

Practice Direction No. 1 of 2025

Subject: An Authority's obligation upon receipt of a Notice of Appeal

Commencement date: 22 May 2025

Background

The Civil Enforcement of Road Traffic Contraventions (Representations and Appeals) (England) Regulations 2022

Paragraph 3 (3), Schedule 1 to the 2022 Regulations provides:

“Where an enforcement authority receives a copy of a notice of appeal sent to it under sub-paragraph (2), the authority must, within seven days of the day on which it receives that copy, deliver to the proper officer of a copy of each of the following:

- (a) the original representations,
- (b) the relevant penalty charge notice (if any), and
- (c) the notice of rejection.”

Paragraph 15 (1) (a)(1) of Schedule 1 to the 2022 Regulations provides:

“An adjudicator may extend the time appointed by or under this Schedule for the doing of any act even where the time appointed has expired.”

The Road Traffic (Parking Adjudicators) (London) Regulations 1993

Regulation 4 (2) of the 1993 Regulations provides:

“Upon receipt of a copy of a notice of appeal sent under this regulation, the local authority shall within 7 days deliver to the proper officer a copy of—:

- (a) the original representations;
- (b) a copy of the relevant charge notice (if any); and
- (c) a copy of the notice served under section 71(6) of, or (as the case may be) paragraph 2(7) of Schedule 6 to, the Act.

Regulation 14 (1)(a) of the 1993 Regulations provides;

“The adjudicator may, if he thinks fit extend the time appointed by or under these Regulations for doing any act notwithstanding that the time appointed may have expired.”

Direction:

1. I am satisfied that it is reasonable and proper to give direction pursuant to the Regulations above to extend the time appointed under the respective Regulations to provide the original representations, the relevant penalty charge notice (if any), and the notice of rejection.
2. This direction extends the time allowed to Authorities to serve the documents to the same time as the evidence pack is served on the Proper officer and the Appellant.
3. This direction does not disapply the requirements to serve the relevant documents on the Proper Officer and the Appellant.
4. This direction is a standing direction which extends the time allowed to the point when the evidence is pack is served. Service after this time may be in breach of the Regulations unless an application is made to the adjudicator to extend the period further.

Anthony Chan

Chief Adjudicator Environment and Traffic