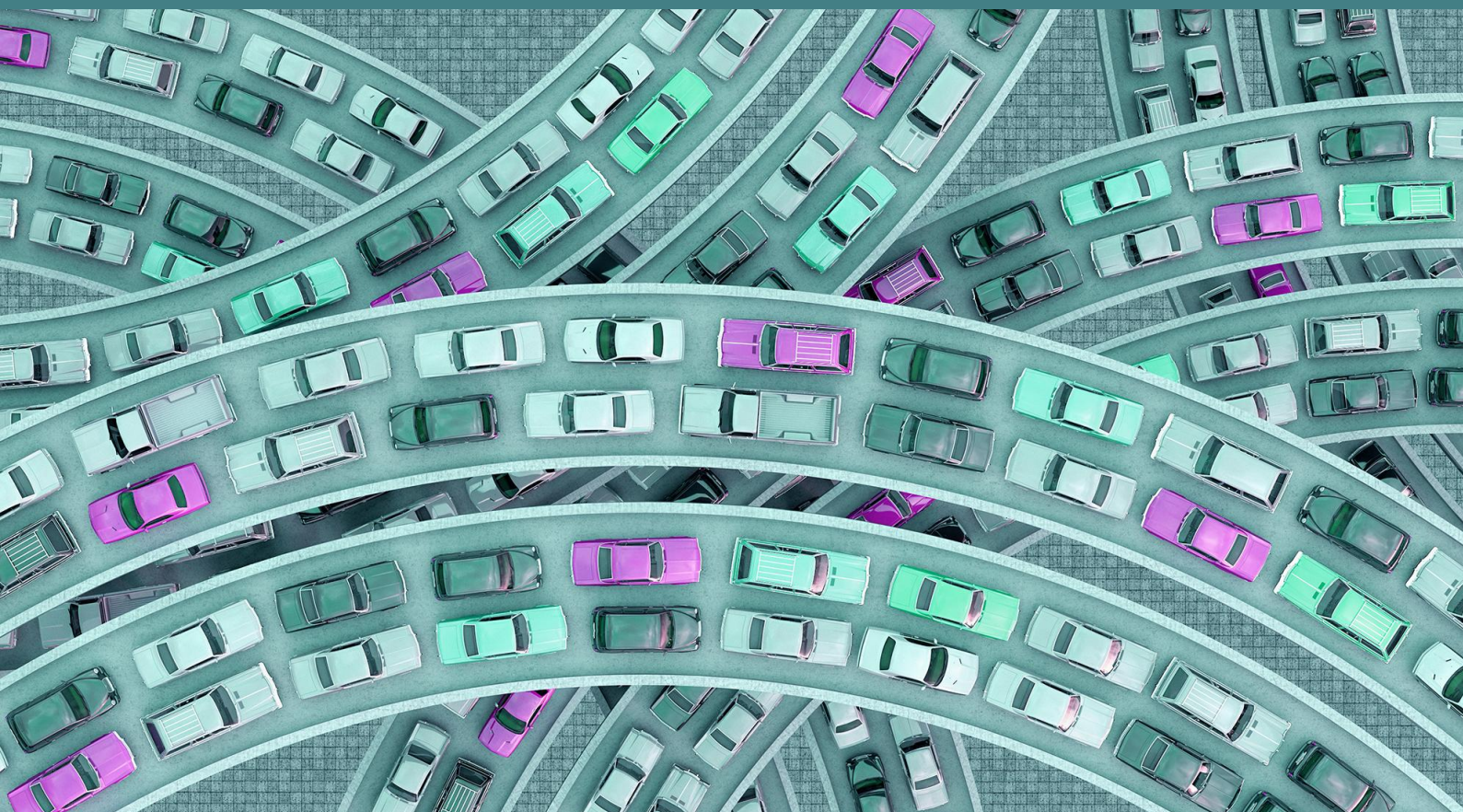




**Traffic Penalty
Tribunal**
England and Wales

Annual Report

2024–25



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Background

The Traffic Penalty Tribunal (TPT) decides motorists' appeals against penalty charge notices (PCNs), issued by local authorities and charging authorities in England (outside London) and Wales, for traffic contraventions.

This includes appeals against PCNs issued by over 300 local authorities in England and Wales for **parking, bus lane** and **moving traffic** contraventions, as well as for **Clean Air Zones** and **littering from vehicles** (England only).

The TPT also decides appeals against penalties from other road user charging schemes in England, including the Dartford-Thurrock River Crossing ('**Dart Charge**') and the Mersey Gateway and Silver Jubilee Bridge Crossings ('**Merseyflow**').

Appeals to the TPT are decided by 24 part-time Adjudicators, together with the Chief Adjudicator, Caroline Hamilton. All the adjudicators are wholly independent lawyers, whose appointments are subject to the Lord Chancellor's consent. They are supported by a team of administrative staff.

The independent TPT is funded by a Joint Committee of the 300+ authorities that enforce the traffic restrictions: **Parking and Traffic Regulations Outside London (PATROL)**. These authorities are fulfilling a statutory duty to make provision for independent adjudication against the civil enforcement penalties they issue.

- The TPT decides appeals against ~25,000 PCNs each year.
- Most appeals are completed fully online, with attendance hearings (via telephone or video) also available.
- Appellants unable to get online receive Assisted Digital support by phone, Live Chat or post for appeals to be completed 'by proxy'.
- 40% of cases are completed within 14 days, with >75% within 28 days.



Chief Adjudicator's Foreword

Caroline Hamilton

I am pleased to present the adjudicators' annual report to the statutory PATROL Joint Committee. The report not only delivers a transparent insight into the work of the Tribunal, but it also provides all stakeholders with a broader understanding of the law and its application in the determination of fixed penalty appeals under the civil statutory schemes within our jurisdiction.

In the reporting year, the independent adjudicators have continued to deliver efficient and proportionate justice, with cases addressed without delay, supported by our automated case management system, 'FOAM' (Fast Online Appeals Management), providing our users with ready and easy access to the Tribunal. This paperless system allows appellants to lodge appeals, providing the parties with an efficient means of making representations, uploading evidence, as well as viewing and commenting on evidence submitted by the opposing party.

Such an automated appeals portal supports the core principles of the Tribunal, facilitating access to justice, transparent evidence sharing and the delivery of prompt outcomes.

The Tribunal remains committed to supporting those unable to access the online system by providing the necessary administrative assistance. Anticipating such needs ensures that the Tribunal and access to justice remains available to all (see Page 9 of the report).

This reporting year saw a small increase in appeals. The adjudicators have successfully managed the higher volume without delay or a backlog of cases. The case volumes and outcomes can be seen from Page 6.

The Tribunal-curated key cases website, **Traff-iCase** (<https://www.keycases.info/>) is now firmly established, with links available to users via the Tribunal's website and the FOAM online appeals system. The ultimate aim of this key cases website is to collate appeal determinations that clarify the law and illustrate obligations, leading to reductions in both the number of unwitting contraventions and appeals without merit. The key case reports featured on the *Traff-iCase* site provide our users with access to clear and straightforward information, allowing for a fuller understanding of their rights and responsibilities.

Councils are encouraged to include the URL to the *Traff-iCase* website in their correspondence to motorists. This would allow motorists who are unwilling to accept the council's application or assessment of the law as detailed in a formal Notice of Rejection of Representations document to research and consider the law independently for themselves.

Training

The adjudicators annual training conference took place in Birmingham on 26 November 2024. The adjudicators all work remotely using the FOAM case management system. The training meeting allows the adjudicators (who determine appeals independently) to meet, share their knowledge and discuss best practice, as well as any challenging or unusual issues that may have arisen during the reporting year. Further details of this training meeting can be found at Page 21 of this report.

Having maintained our obligation to deliver timely, user-friendly access to justice during the course of the reporting year, the adjudicators are pleased to present this 2024-2025 report to the Joint Committee.

