

**NATIONAL PARKING ADJUDICATION SERVICE JOINT COMMITTEE  
MINUTES OF THE MEETING HELD AT THE NATIONAL MOTORCYCLE  
MUSEUM, SOLIHULL, BIRMINGHAM, ON 30TH JUNE, 2005.**

**PRESENT:** Councillor Malcolm Alexander – East Hertfordshire District Council  
Councillor Rev. Robert Barker - South Lakeland District Council  
Councillor Dennis Brown – Bristol City Council  
Councillor Tony Burns – Manchester City Council  
Councillor Herbert Chapman – Dacorum Borough Council  
Councillor Roland Dibbs - Rushmoor Borough Council  
Councillor Phrynnette Dickens – Hampshire County Council  
Councillor David Fleet – Herefordshire Council  
Councillor David Gillard – Poole Borough Council  
Councillor Ken Gregory – Thanet District Council  
Councillor Sir Elgar Jenkins - Bath and North East Somersert  
Councillor Colin Meredith – Gravesham Borough Council  
Councillor Peter Millea – Liverpool City Council  
Councillor Roy Pennington – Brighton & Hove Council  
Councillor Steve Smith – Leeds City Council  
Councillor Jeremy Sutcliffe – Oldham Metropolitan Borough Council  
Councillor Ron Wheeler – Welwyn Hatfield District Council

**Also in attendance:**

Messrs Adecott, OBE, Bayless, Bennett, Boddington, Earnshaw, Griffiths, Harris, Hein, Hurley, Pulham, Satchwell, Spicer and Tinsley, Tombe and Tunstall and Christine Crisp, Trudy Fox, Stacey Ryans and Caroline Sheppard.

**By Invitation:**

Eileen Dunstan and Professor John Raine – University of Birmingham

**NPAS/05/01                      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 Dickens (Hampshire) as Assistant Chair.

**NPAS/04/02                      NPASJC Minutes**

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

## **Decision**

To approve as a correct record the Minutes of the meeting held on 16 July, 2004 subject to the deletion of James Tombe listed as councillor present and the insertion of Councillor Tony Brown, correction to Councillor Dickens name to read Councillor Phrynnette Dickens and the addition of James Tombe and Pete O'Connor to the list of officers presents.

## **NPAS/05/03          Executive Sub-Committee Minutes**

### **Decision**

To note the Minutes of the meeting held on 24 January, 2005.

## **NPAS/05/04          Final Accounts, 2004/2005**

The final accounts for the years 2004/2005, were submitted.  
A letter from the Audit Commission together with the draft Independent Auditors report was tabled.

### **Decision**

1. To approve the 2004/2005 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 2004/2005 Revenue Account to the 2005/2006 Revenue Account.
3. To delegate authority to the Lead Officer in consultation with the Treasurer, Chair and Deputy of the Committee the adoption of a system of Internal Control in accordance with the Accounts and Audit Regulations.
4. To note the draft District Auditor's report in relation to the year 2004/2005 and the letter from the Audit Commission and agree to publish the Certificate of Audit with the accounts when it is available.

## **NPAS/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 24 January, 2005, the following Councils have become a party to the NPASJC Agreement:

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 and Welwyn Hatfield 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/05/06 General Progress and Service Standards**

The Lead Officer presented a report on progress in respect of the take up of decriminalised parking enforcement powers by Councils in England (outside London) and Wales and service standard performance during 2004.

#### **Decision**

1. To note the expected take up of decriminalised parking enforcement powers.
2. To note the performance attained during 2004 against the agreed service standard indicators.

### **NPAS/05/08 Annual Report of the Parking Adjudicators.**

The Annual report of the Adjudicators for the calendar year 2004 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/05/07 NPAS User Survey**

A report of the Chief Adjudicator and Service Director was submitted presenting the key findings of the user survey commissioned from the University of Birmingham, and, setting out proposals for addressing the main recommendations.

Professor John Raine and Eileen Dustan of the University of Birmingham gave a presentation to the Joint Committee.

### **Decision**

1. To note the key findings of the user survey:

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

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

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

2. To endorse the initial proposals for addressing the recommendations.

### **NPAS/05/08 Park-time Parking Adjudicator Appointments**

A report was submitted informing the Committee of the re-appointment of part-time Parking Adjudicators.

### **Decision**

To 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 appear in Group 1 of the Appendix to the report.

### **NPAS/05/09 Establishment of Executive Sub-Committee**

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

### **DECISION/-**

1. To approve the establishment of an Executive Sub-Committee to act on behalf of the Joint Committee until the annual meeting in 2006, comprising Councillors Malcolm Alexander (East Hertfordshire D.C.), Bob Barker (South Lakeland D.C.), Tony Burns (Manchester C.C.), Roland Dibbs (Rushmoor B.C.), Phrynnette Dickens (Hampshire C. C.), David Gillard (Poole B.C.), Ken Gregory (Thanet D.C.), Sir Elgar Jenkins (Bath and North East Somerset), Peter Mellia (Liverpool C.C.), Roy Pennington (Brighton and Hove), Jeremy

Sutcliffe (Oldham M.B.C.), and a representative from Wales Colin Evans (Carmarthenshire).

2. To agree the terms of reference contained in the body of the report.

### **NPAS/03/10 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 -

*Carmarthenshire 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) - *Marilyn Waldron (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 John Gant for the significant contribution he made in the furtherance of decriminalised parking enforcement generally and to NPASJC in particular.

### **NPAS/05/11 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/05/12 Review of Management Structure within NPAS** (Public excluded Paragraph 1, Information relating to individuals)

## Decision

committee/npasjc/30june05

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

**Minutes of a meeting of the Executive Sub-Committee held on 31 January 2006 at the Warwickshire County Cricket Club, Edgbaston, Birmingham.**

### **Present:**

Councillor Rev Robert Barker – South Lakeland District Council  
Councillor Tony Burns – Manchester City Council  
Councillor Roland Dibbs – Rushmoor District Council  
Councillor Phrynette Dickens – Hampshire County Council  
Councillor David Gillard – Poole Borough Council  
Councillor Ken Gregory – Thanet District Council  
Councillor Sir Elgar Jenkins – Bath and North East Somerset Council  
Councillor Peter Mellia – Liverpool City Council  
Councillor Roy Pennington – Brighton and Hove District Council

### **Also Present:**

Caroline Shepherd, Chief Adjudicator  
Bob Tinsley, NPAS Service Director  
Roger Fielding, for NPAS Secretary  
Graham Addicott OBE – NPAS Advisory Board  
Peter Bayless - NPAS Advisory Board  
John Satchwell - NPAS Advisory Board  
Councillor Zita Wiltshire -Thanet Bourough Council  
Andrew Pulham – East Hertfordshire Council  
Roy Tatersall – Liverpool City Council

### **NPAS/EX/06/1 Appointment of Chair and Vice Chair**

To appoint Councillor Gregory (Thanet) as Chair, Councillor Burns (Manchester) as Vice Chair and Councillor Dickens (Hampshire) as Assistant Chair until the Annual Meeting of the Joint Committee.

Councillor Gregory – In the Chair

### **NPAS/EX/06/2 Executive Sub Committee Minutes**

#### **Decision**

To approve as a correct record the minutes of the meeting held on 24<sup>th</sup> January 2005.

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## **NPAS/EX/06/3 NPASJC Minutes**

The Minutes of the National Parking Adjudication Service Joint Committee held on 30 June 2005 were submitted for information.

### **Decision**

To note the minutes.

## **NPAS/EX/06/4 New NPASJC Councils**

A report of the Lead Officer was submitted requesting the Sub Committee to agree to extend the Chief Parking Adjudicator's appointment to cover the areas of the following Councils who have become party to the NPASJC Agreement :-

Doncaster MBC; Rotherham MBC; Barnsley BC; Hartlepool BC;  
Woking BC; Chiltern DC; Stockton-on-Tees BC; Ipswich BC; Suffolk CC;  
New Forest District Council; Elmbridge BC; West Sussex CC; Horsham DC;  
Mid Sussex DC, and Hertsmere BC.

### **Decision**

1. To note that since the meeting held on 30 June 2005 the above named Councils have become party to the NPASJC Agreement.
2. To confirm the appointment of the Chief Parking Adjudicator and other part time adjudicators (co-terminous to their current appointments) to cover the areas of the authorities referred to above with effect from their various commencement dates appropriate to each authority area.

## **NPAS/EX/06/5 Revenue Budget 2005/2006**

A report of the Lead Authority was considered to enable the Sub Committee to monitor expenditure.

The Service Director updated the income figures indicating that current projections were indicative of a £150k shortfall on that previously predicted, and that the budget was being managed on a 'break even' basis. The shortfall was attributable to a number of Council not starting on the predicted dates, and some Councils issuing fewer PCNs than originally anticipated.

Discussion ensued about the potential implications for the 2006/2007 budget. The Chief Adjudicator indicated that some joining Councils may defer implementation of arrangements pending the introduction of the Traffic Management Act in order to avoid unnecessary expenditure. The Service Director reported that the budget estimate had been prepared on the assumption of 4.2M PCNs being issued compared to the 3.7M actuals, but that a surplus of £58k was still forecast over the year. Reference was made to the reserves of £528,696 and how this should find



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proper expression within the budget table. The Service Director reminded members that there were some remaining liabilities to be set against that figure but he remained confident that the resources would be sufficient to meet them.

### **Decision**

1. To note the expenditure monitoring information as presented.
2. To authorise the Lead Officer to incur expenditure against the revenue budget in excess of the £2,209,439 set by the Committee should the need arise, provided such expenditure is within the total income.
3. To agree that any surplus in income in the 2005/2006 revenue account is carried forward to 2006/2007.

### **NPAS/EX/06/6 General Progress and Service Standards**

A report of the Lead Officer was submitted on progress in relation to (a) the take-up of decriminalised parking enforcement powers by councils in England (outside London) and Wales, and (b) service standard performance during 2005.

It was reported that Gwynned should be added to the councils listed in Appendix 1.

The Service Director reported that the case management system was now fully implemented and that training for all adjudicators would be completed before the end of March. It was anticipated that the system would be manifested in significantly improved turnaround times in 2006.

Whilst welcoming the overall performance against targets, members suggested that those areas where performance was already significantly above target should be revisited. It was agreed that this should only be considered when the full benefits of the case management system could be assessed.

### **Decision**

1. To note the information presented regarding the current and future take-up of decriminalised parking enforcement powers.
2. To note the performance attained so far during 2005 against the agreed service standards and to agree that the targets should be reviewed once the full benefits of the case management system can be properly assessed.

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## **NPAS/EX/06/7 Revenue and Capital Budget Estimates 2006/2007**

Revenue and Capital Budget Estimates were submitted for approval.

The Service Director indicated that the estimates were based on an income stream from an anticipated 4.2M PCNs being issued (ie 0.5M more than in 2005/2006). The increase in the Audit fee reflected the increase in the budget overall.

Some Members commented on the inequity that those who paid the penalty charge were effectively subsidising those who appealed. The Chair indicated that the alternative would be to apply a fixed charge on each member council which he considered would be more inequitable, or to recharge individual councils the costs of cases that came to appeal which many would find difficult to deal with in budget planning terms. The Service Director stressed the importance of the current calculation formula in terms of permitting member councils to plan their budgets based on a charging policy that reflected the level of locally generated activity.

### **Decision**

1. To adopt the Revenue Budget estimates for 2006/2007 as presented.
2. To adopt the zero capital budget estimate for 2006/2007.

## **NPAS/EX/06/8 NPASJC Service Charges to user councils 2006/2007**

The Sub Committee considered the method of charging and the charges to be levied from local authorities participating in the Joint Committee's adjudication service during 2006/2007, and proposing a new charge for the transcription of audio recordings.

### **Decision**

1. To adopt the following charges in support of the service to be made to participating local authorities during the financial year 2006/2007:-

Element	Charge
Annual Charge (per SPA)	£0
Charge per PCN issued	£0.55
Charge per adjudication case	£0

2. To levy service charges based on a quarterly in advance basis for the PCN charge based on estimated figures and subsequently adjusted.
3. To agree that the incidental cost of making a transcription from the audio recording of proceedings at a personal hearing is charged to the requesting party; this charge to be effective for all requests that are received after 1 March 2006 and have been approved for transcription by

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an adjudicator. However, the Sub Committee does not support a charge being levied if the request for transcription is due to a relevant disability, and the Service Director, in consultation with the Chair and the Chief Adjudicator be requested to formulate appropriate wording to give effect to this.

## **NPAS/EX/06/9 Adjudication for Bus Lane enforcement**

A report of the Lead Authority was submitted informing the Sub Committee of future arrangements for bus lane adjudications made under the Transport Act 2000, and highlighting a number of problems that would prevent existing NPAS structures from fulfilling the requirement of this type of adjudication. There would therefore be a need to establish parallel NPAS arrangement and an inaugural meeting of authorities was planned for June in order to sign up to an enabling agreement.

Officers reported that some of the needs of the bus lane enforcement work had been anticipated in commissioning the case management system. 20 councils had so far indicated an intention to take up the powers.

Concerns were expressed that the Department of Transport had yet to designate an approved camera type for use or agree that the camera type in use in London should be designated for the purpose. Delay could affect the extent to which early progress could be made. The Chief Adjudicator indicated that there were also issues in relation to bus lane signage and the legal definition of 12 different bus types that required resolution before enforcement could be meaningfully enforced.

### **Decision**

To note the position and the issues that have yet to be resolved, and to seek an early meeting of members to give overall direction to the work necessary to have a working agreement in place by June 2006.



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

### **REPORT FOR RESOLUTION**

**DATE:** 30<sup>th</sup> June 2006  
**AGENDA ITEM:** Number 6  
**SUBJECT:** Final Accounts for 2005/2006.  
**JOINT REPORT OF:** The Lead Authority

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#### **PURPOSE OF REPORT**

To present to the Committee Final Accounts for the year 2005/2006.

#### **RECOMMENDATIONS**

It is recommended that the Joint Committee:

- [i] Receive and approve the 2005/2006 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 2005/2006 Revenue Account to the 2006/2007 Revenue Account.
- [iii] Note the Auditor's comments in his letter and that his report in relation to year 2005/6 will be submitted to the committee in due course.
- [iv] May wish to express their disappointment that councils listed in the body of the report have yet to provide annual certificates of the number of PCNs issued during 2004/5 and request the Service Director to take this matter up further with the councils concerned.

#### **CONTACT OFFICERS**

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

#### **BACKGROUND DOCUMENTS**

Minutes of the NPASJC meeting 30<sup>th</sup> June 2005.  
Minutes of the NPASJC Executive Sub-committee meeting 24<sup>th</sup> January 2005.  
Minutes of the NPASJC Executive Sub-committee meeting 31<sup>st</sup> January 2006.  
Accounts and Audit Regulations 2003, S.I. 2003 No.533.  
Accounts and Audit (Amendment) (England) Regulations 2006.

## **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 24<sup>th</sup> January 2005 it was agreed to: [i] adopt the Revenue Budget estimates for 2005/2006; [ii] adopt a zero capital budget for year 2005/6.
- 1.3 At the meeting of the Executive Sub-Committee held on 31<sup>st</sup> January 2006 the Lead Officer was given authorisation in consultation with the Chair, Vice Chair and Assistant Chair to incur expenditure against the revenue budget in excess of the £2,209,439 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 2005/2006 final accounts for approval by the Joint Committee.

## **2.0 REVENUE ACCOUNTS**

- 2.1 Details of the summary revenue and capital accounts for 2005/2006 are provided in the Appendix. The accounts for 2005/2006 have been recorded and prepared under the NPASJC structure in accordance with the requirements of the Accounts and Audit Regulations 2003. These regulations were amended by further regulations made from 1<sup>st</sup> April 2006.
- 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 2005/2006 the service received income of £2,059,616 and incurred expenditure of £2,067,690 producing a revenue contribution to reserves of £18,148 for the year. The combined surpluses as at 31<sup>st</sup> March 2006 amount to £546,844. This indicates a healthy financial situation that when combined with the continuing increase in the number of councils taking on decriminalised parking enforcement has enabled the service charges to be reduced for the 2006/7 financial year.
- 2.4 Income for the year, excluding return on pension assets and contributions to pensions reserve, was £149,823 lower than budget. Income is mainly based on the number of penalty charge notices (PCN) that are issued by each participating council. The number of PCNs issued by the councils was less than predicted. The number of appeals received during the year was also less than predicted enabling a saving to the variable cost elements of the service and therefore reduced expenditure of £167,971 than budget.

- 2.5 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 was repeated in 2004/5 with a contribution from the revenue account of £1,842.
- 2.6 In 2005/6 a contribution of £22,100 was made from the revenue account in respect of capital financing from previous years.

### **3.0 CAPITAL EXPENDITURE**

#### **Previous Years**

- 3.1 Capital financing charges, to repay the borrowing used to finance capital expenditure incurred between 1998/99 to 2000/2001, was fully repaid by the end of the 2001/2002.
- 3.2 Via the lead authority's LTP credit approvals of £200,000 were obtained from central government for years 2001/2002 and 2002/2003 combined over the two years. The Committee previously agreed to treat the two years together for expenditure purposes. It was reported to the meeting held on 30<sup>th</sup> September 2003 that expenditure for 2001/2002 and 2002/3 was fully utilised in accordance with the LTP credit approvals. It was reported at the meeting held on 16<sup>th</sup> July 2004 that expenditure for 2003/4 was fully utilised in accordance with the credit approvals.
- 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.

#### **Year 2005/6**

- 3.4 The committee adopted a zero capital budget for year 2005/6 therefore there has been no further capital expenditure.

### **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 in year 2006/7, 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 repayment in year 2006/7 will be dependent on interest rates during the period. However, based on the current interest rates the repayment profile during 2006/7 would be £15,233, allowance for this has been made in the approved budget estimates for 2006/7.

## **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 At the meeting held on 30<sup>th</sup> June 2005 the committee agreed 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 There is also a requirement under the regulations for joint committees to undertake regular reviews of the effectiveness of the SIC. One of the areas the Audit Commission advised us to look at during their audit of last years accounts was to consider a means by which we could obtain greater assurance as to the accuracy that the monthly returns supplied to NPAS by each of the councils that shows the number of PCNs they each issue. This is of importance because the vast majority of the joint committee's income is based on these numbers.

6.5 Since the last meeting of the committee the Service Director has conducted talks with Lead Authority's internal auditor to establish their function within the arrangements. In addition a system has been introduced whereby each council is requested to provide an annual certificate to confirm the numbers



of PCNs they issued during the previous financial year. Any adjustments can then be made within the charging regime. A further matter arises in the circumstances that a council does not send in an annual certificate. For this an escalation procedure is needed. The SIC statement included in the accounts for 2005/6 has therefore been agreed under the above mentioned delegation and amended with a view to addressing this eventuality, whereby the NPASJC will be informed of such a situation and a recommendation will be submitted for resolution such that any non-compliance may be effectively controlled.

- 6.6 The above revised procedure was introduced in January 2005 in respect of the 2004/5 financial year. Of the 120 councils concerned, at the time of writing only 3 councils have not yet provided NPAS with an annual certificate.
- 6.7 The councils that have yet to supply an annual certificate of the number of PCNs they issued during 2004/5 are; Harlow, Medway, and York. The committee may wish to express their disappointment that these certificates have not been provided and request the Service Director to take this matter up with the councils concerned.
- 6.8 Any necessary adjustments to the income will be made during the normal quarterly invoicing system.
- 6.9 A similar exercise will be undertaken during 2006/7 in respect of financial year 2005/6, and the outcome reported at the next annual meeting.

## **7.0 AUDITOR'S REPORT**

- 7.1 In previous years it has usually been possible to provide the committee with the outcome of the Audit Commission's audit report. The Accounts and Audit regulations require a number of steps and stages to be undertaken in respect of the joint committee's accounts, each of which has a defined time scale. These requirements have been further amended by regulations that came into effect on 1<sup>st</sup> April 2006.
- 7.2 The regulations require the committee to adopt the accounts before the auditor produces his report. In turn there has to be a public notice for the rights of electors to inspect the accounts and this inspection period has to be 20 working days and can only commence after the committee has adopted the accounts. The auditor is now required to provide an annual governance report and also a value for money report.
- 7.3 After consultation with the Audit Commission a programme in respect of the accounts for the financial year 2005/6 has been agreed that meets these requirements and is set out below.

<b>Stage</b>	<b>Date</b>
Accounts prepared and certified by the Treasurer.	By 31 <sup>st</sup> May 2006.
Accounts submitted to NPASJC for approval.	By 30 <sup>th</sup> June 2006.
Advertisement of Public Notice for Exercise of Public Rights for electors to inspect the accounts.	On 16 <sup>th</sup> June 2006.
Period for exercise of rights of inspection.	From 3 <sup>rd</sup> July To 28 <sup>th</sup> July 2006.
Date after which the Auditor may be questioned about or receive objections to the accounts.	31 <sup>st</sup> July 2006.
Head of Service to receive the Auditor's annual Governance Report (including the draft audit report on the accounts and any matters in relation to their VFM conclusion) and circulate to Members of the Executive Sub-Committee on behalf of the Auditor.	The auditor is aiming to issue the report by 31 <sup>st</sup> August 2006
Publish the Accounts and Auditor's report.	By 30 <sup>th</sup> September 2006.
Report any key matters arising from the audit to Executive sub-committee.	January 2007 meeting or if necessary another date to be arranged.

- 7.4 In advance of the formal procedure the Audit Commission agreed to commence their audit, and have worked closely with officers to ensure that any matters arising are reflected in the accounts submitted for approval.

# National Parking Adjudication Service

## Final Accounts 2005-2006

# **NATIONAL PARKING ADJUDICATION SERVICE JOINT COMMITTEE**

## **Explanatory Foreword**

This statement of accounts is the statutory summary of the National Parking Adjudication Service Joint Committee's (NPASJC) financial affairs for the year 2005/06, in accordance with the Accounts and Audit Regulations 2003. It demonstrates the Joint Committee's financial position for the year 2005/06 and presents its overall financial position at the end of that period. An explanatory note covering the purpose of each account is shown below. Further detailed notes are within individual accounts as appropriate.

The purpose of the statement of accounts is to give those local authorities who are a party to the NPASJC, their members, electors, local taxpayers and any other interested parties clear information on the overall finances of the NPASJC. They should allow the reader to determine the cost of the National Parking Adjudication Service during 2005/06, where this cost was financed from and the overall assets and liabilities of the NPASJC as at 31<sup>st</sup> March 2006.

During 2005/2006 the service received income of £2,085,838 and incurred expenditure of £2,067,690 which after adjustment of return on Pension Assets and Contributions to / (from) Pensions Reserve produced a revenue contribution to reserves of £18,148 for the year. The combined surpluses as at 31st March 2006 amount to £546,844. This indicates a healthy financial situation that when combined with the continuing increase in the number of councils taking on decriminalised parking enforcement has enabled the service charges to be reduced for the 2006/7 financial year.

Income for the year, excluding return on pension assets and contributions to pensions reserve, was £149,832 lower than budget. Income is mainly based on the number of penalty charge notices (PCN) that are issued by each participating council. The number of PCNs issued by the councils was less than predicted. The number of appeals received during the year was also less than predicted enabling a saving to the variable cost elements of the service and therefore reduced expenditure of £167,971 than budget.

### **The 2005/06 accounts comprise of the following main statements:**

#### **The statement of Accounting Policies**

This explains the principles, bases, conventions and practices applied by the lead authority that specify how the effects of transactions are to be reflected in the accounts.

#### **The Summary Revenue Account**

This reports the net cost for the year of the service for which the joint committee is responsible, and demonstrates how that cost has been financed from the income from the participating local authorities.

**The Balance Sheet**

This statement shows the balances and reserves at the Joint Committee's disposal, its long-term indebtedness, and fixed and net current assets employed in the operation of the service, together with summarised information on the fixed assets held.

**The Statement of Total Movement in Reserves**

The Statement of total Movements in Reserves brings together all the recognised gains and losses of the joint committee during the period and identifies those, which have not been recognised in the Revenue Account. The statement separates the movements between revenue and capital reserves.

**The Cash Flow Statement**

This statement summarises the inflows and outflows of cash arising from transactions with third parties for revenue and capital purposes.



# **NATIONAL PARKING ADJUDICATION SERVICE**

## **Statement of Accounting Policies**

### **1. 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 2005 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).

### **2. Fixed Assets**

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

The asset values are based on historical cost less accumulated depreciation. Assets have been depreciated in 2005-06. 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.

### **3. 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.

### **4. V.A.T.**

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

### **5. Reserves**

The National Parking Adjudication Service maintains certain reserves to defray general rather than specific items of future expenditure. These are detailed in note 7 to the Balance Sheet.

### **6. 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.

## **7. 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 2006 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 2005-06. The liabilities for active members have been adjusted to take account of any change in payroll of active members since April 2005. 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. The service has taken the actuarial figures for Manchester City Council and calculated the National Parking Adjudication Service element by apportionment, based on their committees employee contributions as a proportion of total contributions made by Manchester City Council employees. This approach should not introduce any material distortion in the results.



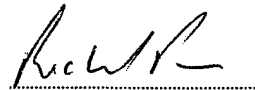
## NATIONAL PARKING ADJUDICATION SERVICE

### SUMMARY REVENUE ACCOUNT 2005/2006

2004-2005 Actual £		2005-2006 Budget £	2005-2006 Actual £
	<b>Cost of Service</b>		
571,366	Adjudicators	738,658	690,048
546,427	Employees	716,605	592,222
130,007	Premises	266,729	185,656
50,662	Transport	18,000	40,705
507,292	Supplies and Services	473,069	536,959
27,237	Capital Financing	22,600	22,100
<b>1,832,991</b>	<b>Gross Total Costs</b>	<b>2,235,661</b>	<b>2,067,690</b>
-1,989,647	Less Fees and Charges	-2,209,439	-2,059,616
-28,540	Pensions Interest Cost and Expected		
-6,610	Return on Pension Assets	2,902	2,902
	Contributions to / (from) Pensions Reserve	-29,124	-29,124
<b>-191,806</b>	<b>Net (Surplus) / Deficit</b>	<b>0</b>	<b>-18,148</b>
-336,890	<b>Balance on Reserve b/f</b>	<b>0</b>	<b>-528,696</b>
<b>-528,696</b>	<b>Balance on Reserve c/f</b>	<b>0</b>	<b>-546,844</b>

I certify that the above presents fairly the financial position of the National Parking & Adjudication Service at the 31/3/06 and it's income and expenditure

Richard Paver, City Treasurer



Date

18/06/06

## NATIONAL PARKING ADJUDICATION SERVICE

### Notes to the Revenue Account

#### 1. Officers' Emoluments

The following number of employees received remuneration in excess of £90,000:

	2004/2005	2005/2006
£90,000 - £99,999	1	
£100,000 - £109,999		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 £	2005/2006 £
(Surplus) / Deficit at 1 April	181,216	719,729
Current Service Cost	84,263	84,285
Employer Contributions	(49,113)	(58,063)
Contributions - Unfunded Benefits	-	-
Past Service Costs	-	-
Impact of Curtailments	-	-
Expected Return on Employer Assets	(188,010)	(223,202)
Interest on Pension Scheme Liabilities	159,470	226,104
Actuarial (Gains) / Losses	531,903	73,081
(Surplus) / Deficit at 31 March	<b>719,729</b>	<b>821,934</b>

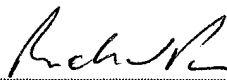
**NATIONAL PARKING ADJUDICATION SERVICE**

BALANCE SHEET as at 31 MARCH 2006

2004-2005 £		Note	2005-2006 £
	<b>Fixed Assets</b>		
	<b>Operational Assets</b>		
166,667	Furniture and Equipment	2&3	66,667
<b>166,667</b>	<b>TOTAL FIXED ASSETS</b>		<b>66,667</b>
	<b>Current Assets</b>		
294,504	Debtors and Payments in Advance	4	505,449
1,010,955	Cash at Bank		0
<b>1,305,459</b>	<b>Total Current Assets</b>		<b>505,449</b>
	<b>Current Liabilities</b>		
-1,276,763	Creditors and Receipts in Advance	5	-78,955
0	Cash at Bank (overdrawn)		-379,650
<b>-1,276,763</b>	<b>Total Current Liabilities</b>		<b>-458,605</b>
<b>28,696</b>	<b>Net Current Assets / (Liabilities)</b>		<b>46,844</b>
<b>195,363</b>	<b>TOTAL NET ASSETS</b>		<b>113,511</b>
	<b>Long Term Liabilities</b>		
166,667	Long Term Liabilities		66,667
719,729	Liability Relating to Defined Benefit Pension Scheme	6	821,934
<b>886,396</b>			<b>888,601</b>
	<b>Reserves</b>		
528,696	Revenue Account Surplus	7	546,844
-525,653	Fixed Asset Restatement Account	7	-525,653
25,653	Capital Financing Account	7	25,653
-719,729	Pension Reserve	6	-821,934
<b>195,363</b>			<b>113,511</b>

Richard Paver, City Treasurer

Date

  
 13/06/06

# NATIONAL PARKING ADJUDICATION SERVICE

## Notes to Balance Sheet

### 1. General

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

The accounts incorporate both Revenue and Capital Income and Expenditure.

### 2. Capital Expenditure

Expenditure	2004/2005 £	2005/2006 £
Furniture and Equipment	201,842	0
<b>Funded By</b>		
Loan	200,000	0
Revenue Contributions	1,842	0
	<b>201,842</b>	<b>0</b>

### 3. Fixed Assets

Movements in Fixed Assets During the Year were as follows:

	Furniture and Equipment £
Net Book Value as at 1 April 2005	166,667
Expenditure in Year	0
Depreciation for Year	(100,000)
Net Book Value as at 31 March 2006	66,667
Gross Book Value as at 1 April 2005	300,000
Accumulated Depreciation as at 1 April 2005	(133,333)
Net Book Value as at 1 April 2005	166,667
Gross Book value as at 31 March 2006	300,000
Accumulated Depreciation as at 31 March 2006	(233,333)
Net Book Value as at 31 March 2006	66,667

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

	2004/2005	2005/2006
Amounts Falling Due in One Year	294,504	505,449
Represented By:		
Other Local Authorities	127,566	505,449
Other Public Bodies	166,938	
	<b>294,504</b>	<b>505,449</b>

## 5. Creditors and Receipts in Advance

	2004/2005	2005/2006
Amounts Falling in One Year	1,276,763	78,955
Represented By:		
Other Local Authorities	1,187,849	24,527
Other	88,914	54,428
	1,276,763	78,955

## 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 pension disclosures have been prepared by an actuary in accordance with guidance issued by the Institute and the Faculty of Actuaries and the values disclosed are compliant with the requirements of FRS17.

The financial assumptions used at 31 March 06 were for inflation 3.1%, rate of increase in salaries 4.6%, rate of increase for pensions in payment and deferred pensions 3.1% and rate used to discount scheme liabilities 4.9%.

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

	Assets at 31 March 05 £	Assets at 31 March 06 £	Long Term Rate of Return at 31 March 05 %	Long Term Rate of Return at 31 March 06 %
Equities	2,176,765	2,606,556	7.7	7.4
Bonds	433,110	632,555	4.8	4.6
Property	311,184	369,623	5.7	5.5
Cash	249,049	370,516	4.8	4.6
	<b>3,170,108</b>	<b>3,979,250</b>		

	31 March 05 £	31 March 06 £
Pension Scheme Asset	3,170,108	3,979,250
Present Value of Pension Scheme Liabilities	3,727,038	4,801,184
Present Value of Unfunded Liabilities	162,799	-
Surplus / (Deficit) of Pension Scheme	<b>719,729</b>	<b>821,934</b>

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

This has the effect of reducing the reserves by £821,934.

## 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 2005 £	Applied 2005-06 £	Contributions 2005-06 £	Balance at 31 March 2006 £
Revenue Reserve	528,696	-	18,148	546,844
Capital Financing Account	25,563	-	-	25,653
Fixed Asset Restatement Account	(525,653)	-	-	(525,653)

## 8. Financial Reporting and the Euro

No commitments have been entered into at 31 March 2006 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 2005 – 31 March 2006

	CAPITAL RESERVES		REVENUE RESERVES	
	Fixed Asset Restatement Account	Capital Financing Account	General Reserve	Pension Reserve
	£	£	£	£
Balance at 1 April	(525,653)	25,653	528,696	(719,729)
Net Surplus / (Deficit) for Year	-	-	18,148	(102,205)
Balance at 31 March	<b>(525,653)</b>	<b>25,653</b>	<b>546,844</b>	<b>(821,934)</b>

**NATIONAL PARKING ADJUDICATION SERVICE**

**CASH FLOW STATEMENT FOR YEAR ENDED 31 MARCH 2006**

2004-2005		Notes	2005-2006
£			£
<b>REVENUE ACTIVITIES</b>			
	<b>Cash Outflows</b>		
648,760	Cash Paid to and on Behalf of Employees		693,574
55,232	Other Operating Cash Payments		2,823,444
<u>703,992</u>			<u>3,517,018</u>
	<b>Cash Inflows</b>		
-2,378,169	Cash Received for Goods and Services		-2,093,933
<b>-1,674,177</b>	<b>Net Cash Flow from Revenue Activities</b>		<b>1,423,085</b>
<b>CAPITAL ACTIVITIES</b>			
	<b>Cash Outflows</b>		
232,480	Purchase of Fixed Assets		
	<b>Cash Inflows</b>		
-81	Cash Received for Goods and Services		-32,479
			<u>-32,479</u>
<u><b>-1,441,779</b></u>	<b>(Increase) / Decrease in Cash</b>	<b>1</b>	<u><b>1,390,606</b></u>

Richard Paver, City Treasurer

*Richard Paver*

Date

13/06/06



# NATIONAL PARKING ADJUDICATION SERVICE

## Notes to Cash Flow Statement

### 1. Decrease in Cash

	2004-2005 £	2005-2006 £
Bank Balance at 1 April 2004	(430,824)	1,010,955
Movements in Year	1,441,779	(1,390,605)
Bank Balance at 31 March 2005	<b>1,010,955</b>	<b>(379,650)</b>

The bank account balance does not include £209,211 of cash due to be received from 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 it's financial affairs and to make secure that one of it's officers has responsibility for the administration of those affairs. In this case, that officer is the Service Director;

to manage it's affairs to secure economic, efficient and effective use of resources and safeguard it's 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 2006, and it's income and expenditure for the year ended 31 March 2006.

Richard Páver, City Treasurer .....  ..... Date ..... 13/06/06 .....

# **NATIONAL PARKING ADJUDICATION SERVICE**

## **Statement on Internal Control**

### **1. Scope of responsibility**

The National Parking Adjudication Joint Committee (NPASJC) 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. NPASJC 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, NPASJC is also responsible for ensuring that there is a sound system of internal control which facilitates the effective exercise of NPASJC'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 NPASJC 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 NPASJC for the year ended 31 March 2006 and up to the date of approval of the annual report and accounts.

### **3. The Internal Control Environment and Review of Effectiveness**

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. Manchester City Council is the "Lead Authority" on behalf of the NPAS Joint Committee (NPASJC). To date the system of internal control has used systems that exist within the lead authority.

The framework includes 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 including business continuity planning; and an internal audit arrangement with the lead authority. It is agreed that the Lead Authority's internal audit service includes NPAS within its risk assessment and develops appropriate internal audit plans. This arrangement should provide an appropriate level of scrutiny to ensure that the internal audit activities are risk based and resourced accordingly.

During the year 2005-2006 a system was introduced whereby the participating local authorities provide NPAS with an annual certification of the number of PCNs they each issued during the previous financial year. This system provides an additional check to the number of PCNs notified on a monthly basis throughout the year. In the event of a council failing to submit an annual return a process of escalation is to be agreed with the NPAS Joint Committee whereby they will be informed of the situation and a recommendation will be submitted for resolution such that any non-compliance may be effectively controlled.

#### 4. Significant Internal Control Issue

No significant internal control issues have been identified. During the year a formal system of Internal Control as required by the Accounts and Audit Regulations and as recommended by CIPFA has been adopted.

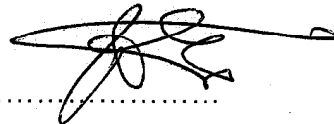
Service Director on behalf of the Lead Officer .....



Date .....

19<sup>th</sup> June 2006

Chair of NPASJC .....



Date .....

30 June 2006

## 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:** 30<sup>th</sup> June 2006  
**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 31<sup>st</sup> January 2006 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 31<sup>st</sup> January 2006

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:

Bracknell Forest  
Surrey Heath

S.I. 2006 No.592  
S.I. 2006 No.851

## **1.0 BACKGROUND**

- 1.1 Since the meeting of the Committee on 31<sup>st</sup> January 2006, Bracknell Forest Borough Council and Surrey Heath Borough Council have become a party to the NPASJC Agreement.
- 1.2 Surrey County Council is already a party to the agreement and therefore does not need to rejoin in respect of the Surrey Heath area.
- 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.



# NATIONAL PARKING ADJUDICATION SERVICE JOINT COMMITTEE

## REPORT FOR RESOLUTION

**DATE:** 30<sup>th</sup> June 2006

**AGENDA ITEM** Number 8

**SUBJECT:** General Progress and Service Standards

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

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### PURPOSE OF REPORT

To report to the Committee on progress in respect of: (a) the take up of decriminalised parking enforcement powers by Councils in England [outside London] and Wales; (b) service standard performance during 2005.

### 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 2005 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 18<sup>th</sup> September 2002.  
Report to NPASJC Committee Meeting held on 30<sup>th</sup> September 2003.  
Report to NPASJC Committee Meeting held on 16<sup>th</sup> July 2004  
Report to Executive Sub-Committee held on 24<sup>th</sup> January 2005  
Report to NPASJC Committee Meeting held on 30<sup>th</sup> June 2005  
Report to Executive Sub-Committee held on 31<sup>st</sup> January 2006

## **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 the year 2005.

### **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 At the time of writing there are now 165 councils that are a party to the NPASJC agreement, with some 146 Special & Permitted Parking Areas (SPAs) established in the scheme. It is understood there are a further 46 local authorities who are planning the introduction of DPE during and after 2006.
- 2.4 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 2005 and the first quarter of 2006 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%
Year 2005	76% (5,907 Appeals)	80%	91% (3,542 Appeals)	80%
Year 2006 First Quarter	93% (958 Appeals)	80%	67% (160 Appeals)	80%

- 3.3 It should be noted that data reported in Table 1 includes those appeals received and decided during the period but appeals that were not decided, for example because the appellant has requested their personal hearing to be rescheduled, have been excluded from the figures.
- 3.4 The performance indicator for the postal appeals continues to be below the 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. The core elements of the new *AIMS* case management system has now been developed and all new cases received from 1<sup>st</sup> January 2006 are being processed via this system. The adjudicators have been trained in the use of the system and are able to remotely and directly access the system. It is therefore expected from 2006 and onwards a substantial improvement to this service standard indicator should result. For the postal appeals received in the first quarter of 2006 the indicator as expected has shown considerable improvement.

- 3.5 However, for the personal appeals there has been some delay at the beginning of the year due to a number of factors. The "learning curve" experienced by the coordinators on the procedure for scheduling in *AIMS* caused a delay in scheduling across all coordinator groups in the first month of *AIMS* appeals. There has been a longer term problem in one coordinator area but this problem has been identified through *AIMS* and support has been provided to resolve this. A further factor has been that decisions in a number of appeals have had potential implications on other appeals involving the same council. As a result, and with the agreement of the council concerned, the scheduling of hearings in subsequent appeals involving that council has been put on hold pending reviews of the original decision. There was a concentration of effort in winding down the old case management system and these statistics would not register within the new system. It is expected that over the year this indicator will recover to be close to the target.
- 3.6 At the meeting of 19<sup>th</sup> November 2001, it was agreed that two additional indicators would be measured from 1st April 2002. These give an indication of availability and responsiveness for the service. At the meeting of the Executive Sub-committee held on 24<sup>th</sup> 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 2005 and the first quarter of 2006 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%
<b>Year 2005</b>	<b>97%</b> <b>(30,967 calls)</b>	<b>90%</b>	<b>99%</b> <b>(9,499 appeals)</b>	<b>95%</b>
<b>Year 2006 First Quarter</b>	<b>97%</b> <b>(4,859 calls)</b>	<b>90%</b>	<b>100%</b> <b>(2,326 Appeals)</b>	<b>95%</b>

3.7 The Committee is requested to note the performance attained against the agreed service standard indicators for year 2005.



## APPENDIX 1

### Councils with SPA/PPA Areas

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

## Future Special and Permitted Parking Areas

### Areas expected during and after 2006 with nominal start dates

Area	Expected commencement date
Kingston Upon Hull City Council	To be confirmed
Tameside Metropolitan Borough Council	To be confirmed
Kirklees Metropolitan Council	3 July 2006
Derby City Council	3 July 2006
Conwy County Borough Council	01 Sep 2006
Calderdale MBC	1 Sept 2006
Kennet District Council	1 Sept 2006
Tandridge District Council	Sep-2006
North Wiltshire District Council	4 Sept 2006
Warrington Borough Council	1 Oct 2006
Fareham Borough Council	1 Oct 2006
Rugby Borough Council	2 Oct 2006
Scarborough Borough Council	Early 2006
Dudley Metropolitan Borough Council	2006
South Tyneside Metropolitan Borough Council	2006
Gateshead Metropolitan Borough Council	2006
Wolverhampton City Council	2006
Solihull Metropolitan Borough Council	2006
Walsall Metropolitan Borough Council	2006
Warwick District Council	2006
Nuneaton and Bedworth Borough Council	2006
Corby Borough Council	Oct 2006
Davenry District Council	Oct 2006
East Northamptonshire District Council	Oct 2006
Kettering Borough Council	Oct 2006
South Northamptonshire District Council	Oct 2006
Wellingborough Borough Council	Oct 2006
Shrewsbury & Atcham (Shropshire)	20 <sup>th</sup> Nov 2006
Leicester City Council	29 Jan 2007
Ashfield District Council	29 Jan 2007
Bassetlaw District Council	29 Jan 2007
Broxtowe Borough Council	29 Jan 2007
Gedling Borough Council	29 Jan 2007
Mansfield District Council	29 Jan 2007
Newark & Sherwood District Council	29 Jan 2007
Rushcliffe Borough Council	29 Jan 2007
Newcastle Upon Tyne City Council	Feb 2007
Gateshead MBC	Feb 2007
Anglesey County Council	1 April 2007
Gwynedd Council	1 April 2007
St Helens MBC	Apr 2007
North Tyneside MBC	Apr 2007
Crewe and Nantwich Borough Council	Apr-2007
Ellesmere Port and Neston Borough Council	Apr-2007
Chester City Council	Oct 2007
Macclesfield Brough Council	Oct 2007

# NATIONAL PARKING ADJUDICATION SERVICE JOINT COMMITTEE

## REPORT FOR RESOLUTION

**DATE:** 30<sup>th</sup> June 2006

**AGENDA ITEM:** Number 10

**SUBJECT:** Integration of Bus lane Appeals

**REPORT OF:** The Chief Executive, Manchester City Council

---

### PURPOSE OF REPORT

To note that a separate joint committee arrangement has been established for the appointment of bus lane adjudicators and the associated administrative arrangements for England (outside London) and agree that the processing of the bus lane appeals will be administered alongside parking appeals. To agree a new name under which the organisation will be known in the future.

### RECOMMENDATIONS

It is recommended that the Committee:

- [i] Agree that the service should as far as possible be provided in an integrated manner for both bus lane and parking appeals.
- [ii] Agree that the operation of the parking and bus lane tribunals be merged under the new name "Traffic Penalty Tribunal".

### CONTACT OFFICER

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

### BACKGROUND DOCUMENTS

Report to the NPASJC 30<sup>th</sup> June 2005  
Report to the NPASJC Executive Sub-Committee 31<sup>st</sup> January 2006

## **BACKGROUND**

### **1.0 INTRODUCTION**

- 1.1 A report was submitted to the Executive Sub-Committee held on 31<sup>st</sup> January 2006 that provided information regarding proposed future arrangements for bus lane adjudications made under the Transport Act 2000, and highlighting a number of problems that would prevent existing NPAS structures from fulfilling the requirement of this type of adjudication. There would therefore be a need to establish arrangements parallel to NPAS and an inaugural meeting of authorities was planned for June in order to sign up to an enabling agreement.
- 1.2 The Bus Lane Adjudication Service Joint Committee (the BLASJC) agreement has now been established by Brighton & Hove, Hampshire, Manchester, Nottingham, Reading and Sheffield councils. During the next year a further sixteen councils are expected to also become a party to the agreement. Whilst the number of bus lane appeals is likely to be small in the first few months of operation they could grow rapidly thereafter.
- 1.3 Other types of traffic penalty charge adjudication will arise when secondary legislation is made under the Traffic Management Act allowing for civil enforcement for some of the moving traffic contraventions. The likely timescale for this is in 2007/08.

