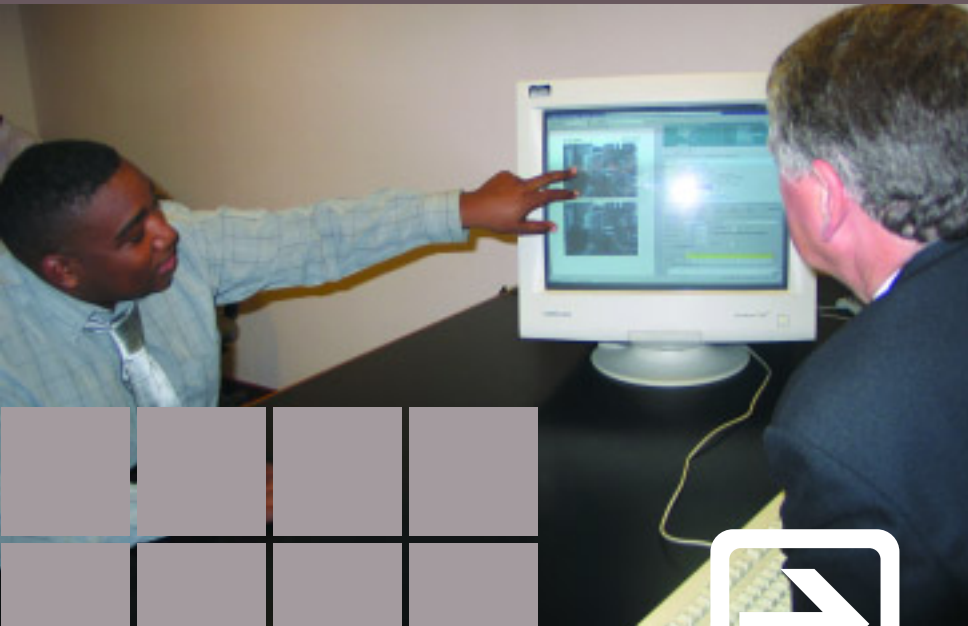


# parking and traffic appeals service 2003/04



transport and environment

... the parking and traffic appeals service has become one of Britain's busiest tribunals



## Parking and traffic appeals service

ALG TEC, as a committee of London local authorities enforcing decriminalised parking and traffic restrictions, has a statutory duty to provide an administrative and hearing centre service for the Parking Adjudicators. The Adjudicators form an independent tribunal to determine appeals from motorists against penalty charge notices issued by the authorities for parking or bus lane offences. With more than 47,000 appeals a year, it has become one of Britain's busiest tribunals.

The Road Traffic Act 1991 established the decriminalised system for parking enforcement in London, with councils taking over from the courts in dealing with all but the most serious parking offences. A motorist who wants to challenge a penalty notice must first make representations to the borough that issued it. If they are rejected the motorist then has the right to appeal to the independent adjudicator. The London Local Authorities Act 1996 established a similar system enabling local authorities to enforce bus lane regulations. 15 London local authorities and Transport for London enforced the restrictions during this reporting year and the number is growing steadily.

PATAS now also runs an adjudication service, on behalf of the Greater London Authority, for drivers appealing against congestion charge penalties issued in central London. The Authority found that PATAS was able to provide the statutorily

required adjudication service efficiently, cost effectively and with due regard for customer service given its significant experience and established infrastructure.

Parking and Road User Charging Adjudicators each have separate jurisdictions, and whilst PATAS endeavours to provide a seamless service to all tribunal users, due regard is paid to their separate entities, sitting and case management requirements.

The PATAS hearing centre is at New Zealand House, near Trafalgar Square in central London. The hearing centre has disabled access, and hearing appointments are arranged, according to appellant preferences between 8:00am and 7:30pm during the week and between 9:00am and 1:00pm on Saturdays. Around 20-25 per cent of appellants choose to come to a personal hearing before the Adjudicator. Adjudicators determine the remaining cases on the basis of the documentary evidence submitted by the appellant and the authority.

