Association of
London Government

JOINT REPORT OF THE PARKING ADJUDICATORS

Annual Report 2001/2002

ALG Transport & Environment Committee

Joint Report of the Parking Adjudicators

2001/02

Association of London Government

Contents

Adjudicator's Foreword

This is the first report I have presented since the Service changed its name to the Parking and Traffic Appeals Service. This reflects the fact that the parking adjudicators also decide appeals against decriminalised bus lane as well as parking penalties. There is also the prospect of further decriminalisation in a London Local Authorities Bill presently before Parliament; and it is intended that appeals relating to the congestion charging scheme, due to be implemented in February 2003, will be dealt with at the service's hearing centre, although by a separate team of adjudicators. The new name accurately encapsulates the service's wider role.

Although congestion charging appeals will be decided by separate adjudicators, there will no doubt be a need for, and benefits to be derived from, co-operation and liaison between the two tribunals operating in such closely related fields. The adjudicators look forward to welcoming our new colleagues and exploring these issues with them.

In last year's report I referred to the important report of the Review of Tribunals under Sir Andrew Leggatt, which had been published just as our report was being completed. Sir Andrew's Report presented a bold vision for the future of tribunals, founded on the establishment of a unified Tribunals Service under the Lord Chancellor's Department to administer most tribunals. The report contained a large number of detailed recommendations, primarily aimed at meeting the central goal of focusing on improving service to the users of tribunals.

The Lord Chancellor's Department moved promptly to take the report forward by issuing a consultation paper and establishing the Tribunals for Users Programme in the summer of 2001. In March this year, the department reported that the consultation process had found pressure for reform of tribunal services: in particular, a need to develop wider geographical and multi-channel access to tribunal services; to raise the standards of timeliness and administrative service; to provide clarity on rights, representation, procedures and decisions; and to promote greater confidence in the independence of tribunals to deliver a fair outcome. The department concluded that a unified Tribunals Service, federal in nature, offers the best prospect of delivering substantive change and improved service to users. It believes that this would help all tribunals to deliver a service to appellants which is manifestly independent; realise economies of scale; deliver a uniformly high standard of service; provide effective feedback to policy makers and decision takers in government; and allow tribunals to continue to develop their specialist expertise.

The intention is to take this scheme forward in stages over time, first bringing a number of the busiest tribunals into the unified Tribunals Service. Because the sponsorship and funding of local government tribunals raise issues peculiar to that sector and therefore merit separate treatment, it is proposed that they be subject to a separate review in the longer term. There is therefore no immediate prospect of PATAS being brought within the Tribunals Service.

The adjudicators applaud both the ideals and the pragmatic approach of these proposals. As we said in response to the consultation paper, we had reservations about the creation of a unified Tribunals Service. We were concerned that such a body would be unwieldy and would result in a centralist, insufficiently flexible approach. It is in our view important not to lose sight of the fact that one of the advantages of tribunals is that their composition, procedures and operation can be tailored to their particular jurisdiction. Our operation, for example, has been specifically designed to be appropriate to appeals relating to decriminalised traffic enforcement; and we believe it is this bespoke approach that

has enabled this tribunal to be recognised as a pioneer in the provision of an efficient and user-focused service. We therefore welcome the intention that the Tribunals Service should be federal in nature. We believe this approach offers the prospect of a model that will enable the benefits of a unified service to be achieved whilst preserving a sufficient degree of autonomy for individual tribunals to manage their own affairs. We will watch the progress of this initiative with interest.

The Leggatt Report was one of the items discussed in November at the Council on Tribunals Conference 2001 for presidents and heads of tribunals, which I was pleased to attend. Rosie Winterton MP, Parliamentary Secretary at The Lord Chancellor's Department, gave the keynote address. The conference was also addressed on the Report by, amongst others, Sir Andrew. I am sure that the conference will have made a useful contribution in assisting the department to formulate its proposals for implementation.

The other topic discussed at the conference was a draft framework of standards for tribunals prepared by the council. The aim of this framework is to set down for the benefit of all tribunals under the council's supervision the issues the council is concerned with in its statutory role to keep under review the constitution and working of tribunals. It is intended to serve as a tool both for the council in carrying out its role and for tribunals in reviewing their performance, and to promote best practice.

Following consultation with tribunals, the framework was published in May. The principles underpinning the framework are independence; openness, fairness and impartiality; accessibility to, and a focus on the needs of, tribunal users; that tribunals should be properly resourced and organised; and that they should offer cost effective procedures. I believe that this Service measures up very well against the principles and the details of the framework. Nevertheless, there is a continuing need to review our operation against the framework and consider whether any changes should be made as a result.

A second important initiative this year has been the development by the Judicial Studies Board of a competence framework for tribunal chairmen and members. The purpose of this framework is to set down the core competences required by all tribunal members irrespective of the jurisdiction in which they sit. The framework would provide common standards to be applied across tribunals. The competences focus on and are grouped under five key areas: law and procedure, equal treatment, communication, conduct of hearing, and evidence. Their practical application would be in providing the foundation for training programmes and mentoring and appraisal schemes. The draft framework was considered in January at a seminar attended by heads of tribunals, including myself, and representatives of the Lord Chancellor's Department and the Council on Tribunals. Publication of the final version is awaited.

What these two initiatives by the Council on Tribunals and the Judicial Studies Board share is their aim of promoting common standards and so encouraging greater coherence across the tribunal world. Whilst neither initiative derives from the Leggatt Report, they are very much in tune with its vision.

I also attended a Judicial Studies Board seminar on liaison between tribunals and the Administrative Court. It is this court that hears proceedings for the judicial review of adjudicators' decisions. There is no appeal as such from an adjudicator's decision and judicial review is the remedy available to appellants or local authorities to challenge such decisions in the courts. The seminar was attended by representatives of the Court of Appeal, the Administrative Court and Heads of Tribunals. It identified a number of practical proposals for improvement. Applications for the judicial review of adjudicators'

decisions are rare, particularly when measured against our substantial caseload; since the inception of the Service in 1993, only three cases have proceeded to trial. Even so, the remedy remains an important part of the totality of the judicial process. Indeed, one such case, *Westminster v The Parking Adjudicator,* forms the main focus of our report this year.

