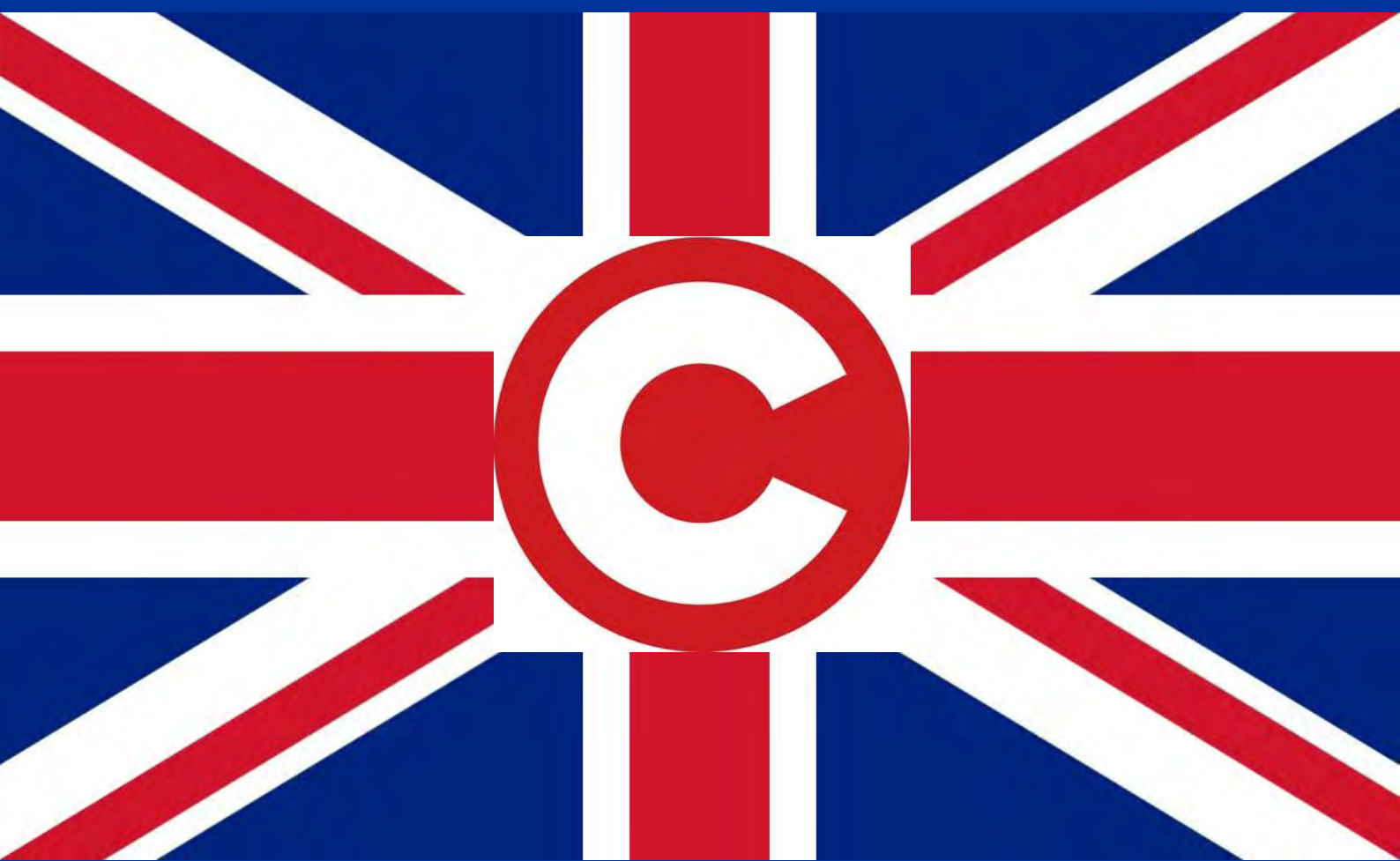


**Road User Charging Adjudicators'
Annual Report 2011-12**



Aims and objectives of the Road User Charging Adjudicators

- To provide all parties to road user charging appeals with independent, impartial and well-considered decisions based on clear findings of fact and proper application of law.
- To have the appropriate knowledge, skills and integrity to make those decisions.
- To ensure that all parties to road user charging appeals are treated equally and fairly regardless of age, ethnic origin, gender, marital status, sexual orientation, political affiliation, religion or disability.
- To enhance the quality and integrity of the road user charging appeals process.



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Chief Adjudicator's foreword

I am pleased to present to the Secretary of State this joint report of the Road User Charging (Congestion) Charging Adjudicators for the year 2011/12.

This joint report is required by Regulation 8 of *The Road User Charging (Enforcement and Adjudication) (London) Regulations 2001* (as amended)

This year has seen a number of changes and developments and I thank the adjudicators and staff for adapting to these changes in a positive way. I reported last year on the changes to PATAS staffing structure. Notwithstanding a drop in the overall numbers of administrative staff they have continued to provide an excellent service to the tribunal and all the adjudicators would like to thank them. I would like to give my personal thanks to Carolann Highfield, Contracts Manager, who retired from Capita after 10 years of dedicated service on behalf of this tribunal.

It is now nearly ten years since the tribunal was established and for many of the adjudicators appointed this was their first judicial role. In the subsequent years many of them have attained further judicial positions but are nevertheless still with the tribunal. This means that the tribunal has access to a highly skilled body of adjudicators who can bring to this tribunal their experience in many different jurisdictions. Among the other appointments held are: Recorder of the Crown Court, District Judges (both criminal and civil), Immigration Judges, Deputy Coroners and Information tribunal adjudicators. With this level of experience adjudicators are well able to handle new challenges.

In this year an evening training session was held in March 2012. Evening training is not only convenient to the vast majority of adjudicators but is also cost effective for this tribunal.

The topics that were covered included:

- Scheme Order changes
- the Autopay scheme
- the low emission zone
- the Fleet scheme
- the Greener Discount scheme
- the Complaints Procedure
- training on system and administrative matters.

All of these areas of law and practice are fast moving and adjudicators have to keep up to date with the various schemes and regulations.

Over the year the number of appeals received for hearing has remained low (averaging 628 a month) and adjudicators have consequently had to accept a lower number of sittings. The structure of the tribunal is flexible enough to cater for variations in the volume of work.

Measures have been introduced to provide a standard indication of the time an adjudicator is expected to take when dealing with an appeal of no more than average difficulty, to ensure that cases are handled quickly and efficiently so that the costs of an appeal are proportionate to the penalty.

While of course each appeal has to be given individual attention, it is a fact of life that many appeals present similar features and have similar resolutions. For instance a person who does not live in London may not be familiar with the congestion charge scheme, and may not realise their obligation to pay the congestion charge when driving into London. Such an explanation can only amount to mitigation and the appeal can be decided without delay.

More complex situations require greater thought – for instance where the adjudicator has to listen to and analyse a long voice recording, or where there are complex

arguments over hire contracts – and consequently such appeals cannot be dealt with as speedily. Nevertheless adjudicators must consider proportionality and reflect that they are dealing with a maximum penalty of £120 in congestion charging appeals.

It is pleasing that the average resolution time of appeals has dropped significantly since last year: it now takes 34 minutes on average to resolve a postal appeal (down from 43 minutes in 2010/11) and 50 minutes to resolve a personal appeal (down from 62 minutes in 2010/11).

Over the course of this year we have had many new challenges to face. For instance the Low Emission Zone (which is described in more detail later in this report) will now cover a greater range of diesel vehicles including large vans, motor caravans and motorised horseboxes of a certain weight.

While Transport for London has publicly acknowledged that its main aim is to ensure compliance rather than to impose penalties, the fact is that many keepers of such vehicles will now have to make costly modifications to their vehicles in order to continue driving them within the Low Emission Zone.

This current year sees the 2012 London Olympics and the tribunal will be closed for personal hearings during the period of both the Olympic and Paralympic Games. Transport for London are nevertheless maintaining both the Congestion Zone and Low Emission Zone for the whole period of the Games and will be seeking to enforce Penalty Charge Notices incurred during this period.

Although the maximum penalty we are dealing with is currently set at £120, it remains the case that many appellants do become highly charged in their involvement with these appeals. The opportunity for appellants to have a personal hearing face to face with an impartial adjudicator (even if the result does not go their way) continues to be a most important safeguard for them and demonstrates the value of the tribunal to the public.

Ingrid Persadsingh
Chief Road User Charging Adjudicator



Recommendations

Fleet Auto Pay

Organisations with six or more vehicles can apply for Fleet Auto Pay. An organisation must first register for an organisation account and then download and complete the Fleet Auto Pay registration form. The organisation must then go on to add the fleet vehicles to their Fleet Auto Pay account.

A number of organisations have commented in their appeals that this process is not adequately explained on the Transport for London ('TfL') website.

It is our recommendation that TfL review the explanation on their website, possibly in conjunction with the Plain English campaign, to ensure that organisations applying for Fleet Auto Pay are clear on the process.

Electronically submitted evidence

Since 2009 TfL has ceased to provide their evidence packs electronically.

The Adjudicators hope that TfL will take all steps necessary, as soon as possible, to ensure the electronic provision of evidence is developed and reinstated.

List of Road User Charging Adjudicators

Mercy Akman

Jane Anderson

Ian Coutts

Gordon Cropper

Jane Cryer

Leslie Cuthbert

Fiona Dickie

Joanna Dickens

George Dodd

Anthony Edie

Gillian Ekins

Anthony Engel

Andrew Harman

Angela Black Hedegard

Fiona Henderson

Anitra Hussein

Ian Keates

Graham Keating

Maggie Kennedy

Sanjay Lal

John Lane

Francis Lloyd

Maura Lynch

Isaac Maka

David Malone

Paul Middleton-Roy

Ian Mohabir

Michael Nathan

Belinda Pearce

Martin Penrose

Ingrid Persadsingh

Annabel Pilling

Luthfur Rahman

Christopher Rayner

Anita Reece

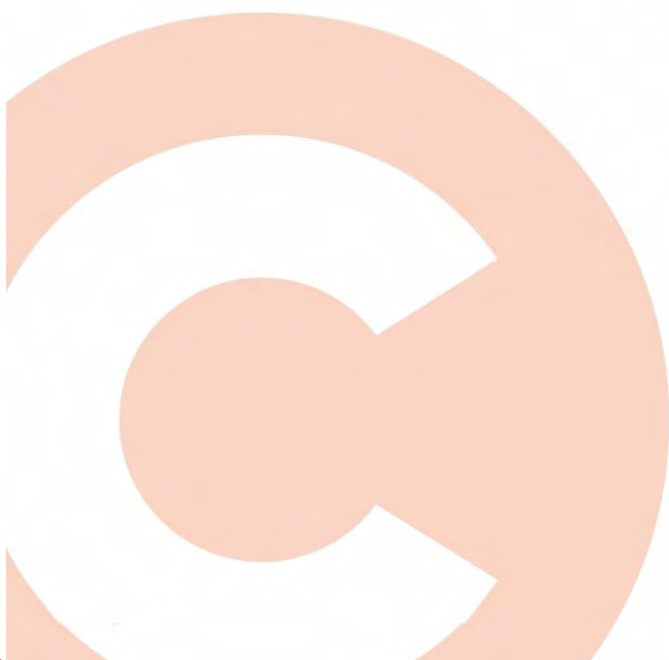
Timothy Smith

Alison Spicer

Jan Verman

Anwen Walker

Christopher Woolley



Congestion Charging Auto Pay

Congestion Charging Auto Pay is an automated payment system that was introduced by Transport for London in January 2011. It has rapidly become Transport for London's most popular payment channel with membership reaching over 207,000 and more than 272,000 vehicles registered.

Since the introduction of Auto Pay the behaviour patterns of Transport for London's customers has shifted dramatically with customers from all payment channels moving to Auto Pay. Nearly 70% of all payments are now made via an automated channel (either Auto Pay or Fleet Auto Pay) which means that this has had positive effect across the entire operation with fewer payment calls, fewer queries and also fewer Penalty Charge Notices being issued.

Before the introduction of Auto Pay Transport for London was issuing approximately 5,000 Penalty Charge Notices per day but this has now decreased to approximately 3,000 a day. This reduction cannot be solely attributed to the introduction of Auto Pay as the Western Extension was removed at the same time but both changes will have contributed to the reduction in Penalty Charge Notice volumes.

