Joint Annual Report of the Parking Adjudicators to London Councils Transport and Environment Committee 2007-2008

Chief Adjudicator's Foreword

I am pleased to present to the Committee this joint report of the Parking Adjudicators for the year 2007-2008.

The most important event this year, although it only occurred on 31 March 2008, the last day of the year covered by the report, was the introduction of parking enforcement under the Traffic Management Act 2004, replacing enforcement under the Road Traffic Act 1991. We deal in detail with this development below. Enforcement of other matters under the 2004 Act – bus lanes, moving violations and the London lorry ban – has not yet been introduced. Enforcement of those contraventions therefore continues under the existing legislation. This means we continue with several different regimes operating in parallel. This is less than satisfactory. It has never been clear to us why enforcement under the 2004 Act could not be introduced for all contraventions together. Until these other contraventions are enforced under that Act, a principle aim since the legislation was enacted four years ago, a single coherent enforcement regime, will not be achieved.

This year we received 64,072 appeals, the highest number ever. At present there is no sign of the increase abating.

The Parking Adjudicators have sat at the Hearing Centre at New Zealand House for almost the whole time since the creation of the tribunal in 1993. In the first full year, 1994-1995, we received fewer than 5,000 appeals and there were initially four Adjudicators. There are now 50 Adjudicators and last year's intake was over 12 times that in the first year. In addition, the Road User Charging Adjudicators, who deal with congestion charging appeals, also sit at the Hearing Centre.

New Zealand House has proved to be an excellent choice of location. It is centrally located with convenient transport links from all parts of London. The building itself is a prominent public building well suited to accommodating a tribunal.

We will, however, soon bid farewell to our first home following the Committee's decision to move the Hearing Centre to another location on expiry of the lease on the premises in February 2009. The Adjudicators naturally have a profound interest in the location of the new Hearing Centre. They recognise, of course, and support the need to obtain the best value for money in choosing the new premises. Their concern is that the new Hearing Centre should measure up to the standard set by the enlightened choice of New Zealand House in terms of suitability for housing a tribunal and ease of access for the public.

I would wish to record my thanks to the Adjudicators for the support they have given to the tribunal this year.

Finally, may I express the Adjudicators' thanks to Charlotte Axelson and her staff for their considerable support to the Adjudicators during the year.

Martin Wood

Who We Are and What We Do

Parking Adjudicators are judicial office holders. They decide appeals from members of the public against penalties imposed by London local authorities, including Transport for London, for contraventions of traffic controls relating to

- parking
- bus lanes
- moving traffic
- the London lorry ban.

Workload

We give here statistics relating to our overall workload during the year. Further details of these figures for individual local authorities can be found in the statistics produced by London Councils.

Note. "Received" figures may not necessarily tally with figures for actions taken because of matters being carried forward from year to year.

Appeals Received

The following table shows the numbers of appeals received.

Appeals Received by Type	2007 - 2008	2006 - 2007	Increase (Decrease)	
			Number	%
Parking	57,851	51,484	6,367	12.4
Bus Lane	1,246	1,965	(719)	(36.6)
Moving Traffic	4,928	3,521	1,407	40
Lorry Ban	47	70	(23)	(32.9)
Total	**64,072**	**57,040**	7,032	12.3

The trend in recent years of a fall in the number of bus lane appeals and an increase in the number of moving traffic appeals has continued. The increase in moving traffic appeals is no doubt again a reflection of more widespread enforcement of these contraventions.

Appeal Rates

The appeal rates by appeal type and overall are shown in the following table. The appeal rate is the percentage of Penalty Charge Notices issued resulting in an appeal to the Adjudicator.

Appeal Rate % by Type	2007 - 2008	2006 – 2007
Parking	1.11	0.99
Bus Lane	0.3	0.43
Moving Traffic	1.18	0.84
Lorry Ban	1.58	2.91
Overall	**1.1**	**0.94**

The rates continue the pattern established in previous years. The parking rate has remained consistently stable at around 1%. The lower rate for bus lanes reflects the simpler nature of enforcement, in relation to which there is only the single contravention of being in a bus lane, and the fact that because enforcement is invariably by camera, the pictorial evidence reduces the scope for argument on the facts.

We speculated last year that the fact that the rate for moving traffic is similar to that for parking might be because of a bedding down period, given that moving traffic enforcement is a relatively recent innovation, and that there might then be a fall in the rate. In fact, the rate has gone up and remains close to that for parking. Unlike bus lanes, there is a range of moving traffic contraventions, and whether or not a contravention has been committed is in the case of some moving traffic contraventions more complex than with bus lanes. These factors may explain the higher rate. As can be seen from the ***Appeals Allowed*** table below, the percentage of moving traffic appeals allowed remains well above that for bus lanes.

Statutory Declarations Received

The following table shows the number of statutory declarations received and the action taken.

Statutory Declarations Received by Type	2007 - 2008	2006 - 2007	Scheduled as Appeal		Other Direction	
			2007-08	2006-07	2007-08	2006-07
Parking	3,007	2,574	1,289	1,023	1,608	1,255
Bus Lane	113	321	64	123	95	179
Moving Traffic	152	247	79	119	104	113
Lorry Ban	0	0	0	0	0	0
Total	**3,272**	**3,142**	**1,432**	**1,265**	**1,807**	**1,547**

Appeals Disposed of

The following table shows the numbers of appeals disposed of.

Appeals Disposed of by Type	2007 - 2008	2006 - 2007	Increase (Decrease)	
			Number	%
Parking	53,018	56,350	(3,332)	(5.9)
Bus Lane	1,391	2,593	(1,202)	(46.4)
Moving Traffic	4,523	3,780	743	19.7
Lorry Ban	53	68	(15)	(22.1)
Total	**58,985**	**62,791**	**3,806**	**(6.1)**

The appeals received exceeded appeals disposed of by 5,087. A major factor in this is that at our current hearing centre at New Zealand House there are insufficient hearing rooms to allow us to schedule personal appeals within the timescale we aim for, 56 days. As a result, personal appeals are being scheduled well outside that timescale and there is a considerable number of personal appeals scheduled and awaiting hearing. It is hoped that our new hearing centre, which we refer to elsewhere in this report, will have sufficient hearing rooms to allow timely hearing of appeals.

Appeals Not Contested by the Local Authority

The following table shows the numbers of appeals not contested by the local authority.

