

## **REPORT FOR RESOLUTION**

**DATE:** 29th June 2010  
**SUBJECT:** Appointment of Adjudicators  
**REPORT OF:** The Chief Adjudicator, Traffic Penalty Tribunal

---

### **PURPOSE OF REPORT**

To approve the renewals of appointment of the Adjudicators listed on Appendix 1 and to note those Adjudicators who do not wish their appointment to be renewed.

### **RECOMMENDATIONS**

It is recommended that the Committee:

- [i] approves the renewal of the appointment of each Adjudicator named in Part 1 of the Appendix for a further period of five years (or, in relevant cases, until the end of the year of their 70<sup>th</sup> birthday) as an Adjudicator for England (outside London) and for Wales under Regulation 17 of the Civil Enforcement of Parking Contraventions (England) General Regulations 2007 and Regulation 9 of the Civil Enforcement of Parking Contraventions (Penalty Charge Notices, Enforcement and Adjudication) (Wales) Regulations 2008.
- [ii] notes that the Adjudicators whose names are listed in Part 2 of the Appendix do not wish their appointments to be renewed, and requests the Chief Adjudicator to convey the Committee's thanks to each of them for their service to the Traffic Penalty Tribunal.

### **CONTACT OFFICER**

Caroline Sheppard, Chief Adjudicator, Traffic Penalty Tribunal, Barlow House, Minshull Street, Manchester, Tel: 0161 242 5251

### **BACKGROUND DOCUMENTS:**

Regulation 17 the Civil Enforcement of Parking Contraventions (England) General Regulations 2007 [S.I. 3483]

Regulation 9 of the Civil Enforcement of Parking Contraventions (Penalty Charge Notices, Enforcement and Adjudication) (Wales) Regulations 2008 (S.I. No.609)

## **1.0 BACKGROUND**

- 1.1 The Adjudicators listed on the Part 1 of the Appendix were initially appointed as Parking Adjudicators for England and Wales in May 2000 under the terms of Section 73 of the Road Traffic Act 1991. The Lord Chancellor consented to each appointment. The appointments were renewed for a further five years in 2005. Therefore their appointments are due to be renewed this year
- 1.2 At its meeting on 2 June 2008 the Traffic Management Act 2004 (TMA) on 31 March 2008 the Joint Committee noted the provisions of Regulation 17(1) of the Civil Enforcement of Parking Contraventions (England) General Regulations 2007 and Regulation 9(1) of The Civil Enforcement of Parking Contraventions (Penalty Charge Notices, Enforcement and Adjudication) (Wales) Regulations 2008 which provided that adjudicators who held an appointment under Section 73 of the RTA were deemed to hold that appointment under the new TMA provisions. Nonetheless, the Joint Committee formally determined that all the Adjudicators were appointed under the TMA provisions for both England and Wales. Each Adjudicator continued to be appointed for his or her original term of office, hence the need to renew the appointments of the Adjudicators listed in Part 1 of the Appendix.
- 1.3 The current policy of the Lord Chancellor is that judicial appointments cease in the year when the office holder reaches his or her 70<sup>th</sup> birthday. Therefore, unless there is a change in that policy in the meantime, those Adjudicators who will reach their 70<sup>th</sup> birthday within the next five years will cease to hold their appointment at the end of the year in which they become 70.
- 1.4 The Lord Chancellor has confirmed that he is content to be informed of such appointments that the Joint Committee sees fit to renew without being formally asked to give his express consent in each case.
- 1.5 The Adjudicators listed in Part 2 of the Appendix have indicated that they do not wish their appointments to be renewed. Mark Hinchliffe has become Deputy President of the Health, Education and Social Care Chamber of the Tribunals Service and Mark Emerton was recently appointed as a salaried Judge in the Employment Tribunals. The Joint Committee is requested to congratulate them on their appointments and thank for their service to the Traffic Penalty Tribunal (TPT).
- 1.6 Martin Block and Susan Hotchin both regret that due to commitments in their legal practices and judicial sittings in other jurisdictions they are unable to devote sufficient time to TPT and have indicated that they do not wish their appointment as an Adjudicator to be renewed. Andrew Prickett indicated

some time ago that he could not undertake further sittings for TPT, but remained on the list of appointments as a reserve. He does not wish his appointment to be renewed. Again, The Committee are requested to convey through the Chief Adjudicator its thanks to these Adjudicators for their service to TPT.

- 1.7 The Lord Chancellor will be informed about those Adjudicators whose appointments are not being renewed.