

# POPLA

Parking on Private Land Appeals

## Annual report 2017

Ombudsman Service Limited

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## Introduction

Last year, we outlined the lessons Ombudsman Services had learned during our first year administering POPLA. This year, we built on the successes of the first year.

POPLA recognises the importance of the role we play in listening to the appeals of motorists to ensure that a fair process is provided.

As ever, appeals have a “winner” and a “loser” so we fully appreciate that one party will be disappointed no matter what the outcome is. However, we aim to provide a service that explains decisions clearly and plainly, so both parties have an informed and well-reasoned decision, even if they do not necessarily agree with the outcome.

Finally, we recognise that we are in an era of consumer distrust and this is evident across all sectors within which Ombudsman Services operates. Consumers are not just dissatisfied, they are angry and technology is giving them the tools to take out their frustration on businesses, parking operators and even the service providing an independent review. Over the past 12 months, POPLA has seen increased anger from members of the public. While we appreciate the emotion involved in a private parking appeal, abuse of our staff will not be tolerated, and we would ask that service users provide proportionate and constructive feedback to POPLA without abusing staff.

## Team setup

The POPLA team has remained largely the same since our report last year. As previously, the team reports to and is supported by a board and executive team.

POPLA's Lead Adjudicator is John Gallagher. John is an ombudsman with 12 years' experience in handling complex disputes. He has helped consumers and businesses resolve over 5,000 complaints across a number of sectors, including energy, communications, copyright licensing and parking. John is an accredited mediator and is currently undertaking a Masters in Dispute Resolution. John has lead responsibility for decision-making and decision quality at POPLA.

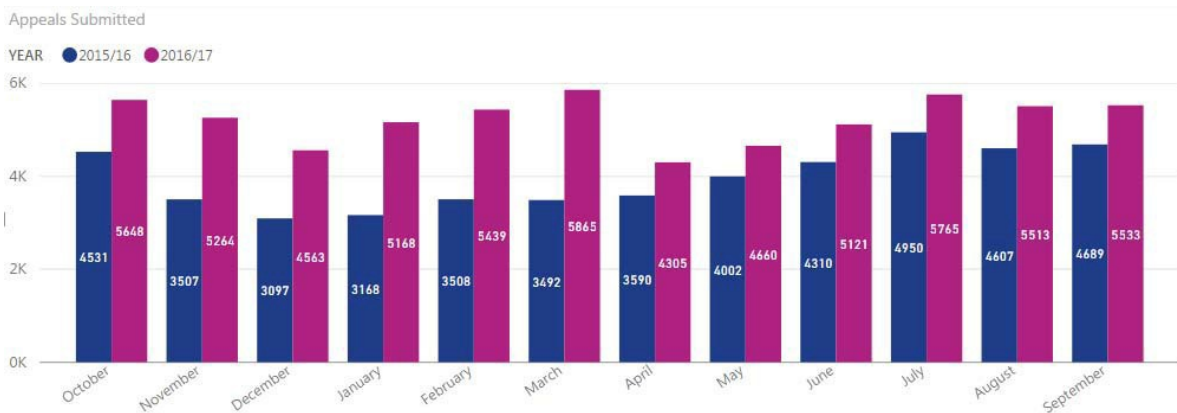
There are approximately 30 POPLA trained assessors, from various backgrounds, with many years of dispute resolution experience.

## Appeal numbers

Between 1 October 2016 and 30 September 2017, POPLA received 62,844 appeals and decided 36,326. We allowed 8,814 appeals, refusing 27,512

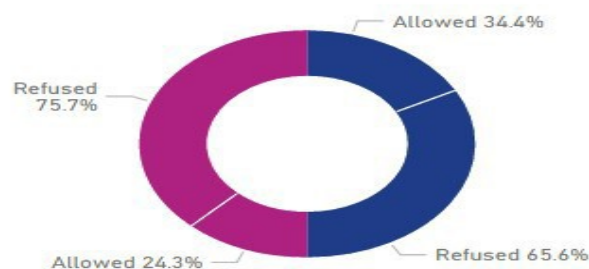
In addition to the appeals we decided, parking operators decided not to contest 21,377. This means that of the appeals that completed the POPLA process (57,703), 30,191 resulted in cancelled parking charges - 52% of all processed appeals.

