

NPAS CIRCULAR

THE ROLE OF NPAS

The 2003 Annual Report of the Parking Adjudicators contains the following text:

“In simple terms, just as the National Parking Adjudication Service cannot offer advice to appellants or councils on the merits of individual cases, so it must not be looked upon as a source of free consultancy or advice to councils in the development or running of their DPE operations. It is perhaps regrettable that when for quite proper reasons officers of the tribunal find it necessary to decline requests for advice or assistance of a wholly inappropriate nature, whether from motorists or councils, this response can sometimes be regarded as unhelpful.

It is said often, but clearly bears restating that NPAS is a tribunal; therefore it does NOT:

- *Discuss individual cases*
- *Give advice about parking incidents or problems*
- *Deal with general complaints about council parking departments*
- *Comment on parking schemes*
- *Get involved with parking enforcement policy*
- *Collect or accept payment of penalty charges on its own behalf or on behalf of local authorities*
- *Deal with challenges to private clamping.”*

It is recognised that councils are concerned to create and manage their decriminalised parking enforcement activities to the highest possible standard and that sources of advice and assistance for them as well as appellants can seem few and far between. Whilst NPAS must also offer procedural guidance and advice to parties, it cannot allow its perceived or actual independence and impartiality to be jeopardised.

Both councils and appellants are respectfully requested to bear the above in mind when considering contacting officers of the tribunal for advice or assistance.

Whilst tribunals exist to provide a user-friendly and informal system of justice, those operating within or interacting with them must necessarily observe certain protocols.

It is likely that most written communication between local authorities and officers of the tribunal will relate to individual appeals, or potential appeals. It is therefore likely that a copy of such emails or letters will be attached to or incorporated within the relevant case file.

In view of this, when corresponding with the tribunal by email or letter, council officers are asked to address staff or members of the judiciary in an appropriate manner, and never by their first name. Officers are also advised that matters of a more ‘informal’ nature must not be contained within a letter or email that also contains information relating to an appeal or the role and function of NPAS. Officers of the tribunal have been instructed to observe similar protocols when corresponding with local authority officers.

It is emphasised that the above is in no way intended to appear unfriendly or unhelpful. There will be occasions, including telephone conversations and some letters and emails, when it is entirely appropriate and helpful to adopt a more informal tone. This reinforcement of correct working practice is intended simply to ensure that dealings between NPAS and councils are conducted on a basis which preserves the tribunal's independence and impartiality in practice, and in the eyes of all users and potential users of the tribunal.