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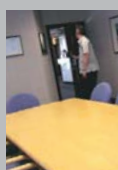
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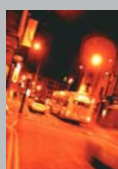
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2004 will prove to be a turning point for the National Parking Adjudication Service (NPAS). This is principally because the Traffic Management Act 2004 when implemented will extend Council enforcement of minor traffic contraventions beyond parking.

## Chief Adjudicator's Foreword

*Each year the National Parking Adjudication Service (NPAS) Annual Report grows ever bigger. This is not because the number of appeals increases dramatically; far from it, the proportion of Penalty Charge Notices appealed in 2004 was precisely the same as in 2003. This in itself is encouraging since each year the number of Councils in England and Wales entering the decriminalised parking enforcement scheme increases. The volume of Councils of course adds to the size of the report, but it is because we analyse appeal statistics in more detail, publishing the figures for each Council on a year-by-year basis since NPAS began in 1999, that accounts for its growth. We make no apology for this approach; it has been welcomed by the press, the parking industry and the Councils alike.*

*2004, however, was the year that NPAS's own performance came under scrutiny. In 2003 we commissioned Professor Raine and Eileen Dunstan of the Birmingham University School of Public Policy to conduct a survey of NPAS users. We also asked them to survey potential users who had not appealed to the parking Adjudicator. Their summary of the final report is contained in this Annual Report.*

*Generally appellants were quite positive about their experience of NPAS. However there was a marked contrast in appellants' perceptions of the process, not so much between those who had their appeals allowed or dismissed, but between those who had attended a hearing with the Adjudicator and those who had requested that their case was decided on the documentary and photographic evidence only. It is encouraging that appellants who had attended a hearing were very positive that they had had a fair hearing and recognised that the Adjudicator was both independent and a lawyer. Not all those who had elected for a "postal" decision were so sure about the nature of our tribunal. Of considerable concern was that 53% of non-appellants (i.e. people whose representations had been rejected by the Councils but had not gone on to appeal) were apparently unaware of NPAS.*

*The Councils expressed a high degree of satisfaction with the NPAS staff and general arrangements. It was, perhaps, not surprising that they proved to be more ambivalent about the Adjudicators' decisions. The researchers examined these perceptions in some depth and attributed them largely to a marked difference in mindset between the Council Officers who see the challenge process principally as administrative; whereas the Adjudicators have no doubt that their task is judicial.*

*The report made a number of helpful recommendations about how to improve our service, communicate positively with the Councils and, above all, how to make NPAS better known to the public generally. We are well on our way to implementing many of the recommendations.*

2004 also saw the publication of a further independent and invaluable report, the Local Government Ombudsman's Special Report into Parking Enforcement by Councils. It made enlightening comments and recommendations about consideration of representations by Councils under the Road Traffic Act 1991. The report reminds Councils of the importance of giving proper consideration to the exercise of discretion. It also pointed to a number of flaws in Council processes and gave examples of over-restrictive, and in some cases wrong, advice provided on Council forms.

This helpful intervention by the Local Government Ombudsman came at an opportune time; shortly before the Traffic Management Act 2004 received Royal Assent. The Act, when fully implemented, will extend Council enforcement of minor traffic contraventions beyond parking. The overall objective is to bring what will be "civil enforcement" of minor traffic contraventions into a common enforcement process. Penalty Charge Notices will be issued by Councils for moving traffic offences such as bus lane contraventions, no right or left turns, and remaining in yellow boxes at junctions.

The Government are proposing to introduce the parking enforcement arrangements in the TMA first, in 2006. They will replace the present arrangements under the Road Traffic Act 1991. This provides a positive and welcome opportunity to rewrite the enforcement and appeal regulations, revising the RTA processes and procedures to reflect the decade-long experience of decriminalised parking enforcement.

In particular there is now an opportunity to re-examine the powers of the Adjudicators when determining appeals. There has been considerable debate from the earliest days of decriminalised parking enforcement about what the extent of Adjudicators' powers should be, and the annual reports of both the London and NPAS Adjudicators have highlighted issues relevant to that debate. In light of that experience, the Government is now able to make robust provisions to ensure that motorists and vehicle owners can have their disputes resolved independently at the appropriate level, through an accessible, swift and simple process.

The TMA also provides for the Secretary of State to issue fresh Statutory Guidance for Councils operating the scheme. I am pleased to represent NPAS on the Steering Group assisting the Department for Transport to draw up Guidance. One of the many issues under consideration is the extent to which councils should be required to publish full statistics of their parking services and enforcement activities, and whether there should be key indicators to measure each Council's performance in this important area.

It could be borne in mind that in the Foreword to the NPAS Annual Report last year I called for more openness in terms of Councils publishing their statistics and accounts. I made this suggestion in the knowledge that, contrary to considerable public and press belief, a significant number of Councils are conducting their parking enforcement affairs very well indeed. Sadly, this recommendation does not appear to have inspired Councils; NPAS is not aware of a single annual report published by a Council parking department.

*On the other hand, we understand that the public have been swifter off the mark to exercise their rights under the Freedom of Information Act. However, Adjudicators still believe that it would be infinitely preferable if each Council produced an annual report setting out the statistics of their enforcement activities and detailed accounts. They should also set out their policies and objectives, together with how achievement of objectives is measured. There can be no doubt that if the public could see these reports there would be greater understanding and confidence in accountability.*

*So again in this 2004 NPAS Annual Report we urge our readers, and Councils in particular to examine the tables to see just how well many of them are performing. Apart from the year-on-year statistics for each Council, there are three key tables showing:*

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

*Any one of these tables taken in isolation will not throw much light on a particular Council, especially since there may be an underlying reason for a particular statistic. However by comparing the statistics in the different tables a picture begins to form. It can be seen that Harrogate leads the field overall, having contested each of the 52 appeals lodged, and having 79% of the appeals refused, i.e. the Adjudicator upheld their initial decision to reject representations. Salisbury, Winchester, Sefton and Herefordshire follow closely behind.*

*The balance struck by these Councils would appear to be the right one. In particular their confidence in their decisions at the representations stage is exemplary. While it is encouraging that the overall percentage of appeals in 2004 not contested by Councils dropped by 2% to 35%, there are still far too many Councils that do not contest more than half the appeals lodged against them.*

*Finally, we emphasise that we are not encouraging Councils to set a target to "win" every appeal. It is in the very nature of the appeals process that the Adjudicator should consider all the available evidence and, and in many cases there will be more than was available to the Council when the representations were considered. Appeals to the Adjudicator should not be about winning or losing, they are about achieving the just outcome.*

*Caroline  
Sheppard*

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



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

## Adjudicator's Report

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

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

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

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

The statistics that emerge from our years work show that while the overall appeal rate remains at 0.37%, the proportion varies considerably from Council to Council. Whether that is attributable to quality of performance or differing enforcement policies is in itself worthy of further research. The effect that a change in policy can have on the volume of appeals is demonstrated by the statistics for 2004 about vehicles that were towed away in addition to being issued with a PCN. In 2004 Manchester City Council, partly in response to attention we drew in our 2001/2002 annual report to the need for proportionality policies where vehicles are towed away, reconsidered their approach and developed clear and focussed policies resulting in half the number of vehicles being removed, as few as 25 appeals of which the Adjudicators allowed only 27%.

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

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

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

We have looked particularly at cases involving Blue Badges for people with disabilities. 2004 saw the bringing into force of the last provisions of the Disability Discrimination Act 1995. This placed a much greater duty on public authorities to make proper provision for people with disabilities. The Blue Badge Scheme for parking, which is applicable across the EU, provides for exemptions from parking restrictions and some payment for parking for people with disabilities displaying a Blue Badge in the vehicle. Over the years there have been consistently issues arising out of the display of Blue Badges, failure to display blue badges, vehicles parking in disabled bays without badges, and various other issues. Therefore this year we have included an analysis of some of the cases that Adjudicators dealt with in 2004 involving Blue Badges or badge holders.

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





## Disabled drivers and the Blue Badge Scheme

### ■ *The Blue Badge Scheme*

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

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



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

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

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

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

### ■ *The benefits of the scheme*

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

Badge holders may park:

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

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

### ■ *The limits of the scheme*

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

“Blue  
is the  
colour...”

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

### ■ *Expired and non-existent badges*

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

### ■ *Off street parking places*

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

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

### ■ *Displaying the badge*

Sections 11 and 12 of the explanatory booklet specify when and how the badge and clock must be displayed. It is up to the driver to comply with these requirements.

In **BO 626** the Adjudicator said, "It is the responsibility of the driver to ensure that the badge is correctly displayed in order to claim the disabled badge exemption from the need to purchase a pay and display ticket".

In **BO 662** a different Adjudicator dismissed the appeal of a badge holder who displayed her badge in such a way that it was obscured by the clock and could not be read by the parking attendant.

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

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

### ■ *The manner of display*

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

### ■ *Badges upside down*

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

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



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

### ■ *Evidence*

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

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

## ■ *Mitigating factors*

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

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

## ■ *The Council's discretion*

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

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

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

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

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

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



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

In **PL 1189** (appeal dismissed) and **PL 1515** (appeal allowed) the Adjudicators found it necessary to remind Plymouth Council of its power to exercise discretion. Similarly, in **BP 90**, where the evidence showed that although the badge had been displayed the clock had fallen down, the Adjudicator dismissed the appeal but said: *"Some Councils have a policy of exercising their discretion favourably towards disabled motorists for a first contravention where (as here) the error was unintentional – on the basis that a second similar contravention would be less likely to receive sympathetic consideration. I do not know whether Blackpool Council have such a policy, or whether the Appellant would on this occasion be covered by it – but I remind the Council that, having established that the PCN was correctly issued, they retain a discretion to waive the penalty charge in appropriate cases."*

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

NPAS hopes that the minority of Councils who follow such unrelenting policies in relation to Blue Badge holders will in due course see fit to revise them.

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

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

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

## Football and Rugby Match Days

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

### ■ *Traffic Regulation Orders*

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

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

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

### ■ *Signage*

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

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

### ■ *Permanent signage*

The appellants in both **MC 3647** and **MC 3543** parked in streets close to the Manchester City ground in order to attend matches. The respective TROs required permits to be displayed on match days.



...football  
is the  
game”

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

### ■ *Temporary signage*

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

### ■ *Local information*

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

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

The adequacy of the information provided to local residents by the Council was considered in **WT 518**. In the area in question, residents and their visitors were required to display a special permit on match days. The Council displayed signs outside the stadium and at each entry point to the various match day zones but conceded that a motorist travelling from one zone to another without passing the stadium would not pass such signs but must rely on a fixtures list issued to residents at the start of the season. The appellant, a visitor, was unaware that a rugby match was taking place on 10th May. The resident whom he was visiting specifically checked the fixtures lists provided to ascertain that no such match was scheduled to take place.

The Council's list indicated nothing taking place on 10th May but did say that fixtures are always subject to change. The Council said that a Saracens fixtures list stated that all matches in the last round of the Zurich Premiership would be played at the same time, either Saturday 10th/Sunday 11th May to be confirmed, but there was no copy of this list among the evidence. The Adjudicator allowed the appeal.

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

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

Both these cases illustrate not only the importance of signage and information but also the detailed evidence which the Council must produce when contesting an appeal in these circumstances. In **WT 459**, however, the Adjudicator emphasised that residents too must take some degree of responsibility for ascertaining what is going on. She said, "The purpose of the match day restrictions is to ensure that local residents are not inconvenienced by visitors' vehicles preventing residents from parking near their homes. In order to benefit from the scheme it is essential that local residents comply with it." Many football clubs have web sites which give information about parking in the area. Home and visiting fans should be aware that these web sites are not necessarily accurate and are certainly no substitute for looking carefully at the relevant signage. In **MW 699** the Adjudicator considered an extract from the Gillingham FC web site, which she described as "very broad-brush and misleading".

### ■ *Nowhere to park*

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





The Adjudicator, dismissing the appeal, said the fact that the appellant had been lucky enough to avoid detection on previous occasions was no reason to suppose that he was actually entitled to park.

In **SD 404**, the appellant parked on the wide pavement directly outside the West Bromwich Albion stadium, where a double yellow line restriction was clearly marked. He was perplexed to receive a PCN when the various fast food vans which were also on the pavement did not. The Adjudicator dismissed the appeal and explained that the vans and their associated vehicles are specifically licensed by the Council to park and ply their trade on match days.

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

### ■ *The role of the police*

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

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

### ■ *The missing PCN*

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

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

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

## Cases involving Towed Away Cars

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

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

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

What was of particular concern in **BS 881** was that in two other appeals against that Council, **BS 344** and **BS 498**, two different Adjudicators had found that it was disproportionate to tow away a car properly parked in the evening in the pay and display bay for want of payment of £1.50. One Adjudicator drew the Council's attention to Part II - The First Protocol - Article 1 of the Human Rights Act 1998. The other set out for the benefit of the Council the principles involved in striking a fair balance. The Adjudicators' decisions went unheeded.

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



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

### Summary of the Total Clamp/Remove Appeals for 2004

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

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

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

The statistics are as follows:

### Summary of reasons entered on the No Contest forms for Birmingham

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

### Summary of reasons entered on the No Contest forms for Brighton

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

### Summary of reasons entered on the No Contest forms for Bristol

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

**Total** 32

### Summary of reasons entered on the No Contest forms for Manchester

Incorrect road markings	1
Other	1

**Total** 2

### Summary of reasons entered on the No Contest forms for Nottingham

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

**Total** 7

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

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

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

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

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



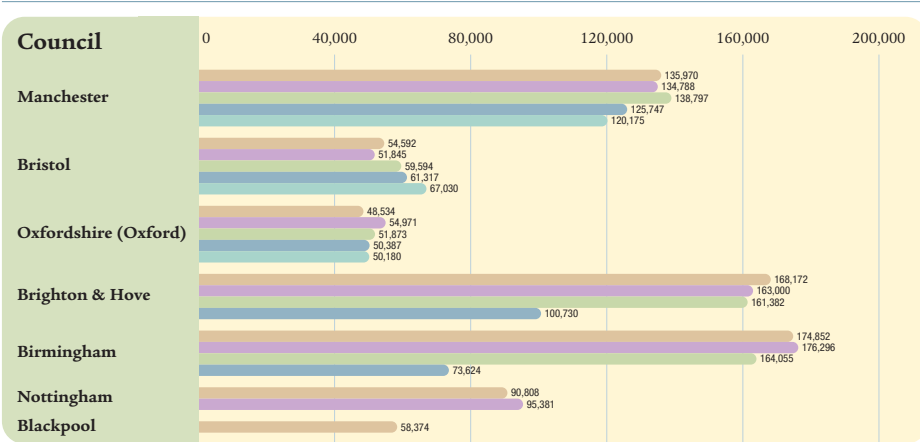
In only one case did the Council actually state that it had reconsidered the appellant's representation. It must be asked therefore why, in the remaining 31 cases, the reasons given on the 'Appeal Not Contested' form were not ascertained when the Council considered the original representation and the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

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

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

# Tow-aways compared Year by Year

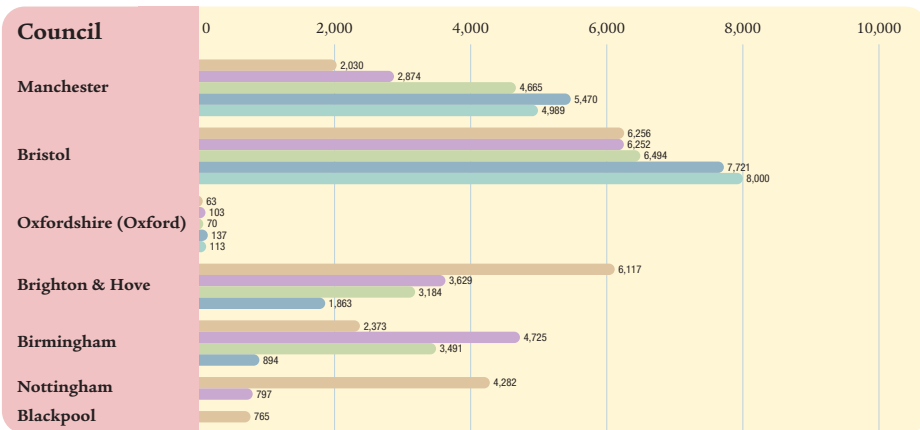
## Number of PCNs



### Combined Figures

Year	Total
2004	731,302
2003	676,281
2002-2003	575,701
2001-2002	411,805
2000-2001	237,385

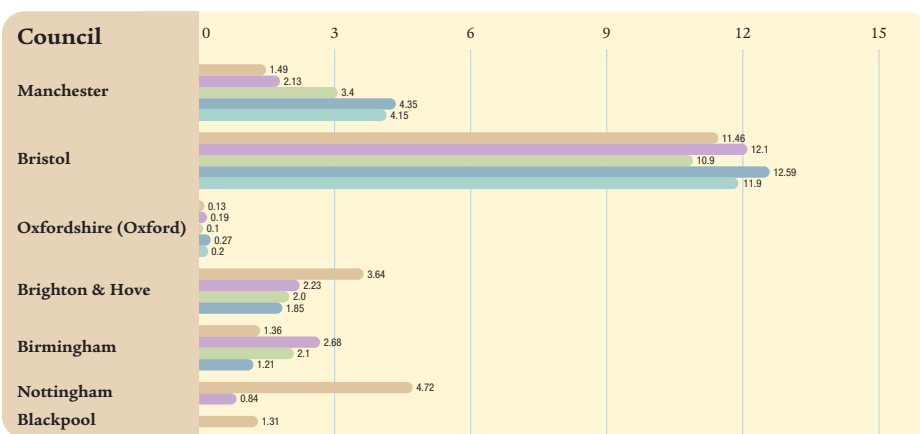
## Number of Vehicles Towed-away



### Combined Figures

Year	Total
2004	21,886
2003	18,380
2002-2003	17,904
2001-2002	16,085
2000-2001	13,102

## % of PCNs Towed-away



### Combined Figures

Year	Total
2004	2.99%
2003	2.72%
2002-2003	3.1%
2001-2002	3.91%
2000-2001	5.5%

## Reviews & Costs 2004

### ■ *Review Applications*

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

### ■ *Costs Applications*

Of the 10,441 appeals in the year, 33 were the subject of a request for Costs, all from appellants. 11 cases had costs awarded and 22 had costs refused. There was one case received during 2003 where costs were awarded against the appellant during 2004.



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

## Case Digest



## ■ Evidence

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

### *BC 109*

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

### *NG 247*

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

### *PL 1251*

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

### *HA63*

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

### *BO 376*

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

### MC 3494

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

### MC 3796

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

### MW 664

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

### SK 552

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

### SS 477 and SS 468

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

## ■ *Taking without Consent*

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

### BH 467

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

### SN 238

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



### *BH 468*

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

### ■ *Cloned Vehicles*

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

### *BH 318*

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

### ■ *Condition of Signage and Road Markings*

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

### *BO 355*

This case from 2003, which was not included in last year's annual report, is mentioned here because it contains a particularly helpful summary of the position. The Adjudicator said: "*Regulation 11 of The Traffic Signs Regulations and General Directions 1994... provides that the Council's lines "shall be of the size, colour and type shown on this diagram". The relevant diagram is 1018.1. However, in my opinion, it is not the law that these lines must be in a perfect condition all of the time. It is a question of fact and degree and Councils cannot be expected to repaint them at regular intervals or on every occasion when repairs to the road surface may have created minor diversions. What is important in my opinion is whether or not the state and quality of the lines at any one time make it clear to motorists that there are in fact double yellow lines there. Lines clearly become worn and faded in varying degrees from time to time for various reasons, but they are still enforceable if a motorist, looking at the quality and state of the lines, would inevitably have to say to himself that, despite their minor imperfections and fading colour, it is nevertheless clear that they are and remain double yellow lines.*"

### *OX 828*

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

### *PL 1477*

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

### *MK 329*

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

## *BM 2145*

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

## ■ *The Councils' Discretion*

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

## *PL 1499*

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

## *TA 145*

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

## *RF 4*

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

## *NN 278 and SK 518*

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

## ■ *PCN Issues*

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

## *WC 6*

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

### *BH 165*

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

### *CF 19*

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

### *MW 625*

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



## ■ *Disc Zones*

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

### *HA 53*

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

### *ED 20*

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

## ■ *Hire and Leasing Agreements*

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

### *BM 1060*

In this lengthy decision, the Adjudicator examined in detail the law relating to leasing arrangements, contrasting the short-term hire agreement where the relevant ground of appeal is that under paragraph 2(4)(a) of schedule 6 to the Road Traffic Act 1991 with long-term leasing arrangements whereby the registered keeper effectively transfers ownership of the vehicle to the lessee for a period of time and may indeed never have had the vehicle in its actual possession. In such circumstances, the correct ground of appeal is generally that under sub-paragraph (e) (ownership).

As in this case, it is common for appellants (even the largest leasing organisations) to identify incorrectly the ground of appeal to be relied upon. If Councils then continue to treat a long-term leasing arrangement as if it were one involving a short term hire agreement, and requests evidence accordingly, then as in this case, difficulty will ensue. The Adjudicator said: *"In cases falling within Paragraph 2(4)(e) of Schedule 6 of the 1991 Act, Councils will obviously wish to see a copy of the vehicle hiring agreement so that they can satisfy themselves that the agreement contains a signed statement of liability and the particulars required by the 2000 Regulations. However, where the hire agreement or lease is for 6 months or more (and, thus, the particulars and statement of liability are not important), there would seem little point in Councils requesting sight of a copy of the hiring agreement/lease itself, although they will obviously wish to be satisfied that the vehicle was subject to a hire agreement/lease at the material time. Equally, they will also require information about the basic terms of the hire agreement/lease as, for example, the name and address of the hirer/lessee and the period of hire/lease."*



### SL 615

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

### OX 844

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

## ■ TRO Issues

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

### ED 2

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

### SL 548

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

### LU 356

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

### *OD 109*

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

### *NG 162*

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

### *MW 600*

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

### *BO 393*

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

### *BC 123*

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

### *HA 39*

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



## User Survey



# User Perspectives on the National Parking Adjudication Service

## Report of a Research Project

By John W Raine & Eileen Dunstan

### ■ SUMMARY

#### 1. Background

The report summarises the conduct, findings and conclusions of a research project commissioned in Autumn 2003 by the National Parking Adjudication Service (NPAS) – the tribunal of independent Adjudicators who hear appeals against local authority parking enforcement decisions in England and Wales outside London. The aim of the research was to help NPAS learn from its users about perceptions and experiences of the organisation and of the administrative arrangements for parking appeals. As such the design of the project reflected NPAS's commitment to a strong user-oriented approach – as has been advocated in the Leggatt Report (2001) for all tribunals.

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

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

#### 2. Findings

##### Appellants:

- 81 per cent learned about NPAS from the Council's letter of rejection of their representations.
- 41 per cent of the sample chose a 'personal hearing' (attending in person before an Adjudicator); the other 59 per cent choosing to appeal by post.
- The main reasons cited for choosing a personal appeal were 'I wanted to say my piece directly to an Adjudicator' (84%) and 'I felt I had a better chance of explaining the situation face to face' (74%). The main reasons for choosing a postal appeal were 'I had said all I had to say on the form' (72%) and 'I couldn't really spare the time to attend a personal hearing' (58%).
- Some 87 per cent of appellants found the appeals form 'very straightforward and clear'; the main problems cited relating to the specification of 'grounds for appeal' (i.e. difficulties in deciding how their particular cases might fit with the specified grounds).
- Only one in ten respondents had visited the NPAS website and about three quarters of them described the site as 'helpful'. More than a third of the total sample indicated that they would have made their appeal on-line had this facility been available.
- A significant difference was noted in understanding of the role and independence of the Adjudicators between those electing personal and postal appeals.

Personal appellants had significantly better appreciation of the independence of the process from the Councils, of the lawyer status of the Adjudicators, and of the limited grounds upon which appeals might be allowed. Listening directly to the Adjudicator introducing the status of the hearings and participating in them clearly gives personal appellants a better understanding of and confidence in the process of independent adjudication.

- The arrangements for the scheduling and conduct of appeals were regarded as generally very good (81 per cent of respondents were happy with the scheduling arrangements and 96 per cent thought the pre-hearing correspondence/documentation was clear. 95 per cent of personal appellants had to wait less than 30 minutes for their hearing (and 55 percent were called in within 5 minutes of arrival).

## Non-Appellants

- Some 53 per cent of the sample of non-appellants said that they had not heard of NPAS and claimed no recollection of receiving information on the appeals process in their documentation from the Councils. Of those who were aware of NPAS three out of five indicated that they first heard about their right of appeal from the Councils.
- The main reasons why those who had been made aware of NPAS did not appeal were 'I could not be bothered with more hassle' (31%); 'I didn't think my case fitted the possible grounds for appeal' (29%) and 'I didn't think I had much chance of winning' (20%)
- In general non-appellants had significantly lower confidence in the independence of the adjudication process than appellants (especially personal appellants). Only 16 per cent of non-appellants thought the Adjudicators 'are completely impartial in deciding each appeal' (compared with 91% of personal appellants) and only 10 per cent thought the Adjudicators were legally qualified (compared with 96 per cent of personal appellants). Just 10 per cent thought they were independent of the Councils compared with 87 per cent of personal appellants.

## Local Authorities

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

## 3. Conclusions and Implications for NPAS

### Three main conclusions are drawn from the research:

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

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

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

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

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

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

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

The specific recommendations derived from these conclusions are summarised below:

#### **1. Widening public awareness about independent adjudication.**

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

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

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

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

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



2004 was a year of growth for all areas within NPAS. The number of PCNs issued by Councils operating decriminalised parking enforcement increased from 2,500,398 to 2,853,089 in addition to an extra 34 Councils that took on DPE powers taking the total number of Councils in our scheme to 117.

## The Service

*There was also an increase in the number of appeals registered at NPAS with there being 10,441 appeals registered in 2004 compared with 9,213 in 2003.*

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

### ■ *NPAS Email Box*

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

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

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

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

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

These examples further illustrate the lack of clarity and confusion that exists in the motoring world and even some Councils as to what we are or more pertinently what we are not as an organisation. As the independent parking tribunal for England (excluding London) and Wales we have a clear mandate to inform motorists of the role of adjudication within the DPE scheme and to raise awareness of the right to appeal to the independent Adjudicator. Part of this strategy relies on our comprehensive Notice of Appeal form that is issued by the Councils with every formal notice of rejection of representations and other in-house literature. In raising levels of awareness, NPAS finds it increasingly necessary to reinforce the point that as an independent and impartial tribunal it cannot give the type of advice or assistance that many inquirers seek.

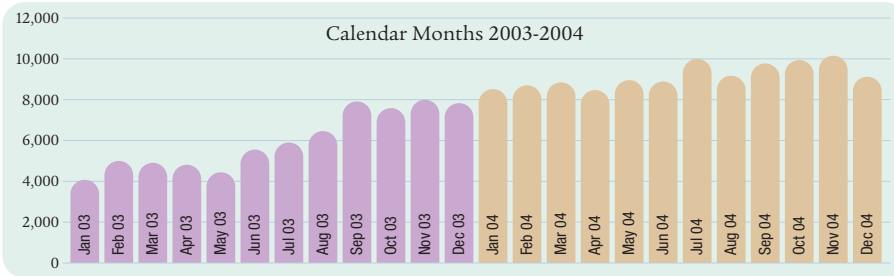
As highlighted in last year's Annual Report NPAS does not:

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

## NPAS Website

The publication and maintenance of an independent and authoritative website also forms part of our strategy to inform motorists of the role of adjudication within the DPE scheme and to raise awareness of the right to appeal to the independent Adjudicator. Our website can be accessed at [www.parking-appeals.gov.uk](http://www.parking-appeals.gov.uk).

### Number of Hits on the NPAS Website



### Website Visits and Visitors

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

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

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

### Top Search Phrases

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

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

The NPAS website continues to offer a link to the websites of all Councils operating DPE and it is hoped that they in turn offer a reciprocal link on their websites thus promoting awareness of the parking appeals process.



It would be fair to say that some Councils also go further and devote some of their own web space to include information about the parking appeals process and also incorporate details on any literature that they produce on their own parking policies. This can only be encouraged as it strives to provide the public with as much information as possible and the Council concerned can be seen to be completely open and transparent with their parking operations. In the 2003 Annual Report, the Chief Adjudicator called for more Councils operating DPE to be more open and transparent with their parking enforcement policies and it is to be noted that this caused considerable interest about NPAS and its aims. During 2004 several members of staff were asked by local, regional and national media, including several high profile television programmes, radio stations and trade magazines to talk about the appeals process. It is hoped that this interest will continue in order to facilitate the understanding of the appeals process.