Caroline Hamilton
April 2025



1. Workload

1.1 New schemes

The jurisdiction of the adjudicators at the Traffic Penalty Tribunal continued to increase in the reporting year, with more local authorities commencing enforcement for moving traffic, bus lane and littering from vehicles contraventions.

Clean Air Zones

The adjudicators determine appeals from zones in Bath, Birmingham, Bradford, Bristol, Newcastle/Gateshead, Oxford (Zero Emission Zone), Portsmouth and Sheffield. There are four types of Clean Air Zones:



A: Applying to buses, coaches, taxis and private hire vehicles (PHVs).

B: Applying to buses, coaches, taxis, PHVs and heavy goods vehicles (HGVs).

C: Applying to buses, coaches, taxis, PHVs, HGVs, vans and minibuses.

D: Applying to buses, coaches, taxis, PHVs, HGVs, vans and minibuses, as well as private cars (also an option to include motorcycles).

All current zones fall under types B–D. The schemes are self-declaratory, the responsibility resting with the motorist to check their vehicle's status to establish whether a charge is due. A vehicle's status can be checked and further information found at: <https://www.gov.uk/clean-air-zones>.

Moving traffic and bus lanes



Moving traffic enforcement has extended in the reporting year with the following authority areas currently exercising civil enforcement powers: Bristol, Buckinghamshire, Cambridgeshire, Central Bedfordshire, Cheshire West and Chester, Coventry, Derby, Durham, Gloucestershire, Hampshire, Hertfordshire, Kent, Leeds, Leicester, Liverpool, Luton, Manchester, Medway, Norfolk, North Northamptonshire, Nottingham, Nottinghamshire, Oldham, Oxfordshire, Peterborough, Reading, Rotherham, Royal Borough of Windsor and Maidenhead, Shropshire, South Gloucestershire, Southampton, Stoke-on-Trent, Surrey, Thurrock, Trafford, Walsall, West Berkshire, West Northamptonshire, Wigan and Wokingham,

A further 26 councils have been awarded moving traffic enforcement powers and will progress to live enforcement in the coming months.

Additionally, bus lane contraventions are now enforced under the civil scheme by the following authority areas this year: Adur & Worthing, Blackpool, Bolton, Hampshire, Norfolk, North Somerset, South Cambridgeshire and Watford.

Road User Charging

The Tribunal determines appeals arising from penalty charge notices (PCNs) issued to vehicles having failed to pay for use of a number of road user charging schemes.

Dart Charge



Appeals relating to PCNs issued to vehicles having failed to pay the crossing charges that apply at the Queen Elizabeth II Bridge and through the Dartford Tunnels, which cross the River Thames between Dartford, Kent, and Thurrock, Essex. The charging authority and respondent to an appeal is the Secretary of State for Transport.

Merseyflow



Appeals relating to PCNs issued to vehicles having failed to pay the crossing charges that apply for travel across both the Mersey Gateway and Silver Jubilee Bridges, which cross the River Mersey between Runcorn and Widnes, Cheshire. The charging authority is Halton Borough Council.

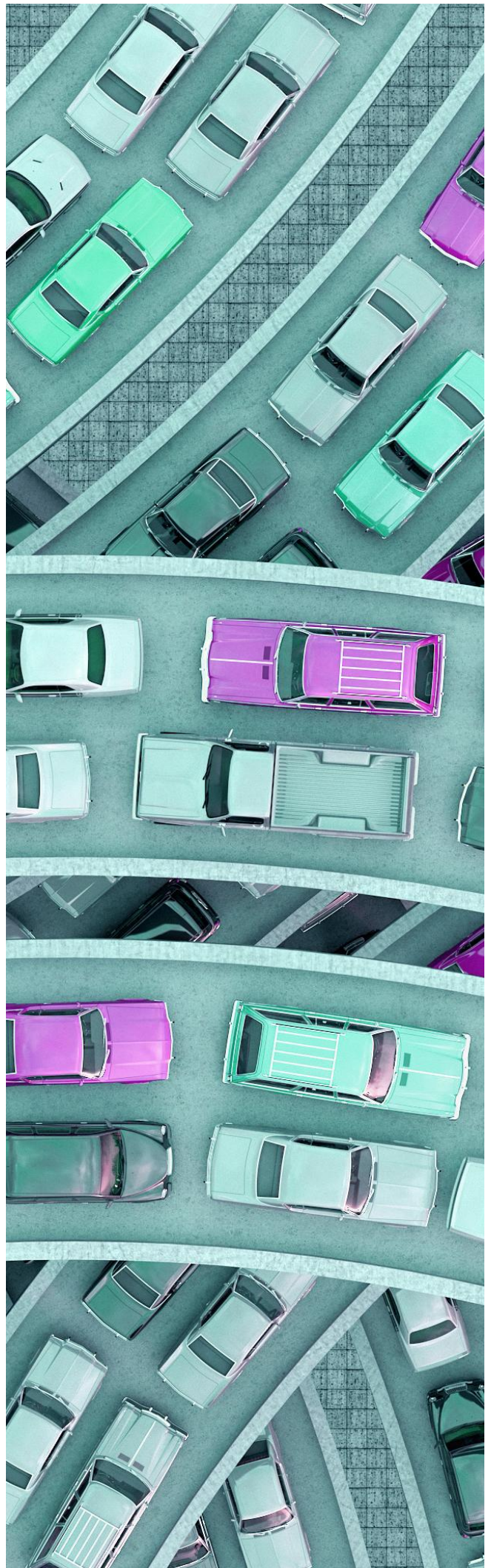
Durham Road User Charge Zone

Appeals relating to non-payment for entry into the Durham City Centre Peninsula. The charging authority is Durham County Council.

Littering from vehicles



The Tribunal also determines appeals relating to penalty notices issued under the civil littering from vehicles regulations, currently enforced in: Blackburn with Darwen, Bradford, Canterbury, Charnwood, Cumberland, Dover, Dorset, Hartlepool, Leicester, Manchester, Mid Devon, Milton Keynes, Mole Valley, Newcastle, North West Leicester, South Gloucestershire, Stroud, Sunderland, Teignbridge, Telford & Wrekin, Wigan and Wychavon,



1.2 Appeal volumes and outcomes

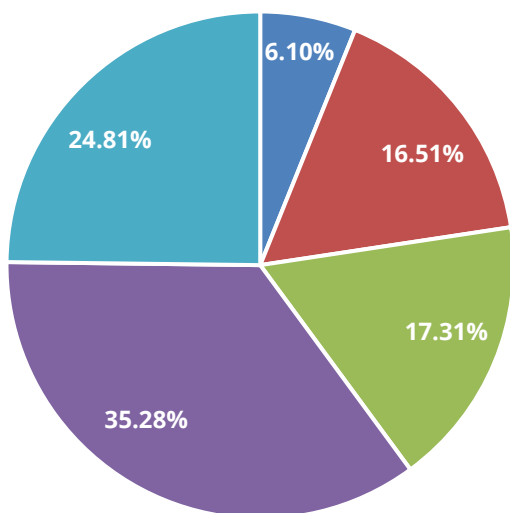
This reporting year has seen a small increase in the number of appeals received, with more council authorities adopting available powers to enforce moving traffic contraventions using government-approved traffic enforcement cameras.

In contrast, as expected, the number of Clean Air Zone appeals has decreased, reflecting motorists' growing knowledge and understanding of these zones, including familiarity with the 'green cloud' symbol, now included in the Department for Transport's *Know your traffic signs* publication <https://www.gov.uk/government/publications/know-your-traffic-signs>.