This year, we have the ability to compare and contrast the data obtained from our first two years administering POPLA. During our first year, we received 49,887 appeals. This year's stats show an increase of almost 26% in year two compared to year one. Please see the breakdown below.



Allowed/Refused

Year ● 2015/16 ● 2016/17



Please note that the above chart does not include appeals not contested by the operator. Where parking operators do not contest, motorists “win” the appeal and do not have to pay the parking charge.

During our first year administering POPLA, parking operators decided not to contest the appeal in 10,682 cases. The graph below shows a significant increase in the number of uncontested appeals. This has caused us some concern, discussed in more detail later in this report.

### Withdrawn Appeals

YEAR ● 2015/16 ● 2016/17



## POPLA's place within the private parking sector

During 2017, Resolver the free online service and app that offers consumer advice and simplifies the process of complaining, posted a news article discussing private parking and it opened with the line::

“If there's one subject that winds people up, it's parking charges and tickets.”<sup>1</sup>

We fully appreciate the truth behind this statement. Over the last year, we have seen tens of thousands of motorists receive incorrectly issued parking charges. The emotions of motorists on the receiving end of unfair parking charges come through loud and clear in the appeals we hear.

Ombudsman Services is the current administrator of POPLA and our vision is to be “Good for consumers - Good for business”.

POPLA's role is to assist the industry by providing an independent service that can consider appeals and determine if a Parking Charge Notice (PCN) was issued correctly. This helps consumers when we allow appeals against incorrectly issued parking charges. It also helps businesses (parking operators) drive up standards where our decisions identify problems with signage or processes that result in allowed appeals.

Although parking is widely accepted as an emotive subject, it appears as though those trusted to provide the public with advice accept that sometimes parking charges can be reasonable.

The following is taken from consumer champion Martin Lewis' guide to fighting unfair parking tickets.<sup>2</sup>



### **Remember, this is about fighting UNFAIR tickets**

Of course, landowners have a right to charge for and police parking, eg, if you've blocked a hospital entrance. If you've broken the rules, and you think the ticket isn't exorbitant or disproportionate, pay up.

Yet mistakes happen, whether it's an unclear sign, technology faults, overzealous attendants or just an honest error. The aim of this guide is to prevent you being out of pocket when most reasonable people would think a ticket is *unfair*.

If you DO think the ticket you've got is unfair, read on to decide whether to fight.



We agree that landowners have a right to manage parking on their land. If motorists were able to park anywhere, without consequence, it would mean the people the landowner wanted to park would not be able to do so. Parking management can play an important role in society. It can ensure doctors and nurses have staff areas in which to park in hospital car parks; and visitors can find a space when visiting

<sup>1</sup> <https://www.resolver.co.uk/news/parking-problems-solved>

<sup>2</sup> <http://www.moneysavingexpert.com/reclaim/private-parking-ticket>

sick relatives. It means people cannot park in your space on a private apartment complex without consequence; and it can make sure there are enough spaces for commuters in train station car parks.

It is important that we allow appeals when a parking charge has been issued incorrectly. But the need for effective parking management means it is important that we also refuse appeals when parking charge notices have been issued correctly. If motorists could park with impunity, effective parking management would become difficult.

Recently, Sir Greg Knight presented the Parking (Code of Practice) Bill 2017-2019 to Parliament and this is currently going through the legislative process. POPLA is encouraged that parking is on the Government's agenda. We are hopeful that a focus on parking can further drive up standards and improve consistency.



## ISPA - The Independent Scrutiny Board for Parking Appeals on Private Land

Last year, we talked about the value of ISPA and the learning POPLA took from its feedback. This year saw the closure of ISPA as of 1 April 2017.

Within its closure statement, ISPA provided extracts from a letter sent by its Chairman, Douglas Campbell to the Minister for Local Government at the Department for Communities and Local Government:

“I believe the British Parking Association decision reflects their frustration with the lack of a level playing field between them and the other ATA rather than simply the cost of funding our budget. I have every sympathy with them as their members appear to be bearing a cost that some commercial competitors are free from.