### ■ *Personal Hearing Venues*

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

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

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

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

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

### ■ *Hearing Centre Supervisors*

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

The Hearing Centre Supervisor greets the appellants and the Councils as they arrive, introduces the parties present for the recording of the appeal and assists the Adjudicators throughout the course of the proceedings.

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

### ■ *Appellants' User Group*

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

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

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





## ■ *Annual Conference*

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

Presentations were given by Parking Adjudicators, Local Authority representatives and a range of speakers including Kevin Delaney from the RAC Foundation; John Moore from the DVLA and Professor John Raine from the University of Birmingham / Institute of Local Government Studies. Professor Raine gave the audience some key findings from its recently completed User Survey.

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

## ■ *Service Development Initiatives*

### *Appeal on-line*

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

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

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

### *TRO Electronic Library*

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

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

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

### *Electronic Transfer of Evidence*

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

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

### *AIMS*

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

### *Service Standards – Performance Indicators*

Two performance indicators are used that nominally measure how swiftly appeals are being processed between the appeal being received and the Adjudicators' decision being issued. The two indicators are 80% of postal appeals to be processed within 42 days, and 80% of personal appeals to be processed within 56 days.

The indicators measuring how swiftly the service is being delivered were measured and previously reported on a financial year basis. As agreed by the Committee from 2003 onwards indicators are being measured and reported on a calendar year basis. The indicators for year 2004 are given in Table A opposite.

It should be noted that data reported in Table A includes those appeals received and decided during the period but appeals that were not decided, for example because the appellant has requested their personal hearing to be rescheduled, have been excluded from the figures.

The performance indicator for the postal appeals continues to be just below the minimum target set by the Committee. The Adjudicator regulations provide for a postal appeal to be considered 4 weeks after the appeal has been received by NPAS and acknowledged. This date may be brought forward for an individual appeal provided both parties agree. Therefore to meet this 42 days indicator there is only a narrow window of two weeks before the appeal decision would usually be made and decision issued.



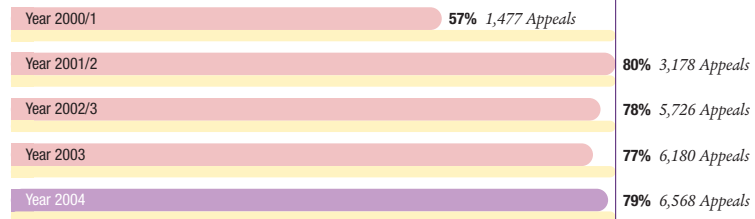
As the number of appeals increased it became necessary to send the case files to Adjudicators, rather than the postal decisions being largely made by Adjudicators local to the headquarters. Once the AIMS case management system has been developed the Adjudicators will be able to remotely and directly access the system. AIMS is expected to become operational during 2005 after which a substantial improvement to this service standard indicator should result.

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

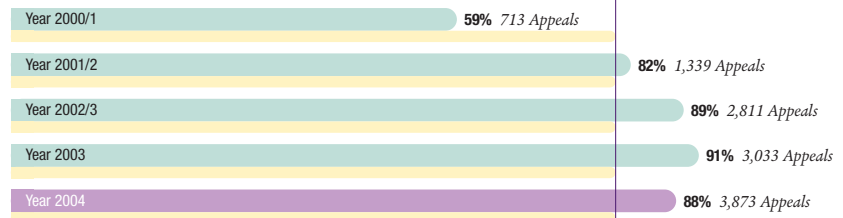
At the meeting of 19th November 2001, it was agreed that two additional indicators would be measured from 1st April 2002. These give an indication of availability and responsiveness for the service. At the meeting of the Executive Sub-committee held on 24th January 2005, it was agreed to change the telephone answering target from 80% to 90%, and the Acknowledgement of Appeal target from 80% to 95% with effect from 1st January, 2005.

**TABLE A**

% of **postal appeals** decided within 42 days



% of **personal appeals** decided within 56 days



**TABLE B**

% of **phone calls** answered within 15 seconds



% of **appeals acknowledged** within 2 working days





## Tables & Statistics

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## Appeals received for all Councils 2004

Note: It can be approximately three months from the start date before the first appeal is received by NPAS.

Councils	PCNs	PCNs Appealed	% of cases per PCN	Start Date	Period of Enforcement											
					Jan 04	Feb 04	Mar 04	Apr 04	May 04	Jun 04	Jul 04	Aug 04	Sept 04	Oct 04	Nov 04	Dec 04
Winchester	13,938	16	0.11	20/5/96												
Oxfordshire (Oxford)	48,534	108	0.22	3/2/97												
Bucks (High Wycombe)	16,881	50	0.30	3/3/97												
Maidstone	29,658	117	0.39	29/9/97												
Watford	28,463	103	0.36	27/10/97												
Luton	43,488	106	0.24	19/1/99												
Manchester	135,970	867	0.64	5/4/99												
Portsmouth	48,620	265	0.55	5/4/99												
Hastings	29,617	113	0.38	10/5/99												
Neath Port Talbot	17,962	83	0.46	1/6/99												
Medway	47,613	95	0.20	3/1/00												
Gravesham	20,076	135	0.67	4/1/00												
Canterbury	25,856	66	0.26	10/1/00												
Sevenoaks	8,870	12	0.14	10/1/00												
Swale	10,207	14	0.14	10/1/00												
Thanet	16,397	58	0.35	10/1/00												
Tunbridge Wells	31,663	119	0.38	10/1/00												
Sefton	53,724	84	0.16	1/2/00												
Bristol	54,592	227	0.42	1/4/00												
Sandwell	40,838	140	0.34	1/4/00												
Shepway	11,629	18	0.15	3/4/00												
Tonbridge & Malling	12,250	10	0.08	1/9/00												
Bolton	44,210	228	0.52	4/9/00												
Ashford	14,050	30	0.21	2/10/00												
York	29,301	41	0.14	8/10/00												
Reading	72,139	561	0.78	30/10/00												
Bedford	25,254	68	0.27	13/11/00												
Trafford	36,498	59	0.16	15/1/01												
Dover	17,821	9	0.05	23/1/01												
Taunton Deane	15,563	60	0.39	19/2/01												
Plymouth	52,100	395	0.76	1/4/01												
Salisbury	20,484	32	0.16	1/4/01												
Salford	33,742	145	0.43	2/4/01												
Three Rivers	5,311	16	0.30	1/7/01												
Northampton	62,474	105	0.17	2/7/01												
Dartford	9,089	9	0.10	2/7/01												
Brighton & Hove	168,172	411	0.24	16/7/01												
Southend-on-Sea	48,124	276	0.57	1/9/01												
Barrow-in-Furness	8,194	20	0.24	3/9/01												
Birmingham	174,852	1,260	0.72	3/9/01												
Bournemouth	38,584	205	0.53	3/9/01												
Oldham	23,797	70	0.29	1/10/01												
Stoke-on-Trent	53,123	103	0.19	1/10/01												
Herefordshire	23,182	22	0.09	5/11/01												
Carlisle	17,442	52	0.30	26/11/01												
Norwich	36,651	131	0.36	4/2/02												
Southampton	49,464	143	0.29	25/2/02												
South Lakeland	15,498	46	0.30	4/3/02												
Milton Keynes	46,067	147	0.32	25/3/02												
Poole	20,796	202	0.97	2/4/02												
Hart	7,473	15	0.20	5/6/02												
Rushmoor	14,263	70	0.49	5/6/02												
Liverpool	109,869	222	0.20	1/7/02												
Dorset	13,991	29	0.21	1/7/02												
Harrogate	20,495	52	0.25	15/7/02												
Basingstoke & Deane	6,614	10	0.15	1/10/02												
Brentwood	13,537	79	0.58	1/10/02												
Chelmsford	21,706	151	0.70	1/10/02												
Colchester	20,753	67	0.32	1/10/02												
Epping Forest	22,100	45	0.20	1/10/02												
Nottingham	90,808	398	0.44	1/10/02												
Bury	28,871	109	0.38	14/10/02												
Weymouth & Portland	19,195	18	0.09	25/11/02												

## Appeals received for all Councils 2004

Note: It can be approximately three months from the start date before the first appeal is received by NPAS.

Councils	PCNs	PCNs Appealed	% of cases per PCN	Start Date	Period of Enforcement												
					Jan 04	Feb 04	Mar 04	Apr 04	May 04	Jun 04	Jul 04	Aug 04	Sept 04	Oct 04	Nov 04	Dec 04	
Eden	7,936	54	0.68	20/1/03													
Worcester	11,701	28	0.24	3/2/03													
Sunderland	24,455	111	0.45	3/2/03													
Bath & NE Somerset	54,588	245	0.45	17/2/03													
Christchurch	9,449	25	0.26	3/3/03													
Maldon	2,225	0	0.00	1/4/03													
Basildon	9,378	89	0.95	1/4/03													
Slough	42,138	160	0.38	21/4/03													
Redcar & Cleveland	10,876	36	0.33	2/6/03													
Aylesbury Vale	13,023	104	0.80	30/6/03													
Middlesbrough	13,102	89	0.68	1/9/03													
Swindon	28,666	172	0.60	1/9/03													
Peterborough	21,200	22	0.10	22/9/03													
Copeland	4,615	7	0.15	29/9/03													
Dacorum	19,692	31	0.16	6/10/03													
Allerdale	19,277	25	0.13	13/10/03													
Test Valley	8,326	11	0.13	20/10/03													
Harlow	5,047	11	0.22	1/11/03													
Blackpool	58,374	126	0.22	10/11/03													
Wirral	41,824	88	0.21	17/11/03													
Carmarthenshire	9,588	9	0.09	1/2/04													
South Bedfordshire	6,068	3	0.05	2/2/04													
Mid Bedfordshire	874	1	0.11	2/2/04													
Mole Valley	3,167	1	0.03	26/4/04													
Guildford	15,228	0	0.00	1/6/04													
Reigate & Banstead	9,355	1	0.01	1/6/04													
Denbighshire	6,563	15	0.23	1/7/04													
Wigan	11,647	26	0.22	1/7/04													
Rochdale	14,236	30	0.21	4/7/04													
Burnley	3,334	0	0.00	6/9/04													
Chorley	3,153	0	0.00	6/9/04													
Fylde	2,902	0	0.00	6/9/04													
Hyndburn	1,802	0	0.00	6/9/04													
Lancaster	7,048	0	0.00	6/9/04													
Pendle	2,219	0	0.00	6/9/04													
Preston	8,263	0	0.00	6/9/04													
Ribble Valley	980	0	0.00	6/9/04													
Rossendale	1,096	0	0.00	6/9/04													
South Ribble	990	0	0.00	6/9/04													
West Lancashire	1,417	0	0.00	6/9/04													
Wyre	380	0	0.00	6/9/04													
East Sussex (Lewes)	4,701	0	0.00	20/9/04													
Blackburn with Darwen	3,334	0	0.00	1/10/04													
St. Albans	7,723	0	0.00	1/10/04													
Braintree	1,798	0	0.00	1/10/04													
Castle Point	1,050	0	0.00	1/10/04													
Rochford	1,150	0	0.00	1/10/04													
Tendring	3,333	3	0.09	1/10/04													
Uttlesford	1,250	1	0.08	1/10/04													
Eastleigh	3,098	0	0.00	1/10/04													
Stratford upon Avon	3,573	0	0.00	4/10/04													
Wychavon	2,218	0	0.00	11/10/04													
Cambridge	4,475	0	0.00	25/10/04													
Runnymede	681	0	0.00	8/11/04													
<b>All</b>	<b>2,853,089</b>	<b>10,441</b>	<b>0.37</b>														

## Councils listed in order of highest number of PCNs

Councils	A	B	C	Councils	A	B	C
<b>All</b>	<b>2,853,089</b>	<b>10,441</b>	<b>0.37%</b>	Guildford	15,228	0	0.00%
Birmingham	174,852	1,260	0.72%	Rushmoor	14,263	70	0.49%
Brighton & Hove	168,172	411	0.24%	Rochdale	14,236	30	0.21%
Manchester	135,970	867	0.64%	Ashford	14,050	30	0.21%
Liverpool	109,869	222	0.20%	Dorset	13,991	29	0.21%
Nottingham	90,808	398	0.44%	Winchester	13,938	16	0.11%
Reading	72,139	561	0.78%	Brentwood	13,537	79	0.58%
Northampton	62,474	105	0.17%	Middlesbrough	13,102	89	0.68%
Blackpool	58,374	126	0.22%	Aylesbury Vale	13,023	104	0.80%
Bristol	54,592	227	0.42%	Tonbridge & Malling	12,250	10	0.08%
Bath & NE Somerset	54,588	245	0.45%	Worcester	11,701	28	0.24%
Sefton	53,724	84	0.16%	Wigan	11,647	26	0.22%
Stoke-on-Trent	53,123	103	0.19%	Shepway	11,629	18	0.15%
Plymouth	52,100	395	0.76%	Redcar & Cleveland	10,876	36	0.33%
Southampton	49,464	143	0.29%	Swale	10,207	14	0.14%
Portsmouth	48,620	265	0.55%	Carmarthenshire	9,588	9	0.09%
Oxfordshire (Oxford)	48,534	108	0.22%	Christchurch	9,449	25	0.26%
Southend-on-Sea	48,124	276	0.57%	Basildon	9,378	89	0.95%
Medway	47,613	95	0.20%	Reigate & Banstead	9,355	1	0.01%
Milton Keynes	46,067	147	0.32%	Dartford	9,089	9	0.10%
Bolton	44,210	228	0.52%	Sevenoaks	8,870	12	0.14%
Luton	43,488	106	0.24%	Test Valley	8,326	11	0.13%
Slough	42,138	160	0.38%	Preston	8,263	0	0.00%
Wirral	41,824	88	0.21%	Barrow-in-Furness	8,194	20	0.24%
Sandwell	40,838	140	0.34%	Eden	7,936	54	0.68%
Bournemouth	38,584	205	0.53%	St. Albans	7,723	0	0.00%
Norwich	36,651	131	0.36%	Hart	7,473	15	0.20%
Trafford	36,498	59	0.16%	Lancaster	7,048	0	0.00%
Salford	33,742	145	0.43%	Basingstoke & Deane	6,614	10	0.15%
Tunbridge Wells	31,663	119	0.38%	Denbighshire	6,563	15	0.23%
Maidstone	29,658	117	0.39%	South Bedfordshire	6,068	3	0.05%
Hastings	29,617	113	0.38%	Three Rivers	5,311	16	0.30%
York	29,301	41	0.14%	Harlow	5,047	11	0.22%
Bury	28,871	109	0.38%	East Sussex (Lewes)	4,701	0	0.00%
Swindon	28,666	172	0.60%	Copeland	4,615	7	0.15%
Watford	28,463	103	0.36%	Cambridge	4,475	0	0.00%
Canterbury	25,856	66	0.26%	Stratford on Avon	3,573	0	0.00%
Bedford	25,254	68	0.27%	Blackburn with Darwen	3,334	0	0.00%
Sunderland	24,455	111	0.45%	Burnley	3,334	0	0.00%
Oldham	23,797	70	0.29%	Tendring	3,333	3	0.09%
Herefordshire	23,182	22	0.09%	Mole Valley	3,167	1	0.03%
Epping Forest	22,100	45	0.20%	Chorley	3,153	0	0.00%
Chelmsford	21,706	151	0.70%	Eastleigh	3,098	0	0.00%
Peterborough	21,200	22	0.10%	Fylde	2,902	0	0.00%
Poole	20,796	202	0.97%	Maldon	2,225	0	0.00%
Colchester	20,753	67	0.32%	Pendle	2,219	0	0.00%
Harrogate	20,495	52	0.25%	Wychavon	2,218	0	0.00%
Salisbury	20,484	32	0.16%	Hyndburn	1,802	0	0.00%
Gravesham	20,076	135	0.67%	Braintree	1,798	0	0.00%
Dacorum	19,692	31	0.16%	West Lancashire	1,417	0	0.00%
Allerdale	19,277	25	0.13%	Uttlesford	1,250	1	0.08%
Weymouth & Portland	19,195	18	0.09%	Rochford	1,150	0	0.00%
Neath Port Talbot	17,962	83	0.46%	Rossendale	1,096	0	0.00%
Dover	17,821	9	0.05%	Castle Point	1,050	0	0.00%
Carlisle	17,442	52	0.30%	South Ribble	990	0	0.00%
Bucks (High Wycombe)	16,881	50	0.30%	Ribble Valley	980	0	0.00%
Thanet	16,397	58	0.35%	Mid Bedfordshire	874	1	0.11%
Taunton Deane	15,563	60	0.39%	Runnymede	681	0	0.00%
South Lakeland	15,498	46	0.30%	Wyre	380	0	0.00%

## Key

A PCNs

B PCNs Appealed

C % of Appeals per PCNs issued

# Table 3

## Councils listed in order of highest number of appeals

Councils	A	B	C	Councils	A	B	C
<b>All</b>	<b>2,853,089</b>	<b>10,441</b>	<b>0.37%</b>	Salisbury	20,484	32	0.16%
Birmingham	174,852	1,260	0.72%	Dacorum	19,692	31	0.16%
Manchester	135,970	867	0.64%	Ashford	14,050	30	0.21%
Reading	72,139	561	0.78%	Rochdale	14,236	30	0.21%
Brighton & Hove	168,172	411	0.24%	Dorset	13,991	29	0.21%
Nottingham	90,808	398	0.44%	Worcester	11,701	28	0.24%
Plymouth	52,100	395	0.76%	Wigan	11,647	26	0.22%
Southend-on-Sea	48,124	276	0.57%	Allerdale	19,277	25	0.13%
Portsmouth	48,620	265	0.55%	Christchurch	9,449	25	0.26%
Bath & NE Somerset	54,588	245	0.45%	Herefordshire	23,182	22	0.09%
Bolton	44,210	228	0.52%	Peterborough	21,200	22	0.10%
Bristol	54,592	227	0.42%	Barrow-in-Furness	8,194	20	0.24%
Liverpool	109,869	222	0.20%	Shepway	11,629	18	0.15%
Bournemouth	38,584	205	0.53%	Weymouth & Portland	19,195	18	0.09%
Poole	20,796	202	0.97%	Three Rivers	5,311	16	0.30%
Swindon	28,666	172	0.60%	Winchester	13,938	16	0.11%
Slough	42,138	160	0.38%	Denbighshire	6,563	15	0.23%
Chelmsford	21,706	151	0.70%	Hart	7,473	15	0.20%
Milton Keynes	46,067	147	0.32%	Swale	10,207	14	0.14%
Salford	33,742	145	0.43%	Sevenoaks	8,870	12	0.14%
Southampton	49,464	143	0.29%	Harlow	5,047	11	0.22%
Sandwell	40,838	140	0.34%	Test Valley	8,326	11	0.13%
Gravesham	20,076	135	0.67%	Basingstoke & Deane	6,614	10	0.15%
Norwich	36,651	131	0.36%	Tonbridge & Malling	12,250	10	0.08%
Blackpool	58,374	126	0.22%	Carmarthenshire	9,588	9	0.09%
Tunbridge Wells	31,663	119	0.38%	Dartford	9,089	9	0.10%
Maidstone	29,658	117	0.39%	Dover	17,821	9	0.05%
Hastings	29,617	113	0.38%	Copeland	4,615	7	0.15%
Sunderland	24,455	111	0.45%	South Bedfordshire	6,068	3	0.05%
Bury	28,871	109	0.38%	Tendring	3,333	3	0.09%
Oxfordshire (Oxford)	48,534	108	0.22%	Mid Bedfordshire	874	1	0.11%
Luton	43,488	106	0.24%	Mole Valley	3,167	1	0.03%
Northampton	62,474	105	0.17%	Reigate & Banstead	9,355	1	0.01%
Aylesbury Vale	13,023	104	0.80%	Uttlesford	1,250	1	0.08%
Stoke-on-Trent	53,123	103	0.19%	Blackburn with Darwen	3,334	0	0.00%
Watford	28,463	103	0.36%	Braintree	1,798	0	0.00%
Medway	47,613	95	0.20%	Burnley	3,334	0	0.00%
Basildon	9,378	89	0.95%	Cambridge	4,475	0	0.00%
Middlesbrough	13,102	89	0.68%	Castle Point	1,050	0	0.00%
Wirral	41,824	88	0.21%	Chorley	3,153	0	0.00%
Sefton	53,724	84	0.16%	East Sussex (Lewes)	4,701	0	0.00%
Neath Port Talbot	17,962	83	0.46%	Eastleigh	3,098	0	0.00%
Brentwood	13,537	79	0.58%	Fylde	2,902	0	0.00%
Oldham	23,797	70	0.29%	Guildford	15,228	0	0.00%
Rushmoor	14,263	70	0.49%	Hyndburn	1,802	0	0.00%
Bedford	25,254	68	0.27%	Lancaster	7,048	0	0.00%
Colchester	20,753	67	0.32%	Maldon	2,225	0	0.00%
Canterbury	25,856	66	0.26%	Pendle	2,219	0	0.00%
Taunton Deane	15,563	60	0.39%	Preston	8,263	0	0.00%
Trafford	36,498	59	0.16%	Ribble Valley	980	0	0.00%
Thanet	16,397	58	0.35%	Rochford	1,150	0	0.00%
Eden	7,936	54	0.68%	Rossendale	1,096	0	0.00%
Carlisle	17,442	52	0.30%	Runnymede	681	0	0.00%
Harrogate	20,495	52	0.25%	South Ribble	990	0	0.00%
Bucks (High Wycombe)	16,881	50	0.30%	St. Albans	7,723	0	0.00%
South Lakeland	15,498	46	0.30%	Stratford on Avon	3,573	0	0.00%
Epping Forest	22,100	45	0.20%	West Lancashire	1,417	0	0.00%
York	29,301	41	0.14%	Wychavon	2,218	0	0.00%
Redcar & Cleveland	10,876	36	0.33%	Wyre	380	0	0.00%

### Key

- A PCNs
- B PCNs Appealed
- C % of Appeals per PCNs issued



## Councils listed in order of highest rate of appeal per PCN

Councils	A	B	C	Councils	A	B	C
<b>All</b>	<b>2,853,089</b>	<b>10,441</b>	<b>0.37%</b>	Wirral	41,824	88	0.21%
Poole	20,796	202	0.97%	Dorset	13,991	29	0.21%
Basildon	9,378	89	0.95%	Epping Forest	22,100	45	0.20%
Aylesbury Vale	13,023	104	0.80%	Liverpool	109,869	222	0.20%
Reading	72,139	561	0.78%	Hart	7,473	15	0.20%
Plymouth	52,100	395	0.76%	Medway	47,613	95	0.20%
Birmingham	174,852	1,260	0.72%	Stoke-on-Trent	53,123	103	0.19%
Chelmsford	21,706	151	0.70%	Northampton	62,474	105	0.17%
Eden	7,936	54	0.68%	Trafford	36,498	59	0.16%
Middlesbrough	13,102	89	0.68%	Dacorum	19,692	31	0.16%
Gravesham	20,076	135	0.67%	Sefton	53,724	84	0.16%
Manchester	135,970	867	0.64%	Salisbury	20,484	32	0.16%
Swindon	28,666	172	0.60%	Shepway	11,629	18	0.15%
Brentwood	13,537	79	0.58%	Copeland	4,615	7	0.15%
Southend-on-Sea	48,124	276	0.57%	Basingstoke & Deane	6,614	10	0.15%
Portsmouth	48,620	265	0.55%	York	29,301	41	0.14%
Bournemouth	38,584	205	0.53%	Swale	10,207	14	0.14%
Bolton	44,210	228	0.52%	Sevenoaks	8,870	12	0.14%
Rushmoor	14,263	70	0.49%	Test Valley	8,326	11	0.13%
Neath Port Talbot	17,962	83	0.46%	Allerdale	19,277	25	0.13%
Sunderland	24,455	111	0.45%	Winchester	13,938	16	0.11%
Bath & NE Somerset	54,588	245	0.45%	Mid Bedfordshire	874	1	0.11%
Nottingham	90,808	398	0.44%	Peterborough	21,200	22	0.10%
Salford	33,742	145	0.43%	Dartford	9,089	9	0.10%
Bristol	54,592	227	0.42%	Herefordshire	23,182	22	0.09%
Maidstone	29,658	117	0.39%	Carmarthenshire	9,588	9	0.09%
Taunton Deane	15,563	60	0.39%	Weymouth & Portland	19,195	18	0.09%
Hastings	29,617	113	0.38%	Tendring	3,333	3	0.09%
Slough	42,138	160	0.38%	Tonbridge & Malling	12,250	10	0.08%
Bury	28,871	109	0.38%	Uttlesford	1,250	1	0.08%
Tunbridge Wells	31,663	119	0.38%	Dover	17,821	9	0.05%
Watford	28,463	103	0.36%	South Bedfordshire	6,068	3	0.05%
Norwich	36,651	131	0.36%	Mole Valley	3,167	1	0.03%
Thanet	16,397	58	0.35%	Reigate & Banstead	9,355	1	0.01%
Sandwell	40,838	140	0.34%	Blackburn with Darwen	3,334	0	0.00%
Redcar & Cleveland	10,876	36	0.33%	Braintree	1,798	0	0.00%
Colchester	20,753	67	0.32%	Burnley	3,334	0	0.00%
Milton Keynes	46,067	147	0.32%	Cambridge	4,475	0	0.00%
Three Rivers	5,311	16	0.30%	Castle Point	1,050	0	0.00%
Carlisle	17,442	52	0.30%	Chorley	3,153	0	0.00%
South Lakeland	15,498	46	0.30%	East Sussex (Lewes)	4,701	0	0.00%
Bucks (High Wycombe)	16,881	50	0.30%	Eastleigh	3,098	0	0.00%
Oldham	23,797	70	0.29%	Fylde	2,902	0	0.00%
Southampton	49,464	143	0.29%	Guildford	15,228	0	0.00%
Bedford	25,254	68	0.27%	Hyndburn	1,802	0	0.00%
Christchurch	9,449	25	0.26%	Lancaster	7,048	0	0.00%
Canterbury	25,856	66	0.26%	Maldon	2,225	0	0.00%
Harrogate	20,495	52	0.25%	Pendle	2,219	0	0.00%
Brighton & Hove	168,172	411	0.24%	Preston	8,263	0	0.00%
Barrow-in-Furness	8,194	20	0.24%	Ribble Valley	980	0	0.00%
Luton	43,488	106	0.24%	Rochford	1,150	0	0.00%
Worcester	11,701	28	0.24%	Rossendale	1,096	0	0.00%
Denbighshire	6,563	15	0.23%	Runnymede	681	0	0.00%
Wigan	11,647	26	0.22%	South Ribble	990	0	0.00%
Oxfordshire (Oxford)	48,534	108	0.22%	St. Albans	7,723	0	0.00%
Harlow	5,047	11	0.22%	Stratford on Avon	3,573	0	0.00%
Blackpool	58,374	126	0.22%	West Lancashire	1,417	0	0.00%
Ashford	14,050	30	0.21%	Wychavon	2,218	0	0.00%
Rochdale	14,236	30	0.21%	Wyre	380	0	0.00%

## Key

A PCNs

B PCNs Appealed

C % of Appeals per PCNs issued

# Table 5

## Appeals and their outcomes for all Councils 2004

Councils	A	B	C	D	E	F	G	H
<b>English Councils</b>	<b>10,334</b>	<b>6,504</b>	<b>3,830</b>	<b>3,557</b>	<b>2,803</b>	<b>6,360</b>	<b>3,927</b>	<b>47</b>
		63%	37%	34%	27%	62%	38%	0%
Allerdale	25	13	12	3	10	13	11	1
		52%	48%	12%	40%	52%	44%	4%
Ashford	30	20	10	9	8	17	13	0
		67%	33%	30%	27%	57%	43%	0%
Aylesbury Vale	104	50	54	6	59	65	39	0
		48%	52%	6%	57%	63%	38%	0%
Barrow-in-Furness	20	10	10	4	5	9	11	0
		50%	50%	20%	25%	45%	55%	0%
Basildon	89	62	27	17	35	52	37	0
		70%	30%	19%	39%	58%	42%	0%
Basingstoke & Deane	10	9	1	2	1	3	7	0
		90%	10%	20%	10%	30%	70%	0%
Bath & NE Somerset	245	152	93	36	75	111	134	0
		62%	38%	15%	31%	45%	55%	0%
Bedford	68	50	18	13	20	33	35	0
		74%	26%	19%	29%	49%	51%	0%
Birmingham	1,260	834	426	803	216	1,019	240	1
		66%	34%	64%	17%	81%	19%	0%
Blackburn with Darwen	0	0	0	0	0	0	0	0
Blackpool	126	61	65	19	50	69	56	1
		48%	52%	15%	40%	55%	44%	1%
Bolton	228	105	123	41	91	132	92	4
		46%	54%	18%	40%	58%	40%	2%
Bournemouth	205	146	59	50	54	104	100	1
		71%	29%	24%	26%	51%	49%	0%
Braintree	0	0	0	0	0	0	0	0
Brentwood	79	51	28	33	18	51	28	0
		65%	35%	42%	23%	65%	35%	0%
Brighton & Hove	411	265	146	96	117	213	198	0
		64%	36%	23%	28%	52%	48%	0%
Bristol	227	156	71	108	51	159	68	0
		69%	31%	48%	22%	70%	30%	0%
Buckinghamshire (High Wycombe)	50	32	18	11	19	30	20	0
		64%	36%	22%	38%	60%	40%	0%
Burnley	0	0	0	0	0	0	0	0
Bury	109	67	42	25	27	52	57	0
		61%	39%	23%	25%	48%	52%	0%
Cambridge	0	0	0	0	0	0	0	0
Canterbury	66	43	23	33	13	46	20	0
		65%	35%	50%	20%	70%	30%	0%
Carlisle	52	21	31	8	21	29	22	1
		40%	60%	15%	40%	56%	42%	2%
Castle Point	0	0	0	0	0	0	0	0
Chelmsford	151	103	48	73	39	112	39	0
		68%	32%	48%	26%	74%	26%	0%
Chorley	0	0	0	0	0	0	0	0
Christchurch	25	15	10	2	5	7	18	0
		60%	40%	8%	20%	28%	72%	0%
Colchester	67	51	16	9	16	25	42	0
		76%	24%	13%	24%	37%	63%	0%
Copeland	7	4	3	1	5	6	1	0
		57%	43%	14%	71%	86%	14%	0%
Dacorum	31	23	8	11	12	23	8	0
		74%	26%	35%	39%	74%	26%	0%
Dartford	9	3	6	3	2	5	4	0
		33%	67%	33%	22%	56%	44%	0%