### **2.0 SERVICE INTEGRATION**

- 2.1 The bus lane legislation made under the Transport Act 2000 is framed in the same terms as the Road Traffic Act 1991 (RTA), placing a duty on the BLASJC to provide staff and accommodation for the adjudicators, and the agreement is drawn up in those terms.
- 2.2 Under the RTA the adjudicators have jurisdiction in respect of councils outside London in both England and Wales. The Bus Lane regulations only apply to English councils.
- 2.3 The present arrangements made by the NPASJC for supporting the parking adjudicators has sufficient flexibility to incorporate processing the bus lane appeals without at this stage the need for additional staff or resources.
- 2.4 The duty placed on local authorities, including their joint committees, to deliver services in an effective, efficient and economical manner can best be delivered by integrating the arrangements for processing of both parking and bus lane appeals.
- 2.5 Since it is the intention of the BLASJC to appoint all the parking adjudicators as bus lane adjudicators, the Chief Adjudicator has

indicated that it is desirable for the two types of appeals to be integrated into a single shared tribunal, without the need for separate hearing arrangements for bus lane appeals. Therefore while it will be necessary to provide separate appeal forms and information, many of the other facilities, such as hearing arrangements and the website, including the appeal on-line facility, can be integrated.

- 2.6 It is therefore recommended that the parking appeals and bus lane appeals are integrated into a single tribunal.

### **3.0 The New Integrated Tribunal**

- 3.1 The new integrated tribunal will need an identity to reflect the merged jurisdictions. That identity must be capable of including the other types of traffic penalty charge adjudication that will arise when secondary legislation is made under the Traffic Management Act for some of the moving traffic contraventions.
- 3.2 Initial consultation took place with our Appellants User Group, representatives of other tribunals and our own staff, regarding the present 'public' perception of the role of National Parking Adjudication Service (NPAS).
- 3.3 These consultations revealed some concerns. The NPAS User Survey report "User Perspectives on the National Parking Adjudication Service" by Prof John W Raine & Eileen Dunstan of the University of Birmingham and reported to the joint committee on 30<sup>th</sup> June 2005 and the public relations company that acts as the NPAS press office indicated that NPAS has little 'brand' recognition outside council parking department and the parking industry. In particular:
- 'National' - causes some confusion as our jurisdiction does not cover Scotland, Northern Ireland or Greater London. The Scottish parking tribunal was dissatisfied with our use of this word;
  - 'Parking' – would become too narrow for the different types of adjudication in the future;
  - Adjudication – is often mis-spelt and is generally confusing for and not understood by the general public;
  - 'Service' – often causes confusion as people think we are able to 'tailor' it to their particular needs, when we actually only have one 'product' - the Adjudicators' decision. This is not to say that the experience of our users should not be or continue to be user focused when they interface with the adjudication process.
- 3.4 Adjudicators are a 'tribunal' under the supervision of the Council on Tribunals, as provided in the Tribunals and Inquiries Act.
- 3.5 The NPAS User Survey report recommended that NPAS should take steps to widen public awareness about independent adjudication on

local authority parking enforcement decisions. There were a number of specific recommendations on how this might be achieved including a recommendation regarding a change of title from NPAS to something that better connotes both the tribunal's judicial status and independence from the councils. A key feature from this research is that whatever name is adopted, it should be meaningful to the public, widen their awareness and as far as possible reflect the actual function(s) we are fulfilling.

- 3.6 Independent research was therefore commissioned to obtain an identity that could be adopted to overcome the above mentioned difficulties with the NPAS name and provide a substitute name for the future that meets the new requirements.
- 3.7 The research was conducted during May 2006 in three areas of the country, North, Midlands and South. The results are detailed in the appendix.
- 3.8 The research has resulted in a clear preferred name from the general public – The Traffic Penalty Tribunal.
- 3.9 The simplicity of this name will lend itself to the devolved nature of the scheme and could be used in other jurisdictions. e.g. Traffic Penalty Tribunal (England and Wales), Traffic Penalty Tribunal (Scotland), Traffic Penalty Tribunal (Northern Ireland), Traffic Penalty Tribunal (London).
- 3.10 The adjudicators have been consulted and are pleased that the name Traffic Penalty Tribunal properly conveys the nature and functions of the tribunal.
- 3.11 This preferred name has been further checked out with representatives of the appellant user group. The RAC Foundation representative commented that Traffic Penalty Charge Tribunal is too long and had some concerns that tribunal in Traffic Penalty Tribunal does not reflect the user friendly approach NPAS has adopted and therefore prefers the name Traffic Penalty Adjudicators. The RHA and BVRLA representatives made similar comments regarding the preference of the word adjudicators than tribunal. The AA Motoring Trust representative prefers the name Penalty Charge Tribunal.
- 3.12 A key feature in adopting the new name is to be able to use the name as an internet domain and Email name. The domain names of: [tpt.gov.uk](http://tpt.gov.uk); [trafficpenaltytribunal.gov.uk](http://trafficpenaltytribunal.gov.uk); and [traffic-penalty-tribunal.gov.uk](http://traffic-penalty-tribunal.gov.uk), have each been reserved for our use.
- 3.13 Summary of the research - key findings**
- 3.14 The results of the survey are detailed in the Appendix to this report and are robust enough to make a decision upon.



- 3.15 The sample of people who have conducted the research will have had virtually zero awareness of NPAS and its role; as such their thought process will not have been contaminated by any pre conceived ideas. Their opinions are therefore valid and should reflect the views of the public at large.
- 3.16 It is apparent that the public are confused by the meaning of 'adjudication'; as such this phrase should be deleted from the short list.
- 3.17 'Traffic Penalty Charge Tribunal' and 'Traffic Penalty Tribunal' both scored reasonably well and are understood, prior to any prompting by an audience exceeding 50%.
- 3.18 Both names are usable, 'Traffic Penalty Tribunal' scores higher when viewed first with 66% saying that the expression describes well what the organisation does. By the very fact that there are fewer words, 'Traffic Penalty Tribunal' will be more memorable and more usable.
- 3.19 As such the research consultant is very confident to put forward 'Traffic Penalty Tribunal' as the new name for NPAS.
- 3.20 It is therefore recommended the operation of the parking and bus lane tribunals be merged under the new name "Traffic Penalty Tribunal".



## **APPENDIX**

### **Background**

NPAS appointed Unit Communications Group to help the adjudication service explore the most suitable opportunities to devise a new name for NPAS that best described the body to the general traffic using public.

#### **Unit Communications Group**

Unit Communications Group, established in 1974, is one of the UK's leading independent, full service marketing services agencies.

The agency operates out of Manchester with a national client base and a staff of around 30 within the fields of marketing, advertising, media, creative, and online.

#### **Desk Research**

Unit Communications Group, worked with NPAS and its user groups to explore the best name options to be tested. All the likely word combinations were looked at and assessed as to their likely receptiveness with the general public.

The list was narrowed down discounting certain phrases such as appeals service due to the likely 'over-selling' that this might promote with the public. A short list of three likely names was decided upon to take to the market for testing.

### **Methodology**

- 360 on-street interviews with drivers in 3 areas across the UK:
  - Yorkshire (120 interviews)
  - West Midlands (120)
  - Hampshire (120)
- Respondents shown 3 potential new names for National Parking Adjudication Service:
  - Traffic Penalty Charge Tribunal
  - Traffic Penalty Adjudicators
  - Traffic Penalty Tribunal
- Respondents were asked what they thought was the function of the organisation on viewing of first name – an explanation was then given.
- Respondents were then asked how well the first and other two names described what the organisation does.

- Rotations were imposed so that each name was shown first, second and third to an equal number of respondents.
- Interviews lasted 5 minutes.
- Fieldwork was conducted during W/C 15th May 2006.

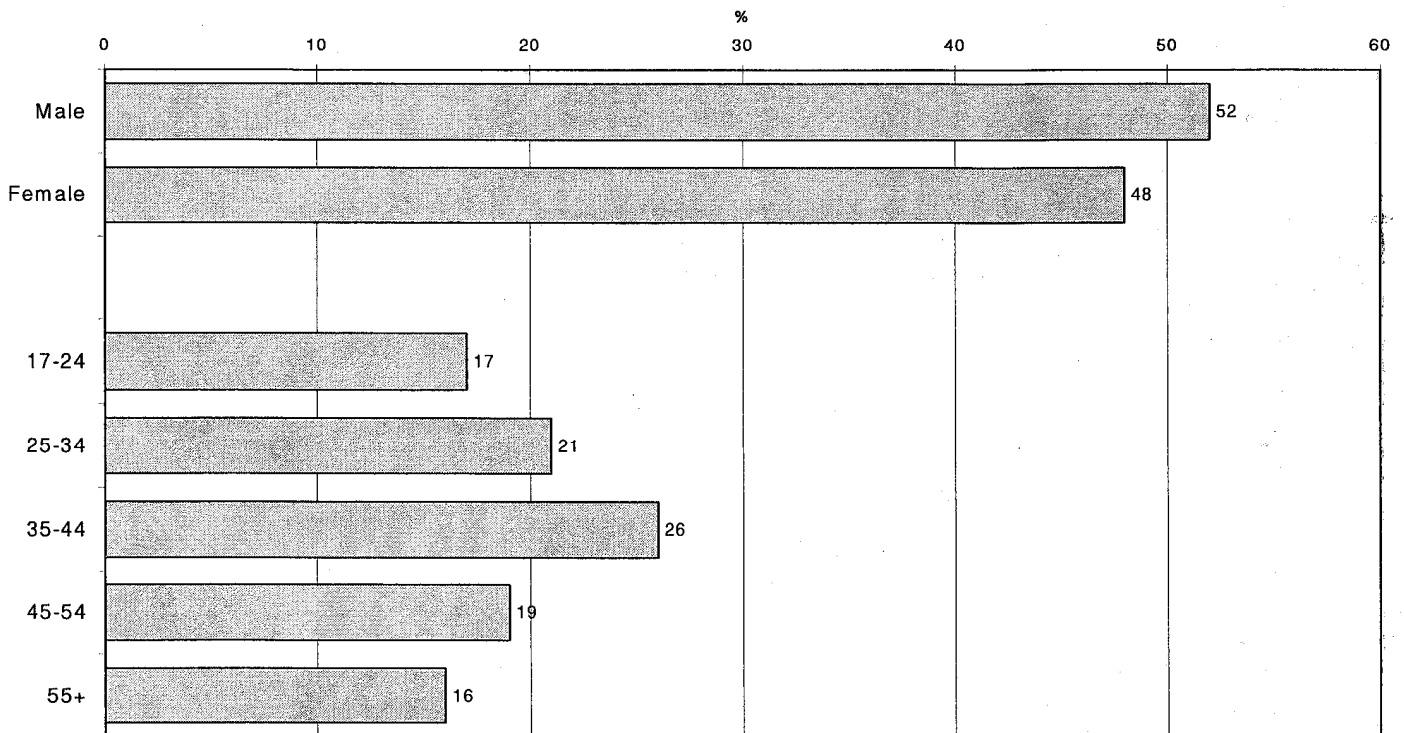
### Comments on the sample

- Throughout this document data is presented graphically where possible. Full details of the data, with breaks by different sub-segments are contained in the full data tabulations.
- On small sub-sample sizes we present the number of respondents rather than a percentage figure in order to avoid giving undue emphasis to less reliable data.

## Respondent profile

### Sex and age

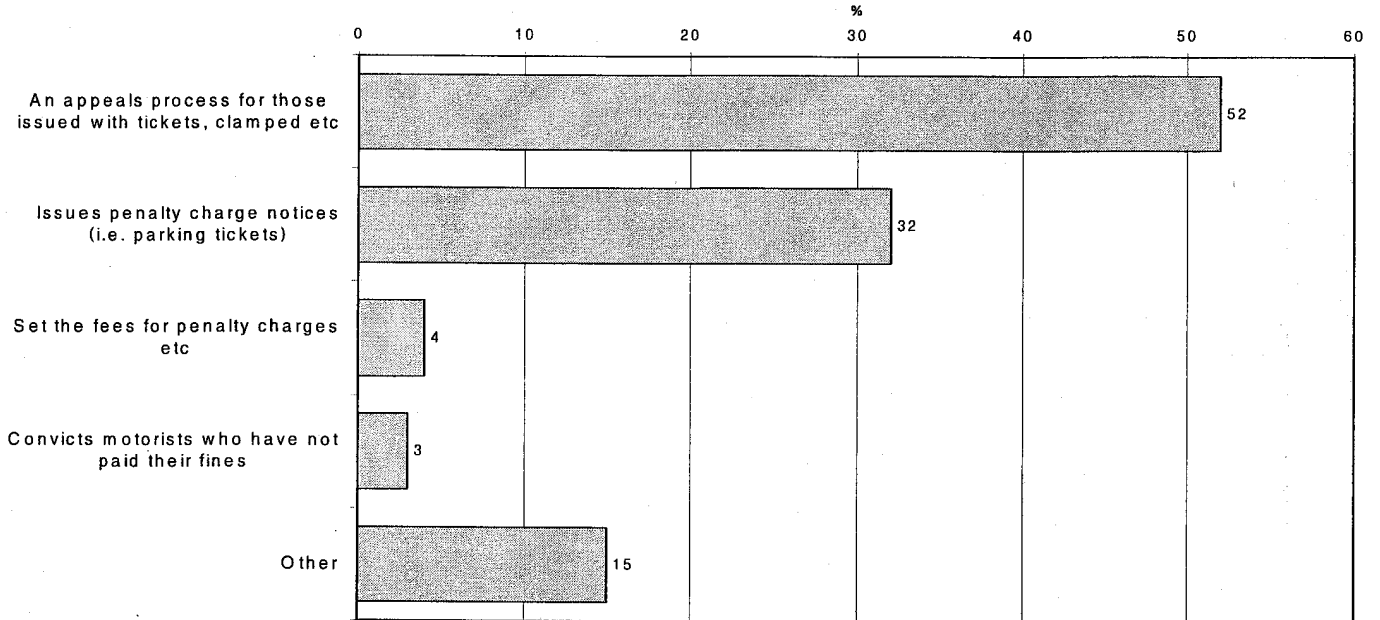
Base: all respondents (360)



# Traffic Penalty Charge Tribunal

## What does this organisation do?

Base: all respondents shown name first (120)



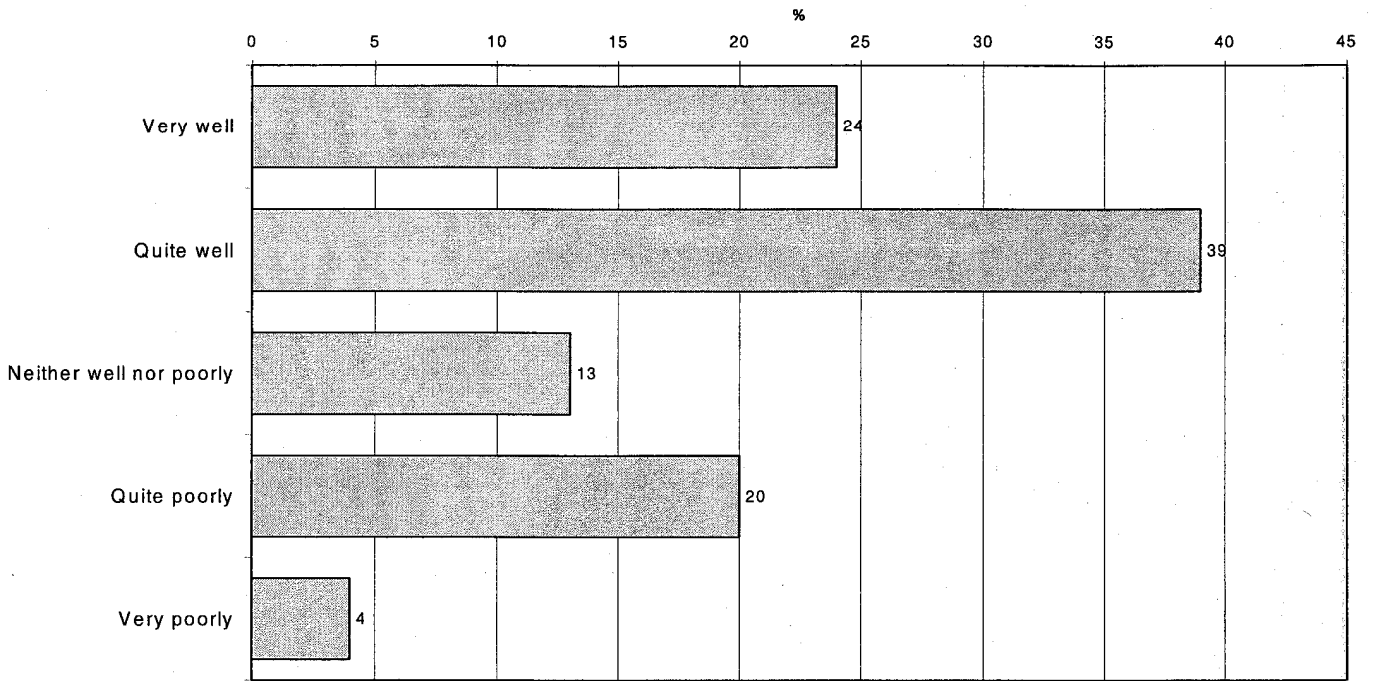
### Other' includes:

- Don't know (5 respondents)
- Driving offences
- Traffic wardens
- Issue speeding fines
- Collect fines for traffic offences

# Traffic Penalty Charge Tribunal

How well does name describe what organisation does?

Base: all respondents shown name first (120)

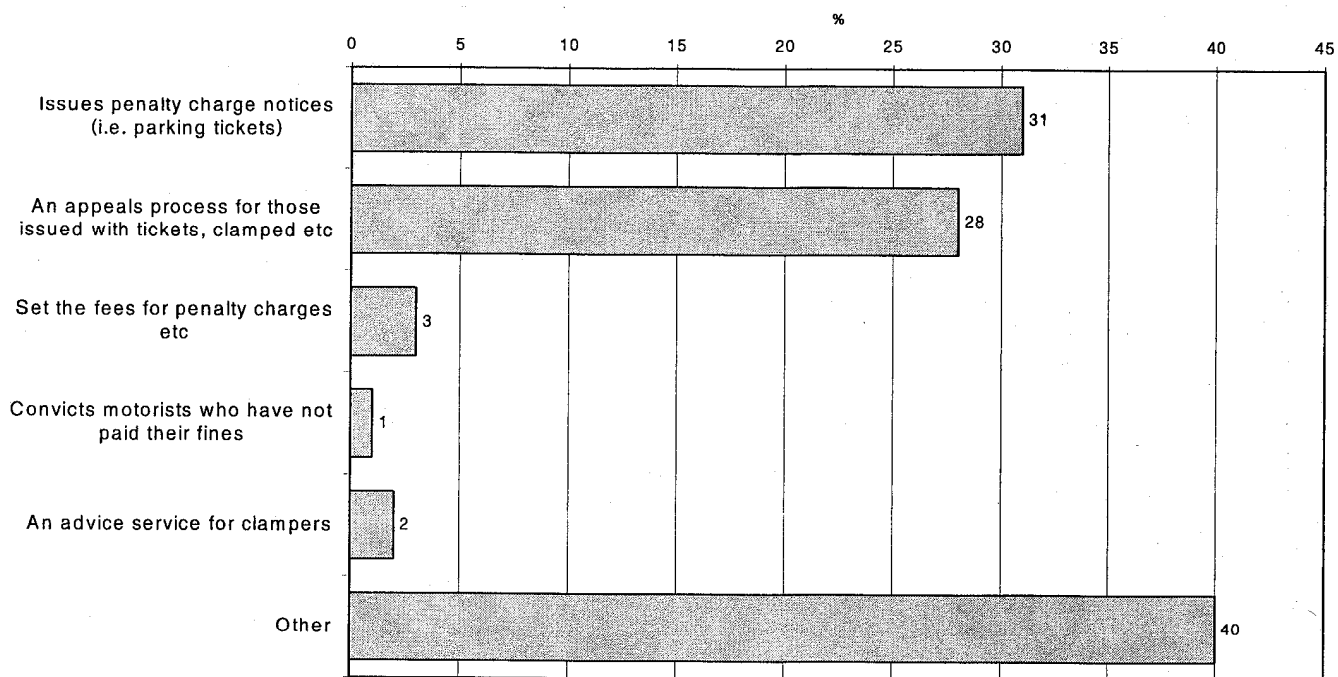


NB: Respondents had just been given description of function of organisation

# Traffic Penalty Adjudicators

## What does this organisation do?

Base: all respondents shown name first (120)



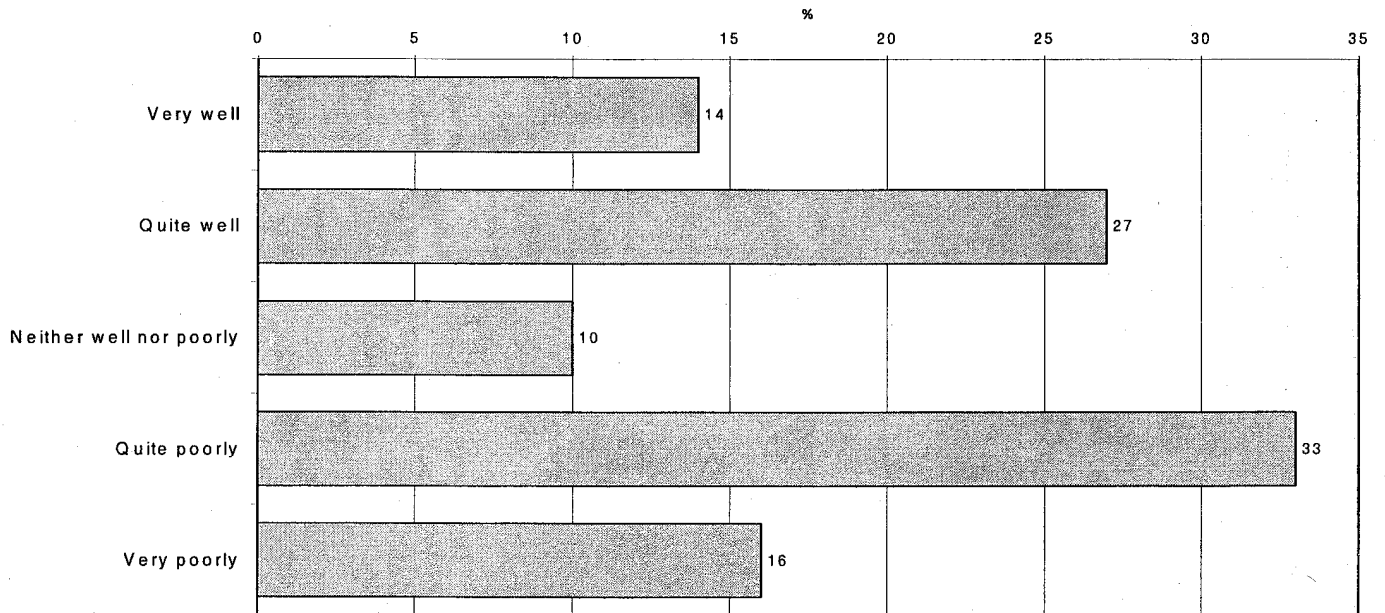
### 'Other' includes:

- Don't know (20 respondents)
- Traffic wardens
- Adjudicate on speed cameras, parking etc
- Decide penalties for traffic offences

# Traffic Penalty Adjudicators

How well does name describe what organisation does?

Base: all respondents shown name first (120)

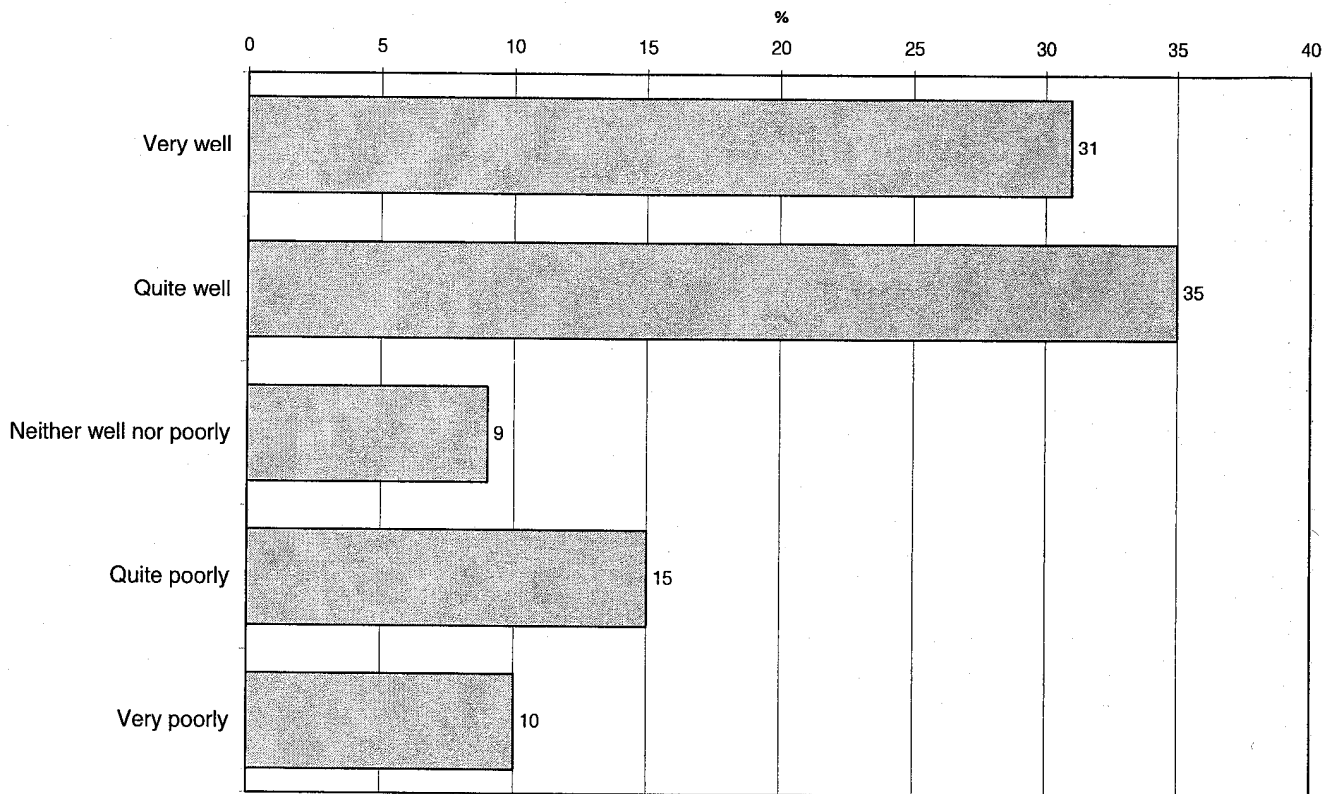




# Traffic Penalty Tribunal

How well does name describe what organisation does?

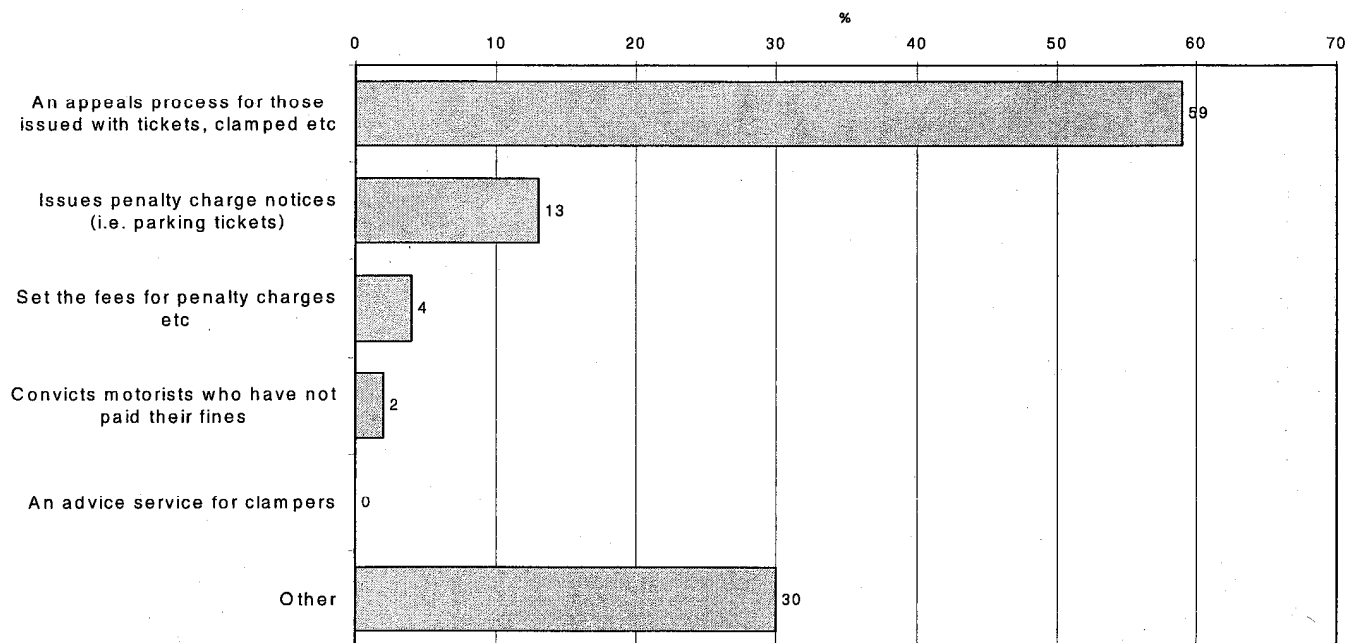
Base: all respondents shown name first (120)



# Traffic Penalty Tribunal

## What does this organisation do?

Base: all respondents shown name first (120)



### 'Other' includes:

- Don't know (13 respondents)
- Issue speeding fines
- Adjudicate on speed cameras, parking etc
- Decide penalties for traffic offences

## Summary

- The results of the survey are robust enough to make a decision upon.
- The sample of people who have conducted the research will have had virtually zero awareness of NPAS and its role; as such their thought process will not have been contaminated by any pre conceived ideas. Their opinions are therefore valid and should reflect the views of the public at large.
- It is apparent that the public are confused by the meaning of 'adjudication'; as such this phrase should be deleted from the short list.
- 'Traffic Penalty Charge Tribunal' and 'Traffic Penalty Tribunal' both scored reasonably well and are understood, prior to any prompting by an audience exceeding 50%.
- Whilst we believe both names are usable, 'Traffic Penalty Tribunal' scores higher when viewed first with 66% saying that the expression describes well what the organisation does. By the very fact that there are fewer words, 'Traffic Penalty Tribunal' will be more memorable and more usable.
- As such we are very confident to put forward 'Traffic Penalty Tribunal' as the new brand name for NPAS.



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

### **REPORT FOR RESOLUTION**

**DATE:** 30<sup>th</sup> June 2006  
**AGENDA ITEM:** Number 11  
**SUBJECT:** Annual Report of the Parking Adjudicators  
**REPORT OF:** The Chief Adjudicator

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#### **PURPOSE OF REPORT**

To receive the annual report from the Adjudicators for the calendar year 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 1<sup>st</sup> January to 31<sup>st</sup> December 2005.
- [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**

None

## **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 2005 of all the Adjudicators. I have pleasure in introducing this seventh report of the Parking Adjudicators.

# The Joint Report of the Parking Adjudicators for England and Wales 2005

National Parking Adjudication Service

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## **Chief Adjudicator's Foreword.**

This annual report is published at a turning point for The National Parking Adjudication Service (NPAS). It will be the penultimate report produced under our name. In 2005 legislation was passed enabling local authorities outside London to enforce moving contraventions in bus lanes. There will be identical arrangements for dealing with appeals against penalty charges issued under that legislation, which will be implemented in late 2006. Therefore we will be dealing with appeals against bus lane enforcement in addition to parking, and will need to reflect the wider jurisdiction in our new name.

We will have scope to absorb this extra work since, it will be seen from this report that NPAS received less appeals in 2005 than in 2004. Furthermore, our tables show that many councils issued less PCNs in 2005. Our tables also show that the percentage of appeals refused by Adjudicators increased from 38% to 43% and that the number of cases not contested decreased from 35% to 29%. This is an encouraging trend since it demonstrates that the DPE scheme is succeeding in terms of compliance, and also that councils are dealing with representations and appeals more effectively.

In 2007 our name will change to..... The need for a change of name also heralds the change from DPE to CPE. When the Traffic Management Act 2004 (TMA) is fully implemented councils outside London will have the power to enforce a range of minor traffic contraventions, and our tribunal will deal with the appeals. The Government are proposing to introduce the parking provisions first, repealing the Road Traffic Act 1991.

The TMA provides a golden opportunity for the Government to bring its Guidance up to date. Therefore I was pleased when I was asked to represent NPAS on the Department for Transport Working Group examining the new Regulations in respect of parking enforcement and the draft Guidance that the Secretary of State is proposing to issue. On behalf of the NPAS Adjudicators I have expressed the hope that the matters raised in Adjudicators' annual reports over the years will be examined in that exercise, and where necessary, incorporated into the Guidance for the benefit of local authorities. Many of the issues raised by Adjudicators in their annual reports over the years could usefully be considered in the drafting of The Guidance.

In particular, each year in my foreword I express the hope that the local authorities themselves will publish statistics relating to their parking enforcement together with the details of their parking accounts. We have always suggested this since it is clear that many councils are operating the scheme satisfactorily and that more openness would enable the public to see that this is the case. Furthermore, each year we see many appellants' letters to councils suggesting that parking enforcement is undertaken for the principal purpose of financial gain, and these criticisms are often expressed in the press. If councils were to publish full details of their parking accounts it would enable the public and the press to see precisely what the position is. We are told that there are relatively few councils that actually make a surplus out of parking enforcement. If this is so, then full disclosure of accounts would provide the enlightenment needed to allay public scepticism. Therefore I make no apology for the third year running, to call for greater transparency on the

part of local authorities and for expressing the regret that yet again we have not seen any statistics published by a council in relation to its parking enforcement activities. If such reports are being produced and published, then the Adjudicators would be delighted to see them.

This theme was developed by Professor John Raine, Eileen Dunston, and Teresa Alexandra Parry of the University of Birmingham in their research and subsequent report on "Local Authority Parking Enforcement- Defining Quality – Raising Standards". This was published in July 2005 and set out their findings on Local Authority Parking Enforcement together with some suggestions for how the quality and effectiveness of those operations would be measured and monitored. The British Parking Association also commissioned a helpful report on DPE for Richard Childs QM. It is to be hoped that the findings of both those reports will be considered carefully by the Secretary of State and where appropriate included in the Guidance on parking enforcement that is currently being prepared.

In December 2005 I was also invited, with Martin Wood, the Chief Adjudicator for London, to give evidence to the Transport Select Committee in their enquiry into council DPE. Their report has just been published and makes some powerful suggestions for areas where the scheme, and perceptions of it, could be improved. We have reported on the comments and suggestions made about adjudication in this report.

For the time being it seems that the tables in the NPAS annual report go some way to enable the public to compare one council with another. Last year we highlighted that the combination of our tables gives a clue to different councils' approaches to their task. In particular we cited five councils whom, in our view, could be seen to have developed robust and fair systems for dealing with motorists' appeals. That view was confirmed last year when representatives of those councils were invited to share their 'best practice' with officers and lawyers from other councils at our local authority user groups. It is perhaps, not surprising that each of the five councils deal with appeals in broadly similar ways and with shared principles. A report on that initiative is contained in the body of this report.

Finally, the publication of this annual report will mark the retirement of our Service Director, Bob Tinsley. I would like to take this opportunity to pay tribute to the considerable work that he has done for NPAS. It was he who founded the organisation in Manchester in 1999 and made all the arrangements for the Adjudication Service to get off the ground. He has been at the helm of the administration since then and will be taking much deserved retirement in July 2006. He and I have worked together throughout this time to develop NPAS and he will be greatly missed. The new Head of Service is Louise Hutchinson and I am looking forward to working with her and establishing as good a relationship as I have had over the years with Bob Tinsley.

Caroline Sheppard  
Chief Adjudicator  
June 2006

## **Introduction.**

The National Parking Adjudication Service Adjudicators are pleased to present their joint report for the year 2005.

We have always emphasised that although the proportion of the PCNs that are appealed are small, the issues raised in those appeals are important and can be a pointer to the success of the scheme overall. It will be seen from the sections of this report that some serious and important issues were raised in the variety of appeals we received.

Over the years we have presented the statistics relating to the number of appeals for each council in a variety of ways. Although appeals represent a small proportion of penalty charges, and motorists' challenges to penalty charges, the appeal statistics do shed some light on the activities of the variety of councils with which we deal. We had traditionally presented appeal statistics for each council in a year on year format to enable comparisons to be made. This year we have added a new table showing the numbers of PCNs issued by each council from 1999 to 2005. Of course many councils have come into the scheme in those years, and therefore will not have an entry for each year. What can, however, be seen from those tables is that contrary to public perception, 41 councils issued less PCNs in 2005 than they did in 2004, 9 Councils issued roughly the same amount of PCNs whilst 38 increased the number of PCNs that they issued in 2005. Therefore it can be seen that the overall increase in PCNs issued by councils in England and Wales outside London increased mainly because of the new councils that entered the scheme that year.

It is ironic that on the brink of the Road Traffic Act 1991 Decriminalised Parking Enforcement (DPE) scheme being transformed into the Civil Parking Enforcement scheme under the Traffic Management Act 2004 (TMA) Adjudicators encountered a variety of appeals where the very nature of the RTA scheme was called into question. In particular, a new interest in the Bill of Rights emerged which lead some appellants to suggest the DPE was incompatible with the ancient established rights. None of the NPAS Adjudicators upheld that view and a section of this report deals with those challenges.

Although apparently late in the day, we have also reported on two cases where the appellants questioned how the RTA applies outside London. In these cases the Adjudicator explained the undoubtedly confusing and curious principles of Permitted Parking Areas and Special Parking Areas. Fortunately the TMA will remove these somewhat artificial differences. Councils that have already been granted DPE powers will automatically become civil enforcement areas. New councils entering the scheme will be granted an order making them a civil enforcement area.

Approximately one third of appeals dealt with at NPAS involve car parks. Car park enforcement has never been subject to Secretary of State's Guidance. A case of particular interest that we have highlighted this year turned on whether a car park attached to a college could be subject to a the local

authority Traffic Regulation Order for the purposes of enforcement by means of Penalty Charge Notices.

This case had considerable importance since there are many car parks throughout the country where there are joint arrangements between private or commercial parties and the local authority. Another significant car park case examined whether the council could issue Penalty Charge Notices notwithstanding that they had not modified the TRO to remove enforcement by excess charge notices. These cases demonstrate the urgent need for the Secretary of State to issue clear Guidance about enforcement on council operated car parks.

Problems with Traffic Regulation Orders crop up year after year and this year is no exception. The TMA parking enforcement is based on the same principle that a Penalty Charge Notice can only be issued where there has been a breach of a lawful TRO. The Adjudicators have never understood why a council applying for DPE is not required to produce evidence of having consolidated its TROs, both on-street and off-street. We hope that under the new TMA arrangements this will be remedied.

It is significant that a number of appeals threw up examples of deficiencies in council's notices, correspondence and documents. Last year we welcomed a Special Report by the Local Government Ombudsman dealing with problems in Notices to Owner. There have also been difficulties with the Penalty Charge Notice itself, and with other notices. We regret to report that again there have been examples of Charge Certificates being issued notwithstanding that the PCN is still the subject of an ongoing appeal. We cannot emphasise too strongly that parking enforcement is a legal process where procedures and statutory requirements concerning notices must be followed.

The exercise of discretion is a theme that has cropped up over and over again in the life of RTA DPE. The Traffic Management Act will provide a new initiative whereby Adjudicators will have the express power to refer cases back to councils to reconsider. This is particularly applicable where the Adjudicator is of the view that the council should consider exercising discretion in favour of the Appellant. While it would be new for this power to be included in the regulations, over the years Adjudicators have referred a variety of cases back to councils in differing circumstances. We have therefore included in this report a section examining cases in 2005 where the Adjudicator referred a matter back to the Council.

The cases in our case digest continue to highlight some recurring themes that Adjudicators have commented upon in their various annual reports. We hope that the readers of this report will find them useful.

## **The structure of the decriminalised parking regime**

The historical origins of the decriminalised parking regime governed by the Road Traffic Act 1991 (RTA 1991) are complicated. As a result, the statutory structure underpinning the decriminalised enforcement powers operated by councils from day to day is far from simple. During 2005, the Chief Adjudicator made an important decision containing an exposition of this complex (but possibly little understood) legislative matrix.

In **LU 466** the appellant, a disabled badge holder, had parked on a double yellow line without displaying his badge. Although a variety of arguments were raised, it was essentially undisputed that a parking contravention had taken place. However, the appellant sought to challenge the council's powers to enforce parking contraventions, inferring that the council had no right to issue a PCN to his vehicle. It does happen from time to time that an appellant reads the provisions of the RTA 1991 and questions the powers of a non-London council to issue and enforce PCNs. The following simplified summary of the Chief Adjudicator's decision explains the basis of that power.

- **Parking restrictions**

The Road Traffic Regulation Act 1984 (RTRA 1984) gives local authorities a variety of powers for managing traffic and, specifically, parking. The power to make Traffic Regulation Orders (TROs) is contained in section 1. Section 2 allows a TRO to make provision for "prohibiting, restricting or regulating" road use either generally or subject to certain exceptions. Thus, parking loading and unloading *restrictions* characterised by yellow lines and kerb markings and the usual exceptions to such restrictions are made under section 1 of the 1984 Act. Section 5 makes it an offence to contravene the provisions of a TRO made under section 1.

- **Permitted parking**

TROs made under sections 32 and 35 of the RTRA 1984 relate not to parking restrictions but rather to the *provision* of parking on a road. Section 32 empowers local authorities to provide on-street parking spaces and section 35 provides for conditions to be attached to their use. Such conditions would include time limited parking, prohibition of return within a specified time, disabled bays, loading bays etc. Section 35A makes it an offence to contravene a provision made under section 35.

- **Designated parking areas**

Section 45 enables a local authority to designate parking places and make *charges* for vehicles left in such places (pay and display, disc and permit

parking etc). Section 47 makes it an offence to breach the conditions of a designated parking place.

- Traditionally, the police enforced parking offences either themselves or by traffic wardens.
- **The RTA 1991 Decriminalised Parking Enforcement Scheme**

The RTA 1991 provided for the transfer of parking enforcement powers from the police to local authorities. The scheme was introduced in London. By July 1994, all of the 33 London authorities had been granted Decriminalised Parking Enforcement (DPE) powers by the Secretary of State.

The RTA 1991 introduced two legal concepts:

- *Permitted parking areas* include all sections of road marked as white parking bays, where parking is permitted on some condition (such as time limited parking or on payment of a charge) and off street car parks.
- *Special parking areas* include all sections of road where parking is restricted (ie marked with yellow lines and appropriate kerb blips).

Many councils also have areas where parking is neither restricted nor controlled. The RTA 1991 is not concerned with these; the police are the only authority to enforce highway obstruction.

- **RTA 1991 schedule 3**

The provisions which apply the RTA 1991 to councils outside London are contained in schedule 3.

- Paragraph 1 relates to *permitted parking areas*. It provides for a local authority to apply for and the Secretary of State to make a Permitted Parking Order (PPO). Under the PPO, parking offences in on-street parking places and off street car parks cease to be criminal offences.
- Paragraph 2 relates to *special parking areas*. It provides for a local authority to apply for and the Secretary of State to make a Special Parking Order (SPO). Under the SPO, parking offences in relation to restricted parking cease to be criminal offences.

Although councils must apply under both paragraphs 1 and 2, the Secretary of State makes a single PPA/SPA order.

The imposition of a penalty charge and the power of council parking attendants to issue a PCN in respect of the former offences now decriminalised are contained in paragraph 3.

Paragraph 3(3) enables the Secretary of State in making a PPA/SPA Order to modify the provisions of the original RTA 1991 as he considers appropriate and in fact he makes identical modifications to each such order. These modifications ensure that the other provisions of the RTA 1991 relating to Notices to Owner, representations and appeals to the Adjudicator apply to DPE councils outside London. This means that, in respect of a council outside London, the original text of the RTA 1991 makes sense only in the context of the modifications made by the PPA/SPA Orders.

Thus, in **LU 466** the Chief Adjudicator found that:

1. Waiting was restricted by the relevant TRO, which was made under section 1 of the RTRA 1984.
2. The vehicle was parked in contravention; no relevant exception applied.
3. Thus, a criminal offence would have been committed under RTRA 1984 section 5.
4. When the relevant PPA/SPA Order was made that section ceased to apply. Instead, the attendant was empowered to issue a PCN by virtue of RTA1991 schedule 3 paragraph 3.
5. The appeal was therefore dismissed.

**BI 74**, also decided in 2005, illustrates why the underlying legislative structure is important and, in particular, the distinction between:

- a *Special Parking Area or SPA*, where parking is *restricted* (marked by yellow lines) and in which a PCN may be issued for contravening the restriction; and
- a *Permitted Parking Area or PPA*, where parking is *permitted* and in which a PCN may be issued for a breach of any terms attached to the permission to park.

When selecting a ground of appeal, many appellants place a tick against “the Traffic Regulation Order was invalid”, simply because none of the other statutory grounds of appeal appears to fit the case. In fact, as Adjudicators frequently explain to such appellants, that ground of appeal is very narrow and seldom

appropriate. **BI 74** is a rare example of an appeal which succeeded on that ground.