“I urge you to find a way that will allow motorists to feel reassured that there is independent scrutiny of what they may understandably see as the parking industry controlling appeals against the actions of the parking industry. If you want to see ISPA continue, whether that be in the short term or the longer term, we need funding from somewhere. If there is a will to fund us after 31 March we can discuss budgets and service levels to see if there is a solution at an acceptable cost.”

POPLA wishes to thank ISPA for its scrutiny. The feedback has helped strengthen our processes and procedures so that we can provide a better service for all those involved with parking on private land.

Although we no longer benefit from ISPA's feedback, we do have internal processes in place to ensure that our decisions are of good quality. We carry out constant quality reviews and feedback the learning that stems from these reviews.

We realise that the loss of ISPA might leave people worried about how we maintain independence. Ombudsman Services is a full member of the Ombudsman Association, having satisfied the association of our independence, fairness, effectiveness, openness and transparency, and accountability. Ombudsman Services also reports to a board including six independent directors. A key role of the board is to safeguard and maintain the independence of Ombudsman Services. We must maintain our independence to satisfy the board and remain full Ombudsman Association members.

## Our appeals process

Every Parking Charge Notice issued by a British Parking Association approved operator should set out the parking operator's appeal process. Motorists need to appeal to a parking operator in the first instance. If the parking operator does not allow the motorist's appeal, it is required to provide a 10-digit POPLA verification code to allow the motorist to appeal to POPLA.

Motorists need to appeal to POPLA within 28 days of the date the operator issues the POPLA verification code. The best way to appeal is using our website [www.popla.co.uk](http://www.popla.co.uk).

POPLA considers the reasons for appeal submitted only. It is very important that appellants submit all reasons for appeal in the first instance as there is no opportunity to submit further reasons for appeal after the initial submission. We ask appellants to confirm that they understand this before proceeding.

The reasons for appeal are sent to the parking operator, which should provide an evidence pack to POPLA within 21 days. If an operator does not provide an evidence pack within 21 days, we treat this as if the operator has not contested the appeal and write to both parties to confirm the appeal has been successful.

If the operator decides to submit an evidence pack, we will notify the appellant that they have seven days to comment on the operator's evidence. We allow 14 days if the appeal is being administered via post.

The operator's evidence pack will respond to the reasons for appeal provided by the appellant only. This is one of the reasons we cannot accept new reasons for appeal after the initial submission. If we were to do so, the operator would not have had an opportunity to respond to the appeal reasons in its evidence pack.

The opportunity to comment on the evidence pack is therefore in relation to the initial appeal reasons. For example, if the reason for appeal was that the signage at the car park was not sufficient, and the operator sent pictures of the signs that the motorist did not consider accurate, the motorist might want to comment on the evidence and would be able to do so.

We have seen occasions where an appellant has introduced new reasons for appeal in the comments section. For example, the initial reason for appeal is that they were not the driver, and then when commenting on the evidence pack they say the signage at the car park is not sufficiently clear. In such circumstances, we would not consider the new reason for appeal.

Once we have received the evidence pack and comments, an assessor will determine the appeal by making findings of fact based on the evidence produced by the parties, applying the relevant law, and considering the BPA Code of Practice.

## Portal upgrades

When Ombudsman Services first began administering POPLA in September 2015, we often received calls from motorists who had not received the evidence pack from the parking operator for a variety of reasons (postal delays, incorrect addresses etc.).

We want to provide a fair process for both sides of the appeal. As such, we thought about ways to ensure that delays of this nature could be minimised. In April 2017, we successfully implemented a solution which has added real value to the POPLA service. Previously, the parking operator was expected to send the motorist a copy of their evidence at the same time it sent this to POPLA. Under the new system, the parking operator uploads the evidence to the POPLA portal and this is viewable to the motorist online, using the details provided to them when initially lodging their appeal with POPLA.

An example of how this will look to a motorist is shown below:

The screenshot displays a four-step progress bar at the top: 1. Your Information and Evidence (Received), 2. Operator Information and Evidence (Pending Comments), 3. POPLA Assessment (Pending), and 4. Decision (Pending). Below this, the 'Operator Information and Evidence' section is active, showing fields for Submitted, Evidence submission date, Verification Code, Operator Name, Operator Case Summary, and a file upload area with a 'View Document' link. A comment box is provided for the motorist to provide feedback on the operator's evidence, with a 'Submit Comments' button and a character count of 2000 / 2000.