Closer to home, this has been a year in which considerable attention has been focused on technical developments. In July 2001, New PAS, the long-awaited new computerised adjudication system to replace the original computerised system that had been in use since the inception of the service, was introduced. This offers a number of new features, including fully integrated word-processing, and the ability more easily to incorporate new types of appeal. As seems perhaps to be unavoidably the case with new computer applications, its implementation was not entirely trouble-free. A number of bugs came to light and the system was initially prone to crash with unacceptable frequency. Nor, from the adjudicator's point of view, did the word-processing feature offer the expected functionality. These difficulties inevitably had a detrimental effect on the day-to-day work of the adjudicators. However, the defects have now largely been remedied, although not as quickly as we would have wished, and the system is now in the main functioning satisfactorily, although problems do still occur from time to time. There are also a number of elements that require redesign to enable the system to operate to the maximum effectiveness, and these are in the course of being addressed with the contractors.

Even so, we do not lose sight of the fact that our computerised adjudication process offers substantial advantages over a paper-based system in terms of both adjudication and overall case management. I would note at this point that bus lane appeals are currently still dealt with through paper files. These appeals still form a relatively small – about 4 per cent - but growing part of our caseload. It would be beneficial for them to be handled through the computerised process and we are pleased that this is in train.

The Invest to Save project, under which the committee received a grant from central government's Invest to Save budget to pilot three technological initiatives, was launched during the year. The first of the pilots allowed appellants to conduct a personal appeal by communicating with the adjudicator by a video-conferencing link from a booth at Wandsworth Town Hall rather than making the journey to the hearing centre in central London. The pilot was a resounding success; the feedback from the appellants was universally positive and the adjudicators who took part were enthusiastic. We are pleased that this pilot was awarded a commendation under the innovation category at the British Parking Awards in February. We are also pleased that the committee has set up a working group to examine how this facility might be established as a permanent feature.

The other pilots, online submission of appeals and online payment of penalties, are being run in 2002-2003. I am pleased that as part of this project our new website, at www.parkingandtrafficappeals.gov.uk, has been commissioned. This incorporates a number of new features, including access to key decisions, which can be viewed online.

The adjudicators very much support the committee in these initiatives to improve customer service.

Towards the end of the year we welcomed seven newly appointed adjudicators, who completed their induction training in March. They were recruited to meet our increasing workload and to fill the shortfall in resource arising from some adjudicators reducing their sitting hours with us as a result of taking on other commitments, including other judicial appointments. This recruitment exercise has had the desired effect of reducing the queue of postal cases and, at the time of writing, to continue it on a

downward path. I believe that this now offers the prospect of our being in a position to meet our aim of hearing 95 per cent of appeals within 49 days within the short term.

The recruitment of the new adjudicators provided the opportunity for us to revise thoroughly our induction training. I am very grateful to those adjudicators who put in a great deal of time and effort in assisting with this task, and in presenting the final package to the recruits. I am pleased to say it was well received. I believe it will have given them a comprehensive grounding in their new role.

We also held three training sessions for all adjudicators dealing with a range of current issues. These included such important subjects as the Leggatt Report, the proposed revision of the traffic signs regulations and general directions, the frameworks of standards and competencies and human rights. We also received an interesting presentation from Transport for London on the operation of their camera enforcement of bus lanes. In addition, as in other years, several adjudicators attended the Judicial Studies Board tribunal skills development course. A number of others participated in parking attendant shadowing to give them an insight into parking enforcement at the coalface; and others visited Transport for London to view the bus lane enforcement operation. I am grateful to the parking managers at Brent and Wandsworth and to Transport for London for arranging these visits. All the Adjudicators also undertook training in the use of the NewPAS system.

The Adjudicators wish to express their appreciation of the efficient and ever cheerful support of the Head of the Parking and Traffic Appeals Service, Charlotte Axelson, and her staff.

achieve consistency of treatment across London, local authorities should seek to agree common guidelines for the consideration of such cases.

We do of course recognise the need, identified in the government guidance, for parking controls to be firmly enforced in the public interest. Even so, we do have concerns that not all local authorities fully understand the nature of their discretion to waive penalties in appropriate circumstances or that all of them approach the exercise of the discretion in an objective and flexible manner.

For example, in one case this year, the hirer of a vehicle committed a bus lane contravention. Because the anomaly in the bus lane legislation meant the hire company could not pass liability to the hirer, the Local Authority pursued enforcement against the hire company. The local authority apparently saw no difficulty in doing so even though the hirer of the vehicle was the local authority itself and it was therefore the local authority that had committed the contravention. When the case came to appeal, the adjudicator sought representations from the local authority on the propriety of a public authority seeking a penalty from an innocent third party where the authority, through its own wrongdoing, had created the liability to the penalty; and on what traffic enforcement control benefit would be derived by the imposition of the penalty. The local authority then decided not to contest the appeal. It is, however, remarkable that the matter got as far as it did without, apparently, the propriety of the authority pursuing enforcement occurring to its officers dealing with the case.

In another case, the appellant had parked on a yellow line to accompany the victim of a street attack, whom he had picked up, into a police station. The local authority declined to waive the penalty.

Cases that raise particular concern are those where a succession of Penalty Charge Notices has been issued to a vehicle in relation to what is effectively a single incident in circumstances where the motorist was unable to take action to nip the situation in the bud. A typical example is that of a resident who goes on holiday for a number of weeks leaving their car parked in a residents' bay but, because of an oversight, not properly displaying their resident's permit. They return from holiday to find a large number of Penalty Charge Notices on their car.

In such a case, the total of the penalty charges will amount to a considerable sum, often running into four figures. The issue that arises is whether it is appropriate for the local authority to enforce payment of the total amount of the penalties. There are a number of factors that need to be taken into account in forming a considered view. In this example, if the motorist had been at home, they would have been alerted to their error by the issue of the first Penalty Charge Notice and had the opportunity to forestall the issue of the later ones. Being away, they have not had this opportunity. Their absence may also well mean that for many of the Penalty Charge Notices the 14-day period for paying at the reduced rate has passed. Although the failure to display is a contravention, the motorist nevertheless is the holder of a permit entitling them to park. And there is the general question of whether the total penalty is proportionate. This may raise issues under the Human Rights Act 1998.

Some authorities do address these issues in multiple ticket cases and consider the exercise of their discretion. Others, however, simply take the position that the individual Penalty Charge Notices were properly issued and therefore will be enforced. But the question is not whether the parking attendant was entitled to issue the individual tickets; it is the broader one of whether it is appropriate for the local authority to pursue enforcement having regard to all the circumstances.

