	99 24%	258 62%	357 86%	56 13%	2 1%
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Year 2001 - 2002

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

Issue	Number	Percentage of Total
Beyond bay markings	3	4%
Car park issues	3	4%
CPZ	1	1%
Disabled badge not displayed	2	3%
Disabled Bays and Badges	1	1%
Hire Agreement	2	3%
Loading/Unloading	2	3%
Mitigation	2	3%
No Council evidence	2	3%
No PCN on vehicle	6	8%
Other (please state)	5	7%
Ownership	16	23%
P & D Tickets	9	13%
Procedural/process defect/delay	1	1%
Setting Down	1	1%
Signs and Lines	13	18%
Taken Without Consent	1	1%
Traffic Regulation Order	1	1%
Total Number	71	100%

SalisburySPA Commencement Date: 1st April 2001**Year 2004**

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
32	22 69%	10 31%	0 0%	12 38%	12 38%	20 63%	0 0%

Year 2003

36	16 44%	20 56%	4 11%	19 53%	23 64%	12 33%	1 3%
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Year 2002-2003

67	35 52%	32 48%	15 22%	27 40%	42 63%	25 37%	0 0%
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Year 2001 - 2002

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

Issue	Number	Percentage of Total
Breakdown	2	7%
Car park issues	1	3%
Disabled badge not displayed	2	7%
Discretion	1	3%
Loading/Unloading	2	7%
Mitigation	1	3%
Other (please state)	3	10%
P & D Tickets	5	17%
Residents/Visitors Permit	3	10%
Return within 1 or 2 hours	1	3%
Signs and Lines	8	28%
Total Number	29	100%

SandwellSPA Commencement Date: 1st April 2000**Year 2004**

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	88 63%	52 37%	59 42%	12 9%	71 51%	69 49%	0 0%

Year 2003

125	90 72%	35 28%	54 43%	25 20%	79 63%	46 37%	0 0%
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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
Beyond bay markings	1	1%
Breakdown	1	1%
Car park issues	1	1%
Disabled badge not displayed	5	6%
Discretion	2	2%
Football match day	1	1%
Going for Change	1	1%
Loading Bay	1	1%
Loading/Unloading	4	5%
Mitigation	1	1%
No Council evidence	1	1%
No PCN on vehicle	12	14%
Other (please state)	2	2%
Ownership	18	21%
P & D Tickets	14	17%
Payment/posting	3	4%
Residents/Visitors Permit	3	4%
Return within 1 or 2 hours	1	1%
Setting Down	1	1%
Signs and Lines	7	8%
Taken Without Consent	1	1%
Taxi Rank	1	1%
Traffic Regulation Order	1	1%
Wrong contravention on PCN	1	1%
Total Number	84	100%

SeftonSPA Commencement Date: 1st February 2000**Year 2004**

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	54 64%	30 36%	2 2%	28 33%	30 36%	52 62%	2 2%

Year 2003

52	35 67%	17 33%	3 6%	18 35%	21 40%	29 56%	2 4%
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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
Beyond bay markings	1	1%
Breakdown	1	1%
Broken meter/machine	1	1%
Disabled badge not displayed	6	8%
Disabled Bays and Badges	1	1%
Discretion	2	3%
Loading/Unloading	6	8%
Mitigation	3	4%
No PCN on vehicle	10	14%
Other (please state)	2	3%
Ownership	7	10%
P & D Tickets	15	21%
Procedural/process defect/delay	1	1%
Residents/Visitors Permit	6	8%
Setting Down	1	1%
Signs and Lines	7	10%
Taxi Rank	1	1%
Total Number	71	100%

Sevenoaks

SPA Commencement Date: 10th January 2000

Year 2004

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
12	7 58%	5 42%	1 8%	6 50%	7 58%	5 42%	0 0%

Year 2003

5	4 80%	1 20%	0 0%	3 60%	3 60%	2 40%	0 0%
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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
Discretion	1	17%
Going for Change	1	17%
No PCN on vehicle	1	17%
Ownership	1	17%
Signs and Lines	2	33%
Total Number	6	100%

Shepway

SPA Commencement Date: 3rd April 2000

Year 2004

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
18	12 67%	6 33%	1 6%	3 17%	4 22%	14 78%	0 0%

Year 2003

19	15 79%	4 21%	1 5%	7 37%	8 42%	11 58%	0 0%
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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
Beyond bay markings	3	21%
Disabled badge not displayed	3	21%
Going for Change	1	7%
Loading/Unloading	1	7%
Ownership	1	7%
P & D Tickets	2	14%
Signs and Lines	2	14%
Taken Without Consent	1	7%
Total Number	14	100%

SloughSPA Commencement Date: 21st April 2003**Year 2004**

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
160	113 71%	47 29%	112 70%	16 10%	128 80%	32 20%	0 0%

Year 2003

91	57 63%	34 37%	61 67%	15 16%	76 84%	14 15%	1 1%
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Slough Appeal Issues

Issue	Number	Percentage of Total
Disabled badge not displayed	2	5%
Disabled Bays and Badges	1	3%
Hire Agreement	1	3%
Loading/Unloading	1	3%
Mitigation	1	3%
No Council evidence	1	3%
No PCN on vehicle	4	11%
Other (please state)	6	16%
Ownership	8	22%
P & D Tickets	4	11%
Procedural/process defect/delay	1	3%
Residents/Visitors Permit	1	3%
Setting Down	1	3%
Signs and Lines	4	11%
Traffic Regulation Order	1	3%
Total Number	37	100%

South BedfordshireSPA Commencement Date: 2nd February 2004**Year 2004**

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%	3 100%	0 0%	3 100%	0 0%	0 0%

South LakelandSPA Commencement Date: 4th March 2002**Year 2004**

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	19 41%	27 59%	21 46%	14 30%	35 76%	11 24%	0 0%

Year 2003

58	42 72%	16 28%	32 55%	14 24%	46 79%	12 21%	0 0%
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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 Appeal Issues

Issue	Number	Percentage of Total
Breakdown	1	5%
CPZ	1	5%
Disabled badge not displayed	2	10%
Loading/Unloading	6	30%
No Council evidence	1	5%
No PCN on vehicle	3	15%
Other (please state)	1	5%
Procedural/process defect/delay	3	15%
Signs and Lines	2	10%
Total Number	20	100%

Southampton

SPA Commencement Date: 25th February 2002

Year 2004

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
143	101 71%	42 29%	24 17%	45 31%	69 48%	74 52%	0 0%

Year 2003

205	118 58%	87 42%	32 16%	69 34%	101 49%	103 50%	1 0%
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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
Beyond bay markings	1	1%
Breakdown	1	1%
Broken meter/machine	1	1%
Car park issues	2	1%
Disabled badge not displayed	7	5%
Discretion	1	1%
Football match day	1	1%
Loading/Unloading	9	6%
Mitigation	18	13%
Motor cycle/doctors bay	1	1%
No PCN on vehicle	10	7%
Other (please state)	6	4%
Ownership	13	9%
P & D Tickets	9	6%
Payment/posting	9	6%
Procedural/process defect/delay	1	1%
Residents/Visitors Permit	18	13%
Return within 1 or 2 hours	2	1%
Signs and Lines	15	11%
Taken Without Consent	12	9%
Traffic Regulation Order	2	1%
Wrong contravention on PCN	2	1%
Total Number	141	100%

Southend-on-Sea

SPA Commencement Date: 1st September 2001

Year 2004

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
276	178 64%	98 36%	134 49%	50 18%	184 67%	92 33%	0 0%

Year 2003

444	322 73%	122 27%	206 46%	125 28%	331 75%	109 25%	4 1%
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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
Beyond bay markings	1	1%
Breakdown	1	1%
Car park issues	5	4%
Disabled badge not displayed	12	9%
Disabled Bays and Badges	1	1%
Discretion	3	2%
Loading Bay	1	1%
Loading/Unloading	4	3%
Meter feeding/second P&D ticket.	1	1%
Mitigation	8	6%
No Council evidence	1	1%
No PCN on vehicle	16	12%
Other (please state)	10	7%
Ownership	12	9%
P & D Tickets	28	21%
Payment/posting	6	4%
Procedural/process defect/delay	1	1%
Proportionality	1	1%
Return within 1 or 2 hours	1	1%
Setting Down	1	1%
Signs and Lines	18	13%
Taken Without Consent	2	1%
Traffic Regulation Order	1	1%
Wrong contravention on PCN	1	1%
Total Number	136	100%

Stoke-on-TrentSPA Commencement Date: 1st October 2001**Year 2004**

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
103	67 65%	36 35%	20 19%	29 28%	49 48%	52 50%	2 2%

Year 2003

209	135 65%	74 35%	105 50%	36 17%	141 67%	63 30%	5 2%
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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
Breakdown	1	1%
Broken meter/machine	1	1%
Car park issues	1	1%
Disabled badge not displayed	11	12%
Disabled Bays and Badges	3	3%
Discretion	3	3%
Football match day	1	1%
Going for Change	3	3%
Hire Agreement	1	1%
Loading/Unloading	7	7%
Mitigation	5	5%
No PCN on vehicle	4	4%
Other (please state)	5	5%
Ownership	15	16%
P & D Tickets	8	8%
Payment/posting	2	2%
Procedural/process defect/delay	1	1%
Residents/Visitors Permit	7	7%
Return within 1 or 2 hours	1	1%
Signs and Lines	11	12%
Taken Without Consent	2	2%
Traffic Regulation Order	2	2%
Total Number	95	100%