## Late appeals

Last year, we explained that a motorist has 28 days to bring an appeal to POPLA, although we would accept some appeals outside of this timeframe if there was a strong reason for doing so. This year, we have continued to receive a number of requests for POPLA to accept an appeal outside of the 28-day period.

For these types of requests, the appellant will need to submit the appeal to our postal address or by email with a cover letter clearly explaining the reason for the late appeal and any evidence they feel will strengthen their reasoning. Our assessor will then review this evidence and decide if POPLA can accept the appeal, given the circumstances presented.

If we deem that a late appeal can be accepted, our assessor will post an appeal form to the appellant to fill in. Once this form has been successfully returned to POPLA, within the appropriate deadline, POPLA will have all of the necessary information to register the appeal.

If the assessor is not satisfied with the appellant's reasoning, he or she will contact the appellant to advise that POPLA will be unable to assess the appeal. In these instances, the appellant is provided with the contact details for Citizens Advice so further advice can be sought.

During the course of this year, we have accepted late appeals where the appellant has been out of the country or in hospital for a prolonged period and has been able to prove this with documentary evidence. Other instances include where the parking operator failed to inform the appellant of the 28-day timescale in their rejection letter or provided the appellant with incorrect contact details for POPLA.

## Byelaws

In September 2016, POPLA took the decision to adjourn all appeals relating to parking charges or penalty charges issued on land subject to byelaws. We did so after receiving challenges that we did not have a remit to determine a byelaw breach.

We accept that only a court can determine a breach of law. However, the British Parking Association expected its approved operators to allow a free route to independent appeal on all parking 'tickets'. Consequently, parking operators issued POPLA codes when refusing appeals against parking charges or penalties issued on land subject to byelaws and the appeals ended up with POPLA.

We initially considered such appeals because we share the British Parking Association's view that all motorists should have a route to a free independent appeal against a parking 'ticket' issued by a British Parking Association Approved Operator. We consider it right that if we find that a parking charge or penalty had not been issued correctly, we can allow the appeal and require the parking operator to cancel the charge or penalty. Nonetheless, the law around byelaws is complex and we took the decision to adjourn to ensure we were not overstepping our remit.

Since taking the decision to adjourn, POPLA has liaised with key stakeholders to establish a way of dealing with such appeals in the best interests of all involved. Through our liaison, the Department for Transport agreed to produce guidance on railway byelaws. We had expected to receive guidance in the second quarter of 2017. However, the 2017 general election meant that this timetable was no longer realistic and the guidance was put on hold. Now the election has taken place, we are hopeful we will receive clarification on this issue in the coming months.

For the time being, we remind all motorists impacted by this adjournment that the parking operator involved should not pursue payment while an appeal is ongoing with POPLA.

Due to the lack of progress on byelaws guidance, and the building backlog of cases at POPLA, some operators began cancelling parking 'tickets' issued on byelaws land at the first appeal, even where they were of the view that the parking 'ticket' had been issued correctly.

The British Parking Association considered the situation unsustainable because, if motorists felt they could park with impunity, it would make parking management very difficult. Therefore, the British Parking Association took the decision to remove the requirement for parking operators to signpost motorists to POPLA for parking charges or penalty charges issued under byelaws from 18 September 2017.

POPLA recognises the impact this might have on some motorists but we remain committed to offering all motorists the right to a free independent appeal. We will continue working with all interested parties to gain clarification on this issue as soon as practically possible.

Further updates will be provided on our website as things develop.

## Mitigating circumstances

It is not within the remit of POPLA to allow an appeal due to mitigating circumstances.

However, if an appellant presents evidence of reasonable mitigating circumstances that we believe the landholder or their representative (the parking operator) has failed to take reasonable account of, we may refer these appeals back to the landholder or their representative to review their original decision.