However, for authorities to be able properly to exercise their discretion, motorists must be aware of the discretion. Unless they are, they are not in a position to make a fully informed decision whether to pay the penalty or make representations. In our view, the Notice to Owner, as well as setting out the grounds on which legal liability may be challenged, should also explain the discretion. We are not aware that at present any Notices to Owner do so. Indeed, some appear positively to discourage representations on mitigation by including something along the lines of: 'excuses such as .... will not be accepted'. We recommend that all local authorities should revise their Notice to Owner accordingly.

Exemptions for Disabled Persons

In *Woolfson v Westminster,* the appellant also called into question the exemptions for disabled persons from parking controls that apply in central London. The Local Authorities Traffic Orders (Exemption for Disabled Persons) (England) Regulations 2000 compel local authorities to provide to vehicles displaying a Blue Badge substantial exemptions from parking controls. However, Westminster, the City of London, Kensington and Chelsea and part of Camden, are excepted from this requirement. In each of these areas other, more limited schemes apply. Mr Woolfson contended that this exception was in breach of his right to respect for his private life under article 8 of the European Convention on Human Rights, and discriminatory under article 14 of the Convention. The adjudicator rejected the appellant's argument and found in the local authority's favour on this point. The appellant did not contest this aspect of the decision in the judicial review.

Whilst the adjudicator did uphold the legality of the exception, we do know that there is considerable concern that the exception causes difficulty and confusion, particularly as the four excepted authorities operate different exemption schemes for disabled persons. We do, therefore, very much welcome the fact that there are, we understand, moves afoot to review the exception to see whether the arrangements might be simplified. But we do, of course, appreciate that the authorities have to take into account the overall traffic situation and the competing demands of all road users for parking against a background of demand exceeding supply.

Procedural Issues

We have become concerned that a number of instances of defects in local authorities' procedures have come to our attention. These seem to have related particularly to bus lane appeals and appear to have arisen because the parking enforcement computer systems have been used for bus lane enforcement without being adequately adapted for that purpose. This resulted, for example, in the case of one local authority's enforcement notice showing the date of the alleged contravention as being the date of the Penalty Charge Notice when in fact the latter is invariably served by post later.

We also noted an apparent reluctance on the part of at least one local authority to allow the motorist to view the video recording made of the incident concerned. We found this surprising and we are pleased that, as we understand it, this has now been remedied. it is a particular advantage of bus lane appeals that such video evidence is available as it tends to minimise the scope for disputes on the facts. As we have said, the Penalty Charge Notice is not served until some time after the incident and motorists frequently cannot remember what happened. Clearly, if the motorist wishes to see the video evidence it is in everyone's interests that they should be able to do so sooner rather than later. This is likely to lead to more cases being cleared up earlier rather than proceeding unnecessarily to appeal.

All local authorities, we believe, offer to provide stills from the recording although usually at a cost. We would encourage local authorities to provide these free of charge. This is in the interests of early resolution and if the case proceeds to appeal the local authority will anyway have to provide them free to the appellant. Nor in those cases where the appellant has good grounds for contesting liability is it easy to see why they should have had to pay for the stills. For example, cases occur where the stills show that the vehicle concerned was not the appellant's but was, to use the vernacular, a 'ringer': a similar vehicle fraudulently carrying the same registration number. Why should the motorist have to pay for the evidence showing this?

Early resolution, of course, saves time and cost and is as much in the interests of the local authority as the motorist. It is not uncommon for appellants to withdraw their appeal once they see the stills sent to them with the authority's evidence. We therefore believe it is clear that early resolution would be encouraged if the local authorities as a matter of routine sent copies of the stills with the Penalty Charge Notice, and we would recommend that local authorities consider this.

But procedural problems are not confined to bus lanes. In a number of appeals, it has emerged that documents presented by the local authority in evidence as being a true copy of the original have not been accurate copies. We do not believe this has been anything other than administrative error. It is, however, still a serious matter since the adjudicators rely on the integrity of the evidence presented to them on which to make their decisions; and it goes without saying that where evidence is presented by a public authority, they should be able to rely on its integrity without question. We would impress upon all local authorities that they must ensure that their procedures from start to finish of the enforcement and appeals process are compliant both in terms of statutory requirements and the procedural requirements of the adjudicators.

The Handling of Representations

We have repeatedly commented on the variable standard of performance by local authorities in fulfilling the statutory duty to consider the representations made in response to the Notice to Owner or Enforcement Notice. This has been thrown into sharp focus by the well-publicised events that occurred at the Borough of Richmond upon Thames.

Following concerns expressed by the council about the writing off of a number of Penalty Charge Notices, officers considered how to deal with the large volume of correspondence to be handled by its parking enforcement section. The decision was taken that representations would be automatically rejected without the correspondence being considered, relying on the right of appeal to an adjudicator as the means by which motorists with a meritorious case could obtain redress. Concerns expressed by staff about this procedure led to an investigation by the borough's monitoring officer. The monitoring officer concluded, rightly in our view, that in acting in this way the council was in breach of its statutory duty. In addition, the Notice of Rejection sent to the motorist said, contrary to the true position, that the rejection was being made 'after full consideration of the representations'. The report recognised that it was likely that payment had been made in some cases when it was not due. The upshot was that the council reviewed the several thousand cases affected.

What makes this situation of particular concern is that it was not merely a matter of poor handling by individual case officers; it was a corporate decision not to carry out a clear statutory duty placed on the council. We hope that all local authorities will take the lessons of this affair on board.

Whilst on the subject of representations we would mention one other point. It is common for motorists to write to local authorities soon after they have been issued with a Penalty Charge Notice on the street, querying their liability. Since these letters are not representations made in response to the Notice to Owner issued later and therefore do not form part of the formal legal process for contesting liability prescribed by legislation, they are commonly referred to as 'informal representations'. There seems to be some uncertainty among local authorities about the status of these. Some decline to deal with them, saying that they will only respond to formal representations. Indeed, some appear to believe that because they are not part of the formal process they are debarred from responding to them. The latter view is undoubtedly misconceived; there is nothing prohibiting reply. We would suggest that it is good administrative practice to do so. We know that many local authorities do reply. Indeed, where informal representations are received within the 14-day period during which payment of the reduced penalty is allowed, some offer a further 14 days from the reply for payment at the reduced rate. This is a practice of which we heartily approve and it is one the committee has in the past recommended to councils. We urge all councils to follow it.

Time Limits

Different aspects of the timeliness of the local authority's actions came into question in two cases, *Elliott v Brent* and *Watts v Westminster.* The first concerned the time for service of the Notice of Rejection, the second the time taken to release a vehicle from a clamp after payment had been made.