Sunderland

SPA Commencement Date: 3rd February 2003

Year 2004

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
111	67 60%	44 40%	29 26%	25 23%	54 49%	56 50%	1 1%

Year 2003

77	43 56%	34 44%	19 25%	12 16%	31 40%	44 57%	2 3%
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Year 2002-2003

0	0	0	0	0	0	0	0
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Sunderland Appeal Issues

Issue	Number	Percentage of Total
Car park issues	1	1%
CPZ	1	1%
Disabled badge not displayed	6	8%
Disabled Bays and Badges	4	6%
Discretion	2	3%
Loading Bay	2	3%
Loading/Unloading	15	21%
Mitigation	2	3%
No PCN on vehicle	2	3%
Other (please state)	7	10%
Ownership	8	11%
P & D Tickets	9	13%
Procedural/process defect/delay	1	1%
Residents/Visitors Permit	1	1%
Setting Down	1	1%
Signs and Lines	9	13%
Total Number	71	100%

SwaleSPA Commencement Date: 10th January 2000**Year 2004**

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
14	10 71%	4 29%	1 7%	9 64%	10 71%	4 29%	0 0%

Year 2003

19	15 79%	4 21%	2 11%	6 32%	8 42%	11 58%	0 0%
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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 67%	3 33%	2 22%	3 33%	5 55%	4 45%	0 0%
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Year 1999 - 2000 part

0	0	0	0	0	0	0	0
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Swale Appeal Issues

Issue	Number	Percentage of Total
Broken meter/machine	1	8%
Car park issues	3	23%
Disabled badge not displayed	1	8%
No PCN on vehicle	1	8%
P & D Tickets	2	15%
Residents/Visitors Permit	1	8%
Signs and Lines	2	15%
Traffic Regulation Order	2	15%
Total Number	13	100%

SwindonSPA Commencement Date: 1st September 2003**Year 2004**

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
172	99 58%	73 42%	34 20%	53 31%	87 51%	85 49%	0 0%

Year 2003

3	1 33%	2 67%	1 33%	1 33%	1 33%	0 0%	2 67%
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Swindon Appeal Issues

Issue	Number	Percentage of Total
Beyond bay markings	2	2%
Breakdown	2	2%
Car park issues	9	8%
Disabled badge not displayed	3	3%
Loading/Unloading	7	6%
Mitigation	2	2%
Motor cycle/doctors bay	1	1%
No PCN on vehicle	24	20%
Ownership	19	16%
P & D Tickets	8	7%
Payment/posting	11	9%
Procedural/process defect/delay	1	1%
Residents/Visitors Permit	17	14%
Return within 1 or 2 hours	2	2%
Setting Down	1	1%
Signs and Lines	8	7%
Traffic Regulation Order	1	1%
Total Number	118	100%

Taunton DeaneSPA Commencement Date: 19th February 2001**Year 2004**

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
60	42 70%	18 30%	23 38%	15 25%	38 63%	22 37%	0 0%

Year 2003

66	38 58%	28 42%	15 23%	16 24%	31 47%	35 53%	0 0%
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Year 2002-2003

50	29 58%	21 42%	19 38%	7 14%	26 52%	23 46%	1 2%
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Year 2001 - 2002

31	19 61%	12 39%	8 26%	9 29%	17 55%	14 45%	0 0%
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Year 2000 - 2001

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

Issue	Number	Percentage of Total
Beyond bay markings	2	5%
Broken meter/machine	1	3%
Discretion	1	3%
Loading/Unloading	9	24%
Mitigation	6	16%
No PCN on vehicle	3	8%
Other (please state)	3	8%
Ownership	1	3%
P & D Tickets	2	5%
Residents/Visitors Permit	3	8%
Signs and Lines	4	11%
Traffic Regulation Order	2	5%
Total Number	37	100%

TendringSPA Commencement Date: 1st October 2004

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	3 100%	0 0%	0 0%	1 33%	1 33%	2 67%	0 0%

Test Valley

SPA Commencement Date: 20th October 2003

Year 2004

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
11	7 64%	4 36%	3 27%	5 45%	8 73%	3 27%	0 0%

Year 2003

0	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%
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Test Valley Appeal Issues

Issue	Number	Percentage of Total
Car park issues	1	14%
Loading/Unloading	3	43%
No PCN on vehicle	1	14%
Residents/Visitors Permit	1	14%
Taken Without Consent	1	14%
Total Number	7	100%

ThanetSPA Commencement Date: 10th January 2000**Year 2004**

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	43 74%	15 26%	12 21%	26 45%	38 66%	20 34%	0 0%

Year 2003

83	64 77%	19 23%	19 23%	33 40%	52 63%	31 37%	0 0%
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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 87%	4 13%	12 40%	6 20%	18 60%	11 37%	1 3%
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Year 1999 - 2000 part

0	0	0	0	0	0	0	0
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Thanet Appeal Issues

Issue	Number	Percentage of Total
Beyond bay markings	3	6%
Car park issues	2	4%
Disabled badge not displayed	5	10%
Discretion	1	2%
Going for Change	1	2%
Loading Bay	1	2%
Loading/Unloading	5	10%
No PCN on vehicle	2	4%
Other (please state)	2	4%
Ownership	13	27%
P & D Tickets	3	6%
Residents/Visitors Permit	4	8%
Return within 1 or 2 hours	2	4%
Signs and Lines	4	8%
Total Number	48	100%

Three Rivers

SPA Commencement Date: 1st July 2001

Year 2004

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	8 50%	8 50%	4 25%	7 44%	11 69%	5 31%	0 0%

Year 2003

10	6 60%	4 40%	3 30%	1 10%	4 40%	5 50%	1 10%
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Year 2002-2003

9	6 67%	3 33%	3 33%	2 22%	5 56%	3 33%	1 11%
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Year 2001 - 2002

1	1 100%	0 0%	1 100%	0 0%	1 100%	0 0%	0 0%
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Three Rivers Appeal Issues

Issue	Number	Percentage of Total
Beyond bay markings	2	17%
Car park issues	1	8%
No PCN on vehicle	2	17%
Procedural/process defect/delay	1	8%
Residents/Visitors Permit	2	17%
Signs and Lines	2	17%
Wrong contravention on PCN	2	17%
Total Number	12	100%

Tonbridge & Malling

SPA Commencement Date: 1st September 2000

Year 2004

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%	3 30%	4 40%	5 50%	1 10%

Year 2003

10	8 80%	2 20%	1 10%	5 50%	6 60%	4 40%	0 0%
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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
P & D Tickets	1	17%
Residents/Visitors Permit	2	33%
Signs and Lines	2	33%
Traffic Regulation Order	1	17%
Total Number	6	100%

TraffordSPA Commencement Date: 15th January 2001**Year 2004**

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
59	36 61%	23 39%	35 59%	19 32%	54 92%	5 8%	0 0%

Year 2003

47	34 72%	13 28%	18 38%	12 26%	30 64%	16 34%	1 2%
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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
Car park issues	1	4%
Loading/Unloading	5	19%
Mitigation	1	4%
No Council evidence	5	19%
No PCN on vehicle	3	11%
Ownership	3	11%
P & D Tickets	2	7%
Payment/posting	2	7%
Procedural/process defect/delay	1	4%
Residents/Visitors Permit	3	11%
Signs and Lines	1	4%
Total Number	27	100%

Tunbridge Wells

SPA Commencement Date: 10th January 2000

Year 2004

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
119	77 65%	42 35%	20 17%	44 37%	64 34%	54 45%	1 1%

Year 2003

123	95 77%	28 23%	53 43%	32 26%	85 69%	36 29%	2 2%
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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
Beyond bay markings	2	2%
Breakdown	2	2%
Broken meter/machine	1	1%
Car park issues	7	7%
Disabled badge not displayed	1	1%
Hire Agreement	1	1%
Loading/Unloading	10	11%
Meter feeding/second P&D ticket.	1	1%
Mitigation	3	3%
No PCN on vehicle	8	9%
Other (please state)	3	3%
Ownership	15	16%
P & D Tickets	21	22%
Residents/Visitors Permit	6	6%
Return within 1 or 2 hours	1	1%
Setting Down	1	1%
Signs and Lines	6	6%
Taken Without Consent	1	1%
Taxi Rank	1	1%
Traffic Regulation Order	3	3%
Total Number	94	100%

UttlesfordSPA Commencement Date: 1st October 2004

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

WatfordSPA Commencement Date: 27th October 1997**Year 2004**

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
103	59 57%	44 43%	24 23%	46 45%	70 68%	33 32%	0 0%

Year 2003

94	70 74%	24 26%	26 28%	25 27%	51 54%	43 46%	0 0%
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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
Beyond bay markings	1	1%
CPZ	2	3%
Disabled badge not displayed	4	6%
Disabled Bays and Badges	1	1%
Going for Change	1	1%
Hire Agreement	2	3%
Loading/Unloading	3	4%
Mitigation	2	3%
No PCN on vehicle	4	6%
Other (please state)	1	1%
Ownership	8	12%
P & D Tickets	3	4%
Procedural/process defect/delay	4	6%
Residents/Visitors Permit	11	16%
Signs and Lines	14	20%
Suspended bay	1	1%
Taxi Rank	1	1%
Traffic Regulation Order	2	3%
Wrong contravention on PCN	4	6%
Total Number	69	100%

Weymouth and Portland

SPA Commencement Date: 25th November 2002

Year 2004

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
18	9 50%	9 50%	3 17%	2 11%	5 28%	12 67%	1 6%