The facts were these. At a time before parking enforcement in the area was decriminalised, the council had wished to prohibit parking in certain areas of the town. However, because of lack of resources, the local police indicated that no further yellow line restrictions would be enforced. The council therefore tried a different approach. At various locations within its existing 'A' zone of residents-only parking, the council established a new 'X' zone. No permits were issued for the 'X' zone because, as the council made clear both on its information web site and in the course of the appeal, it was never intended to operate as part of a residential parking scheme but as a legitimate method of prohibiting parking in certain locations. 'X' bays, which were narrower than ordinary bays, were duly marked out and signed. The appellant, an 'A' zone permit holder, mistakenly parked in an 'X' bay instead of in an 'A' bay and received a PCN.

The Adjudicator held that the relevant designation order was invalid insofar as it purported to designate areas for use by "permit holders X only". Accordingly, the appellant had contravened no valid order and was not liable to pay a penalty charge. The Adjudicator's reasons are summarised as follows:

- The TRO was stated to have been made in exercise of the council's powers under section 35 of the RTRA 1984; the head note referred specifically to sections 32, 45 and 46.
- Section 32 of the RTRA 1984 empowers local authorities to provide free on-street parking spaces and section 35 provides for conditions to be attached to their use. These are called *permitted parking places* and breach of any such conditions of use is an offence under section 35A.
- RTRA 1984 section 45 enables a local authority to designate parking places and make charges (by way of permit, p&d etc) for vehicles left in such places. Such places are called *designated parking places*. It is an offence under section 47 to breach the conditions of a designated parking place.
- Section 45 provides:

*(1) A local authority may by Order designate parking places on any highways... and... may make charges... for vehicles left in a parking place so designated.*

*(2) An Order under this section may designate a parking place for use... only by such persons or vehicles... as may be authorised for the purpose by a permit from the authority operating the parking place.*



- An offence under section 35A or section 47 is quite distinct from an offence under RTRA 1984 section 5, which involves a contravention of a TRO made under RTRA 1984 section 1 and relates to a *special parking area*, where waiting is restricted by yellow lines.
- The distinction between a *Permitted Parking Area* (permitted parking place / designated parking place) and a *Special Parking Area* is carried forward into the RTA 1991.
- The council had attempted to create what is in effect a Special Parking Area, where parking was prohibited, by using the fiction that 'X' bays were designated parking places (ie Permitted Parking Areas).
- Thus, the TRO insofar as it related to 'X' bays had been made for a purpose other than to designate parking places on the highway because its effect was in fact to prohibit parking on that part of the road.
- Accordingly, to the extent that it purported to create permit bays for which no permits were actually to be issued, the TRO was invalid.
- The appeal was therefore allowed.

In reaching these conclusions, the Adjudicator also noted that:

- A side effect of the creation of the 'X' zone as opposed to a double yellow line restriction, was to deprive disabled badge holders of the right to park for three hours under the terms of the blue badge scheme.
- The inherent difficulty with the purported designation of a residents-only bay for which no permits are in fact issued was further demonstrated by logical and semantic inconsistencies within the TRO itself.
- The provisions of the RTA 1991 relating to the vehicle owner's right to appeal to the Parking Adjudicator on the ground that the TRO was invalid take precedence over the apparently inconsistent provisions of the RTRA 1984 to the effect that any objection to a TRO must be made within 6 weeks of the date on which the Order is made.

## THE BILL OF RIGHTS

During 2005, a new theme began to emerge in some parking appeals: a constitutional law argument which, if it were correct, could undermine the validity of the entire decriminalised parking enforcement scheme set up by the RTA 1991. The argument is based upon the Bill of Rights of 1689, an Act of Parliament passed as part of the so-called Glorious Revolution shortly before Princess Mary Stewart and her husband, William of Orange, replaced James II on the throne to reign together as William and Mary.

Article 12 of The Bill of Rights states that:

*“Grants and forfeitures – That all grants and promises of fines and forfeitures of particular persons before conviction are illegal and void.”*

Before the RTA, parking was enforced by the police and offenders dealt with by the Magistrates' Courts. This continues to be the case in areas where the local authority has not yet taken decriminalised enforcement powers. The decriminalisation of parking contraventions under the RTA enables parking penalties to be enforced as a civil matter without a conviction in a criminal court. Thus, the RTA and the Bill of Rights are said to conflict with one another with the effect that the RTA scheme (including the enforcement and adjudication processes) is void and no PCN issued in accordance with it may be lawfully enforced.

This argument was first seen in appeals falling to be decided in the middle of 2005. Initially, it appeared in rather vague terms with little detailed formulation as a legal argument. However, as news of the argument spread, presumably at first by way of the various web sites which have been set up specifically to assist motorists to co-operate with one another in resisting parking and other minor traffic penalties in their various forms, and subsequently as the result of publicity in the national press, it began to be set out in a more sophisticated manner.

In **MV4** decided in June 2005 the Adjudicator was able to deal with the argument very briefly in the following terms:

*I am totally satisfied that the legislation that the PCN was issued under was valid and in full force and effect, I would also point out to Mr Gordon that he has not stated precisely why he believes the Bill of Rights means the PCN could not be issued plus PCNs are issued under the legislation decriminalising parking offences so that the PCN charge is not a fine for a criminal offence.*

In **BN351** the Adjudicator disposed of the matter as follows:

*The Appellant submits that the Council cannot seek to enforce this penalty charge against him because it is contrary to the Bill of Rights 1689, a short passage of which he quotes, namely:*

*“that all grants and promises of fines and forfeitures of particular persons before conviction are illegal and void.” He contends that the Bill of Rights is a Constitutional Statute and therefore cannot be repealed impliedly. He submits that the Road Traffic Act 1991 does not repeal the Bill of Rights.*

*In my view there is no conflict between the passage quoted by the Appellant and the decriminalised parking scheme which is in force in Bath & North East Somerset and other Council areas. There is no fine imposed in these cases. A liability to pay a penalty charge arises if the regulations in force are contravened, assuming they have been passed according to the correct procedure. That liability can be challenged by making representations to the Council and in the event of those representations being rejected an appeal can be made to an independent Adjudicator, as the Appellant has done in this case. It is a decriminalised scheme of enforcement and therefore the term conviction is not relevant.*

An early, detailed exposition of the Bill of Rights issue by an Adjudicator was given in **SF272** decided in August 2005. It formed the basis of a **NPAS circular** published on the NPAS web site. A few weeks later, the same Adjudicator decided the issue again in **SK 690**. His reasoning in that case is well worth setting out at length:

*There is no doubt that in certain circumstances the 1689 Act has been considered to have relevance even today. However, it is my view that the terms of the Act cannot be read literally because to do so would ignore the obvious changes between the legal system in 1689 and the present day.*

*The intention of the Bill, in its historical context was clearly intended to provide citizens with certain basic rights. To some extent the purposes of the Bill of 1689 can be seen to be mirrored, at least as far as the criminal law is concerned, in the more recent European Convention on Human Rights. The right of fair trial provided by this Convention specifically only applies to criminal law and, in any event, it seems to me that the protection intended by the 1689 Bill is that the individual is not to be subject to fine or forfeiture without recourse to due process of law.*

*The 1991 Road Traffic Act specifically provides for a system of challenge and, if appropriate, appeal to this tribunal against the issue of a PCN.*

*In fact the issue of the PCN by the parking attendant does not mean that the penalty can be enforced against Mrs. Williams without further steps being taken. If the penalty charge is not paid the next stage is for the Council to issue a Notice to Owner. Schedule 6, paragraph 2 of the 1991 Act provides that the recipient of the Notice can make representations*

*against its issues on one or more specified grounds. The Council is then under a statutory duty to consider those representations and to exercise discretion as to whether the penalty charge should be enforced.*

*Where the decision is made to enforce the recipient of the Notice to Owner can then appeal to the Parking Adjudicator who is given the statutory power to direct the Council not to enforce the charge.*

*It is clear, therefore, that the 1991 Road Traffic Act does establish a right of challenge to the penalty charge and it is only after Mrs. Williams has exhausted the appeal procedure that the penalty charge can be enforced against her. In those circumstances it seems to me that the intention of the 1689 Act is recognised by the 1991 Act and there is no conflict even if the rights of 1689 can be extended to a civil debt as well as a criminal fine.*

*I therefore cannot agree with Mrs. Williams' submission that the process of issuing and enforcing the Penalty Charge Notice is inherently unlawful.*

Some appellants raise the Bill of Rights as their chief line of argument. Others, including the appellant in **SK690**, refer to it in addition to making other representations about the circumstances of the alleged contravention itself. In **WT684** the appellant vigorously disputed the allegation of meter-feeding as well as referring to the Bill of Rights. The Adjudicator allowed the appeal on the ground that the contravention did not in fact occur and referred to the Bill of Rights argument only in passing. She said:

*I have already allowed this appeal. It is not appropriate for me in the context of this case to consider in detail each and every point that the appellant makes. However, I am satisfied that the fact of de-criminalisation of parking enforcement in accordance with the Road Traffic Act 1991 (as amended) means that the penalty charge is neither a fine nor a forfeiture requiring conviction, as he contends. It is a civil penalty, with the penalty going to the council rather than to the Crown.*

Sometimes, the appellant states most specifically that he relies solely upon the Bill of Rights and wishes to raise no other argument. This does not of course mean that the Adjudicator himself will not consider the Council's evidence with all due care in order to be satisfied that the contravention is established as alleged, whether the appellant wishes him to or not. A case in point was **WC49**. Although the matter had not been argued by the appellant, the Adjudicator found that the Council had not established that there was a Traffic Regulation Order in place at the time of the alleged contravention and allowed the appeal for that reason. However, the appellant had also raised arguments not only as to the legality of the PCN but also about the validity of adjudication process itself and, in particular, about the independence of NPAS as an adjudication body. The Adjudicator rejected the argument that NPAS cannot, on account of its funding arrangements, be regarded as independent and pointed to published statistics which indicate that a great many appeals are allowed by the Adjudicator.

The Bill of Rights argument has now been raised before nearly half of the panel of Adjudicators and has succeeded before none of them, although a number of the appeals in question have been allowed on other grounds. The principal reasons given by the Adjudicators for rejecting the Bill of Rights argument are, in summary:

- A PCN is a civil matter. The Bill of Rights is concerned with criminal matters.
- The RTA recognises the intention of Bill of Rights by providing an appropriate system of challenge albeit without the panoply of the criminal law.

This reasoning was rehearsed quite fully in one of the most recent cases, **OX05000K**

This was another case in which the appellant stated specifically that he based his appeal solely on the Bill of Rights argument. It differed sharply from **WC49** however in that the Adjudicator found that the council had made out its case and established the contravention (parking without a pay and display ticket) to the required standard, leaving the Bill of Rights as the only live issue to be decided.

Before considering the substantive arguments relating to the Bill of Rights, the Adjudicator dealt first with three specific points relating to the independence and competence of a NPAS Adjudicator to decide the constitutional issue. These included a reference to the issue to parking authorities of circular 05/05 and other such documents as evidence of NPAS's lack of independence and position as "part of the parking industry". The Adjudicator rejected these arguments.

The appellant had requested a decision to be made without a hearing. He formulated his substantive case with some sophistication in similar terms and the arguments were lengthy. The Adjudicator summarised them as follows:

1. *The Bill of Rights 1689 provides that "all fines and forfeitures before conviction are illegal and void."*
2. *A penalty charge issued in accordance with the RTA is a fine.*
3. *Before the enactment of the RTA, enforcement of a parking fine required conviction in a criminal court.*
4. *The RTA removed that requirement by establishing a decriminalised parking enforcement regime and is therefore inconsistent with the Bill of Rights.*
5. *The RTA makes no specific reference to the Bill of Rights or its amendment or repeal in relation to parking.*
6. *The Bill of Rights is a "special statute" (per Laws LJ in **Thoburn v***

**Sunderland City Council [2002] EWHC 195 (Admin) [2003] QB 151**  
(*The Metric Martyrs*) and is not therefore impliedly repealed by an Act of Parliament the terms of which are inconsistent with it.

7. Thus, the Bill of Rights takes precedence over the RTA and undermines the validity of the entire decriminalised parking enforcement and adjudication scheme devised by parliament and laid down in statute.
8. A Penalty Charge Notice issued in accordance with the scheme is therefore void and unenforceable.

She went on to say,:

*“These arguments are, in my view, flawed. First, a penalty charge under the decriminalised scheme is not a fine but a civil liability, akin to a debt or penalty arising under contract. The relationship between local authorities and the public is for the common good and its mutuality is clear. Motorists want to park but space is limited; if parking were unregulated, there would be a free-for-all. Local authorities have control of the space and make it available to motorists for parking, or not, on terms which they devise in order to balance, as best they can, numerous competing considerations. Restrictions on parking and terms on which permission to park is granted must be indicated by prescribed signage, recognisable to motorists. If the local authority falls short in its side of the bargain, for example by failing to maintain the signage so that it becomes unclear, the terms and restrictions that it seeks to impose may be unenforceable. The corollary is that a motorist who parks as he should not may be liable to pay a penalty charge.*

*The appellant argues that the Bill of Rights makes no distinction between the civil and criminal law; he says this is no more than a “play on words” because the ordinary meanings of ‘fine’ and ‘penalty’ are indistinguishable.*

...

*The fact remains, however, that the nature and legal effect of a civil penalty and a fine imposed following conviction for a criminal offence are very different. The latter is a punishment: a personal matter enforceable, ultimately, by imprisoning the offender. The former is a debt, enforceable against the debtor’s assets though the civil courts. The distinction is epitomised by the structure of the decriminalised scheme itself, under which ultimate responsibility for a penalty charge lies not with the person who actually parked the vehicle in contravention of the local authority’s regulations but with its owner. Contrast this with a fine for (say) speeding, which is the personal criminal responsibility of the person behind the wheel. The provision of the Bill of Rights relied upon by Mr Barnby is concerned with fines imposed as punishment for crime; the word “conviction” has no relevance in any other context. The Metric Martyrs case itself concerned a criminal prosecution.*

*Secondly, although it is undoubtedly true that, in certain circumstances, the Bill of Rights remains relevant today, it must be read with contemporary eyes. This involves taking into account not only modern transport conditions and the scarcity of parking as a resource (which could not possibly have been envisaged in 1689) but also the significant differences between the seventeenth century legal system and that of today, including the many alternative systems of adjudication now in existence.*

*The intention of the Bill of Rights was to provide the citizen with certain rights and to prevent the imposition of any financial penalty without there being a right of challenge. Parliament has decided that the panoply of the criminal law is not necessary to deal with parking contraventions. The RTA therefore provides a different system of challenge.*

...

*The RTA recognises the intention of the Bill of Rights and I find no inconsistency between the two. I conclude that, unless or until a competent court decides otherwise, the Road Traffic Act 1991 (as amended) is legally effective. I find that the issue of the penalty charge notice was lawful and dismiss this appeal.*

## The wording of the Penalty Charge Notice

Two important cases emerged during 2005 about the wording of the PCN form. Case number **BC188** attracted much press coverage in the Manchester area at the time and is potentially relevant to all DPE councils. The decision in **TB05033C** came later during 2006 but concerned a PCN issued in September 2005.

Appellants have from time to time sought to challenge the validity of a PCN by taking issue with its wording. In **BC 188** the appellant argued that the council's standard PCN failed to comply with section 66(3) of The Road Traffic Act 1991 (RTA 1991) in ways that were "significant, material and potentially prejudicial" so as to render it void and unenforceable. The appeal was allowed, both at first instance and again following a review under Regulation 11 of the Road Traffic (Parking Adjudicators) (England and Wales) Regulations 1999, although the original decision was varied in some respects.

The key points which emerged from the very comprehensive decision of the reviewing Adjudicator are summarised as follows:

- RTA 1991 section 66(3) requires every PCN to convey certain specified information. It is not mandatory to follow the exact words of that sub-section but the PCN must accurately convey the information there contained.
- A PCN which follows the precise wording of section 66(3) or otherwise accurately conveys the specified information will not be criticised by the Parking Adjudicator.
- However, councils may not play fast and loose with statutory requirements designed to inform the subject of his legal rights and obligations in relation to an authority possessed of penal powers; thus, a PCN which fails accurately to convey the information specified by section 66(3), although not necessarily void, may be vulnerable to challenge at a hearing before the Parking Adjudicator.
- It must be established that any inaccuracy produces a real possibility of prejudice to the appellant; it need not be shown that actual prejudice was caused.
- Many councils have based their standard PCNs on the model set out in the Department of Transport's Guidance on Decriminalised Parking Enforcement Outside London (Local Authority Circular 1/95). This model itself differs from the statutory formulation in the following respect.



The DoT model states:

*"You are required to pay a penalty of... within 28 days",*

whereas section 66(3)(c) actually provides:

*"A penalty charge notice must state... that the penalty charge must be paid before the end of the period of 28 days beginning with the date of the notice".*

There is a similar discrepancy in relation to the calculation of the 14 day discount period.

The legal effect of the "within" formula is to exclude the date of issue of the PCN from the calculation of time and therefore to extend by one day the time for the recipient of the PCN to pay. Real prejudice cannot be said to arise from extending time for payment. Thus, a PCN based on the DoT model is unlikely to attract criticism from the Parking Adjudicator.

- Councils which adopt forms which deviate both from the statutory requirements and the DoT model do so at their own risk.
- The PCN under consideration, as well as adopting the (unobjectionable) "within" formula, failed to comply with section 66(3) in three further respects. These are as follows:
  1. It did not have a date. Although the date of the contravention is stated, the date of the notice itself appears only on the tear-off payment slip. Thus, it differs not only from the statute but also from the DoT model, which says *"Date of Issue"* at the top. To comply with section 66(3)(c) a PCN must have a date. The date of the contravention is not the date of the notice even if, in most cases, the PCN will be issued on the same day as the contravention.
  2. The PCN said:

*"If we have not received your payment after 28 days from the date of this notice, we will send you a letter called the Notice to Owner, and you will have lost the chance to pay the reduced amount".*

This wording fails to acknowledge that the driver / user of the vehicle may not be the owner and is misleading as to whom the Notice to Owner will be sent. It does not convey accurately the statutory information and produces a real possibility of prejudice.

3. The PCN referred to payment of “a sum” instead of “a penalty”. This discrepancy is both significant and potentially prejudicial; the PCN must make clear the penal nature of the obligation to pay.
- For these three specific reasons the Adjudicator allowed the appeal.

The decision in **BC 188** was referred to by the appellant and considered by another Adjudicator in case number **TB05033C**. The appellant argued that the PCN was invalid because it did not state the date of issue otherwise than on the tear-off payment slip and therefore failed to comply with section 66(3).

The Adjudicator did not agree. He pointed out that the PCN under scrutiny in **BC 188** failed to convey the information required by section 66 in a number of respects. There had not been substantial compliance with the legal requirements and, as a result, a real possibility of prejudice arose. The PCN in **TB05033C** was very different. It fell short of the ideal only in that the expression “date of issue” appeared on the tear-off payment slip and not on the top part of the PCN. The Adjudicator formulated the test for the validity of a PCN in the following terms:

- *Section 66(3) of the Act requires a PCN to convey certain specified information but does not require reproduction of the precise words of the Section. The PCN must however accurately convey the information.*
- *The Local Authority Circular 1/95 is described as Guidance and it is just that. While local authorities would be wise to very closely follow such guidance, a failure to do so is not necessarily fatal. It is a matter of degree and each case rests on its own facts.*
- *Where there has been a departure from the suggested format of the PCN, it will render the PCN invalid where there is a substantial risk of prejudice to the reasonable motorist.*

He concluded that:

- The PCN did not follow precisely the specimen PCN set out in the Guidance in that the date and time of issue were not set out at the top of it.
- The appellant was not prejudiced as a result, not least because on his own account he did not receive the PCN.
- The question therefore is whether the content/format of the PCN raised a substantial risk of prejudice to the reasonable motorist.

- The importance of the date of issue is that it enables the motorist to calculate the respective periods during which the penalty charge must be paid.
- Outside London the date and time of the contravention will be the same as the date and time of issue as PCNs are not issued subsequent to the alleged contravention.
- The reasonable motorist faced with the PCN in question would have no difficulty in working out these periods notwithstanding that the date of issue is not set out at the top of it. It is clearly set out at the bottom of the PCN. Although the bottom of the PCN can be detached and used for the transmission of payment of the penalty charge, for the purpose of the provision of information to the motorist, it is part of the PCN.
- The layout and wording of the PCN did not raise a significant risk that the reasonable motorist would be unable to work out when the 28 or 14 day periods expire.

The appeal was dismissed.

## **Council parking enforcement on land owned by third parties**

There are a number of cases in the digest about the extent of parking restrictions where private land is concerned. There has also during 2005 been an important decision about the powers of local authorities to bring privately owned land specifically within the scope of a TRO and to issue PCNs accordingly.

In **SK 697** the PCN was issued in the car park attached to the local College, where the driver was attending a course, for parking without clearly displaying a valid pay and display ticket. The appellant contended that because the College car park was neither owned nor occupied by the council, they had no power to issue a PCN for breaches of the College car park rules. The council contended that:

1. The car park was provided by the council under section 32 of the Road Traffic Regulation Act 1984 (RTRA) by virtue of its arrangements with the College, which fell within the scope of section 33(4)(b);
2. Consequently the TRO covering the use of the car park was made under the powers conferred by section 35(1)(b) and was valid.
3. Any breach of the terms of the TRO in the car park would have constituted an offence under RTRA section 35A.
4. The parking attendant was empowered by paragraph 3 of schedule 3 to the Road Traffic Act 1991 (RTA) to issue a PCN in circumstances which would have been an offence under RTRA section 35A.

The Chief Adjudicator reviewed the relevant statutory provisions, which are also set out here.

### **The power to issue Penalty Charge Notices.**

A local authority outside London has power to issue Penalty Charge Notices where it has been granted a designation order under RTA schedule 3. Schedule 3 sets out the effect of being granted that order, namely that certain parking contraventions have been 'decriminalised' and are enforceable by the local authority. In particular paragraph 1(4) deals with permitted and designated parking:

*"1(4) While an order under sub-paragraph (1) above is in force, the following provisions shall cease to apply in relation to the permitted parking area designated by the order—*

*(a) ..... (power of local authorities to provide free parking places on roads); and*

*"(ab) section 35A(1) of the Act of 1984 (offences), so far as it relates to the contravention of, or non-compliance with any other provision of any order made under section 35 of that Act (use of parking places) applying in relation to a stationary vehicle." (Inserted into Schedule 3 by SI 1996No.500)*

The parking attendant's power to issue a PCN is contained in schedule paragraph 3

*"3.—(1) This paragraph applies in relation to any vehicle which is stationary in a permitted parking area, or special parking area, in circumstances in which an offence would have been committed with respect to the vehicle but for paragraph 1 or (as the case may be) paragraph 2 above.*

*(2) A penalty charge shall be payable with respect to the vehicle, by the owner of the vehicle."*

### **Provision of off-street parking places**

RTRA section 32 is a general provision setting out the purposes for providing off-street car parks and giving local authorities the power to provide them. Section 33 provides additional powers and sets out various different arrangements that a council may make for the purpose of providing off-street parking places under section 32(1)(a).

*"33.—Additional powers of local authorities in connection with off-street parking places.*

*(1) The power of a local authority under section 32 of this Act to provide off-street parking places shall include power to provide them in buildings used also for other purposes, and to erect or adapt, and to maintain, equip and manage, buildings accordingly; and the authority by whom a parking place is so provided may let, on such terms as they think fit, parts of the building which are not used for the parking place, and may provide services for the benefit of persons occupying or using those parts, and may make such reasonable charges for those services as they may determine.*

*(2) ....*

*(3) ....*

*(4) A local authority may, on such terms as they think fit.—*

*(a) let land ....*

*(b) arrange with any person for him to provide such a parking place on any land of which he is the owner or in which he has an interest.*

*(5)...*

*(6)...*

*(7) A local authority shall have power to enter into arrangements with any person under which, in consideration of the payment by him to the authority of a lump sum, or of a series of lump sums, he is authorised to collect and retain the charges made in respect of the parking of vehicles in an off-street parking place provided by the authority under section 32 of this Act."*

Section 35 gives local authorities power to make TROs in respect of off-street parking places:

*35.—Provisions as to use of parking places provided under s. 32 or 33.*

*(1) As respects any parking place—*

*(a) provided by a local authority under section 32 of this Act, or*

*(b) provided under any letting or arrangements made by a local authority under section 33(4) of this Act,*

*the local authority, subject to Parts I to III of Schedule 9 to this Act, may by order make provision as to—*

- (i) the use of the parking place, and in particular the vehicles or class of vehicles which may be entitled to use it,*
- (ii) the conditions on which it may be used,*
- (iii) the charges to be paid in connection with its use (where it is an off-street one), and*
- (iv) the removal from it of a vehicle left there in contravention of the order and the safe custody of the vehicle.*

The validity of the council's attempt to include the College car park in its TRO depended therefore on the council "providing" the College car park either under Section 32 or by virtue of arrangements made under Section 33(4).

The Chief Adjudicator said that section 33(4) cannot be read in isolation but must be construed in the context of sections 32 and 33(1) both of which envisage the council providing the car park for the purposes set out in Section 32. Section 33(7) adds further clarification since it allows, where a parking place is provided under Section 32, for local authorities to enter into arrangements with another for them to collect and retain the money from the machines, in consideration for a lump sum, or lump sums. The clear implication is that the monies paid in car parks provided by local authorities are in principle part of the local authority funds, but for some *consideration* they can arrange for another to collect and retain them. Because the council did not own the College car park, the question whether they are "providing" it turns on whether it is the Council or the College that controls the car park, and who sets and retains the charges.

It was clear from correspondence between the council and the College that the car park remained "the College car park" under the control of the College, which dictated its use, requiring students to display a College sticker and maintaining a master list of users. Concerning the financial arrangements, the College had effectively bought ticket machines from the council and had a loose and informal service agreement with the council for maintenance and repairs. The council emptied the cash from the machines but there was no suggestion that the takings were regarded as funds belonging to the council.

The Adjudicator concluded that the car park was not one provided by the council in accordance with an arrangement under section 33(4) or any other power but a car park provided by the College for the exclusive use of its own users. This conclusion was supported by the car park signage. It followed that the council was not empowered under Section 35 to make a TRO in respect of the College car park. Thus, the attendant had no power to issue a PCN. The appeal was allowed.

## **Adjudicators' Recommending Councils to Exercise Discretion.**

Schedule 6 of the Road Traffic Act 1991 requires a council to consider representations made by the recipient of a Notice to Owner following the issue of a Penalty Charge Notice. The High Court has made it clear that as well as considering the statutory grounds set out in paragraph 2(4) the council must exercise discretion and decide whether in the light of any mitigating circumstances it is actually necessary to enforce the penalty charge.

The Secretary of State's Guidance on Decriminalised Parking Enforcement Outside London [1995] states that a council should consider cancelling a PCN where there is "satisfactory evidence" that the penalty charge should be waived on well defined compassionate grounds". The Guidance requires the Council to undertake a semi-judicial function which must be carefully exercised in each case.

It is inevitable that the Council officer may have to make the decision on the basis of very limited evidence of the facts. However by the time a case reaches the stage for consideration of the merits of an appeal there is often far more evidence available on which to make judgement about the representations made.

Indeed, after a personal hearing the Adjudicator may well be in the best possible position to assess the quality of the evidence and to make findings of fact accordingly.

Whether considering a postal or personal appeal Adjudicators' exercise a judicial function and are appointed because they have the qualifications to do so. Above all they bring an independent mind to the issues raised in the appeal.

Adjudicators have always recognised the importance of the council properly exercising its discretion, unfettered by strict policy considerations that can take no account of the facts of any particular case.

Whilst the Adjudicators recognise that they will only see those cases where the vehicle owner is dissatisfied with the council's decision it is all too common for them to have to consider an appeal after the council has rejected representations in a standard form letter, which refers only to the fact that the contravention occurred without any mention of the mitigation relied on by the owner.

In those cases it is often necessary for the Adjudicator to adjourn the final decision on the appeal and to refer the case to the council with appropriate directions for it to reconsider the exercise discretion on the facts of the case as the Adjudicator has found them to be.

Indeed, the forthcoming Traffic Management Act proposes that Adjudicators should have a statutory power to refer a case to the Council for further consideration as to whether it is necessary to enforce the penalty charge.

It is therefore concerning that some Councils appear not to recognise the judicial function of the Adjudicators or that they are in the best position to make findings of fact following consideration of all the available evidence.

All too often a direction for the reconsideration of a case based on a particular finding of fact made by the Adjudicator is met with the response that the Council does not accept those findings, particularly where they conflict with the evidence of the parking attendant or the direction is contrary to the Council's own policy of enforcement.

There seems to be a misconception by some Council officers that findings of fact made by Adjudicators are no more than an expression of opinion and can be ignored where they conflict with the Council's own view.

It is obviously necessary that for the current system and that proposed by the Traffic Management Act to work fairly the Council must appreciate that it should be bound to exercise its discretion based on the facts as the Adjudicator has found them to be. To do otherwise leaves the Council open to the criticism that it is not exercising its discretion fairly or reasonably and may leave the owner with no recourse other than to consider referring the Council's decision making process to the High Court which is obviously disproportionate to the amount of the penalty charge in issue.

The concerns of the Adjudicators are illustrated in the following cases which have arisen during the period of this report:

TG 67 - a case involving failure to display a pay and display ticket where the Adjudicator found as a fact that the driver had purchased and attempted to display the ticket but that it had fallen from the windscreen. A request for the Council to reconsider its discretion on that basis was met with the response that although the Adjudicator believed the driver the Council continued in the view that there had in fact been a breach of the Traffic Regulation Order. The Council's view was clearly that the Adjudicator's finding had the status of "belief" and it failed to consider the finding that the parking fee had been paid. The Adjudicator commented in the Decision that it was to be hoped that this was not an approach which was consistently taken by the policymaker on the Council.

DB30 In another case involving the failure to display a pay and display ticket the Adjudicator referred the case to the Council having made a finding of fact, after a personal hearing, that a ticket had been purchased. The Council responded by saying that because it found it difficult to make the distinction between the deliberate non-purchase of a ticket, careless display of it or misfortune, its policy was never to cancel a PCN in that type of case. The Adjudicator's Decision includes the comment: "What this extraordinary statement tells me is that the respondents have a



blanket policy that no matter what mitigation may be put forward by an appellant they ignore it in favour of a consistent approach".

PE 424 - This was a situation routinely dealt with by Adjudicators where the driver maintained that he did not find the PCN on the vehicle and so had lost the opportunity to make payment of the discounted charge. Following a personal hearing the Adjudicator accepted the appellant's evidence and found as a fact that the PCN had been removed from the vehicle before his return. The case was referred to the Council on that basis but the response was to ignore the finding of fact and to make the decision based only on the policy never to re-set the discount period.

BF337 – was another case where the Adjudicator found as a fact that the Appellant did not find the PCN on the vehicle and it was recommended that the discounted charge should be accepted. Refusing to exercise discretion in the Appellant's favour the Council said the Adjudicator's view that the £60.00 charge was "particularly harsh" was only pertinent if it accepted that the Appellant had not found the Notice. The Council argued that the evidence showed the Appellant could not have been positive she did not see the PCN on her car. A view which was totally contrary to the Adjudicator's specific findings.

SC 05003C - A visitor to a popular holiday area was unfamiliar with the tariffs set in a pay and display car park. He found that he had to go for change and following a personal hearing the Adjudicator stated that he was satisfied that the driver was not away from the vehicle for much longer than the 10 minute period of observation recorded by the parking attendant. The Council's response, rejecting the Adjudicator's recommendation that the penalty charge should not be pursued, stated: "How can the Adjudicator and the Appellant be so sure of the time the vehicle was left unattended? It started at 5 minutes and has already increased to not much longer than 10 minutes. How did the Appellant record and be so sure of the time?" The Council went on to justify its rejection of the Adjudicator's findings on the basis that the parking attendant must have made an accurate record of the times of his observations.

BS 1141 - here the driver appealed on the basis that he had not found the PCN on the vehicle and requesting that the discount period should be re-set. Having considered the written evidence the Adjudicator made a finding of fact that the PCN was not attached to the vehicle when the driver returned. The case was therefore referred to the Council which responded that it was unwilling to exercise discretion to accept the discounted payment because the Appellant had failed to supply any proof, specifically any witness statements, to confirm his claim. The Council had therefore clearly ignored the Adjudicator's specific finding of fact.

BP 208 - in this case the Adjudicator accepted the evidence of a witness who had been a passenger in this vehicle to the effect that she was severely disabled and had been escorted into a nearby bank by the driver. The Adjudicator referred the case to the Council because it was apparent that it had not exercised discretion on those facts. The Council replied that it could not condone the driver's actions because it would set a precedent for any similar decisions. However the Council's response concluded that if the Adjudicator directed that the mitigating circumstances warranted cancellation the Council would abide by the decision. Whilst therefore this achieved a fair result to the case it is an example of the Council taking into account matters of policy when exercising its discretion and ignoring its responsibility to consider each case on its own facts.

BP190 - This was another case involving a disabled badge holder. The appellant was a young woman who suffered from multiple disabilities including blindness. She was the registered keeper of a motability car but of course she required a driver at all times. The vehicle had been left in a disabled bay but unknown to the appellant the blue badge had fallen from the windscreen and so was not visible to the Parking Attendant. The Council had not considered the mitigation of the appellant's disability, the fact that she could have had no control over the display of the badge and that the vehicle was entitled to park in the bay. The Adjudicator referred the case with the recommendation that the charge should not be pursued but was met with the response that it was the Council's invariable policy that a PCN would be enforced where no badge was visible to the Parking Attendant because it was all too easy for the owner to produce the badge after the event and claim it was in the vehicle. The Council also said it could not know if the appellant had been in the vehicle. This was despite the Adjudicator's finding of fact that the appellant had been in the car and that an attempt had been made to display the badge.

Helpful guidance for councils about applying policies to the exercise of discretion was given in 2005 by the Court of Appeal in R (on the application of Joan Margaret Walmsley) v (1) John Lane (2) Parking & Traffic Appeals Service [2005] EWCA Civ 1540: Sedley LJ pointed out:

*"Any public body exercising discretionary powers of this kind, affecting a large number of people, risks being castigated for inconsistency if it does not have a policy to guide the officials who exercise the power. Since as long ago as the decision in **Kruse v Johnson** [1898] 2 DB 91 consistency in public administration has been recognised as a judiciable question. But consistency is not the same thing as rigidity, and public authorities are also at risk if they fetter their discretion by being unduly formulaic. The courts have accordingly recognised that it is proper to adopt a policy provided it is applied flexibly in exceptional cases: R v Port of London Authority, ex parte Kynock [1919] 1 KB 176; British Oxygen v Minister of Technology [1971] AC 610.*

In conclusion it is recognised that it is not unreasonable for the Council to operate a policy in the interests of consistency but that is not the same as rigidity where the authority fetters its discretion and fails to recognise the exceptional case. It is necessary for the scheme to operate fairly that there should be a degree of flexibility in the Council's approach to discretion and that the Adjudicators' findings of fact should be recognised as having the status of a judicial decision not an expression of opinion.

## **CASE DIGEST**

### **Missing T bars and wear and tear to yellow lines**

**BH 957**

The motorist did not dispute having parked on double yellow lines but argued that the restriction could not be enforced because of the poor condition of the lines and the absence of a T bar at the end. The Adjudicator held that lines need not be maintained in perfect condition. The question is whether the state and quality of the lines at any one time make it clear to motorists that double yellow lines are present. The T bar is intended to inform motorists where the restriction begins and ends. The absence of a T bar does not automatically render unenforceable the whole yellow line. Each case will depend upon its own particular facts. However, the absence of a T bar may persuade the Adjudicator that the restriction was not properly signed in the case of a vehicle parked on or near to the end of the restriction.

### **Fluttering pay and display tickets**

**BW05003F**

It was found as a fact that a p&d ticket was purchased and displayed on the windscreen at the time the driver left the vehicle but, for reasons unknown, subsequently fell. The Adjudicator found that the wording of the relevant Traffic Regulation Order was ambiguous as to whether the obligation to display a ticket applied only at the time the vehicle was left or continued throughout its stay in the car park. The correct approach where such an ambiguity exists is to construe the words in question in favour of the person who would otherwise be penalised. Thus, no contravention had occurred. She pointed out that it is perfectly possible to draft a TRO in such a way that the continuing nature of the obligation to display a ticket is clear and unambiguous and that many Councils have done so.

**TG 67**

This is one of many such examples. The Adjudicator referred to the relevant TRO and found that the obligation to display a p&d ticket was clearly a continuing one. Thus, although she found that the appellant had purchased a P&D ticket to cover the entire duration of his stay and stuck it to the windscreen before leaving the vehicle (it subsequently dropped into the footwell) she found the contravention to be established. She did, however, criticise the council's decision to refuse on principle when considering representations to accept the original P&D ticket as evidence that parking had been paid for by the penalised driver and asked the council to reconsider exercising discretion in the appellant's favour.

### **Problems with TROs**

The following cases illustrate first, that Adjudicators routinely consider the precise terms of the TROs relied upon by councils to support signed terms and restrictions and also the importance of accurate drafting and amendment. A specific problem arises when a TRO retains provisions left over from the time before the council assumed decriminalised powers and which are inconsistent

with the structure of the RTA decriminalised regime. A common example is the old "initial charge / excess charge" provisions relating to some parking meters and on and off street pay and display parking places.

**BS 1055**

The appellant parked in a p&d car park in apparent breach of the parking regulations; he did not read the sign and duly received a PCN. The article relied upon referred both to a schedule and a list of the locations to which it referred. The location in question was listed in the schedule but not in the article itself which, accordingly, was inapplicable to it.

**BS 1117**

The description of the location in the TRO bore almost no relation to the modern layout of the area. The restriction relied upon was held not to apply.

**BS 1123**

The Council relied upon a restriction on waiting between 8am and 6pm Monday to Saturday referred to in schedule 3 to the TRO. However, the Council had not identified any article from the body of the Order upon which it relied as having been breached or indeed which referred to schedule 3. Further, the Adjudicator was unable to ascertain from the Council's evidence whether the restriction referred to actually applied at the location of the vehicle. The appeal was allowed.

**BS 1189**

The relevant restriction, which contained numerous handwritten amendments and annotations, applied to the roads listed in schedule 1. The road in question was not listed in that schedule so the restriction did not apply and no contravention had occurred.

**EP 109**

The appellant parked on a double yellow line. The relevant provision of the TRO said that parking was not permitted at any time in the locations listed in schedule 1. No copy of schedule 1 had been included in the evidence bundle or provided to NPAS. However, there was a copy of schedule 5, which referred to a more limited restriction applying only on Mondays between midnight and 6pm and the road in question was listed there. The PCN had not been issued on a Monday. Accordingly, the Adjudicator was unable to conclude that any provision of the TRO had been contravened. This case illustrates why it is important for councils to include the relevant extracts from the TRO in the evidence bundle or, if they have been exempted from doing so, of ensuring that the copies held by NPAS are complete and up to date.

**NN 472**

The appellant had parked in a P&D car park displaying a monthly season ticket which had recently expired but no p&d ticket. He believed (wrongly) that a few days' grace was given to season ticket holders. The TRO was annotated by hand with expressions such as "refer to amendment No 1 2005". The

Adjudicator found these amendments to be meaningless and the state of the printed TRO unacceptable. She ignored the annotations in interpreting the Order. Irrespective of the question of the annotations, the Adjudicator found that the TRO did not make sense in relation to season tickets. It appeared from the relevant article that season tickets could be applied for and displayed in relation to a specific vehicle. However, the season tickets actually issued did not specify a registration number and were issued without proof of ownership. Given that the administration process applied by the council did not accord with its own TRO, the council was not entitled to enforce a contravention in relation to the issue of a season ticket.

### **FD 23**

The Adjudicator described the TRO as “a *‘patch work quilt’ of amendments, counter amendments, revocations, variations, interlineations and substitutions*” and found that it did not make legal sense. The council therefore failed to satisfy the Adjudicator that a contravention of the Order had occurred.

### **PL 05002**

There was a drafting error in the relevant part of the TRO which rendered the entire provision meaningless and the intended contravention unenforceable.

### **HS 396**

A PCN is issued not for failure to comply with the local signage but for contravention of a specific provision of the relevant TRO. The Adjudicator therefore considers the wording of the TRO rather than the signs. In this case, the Council relied upon the signage in an off-street p&d car park to justify its decision to issue a PCN and enforce it against a disabled driver whose blue badge and clock had been displayed. Article 2(3) stated: “*A vehicle left in a parking place belonging to a disabled person which displays a disabled person’s badge shall be exempt for the first three hours of any day from payment of any charge imposed by the following provisions of this Order.*”

The Adjudicator said:

*“The grammar of this provision is unfortunate, but clearly the “parking place” i.e. Cornwallis Street Car Park, cannot belong to the disabled person, and therefore the phrase, “belonging to a disabled person” refers back to the word “vehicle”. Thus a vehicle displaying a disabled person’s badge can park in the car park for three hours without payment of the charge. ... If the sign in the car park suggests otherwise it is, quite simply, wrong.”*

### **AS 150**

‘Initial’ and ‘excess’ charges have no place in the RTA parking regime. The RTA refers to ‘parking charge’ in place of initial charge, ‘additional parking charge’ for the penalty charge, and ‘release charges’ for release from immobilisation. The council had preserved both the initial charge and excess charge by failing to amend the relevant TRO, which long predated its decriminalised powers. The consequence was that the TRO failed to provide for a penalty charge to be payable for breach of the obligation to pay and display. The appeal was

therefore allowed. The council argued that this decision could have wide ramifications. The Chief Adjudicator said "*Councils cannot rely on the Adjudicators to rescue them from their omissions.*" Any ramifications were the product not of the Adjudicator's decision but of the council's own failure to update its order. She also pointed out that this deficiency had been pointed out by other Adjudicators in appeals dating back to 2001.

**Note:**

It is worth pointing out that similar points have previously occurred where councils have actually made appropriate amendments to the TROs in question but failed to lodge the relevant amending Order with the case papers or with NPAS. During 2005, this problem has become less common.

**Unreasonable TROs**

**CE050050D**

The appellant did not dispute having parked on a single yellow line outside her home where parking was not permitted between 11am and 12 noon on weekdays. The purpose of the restriction was clearly to protect residents from cars being parked by commuters from a nearby railway station; there was, however, no exemption for residents and no provision for residents' parking. The restriction had been operative since 1993 and in 1997, the appellant was successful in the Magistrates' Court in contesting an alleged parking offence which arose in similar circumstances to the present PCN. The Magistrates exercised their power to find the parking restriction unlawful by reason of it being unreasonable. Thereafter, the restriction was not enforced against the appellant. However, in September 2005, the enforcement procedure changed from criminal to the civil scheme pursuant to the RTA 1991 and the PCN was issued shortly afterwards. The Adjudicator described the case as "unfortunate" and hoped the council would shortly address the issue highlighted by this case. However, unlike the Magistrates, the Adjudicator was unable to intervene, having no power to strike down the TRO on the grounds that he considered it to be unreasonable.

**On the highway? On the line?**

**RG 2582**

Appellants sometimes say that they did not park "on" the yellow line. This argument is especially common where the vehicle was parked on a wide verge. However, parking restrictions are not limited to the metalled carriageway itself. A restriction incorporates the width of the public highway from the centre of the carriageway to the building line of property or adjacent land. "Road" is defined in Section 142 of the Road Traffic Act 1984 as "...any length of highway or of any other road to which the public has access..". "Highway" is not defined in the 1984 Act but at Common Law it is a way over which all members of the public have a right to pass and re-pass. A highway includes a footpath over which the public right of passage is on foot.

**BS 1169**

The facts were similar to **RG2582**. The Adjudicator considered the legal definition of "highway" and emphasised that the fact that land may or may not be privately owned is not necessarily conclusive as to whether or not it forms part of the highway to which restrictions apply.

**BN 416**

The appellant said that the vehicle was not parked on the road but on a grass verge belonging to his place of work. It was however outside the chain link fence delineating the boundary of his workplace. Thus, it did not matter who actually owned the land. It formed part of the highway and the restriction applied. In any event, the photographic evidence showed that one wheel was actually on the carriageway.

**BN 400**

The vehicle was parked on a paved area alongside the Salvation Army hall. It was not disputed that this land was owned by the Salvation Army and not adopted by the council. However, photographs showed that the appearance of the adopted area and the Salvation Army land was of one continuous pavement, so that a pedestrian would have no reason to distinguish between any part of the area and would quite reasonably assume that there was public access to the whole width of paving. Thus, the whole area was one to which the public had access whether by right or tolerance. Accordingly, the location was one to which the TRO applied and a contravention was established.

**BN 384**

The pavement was 5 metres wide but the council owned only the half closest to the road. The rest belonged to shops. The entire area was paved. The appellant parked outside his own shop on land demised to him under the terms of his lease. The appellant had been parking his motorcycle in this location without incident for more than a year and was able to establish the existence of an arrangement between the local shop owners and parking attendants whereby PCNs would not be issued in these circumstances. At the personal hearing, the council confirmed that no further PCNs would be issued.

**BP 197**

The appellant argued that he had not parked "on" the double yellow line because the greater part of the vehicle was lawfully parked with only the rear wheels and boot overhanging the lines. The Adjudicator said that the law does not require the whole or the larger part of a vehicle to be on and over the double yellow lines before the vehicle can be said to be waiting on them. It is sufficient to establish the contravention if a significant part of the vehicle is on or over the lines. He left open the question of whether an overhanging boot or bonnet would be significant or sufficient but had no doubt that, if the front or rear wheels of a vehicle are on and over the double yellow lines, then that vehicle is waiting on the lines.