# Report for the year 1 April 2003 - 31 March 2004

## Case volumes

**47,438 appeals to the Parking Adjudicators were received, and 46,805 cases were closed.**

**41,056 congestion charging appeals were received, and 24,739 were closed.**

This meant that the total number of appeals dealt with by PATAS increased from around 44,000 in 2002/03 to 88,494 in 2003/04. It follows that the major theme of the year was managing the vastly increased workload effectively and efficiently. The substantial growth in cases caused particular issues because the volume of congestion charging appeals alone was almost six times greater than that estimated by TfL when the establishment of the service was being planned and resources allocated. Service levels agreed with GLA for providing a congestion charging appeals service slipped somewhat as it became clear that the estimated case volumes were clearly wrong, and not a short term result of unfamiliarity with new traffic restrictions. However, outstanding levels of commitment from ALG TEC staff and contractors (Vivista) together with an early recognition by GLA of the issues to be addressed meant that service targets as they related to ALG TEC were being met by the end of the reporting year.

The growth in appeals to the Parking Adjudicators reflects the growth in the number of penalty charge notices issued as Controlled Parking Zones are extended or amended to reflect patterns of road use, and as more authorities undertake bus lane enforcement. Although the total number of appeals lodged has increased dramatically over the 10 years of decriminalised enforcement, (from 20,166 in 1995 to 47,438 in 2003/04), the percentage of Penalty Charge Notices issued which result in an appeal to the independent Adjudicator has remained fairly constant at around 1 per cent. This relatively low level must be seen in the context of a broad percentage of around 45 per cent of the total PCNs issued which are paid at the discount rate, and the fact that local authorities themselves cancel an average of around 20 per cent of PCNS of their own volition before the motorist has the chance to lodge an appeal to the independent Adjudicator. An authority may cancel a charge at an early stage because the motorist makes out an exemption to the contravention that might not have been noticed by the Parking Attendant on street (e.g. loading/unloading). In addition, authorities have the discretion to cancel a charge at any stage because of mitigating circumstances.

## Congestion charging appeals

As described above, the major impact on PATAS of providing a new service for a new tribunal was one of volume. It was important to ensure that the level of service provided to the Parking Adjudicators and the parties to their appeals was not diminished by the unexpected upsurge in congestion charging appeals. The flexibility of both sets of Adjudicators, contractors and staff all contributed to achieving this.

The similarities between the two types of appeal meant that the experience gained in handling parking appeals was of great value in dealing with the new appeals and the issues experienced by the parties. The fresh experience of dealing with congestion charging appeals also gave perspective on ways to enhance the service provided to all our customers, and new ways of providing information to them.

## Customer survey

Early in 2003, ALG TEC commissioned TNS, an established independent market research company, to carry out a survey to look at levels of customer satisfaction with the service provided by PATAS, and examine perceptions of the Adjudicators' role and status. It was also intended that the survey would identify areas in which the service could be improved from a customer perspective. The commission of the survey slightly pre-dated the establishment of the service for appeals against congestion charging penalties, so did not include the views of parties to those appeals.

Extensive work was undertaken by TNS to develop separate questionnaires for appellant and local authority customers to illustrate their perceptions. The survey was carried out by way of telephone interviews with a sample of 300 appellants and 25 parking managers, which took place during March and April 2003. TNS submitted their final report in July 2003, and it was presented to the ALG Transport & Environment Committee in September 2003.

TNS found that there were high levels of satisfaction with the service from appellants, especially given that dissatisfaction with the authority's rejection of their representations will have prompted the appeal. The annual report of the Parking Adjudicators comments in detail on the survey findings as they

related to the parties perception of the Adjudicators. However, it is worth noting here that satisfaction with the support services provided by PATAS was reasonably high - as can be seen from the questions relating to contact with appeals service staff via correspondence, telephone or at the hearing centre. When asked about preferences for future service developments, the most frequent suggestion from appellants was for more local hearing centres. A report on the long term accommodation strategy for ALG TEC which is shortly to be commissioned, will examine the possibility of providing for more local hearings across London.