Year 2003

28	10 36%	18 64%	19 68%	0 0%	19 68%	7 25%	2 7%
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Year 2002-2003

0	0	0	0	0	0	0	0
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Weymouth and Portland Appeal Issues

Issue	Number	Percentage of Total
Beyond bay markings	4	31%
Breakdown	1	8%
Car park issues	1	8%
Mitigation	2	15%
Motor cycle/doctors bay	1	8%
Other (please state)	1	8%
P & D Tickets	1	8%
Signs and Lines	1	8%
Traffic Regulation Order	1	8%
Total Number	13	100%

Wigan

SPA Commencement Date: 1st July 2004

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%	17 65%	6 23%	23 88%	2 8%	1 4%

Wigan Appeal Issues

Issue	Number	Percentage of Total
Signs and Lines	1	50%
Traffic Regulation Order	1	50%
Total Number	2	100%

WinchesterSPA Commencement Date: 20th May 1996**Year 2004**

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	8 50%	8 50%	0 0%	5 31%	5 31%	11 69%	0 0%

Year 2003

26	14 54%	12 46%	4 15%	4 15%	8 31%	18 69%	0 0%
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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
Beyond bay markings	5	29%
Breakdown	1	6%
Broken meter/machine	1	6%
Car park issues	1	6%
CPZ	1	6%
Disabled badge not displayed	1	6%
Mitigation	1	6%
Other (please state)	1	6%
Return within 1 or 2 hours	1	6%
Signs and Lines	2	12%
Suspended bay	2	12%
Total Number	17	100%

Wirral

SPA Commencement Date: 17th November 2003

Year 2004

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	71 81%	17 19%	42 48%	10 11%	52 59%	36 41%	0 0%

Year 2003

15	12 80%	3 20%	3 20%	3 20%	6 40%	9 60%	0 0%
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Wirral Appeal Issues

Issue	Number	Percentage of Total
Beyond bay markings	1	3%
Breakdown	1	3%
CPZ	1	3%
Loading/Unloading	5	16%
Mitigation	5	16%
No PCN on vehicle	1	3%
Other (please state)	1	3%
Ownership	4	13%
P & D Tickets	4	13%
Residents/Visitors Permit	3	9%
Signs and Lines	5	16%
Taken Without Consent	1	3%
Total Number	32	100%

WorcesterSPA Commencement Date: 3rd February 2003**Year 2004**

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	19 68%	9 32%	10 36%	1 4%	11 39%	17 61%	0 0%

Year 2003

15	12 80%	3 20%	3 20%	3 20%	6 40%	9 60%	0 0%
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Year 2002-2003

0	0	0	0	0	0	0	0
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Worcester Appeal Issues

Issue	Number	Percentage of Total
Disabled badge not displayed	1	6%
Loading/Unloading	2	13%
Mitigation	1	6%
Other (please state)	1	6%
Ownership	3	19%
P & D Tickets	4	25%
Payment/posting	2	13%
Procedural/process defect/delay	1	6%
Signs and Lines	1	6%
Total Number	16	100%

YorkSPA Commencement Date: 8th October 2000**Year 2004**

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
41	17 41%	24 59%	10 24%	8 20%	18 44%	19 46%	4 10%

Year 2003

73	53 73%	20 27%	6 8%	18 25%	24 33%	44 60%	5 7%
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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
Broken meter/machine	1	4%
Discretion	1	4%
Mitigation	1	4%
No PCN on vehicle	1	4%
Other (please state)	1	4%
Ownership	1	4%
P & D Tickets	6	25%
Payment/posting	1	4%
Procedural/process defect/delay	1	4%
Residents/Visitors Permit	7	29%
Return within 1 or 2 hours	1	4%
Signs and Lines	1	4%
Wrong contravention on PCN	1	4%
Total Number	24	100%

Table 7
Issues raised in appeals received during 2004 for All Councils

An 'issue' is only ascribed in respect of appeals decided by a Parking Adjudicator. Therefore, 'non-contested' or withdrawn appeals are excluded from this table. This data does not refer to all of the appeals received in the whole year. There can be more than one issue in a case and from a system point of view, the Adjudicator indicates the *primary* issue raised in the appeal.

Issue	Number of Appeals	Percentage
Bank Holiday	2	0%
Beyond bay markings	151	2%
Breakdown	53	1%
Broken meter/machine	46	1%
Car park issues	115	2%
CPZ	63	1%
Disabled badge not displayed	265	4%
Disabled Bays and Badges	68	1%
Discretion	68	1%
Football match day	4	0%
Going for Change	47	1%
Hire Agreement	83	1%
Loading Bay	38	1%
Loading/Unloading	439	7%
Meter feeding/second P&D ticket.	9	0%
Mitigation	257	4%
Motor cycle/doctors bay	11	0%
No Council evidence	46	1%
No PCN on vehicle	484	8%
Other (please state)	337	6%
Ownership	717	12%
P & D Tickets	699	11%
Payment/posting	142	2%
Procedural/process defect/delay	144	2%
Proportionality	9	0%
Remove/clamp issues	29	0%
Residents/Visitors Permit	531	9%
Return within 1 or 2 hours	75	1%
Setting Down	30	0%
Signs and Lines	821	13%
Suspended bay	35	1%
Taken Without Consent	87	1%
Taxi Rank	33	1%
Traffic Regulation Order	112	2%
Wrong contravention on PCN	49	1%
Total Number	6099	100%

Table 8 - Not contested appeal outcomes for councils with 10 or more appeals during 2004

Organised in order of councils where the case was contested i.e. Harrogate with no contest rate of 0% means that Harrogate council contested every appeal.

SPA/PPA area	Appeals Received	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
All Areas	10,441	35%	27%	62%	38%	0%
Harrogate	52	0%	21%	21%	79%	0%
Salisbury	32	0%	38%	38%	63%	0%
Winchester	16	0%	31%	31%	69%	0%
Sefton	84	2%	33%	36%	62%	2%
Herefordshire	22	5%	27%	32%	68%	0%
Aylesbury Vale	104	6%	57%	63%	38%	0%
Medway	95	6%	44%	51%	48%	1%
Shepway	18	6%	17%	22%	78%	0%
Hart	15	7%	20%	27%	73%	0%
Hastings	113	7%	43%	50%	49%	1%
Swale	14	7%	64%	71%	29%	0%
Christchurch	25	8%	20%	28%	72%	0%
Sevenoaks	12	8%	50%	58%	42%	0%
Eden	54	9%	46%	56%	44%	0%
Tonbridge & Malling	10	10%	30%	40%	50%	10%
Allerdale	25	12%	40%	52%	44%	4%
Colchester	67	13%	24%	37%	63%	0%
Oldham	70	13%	41%	54%	44%	1%
Plymouth	395	13%	47%	61%	39%	0%
Blackpool	126	15%	40%	55%	44%	1%
Bath and North East Somerset	245	15%	31%	45%	55%	0%
Carlisle	52	15%	40%	56%	42%	2%
Rushmoor	70	17%	26%	43%	57%	0%
Southampton	143	17%	31%	48%	52%	0%
Tunbridge Wells	119	17%	37%	54%	45%	1%
Weymouth & Portland	18	17%	11%	28%	67%	6%
Bolton	228	18%	40%	58%	40%	2%
Epping Forest	45	18%	24%	42%	56%	2%
Basildon	89	19%	39%	58%	42%	0%
Bedford	68	19%	29%	49%	51%	0%
Stoke-on-Trent	103	19%	28%	48%	50%	2%
Barrow-in-Furness	20	20%	25%	45%	55%	0%
Basingstoke and Deane	10	20%	10%	30%	70%	0%
Swindon	172	20%	31%	51%	49%	0%
Thanet	58	21%	45%	66%	34%	0%

Buckinghamshire (High Wycombe)	50	22%	38%	60%	40%	0%
Luton	106	22%	41%	62%	36%	2%
Brighton & Hove	411	23%	28%	52%	48%	0%
Bury	109	23%	25%	48%	52%	0%
Peterborough	22	23%	41%	64%	27%	9%
Watford	103	23%	45%	68%	32%	0%
Bournemouth	205	24%	26%	51%	49%	0%
Dorset [East Dorset, North Dorset, Purbeck, Wareham, and West Dorset]	29	24%	17%	41%	59%	0%
Poole	202	24%	33%	57%	42%	0%
York	41	24%	20%	44%	46%	10%
Three Rivers	16	25%	44%	69%	31%	0%
Sunderland	111	26%	23%	49%	50%	1%
Denbighshire	15	27%	33%	60%	40%	0%
Test Valley	11	27%	45%	73%	27%	0%
Ashford	30	30%	27%	57%	43%	0%
Manchester	867	31%	26%	56%	43%	1%
Middlesbrough	89	34%	39%	73%	27%	0%
Dacorum	31	35%	39%	74%	26%	0%
Norwich	131	36%	15%	50%	49%	1%
Worcester	28	36%	4%	39%	61%	0%
Gravesham	135	38%	24%	61%	39%	0%
Liverpool	222	38%	36%	74%	26%	0%
Reading	561	38%	29%	68%	32%	0%
Taunton Deane	60	38%	25%	63%	37%	0%
Maidstone	117	39%	28%	68%	32%	0%
Milton Keynes	147	39%	20%	59%	40%	1%
Redcar & Cleveland	36	39%	22%	61%	39%	0%
Brentwood	79	42%	23%	65%	35%	0%
Nottingham	398	42%	19%	61%	37%	1%
Oxfordshire (Oxford)	108	42%	18%	59%	41%	0%
Sandwell	140	42%	9%	51%	49%	0%
Northampton	105	46%	23%	69%	31%	0%
South Lakeland	46	46%	30%	76%	24%	0%
Bristol	227	48%	22%	70%	30%	0%
Chelmsford	151	48%	26%	74%	26%	0%
Wirral	88	48%	11%	59%	41%	0%
Neath Port Talbot	83	49%	30%	80%	20%	0%
Southend-on-Sea	276	49%	18%	67%	33%	0%
Canterbury	66	50%	20%	70%	30%	0%
Rochdale	30	50%	20%	70%	30%	0%
Portsmouth	265	52%	18%	71%	29%	0%
Salford	145	53%	17%	70%	29%	1%
Harlow	11	55%	9%	64%	36%	0%
Trafford	59	59%	32%	92%	8%	0%
Birmingham	1,260	64%	17%	81%	19%	0%
Wigan	26	65%	23%	88%	8%	4%
Slough	160	70%	10%	80%	20%	0%

Table 9 - Allowed and Not Contested for councils with 10 or more appeals during 2004

Organised by council in order of the lowest number of appeals allowed in favour of the appellant including No Contests.