Appeals Not Contested By Type	2007 - 2008		2006 - 2007	
	Number	As % of Appeals Disposed of	Number	As % of Appeals Disposed of
Parking	22,564	42.6	18,546	32.9
Bus Lane	291	20.9	402	15.5
Moving Traffic	1,204	26.6	1027	27.2
Lorry Ban	16	30.2	16	23.5
Total	**24,075**	**40.8**	**19,991**	**31.8**

The number of appeals not contested by local authorities remains a concern. The increase in parking appeals not contested is particularly marked. There is considerable variation between authorities in the percentage of appeals not contested, as can be seen from the detailed figures published by London Councils.

Appeals Allowed

The following table shows the numbers of appeals allowed, including appeals not contested by the local authority. The rise in the percentage of parking and bus lane appeals allowed is more than accounted for by the increase in the percentage not contested by the authority.

Appeals Allowed by Type	2007 - 2008		2006 - 2007	
	Number	%	Number	%
Parking	38,326	72	38,579	68
Bus Lane	677	49	1,182	46
Moving Traffic	2,707	60	2,143	57
Lorry Ban	38	72	49	72
Total	**41,748**	**71**	**41,953**	**67**

Applications for Review

The following table shows details of review applications received.

In this table:

- "Accepted" means that the Adjudicator proceeded to conduct a review
- "Allowed" means that the Adjudicator reversed the original decision to allow or refuse the appeal.

Applications	Received		Accepted		Allowed	
	2007-2008	2006-2007	2007-2008	2006-2007	2007-2008	2006-2007
Appellant	1,279	1352	323	449	134	172
Authority	232	92	183	75	69	28
Total	**1,511**	**1444**	**506**	**524**	**203**	**200**

Applications for Costs

The following table shows details of costs applications received.

Applications	Received		Awarded		Total Amount £	
	2007-2008	2006-2007	2007-2008	2006-2007	2007-2008	2006-2007
Appellant	264	199	120	82	8,149.74	5,871.47
Authority	129	32	44	30	2,714.51	1,927.27
Total	**393**	**231**	**164**	**112**	**10,864.35**	**7,798.74**

The small number of applications and awards, and the low total figure in monetary terms, reflects the limits of the power under regulation 12 of the Road Traffic (Parking Adjudicators) (London) Regulations 1993 to award costs. The regulation provides, in summary, that the Adjudicator may award costs only against a party that has acted frivolously, vexatiously or wholly unreasonably.

Ancillary work

Ancillary work includes reviews, costs, decisions on extending time for late appeals and making directions on statutory declarations referred by local authorities. It takes up a good deal of Adjudicator time, equivalent this year to about 14,000 appeals.

Introduction of parking enforcement under the Traffic Management Act 2004

Undoubtedly the most significant development during the year was the coming into force on the last day of the year, 31 March 2008, of enforcement of parking controls under the Traffic Management Act 2004, replacing enforcement under the Road Traffic Act 1991. The new regime is contained in the relevant provisions of the 2004 Act itself and in regulations made under the Act, the main ones being the Civil Enforcement of Parking Contraventions (England) General Regulations 2007 and the Civil Enforcement of Parking Contraventions (England) Representations and Appeals Regulations 2007.

A considerable effort in planning and implementation was required to facilitate the administration and adjudication of appeals under the new regime. Major changes were needed to our computerised adjudication system. New appeal forms were promulgated and revised information leaflets prepared. The necessary changes were made to our website. Finally, we have prepared a new *Guide to the Parking Adjudicators at PATAS*, to replace the familiar green *Guide to the Parking Appeals Service.* The new guide is intended to supplement the regulations by providing practical guidance for enforcement authorities on the conduct of appeals.

But in terms of the enforcement regime, is 31 March 2008 More of the Same or is it a New Dawn?

There is certainly a considerable element of More of the Same. Enforcement of all but post 30 March 2008 parking contraventions continues under the old legislation. So, bus lanes continue to be enforced under the London Local Authorities Act 1996 and moving traffic and lorry ban under the London Local Authorities and Transport for London Act

2003. In addition, for some time there will continue to come before the tribunal appeals relating to pre 31 March 2008 parking contraventions, which will be governed by the Road Traffic Act 1991. The Road Traffic (Parking Adjudicators) (London) Regulations 1993 continues to govern procedures before the tribunal for all these types of appeal.

Furthermore, whilst post 30 March 2008 parking enforcement procedures are governed by the new legislation, the broad structure is similar to that under the Road Traffic Act 1991. There will be, therefore, a good deal of familiarity in the new regime.

Nevertheless, there are important changes that justify viewing the new regime as being in some respects a New Dawn.

There is new terminology with which we will need to become familiar: for example, Enforcement Authority rather than Local Authority and Civil Enforcement Officer instead of Parking Attendant.

There is a need to be careful of the detail: for example by virtue of regulation 3 of the General Regulations and paragraph 17(2) of the Schedule to the Representations and Appeals Regulations, where service of documents is by post it needs to be by first class post.

The major changes are summarised below.

Replying to representations

The enforcement authority must *serve* its reply to representations within 56 days of receipt. If it does not, it is deemed to have accepted the representations.

This time limit has always applied to clamp and remove cases. It now applies to all parking cases.

Procedural impropriety: a new ground of representation

Compliance with the procedural requirements of the enforcement regime has received a deal of attention in the past. Adjudicators have from time to time been called upon to consider whether there was a failure to comply with the procedural requirements of the regime and to determine the consequences of any such failure. Determining these questions under the 1991 Act regime was a matter of applying general legal principles. Adjudicators considered these issues in such cases as *Moulder v Sutton (PATAS Case No. 1950001406, 1995)* and *Al's Bar and Restaurant Ltd v Wandsworth (PATAS Case*

No. 2020106430, 2002), as did the High Court in *R (Barnet) v The Parking Adjudicator [2006] EWHC 2357 (Admin).*

The new regime provides a new ground for contesting liability for a penalty: that there has been a procedural impropriety on the part of the enforcement authority. Procedural impropriety is defined as a failure by the enforcement authority to observe any requirement imposed on it by the 2004 Act, by the General Regulations or by the Representations and Appeals Regulations. This new ground thus puts the issue of procedural compliance on a statutory basis.