#### **AL 44**

This case concerned a private road designated as a car park. "New Road", with its tarmac carriageway and pavements, bounded by private houses, a church, a fire station, industrial premises and a doctors' surgery, had every appearance of an ordinary suburban street. In fact, it was not adopted and was owned by the adjacent properties. Following requests from the landowners the council decided to include New Road in a TRO relating to off street parking places, effectively designating it as a car park, use of which was restricted at all times to New Road permit holders. The Adjudicator presumed that the council had adopted this rather odd fiction in the belief that New Road, being unadopted and privately owned, could not be regarded as part of the highway to which normal parking restrictions might be applied.

The contravention recorded on the PCN was "*parked in a restricted area in a car park*". In fact, there was no area within New Road that could be said to be restricted. Rather the whole area was defined in the Order as a permit holders only car park. It followed that the appellant would have no idea when reading the PCN why it had been issued. Clearly in appearance New Road was not a car park but a road. The Adjudicator found the PCN to be defective in that it did not allow the driver to know the reason why he had to pay a penalty charge.

He also found the signage to be inadequate in positioning and prominence and in any event inconsistent with the terms of the Order in that it failed to convey the nature of the restriction. These problems were, he felt, a reflection of the inherent difficulty brought about by the fiction involved in regulating a road as a car park.. He pointed out that the fiction was really not necessary.

*"This is clearly a road running between two definable points to which the public have unrestricted access, both on foot and for at least two-thirds of the road in vehicles. It seems to me, therefore, that this might properly fall within the definition of the highway so giving the Council power to regulate parking, if there is sufficient reason for doing so, in what might be considered the more usual way using on-street signing with which any driver would be familiar."*

#### **Going for change in pay & display car parks**

The motorist who parks in a p&d car park only to find that he does not have the right change for the machine is a perennial issue in parking appeals. Some councils hold the unbending belief that the motorist's duty is to have the right change in his possession before entering the car park, whatever the circumstances. Others appear to regard the act of going for change as a contravention in its own right. This is not the case. The relevant contravention in going for change cases is "*parking in a pay and display car park without clearly displaying a valid pay and display ticket*" (or similar). It always takes a certain amount of time to locate a space, park, find the nearest machine, ascertain the relevant charge, take the correct coins from purse or pocket, obtain a ticket and return to the vehicle to display it. Much can go amiss: a queue, a jammed machine, a damaged or rejected coin; the tariff may have changed, leaving even the well-prepared driver without the right money. Thus, it will inevitably be a question of fact and degree whether the time and activity involved in obeying the instruction to pay and display amounts to a legitimate part of the payment

process or not. Furthermore, TROs do not frame the motorist's obligation in identical terms; the question whether a contravention has in fact taken place may turn on the precise wording of the TRO in question. The weighing of these factors falls inevitably to the council (or Adjudicator) after the event when deciding whether a PCN should be cancelled. Assuming that a proper observation has taken place, the actions of the parking attendant, who saw a vehicle without a p&d ticket but knew nothing of any surrounding circumstances, will seldom be called into question.

## **AS 150**

The Chief Adjudicator formulated six principles relating to off street pay and display regimes and the nature of the payment process, which councils should take into account when considering representations in 'going for change' cases.

1. *Factors which would affect the time taken to purchase a ticket would include:-*
  - a. *The proximity of the machine to where the vehicle is parked;*
  - b. *Whether there is a queue at the machine for purchasing a ticket;*
  - c. *Being behind a person fumbling for coins or being indecisive as to what amount of time to purchase;*
  - d. *If the nearest machine is not functioning, how far a driver would need to go to find another machine;*
  - e. *Whether several attempts need to be made to get the machine to accept the coins, for example, if the coins are cold they may well fall through the machine.*
2. *In normal circumstances I would expect a motorist experiencing this type of difficulty to see the parking attendant (PA) on returning to his or her vehicle. It is well established that it is good practice for a PA to observe a vehicle for at least five minutes before issuing a PCN where there is a requirement to pay and display. If they do not do so, then the council would be obliged to accept a motorist's representations if they raised one of the circumstances described.*
3. *In normal circumstances the driver would be expected to return to the vehicle having the purchased ticket ready to display. An exception to this would be where the machine was not working or rejecting coins, in which case the driver would have explained the position to the PA, and they could return to machine, or the driver be directed to another.*
4. *Obtaining change is not in itself wrong. It is perfectly acceptable for a driver to swap coins with another person nearby providing that the exercise can be achieved in the normal parameter of time involved in purchasing a ticket, namely approximately 5 minutes.*
5. *Going to a shop or kiosk to make a purchase or obtain change will always fall outside the parameters of purchasing a ticket, and the council will need to consider submissions of this nature as a discretionary exercise.*
6. *All councils should ensure that all car park entry signs clearly show the tariffs and make it equally clear that having entered the car park, it is not permissible to go off seeking change. This information should also stated on each pay and display machine.*

While upholding the original Adjudicator's decision to allow the appeal on other grounds (see above) the Chief Adjudicator concluded that the actions of the appellant in this case, namely going in haste into the adjacent leisure centre to obtain the 20p coin that she was unexpectedly missing, fell outside the scope of the payment process. However, she criticised the council's decision to enforce the penalty charge and its inflexible approach to the exercise of discretion. This was "*precisely the sort of case where common sense should have prevailed*".

## **Non-compliant documents, procedural deficiency and sharp practice**

### **AY05003**

The need for the PCN to comply with the requirements of section 66 of the Road Traffic Act 1991 is discussed elsewhere in this report. Schedule 6 to the RTA specifies the information to be contained in other documents to be issued by the council at later stages of the enforcement process. Apart from the time scales set for the original PCN, which are 14 and 28 days from the date of **issue** of the PCN, all other time limits in the RTA are set from the date of **service** of the particular notice, i.e. the date when it was delivered to the recipient. This means that the council must add at least two days to the date of issue if they send notice by first class post, five days if they send them second class. The council had in its Notice to Owner, Notice of Rejection of Representations and Charge Certificate expressed the time limits as running from the date of issue of the notice. In some instances the time limits were emphasised in bold type. These notices wrongly expressed the mandatory requirements of the RTA by attempting to shorten the time available to the vehicle owner to complete payment or the next process. The Adjudicator held that the appellant was under no obligation to pay a penalty charge demanded on a non-compliant notice and accordingly the appeal against the Notice of Rejection of Representations was allowed. Given the tortuous history of the matter, she saw fit to direct the council to cancel the PCN as well as the other defective notices.

### **DT05002H**

In this case, the Adjudicator expressed grave concern about the council's procedure and directed the council to review its processes to ensure that it did not disregard the RTA procedure in future cases. The appellant made formal representations in response to the Notice to Owner. The council was obliged by virtue of schedule 6 paragraph 2(7) to consider these representations, and if they were rejected, to conform to the procedure set out in Paragraph 4. Instead, the council's reply clearly treated these representations as if they were informal correspondence exchanged prior to the Notice to Owner being issued and, moreover, purported to give the recipient 14 days to pay with the warning that a charge certificate for £90 would be issued if payment was not made. This requirement was unlawful and in the Adjudicator's view threatening.

### **MK 397**

In this case, the Adjudicator criticised the sharp practice of the Parking Attendant himself. The vehicle was parked on a single yellow line, so waiting would have been permitted under certain circumstances in accordance with the various exemptions in the TRO. The Adjudicator, who took evidence at a personal hearing, concluded that the appellant's vehicle had been singled out to receive a PCN for the simple reason that the presence of a trade plate on the dashboard rather than a tax disc enabled the attendant to issue a PCN and place it on the vehicle very quickly without either a detailed inspection or proper period of observation. She found that the attendant's evidence was not reliable and held that the contravention was not established on the balance of probabilities.

**House of Commons Transport Committee – Parking Policy and Enforcement  
June 2006**

The House of Commons Transport Committee published their report on parking policy and enforcement on 22 June 2006. One of the terms of reference for their enquiry was “Is the appeals process fair and effective? How could it be improved?”

In considering this subject, the Transport Committee found that:

- The adjudication service is a very important part of Decriminalised Parking Enforcement.
- The service is a tribunal i.e. a judicial body.
- The service demonstrates independence and integrity.
- The service is flexible and customer orientated.

***“The impression given of the adjudication service is that of a flexible ‘customer orientated’ service, more so than the traditional magistrates’ Court process. The Leggatt Review of Tribunal 2001 found the service to be user focused, ‘practices show a concern for users unmatched elsewhere in the justice system’. Unlike the Magistrates’ Courts, appellants can choose to have their case decided by the adjudicator through a postal appeal, or to attend a hearing to put their case to the adjudicator in person.”***

- Current funding arrangements cause confusion and the government should review the funding of the service and propose arrangements that emphasise its separate judicial status and independence.
- Adjudicators powers should be reviewed under the Traffic Management Act (2004) including:
  - Setting timescales for local authorities to respond.
  - Requiring a person to attend hearings/produce documentation
  - The ability to exercise discretion.

Whilst the Transport Committee Report makes positive comments about the Adjudication Service, reference was also made to

- The low profile of the service.
- A lack of awareness on the part of motorists of the right to appeal.
- The need for information to reach all motorists and be widely understood by the public at large.

To achieve this, the report refers to the need to:

- Unlock the full potential of the service.
- Emphasize its independence including the call for a government review of the funding of the service to reinforce its separate judicial status.
- Have greater cooperation by councils as part of the overall service to the public
- Have greater clarity on the PCN/NTO of the right to appeal beyond the council.
- Have more detailed explanations by Councils for rejecting representations to enable the motorist to make an informed choice as to whether to appeal.
- Increase the availability of information on the process and the role of the parking adjudication service including through council web sites.
- Raise the professional profile of Parking Adjudicators and for government to be aware of their views.

In coming to these conclusions the Transport Committee concluded that increased awareness of the adjudication service is vital:

***“This matters because the service has the potential to disseminate a sense of fairness and justice amongst motorists that we sensed was substantially missing in the way the system of parking enforcement operates at present.”***

***“The ‘knowledge’ that there is a ‘court of appeal’ where they will receive a fair and speedy hearing is a significant factor in balancing the administration of justice, improving the performance of the parking system and reducing individual stress”.***

The findings of the report echo those reported in last year’s Annual Report in the summary of the Birmingham University research “User Perspectives on the National Parking Adjudication Service”. This year’s annual report highlights some of the actions we have taken to address the recommendations from the research. Some further actions are linked to the widening of the types of adjudication such as bus lane adjudications, we will be undertaking in the future and the re-naming of our tribunal to reflect these changes.

The findings of the Transport Committee report are fundamental in nature and NPAS will work over the coming year to respond to those challenges.

## **The Service**

The total number of councils operating decriminalised parking enforcement increased from 117 to 139 during 2005, with 22 new councils joining the scheme.

The number of PCNs issued by councils operating decriminalised parking enforcement increased from 2,853,089 in 2004 to 3,398,675 in 2005, whilst there was a decrease in the number of appeals registered at NPAS with 9,449 appeals registered in 2005 compared with 10,441 in 2004.

We aim to provide a user focused service with a number of options from which our users can chose. Appellants can have their case dealt with on paper or at a personal hearing in front of the Adjudicator at any one of our 65 hearing venues.

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

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.

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 that from 2003 onwards indicators are being measured and reported on a calendar year basis. The indicators for year 2005 are given in the Table below.

PERIOD	% OF POSTAL APPEALS DECIDED WITHIN 42 DAYS	TARGET	% OF PERSONAL APPEALS DECIDED WITHIN 56 DAYS	TARGET
Year 2000/1	57% (1,477 Appeals)	80%	59% (713 Appeals)	80%
Year 2001/2	80% (3,178 Appeals)	80%	82% (1,339 Appeals)	80%
Year 2002/3	78% (5,726 Appeals)	80%	89% (2,811 Appeals)	80%
Year 2003	77% (6,180 Appeals)	80%	91% (3,033 Appeals)	80%
Year 2004	79% (6,568 Appeals)	80%	88% (3,873 Appeals)	80%
<b>Year 2005</b>	<b>76%</b> <b>(5,907 Appeals)</b>	<b>80%</b>	<b>91%</b> <b>(3,542 Appeals)</b>	<b>80%</b>

It should be noted that data reported in the table 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 below the 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. The core elements of the new *AIMS* case management system have now been developed and all new cases received from 1<sup>st</sup> January 2006 are being processed via this system. The Adjudicators have been trained in the use of the system and are able to remotely and directly access the system. It is therefore expected from 2006 and onwards a substantial improvement to this service standard indicator should result.



At the meeting of 19<sup>th</sup> November 2001, it was agreed that two additional indicators would be measured from 1st April 2002. These give an indication of availability and responsiveness for the service. At the meeting of the Executive Sub-committee held on 24<sup>th</sup> 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 2005 are given in the table below.

PERIOD	% of phone calls answered within 15 seconds	TARGET	% of appeals acknowledged within 2 working days	TARGET
2002/3	96% (24,375 calls)	80%	99% (8,537 appeals)	80%
Year 2003	96% (24,327 calls)	80%	99% (9,213 appeals)	80%
Year 2004	97% (29,764 calls)	80%	99% (10,441 appeals)	80%
<b>Year 2005</b>	<b>97%</b> <b>(30,967 calls)</b>	<b>90%</b>	<b>99%</b> <b>(9,499 appeals)</b>	<b>95%</b>

## Hearings

When we receive an appeal we are organised such that we have a number of Appeals Coordinators who deal with appeals by geographical area. Appellants are given direct dial telephone numbers and our telephone system is answered personally from 9am until 5pm, five days a week.

Appellants can opt for either a postal decision or to have a personal hearing in front of an Adjudicator. In 2005, 3542 appellants requested a personal hearing, 37% of the total number of appellants. If a personal hearing is desired the appellant can indicate a first, second and third choice from a list of 65 personal hearing venues, located throughout the country. Some of the hearing venues offer hearings on a Thursday evening or Saturday morning.

Where possible the Appeals Coordinators will schedule a personal hearing at the appellant's first choice hearing venue.

Appeals Coordinators will advise appellants if the venue they have requested is one which is used infrequently, thus giving the appellant opportunity to select a different venue which will lead to a shorter waiting time before their case can be heard.

We aim to provide an accessible venue in all areas of the country where decriminalised parking takes place, therefore new venue provision is an on-going process and existing venues are monitored for their suitability. The Notice of Appeal form lists all the personal hearing venues, in addition the hearing venues and their addresses are listed on the NPAS web site at: <http://www.parking-appeals.gov.uk/about/hearingVenues.asp>

All our personal hearing venues undergo an in depth health and safety assessment, carried out by an NPAS member of staff qualified to carry out such an assessment, having completed an Institute of Health and Safety accredited course. We continue to ensure that all our venues are accessible to people with disabilities and comply with the requirements of the Disability Discrimination Act.

Should an appellant require specialist assistance at a personal hearing there is a section on the Notice of Appeal form which they can complete. NPAS endeavour to provide the assistance required though if this is not possible they will inform the appellant so that they are able to make alternative arrangements.

## **Hearing Centre Supervisors**

At personal hearings appellants and council representatives are greeted by a Hearing Centre Supervisor. The Supervisor will go through the procedure for the hearing and introduce the parties to the Adjudicator. The supervisor is available to provide assistance to the Adjudicator, should they require it, throughout the course of the proceedings. We receive many compliments from the public about this feature of our service.

An annual conference was held in Manchester for the Hearing Centre Supervisors at the beginning of October 2005. This provided an opportunity for the Supervisors, who are located throughout England, to meet with each other along with the Chief Adjudicator, the Service Director, the Appeals Coordinators and the Service Development team. Ideas of best practice were shared and feedback was given on existing personal hearing venues and other relevant issues. We are able to build these ideas and suggestions into our service improvement programme. The conference was highly informative and was of benefit to both the Hearing Centre Supervisors and NPAS office staff.

## Telephone Appeals

During 2005 we started to pilot telephone appeals as a third alternative for dealing with appeals in addition to a postal decision or personal hearing. Our aim is to increase the accessibility of hearings to appellants who may otherwise have difficulty in terms of time or geography in attending a personal hearing venue, and so make our service more user-focused. A telephone appeal involves the parties and the Adjudicator joining together in a telephone conference call, initiated by NPAS, during which the Adjudicator conducts the hearing of the appeal. This allows the parties to participate in a hearing from a location convenient to them rather than having to attend a personal hearing venue.

So far we are offering telephone appeals for appeals relating to PCNs issued in Ipswich, Bournemouth, Canterbury, St Albans and Manchester. We would like to thank these local authorities for participating in this pilot initiative. The feedback from those who have participated in telephone hearings, both Appellants and local authority representatives, has been very positive. We anticipate that telephone appeals will be offered universally for appeals against PCNs issued by all councils within our jurisdiction within a year.

## NPAS Web site

The NPAS website, accessed at [www.parking-appeals.gov.uk](http://www.parking-appeals.gov.uk), 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.

On the website we provide a description of the organisation, a detailed outline of the enforcement and adjudication process, information on the regulations and legislation, guidelines on how to avoid getting a Penalty Charge Notice, the ability to lodge an appeal online and other useful information such as current NPAS Circulars and NPAS Annual Reports.

<b>Visits</b>	<b>2005</b>	<b>2004</b>
<b>Visits</b>	199,380	113,043
<b>Average per Day</b>	546	308
<b>Average visit length</b>	00:07:53	00:08:00
<b>Visits referred by search engine</b>	73,499	43,695

We are pleased to see that use of the NPAS web site continues to grow with 199,380 visits recorded in 2005, a growth of 76% from 2004. The average number of visits per day increased to 546. The average length of visit to the website decreased slightly from 2004. The increase in the number of visits to the NPAS web site may be due to increased awareness of the independent Parking Adjudicator and existence of an NPAS website, along with greater use of the internet by the public in general.

Visits to the web site referred by search engines increased from 43,695 in 2004 to 73,499 in 2005. The top ten phrases searched for are listed below:

## Top Search Phrases

		2005	2004
	Phrase	No. of times used	No. of times used
1	Road Traffic Act 1991	3878 (5%)	1668 (4%)
2	Parking Regulations	2388 (3%)	1156 (3%)
3	NPAS	1911 (2%)	1042 (2%)
4	Parking Tickets	1858 (3%)	388 (1%)
5	Road Traffic Act	1820 (2%)	378 (1%)
6	Disabled Parking	1489 (2%)	n/a
7	Parking Law	1370 (2%)	891 (2%)
8	Statutory Declaration	1325 (2%)	733 (2%)
9	Penalty Charge Notice	989 (1%)	546 (1%)
10	Parking Appeals	955 (1%)	575 (1%)

Many councils are now providing parking information on their own websites. We are always pleased to see a link from their website to ours.

## NPAS Email box

In 2003 we introduced the NPAS Email box. This continues to be a popular means by which the public can contact us, though as a tribunal there are some queries which are not appropriate for us to answer. The email address is listed on the NPAS website, letters and other NPAS documentation.

Using [npas@parking-adjudication.gov.uk](mailto:npas@parking-adjudication.gov.uk) service users and potential service users can make written enquiries which we aim to respond to within 2 working days.

Many emails received via the 'NPAS box' are from existing appellants and these emails are directed to the appropriate Appeals Coordinator. Additionally a high number of emails contain procedural queries which the Service Development team are happy to answer.

As an independent tribunal NPAS cannot offer advice or comment to motorists or councils which could allow our impartiality to be jeopardised. As a result NPAS cannot:

- Offer advice relating to an appeal
- Comment on the merits of an individual case
- Comment on the legality of Penalty Charge Notices
- Comment on the parking enforcement operations of an individual council

As discussed in last year's Annual Report we receive frequent enquiries from motorists who have received Penalty Charge Notices from Councils operating in London or Scotland, the number of these enquiries appears to be growing. Again we suggest that it would be helpful if more advice channels were made available to the motoring public.

NPAS also receives enquiries from the public on a wide range of parking issues not related to decriminalised parking enforcement, examples include:

- Motorists who have received a parking ticket on private land
- Motorists who have had their vehicles clamped on private land
- Motorists who have been issued with a Standard or Excess Charge Notice
- Motorists who have been issued with a Fixed Penalty Notice by the Police or a Traffic Warden
- Motorists requesting information on the Blue Badge Scheme
- Homeowners who wish to apply for parking restrictions to be placed outside their property

Enquiries such as these do not fall within our remit, though we try to point enquirers in the correct direction to enable them to find the information they are seeking.

It can be concluded from the high level of enquiries that we receive in the 'NPAS Box' which fall outside of our remit that:

1. Great confusion still exists as to what we are as an organisation
2. Very few advice and guidance channels are available to the public on parking issues

Due to the increase in enquiries received, falling outside of our remit, we have decided to conduct on-going analysis of the types of queries received.

## **Service Development Initiatives**

### **Appeal on-line**

During 2005 we started to pilot a facility whereby appellants can lodge their appeal with NPAS on-line via the [www.parking-appeals.gov.uk](http://www.parking-appeals.gov.uk) web site. This is as an alternative to filling in the standard paper form. For the system to work the local authority has to provide the appellant with a PIN number and at the NPAS web site end we have to make provision for this to be recognised.

As there are several local authority PCN processing system suppliers it is necessary to undergo pilot testing for each system. Our strategy is to successfully pilot each system with a volunteer local authority and once proven we encourage all the other local authorities who are using that particular system supplier to also print the PIN number on their Notices of Rejection to Representation.

Prospective appellants can lodge their appeal on-line using a combination of their PCN and PIN numbers provided they get through the initial validation checks that ensure the appeal is in time. Should they not get through this validation they are advised to send in the paper form and explain why their appeal is late.

We anticipate it will take a year or so before we are able to universally offer this facility in relation to all the special and permitted parking areas within our jurisdiction. So far we are able to provide appeal on-line for appeals relating to PCNs issued in Bath & North East Somerset, Bournemouth, Bristol and Manchester. Brentwood and Rushmoor areas are currently being tested before the pilot in these areas commence. We would like to express our thanks to these local authorities and their system suppliers for cooperating in this initiative.

From the statistics we have gathered, about 20% of appellants chose to lodge their appeal using the on-line method. Whilst it is early days in the use of the on-line alternative there does not seem to be any marked difference in the rate of appeal per PCN in the above council areas that could be attributed to the on-line facility.

### **Traffic Regulation Orders Electronic Library**

The electronic Traffic Regulation Order library we initiated in 2003 has continued to grow during 2005. 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. When councils start with DPE they 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 TROs that could be used in an appeal. One of the benefits of holding the TROs in electronic format is that they are searchable. Often TROs can be lengthy and sometimes several hundred pages long. To be able to do a 'word search' and go directly to the relevant part of the TRO can be very helpful. 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. 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. During 2005 the number of councils who have been officially relieved from sending in a copy of the relevant order with each appeal bundle grew from 22 to 45. We would encourage other councils to participate in this initiative.

## **Electronic Transfer of Evidence**

We reported last year that piloting of this project continued and progress was made with two of the seven local authority IT systems in this area. During 2005 three councils have been successfully sending in their evidence in electronic format. It continues to be 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 overcoming 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. Several trials are currently being carried with councils around the country although the technological challenges mean that overall progress is rather slow for this project.

## **Case Management – Appeals and Management Information System**

Case management is an essential part of providing an effective and efficient service to our users.

The end of 2005 heralded the wind down of our existing case management system and the switch on of a brand new bespoke system *AIMS* (Appeal and Information Management System).

An in-house team managed the development of the *AIMS* system involving determining its scope, the specification, procurement, working with the software developer, and testing and training the system users.

During 2005 a pilot team of Adjudicators and staff was formed to represent the users of the system. Their task was to ensure the system would work correctly and that it provided good functionality, was intuitive and easy to use. This truly was a team effort managed through a project board that paid dividends when we came to switch on the system for all new appeals received from 1<sup>st</sup> January 2006. We had only a few very minor start-up problems to resolve. An essential part of the team was our *AIMS* software system and our Electronic Document Repository system developers along with our own in-house technology team who coordinated the ICT and the necessary hardware infrastructure.

Detailed attention was given to the training needs of the system users and a three month bespoke training plan was developed and put into practice. The net result is that we now have a working system with fully trained effective users of the system.

The new system contains enhanced data recording facilities producing benefits for all staff and Adjudicators who use the system. Coordinators are able to record more data at the appeals processing stage and Adjudicators

are able to remotely access the system, view or collect appeal case files and decide them as opposed to bundles of postal files being delivered around the country. For postal appeals this has considerably speeded up the beginning to end life cycle of an appeal.

From the enhancements in the AIMS system we will be able to provide in our 2006 annual report additional information and analysis of cases. For example the Adjudicators are recording the reasons as to why councils do not contest appeals and we will be able to provide tables of this information.

Whilst developing the system we took the opportunity to build in some future proofing by provision for handling appeals that will arise in the future from bus lane contraventions and some of the moving traffic offences identified for decriminalisation under the Traffic Management Act.

We are planning to develop further enhancements to AIMS that will benefit our service users, appellants and respondent councils alike. We are looking to enable on-line appeal progress tracking so that appellants and councils will be able to log-on and see the stage to which their appeals have progressed. We are planning to publish on the web site tables of appeal outcomes, more regularly updated rather than having to wait for our annual report statistics.



## **Appellants' User Group**

We aim to create and maintain an adaptable and responsive tribunal system; part of this strategy is to consult with representatives of user organisations.

The Appellants' User Group is made up of representative users of NPAS, and members currently include representation from the AA Motoring Trust, RAC Foundation, British Vehicle Rental and Leasing Association, Road Haulage Association, Disabled Driver's Association, the Department for Transport Mobility & Inclusion Unit, Freight Transport Association and Citizens Advice. During the year we were pleased to welcome to the group a representative of Which? Magazine. Each member of the group is able to offer a valuable insight into the service provided by NPAS from the perspective of their representative organisations.

NPAS held a meeting of the Appellants' User Group in September 2005. The meeting was extremely informative with many interesting points being raised about the current service along with helpful discussion of our service development initiatives.

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

## **Local Authority User Group**

In previous years we have held a conference for local authority users of our service. Because of the increased number of local authority users it made it impractical to hold a single conference. This year we moved to holding five regional conferences in London (twice), Manchester, York and Bristol. The additional organisation involved led to these conferences being held in the early part of 2006. The new format was a success with a substantially increased attendance of over 330 delegates across the five conferences and requests that this format be retained for future years.

The aim of these conferences was to meet one of the objectives set in Professor Raines research project, "User Perspectives on the National Parking Adjudication Service" (reported in our 2004 Annual Report), which was to ensure that local authorities develop a better understanding of our status as a tribunal. The theme of the conferences was "Parking Adjudication – The Judicial Process" and, as well as addressing this theme in the presentations, we drew attention to it by inviting a representative of each local authority's legal team to attend the conferences. Our aim was to foster closer involvement by local authority legal teams in the DPE process. We were delighted to have in excess of 60 legal representatives attend the conferences. We were accredited by the Law Society and the Bar Council to award CPD points for these conferences.

All delegates were invited to give feedback on the content of the conferences. 90% commented that the conferences fully or substantially achieved their objectives and were helpful.

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Table 1 - Details for All Councils in Scheme in 2005

**Details of Councils in the scheme, their SPA start date, Number of Appeals received and Appeal Rate per PCN for All Councils, 2005**

<b>COUNCIL</b>	<b>PCNs</b>	<b>PCNs Appealed</b>	<b>% of cases per PCN</b>	<b>Start Date</b>
Winchester	15,018	5	0.03	20/5/1996
Oxfordshire [Oxford]	50,517	86	0.17	3/2/1997
Bucks [High Wycombe]	17,147	85	0.50	3/3/1997
Maidstone	32,547	136	0.42	29/9/1997
Watford	29,061	88	0.30	27/10/1997
Luton	40,377	177	0.44	19/1/1999
Manchester	136,005	395	0.29	5/4/1999
Portsmouth	46,083	272	0.59	5/4/1999
Hastings	29,754	62	0.21	10/5/1999
Neath Port Talbot	20,398	57	0.28	1/6/1999
Medway	45,584	191	0.42	3/1/2000
Gravesham	19,158	64	0.33	4/1/2000
Canterbury	25,864	105	0.41	10/1/2000
Sevenoaks	8,444	8	0.09	10/1/2000
Swale	10,537	17	0.16	10/1/2000
Thanet	17,137	66	0.39	10/1/2000
Tunbridge Wells	30,207	86	0.28	10/1/2000
Sefton	45,108	54	0.12	1/2/2000
Bristol	44,840	260	0.58	1/4/2000
Sandwell	42,043	125	0.30	1/4/2000
Shepway	12,659	20	0.16	3/4/2000
Tonbridge & Malling	10,507	25	0.24	1/9/2000
Bolton	44,342	221	0.50	4/9/2000
Ashford	17,023	17	0.10	2/10/2000
York	27,941	8	0.03	8/10/2000
Reading	68,321	348	0.51	30/10/2000
Bedford	25,051	125	0.50	13/11/2000
Trafford	43,271	14	0.03	15/1/2001
Dover	18,332	19	0.10	23/1/2001
Taunton Deane	16,059	59	0.37	19/2/2001
Plymouth	52,155	355	0.68	1/4/2001
Salisbury	19,905	38	0.19	1/4/2001
Salford	33,721	108	0.32	2/4/2001
Three Rivers	5,179	11	0.21	1/7/2001
Northampton	52,214	110	0.21	2/7/2001
Dartford	10,684	8	0.07	2/7/2001
Brighton & Hove	160,018	385	0.24	16/7/2001
Southend-on-Sea	42,937	301	0.70	1/9/2001
Barrow-in-Furness	8,676	8	0.09	3/9/2001
Birmingham	176,382	403	0.23	3/9/2001
Bournemouth	35,804	196	0.55	3/9/2001
Oldham	29,118	118	0.41	1/10/2001
Stoke-on-Trent	50,776	117	0.23	1/10/2001
Herefordshire	20,214	21	0.10	5/11/2001
Carlisle	16,367	30	0.18	26/11/2001
Norwich	39,746	127	0.32	4/2/2002

Details for All Councils in Scheme in 2005

COUNCIL	PCNs	PCNs Appealed	% of cases per PCN	Start Date
Southampton	52,814	196	0.37	25/2/2002
South Lakeland	13,070	22	0.17	4/3/2002
Milton Keynes	38,794	97	0.25	25/3/2002
Poole	20,851	138	0.66	2/4/2002
Hart	6,865	6	0.09	5/6/2002
Rushmoor	13,253	34	0.26	5/6/2002
Liverpool	92,642	131	0.14	1/7/2002
Dorset	13,792	24	0.17	1/7/2002
Harrogate	21,365	25	0.12	15/7/2002
Basingstoke and Deane	9,354	15	0.16	1/10/2002
Brentwood	15,545	82	0.53	1/10/2002
Chelmsford	16,452	106	0.64	1/10/2002
Colchester	24,819	80	0.32	1/10/2002
Epping Forest	23,491	69	0.29	1/10/2002
Nottingham	75,350	351	0.47	1/10/2002
Bury	29,252	73	0.25	14/10/2002
Weymouth and Portland	14,426	13	0.09	25/11/2002
Eden	6,908	32	0.46	20/1/2003
Worcester	9,015	12	0.13	3/2/2003
Sunderland	22,650	81	0.36	3/2/2003
Bath and North East Somerset	47,409	175	0.37	17/2/2003
Christchurch	7,651	29	0.38	3/3/2003
Maldon	1,891	0	0.00	1/4/2003
Basildon	9,254	58	0.63	1/4/2003
Slough	36,385	100	0.27	21/4/2003
Redcar & Cleveland	6,832	27	0.40	2/6/2003
Aylesbury Vale	11,985	38	0.32	30/6/2003
Middlesbrough	12,441	66	0.53	1/9/2003
Swindon	29,750	105	0.35	1/9/2003
Peterborough	17,909	23	0.13	22/9/2003
Copeland	3,134	17	0.54	29/9/2003
Dacorum	20,625	29	0.14	6/10/2003
Allerdale	23,234	18	0.08	13/10/2003
Test Valley	10,022	21	0.21	20/10/2003
Harlow	7,435	10	0.13	1/11/2003
Blackpool	56,259	130	0.23	10/11/2003
Wirral	47,961	112	0.23	17/11/2003
Carmarthenshire	13,902	38	0.27	1/2/2004
South Bedfordshire	8,543	16	0.19	2/2/2004
Mid Bedfordshire	1,140	3	0.26	2/2/2004
Mole Valley	6,803	8	0.12	26/4/2004
Guildford	32,478	13	0.04	1/6/2004
Reigate and Banstead	18,369	22	0.12	1/6/2004
Denbighshire	14,155	29	0.20	1/7/2004
Wigan	28,951	168	0.58	1/7/2004
Rochdale	23,897	76	0.32	4/7/2004
Burnley	17,248	52	0.30	6/9/2004
Chorley	10,891	25	0.23	6/9/2004
Fylde	9,072	62	0.68	6/9/2004

Details for All Councils in Scheme in 2005

COUNCIL	PCNs	PCNs Appealed	% of cases per PCN	Start Date
Hyndburn	7,246	22	0.30	6/9/2004
Lancaster	24,222	111	0.46	6/9/2004
Pendle	8,553	27	0.32	6/9/2004
Preston	32,329	72	0.22	6/9/2004
Ribble Valley	3,427	10	0.29	6/9/2004
Rossendale	4,665	8	0.17	6/9/2004
South Ribble	3,958	10	0.25	6/9/2004
West Lancashire	6,288	6	0.10	6/9/2004
Wyre	4,799	11	0.23	6/9/2004
East Sussex [Lewes]	20,657	12	0.06	20/9/2004
Blackburn with Darwen	21,897	51	0.23	1/10/2004
St. Albans	33,022	70	0.21	1/10/2004
Braintree	4,396	16	0.36	1/10/2004
Castle Point	3,360	14	0.42	1/10/2004
Rochford	6,097	34	0.56	1/10/2004
Tendring	14,576	81	0.56	1/10/2004
Uttlesford	3,641	1	0.03	1/10/2004
Eastleigh	12,586	28	0.22	1/10/2004
Stratford on Avon	16,647	38	0.23	4/10/2004
Wychavon	8,782	12	0.14	11/10/2004
Cambridge	42,463	14	0.03	25/10/2004
Runnymede	4,611	6	0.13	8/11/2004
North Hertfordshire	15,785	25	0.16	17/1/2005
East Hertfordshire	30,207	19	0.06	17/1/2005
Leeds	87,373	46	0.05	1/3/2005
Thurrock	3,438	0	0.00	1/4/2005
Stockport	22,825	0	0.00	4/4/2005
Sheffield	39,167	46	0.12	4/4/2005
Havant	7,585	12	0.16	4/4/2005
Coventry	14,678	40	0.27	4/4/2005
Torbay	22,267	1	0.00	4/4/2005
Epsom and Ewell	2,470	1	0.04	4/4/2005
Spelthorne	2,110	4	0.19	4/4/2005
Broxbourne	9,878	9	0.09	9/5/2005
Welwyn Hatfield	3,543	2	0.06	1/6/2005
Stevenage	4,193	0	0.00	1/6/2005
Doncaster	11,346	0	0.00	4/7/2005
Rotherham	6,955	0	0.00	4/7/2005
Barnsley	4,089	0	0.00	4/7/2005
Hartlepool	4,223	0	0.00	4/7/2005
Woking	8,631	0	0.00	25/7/2005
Chiltern	2,576	3	0.12	1/9/2005
Stockton-on-Tees	4,192	0	0.00	5/9/2005
Ipswich	3,357	0	0.00	1/10/2005

<b>All SPA areas</b>	<b>3,398,675</b>	<b>9,449</b>	<b>0.28</b>
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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 - Number of Appeals received

SPA/PPA	Appeals Rec'd	PCN's issued	Rate of appeal per PCN
Birmingham	403	176,382	0.23%
Manchester	395	136,005	0.29%
Brighton & Hove	385	160,018	0.24%
Plymouth	355	52,155	0.68%
Nottingham	351	75,350	0.47%
Reading	348	68,321	0.51%
Southend-on-Sea	301	42,937	0.70%
Portsmouth	272	46,083	0.59%
Bristol	260	44,840	0.58%
Bolton	221	44,342	0.50%
Bournemouth	196	35,804	0.55%
Southampton	195	52,814	0.37%
Medway	191	45,584	0.42%
Luton	177	40,377	0.44%
Bath and North East Somerset	175	47,409	0.37%
Wigan	168	28,951	0.58%
Poole	138	20,851	0.66%
Maidstone	136	32,547	0.42%
Liverpool	131	92,642	0.14%
Blackpool	130	56,259	0.23%
Norwich	127	39,746	0.32%
Bedford	125	25,051	0.50%
Sandwell	125	42,043	0.30%
Oldham	118	29,118	0.41%
Stoke-on-Trent	117	50,776	0.23%
Wirral	112	47,961	0.23%
Lancaster	111	24,222	0.46%
Northampton	110	52,214	0.21%
Salford	108	33,721	0.32%
Chelmsford	106	16,452	0.64%
Canterbury	105	25,864	0.41%
Swindon	105	29,750	0.35%
Slough	100	36,385	0.27%
Milton Keynes	97	38,794	0.25%
Watford	88	29,061	0.30%
Oxfordshire (Oxford)	86	50,517	0.17%
Tunbridge Wells	86	30,207	0.28%
Buckinghamshire	85	17,147	0.50%
Brentwood	82	15,545	0.53%
Sunderland	81	22,650	0.36%
Tendring	81	14,576	0.56%
Colchester	80	24,819	0.32%
Rochdale	76	23,897	0.32%
Bury	73	29,252	0.25%
Preston	72	32,329	0.22%
St Albans	70	33,022	0.21%
Epping Forest	69	23,491	0.29%
Middlesbrough	66	12,441	0.53%
Thanet	66	17,137	0.39%
Gravesham	64	19,158	0.33%
Fylde	62	9,072	0.68%
Hastings	62	29,754	0.21%

Number of Appeals received

SPA/PPA	Appeals Rec'd	PCN's issued	Rate of appeal per PCN
Taunton Deane	59	16,059	0.37%
Basildon	58	9,254	0.63%
Neath Port Talbot	57	20,398	0.28%
Sefton	54	45,108	0.12%
Burnley	52	17,248	0.30%
Blackburn with Darwen	51	21,897	0.23%
Leeds	46	87,373	0.05%
Sheffield	46	39,167	0.12%
Coventry	40	14,678	0.27%
Aylesbury Vale	38	11,985	0.32%
Carmarthenshire	38	13,902	0.27%
Salisbury	38	19,905	0.19%
Stratford on Avon	38	16,647	0.23%
Rochford	34	6,097	0.56%
Rushmoor	34	13,253	0.26%
Eden	32	6,908	0.46%
Carlisle	30	16,367	0.18%
Christchurch	29	7,651	0.38%
Dacorum	29	20,625	0.14%
Denbighshire	29	14,155	0.20%
Eastleigh	28	12,586	0.22%
Pendle	27	8,553	0.32%
Redcar & Cleveland	27	6,832	0.40%
Chorley	25	10,891	0.23%
Harrogate	25	21,365	0.12%
North Hertfordshire	25	15,785	0.16%
Tonbridge & Malling	25	10,507	0.24%
Dorset [East Dorset, North Dorset,	24	13,792	0.17%
Peterborough	23	17,909	0.13%
Hyndburn	22	7,246	0.30%
Reigate & Banstead	22	18,369	0.12%
South Lakeland	22	13,070	0.17%
Herefordshire	21	20,214	0.10%
Test Valley	21	10,022	0.21%
Shepway	20	12,659	0.16%
Dover	19	18,332	0.10%
East Hertfordshire	19	30,207	0.06%
Allerdale	18	23,234	0.08%
Ashford	17	17,023	0.10%
Copeland	17	3,134	0.54%
Swale	17	10,537	0.16%
Braintree	16	4,396	0.36%
South Bedfordshire	16	8,543	0.19%
Basingstoke and Deane	15	9,354	0.16%
Cambridge	14	42,463	0.03%
Castle Point	14	3,360	0.42%
Trafford	14	43,271	0.03%
Guildford	13	32,478	0.04%
Weymouth & Portland	13	14,426	0.09%
East Sussex [Lewes]	12	20,657	0.06%
Havant	12	7,585	0.16%
Worcester	12	9,015	0.13%

Number of Appeals received

SPA/PPA	Appeals Rec'd	PCN's issued	Rate of appeal per PCN
Wychavon	12	8,782	0.14%
Three Rivers	11	5,179	0.21%
Wyre	11	4,799	0.23%
Harlow	10	7,435	0.13%
Ribble Valley	10	3,427	0.29%
South Ribble	10	3,958	0.25%
Broxbourne	9	9,878	0.09%
Barrow-in-Furness	8	8,676	0.09%
Dartford	8	10,684	0.07%
Mole Valley	8	6,803	0.12%
Rossendale	8	4,665	0.17%
Sevenoaks	8	8,444	0.09%
York	8	27,941	0.03%
Hart	6	6,865	0.09%
Runnymede	6	4,611	0.13%
West Lancashire	6	6,288	0.10%
Winchester	5	15,018	0.03%
Spelthorne	4	2,110	0.19%
Chiltern	3	2,576	0.12%
Mid Bedfordshire	3	1,140	0.26%
Welwyn and Hatfield	2	3,543	0.06%
Epsom and Ewell	1	2,470	0.04%
Torbay	1	22,267	0%
Uttlesford	1	3,641	0.03%
Barnsley	0	4,089	0%
Donacster	0	11,346	0%
Hartlepool	0	4,223	0%
Ipswich	0	3,357	0%
Maldon	0	1,891	0%
Rotherham	0	6,955	0%
Stevenage	0	4,193	0%
Stockport	0	22,825	0%
Stockton-on-Tees	0	4,192	0%
Thurrock	0	3,438	0%
Woking	0	8,631	0%



Table 3

## Appeals involving vehicles that were towed away

Council	Year	Number of Vehicles Towed Away	Not Contested	Allowed by Adjudicator	Total Allowed including not contested by Council	Appeal Out of Time	Appeal withdrawn by Appellant	Dismissed by Adjudicator	Refused by Adjudicator including out of time, and withdrawn	Total number of Appeals involving Clamp or Tow Away
Brighton & Hove	2005	2,770	4	13	17	4	0	15	19	36
	2004	6,117	11%	36%	47%	11%	0%	42%	53%	46
Birmingham	2005	2,192	7	0	7	0	0	3	3	10
	2004	2,373	70%	0%	70%	0%	0%	30%	30%	19
Blackpool	2005	450	7	2	9	1	3	6	10	19
	2004	765	37%	11%	47%	5%	16%	32%	53%	9
Bristol	2005**		0	3	3	0	0	0	0	3
	2004	6,256	0%	100%	100%	0%	0%	0%	0%	9
Manchester	2005**		22	11	33	3	0	9	12	45
	2004	6,256	49%	24%	73%	7%	0%	20%	27%	70
Nottingham	2005	1,530	32	16	48	1	0	21	22	25
	2004	2,030	46%	23%	69%	1%	0%	30%	31%	22
Oxford	2005	3,119	4	6	10	1	0	11	12	22
	2004	4,282	18%	27%	45%	5%	0%	50%	55%	26
All	2005	69	7	5	12	1	0	13	14	26
	2004	63	27%	19%	46%	4%	0%	50%	54%	0
All	2005	10,130	0	0	0	0	0	0	0	0
	2004	21,886	0%	0%	0%	0%	0%	0%	0%	1
All	2005	10,130	41	38	79	10	1	44	55	134
	2004	21,886	31%	28%	59%	7%	1%	33%	41%	196

\*\* Awaiting figure from Council

Table 4 - Rate of Appeal per PCN

SPA/PPA	Start Date	Rate of appeal per PCN	Appeals Rec'd	PCN's issued
Torbay	4/4/2005	0%	1	22,267
Cambridge	25/10/2004	0.03%	14	42,463
Trafford	15/1/2001	0.03%	14	43,271
Uttlesford	1/10/2004	0.03%	1	3,641
Winchester	20/5/1996	0.03%	5	15,018
York	8/10/2000	0.03%	8	27,941
Epsom and Ewell	4/4/2005	0.04%	1	2,470
Guildford	1/6/2004	0.04%	13	32,478
Leeds	1/3/2005	0.05%	46	87,373
East Hertfordshire	17/1/2005	0.06%	19	30,207
East Sussex [Lewes]	20/9/2004	0.06%	12	20,657
Welwyn and Hatfield	1/6/2005	0.06%	2	3,543
Dartford	2/7/2001	0.07%	8	10,684
Allerdale	13/10/2003	0.08%	18	23,234
Barrow-in-Furness	3/9/2001	0.09%	8	8,676
Broxbourne	9/5/2005	0.09%	9	9,878
Hart	5/6/2002	0.09%	6	6,865
Sevenoaks	10/1/2000	0.09%	8	8,444
Weymouth & Portland	25/11/2002	0.09%	13	14,426
Ashford	2/10/2000	0.10%	17	17,023
Dover	23/1/2001	0.10%	19	18,332
Herefordshire	5/11/2001	0.10%	21	20,214
West Lancashire	6/9/2004	0.10%	6	6,288
Chiltern	1/9/2005	0.12%	3	2,576
Harrogate	15/7/2002	0.12%	25	21,365
Mole Valley	26/4/2004	0.12%	8	6,803
Reigate & Banstead	1/6/2004	0.12%	22	18,369
Sefton	1/2/2000	0.12%	54	45,108
Sheffield	4/4/2005	0.12%	46	39,167
Harlow	1/11/2003	0.13%	10	7,435
Peterborough	22/9/2003	0.13%	23	17,909
Runnymede	8/11/2004	0.13%	6	4,611
Worcester	3/2/2003	0.13%	12	9,015
Dacorum	6/10/2003	0.14%	29	20,625
Liverpool	1/7/2002	0.14%	131	92,642
Wychavon	11/10/2004	0.14%	12	8,782
Basingstoke and Deane	1/10/2002	0.16%	15	9,354
Havant	4/4/2005	0.16%	12	7,585
North Hertfordshire	17/1/2005	0.16%	25	15,785
Shepway	3/4/2000	0.16%	20	12,659
Swale	10/1/2000	0.16%	17	10,537
Dorset [East Dorset, North	1/7/2002	0.17%	24	13,792
Oxfordshire (Oxford)	3/2/1997	0.17%	86	50,517
Rossendale	6/9/2004	0.17%	8	4,665
South Lakeland	4/3/2002	0.17%	22	13,070
Carlisle	26/11/2001	0.18%	30	16,367
Salisbury	1/4/2001	0.19%	38	19,905
South Bedfordshire	2/2/2004	0.19%	16	8,543
Spelthorne	4/4/2005	0.19%	4	2,110
Denbighshire	1/7/2004	0.20%	29	14,155
Hastings	10/5/1999	0.21%	62	29,754