SPA/PPA area	Appeals Received	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
All Areas	10,441	35%	27%	62%	38%	0%
Harrogate	52	0%	21%	21%	79%	0%
Shepway	18	6%	17%	22%	78%	0%
Hart	15	7%	20%	27%	73%	0%
Christchurch	25	8%	20%	28%	72%	0%
Weymouth & Portland	18	17%	11%	28%	67%	6%
Basingstoke and Deane	10	20%	10%	30%	70%	0%
Winchester	16	0%	31%	31%	69%	0%
Herefordshire	22	5%	27%	32%	68%	0%
Tunbridge Wells	119	17%	37%	54%	45%	1%
Sefton	84	2%	33%	36%	62%	2%
Colchester	67	13%	24%	37%	63%	0%
Salisbury	32	0%	38%	38%	63%	0%
Worcester	28	36%	4%	39%	61%	0%
Tonbridge & Malling	10	10%	30%	40%	50%	10%
Dorset [East Dorset, North Dorset, Purbeck, Wareham, and West Dorset]	29	24%	17%	41%	59%	0%
Epping Forest	45	18%	24%	42%	56%	2%
Rushmoor	70	17%	26%	43%	57%	0%
York	41	24%	20%	44%	46%	10%
Barrow-in-Furness	20	20%	25%	45%	55%	0%
Bath and North East Somerset	245	15%	31%	45%	55%	0%
Bury	109	23%	25%	48%	52%	0%
Southampton	143	17%	31%	48%	52%	0%
Stoke-on-Trent	103	19%	28%	48%	50%	2%
Bedford	68	19%	29%	49%	51%	0%
Sunderland	111	26%	23%	49%	50%	1%
Hastings	113	7%	43%	50%	49%	1%
Norwich	131	36%	15%	50%	49%	1%
Bournemouth	205	24%	26%	51%	49%	0%
Medway	95	6%	44%	51%	48%	1%
Sandwell	140	42%	9%	51%	49%	0%
Swindon	172	20%	31%	51%	49%	0%
Allerdale	25	12%	40%	52%	44%	4%
Brighton & Hove	411	23%	28%	52%	48%	0%

Oldham	70	13%	41%	54%	44%	1%
Blackpool	126	15%	40%	55%	44%	1%
Carlisle	52	15%	40%	56%	42%	2%
Eden	54	9%	46%	56%	44%	0%
Manchester	867	31%	26%	56%	43%	1%
Ashford	30	30%	27%	57%	43%	0%
Poole	202	24%	33%	57%	42%	0%
Basildon	89	19%	39%	58%	42%	0%
Bolton	228	18%	40%	58%	40%	2%
Redcar & Cleveland	36	39%	22%	61%	39%	0%
Sevenoaks	12	8%	50%	58%	42%	0%
Milton Keynes	147	39%	20%	59%	40%	1%
Oxfordshire (Oxford)	108	42%	18%	59%	41%	0%
Wirral	88	48%	11%	59%	41%	0%
Buckinghamshire (High Wycombe)	50	22%	38%	60%	40%	0%
Denbighshire	15	27%	33%	60%	40%	0%
Gravesham	135	38%	24%	61%	39%	0%
Nottingham	398	42%	19%	61%	37%	1%
Plymouth	395	13%	47%	61%	39%	0%
Luton	106	22%	41%	62%	36%	2%
Aylesbury Vale	104	6%	57%	63%	38%	0%
Taunton Deane	60	38%	25%	63%	37%	0%
Harlow	11	55%	9%	64%	36%	0%
Peterborough	22	23%	41%	64%	27%	9%
Test Valley	11	27%	45%	73%	27%	0%
Brentwood	79	42%	23%	65%	35%	0%
Thanet	58	21%	45%	66%	34%	0%
Southend-on-Sea	276	49%	18%	67%	33%	0%
Maidstone	117	39%	28%	68%	32%	0%
Reading	561	38%	29%	68%	32%	0%
Watford	103	23%	45%	68%	32%	0%
Northampton	105	46%	23%	69%	31%	0%
Three Rivers	16	25%	44%	69%	31%	0%
Bristol	227	48%	22%	70%	30%	0%
Canterbury	66	50%	20%	70%	30%	0%
Rochdale	30	50%	20%	70%	30%	0%
Salford	145	53%	17%	70%	29%	1%
Portsmouth	265	52%	18%	71%	29%	0%
Swale	14	7%	64%	71%	29%	0%
Middlesbrough	89	34%	39%	73%	27%	0%
Chelmsford	151	48%	26%	74%	26%	0%
Dacorum	31	35%	39%	74%	26%	0%
Liverpool	222	38%	36%	74%	26%	0%
South Lakeland	46	46%	30%	76%	24%	0%
Neath Port Talbot	83	49%	30%	80%	20%	0%
Slough	160	70%	10%	80%	20%	0%
Birmingham	1,260	64%	17%	81%	19%	0%
Wigan	26	65%	23%	88%	8%	4%
Trafford	59	59%	32%	92%	8%	0%

Table 10 - Refused appeals for councils with 10 or more appeals during 2004

Organised by council in order of the highest number of appeals refused against the appellant including out of time and withdrawn cases.

SPA/PPA area	Appeals Received	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
All Areas	10,441	35%	27%	62%	38%	0%
Harrogate	52	0%	21%	21%	79%	0%
Shepway	18	6%	17%	22%	78%	0%
Hart	15	7%	20%	27%	73%	0%
Christchurch	25	8%	20%	28%	72%	0%
Basingstoke and Deane	10	20%	10%	30%	70%	0%
Winchester	16	0%	31%	31%	69%	0%
Herefordshire	22	5%	27%	32%	68%	0%
Weymouth & Portland	18	17%	11%	28%	67%	6%
Colchester	67	13%	24%	37%	63%	0%
Salisbury	32	0%	38%	38%	63%	0%
Sefton	84	2%	33%	36%	62%	2%
Worcester	28	36%	4%	39%	61%	0%
Dorset [East Dorset, North Dorset, Purbeck, Wareham, and West Dorset]	29	24%	17%	41%	59%	0%
Rushmoor	70	17%	26%	43%	57%	0%
Epping Forest	45	18%	24%	42%	56%	2%
Barrow-in-Furness	20	20%	25%	45%	55%	0%
Bath and North East Somerset	245	15%	31%	45%	55%	0%
Bury	109	23%	25%	48%	52%	0%
Southampton	143	17%	31%	48%	52%	0%
Bedford	68	19%	29%	49%	51%	0%
Stoke-on-Trent	103	19%	28%	48%	50%	2%
Sunderland	111	26%	23%	49%	50%	1%
Tonbridge & Malling	10	10%	30%	40%	50%	10%
Bournemouth	205	24%	26%	51%	49%	0%
Hastings	113	7%	43%	50%	49%	1%
Sandwell	140	42%	9%	51%	49%	0%
Swindon	172	20%	31%	51%	49%	0%
Brighton & Hove	411	23%	28%	52%	48%	0%
Medway	95	6%	44%	51%	48%	1%
Norwich	131	36%	15%	50%	49%	1%
York	41	24%	20%	44%	46%	5%
Tunbridge Wells	119	17%	37%	54%	45%	1%
Allerdale	25	12%	40%	52%	44%	4%