The local authorities' level of satisfaction with the service was reasonable. Again, the Adjudicators' report comments in detail on the perceptions as they related to the work of the Adjudicators. Authorities made specific comments about service developments they would like to see which would improve their experience as a party to an appeal. They saw the most important of these as the ability to submit evidence electronically. Work is in progress on the development and analysis of this development. It is hoped to begin implementing it in the next reporting year.

Authorities also expressed a wish to receive more information and feedback from the service. As a result of this finding, a communications strategy was launched in the Autumn of 2003. A point in the strategy is to hold quarterly seminars for local authority

appeals staff to give information on the Adjudicator's role, to explain and clarify Adjudicators' and appeals service practice and procedures and to give training on specific issues relating to appeals. During this reporting year, seminars were held on the results of the survey, the Adjudicator's role, and on the procedures for dealing with statutory declarations. The first seminars planned for the forthcoming reporting year will deal with ancillary applications to the tribunal and the particular issues coming out of appeals against CCTV enforcement. In addition to this, PATAS case managers took part in the regular visits to authority traffic and parking departments undertaken by ALG TEC Operations Unit. These visits give the service the opportunity to provide any authority specific feedback from Adjudicators and to answer any particular questions from authority staff about procedures, although staff cannot discuss particular cases.

Feedback from authority staff has shown that these initiatives have been welcomed as informative and useful: they will therefore continue in the longer term.

In addition to the provision of information aimed particularly at local authority staff, efforts have also been made to enhance the information provided more generally about the service. An example of this is the new leaflet which was produced to accompany every Adjudicator decision: this leaflet explains clearly and in some detail the limited grounds on which an

Adjudicator's decision can be reviewed, or that out of pocket expenses can be awarded. A direct result of introducing this leaflet was that the total amount of correspondence received from appellants following the Adjudicator's determination of their appeal increased slightly. However, because the leaflet had clearly explained to appellants the terms of reference and the Adjudicator's powers, the correspondence became much more straightforward to handle and we are confident that it has enabled a better understanding among appellants of the status of the Adjudicator's decision and the judicial nature of the appeals process.

The service is planning to revise all standard letters and information leaflets used in the appeals processes in the forthcoming financial year in a bid to update all available information about the service and to make it as clear and user friendly as possible.

As part of the ongoing maintenance of the PATAS website **[parkingandtrafficappeals.gov.uk](http://parkingandtrafficappeals.gov.uk)** key Adjudicator decisions are added to the portfolio regularly, as are quarterly newsletters, which are also made available in the hearing centre.

## Adjudicators Annual Report

The Parking Adjudicators have made just one recommendation in their annual report to the Transport & Environment Committee for this year: "That all Local Authorities should have in place arrangements for addressing feedback received from the Adjudicators and taking such action on it as may be appropriate." The Committee endorses this recommendation and notes that it accords with authorities' wish, as expressed in the Customer Survey, for regular feedback from the Adjudicators, and with the PATAS initiative, described above of establishing a regular programme of newsletters, seminars and borough visits.

We note that the Road User Charging Adjudicators' first annual report makes a number of recommendations to Transport for London. PATAS will continue to assist the Road User Charging Adjudicators in supplying feedback to the authority and explaining procedures with a view to improving the experience of service users.

The Parking and Road User Charging Adjudicators have dealt with an unprecedented number of cases this year. The greatly increased size of the PATAS operation has presented fresh challenges to enhance and develop the service whilst maintaining core values of timely, efficient and cost effective

administration combined with a high level of customer service. Following a year of dramatic, and to some extent, unexpected growth in 2003/04, we look forward to a period of steadier growth from a firm base in the coming year. In the financial year 2004/05, the Parking Adjudicators will be taking on the consideration of appeals against moving traffic and lorry ban contraventions recently decriminalized under the London Local Authorities Act 2003 and red route parking restrictions enforced by Transport for London. We look forward to the opportunities these new initiatives will bring to develop the service in an innovative, efficient and user friendly way.



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