Elliott was an application of the principles enunciated in *Davis v Kensington & Chelsea (1997 PATAS Case Number 1970198981)* that:

Digest Of Cases

Bus Lanes: payment of reduced penalty

Kundra v Newham (PATAS Case Number NE01/0098)

The appellant did not deny the contravention. The basis of his appeal was that he had paid the reduced penalty within the 14 days allowed. The adjudicator found as a fact that he did so.

The adjudicator considered the grounds of appeal available to the appellant under the London Local Authorities Act 1996 (as amended), in particular the ground that 'there was no breach of an order or regulations of the type described in subsection (2) of the said section 4' - that is, a denial of a breach of a Traffic Management Order or Regulation relating to the provision of bus lanes.

This ground had to be considered in the light of Mr Kundra's situation. He tendered payment of the penalty in time and yet a demand was made for a higher amount. It would be most odd if Parliament had intended there to be no ground of appeal which protected an appellant who had made a payment of a penalty but was being penalised for an additional payment or was the subject of an enforcement process which was not in accordance with statute. This appeared to be a breach of an appellant's right to the peaceful enjoyment of his possessions and that he should not be deprived of his possessions except in the public interest and subject to the conditions provided for by law, (Article 1 to the First Protocol of the European Convention on Human Rights). No public interest was served by depriving an appellant of a right of appeal in such circumstances.

The adjudicator said he was mindful of his duty, under section 3(1) of the Human Rights Act 1998, to read the relevant statute in order to give effect to it in a manner compatible with the convention rights.

He also considered existing legal principles to which public bodies, including local authorities, are subject. For example cases such as *Davis v London Borough of Kensington & Chelsea (PATAS Case No. 1970198981*). In considering the nature of the enforcement scheme for parking contraventions, he concluded that there is an overarching duty upon enforcement authorities to act fairly at every procedural stage. In that case the adjudicator decided that a duty of fairness included a burden upon the council to take all steps within a reasonable time. How much more then should a council act fairly by complying with specific time limits and specific procedures expressly enacted.

In *R v Secretary of State for Home Department ex p. Doody (1994)* (House of Lords) Lord Mustill stated: ' Where an Act of Parliament confers an administrative power there is a presumption that it will be exercised in a manner which is fair in all the circumstances'.

In addition, a body charged with the enforcement of financial penalties must do so with 'clean hands'. In the case of *Hull v London Borough of Croydon (PAS CR20/0086)* the adjudicator stated: ' An authority cannot rely upon its own unlawful act –and, if it seeks to do so, it is well-established that an inferior tribunal (such as Traffic Adjudicators are) can, and indeed must, refuse to allow them to do so. It is a defence to enforcement proceedings that the enforcing authority relies upon its own unlawful act.'

Accordingly, the appeal ground referred to above should be understood as meaning that there is no breach of an Order or Regulation capable of lawful enforcement either at the date alleged by the Penalty Charge Notice or any subsequent date in the enforcement and appeal processes. If a penalty has been properly paid there is no enforceable breach at the time of appeal and the ground of appeal is thus made out.

Appeal allowed.

Exemptions for Disabled Persons

Woolfson v Westminster (PATAS Case Numbers 2000243654 and 2000243676)

Mr Woolfson appealed in respect of a number of Penalty Charge Notices issued to his car in Westminster. There was no dispute that they were issued in circumstances showing that a contravention of the parking controls had occurred.

The case raised two main issues. The first was this. Mr Woolfson is disabled and holds a disabled person's Blue Badge. The Local Authorities Traffic Orders (Exemption for Disabled Persons) (England) Regulations 2000 compel local authorities to provide to vehicles displaying a Blue Badge substantial exemptions from parking controls. However, Westminster, as well as the City of London, Kensington and Chelsea and part of Camden, is excepted from this requirement. In each of these areas other, more limited schemes apply. Mr Woolfson contended that the exception of these areas from the general scheme was in breach of his right to respect for his private life under article 8 of the European Convention on Human Rights, and discriminatory under article 14 of the Convention. He relied on the decision by the European Court of Human Rights in *Niemitz v Germany [1992] ECHR 9214/80* in which the Court said that 'Respect for private life must also comprise to a certain degree the right to establish and develop relationships with other human beings.' He argued that in order to establish and develop such relationships, he needed to gain access to premises in Westminster for social or business purposes; that the only effective way that he could do so in the light of his disabilities was by using his car; and that therefore the right under Article 8 extended *in his case* to the right to drive and park his car close enough to walk to his destination, and to leave it parked for as long as he needed to complete his engagement.

The adjudicator found that the effect of Mr Woolfson's disabilities made it impracticable for him to use the Underground or buses and therefore he had to rely on personal transport for travelling around London. However, the convention gave no right as such to drive or park a motor vehicle. There was no bar to Mr Woolfson travelling into and about central London by personal motor transport, since he could make use of taxis, minicabs and the Taxicard scheme. Mr Woolfson had not satisfied him that the cost and inconvenience was such that he was in effect compelled to use his own car. Accordingly he had not shown a breach of Article 8. Consequently, there could be no breach of Article 14 since it did not give rise to any independent substantive rights, but required that no person should be discriminated against in their enjoyment of the rights and freedoms set forth in the convention.

Accordingly, the challenge to the validity of the exemption of Westminster from the general scheme applicable to disabled persons failed.

The second issue concerned the powers of the adjudicator to determine the amount of the penalty that should be paid in any particular case where a contravention has occurred. One of the grounds on which an appeal may be made is '*that the penalty charge exceeded the amount applicable in the circumstances of the case*'. Mr Woolfson argued:

- that Article 6 of the convention, the right to a fair trial, would be breached if a tribunal, on finding that a contravention had occurred, could not exercise discretion as to the level of penalty to be imposed;

- that the Human Rights Act requires the Road Traffic Act 1991 (RTA) to be read so far as possible in a manner compatible with the convention;

- that the power in the RTA for the Adjudicator to '*give the London authority such directions as he considers appropriate*' enabled it to be read in such a manner; and

- that the adjudicator could therefore take mitigating circumstances into account in deciding the penalty to be imposed.

The adjudicator accepted these contentions and found that he did have the power to consider what penalty should be imposed. He found that up to a certain date Mr Woolfson held a genuine belief that the 1998 Act would support him in his claim to be able to park as he did in the individual circumstances of each occasion, and that he did only park thus when he found no alternative legitimate parking place. In those circumstances Mr Woolfson should not be liable to pay the penalty charges incurred before that date.