### Key

- A Appeals received
- B Postal
- C Personal
- D Not Contested by Council
- E Allowed by Adjudicator
- F Total allowed inc. not contested by Council
- G Refused by Adjudicator inc. out of time and withdrawn by appellant
- H Awaiting decision

## Appeals and their outcomes for all Councils 2004

## Key

- A Appeals received  
 B Postal  
 C Personal  
 D Not Contested by Council  
 E Allowed by Adjudicator  
 F Total allowed inc. not contested by Council  
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 H Awaiting decision

Councils	A	B	C	D	E	F	G	H
<b>Dorset</b> ( <i>East Dorset, North Dorset, Purbeck, Wareham &amp; West Dorset</i> )	29	19	10	7	5	12	17	0
		66%	34%	24%	17%	41%	59%	0%
<b>Dover</b>	9	6	3	1	2	3	6	0
		67%	33%	11%	22%	33%	67%	0%
<b>East Sussex</b> ( <i>Lewes</i> )	0	0	0	0	0	0	0	0
<b>Eastleigh</b>	0	0	0	0	0	0	0	0
<b>Eden</b>	54	24	30	5	25	30	24	0
		44%	56%	9%	46%	56%	44%	0%
<b>Epping Forest</b>	45	32	13	8	11	19	25	1
		71%	29%	18%	24%	42%	56%	2%
<b>Fylde</b>	0	0	0	0	0	0	0	0
<b>Gravesham</b>	135	95	40	51	32	83	52	0
		70%	30%	38%	24%	61%	39%	0%
<b>Guildford</b>	0	0	0	0	0	0	0	0
<b>Harlow</b>	11	10	1	6	1	7	4	0
		91%	9%	55%	9%	64%	36%	0%
<b>Harrogate</b>	52	28	24	0	11	11	41	0
		54%	46%	0%	21%	21%	79%	0%
<b>Hart</b>	15	13	2	1	3	4	11	0
		87%	13%	7%	20%	27%	73%	0%
<b>Hastings</b>	113	60	53	8	49	57	55	1
		53%	47%	7%	43%	50%	49%	1%
<b>Herefordshire</b>	22	10	12	1	6	7	15	0
		45%	55%	5%	27%	32%	68%	0%
<b>Hyndburn</b>	0	0	0	0	0	0	0	0
<b>Lancaster</b>	0	0	0	0	0	0	0	0
<b>Liverpool</b>	222	125	97	84	81	165	57	0
		56%	44%	38%	36%	74%	26%	0%
<b>Luton</b>	106	67	39	23	43	66	38	2
		63%	37%	22%	41%	62%	36%	2%
<b>Maidstone</b>	117	79	38	46	33	79	38	0
		68%	32%	39%	28%	68%	32%	0%
<b>Maldon</b>	0	0	0	0	0	0	0	0
<b>Manchester</b>	867	506	361	265	224	489	371	7
		58%	42%	31%	26%	56%	43%	1%
<b>Medway</b>	95	63	32	6	42	48	46	1
		66%	34%	6%	44%	51%	48%	1%
<b>Mid Bedfordshire</b>	1	0	1	1	0	1	0	0
		0%	100%	100%	0%	100%	0%	0%
<b>Middlesbrough</b>	89	57	32	30	35	65	24	0
		64%	36%	34%	39%	73%	27%	0%
<b>Milton Keynes</b>	147	96	51	57	30	87	59	1
		65%	35%	39%	20%	59%	40%	1%
<b>Mole Valley</b>	1	0	1	0	1	1	0	0
		0%	100%	0%	100%	100%	0%	0%
<b>Northampton</b>	105	52	53	48	24	72	33	0
		50%	50%	46%	23%	69%	31%	0%
<b>Norwich</b>	131	95	36	47	19	66	64	1
		73%	27%	36%	15%	50%	49%	1%
<b>Nottingham</b>	398	229	169	169	75	244	149	5
		58%	42%	42%	19%	61%	37%	1%
<b>Oldham</b>	70	46	24	9	29	38	31	1
		66%	34%	13%	41%	54%	44%	1%
<b>Oxfordshire</b> ( <i>Oxford</i> )	108	69	39	45	19	64	44	0
		64%	36%	42%	18%	59%	41%	0%
<b>Pendle</b>	0	0	0	0	0	0	0	0

## Appeals and their outcomes for all Councils 2004

Councils	A	B	C	D	E	F	G	H
<b>Peterborough</b>	22	9	13	5	9	14	6	2
		41%	59%	23%	41%	64%	27%	9%
<b>Plymouth</b>	395	250	145	52	187	239	156	0
		63%	37%	13%	47%	61%	39%	0%
<b>Poole</b>	202	135	67	49	67	116	85	1
		67%	33%	24%	33%	57%	42%	0%
<b>Portsmouth</b>	265	177	88	139	49	188	77	0
		67%	33%	52%	18%	71%	29%	0%
<b>Preston</b>	0	0	0	0	0	0	0	0
<b>Reading</b>	561	368	193	214	165	379	181	1
		66%	34%	38%	29%	68%	32%	0%
<b>Redcar &amp; Cleveland</b>	36	27	9	14	8	22	14	0
		75%	25%	39%	22%	61%	39%	0%
<b>Reigate &amp; Banstead</b>	1	1	0	0	0	0	1	0
		100%	0%	0%	0%	0%	100%	0%
<b>Ribble Valley</b>	0	0	0	0	0	0	0	0
<b>Rochdale</b>	30	15	15	15	6	21	9	0
		50%	50%	50%	20%	70%	30%	0%
<b>Rochford</b>	0	0	0	0	0	0	0	0
<b>Rossendale</b>	0	0	0	0	0	0	0	0
<b>Runnymede</b>	0	0	0	0	0	0	0	0
<b>Rushmoor</b>	70	49	21	12	18	30	40	0
		70%	30%	17%	26%	43%	57%	0%
<b>Salford</b>	145	85	60	77	25	102	42	1
		59%	41%	53%	17%	70%	29%	1%
<b>Salisbury</b>	32	22	10	0	12	12	20	0
		69%	31%	0%	38%	38%	63%	0%
<b>Sandwell</b>	140	88	52	59	12	71	69	0
		63%	37%	42%	9%	51%	49%	0%
<b>Sefton</b>	84	54	30	2	28	30	52	2
		64%	36%	2%	33%	36%	62%	2%
<b>Sevenoaks</b>	12	7	5	1	6	7	5	0
		58%	42%	8%	50%	58%	42%	0%
<b>Shepway</b>	18	12	6	1	3	4	14	0
		67%	33%	6%	17%	22%	78%	0%
<b>Slough</b>	160	113	47	112	16	128	32	0
		71%	29%	70%	10%	80%	20%	0%
<b>South Bedfordshire</b>	3	1	2	3	0	3	0	0
		33%	67%	100%	0%	100%	0%	0%
<b>South Lakeland</b>	46	19	27	21	14	35	11	0
		41%	59%	46%	30%	76%	24%	0%
<b>South Ribble</b>	0	0	0	0	0	0	0	0
<b>Southampton</b>	143	101	42	24	45	69	74	0
		71%	29%	17%	31%	48%	52%	0%
<b>Southend-on-Sea</b>	276	178	98	134	50	184	92	0
		64%	36%	49%	18%	67%	33%	0%
<b>St Albans</b>	0	0	0	0	0	0	0	0
<b>Stoke-on-Trent</b>	103	67	36	20	29	49	52	2
		65%	35%	19%	28%	48%	50%	2%
<b>Stratford on Avon</b>	0	0	0	0	0	0	0	0
<b>Sunderland</b>	111	67	44	29	25	54	56	1
		60%	40%	26%	23%	49%	50%	1%
<b>Swale</b>	14	10	4	1	9	10	4	0
		71%	29%	7%	64%	71%	29%	0%
<b>Swindon</b>	172	99	73	34	53	87	85	0
		58%	42%	20%	31%	51%	49%	0%

### Key

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## Appeals and their outcomes for all Councils 2004

## Key

- A Appeals received  
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Councils	A	B	C	D	E	F	G	H
<b>Taunton Deane</b>	60	42	18	23	15	38	22	0
		70%	30%	38%	25%	63%	37%	0%
<b>Tendring</b>	3	3	0	0	1	1	2	0
		100%	0%	0%	33%	33%	67%	0%
<b>Test Valley</b>	11	7	4	3	5	8	3	0
		64%	36%	27%	45%	73%	27%	0%
<b>Thanet</b>	58	43	15	12	26	38	20	0
		74%	26%	21%	45%	66%	34%	0%
<b>Three Rivers</b>	16	8	8	4	7	11	5	0
		50%	50%	25%	44%	69%	31%	0%
<b>Tonbridge &amp; Malling</b>	10	8	2	1	3	4	5	1
		80%	20%	10%	30%	40%	50%	10%
<b>Trafford</b>	59	36	23	35	19	54	5	0
		61%	39%	59%	32%	92%	8%	0%
<b>Tunbridge Wells</b>	119	77	42	20	44	64	54	1
		65%	35%	17%	37%	54%	45%	1%
<b>Uttlesford</b>	1	1	0	1	0	1	0	0
		100%	0%	100%	0%	100%	0%	0%
<b>Watford</b>	103	59	44	24	46	70	33	0
		57%	43%	23%	45%	68%	32%	0%
<b>West Lancashire</b>	0	0	0	0	0	0	0	0
<b>Weymouth &amp; Portland</b>	18	9	9	3	2	5	12	1
		50%	50%	17%	11%	28%	67%	6%
<b>Wigan</b>	26	14	12	17	6	23	2	1
		54%	46%	65%	23%	88%	8%	4%
<b>Winchester</b>	16	8	8	0	5	5	11	0
		50%	50%	0%	31%	31%	69%	0%
<b>Wirral</b>	88	71	17	42	10	52	36	0
		81%	19%	48%	11%	59%	41%	0%
<b>Worcester</b>	28	19	9	10	1	11	17	0
		68%	32%	36%	4%	39%	61%	0%
<b>Wychavon</b>	0	0	0	0	0	0	0	0
<b>Wyre</b>	0	0	0	0	0	0	0	0
<b>York</b>	41	17	24	10	8	18	19	4
		41%	59%	24%	20%	44%	46%	10%

## Appeals and their outcomes for all Welsh Councils 2004

Councils	A	B	C	D	E	F	G	H
<b>Welsh Councils</b>	107	64	43	46	37	83	24	0
		60%	40%	43%	35%	78%	22%	0%
<b>Carmarthenshire</b>	9	3	6	1	7	8	1	0
		33%	67%	11%	78%	89%	11%	0%
<b>Denbighshire</b>	15	14	1	4	5	9	6	0
		93%	7%	27%	33%	60%	40%	0%
<b>Neath Port Talbot</b>	83	47	36	41	25	66	17	0
		57%	43%	49%	30%	80%	20%	0%

# Table 6

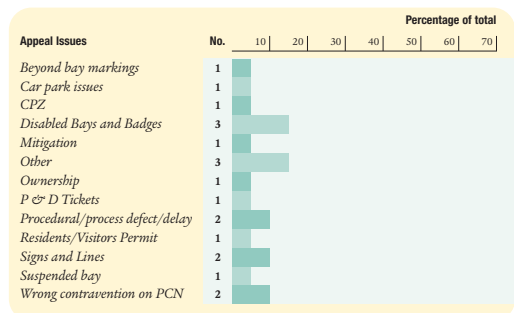
## Appeals and Issues arising by Individual Councils 2004

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 2004 the Council area is not listed. (3) Issues tables only appear for Councils with a minimum of 10 appeals.

Councils	A	B	C	D	E	F	G	H
<b>All</b>	<b>10,441</b>	<b>6,568</b>	<b>3,873</b>	<b>3,603</b>	<b>2,840</b>	<b>6,443</b>	<b>3,951</b>	<b>47</b>
2003	9,213	6,180	3,033	3,451	2,610	6,061	3,001	151
2002 - 2003	8,537	5,726	2,811	3,430	2,250	5,680	2,786	71
2001 - 2002	4,517	3,178	1,339	1,890	1,056	2,946	1,469	97
2000 - 2001	2,190	1,477	713	946	619	1,565	582	43
1999 - 2000 PART	649	376	273	204	216	420	224	5
		63%	37%	35%	27%	62%	38%	0%
		67%	33%	37%	28%	66%	33%	2%
		67%	33%	40%	26%	67%	33%	1%
		70%	30%	42%	23%	65%	33%	2%
		67%	33%	43%	28%	71%	27%	2%
		58%	42%	31%	33%	64%	35%	1%

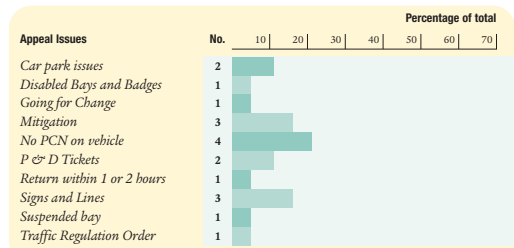
Councils	A	B	C	D	E	F	G	H
<b>Allerdale</b>	<b>25</b>	<b>13</b>	<b>12</b>	<b>3</b>	<b>10</b>	<b>13</b>	<b>11</b>	<b>1</b>
2003	2	2	0	1	1	2	0	0
		100%	0%	50%	50%	100%	0%	0%

SPA Commencement 13th Oct 2003



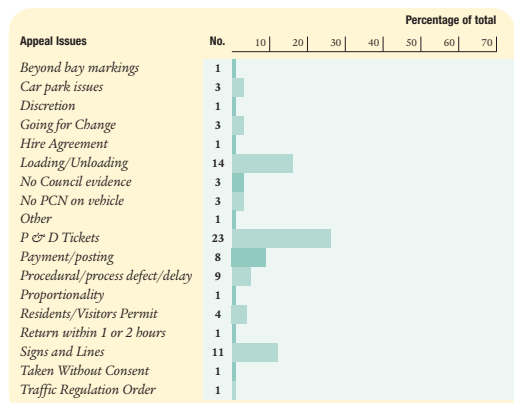
Councils	A	B	C	D	E	F	G	H
<b>Ashford</b>	<b>30</b>	<b>20</b>	<b>10</b>	<b>9</b>	<b>8</b>	<b>17</b>	<b>13</b>	<b>0</b>
2003	39	24	15	14	16	30	9	0
2002 - 2003	47	33	14	12	18	30	17	0
2001 - 2002	32	24	8	13	3	16	15	1
2000 - 2001	4	3	1	0	1	1	3	0
		67%	33%	30%	27%	57%	43%	0%
		62%	38%	36%	41%	77%	23%	0%
		70%	30%	26%	38%	64%	36%	0%
		75%	25%	41%	9%	50%	47%	3%
		75%	25%	0%	25%	25%	75%	0%

SPA Commencement 2nd Oct 2000



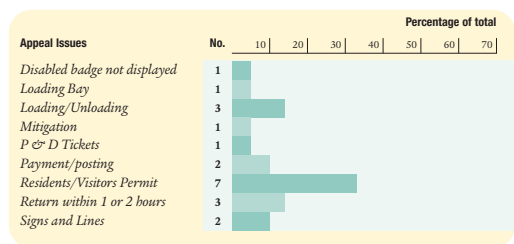
Councils	A	B	C	D	E	F	G	H
<b>Aylesbury Vale</b>	<b>104</b>	<b>50</b>	<b>54</b>	<b>6</b>	<b>59</b>	<b>65</b>	<b>39</b>	<b>0</b>
2003	0	0	0	0	0	0	0	0
		0%	0%	0%	0%	0%	0%	0%

SPA Commencement 30th Jun 2003



Councils	A	B	C	D	E	F	G	H
<b>Barrow-in-Furness</b>	<b>20</b>	<b>10</b>	<b>10</b>	<b>4</b>	<b>5</b>	<b>9</b>	<b>11</b>	<b>0</b>
2003	21	11	10	2	11	13	8	0
2002 - 2003	29	14	15	2	12	14	15	0
2001 - 2002	9	5	4	2	1	3	5	1
		50%	50%	20%	25%	45%	55%	0%
		52%	48%	10%	52%	62%	38%	0%
		48%	52%	7%	41%	48%	52%	0%
		55%	45%	22%	11%	33%	56%	11%

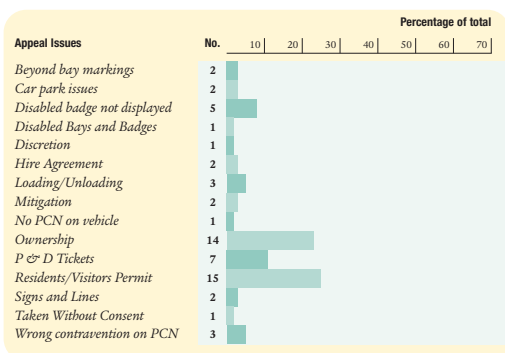
SPA Commencement 3rd Sept 2001



# Appeals and Issues arising by Individual Councils 2004

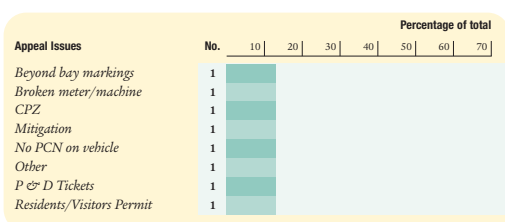
Notes: (1) Figures for years 2001-2 and after relate to PCNs appealed, previous years are number of cases. (2) Where there have been no appeals received during 2004 the Council area is not listed. (3) Issues tables only appear for Councils with a minimum of 10 appeals.

## Councils A B C D E F G H



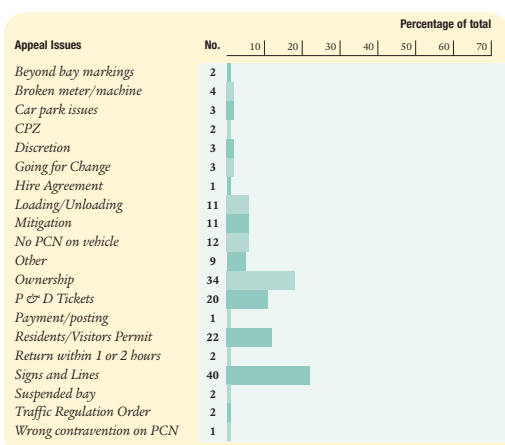
Council	A	B	C	D	E	F	G	H
<b>Basildon</b>	<b>89</b>	<b>62</b>	<b>27</b>	<b>17</b>	<b>35</b>	<b>52</b>	<b>37</b>	<b>0</b>
2003	15	14	1	6	6	12	3	0
		93%	7%	40%	40%	80%	20%	0%

SPA Commencement 1st Apr 2003



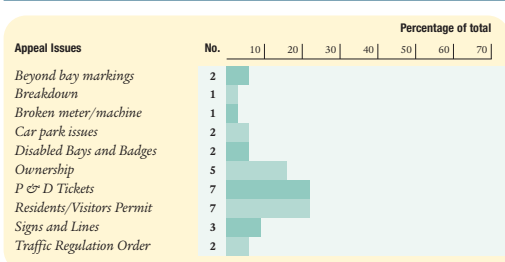
Council	A	B	C	D	E	F	G	H
<b>Basingstoke &amp; Deane</b>	<b>10</b>	<b>9</b>	<b>1</b>	<b>2</b>	<b>1</b>	<b>3</b>	<b>7</b>	<b>0</b>
2003	9	8	1	4	3	7	2	0
2002 - 2003	3	3	0	3	0	3	0	0
		89%	11%	44%	33%	78%	2%	0%
		100%	0%	100%	100%	100%	0%	0%

SPA Commencement 1st Oct 2002



Council	A	B	C	D	E	F	G	H
<b>Bath &amp; NE Somerset</b>	<b>245</b>	<b>152</b>	<b>93</b>	<b>36</b>	<b>75</b>	<b>111</b>	<b>134</b>	<b>0</b>
2003	81	65	16	21	26	47	33	1
2002 - 2003	0	0	0	0	0	0	0	0
		80%	20%	26%	32%	58%	41%	1%

SPA Commencement 17th Feb 2003



Council	A	B	C	D	E	F	G	H
<b>Bedford</b>	<b>68</b>	<b>50</b>	<b>18</b>	<b>13</b>	<b>20</b>	<b>33</b>	<b>35</b>	<b>0</b>
2003	78	53	25	24	17	41	30	7
2002 - 2003	162	115	47	37	38	75	84	3
2001 - 2002	68	55	13	16	11	27	34	7
2000 - 2001	0	0	0	0	0	0	0	0
		74%	26%	19%	29%	49%	51%	0%
		68%	32%	31%	22%	53%	38%	9%
		71%	29%	23%	23%	46%	52%	2%
		81%	19%	24%	16%	40%	50%	10%

SPA Commencement 13th Nov 2000

### Key

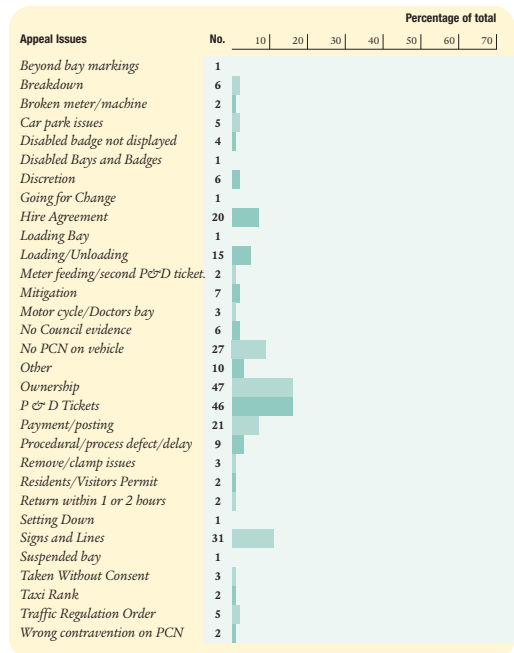
- A Appeals received
- B Postal
- C Personal
- D Not Contested by Council
- E Allowed by Adjudicator
- F Total allowed inc. not contested by Council
- G Refused by Adjudicator inc. out of time and withdrawn by appellant
- H Awaiting decision

# Appeals and Issues arising by Individual Councils 2004

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 2004 the Council area is not listed. (3) Issues tables only appear for Councils with a minimum of 10 appeals.

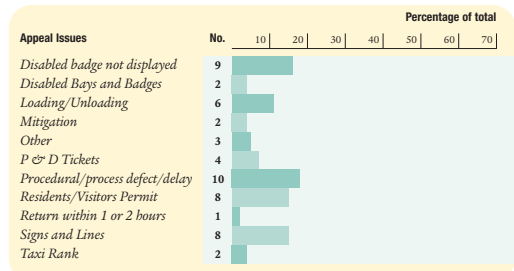
Councils	A	B	C	D	E	F	G	H
<b>Birmingham</b>	<b>1,260</b>	<b>834</b>	<b>426</b>	<b>803</b>	<b>216</b>	<b>1,019</b>	<b>240</b>	<b>1</b>
2003	751	557	194	509	112	621	120	10
2002 - 2003	630	455	175	442	80	523	102	5
2001 - 2002	29	26	3	28	1	29	0	0
	90%	10%	97%	3%	100%	0%	0%	

SPA Commencement 3rd Sept 2001



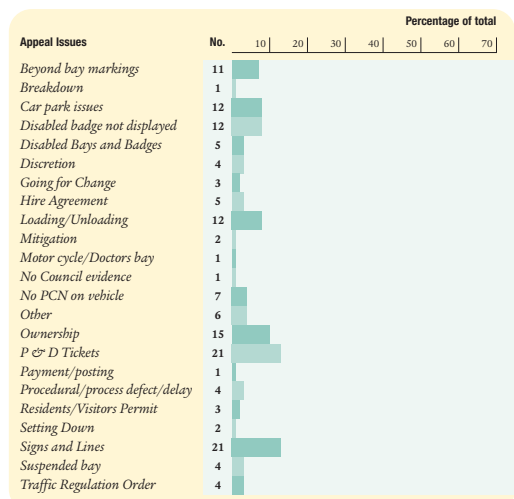
Councils	A	B	C	D	E	F	G	H
<b>Blackpool</b>	<b>126</b>	<b>61</b>	<b>65</b>	<b>18</b>	<b>48</b>	<b>66</b>	<b>56</b>	<b>4</b>
2003	0	0	0	0	0	0	0	0

SPA Commencement 10th Nov 2003



Councils	A	B	C	D	E	F	G	H
<b>Bolton</b>	<b>228</b>	<b>105</b>	<b>123</b>	<b>41</b>	<b>91</b>	<b>132</b>	<b>91</b>	<b>5</b>
2003	229	107	122	45	80	125	101	3
2002 - 2003	226	117	109	40	76	116	110	0
2001 - 2002	98	58	40	29	38	67	31	0
2000 - 2001	0	0	0	0	0	0	0	0

SPA Commencement 4th Sept 2000

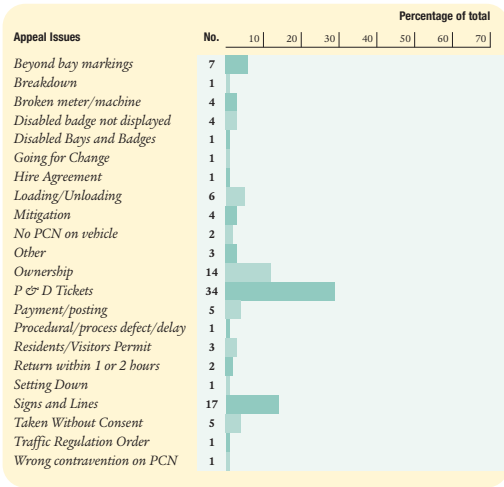




# Appeals and Issues arising by Individual Councils 2004

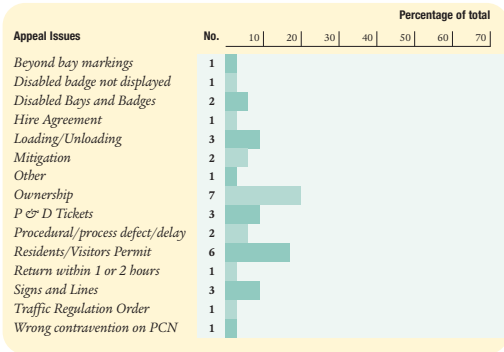
**Notes:** (1) Figures for years 2001-2 and after relate to PCNs appealed, previous years are number of cases. (2) Where there have been no appeals received during 2004 the Council area is not listed. (3) Issues tables only appear for Councils with a minimum of 10 appeals.