It should be noted that if this ground is established on appeal, the regulations provide that the adjudicator *'shall'* allow the appeal. There is no longer any need, therefore, for the Adjudicator to have to determine the consequences of a particular procedural defect by applying sometimes complex principles of general law. The requirement that the Adjudicator must allow the appeal is unequivocal. Compliance with the statutory scheme for enforcement has always been important, as we have emphasised repeatedly in our Annual Reports, but it is now if anything even more so. It is crucial for enforcement authorities to ensure that, for example, their forms and notices are fully compliant and that they comply with the prescribed time limits. They need to bear in mind that the requirements for a Penalty Charge Notice served by post differ from those for one served on the street.

In *Euroway Vehicle Contracts Ltd v Kensington & Chelsea (PATAS Case No. 2070247503),* a case under the old regime, the Adjudicator allowed the appeal because the Notice of Rejection in issue was defective. In doing so he commented as follows on the consequences of such procedural failures.

"I wish to add the following. Local authorities have had a succession of warnings in a number of cases going back many years about the need to comply with the statutory requirements, culminating in the High Court's decision in the Barnet case. It is really quite astonishing and reprehensible that despite this some local authorities still fail to get their documentation in order. This results in the time of this tribunal being taken up quite unnecessarily in dealing with such technical matters. But more than that, it means that motorists who have in fact breached the parking controls, in many cases quite deliberately flouting the law, are escaping liability for their actions. I do not say necessarily in this one as I have not made a decision on the merits of the particular circumstances, but in many. This is a most unsatisfactory state of affairs for which the

responsibility lies with the local authorities concerned. It is high time they got their house in order."

It is to be hoped that enforcement authorities will take the opportunity offered by the introduction of the new regime to put the compliance difficulties of the past behind them and ensure that their procedures under the 2004 Act are fully compliant.

Compelling Reasons

Whether or not any of the grounds for contesting liability applies, the new scheme provides that the motorist may also put forward compelling reasons why, in the particular circumstances, the enforcement authority should cancel the penalty or refund monies paid. If the enforcement authority accepts that there are such reasons, it must take the appropriate action.

Furthermore, if on appeal the adjudicator does not allow the appeal but is satisfied there are such compelling reasons he may recommend the enforcement authority to cancel the notice to owner or, in a clamp or remove case, to refund some or all of the monies paid for the release of the vehicle, or, if it has been sold, deducted from the proceeds of sale. The authority must then inform the adjudicator and the appellant within 35 days whether it accepts the recommendation. If it does not, it must give reasons. If it does not give its decision within the 35 days, it is deemed to have accepted the recommendation.

Under the Statutory Guidance issued by the Department for Transport, *Secretary of State's Statutory Guidance to Local Authorities on the Civil Enforcement of Parking Contraventions,* such recommendations must be directed to the authority's Chief Executive. Authorities will need to have arrangements in place to deal with such cases.

Adjudicators have always referred back to authorities cases where they took the view that there was compelling mitigation, with a request that the authority consider exercising its discretion to cancel the penalty. The provision in the new scheme for the Adjudicator to make recommendations where there are compelling reasons gives statutory force to this long established practice. However, a formal recommendation under the statutory scheme would be contained in the final decision. It may be that before making such a recommendation the Adjudicator will wish to adjourn the case and refer back to the authority before making the decision, as under the established practice, both to allow the authority to make representations on whether the Adjudicator should make a formal recommendation and to give it the opportunity to use its discretion to waive the penalty

at that stage, to avoid the need for a formal recommendation. Precisely how practice will develop in relation to this remains to be seen.

Clamp/remove

The detail of when clamping and removal may be used and the limitations on these powers are somewhat different under the new regime.

The powers may be used where there has been:

- failure to pay parking charge
- failure to properly display ticket
- overstaying after paying.

However, there can be no clamping or removal until the appropriate period has elapsed since service of the Penalty Charge Notice. The appropriate period is normally 30 minutes. However, in relation to a vehicle for which there are 3 or more outstanding Penalty Charge Notices, it is 15 minutes.

The prohibition on clamping a vehicle displaying a disabled person's badge remains. Whilst there is no such prohibition on removal, where removal is necessary the normal practice is to move the vehicle to a location nearby, not to the pound.

Postal service of the Penalty Charge Notice

The legislation provides for service of a Penalty Charge Notice by post on the owner in three circumstances.

- On the basis of a record produced by an approved device. This in practice means enforcement by CCTV or other camera enforcement.
- A civil enforcement officer attempted to serve a Penalty Charge Notice on the street but was prevented from doing so by some person.
- A civil enforcement officer had begun to prepare a Penalty Charge Notice for service on the street but the vehicle concerned was driven away before the civil enforcement officer had finished preparing the Penalty Charge Notice or had served it.

The first two have been in force in London for some years, although they are new outside London.

In *R (Transport for London) v Parking Adjudicator & Ademolake [2007] EWHC 1172 (Admin),* on which we reported in our Annual Report last year, the High Court, upholding the Adjudicator's decision, held that the second circumstance required (1) an attempt to serve, not mere preparatory steps, and (2) prevention by violence or the threat of violence. It therefore did not include the motorist merely getting into the vehicle and driving away.

The third circumstance is new and plainly designed to allow postal service in the case of such 'drive-aways'. It remains to be seen to what extent enforcement authorities will employ this power. The legislation provides that a civil enforcement officer who observes conduct which appears to constitute a parking contravention shall not thereby be taken to have begun to prepare a Penalty Charge Notice, but contains no other guidance on the meaning of 'had begun to prepare'.

The Administrative Justice & Tribunals Council

The Administrative Justice & Tribunals Council, the successor body to the Council on Tribunals, came into being on 1 November 2007. The Chief Parking Adjudicator attended its launch event, at which the Lord Chief Justice, Lord Phillips, and Bridget Prentice, Parliamentary Under Secretary of State at the Ministry of Justice, gave speeches welcoming its creation.

The Chairman, Lord Newton, spoke of the wider remit of the AJTC: to keep the overall administrative justice system under review. This would extend in our context to the manner in which local authorities carry out enforcement and not be limited to the appeals process.

Lord Justice Carnwarth, the newly appointed Senior President of Tribunals, spoke of progress in the tribunals established under the Tribunals, Courts and Enforcement Act 2007. This structure has brought into a single tribunal many central government tribunals. It is intended that over a period of time more tribunals will become a part of it. At present there are no firm proposals for local government tribunals to join it, although that is a possibility that it is intended will be looked at in time. His Lordship emphasised that tribunal members are part of the independent judiciary, no less than judges. We were pleased to hear that our erstwhile colleague and former Parking Adjudicator, HH Judge Gary Hickinbottom, has been appointed as deputy to the Senior President.