Blackpool	126	15%	40%	55%	44%	1%
Eden	54	9%	46%	56%	44%	0%
Oldham	70	13%	41%	54%	44%	1%
Ashford	30	30%	27%	57%	43%	0%
Manchester	867	31%	26%	56%	43%	1%
Basildon	89	19%	39%	58%	42%	0%
Carlisle	52	15%	40%	56%	42%	2%
Poole	202	24%	33%	57%	42%	0%
Sevenoaks	12	8%	50%	58%	42%	0%
Oxfordshire (Oxford)	108	42%	18%	59%	41%	0%
Wirral	88	48%	11%	59%	41%	0%
Bolton	228	18%	40%	58%	40%	2%
Buckinghamshire (High Wycombe)	50	22%	38%	60%	40%	0%
Denbighshire	15	27%	33%	60%	40%	0%
Milton Keynes	147	39%	20%	59%	40%	1%
Gravesham	135	38%	24%	61%	39%	0%
Plymouth	395	13%	47%	61%	39%	0%
Redcar & Cleveland	36	39%	22%	61%	39%	0%
Aylesbury Vale	104	6%	57%	63%	38%	0%
Nottingham	398	42%	19%	61%	37%	1%
Taunton Deane	60	38%	25%	63%	37%	0%
Harlow	11	55%	9%	64%	36%	0%
Luton	106	22%	41%	62%	36%	2%
Brentwood	79	42%	23%	65%	35%	0%
Thanet	58	21%	45%	66%	34%	0%
Southend-on-Sea	276	49%	18%	67%	33%	0%
Maidstone	117	39%	28%	68%	32%	0%
Reading	561	38%	29%	68%	32%	0%
Watford	103	23%	45%	68%	32%	0%
Northampton	105	46%	23%	69%	31%	0%
Three Rivers	16	25%	44%	69%	31%	0%
Bristol	227	48%	22%	70%	30%	0%
Canterbury	66	50%	20%	70%	30%	0%
Rochdale	30	50%	20%	70%	30%	0%
Portsmouth	265	52%	18%	71%	29%	0%
Salford	145	53%	17%	70%	29%	1%
Swale	14	7%	64%	71%	29%	0%
Middlesbrough	89	34%	39%	73%	27%	0%
Peterborough	22	23%	41%	64%	27%	9%
Test Valley	11	27%	45%	73%	27%	0%
Chelmsford	151	48%	26%	74%	26%	0%
Dacorum	31	35%	39%	74%	26%	0%
Liverpool	222	38%	36%	74%	26%	0%
South Lakeland	46	46%	30%	76%	24%	0%
Neath Port Talbot	83	49%	30%	80%	20%	0%
Slough	160	70%	10%	80%	20%	0%
Birmingham	1,260	64%	17%	81%	19%	0%
Trafford	59	59%	32%	92%	8%	0%
Wigan	26	65%	23%	88%	8%	4%

Contraventions subject to PCN's considered by Adjudicators.

These tables give a breakdown of the councils' reason for issue of PCN's that were the subject of an appeal to the Adjudicator during the calendar year 2004.

Table 11
Contraventions On-street

Type of Contravention	Occurrence
Parked in a restricted street during prescribed hours	37%
Parked or loading/unloading in a restricted street where waiting and loading/unloading restrictions are in force	6%
Parked after the expiry of paid for time at a pay & display bay	7%
Parked without clearly displaying a valid pay & display ticket	9%
Parked in a residents' parking space without clearly displaying a valid residents' parking permit	12%
Parked in a permit space without displaying a valid permit	5%
Parked in a suspended bay/space or part of bay/space	1%
Parked in a parking place or area not designated for that class of vehicle	1%
Not parked correctly within the markings of the bay or space	2%
Parked in a loading place during restricted hours without loading	3%
Parked for longer than permitted	7%
Parked in a disc parking place without clearly displaying a valid disc	2%
Parked in a designated disabled person's parking place without clearly displaying a valid disabled person's badge	3%
Parked on a taxi rank	2%
Parked on a restricted bus stop/stand	1%
Other	2%
All	100%

Table 12
Contraventions in Car parks

Type of Contravention	Occurrence
Parked for longer than the maximum period permitted	1%
Parked in a restricted area in a car park	1%
Parked after the expiry of time paid for in a pay & display car park	27%
Parked in a pay & display car park without clearly displaying a valid pay & display ticket	51%
Parked with additional payment made to extend the stay beyond time purchased	1%
Parked in a permit bay without clearly displaying a valid permit	4%
Parked beyond the bay markings	12%
Parked in a disabled person's parking space without clearly displaying a valid disabled person's badge	2%
Other	1%
All	100%

Reviews & Costs 2004

Review Applications

Of the 10,441 appeals in the year, 249 were the subject of a request for Review. 41 of those requests were accepted with 208 requests being rejected. Of those 41 accepted reviews, 13 upheld the original decision of the case and 28 overturned the original decision in the case.

Costs Applications

Of the 10,441 appeals in the year, 33 were the subject of a request for Costs, all from appellants. 11 cases had costs awarded and 22 had costs refused.

Predicted councils and start dates

North Hertfordshire DC (Herts)	17.01.05
East Hertfordshire District Council (Herts)	17.01.05
Leeds City Council	01.03.05
Stockport Metropolitan Borough Council	01.04.05
Havant Borough Council (Hants)	01.04.05
Sheffield City Council	01.04.05
Thurrock Borough Council	01.04.05
Coventry City Council	04.04.05
Torbay Borough Council	04.04.05
Spelthorne Borough Council (Surrey)	04.04.05
Epsom and Ewell Borough Council (Surrey)	04.04.05
Stockton on Tees Borough Council	03.05.05
Broxbourne Borough Council (Herts)	09.05.05
Stevenage Borough Council (Herts)	01.06.05
Welwyn & Hatfield Borough Council (Herts)	01.06.05
Horsham District Council (W Sussex)	01.06.05
Scarborough Borough Council (North Yorks)	06.06.05
Mid Sussex District Council (W Sussex)	27.06.05
Elmbridge (Surrey)	06.05

Barnsley Metropolitan Borough Council	04.07.05
Rotherham Metropolitan Borough Council	04.07.05
Doncaster Metropolitan Borough Council	04.07.05
Hartlepool Borough Council	04.07.05
Woking Borough Council (Surrey)	25.07.05
Surrey Heath (Surrey)	05.07.05
Chiltern District Council (Bucks)	01.09.05
Hertsmere District Council (Herts)	01.10.05
Ipswich Borough Council (Suffolk)	01.10.05
Northamptonshire (remaining districts)	10.05
Dudley Metropolitan Borough Council	2005
Nuneaton and Bedworth (Warwks)	2005
Rugby (Warwks)	2005
Newcastle City Council	2005
Bedford Borough Council (amended) SPA	2005
South Tyneside Metropolitan Borough Council	2005
Gateshead Metropolitan Borough Council	2005
Hull	2005
Wolverhampton City Council	2005
Solihull Metropolitan Borough Council	2005
Walsall Metropolitan Borough Council	2005
Warwick (Warwks)	2005

NATIONAL PARKING ADJUDICATION SERVICE JOINT COMMITTEE

REPORT FOR RESOLUTION

DATE: 30th June 2005
AGENDA ITEM Number 11
SUBJECT: The NPAS User Survey
JOINT REPORT OF: The Chief Adjudicator
The Service Director

PURPOSE OF REPORT

To report to the Committee on the key findings of the user survey and set out proposals for addressing the main recommendations.

RECOMMENDATIONS

It is recommended that the Committee:

- [i] Note the key findings of the user survey.
- [ii] Approve the initial proposals for addressing the recommendations.

CONTACT OFFICER

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

BACKGROUND DOCUMENTS

Report to NPASJC Committee Meeting held on 16th July 2004
Report to Executive Sub-Committee held on 24th January 2005

1.0 INTRODUCTION

- 1.1 Reports have been submitted to previous meetings of the Joint Committee that provided interim information in respect of the NPAS user survey commissioned from the University of Birmingham.
- 1.2 An executive summary is attached to this report is provided at Appendix A.
- 1.3 A full copy of the report, "***User Perspectives on the National Parking Adjudication Service***" by Prof John W Raine & Eileen Dustan of the University of Birmingham has been circulated separately.

2.0 THE MAIN FINDINGS OF THE USER SURVEY

- 2.1 Generally appellants were quite positive about their experience of NPAS. It is, however, of considerable concern that 53% of non-appellants (i.e. people whose representations had been rejected by the councils but had not gone on to appeal) were apparently unaware of NPAS.
- 2.2 The councils expressed a high degree of satisfaction with the NPAS staff and general arrangements although concerns were expressed about occasional delay, and correspondence handling, especially in relation to the Review procedure. The researchers also conveyed to the Chief Adjudicator a variety of comments that councils made about adjudicators' decisions, some of which highlighted a need for greater communication between adjudicators, while others demonstrated a lack of understanding of the appeal process and judicial approach to decision making.
- 2.3 The report drew three main conclusions from the research, namely:
 1. **NPAS should take steps to widen public awareness about independent adjudication on local authority parking enforcement decisions.**
 2. **NPAS should take steps to improve understanding among all appellants on the independent judicial status of parking adjudication in order to build confidence and trust in the process**
 3. **NPAS should take steps to ensure that local authorities develop better understanding of its status as a tribunal.**

3.0 PROPOSALS FOR ADDRESSING THE RECOMMENDATIONS

- 3.1 The Survey was conducted over a six month period in the first half of 2004. Early on the researchers informally indicated their findings enabling

NPAS to develop strategies and initiatives to address their findings.

3.2 Taking each of the three recommendations in turn:

1. NPAS should take steps to widen public awareness about independent adjudication on local authority parking enforcement decisions.

3.2.1 The key opportunity to raise public awareness of independent adjudication will arise in the near future when NPAS will broaden its jurisdiction from parking to bus lane and the other civil enforcement jurisdictions contained in the Traffic Management Act (TMA). This will require a change in the identity of NPAS. The project to convert NPAS to its wider remit is already underway with the involvement of the NPAS press and PR office. The change to the new identity will in itself involve redrafting all forms, leaflets and stationary together with redesigning the website to include the new provisions. There will also be a vigorous press campaign when the new-style organisation is launched.

3.2.2 In the meantime every opportunity is grasped to raise awareness of NPAS in the media. However there is the residual problem that the many journalists principally want NPAS to discuss individual cases or give advice as to the circumstances when a PCN would not be valid. Nevertheless, there have been, and will be more opportunities for informative features across a broad spectrum of media.