**Councils**      **A**   **B**   **C**   **D**   **E**   **F**   **G**   **H**



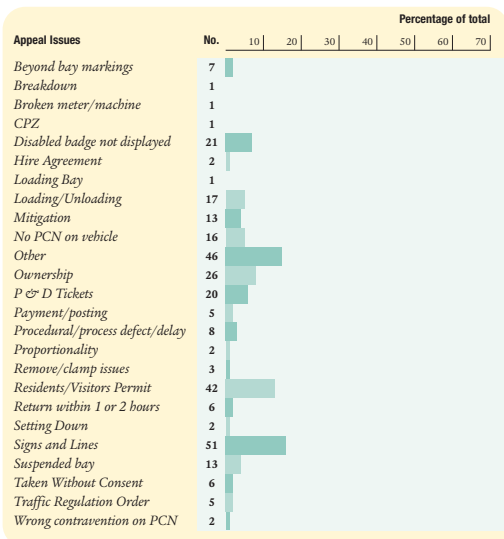
	A	B	C	D	E	F	G	H
<b>Bournemouth</b>	<b>205</b>	<b>146</b>	<b>59</b>	<b>50</b>	<b>55</b>	<b>105</b>	<b>100</b>	<b>0</b>
2003	228	147	81	117	48	165	61	2
2002 – 2003	157	113	44	70	19	89	66	2
2001 – 2002	23	14	9	8	4	12	11	0

SPA Commencement 3rd Sept 2001



	A	B	C	D	E	F	G	H
<b>Brentwood</b>	<b>79</b>	<b>51</b>	<b>28</b>	<b>33</b>	<b>18</b>	<b>51</b>	<b>28</b>	<b>0</b>
2003	26	15	11	11	2	13	7	6
2002 – 2003	0	0	0	0	0	0	0	0

SPA Commencement 1st Oct 2002



	A	B	C	D	E	F	G	H
<b>Brighton &amp; Hove</b>	<b>411</b>	<b>265</b>	<b>146</b>	<b>96</b>	<b>117</b>	<b>213</b>	<b>198</b>	<b>0</b>
2003	232	161	71	61	70	131	99	2
2002 – 2003	140	85	55	61	30	91	48	1
2001 – 2002	31	27	4	16	8	24	6	1

SPA Commencement 16th Jul 2001

**Key**

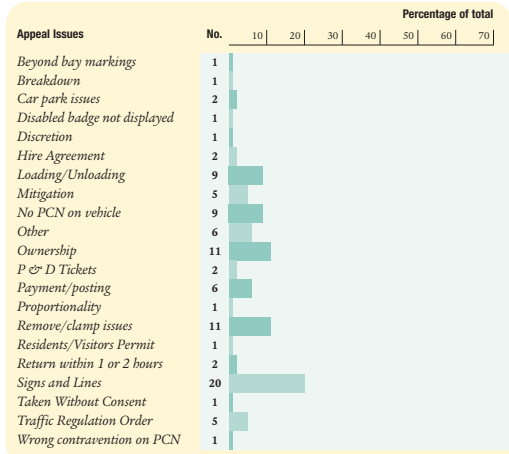
- A Appeals received
- B Postal
- C Personal
- D Not Contested by Council
- E Allowed by Adjudicator
- F Total allowed inc. not contested by Council
- G Refused by Adjudicator inc. out of time and withdrawn by appellant
- H Awaiting decision

## Appeals and Issues arising by Individual Councils 2004

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 2004 the Council area is not listed. (3) Issues tables only appear for Councils with a minimum of 10 appeals.

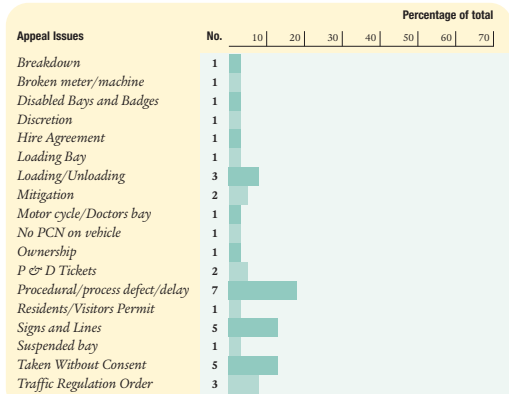
Councils	A	B	C	D	E	F	G	H
<b>Bristol</b>	<b>227</b>	<b>156</b>	<b>71</b>	<b>108</b>	<b>51</b>	<b>159</b>	<b>68</b>	<b>0</b>
2003	224	159	65	117	37	154	68	2
2002 - 2003	260	183	77	162	35	197	60	3
2001 - 2002	166	99	67	99	20	119	43	4
2000 - 2001	128	87	41	66	46	112	10	6
		68%	32%	52%	36%	88%	8%	5%

SPA Commencement 1st Apr 2000



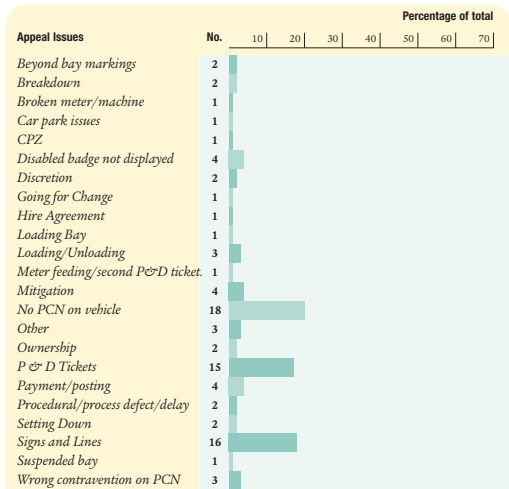
Councils	A	B	C	D	E	F	G	H
<b>Buckinghamshire (High Wycombe)</b>	<b>50</b>	<b>32</b>	<b>18</b>	<b>11</b>	<b>19</b>	<b>30</b>	<b>20</b>	<b>0</b>
2003	30	24	6	13	6	19	10	1
2002 - 2003	55	45	10	20	7	27	26	2
2001 - 2002	39	31	8	15	9	24	13	2
2000 - 2001	86	59	27	44	15	59	26	1
1999 - 2000 PART	54	40	14	26	13	39	15	0
		74%	26%	48%	24%	72%	28%	0%

SPA Commencement 3rd Mar 1997



Councils	A	B	C	D	E	F	G	H
<b>Bury</b>	<b>109</b>	<b>67</b>	<b>42</b>	<b>25</b>	<b>27</b>	<b>52</b>	<b>57</b>	<b>0</b>
2003	117	58	59	10	69	79	28	10
2002 - 2003	18	13	5	3	12	15	3	0
		72%	28%	17%	67%	83%	17%	0%

SPA Commencement 14th Oct 2002

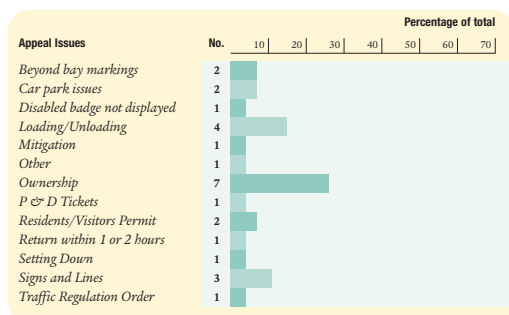


### Key

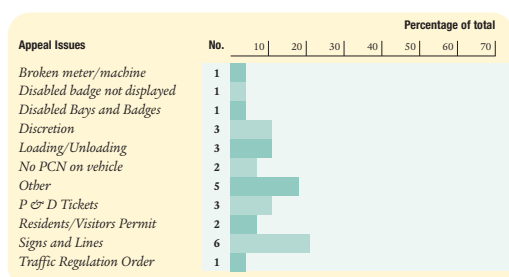
- A Appeals received
- B Postal
- C Personal
- D Not Contested by Council
- E Allowed by Adjudicator
- F Total allowed inc. not contested by Council
- G Refused by Adjudicator inc. out of time and withdrawn by appellant
- H Awaiting decision

# Appeals and Issues arising by Individual Councils 2004

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 2004 the Council area is not listed. (3) Issues tables only appear for Councils with a minimum of 10 appeals.

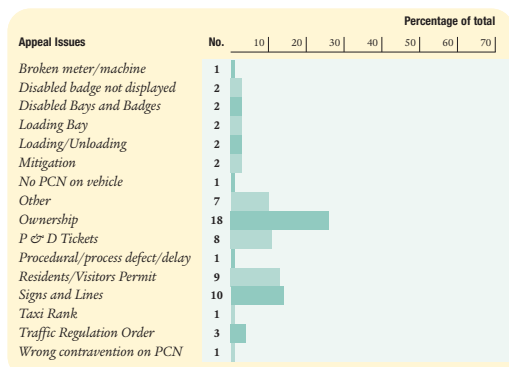


Councils	A	B	C	D	E	F	G	H
<b>Canterbury</b>	<b>66</b>	<b>43</b>	<b>23</b>	<b>33</b>	<b>13</b>	<b>46</b>	<b>20</b>	<b>0</b>
2003	115	65%	35%	50%	20%	70%	30%	0%
2002 - 2003	114	74	41	70	24	94	21	0
2001 - 2002	216	61%	39%	34%	32%	67%	33%	0%
2000 - 2001	168	82%	18%	62%	13%	75%	24%	1%
1999 - 2000 PART	4	74%	26%	49%	31%	80%	17%	3%
SPA Commencement 10th Jan 2000	100%	0%	50%	25%	75%	25%	0%	

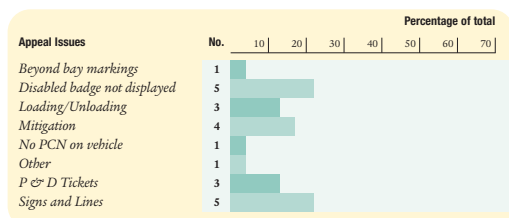


<b>Carlisle</b>	<b>52</b>	<b>21</b>	<b>31</b>	<b>8</b>	<b>21</b>	<b>29</b>	<b>22</b>	<b>1</b>
2003	49	40%	60%	15%	40%	56%	42%	2%
2002 - 2003	103	49	51%	12%	35%	47%	51%	2%
2001 - 2002	0	54	49	17	33	50	53	0
SPA Commencement 26th Nov 2001	52%	0	48%	17%	32%	49%	51%	0

<b>Carmarthenshire</b>	<b>9</b>	<b>3</b>	<b>6</b>	<b>1</b>	<b>7</b>	<b>8</b>	<b>1</b>	<b>0</b>
SPA Commencement 1st Feb 2004	33%	67%	11%	78%	89%	11%	0%	



<b>Chelmsford</b>	<b>151</b>	<b>103</b>	<b>48</b>	<b>73</b>	<b>39</b>	<b>112</b>	<b>39</b>	<b>0</b>
2003	151	68%	32%	48%	26%	74%	26%	0%
2002 - 2003	14	69%	31%	30%	30%	96%	4%	0%
SPA Commencement 1st Oct 2002	93%	7%	36%	64%	100%	0%	0%	



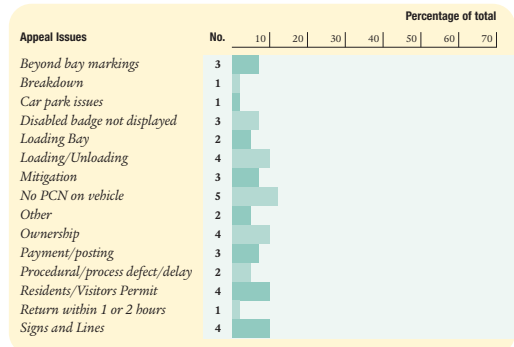
<b>Christchurch</b>	<b>25</b>	<b>15</b>	<b>10</b>	<b>2</b>	<b>5</b>	<b>7</b>	<b>18</b>	<b>0</b>
2003	17	60%	40%	8%	20%	28%	72%	0%
2002 - 2003	0	53%	47%	18%	53%	71%	29%	0%
SPA Commencement 3rd Mar 2003	0	0	0	0	0	0	0	0

# Appeals and Issues arising by Individual Councils 2004

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 2004 the Council area is not listed. (3) Issues tables only appear for Councils with a minimum of 10 appeals.

Councils	A	B	C	D	E	F	G	H
<b>Colchester</b>	<b>67</b>	<b>51</b>	<b>16</b>	<b>9</b>	<b>16</b>	<b>25</b>	<b>42</b>	<b>0</b>
2003	46	28	18	9	25	34	12	0
2002 - 2003	10	6	4	1	7	8	2	0
	60%	40%	10%	70%	80%	20%	0%	

SPA Commencement 1st Oct 2002

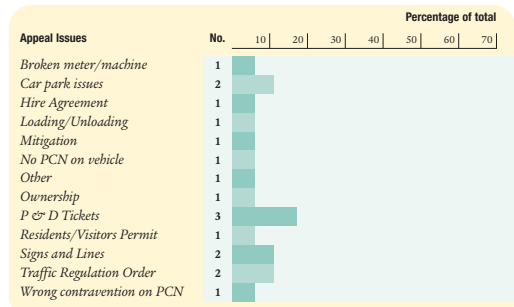


<b>Copeland</b>	<b>7</b>	<b>4</b>	<b>3</b>	<b>1</b>	<b>5</b>	<b>6</b>	<b>1</b>	<b>0</b>
2003	0	0	0	0	0	0	0	0

SPA Commencement 29th Sept 2003

<b>Dacorum</b>	<b>31</b>	<b>23</b>	<b>8</b>	<b>11</b>	<b>12</b>	<b>23</b>	<b>8</b>	<b>0</b>
2003	1	1	0	0	0	0	1	0
	100%	0%	0%	0%	0%	100%	0%	

SPA Commencement 6th Oct 2003

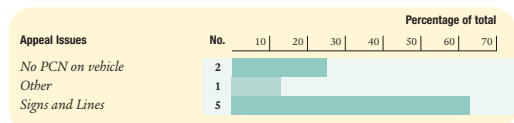


<b>Dartford</b>	<b>9</b>	<b>3</b>	<b>6</b>	<b>3</b>	<b>2</b>	<b>5</b>	<b>4</b>	<b>0</b>
2003	16	9	7	4	10	14	2	0
2002 - 2003	13	5	8	0	5	5	8	0
2001 - 2002	5	4	1	1	3	4	1	0
	80%	20%	20%	60%	80%	20%	0%	

SPA Commencement 2nd Jul 2001

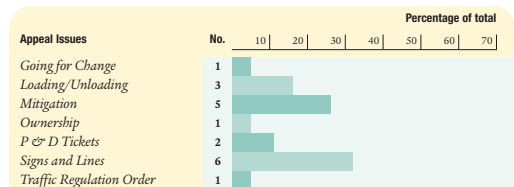
<b>Denbighshire</b>	<b>15</b>	<b>14</b>	<b>1</b>	<b>4</b>	<b>5</b>	<b>9</b>	<b>6</b>	<b>0</b>
	93%	7%	27%	33%	60%	40%	0%	

SPA Commencement 1st Jul 2004



<b>Dorset (East Dorset, North Dorset, Purbeck, Wareham &amp; West Dorset)</b>	<b>29</b>	<b>19</b>	<b>10</b>	<b>7</b>	<b>5</b>	<b>12</b>	<b>17</b>	<b>0</b>
2003	23	13	10	6	6	12	11	0
2002 - 2003	10	6	4	2	1	3	7	0
	60%	40%	20%	10%	30%	70%	0%	

SPA Commencement 1st Jul 2002

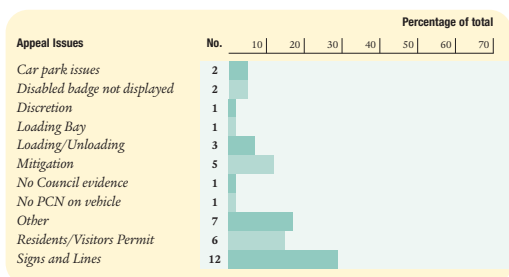


<b>Dover</b>	<b>9</b>	<b>6</b>	<b>3</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>6</b>	<b>0</b>
2003	9	5	4	0	5	5	4	0
2001 - 2002	15	9	6	0	5	5	10	0
2000 - 2001	0	0	0	0	0	0	0	0
	56%	44%	0%	56%	56%	44%	0%	

SPA Commencement 23rd Jan 2001

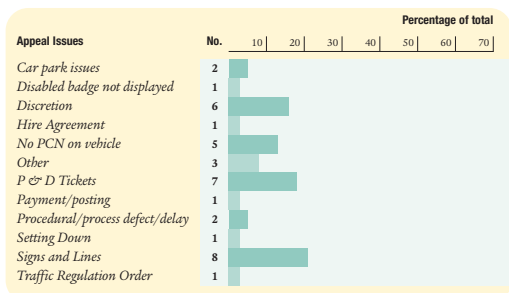
# Appeals and Issues arising by Individual Councils 2004

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 2004 the Council area is not listed. (3) Issues tables only appear for Councils with a minimum of 10 appeals.



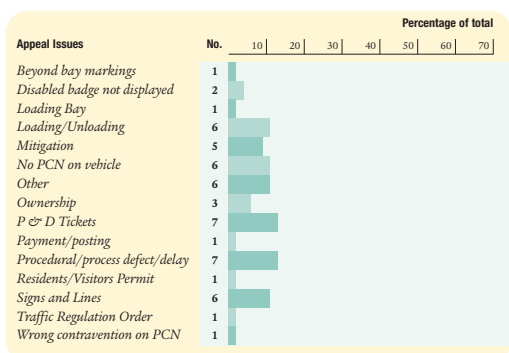
Councils	A	B	C	D	E	F	G	H
<b>Eden</b>	<b>54</b>	<b>24</b>	<b>30</b>	<b>5</b>	<b>25</b>	<b>30</b>	<b>24</b>	<b>0</b>
2003	15	8	7	4	3	7	7	1
		53%	47%	27%	20%	47%	47%	7%
2002 – 2003	0	0	0	0	0	0	0	0

SPA Commencement 20th Jan 2003



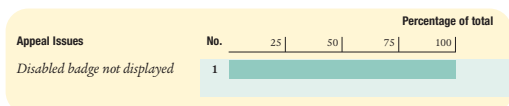
Councils	A	B	C	D	E	F	G	H
<b>Epping Forest</b>	<b>45</b>	<b>32</b>	<b>13</b>	<b>8</b>	<b>11</b>	<b>19</b>	<b>25</b>	<b>1</b>
2003	31	13	18	4	10	14	16	1
		42%	58%	13%	32%	45%	52%	3%
2002 – 2003	6	4	2	1	0	1	5	0
		67%	33%	17%	0%	17%	83%	0%

SPA Commencement 1st Oct 2002

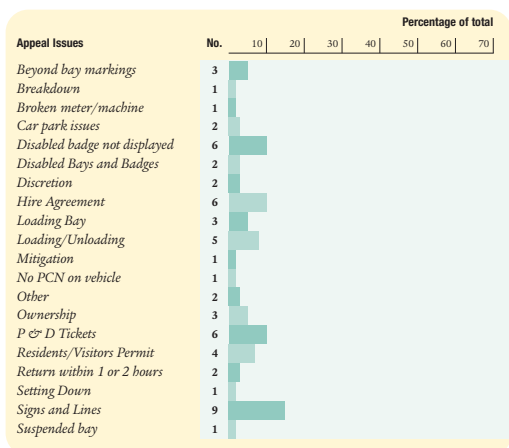


Councils	A	B	C	D	E	F	G	H
<b>Gravesham</b>	<b>135</b>	<b>95</b>	<b>40</b>	<b>51</b>	<b>32</b>	<b>83</b>	<b>52</b>	<b>0</b>
2003	27	13	14	13	11	24	3	0
		48%	52%	48%	41%	89%	11%	0%
2002 – 2003	3	3	0	0	1	1	2	0
		100%	0%	0%	33%	33%	67%	0%
2001 – 2002	22	19	3	2	10	12	10	0
		86%	14%	9%	46%	55%	45%	0%
2000 – 2001	21	18	3	1	8	9	11	1
		86%	14%	5%	38%	43%	52%	5%

SPA Commencement 4th Jan 2000



Councils	A	B	C	D	E	F	G	H
<b>Harlow</b>	<b>11</b>	<b>10</b>	<b>1</b>	<b>6</b>	<b>1</b>	<b>7</b>	<b>4</b>	<b>0</b>
2003	0	0	0	0	0	0	0	0
		91%	9%	55%	9%	64%	36%	0%



Councils	A	B	C	D	E	F	G	H
<b>Harrogate</b>	<b>52</b>	<b>28</b>	<b>24</b>	<b>0</b>	<b>11</b>	<b>11</b>	<b>41</b>	<b>0</b>
2003	87	56	31	1	26	27	57	3
		64%	36%	1%	30%	31%	66%	3%
2002 – 2003	31	18	13	1	6	7	24	0
		58%	42%	3%	19%	23%	77%	0%

SPA Commencement 15th Jul 2002

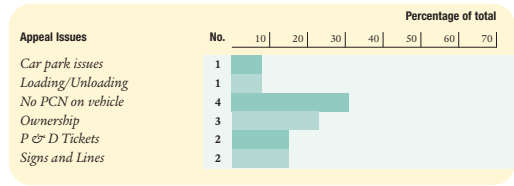
### Key

- A Appeals received
- B Postal
- C Personal
- D Not Contested by Council
- E Allowed by Adjudicator
- F Total allowed inc. not contested by Council
- G Refused by Adjudicator inc. out of time and withdrawn by appellant
- H Awaiting decision

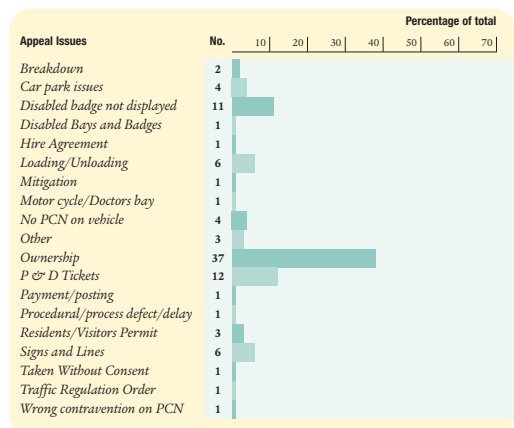
# Appeals and Issues arising by Individual Councils 2004

**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 2004 the Council area is not listed. (3) Issues tables only appear for Councils with a minimum of 10 appeals.

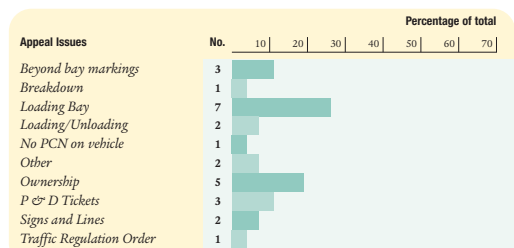
Councils	A	B	C	D	E	F	G	H
<b>Hart</b>	15	13	2	1	3	4	11	0
2003	21	87%	13%	7%	20%	27%	73%	0%
2002 - 2003	9	67%	33%	19%	33%	52%	48%	0%
SPA Commencement 5th Jun 2002	67%	33%	0%	44%	44%	56%	0%	



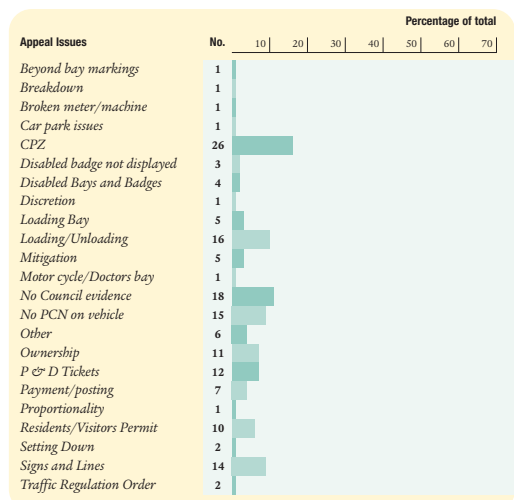
Councils	A	B	C	D	E	F	G	H
<b>Hastings</b>	113	60	53	8	49	57	55	1
2003	88	53%	47%	7%	43%	50%	49%	1%
2002 - 2003	113	57	56	12	38	50	63	0
2001 - 2002	53	27	26	9	26	35	18	0
2000 - 2001	40	19	21	9	13	22	17	1
1999 - 2000 PART	25	18	7	20	4	24	1	0
SPA Commencement 10th May 1999	72%	28%	80%	16%	96%	4%	0%	



Councils	A	B	C	D	E	F	G	H
<b>Herefordshire</b>	22	10	12	1	6	7	15	0
2003	70	45%	55%	5%	27%	32%	68%	0%
2002 - 2003	83	56	27	26	24	50	33	0
2001 - 2002	4	3	1	1	0	1	2	1
SPA Commencement 5th Nov 2001	75%	25%	25%	0%	25%	50%	25%	



Councils	A	B	C	D	E	F	G	H
<b>Liverpool</b>	222	125	97	84	81	165	57	0
2003	138	106	32	73	28	101	33	4
2002 - 2003	87	77	10	87	0	87	0	0
SPA Commencement 1st Jul 2002	89%	11%	100%	0%	100%	0%	0%	



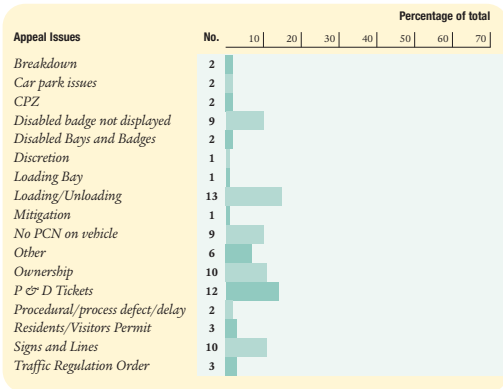
**Key**

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- E Allowed by Adjudicator
- F Total allowed inc. not contested by Council
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# Appeals and Issues arising by Individual Councils 2004

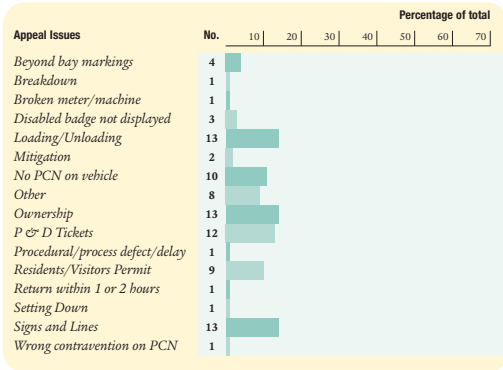
Notes: (1) Figures for years 2001-2 and after relate to PCNs appealed, previous years are number of cases. (2) Where there have been no appeals received during 2004 the Council area is not listed. (3) Issues tables only appear for Councils with a minimum of 10 appeals.

## Councils A B C D E F G H



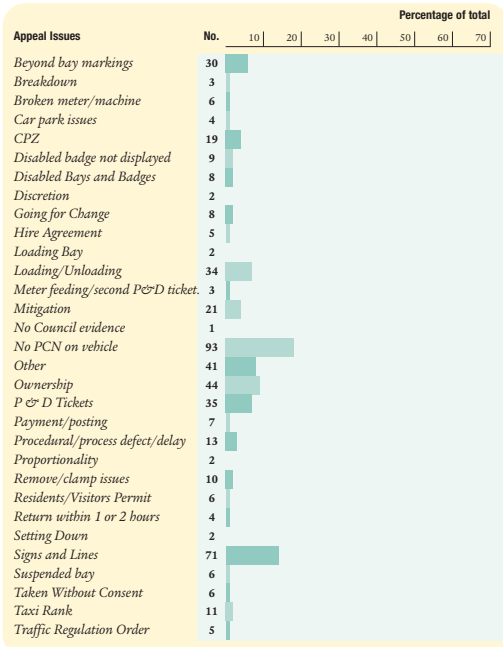
Year	A	B	C	D	E	F	G	H
<b>Luton</b>	<b>106</b>	<b>67</b>	<b>39</b>	<b>23</b>	<b>43</b>	<b>66</b>	<b>38</b>	<b>2</b>
2003	150	63%	37%	22%	41%	62%	36%	2%
2002 - 2003	188	79	71	48	41	89	57	4
		53%	47%	32%	27%	59%	38%	3%
2001 - 2002	92	62	30	19	33	52	37	3
		72%	28%	19%	39%	57%	41%	1%
2000 - 2001	74	67	33	21	36	57	40	3
		67%	33%	21%	36%	57%	40%	3%
1999 - 2000 PART	14	40	34	24	26	50	24	0
		54%	46%	32%	35%	67%	33%	0%
		57%	43%	14%	57%	71%	21%	7%

SPA Commencement 19th Jan 1999



Year	A	B	C	D	E	F	G	H
<b>Maidstone</b>	<b>117</b>	<b>79</b>	<b>38</b>	<b>46</b>	<b>33</b>	<b>79</b>	<b>38</b>	<b>0</b>
2003	136	68%	32%	39%	28%	68%	32%	0%
2002 - 2003	131	70	66	21	67	88	46	2
		51%	49%	15%	49%	65%	34%	1%
2001 - 2002	83	67	33	8	41	49	46	5
		67%	33%	8%	41%	49%	46%	5%
2000 - 2001	37	61	39	8	39	47	49	4
		61%	39%	8%	39%	47%	49%	4%
1999 - 2000 PART	19	37	27	10	9	19	17	1
		73%	27%	24%	27%	51%	46%	3%
		68%	32%	42%	16%	58%	42%	0%

SPA Commencement 29th Sept 1997



Year	A	B	C	D	E	F	G	H
<b>Manchester</b>	<b>867</b>	<b>506</b>	<b>361</b>	<b>265</b>	<b>224</b>	<b>489</b>	<b>371</b>	<b>7</b>
2003	806	58%	42%	31%	26%	56%	43%	1%
2002 - 2003	1,162	528	278	258	235	493	297	16
		66%	34%	32%	29%	61%	37%	2%
2001 - 2002	902	719	443	503	315	818	339	5
		62%	38%	43%	27%	70%	29%	1%
2000 - 2001	665	609	293	396	237	633	255	14
		68%	32%	44%	26%	70%	28%	2%
1999 - 2000 PART	272	665	417	248	321	189	510	148
		63%	37%	48%	29%	77%	22%	1%
		49%	51%	32%	44%	76%	24%	0%

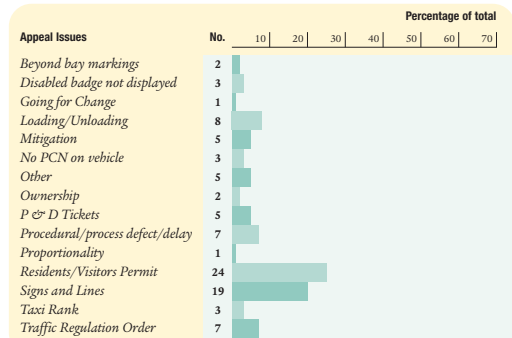
SPA Commencement 5th Apr 1999

## Appeals and Issues arising by Individual Councils 2004

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 2004 the Council area is not listed. (3) Issues tables only appear for Councils with a minimum of 10 appeals.