Ann Abrahams, the Parliamentary Ombudsman, spoke about the links between ombudsmen and tribunals. Her theme was to encourage the AJTC to extend its tentacles into the body of the administrative justice system in search of the real prize: improvement in first tier decision making.

Communications

We issued three of our regular Newsletters to local authorities. These include appeal statistics and items of interest, ranging from staff and organisational changes to recent key decisions.

In April 2008 we held a well-attended seminar for local authority staff. The seminar considered topical issues including the introduction of parking enforcement under the Traffic Management Act 2004.

Training

In February we held a one day conference in conjunction with our colleagues from the National Parking Adjudication Service (now renamed the Traffic Penalty Tribunal) to provide training for the adjudicators on parking enforcement under the Traffic Management Act.

We held one further Adjudicators' training meeting covering current issues of law and practice, including the implications of the introduction of differential penalties.

Those Adjudicators who wanted it also received keyboard skills training.

Judicial Reviews

Six appellants commenced judicial review proceedings to challenge the Adjudicator's decision in their appeal. In each case the High Court refused to grant permission for the application to proceed.

Enforcement Issues

Dual Enforcement

In the two cases under this heading in the Cases Digest the Appellant received two Penalty Charge Notices for the same contravention. In *Advance Chauffeur Services Ltd v Camden (PATAS Case No. 2070045407)*, the Appellant received Penalty Charge

Notices from different authorities because of confusion, indeed perhaps even a disagreement, between them about which had jurisdiction over the location in question. Authorities need to be proactive in liaising to ensure that there is clarity about their respective boundaries. In *Stein v Lambeth (PATAS Case No. 2070120455)*, the Appellant received two Penalty Charge Notices from the same authority for the same contravention, apparently because it had been observed by different camera operators. There need to be procedures in place to prevent this happening.

Pay by Phone Parking

The relatively recent development of pay by phone parking, clearly offers significant advantages for the motorist. There is no trekking to the pay and display machine – perhaps in the pouring rain. There is no need to queue at the machine, and no need to carry around the right change. There is also the ability to tailor the period paid for much more closely to the time required, including extending the time originally purchased.

But it is not without its challenges. Adjudicators are quite frequently told by Appellants about difficulties in getting through on the system. It also poses challenges on adjudication. Appeals most commonly are from those who claim to have paid to park, or believed they had paid, but subsequently received a Penalty Charge Notice.
Typical issues include miscommunication between the call centre operator and the motorist and incorrect use of the voice recognition and text messaging procedures. *Kavanagh v Westminster (PATAS Case No. 2070021566)* is an example of such a case. Enforcement authorities must have a robust and provable audit trail evidencing the dealings between them and the appellant.

Powers of disposal of removed vehicles

The authorities' power to dispose of vehicles that have been removed is plainly a draconian one, empowering as it does authorities to dispose of a citizen's private property without their consent. It is clearly imperative that in exercising the power authorities understand its limits and take the utmost care to act within the law. The case of *Gibbons v Croydon (PATAS Case No. 2060475498),* in which the authority had acted outside its powers, is therefore a most disturbing one.

Practice in making appeal

In *Keystone Distribution v Ealing (PATAS Case No. 2070345218)*, the Adjudicator expressed disapproval of the practice of putting in what he described as a blunderbuss

appeal, containing numerous points without any thought as to their relevance to the particular case.

Differential penalties

Higher and lower penalties for what were perceived as more and less serious contraventions were introduced on 1 July 2007. *Hall v Lambeth (PATAS Case No. 2070472703)* and *Shasha v Hackney (PATAS Case No. 2070509723)* appear to be examples of difficulties experienced by Authorities in implementing the differential penalty scheme. In both cases the Authority produced in evidence on appeal a purported copy of the Penalty Charge Notice that was in fact not an accurate copy. This is a serious matter. It is to be hoped that the problems revealed by these cases were early teething problems and have now been resolved.

Signs

Many appeals continue to turn on the adequacy of the signs. Two examples are given in the Cases Digest.

Loading/unloading; boarding/alighting

VP Coaches v Transport for London (PATAS Case No. 2070215438) is not the first case we have reported where the Authorities' staff apparently did not understand the distinction between the exemptions for loading/unloading and for boarding/alighting. This failure could prejudice the proper consideration of representations. Authorities need to ensure that their staff are adequately trained to enable them to consider representations properly.

Penalty Charge Notice: statement of contravention

The legislation requires the Penalty Charge Notice to state the grounds on which it is believed that a penalty charge is payable. In *Keystone Distribution v Westminster (PATAS Case No. 2070217513)* the Appellant presented semantic arguments in contending that the Penalty Charge Notice failed to comply with this requirement. The Adjudicator rejected these arguments, saying that the simple purpose of the requirement was so that the recipient of the Penalty Charge Notice was informed of the alleged contravention. The legislation did not require any particular form of words to be used. It was merely necessary to ask whether the words used conveyed the substance of the allegation.

In that case, the Adjudicator found that they did. The Cases Digest, however, contains three other cases where the requirement had not been complied with for a variety of reasons.

CASES DIGEST

This Digest contains cases decided during the year on topics of interest.

Dual Enforcement

Advance Chauffeur Services Ltd v Camden (PATAS Case No. 2070045407)

On 22 September 2006 a Westminster parking attendant served a Penalty Charge Notice by fixing it to the vehicle. The Appellant paid the reduced penalty the same day. Unknown to the Appellant, the contravention had also been observed remotely by a Camden CCTV operator. Camden issued the Penalty Charge Notice the subject of this appeal by post on 5 October.

1. The Notice of Rejection dated 13 January 2007 issued by Camden stated: 'The whole of the carriageway on Charing Cross Road at this section is under the jurisdiction of the London Borough of Camden. Whilst I accept that Westminster should not have issued a Penalty Charge Notice for a contravention on this site, this error should be taken up with that borough.'

2. The Appellant lodged its appeal to the Adjudicator on 29 January.

3. On 2 February Westminster wrote to the Appellant: 'In this case, I can confirm that Charing Cross Road is within the Westminster Parking Zone ... and I cannot cancel the PCN. You will need to get in touch with Camden Council regarding the PCN which you received from them and hopefully they will be able to sort things out for you.'

4. In its Case Summary, Camden continued to assert that the location was in Camden and that the Westminster PCN was not properly issued. It said that it contested the appeal but that it would waive the penalty if the appeal were refused.