The Queen on the Application of the Lord Mayor and The Citizens of Westminster v The Parking Adjudicator (In the High Court. Judgment handed down 22 May 2002)

Westminster brought proceedings in the High Court for judicial review of the adjudicator's decision in *Woolfson* on the second issue. Mr Justice Elias said that Article 6 is concerned with procedural fairness, not with the substantive law. Since the amount of the penalty charge was set as a fixed penalty by the substantive law by the procedures prescribed by section 74 of the Road Traffic Act 1991, Article 6 was irrelevant. Therefore, the only question was the proper interpretation of the ground of appeal '*that the penalty charge exceeded the amount applicable in the circumstances of the case*' without any convention considerations coming into play. He said that phrase naturally referred to the penalty defined by law as the appropriate penalty in the circumstances. It presupposed an identifiable penalty that actually applied and was capable of precise identification. The adjudicator's interpretation was inconsistent with the notion of fixed penalties. Therefore, he declared the Parking Adjudicator did not have power to take mitigating circumstances into account when determining the amount payable for a parking contravention and did not have discretion as to the amount of the penalty to be imposed. The adjudicator had no power to issue the directions he did and they were quashed.

Time limits

Elliott v Brent (PATAS Case No. 2010126056)

The appellant made representations on 20th October 2000 and the Notice of Rejection was dated 26th April 2001. The local authority said that it had responded to the appellant's representations within the statutory six-month time limit. The adjudicator said that Section 7 of the London Local Authorities Act 2000 [which sets the time limit for service of the Notice to Owner] did not apply to the Notice of Rejection. In exercising its functions under the provisions of the Road Traffic Act 1991 the local authority had a duty to act fairly: *R v Secretary of State for Home Department ex p. Doody; Davis v Royal Borough of Kensington and Chelsea* (see above). In this case there was an unreasonable and an unfair delay causing potential evidential prejudice to the appellant. It needed to be remembered that the right of appeal to the Parking Adjudicator can only be exercised after service of the Notice of Rejection and adjudicators will therefore be diligent in disallowing enforcement where there is clear evidence of unreasonable delay.

Appeal allowed.

Watts v Westminster (PATAS Case No. 2010203066)

Mr Watts did not dispute the contravention. The issue was the subsequent clamping action taken by the authority.

The adjudicator found as facts that:

- the vehicle was clamped at 15:55
- Mr Watts returned to the vehicle within five minutes of it being clamped
- At 16.54 payment of the penalty charge and release charges was made by Mrs Watts, the appellant's mother, by Visa credit card over the telephone
- The vehicle was released at 21.10, 4 hours and 16 minutes after payment was made.

Mr Watts asserted that the time taken to release was excessive. In these circumstances he relied on the ground of appeal in Section 71(4)(e) of the Road Traffic Act 1991 that 'the [penalty or other] charge in question exceeded the amount applicable in the circumstances of the case'.

The adjudicator said that the arrangements for payment and release following clamping are set out in Section 69 (4), which stated: 'a vehicle to which an immobilisation device has been fixed in accordance with this section shall be released from that device on payment in any manner specified in the notice affixed of (a) the penalty charge payable; and (b) such charge in respect of the release as may be required.' Thus the condition precedent to release of the vehicle was payment of the penalty charge and the release fees.

The question was: is the council under any duty to release a vehicle promptly once the fee has been paid, or is the time for release open-ended?

The adjudicator said that section 69 (4) stated that the vehicle was to be released 'on payment'. There was no interpretation of the words in the statute and they were to be construed in the ordinary sense. The meaning was clear and unequivocal, the vehicle was to be released as soon as payment was made. Therefore, for the Council to argue that it was under no obligation as regards the time to release was clearly wrong.

The courts had in previous cases considered similar wording in different situations. In R v Arkwright [12 QB 970] Denman CJ held that 'on' or ' upon' may mean 'before', 'simultaneously with' or 'after' according as reason and good sense require, with reference to the context and subject matter of the enactment. In Paynter v James, [LR 2 CP 398] in the context of a commercial transaction 'payment on delivery' was construed to mean 'simultaneously'. The common ground of these cases was that where words such as 'on' or ' upon' were used in statutes or contracts, in relation to a duty to act, then there was incorporated a compulsion to do so in good time. The question of timing was not left at large or open ended, but must happen within reasonable time, depending on the context.

It would usually not be possible to declamp a vehicle 'simultaneously' with payment, where payment was made at some distance from the clamped vehicle. The courts had considered the specific situation of clamping in Arthur v Anker (1996) RTR 308. In that case, which concerned a private clamping on private land, Bingham MR held that: 'Nor may the clamper justify detention of the car after the owner has indicated willingness to comply with the condition for release: the clamper cannot justify any delay in releasing the car after the owner offers to pay,'

Where the clamper was a public authority, and the motorist had already paid, the duty to act was even more pressing. A Council which had exercised the power to clamp under Section 69 of the Act, was under a duty to act reasonably in relation to the declamp, which was to happen 'on payment' of the requisite charges. At the very least this meant using reasonable endeavours to release in good time and following the case of Arthur v Anker, there could be no delay.

There then followed the question what was 'within good time' in this context, or what was a reasonable time within which the council must declamp which was not dogged by delay?

The Secretary of State's Guidance on Decriminalised Parking outside London (1992) stated ' It is important that motorists who have paid their declamping charge and associated penalty charge should be able to use their vehicle as soon as reasonably possible. The punishment of wheelclamping should be the cost of the release fee, not the time and inconvenience in arranging and waiting for the vehicle to be declamped. Local authorities should therefore set and publish a maximum time for releasing vehicles from wheelclamps once the appropriate charges have been paid.' The 'Traffic Management and Parking Guidance for London', published in February 1998, said 'Local authorities should set a maximum timescale for releasing vehicles from wheelclamps once the appropriate charges have been paid. This should be no longer than 4 hours.' The London Boroughs' 'Code of Practice' (1995) said that 'the police aim to declamp within 4 hours of paying, and authorities should try to get this down to under two hours on average'. Taking this into account, the council had fallen below the requirements of even its own non-statutory guidance, The longest period countenanced in any of these documents was 4 hours. The guidance and particularly the code of practice were non-statutory but of some weight in determining what was fair and reasonable.