Councils	A	B	C	D	E	F	G	H
<b>Medway</b>	<b>95</b>	<b>63</b>	<b>32</b>	<b>6</b>	<b>42</b>	<b>48</b>	<b>46</b>	<b>1</b>
2003	176	102	74	54	64	118	58	0
2002 - 2003	190	139	51	58	56	114	74	2
2001 - 2002	204	139	65	73	68	141	62	1
2000 - 2001	118	86	32	83	18	101	17	0
		73%	27%	70%	15%	85%	15%	0%

SPA Commencement 3rd Jan 2000

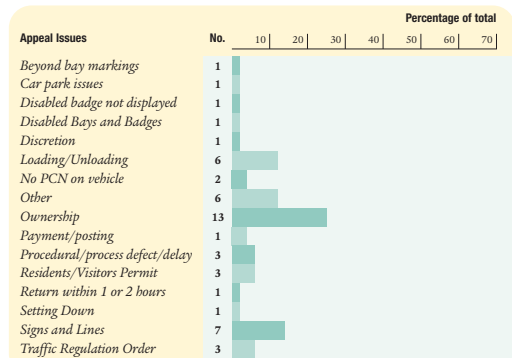


<b>Mid Bedfordshire</b>	<b>1</b>	<b>0</b>	<b>1</b>	<b>1</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>
		0%	100%	100%	0%	100%	0%	0%

SPA Commencement 2nd Feb 2004

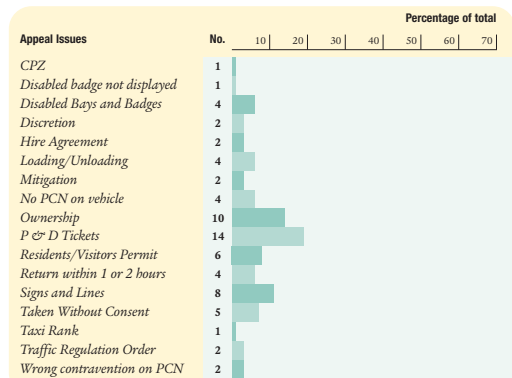
<b>Middlesbrough</b>	<b>89</b>	<b>57</b>	<b>32</b>	<b>30</b>	<b>35</b>	<b>65</b>	<b>24</b>	<b>0</b>
2003	0	0	0	0	0	0	0	0
		64%	36%	34%	39%	73%	27%	0%

SPA Commencement 1st Sept 2003



<b>Milton Keynes</b>	<b>147</b>	<b>96</b>	<b>51</b>	<b>57</b>	<b>30</b>	<b>87</b>	<b>59</b>	<b>1</b>
2003	135	102	33	93	17	110	18	7
2002 - 2003	93	69	24	49	22	71	12	10
2001 - 2002	0	0	0	0	0	0	0	0
		76%	24%	69%	13%	81%	13%	5%

Commencement Date: 25th Mar 2002



<b>Mole Valley</b>	<b>1</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>1</b>	<b>1</b>	<b>0</b>	<b>0</b>
		0%	100%	0%	100%	100%	0%	0%

SPA Commencement 26th Apr 2004

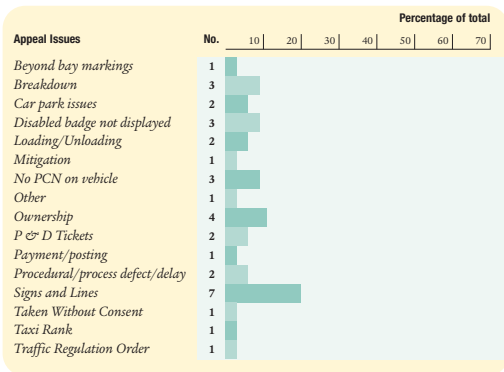
### Key

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- E Allowed by Adjudicator
- F Total allowed inc. not contested by Council
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- H Awaiting decision

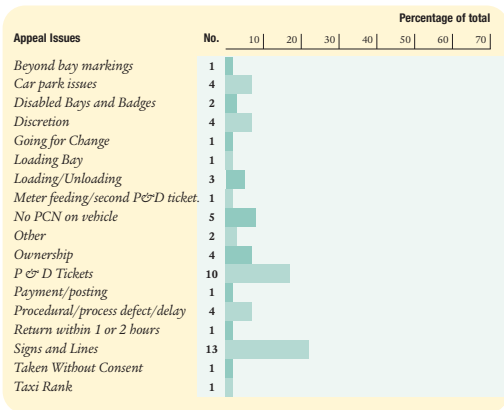


# Appeals and Issues arising by Individual Councils 2004

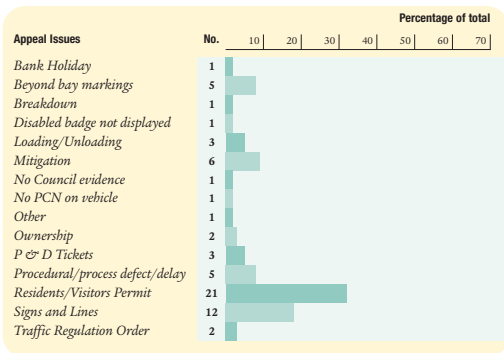
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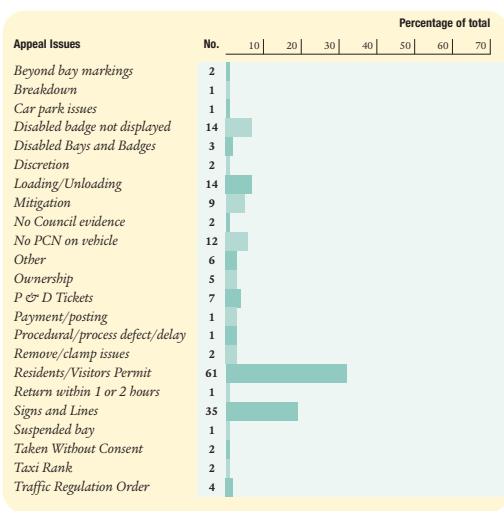
Councils	A	B	C	D	E	F	G	H
<b>Neath Port Talbot</b>	<b>83</b>	<b>47</b>	<b>36</b>	<b>41</b>	<b>25</b>	<b>66</b>	<b>17</b>	<b>0</b>
2003	84	57%	43%	49%	30%	80%	20%	0%
2002 - 2003	110	63%	37%	46%	29%	75%	23%	2%
2001 - 2002	76	62%	38%	45%	24%	68%	31%	1%
2000 - 2001	117	76%	24%	39%	30%	70%	21%	9%
1999 - 2000 PART	31	64%	36%	42%	41%	83%	16%	1%
SPA Commencement 1st Jun 1999		42%	58%	35%	35%	70%	30%	0%



Councils	A	B	C	D	E	F	G	H
<b>Northampton</b>	<b>105</b>	<b>52</b>	<b>53</b>	<b>48</b>	<b>24</b>	<b>72</b>	<b>33</b>	<b>0</b>
2003	140	50%	50%	46%	23%	69%	31%	0%
2002 - 2003	129	62%	38%	39%	25%	64%	30%	6%
2001 - 2002	76	52%	48%	35%	36%	71%	26%	4%
SPA Commencement 2nd Jul 2001		54%	46%	28%	24%	59%	39%	1%



Councils	A	B	C	D	E	F	G	H
<b>Norwich</b>	<b>131</b>	<b>95</b>	<b>36</b>	<b>47</b>	<b>19</b>	<b>66</b>	<b>64</b>	<b>1</b>
2003	54	73%	40%	27%	36%	15%	50%	49%
2002 - 2003	37	74%	26%	43%	15%	57%	41%	2%
2001 - 2002	0	73%	27%	49%	22%	70%	30%	0%
SPA Commencement 4th Feb 2001		0	0	0	0	0	0	0



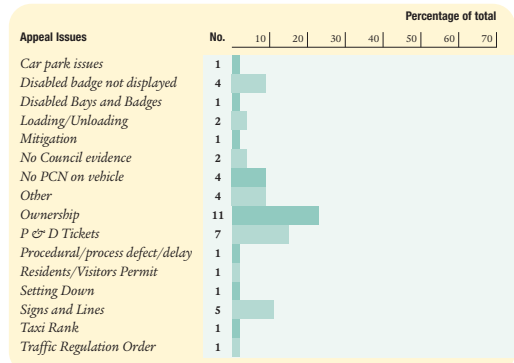
Councils	A	B	C	D	E	F	G	H
<b>Nottingham</b>	<b>398</b>	<b>229</b>	<b>169</b>	<b>169</b>	<b>75</b>	<b>244</b>	<b>149</b>	<b>5</b>
2003	238	58%	42%	42%	19%	61%	37%	1%
2002 - 2003	40	63%	37%	53%	12%	66%	30%	4%
SPA Commencement 1st Oct 2002		78%	23%	53%	5%	58%	43%	0%

# Appeals and Issues arising by Individual Councils 2004

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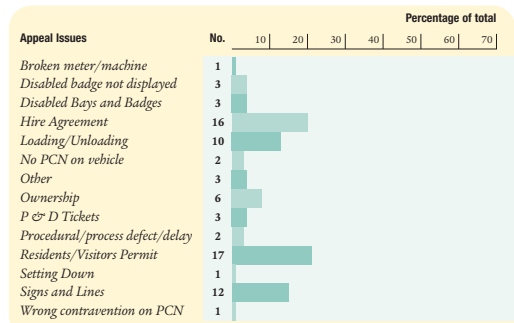
Councils	A	B	C	D	E	F	G	H
<b>Oldham</b>	<b>70</b>	<b>46</b>	<b>24</b>	<b>9</b>	<b>29</b>	<b>38</b>	<b>31</b>	<b>1</b>
2003	99	66%	34%	13%	41%	54%	44%	1%
2002 - 2003	62	67%	33%	34%	38%	73%	26%	1%
2001 - 2002	0	69%	31%	34%	37%	71%	29%	0%

SPA Commencement 1st Oct 2001



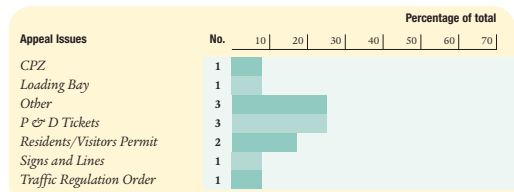
Councils	A	B	C	D	E	F	G	H
<b>Oxfordshire (Oxford)</b>	<b>108</b>	<b>69</b>	<b>39</b>	<b>45</b>	<b>19</b>	<b>64</b>	<b>44</b>	<b>0</b>
2003	193	64%	36%	42%	18%	59%	41%	0%
2002 - 2003	128	78%	22%	31%	14%	45%	54%	1%
2001 - 2002	143	72%	25%	20%	45%	45%	53%	2%
2000 - 2001	95	70%	30%	27%	22%	49%	50%	1%
1999 - 2000 PART	86	64%	36%	24%	25%	49%	49%	2%

SPA Commencement 3rd Feb 1997



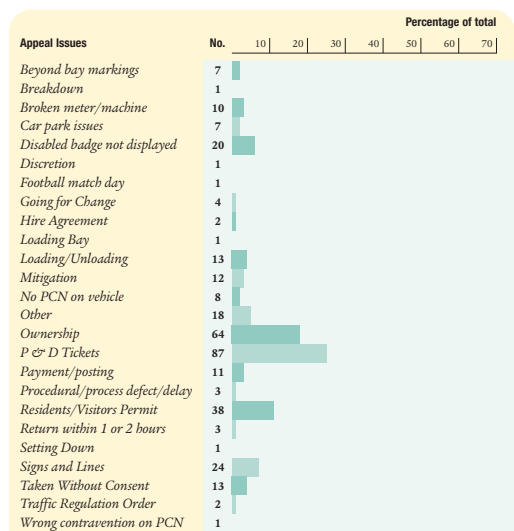
Councils	A	B	C	D	E	F	G	H
<b>Peterborough</b>	<b>22</b>	<b>9</b>	<b>13</b>	<b>5</b>	<b>9</b>	<b>14</b>	<b>6</b>	<b>2</b>
2003	2	41%	59%	23%	41%	64%	27%	9%
		50%	50%	100%	100%	100%	0%	0%

SPA Commencement 22nd Sept 2003



Councils	A	B	C	D	E	F	G	H
<b>Plymouth</b>	<b>395</b>	<b>250</b>	<b>145</b>	<b>52</b>	<b>187</b>	<b>239</b>	<b>156</b>	<b>0</b>
2003	551	63%	37%	13%	47%	61%	39%	0%
2002 - 2003	573	69%	31%	22%	37%	59%	41%	0%
2001 - 2001	298	64%	36%	33%	33%	66%	34%	0%

SPA Commencement 1st Apr 2001



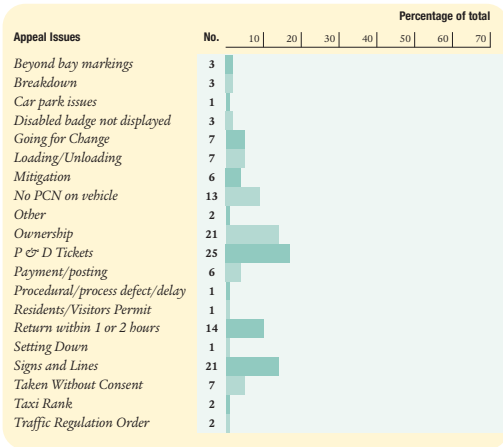
### Key

- A Appeals received
- B Postal
- C Personal
- D Not Contested by Council
- E Allowed by Adjudicator
- F Total allowed inc. not contested by Council
- G Refused by Adjudicator inc. out of time and withdrawn by appellant
- H Awaiting decision

# Appeals and Issues arising by Individual Councils 2004

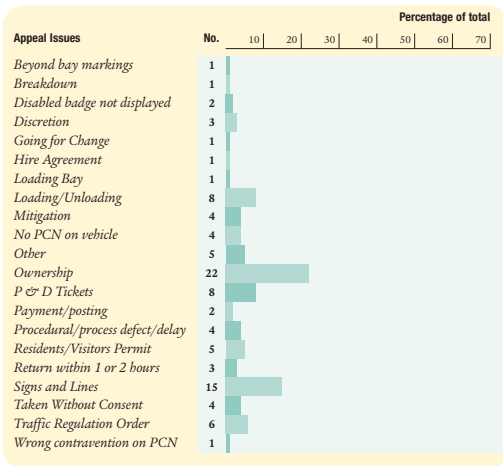
Notes: (1) Figures for years 2001-2 and after relate to PCNs appealed, previous years are number of cases. (2) Where there have been no appeals received during 2004 the Council area is not listed. (3) Issues tables only appear for Councils with a minimum of 10 appeals.

## Councils A B C D E F G H



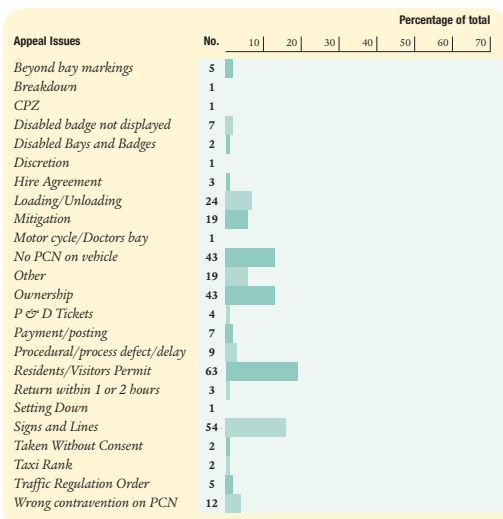
Year	A	B	C	D	E	F	G	H
<b>Poole</b>	<b>202</b>	<b>135</b>	<b>67</b>	<b>49</b>	<b>67</b>	<b>116</b>	<b>85</b>	<b>1</b>
2003	146	98	48	50	42	92	54	0
2002 - 2003	41	26	15	19	10	29	12	0
	63%	37%	46%	24%	71%	29%	0%	

SPA Commencement 2nd Apr 2002



Year	A	B	C	D	E	F	G	H
<b>Portsmouth</b>	<b>265</b>	<b>177</b>	<b>88</b>	<b>139</b>	<b>49</b>	<b>188</b>	<b>77</b>	<b>0</b>
2003	246	172	74	103	63	166	77	3
2002 - 2003	249	175	74	124	57	181	68	0
	70%	30%	42%	26%	67%	31%	1%	
2001 - 2002	363	243	120	174	95	269	92	2
	67%	33%	48%	26%	74%	25%	1%	
2000 - 2001	248	160	88	98	78	176	72	0
	65%	35%	40%	31%	71%	29%	0%	
1999 - 2000 PART	34	18	16	5	15	20	14	0
	53%	47%	15%	44%	59%	41%	0%	

SPA Commencement 5th Apr 1999



Year	A	B	C	D	E	F	G	H
<b>Reading</b>	<b>561</b>	<b>368</b>	<b>193</b>	<b>214</b>	<b>165</b>	<b>379</b>	<b>181</b>	<b>1</b>
2003	743	546	197	277	219	496	242	5
	73%	27%	37%	29%	67%	33%	1%	
2002 - 2003	841	626	215	398	167	565	276	0
	74%	26%	47%	20%	67%	33%	0%	
2001 - 2002	611	458	153	320	100	420	166	25
	75%	25%	52%	16%	69%	27%	4%	
2000 - 2001	74	60	14	40	17	57	13	4
	81%	19%	54%	23%	77%	18%	5%	

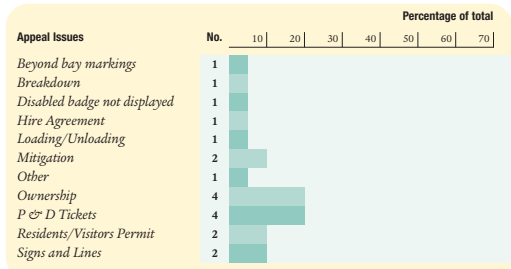
SPA Commencement 30th Oct 2000

## Appeals and Issues arising by Individual Councils 2004

**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 2004 the Council area is not listed. (3) Issues tables only appear for Councils with a minimum of 10 appeals.

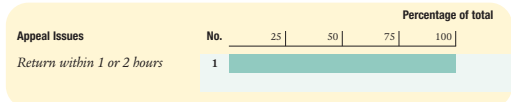
Councils	A	B	C	D	E	F	G	H
<b>Redcar &amp; Cleveland</b>	36	27	9	14	8	22	14	0
2003	6	1	5	1	1	1	1	4
		75%	25%	39%	22%	61%	39%	0%
		17%	83%	17%	17%	17%	17%	67%

SPA Commencement 2nd Jun 2003



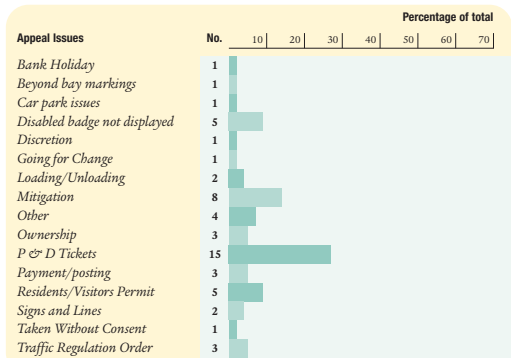
<b>Reigate &amp; Banstead</b>	1	1	0	0	0	0	1	0
		100%	0%	0%	0%	0%	100%	0%

SPA Commencement 1st Jun 2004



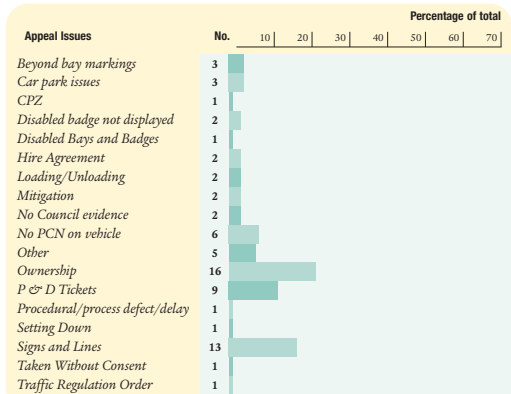
<b>Rochdale</b>	30	15	15	15	6	21	9	0
		50%	50%	50%	20%	70%	30%	0%

SPA Commencement 4th Jul 2004



<b>Rushmoor</b>	70	49	21	12	18	30	40	0
2003	51	31	20	19	13	32	19	0
		70%	30%	17%	26%	43%	57%	0%
2002 - 2003	32	24	8	20	6	26	6	0
		75%	25%	63%	19%	81%	19%	0%

SPA Commencement 5th Jun 2002

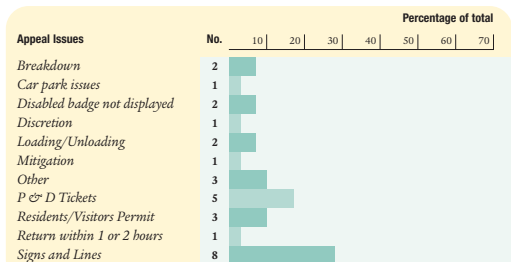


<b>Salford</b>	145	85	60	77	25	102	42	1
		59%	41%	53%	17%	70%	29%	1%
2003	341	251	90	101	189	290	51	0
		74%	26%	30%	55%	85%	15%	0%
2002 - 2003	415	270	145	99	258	357	56	2
		65%	35%	24%	62%	86%	13%	1%
2001 - 2002	38	25	13	12	11	23	10	5
		66%	34%	32%	29%	61%	26%	13%

SPA Commencement 2nd Apr 2001

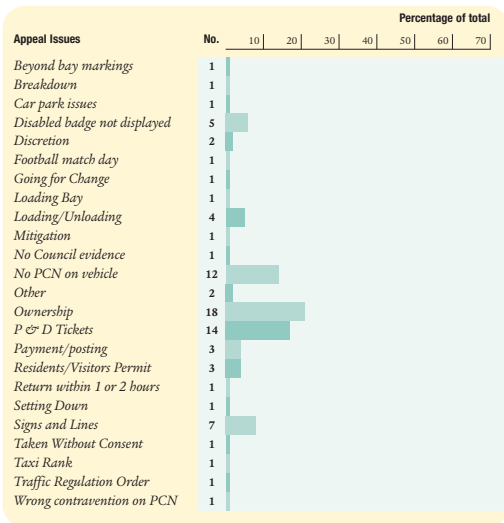
<b>Salisbury</b>	32	22	10	0	12	12	20	0
		69%	31%	0%	38%	38%	63%	0%
2003	36	16	20	4	19	23	12	1
		44%	56%	11%	53%	64%	33%	3%
2002 - 2003	67	35	32	15	27	42	25	0
		52%	48%	22%	40%	63%	37%	0%
2001 - 2002	49	34	15	12	16	28	21	0
		69%	31%	24%	33%	57%	43%	0%

SPA Commencement 1st Apr 2001



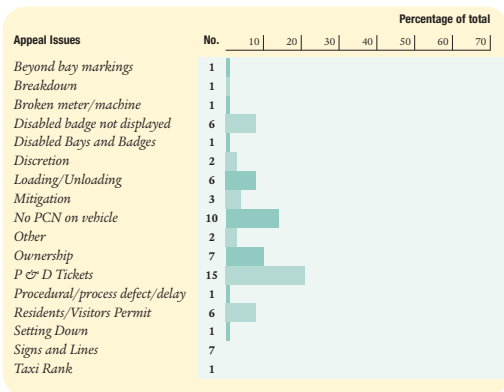
# Appeals and Issues arising by Individual Councils 2004

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 2004 the Council area is not listed. (3) Issues tables only appear for Councils with a minimum of 10 appeals.



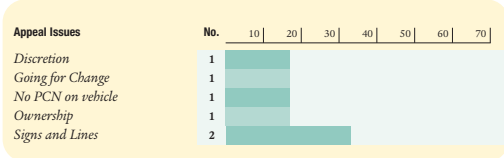
Councils	A	B	C	D	E	F	G	H
<b>Sandwell</b>	<b>140</b>	<b>88</b>	<b>52</b>	<b>59</b>	<b>12</b>	<b>71</b>	<b>69</b>	<b>0</b>
2003	125	90	35	54	25	79	46	0
2002 - 2003	104	70	34	41	11	52	50	2
2001 - 2002	118	80	38	72	13	85	31	2
2000 - 2001	66	54	12	29	9	38	23	5
		82%	18%	44%	14%	58%	35%	7%

SPA Commencement 1st Apr 2000



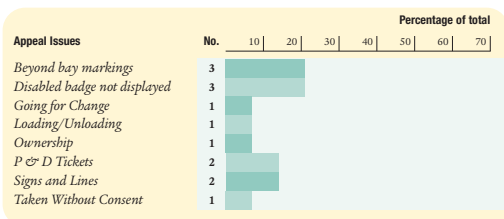
Councils	A	B	C	D	E	F	G	H
<b>Sefton</b>	<b>84</b>	<b>54</b>	<b>30</b>	<b>2</b>	<b>28</b>	<b>30</b>	<b>52</b>	<b>2</b>
2003	52	35	17	3	18	21	29	2
2002 - 2003	50	35	15	12	15	27	23	0
2001 - 2002	53	34	19	8	11	19	33	1
2000 - 2001	22	14	8	10	6	16	5	1
1999 - 2000 PART	0	0	0	0	0	0	0	0
		64%	36%	45%	27%	72%	23%	5%

SPA Commencement 1st Feb 2000



Councils	A	B	C	D	E	F	G	H
<b>Sevenoaks</b>	<b>12</b>	<b>7</b>	<b>5</b>	<b>1</b>	<b>6</b>	<b>7</b>	<b>5</b>	<b>0</b>
2003	5	4	1	0	3	3	2	0
2002 - 2003	3	2	1	0	2	2	1	0
2001 - 2002	1	1	0	0	0	0	1	0
2000 - 2001	2	2	0	1	0	1	1	0
1999 - 2000 PART	0	0	0	0	0	0	0	0
		80%	20%	0%	60%	60%	40%	0%
		67%	33%	0%	67%	67%	33%	0%
		100%	0%	0%	0%	0%	100%	0%
		100%	0%	50%	0%	50%	50%	0%

SPA Commencement 10th Jan 2000



Councils	A	B	C	D	E	F	G	H
<b>Shepway</b>	<b>18</b>	<b>12</b>	<b>6</b>	<b>1</b>	<b>3</b>	<b>4</b>	<b>14</b>	<b>0</b>
2003	19	15	4	1	7	8	11	0
2002 - 2003	23	14	9	6	7	13	10	0
2001 - 2002	19	15	4	4	2	6	12	1
2000 - 2001	18	12	6	6	5	11	6	1
		67%	33%	33%	28%	61%	33%	6%
		79%	21%	5%	37%	42%	58%	0%
		61%	39%	26%	30%	57%	43%	0%
		79%	21%	21%	11%	32%	63%	5%

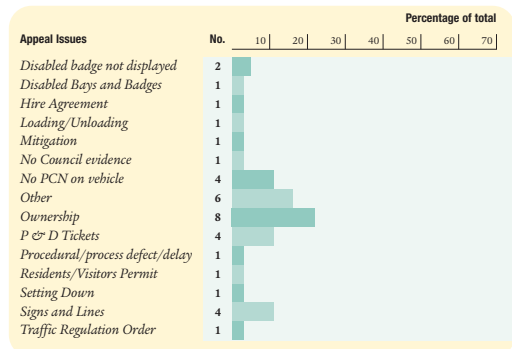
SPA Commencement 3rd Apr 2000

## Appeals and Issues arising by Individual Councils 2004

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 2004 the Council area is not listed. (3) Issues tables only appear for Councils with a minimum of 10 appeals.

