

PARKING ON PRIVATE LAND APPEALS

Your opportunity to appeal against a parking charge notice

This form has been issued by **Parking on Private Land Appeals** (POPLA)

- The operator claims you are liable for the payment of a parking charge because of a vehicle being improperly parked on private land.
- You challenged this but your representations were rejected for the reasons given in the notice from the operator.
- If you want to appeal against the operator's decision, you must do so within 28 days from the date it was sent to you. **Do not pay the parking charge now if you want to appeal.**
- If you appeal to POPLA, which is independent of both the operator and the motorist, an impartial Assessor will consider your case.
- If you do not appeal now the operator could seek to enforce the parking charge through the county court.
- There is no charge for submitting an appeal.

Please read this guidance before completing the attached appeal form

Appeal procedure

The latest guidance and information is available on our website at www.popla.org.uk

POPLA Assessors consider appeals against liability for parking charges.

You can only appeal after you have first made your case ('representations') to the operator who issued the parking charge notice, the operator has rejected these and issued a POPLA appeal verification code.

The Assessor considers the evidence from you and from the operator.

If your appeal is allowed, the operator will cancel the parking charge notice.

If your appeal is refused, the operator must allow at least 14 days for payment of the parking charge before taking any further action.

Grounds of Appeal

The grounds under which you can appeal the parking charge notice are as follows:

The vehicle was not improperly parked

e.g. that the vehicle was not parked where stated on the parking charge notice; that you believe you were still within the time you paid for; that the voucher was clearly displayed or that the conditions were not properly signed.

The parking charge (ticket) exceeded the appropriate amount

e.g. that you are being asked to pay the wrong amount for the parking charge or that the charge has already been paid.

The vehicle was stolen

e.g. that the vehicle was improperly parked after being stolen.

However, the fact that someone else was driving your vehicle, for example a family member, friend or colleague, is not in itself a valid ground of appeal.

The fact that you told the driver that they could only use your vehicle on condition they did not get any parking tickets is not a valid ground of appeal.

I am not liable for the parking charge

e.g. that you had sold the vehicle before, or bought it after, the alleged improper parking.

How to appeal

If you want to appeal, you must do so within 28 days of date of the operator's notice of rejection. The easiest way to appeal is through our website at www.popla.org.uk. Otherwise, you can complete the attached form and return it to POPLA by post.

Whichever way you submit your appeal, it must be received by us within the 28 day period – see FAQs below.

Everything that you send to us will be copied to the operator. Please attach or enclose all relevant evidence at the time you submit your appeal.

Always keep a copy of your **verification code** (printed at the bottom of the appeal form and/or the operator's rejection) in case you have to contact us. You will need it to appeal online. If you do not have a verification code you should ask the operator who issued the parking charge notice for this immediately. You cannot get a verification code unless the operator has had an opportunity to consider your representations and has rejected them.

The operator is required to send the Assessor details of their case, as well as the representations you made and their rejection of them. The operator will send you a copy of everything they send to the Assessor.

Submitting your appeal

Include any photographs or documents that you want the Assessor to consider.

You should try and submit everything at the same time as you appeal, whether online or by post but, if you do send anything separately, it must be before the decision is made. You can do this online but, if posting, please make sure that you mark it clearly with your **verification code**.

If additional evidence arrives shortly before the Assessor is due to consider your case, the matter may have to be adjourned. If it arrives after the decision is made, it will be too late to be considered.

The Assessor will not obtain evidence or contact witnesses on your behalf.

The decision

The Assessor will consider all the evidence presented by you and by the operator.

We aim to send out the decision to the parties within two working days of the Assessor deciding your appeal.

A decision to allow an appeal is binding on the operator who issued the parking charge notice.

Frequently asked questions

What evidence should I send in? You should send in any evidence that you believe supports your case. Some examples of evidence are:

- o crime reference number (e.g. if the vehicle was stolen)
- o photographs (e.g. if you think that the signage was inadequate)
- o pay and display voucher (e.g. if you say it was displayed and unexpired)
- o witness statements

Please send clear copies rather than originals. If you wish to submit digital images you can attach them to your online appeal or else send them in hard copy or on disc. Moving pictures should be sent on disc and JPEG is the preferred format. In view of the significant security issues associated with their use, we cannot accept evidence on a USB flash drive. Please note that we will retain anything you send, as we require a complete record of the evidence.

Will the Assessor collect evidence or contact witnesses on my behalf? No, you should not, for example, say in your appeal: "If you want more information please contact xxxx on telephone number yyyy."

How much time do I have to submit my appeal? We must receive your appeal within 28 days from the date of the operator's notice of rejection. The date the operator sent the rejection to you will be on the appeal form.

What if I am sending my appeal in late? In very limited circumstances, the Assessor may be able to extend the 28 day time limit. If you are submitting your appeal late you must state fully and clearly the reasons for the delay, enclosing any evidence for this, so that the Assessor can decide whether the appeal can be still be considered.

How does the Assessor make their decision? Having considered the evidence presented by both parties the Assessor has to come to a conclusion about what actually happened (make findings of fact). The Assessor then considers the BPA Code of Practice and applies any relevant law.

Will the parking charge increase if I lose my appeal? No. If your appeal is refused then the full parking charge will be due because the time for any early payment discount offered by the operator will have passed. However, the parking charge will not increase whilst you appeal. **Do not pay the charge now if you are appealing.** If your appeal is allowed you have nothing to pay. If your appeal is refused, in order to avoid any further action by the operator, you should then pay the full parking charge within 14 days. Do not send any payment with this form.

Will I have to pay costs if I lose my appeal? No, the Assessor cannot award costs, expenses or compensation for or against either party in any circumstances.

Can I still submit the appeal form manually? Yes, but please write clearly, with your name, address and email details in BLOCK CAPITALS. Also, ensure that the envelope has sufficient postage affixed as POPLA cannot accept mail where this is underpaid.

POPLA
PO Box 70748
London EC1P 1SN

0845 207 7700
calls to POPLA may be recorded

enquiries@popla.org.uk
www.popla.org.uk

we would prefer to communicate with you electronically
please submit your appeal direct at
www.popla.org.uk

POPLA

PARKING ON PRIVATE
LAND APPEALS

alternatively you can post this form to
POPLA PO Box 70748 London EC1P 1SN

you have received a parking charge notice
the operator did not accept your representations
you now want to appeal

first name	surname	Mr Mrs Ms etc
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PLEASE USE BLOCK CAPITALS TO ENTER YOUR DETAILS

PLEASE USE BLOCK CAPITALS TO ENTER YOUR DETAILS

email	phone
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PLEASE USE BLOCK CAPITALS TO ENTER YOUR DETAILS

PLEASE USE BLOCK CAPITALS TO ENTER YOUR DETAILS

your address
postcode

if you would rather receive communications by post please tick this box

vehicle registration							
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pcn number													
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operator name	
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why you are appealing – please tick

the vehicle was not
improperly parked

the parking charge (ticket)
exceeded the appropriate amount

the vehicle was stolen

I am not liable
for the parking charge

tell us your reasons – continue on separate sheet if necessary

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sign here	date
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verification code												operator hereby certifies that rejection notice and this form sent to appellant on	D	D	M	M	Y	Y
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