Nevertheless Auto Pay appeals do arise. Where the customer's bank does not honour a payment for the registered card Transport for London will send warning letters or emails (depending on the customer's expressed preference) advising that the customer's Auto Pay account will be suspended or closed. If the customer does not act on this warning and the vehicle is used in the congestion zone a Penalty Charge Notice may be issued. In this situation it is not unusual for multiple Penalty Charge Notices to be issued.

The bank may refuse payment on a card for many reasons: there may have been bank fraud (or suspicion of fraud), or the original card may have been damaged and replaced (it is not generally realised by the

customer that this new card has to be registered), or the bank may refuse payment for an undisclosed reason without even notifying the customer.

Customers who choose post as a means of communication may remember to tell their bank and the DVLA that they have moved but forget to tell Transport for London. If payment on the card is refused the warning letters will go to the old address but the Penalty Charge Notice will come to the new address and may be the customer's first inkling of a problem. Alternatively the customer may be away from their home when the warning letters are sent by Transport for London advising that their Auto Pay account will be suspended. There have been a number of appeals where the preferred method of communication was by letter and the suspension letters were sent when the customer was away on holiday.

Customers who choose email as a means of communication may not read an email or may treat it as spam or junk mail. Transport for London sends out an email advising of the suspension of an account will take effect the day the payment fails, meaning that a customer will then have to purchase a congestion charge if they have used their vehicle within the zone that day.

Transport for London have said that it is their policy only to use the preferred means of communication chosen by the customer but several appellants have argued that this is insufficient where the account is being suspended and that Transport for London should telephone, email and write when they are suspending and closing an account. Under the Auto Pay conditions, however, Transport for London is not obliged to do any more.

Once an account is closed the customer needs to re-register and pay an additional £10 to activate the account if they take longer than 3 months to reactivate the account.

The Low Emission Zone (LEZ)

Transport for London has made some significant changes to the Low Emission Zone scheme.

LEZ was introduced in 2008 to ensure that only the cleanest heavy goods vehicles (large lorries, buses, coaches) were driving within London.

In January 2012 Transport for London tightened the Euro standards for heavy good vehicles entering the LEZ zone and also introduced LEZ for larger vans and minibuses.

The LEZ has had a very positive effect on the air quality within London as 98.6% of heavy goods vehicles and 93.6% of large vans and minibuses entering the LEZ are compliant with the air quality standards.

The first time a vehicle is seen within the LEZ it is issued a warning letter rather than a Penalty Charge Notice. This letter advises customers about the Scheme and what action they can take in order to clean up their vehicle.

Warning letters have been well received by the public as opposed to being issued a Penalty Charge Notice for non payment of a daily charge.



The Greener vehicle discount scheme

Cars which emit 100g/km or less of CO₂ and that meet the Euro 5 standard for air quality qualify for a 100% Congestion Charge discount. All new passenger cars that emit 100g/km of CO₂ or less and have been registered after 1st January 2011 are eligible for the Greener Vehicle discount, as they will be of Euro 5 standard. Some cars registered before this date will also meet the Euro 5 standard and these can be checked on the eligible vehicles list (for vehicles registered before 1st January 2011) on the Transport for London website. Although a vehicle registered before this date may have emissions of 100g/km or less of CO₂ it will not necessarily meet the Euro 5 standard and should be checked.

Even though the vehicle may qualify for the 100% discount it must still be registered with Transport for London to receive the discount. £10 per year per vehicle must also be paid. Registration forms can be downloaded from the Transport for London website.

Electric and plug in vehicles are also eligible for the 100% discount but must be registered with the Driver and Vehicle Agency (DVLA) and have a fuel type of "electric" (as shown in the V5C registration document). A plug-in hybrid is also eligible for the 100% discount if it is listed on the Transport for London approved list of eligible vehicles. These vehicles must also be registered with Transport for London to receive the 100% discount.

Light commercial vehicles under 3500 kg gross weight (Category N1) are not eligible for the 100% discount.

The alternative fuel discount (AFD) closed to new applications on 24th December 2010, although if there was an AFD discount in place on 24th December 2010 the 100% discount will continue to be received until December 2012.

All such discounts will be kept under review by the Mayor of London.

Current issues before the tribunal

This is a section new to this annual report and is designed to show the range of issues faced by adjudicators on a daily basis. After the summary an individual case study is given, with the facts drawn from an actual appeal decided in the tribunal.

Auto Pay

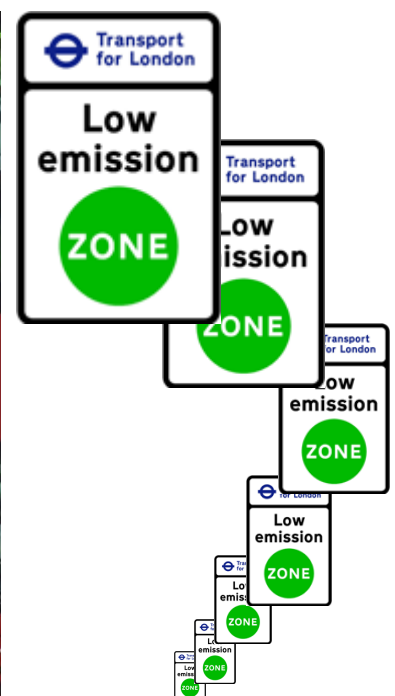
Before an Auto Pay account is suspended and closed Transport for London are obliged under the terms and conditions of the Auto Pay scheme to send warning letters or emails (depending on the customer's preference) to the customer. The issue in many appeals is whether these letters or emails were received by the customer

Case study – An appellant proved to the adjudicator that his vehicle was registered for Auto Pay. Transport for London said that they had sent three letters to the appellant warning of a payment failure and saying that the account was to be suspended and then closed. Despite the evidential importance of these letters they were not produced before the adjudicator. The adjudicator came to the view that in the absence of the letters he could not be satisfied that proper warning had been given to the appellant in accordance with the scheme and he therefore allowed the appeal.

Fleet Auto Pay

Organisations with six or more vehicles can apply for Fleet Auto Pay. The process has been misunderstood by some fleet operators who believed that all they needed to do was to register for an Organisation account. That however is only half of the process since they must then add the fleet vehicles to their Fleet Auto Pay account.

Case study - An appellant had opened an account with Transport for London but did not realise that this was only the first stage in the process and that he had to register the individual vehicles in his fleet for them to be covered by Auto Pay. He complained that the website did not explain this satisfactorily As a consequence one of his vehicles accrued a large number of Penalty Charge Notices. The adjudicator did not accept the appellant's account as a ground of appeal as the Auto Pay conditions are quite clear that a vehicle must be registered on the Fleet Auto Pay account for it to benefit under the Auto Pay scheme.



Diversions

Transport for London is notified of all diversions imposed by the police or Highways Authority and take these into account when enforcing Penalty Charge Notices. On occasion appellants claim to have been directed into the zone by a diversion or police action of which Transport for London claims no knowledge. In these circumstances the adjudicator has to decide on the facts whether or not the appellant was officially diverted into the zone.

Case study – An appellant claimed that he was stopped by the police who then drove his vehicle themselves over the boundary of the zone to check his documentation. He was given a police reference number but Transport for London had no notification of any police action in this area. The adjudicator noted that the photographs showed that the driver of the vehicle was wearing a fluorescent police jacket and came to the conclusion that this was unlikely to be the appellant and was in fact a police officer. The appeal was allowed as the vehicle had not been used within the zone of the appellant's own volition.

Low Emission Zone

The Low Emission Zone covers nearly the whole of Greater London and so is a much larger area than the Congestion Zone. Transport for London has indicated that their primary purpose in enforcing the Low Emission Zone is to ensure compliance with the scheme.

Case study – A company operated a vehicle of over 12 tonnes weight which had been registered as new before 1st October 2001. There was no evidence that it had been modified to make it compliant to the relevant Euro standard or that it had been granted an exemption. The adjudicator refused the appeal.



The Alternative Fuel Discount and Greener Vehicle Discount scheme

The Alternative Fuel Discount scheme has been revised since it first came into force. It closed to new applications on 24th December 2010 and has been replaced with a new scheme called the Greener Vehicle Discount scheme. A number of appellants have been wrong footed by the removal of the discount in respect of certain vehicles under the new scheme. They may have invested thousands of pounds to upgrade their fleet in the belief that they were entitled to a discount only to find that with the Greener Vehicle Discount scheme such vehicles no longer qualify for the discount.

Case study – A small business invested £20,000 in buying vans that would have benefited from a discount under the Alternative Fuel Discount scheme but did not qualify for a discount under the Greener Vehicle Discount scheme. The business should have paid the congestion charge for their vehicles but did not. The adjudicator was nevertheless satisfied that Transport for London had publicised the new scheme and the appeal was refused.

Ignorance of the congestion charge zone

Despite the congestion charge now being 10 years old there are still a significant number of appeals where appellants put forward their ignorance of the charge as the ground of appeal. Such appellants generally live a good distance from London and may not have driven in London for many years. Such a claim can only ever amount to mitigation and is not a ground on which the appeal can be allowed.

Case study - A man living in Yorkshire had come down to London, not having driven in London for many years. He was not aware of the extent of the congestion charge zone and did not realise what the signs meant. He did not pay the congestion charge. The adjudicator accepted that he was unfamiliar with the zone but this could only amount to mitigation and the appeal was refused.

Hire Companies

Under the Regulations a hire company can pass its liability as registered keeper for the Penalty Charge to the person who was hiring the vehicle if the hire agreement is endorsed with the information required under the Regulations.

Some hire companies have submitted that their computer system does not permit full compliance with the Regulations. It will then be for the adjudicator to determine if they can benefit from the hire company exemption.

Case study – It is a requirement of the Regulations that where a period of hire is extended that the start date and time of the beginning of that extension is recorded on the hire agreement.

One hire company appealed on the basis that their computer system could not record the beginning of such extensions but only the total period of hire. Notwithstanding this the adjudicator refused the appeal finding that their systems had to be compliant with the regulations in order for their liability to pay the Penalty Charge to be transferred to the person hiring the vehicle.

Pay next day

The Congestion Charging scheme allows payment by midnight on the next charging day (at the rate of £12 rather than £10) but payment in this way can only be made online or by telephone to the call centre. It is not possible to pay in any other way.

Case study – the appellant had gone into a shop to pay next day and the shopkeeper accepted £10 for the congestion charge.

The adjudicator held that the shopkeeper was not authorised to advise on payments and was not capable of giving the customer the legitimate expectation that he had paid on time and in the authorised manner under the scheme. The appeal was refused.

Payments via third parties

There are a number of companies which offer to pay the congestion charge on behalf of customers. It is clear in many cases that the customer has paid the money over.

The question has arisen in some appeals as to the position when the third party has not actually bought the congestion charge for the customer. Transport for London does not regard these companies as agents and has stated that it is not responsible if the third party does not for any reason pay a congestion charge correctly or at all.

Transport for London maintains its own website for a customer to pay a congestion charge and regards a payment as having been made only when it is received by them. Transport for London enforces Penalty Charge Notices where the third party has not paid the congestion charge on behalf of the customer.

Case study - A company director from the Midlands asked his PA to arrange for the congestion charge to be paid as he was going to use his company vehicle in London all week.

His PA contacted a firm offering to pay the congestion charge for customers and paid them the money needed to pay the week's charge. The firm failed however to pay the congestion charge and Penalty Charge Notices were served on the company.

The adjudicator found that the company had indeed paid the correct money over to the firm for them to pay the congestion charge but that the firm had not done so. The company was nevertheless liable for the Penalty Charges as their vehicle had been used within the zone without a congestion charge being purchased.