Councils	A	B	C	D	E	F	G	H
<b>Slough</b>	<b>160</b>	<b>113</b>	<b>47</b>	<b>112</b>	<b>16</b>	<b>128</b>	<b>32</b>	<b>0</b>
2003	91	57	34	61	15	76	14	1
		63%	37%	67%	16%	84%	15%	1%

SPA Commencement 21st Apr 2003

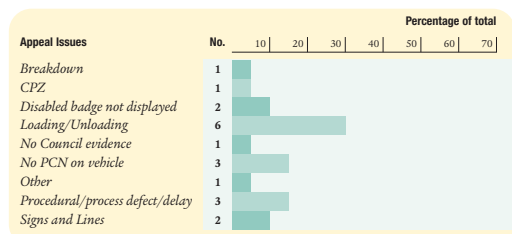


<b>South Bedfordshire</b>	<b>3</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>0</b>	<b>3</b>	<b>0</b>	<b>0</b>
		33%	67%	100%	0%	100%	0%	0%

SPA Commencement 2nd Feb 2004

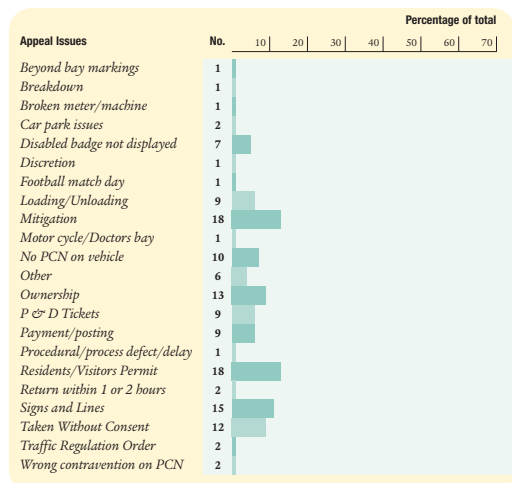
<b>South Lakeland</b>	<b>46</b>	<b>19</b>	<b>27</b>	<b>21</b>	<b>14</b>	<b>35</b>	<b>11</b>	<b>0</b>
2003	58	42	16	32	14	46	12	0
		72%	28%	55%	24%	79%	21%	0%
2002 - 2003	32	21	11	7	8	15	17	0
		66%	34%	22%	25%	47%	53%	0%
2001 - 2002	0	0	0	0	0	0	0	0

SPA Commencement 4th Mar 2002



<b>Southampton</b>	<b>143</b>	<b>101</b>	<b>42</b>	<b>24</b>	<b>45</b>	<b>69</b>	<b>74</b>	<b>0</b>
		71%	29%	17%	31%	48%	52%	0%
2003	205	118	87	32	69	101	103	1
		58%	42%	16%	34%	49%	50%	0%
2002 - 2003	104	63	41	18	30	48	55	1
		61%	39%	17%	29%	46%	53%	1%
2001 - 2002	0	0	0	0	0	0	0	0

SPA Commencement 25th Feb 2002

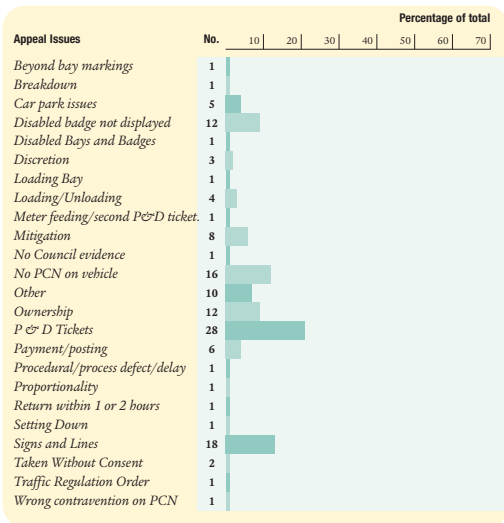


### Key

- A Appeals received
- B Postal
- C Personal
- D Not Contested by Council
- E Allowed by Adjudicator
- F Total allowed inc. not contested by Council
- G Refused by Adjudicator inc. out of time and withdrawn by appellant
- H Awaiting decision

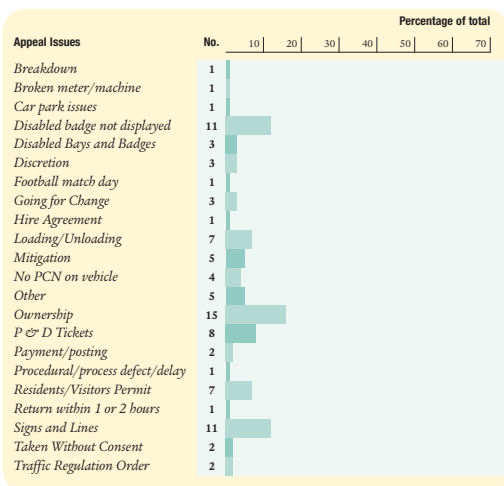
# Appeals and Issues arising by Individual Councils 2004

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 2004 the Council area is not listed. (3) Issues tables only appear for Councils with a minimum of 10 appeals.



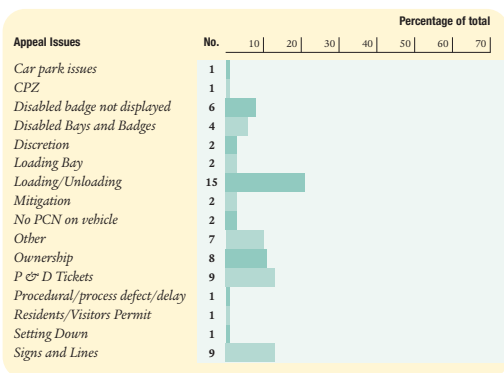
Councils	A	B	C	D	E	F	G	H
<b>Southend-on-Sea</b>	<b>276</b>	<b>178</b>	<b>98</b>	<b>134</b>	<b>50</b>	<b>184</b>	<b>92</b>	<b>0</b>
2003	444	322	122	206	125	331	109	4
2002 - 2003	452	343	109	232	105	337	109	6
2001 - 2002	50	43	7	34	6	40	10	0
	86%	14%	68%	12%	80%	20%	0%	

SPA Commencement 1st Sept 2001



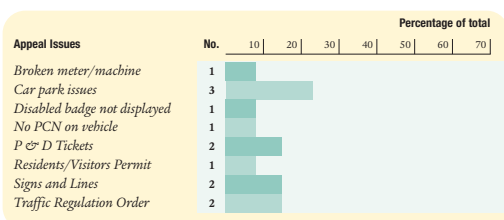
Councils	A	B	C	D	E	F	G	H
<b>Stoke-on-Trent</b>	<b>103</b>	<b>67</b>	<b>36</b>	<b>20</b>	<b>29</b>	<b>49</b>	<b>52</b>	<b>2</b>
2003	209	135	74	105	36	141	63	5
2002 - 2003	321	227	94	157	73	230	89	2
2001 - 2002	127	94	33	83	14	97	27	3
	74%	26%	65%	11%	76%	21%	2%	

SPA Commencement 1st Oct 2001



Councils	A	B	C	D	E	F	G	H
<b>Sunderland</b>	<b>111</b>	<b>67</b>	<b>44</b>	<b>29</b>	<b>25</b>	<b>54</b>	<b>56</b>	<b>1</b>
2003	77	43	34	19	12	31	44	2
2002 - 2003	0	0	0	0	0	0	0	0
	60%	40%	26%	23%	49%	50%	1%	

SPA Commencement 3rd Feb 2003



Councils	A	B	C	D	E	F	G	H
<b>Swale</b>	<b>14</b>	<b>10</b>	<b>4</b>	<b>1</b>	<b>9</b>	<b>10</b>	<b>4</b>	<b>0</b>
2003	19	15	4	2	6	8	11	0
2002 - 2003	17	14	3	2	5	7	10	0
2001 - 2002	7	7	0	2	3	5	2	0
2000 - 2001	9	6	3	2	3	5	4	0
1999 - 2000 PART	0	0	0	0	0	0	0	0
	71%	29%	7%	64%	71%	29%	0%	

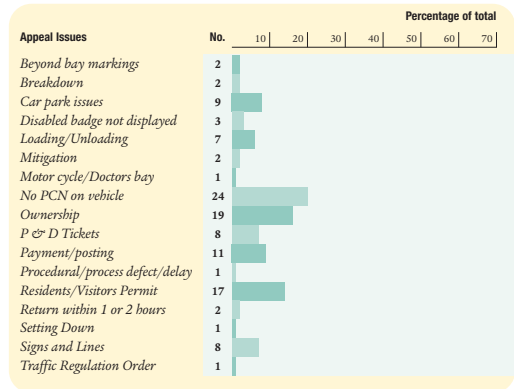
SPA Commencement 10th Jan 2000

# Appeals and Issues arising by Individual Councils 2004

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 2004 the Council area is not listed. (3) Issues tables only appear for Councils with a minimum of 10 appeals.

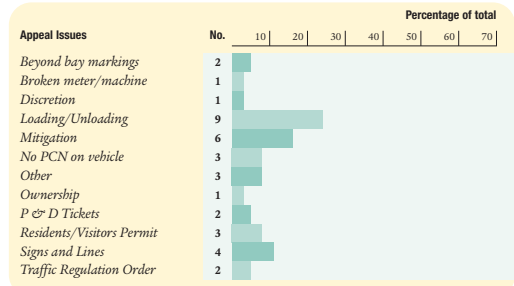
Councils	A	B	C	D	E	F	G	H
<b>Swindon</b>	<b>172</b>	<b>99</b>	<b>73</b>	<b>34</b>	<b>53</b>	<b>87</b>	<b>85</b>	<b>0</b>
2003	3	1	2	1	1	1	0	2
		33%	67%	33%	33%	33%	0%	67%

SPA Commencement 1st Sept 2003



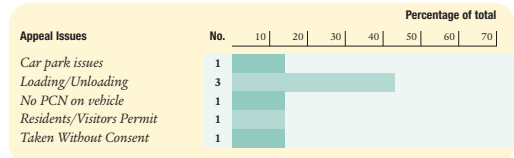
Councils	A	B	C	D	E	F	G	H
<b>Taunton Deane</b>	<b>60</b>	<b>42</b>	<b>18</b>	<b>23</b>	<b>15</b>	<b>38</b>	<b>22</b>	<b>0</b>
2003	66	38	28	15	16	31	35	0
		58%	42%	23%	24%	47%	53%	0%
2002 - 2003	50	29	21	19	7	26	23	1
		58%	42%	38%	14%	52%	46%	2%
2001 - 2002	31	19	12	8	9	17	14	0
		61%	39%	26%	29%	55%	45%	0%
2000 - 2001	0	0	0	0	0	0	0	0

SPA Commencement 19th Feb 2001



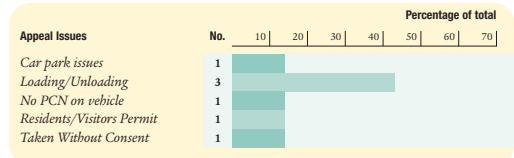
Councils	A	B	C	D	E	F	G	H
<b>Tendring</b>	<b>3</b>	<b>3</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>1</b>	<b>2</b>	<b>0</b>
		100%	0%	0%	33%	33%	67%	0%

SPA Commencement 1st Oct 2004



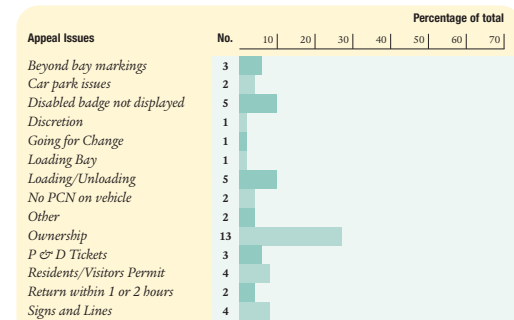
Councils	A	B	C	D	E	F	G	H
<b>Test Valley</b>	<b>11</b>	<b>7</b>	<b>4</b>	<b>3</b>	<b>5</b>	<b>8</b>	<b>3</b>	<b>0</b>
2003	0	0	0	0	0	0	0	0
		64%	36%	27%	45%	73%	27%	0%

SPA Commencement 20th Oct 2003



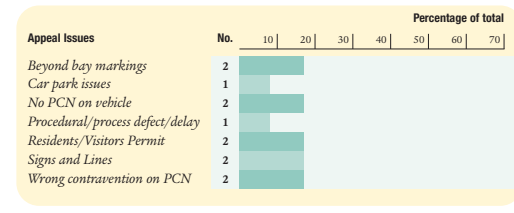
Councils	A	B	C	D	E	F	G	H
<b>Thanet</b>	<b>58</b>	<b>43</b>	<b>15</b>	<b>12</b>	<b>26</b>	<b>38</b>	<b>20</b>	<b>0</b>
2003	83	64	19	19	33	52	31	0
		74%	26%	21%	45%	66%	34%	0%
2002 - 2003	137	63	74	64	26	90	47	0
		46%	54%	47%	19%	66%	34%	0%
2001 - 2002	82	68	14	15	24	39	42	1
		83%	17%	18%	29%	48%	51%	1%
2000 - 2001	30	26	4	12	6	18	11	1
		87%	13%	40%	20%	60%	37%	3%
1999 - 2000 PART	0	0	0	0	0	0	0	0

SPA Commencement 10th Jan 2000



Councils	A	B	C	D	E	F	G	H
<b>Three Rivers</b>	<b>16</b>	<b>8</b>	<b>8</b>	<b>4</b>	<b>7</b>	<b>11</b>	<b>5</b>	<b>0</b>
2003	10	6	4	3	1	4	5	1
		60%	40%	30%	10%	40%	50%	10%
2002 - 2003	9	6	3	3	2	5	3	1
		67%	33%	33%	22%	56%	33%	11%
2001 - 2002	1	1	0	1	0	1	0	0
		100%	0%	100%	0%	100%	0%	0%

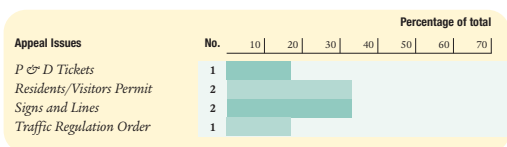
SPA Commencement 1st Jul 2001





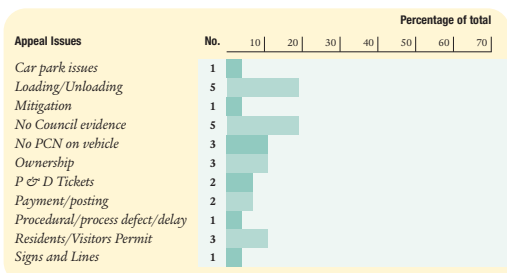
# Appeals and Issues arising by Individual Councils 2004

**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 2004 the Council area is not listed. (3) Issues tables only appear for Councils with a minimum of 10 appeals.



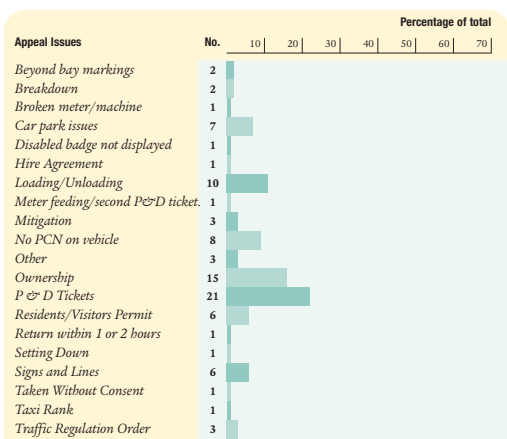
Councils	A	B	C	D	E	F	G	H
<b>Tonbridge &amp; Malling</b>	<b>10</b>	<b>8</b>	<b>2</b>	<b>1</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>1</b>
2003	10	80%	20%	10%	30%	40%	50%	10%
2002 - 2003	45	8	2	1	5	6	4	0
2001 - 2002	13	10	3	4	2	6	7	0
2000 - 2001	8	7	1	1	3	4	3	1
		88%	12%	12%	38%	50%	38%	12%

SPA Commencement 1st Sept 2000



Councils	A	B	C	D	E	F	G	H	
<b>Trafford</b>	<b>59</b>	<b>36</b>	<b>23</b>	<b>35</b>	<b>19</b>	<b>54</b>	<b>5</b>	<b>0</b>	
2003	47	61%	39%	59%	32%	92%	8%	0%	
2002 - 2003	84	47	13	18	12	30	16	1	
2001 - 2002	43	72%	28%	38%	26%	64%	34%	2%	
2000 - 2001	0	84	32	30	30	60	23	1	
		62%	38%	36%	36%	72%	27%	1%	
		43	32	11	25	9	34	9	0
		74%	26%	58%	21%	79%	21%	0%	
		0	0	0	0	0	0	0	

SPA Commencement 15th Jan 2001

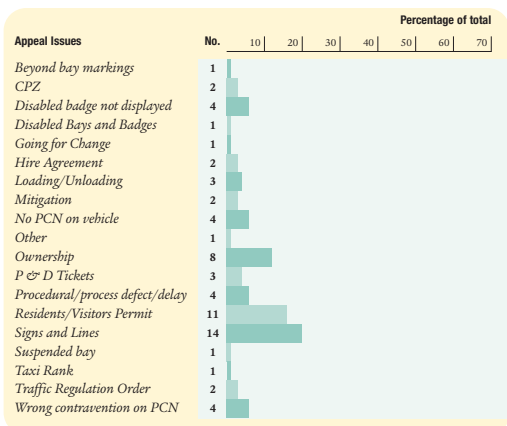


Councils	A	B	C	D	E	F	G	H	
<b>Tunbridge Wells</b>	<b>119</b>	<b>77</b>	<b>42</b>	<b>20</b>	<b>44</b>	<b>64</b>	<b>54</b>	<b>1</b>	
2003	123	65%	35%	17%	37%	54%	45%	1%	
2002 - 2003	68	123	28	53	32	85	36	2	
2001 - 2002	114	77%	23%	43%	26%	69%	29%	2%	
2000 - 2001	24	68	16	25	13	38	29	1	
		76%	24%	37%	19%	56%	43%	1%	
		114	81	33	42	26	68	45	1
		71%	29%	37%	23%	60%	39%	1%	
		24	20	4	9	5	14	10	0
		83%	17%	37%	21%	58%	42%	0%	
		0	0	0	0	0	0	0	

SPA Commencement 10th Jan 2000

Councils	A	B	C	D	E	F	G	H
<b>Uttlesford</b>	<b>1</b>	<b>1</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>
		100%	0%	100%	0%	100%	0%	0%

SPA Commencement 1st Oct 2004



Councils	A	B	C	D	E	F	G	H	
<b>Watford</b>	<b>103</b>	<b>59</b>	<b>44</b>	<b>24</b>	<b>46</b>	<b>70</b>	<b>33</b>	<b>0</b>	
2003	94	57%	43%	23%	45%	68%	32%	0%	
2002 - 2003	105	94	24	26	25	51	43	0	
2001 - 2002	73	105	35	19	22	41	63	1	
2000 - 2001	80	67%	33%	18%	21%	39%	60%	1%	
		73	57	16	24	14	38	34	1
		78%	22%	33%	19%	52%	47%	1%	
		80	57	23	19	19	38	37	5
		71%	29%	24%	24%	48%	46%	6%	
		71	55	16	13	20	33	37	1
		77%	23%	18%	28%	46%	52%	1%	

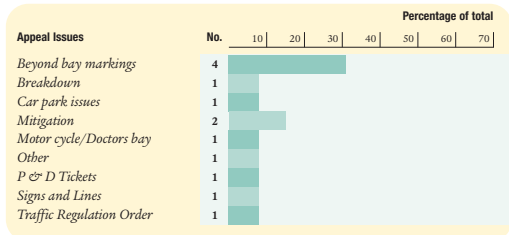
SPA Commencement 27th Oct 1997

## Appeals and Issues arising by Individual Councils 2004

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 2004 the Council area is not listed. (3) Issues tables only appear for Councils with a minimum of 10 appeals.

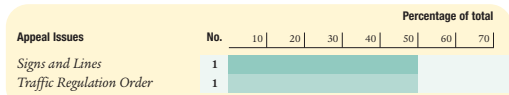
Councils	A	B	C	D	E	F	G	H
<b>Weymouth &amp; Portland</b>	18	9	9	3	2	5	12	1
2003	28	10	18	19	0	19	7	2
		36%	64%	68%	0%	68%	25%	7%
2002 - 2003	0	0	0	0	0	0	0	0

SPA Commencement 25th Nov 2002



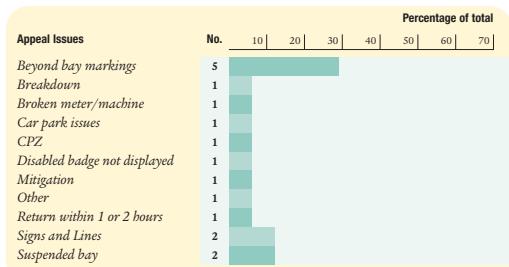
<b>Wigan</b>	26	14	12	17	6	23	2	1
		54%	46%	65%	23%	88%	8%	4%

SPA Commencement 1st Jul 2004



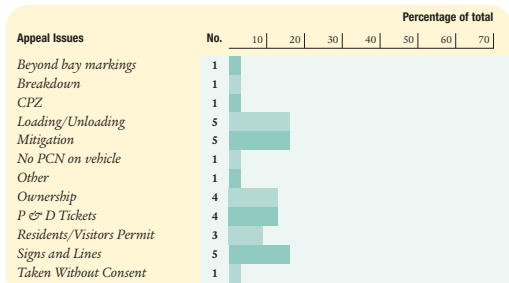
<b>Winchester</b>	16	8	8	0	5	5	11	0
		50%	50%	0%	31%	31%	69%	0%
2003	26	14	12	4	4	8	18	0
		54%	46%	15%	15%	31%	69%	0%
2002 - 2003	41	17	24	5	12	17	24	0
		41%	59%	12%	29%	41%	59%	0%
2001 - 2002	18	15	3	4	3	7	11	0
		83%	17%	22%	17%	39%	61%	0%
2000 - 2001	44	33	11	3	15	18	26	0
		75%	25%	7%	34%	41%	59%	0%
1999 - 2000 PART	39	28	11	5	7	12	26	1
		72%	28%	13%	18%	31%	67%	3%

SPA Commencement 20th May 1996



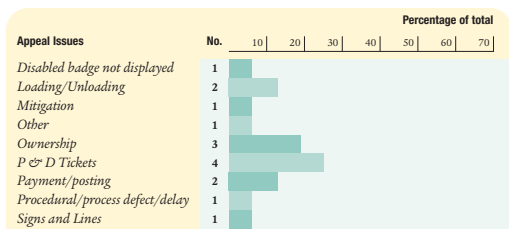
<b>Wirral</b>	88	71	17	42	10	52	36	0
		81%	19%	48%	11%	59%	41%	0%
2003	15	12	3	3	3	6	9	0
		80%	20%	20%	20%	40%	60%	0%

SPA Commencement 17th Nov 2003



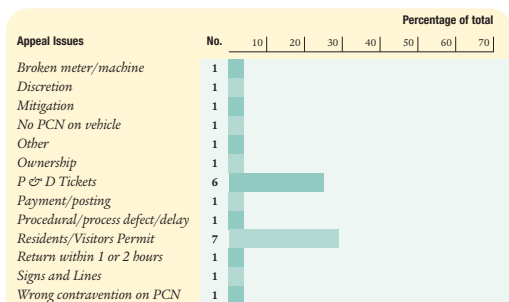
<b>Worcester</b>	28	19	9	10	1	11	17	0
		68%	32%	36%	4%	39%	61%	0%
2003	15	12	3	3	3	6	9	0
		80%	20%	20%	20%	40%	60%	0%
2002 - 2003	0	0	0	0	0	0	0	0

SPA Commencement 3rd Feb 2003

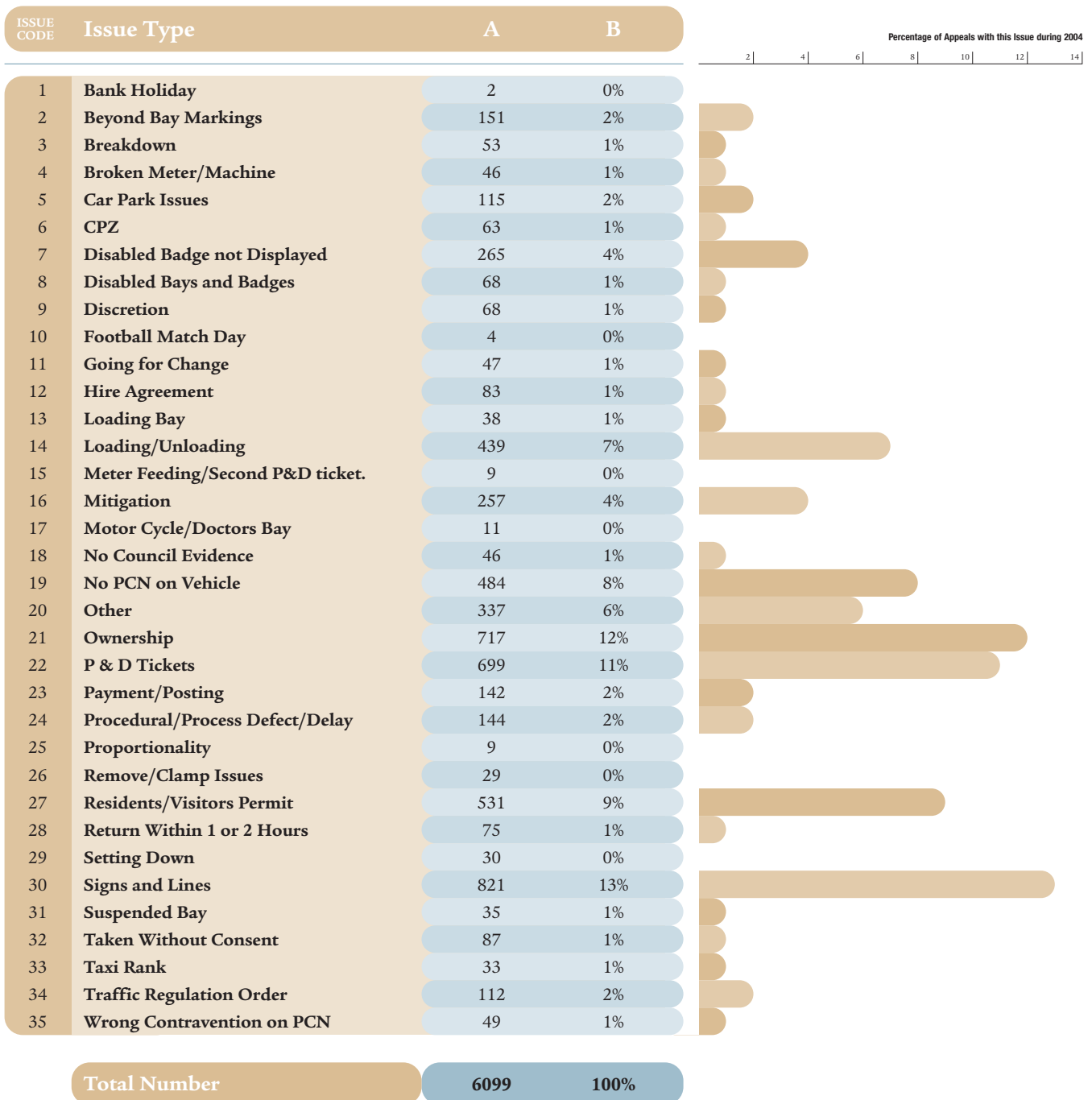


<b>York</b>	41	17	24	10	8	18	19	4
		41%	59%	24%	20%	44%	46%	10%
2003	73	53	20	6	18	24	44	5
		73%	27%	8%	25%	33%	60%	7%
2002 - 2003	72	49	23	6	17	23	47	2
		68%	32%	8%	24%	32%	65%	3%
2001 - 2002	22	17	5	7	4	11	11	0
		77%	23%	32%	18%	50%	50%	0%
2000 - 2001	12	10	2	5	3	8	4	0
		83%	17%	42%	25%	67%	33%	0%