When Ombudsman Services began administering POPLA, we took particular note of the Department for Transport guidance on the Protection of Freedoms Act 2012, which explained:

“POPLA may also refer cases back to the landholder where it considers the landholder has failed to take reasonable account of evidence of reasonable mitigating circumstances which has been presented by the driver or registered keeper.”<sup>3</sup>

Given the above, we did not initially refer cases where the reasonable mitigating circumstances had been presented to the parking operators in initial appeals. This was on the basis that the parking operators had already taken account of the mitigating circumstances.

While ISPA was in operation, it audited a number of appeals and determined that we should have referred some mitigation cases back to the parking operator but we failed to do so. ISPA took the view that, although the mitigating circumstances had been presented to the parking operators, many of the parking operator responses did not specifically address the mitigating circumstances in a way which showed that the parking operator had taken reasonable account of the evidence.

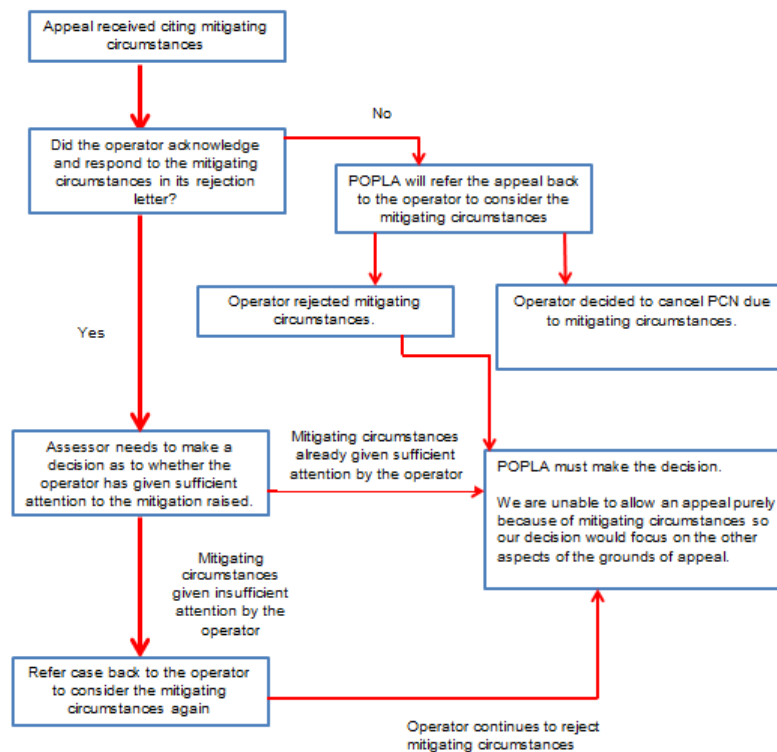
We amended our processes in light of the feedback. Our new process requires the assessor to look at whether the parking operator had responded to the mitigation presented when issuing its rejection letter to the motorist. If the parking operator did not specifically respond to the mitigation, we will refer the circumstances back to the parking operator to ask it if it would be willing to cancel the parking charge.

If the operator is subsequently unwilling to cancel the parking charge, POPLA will make a decision based on the other aspects of the appeal, in accordance with our remit.

We have also introduced a more robust process for referring mitigating circumstances to operators. This process ensures we make the referral to senior members of staff at the parking operator. We took this approach after noticing that mitigating circumstances were sometimes missed if they were sent to a generic email address. The new process directs the mitigation to the appropriate people within the parking operator's hierarchy so that it can be given the individual attention it deserves.

Please see the process flow chart below:

## Process Flowchart



Between 1 October 2015 and 30 September 2016, we referred 120 appeals back to the parking operators due to mitigation. Of those referrals, the parking operator agreed to cancel the parking charge in 108 cases. Between 1 October 2016 and 30 September 2017, we referred 142 appeals back to the parking operator due to mitigation. Of those referrals, the parking operator agreed to cancel the parking charge in 78 cases.

Many of the mitigating circumstances referred back to the parking operators related to issues that occurred at hospitals. When making these referrals, some parking operators told us that most visitors to a hospital will have mitigating circumstances and making sure there are spaces for staff, visitors, patients and ambulances means there is a need for effective parking management at those locations. Therefore, they were not willing to cancel based on the mitigating circumstances. Other parking operators have been willing to cancel parking charges at hospitals where they deem the circumstances serious. Please see the case study below.