However, the legal requirement for release of vehicles was more stringent than that envisaged by the guidance or the boroughs' code. The Act required that a vehicle be released 'on payment', and this meant using reasonable endeavours to release in good time without delay. In those circumstances, any time in excess of two hours would, prima facie, be unreasonable. Each case would turn on its own facts; there might be instances where much less time than two hours would, on the facts of the case, be unreasonable. For example even perhaps 20 minutes would be excessive where the release vehicle was present in the same street when payment was made. It would only be in the most extreme

circumstances entirely outside the council's control that a council could reasonably claim that a time in excess of two hours should stand.

On this occasion there was a clear breach of the duty to release in good time: the period from payment to release was manifestly unreasonable. This breach of duty rendered the clamp and subsequent release wholly defective. The council should not be in a position to retain charges imposed in pursuance of a defective process.

Appeal allowed. Refund of the release charges directed.

Human Rights

Schwartz v Camden (PATAS Case No. 2010000692)

The appellant's vehicle was parked in a suspended residents' bay. The sign alerting motorists to the suspension was a yellow hood over the sign plate. The hood bore the no waiting symbol and stated 'No Waiting, Loading, Unloading'. The first issue was that the appellant said that he was doing none of these.

There was no dispute that he was not loading or unloading. The question was whether he was 'waiting'. The appellant had left his vehicle for several days. He contended this was not 'waiting' which he argued, adopting a definition in the New Oxford English Dictionary 1998, meant to 'remain parked for a short time at the side of the road'. He distinguished 'waiting' from 'parking', in which he said he was engaged.

The adjudicator said that the term 'waiting' in the context of parking control derives from the Road Traffic Regulation Act 1984. Its proper construction was therefore a matter of construing that Act. In the provisions prescribing what may be included in such orders, the Act consistently used, and used only, 'wait' and 'waiting': sections 2, 4, 7, 10, Schedules 1 and 2. They did not use 'parking' at all. If there had been a distinction to be made as the appellant contended, it clearly would have been necessary to make it in these provisions. Significantly, in section 32 'parking place' was defined as 'a place where vehicles, or vehicles of any class, may wait.' It was clear that under the Act, waiting and parking were synonymous and that waiting was not limited as the Appellant argued. Indeed, a moment's thought showed that the distinction was unsustainable. If waiting were limited to 'a short time', when would it cease to be a short time and thus cease to be waiting and become parking? It should be noted that whether or not the vehicle was attended was irrelevant.

The appellant also contended that there had been a breach of Article 6 of the European Convention on Human Rights and of Article 1 of the First Protocol to the Convention. The basis for this contention was that the Road Traffic Act 1991provided (section 66) that if a penalty charge was paid within 14 days the amount of the charge was to be reduced by the specified proportion, that being 50 per cent. It was to be noted that the provision was for a reduction for early payment, not a doubling for failure to pay.

The Adjudicator said that as this was provided for in primary legislation, he had no power to make a declaration of incompatibility with the convention under section 4 of the Human Rights Act 1998. However, he expressed the view that the scheme of allowing a discount for prompt payment was not incompatible with the convention.

Article 1 of the First Protocol provided that no one shall be deprived of his possessions 'except in the public interest'; and that 'The preceding provisions shall not, however, in any way impair the right of the State to enforce such laws as it deems necessary to control the use of property in accordance with the general interest or to secure the payment of taxes or other contributions or penalties'. There was a clear public interest in providing an incentive to motorists to settle their parking penalties promptly and so minimise the need for the council having to pursue enforcement through further action, ultimately through the County Court. The incentive provided was proportionate. It was difficult to see what advantage there would be in the provision for the reduced penalty being removed. Motorists who did not dispute the penalty (far and away the majority) would have to pay the full penalty; and in all probability many more motorists would delay payment, since there would be no advantage in paying promptly, thus forcing councils either to abandon enforcement of the penalties or incur the expense of taking further enforcement action.

Appeal refused.

The Status of an Adjudicator's Decision

Thorne v Hammersmith and Fulham (PATAS Case Number 2020069006 and others)

The appellant appealed in relation to 26 Penalty Charge Notices issued by the council to a vehicle registration number E367FLH between April and July 2000. The ground of appeal in all of them was that the Appellant was not the owner at the time of the contravention.

There had already been a determination of that issue in an appeal by the appellant against a Penalty Charge Notice issued to the vehicle by Barnet Council. In that appeal, decided on 8 September 2000, the Adjudicator found that the Appellant had sold the vehicle on 7 October 1999. Hammersmith and Fulham had nevertheless decided to contest the 26 appeals, taking the point that the Barnet decision did not bind it.

The adjudicator said that where there had been a judicial decision on the very same issue, he would expect a council to think very carefully about not accepting that decision and only not to do so where there were very compelling reasons. A decision by one adjudicator, whilst not binding on other adjudicators, would be regarded by others as highly persuasive and to be followed in the absence, again, of compelling reasons for doing otherwise.

He could see no reason for not doing so in this case. The reasons put forward by the council were less than compelling and, in some respects, misconceived. The council said it had contacted the supposed buyer of the vehicle and that they had denied doing so. In fact, the council had contacted Direct Car Finance with addresses in Maidstone and Grays. There was no reason for thinking that they had any connection with the Direct Cars in another place that the appellant thought was the name of the buyer.

Nor did the Council appear to have grasped that the Volvo vehicle was the vehicle the appellant said he part exchanged for E367FLH. The Appellant produced the registration document for that vehicle showing he became the keeper on 7 October 1999. Since the Barnet appeal the appellant had found the document recording the part exchange transaction. This gave the other party as P & A Cars. The adjudicator drew no adverse inference from the difference in the name. Had the appellant fabricated a document to back up his story, it was unlikely he would have produced one with a different name. He

inferred that the explanation was the innocent one that the appellant's memory was faulty, or that the other party employed more than one name. The fact that the document was not signed was not crucial, nor did the fact that it bore two dates. It was clear that the first was when the deal was arranged, the second when the sum of £230 was paid in cash, with the balance of £50 paid subsequently.

Appeal allowed.

Signs

Genko v Croydon (PATAS Case No. CR01/0030)
Shannahan v Croydon (PATAS Case No. CR01/0044)

These cases were heard together. In each the alleged contravention was being in a bus lane during prescribed hours. Both appellants admitted being in the bus lane but said that the infringement was accidental. They said they did not see the signs for the bus lane and did not realise they were in a bus lane.

The issue was whether the council had complied with its duty under regulation 18 of the Local Authorities' Traffic Orders (Procedures) (England & Wales) Regulations 1996 to provide and maintain signs giving adequate information of the restriction.