3.2.3 We have noted the recommendation to revise the Notice of Appeal Forms, and this will be done in the course of the NPAS conversion to the TMA jurisdiction. Since it must be the councils that send out the forms with their Notices of Rejection it is not surprising that the recipients are not entirely clear that the form is an NPAS form. We will consult the councils as to how this task can be eased at their administrative level as well as making it plain to the motorist that the form is issued by the independent tribunal rather than the council.

2. NPAS should take steps to improve understanding among all appellants on the independent judicial status of parking adjudication in order to build confidence and trust in the process.

3.2.4 We already have in train the publication leaflets explaining the challenge process for parking appeals; although we are assessing whether it is sensible to issue these under the existing NPAS banner or wait for a year for the new identity.

- 3.2.5 An immediate step that has been taken is in regard to the letter sent to appellants acknowledging their appeals. This now explains that the adjudicators are lawyers and that they will make their decision based on the evidence provided by both sides. This should inform a higher percentage of appellants about the legal/judicial nature of the process.
- 3.2.6 At the last meeting of the NPASJC Members considered whether, in the spirit of Freedom of Information, the NPAS Public Register' containing every decision of the adjudicators' should be made available on the internet. While this proposal would enhance public awareness of the work of the adjudicators there are obvious concerns about what the overall effect of taking such a step would be. The Council on Tribunals and the newly formed Tribunal Service in the DCA will undoubtedly be examining this issue in relation to all tribunals and therefore the prudent approach for NPAS to adopt would be to be included in those wider deliberations before a decision is taken.
- 3.2.7 Given that the clearest understanding of independent adjudication came from appellants who had attended a hearing, a pilot project to provide telephone 'hearings' is being planned. Conference calls will be arranged between the adjudicator, appellant and a senior parking officer from the council. This should have the dual benefit of being more convenient for those appellants who would like to explain their case to the adjudicator in person but find a hearing inconvenient or inaccessible, as well as giving a less time consuming opportunity for councils officers to take part in the proceedings. Telephone hearings will be piloted in a one area and if successful, the feasibility of making greater use of the telephone service will be assessed.
- 3.2.8 Hearings by video link require more detailed assessment before a trial can be undertaken. However, as more councils provide video link services through their library services, the more feasible this initiative will become.

3. NPAS should take steps to ensure that local authorities develop better understanding of its status as a tribunal.

- 3.2.9 The report particularly identifies the perception gap between the "judicial" approach and the "administrative" approach naturally taken in the council parking departments. Addressing this interesting finding will be a high priority for the Tribunal Manager when he takes up his post in September.
- 3.2.10 Members should note that the Tribunal Manager is himself a solicitor with considerable experience of working in one of the country's most significant firms. This in itself will result in a clearer message that all the processes

undertaken by NPAS are of a legal rather than parking enforcement nature.

3.2.11 In the meantime we have already taken steps to implement the following initiatives:

- The revision of the approach taken to the “induction” meeting between NPAS and a new council’s staff. The objectives of the sessions will be to ensure that:
 - The approach adjudicators take to deciding appeals is fully explained;
 - Useful examples of adjudicators’ decisions are provided;
 - The importance of having correct and up-to-date TROs is emphasised
 - Appeals officers are clear as to how to present their evidence and know which matters are of importance when writing their case summaries.
- While the large annual conference is appreciated by council officers, this year we will arrange a series of smaller regional workshops to ensure that the delegates have a fuller opportunity to participate, and have their queries answered. Council solicitors will also be invited to attend with the parking department staff in order to place a stronger emphasis on parking enforcement as a legal process (the lawyers will be able to claim CPD points for their attendance).
- The Chief Adjudicator will issue regular circulars alerting councils to key decisions, and quarterly bulletins of case digests will be introduced in the Autumn.
- The Chief Adjudicator will request council officers to submit examples of adjudicators’ decisions that they do not readily understand, or appear to them to be inconsistent with an earlier decision, together with examples of ones they have found helpful and enlightening (particularly if it is an appeal that has been allowed). These can be analysed by the adjudicators at their annual training conference and a paper clarifying any misconceptions will be prepared and issued to councils. This project will form the basis for the regional workshops later in the Autumn.

4.0 ADMINISTRATIVE MATTERS

4.1 Justifiable complaints were made by council officers to the researchers about delay, and lack of response to communications. We readily acknowledge these shortcomings. For some time we have recognised that the administrative case tracking system at NPAS has weaknesses which we have identified and addressed in the specification for AIMS, the new

case management system. Regrettably it has taken considerably longer than we had anticipated to introduce the new system (which is currently in the second phase of testing).

- 4.2 Other complaints were rightly made about the perceived ad hoc handling of applications for Review. At the time the research was undertaken we accept that there was an absence of management in the appeals processing department due to the departure of the appeals manager who had been responsible for processing those applications. The problem has been exacerbated by the current case management system which does not have the facility for dealing with correspondence and applications after the initial decision form the adjudicator. A new procedure has been introduced whereby the regional coordinators handle review applications and a roster of daily duty adjudicators has been introduced into the headquarters office. While we are confident that there has been a significant improvement in that area of our work, the new AIMS system has been designed to track applications for Review, which should further improve our service in this area.

5.0 CONCLUSION

- 5.1 The research conducted by professor Raine's team has proved invaluable at this turning point for NPAS. While the encouraging findings confirm that the NPAS strategy of pursuing a user focus is the correct approach, some shortcomings in our service delivery have been identified at a time when we have an excellent opportunity to improve our working practices. In particular, we welcome feedback from our user councils since they are in the best position to assess the impact the desired improvements.

Appendix A

USER PERSPECTIVES ON THE NATIONAL PARKING ADJUDICATION SERVICE

Report of a Research Project

By

John W Raine & Eileen Dunstan

SUMMARY

1. Background

The report summarises the conduct, findings and conclusions of a research project commissioned in Autumn 2003 by the National Parking Adjudication Service (NPAS) – the tribunal of independent adjudicators who hear appeals against local authority parking enforcement decisions in England and Wales outside London. The aim of the research was to help NPAS learn from its users about perceptions and experiences of the organisation and of the administrative arrangements for parking appeals. As such the design of the project reflected NPAS's commitment to a strong user-oriented approach – as has been advocated in the Leggatt Report (2201) for all tribunals.

The research focused on three main groups of users – *appellants* (those who bring their cases to the independent adjudicators having had their representations against enforcement decisions rejected by the local authorities), *local authorities* (as respondents to such appeals); and *other motorists* (who might be regarded as potential users of independent adjudication – referred to in the research as 'non-appellants'). In this latter regard the research was particularly interested in those whose vehicles had been subject to enforcement actions, who had challenged the decisions but who, on having those representations rejected, took their cases no further (i.e. paid the penalty charge). A key issue with this group concerned their reasons for *not* appealing. For example, was it because they accepted the reasons the local authorities gave for rejecting their representations, because they were unclear or uncomfortable about the process of making an appeal to independent adjudicators, or because they were unaware of their rights to appeal?

The research was conducted in fifteen English local authority areas, where the councils had taken on responsibility for parking enforcement under the Road Traffic Act 1991. The areas were chosen to provide a broadly representative cross-section in terms of size of population, numbers of parking tickets issued, length of experience of decriminalised parking enforcement and geographical spread. In each, telephone interviews were conducted with samples of appellants and non-appellants – a total of 165 appellants and 51 non-appellants being successfully completed – and interviews were held with parking

managers and their staff to provide the local authority perspective on the service provided by NPAS.

2. Findings

Appellants:

- 81 per cent learned about NPAS from the Council's letter of rejection of their representations.
- 41 per cent of the sample chose a 'personal hearing' (attending in person before an adjudicator); the other 59 per cent choosing to appeal by post.
- The main reasons cited for choosing a personal appeal were '*I wanted to say my piece directly to an adjudicator*' (84%) and '*I felt I had a better chance of explaining the situation face to face*' (745). The main reasons for choosing a postal appeal were '*I had said all I had to say on the form*' (725) and '*I couldn't really spare the time to attend a personal hearing*' (58%).
- Some 87 per cent of appellants found the appeals form '*very straightforward and clear*'; the main problems cited relating to the specification of 'grounds for appeal' (i.e. difficulties in deciding how their particular cases might fit with the specified grounds).
- Only one in ten respondents had visited the NPAS website and about three quarters of them described the site as '*helpful*'. More than a third of the total sample indicated that they would have made their appeal on-line had this facility been available.
- A significant difference was noted in understanding of the role and independence of the adjudicators between those electing personal and postal appeals. Personal appellants had significantly better appreciation of the independence of the process from the councils, of the lawyer status of the adjudicators, and of the limited grounds upon which appeals might be allowed. Listening directly to the adjudicator introducing the status of the hearings and participating in them clearly gives personal appellants a better understanding of and confidence in the process of independent adjudication.
- The arrangements for the scheduling and conduct of appeals were regarded as generally very good (81 per cent of respondents were happy with the scheduling arrangements and 96 per cent thought the pre-hearing correspondence/documentation was clear. 95 per cent of personal appellants had to wait less than 30 minutes for their hearing (and 55 percent were called in within 5 minutes of arrival).