When we spoke to operators about the process change, we received feedback advising they would look to identify the mitigating circumstances at the earliest opportunity. As such, we believe that many more parking charges may have been rescinded after the operator learned of mitigating circumstances without the need for POPLA's involvement.

<sup>3</sup> Guidance on Section 56 and Schedule 4 of the Protection of Freedoms Act 2012: Recovery of Unpaid Parking Charges

## **Mitigating circumstances case study**

POPLA received an appeal from a motorist who explained that their 79-year-old father had been diagnosed with cancer. During the early hours of the morning, the appellant's father woke the appellant as he was in excruciating pain. The appellant phoned 999 but the dispatch operator said there were no ambulances available. As such, the appellant drove to the hospital and rushed in with their father.

A Parking Charge Notice was issued because the appellant had parked in a pick-up and drop-off zone for longer than the maximum time that was allowed. The appellant initially appealed to the operator but this was rejected by the parking operator.

Upon receiving this appeal, one of our assessors escalated these circumstances so that they could be referred back to the parking operator for further consideration. Shortly thereafter, POPLA received confirmation that the parking operator did not wish to proceed with the charge and had cancelled it in light of the mitigating circumstances.



## Operators deciding not to contest appeals

Of the 62,844 cases received between 1 October 2016 and 30 September 2017, 37% (23,277) of the appeals were not contested. March 2017 saw the spike in this figure with 2,627 appeals withdrawn that month, equating to a 44.8% share of all appeals submitted.

When a parking operator decides not to contest an appeal and withdraws from the process, the motorist will “win” and the parking charge will be cancelled. However, we are conscious that a high number of appeal withdrawals could indicate a problem.

There will always be the need to withdraw some appeals because a new piece of evidence may have come to light or some other factor may have only become apparent at the independent appeal stage. However, a high withdrawal rate could suggest that parking operators are not properly considering appeals at the initial stage and are waiting to see which of those will then take up the option to come to POPLA. This has potential to create a problem where motorists who receive a Parking Charge Notice do not have the confidence or understanding to bring their appeal to POPLA. If the parking operator has not properly considered their appeal, it could leave potentially innocent motorists paying a parking charge that has been unfairly issued.

Within the British Parking Association’s Code of Practice, it states at Section 22.1:

“Under the Code, you must have procedures for dealing fairly, efficiently and promptly with any communication from the motorist. The procedures must give drivers and keepers the chance to challenge a Parking Charge Notice.”

While the Code of Practice then continues to state at Section 22.2:

“Motorists should first use your procedures for resolving appeals, before being able to refer them to an independent appeal. You should tell motorists at what stage an independent appeal to POPLA becomes available.”

As such, it is clear that the BPA shares POPLA’s view and recognises the value of its parking operators having fair and efficient in-house procedures in place to deal with any challenges to the parking charges issued.

After noticing the trend in high withdrawal numbers, in early 2017, we spoke with the BPA about ways to deal with this issue with a view to bringing them down. We are confident that this work has had the desired effect and, as figure four of the appendix below highlights, the number of withdrawn appeals since March 2017 has fallen. Please see the full breakdown in the Appendix.

While we appreciate that there is more work to be done, we believe that there has been a clear step in the right direction and wish to thank all those at BPA who have worked diligently with its members to ensure our concerns are addressed.

We would also like to stress to members of the public that, if you do not consider the parking operator to have properly considered your appeal, you can appeal to POPLA.

## Most common reasons for contacting POPLA

### 1. What is POPLA and what do we do?

One of the most common reasons for contacting POPLA is to query what POPLA is and what our role in the appeal process is. Additionally, we often get calls from individuals who mistakenly believe that POPLA is the parking operator.

POPLA can only become involved in the appeal process after a motorist has submitted an initial appeal to the parking operator and that appeal has been rejected. Once a parking operator has rejected an appeal, it must provide a verification code which allows the motorist to register an appeal with POPLA within 28 days.

If a motorist has not had verification code or a rejection letter from the parking operator, the most appropriate organisation to contact is the parking operator itself. The details for the parking operator will be located on the Parking Charge Notice that was issued.

Please note that POPLA can only deal with appeals that relate to members of the British Parking Association.