Driving for a short time within the zone

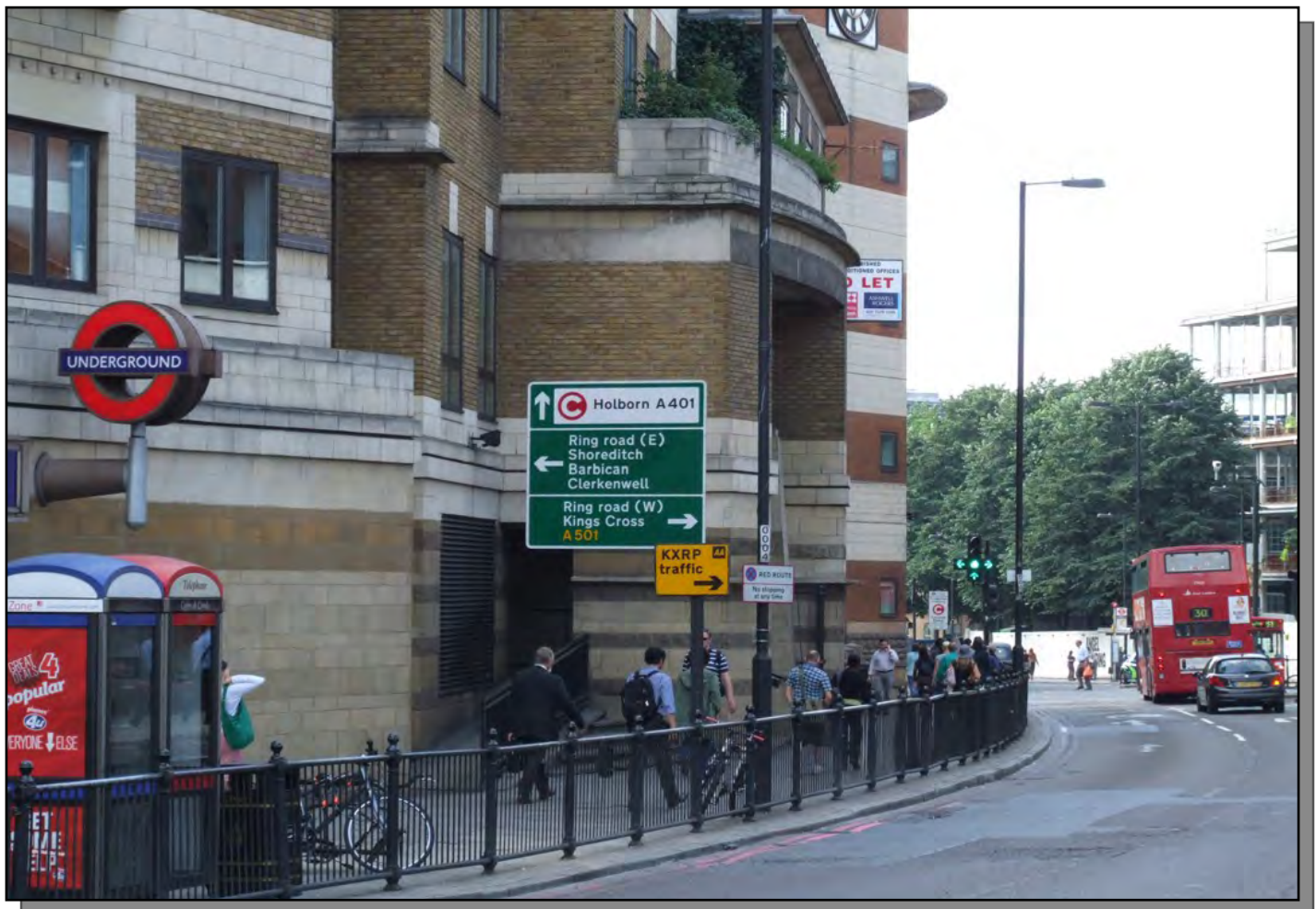
Even if a vehicle is driven by mistake for a short time within the zone and without any intention to drive within the zone (where for instance the driver mistakes his turn or is “forced” into the zone by heavy traffic), then a congestion charge still needs to be paid as it has been used within the charging zone.

Case study – a motorist came to the junction of Lisson Grove and Marylebone Road intending to turn right towards the A40. At this point he noticed the no right hand turn sign and felt he had to go straight on as it was too late to do anything else. He went straight on into Seymour Place (which is in the congestion zone) and then double backed to Marylebone Road. He did not pay the congestion charge. The adjudicator considered that he had used his vehicle within the zone and that his explanation could only amount to mitigation, and refused the appeal.

Time Period 7am – 6 pm

The congestion charging zone operates between 7 am and 6 pm. Inevitably many drivers seek to exit or enter the zone outside these core hours, relying on an in-car clock that may not represent the correct time. Transport for London nevertheless seek to enforce Penalty Charge Notices in these circumstances.

Case study - the appellant said that the clock in her vehicle showed 6.04 pm and in reliance on this she drove into the zone and did not pay the congestion charge. Transport for London produced a photograph of the vehicle within the zone timed at 17.56 pm, and proved this timing by reference to the Rugby Atomic clock. The adjudicator applied the presumption that this timing was the correct one and refused the appeal.



Useful information

Grounds of appeal

Initially the responsibility is on Transport for London to demonstrate that a contravention has occurred.

This means that Transport for London must produce evidence to the Adjudicator to prove that:

- 1) A relevant vehicle;
- 2) was used or kept within the congestion charge area or low emission zone;
- 3) during the designated hours of a particular date; and
- 4) that the appellant is the registered keeper of the vehicle; and
- 5) that the correct payment for that vehicle for that date has not been received by Transport for London or that the vehicle was not subject to an exemption.

If Transport for London produces this evidence, the onus will shift to the appellant to satisfy the Adjudicator that, on the balance of probabilities, one or more of the six statutory grounds of appeal applies.

These grounds are:

- (a) that the recipient -
 - (i) never was the registered keeper in relation to the vehicle in question; or
 - (ii) had ceased to be the person liable before the date on which the vehicle was used or kept on a road in a charging area; or
 - (iii) became the person liable after that date.
- (b) that the charge payable for the use or keeping of the vehicle on a road on the occasion in question was paid at the time and in the manner required by the charging scheme.
- (c) that no penalty charge is payable under the charging scheme.
- (d) that the vehicle had been used or kept, or permitted to be used or kept on a road by a person who was in control of the vehicle without the consent of the registered keeper.
- (e) that the penalty charge exceeded the amount applicable in the circumstances of the case.
- (f) that the recipient is a vehicle hire-firm and;
 - (i) the vehicle in question was at the material time hired from that firm under a hiring agreement; and
 - (ii) the person hiring it had signed a statement of liability acknowledging his liability in respect of any penalty charge notice imposed in relation to the vehicle during the currency of the hiring agreement.

Please note:

These grounds apply to both alleged congestion charge and low emission zone contraventions.

The Adjudicator **CANNOT** consider mitigating factors. This has been upheld by the Court of Appeal.

The structure of the Road User Charging Adjudicators' Tribunal

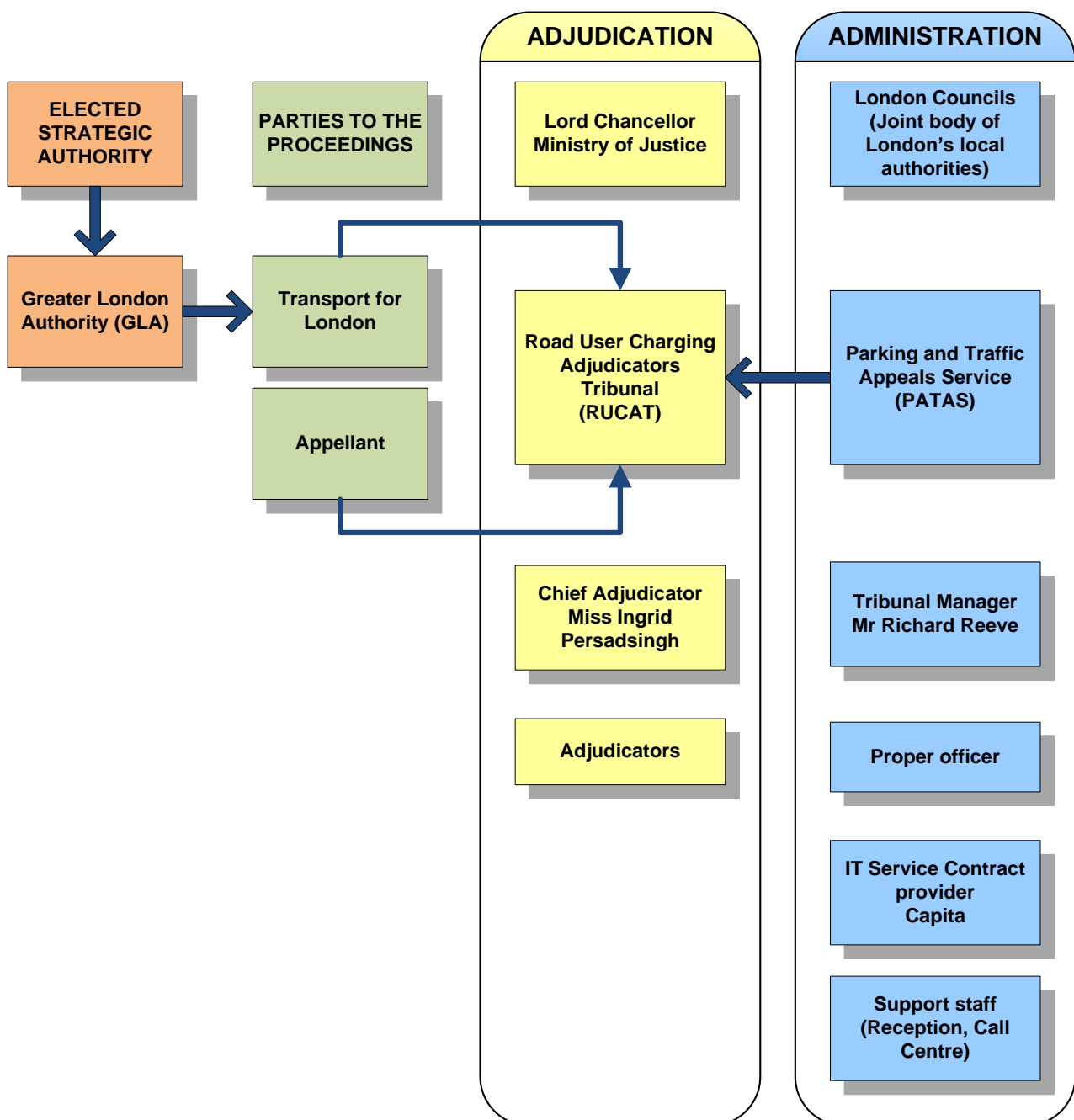
What is 'RUCAT'?

RUCAT is the 'Road User Charging Adjudicators Tribunal. It is an independent tribunal which decides appeals against Congestion Charge and Low Emission Zone penalties in London.

What is PATAS?

PATAS is the Parking and Traffic Appeals Service and provides administrative support to the Road User Charging Adjudicators. Under the Road Traffic Act 1991 and the Traffic Management Act 2004, London Councils is required to provide this service to the Parking and Traffic Adjudicators and provides the same service for the Road User Charging Adjudicators under contract to the GLA.

The following diagram explains the structure of RUCAT and PATAS



The appeal process

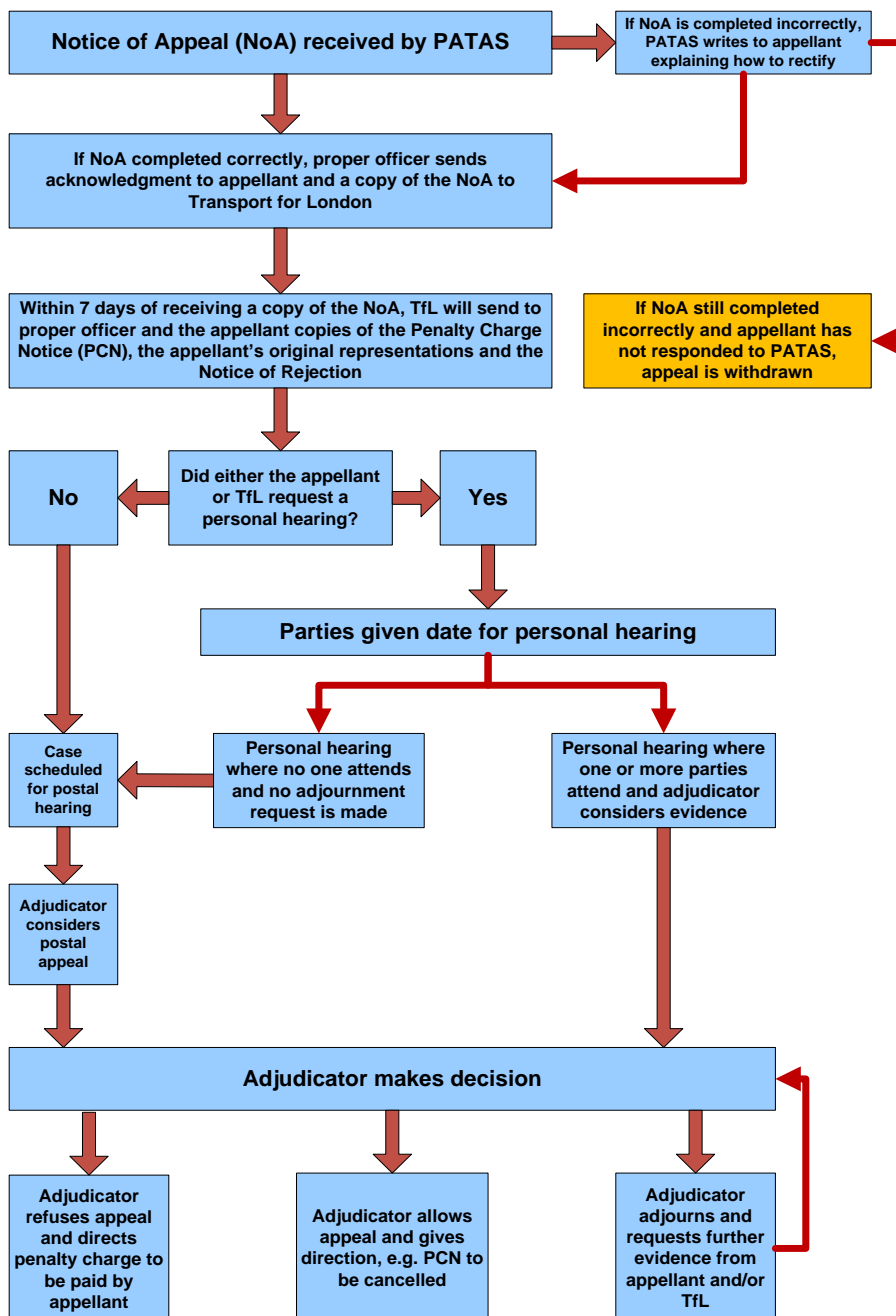
If Transport for London serves a Penalty Charge Notice arising from an alleged Congestion Charge or Low Emission Zone contravention, the registered keeper of the vehicle is entitled to contest the penalty charge by making written representations to Transport for London.