SPA Commencement 8th Oct 2000



All Councils Issues Summary 2004



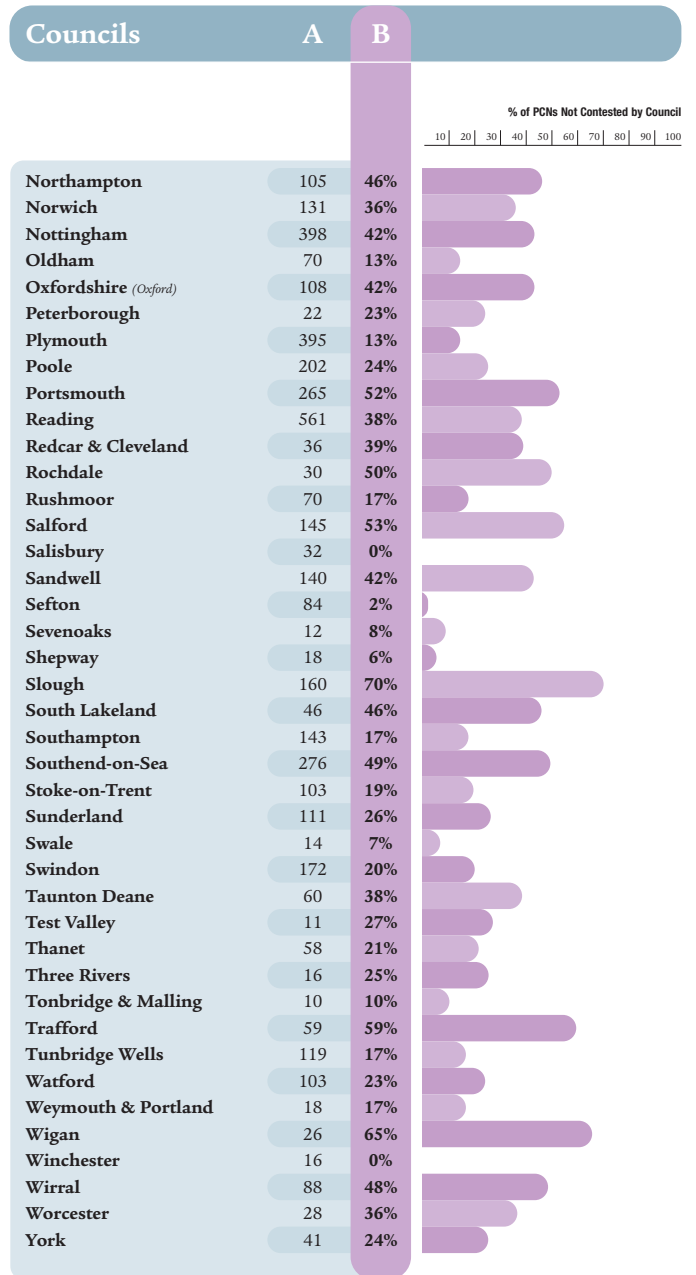
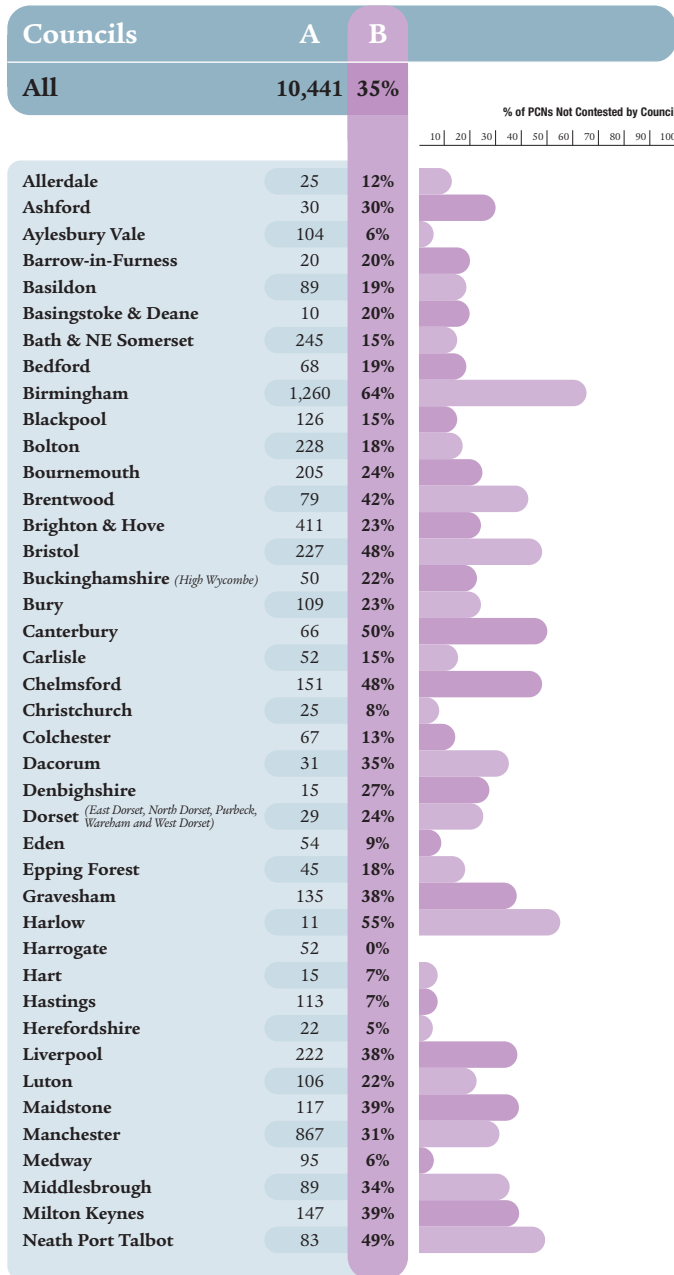
Key

- A Number of PCN Appeals with this Issue
- B Percentage of PCN Appeals with this Issue

# Table 8

## Not Contested Appeal Outcomes

for Councils with 10 or more appeals during 2004.



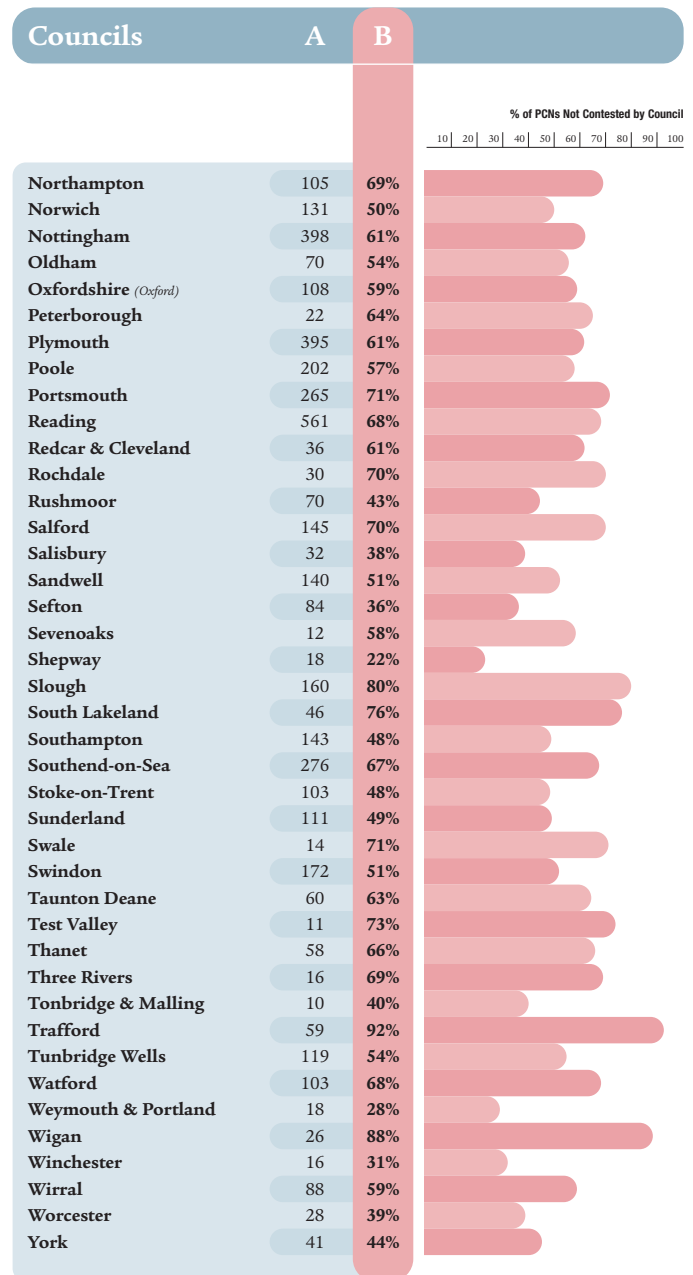
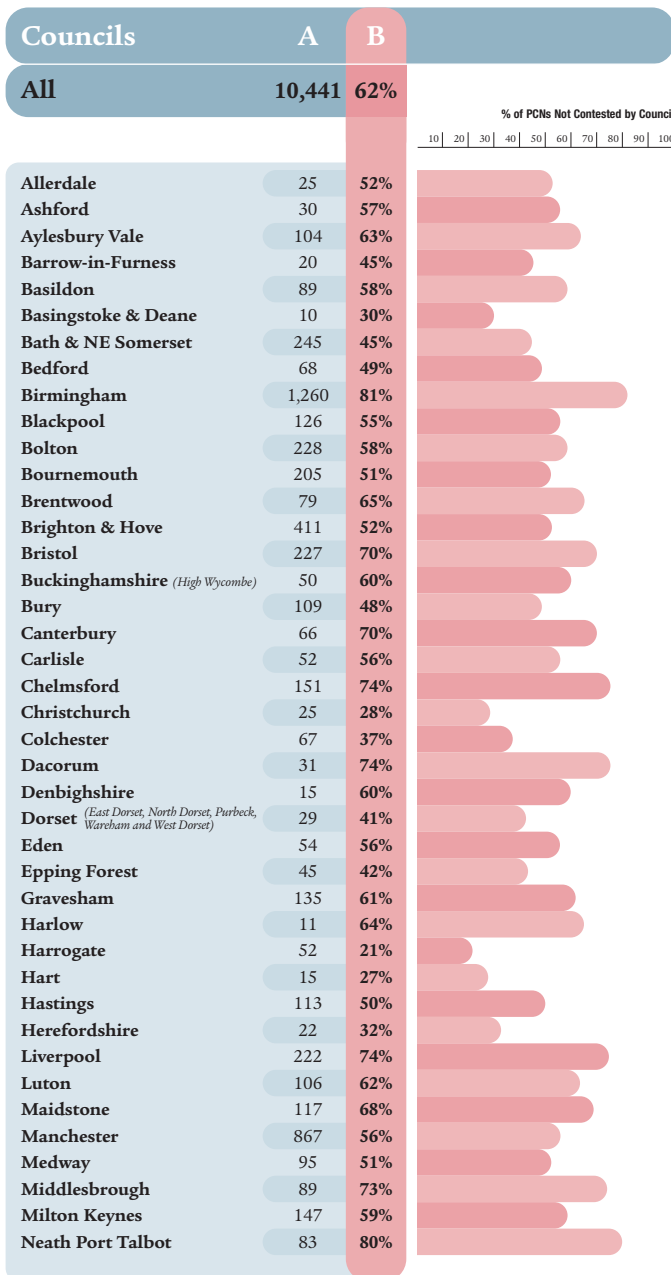
### Key

A Appeals received

B % of Appeals Not Contested by Council

# Allowed and Not Contested

for Councils with 10 or more appeals during 2004.



**Key**

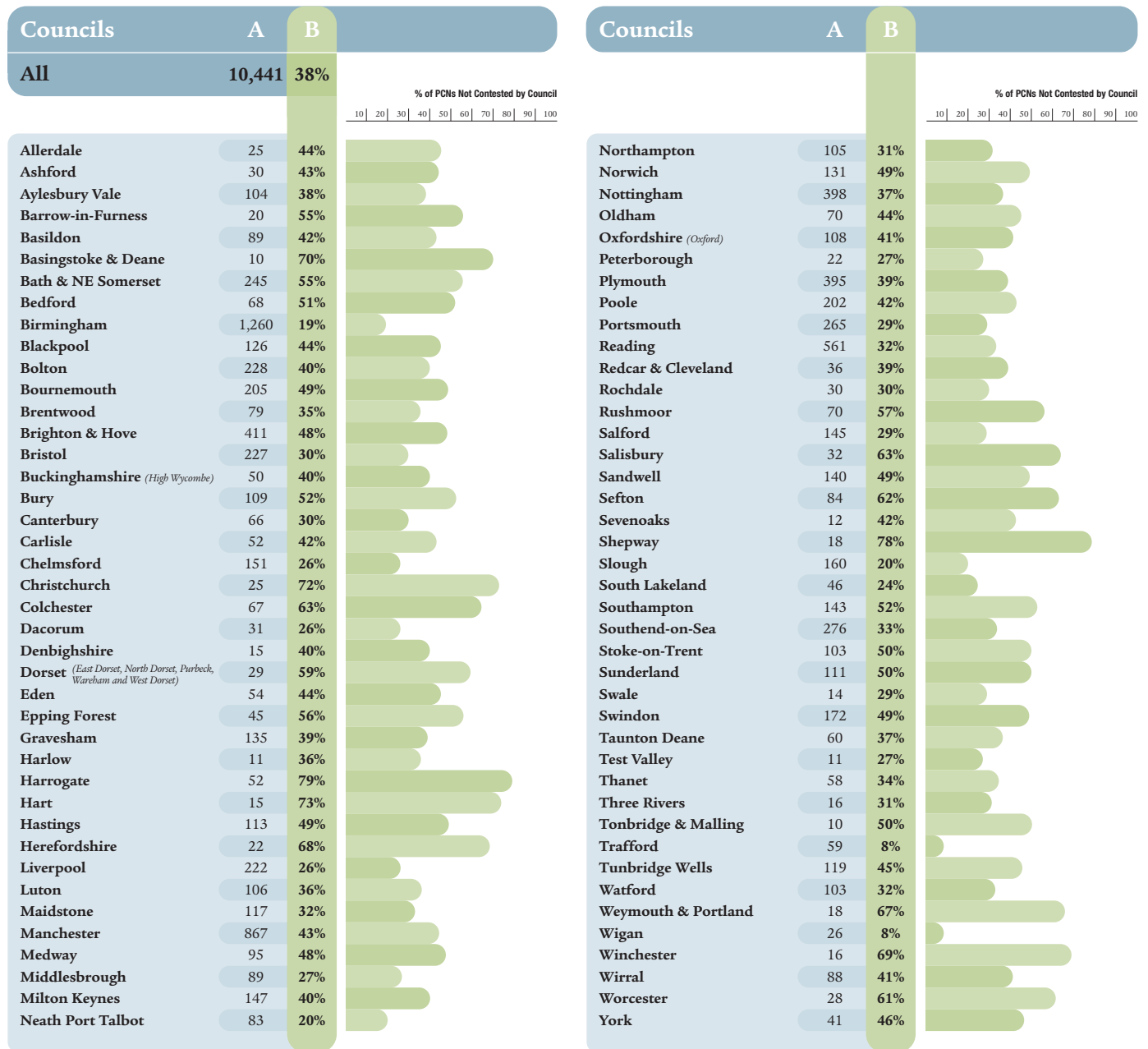
A Appeals received

B % of Total Appeals Allowed including Not Contested by Council

# Table 10

## Refused Appeals

for Councils with 10 or more appeals during 2004.



### Key

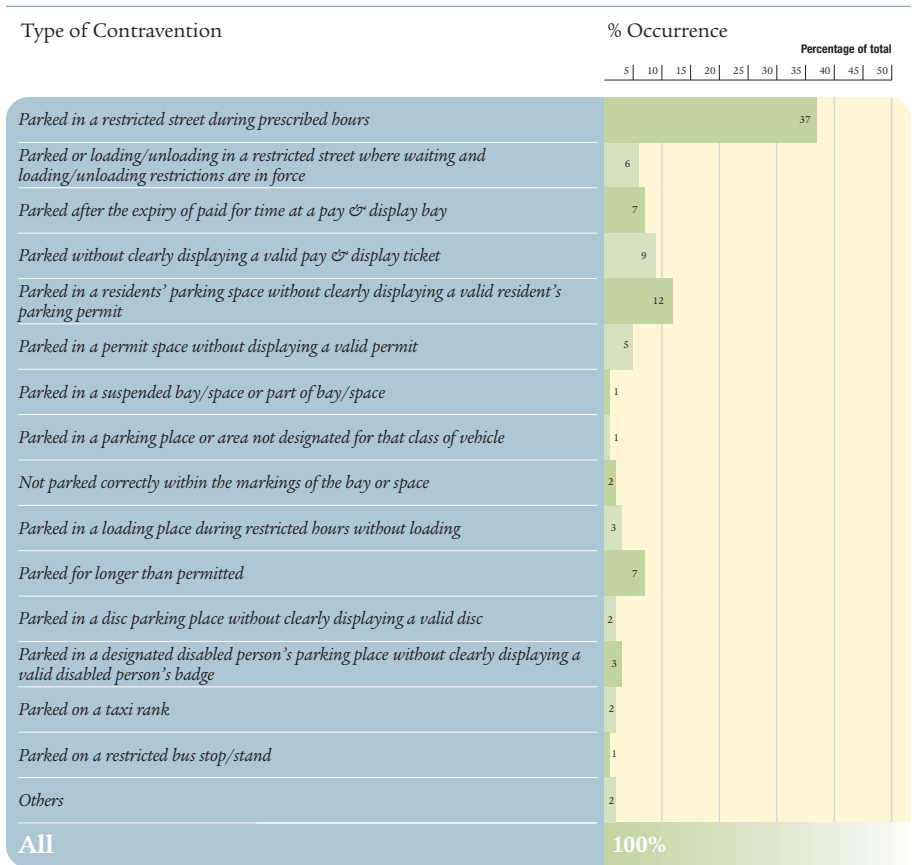
A Appeals received

B % of Appeals Refused by Adjudicator incl. Out of Time and Withdrawn by Appellant

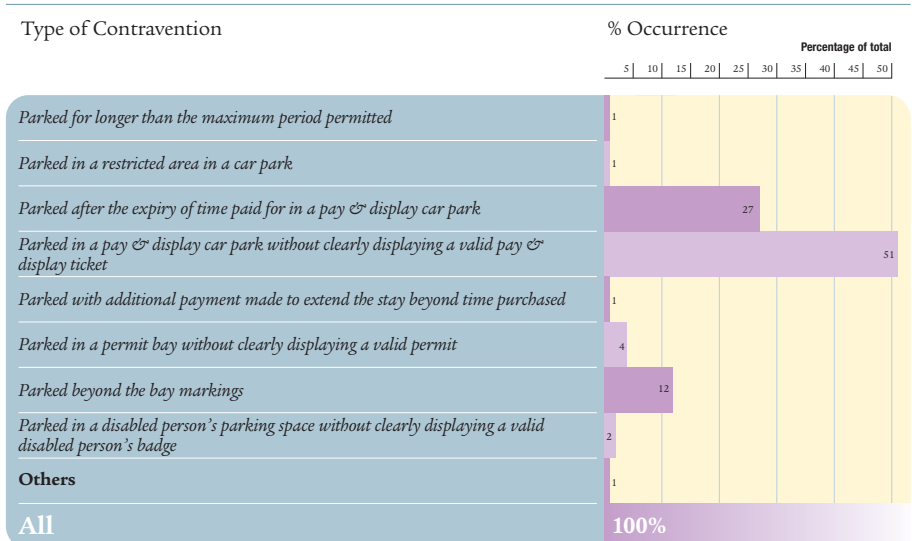
## Contraventions subject to PCNs considered by Adjudicators

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

### Contraventions On-street



### Contraventions in Car Parks





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

## Auditor's Report & Accounts



**Independent Auditor's Report to the National Parking Adjudication Service  
Joint Committee**

I have audited the statement of accounts on pages 1 to 14 which have been prepared in accordance with the accounting policies applicable to local authorities as set out on pages 1 to 2.

This report is made solely to the National Parking Adjudication Service Joint Committee in accordance with Part II of the Audit Commission Act 1998 and for no other purpose, as set out in paragraph 36 of the Statement of Responsibilities of Auditors and of Audited Bodies, prepared by the Audit Commission.

**Respective Responsibilities of the Chief Financial Officer and Auditor**

As described on page 12 the Chief Financial Officer is responsible for the preparation of the statement of accounts in accordance with the Statement of Recommended Practice on Local Authority Accounting in the United Kingdom 2004. My responsibilities, as independent auditor, are established by statute, the Code of Audit Practice issued by the Audit Commission and my profession's ethical guidance.

I report to you my opinion as to whether the statement of accounts presents fairly the financial position of the Joint Committee and its income and expenditure for the year.

I review whether the statement on internal control on page 13 reflects compliance with CIPFA's guidance 'The Statement on Internal Control in Local Government: Meeting the Requirements of the Accounts and Audit Regulations 2003' published on 2 April 2004. I report if it does not comply with proper practices specified by CIPFA or if the statement is misleading or inconsistent with other information I am aware of from my audit of the financial statements. I am not required to consider whether the statement on internal control covers all risks and controls, or to form an opinion on the effectiveness of the Joint Committee's corporate governance procedures or its risk and control procedures. My review was not performed for any purpose connected with any specific transaction and should not be relied upon for any such purpose.

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

**Basis of audit opinion**

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

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

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

**Opinion**

In my opinion the statement of accounts presents fairly the financial position of the National Parking Adjudication Service Joint Committee as at 31 March 2005 and its income and expenditure for the year then ended.

**Certificate**

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

Signed .....  ..... Date 2nd September 2005

Name: Clive Portman, District Auditor

Audit Commission, Aspinall Close, Middlebrook, Horwich, Bolton BL6 6QQ

# Statement of Accounting Policies

## ■ 1. *General*

These accounts have been prepared, as far as possible, in accordance with the Code Practice on Local Authority Accounting in the United Kingdom, issued in 2004 by the Chartered Institute of Public Finance and Accountancy (CIPFA) and with guidance notes issued by CIPFA on the application of accounting standards (SSAPs) and Financial Reporting Standards (FRSs).

## ■ 2. *Fixed Assets*

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

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

## ■ 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 6 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 2005 the value of employer's liabilities have been rolled forward from those at the formal valuation for 31st March 2004 allowing for the different financial assumptions required for 2004-05. The liabilities of active members have been adjusted to take account of any change in payroll of active members since April 2004. In calculating the asset share the employer's share of the assets allocated as at the latest formal funding valuation has been rolled forward allowing for investment returns (estimated where necessary), the effect of contributions paid into and estimated benefits paid from the fund by the employer and its employees. This approach should not introduce any material distortion in the results.

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

## Summary Revenue Account 2004-2005

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

I certify that the above presents fairly the financial position of the National Parking Adjudication Service at the 31/3/05 and its income and expenditure.



Richard Paver City Treasurer 22 June 2005

## Notes to the Revenue Account 2004-2005

### ■ *Officers' Emoluments*

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

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

### ■ *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.

<b>Attributable movement in Schemes (Surplus)/Deficit</b>	<b>2004/2005 £</b>
(Surplus)/deficit at 1 April	181,216
Current service Cost	84,263
Employer Contributions	(49,113)
Contributions- Unfunded benefits	-
Past service Costs	-
Impact of Curtailments	-
Expected return on Employer assets	(188,010)
Interest on Pension Scheme Liabilities	159,470
Actuarial (Gains)/Losses	531,903
(Surplus)/Deficit at 31 March	<b>719,729</b>

## Balance Sheet as at 31 March 2005

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



Richard Paver City Treasurer 22 June 2005

## Notes to Balance Sheet

### ■ 1. General

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

The accounts now incorporate both Revenue and Capital.

### ■ 2. Capital Expenditure

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

### ■ 3. Fixed Assets

Movements in Fixed Assets During the Year were as follows:

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

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

### ■ 4. Debtors and payments in Advance

	31 March 2005 £
Amounts Falling Due in One Year	<b>294,504</b>
<b>Represented by</b>	
Other Local Authorities	127,566
Other Public Bodies	166,938
	<b>294,504</b>

## 5. Creditors and Receipts in Advance

	<b>31 March 2005</b>
	£
Amounts Falling Due in One Year	<b>1,276,763</b>
<b>Represented by</b>	
Other Local Authorities	1,187,849
Other Public Bodies	88,914
	<b>1,276,763</b>

## 6. Local Government Pension Scheme

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

The financial assumptions used at 31 March 2005 were for inflation 2.9%, rate of increase in salaries 4.4%, rate of increase for pensions in payment and deferred pensions 2.9% and rate used to discount scheme liabilities 5.4%.

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

	<b>Assets at 31 March 2005</b>	<b>Long Term Rate of Return 31 March 2005</b>
	£	%
Equities	2,176,765	7.7
Bonds	433,110	4.8
Property	311,184	5.7
Cash	249,049	4.8
	<b>3,170,108</b>	

	<b>31 March 2005</b>
	£
Pension Scheme Asset	3,170,108
Present Value of Pension Scheme Liabilities	3,727,038
Present Value of Unfunded Liabilities	162,799
(Surplus)/Deficit of Pension Scheme	<b>719,729</b>

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

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



## 7. Reserves

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

Movement on the reserves were as follows:

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

## 8. Financial Reporting and the Euro

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

## Statement of Total Movement in Reserves

1 April 2004 - 31 March 2005

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

## Cash Flow Statement for year ended 31 March 2005

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



Richard Paver City Treasurer 22 June 2005

## Notes to Cash Flow Statement

### ■ 1. Increase in Cash

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

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

## The Statement of Responsibilities for the Statement of Accounts

### ■ *The National Parking Adjudication Service Joint Committee Responsibilities*

The Joint Committee is required:

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

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

to approve the statement of accounts.

### ■ *The City Treasurer of Manchester City Council's Responsibilities*

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

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

selected suitable accounting policies and then applied them consistently;

made judgements and estimates that were reasonable and prudent;

complied with the Code of Practice.

The City Treasurer has also:

kept proper accounting records which were kept up to date;

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

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



Richard Paver City Treasurer 22 June 2005

## Statement on Internal Control

### ■ *1. Scope of responsibility*

The National Parking Adjudication Service 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 a 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 Responsibilities*

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 2005 and up to the date of approval of the annual report and accounts.

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

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

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

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

#### ■ 4. Significant Internal Control Issue

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

Service Director on behalf of the Lead Officer  
24 June 2005



Chair, NPASJC  
30 June 2005



## 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 made 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 in 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 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.



NPAS is growing to match the number of appeals as a result of the take up of decriminalised parking enforcement by local authorities.

## Adjudicators & the NPAS Staff Team

## Adjudicators

### Chief Adjudicator

Caroline Sheppard

### Parking Adjudicators

Clifton Barker  
David Binns  
Martin Block  
Sarah Breach  
Richard Charles CB  
Shan Cole  
Gillian Ekins  
Mark Emerton  
Anthony Engel  
Deborah Gibson  
Toby Halliwell  
Mark Hinchliffe  
Martin Hoare  
Susan Hotchin  
Andrew Keenan OBE  
Margaret Kennedy  
Stephen Knapp  
Anna-Rose Landes  
Terence McNeill  
Jonathan Middleton  
Christopher Nicholls  
John O'Higgins  
Judith Ordish  
John Parker  
Richard Phelan  
Andrew Prickett CBE  
Joanne Richards  
James Richardson  
Roy Rowley  
Stewart Sandbrook-Hughes  
Hilary Tilby

## The NPAS Staff Team



#### ■ Back row – left to right:

Andrew Pullham  
*Operations Manager &  
Deputy Service Director*

Justin Edwards  
*Technology Manager*

Bob Tinsley  
*Service Director*

Rob Frood  
*Technology Assistant*

Richard Goody  
*Appeals Co-ordinator*

Paul Griffiths  
*Service Development Officer*

Stuart Wilson  
*Librarian and Information Officer*

#### ■ Middle Row – left to right:

Natalie Ainscough  
*Service Development Assistant*

Maggie Kennedy  
*Adjudicator*

Kerry Colbourne  
*Appeals Co-ordinator*

Tracey Robinson  
*Appeals Co-ordinator*

Bev Jones  
*Secretary to the Chief Adjudicator*

Jane Robinson  
*Appeals Co-ordinator*

#### ■ Front Row - left to right:

Maria Robinson  
*Administration Assistant*

Caroline Sheppard  
*Chief Adjudicator*

Trish Curtin  
*Administration Assistant*

Janet Fagan  
*Appeals Co-ordinator*

#### ■ Missing from shot are:

Jackie Gloag  
*Office Manager*

Michelle Bury  
*Finance and Administration Assistant*

Andy Diamond  
*Administration Assistant*



The National Parking Adjudication Service aims to offer all users of the tribunal an efficient, professional and friendly service.