If you have received a Parking Charge Notice, and you are unsure if the parking operator is a member of the British Parking Association, you can find a full list of the British Parking Association's approved operators on its website: [http://www.britishparking.co.uk/British Parking Association-Approved-Operators](http://www.britishparking.co.uk/British_Parking_Association-Approved-Operators)

### 2. POPLA portal - Forgotten passwords

We also receive calls where an appellant has forgotten their password and so cannot access the POPLA portal. There is no need to contact POPLA to reset your password as you can click on the "Forgotten your password?" link located on the "Track your appeal" section of our website.

Please note that you will be required to provide your unique 10-digit verification code in order to reset your password. This should have been provided to you by the parking operator, most commonly when rejecting your initial appeal.

### 3. Complaints about the outcome of the decision

POPLA is a one-stage process and our policy is that we would not change a decision because either party disputes the assessor's decision.

The only situation in which we may reconsider an appeal is if there has been a procedural error. For example, if we failed to allow a motorist to comment on an operator's evidence pack.

Should you wish to dispute our decision, you must demonstrate that we have failed to follow our procedure when making the decision. In the interests of fairness, this applies equally to the appellant and the parking operator.

## Appendix

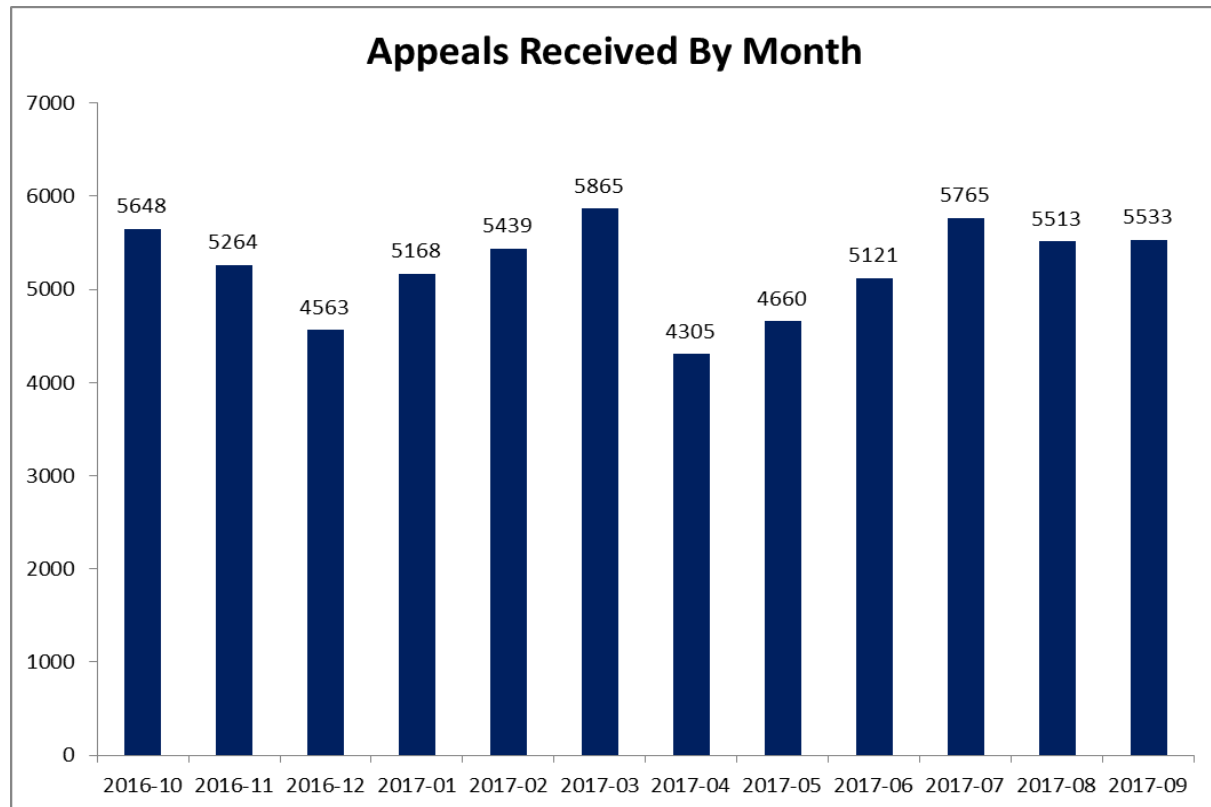
### POPLA Appeals Data

The following analysis shows the number of appeals registered with POPLA by operator between 1<sup>st</sup> October 2016 and 30<sup>th</sup> September 2017. It also provides information on the number of appeals decided during the same period.