If Transport for London accepts those representations, then the PCN will be cancelled.

If Transport for London rejects the representations, the registered keeper of the vehicle may APPEAL to the Road User Charging Adjudicator.

The APPEAL is an appeal against Transport for London's decision to reject the written representations.

The following diagram explains the process of an appeal after it is received by PATAS.



Matters of interest

The following issues have appeared in previous annual reports

(if you are viewing the electronic version of this report, click on the year below or see page 17 to access the appropriate report)

	<u>Year</u>	<u>Page(s)</u>
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Chief adjudicator, role of	2008-9	15
Costs	2003-4	16-17
Decision, obtaining a copy of	2008-9	9
Emissions Related Congestion Charge	2006-7	19-20
Evidence produced by a prescribed device	2008-9	8
Fees charged against cases closed	2008-9	35
Grounds of Appeal described in detail	2008-9	26-29
Hire agreements	2003-4	7
Judicial reviews		
- R (on app. of Walmsley) v Transport for London & Others	2004-5	8
- R (ex.parte Graham) v Road User Charging Adjudicator	2004-5	9
- R (on app. of Dolatabadi) v Transport for London	2005-6	22-23
- R (on app. of Fivepounds.co.uk) v Transport for London	2005-6	24
- R (on app. of Grunwald) v Transport for London	2005-6	25
- R (on app. of Edwards) v Road User Charging Adjudicator	2005-6	26
- R (on app. of de Crittenden v National Parking Adjudicator	2005-6	27
- R (on app. of Dufaur) v Transport for London	2006-7	24
- R (on app. of Jabang) v Transport for London & PATAS	2007-8	14
- R (on app. of Latter) v Transport for London & PATAS	2008-9	11
- R (on app. of Lilley) v Transport for London & PATAS	2008-9	11-12
Local Government Ombudsman	2008-9	16-17
Low Emission Zone—An introduction	2007-8	9-12
Photographic evidence	2004-5	12-13
Private Hire Vehicles	2004-5	12-13
Ranelagh Bridge	2006-7	12-16
Recording of call centre conversations	2006-7	17
Review of Adjudicator's decision	2003-4	15-16
Statutory declaration	2003-4	13
Statutory register	2006-7	18
Transcripts of hearings	2008-9	9
Validity of Penalty Charge Notices, challenges to	2006-7	9-11
Vehicle cloning	2004-5	10-11
Vehicles registered outside the UK	2004-5	11-12

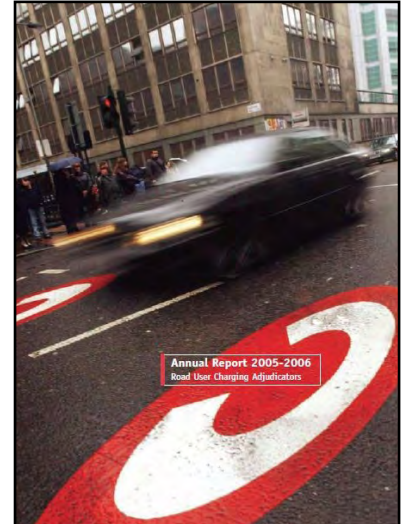
Click on the image below to open the annual report for that year
(if you are viewing the printed version of this report, please visit www.patras.gov.uk to see previous reports)



2003-04



2004-05



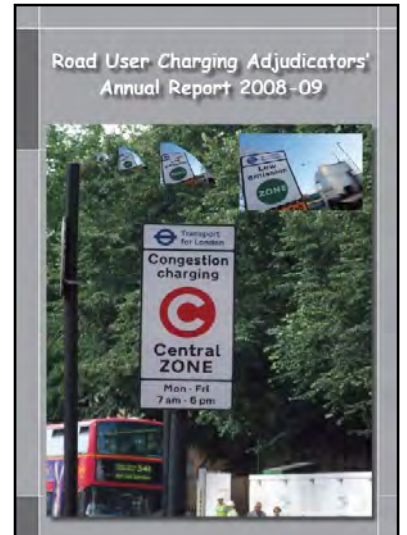
2005-06



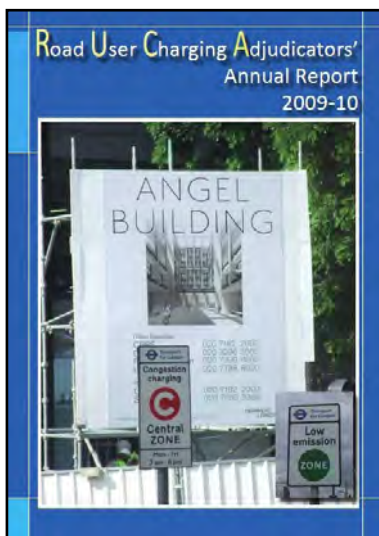
2006-07



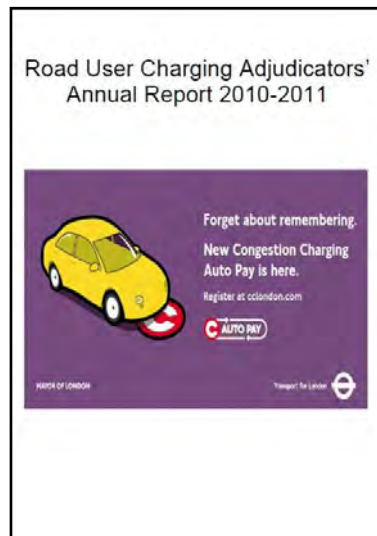
2007-08



2008-09



2009-10



2010-11



PATAS website

The Parking and Traffic Appeals Service maintains a website with the aim of providing information, guidance and assistance to anyone intending to appeal to the tribunal.

The daily lists of each day's cases before the tribunal can be viewed, as well as maps and travel advice on getting to the hearing centre.

The website offers a useful guide to each stage of the enforcement process, explaining the options available to the appellant at each stage.

The Statutory Register (see right) can also be accessed through this website.

Statutory register

This is the official register of cases at the Road User Charging Tribunal, kept under Section 21 of the Schedule to the *Road User Charging (Enforcement and Adjudication) (London) Regulations 2001*.

It is a register of all appeals and the decisions made on them.

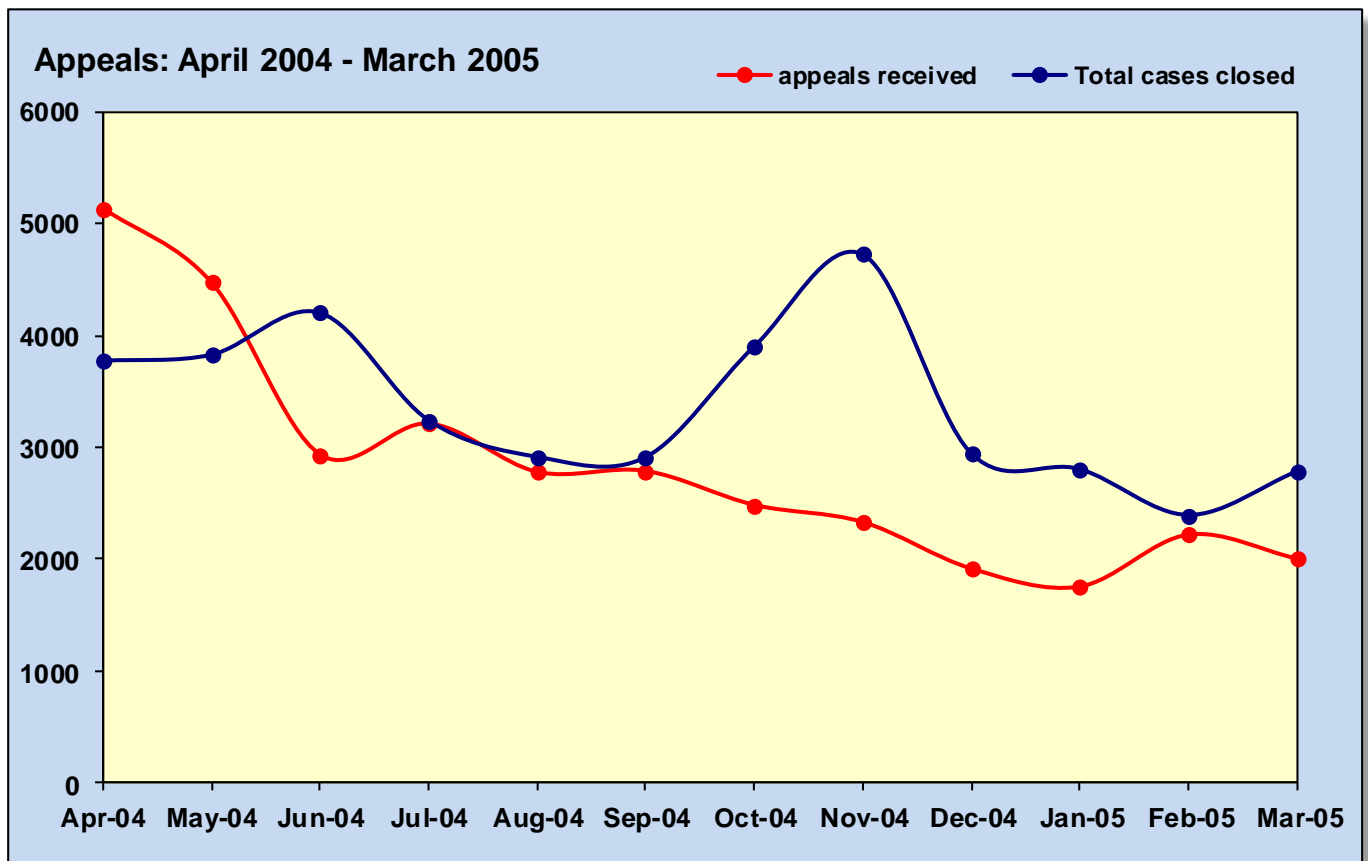
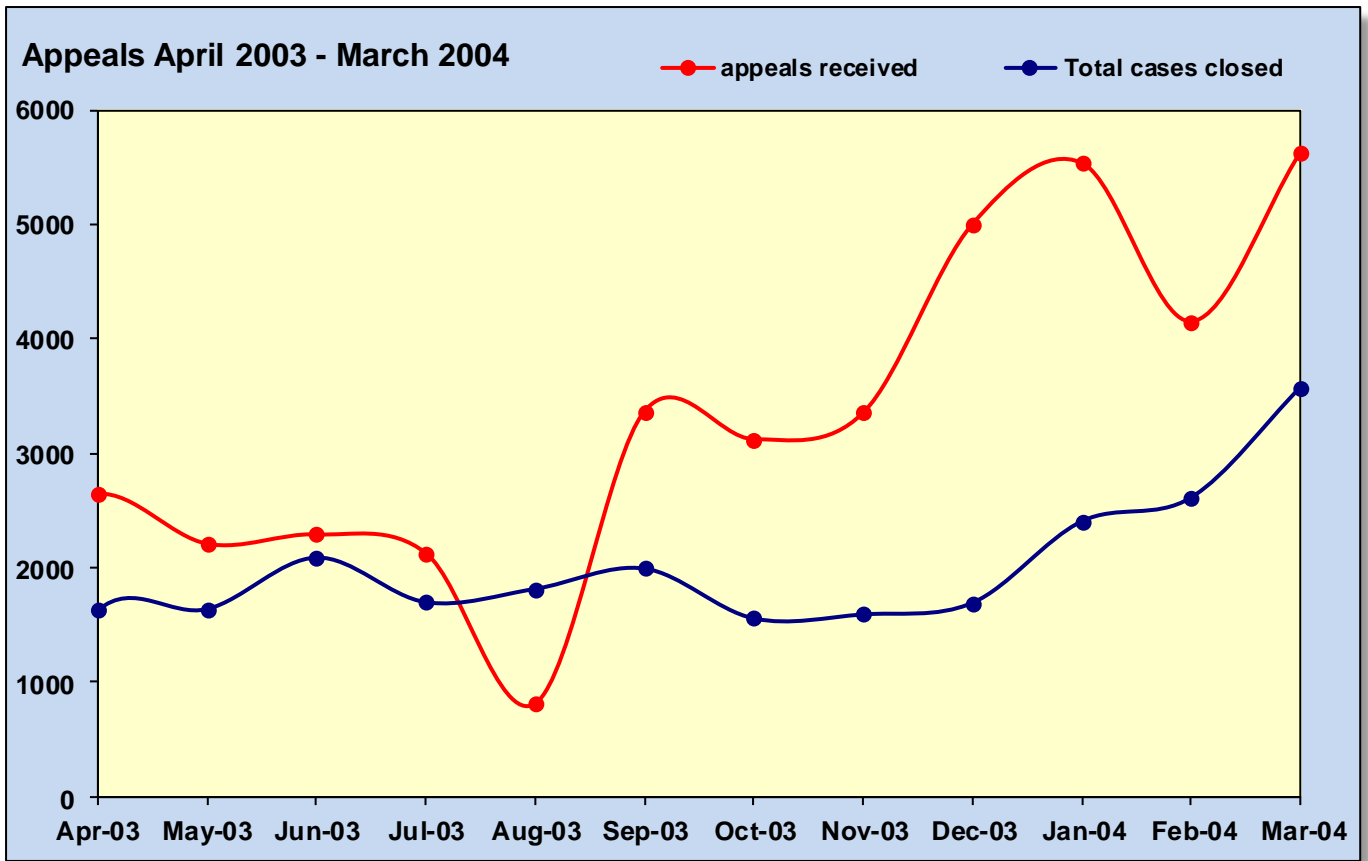
The Register can be viewed online and can be browsed for one day of appeals at a time, or a more specific search (looking for instance at the appellant's name) can be made.