One of the signs in question was a Non-Primary Route Directional Sign (NPRDS). It transpired that the Council changed this sign on its own initiative on 12 December 2000.

The council produced in evidence an authorisation by the Secretary of State for the Environment, Transport and the Regions dated 7 January 2000. This was given under Sections 64 and 65 of the Road Traffic Regulation Act 1984 and *'all other powers enabling him'*, and authorised the signing scheme for the bus and tram lanes and routes and camera enforcement in Croydon.

The adequacy or otherwise of the old NPRDS was central to the appeals. The Council contended that the indication given by the NPRDS was correct and adequate at the point it was given. It said that whilst it had replaced the sign, it had not done so because it considered it to be inadequate, but merely to make it even clearer.

The first point was whether the NPRDS complied with the Traffic Signs Regulations and General Directions 1994 (TSRGD). This sign was not covered by the Secretary of State's authorisation, so to be lawful it had to comply with the TSRGD. The adjudicator said it was clear it did not. It was variant 31 to Schedule 16 that permitted diagrams 953 (route for use by buses and pedal cycles only) and 953.1 (route for use by tramcars only) to be incorporated in the NPRDS. However, the variant said *'953 (with 953.2) or 953.1 (with 953.2)'*. Diagram 953.2 was a plate bearing the word 'Only'. The words in brackets – *'(with 953.2)'* – were mandatory, not optional. The most natural reading was that it was required in every case. The adjudicator was strengthened in this view by the fact that Direction 18 provided that diagrams 953 and 953.1 must be placed in combination with diagram 953.2. That being so, it was difficult to see why the inclusion of 953.2 would be optional on a NPRDS. In addition, diagrams 953 and 953.1 always meant, respectively, buses and pedal cycles and trams *only*. There could be no logical reason for their sometimes being accompanied by the 'Only' plate and sometimes not.

The old NPRDS therefore did not comply with the TSRGD. Even if it did, it would in any event not be adequate. The combination of 953 and 953.1 with 'local access only' meant: buses, pedal cycles and trams only and local access. This was manifestly self-contradictory. Had the council realised the need to include 953.2 with 953 and 953.1 this would have been immediately apparent and no doubt they would have avoided the contradiction. But the unsatisfactory nature of the sign went further. The message the sign was likely to plant in the motorist's mind was an unqualified invitation to proceed up the slip road. On entering the slip road, the motorist had to use the outside lane since the inside lane was a tram track. Having proceeded a little way up the slip road, the motorist was then faced with a situation in which the unqualified invitation issued by the NPRDS was rescinded: the motorist was then directed to turn left into Walpole Road. This was on the face of it a startling proposition, involving as it did turning from the outside lane sharp left across the inside lane, directly across the path of traffic approaching from behind along the inside lane - a potentially extremely hazardous manoeuvre. To ordinary careful motorists this was an extraordinary manoeuvre against which they would instinctively recoil. The fact therefore that the NPRDS apparently issued an unqualified invitation to proceed up the slip road was in the context especially critical. It had to be remembered that the motorist had to rapidly take in and digest the message given by the signs whilst on the move, and it was crucial that the signs should be prominent, clear and unambiguous. The fact that the council changed the NPRDS on its own initiative showed that it considered it could be improved upon. The adjudicator agreed. Its effect was confusing and contradictory.

Whilst the decision on the old NPRDS rendered the signage as a whole inadequate and was sufficient to decide the appeals, the adjudicator dealt with certain general points that were advanced by the council.

1. The council appeared to argue that where authorisation had been given by the Secretary of State, that necessarily rendered the signage adequate. Clearly, an Adjudicator would give careful consideration to any such authorisation. The Secretary of State obviously would not authorise signing unless he believed it to be adequate. However, adequacy depends not just on paper theory but on the effectiveness of the signage in practice; and clearly it would be necessary to reconsider the signage if practical experience suggested there were difficulties. The council's argument amounted to suggesting that signage the subject of an authorisation from the Secretary of State was exempt from judicial scrutiny. The adjudicator did not agree.

2. The council drew a distinction between what it described as 'enforceable' and 'advisory' signs. It appeared to suggest that for some reason defects in the latter could not render the signage inadequate. By 'enforceable' the adjudicator took it to be referring to Section 36 of the Road Traffic Offenders Act 1988 under which it was a criminal offence to fail to obey certain signs, as opposed to contravening the traffic restrictions themselves. Under regulation 18 of the Local Authorities' Traffic Orders (Procedures) (England & Wales) Regulations 1996 the council must provide and maintain signs giving adequate information of the restriction. Some of the signs giving the information might wear a second hat and also be enforceable under Section 36, but in considering the adequacy of the information provided by the signs, that was irrelevant.

3. It appeared that the council and the Department of Environment, Transport and the Regions regarded this bus lane as a with flow bus lane. This was puzzling, since regulation 4 of the TSRGD defined a with flow lane as '*a traffic lane reserved for a specified class of traffic proceeding in the same direction as general traffic in an adjoining traffic lane*'. The adjudicator could not see that this bus lane was within this definition. The only adjoining lane was the tram track and was

therefore not for 'general traffic'. The underpass was not adjoining: it was separated by a wall and was on a different level.

4. The adequacy of signs must be tested in context. The traffic arrangements in Wellesley Road were unusual and complex. In those circumstances, there was a need to exercise special care to ensure that the necessary information was conveyed to motorists, both to avoid their unwittingly going up the bus lane and, even more importantly, that they were able to find their way round the road network safely.

Appeals allowed.

Traffic Management Orders

Fox and others v Islington (PATAS Case No. 2000276154 and others)

These cases raised various issues as to the operation and legality of the parking restrictions in force in the streets surrounding the Arsenal football stadium at Highbury.

The adjudicator identified five Traffic Management Orders imposing restrictions in the area. He said that they amounted to an extraordinarily complex set of regulations for such a small area. Different restrictions applied to different streets, different parts of streets, different vehicles at different times. In addition many of them came and went depending on the fixture list of the local football club, and, in the case of the Islington (Arsenal Event Days)(Waiting Restrictions) Experimental Traffic Order 1999, the state of the traffic. And if that were not enough the Experimental Order applied *on top of* the pre-existing restrictions, if any. When considering whether or not contraventions have occurred the council was entitled to have the validity and operation of each type of restriction considered individually on its merits. However in considering whether each restriction was clearly and correctly indicated to the motoring public the context should be taken into account. A plate that might give perfectly clear information taken on its own might cease to be so clear if it was surrounded by others giving confusing information. Given that there were so many types of restriction in this area he approached these cases on the basis that the council had to demonstrate with particular clarity that the various restrictions relied on, which had proved unfathomable to a number of Appellants, were correctly indicated and could be relied on.