Non-Appellants

- Some 53 per cent of the sample of non-appellants said that they had not heard of NPAS and claimed no recollection of receiving information on the appeals process in their documentation from the councils. Of those who were aware of NPAS three out of five indicated that they first heard about their right of appeal from the councils.
- The main reasons why those who had been made aware of NPAS did not appeal were '*I could not be bothered with more hassle*' (31%); '*I didn't think my case*

fitted the possible grounds for appeal' (29%) and *'I didn't think I had much chance of winning'* (20%)

- In general non-appellants had significantly lower confidence in the independence of the adjudication process than appellants (especially personal appellants). Only 16 per cent of non-appellants thought the adjudicators *'are completely impartial in deciding each appeal'* (compared with 91% of personal appellants) and only 10 per cent thought the adjudicators were legally qualified (compared with 96 per cent of personal appellants). Just 10 per cent thought they were independent of the councils compared with 87 per cent of personal appellants.

Local Authorities

- So far as the administrative aspects were concerned, parking departments were generally very positive about NPAS's work. The administrative staff, with whom council parking departments dealt, were widely regarded as *'very friendly and supportive'*; phone interactions were described as *'very positive'* and the operation as a whole was felt to be *'efficient and well-organised'*.
- Concerns were expressed about a lack of clarity from NPAS about the role and expectations of local authority personnel at personal hearings (despite the issuing by NPAS of circulars on this subject).
- Concerns were also articulated about a *'less-than-predictable'* review procedure for councils wishing to challenge particular adjudication decisions (again, despite a circular having been prepared on the matter).
- Many council parking staff also seemed to have a questionable understanding of the judicial status of NPAS as a tribunal and did not always seem to appreciate that authority for administrative, as well as judicial matters, lay primarily with the adjudicators.

3. Conclusions and Implications for NPAS

Three main conclusions are drawn from the research:

1. NPAS should take steps to widen public awareness about independent adjudication on local authority parking enforcement decisions.

In this respect the key challenge is to ensure that, everyone whose representations against a local authority parking enforcement decision have been rejected, is aware of their right to appeal to the independent adjudicators – as such addressing what was perhaps the most disturbing finding from our surveys – that some 53 per cent of the sample of non-appellants claimed not to know of NPAS and had no recollection of reading about their rights of appeal in the correspondence received from the councils.

2. NPAS should take steps to improve understanding among all appellants on the independent judicial status of parking adjudication in order to build confidence and trust in the process.

Here the key challenge is particularly to ensure that those who elect to appeal by *post* share similar understanding to those who take the opportunity to appear in *person* and who therefore have the advantage of experiencing the process first hand. This would

address another somewhat disturbing finding from the research – that postal appellants' awareness of and confidence in the impartiality and independence of the adjudicators is at least a third below levels recorded for personal appellants.

3. NPAS should take steps to ensure that local authorities develop better understanding of its status as a tribunal.

The key challenge here is to build greater awareness and appreciation among the local authorities of the distinct role that independent adjudication by professional lawyers plays relative to the councils' own administrative decision-making processes.

The specific recommendations derived from these conclusions are summarised below:

1. Widening public awareness about independent adjudication.

- Change title from NPAS to something that better connotes both the tribunal's judicial status and independence from the councils. 'The Civil Traffic Tribunal for England & Wales' is suggested.
- More extensive national promotion of the role of independent adjudication through a variety of means
- More initiatives to persuade local authorities to profile independent adjudication more prominently
- More initiatives to highlight the role of independent adjudication in local media
- Development of the NPAS website as a vehicle for extending public awareness and access, including web-links with other public bodies/information & advice agencies
- Design of a new Appeal Form that is more eye-catching and easier to understand/complete
- Design of a new public information leaflet
- Design of a new 'sealed appeal envelope' to be included within the council's letters of rejection of representations and containing the NPAS appeal form and associated information leaflet.

2. Improving understanding among all appellants of the independent judicial status of parking adjudication.

- Pilot initiatives to develop more personalised approaches to the postal appeal process, notably through offering telephone or video-link interactions as additional features

3. Ensuring that local authorities develop a better understanding of NPAS's status as a tribunal.

- Communicate more effectively to the local authorities the judicial status of the tribunal and establish more clearly that it is adjudicator-led.
- Adjudicators to prepare a manual of written delegations for NPAS administrative staff to signal more clearly where they have authority to act and decide on behalf of the adjudicators and where they do not
- Appoint a Tribunal Manager, with legal qualifications, to bring a legal perspective to the management of the tribunal's administration
- Establish a more regularised procedure, under the responsibility of the Tribunal Manager, through which councils may request reviews of adjudicator decisions felt to be unsound
- Prepare and circulate to local authorities new guidelines setting out what the tribunal expects of councils, for example, in evidence submission, and their role at personal appeals
- More positive encouragement to local authorities to send representatives to attend personal appeal hearing sessions
- Promote more involvement by council lawyers (e.g. solicitors from local authority legal services departments) in parking enforcement matters
- Publish at regular intervals digests of appeal cases with commentaries as a contribution to learning and development among local authority parking departments
- Develop electronic transfer of case evidence and other documentation between the local authorities and NPAS and automate the administration of the tribunal as much as possible.

**NATIONAL PARKING ADJUDICATION SERVICE JOINT COMMITTEE
EXECUTIVE SUB-COMMITTEE**

REPORT FOR RESOLUTION

DATE: 30th June 2005
AGENDA ITEM: Number 12
SUBJECT: Part-time Parking Adjudicator Appointments
REPORT OF: The Chief Adjudicator

PURPOSE OF REPORT

To inform the Joint Committee about Parking Adjudicator appointments

RECOMMENDATIONS

It is recommended that the Joint Committee confirm the renewal for five years from 24 May 2005 of the appointment of those part-time Parking Adjudicators who were initially appointed on 25 May 2000 and whose names are set out in Group 1 of the Appendix to the report.

CONTACT OFFICERS

Caroline Sheppard, Chief Adjudicator, NPAS Headquarters, Barlow House,
Minshull Street, Manchester,

Tel: 0161 242 5252

BACKGROUND DOCUMENTS

Scheme of delegated powers to officers of the NPASJC.

1.0 INTRODUCTION

- 1.1 Members have delegated to the Chief Parking Adjudicator the appointment of part-time parking adjudicators to meet the needs of the service, as appropriate. The Joint Committee included within this delegation a requirement for the Chief Parking Adjudicator to keep the NPASJC informed of such appointments.
- 1.2 The list of adjudicators appointed from 25th May 2000 and from 23rd January 2002 is set out in the Appendix. The appointments are for a period of five years as required by the legislation, but will be renewable thereafter in accordance with Department for Constitutional Affairs policy for judicial appointments.
- 1.3 Following consent from the Lord Chancellor, the adjudicators originally appointed for five years from 25th May 2000, had their appointment renewed from 24 May 2005 for a further period of five years.
- 1.4 It is not proposed to make any further part-time appointments for the foreseeable future. From the caseload projections it appears that the current complement of adjudicators should be able to cover any increase in the work. While it is recognised that there are areas in the country where we do not have an adjudicator in the immediate vicinity, it is still regarded as better value for an existing adjudicator to travel to these areas for personal hearings rather than appoint new adjudicators to cover those areas. It must be borne in mind that there is an annual fixed cost of having an adjudicator on the panel and the policy to maintain the small panel of existing adjudicators will undoubtedly provide better value than making a significant number of new appointments.

APPENDIX

Group 1

List of NPAS Adjudicators initially appointed 25th May 2000 Appointments Renewed 24 May 2005

Clifton Barker	Mark Hinchliffe
David Binns	Andrew Keenan OBE
Martin Block	Stephen Knapp
Shan Cole	Anna-Rose Landes
Mark Emerton	Judith Ordish
Anthony Engel	Andrew Prickett CBE
Deborah Gibson	Jonathan Middleton
Susan Hotchin	Roy Rowley

Group 2

List of NPAS Adjudicators appointed 23rd January 2002

Sarah Breach	John O'Higgins
Richard Charles CB	John Parker
Gillian Ekins	Richard Phelan
Toby Halliwell	Joanne Richards
Martin Hoare	James Richardson
Margaret Kennedy	Stewart Sandbrook-Hughes
Terence McNeill	Hilary Tilby
Christopher Nicholls	

NATIONAL PARKING ADJUDICATION SERVICE JOINT COMMITTEE

REPORT FOR RESOLUTION

DATE: 30th June 2005

AGENDA ITEM: Number 13

SUBJECT: Establishment of Executive Sub-Committee
Committee.

REPORT OF: The Lead Officer
On behalf of the Advisory Board

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 June 2006, 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.