The Register can also be examined at the hearing centre.



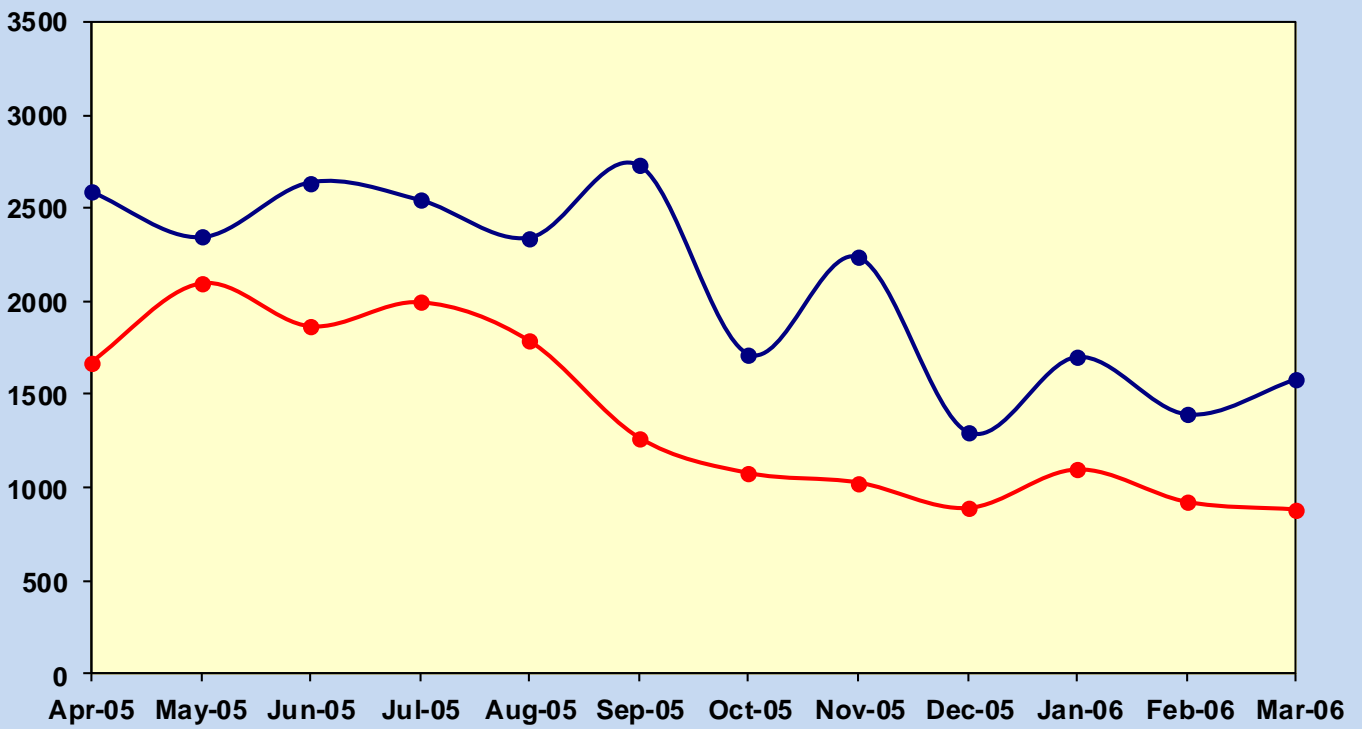
ANNEX ONE

Appeals 2003-2012



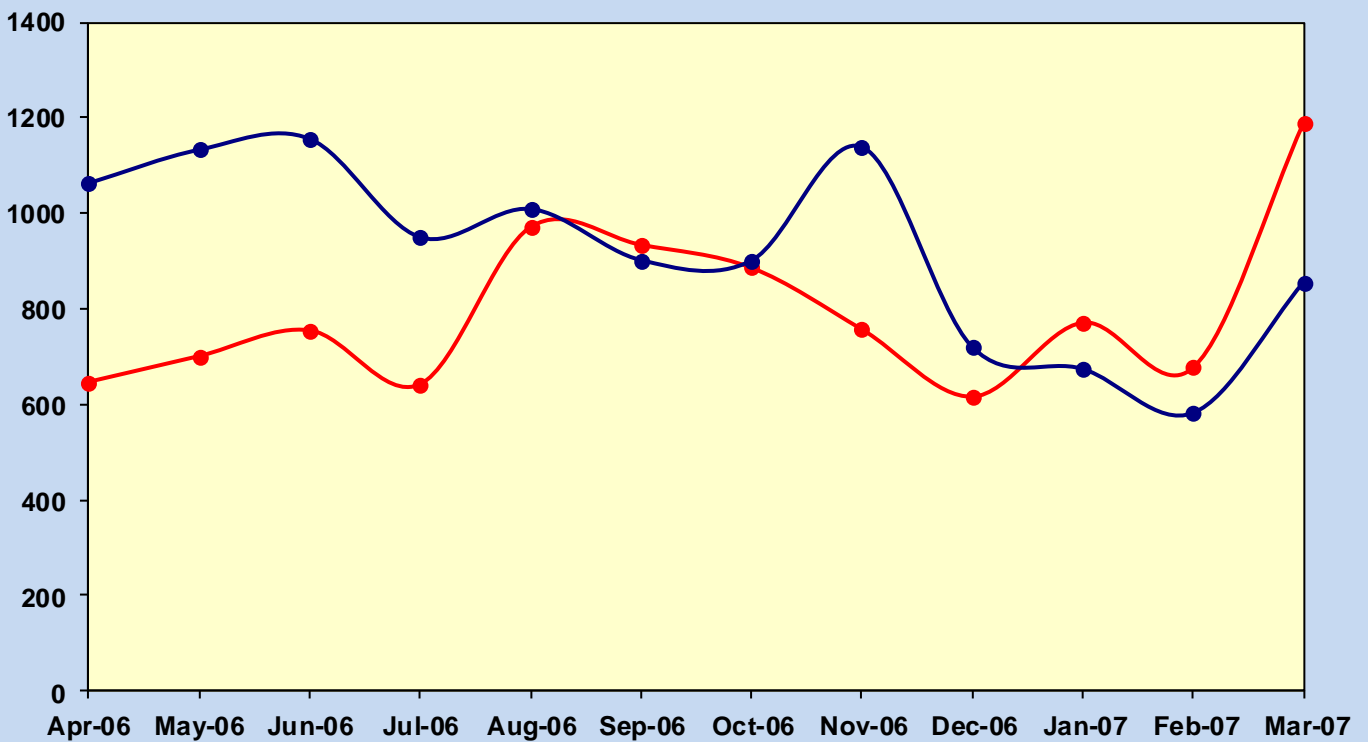
Appeals: April 2005 - March 2006

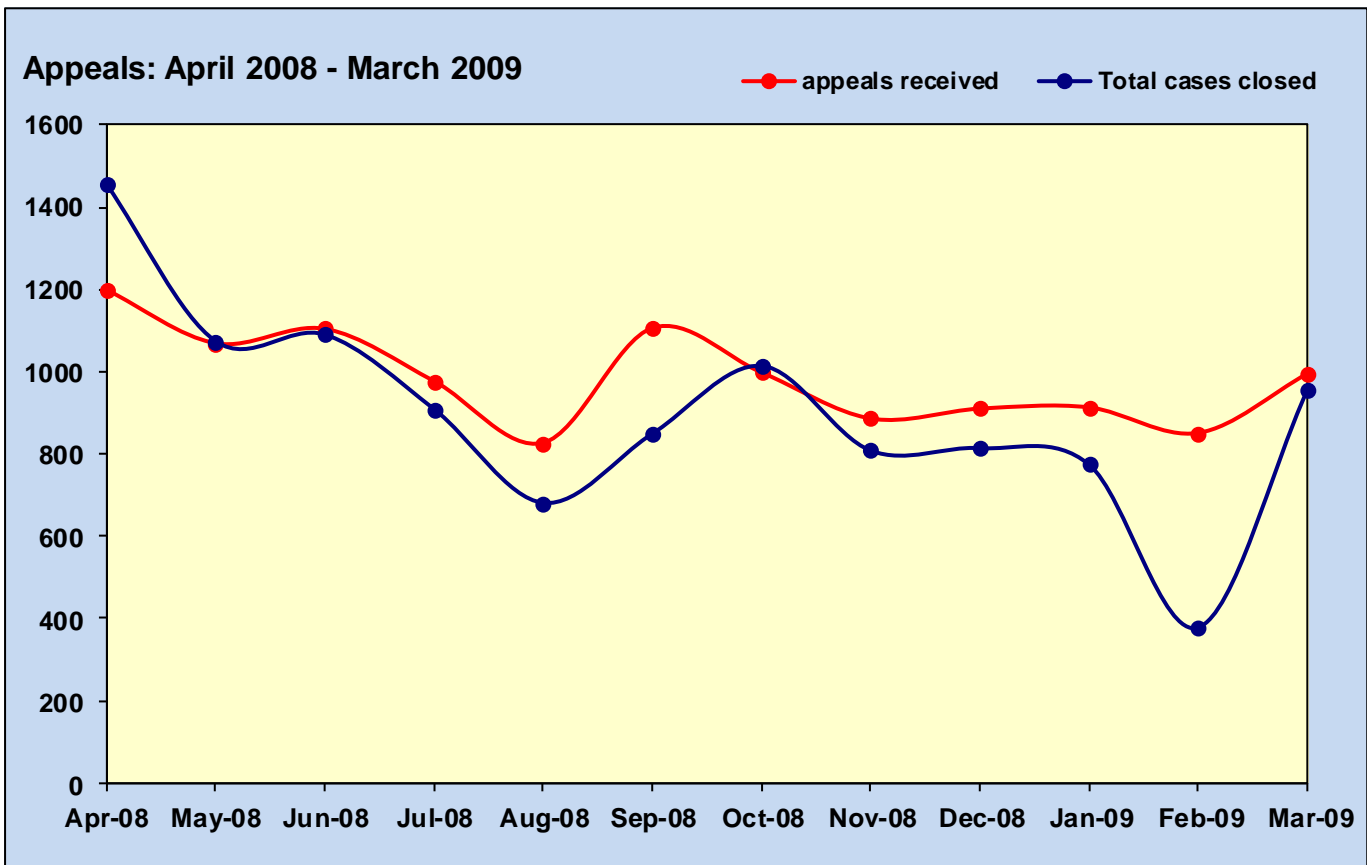
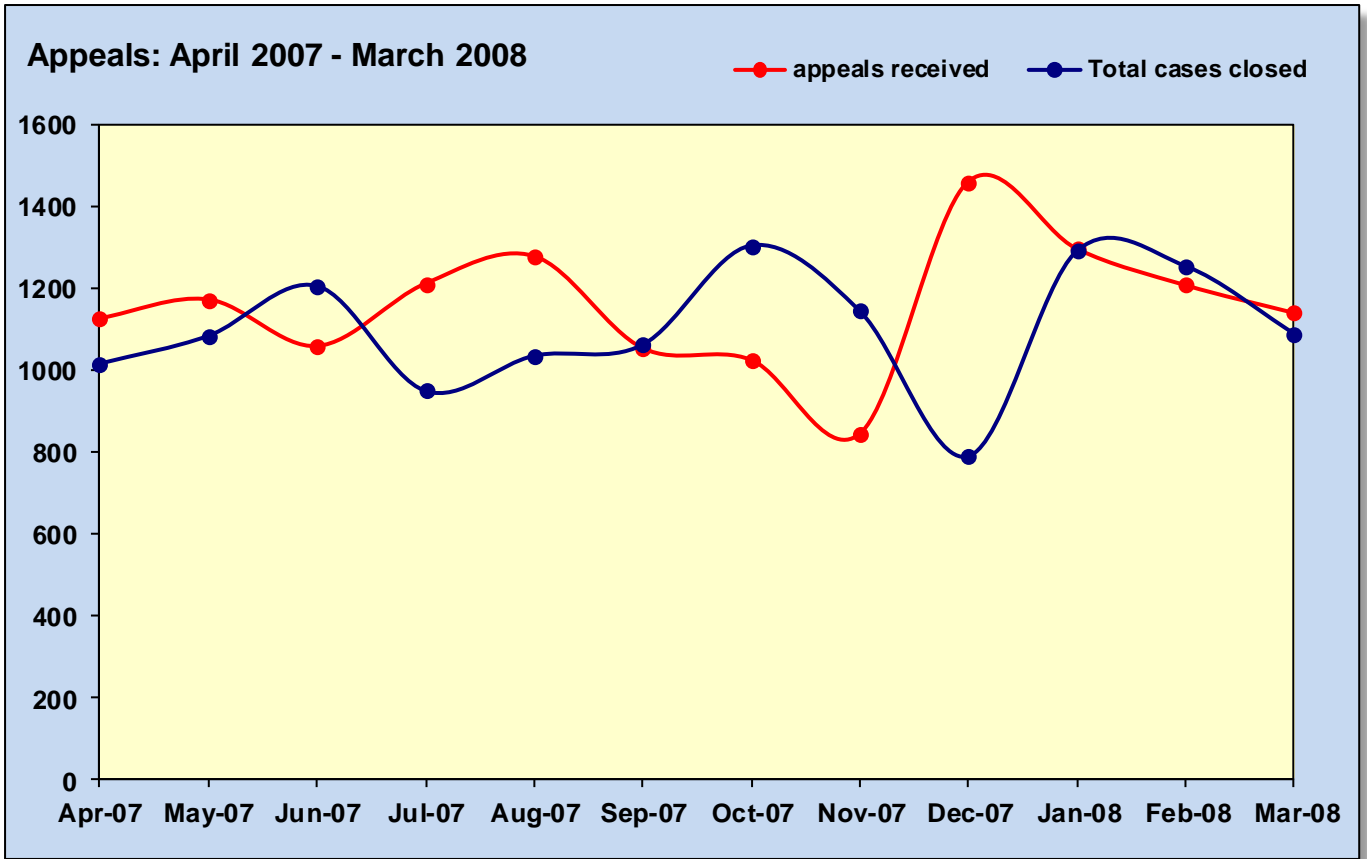
● appeals received ● Total cases closed