Total appeals, 2024-25 (previous year shown in brackets)

- Appeals registered by adjudicator: 22,295 (22,176)
 - Statutory Declarations / Witness Statements: 2,668 (2,226) – concerning 3,236 PCNs
 - Appeals determined: 21,780 (25,649)
 - Appeals allowed: 7,789 (10,428), of which 5,465 (7,545) were not contested
 - Appeals refused: 8,570 (7,519), of which 245 (197) were withdrawn
- TOTAL: 24,963 (24,402)**

Chart: Case closure at the Tribunal 2024-25
(% of cases against number of days open)



- 0-1 Day
- 2-7 Days
- 8-14 Days
- 15-28 Days
- 29+ Days

A note on the data

The statistics provided detail the number of appeals received and registered at the Tribunal. Some appeals will have been registered, but not yet determined when this report was prepared. Some determined appeals also contain more than one PCN, creating a perceived discrepancy in our figures.

The Tribunal does not have a backlog of cases as evidenced by the chart left. Appeals may be re-scheduled or adjourned to allow a party to obtain further evidence (such as DVLA correspondence), but it is generally not proportionate to delay the outcome of an appeal for a considerable period.

Appeals process

Appeals can only be registered at the Tribunal when the requirements of Part 2 of Schedule 1 to *The Civil Enforcement of Road Traffic Contraventions (Representations and Appeals) (England) Regulations 2022* (the '2022 Appeals Regulations') or Part 2 of *The Road User Charging Schemes (Penalty Charges, Adjudication and Enforcement) (England) Regulations 2013* (the '2013 RUC Regulations') – applying to littering from vehicles, as well as road user charging – and in Wales, *The Civil Enforcement of Road Traffic Contraventions (Representations and Appeals) (Wales) Regulations 2013* (the '2013 Welsh Regulations') are met.

Appeals made at the wrong time, from the wrong person or without adequate information may be rejected. The adjudicators exercise a judicial function, determining appeals by assessing the evidence, making findings of fact and applying the law. The jurisdiction of the adjudicators is limited to the statutory grounds of appeal and the adjudicators do not have the power to take mitigating circumstances into account. This has been confirmed by the Court of Appeal (see: <https://www.keycases.info/issues/mitigating-circumstances/page/3/>).

The fixed penalty scheme does not take degrees of culpability into account. This means that a motorist who had no intention of driving or parking in contravention will remain liable to the council authority for a civil penalty.

In 2024-25, **1,339** (1,247 previous year) **appeals were received at the Tribunal that due to a deficiency were not registered** by the Proper Officer or independent adjudicator. If an appeal is rejected, the prospective appellant is provided with reasons, allowing them to correct any failures or provide further information allowing the registration of the appeal to be re-assessed.

The registration of an appeal is an ongoing period of review for the respondent authorities. Some appeals are submitted with supporting evidence that was not provided to the authority at the representation stage (e.g. evidence of sale or hire, medical evidence or bank statements).

This evidence will be considered by the authority and, if satisfactory, an appeal will not be contested by that authority and the penalty cancelled. Having considered the grounds of appeal, the respondent authority may also exercise a discretion in the motorist's favour by offering to accept a reduced penalty amount for a further period or indicating that it is willing to accept a late road user charge.

Appellants are also able to withdraw a registered appeal before its determination. This can arise when evidence submitted by the council is viewed further or more closely (in particular, CCTV recordings that the motorist may not have accessed on the council's website, and CCTV evidence showing the location, signs and markings in place). Once withdrawn, the appellant has 14 days to settle the penalty amount.

Consent Orders can also be achieved via the appeals portal. Adjudicators may seek clarification on an issue or provide a party with details of established case law that may result in a better understanding and a compromise of proceedings before the appeal is determined by the adjudicator. **1,670** (1,830 previous year) **Consent Orders** were issued in the reporting year.

Referrals from the County Court

Orders issued by the Traffic Enforcement Centre are referred to the adjudicator under Regulation 23 of *The Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022* (the '2022 Enforcement Regulations') or Regulation 19 of the 2013 RUC Regulations and the 2013 Welsh Regulations.

The Order of the County Court does not cancel the penalty charge notice or a motorist's liability to a charging authority for a road user charge. On receipt of the referral, the adjudicator will determine whether a statutory right of appeal has been established or whether a direction, including a payment direction should be issued. **1,624** (1,492 previous year) **payment directions** were made further to the referral of an Order issued by the Traffic Enforcement Centre in the reporting year.

The individual appeal types (parking, bus lane, moving traffic, Clean Air Zones, road user charging and littering from vehicles) had the following numbers and outcomes (previous year shown in brackets).

Parking



Appeals received: 8,300 (7,655). Decided: 7,482

Appeals allowed:	3,363 (3,429), inc. 1,892 (1,863) not contested
Appeals refused:	4,119 (3,440), inc. 65 (45) withdrawn

Bus Lane



Appeals received: 3,380 (3,704). Decided: 4,100

Appeals allowed:	2,555 (1,592), inc. 963 (1,071) not contested
Appeals refused:	1,545 (1,596), inc. 36 (57) withdrawn

Moving Traffic



Appeals received: 763 (129). Decided: 662

Appeals allowed:	247 (54), inc. 161 (41) not contested
Appeals refused:	415 (67), inc. 8 (3) withdrawn

Clean Air Zone



Appeals received: 4,947 (7,806). Decided: 3,986

Appeals allowed:	1,681 (3,865), inc. 1,337 (3,159) not contested
Appeals refused:	2,305 (2,244), inc. 65 (66) withdrawn

Dart Charge



Appeals received: 3,879 (3,361). Decided: 922

Appeals allowed:	788 (1,063), inc. 754 (1,025) not contested
Appeals refused:	134 (66), inc. 61 (28) withdrawn

Merseyflow



Appeals received: 474 (738). Decided: 390

Appeals allowed:	363 (408), inc. 353 (380) not contested
Appeals refused:	27 (95), inc. 9 (4) withdrawn

Durham RUC* Zone



Appeals received: 10 (5). Decided: 10

Appeals allowed:	2 (2), inc. 1 (2) not contested
Appeals refused:	8 (2), inc. 0 (0) withdrawn

Littering from Vehicles



Appeals received: 27 (25). Decided: 25

Appeals allowed:	8 (15), inc. 4 (4) not contested
Appeals refused:	17 (9), inc. 1 (0) withdrawn

* RUC: Road User Charge

1.3 Method of decisions

The automated case management system

The Tribunal's ability to provide a reliable, accessible online portal ('Fast Online Appeals Management [FOAM]') and remote hearings continues to deliver efficient, effective access to justice to our users. This allows for a timely, proportionate resolution of the civil penalty appeals currently under the jurisdiction of the adjudicators.

The user-friendly digital platform has been embraced by Tribunal users, but the adjudicators recognise some motorists are unable to use an online system, therefore appeals may be lodged by post or email. This remains an option and 4.63% (4.15%) of appeals were lodged in this way. On receipt of appeal correspondence, the Tribunal's administrative team creates an appeal on the case management system, allowing the council authorities to access the appeal via the portal in the usual way, but with all communications sent by post or email to the appellant.

Types of hearing

Once the appeal is registered and the council has confirmed that the appeal will be contested, the parties are provided with an opportunity to select a preferred hearing type. Postal decisions ('e-Decisions') are determined on the evidence submitted by the parties without the need to give oral evidence or attend a hearing. The adjudicator, having considered the evidence submitted by the parties, provides full written reasons for the decision reached.

Postal / e-Decisions:

12,681 in reporting year (11,286 in 2023–24). Parties to the appeal may prefer to present evidence orally. This can be efficiently and justly achieved by attendance at a hearing by telephone or via a video platform. The adjudicator is responsible for managing the hearings and, under the 2022 Appeal Regulations, the 2013 Welsh Regulations and the 2013 RUC Regulations, the adjudicator must conduct proceedings '*...in the manner most suitable to the clarification of the issues and generally to the just handing of the proceedings...*' The various regulations also provide the adjudicator with the power to require the attendance of '*any person including a party to the appeal.*'

Personal hearings:

3,283 in reporting year (3,321 in 2023–24); **2,146** (2,230): phone; **1,137** (1,091): video. Full written reasons for the decision reached are provided to the parties, even if the decision is given orally at the end of the hearing.