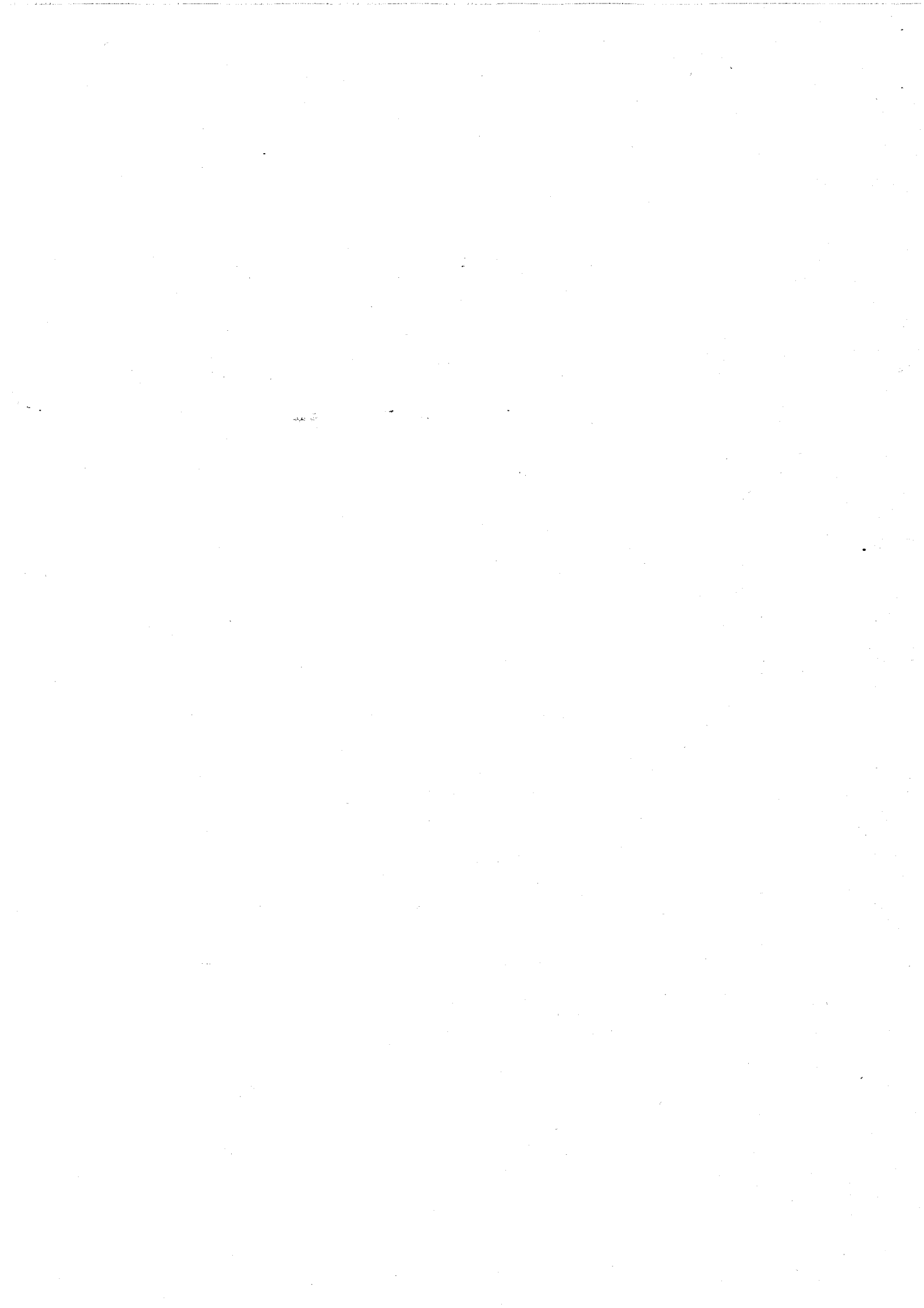
1.0 INTRODUCTION

- 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, currently there are 150 Members.
- 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 [June] 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 31st 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.
- (e) Approving a System of Internal Control.

2. Human Resources.

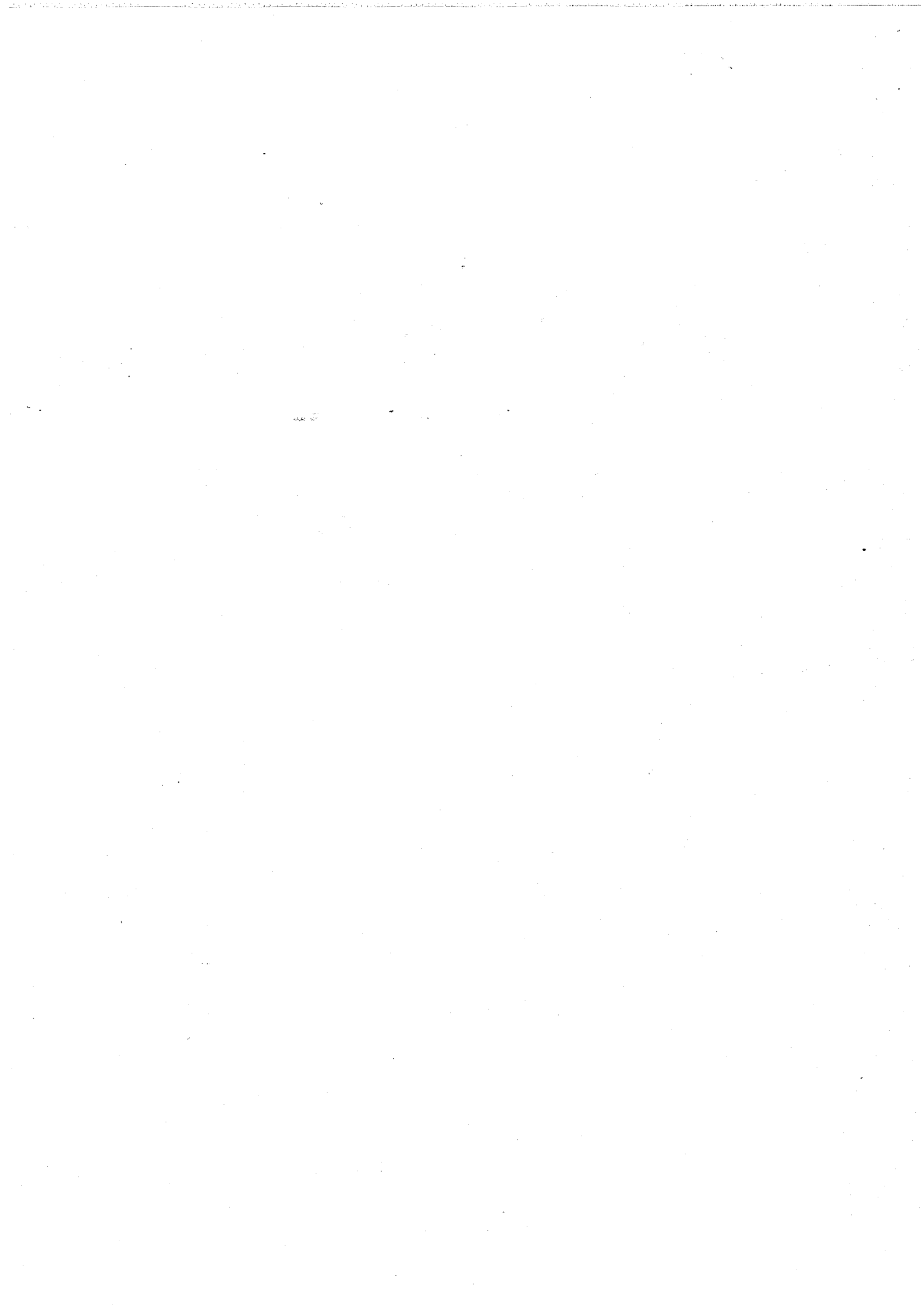
- (a) Approving changes above grade PO6 (SCP49) to the staff assignment, except for Adjudicator appointments.
- (b) Subject to the approval of the Lead Authority to consider applications for early retirement where there would be a financial cost to the NPASJC.

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: 30th June 2005
AGENDA ITEM: Number 14
SUBJECT: Appointments to the Advisory Board
REPORT OF: The Lead Officer

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] The Committee may wish to express their thanks to John Gant for the contribution he has made to the Advisory Board.

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 18th September 2002.

Minutes of the NPASJC Executive Sub-committee 28th January 2003.

Minutes of the NPASJC Meeting 30th September 2003

Minutes of the NPASJC Meeting 16th July 2004

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 19th November 2001 the Joint Committee re-established the Terms of Reference for appointments to the Advisory Board. These are detailed in the Appendix.
- 1.3 At the meeting held on 16th July 2004 the Joint Committee made appointments for the period ending at the Annual meeting in June 2005, these are detailed in the appendix.
- 1.4 The Joint Committee are invited to continue with the present appointments and agree to the changes recommended in the Appendix.

1.5 Retirement of John Gant

John Gant was the DfT representative on the advisory board for a number of years until his retirement at the end of 2004. On behalf of DfT his portfolio included decriminalised parking enforcement and was to oversee the introduction of a large number of special and permitted parking areas, among many other matters he was also involved in the drafting of parts of the Transport Act 2000 and the Traffic Management Act 2004.

John was a very helpful member of the advisory board and was able to play a part in the matters relating to DfT as well as the business of the board generally.

The Committee may wish to express their thanks to John Gant for the significant contribution he 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 16th July 2004 the following local authority members were appointed and retire as set out below.

June 2005

Bournemouth	John Satchwell	English Unitary
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June 2006

Hampshire	Peter Bayless	English Shire
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June 2007

Manchester	Andrew Vaughan	English Met Authority
Winchester	Alan Jowsey	English District

June 2008

Hertfordshire	Deborah Davis	English Shire
Carmarthenshire	Trevor Sage	Welsh Authority

On this basis the English Unitary representative, Bournemouth Council – John Satchwell, becomes eligible for re-appointment. The Advisory Board recommends this re-appointment.

Department for Transport Member

This is a matter for the DfT to decide from time to time. John Gant retired from service with the DfT at the end of 2004 and has been succeeded by Marilyn Waldron as their representative.

National Assembly for Wales Member

This is a matter for the NAFW 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. The Advisory Board recommends the re-appointment of Graham Addicott OBE for a further four year period ending June 2009.

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 Motoring Trust. Currently, Kevin Delaney of the RAC Foundation is the motoring organisation representative.