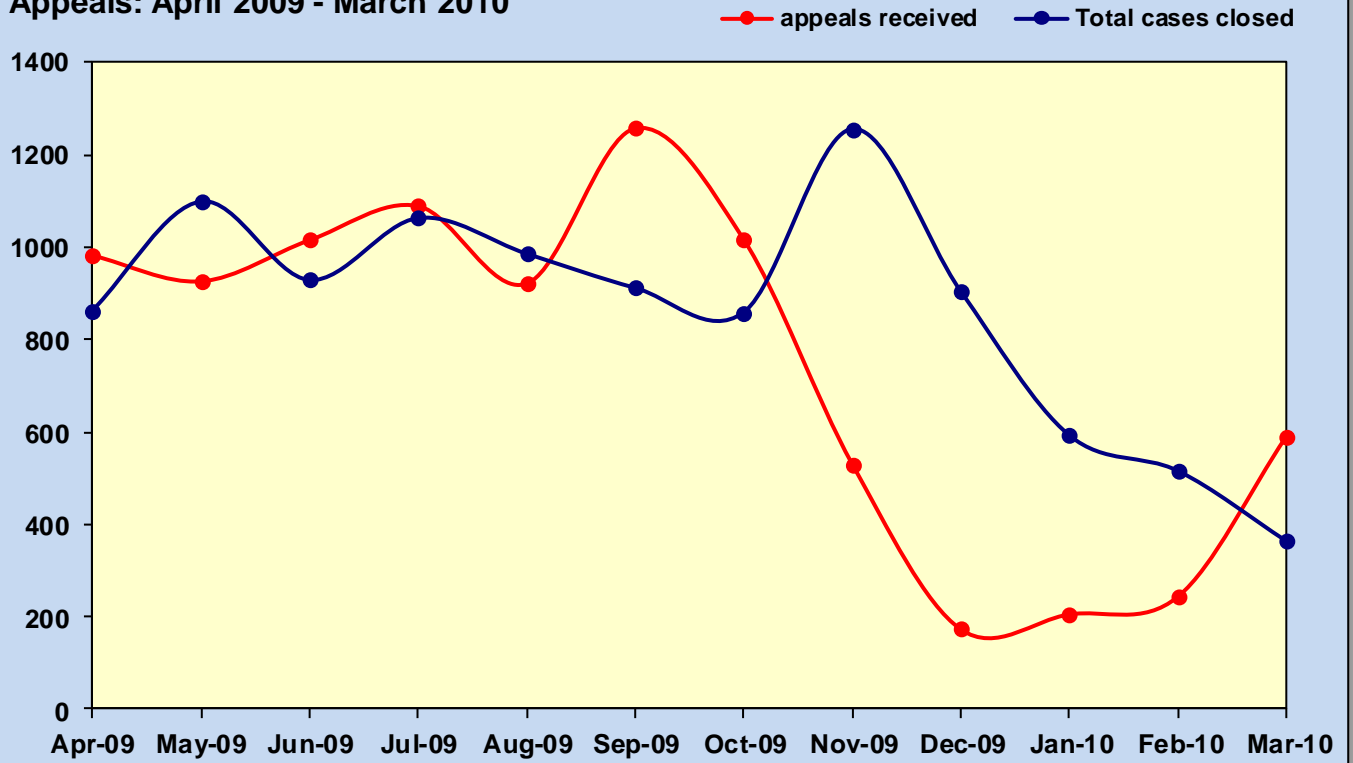
Appeals: April 2006 - March 2007

● appeals received ● Total cases closed

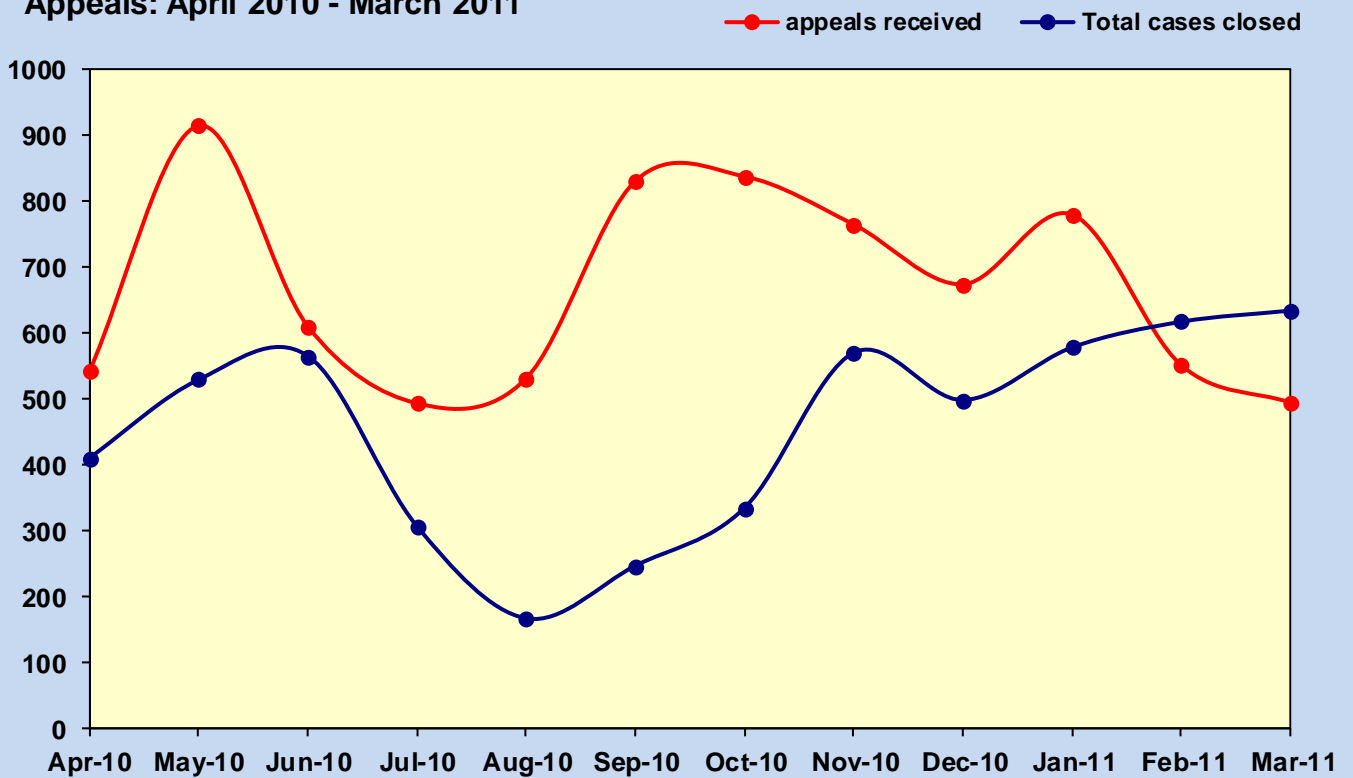




Appeals: April 2009 - March 2010

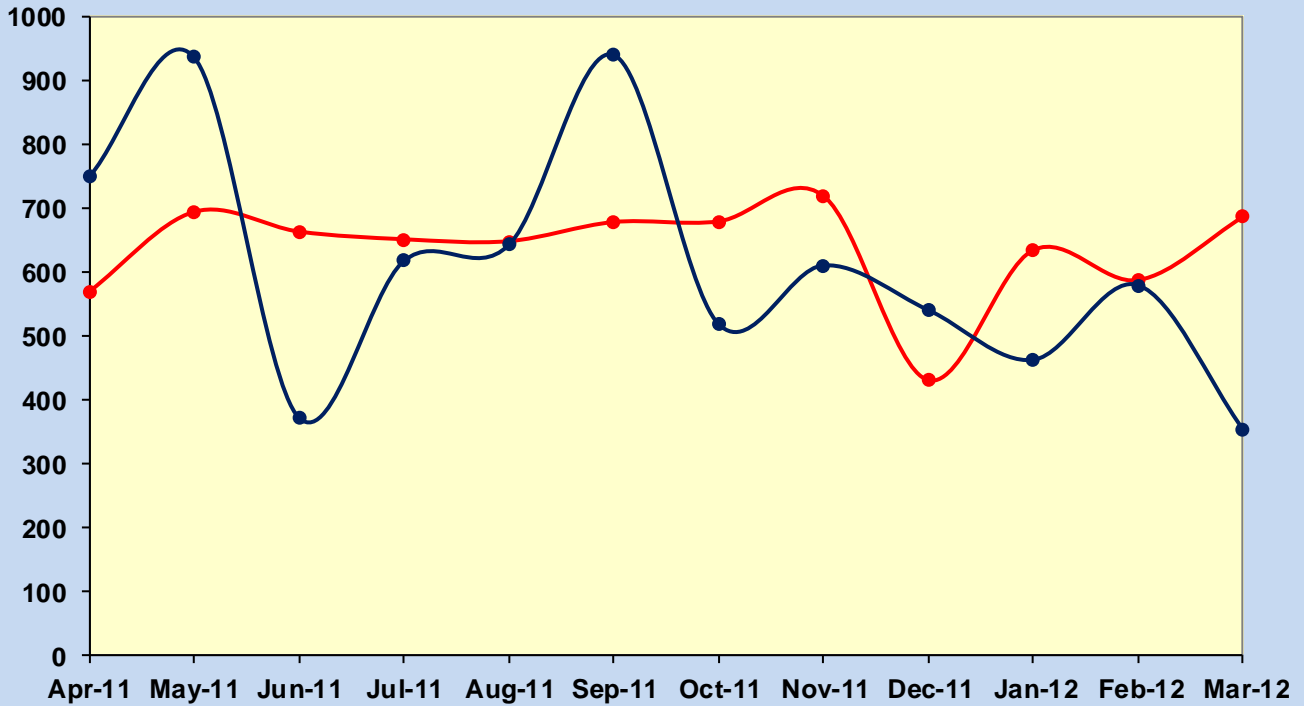


Appeals: April 2010 - March 2011

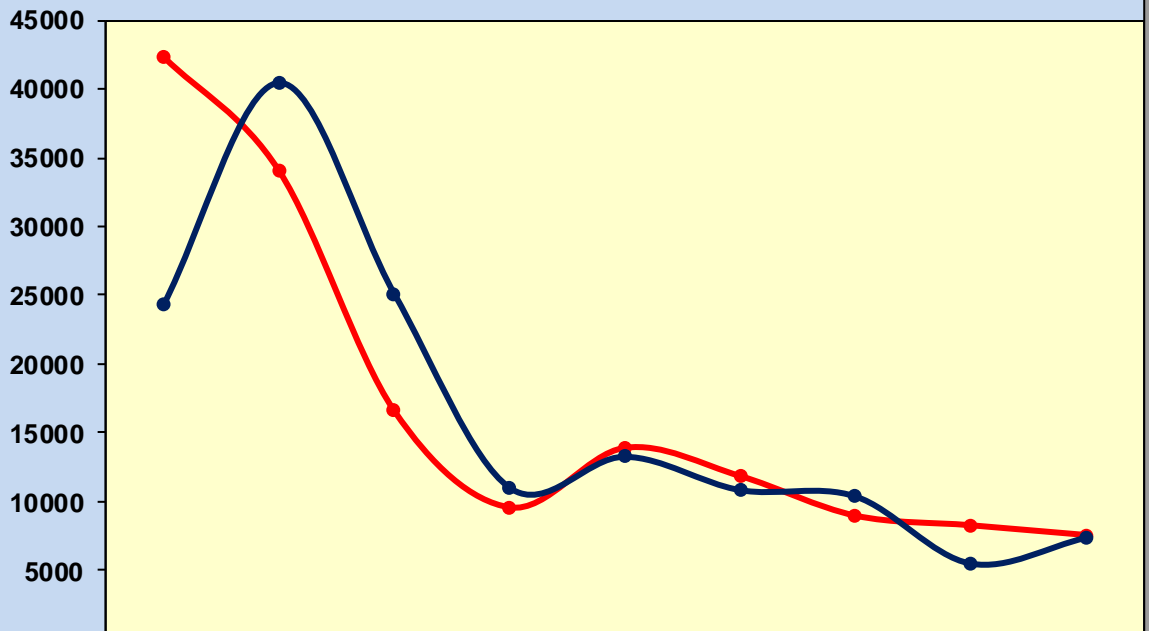


Appeals: April 2011 - March 2012

—●— appeals received —●— Total cases closed



Appeals: April 2003 - March 2012



	2003/4 Total	2004/5 Total	2005/6 Total	2006/7 Total	2007/8 Total	2008/9 Total	2009/10 Total	2010/11 Total	2011/12 Total
—●— Appeals received	42339	34065	16583	9547	13879	11835	8949	8245	7536
—●— Total cases closed	24314	40457	25115	10985	13227	10802	10345	5453	7317

ANNEX TWO

Congesting charging yearly statistics comparison 2003-12

	2003/4 Total	2004/5 Total	2005/6 Total	2006/7 Total	2007/8 Total	2008/9 Total	2009/10 Total	2010/11 Total	2011/12 Total
appeals received	42339	34065	16583	9547	13879	11835	8949	8245***	7536
Total cases closed	24314	40457	25115	10985	13227	10802	10345	5453	7317
appeals withdrawn by appellants	287	268	420	138	123	100	130	113	108
appeals not contested by TfL	13033	13160	5084	2883	5571	4854	3963	2481	1568
appeals refused postal**	4770	17838	13870	6179	5832	4605	5279	2236	4869
appeals allowed postal*	2806	5443	7121	3200	4584	4096	3302	1936	1321
appeals refused personal**	643	1408	1436	505	758	663	526	444	547
appeals allowed personal*	2116	2012	2522	1060	2034	1436	1237	837	580
closed administratively	659	328	166	41	19	2	1	0	0
appeals adjourned	1518	6085	3399	1608	836	706	636	225	407
review decisions	121	349	743	181	136	113	70	49	83
costs decisions	10	140	153	12	17	15	14	18	4
postal cases ready for adjudication at year end	9383	7528	2004	306	340	306	38	889	568

	2003/4 Avg	2004/5 Avg	2005/6 Avg	2006/7 Avg	2007/8 Avg	2008/9 Avg	2009/10 Avg	2010/11 Total	2011/12 Total
% withdrawn by appellants	1.20%	0.69%	1.75%	1.14%	0.93%	0.93%	1.26%	2.07%	1.48%
%not contested by TfL	52.65%	32.30%	20.13%	27.28%	42.12%	44.94%	38.31%	45.50%	21.43%
% refused postal	20.36%	44.13%	55.31%	54.95%	44.09%	42.63%	51.03%	41.00%	66.54%