5. On 13 September Westminster wrote to the Adjudicator accepting that its Penalty Charge Notice was issued in error because at this location only the footway was in Westminster. It stated that the penalty paid had been refunded to the Appellant.

The Adjudicator was satisfied that the position was as accepted by Westminster: that only the footway at this location is in Westminster. He took judicial notice of the Ordnance Survey map, which showed the boundary as being on the west side of the carriageway of Charing Cross Road. The Westminster parking attendant therefore had no power to issue a Penalty Charge Notice to the vehicle and in doing so acted unlawfully.

The Adjudicator said that the case reveals a thoroughly unsatisfactory state of affairs. It was unacceptable for a motorist to be the subject of enforcement action by two different local authorities for the same contravention. The majority of the responsibility for what occurred lay with Westminster, whose parking attendant acted unlawfully. Furthermore, Westminster compounded that error by the letter dated 2 February in which it asserted that the Penalty Charge Notice was lawfully issued. It was not until the Adjudicator pressed Westminster that it finally investigated the matter properly, accepted that it was wrong and refunded the penalty paid.

But Camden could not entirely escape responsibility. There was clearly a risk that around the boundary between neighbouring authorities there might be a lack of clarity about precisely where the boundary lay. There was a responsibility on local authorities to be aware of the boundaries of their jurisdiction, to ensure that their parking attendants were instructed in them and to co-operate with each other to ensure members of the public did not find themselves in this position. There was an obvious need for local authorities to liaise with each other to clarify any areas of doubt so that the extents of their respective jurisdictions were clear. And where double enforcement did occur, as here, it was not good enough for the local authorities concerned to say 'the problem is nothing to do with us, you'll have to take it up with the other authority'. Parking control was in substance a single activity divided amongst numerous local authorities. Where difficulties of the kind in this case occurred, local authorities were under a duty to be proactive in resolving the issue between them. Local authorities should act in a co-ordinated fashion, not adopt an isolationist attitude.

The issues in this case should have been capable of resolution between the authorities rapidly, had they taken a proactive approach. As it was, the Appellant was quite unnecessarily compelled to appeal to the Adjudicator, the time of the tribunal had been wasted, and it had taken almost a year for the matter to be resolved.

As the contravention occurred the Adjudicator refused the appeal. However, in the circumstances he directed the local authority to accept the sum of £50 in full satisfaction of this penalty charge.

Appeal refused. Direction as to reduced penalty.

Stein v Lambeth (PATAS Case No. 2070120455)

This was a second Penalty Charge Notice issued to the vehicle for the same incident. It seemed that two different officers must have observed the same incident using different cameras. The other Penalty Charge Notice was the subject of PATAS Case No. 207012147A, which the Adjudicator had heard the same day. The fact that the local authority had issued two Penalty Charge Notices for the same incident raised serious questions about its enforcement procedures. This appeal had to be allowed because the local authority cannot issue two Penalty Charge Notices in that way. In any event, the appeal would have been allowed on the merits for the reasons set out in the decision on the other case.

Appeal Allowed

Pay by Phone Parking

Kavanagh v Westminster (PATAS Case No. 2070021566)

The Appellant's vehicle was parked in a bay in which payment could be made by telephone and text message. A Penalty Charge Notice was issued to the vehicle for being parked without payment of the parking charge and the vehicle was clamped.

The appellant claimed that he paid for parking. He explained that he arrived and phoned the mobile number to park at location 8412 and register the vehicle for parking. He said he gave his card banking details, vehicle registration number, completed the questions, made payment and went through the automated dialling system believing all was done. He maintained that he received two text messages from the Authority timed at 10:30am which was when he parked his vehicle.

The Authority claimed in their correspondence that an error occurred at the time the Appellant made payment and the details entered did not match the vehicle or location record and that there was no record of any payment being made during the time the contravention occurred. They provided a Pay by Phone support manual, a copy of a brief report of payment and examples of text messages. The payment record shows that payment was made at a cost of £8.20 for the period 14:09 - 16:09.

The Authority were unable to provide: 1) Copies of the exact text messages sent to the appellant. They explained that they do not keep a record of them. 2) Details of any telephone conversations with the appellant. The Authority explained there is no record of any and they would be impossible to trace. 3) Credit card details that were used by the appellant since a separate company "Verrus" deals with the transactions. 4) What time the appellant details were first registered; the system only records the date.

The Authority confirmed that the first telephone call/text received does register as the starting point for parking. They were not, however able to provide details of the time of this first telephone call/ text.

The Adjudicator said that there was a conflict of evidence. The Authority had provided insufficient evidence to satisfy her that the appellant did not pay for parking at the relevant time. She accepted the Appellant's account which appeared genuine and found as fact that he went through the automated system to pay for parking and believed all

was done and payment made at 10:30am on the day in question. She was not satisfied that the contravention occurred.

Appeal Allowed

Powers of disposal of removed vehicles

Gibbons v Croydon (PATAS Case No. 2060475498)

The Adjudicator said that the contravention had occurred and that the Penalty Charge Notice was validly issued. The issue was whether the subsequent removal and disposal of the vehicle was a legitimate enforcement of the Penalty Charge Notice.

The facts

31.08.06 Penalty Charge Notice issued and vehicle removed to pound.

05.09.06 "Disposal of Vehicle Notice" sent to Appellant

07.09.06 Appellant wrote to Council in response to Disposal of Vehicle Notice

15.09.06 Appellant correspondence acknowledged by Council and Appellant advised matter being investigated and in the meantime current amount outstanding put on hold.

22.09.06 Council wrote to Appellant stating that they were unable to deal with representations until they received payment for the release of the vehicle, or if no payment was made until after vehicle has been scrapped or sold. The Appellant was informed that the vehicle would be disposed of on 28.09.06, unless payment was made of £200 (£50 for the Penalty and £150 for towing) plus £25 per day storage charges.

24.09.06 Appellant emailed Council chasing a response to his letter of 07.09.06 as he had not heard from them since the acknowledgement dated 15.09.06

27.09.06 three emails from Appellant to Council in response to the Council's letter of 22.09.06 seeking an explanation as to their powers to dispose of vehicles and asking why the Council's letter of the 15.09.06 did not explain that the Council could not consider representations until the charges have been paid but stated that the matter was being investigated. The Appellant stated:

" ..... if as you have stated you are obliged to receive payment before representations are considered, what was the point of instructing you to deal with my correspondence...if there is nothing you can do why has there been an unnecessary delay in disclosing this information to me only giving me less than a days notice of sale or disposal".