1.4 Costs

The 2022 Appeal Regulations, the 2013 Welsh Regulations and the 2013 RUC Regulations state:

- (1) An adjudicator must not normally make an order awarding costs and expenses.
- (2) But, subject to sub-paragraph (3), an adjudicator may make an order awarding costs and expenses—
 - (a) against a party (including an appellant who has withdrawn an appeal or an enforcement authority which has consented to an appeal being allowed), if the adjudicator considers that—
 - (i) the party has acted frivolously or vexatiously, or
 - (ii) the party's conduct in making, pursuing or resisting an appeal was wholly unreasonable;
 - (b) against an enforcement authority, where the adjudicator considers that the disputed decision was wholly unreasonable.
- (3) An order must not be made against a party unless that party has been given an opportunity to make representations against the making of the order.
- (4) An order must require the party against whom it is made to pay to the other party a specified sum in respect of the costs and expenses incurred by that other party in connection with the proceedings.

The recipient of the Notice of Rejection of Representations served by an authority has a statutory right of appeal to the independent adjudicator and no issuing fee applies. Costs can, however, be awarded if either party acts in a way that is considered by the adjudicator to be frivolous, vexatious or wholly unreasonable. This is a high threshold of improper conduct to reach and, under the regulations, costs are not the norm.

Costs can reflect only expenses that have actually been incurred at appeal. There is no power to make an award of compensation. The limited number of applications and subsequent Orders reflects the Tribunal's regulations and the adjudicator's limited jurisdiction.

Applications for costs (2024–25)

Previous year in brackets

	Appellant	Authority	TOTAL
Costs applications made	96 (120)	4 (1)	99 (121)
Costs awarded	2 (1)	4 (1)	6 (2)



2. Judicial Review

The statutory appeal process is expected to be final, with limited grounds for review provided to the parties under the regulations. The judicial review case: ***R (on the application of Transport for London) v London Tribunals (Environment and Traffic Adjudicators) and Commercial Plant Services [2023] EWHC 2889 (Admin)*** clarifies that the grounds for review do not include an application made referencing an error of law. These are for the High Court.

Should a party seek to contest the outcome of an appeal, the remedy at law lies in an application to the High Court for the judicial review of the decision challenged. It is the High Court that oversees the work of the adjudicators, who remain the expert tribunal. Judicial review in turn allows a decision of the tribunal to be challenged on only three grounds:

1. The decision is unlawful, that it is a decision the adjudicator was not entitled to make.
2. The decision is a decision that no reasonable tribunal would have made in the circumstances; or
3. The decision has been made in a procedurally unfair manner.

The High Court Judge will review the lawfulness of the decision and may uphold it, quash it or return a case to the adjudicator for a re-determination. Decisions of the High Court are in turn appealable on a point of law to the Court of Appeal (and beyond). Judgments of the Courts provide clarity and furnish the adjudicators (and our users) with the correct and definite interpretation of the law and regulations, allowing for consistent application and decision making. This in turn allows motorists and councils to have a clear understanding of their respective obligations, rights and responsibilities.

This reporting year saw a number of judicial review applications and outcomes.

2.1 Outcomes – permission granted

No application received permission to proceed to judicial review in this reporting year.

2.2 Applications – permission refused

The King on the application of Nsimba Dasilva v The Traffic Penalty Tribunal Adjudicator and Birmingham City Council (interested party) AC-2024-BHM00124
Nsimba Da Silva v Birmingham City Council (TPT KW05237-2312)

The appeal decision

The late appeal was not registered, no reason for the delay having been provided by Mr Da Silva.

The application for review

The reviewing adjudicator identified no ground for review or proper reason for registering the late appeal.

The application for judicial review

The Court identified no procedural unfairness, noting that not understanding the tribunal procedure is not a basis upon which it is even arguable that the defendant to the application (the adjudicator) acted procedurally unfairly by not extending time limits for appeal.

The King (on the application of Lewis and Galaxy Travel) v The Adjudicator and Sheffield City Council (AC/2024-LDS-000166)
Lewis v Sheffield City Council TPT FD00290-2403

The appeal decision

The eight linked appeals were refused by the independent adjudicator for the following reasons:

1. *Mr Lewis attended to represent Gemma Thompson and Galaxy Travel and to make submissions in his own appeal in these 8 linked cases.*
2. *Mr Quinn attended on behalf of the council authority.*
3. *In each case, the vehicle was being driven under a written agreement that the appellants contend transferred liability to the council authority for Clean Air penalty charge notices from the registered keeper to the driver of the vehicle.*
4. *I have considered each penalty charge notice and the individual agreement relied on noting as follows:*

FD00290-2403:

The vehicle was observed within the Clean Air Zone on 14th November 2023. No payment was made.

The hire agreement relied on is dated 7th November 2023. Under "hire agreement and length of contract" the agreement states "TBC from start date". The hire vehicle is not identified.

FD00289-2403

The vehicle was observed within the Clean Air Zone on 7th November 2023. No payment was made.

The hire agreement relied on is dated 2nd November 2021. Under "hire agreement and length of contract" the agreement states "TBC from start date". The hire vehicle is not identified.

FD00288-2403

The vehicle was observed within the Clean Air Zone on 7th November 2023. No payment was made.

The hire agreement relied on is dated 8th August 2023. Under "hire agreement and length of contract" the agreement states "TBC from start date". The hire vehicle is not identified.

FD00287-2403

The vehicle was observed within the Clean Air Zone on 17th November 2023. No payment was made.

The hire agreement relied on is dated 1st November 2023. The date has been altered. The original start date is 10th December 2023 (the year has not been included but the agreement was signed in 2023). The alteration made to the date has not been countersigned. Under "hire agreement and length of contract" the agreement states "TBC from start date". The hire vehicle is not identified.

FD00286-2403

The vehicle was observed within the Clean Air Zone on 11th November 2023. No payment was made.

The hire agreement relied on is dated 1st November 2023. The date has been altered. The original start date is 10th December 2023 (the year has not been included but the agreement was signed in 2023). The alteration to the date has not been countersigned. Under "hire agreement and length of contract" the agreement states "TBC from start date". The hire vehicle is not identified.

FD00285-2403

The vehicle was observed within the Clean Air Zone on 6th April 2023. No payment was made.

The hire agreement relied on is dated 20th October 2020. Under "hire agreement and length of contract" the agreement states "To be continued from start date". The hire vehicle is not identified.

FD00284-2403

The vehicle was observed within the Clean Air Zone on 4th December 2023. No payment was made.

The hire agreement relied on is dated 12th December 2022. Under "hire agreement and length of contract" the agreement states "TBC from start date". The hire vehicle is not identified.

FD00283-2403

The vehicle was observed within the Clean Air Zone on 21st July 2023. No payment was made.

The hire agreement relied on is dated 10th April 2023. Under "hire agreement and length of contract" the agreement states "Continued from start date". The hire vehicle is not identified.