%allowed postal	12.06%	13.55%	27.38%	30.01%	34.66%	37.92%	31.92%	35.50%	18.05%
%refused personal	2.57%	3.57%	5.51%	4.50%	5.73%	6.14%	5.08%	8.14%	7.48%
%allowed personal	8.78%	4.93%	9.65%	10.24%	15.38%	13.29%	11.96%	15.35%	7.93%
% closed administratively	2.37%	0.82%	0.64%	0.36%	0.14%	0.02%	0.01%	0.00%	0.00%
% of cases allowed	73.49%	50.78%	57.16%	40.25%	50.03%	51.21%	43.88%	50.85%	25.98%

	2003/4 Avg	2004/5 Avg	2005/6 Avg	2006/7 Avg	2007/8 Avg	2008/9 Avg	2009/10 Avg	2010/11 Total	2011/12 Total
average postal hearing (mins)	20.30	22.66	35.96	43.79	53.91	51.75	43.20	33.79	35.18
average personal hearing (mins)	22.99	35.15	50.72	60.13	77.86	65.96	61.72	49.98	49.95
% of cases 1st considered within 56 days	24.37%	34.88%	34.47%	49.36%	84.43%	61.81%	43.99%	58.91%	26.78%
% hearings within 15 mins	75.92%	84.17%	69.13%	76.42%	74.83%	76.27%	69.75%	72.00%	71.83%

summary of decisions by ground of appeal (allowed)	2003/4 Total	2004/5 Total	2005/6 Total	2006/7 Total	2007/8 Total	2008/9 Total	2009/10 Total	2010/11 Total	2011/12 Total
appellant not registered keeper	440	995	307	131	96	59	70	30	65
charge has already been paid	1902	3014	1194	387	328	146	135	43	44
no charge is payable under the scheme	2284	2359	1472	518	487	356	317	163	162
vehicle hire firm	255	798	1026	174	71	124	43	24	29
penalty exceeded relevant amount	175	520	374	180	52	34	39	33	40
vehicle used without appellant's consent	28	42	48	56	40	30	28	11	20

summary of decisions by ground of appeal (refused)	2003/4 Total	2004/5 Total	2005/6 Total	2006/7 Total	2007/8 Total	2008/9 Total	2009/10 Total	2010/11 Total	2011/12 Total
appellant not registered keeper	346	1421	405	389	409	292	232	140	243
charge has already been paid	1495	4463	2036	1148	1229	990	1045	295	660
no charge is payable under the scheme	1787	5288	3679	2354	2609	2105	2493	1051	2844
vehicle hire firm	1619	6840	9326	1899	1202	850	897	621	830
penalty exceeded relevant amount	415	1270	1062	1064	1163	804	987	444	793
vehicle used without appellant's consent	42	159	193	113	176	97	128	54	80