Council responds to Appellant's emails telling him he needs to collect his possessions, stating that previous correspondence outlined the position, and the Council was unable to deal with representations until payment was made for vehicle to be released or when the vehicle was disposed of in accordance with *Road Traffic Act 1991*.

03.10.06 Appellant emailed seeking information as to whether vehicle had been disposed of.

06.10.06 Appellant emailed Council to confirm details of his conversation with the Council that they have scrapped vehicle.

06.10.06 Council issues Notice of Rejection. The most relevant parts of the Notice of Rejection were the fourth and fifth paragraphs, which stated:

"...The vehicle was disposed of on the 29/09/06 under the Road Traffic Act part 2 chapter 40 Section 71,.....As the vehicle has now been disposed of we can now deal with your representations formally. Our records show that a disposal letter was sent on the 6/9/06 and this clearly informed you that Croydon has removed the vehicle and that it would be disposed of if payment for its release was not received..... The Authority received no monies from scrapping the vehicle. The amount due is now therefore £990.00, this includes 27 days storage, the tow away charge and the full penalty charge and disposal charge....".

The removal of the vehicle

The Adjudicator found that the removal of the vehicle was a legitimate enforcement of the Penalty Charge Notice.

The disposal of the vehicle

The Council's powers to dispose of vehicles came from Section 101 of the Road Traffic

Regulation Act 1984, as amended ("the 1984 Act").

Section 101 of the 1984 Act (as amended) provides:

"(1) Subject to subsections (3) to (5A) below, a competent authority may, in such manner as they think fit, dispose of a vehicle, **which appears to them to be abandoned** ....."

It was clear from this that it was a pre-condition to a local authority disposing of a vehicle that it had formed the legitimate view that it appeared to them to be abandoned. If this was not the case, the power to dispose of the vehicle, and the detailed procedures required to exercise that power, simply did not come into play.

In this case the Appellant was in correspondence with the Council and had contacted the Council two days before the disposal of the vehicle. Under those circumstances the Council could not legitimately have considered the vehicle to be an abandoned vehicle.

The Council argued that the Appellant's failure to reclaim his vehicle and his failure to comply with the terms of the Notice of Disposal dated 5th September 2006 served on him by the Council amounted to an abandonment of the vehicle. The Adjudicator rejected this argument. The period that had elapsed since the removal of the vehicle was relatively short, and the Appellant had during that time continued to conduct correspondence with the Council the tenor of which was that he had not abandoned the vehicle. As to the failure to comply with the Notice of Disposal, this was putting the cart before the horse. The Council had no power to serve such a notice unless it had already legitimately formed the view that the vehicle had been abandoned. The truth was that the Council did not appreciate that it was necessary for them to form the view that a vehicle was abandoned before taking steps to find the owner or serving a notice requiring the owner to remove the vehicle from their custody.

The Council produced a document headed " Subject: Disposal of vehicle from Car Pound" setting out the procedures to be followed by the Council's parking enforcement officers when disposing of vehicles from the car pound. It was noteworthy that there was no mention of any criteria to be applied to identify whether or not the vehicle was abandoned for the purposes of Section 101 prior to its disposal.

It seemed from the evidence that the Council had disposed of this and possibly many other vehicles under a fundamental misunderstanding of the extent of its powers of disposal.

The Disposal of Vehicle Notice was issued a mere five days after the vehicle had been removed to the pound. This action was hasty to say the least as it was conceivable that the owner of the vehicle might have parked the vehicle and gone away for a couple of weeks or so and be completely unaware of the removal of the vehicle let alone the proposed disposal of the vehicle.

The Disposal of Vehicle Notice misrepresented the Council's power to dispose of vehicle as it stated:

"...you must make payment for outstanding Penalty Charge Notice, Removal Fee and Storage Charges. If payment is not made within 21 days, the London Borough of Croydon is empowered to dispose of your vehicle to recover its outstanding costs".

The Council acted ultra vires its powers in disposing of the Appellant's vehicle. As such it was an unlawful act coupled with a demand for money. For a public authority to act in such a manner was deplorable and utterly unacceptable. The Council had interfered with and destroyed an individual’s private property. This unlawful act undermined the lawfulness of the entire enforcement process.

The Adjudicator said that her powers were very limited and she could not order that the Council compensate the Appellant for the loss of his vehicle. This was a matter that the Appellant may want to refer to the County Court and/or the Local Government Ombudsman.

Appeal Allowed. Direction that the Council cancel the Penalty Charge Notice and the towing, removal and daily storage charges.

Practice in making appeal

Keystone Distribution v Ealing (PATAS Case No. 2070345218)

The Adjudicator said that the Appellant had put in a ten point appeal. Regrettably the appeal was what he could only describe as a blunderbuss appeal, scattering points apparently without regard to whether they were pertinent to the particular appeal. So far as the references to a Traffic Management Order were concerned, these could not possibly be relevant to this case because the alleged contravention did not arise under a Traffic Management Order. Furthermore, the appeal made a number of general assertions without giving particulars. For example, it asserted that the Notice to Owner was invalid, but did not say in what respect. This approach to making an appeal was most unsatisfactory.

The only points the Appellant pursued at the hearing were that the contravention had not occurred and the alleged invalidity of the Notice to Owner.

The parking attendant recorded that the vehicle was parked on a bus stop and one of the photographs taken by the parking attendant showed a thick yellow line road marking of the kind that marked bus stops. The Adjudicator was satisfied that the vehicle was parked on a bus stop and therefore that the contravention had occurred.

There was no copy of the Notice to Owner in evidence. The Appellant had not submitted any representations on why it alleged the Notice to Owner was invalid, despite the Adjudicator's invitation to do so. The Appellant had failed to establish that the Notice to Owner was invalid.

Appeal refused

Differential penalties

Hall v Lambeth (PATAS Case No. 2070472703)

The Appellant produced the original Penalty Charge Notice. It was entirely different from the purported copy produced by the Authority. The copy gave an issue time of 10:54. The original showed 10:17.

Further, the copy gave the penalty as £120, the higher tariff (and Mr Hall was charged

£60 at the Pound). However the original PCN was marked as lower tariff and showed the penalty as £80.

This was a lamentably presented case, which did not begin to justify interference with the Appellant's vehicle. The Adjudicator was extremely concerned at the fundamental discrepancies between the original PCN, the copy and that the Appellant was charged on a high rate of penalty when in fact the PCN quoted the low rate.

