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Regulation 11 and Paragraph 12 may be found on our website but the effect of both of them is similar and is summarised below.

A review may only be granted in the following limited cases:

1. The decision was wrongly made as the result of an administrative error.
2. You failed to appear or be represented at a hearing for some good reason.
3. There is new evidence and the existence of this could not have been reasonably known or foreseen before the decision.
4. The interests of justice require a review.

You should note that an Adjudicator's findings of fact are normally regarded as final and will only be overturned if they are plainly incompatible with the evidence that was before the Adjudicator. The mere fact that you disagree with these findings is not a ground for review.

A review is **not** simply an opportunity for you to appeal again. You cannot ask for a review just because you disagree with the Adjudicator's decision. **A review can only be granted if an Adjudicator is satisfied that one or more of the cases above applies.**

If you wish to apply for review, **write to the Head of the Parking and Traffic Appeals Service at the address on the front of this leaflet within 14 days**

of the decision being served on you or handed to you at the hearing centre. You must:

- set out in full your grounds for asking for a review;
- say which of the cases 1 to 4 above you claim applies and why;

- If you are writing outside of the 14 days, explain why - the Adjudicator will not accept an application out of time unless there is a good reason for the delay.
- Request a personal hearing of your application if you want one - if you do not, the application will be decided on the papers only.

Unless you attend a personal hearing, the decision will be posted to you.

B. Judicial Review

If an Adjudicator interprets the law incorrectly the decision can be reviewed in the High Court by a procedure called Judicial Review. If you wish to contest a decision using this procedure, it would be wise to get legal advice first. You must file the claim in the Court promptly and normally not later than 3 months after the date of the decision.

Parking and Traffic Appeals Service

An independent tribunal for parking and traffic penalties in London

The Parking Adjudicator has decided your Appeal

What Happens Next?

**PO Box 279, Chertsey, Surrey KT16 6BU
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DX 155080 Chertsey 7
Minicom 020 7520 7205
www.parkingandtrafficappeals.gov.uk**

Parking and Traffic Appeals Service is provided by London Councils Transport and Environment Committee

Calls to the Parking and Traffic Appeals Service may be recorded

IF YOUR APPEAL WAS ALLOWED

What do I need to do now?

Usually you need do nothing. However, if exceptionally you still have a penalty to pay, you should pay it as indicated in the decision. If the Adjudicator has directed the Enforcement Authority to refund you any money, they must do so at once. If you do not receive the money within 28 days, you should contact the Enforcement Authority direct to enquire about the delay.

I have run up costs in appealing. Can I get them back?

You may apply for costs under Regulation 12 of the Road Traffic (Parking Adjudicators) (London) Regulations 1993 (if the alleged contravention was before 31 March 2008) or Paragraph 13 of the Schedule to the Civil Enforcement of Parking Contraventions (England) Representations and Appeals Regulations 2007 (if the alleged contravention was after 30 March 2008).

Regulation 12 and Paragraph 13 may be found on our website but the effect of both of them is similar.

They provide that **an Adjudicator shall not normally make an order for costs and expenses against either party.**

An Adjudicator may make an award against a party only if satisfied that it has acted frivolously, vexatiously or wholly unreasonably.

If you want to make an application, you must apply in writing to the Head of the Parking and Traffic Appeals Service at the address on the front of this leaflet. You should apply promptly after your appeal has been decided.

In your letter you must:

- explain why you think the Enforcement Authority has acted frivolously, vexatiously or wholly unreasonably. **It is up to you to satisfy the Adjudicator that it has done so.** You should send any evidence, such as correspondence, that you think supports your claim.

- set out itemised details of the costs and expenses you are claiming. The Adjudicator can only make an order for costs and expenses incurred in connection with the appeal proceedings. An award cannot include, for example, compensation for distress or inconvenience.
- request a personal hearing of your application if you want one; if you do not, the application will be decided on the papers only.

If the Adjudicator thinks that there may be grounds for an award, he/she must first ask the Enforcement Authority for its comments on the application.

Unless you attend a personal hearing, the decision will be posted to you.

IF YOUR APPEAL WAS REFUSED

What do I do now?

The decision letter will state any sum which is payable by you to the Enforcement Authority. You should pay that sum promptly, no later than the time for payment given in the decision letter. The Enforcement Authority will not normally send a reminder. If you do not pay, the Enforcement Authority may take further enforcement action that will increase the penalty.

Can I still pay the reduced penalty instead of the full penalty?

You must pay the amount specified in the decision letter.

Can I pay by instalments?

This is not up to the Adjudicator. If you wish to pay by instalments, contact the Enforcement Authority at once. It is up to them whether to accept payment by instalments. They do not have to.

What if I think the Adjudicator's decision is wrong?

If you think there is a clerical mistake in the decision letter or an error arising from an accidental slip or omission, the Regulations provide for a correction to be made.

If you want to contest the decision itself, there is no right of appeal from an Adjudicator's decision but the decision may be contested by the following procedures.

A. Review

You may apply for a review under Regulation 11 of the Road Traffic (Parking Adjudicators) (London) Regulations 1993 (if the contravention was before 31 March 2008) or under Paragraph 12 of the Schedule to the Civil Enforcement of Parking Contraventions (England) Representations and Appeals Regulations 2007 (if the contravention was after 30 March 2008).