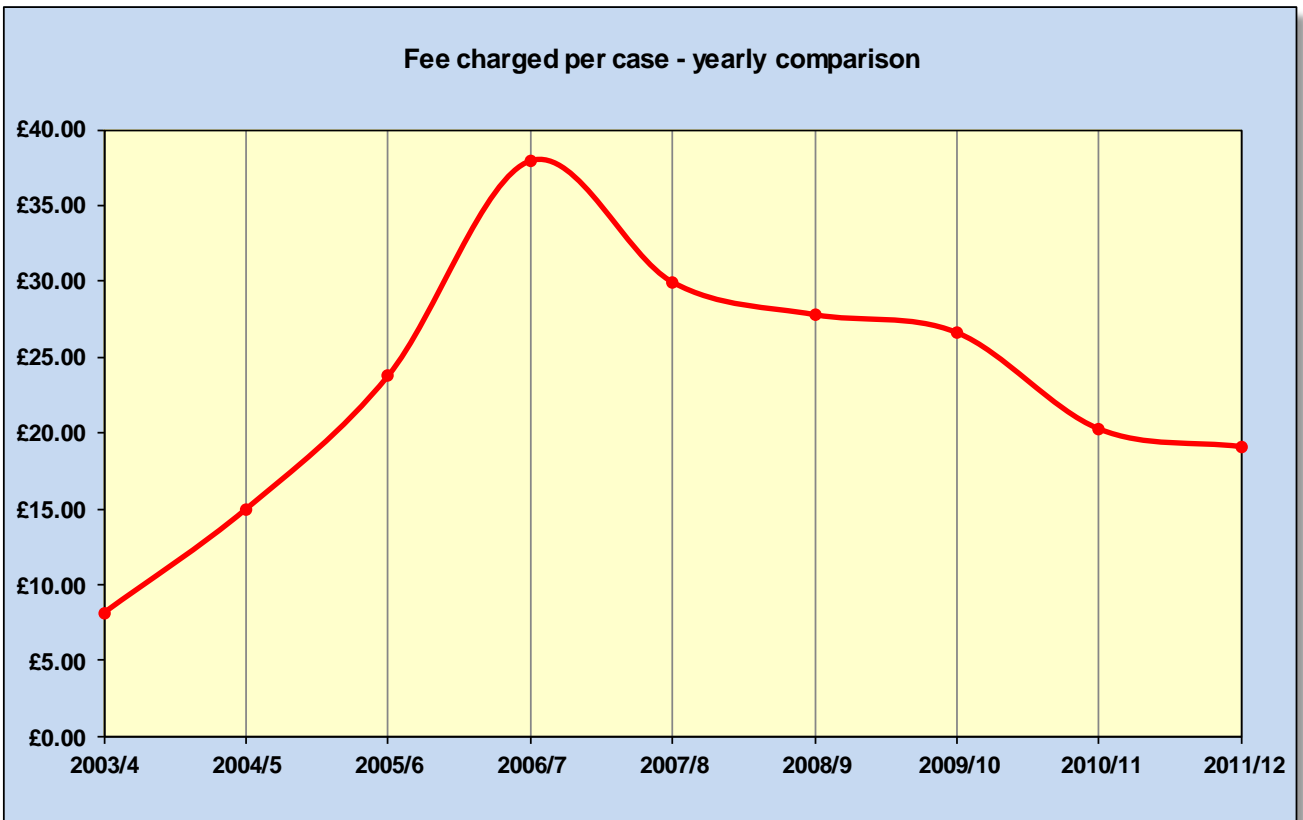
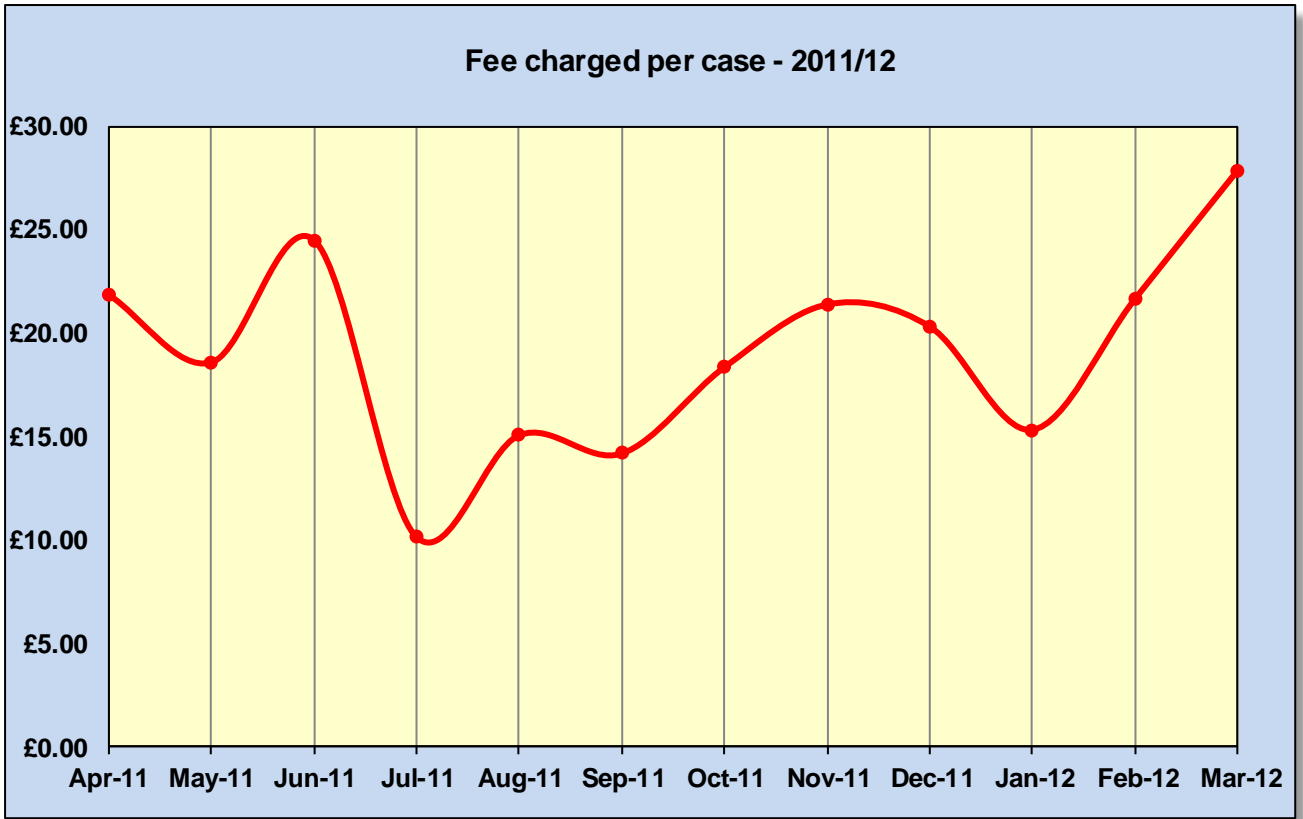
* 2003/4 and 2004/5 figures exclude DNCs. 2005/6 figures include DNCs

** 2003/4 and 2004/5 figures exclude Withdrawals. 2005/6 figures include Withdrawals

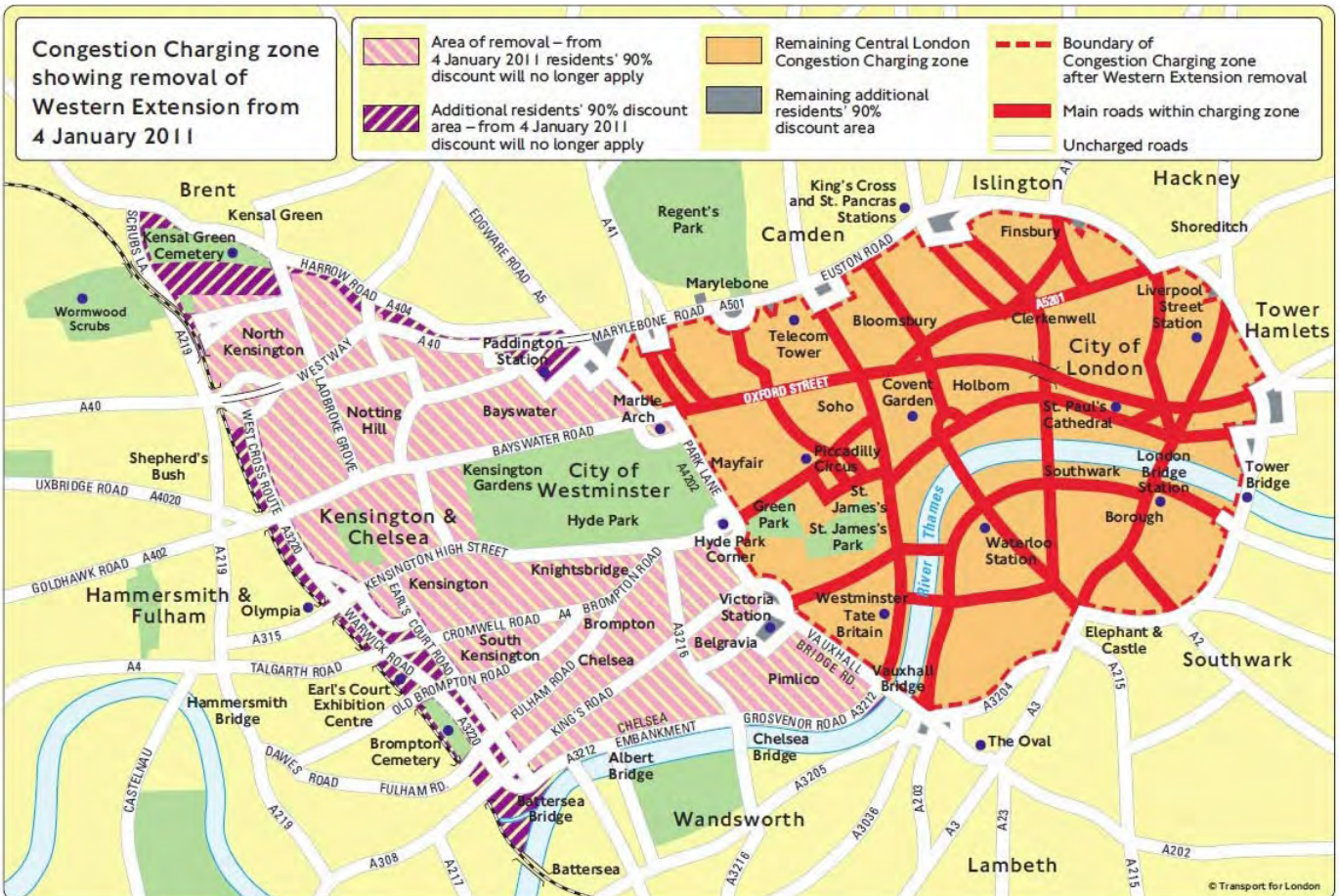
*** - figure corrected from 2010-11 Annual Report

ANNEX THREE

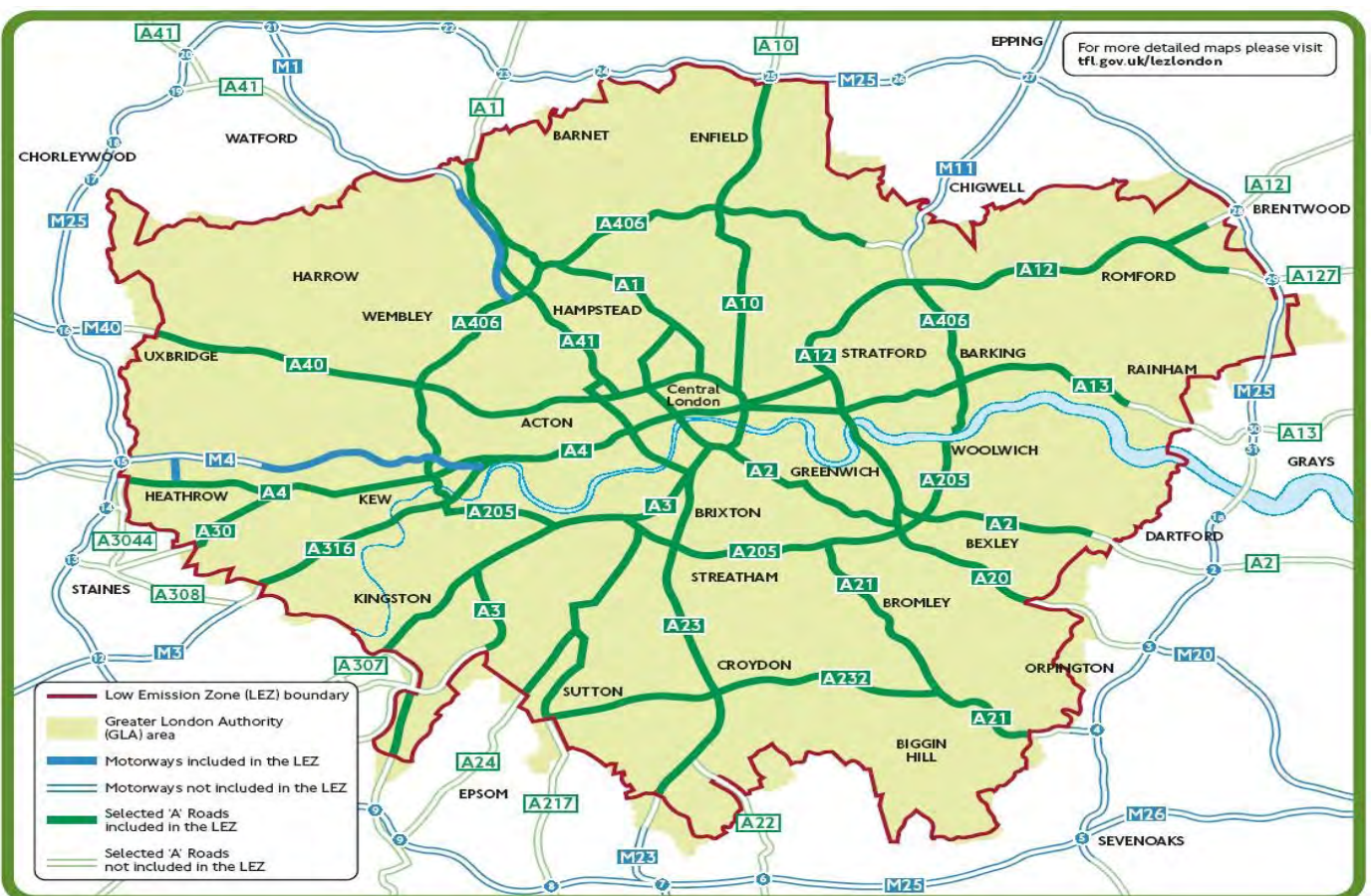
Fees charged per case



ANNEX FOUR Congestion Charging Area



ANNEX FIVE Low Emission Zone Area



Annual Report 2011-12

Road User Charging Adjudicators

Parking and Traffic Appeals Service

Upper Ground Floor

Block 2

Angel Square

London

EC1V 1NY



Telephone: 020 7520 7200

Fax: 01932 578493

Minicom: 020 7520 7205

DX: DX 155080 Chertsey 7

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Courtyard at Angel Square