The Adjudicator also found that the decision to issue the Notice of Rejection and the Authority's conduct of the appeal were wholly unreasonable. He accordingly awarded £58 costs against the Authority, representing 4 hours for the Appellant's time at £9.25 per hour, travelling expenses of £6 and £15 for photographs and incidental postal costs.

Appeal allowed. Costs order for £58 against the Authority.

Shasha v Hackney (PATAS Case No. 2070509723)

The purported copy Penalty Charge Notice put in evidence by the authority stated that the full penalty was £120.00 and the discounted payment £60.00. However, the Penalty Charge Notice actually issued stated that the full penalty was £100.00 and the discounted payment £50.00.

The authority had failed to provide a proper copy of the Penalty Charge Notice as required by the *Road Traffic (Parking Adjudicators) (London) Regulations 1993.*

The Notice to Owner served on Mrs. Shasha, which demanded £120.00 as the amount of the penalty charge, was unlawful as it purported to demand more than the Penalty Charge Notice.

The Notice of Rejection was defective for the same reasons as again it stated the amount due as £120.00.

Further, as the penalty demanded on the actual Penalty Charge Notice was £100.00 and as the penalty for the contravention of parking on a restricted street increased to £120.00 on 1st July 2007, the Penalty Charge Notice that was issued to the Appellant was also defective.

The authority had failed to follow the prescribed statutory procedure.

Appeal allowed

Signs

Ahmed v Redbridge (PATAS Case No. 2070185290)

The Appellant said he was confused by the signs. There were two no waiting signs and below them a single no loading sign, which it seemed was probably intended to apply to both waiting restrictions. The Adjudicator said that the use of the no loading sign to double up in this way was not lawful. There should be a separate no loading sign for each waiting restriction.

Appeal allowed

Keystone Distribution v Islington (PATAS Case No. 2070081750)

The Penalty Charge Notice was issued for being stopped on a restricted bus stop. The restrictions concerned were prescribed in Part 1 of Schedule 19 to the Traffic Signs Regulations and General Directions 2002. For those restrictions to apply, one of the prescribed road markings had to be in place. These were diagrams 1025.1, 1025.3 and 1025.4. All prescribed a thick single yellow line at the edge of the carriageway. At this location there was no such line; there were double yellow lines. Since the required road marking was not in place the restriction in question did not apply. Accordingly the contravention did not occur.

The Adjudicator was initially minded to award costs against the Authority. However, having sought representations from the Authority, he concluded that the authority honestly, but mistakenly, believed that the road markings were compliant. Taking that into account, he took the view that the Authority had not acted frivolously, vexatiously or wholly unreasonably and made no award as to costs.

Appeal allowed

‘Double parking’

Carr v Haringey (PATAS Case No. 2070469651)
The PCN alleged that the car was parked "more than 50cm from the kerb and not within a designated parking place".

The Adjudicator said that whilst this contravention is commonly referred to as "double-parking", that expression does not appear in Section 5 of the *London Local Authorities Act 1995*, as substituted by Section 6 of the *London Local Authorities Act 2000*. Nor, crucially, does the word "kerb". Section 5(2) of the 1995 Act prohibits the waiting of a vehicle where

(a) the vehicle is on the carriageway of a road and wholly or partly within a special parking area; and
(b) no part of the vehicle is within 50 centimetres of the edge of the carriageway; and
(c) the vehicle is not wholly within a designated parking place or any other part of a road in respect of which the waiting of vehicles is specifically authorised

The car was parked at the end of a dead-end. It was not parked in contravention of Section 5 of the 1995 Act. It appeared that the Council had been misled by their own use of the expression "double-parking", and also by choosing to use the expression "parked more than 50cm from the *kerb*" in the PCN itself. The wording did not accord with the Standard PCN Codes agreed by London Councils, which correctly reproduced the words of the legislation: "Vehicle parked more than 50cm from the edge of the *carriageway* and not within a designated parking place".

Appeal allowed

Loading/unloading; boarding/alighting

VP Coaches v Transport for London (PATAS Case No. 2070215438)
The Penalty Charge Notice was issued for the vehicle, a coach, being parked where prohibited on a red route. The Adjudicator found the contravention to have occurred. He expressed concern, however, that TFL had taken it upon itself to treat this as a 'loading' case when it most clearly was not. In fact the issue was boarding/alighting, a totally different exemption from loading/unloading. Whilst it might be understandable that the appellant produced the work ticket and, subsequently, focused on the 'loading' exemption in the Notice of Appeal, it was very surprising that TFL had not recognised the circumstances in this case for what they were. Had it done so, it would no doubt have

been able to point out to the appellant that there was no boarding/alighting exemption at the place where the coach stopped. It should address the issue of whether the staff it employed to deal with representations were properly trained in this area.

Appeal refused

Limitations on power to clamp

Wali v Lambeth (PATAS Case No. 2070317609)

The vehicle was parked in a shared use bay, for pay & display and residents' parking. The pay and display ticket displayed on the vehicle expired at 12.09. The Penalty Charge Notice was issued at 12.16. The Adjudicator found that the contravention occurred and that the Penalty Charge Notice was properly issued.

The vehicle was then clamped. The Adjudicator said that the local authority seemed to be under a misapprehension about the application of section 70(1) of the *Road Traffic Act 1991* in this case. This prohibited the clamping of a vehicle in specified circumstances, including where not more than 15 minutes had elapsed since the end of the period of parking duly paid for. In this case, therefore, the vehicle could not be clamped until 12.25. The local authority seemed to think that because the bay was a shared use bay, the fact that one permitted use was for residents' parking meant that the 15 minute rule did not apply. This was not so. The Appellant had duly paid for parking up to 12.09. The circumstances were therefore within section 70(1).

However the Adjudicator found on the evidence that in fact the 15 minutes required had elapsed before the vehicle was clamped. The clamping was therefore lawful.

Appeal refused

Penalty Charge Notice: statement of contravention

Keystone Distribution v Westminster (PATAS Case No. 2070217513)

The Appellant contended that the Penalty Charge Notice did not comply with the requirements of section 66(3)(a) of the *Road Traffic Act 1991* and therefore was unenforceable.

Section 66(3)(a) requires the Penalty Charge Notice to state '*the grounds on which the parking attendant believes that a penalty charge is payable with respect to the vehicle*'. The Penalty Charge Notice in this case says that the parking attendant '*had reasonable cause to believe that the following contravention occurred*', and then states the alleged contravention.