- 5. Under The Road User Charging Schemes (Penalty Charges, Adjudication and Enforcement) (England) Regulations 2013, a penalty charge notice is to be paid by the registered keeper of the vehicle. If the vehicle is hired, the regulations provide that the vehicle must be hired by a vehicle hire firm and the relevant vehicle must be hired under a hire agreement with a copy of the hiring agreement provided to the charging authority.*
- 6. The hire agreement must contain the name and address of the hirer and a statement of liability. The regulations further provide (Reg 6(7) (c)) that a "hiring agreement" and "vehicle hire firm" have the same meaning as in section 66 of the Road Traffic Offenders Act 1988. This requirement was amended under The Road User Charging Schemes (Penalty Charges, Adjudication and Enforcement) (England) (Amendment) Regulations 2014, with reference to Section 13(6) of Schedule 4 to the Protection of Freedoms Act 2012. This amendment allowed those "engaged in the hiring of vehicles in the course of business" to let a vehicle to the hirer for "a period of any duration..."*
- 7. The purpose of the regulations is to allow registered keepers to transfer liability for penalties and charges to a hirer. The question in these linked cases is whether the information provided in the hire agreements relied on by each appellant complies with the regulations and is sufficient for the charging authority to issue the Notice to Owner to the hirer of the vehicle and whether on receipt of that notice, the recipient could properly argue that they were not in fact the hirer of the relevant vehicle.*
- 8. The agreements relied on do not identify the vehicle hired under the contract. This is a crucial part of any hire agreement.*
- 9. Mr Lewis explains that this is because the drivers may use any vehicle from a fleet of 25 vehicles. Mr Lewis states that the actual vehicle in use by any driver on a particular date can be identified, because the driver is required to log into a digital despatch. This login identifies the driver and the vehicle.*
- 10. I accept that Mr Lewis is able to identify which driver was using an individual vehicle. The vehicle's details do not however form part of the hire agreement and in such circumstances, without this fundamental information having been included in the signed agreement, I cannot be*

satisfied that the agreements successfully transfer liability to the council for the penalty charge notices from the appellant registered keepers, to the individuals named in the agreements provided.

- 11. This does not mean that the appellants have no recourse against their individual drivers, but it does mean that the hire agreements provided do not divest the registered keepers of their responsibility to the charging authority council for civil penalty charge notices.*
- 12. That each appellant believed that the relevant driver would be responsible to the council for payment of the charge and any subsequent penalty is acknowledged, but this is mitigation that cannot amount to a ground of appeal under the statutory fixed penalty scheme. The adjudicator has no power to take such mitigation into account.*
- 13. At the hearing Mr Quinn confirmed that the council sought the zone charges and full penalty amounts regarding each penalty charge notice and I have no power to interfere in this discretionary decision.*
- 14. Mr Lewis makes further general representations stating that on visiting the government website to make a payment drivers are often advised that no payment is due. No evidence linking this issue to these particular penalties has been provided and I am not satisfied that this occurred on any of the occasions relating to the listed penalties.*
- 15. Mr Lewis also states that on occasion, the penalty charge notice is not received. Again, no evidence relating to these individual penalties has been provided. If a postal penalty is not received, the remedy is to make a declaration to the Traffic Enforcement Centre.*
- 16. The appeals are each refused.*
- 17. The council authority remains entitled to enforce the penalties and charges against the identified appellant."*

The application for review

The reviewing adjudicator identified no ground for review.

The application for judicial review

The Court considered that the application of the facts and the regulations was reasonable and rational. The reviewing adjudicator's conclusion that there was no legal basis for review was also reasonable.

The King on the application of James MacDonald v The Adjudicator and Slough Borough Council (interested party) AC-2024-LON-001173
James MacDonald v Slough Borough Council (TPT SB00012-2402)

The appeal decision

The appeal was refused by the independent adjudicator for the following reasons:

"

- 1. The Appellant is appealing a Penalty Charge Notice issued in respect of parking on a restricted street during prescribed hours at the location.*
- 2. The Appellant has attended today via Teams as has the Council's representative.*
- 3. The Enforcement Authority relies upon the contemporaneous evidence of the Civil Enforcement Officer, a copy of the PCN and a copy of the relevant legislation.*
- 4. The Appellant contends that he was not parked at the location and that the PCN does not properly reflect the contravention alleged. He contends that in order to be parked, a vehicle must be unattended.*
- 5. I have carefully considered all the evidence in this matter.*
- 6. The photographic evidence of the CEO shows the vehicle to be stationary on double yellow lines at*

the location. The CEO notes an observation time of some ten minutes. The yellow lines are clearly visible.

7. *The prohibition on parking/waiting on double yellow lines extends from the centre of the carriageway to the boundary line. A vehicle may not park on either side of the lines. This is set out within the Order creating this restriction (Enclosure 22) at Article 2 (1) which sets out that the restriction applies to not only the "length of road" but also to the "side of road".*
8. *The Appellant contends that he needed to stop at the location in order to deal with a phone call. He has hearing difficulties and understandably could not deal with this whilst driving. He has been frank in telling me that his vehicle was stationary at the location for the best part of an hour. He saw a building site nearby and assumed that the land upon which he parked was private property.*
9. *The council has confirmed that the land in question falls within the Council's remit for parking enforcement. There is no evidence before me to rebut this and I find that the Council was permitted to enforce restrictions at the location.*
10. *The Appellant contends that he was not "parked" at the location, despite the length of time that he was there, as in order to be parked, the driver must have left the vehicle. He contends that this principle was established in the case of Ashby v Tolhurst. He contends that, if a vehicle is attended, it can be moved upon the request of a CEO.*
11. *However I reject this argument. In Ashby v Tolhurst, a case decided in the Court of Appeal in 1937, Lord Greene stated simply that "parking your car means, I should have thought, leaving your car in a particular place". There is no specific analysis of whether it is attended or unattended. I find that it cannot be the case that a vehicle which is stationary at a location for a lengthy period of time is not parked, if the driver remains inside it. I am satisfied that the Appellant's vehicle was parked at the location - on the Appellant's own admission, it remained stationary for around an hour, with him inside it, and I find that this amounts to more than "waiting" at the location.*
12. *The Appellant further contends that the PCN does not set out the nature of the allegation sufficiently accurately, as it contends that the vehicle was parked, as opposed to "waiting".*
13. *I reject this argument. A PCN must indicate to a driver the nature of the allegation made. A contravention code 1 is used for vehicles which wait/park on yellow lines. The Highway Code makes it clear that double yellow lines indicate "no waiting" at any time. I find that a driver who receives such a PCN would be in no doubt as to the allegation being made. I find that the PCN sufficiently set out the nature of the alleged contravention.*
14. *The Appellant contends that the CEO himself would not have issued the PCN had he known that the Appellant was in the vehicle. This is evidenced (Enclosure 24) in the CEO's own statement, where the CEO states that they said, "If you saw me, why you not stop me before issuing?" This comment somewhat understandably has bolstered the Appellant's belief that the PCN should not have been issued as he was inside the vehicle. However, it does not alter the fact that the CEO was entitled to issue this PCN, having observed the vehicle for some ten minutes prior to issuing.*
15. *Whilst I accept, having heard the Appellant's oral evidence, and having read his written representations, that he is frustrated with the approach he contends was taken by the CEO, this has no direct bearing on the issuing of the PCN, which I find was legitimate. The allegations made by the Appellant appear to be a matter which he may choose to pursue with the Council but it is not a matter upon which this tribunal may adjudicate.*
16. *I am satisfied to the requisite standard that a contravention has taken place and that no statutory ground of appeal or exemption has been established.*
17. *Accordingly, I must refuse this appeal."*

The application for review

The reviewing adjudicator identified no ground for review.

The application for judicial review

The Court underlined that the fact that the claimant remained in the parked car was immaterial. No illegality or public law error was identified.

The appeal decision

The appeal was refused by the independent adjudicator for the following reasons:

“

1. *This appeal was submitted on behalf of Ms Oksztel by her father, Dr Robert Oksztel. Dr Oksztel said that, while his daughter was driving, a warning light came on in her car and she did not know what it meant. She was suffering from anxiety from a previous car accident, and felt she had to stop immediately so pulled into the parking bay.*
2. *He went on to say that she then contacted her father who told her that it was the battery in her key fob. She was unable to re-start the car. He had spare batteries so drove to where she had parked and changed the battery for her a few minutes later. He had purchased the battery in advance and provided a receipt which was dated some time before the date of the alleged contravention.*
3. *He did not explain why Ms Oksztel was not waiting with the car for him to arrive.*
4. *The council rejected the representations because of the date of the receipt for the replacement battery and they said that it was a driver's responsibility to ensure that the car is not parked in breach of restrictions before it was left unattended.*
5. *A failed battery in a key fob is not an emergency which justifies parking in a restricted parking bay and, had Ms Oksztel felt it necessary to pull in immediately the warning light came on, I would have expected her to remain with the car, if her father was only a few minutes away. Had she done so, she could simply have explained what had happened to the officer.*
6. *I therefore find that the contravention did occur and I dismiss the appeal. Ms Oksztel is required to pay the penalty charge to the council within 28 days.”*

The application for review

The reviewing adjudicator identified no ground for review.