Rate of Appeal per PCN

SPA/PPA	Start Date	Rate of appeal per PCN	Appeals Rec'd	PCN's issued
Northampton	2/7/2001	0.21%	110	52,214
St Albans	1/10/2004	0.21%	70	33,022
Test Valley	20/10/2003	0.21%	21	10,022
Three Rivers	1/7/2001	0.21%	11	5,179
Eastleigh	1/10/2004	0.22%	28	12,586
Preston	6/9/2004	0.22%	72	32,329
Birmingham	3/9/2001	0.23%	403	176,382
Blackburn with Darwen	1/10/2004	0.23%	51	21,897
Blackpool	10/11/2003	0.23%	130	56,259
Chorley	6/9/2004	0.23%	25	10,891
Stoke-on-Trent	1/10/2001	0.23%	117	50,776
Stratford on Avon	4/10/2004	0.23%	38	16,647
Wirral	17/11/2003	0.23%	112	47,961
Wyre	6/9/2004	0.23%	11	4,799
Brighton & Hove	16/7/2001	0.24%	385	160,018
Tonbridge & Malling	1/9/2000	0.24%	25	10,507
Bury	14/10/2002	0.25%	73	29,252
Milton Keynes	25/3/2002	0.25%	97	38,794
South Ribble	6/9/2004	0.25%	10	3,958
Mid Bedfordshire	2/2/2004	0.26%	3	1,140
Rushmoor	5/6/2002	0.26%	34	13,253
Carmarthenshire	1/2/2004	0.27%	38	13,902
Coventry	4/4/2005	0.27%	40	14,678
Slough	21/4/2003	0.27%	100	36,385
Neath Port Talbot	1/6/1999	0.28%	57	20,398
Tunbridge Wells	10/1/2000	0.28%	86	30,207
Epping Forest	1/10/2002	0.29%	69	23,491
Manchester	5/4/1999	0.29%	395	136,005
Ribble Valley	6/9/2004	0.29%	10	3,427
Burnley	6/9/2004	0.30%	52	17,248
Hyndburn	6/9/2004	0.30%	22	7,246
Sandwell	1/4/2000	0.30%	125	42,043
Watford	27/10/1997	0.30%	88	29,061
Aylesbury Vale	30/6/2003	0.32%	38	11,985
Colchester	1/10/2002	0.32%	80	24,819
Norwich	4/2/2002	0.32%	127	39,746
Pendle	6/9/2004	0.32%	27	8,553
Rochdale	4/7/2004	0.32%	76	23,897
Salford	2/4/2001	0.32%	108	33,721
Gravesham	4/1/2000	0.33%	64	19,158
Swindon	1/9/2003	0.35%	105	29,750
Braintree	1/10/2004	0.36%	16	4,396
Sunderland	3/2/2003	0.36%	81	22,650
Bath and North East Somerset	17/2/2003	0.37%	175	47,409
Southampton	25/2/2002	0.37%	195	52,814
Taunton Deane	19/2/2001	0.37%	59	16,059
Christchurch	3/3/2003	0.38%	29	7,651
Thanet	10/1/2000	0.39%	66	17,137
Redcar & Cleveland	2/6/2003	0.40%	27	6,832
Canterbury	10/1/2000	0.41%	105	25,864
Oldham	1/10/2001	0.41%	118	29,118
Medway	3/1/2000	0.42%	191	45,584

Rate of Appeal per PCN

SPA/PPA	Start Date	Rate of appeal per PCN	Appeals Rec'd	PCN's issued
Castle Point	1/10/2004	0.42%	14	3,360
Maidstone	29/9/1997	0.42%	136	32,547
Luton	19/1/1999	0.44%	177	40,377
Eden	20/1/2003	0.46%	32	6,908
Lancaster	6/9/2004	0.46%	111	24,222
Nottingham	1/10/2002	0.47%	351	75,350
Bedford	13/11/2000	0.50%	125	25,051
Bolton	4/9/2000	0.50%	221	44,342
Buckinghamshire	3/3/1997	0.50%	85	17,147
Reading	30/10/2000	0.51%	348	68,321
Brentwood	1/10/2002	0.53%	82	15,545
Middlesbrough	1/9/2003	0.53%	66	12,441
Copeland	29/9/2003	0.54%	17	3,134
Bournemouth	3/9/2001	0.55%	196	35,804
Rochford	1/10/2004	0.56%	34	6,097
Tendring	1/10/2004	0.56%	81	14,576
Bristol	1/4/2000	0.58%	260	44,840
Wigan	1/7/2004	0.58%	168	28,951
Portsmouth	5/4/1999	0.59%	272	46,083
Basildon	1/4/2003	0.63%	58	9,254
Chelmsford	1/10/2002	0.64%	106	16,452
Poole	2/4/2002	0.66%	138	20,851
Fylde	6/9/2004	0.68%	62	9,072
Plymouth	1/4/2001	0.68%	355	52,155
Southend-on-Sea	1/9/2001	0.70%	301	42,937

Table 5 - Allowed by Adjudicator

SPA/PPA	% Allowed by Adjudicator	% not contested by council	% of Total allowed inc. not contested	Appeals Rec'd
East Hertfordshire	5%	32%	37%	19
Pendle	7%	74%	81%	27
Chorley	8%	56%	64%	25
Reigate & Banstead	9%	0%	9%	22
Birmingham	9%	62%	71%	403
South Ribble	10%	40%	50%	10
Denbighshire	10%	38%	48%	29
Rochdale	12%	53%	64%	76
Mole Valley	13%	0%	13%	8
Canterbury	13%	25%	38%	105
Wirral	13%	36%	49%	112
Middlesbrough	14%	45%	59%	66
Slough	14%	72%	86%	100
Shepway	15%	30%	45%	20
Portsmouth	15%	51%	66%	272
Swindon	15%	18%	33%	105
St Albans	16%	66%	81%	70
Stratford on Avon	16%	26%	42%	38
Runnymede	17%	50%	67%	6
West Lancashire	17%	50%	67%	6
Sheffield	17%	46%	63%	46
Ashford	18%	41%	59%	17
Rushmoor	18%	32%	50%	34
Oxfordshire (Oxford)	20%	34%	53%	86
Harlow	20%	60%	80%	10
Winchester	20%	0%	20%	5
Sandwell	21%	26%	46%	125
Sunderland	21%	46%	67%	81
Dover	21%	16%	37%	19
Salisbury	21%	13%	34%	38
Salford	21%	43%	64%	108
Eastleigh	21%	32%	54%	28
Blackburn with Darwen	22%	49%	71%	51
Leeds	22%	22%	43%	46
Brentwood	22%	32%	54%	82
Broxbourne	22%	56%	78%	9
Sefton	22%	0%	22%	54
Buckinghamshire	22%	20%	42%	85
Coventry	23%	10%	33%	40
Milton Keynes	23%	32%	55%	97
Norwich	23%	35%	58%	127
Guildford	23%	46%	69%	13
Nottingham	23%	40%	63%	351
Weymouth & Portland	23%	23%	46%	13
Bury	23%	29%	52%	73
Lancaster	23%	53%	77%	111
Taunton Deane	24%	44%	68%	59
Northampton	25%	23%	47%	110
Bedford	25%	23%	48%	125

Allowed by Adjudicator

SP/PPA	% Allowed by Adjudicator	% not contested by council	% of Total allowed inc. not contested	Appeals Rec'd
Barrow-in-Furness	25%	0%	25%	8
Bristol	25%	38%	63%	260
Dorset [East Dorset, North Dorset,	25%	8%	33%	24
Havant	25%	25%	50%	12
Sevenoaks	25%	38%	63%	8
Watford	25%	22%	47%	88
Fylde	26%	40%	66%	62
Manchester	26%	32%	58%	395
Peterborough	26%	9%	35%	23
Southampton	27%	17%	44%	195
Southend-on-Sea	27%	29%	56%	301
Hyndburn	27%	59%	86%	22
Liverpool	27%	21%	49%	131
Basildon	28%	14%	41%	58
Christchurch	28%	28%	55%	29
Allerdale	28%	22%	50%	18
Luton	28%	32%	60%	177
Reading	28%	24%	53%	348
Herefordshire	29%	0%	29%	21
Trafford	29%	57%	86%	14
Thanet	29%	14%	42%	66
Redcar & Cleveland	30%	19%	48%	27
Bath and North East Somerset	30%	9%	38%	175
Stoke-on-Trent	30%	10%	40%	117
Wigan	31%	37%	68%	168
Dacorum	31%	28%	59%	29
Brighton & Hove	31%	28%	60%	385
Aylesbury Vale	32%	16%	47%	38
Maidstone	32%	48%	80%	136
East Sussex [Lewes]	33%	33%	67%	12
Hart	33%	0%	33%	6
Test Valley	33%	24%	57%	21
Wychavon	33%	0%	33%	12
Bournemouth	34%	18%	52%	196
Hastings	34%	11%	45%	62
Poole	34%	14%	49%	138
Eden	34%	31%	66%	32
Blackpool	35%	17%	52%	130
Copeland	35%	6%	41%	17
Oldham	36%	12%	47%	118
North Hertfordshire	36%	28%	64%	25
Tunbridge Wells	36%	22%	58%	86
Epping Forest	36%	20%	57%	69
Carlisle	37%	27%	63%	30
Dartford	38%	0%	38%	8
Rossendale	38%	63%	100%	8
York	38%	25%	63%	8
Plymouth	38%	13%	50%	355
Medway	39%	6%	45%	191
Tendring	40%	37%	77%	81
Chelmsford	40%	30%	70%	106
Preston	40%	24%	64%	72

Allowed by Adjudicator

SP/PPA	% Allowed by Adjudicator	% not contested by council	% of Total allowed inc. not contested	Appeals Rec'd
Worcester	42%	17%	58%	12
Carmarthenshire	42%	8%	50%	38
Neath Port Talbot	42%	14%	56%	57
Burnley	42%	40%	83%	52
Bolton	43%	11%	54%	221
Tonbridge & Malling	44%	8%	52%	25
Rochford	44%	32%	76%	34
Gravesham	45%	27%	72%	64
South Lakeland	45%	14%	59%	22
Basingstoke and Deane	47%	20%	67%	15
Colchester	49%	5%	54%	80
Cambridge	50%	14%	64%	14
Ribble Valley	50%	50%	100%	10
Swale	53%	6%	59%	17
Three Rivers	55%	0%	55%	11
Wyre	55%	18%	73%	11
Harrogate	56%	4%	60%	25
Castle Point	57%	21%	79%	14
South Bedfordshire	69%	13%	81%	16
Braintree	75%	6%	81%	16

Table 6 - Not contested by council

SPA/PPA	% not contested by council	Appeals Rec'd
Barrow-in-Furness	0%	8
Dartford	0%	8
Hart	0%	6
Herefordshire	0%	21
Mole Valley	0%	8
Reigate & Banstead	0%	22
Sefton	0%	54
Three Rivers	0%	11
Winchester	0%	5
Wychavon	0%	12
Harrogate	4%	25
Colchester	5%	80
Braintree	6%	16
Copeland	6%	17
Medway	6%	191
Swale	6%	17
Carmarthenshire	8%	38
Dorset [East Dorset, North Dorset, Purbeck, Wareham, and West	8%	24
Tonbridge & Malling	8%	25
Bath and North East Somerset	9%	175
Peterborough	9%	23
Coventry	10%	40
Stoke-on-Trent	10%	117
Bolton	11%	221
Hastings	11%	62
Oldham	12%	118
Plymouth	13%	355
Salisbury	13%	38
South Bedfordshire	13%	16
Basildon	14%	58
Cambridge	14%	14
Neath Port Talbot	14%	57
Poole	14%	138
South Lakeland	14%	22
Thanet	14%	66
Aylesbury Vale	16%	38
Dover	16%	19
Blackpool	17%	130
Southampton	17%	195
Worcester	17%	12
Bournemouth	18%	196
Swindon	18%	105
Wyre	18%	11
Redcar & Cleveland	19%	27
Basingstoke and Deane	20%	15
Buckinghamshire (High Wycombe)	20%	85
Epping Forest	20%	69
Castle Point	21%	14



SPA/PPA	% not contested by council	Appeals Rec'd
Liverpool	21%	131
Allerdale	22%	18
Leeds	22%	46
Tunbridge Wells	22%	86
Watford	22%	88
Bedford	23%	125
Northampton	23%	110
Weymouth & Portland	23%	13
Preston	24%	72
Reading	24%	348
Test Valley	24%	21
Canterbury	25%	105
Havant	25%	12
York	25%	8
Sandwell	26%	125
Stratford on Avon	26%	38
Carlisle	27%	30
Gravesham	27%	64
Brighton & Hove	28%	385
Christchurch	28%	29
Dacorum	28%	29
North Hertfordshire	28%	25
Bury	29%	73
Southend-on-Sea	29%	301
Chelmsford	30%	106
Shepway	30%	20
Eden	31%	32
Brentwood	32%	82
East Hertfordshire	32%	19
Eastleigh	32%	28
Luton	32%	177
Manchester	32%	395
Milton Keynes	32%	97
Rochford	32%	34
Rushmoor	32%	34
East Sussex [Lewes]	33%	12
Oxfordshire (Oxford)	34%	86
Norwich	35%	127
Wirral	36%	112
Tendring	37%	81
Wigan	37%	168
Bristol	38%	260
Denbighshire	38%	29
Sevenoaks	38%	8
Burnley	40%	52
Fylde	40%	62
Nottingham	40%	351
South Ribble	40%	10
Ashford	41%	17
Salford	43%	108

Not contested by council

SPA/PPA	% not contested by council	Appeals Rec'd
Taunton Deane	44%	59
Middlesbrough	45%	66
Guildford	46%	13
Sheffield	46%	46
Sunderland	46%	81
Maidstone	48%	136
Blackburn with Darwen	49%	51
Ribble Valley	50%	10
Runnymede	50%	6
West Lancashire	50%	6
Portsmouth	51%	272
Lancaster	53%	111
Rochdale	53%	76
Broxbourne	56%	9
Chorley	56%	25
Trafford	57%	14
Hyndburn	59%	22
Harlow	60%	10
Birmingham	62%	403
Rossendale	63%	8
St Albans	66%	70
Slough	72%	100
Pendle	74%	27

Table 7

## Reviews and Costs 2005

### Reviews

	Number of PCN's requested for review	Number accepted	Number upheld	% upheld of those accepted	Number undecided	% undecided of those accepted
Appellants	294	41	4	10%	12	29%
Councils	69	20	5	25%	7	35%
<b>Total</b>	<b>363</b>	<b>61</b>	<b>9</b>	<b>15%</b>	<b>19</b>	<b>31%</b>

### Costs

	Number of PCN's with requests for Costs	Number of Costs awarded	% cost awarded to requests	Number of undecided cost cases	% undecided cost cases to requests
<b>Total</b>	<b>74</b>	<b>18</b>	<b>24%</b>	<b>2</b>	<b>3%</b>

Table 8

## Details of Appeals Received for All Councils Year 2005

SPA/PPA Area	Appeals Rec'd	PCN's issued	Rate of appeal per PCN	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
<b>All Areas</b>	<b>9,449</b>	<b>3,398,675</b>	<b>0.28%</b>	<b>5,907</b> <b>63%</b>	<b>3,542</b> <b>37%</b>	<b>2,749</b> <b>29%</b>	<b>2,592</b> <b>27%</b>	<b>5,341</b> <b>57%</b>	<b>4,019</b> <b>43%</b>	<b>89</b> <b>1%</b>
Allerdale	18	23,234	0.08%	8 44%	10 56%	4 22%	5 28%	9 50%	8 44%	1 6%
Ashford	17	17,023	0.10%	14 82%	3 18%	7 41%	3 18%	10 59%	4 24%	3 18%
Aylesbury Vale	38	11,985	0.32%	23 61%	15 39%	6 16%	12 32%	18 47%	19 50%	1 3%
Barnsley	0	4,089	0%	0	0	0	0	0	0	0
Barrow-in-Furness	8	8,676	0.09%	5 63%	3 38%	0 0%	2 25%	2 25%	6 75%	0 0%
Basildon	58	9,254	0.63%	39 67%	19 33%	8 14%	16 28%	24 41%	33 57%	1 2%
Basingstoke and Deane	15	9,354	0.16%	9 60%	6 40%	3 20%	7 47%	10 67%	5 33%	0 0%
Bath and North East Somerset	175	47,409	0.37%	111 63%	64 37%	15 9%	52 30%	67 38%	108 62%	0 0%
Bedford	125	25,051	0.50%	71 57%	54 43%	29 23%	31 25%	60 48%	65 52%	0 0%
Birmingham	403	176,382	0.23%	268 67%	135 33%	249 62%	38 9%	287 71%	113 28%	3 1%
Blackburn with Darwen	51	21,897	0.23%	27 53%	24 47%	25 49%	11 22%	36 71%	12 24%	3 6%
Blackpool	130	56,259	0.23%	49 38%	81 62%	22 17%	45 35%	67 52%	62 48%	1 1%
Bolton	221	44,342	0.50%	102 46%	119 54%	24 11%	95 43%	119 54%	100 45%	2 1%
Bournemouth	196	35,804	0.55%	138 70%	58 30%	35 18%	66 34%	101 52%	95 48%	0 0%
Braintree	16	4,396	0.36%	10 63%	6 38%	1 6%	12 75%	13 81%	3 19%	0 0%
Brentwood	82	15,545	0.53%	52 63%	30 37%	26 32%	18 22%	44 54%	36 44%	2 2%
Brighton & Hove	385	160,018	0.24%	223 58%	162 42%	109 28%	121 31%	230 60%	154 40%	1 0%
Bristol	260	44,840	0.58%	185 71%	75 29%	99 38%	65 25%	165 63%	95 37%	0 0%
Broxbourne	9	9,878	0.09%	8 89%	1 11%	5 56%	2 22%	7 78%	2 22%	0 0%
Buckinghamshire (High Wycombe)	85	17,147	0.50%	55 65%	30 35%	17 20%	19 22%	36 42%	46 54%	3 4%
Burnley	52	17,248	0.30%	28 54%	24 46%	21 40%	22 42%	43 83%	8 15%	1 2%
Bury	73	29,252	0.25%	36 49%	37 51%	21 29%	17 23%	38 52%	32 44%	3 4%
Cambridge	14	42,463	0.03%	5 36%	9 64%	2 14%	7 50%	9 64%	4 29%	1 7%
Canterbury	105	25,864	0.41%	28 27%	77 73%	26 25%	14 13%	40 38%	65 62%	0 0%
Carlisle	30	16,367	0.18%	13 43%	17 57%	8 27%	11 37%	19 63%	11 37%	0 0%
Carmarthenshire	38	13,902	0.27%	17 45%	21 55%	3 8%	16 42%	19 50%	19 50%	0 0%
Castle Point	14	3,360	0.42%	10 71%	4 29%	3 21%	8 57%	11 79%	3 21%	0 0%
Chelmsford	106	16,452	0.64%	69 65%	37 35%	32 30%	42 40%	74 70%	32 30%	0 0%
Chiltern	3	2,576	0.12%	1 33%	2 67%	1 33%	1 33%	2 67%	1 33%	0 0%

SPA/PPA Area	Appeals Received	PCN's issued	Rate of appeal per PCN	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
Chorley	25	10,891	0.23%	19 76%	6 24%	14 56%	2 8%	16 64%	9 36%	0 0%
Christchurch	29	7,651	0.38%	17 59%	12 41%	8 28%	8 28%	16 55%	13 45%	0 0%
Colchester	80	24,819	0.32%	59 74%	21 26%	4 5%	39 49%	43 54%	37 46%	0 0%
Copeland	17	3,134	0.54%	5 29%	12 71%	1 6%	6 35%	7 41%	10 59%	0 0%
Coventry	40	14,678	0.27%	29 73%	11 28%	4 10%	9 23%	13 33%	27 68%	0 0%
Dacorum	29	20,625	0.14%	19 66%	10 34%	8 28%	9 31%	17 59%	12 41%	0 0%
Dartford	8	10,684	0.07%	5 63%	3 38%	0 0%	3 38%	3 38%	5 63%	0 0%
Denbighshire	29	14,155	0.20%	25 86%	4 14%	11 38%	3 10%	14 48%	15 52%	0 0%
Donacster	0	11,346	0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%
Dorset [East Dorset, North Dorset, Purbeck, Wareham, and West Dorset]	24	13,792	0.17%	17 71%	7 29%	2 8%	6 25%	8 33%	16 67%	0 0%
Dover	19	18,332	0.10%	15 79%	4 21%	3 16%	4 21%	7 37%	12 63%	0 0%
East Hertfordshire	19	30,207	0.06%	11 58%	8 42%	6 32%	1 5%	7 37%	10 53%	2 11%
East Sussex [Lewes]	12	20,657	0.06%	9 75%	3 25%	4 33%	4 33%	8 67%	4 33%	0 0%
Eastleigh	28	12,586	0.22%	24 86%	4 14%	9 32%	6 21%	15 54%	13 46%	0 0%
Eden	32	6,908	0.46%	19 59%	13 41%	10 31%	11 34%	21 66%	11 34%	0 0%
Epping Forest	69	23,491	0.29%	33 48%	36 52%	14 20%	25 36%	39 57%	28 41%	2 3%
Epsom and Ewell	1	2,470	0.04%	1 100%	0 0%	1 100%	0 0%	1 100%	0 0%	0 0%
Fylde	62	9,072	0.68%	28 45%	34 55%	25 40%	16 26%	41 66%	19 31%	2 3%
Gravesham	64	19,158	0.33%	46 72%	18 28%	17 27%	29 45%	46 72%	18 28%	0 0%
Guildford	13	32,478	0.04%	10 77%	3 23%	6 46%	3 23%	9 69%	4 31%	0 0%
Harlow	10	7,435	0.13%	8 80%	2 20%	6 60%	2 20%	8 80%	2 20%	0 0%
Harrogate	25	21,365	0.12%	13 52%	12 48%	1 4%	14 56%	15 60%	10 40%	0 0%
Hart	6	6,865	0.09%	3 50%	3 50%	0 0%	2 33%	2 33%	3 50%	1 17%
Hartlepool	0	4,223	0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%
Hastings	62	29,754	0.21%	31 50%	31 50%	7 11%	21 34%	28 45%	33 53%	1 2%
Havant	12	7,585	0.16%	9 75%	3 25%	3 25%	3 25%	6 50%	6 50%	0 0%
Herefordshire	21	20,214	0.10%	18 86%	3 14%	0 0%	6 29%	6 29%	15 71%	0 0%
Hyndburn	22	7,246	0.30%	7 32%	15 68%	13 59%	6 27%	19 86%	3 14%	0 0%

SPA/PPA Area	Appeals Received	PCN's issued	Rate of appeal per PCN	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
Ipswich	0	3,357	0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%
Lancaster	111	24,222	0.46%	87 78%	24 22%	59 53%	26 23%	85 77%	25 23%	1 1%
Leeds	46	87,373	0.05%	37 80%	9 20%	10 22%	10 22%	20 43%	26 57%	0 0%
Liverpool	131	92,642	0.14%	84 64%	47 36%	28 21%	36 27%	64 49%	65 50%	2 2%
Luton	177	40,377	0.44%	126 71%	51 29%	57 32%	50 28%	107 60%	70 40%	0 0%
Maidstone	136	32,547	0.42%	76 56%	60 44%	65 48%	44 32%	109 80%	27 20%	0 0%
Maldon	0	1,891	0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%
Manchester	395	136,005	0.29%	221 56%	174 44%	126 32%	103 26%	229 58%	162 41%	4 1%
Medway	191	45,584	0.42%	139 73%	52 27%	12 6%	74 39%	86 45%	104 54%	1 1%
Mid Bedfordshire	3	1,140	0.26%	0 0%	3 100%	3 100%	0 0%	3 100%	0 0%	0 0%
Middlesbrough	66	12,441	0.53%	53 80%	13 20%	30 45%	9 14%	39 59%	27 41%	0 0%
Milton Keynes	97	38,794	0.25%	64 66%	33 34%	31 32%	22 23%	53 55%	43 44%	1 1%
Mole Valley	8	6,803	0.12%	6 75%	2 25%	0 0%	1 13%	1 13%	7 88%	0 0%
Neath Port Talbot	57	20,398	0.28%	42 74%	15 26%	8 14%	24 42%	32 56%	24 42%	1 2%
North Hertfordshire	25	15,785	0.16%	18 72%	7 28%	7 28%	9 36%	16 64%	8 32%	1 4%
Northampton	110	52,214	0.21%	61 55%	49 45%	25 23%	27 25%	52 47%	58 53%	0 0%
Norwich	127	39,746	0.32%	60 47%	67 53%	45 35%	29 23%	74 58%	52 41%	1 1%
Nottingham	351	75,350	0.47%	199 57%	152 43%	140 40%	81 23%	221 63%	129 37%	1 0%
Oldham	118	29,118	0.41%	69 58%	49 42%	14 12%	42 36%	56 47%	48 41%	14 12%
Oxfordshire (Oxford)	86	50,517	0.17%	53 62%	33 38%	29 34%	17 20%	46 53%	39 45%	1 1%
Pendle	27	8,553	0.32%	22 81%	5 19%	20 74%	2 7%	22 81%	5 19%	0 0%
Peterborough	23	17,909	0.13%	18 78%	5 22%	2 9%	6 26%	8 35%	14 61%	1 4%
Plymouth	355	52,155	0.68%	240 68%	115 32%	45 13%	134 38%	179 50%	175 49%	1 0%
Poole	138	20,851	0.66%	98 71%	40 29%	20 14%	47 34%	67 49%	70 51%	1 1%
Portsmouth	272	46,083	0.59%	167 61%	105 39%	138 51%	41 15%	179 66%	93 34%	0 0%
Preston	72	32,329	0.22%	44 61%	28 39%	17 24%	29 40%	46 64%	25 35%	1 1%
Reading	348	68,321	0.51%	222 64%	126 36%	85 24%	99 28%	184 53%	163 47%	1 0%
Redcar & Cleveland	27	6,832	0.40%	20 74%	7 26%	5 19%	8 30%	13 48%	14 52%	0 0%
Reigate & Banstead	22	18,369	0.12%	18 82%	4 18%	0 0%	2 9%	2 9%	20 91%	0 0%
Ribble Valley	10	3,427	0.29%	8 80%	2 20%	5 50%	5 50%	10 100%	0 0%	0 0%
Rochdale	76	23,897	0.32%	51 67%	25 33%	40 53%	9 12%	49 64%	26 34%	1 1%
Rochford	34	6,097	0.56%	26 76%	8 24%	11 32%	15 44%	26 76%	8 24%	0 0%

SPA/PPA Area	Appeals Received	PCN's issued	Rate of appeal per PCN	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
Rossendale	8	4,665	0.17%	5 63%	3 38%	5 63%	3 38%	8 100%	0 0%	0 0%
Rotherham	0	6,955	0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%
Runnymede	6	4,611	0.13%	6 100%	0 0%	3 50%	1 17%	4 67%	2 33%	0 0%
Rushmoor	34	13,253	0.26%	24 71%	10 29%	11 32%	6 18%	17 50%	16 47%	1 3%
Salford	108	33,721	0.32%	68 63%	40 37%	46 43%	23 21%	69 64%	39 36%	0 0%
Salisbury	38	19,905	0.19%	20 53%	18 47%	5 13%	8 21%	13 34%	25 66%	0 0%
Sandwell	125	42,043	0.30%	90 72%	35 28%	32 26%	26 21%	58 46%	67 54%	0 0%
Sefton	54	45,108	0.12%	30 56%	24 44%	0 0%	12 22%	12 22%	42 78%	0 0%
Sevenoaks	8	8,444	0.09%	5 63%	3 38%	3 38%	2 25%	5 63%	3 38%	0 0%
Sheffield	46	39,167	0.12%	34 74%	12 64%	21 46%	8 17%	29 63%	13 28%	4 9%
Shepway	20	12,659	0.16%	11 55%	9 45%	6 30%	3 15%	9 45%	11 55%	0 0%
Slough	100	36,385	0.27%	76 76%	24 24%	72 72%	14 14%	86 86%	14 14%	0 0%
South Bedfordshire	16	8,543	0.19%	8 50%	8 50%	2 13%	11 69%	13 81%	3 19%	0 0%
South Lakeland	22	13,070	0.17%	15 68%	7 32%	3 14%	10 45%	13 59%	9 41%	0 0%
South Ribble	10	3,958	0.25%	7 70%	3 30%	4 40%	1 10%	5 50%	5 50%	0 0%
Southampton	195	52,814	0.37%	133 68%	62 32%	34 17%	52 27%	86 44%	109 56%	0 0%
Southend-on-Sea	301	42,937	0.70%	205 68%	96 32%	87 29%	81 27%	168 56%	123 41%	10 3%
Spelthorne	4	2,110	0.19%	3 75%	1 25%	2 50%	1 25%	3 75%	1 25%	0 0%
St Albans	70	33,022	0.21%	33 47%	37 53%	46 66%	11 16%	57 81%	13 19%	0 0%
Stevenage	0	4,193	0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%
Stockport	0	22,825	0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%
Stockton-on-Tees	0	4,192	0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%
Stoke-on-Trent	117	50,776	0.23%	64 55%	53 45%	12 10%	35 30%	47 40%	69 59%	1 1%
Stratford on Avon	38	16,647	0.23%	15 39%	23 61%	10 26%	6 16%	16 42%	21 55%	1 3%
Sunderland	81	22,650	0.36%	44 54%	37 46%	37 46%	17 21%	54 67%	27 33%	0 0%
Swale	17	10,537	0.16%	10 59%	7 41%	1 6%	9 53%	10 59%	7 41%	0 0%
Swindon	105	29,750	0.35%	75 71%	30 29%	19 18%	16 15%	35 33%	70 67%	0 0%
Taunton Deane	59	16,059	0.37%	34 58%	25 42%	26 44%	14 24%	40 68%	19 32%	0 0%
Tendring	81	14,576	0.56%	54 67%	27 33%	30 37%	32 40%	62 77%	19 23%	0 0%
Test Valley	21	10,022	0.21%	10 48%	11 52%	5 24%	7 33%	12 57%	9 43%	0 0%
Thanet	66	17,137	0.39%	52 79%	14 21%	9 14%	19 29%	28 42%	38 58%	0 0%
Three Rivers	11	5,179	0.21%	7 64%	4 36%	0 0%	6 55%	6 55%	5 45%	0 0%

SPA/PPA Area	Appeals Received	PCN's issued	Rate of appeal per PCN	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
Thurrock	0	3,438	0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%
Tonbridge & Malling	25	10,507	0.24%	19 76%	6 24%	2 8%	11 44%	13 52%	12 48%	0 0%
Torbay	1	22,267	0%	1 100%	0 0%	0 0%	1 100%	1 100%	0 0%	0 0%
Trafford	14	43,271	0.03%	8 57%	6 43%	8 57%	4 29%	12 86%	2 14%	0 0%
Tunbridge Wells	86	30,207	0.28%	64 74%	22 26%	19 22%	31 36%	50 58%	36 42%	0 0%
Uttlesford	1	3,641	0.03%	1 100%	0 0%	0 0%	1 100%	1 100%	0 0%	0 0%
Watford	88	29,061	0.30%	57 65%	31 35%	19 22%	22 25%	41 47%	47 53%	0 0%
Welwyn and Hatfield	2	3,543	0.06%	2 100%	0 0%	1 50%	0 0%	1 50%	1 50%	0 0%
West Lancashire	6	6,288	0.10%	3 50%	3 50%	3 50%	1 17%	4 67%	2 33%	0 0%
Weymouth & Portland	13	14,426	0.09%	7 54%	6 46%	3 23%	3 23%	6 46%	7 54%	0 0%
Wigan	168	28,951	0.58%	101 60%	67 40%	62 37%	52 31%	114 68%	52 31%	2 1%
Winchester	5	15,018	0.03%	4 80%	1 20%	0 0%	1 20%	1 20%	4 80%	0 0%
Wirral	112	47,961	0.23%	59 53%	53 47%	40 36%	15 13%	55 49%	56 50%	1 1%
Woking	0	8,631	0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%
Worcester	12	9,015	0.13%	7 58%	5 42%	2 17%	5 42%	7 58%	4 33%	1 8%
Wychavon	12	8,782	0.14%	9 75%	3 25%	0 0%	4 33%	4 33%	8 67%	0 0%
Wyre	11	4,799	0.23%	7 64%	4 36%	2 18%	6 55%	8 73%	3 27%	0 0%
York	8	27,941	0.03%	5 63%	3 38%	2 25%	3 38%	5 63%	3 38%	0 0%
<b>All Areas</b>	<b>9,449</b>	<b>3,398,675</b>	<b>0.28%</b>	<b>5,907 63%</b>	<b>3,542 37%</b>	<b>2,749 29%</b>	<b>2,592 27%</b>	<b>5,341 57%</b>	<b>4,019 43%</b>	<b>89 1%</b>



Table 9

### Details of Appeals for each Council

Notes: [1] figures for years 2001-2 and after relate to PCNs appealed, previous years are number of cases.  
[2] Where there have been no appeals received during 2005 the Council area is not listed.

#### Allerdale

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

#### Year 2005

Appeals Rec'd	PCN's issued	Rate of appeal per PCN	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	23,234	0.08%	8 44%	10 56%	4 22%	5 28%	9 50%	8 44%	1 6%

#### Year 2004

25	19,277	0.13%	13 52%	12 48%	3 12%	10 40%	13 52%	11 44%	1 4%
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#### Year 2003

2	5,366	0.04%	2 100%	0 0%	1 50%	1 50%	2 100%	0 0%	0 0%
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#### Allerdale Appeal Issues in 2005

Issue	Number	Percentage of Total
Beyond bay markings	2	18%
Car park issues	2	18%
Disabled badge not displayed	1	9%
Mitigation	1	9%
P & D Tickets	1	9%
Signs and Lines	3	27%
Other	1	9%
Total number	11	99%

**Ashford**SPA Commencement Date: 2<sup>nd</sup> October 2000**Year 2005**

Appeals Rec'd	PCN's issued	Rate of appeal per PCN	Postal	Personal	Not Contested by council	Allowed by Adjudicator	Total allowed including not contested by council	Refused by Adjudicator incl. out of time and withdrawn by appellant	Awaiting decision
17	17,023	0.10%	14 82%	3 18%	7 41%	3 18%	10 59%	4 24%	3 18%

**Year 2004**

30	14,050	0.21%	20 67%	10 33%	9 30%	8 27%	17 57%	13 43%	0 0%
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**Year 2003**

39	12,280	0.32%	24 62%	15 38%	14 36%	16 41%	30 77%	9 23%	0 0%
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**Year 2002-2003**

47	12,878	0.36%	33 70%	14 30%	12 26%	18 38%	30 64%	17 36%	0 0%
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**Year 2001 - 2002**

32	12,491	0.26%	24 75%	8 25%	13 41%	3 9%	16 50%	15 47%	1 3%
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**Year 2000 - 2001**

4	5,046	0.08%	3 75%	1 25%	0 0%	1 25%	1 25%	3 75%	0 0%
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**Ashford Appeal Issues in 2005**

Issue	Number	Percentage of Total
Payment/ posting	1	14%
Signs and Lines	1	14%
Traffic Regulation Order	4	57%
Other	1	14%
Total number	7	99%

## Aylesbury Vale

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

### Year 2005

Appeals Rec'd	PCN's issued	Rate of appeal per PCN	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
38	11,985	0.32%	23 61%	15 39%	6 16%	12 32%	18 47%	19 50%	1 3%

### Year 2004

104	13,023	0.80%	50 48%	54 52%	6 6%	59 57%	65 63%	39 38%	0 0%
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### Year 2003

0	8,579	0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%
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### Aylesbury Vale Appeal Issues in 2005

Issue	Number	Percentage of Total
Breakdown	1	5%
Hire Agreement	1	5%
Loading/Unloading	1	5%
No Council evidence	1	5%
No PCN on vehicle	2	9%
Ownership	4	18%
P & D Tickets	3	13%
Payment/posting	2	9%
Residents/Visitors Permit	4	18%
Signs and Lines	2	9%
Other	1	5%
Total number	22	101%

## Barrow-in-Furness

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

### Year 2005

Appeals Rec'd	PCN's issued	Rate of appeal per PCN	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
8	8,676	0.09%	5 63%	3 38%	0 0%	2 25%	2 25%	6 75%	0 0%

### Year 2004

20	8,194	0.24%	10 50%	10 50%	4 20%	5 25%	9 45%	11 55%	0 0%
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### Year 2003

21	10,532	0.20%	11 52%	10 48%	2 10%	11 52%	13 62%	8 38%	0 0%
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### Year 2002-2003

29	10,731	0.27%	14 48%	15 52%	2 7%	12 41%	14 48%	15 52%	0 0%
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### Year 2001 - 2002

9	6,101	0.15%	5 55%	4 45%	2 22%	1 11%	3 33%	5 56%	1 11%
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### Barrow-in-Furness Appeal Issues in 2005

Issue	Number	Percentage of Total
Discretion	1	14%
Mitigation	1	14%
Return within 1 or 2 hours	2	29%
Signs and Lines	3	43%
Total number	7	100%

**Basildon**SPA Commencement Date: 1<sup>st</sup> April 2003**Year 2005**

Appeals Rec'd	PCN's issued	Rate of appeal per PCN	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	9,254	0.63%	39 67%	19 33%	8 14%	16 28%	24 41%	33 57%	1 2%

**Year 2004**

89	9,378	0.95%	62 70%	27 30%	17 19%	35 39%	52 58%	37 42%	0 0%
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**Year 2003**

15	5,442	0.28%	14 93%	1 7%	6 40%	6 40%	12 80%	3 20%	0 0%
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**Basildon Appeal Issues in 2005**

Issue	Number	Percentage of Total
Beyond bay markings	1	2%
Breakdown	1	2%
Disabled badge not displayed	1	2%
Loading/Unloading	2	4%
Mitigation	4	8%
No PCN on vehicle	5	9%
Ownership	7	13%
P & D Tickets	16	30%
Payment/ posting	2	4%
Procedural/ process defect/ delay	1	2%
Residents/Visitors Permit	5	9%
Return within 1 or 2 hours	1	2%
Signs and Lines	1	2%
Traffic Regulation Order	4	8%
Other	2	4%
Total Number	53	101%

**Basingstoke and Deane**SPA Commencement Date: 1<sup>st</sup> October 2002**Year 2005**

Appeals Rec'd	PCN's issued	Rate of appeal per PCN	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	9,354	0.16%	9 60%	6 40%	3 20%	7 47%	10 67%	5 33%	0 0%

**Year 2004**

10	6,614	0.15%	9 90%	1 10%	2 20%	1 10%	3 30%	7 70%	0 0%
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**Year 2003**

9	7,670	0.12%	8 89%	1 11%	4 44%	3 33%	7 78%	2 2%	0 0%
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**Year 2002-2003**

3	5,262	0.06%	3 100%	0 0%	3 100%	0 100%	3 100%	0 0%	0 0%
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**Basingstoke and Deane Appeal Issues in 2005**

Issue	Number	Percentage of Total
Disabled Bays and Badges	1	9%
Discretion	1	9%
P & D Tickets	1	9%
Residents/Visitors Permit	4	36%
Signs and Lines	2	18%
Traffic Regulation Order	1	9%
Other	1	9%
Total Number	11	99%

**Bath and North East Somerset**  
SPA Commencement Date: 17<sup>th</sup> February 2003

**Year 2005**

Appeals Rec'd	PCN's issued	Rate of appeal per PCN	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
175	47,409	0.37%	111 63%	64 37%	15 9%	52 30%	67 38%	108 62%	0 0%

**Year 2004**

245	54,588	0.45%	152 62%	93 38%	36 15%	75 31%	111 45%	134 55%	0 0%
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**Year 2003**

81	35,806	0.23%	65 80%	16 20%	21 26%	26 32%	47 58%	33 41%	1 1%
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**Year 2002-2003**

0	1,727	0%	0	0	0	0	0	0	0
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**Bath and North East Somerset Appeal Issues in 2005**

Issue	Number	Percentage of Total
Beyond bay markings	8	5%
Broken meter/machine	6	4%
CPZ	2	1%
Disabled badge not displayed	10	6%
Discretion	5	3%
Loading/Unloading	8	5%
Mitigation	11	7%
No PCN on vehicle	10	6%
P & D Tickets	26	16%
Payment/posting	2	1%
Procedural/ process defect/ delay	2	1%
Residents/Visitors Permit	23	14%
Signs and Lines	23	14%
Taken Without Consent	3	2%
Taxi Rank	2	1%
Traffic Regulation Order	4	2%
Other	18	13%
Total number	163	101%

## Bedford

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

### Year 2005

Appeals Rec'd	PCN's issued	Rate of appeal per PCN	Postal	Personal	Not Contested by council	Allowed by Adjudicator	Total allowed including not contested by council	Refused by Adjudicator incl. out of time and withdrawn by appellant	Awaiting decision
125	25,051	0.50%	71 57%	54 43%	29 23%	31 25%	60 48%	65 52%	0 0%

### Year 2004

68	25,254	0.27%	50 74%	18 26%	13 19%	20 29%	33 49%	35 51%	0 0%
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### Year 2003

78	22,490	0.35%	53 68%	25 32%	24 31%	17 22%	41 53%	30 38%	7 9%
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### Year 2002-2003

162	24,762	0.65%	115 71%	47 29%	37 23%	38 23%	75 46%	84 52%	3 2%
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### Year 2001 - 2002

68	22,777	0.30%	55 81%	13 19%	16 24%	11 16%	27 40%	34 50%	7 10%
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### Year 2000 - 2001

0	8,592	0%	0	0	0	0	0	0	0
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### Bedford Appeal Issues in 2005

Issue	Number	Percentage of Total
Car park issues	2	3%
Disabled badge not displayed	4	5%
Disabled Bays and Badges	2	3%
Discretion	4	5%
Loading/ unloading	3	4%
Mitigation	6	8%
No PCN on vehicle	10	14%
Ownership	8	11%
P & D Tickets	7	9%
Payment/ posting	4	5%
Residents/Visitors Permit	6	8%
Signs and Lines	7	9%
Other	12	15%
Total Number	75	99%



## Birmingham

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

### Year 2005

Appeals Rec'd	PCN's issued	Rate of appeal per PCN	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
403	176,382	0.23%	268 67%	135 33%	249 62%	38 9%	287 71%	113 28%	3 1%

### Year 2004

1,260	174,852	0.72%	834 66%	426 34%	803 64%	216 17%	1,019 81%	240 19%	1 0%
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### Year 2003

751	175,925	0.43%	557 74%	194 26%	509 68%	112 15%	621 83%	120 16%	10 1%
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### Year 2002-2003

630	164,055	0.38%	455 72%	175 28%	442 70%	80 13%	523 83%	102 16%	5 1%
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### Year 2001 - 2002

29	73,624	0.04%	26 90%	3 10%	28 97%	1 3%	29 100%	0 0%	0 0%
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### Birmingham Appeal Issues in 2005

Issue	Number	Percentage of Total
Beyond bay markings	2	1%
Breakdown	3	2%
Car park issues	3	2%
CPZ	2	1%
Disabled badge not displayed	8	5%
Discretion	3	2%
Hire Agreement	2	1%
Loading/Unloading	4	3%
Mitigation	8	5%
No PCN on vehicle	11	7%
Ownership	17	11%
P & D Tickets	44	29%
Payment/posting	3	2%
Remove/clamp issues	3	2%
Signs and Lines	18	12%
Taken Without Consent	4	3%
Traffic Regulation Order	5	3%
Other	10	7%
<b>Total Number</b>	<b>150</b>	<b>101%</b>

**Blackburn**SPA Commencement Date: 1<sup>st</sup> October 2004**Year 2005**

Appeals Rec'd	PCN's issued	Rate of appeal per PCN	Postal	Personal	Not Contested by council	Allowed by Adjudicator	Total allowed including not contested by council	Refused by Adjudicator incl. out of time and withdrawn by appellant	Awaiting decision
51	21,897	0.23%	27 53%	24 47%	25 49%	11 22%	36 71%	12 24%	3 6%