The Appellant referred to section (66)(1), which states as follows.

"Where, in the case of a stationary vehicle in a designated parking place, a parking attendant has reason to believe that a penalty charge is payable with respect to the vehicle, he may [serve a Penalty Charge Notice]."

The Appellant pointed to the fact that this empowered a parking attendant to issue a Penalty Charge Notice where he had '*reason to believe*' that a penalty was payable. The Penalty Charge Notice was therefore not compliant because it stated that the parking attendant '*had reasonable cause to believe*'. The Appellant argued that this was different from having reason to believe and gave wider scope to the parking attendant than the statutory requirement. The expression '*has reason to believe*' meant on the strength of his own observations or his own direct knowledge. Having reasonable cause to believe, it argued, was not restricted to the parking attendant's personal knowledge and would allow hearsay evidence to be used.

The Adjudicator rejected this proposition. There was nothing in the natural meaning of the two phrases that imported the distinction the Appellant advocated. Both a 'reason' and a 'reasonable cause' could be based on direct personal knowledge or on information gathered in some other way, such as from a third party. In fact, if a distinction were to be drawn, a requirement for a 'reasonable cause' would be more stringent than for a 'reason'. The Oxford dictionary cites 'cause' as a synonym for 'reason' and vice versa, and it is in this sense that each was used in the phrase in question. So 'reasonable

cause' could be recast, inelegantly, as 'reasonable reason'. To require a 'reasonable reason' would, if anything, be a more stringent requirement than for a mere 'reason'.

If one wished to pursue these linguistic matters, one might point to a distinction between section 66(1), which required the parking attendant to have a '*reason to believe'*, and section 66(3)(a), which required the Penalty Charge Notice to state '*the grounds on which the parking attendant believes*'. One might argue that the latter referred to the parking attendant actually believing, whereas the former in its terms required only a reason to believe without actual belief. It was indeed unclear why section 66(1) did not simply say 'believes'.

But, the Adjudicator said, all these linguistic niceties were irrelevant. The issue was whether the Penalty Charge Notice complied with the requirement to state '*the grounds on which the parking attendant believes that a penalty charge is payable*'. The simple purpose of that requirement was so that the recipient of the Penalty Charge Notice was informed of the alleged contravention. Section 66(3)(a) did not require any particular form of words to be used. One should not be over technical or legalistic in considering whether the requirement had been complied with. One should simply ask whether the words used conveyed the substance of the allegation. In this case they plainly did. Whether they were prefaced by 'had reason to believe', ‘had reasonable cause to believe', or simply 'believed' really did not matter. The evidence that the local authority might produce in support of its case was in no way affected by the wording of the Penalty Charge Notice.

Appeal refused

Metrick v Camden (PATAS Case No. 207034396A)

The Adjudicator said that whilst the sign in question was a "motor vehicles prohibited" sign (appearing as such in both the 2002 Regulation/Directions and the Highway Code), not only did the Penalty Charge Notice (PCN) refer to "Failing to comply with a sign indicating a prohibition *on certain types of vehicle*" but it also failed to include a picture of the sign allegedly contravened. As such, the PCN failed to comply with the requirements of section 4(8)(a)(i) of the London Local Authorities and Transport for London Act 2003, which provided that "A penalty charge notice ...must- (a) state- (i) *the grounds* on which the council or, as the case may be, Transport for London believe that the penalty charge is payable with respect to the vehicle". This was because the description of the alleged

contravention in the PCN and the lack of a photograph of the sign allegedly contravened in the PCN made the PCN insufficiently clear and failed to inform the motorist that the prohibition applied to "motor vehicles" rather than (for example) a particular class of vehicle, i.e. commercial or passenger.

Whilst it might well be the case, as the local authority pointed out, that the "wording of the alleged contravention is of a standardised format for use by local authorities throughout the country", this did not lend any legal authority to the 'wording': the question for the adjudicator remained whether the PCN complied with the requirements of section 4(8)(i) of the 2003 Act.

Appeal allowed

Patel v Lambeth (PATAS Case No. 2070359722)

The PCN in this case alleged that the vehicle entered and stopped in a box junction "in Eardley Road". The box junction in question was not in Eardley Road, but in Streatham Vale. The Adjudicator said that the grounds on which the council believes that the penalty charge is payable must include an accurate description of the location of the alleged contravention. Whilst he was satisfied that a box junction contravention occurred, he was not satisfied that the car entered and stopped in a box junction in Eardley Road.

Appeal allowed

H F Owen Transport v ALGTEC (PATAS Case No. LB377)

The Penalty Charge Notice served on the Appellant alleged a contravention of the London Lorry Ban Order in the following terms:

"Failed to produce documentary evidence in accordance with Permit Condition 6 / Documents produced failed to substantiate the need for the vehicle being on restricted road at any particular time and place, in accordance with permit condition 6".

The Adjudicator said that this contained two allegations, or grounds. The first was that the Appellant had failed to produce documentary evidence. However the second allegation was clearly based on the premise that documentary evidence had been provided. Whilst either allegation, if proved, could constitute a breach of the standard

lorry ban permit conditions, the same Notice could not simultaneously contain two mutually inconsistent grounds. It was duplicitous and hence invalid.

Appeal allowed

Parking Adjudicators 2007/2008

Martin Wood (Chief Adjudicator)

Robin Allen
Jane Anderson
Michel Aslangul
Teresa Brennan
Michael Burke
Anthony Chan
Hugh Cooper
Richard Crabb *(retired 13 April 2007)*
Neeti Dhanani
Anthony Edie
Mark Eldridge
Susan Elson
Anthony Engel
Christine Glenn
Henry Michael Greenslade
Caroline Hamilton
John Hamilton
Andrew Harman
Angela Black
Monica Hillen
Keith Hotten
Edward Houghton
Tanweer Ikram
Verity Jones
Anju Kaler
Therese Kamara
Andrew Keenan
John Lane
Michael Lawrence
Francis Lloyd
Paul Mallender
Alastair McFarlane
Kevin Moore
Michael Nathan
Ronald Norman
Joanne Oxlade
Mamta Parekh
Belinda Pearce
Susan Pitt
Neena Rach
Christopher Rayner
Jennifer Shepherd
Caroline Sheppard
Sean Stanton-Dunne
Gerald Styles
Carl Teper
Timothy Thorne
Susan Turquet
Andrew Wallis
Austin Wilkinson
Paul Wright

September 2008