## The NPAS Service Charter

**This section sets out the standard of service you can expect from us and how you can let us know if you are not satisfied.**

#### ■ If you telephone us

You can telephone us between 9am and 5pm, Monday to Friday (except Bank Holidays). If you call us we will;

- answer the telephone promptly
- tell you who you are speaking with
- give you a clear and helpful answer to your query

We aim to answer at least 90% of all phone calls within 15 seconds..

#### ■ If you write to us

If you email or write to us on matters not related to an appeal we will;

- respond to your inquiry within 20 working days
- tell you who is replying and how to contact that person

#### ■ If you appeal and ask for a personal hearing

If you apply for a personal appeal hearing we will send you confirmation that we have received your appeal.

We aim to issue at least 90% of all confirmation letters within 2 working days.

When we have arranged your hearing, we will send you another letter, which will include;

- notification of the date and time of your hearing
- a map showing the location of the hearing centre
- contact details of the person arranging your appeal

We aim to offer you a hearing date no more than 56 days after receiving your application.

#### ■ When you arrive for a hearing

We aim to hear all personal appeals within 15 minutes of their scheduled start time. We will tell you when you arrive if we are running late. When you arrive for your personal hearing you will find;

- clear signs to help you find your way to the hearing room

- a Hearing Centre Supervisor, wearing a name badge, to meet and assist you if necessary
- a comfortable waiting area close to the hearing room
- access and assistance for people with disabilities

#### ■ During your hearing

In common with most legal proceedings, members of the public are entitled to witness parking appeal hearings. The Adjudicator is responsible for ensuring the hearing is conducted properly.

#### ■ At your hearing you can expect that;

- the Adjudicator will introduce himself or herself and explain how the hearing will proceed
- you will be given the opportunity to explain your case to the Adjudicator
- the Adjudicator will normally advise you of his or her decision at the end of the hearing. (In a few cases this will not be possible, in which case the Adjudicator will tell you why, and when you may expect to receive the decision)
- the Adjudicator will explain clearly the reason for his or her decision

#### ■ After your hearing

Although you will normally receive the Adjudicator's decision on the day, afterwards we will always confirm the decision and the Adjudicator's reasons in writing.

- We aim to send you a written copy of the Adjudicator's decision and reasons within 10 working days of your hearing

#### ■ If you apply for a postal decision

If you apply for a postal decision we will send you a confirmation that we have received your appeal. This letter will include;

- the final date for receipt of evidence
- the name and phone number of the person arranging your appeal

We aim to issue at least 95% of confirmation letters within 2 working days. We aim to decide at least 80% of postal appeals within 42 days of your application.

#### ■ After the decision

- We aim to send you a written copy of the Adjudicator's decision and reasons within 10 working days of the decision being made

#### ■ Comments and Complaints

Please tell us if you have any views on our service. If you have a complaint a member of staff will try to sort out your problem there and then. If you are still not satisfied you can ask to speak with the Service Director or another manager if appropriate.

Alternatively, you can write to the Service Director who will ensure that your inquiry receives a prompt reply.

Please note: Parking Adjudicators are impartial and independent and National Parking Adjudication Service staff cannot look into claims that;

- The Adjudicator's decision was unfair or wrong
- The Adjudicator did not handle the appeal properly

Also, Adjudicators do not usually answer letters about cases they have decided.

Comments and complaints about an Adjudicator or how a hearing was handled should be addressed to the Chief Adjudicator.

Please note also that we cannot look into complaints about other organisations such as local authorities or enforcement contractors.

**The National Parking Adjudication Service is an independent tribunal where impartial lawyers consider appeals by motorists and vehicle owners whose vehicles have been issued with Penalty Charge Notices (or have been removed or clamped) by Councils in England and Wales enforcing parking under the Road Traffic Act 1991. We cannot offer you legal advice or tell you what to say in your appeal. We cannot say if a case is likely to succeed or tell you what the Adjudicator will decide.**



Bydd 2004 yn drobwynt ar gyfer Gwasanaeth Dyfarniadau Parcio Cenedlaethol (NPAS). Mae hyn yn bennaf oherwydd Deddf Rheoli Traffig 2004 a fydd, pan ddaw i rym, yn estyn gallu gorfodol y cyngor o ran torri mân reolau traffig y tu hwnt i barcio.

Rhagair y Prif Ddyfarnwr

*Mae Adroddiad Blynyddol y Gwasanaeth Dyfarniadau Parcio Cenedlaethol (NPAS) yn tyfu fwy fyth bob blwyddyn. Ond nid yw hyn oherwydd bod nifer yr apeliadau wedi cynyddu'n ddramatig; ddim o gwbl. Roedd cyfran y Rhybuddion o Ddirwy yr apelwyd yn eu herbyn yn 2004 yn union yr un peth ag yn 2003. Mae hyn yn wir yn galonogol gan fod nifer y Cyngorau yng Nghymru a Lloegr sy'n ymuno â'r cynllun dadgrimmaleiddio gorfodi parcio yn cynyddu. Mae nifer y Cyngorau ynddo'i hun yn ychwanegu at faint yr adroddiad, ond mae'n tyfu oherwydd ein bod yn dadansoddi ystadegau apeliadau'n fwy manwl, gan gyhoeddi'r ffigurau ar gyfer pob cyngor o flwyddyn i flwyddyn ers cychwyn yr NPAS ym 1999. Nid ydym yn ymddiheuro am gymryd yr ymagwedd hon: fe'i croesawyd gan y wasg, y diwydiant parcio a Chyngorau yn yr un modd.*

*Fodd bynnag, 2004 oedd y flwyddyn y bu perfformiad yr NPAS ei hun yn destun craffu. Yn 2003 comisiynwyd yr Athro Raine ac Eileen Dunstan o Ysgol Polisi Cyhoeddus Prifysgol Birmingham i gynnal arolwg o ddefnyddwyr NPAS. Gofynnwyd iddynt befyd i archwilio i'r defnyddwyr posib nad oedd wedi apelio at yr NPAS. Ceir eu crynodeb hwy o'r adroddiad terfynol yn yr Adroddiad Blynyddol hwn.*

*Yn gyffredinol roedd apelwyr yn gadarnhaol am eu profiadau o'r NPAS. Serch hynny, gwelwyd cyferbyniad amlwg iawn yng nghanfnyddiad apelwyr o'r broses, nid yn gymaint rhwng y rheiny lle caniatwyd neu y gwrthodwyd eu hapêl, ond rhwng y rheiny a fynychodd wrandawriad gyda'r Dyfarnwr a'r rheiny a ofynnodd am benderfynu eu hachos ar y dystiolaeth ddogfennol a ffotograffaid. Mae'n galonogol bod yr apelwyr a fynychodd wrandawriad yn bendant eu bod wedi cael gwrandawriad teg gan gydnabod bod y Dyfarnwr yn annibynnol ac yn gyfreithiwr. Nid oedd y rheiny a ddewisodd benderfyniad 'drwy'r post' mor sicr am natur ein tribiwnlys. Achos pryder mawr yw'r 53% o bobl na apeliodd (h.y. pobl y gwrthodwyd eu cynrychioliadau gan y Cyngorau ond nad oedd wedi burw ymlaen ag apêl) yr ymddengys nad oeddent yn gwybod am fodolaeth y NPAS.*

*Mynegodd y Cyngorau fodlonrwydd mawr ynghylch staff yr NPAS a'r trefniadau cyffredinol. Nid oedd yn syndod efallai eu bod yn llai pendant ynghylch penderfyniadau'r Dyfarnwyr. Ymchwiliodd yr ymchwilwyr i'r canfyddiadau hyn yn fanwl gan eu priodoli'n bennaf i'r gwahaniaeth amlwg o ran agwedd meddwl rhwng Swyddogion Cyngorau sy'n gweld y broses herio'n bennaf fel proses weinyddol; tra bod y Dyfarnwyr o'r farn bendant mai tasg gyfreithiol ydyw.*

*Cyflwynodd yr adroddiad sawl argymbelliad defnyddiol ynghylch sut i wella'n gwasanaeth, cyfathrebu'n gadarnhaol â Chyngorau ac uwchlaw popeth, sut i gynyddu ymwybyddiaeth y cyngor o fodolaeth a gwaith yr NPAS. Rydym wrthi'n ddyfal yn rhoi llawer o'r argymbellion hyn ar waith.*

*Yn ystod 2004 hefyd cyhoeddwyd adroddiad annibynnol a gwerthfawr arall sef Adroddiad Arbennig Ombwdsmon Llywodraeth Leol i Orfodaeth Parcio gan Gyngorau. Cafwyd sylwadau ac argymhellion goleuedig ynghylch y modd y mae Cyngorau'n ystyried cynrychioliadau dan Ddeddf Traffig Ffyrdd 1991. Mae'r adroddiad hwn yn atgoffa Cyngorau o bwysigrwydd rhoi ystyriaeth briodol i ddisgresiwn. Cyfeiriwyd hefyd at nifer o ddiffygion ym mhrosesau Cyngorau gan rhoi enghreifftiau o wybodaeth annigonol iawn, ac mewn rhai achosion, anghywir ar ffurflenni Cyngorau.*

*Daeth yr ymyriad defnyddiol hwn gan yr Ombwdsmon Llywodraeth Leol ar adeg priodol iawn sef ychydig cyn i Ddeddf Rheoli Traffig 2004 dderbyn Cydsyniad Brenhinol. Bydd y Ddeddf, pan ddaw i rym yn llawn, yn estyn gallu gorfodol y Cyngorau o ran torri mân reolau traffig y tu hwnt i barcio. Yr amcan cyffredinol yw cynnwys yr hyn a fydd yn 'orfodaeth sifil' o fân droseddau traffig mewn proses orfodi gyffredin. Bydd Cyngorau'n cyhoeddi Rhybuddion o Ddirwy ar gyfer troseddau megis troseddau lonydd bysus, dim tro i'r dde neu dro i'r chwith ac aros mewn bocsys melyn ar gyffyrdd.*

*Mae'r Llywodraeth yn burriadu cyflwyno'r trefniadau gorfodi parcio sydd yn y Ddeddf Rheoli Traffig yn gyntaf, yn 2006. Byddant yn disodli'r trefniadau presennol dan Ddeddf Traffig Ffyrdd 1991. Bydd hyn yn rhoi cyfle cadarnhaol a derbyniol i ail-lunio'r rheoliadau gorfodi ac apelio, gan ddiwygio prosesau a gweithdrefnau'r Ddeddf Traffig Ffyrdd i adlewyrchu profiad deng mlynedd o ddadgrimmaleiddio gorfodi parcio.*

*Yn arbennig, bellach ceir cyfle i ailystyried pwerau'r Dyfarnwyr wrth benderfynu apeladau. Cafwyd cryn drafodaeth ers dyddiau cynnar dadgrimmaleiddio gorfodi parcio ynghylch hyd a lled pwerau'r Dyfarnwyr, ac mae adroddiadau Dyfarnwyr Llundain a'r NPAS wedi amlygu materion sy'n berthnasol i'r drafodaeth honno. Yng ngoleuni'r profiad hwnnw, gall y Llywodraeth lunio darpariaethau cadarn i sicrhau y gellir datrys anghydfodau modurwyr a pherchnogion cerbydau'n annibynnol ar y lefel briodol, drwy broses hygyrch, cyflym a syml.*

*Mae'r Ddeddf Rheoli Traffig hefyd yn gofyn bod yr Ysgrifennydd Gwladol yn cyhoeddi Arweiniad Statudol newydd ar gyfer Cyngorau sy'n gweithredu'r system. Rwy'n falch o gael cynrychioli'r NPAS ar y Grŵp Llywio sy'n cynorthwyo'r Adran Cludiant i lunio'r Arweiniad. Un o'r materion niferus dan sylw yw i ba raddau y dylai fod yn ofynnol i Gyngorau gyhoeddi ystadegau llawn o'u gwasanaethau parcio a'u gweithgareddau gorfodi, ac a ddylid cael dangosyddion allweddol i fesur perfformiad pob Cyngor yn y maes pwysig hwn.*

*Dylid cofio, yn y Rhagair i Adroddiad Blynyddol yr NPAS y llynedd, fy mod wedi galw am i Gyngorau fod yn fwy agored ynghylch cyhoeddi eu hystadegau a'u cyfrifon. Awgrymais hynny gan wybod bod nifer sylweddol o Gyngorau'n gweinyddu eu materion gorfodaeth parcio yn dda iawn, er gwaethaf barn sylweddol ymblith y cyhoedd a'r wasg i'r gwrthwyneb. Yn anffodus, ymddengys nad yw'r argymhelliad hwn wedi ysbrydoli Cyngorau; nid yw'r NPAS yn gwybod am unrhyw adroddiad blynyddol a gyhoeddwyd gan adran barcio unrhyw Gyngor.*



*Ar y llaw arall, deallwn fod y cyhoedd wedi dechrau gweithredu eu hawliau yn llawer cynt dan y Ddeddf Rhyddid Gwybodaeth. Serch hynny, mae'r Dyfarnwyr yn dal i gredu y byddai'n llawer gwell petai pob Cyngor yn cynhyrchu adroddiad blynyddol sy'n cyflwyno ystadegau eu gweithgareddau gorfodi a chyfrifon manwl. Dylent hefyd ddisgrifio'u polisiau a'u hamcanion, ynghyd â sut mae cyflawni'r amcanion hynny'n cael ei fesur. Yn sicr, petai'r cyhoedd yn cael gweld yr adroddiadau hyn byddai mwy o ddeallturiaeath a hyder mewn atebolrwydd.*

*Felly unwaith eto yn yr Adroddiad Blynyddol NPAS 2004 hwn, pwyswn ar ein darllenwyr, a Chynghorau'n arbennig, i archwilio'r tablau i weld cystal mae llawer ohonynt yn perfformio. Ar wahân i'r ystadegau o flwyddyn i flwyddyn ar gyfer pob Cyngor, ceir tri thabl allweddol sy'n dangos:*

- *Canran y Rhybuddion o Ddirwy a gyhoeddwyd gan bob Cyngor lle mae apêl yn dilyn*
- *Canran yr apeliadau a gyflwynwyd ac a ganiatawyd gan y Dyfarnwr*
- *Canran yr apeliadau nad ydynt yn cael eu herio gan y Cyngor*

*Wrth gymryd unrhyw un o'r tablau hyn ar ei ben ei hun, ni cheir llawer o wybodaeth am Gyngor penodol, yn arbennig o gofio y gallai fod rheswm cudd dros ystadegyn arbennig. Serch hynny, drwy gymharu'r ystadegau yn y tablau gwahanol, gwelir darlun yn dod i'r amlwg Gwelir mai Harrogate sydd ar y blaen yn gyffredinol, wedi herio pob un o'r 52 apêl a gyflwynwyd, a bod 79% o'r apeliadau wedi'u gwrthod, h.y. cadarnhaodd y Dyfarnwr eu penderfyniad gwreiddiol i wrthod cynrychioliadau. Mae Salisbury, Caer-wynt, Sefton a Sir Henffordd yn dilyn yn agos.*

*Ymddengys bod y Cynghorau hyn wedi cael y cydbwysedd yn iawn. Yn arbennig, mae eu hyder yn eu penderfyniadau yn y cyfnod cynrychioliadau i'w ganmol. Er ei bod yn galonogol bod canran cyffredinol yr apeliadau yn 2004 na chawsant eu herio gan Gynghorau wedi gostwng o 2% i 35%, mae llawer o Cynghorau o hyd nad ydynt yn herio mwy na hanner yr apeliadau a gyflwynwyd yn eu herbyn.*

*Yn olaf, pwysleisiwn nad ydym yn annog Cynghorau i bennu targed i "ennill" pob apêl. Mae natur y broses apêl yn golygu bod y Dyfarnwr yn ystyried yr holl dystiolaeth sydd ar gael, ac mewn llawer o achosion bydd mwy ohoni nag oedd ar gael i'r Cyngor pan ystyriwyd y cynrychioliadau. Nid mater o ennill neu golli yw apelio at y Dyfarnwr, ond mater o gael y canlyniad cyfiawn.*

*Caroline  
Sheppard*

**Caroline Sheppard** Prif Ddyfarnwr dros Gymru a Lloegr

# Cynghorau o dan awdurdod NPAS

## Cymru

■ Cynghorau  
o dan awdurdod  
NPAS 2004

- ▲ SIR GAERFYRDDIN
- ▲ SIR DDINBYCH
- ▲ CASTELL-NEDD PORT TALBOT

▲ Lleoliadau NPAS



# Apeliadau a'u Canlyniadau ar gyfer Holl Gynghorau Cymru 2004

## Allwedd

- A Apeliadau a dderbyniwyd
- B Drwy'r post
- C Personol
- D Na heriwyd gan y Cyngor
- E A ganiatawyd gan y Dyfarnwr
- F Cyfanswm a ganiatawyd gan gynnwys y rhai na chafodd eu herio gan y Cyngor
- G Gwrthodwyd gan y Dyfarnwr gan gynnwys rhai buyr a'r rheiny a dynnwyd yn ôl gan yr apelydd
- H Yn disgwyl penderfyniad

## Cynghorau

	A	B	C	D	E	F	G	H
<b>Cynghorau Cymru</b>	<b>107</b>	<b>64</b>	<b>43</b>	<b>46</b>	<b>37</b>	<b>83</b>	<b>24</b>	<b>0</b>
		60%	40%	43%	35%	78%	22%	0%
<b>Sir Gaerfyrddin</b>	<b>9</b>	<b>3</b>	<b>6</b>	<b>1</b>	<b>7</b>	<b>8</b>	<b>1</b>	<b>0</b>
		33%	67%	11%	78%	89%	11%	0%
<b>Sir Ddinbych</b>	<b>15</b>	<b>14</b>	<b>1</b>	<b>4</b>	<b>5</b>	<b>9</b>	<b>6</b>	<b>0</b>
		93%	7%	27%	33%	60%	40%	0%
<b>Castell-nedd Port Talbot</b>	<b>83</b>	<b>47</b>	<b>36</b>	<b>41</b>	<b>25</b>	<b>66</b>	<b>17</b>	<b>0</b>
		57%	43%	49%	30%	80%	20%	0%

# Apeliadau a Materion sy'n codi gan Gynghorau Unigol 2004

**Nodiadau:** (1) Mae ffigurau ar gyfer blynyddoedd 2001-2 ac wedyn yn cyfeirio at RhD (PCN) yr apeliwyd yn eu cylch; mae'r blynyddoedd blaenorol yn cyfeirio at nifer yr achosion. (2) Os na chafwyd apeliadau yn ystod 2004 nid yw'r Cyngor wedi'i rhestru. 3) Mae'r tablau hysbysu yn ymddangos yn unig ar gyfer y cynghorau hynny ag o leiaf 10 apêl.

## Cynghorau

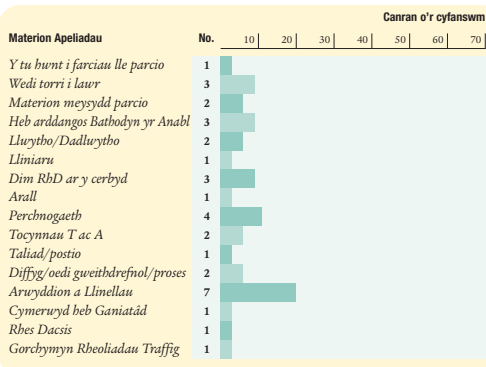
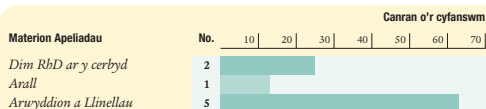
	A	B	C	D	E	F	G	H
<b>Sir Gaerfyrddin</b>	<b>9</b>	<b>3</b>	<b>6</b>	<b>1</b>	<b>7</b>	<b>8</b>	<b>1</b>	<b>0</b>
		33%	67%	11%	78%	89%	11%	0%

SPA yn cychwyn 1 Chwef 2004

## Sir Ddinbych

	<b>15</b>	<b>14</b>	<b>1</b>	<b>4</b>	<b>5</b>	<b>9</b>	<b>6</b>	<b>0</b>
		93%	7%	27%	33%	60%	40%	0%

SPA yn cychwyn 1 Gorff 2004



## Castell-nedd Port Talbot

	<b>83</b>	<b>47</b>	<b>36</b>	<b>41</b>	<b>25</b>	<b>66</b>	<b>17</b>	<b>0</b>
		57%	43%	49%	30%	80%	20%	0%
2003	84	53	31	39	24	63	19	2
		63%	37%	46%	29%	75%	23%	2%
2002 - 2003	110	68	42	49	26	75	34	1
		62%	38%	45%	24%	68%	31%	1%
2001 - 2002	76	58	18	30	23	53	16	7
		76%	24%	39%	30%	70%	21%	9%
2000 - 2001	117	75	42	49	48	97	19	1
		64%	36%	42%	41%	83%	16%	1%
1999 - 2000 RHAN	31	13	18	11	11	22	9	0
		42%	58%	35%	35%	70%	30%	0%

SPA yn cychwyn 1 Meh 1999

## Allwedd

- A Apeliadau a dderbyniwyd
- B Drwy'r post
- C Personol
- D Na heriwyd gan y Cyngor
- E A ganiatawyd gan y Dyfarnwr
- F Cyfanswm a ganiatawyd gan gynnwys y rhai na chafodd eu herio gan y Cyngor
- G Gwrthodwyd gan y Dyfarnwr gan gynnwys rhai buyr a'r rheiny a dynnwyd yn ôl gan yr apelydd
- H Yn disgwyl penderfyniad

# Siarter Gwasanaeth y NPAS

**Nod y Gwasanaeth Dyfarniadau Parcio Cenedlaethol (NPAS) yw cynnig gwasanaeth effeithlon, proffesiynol a chyfeillgar i holl ddefnyddwyr y tribiwnlys.**

**Mae'r adran hon yn disgrifio safon y gwasanaeth y gallwch ei ddisgwyl gennym a sut gallwch ddweud wrthym os nad ydych wedi'ch bodloni.**

## ■ Os byddwch yn ein ffonio ni

Gallwch ffonio rhwng 9am a 5pm (Ac eithrio Gwyliau Banc), dydd Llun i ddydd Gwener. Os byddwch yn ffonio, byddwn yn:

- ateb y ffôn yn brydlon
- dweud wrthych â phwy rydych chi'n siarad
- rhoi ateb clir a defnyddiol i'ch ymholiad

Ein nod yw ateb o leiaf 90% o'r holl alwadau ffôn O fewn 15 Eiliad .

## ■ Os byddwch yn ysgrifennu atom

Os byddwch yn anfon e-bost neu'n ysgrifennu atom ar faterion nad ydynt yn gysylltiedig ag apêl, byddwn yn:

- ymateb i'ch ymholiad o fewn 20 diwrnod gwaith
- dweud wrthych pwy sy'n ymateb a sut i gysylltu â'r person hwnnw

## ■ Os ydych chi'n apelio ac yn gofyn am wrandawriad personol

Os ydych chi'n gwneud cais am wrandawriad apêl personol, byddwn yn anfon cadarnhad ein bod wedi derbyn eich apêl.

Ein nod yw anfon o leiaf 90% o'r holl llythyron cadarnhau o fewn 2 ddiwrnod gwaith.

Pan fyddwn wedi trefnu eich gwrandawriad, byddwn yn anfon llythyr arall atoch, a fydd yn cynnwys;

- hysbysiad o ddyddiad ac amser eich gwrandawriad
- map sy'n dangos lleoliad y ganolfan wrandawriadau
- manylion cyswllt y person sy'n trefnu eich apêl

Ein nod yw cynnig dyddiad gwrandawriad i chi o fewn 56 diwrnod wedi derbyn eich cais.

## ■ Pan fyddwch yn cyrraedd ar gyfer gwrandawriad

Ein nod yw gwrandawrio ar bob apêl personol o fewn 15 munud i'r amser cychwyn a drefnwyd.

Byddwn yn dweud wrthych pan fyddwch yn cyrraedd os ydym ar ei hôl hi. Pan fyddwch yn cyrraedd ar gyfer eich gwrandawriad personol, byddwch yn gweld:

- arwyddion clir i'ch helpu i ddod o hyd i'r ystafell wrandawriadau
- Goruchwylydd Canolfan Wrاندawriadau a fydd yn gwisgo bathodyn, i gwrdd â chi a'ch helpu os bydd angen
- ardal aros gysurus gerllaw'r ystafell wrandawriadau
- mynediad a chymorth i bobl anabl

## ■ Yn ystod y gwrandawriad

Yn gyffredin â'r mwyafrif o achosion cyfreithiol, bydd gan aelodau'r cyhoedd yr hawl i fod yn bresennol mewn gwrandawriadau apêl. Bydd y Dyfarnwr yn gyfrifol am sicrhau bod y gwrandawriad yn cael ei gynnal yn briodol.

## ■ Yn eich gwrandawriad, gallwch ddisgwyl:

- bod y Dyfarnwr yn cyflwyno'i hun ac yn esbonio sut bydd y gwrandawriad yn mynd yn ei flaen
- bydd gennych gyfle i esbonio eich achos i'r Dyfarnwr
- bydd y Dyfarnwr fel arfer yn dweud wrthych beth yw ei benderfyniad ar ddiwedd y gwrandawriad. (Mewn rhai achosion prin, ni fydd hyn yn bosib ac mewn achos o'r fath bydd y Dyfarnwr yn esbonio pam, a phryd y gallwch ddisgwyl penderfyniad)
- bydd y Dyfarnwr yn esbonio'r rhesymau dros ei benderfyniad yn glir

## ■ Ar ôl y gwrandawriad

Er y byddwch fel arfer yn derbyn y penderfyniad y diwrnod hwnnw, byddwn wedyn yn cadarnhau'r penderfyniad a rhesymau'r Dyfarnwr mewn llythyr.

- Ein nod yw anfon copi ysgrifenedig o benderfyniad a rhesymau'r Dyfarnwr o fewn 10 diwrnod gwaith i'ch gwrandawriad

## ■ Os byddwch yn gwneud cais am benderfyniad drwy'r post

Os byddwch yn gwneud cais am benderfyniad drwy'r post, byddwn yn anfon cadarnhad ein bod wedi derbyn eich apêl. Bydd y llythyr hwn yn cynnwys;

- y dyddiad terfynol ar gyfer derbyn tystiolaeth
- enw a rhif ffôn y person sy'n trefnu eich apêl

Ein nod yw anfon o leiaf 95% o'r llythyron cadarnhau o fewn 2 ddiwrnod gwaith.

Ein nod yw penderfynu ar o leiaf 80% o'r apeliadau drwy'r post o fewn 42 diwrnod i'ch cais.

## ■ Ar ôl y penderfyniad

- Ein nod yw anfon copi ysgrifenedig o benderfyniad a rhesymau'r Dyfarnwr o fewn 10 diwrnod gwaith i'r penderfyniad

## ■ Sylwadau a Chwynion

Dywedwch wrthym os oes gennych unrhyw sylwadau ynghylch ein gwasanaeth. Os oes gennych gwyn bydd aelod o'r staff yn ymdrechu i ddatrys y broblem yn y fan a'r lle. Os ydych yn dal yn anfodlon, gallwch ofyn am gael siarad â Chyfarwyddwr y Gwasanaeth os yw hynny'n briodol.

Fel arall, gallwch ysgrifennu at Gyfarwyddwr y Gwasanaeth a fydd yn sicrhau bod eich ymholiad yn cael ei ateb mewn da bryd.

Sylwer: Mae Dyfarnwyr Parcio yn ddiuedd ac yn annibynnol ac ni all y NPAS ymchwilio i honiadau bod:

- Penderfyniad y Dyfarnwr yn annheg ac yn anghywir
- Nad oedd y Dyfarnwr wedi ymdrin â'r gwrandawriad yn briodol

Hefyd, nid yw Dyfarnwyr fel arfer yn ateb llythyron ynghylch achosion y maent wedi penderfynu yngl\_n â hwy.

Dylid cyfeirio sylwadau a chwynion am Ddyfarnwr neu'r ffordd yr ymdriniwyd ag achos at y Prif Ddyfarnwr.

Sylwer hefyd na allwn ymchwilio i gwynion am sefydliadau eraill megis awdurdodau lleol na chontractwyr gorfodi.

**Tribiwnlys annibynnol yw'r Gwasanaeth Dyfarniadau Parcio Cenedlaethol (NPAS) lle gall cyfreithwyr diduedd ystyried apeliadau gan fodurwyr a pherchnogion cerbydau y cyhoeddwyd Rhybudd o Ddirwy ar eu cyfer (neu a symudwyd neu a glampiwyd) gan gynghorau yng Nghymru a Lloegr gan orfodi rheoliadau parcio dan Ddeddf Traffig Ffyrdd 1991. Ni allwn gynnig cyngor cyfreithiol na dweud wrthych beth i'w ddweud yn eich apêl. Ni allwn ddweud os yw apêl yn debygol o lwyddo na dweud beth fydd penderfyniad y Dyfarnwr.**