**Blackburn Appeal Issues in 2005**

Issue	Number	Percentage of Total
Disabled Bays and Badges	1	7%
No PCN on vehicle	4	27%
P & D Tickets	3	20%
Residents/ Visitors Permit	1	7%
Signs and Lines	3	20%
Traffic Regulation Order	3	20%
Total Number	15	101%

**Blackpool**SPA Commencement Date: 10<sup>th</sup> November 2003**Year 2005**

Appeals Rec'd	PCN's issued	Rate of appeal per PCN	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
130	56,259	0.23%	49 38%	81 62%	22 17%	45 35%	67 52%	62 48%	1 1%

**Year 2004**

126	58,374	0.22%	61 48%	65 52%	18 14%	48 38%	66 52%	56 44%	4 3%
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**Year 2003**

0	6,903	0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%
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**Blackpool Appeal Issues in 2005**

Issue	Number	Percentage of Total
Beyond bay markings	4	3%
Breakdown	2	2%
Disabled badge not displayed	7	5%
Discretion	3	2%
Loading/Unloading	19	15%
Mitigation	2	2%
P & D Tickets	15	12%
Procedural/process defect/delay	13	10%
Remove/clamp issues	4	3%
Residents/Visitors Permit	28	22%
Signs and Lines	14	11%
Taxi Rank	2	2%
Traffic Regulation Order	2	2%
Other	13	10%
Total Number	128	101%

**Bolton**SPA Commencement Date: 4<sup>th</sup> September 2000**Year 2005**

Appeals Rec'd	PCN's issued	Rate of appeal per PCN	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
221	44,342	0.50%	102 46%	119 54%	24 11%	95 43%	119 54%	100 45%	2 1%

**Year 2004**

228	44,210	0.52%	105 46%	123 54%	41 18%	91 40%	132 58%	91 40%	5 2%
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**Year 2003**

229	42,592	0.54%	107 47%	122 53%	45 20%	80 35%	125 55%	101 44%	3 1%
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**Year 2002-2003**

226	48,242	0.47%	117 52%	109 48%	40 18%	76 34%	116 51%	110 49%	0 0%
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**Year 2001 - 2002**

98	51,229	0.19%	58 59%	40 41%	29 30%	38 39%	67 68%	31 32%	0 0%
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**Year 2000 - 2001**

0	22,091	0%	0	0	0	0	0	0	0
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**Bolton Appeal Issues in 2005**

Issue	Number	Percentage of Total
Beyond bay markings	17	9%
Car park issues	2	1%
Disabled badge not displayed	11	6%
Disabled Bays and Badges	5	3%
Discretion	2	1%
Going for Change	4	2%
Hire Agreement	2	1%
Loading Bay	4	2%
Loading/ Unloading	24	13%
Mitigation	9	5%
No PCN on vehicle	7	4%
Ownership	7	4%
P & D Tickets	42	22%
Procedural/process defect/delay	3	2%
Signs and Lines	22	12%
Suspended bay	7	4%
Traffic Regulation Order	4	2%
Other	14	7%
<b>Total Number</b>	<b>186</b>	<b>100%</b>

## Bournemouth

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

### Year 2005

Appeals Rec'd	PCN's issued	Rate of appeal per PCN	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
196	35,804	0.55%	138 70%	58 30%	35 18%	66 34%	101 52%	95 48%	0 0%

### Year 2004

205	38,584	0.53%	146 71%	59 29%	50 24%	55 27%	105 51%	100 49%	0 0%
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### Year 2003

228	37,843	0.60%	147 64%	81 36%	117 51%	48 21%	165 72%	61 27%	2 1%
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### Year 2002-2003

157	37,710	0.42%	113 72%	44 28%	70 45%	19 12%	89 57%	66 42%	2 1%
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### Year 2001 - 2002

23	17,377	0.13%	14 61%	9 39%	8 35%	4 17%	12 52%	11 48%	0 0%
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### Bournemouth Appeal Issues in 2005

Issue	Number	Percentage of Total
Beyond bay markings	5	3%
Broken meter/machine	3	2%
Disabled badge not displayed	3	2%
Hire Agreement	2	1%
Loading Bay	2	1%
Loading/Unloading	8	5%
Mitigation	12	8%
No PCN on vehicle	7	5%
Ownership	29	19%
P & D Tickets	38	26%
Procedural/process defect/delay	3	2%
Residents/Visitors Permit	3	2%
Return within 1 or 2 hours	4	3%
Signs and Lines	11	7%
Traffic Regulation Order	11	7%
Other	8	7%
Total Number	149	100%

**Braintree**SPA Commencement Date: 1<sup>st</sup> October 2004**Year 2005**

Appeals Rec'd	PCN's issued	Rate of appeal per PCN	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	4,396	0.36%	10 63%	6 38%	1 6%	12 75%	13 81%	3 19%	0 0%

**Braintree Appeal Issues in 2005**

Issue	Number	Percentage of Total
Beyond Bay markings	2	17%
Loading/ unloading	1	8%
Other	3	25%
P & D Tickets	2	17%
Procedural/ process defect/ delay	2	17%
Traffic Regulation order	2	17%
Total Number	12	101%

**Brentwood**

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

**Year 2005**

Appeals Rec'd	PCN's issued	Rate of appeal per PCN	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
82	15,545	0.53%	52 63%	30 37%	26 32%	18 22%	44 54%	36 44%	2 2%

**Year 2004**

79	13,537	0.58%	51 65%	28 35%	33 42%	18 23%	51 65%	28 35%	0 0%
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**Year 2003**

26	10,278	0.25%	15 58%	11 42%	11 42%	2 8%	13 50%	7 27%	6 23%
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**Year 2002-2003**

0	2,767	0%	0	0	0	0	0	0	0
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**Brentwood Appeal Issues in 2005**

Issue	Number	Percentage of Total
Breakdown	1	2%
Loading Bay	3	6%
Loading/Unloading	1	2%
Mitigation	11	22%
No Council evidence	1	2%
No PCN on vehicle	4	8%
Ownership	3	6%
P & D Tickets	7	14%
Procedural/process defect/delay	1	2%
Residents/Visitors Permit	7	14%
Return within 1 or 2 hours	1	2%
Setting Down	1	2%
Signs and Lines	5	10%
Traffic Regulation Order	2	4%
Other	2	4%
<b>Total Number</b>	<b>50</b>	<b>100%</b>

## Brighton & Hove

SPA Commencement Date: 16<sup>th</sup> July 2001

### Year 2005

Appeals Rec'd	PCN's issued	Rate of appeal per PCN	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
385	160,018	0.24%	223 58%	162 42%	109 28%	121 31%	230 60%	154 40%	1 0%

### Year 2004

411	168,172	0.24%	265 64%	146 36%	96 23%	117 28%	213 52%	198 48%	0 0%
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### Year 2003

232	160,546	0.14%	161 69%	71 31%	61 26%	70 30%	131 56%	99 43%	2 1%
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### Year 2002-2003

140	161,382	0.09%	85 61%	55 39%	61 44%	30 21%	91 65%	48 34%	1 1%
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### Year 2001 - 2002

31	100,730	0.03%	27 87%	4 13%	16 52%	8 26%	24 78%	6 19%	1 3%
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### Brighton & Hove Appeal Issues in 2005

Issue	Number	Percentage of Total
Beyond bay markings	5	2%
Breakdown	9	3%
Broken meter/machine	2	1%
Disabled badge not displayed	13	5%
Going for change	3	1%
Loading/Unloading	14	5%
Mitigation	27	10%
Ownership	6	2%
P & D Tickets	13	5%
Payment/posting	2	1%
Procedural/process defect/delay	12	5%
Proportionality	2	1%
Residents/Visitors Permit	38	15%
Return within 1 or 2 hours	7	3%
Setting Down	3	1%
Signs and Lines	52	20%
Suspended bay	7	3%
Taken Without Consent	3	1%
Traffic Regulation Order	2	1%
Wrong contravention on PCN	4	2%
Other	40	13%
Total Number	262	100%



## Bristol

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

### Year 2005

Appeals Rec'd	PCN's issued	Rate of appeal per PCN	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
260	44,840	0.58%	185 71%	75 29%	99 38%	66 25%	165 63%	95 37%	0 0%

### Year 2004

227	54,592	0.42%	156 69%	71 31%	108 48%	51 22%	159 70%	68 30%	0 0%
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### Year 2003

224	50,630	0.44%	159 71%	65 29%	117 52%	37 17%	154 69%	68 30%	2 1%
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### Year 2002-2003

260	59,594	0.44%	183 70%	77 30%	162 62%	35 13%	197 76%	60 23%	3 1%
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### Year 2001 - 2002

166	61,317	0.27%	99 60%	67 40%	99 60%	20 12%	119 72%	43 26%	4 2%
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### Year 2000 - 2001

128	67,030	0.19%	87 68%	41 32%	66 52%	46 36%	112 88%	10 8%	6 5%
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### Bristol Appeal Issues in 2005

Issue	Number	Percentage of Total
Breakdown	2	1%
Broken meter/ machine	8	6%
Disabled badge not displayed	3	2%
Discretion	2	1%
Loading Bay	2	1%
Loading/Unloading	5	3%
Mitigation	6	4%
No PCN on vehicle	36	25%
Ownership	7	5%
P & D Tickets	15	10%
Payment/posting	10	7%
Procedural/ process defect/ delay	3	2%
Remove/clamp issues	5	3%
Return within 1 or 2 hours	2	1%
Signs and Lines	17	12%
Suspended bay	3	2%
Taxi Rank	3	2%
Traffic Regulation Order	4	3%
Other	12	10%
<b>Total Number</b>	<b>145</b>	<b>100%</b>

**Buckinghamshire [High Wycombe]**  
**SPA Commencement Date: 3<sup>rd</sup> March 1997**

**Year 2005**

Appeals Rec'd	PCN's issued	Rate of appeal per PCN	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
85	17,147	0.50%	55 65%	30 35%	17 20%	19 22%	36 42%	46 54%	3 4%

**Year 2004**

50	16,881	0.30%	32 64%	18 36%	11 22%	19 38%	30 60%	20 40%	0 0%
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**Year 2003**

30	18,607	0.16%	24 80%	6 20%	13 43%	6 20%	19 63%	10 33%	1 3%
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**Year 2002-2003**

55	13,918	0.40%	45 82%	10 18%	20 36%	7 13%	27 49%	26 47%	2 4%
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**Year 2001 - 2002**

39	14,036	0.28%	31 80%	8 20%	15 38%	9 23%	24 62%	13 33%	2 5%
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**Year 2000 - 2001**

86	17,069	0.50%	59 69%	27 31%	44 52%	15 17%	59 69%	26 30%	1 1%
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**Year 1999 - 2000 part**

54	13,261	0.41%	40 74%	14 26%	26 48%	13 24%	39 72%	15 28%	0 0%
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**Buckinghamshire [High Wycombe] Appeal Issues in 2005**

Issue	Number	Percentage of Total
Beyond Bay Markings	2	4%
Breakdown	2	4%
Disabled badge not displayed	2	4%
Discretion	2	4%
Loading/Unloading	5	11%
Mitigation	4	9%
Ownership	5	11%
P & D Tickets	4	9%
Residents/Visitors Permit	2	4%
Signs and Lines	7	15%
Traffic Regulation Order	3	6%
Other	9	19%
<b>Total Number</b>	<b>47</b>	<b>100%</b>

**Burnley**SPA Commencement Date: 6<sup>th</sup> September 2004**Year 2005**

Appeals Rec'd	PCN's issued	Rate of appeal per PCN	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	17,248	0.30%	28 54%	24 46%	21 40%	22 42%	43 83%	8 15%	1 2%

**Burnley Appeal Issues in 2005**

Issue	Number	Percentage of Total
Car park issues	1	3%
Disabled badge not displayed	1	3%
Loading/ Unloading	2	7%
Mitigation	1	3%
Ownership	3	10%
P & D Tickets	3	10%
Procedural/ process defect/ delay	2	7%
Residents/ Visitors Permit	1	3%
Return within 1 or 2 hours	1	3%
Signs and Lines	3	10%
Traffic Regulation Order	6	21%
Other	5	19%
<b>Total Number</b>	<b>29</b>	<b>99%</b>

**Bury**SPA Commencement Date: 14<sup>th</sup> October 2002**Year 2005**

Appeals Rec'd	PCN's issued	Rate of appeal per PCN	Postal	Personal	Not Contested by council	Allowed by Adjudicator	Total allowed including not contested by council	Refused by Adjudicator incl. out of time and withdrawn by appellant	Awaiting decision
73	29,252	0.25%	36 49%	37 51%	21 29%	17 23%	38 52%	32 44%	3 4%

**Year 2004**

109	28,871	0.38%	67 61%	42 39%	25 23%	27 25%	52 48%	57 52%	0 0%
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**Year 2003**

117	31,345	0.37%	58 50%	59 50%	10 9%	69 59%	79 68%	28 24%	10 9%
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**Year 2002-2003**

18	9,558	0.19%	13 72%	5 28%	3 17%	12 67%	15 83%	3 17%	0 0%
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**Bury Appeal Issues in 2005**

Issue	Number	Percentage of Total
Beyond bay markings	6	11%
CPZ	1	2%
Disabled badge not displayed	3	6%
Disabled Bays and Badges	2	4%
Discretion	2	4%
Going for Change	1	2%
Loading Bay	1	2%
Loading/Unloading	1	2%
Mitigation	4	7%
No PCN on vehicle	6	11%
Ownership	2	4%
P & D Tickets	3	6%
Payment/posting	4	7%
Procedural/process defect/delay	1	2%
Signs and Lines	9	16%
Traffic Regulation Order	1	2%
Wrong contravention on PCN	2	4%
Other	5	9%
Total Number	54	101%

**Cambridge**SPA Commencement Date: 25<sup>th</sup> October 2004**Year 2005**

Appeals Rec'd	PCN's issued	Rate of appeal per PCN	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	42,463	0.03%	5 36%	9 64%	2 14%	7 50%	9 64%	4 29%	1 7%

**Cambridge Appeal Issues in 2005**

Issue	Number	Percentage of Total
CPZ	1	20%
Signs and Lines	2	40%
Other	2	40%
Total Number	5	100%

## Canterbury

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

### Year 2005

Appeals Rec'd	PCN's issued	Rate of appeal per PCN	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	25,864	0.41%	28 27%	77 73%	26 25%	14 13%	40 38%	65 62%	0 0%

### Year 2004

66	25,856	0.26%	43 65%	23 35%	33 50%	13 20%	46 70%	20 30%	0 0%
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### Year 2003

115	25,592	0.45%	74 64%	41 36%	70 61%	24 21%	94 82%	21 18%	0 0%
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### Year 2002-2003

114	27,881	0.41%	70 61%	44 39%	39 34%	37 32%	76 67%	38 33%	0 0%
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### Year 2001 - 2002

216	29,568	0.73%	178 82%	38 18%	134 62%	27 13%	161 75%	52 24%	3 1%
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### Year 2000 - 2001

168	22,215	0.76%	124 74%	44 26%	82 49%	52 31%	134 80%	29 17%	5 3%
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### Year 1999 – 2000 part

4	8,726	0.05%	4 100%	0 0%	2 50%	1 25%	3 75%	1 25%	0 0%
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### Canterbury Appeal Issues in 2005

Issue	Number	Percentage of Total
Beyond bay markings	2	5%
Breakdown	2	5%
Disabled badge not displayed	2	5%
Going for change	2	5%
Loading/Unloading	2	5%
Mitigation	15	35%
Ownership	2	5%
P & D Tickets	5	11%
Residents/Visitors Permit	2	5%
Signs and Lines	3	7%
Other	6	12%
Total Number	43	100%

**Carlisle**SPA Commencement Date: 26<sup>th</sup> November 2001**Year 2005**

Appeals Rec'd	PCN's issued	Rate of appeal per PCN	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	16,367	0.18%	13 43%	17 57%	8 27%	11 37%	19 63%	11 37%	0 0%

**Year 2004**

52	17,442	0.30%	21 40%	31 60%	8 15%	21 40%	29 56%	22 42%	1 2%
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**Year 2003**

49	19,059	0.26%	24 49%	25 51%	6 12%	17 35%	23 47%	25 51%	1 2%
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**Year 2002-2003**

103	20,912	0.49%	54 52%	49 48%	17 17%	33 32%	50 49%	53 51%	0 0
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**Year 2001 - 2002**

0	9,623	0%	0	0	0	0	0	0	0
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**Carlisle Appeal Issues in 2005**

Issue	Number	Percentage of Total
Car park issues	1	3%
Mitigation	2	6%
Ownership	1	3%
P & D Tickets	12	36%
Procedural/ process defect/ delay	1	3%
Residents/Visitors Permit	4	12%
Signs and Lines	6	18%
Taxi Rank	1	3%
Wrong contravention on PCN	1	3%
Other	4	12%
Total Number	33	99%

**Carmarthenshire**

SPA Commencement Date: 1<sup>st</sup> February 2004

**Year 2005**

Appeals Rec'd	PCN's issued	Rate of appeal per PCN	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
38	13,902	0.27%	17 45%	21 55%	3 8%	16 42%	19 50%	19 50%	0 0%

**Year 2004**

9	9,588	0.09%	3 33%	6 67%	1 11%	7 78%	8 89%	1 11%	0 0%
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**Carmarthenshire Appeal Issues in 2005**

Issue	Number	Percentage of Total
Going for change	1	3%
Loading/ Unloading	3	10%
Mitigation	3	10%
No PCN on vehicle	2	7%
P & D Tickets	6	20%
Residents/ Visitors Permit	9	30%
Signs and Lines	3	10%
Other	3	10%
<b>Total Number</b>	<b>30</b>	<b>100%</b>

**Castle Point**

SPA Commencement Date: 1<sup>st</sup> October 2004

**Year 2005**

Appeals Rec'd	PCN's issued	Rate of appeal per PCN	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	3,360	0.42%	10 71%	4 29%	3 21%	8 57%	11 79%	3 21%	0 0%

**Castle Point Appeal Issues in 2005**

Issue	Number	Percentage of Total
Breakdown	1	11%
No PCN on vehicle	3	33%
Ownership	1	11%
P & D Tickets	2	22%
Procedural/ process defect/ delay	1	11%
Signs and Lines	1	11%
<b>Total Number</b>	<b>9</b>	<b>99%</b>



## Chelmsford

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

### Year 2005

Appeals Rec'd	PCN's issued	Rate of appeal per PCN	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	16,452	0.64%	69 65%	37 35%	32 30%	42 40%	74 70%	32 30%	0 0%

### Year 2004

151	21,706	0.70%	103 68%	48 32%	73 48%	39 26%	112 74%	39 26%	0 0%
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### Year 2003

151	21,411	0.71%	104 69%	47 31%	99 30%	46 30%	145 96%	6 4%	0 0%
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### Year 2002-2003

14	10,475	0.13%	13 93%	1 7%	5 36%	9 64%	14 100%	0 0%	0 0%
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### Chelmsford Appeal Issues in 2005

Issue	Number	Percentage of Total
Beyond Bay markings	2	3%
Breakdown	3	4%
Car park issues	2	3%
Disabled badge not displayed	3	4%
Loading/Unloading	6	9%
Mitigation	2	3%
Ownership	10	15%
P & D Tickets	9	13%
Residents/Visitors Permit	19	28%
Signs and Lines	3	4%
Traffic Regulation Order	2	3%
Other	8	11%
Total Number	69	100%

**Chorley**SPA Commencement Date: 6<sup>th</sup> September 2004**Year 2005**

Appeals Rec'd	PCN's issued	Rate of appeal per PCN	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	10,891	0.23%	19 76%	6 24%	14 56%	2 8%	16 64%	9 36%	0 0%

**Chorley Appeal Issues in 2005**

Issue	Number	Percentage of Total
Disabled Bays and Badges	1	11%
Mitigation	4	44%
Payment/ posting	1	11%
Residents/ Visitors Permit	1	11%
Signs and Lines	2	22%
Total Number	9	99%

**Christchurch**

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

**Year 2005**

Appeals Rec'd	PCN's issued	Rate of appeal per PCN	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	7,651	0.38%	17 59%	12 41%	8 28%	8 28%	16 55%	13 45%	0 0%

**Year 2004**

25	9,449	0.26%	15 60%	10 40%	2 8%	5 20%	7 28%	18 72%	0 0%
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**Year 2003**

17	6,151	0.28%	9 53%	8 47%	3 18%	9 53%	12 71%	5 29%	0 0%
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**Year 2002-2003**

0	592	0%	0	0	0	0	0	0	0
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**Christchurch Appeal Issues in 2005**

Issue	Number	Percentage of Total
Beyond bay markings	2	10%
Disabled badge not displayed	2	10%
Loading/Unloading	1	5%
Mitigation	1	5%
No PCN on vehicle	2	10%
P & D Tickets	3	15%
Return within 1 or 2 hours	1	5%
Setting Down	1	5%
Signs and Lines	7	35%
Total Number	20	100%

**Colchester**SPA Commencement Date: 1<sup>st</sup> October 2002**Year 2005**

Appeals Rec'd	PCN's issued	Rate of appeal per PCN	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
80	24,819	0.32%	59 74%	21 26%	4 5%	39 49%	43 54%	37 46%	0 0%

**Year 2004**

67	20,753	0.32%	51 76%	16 24%	9 13%	16 24%	25 37%	42 63%	0 0%
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**Year 2003**

46	16,977	0.27%	28 61%	18 39%	9 20%	25 54%	34 74%	12 26%	0 0%
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**Year 2002-2003**

10	6,340	0.16%	6 60%	4 40%	1 10%	7 70%	8 80%	2 20%	0 0%
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**Colchester Appeal Issues in 2005**

Issue	Number	Percentage of Total
Car park issues	3	4%
Disabled badge not displayed	2	3%
Loading/Unloading	11	15%
Mitigation	2	3%
No PCN on vehicle	9	13%
P & D Tickets	6	8%
Procedural/process defect/delay	13	18%
Residents/Visitors Permit	9	13%
Setting Down	2	3%
Signs and Lines	9	13%
Other	6	7%
Total Number	72	100%

## Copeland

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

### Year 2005

Appeals Rec'd	PCN's issued	Rate of appeal per PCN	Postal	Personal	Not Contested by council	Allowed by Adjudicator	Total allowed including not contested by council	Refused by Adjudicator incl. out of time and withdrawn by appellant	Awaiting decision
17	3,134	0.54%	5 29%	12 71%	1 6%	6 35%	7 41%	10 59%	0 0%

### Year 2004

7	4,615	0.15%	4 57%	3 43%	1 14%	5 71%	6 86%	1 14%	0 0%
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### Year 2003

0	1,271	0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%
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### Copeland Appeal Issues in 2005

Issue	Number	Percentage of Total
Loading Bay	1	6%
Loading/Unloading	1	6%
No Council Evidence	2	13%
Ownership	3	19%
P & D Tickets	2	13%
Return within 1 or 2 hours	1	6%
Signs and Lines	1	6%
Other	5	31%
Total Number	16	100%

## Coventry

SPA Commencement Date: 4<sup>th</sup> April 2005

### Year 2005

Appeals Rec'd	PCN's issued	Rate of appeal per PCN	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
40	14,678	0.27%	29 73%	11 28%	4 10%	9 23%	13 33%	27 68%	0 0%

### Coventry Appeal Issues in 2005

Issue	Number	Percentage of Total
Discretion	2	9%
Hire Agreement	1	5%
Loading/ Unloading	2	9%
Mitigation	1	5%
No PCN on vehicle	11	52%
P & D Tickets	1	5%
Payment/ posting	1	5%
Taxi Rank	1	5%
Other	1	5%
Total Number	21	100%

**Dacorum**

SPA Commencement Date: 6th October 2003

**Year 2005**

Appeals Rec'd	PCN's issued	Rate of appeal per PCN	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	20,625	0.14%	19 66%	10 34%	8 28%	9 31%	17 59%	12 41%	0 0%

**Year 2004**

31	19,692	0.16%	23 74%	8 26%	11 35%	12 39%	23 74%	8 26%	0 0%
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**Year 2003**

1	3,497	0.03%	1 100%	0 0%	0 0%	0 0%	0 0%	1 100%	0 0%
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**Dacorum Appeal Issues in 2005**

Issue	Number	Percentage of Total
Car park issues	1	8%
Going for Change	1	8%
Hire Agreement	1	8%
Loading Bay	1	8%
No PCN on vehicle	1	8%
P & D Tickets	3	22%
Payment/ posting	1	8%
Signs and Lines	3	22%
Traffic Regulation Order	1	8%
Total Number	13	100%

**Dartford**SPA Commencement Date: 2<sup>nd</sup> July 2001**Year 2005**

Appeals Rec'd	PCN's issued	Rate of appeal per PCN	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
8	10,684	0.07%	5 63%	3 38%	0 0%	3 38%	3 38%	5 63%	0 0%

**Year 2004**

9	9,089	0.10%	3 33%	6 67%	3 33%	2 22%	5 56%	4 44%	0 0%
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**Year 2003**

16	9,179	0.17%	9 56%	7 44%	4 25%	10 63%	14 88%	2 13%	0 0%
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**Year 2002-2003**

13	7,587	0.17%	5 38%	8 62%	0 0%	5 38%	5 38%	8 62%	0 0%
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**Year 2001 - 2002**

5	5,087	0.10%	4 80%	1 20%	1 20%	3 60%	4 80%	1 20%	0 0%
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**Dartford Appeal Issues in 2005**

Issue	Number	Percentage of Total
Loading/ Unloading	4	57%
P & D Tickets	1	14%
Signs and Lines	1	14%
Other	1	14%
Total Number	7	99%

**Denbighshire**SPA Commencement Date: 1<sup>st</sup> July 2004**Year 2005**

Appeals Rec'd	PCN's issued	Rate of appeal per PCN	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	14,155	0.20%	25 86%	4 14%	11 38%	3 10%	14 48%	15 52%	0 0%

**Year 2004**

15	6,563	0.23%	14 93%	1 7%	4 27%	5 33%	9 60%	6 40%	0 0%
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**Denbighshire Appeal Issues in 2005**

Issue	Number	Percentage of Total
Bank Holiday	1	7%
Beyond bay markings	1	7%
Loading/ Unloading	1	7%
Mitigation	1	7%
No PCN on vehicle	1	7%
P & D Tickets	1	7%
Procedural/ process defect/ delay	3	22%
Signs and Lines	3	22%
Taken Without Consent	1	7%
Traffic Regulation Order	1	7%
Total Number	14	100%



**Dorset**

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

SPA Commencement Date: 1<sup>st</sup> July 2002**Year 2005**

Appeals Rec'd	PCN's issued	Rate of appeal per PCN	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
24	13,792	0.17%	17 71%	7 29%	2 8%	6 25%	8 33%	16 67%	0 0%

**Year 2004**

29	13,991	0.21%	19 66%	10 34%	7 24%	5 17%	12 41%	17 59%	0 0%
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**Year 2003**

23	13,577	0.17%	13 57%	10 43%	6 26%	6 26%	12 52%	11 48%	0 0%
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**Year 2002-2003**

10	9,133	0.11%	6 60%	4 40%	2 20%	1 10%	3 30%	7 70%	0 0%
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**Dorset Appeal Issues in 2005**

Issue	Number	Percentage of Total
Breakdown	1	4%
Broken meter/ machine	1	4%
Car park issues	1	4%
Disabled badge not displayed	2	9%
Loading/Unloading	2	9%
Mitigation	2	9%
No PCN on vehicle	2	9%
P & D Tickets	4	17%
Payment/ posting	1	4%
Signs and Lines	5	22%
Taken Without Consent	1	4%
Wrong contravention on PCN	1	4%
Total Number	23	99%

**Dover**SPA Commencement Date: 23<sup>rd</sup> January 2001**Year 2005**

Appeals Rec'd	PCN's issued	Rate of appeal per PCN	Postal	Personal	Not Contested by council	Allowed by Adjudicator	Total allowed including not contested by council	Refused by Adjudicator incl. out of time and withdrawn by appellant	Awaiting decision
19	18,332	0.10%	15 79%	4 21%	3 16%	4 21%	7 37%	12 63%	0 0%

**Year 2004**

9	17,821	0.05%	6 67%	3 33%	1 11%	2 22%	3 33%	6 67%	0 0%
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**Year 2003**

9	16,980	0.05%	5 56%	4 44%	0 0%	5 56%	5 56%	4 44%	0 0%
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**Year 2001 - 2002**

15	16,088	0.09%	9 60%	6 40%	0 0%	5 55%	5 33%	10 67%	0 0%
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**Year 2000 - 2001**

0	4,084	0%	0	0	0	0	0	0	0
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**Dover Appeal Issues in 2005**

Issue	Number	Percentage of Total
Broken meter/ machine	1	6%
Disabled Badge not displayed	1	6%
Loading/Unloading	3	19%
P & D Tickets	2	13%
Return within 1 or 2 hours	1	6%
Signs and Lines	7	44%
Taken Without Consent	1	6%
<b>Total Number</b>	<b>16</b>	<b>100%</b>

## East Hertfordshire

SPA Commencement Date: 17<sup>th</sup> January 2005

### Year 2005

Appeals Rec'd	PCN's issued	Rate of appeal per PCN	Postal	Personal	Not Contested by council	Allowed by Adjudicator	Total allowed including not contested by council	Refused by Adjudicator incl. out of time and withdrawn by appellant	Awaiting decision
19	30,207	0.06%	11 58%	8 42%	6 32%	1 5%	7 37%	10 53%	2 11%

### East Hertfordshire Appeal Issues in 2005

Issue	Number	Percentage of Total
Discretion	1	17%
Loading/ Unloading	1	17%
Mitigation	1	17%
Payment/ posting	1	17%
Signs and Lines	2	33%
Total Number	6	101%

## East Sussex (Lewes)

SPA Commencement Date: 20<sup>th</sup> September 2004

### Year 2005

Appeals Rec'd	PCN's issued	Rate of appeal per PCN	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	20,657	0.06%	9 75%	3 25%	4 33%	4 33%	8 67%	4 33%	0 0%

### East Sussex Appeal Issues in 2005

Issue	Number	Percentage of Total
P & D Tickets	1	20%
Procedural/ process defect/ delay	1	20%
Residents/ Visitors Permit	1	20%
Taken Without Consent	1	20%
Other	1	20%
Total Number	5	100%

**Eastleigh**SPA Commencement Date: 1<sup>st</sup> October 2004**Year 2005**

Appeals Rec'd	PCN's issued	Rate of appeal per PCN	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	12,586	0.22%	24 86%	4 14%	9 32%	6 21%	15 54%	13 46%	0 0%

**Eastleigh Appeal Issues in 2005**

Issue	Number	Percentage of Total
Beyond Bay markings	1	7%
Hire Agreement	1	7%
Loading/ Unloading	1	7%
Mitigation	2	13%
Ownership	2	13%
P & D Tickets	2	13%
Setting Down	2	13%
Signs and Lines	3	20%
Other	1	7%
Total Number	15	100%

**Eden**SPA Commencement Date: 20<sup>th</sup> January 2003**Year 2005**

Appeals Rec'd	PCN's issued	Rate of appeal per PCN	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	6,908	0.46%	19 59%	13 41%	10 31%	11 34%	21 66%	11 34%	0 0%

**Year 2004**

54	7,936	0.68%	24 44%	30 56%	5 9%	25 46%	30 56%	24 44%	0 0%
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**Year 2003**

15	8,036	0.19%	8 53%	7 47%	4 27%	3 20%	7 47%	7 47%	1 7%
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**Year 2002-2003**

0	1,174	0%	0	0	0	0	0	0	0
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**Eden Appeal Issues in 2005**

Issue	Number	Percentage of Total
Beyond Bay Markings	2	6%
Car park issues	3	10%
Discretion	1	3%
Loading/Unloading	1	3%
Mitigation	2	6%
P & D Tickets	2	6%
Procedural/ process defect/ delay	1	3%
Residents/Visitors Permit	5	17%
Signs and Lines	9	29%
Wrong contravention on PCN	1	3%
Other	4	13%
Total Number	31	99%

## Epping Forest

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

### Year 2005

Appeals Rec'd	PCN's issued	Rate of appeal per PCN	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
69	23,491	0.29%	33 48%	36 52%	14 20%	25 36%	39 57%	28 41%	2 3%

### Year 2004

45	22,100	0.20%	32 71%	13 29%	8 18%	11 24%	19 42%	25 56%	1 2%
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### Year 2003

31	22,813	0.14%	13 42%	18 58%	4 13%	10 32%	14 45%	16 52%	1 3%
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### Year 2002-2003

6	8,876	0.07%	4 67%	2 33%	1 17%	0 0%	1 17%	5 83%	0 0%
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### Epping Forest Appeal Issues in 2005

Issue	Number	Percentage of Total
Disabled badge not displayed	2	4%
Mitigation	32	56%
No PCN on vehicle	4	7%
Ownership	2	4%
P & D Tickets	4	7%
Signs and Lines	5	9%
Other	8	14%
Total Number	57	101%

**Fylde****SPA Commencement Date: 6<sup>th</sup> September 2004****Year 2005**

Appeals Rec'd	PCN's issued	Rate of appeal per PCN	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
62	9,072	0.68%	28 45%	34 55%	25 40%	16 26%	41 66%	19 31%	2 3%

**Fylde Appeal Issues in 2005**

Issue	Number	Percentage of Total
Beyond bay markings	1	4%
Breakdown	5	20%
Broken meter/ machine	1	4%
Disabled badge not displayed	1	4%
Disabled Bays and Badges	1	4%
Discretion	1	4%
P & D Tickets	9	36%
Procedural/ process defect/ delay	1	4%
Signs and Lines	2	8%
Traffic Regulation Order	1	4%
Other	2	8%
Total Number	25	100%

## Gravesham

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

### Year 2005

Appeals Rec'd	PCN's issued	Rate of appeal per PCN	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
64	19,158	0.33%	46 72%	18 28%	17 27%	29 45%	46 72%	18 28%	0 0%

### Year 2004

135	20,076	0.67%	95 70%	40 30%	51 38%	32 24%	83 61%	52 39%	0 0%
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### Year 2003

27	14,042	0.19%	13 48%	14 52%	13 48%	11 41%	24 89%	3 11%	0 0%
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### Year 2002-2003

3	11,756	0.03%	3 100%	0 0%	0 0%	1 33%	1 33%	2 67%	0 0%
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### Year 2001 - 2002

22	9,600	0.23%	19 86%	3 14%	2 9%	10 46%	12 55%	10 45%	0 0%
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### Year 2000 - 2001

21	10,205	0.21%	18 86%	3 14%	1 5%	8 38%	9 43%	11 52%	1 5%
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### Gravesham Appeal Issues in 2005

Issue	Number	Percentage of Total
Beyond bay markings	1	2%
Disabled Bays and Badges	1	2%
Loading/Unloading	2	4%
No PCN on vehicle	2	4%
Ownership	3	6%
P & D Tickets	11	24%
Payment/posting	1	2%
Procedural/process defect/delay	2	4%
Residents/Visitors Permit	13	28%
Signs and Lines	3	6%
Taken Without Consent	1	2%
Traffic Regulation Order	4	9%
Other	3	6%
Total Number	47	99%



**Guildford**

SPA Commencement Date: 1<sup>st</sup> June 2004

**Year 2005**

Appeals Rec'd	PCN's issued	Rate of appeal per PCN	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
13	32,478	0.04%	10 77%	3 23%	6 46%	3 23%	9 69%	4 31%	0 0%

**Guildford Appeal Issues in 2005**

Issue	Number	Percentage of Total
Loading/ Unloading	1	20%
Setting Down	1	20%
Signs and Lines	3	60%
Total Number	5	100%

**Harlow**

SPA Commencement Date: 1st November 2003

**Year 2005**

Appeals Rec'd	PCN's issued	Rate of appeal per PCN	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	7,435	0.13%	8 80%	2 20%	6 60%	2 20%	8 80%	2 20%	0 0%

**Year 2004**

11	5,047	0.22%	10 91%	1 9%	6 55%	1 9%	7 64%	4 36%	0 0%
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**Year 2003**

0	922	0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%
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**Harlow Appeal Issues in 2005**

Issue	Number	Percentage of Total
P & D Tickets	2	50%
Signs and Lines	1	25%
Traffic Regulation Order	1	25%
Total Number	4	100%

## Harrogate

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

### Year 2005

Appeals Rec'd	PCN's issued	Rate of appeal per PCN	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	21,365	0.12%	13 52%	12 48%	1 4%	14 56%	15 60%	10 40%	0 0%

### Year 2004

52	20,495	0.25%	28 54%	24 46%	0 0%	11 21%	11 21%	41 79%	0 0%
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### Year 2003

87	20,593	0.42%	56 64%	31 36%	1 1%	26 30%	27 31%	57 66%	3 3%
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### Year 2002-2003

31	14,970	0.21%	18 58%	13 42%	1 3%	6 19%	7 23%	24 77%	0 0%
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### Harrogate Appeal Issues in 2005

Issue	Number	Percentage of Total
Beyond bay markings	1	4%
Car park issues	2	8%
Hire Agreement	1	4%
Loading Bay	1	4%
Loading/Unloading	2	8%
Mitigation	1	4%
Ownership	2	8%
P & D Tickets	1	4%
Procedural/ process defect/ delay	1	4%
Residents/Visitors Permit	2	8%
Signs and Lines	4	15%
Wrong contravention on PCN	1	4%
Other	7	26%
<b>Total Number</b>	<b>26</b>	<b>101%</b>

**Hart**SPA Commencement Date: 5<sup>th</sup> June 2002**Year 2005**

Appeals Rec'd	PCN's issued	Rate of appeal per PCN	Postal	Personal	Not Contested by council	Allowed by Adjudicator	Total allowed including not contested by council	Refused by Adjudicator incl. out of time and withdrawn by appellant	Awaiting decision
6	6,865	0.09%	3 50%	3 50%	0 0%	2 33%	2 33%	3 50%	1 17%

**Year 2004**

15	7,473	0.20%	13 87%	2 13%	1 7%	3 20%	4 27%	11 73%	0 0%
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**Year 2003**

21	6,727	0.31%	14 67%	7 33%	4 19%	7 33%	11 52%	10 48%	0 0%
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**Year 2002-2003**

9	4,290	0.21%	6 67%	3 33%	0 0%	4 44%	4 44%	5 56%	0 0%
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**Hart Appeal Issues in 2005**

Issue	Number	Percentage of Total
P & D Tickets	2	50%
Residents/ Visitors Permit	1	25%
Wrong contravention on PCN	1	25%
Total Number	4	100%

## Hastings

SPA Commencement Date: 10<sup>th</sup> May 1999

### Year 2005

Appeals Rec'd	PCN's issued	Rate of appeal per PCN	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
62	29,754	0.21%	31 50%	31 50%	7 11%	21 34%	28 45%	33 53%	1 2%

### Year 2004

113	29,617	0.38%	60 53%	53 47%	8 7%	49 43%	57 50%	55 49%	1 1%
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### Year 2003

88	32,693	0.27%	46 52%	42 48%	10 11%	34 39%	44 50%	43 49%	1 1%
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### Year 2002-2003

113	37,677	0.30%	57 50%	56 50%	12 11%	38 34%	50 44%	63 56%	0 0%
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### Year 2001 - 2002

53	46,159	0.11%	27 51%	26 49%	9 17%	26 49%	35 66%	18 34%	0 0%
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### Year 2000 - 2001

40	50,458	0.08%	19 48%	21 52%	9 23%	13 32%	22 55%	17 43%	1 2%
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### Year 1999 - 2000 part

25	36,717	0.07%	18 72%	7 28%	20 80%	4 16%	24 96%	1 4%	0 0%
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### Hastings Appeal Issues in 2005

Issue	Number	Percentage of Total
Breakdown	1	2%
Car park issues	1	2%
Disabled badge not displayed	10	22%
Loading/Unloading	2	4%
Mitigation	5	11%
Motor cycle/doctors bay	1	2%
No PCN on vehicle	3	7%
P & D Tickets	11	24%
Payment/posting	1	2%
Residents/Visitors Permit	2	4%
Return within 1 or 2 hours	1	2%
Signs and Lines	2	4%
Traffic Regulation Order	1	2%
Wrong contravention on PCN	1	2%
Other	4	9%
Total Number	46	99%

**Havant**  
**SPA Commencement Date: 4<sup>th</sup> April 2005**

**Year 2005**

Appeals Rec'd	PCN's issued	Rate of appeal per PCN	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	7,585	0.16%	9 75%	3 25%	3 25%	3 25%	6 50%	6 50%	0 0%

**Havant Appeal Issues in 2005**

Issue	Number	Percentage of Total
No PCN on vehicle	1	33%
P & D Tickets	1	33%
Signs and Lines	1	33%
Total Number	3	99%

## Herefordshire

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

### Year 2005

Appeals Rec'd	PCN's issued	Rate of appeal per PCN	Postal	Personal	Not Contested by council	Allowed by Adjudicator	Total allowed including not contested by council	Refused by Adjudicator incl. out of time and withdrawn by appellant	Awaiting decision
21	20,214	0.10%	18 86%	3 14%	0 0%	6 29%	6 29%	15 71%	0 0%

### Year 2004

22	23,182	0.09%	10 45%	12 55%	1 5%	6 27%	7 32%	15 68%	0 0%
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### Year 2003

70	24,001	0.29%	48 69%	22 31%	13 19%	24 34%	37 53%	32 46%	1 1%
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### Year 2002-2003

83	20,632	0.40%	56 67%	27 33%	26 31%	24 29%	50 60%	33 40%	0 0%
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### Year 2001 - 2002

4	6,978	0.06%	3 75%	1 25%	1 25%	0 0%	1 25%	2 50%	1 25%
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### Herefordshire Appeal Issues in 2005

Issue	Number	Percentage of Total
Car park issues	1	6%
Loading Bay	2	11%
Mitigation	2	11%
No PCN on vehicle	1	6%
P & D Tickets	3	16%
Payment/ posting	1	6%
Procedural/ process defect/ delay	2	11%
Residents/ Visitors Permit	2	11%
Signs and Lines	2	11%
Taken Without Consent	1	6%
Traffic Regulation Order	1	6%
<b>Total Number</b>	<b>18</b>	<b>101%</b>

**Hyndburn**SPA Commencement Date: 6<sup>th</sup> September 2004**Year 2005**

Appeals Rec'd	PCN's issued	Rate of appeal per PCN	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	7,246	0.30%	7 32%	15 68%	13 59%	6 27%	19 86%	3 14%	0 0%

**Hyndburn Appeal Issues in 2005**

Issue	Number	Percentage of Total
Disabled badge not displayed	1	17%
Signs and Lines	2	33%
Traffic Regulation Order	1	17%
Other	2	33%
Total Number	6	100%

**Lancaster**SPA Commencement Date: 6<sup>th</sup> September 2004**Year 2005**

Appeals Rec'd	PCN's issued	Rate of appeal per PCN	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	24,222	0.46%	87 78%	24 22%	59 53%	26 23%	85 77%	25 23%	1 1%

**Lancaster Appeal Issues in 2005**

Issue	Number	Percentage of Total
Disabled badge not displayed	3	8%
Loading/ Unloading	2	5%
No PCN on vehicle	2	5%
Ownership	4	11%
P & D Tickets	5	13%
Payment/ posting	2	5%
Procedural/ process defect/ delay	3	8%
Signs and Lines	5	13%
Traffic Regulation Order	2	5%
Other	10	28%
Total Number	38	101%

**Leeds****SPA Commencement Date: 1<sup>st</sup> March 2005****Year 2005**

Appeals Rec'd	PCN's issued	Rate of appeal per PCN	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	87,373	0.05%	37 80%	9 20%	10 22%	10 22%	20 43%	26 57%	0 0%

**Leeds Appeal Issues in 2005**

Issue	Number	Percentage of Total
Loading/ Unloading	2	40%
Signs and Lines	1	20%
Other	2	40%
Total Number	5	100%



**Liverpool**SPA Commencement Date: 1<sup>st</sup> July 2002**Year 2005**

Appeals Rec'd	PCN's issued	Rate of appeal per PCN	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	92,642	0.14%	85 65%	46 35%	28 21%	36 27%	64 49%	65 50%	2 2%

**Year 2004**

222	109,869	0.20%	125 56%	97 44%	84 38%	81 36%	165 74%	57 26%	0 0%
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**Year 2003**

138	114,268	0.12%	106 77%	32 23%	73 53%	28 20%	101 73%	33 24%	4 3%
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**Year 2002-2003**

87	61,015	0.14%	77 89%	10 11%	87 100%	0 0%	87 100%	0 0%	0 0%
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**Liverpool Appeal Issues in 2005**

Issue	Number	Percentage of Total
CPZ	3	4%
Disabled badge not displayed	4	5%
Disabled Bays and Badges	4	5%
Loading Bay	3	4%
Loading/Unloading	11	14%
No PCN on vehicle	6	8%
Ownership	4	5%
P & D Tickets	8	10%
Payment/posting	3	4%
Residents/Visitors Permit	3	4%
Signs and Lines	15	19%
Taken Without Consent	2	3%
Other	12	15%
Total Number	78	100%

## Luton

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

### Year 2005

Appeals Rec'd	PCN's issued	Rate of appeal per PCN	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
177	40,377	0.44%	126 71%	51 29%	57 32%	50 28%	107 60%	70 40%	0 0%

### Year 2004

106	43,488	0.24%	67 63%	39 37%	23 22%	43 41%	66 62%	38 36%	2 2%
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### Year 2003

