

## NPAS CIRCULAR

### THE NOTICE OF APPEAL FORM

The NPAS Notice of Appeal form for Penalty Charge Notices (“PCN”) (only) has been revised to make the appeals procedure easier for potential appellants to understand and also to take account of a sizeable increase in the number of personal hearing venues available to appellants.

This is an interim version of the form, which will be subject to further revision as the facility to register and respond to parking appeals over the internet is made available to appellants and councils.

Clamping and removing councils should note that the current, blue Notice of Appeal form remains in force for the time being, for appeals involving clamps or removals.

Occasionally, cases have come to light where councils have issued a Notice of Appeal form to the recipient of a Penalty Charge Notice *before* a Notice to Owner has been served.

Councils and potential appellants should be aware that the right to appeal to the independent Parking Adjudicator arises only *after* the council has formally rejected representations against a Notice to Owner, served on the person believed by them to have been the owner of a vehicle at the time the alleged contravention occurred. Thus, whilst a Notice of Appeal form must accompany every Notice of Rejection issued by the council, the motorist has no right to appeal before this stage. The sending of an appeal form at the wrong time, however well intentioned, invariably gives rise to confusion and complaint.

All councils are requested to remind their notice processing staff that no right to appeal to the Parking Adjudicator can exist before the above stage in the DPE process.

Councils are also reminded of the importance of completing the box headed “For official use only” on the back of the appeal form. There has been a rise in the number of Notice of Appeal forms received by NPAS where the issuing council has failed to complete the four boxes on the back of the form before sending it to the appellant along with a Notice of Rejection of Representations.

**Councils are requested that the ‘For official use only’ box is completed by them in every case before the appeal form is sent to the appellant with the letter of rejection.**

Completing this box before sending the appeal form serves a number of important purposes for NPAS. These include identifying the council that issued the PCN and assisting in establishing whether an appeal was received in or out of time.

**What information do councils need in the box?**

- ✓ Enter the name of the **owner** of the vehicle whose formal representations you have rejected
- ✓ Enter the date of the Notice of Rejection (NoR)
- ✓ Note the Vehicle Registration Number (VRM)
- ✓ Insert the PCN number(s) which should include **all** 10 characters (ensuring that your local authority pre-fix is clearly written).