The application for judicial review

The Court identified no realistic prospect of success in establishing that the decision was irrational, cogent reasons having been provided by the original and reviewing adjudicator. The adjudicator has no power to alter the level of penalty imposed.

The outcome of a renewal application is pending.

The appeal decision

The appeal was refused by the independent adjudicator for the following reasons:

“

1. *The Appellant's representative, Mr Barrie Segal, attended the hearing by telephone. The Appellant was not in attendance. Mr Jason Passfield attended on behalf of the Authority.*

The Authority's Case

2. *It is the Authority's case that the Appellant's vehicle was parked in contravention in a restricted area in Beach House East Car Park, Worthing on 20 April 2023 at 13:33. They rely in evidence on the Civil Enforcement Officer's ("CEO") notes and their photographs of the vehicle; the reservation notices and the car park information board and pay and display machine.*
3. *The CEO's note states: "Virtual stays found and issue continued. Nns nls vic nvp ndb con obs male driver said he had been told to park outside while went for an interview, I informed him of the appeal process".*
4. *There is a close-up photograph of the reservation signs. The top one reads: "Reserved for Southdowns Leisure Trust only. Not for public use". Beneath that wording there is an arrow pointing in both directions either side of the sign. The lower sign is yellow, affixed to which there is a white piece of paper. The top of the sign says "NO PARKING. Parking Suspension". There is then the sign for no waiting at any time, beneath which it says "At any time". The said wording is a little faded but legible. The white piece of paper says:*

"From 00:01 AM on 31/12/2022
Until 23:59 PM on 31/12/2023

Purpose Reserved for Southdowns Leisure Trust class instructors teaching classes only.
Location Beach House Car Park East-Front 7 days."

The photographs show that the said signs are positioned on an upright signpost situated close to the rear of the Appellant's vehicle.

The Appellant's Case

5. *The Appellant's case is set out in the Appellant's "Formal Representations against Notice to Owner" and in Mr Segal's Skeleton Argument. The Authority has provided a Skeleton Argument in response dated 23 February 2024. I set out below the Appellant's representations with my decision in respect of each one.*
6. *During the course of the hearing, Mr Segal raised two additional representations, which I also set out below.*

i. Authorisation to park

7. *The Appellant maintains that he was authorised to park in the reserved area by the receptionist at the leisure centre. Mr Segal says that, as an employee of the Trust, she clearly had ostensible authority to permit motorists to park in that area.*
8. *At this point, I will refer to the Appellant's evidence. The Appellant says in his Informal Challenge: "There are no clear markings saying this is permit or resident parking when you drive into leisure centre. I was going for an interview and was told to park outside leisure centre and write my Reg number in the centre which I did. This is quite deceiving and not justified when there is parking directly outside centre, road signs need to be made simple and concise this is not the case here. Even when I came out to find a ticket on my car the signs were misleading or confusing".*
9. *In a "Customer Feedback" document dated 20 July 2023 the Appellant says: "This penalty charge notice is not justified, signage with paper and sticky tape not visible and at an angle, no markings when driving in saying permits. Only visible markings when driving in saying car park to leisure centre which I used and then registered my car inside the centre while having an interview for 2nd job as not able to survive on one".*
10. *In the Appellant's "Formal Representations against Notice to Owner" he reiterates the above.*
11. *There is no evidence before me to indicate that the Appellant was specifically told by the receptionist he could park in a reserved area. The Appellant says he was told to park outside leisure centre. This did not entitle him to park in a reserved area. He was, of course, under a duty to ensure that he parked lawfully within the car park, taking notice of any signage.*
12. *In any event, I am not persuaded that the receptionist would have had the Trust's authority, ostensible or otherwise, to direct motorists to park in the reserved area. Mr Passfield said that the Trust was a separate entity to the Authority and the Trust had no authority from the Authority to manage or control the car park.*
13. *I do not accept this ground of appeal.*

ii. The signage

14. *The Appellant maintains that signage was not sufficient to put him on notice of the reservation.*
15. *I take the view that the signage in respect of the reserved places is clear and unambiguous. Mr Segal says in his Skeleton Argument that “the photographs do not show that the vehicle was parked in one of these reserved spaces, it merely shows the car parked with other vehicles without any indication that these are “reserved”. The council’s photographs do not show the location of Mr White’s car relative to the claimed restriction”. As indicated above, one of the CEO’s photographs shows the reservation signs fixed to an upright sign very close to the rear of the Appellant’s vehicle. Accordingly, I take the view that the Appellant should have seen this sign and I am satisfied that it was sufficient to put him on notice of the restriction.*
16. *I am also satisfied that there was no legal requirement for any road markings in respect of the reserved area. Article 12 (see below) of the Borough of Worthing (Off-Street Parking Places) Order 2007 makes no reference to such a requirement.*
17. *The Authority has pointed out that the Traffic Signs Regulations and General Directions do not apply to car parks.*
18. *I do not accept this ground of appeal.*

iii. Traffic Management Orders

19. *It is the Appellant’s case that there is no provision in the Traffic Management Orders for the reservation and therefore, the PCN was unlawful.*
20. *The Authority has referred me to Article 12 of the Borough of Worthing (Off-Street Parking Places) Order 2007, which relates to the power to close or suspend parking places. It states:*

“Nothing in this order shall prevent the council by notice, sign or barrier displayed in the parking place

 - i. *from closing the parking place or any part thereof for any period; and/or*
 - ii. *from setting aside the parking place or any part or parts thereof on all days or on certain days or during certain parts of days for use only by particular vehicles or organisations”*
21. *Mr Segal sought to argue that, although Article 12 gave the Authority the power to reserve the parking places, the Authority must prove that this power had been exercised lawfully, and they should have produced the relevant minutes or resolution. Mr Passfield said that the Authority did not need minutes or a resolution to exercise the power and, in any event, there was no requirement for them to provide such evidence. Furthermore, any agreement that they had with the Trust was confidential.*
22. *Mr Segal is, in my view, seeking to put the Authority to proof to an extent that is in excess of the civil standard. There is, in my view, no need for the Authority to prove an evidential chain in the manner suggested. I am entitled to presume, in the absence of any evidence to the contrary, that the said power was exercised by the Authority lawfully in this case.*
23. *I do not accept this ground of appeal.*

iv. Procedural impropriety – PCN

24. *The Appellant maintains that there has been Procedural Impropriety on the basis that the PCN is not substantially compliant. He says the PCN incorrectly states that the penalty charge “...must be paid not later than the last day of the period of 28 days beginning with the date on which the PCN was served”, whereas under Schedule 2 Section 2 (d) of The Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022 it says that the PCN must state “that the penalty charge must be paid within the period of 28 days beginning with the date on which the alleged contravention occurred. Mr Segal relies on the decision of another Adjudicator, namely, **Baca v Portsmouth City Council 17 November 2023. Case number PO 00033-2309.***
25. *The date of service and date on which the alleged contravention occurred in the case of a Regulation 9 PCN is the same because the CEO fixes the PCN to the vehicle or gives it to the person appearing to them to be in charge of the vehicle at the time the contravention occurs. Therefore, there is no material difference between the two. It follows that no prejudice was caused to the Appellant. In those circumstances, I am satisfied that the PCN was substantially compliant and there has been no procedural impropriety. On the question of prejudice, I follow the decision in **The Queen on the Application of Bedi v The Traffic Adjudicator [2022] EWHC1795 (Admin).***