150	44,698	0.34%	79 53%	71 47%	48 32%	41 27%	89 59%	57 38%	4 3%
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### Year 2002-2003

188	50,809	0.37%	135 72%	53 28%	35 19%	73 39%	108 57%	78 41%	2 1%
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### Year 2001 - 2002

92	48,153	0.19%	62 67%	30 33%	19 21%	33 36%	52 57%	37 40%	3 3%
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### Year 2000 - 2001

74	44,621	0.17%	40 54%	34 46%	24 32%	26 35%	50 67%	24 33%	0 0%
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### Year 1999 - 2000 part

14	16,668	0.08%	8 57%	6 43%	2 14%	8 57%	10 71%	3 21%	1 7%
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### Luton Appeal Issues in 2005

Issue	Number	Percentage of Total
Beyond Bay Markings	2	2%
Breakdown	4	4%
Car park issues	3	3%
Disabled badge not displayed	7	6%
Disabled Bays and Badges	3	3%
Loading/Unloading	6	5%
Mitigation	2	2%
No PCN on vehicle	21	19%
Ownership	2	2%
P & D Tickets	12	11%
Payment/ posting	2	2%
Residents/Visitors Permit	3	3%
Setting Down	3	3%
Signs and Lines	15	14%
Taken Without Consent	6	5%
Other	17	16%
<b>Total Number</b>	<b>108</b>	<b>100%</b>

## Maidstone

SPA Commencement Date: 29<sup>th</sup> September 1997

### Year 2005

Appeals Rec'd	PCN's issued	Rate of appeal per PCN	Postal	Personal	Not Contested by council	Allowed by Adjudicator	Total allowed including not contested by council	Refused by Adjudicator incl. out of time and withdrawn by appellant	Awaiting decision
136	32,547	0.42%	76 56%	60 44%	65 48%	44 32%	109 80%	27 20%	0 0%

### Year 2004

117	29,658	0.39%	79 68%	38 32%	46 39%	33 28%	79 68%	38 32%	0 0%
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### Year 2003

136	21,838	0.62%	70 51%	66 49%	21 15%	67 49%	88 65%	46 34%	2 1%
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### Year 2002-2003

131	26,857	0.49%	88 67%	43 33%	10 8%	54 41%	64 49%	60 46%	7 5%
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### Year 2001 - 2002

83	21,650	0.38%	51 61%	32 39%	7 8%	32 39%	39 47%	41 49%	3 4%
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### Year 2000 - 2001

37	19,703	0.19%	27 73%	10 27%	9 24%	10 27%	19 51%	17 46%	1 3%
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### Year 1999 – 2000 part

19	14400	0.13%	13 68%	6 32%	8 42%	3 16%	11 58%	8 42%	0 0%
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### Maidstone Appeal Issues in 2005

Issue	Number	Percentage of Total
Loading/Unloading	4	8%
No Council Evidence	21	41%
No PCN on vehicle	2	4%
P & D Tickets	4	8%
Signs and Lines	5	10%
Other	15	30%
Total Number	51	101%

**Manchester**SPA Commencement Date: 5<sup>th</sup> April 1999**Year 2005**

Appeals Rec'd	PCN's issued	Rate of appeal per PCN	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	136,005	0.29%	221 56%	174 44%	126 32%	103 26%	229 58%	162 41%	4 1%

**Year 2004**

867	135,970	0.64%	506 58%	361 42%	265 31%	224 26%	489 56%	371 43%	7 1%
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**Year 2003**

806	131,374	0.61%	528 66%	278 34%	258 32%	235 29%	493 61%	297 37%	16 2%
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**Year 2002-2003**

1,162	138,797	0.84%	719 62%	443 38%	503 43%	315 27%	818 70%	339 29%	5 1%
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**Year 2001 - 2002**

902	125,747	0.72%	609 68%	293 32%	396 44%	237 26%	633 70%	255 28%	14 2%
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**Year 2000 - 2001**

665	120,175	0.55%	417 63%	248 37%	321 48%	189 29%	510 77%	148 22%	7 1%
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**Year 1999 – 2000 part**

272	101,782	0.27%	132 49%	140 51%	87 32%	121 44%	208 76%	64 24%	0 0%
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## Manchester Appeal Issues in 2005

Issue	Number	Percentage of Total
Beyond bay markings	13	4%
Breakdown	2	1%
Broken meter/machine	4	1%
Car park issues	2	1%
CPZ	6	2%
Disabled badge not displayed	6	2%
Disabled Bays and Badges	3	1%
Going for Change	2	1%
Loading Bay	6	2%
Loading/Unloading	26	8%
Meter feeding/second P&D ticket.	2	1%
Mitigation	4	1%
No PCN on vehicle	28	8%
Ownership	24	7%
P & D Tickets	48	15%
Payment/posting	11	3%
Procedural/process defect/delay	5	2%
Proportionality	2	1%
Remove/clamp issues	7	2%
Residents/Visitors Permit	2	1%
Return within 1 or 2 hours	12	4%
Signs and Lines	54	17%
Suspended, bay	12	4%
Taken Without Consent	10	3%
Taxi Rank	7	2%
Traffic Regulation Order	4	1%
Other	21	5%
Total Number	323	100%

**Medway**SPA Commencement Date: 3<sup>rd</sup> January 2000**Year 2005**

Appeals Rec'd	PCN's issued	Rate of appeal per PCN	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
191	45,584	0.42	139 73%	52 27%	12 6%	74 39%	86 45%	104 54%	1 1%

**Year 2004**

95	47,613	0.20%	63 66%	32 34%	6 6%	42 44%	48 51%	46 48%	1 1%
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**Year 2003**

176	53,205	0.33%	102 58%	74 42%	54 31%	64 36%	118 67%	58 33%	0 0%
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**Year 2002-2003**

190	48,458	0.39%	139 73%	51 27%	58 31%	56 29%	114 60%	74 39%	2 1%
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**Year 2001 - 2002**

204	48,521	0.42%	139 68%	65 32%	73 36%	68 33%	141 69%	62 30%	1 1%
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**Year 2000 - 2001**

118	34,131	0.35%	86 73%	32 27%	83 70%	18 15%	101 85%	17 15%	0 0%
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**Medway Appeal Issues in 2005**

Issue	Number	Percentage of Total
CPZ	3	2%
Disabled badge not displayed	2	1%
Mitigation	7	5%
No PCN on vehicle	4	3%
Ownership	30	20%
P & D Tickets	30	20%
Payment/ posting	2	1%
Procedural/process defect/delay	12	8%
Residents/Visitors Permit	12	8%
Signs and Lines	22	14%
Traffic Regulation Order	11	7%
Other	14	11%
Total Number	149	100%

## Middlesbrough

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

### Year 2005

Appeals Rec'd	PCN's issued	Rate of appeal per PCN	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	12,441	0.53%	53 80%	13 20%	30 45%	9 14%	39 59%	27 41%	0 0%

### Year 2004

89	13,102	0.68%	57 64%	32 36%	30 34%	35 39%	65 73%	24 27%	0 0%
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### Year 2003

0	5,554	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%
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### Middlesbrough Appeal Issues in 2005

Issue	Number	Percentage of Total
Car park issues	1	4%
Mitigation	1	4%
Ownership	3	11%
P & D Tickets	3	11%
Payment / posting	2	7%
Residents/Visitors Permit	3	11%
Signs and Lines	10	35%
Traffic Regulation Order	2	7%
Other	3	11%
Total Number	28	101%

## Milton Keynes

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

### Year 2005

Appeals Rec'd	PCN's issued	Rate of appeal per PCN	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
97	38,794	0.25%	64 66%	33 34%	31 32%	22 23%	53 55%	43 44%	1 1%

### Year 2004

147	46,067	0.32%	96 65%	51 35%	57 39%	30 20%	87 59%	59 40%	1 1%
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### Year 2003

135	56,150	0.24%	102 76%	33 24%	93 69%	17 13%	110 81%	18 13%	7 5%
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### Year 2002-2003

93	65,923	0.14%	69 74%	24 26%	49 53%	22 24%	71 76%	12 13%	10 11%
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## Milton Keynes Appeal Issues in 2005

Issue	Number	Percentage of Total
Breakdown	1	2%
Disabled badge not displayed	1	2%
Disabled Bays and Badges	1	2%
Discretion	1	2%
Going for change	1	2%
Loading/Unloading	1	2%
Mitigation	3	6%
No PCN on vehicle	6	13%
Ownership	2	4%
P & D Tickets	11	23%
Payment/ posting	2	4%
Residents/Visitors Permit	7	15%
Return within 1 or 2 hours	1	2%
Signs and Lines	6	13%
Traffic Regulation Order	1	2%
Other	3	6%
Total Number	48	100%



**Neath Port Talbot**

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

**Year 2005**

Appeals Rec'd	PCN's issued	Rate of appeal per PCN	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 appellants	Awaiting decision
57	20,398	0.28%	42 74%	15 26%	8 14%	24 42%	32 56%	24 42%	1 2%

**Year 2004**

83	17,962	0.46%	47 57%	36 43%	41 49%	25 30%	66 80%	17 20%	0 0%
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**Year 2003**

84	16,448	0.51%	53 63%	31 37%	39 46%	24 29%	63 75%	19 23%	2 2%
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**Year 2002-2003**

110	17,028	0.65%	68 62%	42 38%	49 45%	26 24%	75 68%	34 31%	1 1%
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**Year 2001 - 2002**

76	19,644	0.39%	58 76%	18 24%	30 39%	23 30%	53 70%	16 21%	7 9%
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**Year 2000 - 2001**

117	20,496	0.57%	75 64%	42 36%	49 42%	48 41%	97 83%	19 16%	1 1%
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**Year 1999 - 2000 part**

31	13,688	0.23%	13 42%	18 58%	11 35%	11 35%	22 70%	9 30%	0 0%
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## Neath Port Talbot Appeal Issues in 2005

Issue	Number	Percentage of Total
Breakdown	1	3%
Car park issues	1	3%
Disabled badge not displayed	4	11%
Loading/Unloading	5	14%
No PCN on vehicle	5	14%
Ownership	4	11%
Payment/posting	2	6%
Residents/ Visitors Permit	2	6%
Signs and Lines	3	9%
Suspended Bay	1	3%
Taken Without Consent	2	6%
Taxi Rank	1	3%
Traffic Regulation Order	1	3%
Other	3	9%
<b>Total Number</b>	<b>35</b>	<b>101%</b>

## North Hertfordshire

SPA Commencement Date: 17<sup>th</sup> January 2005

### Year 2005

Appeals Rec'd	PCN's issued	Rate of appeal per PCN	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	15,785	0.16%	18 72%	7 28%	7 28%	9 36%	16 64%	8 32%	1 4%

## North Hertfordshire Appeal Issues in 2005

Issue	Number	Percentage of Total
Loading/ Unloading	2	17%
Mitigation	1	8%
Motor cycle/ doctors bay	1	8%
P & D Tickets	1	8%
Procedural/ process defect/ delay	3	25%
Residents/ Visitors Permit	2	17%
Signs and Lines	1	8%
Other	1	8%
<b>Total Number</b>	<b>12</b>	<b>99%</b>

## Northampton

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

### Year 2005

Appeals Rec'd	PCN's issued	Rate of appeal per PCN	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
110	52,214	0.21%	61 55%	49 45%	25 23%	27 25%	52 47%	58 53%	0 0%

### Year 2004

105	62,474	0.17%	52 50%	53 50%	48 46%	24 23%	72 69%	33 31%	0 0%
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### Year 2003

140	65,580	0.21%	87 62%	53 38%	55 39%	35 25%	90 64%	42 30%	8 6%
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### Year 2002-2003

129	71,334	0.18%	67 52%	62 48%	45 35%	46 36%	91 71%	33 26%	5 4%
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### Year 2001 - 2002

76	61,451	0.12%	41 54%	35 46%	21 28%	24 24%	45 59%	30 39%	1 1%
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## Northampton Appeal Issues in 2005

Issue	Number	Percentage of Total
Beyond bay markings	2	3%
Car park issues	5	9%
CPZ	2	3%
Disabled Badge not displayed	1	2%
Loading/Unloading	5	9%
Mitigation	1	2%
No PCN on vehicle	3	5%
Ownership	2	3%
P & D Tickets	15	25%
Payment/posting	2	3%
Return within 1 or 2 hours	2	3%
Setting Down	1	2%
Signs and Lines	12	20%
Taken Without Consent	1	2%
Traffic Regulation Order	2	3%
Other	3	5%
<b>Total Number</b>	<b>59</b>	<b>99%</b>

## Norwich

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

### Year 2005

Appeals Rec'd	PCN's issued	Rate of appeal per PCN	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
127	39,746	0.32%	60 47%	67 53%	45 35%	29 23%	74 58%	52 41%	1 1%

### Year 2004

131	36,651	0.36%	95 73%	36 27%	47 36%	19 15%	66 50%	64 49%	1 1%
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### Year 2003

54	40,971	0.13%	40 74%	14 26%	23 43%	8 15%	31 57%	22 41%	1 2%
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### Year 2002-2003

37	40,594	0.09%	27 73%	10 27%	18 49%	8 22%	26 70%	11 30%	0 0%
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### Year 2001 - 2002

0	2,995	0%	0	0	0	0	0	0	0
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### Norwich Appeal Issues in 2005

Issue	Number	Percentage of Total
Car park issues	2	3%
CPZ	2	3%
Disabled badge not displayed	1	2%
Disabled Bays and Badges	1	2%
Loading Bay	1	2%
Loading/Unloading	7	11%
Mitigation	3	5%
No PCN on vehicle	1	2%
Ownership	3	5%
P & D Tickets	2	3%
Payment/ posting	1	2%
Procedural/process defect/delay	1	2%
Residents/Visitors Permit	15	23%
Return within 1 or 2 hours	2	3%
Signs and Lines	9	14%
Taken Without Consent	3	5%
Traffic Regulation Order	1	2%
Other	9	14%
Total Number	65	100%

## Nottingham

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

### Year 2005

Appeals Rec'd	PCN's issued	Rate of appeal per PCN	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
351	75,350	0.47%	199 57%	152 43%	140 40%	81 23%	221 63%	129 37%	1 0%

### Year 2004

398	90,808	0.44%	229 58%	169 42%	169 42%	75 19%	244 61%	149 37%	5 1%
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### Year 2003

238	95,116	0.25%	149 63%	89 37%	127 53%	29 12%	156 66%	72 30%	10 4%
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### Year 2002-2003

40	43,226	0.09%	31 78%	9 23%	21 53%	2 5%	23 58%	17 43%	0 0%
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### Nottingham Appeal Issues in 2005

Issues	Number	Percentage of Total
Beyond bay markings	3	1%
Breakdown	2	1%
Broken meter/ machine	3	1%
Disabled badge not displayed	7	3%
Disabled Bays and Badges	3	1%
Discretion	2	1%
Hire Agreement	6	3%
Loading/Unloading	14	7%
Meter feeding/ second P&D Ticket	2	1%
Mitigation	15	7%
No PCN on vehicle	20	10%
Ownership	5	2%
P & D Tickets	10	5%
Procedural/process defect/delay	7	3%
Remove/clamp issues	10	5%
Residents/Visitors Permit	25	12%
Signs and Lines	45	22%
Suspended bay	2	1%
Taken Without Consent	2	1%
Taxi Rank	5	2%
Traffic Regulation Order	5	2%
Other	17	6%
<b>Total Number</b>	<b>210</b>	<b>100%</b>

## Oldham

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

### Year 2005

Appeals Rec'd	PCN's issued	Rate of appeal per PCN	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
118	29,118	0.41%	69 58%	49 42%	14 12%	42 36%	56 47%	48 41%	14 12%

### Year 2004

70	23,797	0.29%	46 66%	24 34%	9 13%	29 41%	38 54%	31 44%	1 1%
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### Year 2003

99	22,128	0.45%	66 67%	33 33%	34 34%	38 38%	72 73%	26 26%	1 1%
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### Year 2002-2003

62	24,425	0.25%	43 69%	19 31%	21 34%	23 37%	44 71%	18 29%	0 0%
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### Year 2001 - 2002

0	16,567	0%	0	0	0	0	0	0	0
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### Oldham Appeal Issues in 2005

Issue	Number	Percentage of Total
Breakdown	1	1%
Car park issues	1	1%
Disabled badge not displayed	3	3%
Disabled Bays and Badges	1	1%
Discretion	3	3%
Loading/Unloading	8	9%
Meter feeding/ second P&D Ticket	1	1%
Mitigation	2	2%
No Council evidence	1	1%
No PCN on vehicle	13	14%
Ownership	3	3%
P & D Tickets	30	32%
Residents/Visitors Permit	1	1%
Signs and Lines	15	16%
Taken Without Consent	1	1%
Taxi Rank	2	2%
Traffic Regulation Order	2	2%
Wrong contravention on PCN	1	1%
Other	6	6%
Total Number	95	100%

**Oxfordshire [Oxford]**SPA Commencement Date: 3<sup>rd</sup> February 1997**Year 2005**

Appeals Rec'd	PCN's issued	Rate of appeal per PCN	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
86	50,517	0.17%	53 62%	33 38%	29 34%	17 20%	46 53%	39 45%	1 1%

**Year 2004**

108	48,534	0.22%	69 64%	39 36%	45 42%	19 18%	64 59%	44 41%	0 0%
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**Year 2003**

193	56,970	0.34%	150 78%	43 22%	60 31%	27 14%	87 45%	104 54%	2 1%
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**Year 2002-2003**

128	51,873	0.25%	92 72%	32 25%	26 20%	58 45%	58 45%	68 53%	2 2%
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**Year 2001 - 2002**

143	50,387	0.28%	100 70%	43 30%	39 27%	31 22%	70 49%	71 50%	2 1%
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**Year 2000 - 2001**

95	50,180	0.19%	61 64%	34 36%	23 24%	24 25%	47 49%	46 49%	2 2%
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**Year 1999 - 2000 part**

86	35,665	0.24%	47 55%	39 45%	25 29%	13 15%	38 44%	46 53%	2 2%
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## Oxfordshire [Oxford] Appeal Issues in 2005

Issue	Number	Percentage of Total
Beyond bay markings	1	2%
Car park issues	1	2%
Disabled badge not displayed	2	4%
Disabled Bays and Badges	1	2%
Discretion	1	2%
Going for change	1	2%
Hire Agreement	2	4%
Loading Bay	2	4%
Loading/Unloading	4	8%
Mitigation	2	4%
No PCN on vehicle	1	2%
Ownership	4	8%
P & D Tickets	4	8%
Payment/ posting	1	2%
Residents/Visitors Permit	10	20%
Return within 1 or 2 hours	1	2%
Signs and Lines	5	10%
Suspended bay	1	2%
Taken without Consent	1	2%
Wrong contravention on PCN	1	2%
Other	4	8%
Total Number	50	100%

## Pendle

SPA Commencement Date: 6<sup>th</sup> September 2004

### Year 2005

Appeals Rec'd	PCN's issued	Rate of appeal per PCN	Postal	Personal	Not Contested by council	Allowed by Adjudicator	Total allowed including not contested by council	Refused by Adjudicator incl. out of time and withdrawn by appellant	Awaiting decision
27	8,553	0.32%	22 81%	5 19%	20 74%	2 7%	22 81%	5 19%	0 0%

## Pendle Appeal Issues in 2005

Issue	Number	Percentage of Total
Car park issues	1	20%
Loading/ Unloading	1	20%
No PCN on vehicle	1	20%
Ownership	1	20%
Procedural/ process defect/ delay	1	20%
Total Number	5	100%



## Peterborough

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

### Year 2005

Appeals Rec'd	PCN's issued	Rate of appeal per PCN	Postal	Personal	Not Contested by council	Allowed by Adjudicator	Total allowed including not contested by council	Refused by Adjudicator incl. out of time and withdrawn by appellant	Awaiting decision
23	17,909	0.13%	18 78%	5 22%	2 9%	6 26%	8 35%	14 61%	1 4%

### Year 2004

22	21,200	0.10%	9 41%	13 59%	5 23%	9 41%	14 64%	6 27%	2 9%
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### Year 2003

2	4,895	0.04%	1 50%	1 50%	2 100%	2 100%	2 100%	0 0%	0 0%
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### Peterborough Appeal Issues in 2005

Issue	Number	Percentage of Total
Disabled Bays and Badges	1	5%
Going for Change	1	5%
Loading Bay	1	5%
Loading/ Unloading	1	5%
Mitigation	1	5%
Ownership	1	5%
P & D Tickets	4	18%
Payment/ posting	1	5%
Procedural/ process defect/ delay	1	5%
Residents/Visitors Permit	4	18%
Signs and Lines	1	5%
Traffic Regulation Order	1	5%
Other	3	14%
Total Number	21	100%

## Plymouth

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

### Year 2005

Appeals Rec'd	PCN's issued	Rate of appeal per PCN	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
355	52,155	0.68%	240 68%	115 32%	45 13%	134 38%	179 50%	175 49%	1 0%

### Year 2004

395	52,100	0.76%	250 63%	145 37%	52 13%	187 47%	239 61%	156 39%	0 0%
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### Year 2003

551	49,803	1.11%	378 69%	173 31%	120 22%	205 37%	325 59%	225 41%	1 0%
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### Year 2002-2003

573	45,911	1.25%	367 64%	206 36%	188 33%	190 33%	378 66%	195 34%	0 0%
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### Year 2001 - 2002

298	43,148	0.69%	205 69%	93 31%	82 28%	83 28%	165 56%	129 43%	4 1%
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### Plymouth Appeal Issues in 2005

Issue	Number	Percentage of Total
Beyond bay markings	8	3%
Broken meter/machine	3	1%
Car park issues	6	2%
Disabled badge not displayed	12	5%
Going for Change	3	1%
Hire Agreement	2	1%
Loading Bay	3	1%
Loading/Unloading	13	5%
Mitigation	8	3%
No PCN on vehicle	13	5%
Ownership	37	15%
P & D Tickets	24	10%
Payment/posting	11	4%
Procedural/process defect/delay	2	1%
Residents/Visitors Permit	53	21%
Signs and Lines	29	12%
Taken Without Consent	3	1%
Other	22	9%
Total Number	252	100%

**Poole**

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

**Year 2005**

Appeals Rec'd	PCN's issued	Rate of appeal per PCN	Postal	Personal	Not Contested by council	Allowed by Adjudicator	Total allowed including not contested by council	Refused by Adjudicator incl. out of time and withdrawn by appellant	Awaiting decision
138	20,851	0.66%	98 71%	40 29%	20 14%	47 34%	67 49%	70 51%	1 1%

**Year 2004**

202	20,796	0.97%	135 67%	67 33%	49 24%	67 33%	116 57%	85 42%	1 0%
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**Year 2003**

146	23,640	0.62%	98 67%	48 33%	50 34%	42 29%	92 63%	54 37%	0 0%
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**Year 2002-2003**

41	22,695	0.18%	26 63%	15 37%	19 46%	10 24%	29 71%	12 29%	0 0%
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**Poole Appeal Issues in 2005**

Issue	Number	Percentage of Total
Beyond bay markings	4	3%
Disabled badge not displayed	3	2%
Discretion	2	2%
Going for Change	5	4%
Loading/Unloading	3	2%
Mitigation	9	7%
No PCN on vehicle	12	10%
Ownership	24	20%
P & D Tickets	16	13%
Payment/posting	7	6%
Residents/Visitors Permit	3	2%
Return within 1 or 2 hours	5	4%
Signs and Lines	21	17%
Traffic Regulation Order	2	2%
Other	7	6%
Total Number	123	100%

**Portsmouth**

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

**Year 2005**

Appeals Rec'd	PCN's issued	Rate of appeal per PCN	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
272	46,083	0.59%	167 61%	105 39%	138 51%	41 15%	179 66%	93 34%	0 0%

**Year 2004**

265	48,620	0.55%	177 67%	88 33%	139 52%	49 18%	188 71%	77 29%	0 0%
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**Year 2003**

246	49,169	0.5%	172 70%	74 30%	103 42%	63 26%	166 67%	77 31%	3 1%
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**Year 2002-2003**

249	47,635	0.52%	175 70%	74 30%	124 50%	57 23%	181 73%	68 27%	0 0%
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**Year 2001 - 2002**

363	43,634	0.78%	243 67%	120 33%	174 48%	95 26%	269 74%	92 25%	2 1%
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**Year 2000 - 2001**

248	47,042	0.53%	160 65%	88 35%	98 40%	78 31%	176 71%	72 29%	0 0%
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**Year 1999 – 2000 part**

34	43,147	0.08%	18 53%	16 47%	5 15%	15 44%	20 59%	14 41%	0 0%
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**Portsmouth Appeal Issues in 2005**

Issue	Number	Percentage of Total
Breakdown	2	2%
Car park issues	4	4%
CPZ	3	3%
Hire Agreement	3	3%
Loading/Unloading	7	7%
Mitigation	7	7%
No PCN on vehicle	8	8%
Ownership	8	8%
P & D Tickets	8	8%
Procedural/process defect/delay	3	3%
Residents/Visitors Permit	9	9%
Return within 1 or 2 hours	4	4%
Signs and Lines	11	11%
Taken Without Consent	3	3%
Traffic Regulation Order	8	8%
Other	11	11%
<b>Total Number</b>	<b>99</b>	<b>99%</b>

**Preston**  
**SPA Commencement Date: 6<sup>th</sup> September 2004**

**Year 2005**

Appeals Rec'd	PCN's issued	Rate of appeal per PCN	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
72	32,329	0.22%	44 61%	28 39%	17 24%	29 40%	46 64%	25 35%	1 1%

**Preston Appeal Issues in 2005**

Issue	Number	Percentage of Total
Car park issues	1	4%
Disabled badge not displayed	1	4%
Loading/ Unloading	1	4%
No PCN on vehicle	1	4%
Ownership	8	29%
P & D Tickets	2	7%
Payment/ posting	3	11%
Procedural/ process defect/ delay	3	11%
Residents/ Visitors Permit	2	7%
Signs and Lines	2	7%
Traffic Regulation Order	1	4%
Other	3	11%
Total Number	28	103%

## Reading

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

### Year 2005

Appeals Rec'd	PCN's issued	Rate of appeal per PCN	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
348	68,321	0.51%	222 64%	126 36%	85 24%	99 28%	184 53%	163 47%	1 0%

### Year 2004

561	72,139	0.78%	368 66%	193 34%	214 38%	165 29%	379 68%	181 32%	1 0%
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### Year 2003

743	69,014	1.08%	546 73%	197 27%	277 37%	219 29%	496 67%	242 33%	5 1%
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### Year 2002-2003

841	62,596	1.34%	626 74%	215 26%	398 47%	167 20%	565 67%	276 33%	0 0%
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### Year 2001 - 2002

611	58,254	1.05%	458 75%	153 25%	320 52%	100 16%	420 69%	166 27%	25 4%
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### Year 2000 - 2001

74	16,819	0.44%	60 81%	14 19%	40 54%	17 23%	57 77%	13 18%	4 5%
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### Reading Appeal Issues in 2005

Issue	Number	Percentage of Total
Beyond bay markings	3	1%
Disabled badge not displayed	7	3%
Discretion	2	1%
Loading/Unloading	7	3%
Mitigation	17	8%
Motor cycle/doctors bay	2	1%
No PCN on vehicle	23	10%
Ownership	50	23%
P & D Tickets	6	3%
Payment/posting	11	5%
Residents/Visitors Permit	42	19%
Signs and Lines	26	12%
Taken Without Consent	3	1%
Traffic Regulation Order	4	2%
Wrong contravention on PCN	3	1%
Other	15	7%
Total Number	221	100%

**Redcar and Cleveland**SPA Commencement Date: 2<sup>nd</sup> June 2003**Year 2005**

Appeals Rec'd	PCN's issued	Rate of appeal per PCN	Postal	Personal	Not Contested by council	Allowed by Adjudicator	Total allowed including not contested by council	Refused by Adjudicator incl. out of time and withdrawn by appellant	Awaiting decision
27	6,832	0.40%	20 74%	7 26%	5 19%	8 30%	13 48%	14 52%	0 0%

**Year 2004**

36	10,876	0.33%	27 75%	9 25%	14 39%	8 22%	22 61%	14 39%	0 0%
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**Year 2003**

6	7,843	0.08%	1 17%	5 83%	1 17%	1 17%	1 17%	1 17%	4 67%
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**Redcar & Cleveland Appeal Issues in 2005**

Issue	Number	Percentage of Total
Car park issues	1	6%
Hire Agreement	2	13%
Loading/Unloading	1	6%
Mitigation	1	6%
Ownership	1	6%
P & D Tickets	2	13%
Procedural/ process defect/ delay	1	6%
Residents/Visitors Permit	1	6%
Signs and Lines	3	19%
Traffic Regulation Order	1	6%
Other	2	13%
Total Number	16	100%

## Reigate and Banstead

SPA Commencement Date: 1<sup>st</sup> June 2004

### Year 2005

Appeals Rec'd	PCN's issued	Rate of appeal per PCN	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	18,369	0.12%	18 82%	4 18%	0 0%	2 9%	2 9%	20 91%	0 0%

### Year 2004

1	9,355	0.01%	1 100%	0 0%	0 0%	0 0%	0 0%	1 100%	0 0%
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### Reigate & Banstead Appeal Issues in 2005

Issue	Number	Percentage of Total
Disabled badge not displayed	1	6%
Going for change	1	6%
Hire Agreement	1	6%
P & D Tickets	1	6%
Signs and Lines	5	29%
Taken Without Consent	3	18%
Other	5	29%
Total Number	17	100%

## Ribble Valley

SPA Commencement Date: 6<sup>th</sup> September 2004

### Year 2005

Appeals Rec'd	PCN's issued	Rate of appeal per PCN	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	3,427	0.29%	8 80%	2 20%	5 50%	5 50%	10 100%	0 0%	0 0%

### Ribble Valley Appeal Issues in 2005

Issue	Number	Percentage of Total
Disabled badge not displayed	1	25%
Procedural/ process defect/ delay	1	25%
Return within 1 or 2 hours	1	25%
Signs and Lines	1	25%
Total Number	4	100%



## Rochdale

SPA Commencement Date: 4<sup>th</sup> July 2004

### Year 2005

Appeals Rec'd	PCN's issued	Rate of appeal per PCN	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
76	23,897	0.32%	51 67%	25 33%	40 53%	9 12%	49 64%	26 34%	1 1%

### Year 2004

30	14,236	0.21%	15 50%	15 50%	15 50%	6 20%	21 70%	9 30%	0 0%
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### Rochdale Appeal Issues in 2005

Issue	Number	Percentage of Total
Broken meter/ machine	1	3%
Discretion	2	6%
Loading Bay	2	6%
Loading/ Unloading	6	17%
Mitigation	1	3%
No PCN on vehicle	2	6%
Ownership	1	3%
P & D Tickets	6	17%
Signs and Lines	5	14%
Traffic Regulation Order	3	8%
Other	7	19%
Total Number	36	102%

## Rochford

SPA Commencement Date: 1<sup>st</sup> October 2004

### Year 2005

Appeals Rec'd	PCN's issued	Rate of appeal per PCN	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
34	6,097	0.56%	26 76%	8 24%	11 32%	15 44%	26 76%	8 24%	0 0%

### Rochford Appeal Issues in 2005

Issue	Number	Percentage of Total
Breakdown	1	7%
Discretion	1	7%
Loading Bay	1	7%
Loading/ Unloading	2	13%
P & D Tickets	3	20%
Signs and Lines	2	13%
Traffic Regulation Order	2	13%
Other	3	20%
Total Number	15	100%

## Rushmoor

SPA Commencement Date: 5<sup>th</sup> June 2002

### Year 2005

Appeals Rec'd	PCN's issued	Rate of appeal per PCN	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
34	13,253	0.26%	24 71%	10 29%	11 32%	6 18%	17 50%	16 47%	1 3%

### Year 2004

70	14,263	0.49%	49 70%	21 30%	12 17%	18 26%	30 43%	40 57%	0 0%
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### Year 2003

51	14,736	0.35%	31 61%	20 39%	19 37%	13 25%	32 63%	19 37%	0 0%
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### Year 2002-2003

32	12,457	0.26%	24 75%	8 25%	20 63%	6 19%	26 81%	6 19%	0 0%
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### Rushmoor Appeal Issues in 2005

Issue	Number	Percentage of Total
Disabled badge not displayed	1	5%
Loading/Unloading	3	15%
Mitigation	1	5%
No Council Evidence	3	15%
No PCN on vehicle	1	5%
Ownership	1	5%
P & D Tickets	3	15%
Payment/posting	4	20%
Residents/Visitors Permit	1	5%
Signs and Lines	1	5%
Other	1	5%
Total Number	20	100%

**Salford**SPA Commencement Date: 2<sup>nd</sup> April 2001**Year 2005**

Appeals Rec'd	PCN's issued	Rate of appeal per PCN	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 appellants	Awaiting decision
108	33,721	0.32%	68 63%	40 37%	46 43%	23 21%	69 64%	39 36%	0 0%

**Year 2004**

145	33,742	0.43%	85 59%	60 41%	77 53%	25 17%	102 70%	42 29%	1 1%
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**Year 2003**

341	31,108	1.10%	251 74%	90 26%	101 30%	189 55%	290 85%	51 15%	0 0%
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**Year 2002-2003**

415	30,831	1.35%	270 65%	145 35%	99 24%	258 62%	357 86%	56 13%	2 1%
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**Year 2001 - 2002**

38	26,258	0.14%	25 66%	13 34%	12 32%	11 29%	23 61%	10 26%	5 13%
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**Salford Appeal Issues in 2005**

Issue	Number	Percentage of Total
Beyond bay markings	6	10%
Car park issues	1	2%
CPZ	4	7%
Disabled Bays and Badges	2	3%
Going for Change	2	3%
Loading/Unloading	3	5%
No Council evidence	2	3%
No PCN on vehicle	7	12%
Ownership	2	3%
P & D Tickets	9	16%
Residents/ Visitors Permit	1	2%
Return within 1 or 2 hours	1	2%
Setting Down	1	2%
Signs and Lines	12	21%
Suspended bay	1	2%
Traffic Regulation Order	2	3%
Other	2	3%
Total Number	58	99%

## Salisbury

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

### Year 2005

Appeals Rec'd	PCN's issued	Rate of appeal per PCN	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
38	19,905	0.19%	20 53%	18 47%	5 13%	8 21%	13 34%	25 66%	0 0%

### Year 2004

32	20,484	0.16%	22 69%	10 31%	0 0%	12 38%	12 38%	20 63%	0 0%
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### Year 2003

36	21,542	0.17%	16 44%	20 56%	4 11%	19 53%	23 64%	12 33%	1 3%
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### Year 2002-2003

67	21,796	0.31%	35 52%	32 48%	15 22%	27 40%	42 63%	25 37%	0 0%
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### Year 2001 - 2002

49	22,386	0.22%	34 69%	15 31%	12 24%	16 33%	28 57%	21 43%	0 0%
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### Salisbury Appeal Issues in 2005

Issue	Number	Percentage of Total
Beyond bay markings	1	3%
Breakdown	1	3%
Disabled badge not displayed	1	3%
Discretion	2	6%
Loading Bay	1	3%
Mitigation	1	3%
No PCN on vehicle	3	9%
Ownership	1	3%
P & D Tickets	16	47%
Payment/ posting	2	6%
Residents/Visitors Permit	2	6%
Signs and Lines	3	8%
Total Number	34	100%

## Sandwell

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

### Year 2005

Appeals Rec'd	PCN's issued	Rate of appeal per PCN	Postal	Personal	Not Contested by council	Allowed by Adjudicator	Total allowed including not contested by council	Refused by Adjudicator incl. out of time and withdrawn by appellant	Awaiting decision
125	42,043	0.30%	90 72%	35 28%	32 26%	26 21%	58 46%	67 54%	0 0%

### Year 2004

140	40,838	0.34%	88 63%	52 37%	59 42%	12 9%	71 51%	69 49%	0 0%
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### Year 2003

125	42,043	0.30%	90 72%	35 28%	54 43%	25 20%	79 63%	46 37%	0 0%
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### Year 2002-2003

104	35,366	0.29%	70 67%	34 33%	41 39%	11 11%	52 50%	50 48%	2 2%
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### Year 2001 - 2002

118	38,816	0.30%	80 68%	38 32%	72 61%	13 11%	85 72%	31 26%	2 2%
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### Year 2000 - 2001

66	32,885	0.20%	54 82%	12 18%	29 44%	9 14%	38 58%	23 35%	5 7%
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### Sandwell Appeal Issues in 2005

Issue	Number	Percentage of Total
Beyond bay markings	2	3%
Breakdown	2	3%
Disabled badge not displayed	3	4%
Loading/Unloading	5	7%
Mitigation	4	6%
No Council evidence	2	3%
No PCN on vehicle	10	14%
Ownership	11	16%
P & D Tickets	11	16%
Payment/posting	3	4%
Signs and Lines	5	7%
Other	12	17%
Total Number	70	100%

## Sefton

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

### Year 2005

Appeals Rec'd	PCN's issued	Rate of appeal per PCN	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	45,108	0.12%	30 56%	24 44%	0 0%	12 22%	12 22%	42 78%	0 0%

### Year 2004

84	53,724	0.16%	54 64%	30 36%	2 2%	28 33%	30 36%	52 62%	2 2%
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### Year 2003

52	51,378	0.10%	35 67%	17 33%	3 6%	18 35%	21 40%	29 56%	2 4%
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### Year 2002-2003

50	44,975	0.11%	35 70%	15 30%	12 24%	15 30%	27 54%	23 46%	0 0%
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### Year 2001 - 2002

53	40,527	0.13%	34 64%	19 36%	8 15%	11 21%	19 36%	33 62%	1 2%
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### Year 2000 - 2001

22	37,463	0.06%	14 64%	8 36%	10 45%	6 27%	16 72%	5 23%	1 5%
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### Year 1999 – 2000 part

0	4577	0%	0	0	0	0	0	0	0
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### Sefton Appeal Issues in 2005

Issue	Number	Percentage of Total
Beyond bay markings	2	3%
Discretion	2	3%
Loading/Unloading	5	8%
Mitigation	2	3%
No PCN on vehicle	5	8%
Ownership	6	9%
P & D Tickets	21	33%
Residents/Visitors Permit	2	3%
Return within 1 or 2 hours	2	3%
Setting Down	2	3%
Signs and Lines	5	8%
Taxi Rank	2	3%
Other	8	13%
Total Number	64	100%

**Sevenoaks**

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

**Year 2005**

Appeals Rec'd	PCN's issued	Rate of appeal per PCN	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
8	8,444	0.09%	5 63%	3 38%	3 38%	2 25%	5 63%	3 38%	0 0%

**Year 2004**

12	8,870	0.14%	7 58%	5 42%	1 8%	6 50%	7 58%	5 42%	0 0%
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**Year 2003**

5	7,686	0.07%	4 80%	1 20%	0 0%	3 60%	3 60%	2 40%	0 0%
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**Year 2002-2003**

3	9,568	0.03%	2 67%	1 33%	0 0%	2 67%	2 67%	1 33%	0 0%
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**Year 2001 - 2002**

1	8,009	0.01%	1 100%	0 0%	0 0%	0 0%	0 0%	1 100%	0 0%
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**Year 2000 - 2001**

2	8,024	0.02%	2 100%	0 0%	1 50%	0 0%	1 50%	1 50%	0 0%
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**Year 1999 – 2000 part**

0	2100	0%	0	0	0	0	0	0	0
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**Sevenoaks Appeal Issues in 2005**

Issue	Number	Percentage of Total
No PCN on vehicle	1	25%
Ownership	1	25%
Signs and Lines	2	50%
Total Number	4	100%

**Sheffield**SPA Commencement Date: 4<sup>th</sup> April 2005**Year 2005**

Appeals Rec'd	PCN's issued	Rate of appeal per PCN	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	39,167	0.12%	34 74%	12 26%	21 46%	8 17%	29 63%	13 28%	4 9%

**Sheffield Appeal Issues in 2005**

Issue	Number	Percentage of Total
Breakdown	1	7%
Loading/ Unloading	1	7%
Mitigation	2	14%
No Council Evidence	1	7%
No PCN on vehicle	1	7%
Ownership	2	14%
Payment/ posting	1	7%
Signs and Lines	2	14%
Other	3	22%
Total Number	14	99%



## Shepway

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

### Year 2005

Appeals Rec'd	PCN's issued	Rate of appeal per PCN	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	12,659	0.16%	11 55%	9 45%	6 30%	3 15%	9 45%	11 55%	0 0%

### Year 2004

18	11,629	0.15%	12 67%	6 33%	1 6%	3 17%	4 22%	14 78%	0 0%
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### Year 2003

19	11,284	0.17%	15 79%	4 21%	1 5%	7 37%	8 42%	11 58%	0 0%
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### Year 2002-2003

23	10,904	0.21%	14 61%	9 39%	6 26%	7 30%	13 57%	10 43%	0 0%
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### Year 2001 - 2002

19	10,121	0.19%	15 79%	4 21%	4 21%	2 11%	6 32%	12 63%	1 5%
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### Year 2000 - 2001

18	8,620	0.21%	12 67%	6 33%	6 33%	5 28%	11 61%	6 33%	1 6%
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### Shepway Appeal Issues in 2005

Issue	Number	Percentage of Total
Disabled Bays and Badges	1	8%
Going for change	1	8%
Loading/Unloading	1	8%
Mitigation	1	8%
Ownership	1	8%
P & D Tickets	2	15%
Payment/ posting	1	8%
Residents/ Visitors Permit	1	8%
Return within 1 or 2 hours	1	8%
Setting Down	1	8%
Other	2	15%
Total Number	13	102%

## Slough

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

### Year 2005

Appeals Rec'd	PCN's issued	Rate of appeal per PCN	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
100	36,385	0.27%	76 76%	24 24%	72 72%	14 14%	86 86%	14 14%	0 0%

### Year 2004

160	42,138	0.38%	113 71%	47 29%	112 70%	16 10%	128 80%	32 20%	0 0%
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### Year 2003

91	24,000	0.38%	57 63%	34 37%	61 67%	15 16%	76 84%	14 15%	1 1%
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### Slough Appeal Issues in 2005

Issue	Number	Percentage of Total
Broken meter/ machine	3	13%
Disabled Bays and Badges	1	4%
Discretion	1	4%
Hire Agreement	1	4%
Mitigation	3	13%
No PCN on vehicle	1	4%
P & D Tickets	3	13%
Residents/Visitors Permit	2	8%
Signs and Lines	8	33%
Traffic Regulation Order	1	4%
Total Number	24	100%

**South Bedfordshire**SPA Commencement Date: 2<sup>nd</sup> February 2004**Year 2005**

Appeals Rec'd	PCN's issued	Rate of appeal per PCN	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	8,543	0.19%	8 50%	8 50%	2 13%	11 69%	13 81%	3 19%	0 0%

**Year 2004**

3	6,068	0.05%	1 33%	2 67%	3 100%	0 0%	3 100%	0 0%	0 0%
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**South Bedfordshire Appeal Issues in 2005**

Issue	Number	Percentage of Total
No Council Evidence	5	45%
Ownership	1	9%
Procedural/ process defect/ delay	2	18%
Proportionality	1	9%
Taken Without Consent	1	9%
Other	1	9%
Total Number	11	99%

## South Lakeland

SPA Commencement Date: 4<sup>th</sup> March 2002

### Year 2005

Appeals Rec'd	PCN's issued	Rate of appeal per PCN	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	13,070	0.17%	15 68%	7 32%	3 14%	10 45%	13 59%	9 41%	0 0%

### Year 2004

46	15,498	0.30%	19 41%	27 59%	21 46%	14 30%	35 76%	11 24%	0 0%
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### Year 2003

58	16,436	0.35%	42 72%	16 28%	32 55%	14 24%	46 79%	12 21%	0 0%
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### Year 2002-2003

32	11,250	0.28%	21 66%	11 34%	7 22%	8 25%	15 47%	17 53%	0 0%
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### Year 2001 - 2002

0	180	0%	0	0	0	0	0	0	0
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### South Lakeland Appeal Issues in 2005

Issue	Number	Percentage of Total
Beyond Bay markings	1	4%
Breakdown	1	4%
Car park issues	1	4%
Disabled badge not displayed	1	4%
Loading/Unloading	1	4%
No PCN on vehicle	1	4%
P & D Tickets	4	15%
Residents/ Visitors Permit	7	25%
Signs and Lines	6	22%
Wrong contravention on PCN	1	4%
Other	3	11%
<b>Total Number</b>	<b>27</b>	<b>101%</b>

## Southampton

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

### Year 2005

Appeals Rec'd	PCN's issued	Rate of appeal per PCN	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
195	52,814	0.37%	133 68%	62 32%	34 17%	52 27%	86 44%	109 56%	0 0%

### Year 2004

143	49,464	0.29%	101 71%	42 29%	24 17%	45 31%	69 48%	74 52%	0 0%
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### Year 2003

205	46,298	0.44%	118 58%	87 42%	32 16%	69 34%	101 49%	103 50%	1 0%
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### Year 2002-2003

104	49,934	0.21%	63 61%	41 39%	18 17%	30 29%	48 46%	55 53%	1 1%
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### Year 2001 - 2002

0	2,371	0%	0	0	0	0	0	0	0
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### Southampton Appeal Issues in 2005