He then went on to consider the two orders particularly in issue, first the Islington (Gillespie Traffic Scheme)(Parking Places) Order 1997. The scheme of this order was that on 'match days' during controlled hours (8am-midnight) any vehicle left in a designated parking place in any of the affected streets was required to display a permit. Match days were defined to include not just football matches but any activity which in the opinion of the Commissioner of Police after consultation with Islington Council's Assistant Director (Development) Technical and Environmental Services was likely to benefit from the scheme being in operation. The restrictions were signed by a number of different signs that did not comply with the Traffic Signs Regulations and General Directions 1994. Furthermore, the signs did not correctly indicate the restrictions since they stated they applied on match days, when the restrictions applied only from 8am to midnight on those days.

The relevant statutory provisions were the Road Traffic Regulation Act 1984 sections 64 and 65 and the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996, Reg.18. The latter

regulation did not give the council an unrestricted discretion in signing restrictions: the provision, contained as it was in regulations, did not operate to override the requirements of sections 64 and 65 of the Road Traffic Regulation Act 1984 and was in any event subject to the Council's duty as a public authority to act fairly.

The adjudicator dealt secondly with the Experimental Order. He saw a number of difficulties with the operation of this 'unconventionally drafted' order.

First the order was fundamentally defective in that the prescribed hours were not prescribed at all. Although it might just be acceptable for the commencement time to be set according to another reasonably ascertainable event (the advertised starting time) the termination of the period was hopelessly vague to the point of being wholly unenforceable. The order stated '*until normal traffic operation can be resumed*'. What was '*normal traffic operation*'? How was it to be ascertained? In whose opinion? As it stood, the finishing time could not be ascertained. It followed that it was impossible to say with certainty whether or not at any given time a motorist was parked within the prescribed hours.

Secondly even if the order were enforceable the council was under a duty to give reasonable notice if it wished to enforce against those motorists whose vehicles were *already* in position before the restriction kicked in. There was no reason why at least 24 hours notice should not be given, or at least notice to the effect that on event days restrictions apply.

Finally, the signs referred to 'match days', not the wider definition in the orders. Even taking 'match day' as referring only to football it was not clear how the motorist was to inform himself with confidence at the time of parking. As a matter of principle it was for the council to ensure that the days and times when parking was not permitted were notified to the motorist with clarity and precision. In the case of upcoming restrictions it was for the council to identify and display in advance at least the next day when the restrictions were due to bite. If the council was unable to do this, it could hardly expect the motorist to be in a better position to find out off his own bat.

Appeals allowed.

Footway Parking

White v Westminster (PATAS Case No. 201008881A and others)

The adjudicator said that these appeals raised, not for the first time, the question of whether a vehicle (normally as in this case a motorcycle or motor scooter) commited a contravention by parking on pavement lights or other areas on the side of the street which were private property.

The alleged contravention was that the vehicle was parked with one or more of its wheels on any part of an '*urban road other than a carriageway,*' contrary to section15 (1) Greater London Council (General Powers) Act 1974 ('the 1974 Act').

The area concerned was clearly not carriageway. The question was whether it was part of an '*urban road*'. 'Urban road' was defined, put simply, as a road subject to a speed limit. 'Road' was defined in s 142 of the Road Traffic Regulation Act 1984 as 'any length of highway, or of any other road to which the public has access...'.

It followed that the question that had to be asked in each of these cases was:

was the area in question a 'length of highway?' or
was it a 'length of road to which the public had access?'

A highway was *'a route which all persons rich or poor can use to pass and repass along as often and whenever they wish without let or hindrance and without charge'.* (Orlik, An Introduction to Highway Law 2nd edition 2001 at p 2)

The adjudicator said that the point was whether the highway extended right up to adjoining buildings. In considering this he was, he said, assisted by adjudicators' views in a number of very similar cases, which he regarded as highly persuasive. He said that much depended on the nature and 'look and feel' of the area in question. He shared the broad view of other adjudicators in similar cases that where there were no physical barriers and the public apparently had been free to walk over the whole width of the street for many years the evidence suggested it was highway.

Even if the area was not part of the highway it might still be a 'length of road to which the public has access'. The leading case was *Harrison v Hill 1932 J.C.13* where Lord Sands said:

'In my view, access means, not right of access, but ingress in fact without any physical hindrance and without any wilful intrusion.'

And later, *'In my view, any road may be regarded as a road to which the public have access upon which members of the public are to be found who have not obtained access either by overcoming a physical obstruction or in defiance of a prohibition express or implied.'*

In *Cox v White* Lord Clyde said

'It is plain, from the terms of the definition, that the class of road intended is wider than the class of public roads to which the public has access in virtue of a positive right belonging to the public, and flowing either from statute or from prescriptive user.'

The question was whether in fact the public went there and whether there was any attempt made to stop them.

He found that the area in question was either a part of the highway or a length of road to which the public had access (or both) and therefore was part of an urban road.

Appeals refused.

List of London Parking Adjudicators

Robin Allen
Michel Aslangul
Teresa Brennan
Michael Burke
Hugh Cooper
Richard Crabb

Neeti Dhanani
Susan Elson
Anthony Engel
Christine Glenn
Michael Greenslade
Usha Gupta
Caroline Hamilton
Monica Hillen
Keith Hotton
Edward Houghton
Tanweer Ikram
Verity Jones
Anju Kaler
Andrew Keenan
Paul Mallender
Alastair McFarlane
Barbara Mensah
Ronald Norman
Joanne Oxlade
Belinda Pearce
Neena Rach
Christopher Rayner
Everton Robertson
Kathleen Scott
Jennifer Shepherd
Caroline Sheppard
Sean Stanton-Dunne
Gerald Styles
Carl Teper
Timothy Thorne
Susan Turquet
Andrew Wallis
Austin Wilkinson
Diana Witts
Martin Wood (Chief Adjudicator)
Paul Wright

Martin Wood
Chief Adjudicator
October 2002

Association of
London Government

ALG Transport & Environment Committee
59½ Southwark Street
London
SE1 0AL

Tel 020 7934 9999
Fax 020 7934 9991
Email info@alg.gov.uk
www.alg.gov.uk