26. *I should add that, although Mr Segal has sought to rely on the case of Baca, I am not bound to follow another Adjudicator's decision, particularly in light of the High Court decision referred to above.*
27. *I do not accept this ground of appeal.*
28. *The Appellant also maintains that there has been a Procedural Impropriety because the PCN incorrectly states that the Authority may serve a Notice to Owner on the owner of the vehicle on a date based on the date of service rather than on the date on which the alleged contravention occurred.*
29. *I do not accept this ground of appeal for the same reasons as above.*

v. Procedural impropriety – Notice to Owner

30. *The Notice to Owner is not compliant as it does not list the headings under which the Appellant can appeal as set out in the Civil Enforcement of Road Traffic Contraventions (Representations and Appeals) (England) Regulations 2022. Mr Segal referred specifically to Regulation 5(4)(g) and he said that the Notice to Owner should have contained the reference to Part 6 of Schedule 9 to the RTRA 1984 so that the Appellant could check this legislation and whether it applied in his case.*
31. *I have considered the headings in the said regulations and I have compared them to those listed in the Notice to Owner. I am satisfied that the Notice to Owner is substantially compliant with the regulations. A Notice to Owner does not have to replicate the headings in the regulations verbatim. Under section 3(2)(b), it simply has to include "the nature of the representations which may be made under regulation 5".*
32. *I do not accept this ground of appeal.*

vi. Procedural impropriety – Notice of Rejection

33. *The Appellant maintains that Authority failed to properly consider the Appellant's formal representations pursuant to section 6(4)(a) of The Civil Enforcement of Road Traffic Contraventions (Representations and Appeals) (England) Regulations 2022 in relation to his points on procedural impropriety. The Notice of Rejection states, in respect of procedural impropriety, "I can confirm that there has not been a procedural impropriety by the council and the independent Adjudicators from the Traffic Penalty Tribunal agree that our PCNs and Notice to Owners are compliant". Mr Segal argues that this response was inadequate and unsubstantiated by evidence.*
34. *The Notice of Rejection as a whole is relatively detailed. In the decision of R (Halton Borough Council) v Road User Charging Adjudicators and Damien Curzon (interested party) [2023] EWHC 303 (Admin) it was held that, whilst a complete failure to consider representations would be a procedural impropriety, anything less would not. Although the Authority's comments on procedural impropriety are relatively brief, I am satisfied that they did consider the procedural issues and so I am not satisfied that there was a complete failure to consider them. In those circumstances, I am not satisfied that there has been procedural impropriety and I do not accept this ground of appeal.*

vii. Procedural impropriety – Evidence provided on appeal

35. *This representation was raised for the first time during the hearing. Mr Segal argued that there had been procedural impropriety by the Authority for failing to provide in evidence a complete copy of the PCN. The copy provided simply consists of the first page. Mr Segal referred me to Section 3 of the Civil Enforcement of Road Traffic Contraventions (Representations and Appeals) (England) Regulations 2022. I assume that the specific regulation on which he seeks to rely is Section 3(3)(b) which says that the Authority, on receipt of a Notice of Appeal must send, amongst other things, "the relevant penalty charge notice (if any)" to the proper officer within 7 days.*
36. *Mr Passfield said that it was not the Authority's practice to provide the second page in each case because it is a standard document, a replica of which has been lodged with the Tribunal.*
37. *It is, in my view, the first page of the PCN that contains the key and case specific evidence and I accept that the second page is a standard document that is the same in each case. I should point out that Mr Segal has provided the Tribunal with a copy of both pages of the original PCN, it having been attached as an appendix to his Skeleton Argument. Therefore, the absence of a replica of the second page in the evidence has not in any way prejudiced the Appellant. In any event, I take the view that the Authority, in providing the Tribunal with a copy of the key first page has substantially complied with the regulations given that the second page is a standard document, which has been*

lodged as such with the Tribunal. In those circumstances, I am not satisfied that there has been procedural impropriety and I do not accept this ground of appeal.

viii. Relationship between Worthing Borough Council and West Sussex County Council

- 38. This representation was raised for the first time in the hearing. Mr Segal pointed out that the PCN was headed with the names of both councils and he questioned the nature of any agency agreement between them and argued that such an agreement should have been disclosed in evidence. Mr Passfield explained that his Authority acts as agent for West Sussex County Council in respect of on street contraventions, but not in respect of off-street contraventions as in this case and therefore, no question of agency arose. I note that the PCN refers specifically to the said agency arrangement and so the Authority has been transparent about it.*
- 39. I am satisfied that the Authority does not act as agents for West Sussex County Council in respect of off-street contraventions and therefore, the point does not merit further investigation. In any event, if there were such an agency agreement in respect of off-street contraventions, I fail to see how it would be relevant in this case, given that the contravention occurred in Worthing and not West Sussex. Accordingly, I do not accept that this representation amounts to a ground of appeal.*

Decision

- 40. Based on the Authority's evidence, I am satisfied that there was a contravention*
- 41. I have not found in favour of the Appellant in respect of any of his representations and therefore, the appeal is refused."*

The application for review

The reviewing adjudicator identified no ground for review.

The application for judicial review

The council interested party cancelled the penalty as a gesture of goodwill. The Court identified no public interest reasons for allowing the claim to proceed.

2.3 Applications – outcome pending

There are no pending outcomes.

3. Key Cases

Most appeals are fact based and determined on the evidence provided by the parties for that particular appeal. A key case is a case that provides guidance regarding the interpretation and application of the law and regulations. The Tribunal is assisted by a key case issued in Scotland in this reporting year:

Glasgow City Council v Hamilton [2025] CSIH – summary below:

1. Mr Hamilton drove his car, which did not comply with the Low Emission Zone (“LEZ”) requirements, in the Glasgow LEZ. The enforcement authority (“the Council”) sent him a penalty charge notice (“PCN”) in the ordinary post. He sent in representations to the Council, saying that he inadvertently drove into the LEZ, being in a part of the city with which he was not familiar and not having seen the LEZ warning signs. He should not be required to pay any penalty. Those representations were rejected.
2. Mr Hamilton appealed to the First-tier Tribunal for Scotland (“FtTS”), where the Chief Adjudicator identified a preliminary point, namely the failure of the Council to serve the PCN in a way prescribed by section 26 of the Interpretation and legislation Reform (Scotland) Act 2010, which provides that a person may be served in a variety of ways, including by registered post or recorded delivery, but not by ordinary post. Having heard submissions, the Chief Adjudicator held that a PCN which had not been served in accordance with section 26 was invalid and could not be enforced. He allowed Mr Hamilton’s appeal.
3. The Council appealed to the Upper Tribunal for Scotland (“UTS”), which purported to follow *R v Soneji* [2006] 1 AC 340 which identified the relevant question as whether Parliament intended a failure to comply with a statutory requirement should invalidate the relevant notice. The UTS held that it could be inferred that Parliament did intend valid service as a precondition of the PCN existing. That there was no unfairness to Mr Hamilton was an irrelevant consideration. It dismissed the appeal.
4. The Council appealed to the Inner House of the Court of Session (the equivalent of the Court of Appeal of England & Wales), where the appeal was allowed.
5. The Court relied on well-trodden authorities going back to *London & Clydesdale Estates Ltd v Aberdeen District Council* [1980] SC (HL) 1 and including *Soneji*, which pose two relevant questions. First, did Parliament intend service of a notice in the prescribed manner to be a prerequisite to the exercise of a statutory power without which the exercise of that power would automatically be a nullity? If it did, then the failure to serve in that way is fatal to any attempt to enforce anything done under that power on the basis of the notice. If it did not, then, second, given the purpose of serving the notice (i.e. to inform the recipient of the circumstances and consequences of the breach including how the penalty might be challenged), in all the circumstances, did Parliament intend such a lapse in procedure to defeat the substantive purpose of the legislation (i.e. to maintain clean air)? This second question requires consideration of all the relevant circumstances including the purpose of legislative scheme and the consequences for the recipient of the failure of the Council to comply in terms of procedural fairness. The concept of “substantial compliance” does not have a part in this analysis.
6. The Court held, on the first question, that the manner of service of a PCN was not crucial to the legislative scheme, such that a failure to serve in an appropriate manner automatically rendered invalid the exercise of the powers triggered by the notice. On the second question, the Court concluded that Mr Hamilton, who accepted that he had in fact received and responded to the PCN and then appealed to the FtTS, had not suffered any procedural unfairness. Parliament could not have intended that a lapse in procedure that was inconsequential in terms of procedural fairness would defeat the substantive purpose of the legislative scheme. The Court therefore allowed the appeal and remitted the matter to the FtTS for determination on the case on its merits.
7. This is, of course, a Scottish case; but it relies on precedent that is binding in England & Wales, and it is in any event at appellate level such that it would be of strong persuasive value in any event. Where there is an alleged procedural error by the enforcement authority, this case suggests that it is unlikely that Parliament intended that to be a “knock out blow” so far as enforcement is concerned: as the Inner House put it, that would be to put “the procedural cart before the substantive horse”. Therefore, where such a procedural error is proved, it will be necessary to assess whether the recipient of the PCN has suffered any prejudice in terms of procedural unfairness. If they have not, then it is likely that Parliament can be taken as not treating such an error/defect as fatal to enforcement on the relevant PCN, so the error/defect is immaterial.