Issue	Number	Percentage of Total
Disabled badge not displayed	11	8%
Hire Agreement	2	2%
Loading/Unloading	20	15%
Mitigation	6	4%
No PCN on vehicle	6	4%
Ownership	17	13%
P & D Tickets	10	8%
Payment/posting	2	2%
Residents/Visitors Permit	23	18%
Return within 1 or 2 hours	4	3%
Signs and Lines	19	15%
Traffic Regulation Order	2	2%
Other	8	6%
Total Number	130	100%

## Southend-on-Sea

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

### Year 2005

Appeals Rec'd	PCN's issued	Rate of appeal per PCN	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
301	42,937	0.70%	205 68%	96 32%	87 29%	81 27%	168 56%	123 41%	10 3%

### Year 2004

276	48,124	0.57%	178 64%	98 36%	134 49%	50 18%	184 67%	92 33%	0 0%
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### Year 2003

444	49,281	0.90%	322 73%	122 27%	206 46%	125 28%	331 75%	109 25%	4 1%
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### Year 2002-2003

452	53,063	0.85%	343 76%	109 24%	232 51%	105 23%	337 75%	109 24%	6 1%
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### Year 2001 - 2002

50	27,254	0.18%	43 86%	7 14%	34 68%	6 12%	40 80%	10 20%	0 0%
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### Southend-on-Sea Appeal Issues in 2005

Issue	Number	Percentage of Total
Beyond bay markings	2	1%
Breakdown	3	2%
Disabled badge not displayed	7	5%
Discretion	2	1%
Loading Bay	5	3%
Loading/Unloading	6	4%
Mitigation	5	3%
No PCN on vehicle	22	14%
Ownership	8	5%
P & D Tickets	20	13%
Payment/posting	8	5%
Procedural/process defect/delay	14	9%
Residents/ Visitors Permit	4	3%
Return within 1 or 2 hours	2	1%
Signs and Lines	21	14%
Suspended bay	4	3%
Traffic Regulation Order	3	2%
Other	19	12%
Total Number	155	100%

**St Albans**SPA Commencement Date: 1<sup>st</sup> October 2004**Year 2005**

Appeals Rec'd	PCN's issued	Rate of appeal per PCN	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	33,022	0.21%	33 47%	37 53%	46 66%	11 16%	57 81%	13 19%	0 0%

**St Albans Appeal Issues in 2005**

Issue	Number	Percentage of Total
Car park issues	1	11%
No Council Evidence	1	11%
No PCN on vehicle	2	22%
Ownership	2	22%
P & D Tickets	2	22%
Signs and Lines	1	11%
Total Number	9	99%

## Stoke-on-Trent

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

### Year 2005

Appeals Rec'd	PCN's issued	Rate of appeal per PCN	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	50,776	0.23%	64 55%	53 45%	12 10%	35 30%	47 40%	69 59%	1 1%

### Year 2004

103	53,123	0.19%	67 65%	36 35%	20 19%	29 28%	49 48%	52 50%	2 2%
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### Year 2003

209	53,307	0.39%	135 65%	74 35%	105 50%	36 17%	141 67%	63 30%	5 2%
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### Year 2002-2003

321	44,090	0.73%	227 71%	94 29%	157 49%	73 23%	230 72%	89 28%	2 21%
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### Year 2001 - 2002

127	17,413	0.73%	94 74%	33 26%	83 65%	14 11%	97 76%	27 21%	3 2%
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## Stoke-on-Trent Appeal Issues in 2005

Issue	Number	Percentage of Total
Breakdown	2	2%
Disabled badge not displayed	4	4%
Discretion	2	2%
Loading/Unloading	4	4%
Mitigation	6	7%
No PCN on vehicle	4	4%
Ownership	11	12%
P & D Tickets	26	29%
Payment/posting	5	6%
Residents/Visitors Permit	6	7%
Signs and Lines	9	10%
Traffic Regulation Order	2	2%
Other	9	10%
Total Number	90	99%



**Stratford-upon-Avon**  
**SPA Commencement Date: 4<sup>th</sup> October 2004**

**Year 2005**

Appeals Rec'd	PCN's issued	Rate of appeal per PCN	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
38	16,647	0.23%	15 39%	23 61%	10 26%	6 16%	16 42%	21 55%	1 3%

**Stratford-upon-Avon Appeal Issues in 2005**

Issue	Number	Percentage of Total
Beyond Bay markings	2	14%
Car park issues	1	7%
Loading/ Unloading	1	7%
Mitigation	4	29%
P & D Tickets	2	14%
Setting Down	1	7%
Signs and Lines	1	7%
Traffic Regulation Order	2	14%
Total Number	14	99%

## Sunderland

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

### Year 2005

Appeals Rec'd	PCN's issued	Rate of appeal per PCN	Postal	Personal	Not Contested by council	Allowed by Adjudicator	Total allowed including not contested by council	Refused by Adjudicator incl. out of time and withdrawn by appellant	Awaiting decision
81	22,650	0.36%	44 54%	37 46%	37 46%	17 21%	54 67%	27 33%	0 0%

### Year 2004

111	24,455	0.45	67 60%	44 40%	29 26%	25 23%	54 49%	56 50%	1 1%
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### Year 2003

77	27,169	0.28%	43 56%	34 44%	19 25%	12 16%	31 40%	44 57%	2 3%
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### Year 2002-2003

0	2,248	0%	0	0	0	0	0	0	0
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### Sunderland Appeal Issues in 2005

Issue	Number	Percentage of Total
Car park issues	2	4%
Disabled badge not displayed	4	8%
Disabled Bays and Badges	1	2%
Loading/Unloading	9	18%
Mitigation	1	2%
No PCN on vehicle	4	8%
Ownership	3	6%
P & D Tickets	6	12%
Return within 1 or 2 hours	2	4%
Signs and Lines	14	27%
Traffic Regulation Order	2	4%
Other	3	6%
<b>Total Number</b>	<b>51</b>	<b>101%</b>

**Swale**SPA Commencement Date: 10<sup>th</sup> January 2000**Year 2005**

Appeals Rec'd	PCN's issued	Rate of appeal per PCN	Postal	Personal	Not Contested by council	Allowed by Adjudicator	Total allowed including not contested by council	Refused by Adjudicator incl. out of time and withdrawn by appellant	Awaiting decision
17	10,537	0.16%	10 59%	7 41%	1 6%	9 53%	10 59%	7 41%	0 0%

**Year 2004**

14	10,207	0.14%	10 71%	4 29%	1 7%	9 64%	10 71%	4 29%	0 0%
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**Year 2003**

19	12,229	0.16%	15 79%	4 21%	2 11%	6 32%	8 42%	11 58%	0 0%
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**Year 2002-2003**

17	14,016	0.12%	14 82%	3 18%	2 12%	5 29%	7 41%	10 59%	0 0%
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**Year 2001 - 2002**

7	12,020	0.06%	7 100%	0 0%	2 29%	3 43%	5 71%	2 29%	0 0%
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**Year 2000 - 2001**

9	10,057	0.09%	6 67%	3 33%	2 22%	3 33%	5 55%	4 45%	0 0%
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**Year 1999 – 2000 part**

0	2,308	0%	0	0	0	0	0	0	0
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**Swale Appeal Issues in 2005**

Issue	Number	Percentage of Total
Loading/ Unloading	5	42%
P & D Tickets	4	33%
Procedural/ process defect/ delay	2	17%
Signs and Lines	1	8%
Total Number	12	100%

## Swindon

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

### Year 2005

Appeals Rec'd	PCN's issued	Rate of appeal per PCN	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	29,750	0.35%	75 71%	30 29%	19 18%	16 15%	35 33%	70 67%	0 0%

### Year 2004

172	28,666	0.60%	99 58%	73 42%	34 20%	53 31%	87 51%	85 49%	0 0%
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### Year 2003

3	9,642	0.03%	1 33%	2 67%	1 33%	1 33%	1 33%	0 0%	2 67%
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### Swindon Appeal Issues in 2005

Issue	Number	Percentage of Total
Car park issues	2	2%
Disabled badge not displayed	1	1%
Hire Agreement	1	1%
Loading/Unloading	1	1%
Mitigation	4	5%
No PCN on vehicle	26	31%
Ownership	2	2%
P & D Tickets	12	14%
Payment/posting	1	1%
Procedural/process defect/delay	1	1%
Residents/Visitors Permit	9	11%
Return within 1 or 2 hours	1	1%
Signs and Lines	19	23%
Taken Without Consent	1	1%
Other	3	4%
<b>Total Number</b>	<b>84</b>	<b>99%</b>

## Taunton Deane

SPA Commencement Date: 19<sup>th</sup> February 2001

### Year 2005

Appeals Rec'd	PCN's issued	Rate of appeal per PCN	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	16,059	0.37%	34 58%	25 42%	26 44%	14 24%	40 68%	19 32%	0 0%

### Year 2004

60	15,563	0.39%	42 70%	18 30%	23 38%	15 25%	38 63%	22 37%	0 0%
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### Year 2003

66	15,405	0.43%	38 58%	28 42%	15 23%	16 24%	31 47%	35 53%	0 0%
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### Year 2002-2003

50	18,215	0.27%	29 58%	21 42%	19 38%	7 14%	26 52%	23 46%	1 2%
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### Year 2001 - 2002

31	18,829	0.16%	19 61%	12 39%	8 26%	9 29%	17 55%	14 45%	0 0%
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### Year 2000 - 2001

0	1,809	0%	0	0	0	0	0	0	0
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## Taunton Deane Appeal Issues in 2005

Issue	Number	Percentage of Total
Beyond bay markings	4	13%
Disabled Badge not displayed	1	3%
Loading Bay	1	3%
Loading/Unloading	6	20%
Mitigation	2	6%
No PCN on vehicle	2	6%
P & D Tickets	2	6%
Residents/Visitors Permit	6	20%
Signs and Lines	6	20%
Other	1	3%
Total Number	31	100%

## Tendring

SPA Commencement Date: 1<sup>st</sup> October 2004

### Year 2005

Appeals Rec'd	PCN's issued	Rate of appeal per PCN	Postal	Personal	Not Contested by council	Allowed by Adjudicator	Total allowed including not contested by council	Refused by Adjudicator incl. out of time and withdrawn by appellant	Awaiting decision
81	14,576	0.56%	54 67%	27 33%	30 37%	32 40%	62 77%	19 23%	0 0%

### Year 2004

3	3,333	0.09%	3 100%	0 0%	0 0%	1 33%	1 33%	2 67%	0 0%
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### Tendring Appeal Issues in 2005

Issue	Number	Percentage of Total
Disabled badge not displayed	3	9%
Loading/ Unloading	2	6%
No PCN on vehicle	4	11%
Ownership	5	14%
Payment/ posting	1	3%
Procedural/ process defect/ delay	6	17%
Residents/ Visitors Permit	2	6%
Setting Down	1	3%
Signs and Lines	4	11%
Traffic Regulation Order	1	3%
Other	6	17%
Total Number	35	100%

**Test Valley**

SPA Commencement Date: 20th October 2003

**Year 2005**

Appeals Rec'd	PCN's issued	Rate of appeal per PCN	Postal	Personal	Not Contested by council	Allowed by Adjudicator	Total allowed including not contested by council	Refused by Adjudicator incl. out of time and withdrawn by appellant	Awaiting decision
21	10,022	0.21%	10 48%	11 52%	5 24%	7 33%	12 57%	9 43%	0 0%

**Year 2004**

11	8,326	0.13%	7 64%	4 36%	3 27%	5 45%	8 73%	3 27%	0 0%
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**Year 2003**

0	1,741	0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%
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**Test Valley Appeal Issues in 2005**

Issue	Number	Percentage of Total
Beyond Bay markings	2	17%
Car park issues	1	8%
Disabled Bays and Badges	1	8%
Meter feeding/ second P&D Ticket	1	8%
Mitigation	1	8%
Ownership	1	8%
Residents/Visitors Permit	2	17%
Signs and Lines	2	17%
Traffic Regulation Order	1	8%
<b>Total Number</b>	<b>12</b>	<b>99%</b>

# Thanet

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

## Year 2005

Appeals Rec'd	PCN's issued	Rate of appeal per PCN	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	17,137	0.39%	52 79%	14 21%	9 14%	19 29%	28 42%	38 58%	0 0%

## Year 2004

58	16,397	0.35%	43 74%	15 26%	12 21%	26 45%	38 66%	20 34%	0 0%
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## Year 2003

83	18,033	0.46%	64 77%	19 23%	19 23%	33 40%	52 63%	31 37%	0 0%
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## Year 2002-2003

137	19,661	0.70%	63 46%	74 54%	64 47%	26 19%	90 66%	47 34%	0 0%
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## Year 2001 - 2002

82	20,110	0.41%	68 83%	14 17%	15 18%	24 29%	39 48%	42 51%	1 1%
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## Year 2000 - 2001

30	20,667	0.15%	26 87%	4 13%	12 40%	6 20%	18 60%	11 37%	1 3%
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## Year 1999 – 2000 part

0	4,085	0%	0	0	0	0	0	0	0
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## Thanet Appeal Issues in 2005

Issue	Number	Percentage of Total
Beyond bay markings	2	4%
Disabled badge not displayed	5	10%
Loading/Unloading	7	14%
Mitigation	6	12%
Ownership	3	6%
P & D Tickets	3	6%
Signs and Lines	7	14%
Traffic Regulation Order	2	4%
Other	14	29%
<b>Total Number</b>	<b>49</b>	<b>99%</b>



### Three Rivers

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

#### Year 2005

Appeals Rec'd	PCN's issued	Rate of appeal per PCN	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	5,179	0.21%	7 64%	4 36%	0 0%	6 55%	6 55%	5 45%	0 0%

#### Year 2004

16	5,311	0.30%	8 50%	8 50%	4 25%	7 44%	11 69%	5 31%	0 10%
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#### Year 2003

10	6,354	0.16%	6 60%	4 40%	3 30%	1 10%	4 40%	5 50%	1 10%
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#### Year 2002-2003

9	6,572	0.14%	6 67%	3 33%	3 33%	2 22%	5 56%	3 33%	1 11%
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#### Year 2001 - 2002

1	4,275	0.02%	1 100%	0 0%	1 100%	0 0%	1 100%	0 0%	0 0%
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#### Three Rivers Appeal Issues in 2005

Issue	Number	Percentage of Total
Breakdown	1	8%
Disabled Badge not displayed	1	8%
Disabled Bays and Badges	2	17%
No PCN on vehicle	1	8%
Residents/Visitors Permit	1	8%
Signs and Lines	2	17%
Wrong contravention on PCN	2	17%
Other	2	17%
Total Number	12	100%

## Tonbridge & Malling

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

### Year 2005

Appeals Rec'd	PCN's issued	Rate of appeal per PCN	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	10,507	0.24%	19 76%	6 24%	2 8%	11 44%	13 52%	12 48%	0 0%

### Year 2004

10	12,250	0.08%	8 80%	2 20%	1 10%	3 30%	4 40%	5 50%	1 10%
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### Year 2003

10	14,877	0.07%	8 80%	2 20%	1 10%	5 50%	6 60%	4 40%	0 0%
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### Year 2002-2003

45	12,978	0.35%	42 93%	3 7%	37 82%	1 2%	34 84%	6 13%	1 2%
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### Year 2001 - 2002

13	12,829	0.10%	10 77%	3 23%	4 31%	2 15%	6 46%	7 54%	0 0%
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### Year 2000 - 2001

8	6,933	0.12%	7 88%	1 12%	1 12%	3 38%	4 50%	3 38%	1 12%
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### Tonbridge & Malling Appeal Issues in 2005

Issue	Number	Percentage of Total
Beyond Bay markings	1	5%
Disabled badge not displayed	2	11%
Disabled Bays and Badges	1	5%
Loading/ Unloading	5	26%
No PCN on vehicle	1	5%
P & D Tickets	7	37%
Signs and Lines	1	5%
Traffic Regulation Order	1	5%
Total Number	19	99%

**Trafford**

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

**Year 2005**

Appeals Rec'd	PCN's issued	Rate of appeal per PCN	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	43,271	0.03%	8 57%	6 43%	8 57%	4 29%	12 86%	2 14%	0 0%

**Year 2004**

59	36,498	0.16%	36 61%	23 39%	35 59%	19 32%	54 92%	5 8%	0 0%
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**Year 2003**

47	40,794	0.12%	34 72%	13 28%	18 38%	12 26%	30 64%	16 34%	1 2%
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**Year 2002-2003**

84	41,118	0.20%	52 62%	32 38%	30 36%	30 36%	60 72%	23 27%	1 1%
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**Year 2001 - 2002**

43	38,463	0.11%	32 74%	11 26%	25 58%	9 21%	34 79%	9 21%	0 0%
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**Year 2000 - 2001**

0	3,903	0%	0	0	0	0	0	0	0
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**Trafford Appeal Issues in 2005**

Issue	Number	Percentage of Total
Loading/Unloading	3	33%
No PCN on vehicle	1	11%
Ownership	1	11%
Residents/Visitors Permit	1	11%
Signs and Lines	2	22%
Taken Without Consent	1	11%
Total Number	9	99%

## Tunbridge Wells

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

### Year 2005

Appeals Rec'd	PCN's issued	Rate of appeal per PCN	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
86	30,207	0.28%	64 74%	22 26%	19 22%	31 36%	50 58%	36 42%	0 0%

### Year 2004

119	31,663	0.38%	77 65%	42 35%	20 17%	44 37%	64 34%	54 45%	1 1%
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### Year 2003

123	34,879	0.35%	95 77%	28 23%	53 43%	32 26%	85 69%	36 29%	2 2%
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### Year 2002-2003

68	23,999	0.28%	52 76%	16 24%	25 37%	13 19%	38 56%	29 43%	1 1%
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### Year 2001 - 2002

114	27,107	0.42%	81 71%	33 29%	42 37%	26 23%	68 60%	45 39%	1 1%
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### Year 2000 - 2001

24	33,639	0.07%	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	0	0
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### Tunbridge Wells Appeal Issues in 2005

Issue	Number	Percentage of Total
Car park issues	6	10%
Disabled badge not displayed	5	8%
Loading/ Unloading	7	11%
Mitigation	4	6%
No PCN on vehicle	4	6%
P & D Tickets	14	22%
Residents/Visitors Permit	4	6%
Signs and Lines	4	6%
Traffic Regulation Order	2	3%
Other	13	21%
Total Number	63	99%

**Watford**SPA Commencement Date: 27<sup>th</sup> October 1997**Year 2005**

Appeals Rec'd	PCN's issued	Rate of appeal per PCN	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	29,061	0.30%	57 65%	31 35%	19 22%	22 25%	41 47%	47 53%	0 0%

**Year 2004**

103	28,463	0.36%	59 57%	44 43%	24 23%	46 45%	70 68%	33 32%	0 0%
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**Year 2003**

94	33,294	0.28%	70 74%	24 26%	26 28%	25 27%	51 54%	43 46%	0 0%
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**Year 2002-2003**

105	40,354	0.26%	70 67%	35 33%	19 18%	22 21%	41 39%	63 60%	1 1%
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**Year 2001 - 2002**

73	37,313	0.20%	57 78%	16 22%	24 33%	14 19%	38 52%	34 47%	1 1%
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**Year 2000 - 2001**

80	36,903	0.22%	57 71%	23 29%	19 24%	19 24%	38 48%	37 46%	5 6%
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**Year 1999 - 2000 part**

71	23,034	0.31%	55 77%	16 23%	13 18%	20 28%	33 46%	37 52%	1 1%
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**Watford Appeal Issues in 2005**

Issue	Number	Percentage of Total
Disabled badge not displayed	7	10%
Football match day	3	4%
Hire Agreement	2	3%
Loading/Unloading	3	4%
No PCN on vehicle	7	10%
Ownership	3	4%
P & D Tickets	2	3%
Procedural/process defect/delay	2	3%
Residents/Visitors Permit	13	18%
Signs and Lines	12	17%
Suspended bay	2	3%
Taken Without Consent	4	6%
Other	11	15%
Total Number	71	100%

## Weymouth and Portland

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

### Year 2005

Appeals Rec'd	PCN's issued	Rate of appeal per PCN	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
13	14,426	0.09%	7 54%	6 46%	3 23%	3 23%	6 46%	7 54%	0 0%

### Year 2004

18	19,195	0.09%	9 50%	9 50%	3 17%	2 11%	5 28%	12 67%	1 6%
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### Year 2003

28	18,772	0.15%	10 36%	18 64%	19 68%	0 0%	19 68%	7 25%	2 7%
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### Year 2002-2003

0	3,764	0%	0	0	0	0	0	0	0
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### Weymouth and Portland Appeal Issues in 2005

Issue	Number	Percentage of Total
Beyond bay markings	1	8%
Breakdown	1	8%
Disabled Badge not displayed	3	25%
Mitigation	1	8%
No PCN on vehicle	1	8%
P & D Tickets	1	8%
Return within 1 or 2 hours	2	17%
Other	2	17%
<b>Total Number</b>	<b>12</b>	<b>99%</b>

**Wigan**SPA Commencement Date: 1<sup>st</sup> July 2004**Year 2005**

Appeals Rec'd	PCN's issued	Rate of appeal per PCN	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
168	28,951	0.58%	101 60%	67 40%	62 37%	52 31%	114 68%	52 31%	2 1%

**Year 2004**

26	11,647	0.22%	14 54%	12 46%	17 65%	6 23%	23 88%	2 8%	1 4%
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**Wigan Appeal Issues in 2005**

Issue	Number	Percentage of Total
Broken meter/ machine	2	3%
Car park issues	1	1%
Disabled Badge not displayed	2	3%
Disabled Bays and Badges	1	1%
Hire Agreement	1	1%
Loading/ Unloading	5	7%
No PCN on vehicle	4	5%
Ownership	6	8%
P & D Tickets	10	13%
Payment/ posting	1	1%
Procedural/ process defect/ delay	2	3%
Residents/ Visitors Permit	11	15%
Signs and Lines	17	23%
Taxi Rank	2	3%
Other	10	13%
Total Number	75	100%

**Winchester**SPA Commencement Date: 20<sup>th</sup> May 1996**Year 2005**

Appeals Rec'd	PCN's issued	Rate of appeal per PCN	Postal	Personal	Not Contested by council	Allowed by Adjudicator	Total allowed including not contested by council	Refused by Adjudicator incl. out of time and withdrawn by appellant	Awaiting decision
5	15,018	0.03%	4 80%	1 20%	0 0%	1 20%	1 20%	4 80%	0 0%

**Year 2004**

16	13,938	0.11%	8 50%	8 50%	0 0%	5 31%	5 31%	11 69%	0 0%
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**Year 2003**

26	15,866	0.16%	14 54%	12 46%	4 15%	4 15%	8 31%	18 69%	0 0%
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**Year 2002-2003**

41	20,297	0.20%	17 41%	24 59%	5 12%	12 29%	17 41%	24 59%	0 0%
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**Year 2001 - 2002**

18	20,888	0.09%	15 83%	3 17%	4 22%	3 17%	7 39%	11 61%	0 0%
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**Year 2000 - 2001**

44	23,780	0.19%	33 75%	11 25%	3 7%	15 34%	18 41%	26 59%	0 0%
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**Year 1999 - 2000 part**

39	16,441	0.24%	28 72%	11 28%	5 13%	7 18%	12 31%	26 67%	1 3%
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**Winchester Appeal Issues in 2005**

Issue	Number	Percentage of Total
Beyond bay markings	4	67%
P & D Tickets	2	33%
Total Number	6	100%



**Wirral**

SPA Commencement Date: 17th November 2003

**Year 2005**

Appeals Rec'd	PCN's issued	Rate of appeal per PCN	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
112	47,961	0.23%	59 53%	53 47%	40 36%	15 13%	55 49%	56 50%	1 1%

**Year 2004**

88	41,824	0.21%	71 81%	17 19%	42 48%	10 11%	52 59%	36 41%	0 0%
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**Year 2003**

0	4,057	0%	0	0	0	0	0	0	0
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**Wirral Appeal Issues in 2005**

Issue	Number	Percentage of Total
Breakdown	2	3%
Disabled Bays and Badges	4	6%
Loading/Unloading	8	12%
Mitigation	2	3%
Ownership	7	11%
P & D Tickets	8	12%
Residents/Visitors Permit	10	15%
Signs and Lines	4	6%
Traffic Regulation Order	2	3%
Other	20	30%
Total Number	67	101%

**Worcester**

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

**Year 2005**

Appeals Rec'd	PCN's issued	Rate of appeal per PCN	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	9,015	0.13%	7 58%	5 42%	2 17%	5 42%	7 58%	4 33%	1 8%

**Year 2004**

28	11,701	0.24%	19 68%	9 32%	10 36%	1 4%	11 39%	17 61%	0 0%
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**Year 2003**

15	14,495	0.10%	12 80%	3 20%	3 20%	3 20%	6 40%	9 60%	0 0%
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**Year 2002-2003**

0	2,647	0%	0	0	0	0	0	0	0
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**Worcester Appeal Issues in 2005**

Issue	Number	Percentage of Total
Disabled Bays and Badges	1	17%
Loading Bay	1	17%
Loading/Unloading	2	33%
Payment/posting	1	17%
Traffic Regulation Order	1	17%
Total Number	6	101%

**Wychavon****SPA Commencement Date: 11<sup>th</sup> October 2004****Year 2005**

Appeals Rec'd	PCN's issued	Rate of appeal per PCN	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	8,782	0.14%	9 75%	3 25%	0 0%	4 33%	4 33%	8 67%	0 0%

**Wychavon Appeal Issues in 2005**

Issue	Number	Percentage of Total
Beyond Bay markings	1	11%
Loading Bay	1	11%
Loading/ Unloading	2	22%
Mitigation	1	11%
P & D Tickets	1	11%
Payment/ posting	1	11%
Procedural/ process defect/ delay	1	11%
Other	1	11%
Total Number	9	99%

**Wyre****SPA Commencement Date: 6<sup>th</sup> September 2004****Year 2005**

Appeals Rec'd	PCN's issued	Rate of appeal per PCN	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	4,799	0.23%	7 64%	4 36%	2 18%	6 55%	8 73%	3 27%	0 0%

**Wyre Appeal Issues in 2005**

Issue	Number	Percentage of Total
Breakdown	1	17%
Car park issues	1	17%
Ownership	1	17%
P & D Tickets	2	33%
Residents/ Visitors Permit	1	17%
Total Number	6	101%

## York

SPA Commencement Date: 8<sup>th</sup> October 2000

### Year 2005

Appeals Rec'd	PCN's issued	Rate of appeal per PCN	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
8	27,941	0.03%	5 63%	3 38%	2 25%	3 38%	5 63%	3 38%	0 0%

### Year 2004

41	29,301	0.14%	17 41%	24 59%	10 24%	8 20%	18 44%	19 46%	4 10%
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### Year 2003

73	26,872	0.27%	53 73%	20 27%	6 8%	18 25%	24 33%	44 60%	5 7%
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### Year 2002-2003

72	27,666	0.26%	49 68%	23 32%	6 8%	17 24%	23 32%	47 65%	2 3%
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### Year 2001 - 2002

22	25,525	0.09%	17 77%	5 23%	7 32%	4 18%	11 50%	11 50%	0 0%
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### Year 2000 - 2001

12	10,211	0.12%	10 83%	2 17%	5 42%	3 25%	8 67%	4 33%	0 0%
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### York Appeal Issues in 2005

Issue	Number	Percentage of Total
Beyond Bay markings	1	6%
Discretion	1	6%
Going for change	1	6%
Mitigation	2	12%
Ownership	1	6%
P & D Tickets	3	17%
Payment/posting	1	6%
Residents/Visitors Permit	3	17%
Signs and Lines	2	12%
Traffic Regulation Order	2	12%
Total Number	17	100%

## All SPA Areas

### Year 2005

Appeals Rec'd	PCN's issued	Rate of appeal per PCN	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
9,449	3,398,675	0.28%	5,907 63%	3,542 37%	2,749 29%	2,592 27%	5,341 57%	4,019 43%	89 1%

### Year 2004

10,441	2,853,089	0.37%	6,568 63%	3,873 37%	3,603 35%	2,840 27%	6,443 62%	3,951 38%	47 0%
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### Year 2003

9,213	2,500,398	0.37%	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	2,156,813	0.40%	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	1,436,630	0.31%	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	794,851	0.28%	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	345,736	0.19%	376 58%	273 42%	204 31%	216 33%	420 64%	224 35%	5 1%
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Table 10

## All Councils Issues Summary 2005

Issue	Number of Appeals	Percentage
Bank Holiday	3	0%
Beyond bay markings	144	2%
Breakdown	74	1%
Broken meter/machine	46	1%
Car park issues	78	1%
CPZ	36	1%
Disabled badge not displayed	223	4%
Disabled Bays and Badges	57	1%
Discretion	63	1%
Football match day	3	0%
Going for Change	43	1%
Hire Agreement	40	1%
Loading Bay	53	1%
Loading/Unloading	400	7%
Meter feeding/second P&D ticket.	11	0%
Mitigation	332	6%
Motor cycle/doctors bay	6	0%
No Council evidence	43	1%
No PCN on vehicle	445	7%
Ownership	447	8%
P & D Tickets	815	14%
Payment/posting	144	2%
Procedural/process defect/delay	149	2%
Proportionality	4	0%
Remove/clamp issues	30	0%
Residents/Visitors Permit	506	9%
Return within 1 or 2 hours	74	1%
Setting Down	30	1%
Signs and Lines	821	14%
Suspended bay	41	1%
Taken Without Consent	73	1%
Taxi Rank	34	1%
Traffic Regulation Order	157	3%
Wrong contravention on PCN	32	1%
Other	409	7%
<b>Total Number</b>	<b>5866</b>	<b>101%</b>

Table 11

**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 2005.

**Contraventions On-street & Car parks**

<b>Type of Contravention (On-street)</b>	<b>Occurrence</b>
Parked in a restricted street during prescribed hours	30%
Parked or loading/unloading in a restricted street where waiting and loading/unloading restrictions are in force	4%
Parked after the expiry of paid for time at a pay & display bay	4%
Parked without clearly displaying a valid pay & display ticket	8%
Parked in a residents' parking space without clearly displaying a valid residents' parking permit	9%
Parked in a permit space without displaying a valid permit	4%
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	1%
Parked in a loading place during restricted hours without loading	3%
Parked for longer than permitted	6%
Parked in a disc parking place without clearly displaying a valid disc	1%
Parked in a designated disabled person's parking place without clearly displaying a valid disabled person's badge	3%
Parked on a taxi rank	1%
Parked on a restricted bus stop/stand	1%
<b>Type of Contravention (Car parks)</b>	<b>Occurrence</b>
Parked after the expiry of time paid for in a pay & display car park	5%
Parked in a pay & display car park without clearly displaying a valid pay & display ticket	11%
Parked in a permit bay without clearly displaying a valid permit	1%
Parked beyond the bay markings	3%
Parked in a disabled person's parking space without clearly displaying a valid disabled person's badge	1%
Other	2%
<b>All</b>	<b>100%</b>





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

### **REPORT FOR RESOLUTION**

**DATE:** 30<sup>th</sup> June 2006

**AGENDA ITEM:** Number 12

**SUBJECT:** Establishment of Executive Sub-Committee  
Committee.

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

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#### **PURPOSE OF REPORT**

To request the Committee to consider the establishment of an Executive Sub-Committee and its Terms of Reference for the forthcoming year.

#### **RECOMMENDATIONS**

It is recommended that the Joint Committee, establishes an Executive Sub-Committee to act on behalf of the Committee until the annual meeting in June 2007, 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 over 160 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 31<sup>st</sup> January each year to set a budget of estimated expenditure for the following year and to determine the amount of contribution of member Councils. There are also other financial matters that could arise in relation to the audit of the joint committee's accounts. 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) All financial matters not delegated to officers under the requirements of the Accounts and Audit Regulations, including approving and reviewing a System of Internal Control, and consideration of any key matters that arise from the Auditor's annual Governance Report (including the draft audit report on the accounts and any matters in relation to their VFM conclusion).

##### **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:** 30<sup>th</sup> June 2006  
**AGENDA ITEM:** Number 13  
**SUBJECT:** Appointments to the Advisory Board  
**REPORT OF:** The Lead Officer

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**PURPOSE OF REPORT**

To agree the terms of reference of and make appointments to the Advisory Board.

**RECOMMENDATIONS**

It is recommended that the Joint Committee:

- [i] To adopt the Terms of Reference and Composition of the Advisory Board as detailed in the Appendix.
- [ii] To appoint the members of the Advisory Board as detailed in the Appendix.
- [iii] The Committee may wish to express their thanks to Alan Jowsey and Kevin Delaney for the significant contributions they have each made to the Advisory Board and the Joint Committee.

**CONTACT OFFICERS**

Bob Tinsley, NPAS Headquarters, Barlow House, Minshull Street,  
Manchester, M1 3DZ  
Tel: 0161 242 5252

**BACKGROUND DOCUMENTS**

NPASJC agreement.  
Standing Orders of the NPASJC.  
Scheme of Delegated Functions.

## **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, except for matters of urgency, the Lead Officer is required to consult with the Advisory Board.
- 1.2 At the meeting held on 19th November 2001 the re-established the Terms of Reference for appointments to their Advisory Board. To enable an effective and efficient arrangement for matters relating to the NPASJC and the BLASJC it is proposed to amend the terms of reference and composition of appointments with minor amendments to reflect the additional bus lane adjudications function.
- 1.3 At the meeting held on 30<sup>th</sup> June 2005 the Joint Committee made appointments for the period ending at the Annual meeting in June 2006, these are detailed in the appendix. It is proposed to add to these appointments a representative of a bus lane enforcing council.
- 1.4 The Joint Committee are invited to adopt the terms of reference and make the appointments recommended in the Appendix.

### **1.5 Retirement of Alan Jowsey**

Alan Jowsey of Winchester City Council was the District Council representative on the advisory board for a number of years until his retirement at the end of May 2006.

Alan was a very helpful member of the advisory board and was able to play a full part in the business of the board generally.

### **1.6 Retirement of Kevin Delaney**

Kevin Delaney of the RAC Foundation has been the Motoring Association representative on the advisory board for a number of years. Kevin will be retiring in December this year and has therefore suggested he should now step down from the advisory board.

Kevin's background as a former Metropolitan Police officer before he joined the RAC Foundation gave him a unique background from which he was able to make a unique and significant contribution to the business of the advisory board. He has been a member and chair of our appellants user group and has made several contributions to our annual conferences for council officers

- 1.7 The Committee may wish to express their thanks to both Alan Jowsey and Kevin Delaney for the significant contributions they have each made to the Advisory Board and the NPASJC.



## APPENDIX

### Advisory Board Terms of Reference.

1. To advise the Joint Committee on the overall policies and strategies for administering the service and on its responsibilities under the Road Traffic Act 1991 and Transport Act 2000.
2. To monitor the service delivery and review the service structure, organisation and administration and to scrutinise recommendations for changes before they are put before the Joint Committee
3. To monitor and review the service capital and revenue budgets and to scrutinise recommendations for changes before they are put before the Joint Committee
4. To assist and advise the Head of Service 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 up to eleven people:

- Seven representatives of 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
  - At least one representing a bus lane enforcement 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 NPAS Joint Committee held on 30<sup>th</sup> June 2005 the following (updated) local authority members were appointed and retire as set out below.

#### June 2006

Hampshire	Peter Bayless	English Shire
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#### June 2007

Manchester	Andrew Scallan	English Met Authority
Winchester	Andy Hickman	English District

#### June 2008

Hertfordshire	Deborah Davis	English Shire
Carmarthenshire	Trevor Sage	Welsh Authority

#### June 2009

Bournemouth	John Satchwell	English Unitary
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On this basis the English Shire representative, Hampshire County Council – Peter Bayless, becomes eligible for re-appointment. The Lead Officer recommends this re-appointment.

### Department for Transport Member

This is a matter for the DfT to decide from time to time. Currently 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 2009.

### Motoring Organisation Member

The Advisory Board considers 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. However, Kevin Delaney will be retiring in December this year and has therefore suggested he should now step down. Paul Watters of the AA Motoring Trust has indicated that he would be willing to fulfill this role, it is therefore recommended that Paul Watters be appointed.

### Bus Lane Member

The Joint Committee is recommended to make the above appointments to its advisory board plus an authority that has agreed to impose penalty charges for bus lane contraventions. Brighton & Hove Council is such a council and have indicated their agreement to an appointment. Carolyn Dwyer would be their advisory board member. The appointment would be for a period of four years.

- ✓ 5. **MINUTES**  
(a) To approve as a correct record the Minutes of the meeting held at 11.45am on 30<sup>th</sup> June 2005  
**[Enclosed]**
- ✓ (b) To note the Minutes of the Executive Sub-committee meeting held at 11.45am on 31<sup>st</sup> January 2006  
**[Enclosed]**

- Council report. Access Audit letter?*
6. **FINAL REVENUE AND CAPITAL ACCOUNTS 2005/2006**  
(a) To submit for approval the Revenue and Capital Accounts of the Joint Committee for the year 2005/2006.  
**[Report enclosed]**

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

8. **GENERAL PROGRESS AND SERVICE STANDARDS**  
To provide information in respect of the take up of decriminalised parking enforcement powers by Councils in England [outside London] and Wales.  
To provide monitoring information regarding service charter standards.  
**[Report enclosed]**

9. **NEW OPERATIONAL NAME**  
Presentation by David Wilkinson, UNIT Communications Group.  
**[Copy of the research report included in item 10 report]**

10. **INTEGRATION OF BUS LANE APPEALS & NPAS RE-NAME**  
To note that a separate joint committee arrangement has been established for the appointment of bus lane adjudicators for England (outside London).  
To agree that the processing of the appeals bus lane appeals will be administered alongside parking appeals.  
To agree that the operation of the parking and bus lane tribunals be merged under the new name "Traffic Penalty Tribunal".  
**[Report enclosed]**

## NATIONAL PARKING ADJUDICATION SERVICE JOINT COMMITTEE

### REPORT FOR RESOLUTION

**DATE:** 30<sup>th</sup> June 2006  
**AGENDA ITEM:** Number 14  
**SUBJECT:** Retirement of Service Director  
**REPORT OF:** The Lead Officer

---

#### PURPOSE OF REPORT

To note that the Service Director will be retiring on 31<sup>st</sup> July 2006.  
To appoint the Head of Service as the proper officer to the parking adjudicators regulations.

#### RECOMMENDATIONS

It is recommended that the Joint Committee:

- [i] To note that the Service Director will be retiring on 31<sup>st</sup> July 2006.
- [ii] To note that Louise Hutchinson has been appointed as the Head of Service.
- [iii] To appoint the Head of Service as the Proper Officer to the parking adjudicators regulations

#### CONTACT OFFICERS

Bob Tinsley, NPAS Headquarters, Barlow House, Minshull Street,  
Manchester, M1 3DZ  
Tel: 0161 242 5252

#### BACKGROUND DOCUMENTS

Report to the NPASJC 30<sup>th</sup> June 2005 - Review of Management Structure within NPAS  
(Public excluded LGA 1972, Paragraph 1, Information relating to individuals).

The Road Traffic (Parking Adjudicators) (England and Wales) Regulations  
1999. S.I.1999 No. 1918.

## **1.0 Background**

1.1 At the meeting held on 30<sup>th</sup> June 2005 it was agreed:

1. To approve the disestablishment of the current post of Service Director;
2. To approve the establishment of a new post to replace the Service Director;
3. To support the voluntary early retirement of the present Service Director with effect from 31<sup>st</sup> July, 2006;
4. To delegate to the Lead Authority acting in consultation with the Chair, Deputy and Assistant Chair of the Joint Committee and with the Chair of the Advisory Board, the arrangements for the appointment to the new post;
5. To grant delegated authority to the Lead Officer and Head of Personnel in consultation with the Chair, Deputy Chair and Assistant Chair of the Committee and with the Chair of the Advisory Board to conduct and implement a review of the entire NPAS staffing structure;

1.2 As a result of this agreement the committee are requested to note that Mr R D Tinsley, the Service Director will be retiring on 31<sup>st</sup> July 2006.

1.3 The committee is requested to note that Louise Hutchinson has been appointed as Head of Service and has taken up her post from 12<sup>th</sup> June 2006.

1.4 Previously the committee appointed the Service Director as the Proper Officer to the parking adjudicators regulations. The proper officer has a number of statutory duties to perform in relation to the administration and registration of parking appeals and other ancillary applications.

1.5 It is therefore recommended that the Head of Service be appointed as the proper officer to the parking adjudicators regulations with effect from 1<sup>st</sup> July 2006.

1.6 The review of the NPAS staffing structure has been delayed until the new Head of Service has had sufficient time to consider the related matters.

## **2.0 Bob Tinsley**

2.1 Bob Tinsley has been closely involved from the mid-1990s in the introduction of Decriminalised Parking Enforcement (DPE) throughout

England and Wales. As Project Manager at Manchester City Council he was instrumental in planning the introduction of DPE in the city.

- 2.2 A particular problem at that time was that as more authorities outside London planned to introduce DPE, it was becoming essential to establish a joint committee to set up a national adjudication service. Bob was one of the driving forces in establishing the joint committee and in advising Manchester City Council on becoming the Lead Authority.
- 2.3 Bob was then appointed as the first NPAS Service Director and played a major role in setting up the service in 1999 and managing its development through the last seven years of dramatic expansion of DPE throughout the country. The successful and efficient operation of the service is in large measure due to Bob's effective management and planning during this period.
- 2.4 The Committee may wish to express its thanks to Bob and appreciation of his fundamental role in helping to establish NPAS, advising the Joint Committee and managing the service as it has developed over the last seven years of rapid expansion.





**NATIONAL PARKING ADJUDICATION SERVICE JOINT COMMITTEE**

**REPORT FOR RESOLUTION**

**DATE:** 30<sup>th</sup> June 2006  
**AGENDA ITEM:** Number 14  
**SUBJECT:** Retirement of Service Director  
**REPORT OF:** The Lead Officer

---

**PURPOSE OF REPORT**

To note that the Service Director will be retiring on 31<sup>st</sup> July 2006.  
To appoint the Head of Service as the proper officer to the parking adjudicators regulations.

**RECOMMENDATIONS**

It is recommended that the Joint Committee:

- [i] To note that the Service Director will be retiring on 31<sup>st</sup> July 2006.
- [ii] To note that Louise Hutchinson has been appointed as the Head of Service.
- [iii] To appoint the Head of Service as the Proper Officer to the parking adjudicators regulations.
- [iv] The Committee may wish to express its thanks to Bob Tinsley and appreciation of his fundamental role in helping to establish NPAS, advising the Joint Committee and managing the service as it has developed over the last seven years of rapid expansion.

**CONTACT OFFICERS**

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**BACKGROUND DOCUMENTS**

Report to the NPASJC 30th June 2005 - Review of Management Structure within NPAS (Public excluded LGA 1972, Paragraph 1, Information relating to individuals).

The Road Traffic (Parking Adjudicators) (England and Wales) Regulations 1999. S.I.1999 No. 1918.

## **1.0 Background**

1.1 At the meeting held on 30<sup>th</sup> June 2005 it was agreed:

1. To approve the disestablishment of the current post of Service Director;
2. To approve the establishment of a new post to replace the Service Director;
3. To support the voluntary early retirement of the present Service Director with effect from 31<sup>st</sup> July, 2006;
4. To delegate to the Lead Authority acting in consultation with the Chair, Deputy and Assistant Chair of the Joint Committee and with the Chair of the Advisory Board, the arrangements for the appointment to the new post;
5. To grant delegated authority to the Lead Officer and Head of Personnel in consultation with the Chair, Deputy Chair and Assistant Chair of the Committee and with the Chair of the Advisory Board to conduct and implement a review of the entire NPAS staffing structure;

1.2 As a result of this agreement the committee are requested to note that Mr R D Tinsley, the Service Director will be retiring on 31<sup>st</sup> July 2006.

1.3 The committee is requested to note that Louise Hutchinson has been appointed as Head of Service and has taken up her post from 12<sup>th</sup> June 2006.

1.4 Previously the committee appointed the Service Director as the Proper Officer to the parking adjudicator regulations. The proper officer has a number of statutory duties to perform in relation to the administration and registration of parking appeals and other ancillary applications.

1.5 It is therefore recommended that the Head of Service be appointed as the Proper Officer to the parking adjudicators regulations with effect from 1<sup>st</sup> July 2006.

1.6 The review of the NPAS staffing structure has been delayed until the new Head of Service has had sufficient time to consider the related matters.

## **2.0 Bob Tinsley**

2.1 Bob Tinsley has been closely involved from the mid-1990s in the introduction of Decriminalised Parking Enforcement (DPE) throughout England and Wales. As Project Manager at Manchester City Council he was instrumental in planning the introduction of DPE in the city.

- 2.2 A particular problem at that time was that as more authorities outside London planned to introduce DPE, it was becoming essential to establish a joint committee to set up a national adjudication service. Bob was one of the driving forces in establishing the joint committee and in advising Manchester City Council on becoming the Lead Authority.
- 2.3 Bob was then appointed as the first NPAS Service Director and played a major role in setting up the service in 1999 and managing its development through the last seven years of dramatic expansion of DPE throughout the country. The successful and efficient operation of the service is in large measure due to Bob's effective management and planning during this period.
- 2.4 The Committee may wish to express its thanks to Bob and appreciation of his fundamental role in helping to establish NPAS, advising the Joint Committee and managing the service as it has developed over the last seven years of rapid expansion.