The full judgment can be read via the *Traff-iCase* website: <https://www.keycases.info/key-cases/>.

4. Training and Appraisal

4.1 Training

Adjudicators attended their annual training day in Birmingham on 26 November 2024.

This mandatory training session allows the adjudicators, who all work remotely, to meet and exchange knowledge and share best practice. This is particularly valuable with a number of adjudicators holding appointments at other courts and tribunals, allowing all adjudicators to benefit from experiences gained in wider jurisdictions.

The training day included a presentation on the Tribunal's online case management system, ensuring adjudicators continue to use the system optimally and allowing them to have insight and a fuller understanding as to how the system presents to users. The adjudicators also attended a presentation on diversity and inclusion, an area of training that is now embedded in induction and continuous training programmes for all Courts and Tribunal Judiciary.

Other than this annual in-person meeting, adjudicators hold an annual remote video meeting – this took place on 24 March 2025. The meeting allowed for joint discussions on the Tribunal's processes, ensuring an up-to-date and consistent approach to case management and the sharing of views on any issues that may have arisen during the course of the year.

4.2 Appraisal

Individual appraisal is mandatory at the Traffic Penalty Tribunal. Taking part in the appraisal scheme not only ensures that standards are maintained and the law and regulations applied consistently, but also that public confidence in judicial performance is maintained. The adjudicators welcome appraisal, recognising that discussions support the progression and development of their work and judicial career.

The Tribunal applies the judicial skills and abilities framework issued to Courts and Tribunals Judiciary, with the reviewed framework introduced by the Lady Chief Justice and the Senior President of Tribunals in January 2025 now adopted for future appraisals. The framework reflects the expectations required of judicial office holders, which include tribunal judges such as the adjudicators, who are independent office holders exercising a judicial function.

The judicial requirements of independence, impartiality and integrity are supported by the individual judicial skills and abilities:

- (a) Legal and judicial skills – including: legal knowledge and analytical skills, sound judgment and decisiveness.
- (b) Communication skills and personal qualities – including: effective active listening, written communication skills, appropriate authority in the conduct of a hearing and an efficient use of judicial resources.
- (c) Effective working – including: diligence and efficiency, timely decisions and a collegiate and inclusive approach.

The next round of appraisals is due to start in July 2025. As before, the expectation is that in light of our shared standards this will be a joint initiative with London Tribunals (Environment and Traffic).

5. The Adjudicators

The tribunal endeavours to work closely with colleagues at London Tribunals and a number of adjudicators are office holders at both tribunals (including Transport for London's Road User Charging Tribunal).

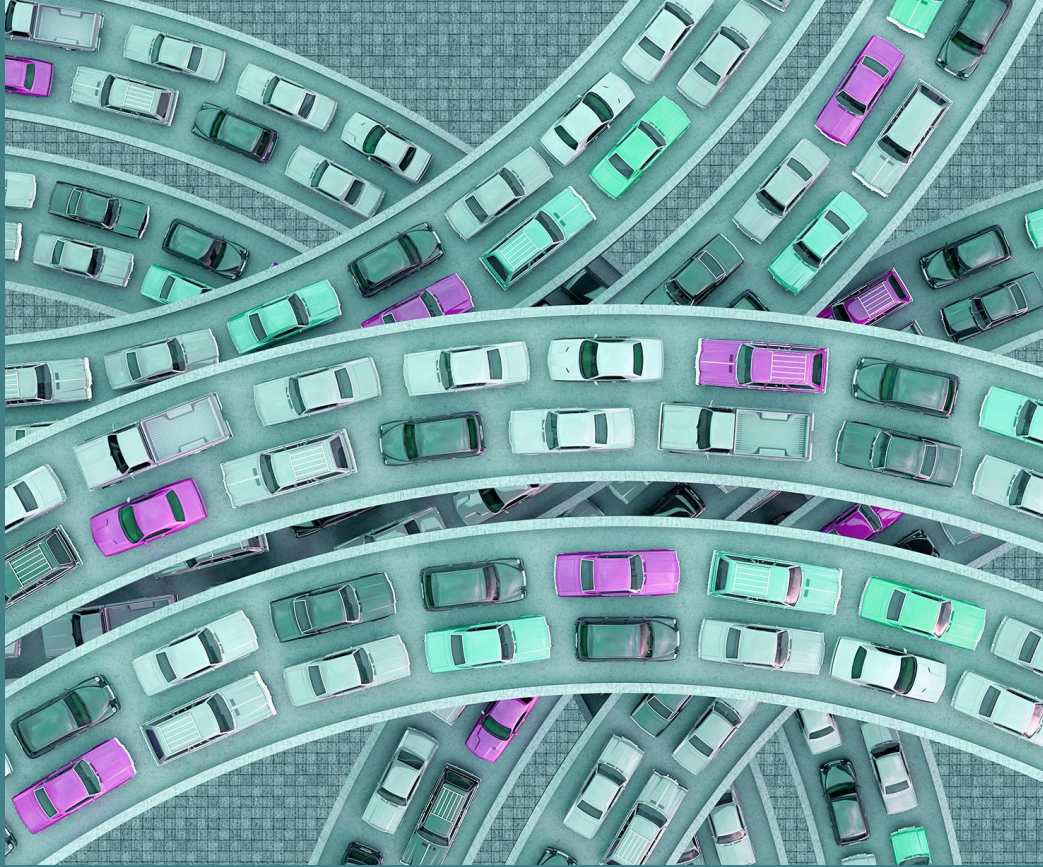
Current full adjudicator list:

1. Philippa Alderson**
2. Andrew Barfoot
3. Davin Binns
4. Teresa Brennan*
5. Michael Burke*
6. Katherine Cartwright
7. Joanne Coombe**
8. George Dodd**
9. Gillian Ekins*
10. Cordelia Fantinic*
11. Bhopinder Gandham
12. Joanne Garbett
13. Natalie Goffe**
14. Toby Halliwell
15. Caroline Hamilton*
16. Martin Hoare*
17. Annie Hockaday
18. Judith Ordish
19. Belinda Pearce**
20. James Richardson
21. Mackenzie Robinson*
22. Timothy Thorne*
23. Sarah Tozzi
25. Rhys Williams
26. Jill Yates

* Environment and Traffic Adjudicators
at London Tribunals

** Road User Charging Adjudicators
and Environment and Traffic Adjudicators
at London Tribunals

The adjudicators are grateful to the administrative support teams, their hard work and efficiency, allowing the adjudicators to focus on determining appeals in a timely and proportionate manner.



**Traffic Penalty
Tribunal**
England and Wales

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