### Number of Appeals

There have been total of 62,844 appeals opened with POPLA in the period detailed above. The peak month was March 2017 with a total of 5,865 appeals (9.33% of the total received during the period).

Fig 1:



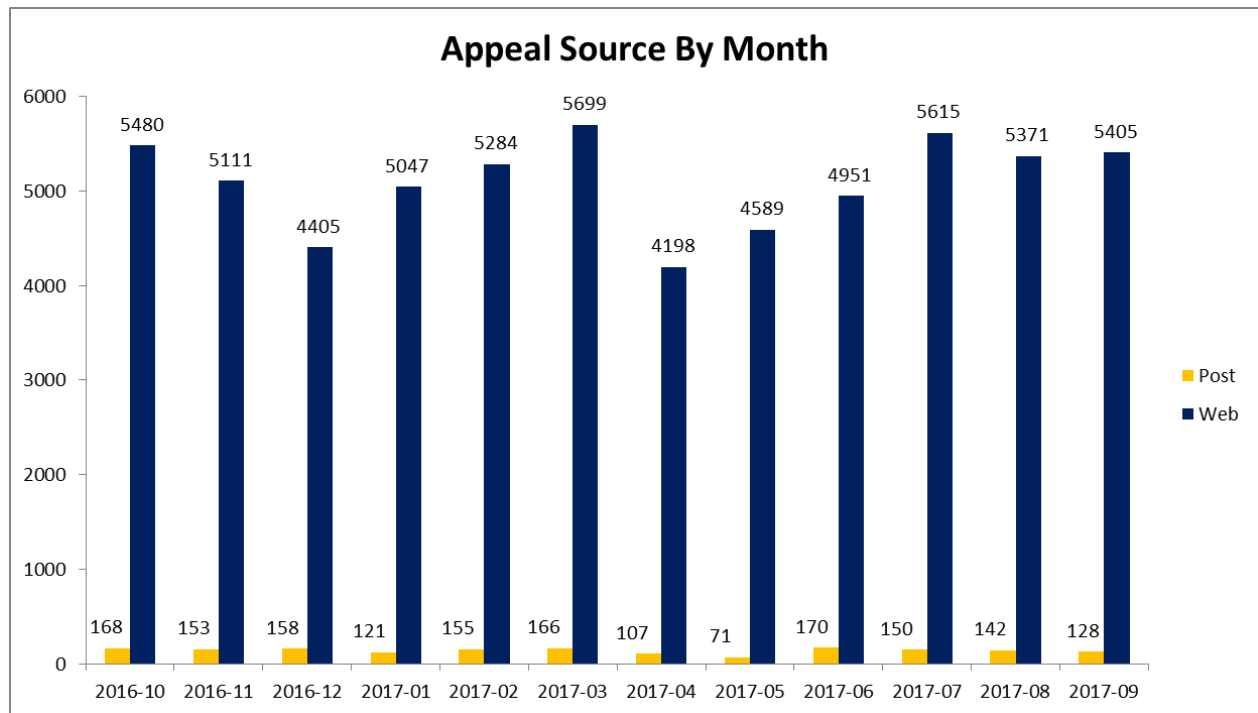
## Source of Appeals

The vast majority of the appeals received were received via the web (97.31%). Only 2.69% were received through the post.

The highest month for postal appeals was June 2017 which made up 10.07% of the total number of postal appeals received.

The majority of web appeals were received during March 2017 (9.32% of the number of web appeals received).

Fig 2:



## Appeals by operator

The operator with the most appeals submitted was Parking Eye Ltd. Over the period 17,579 appeals were submitted in relation to this company which made up 27.97% of the total received.

The 10 companies with the most number of appeals submitted made up 78.35% of the total submitted during this period.

The following table details the number of appeals received for each operator. Fig 3:

Operator	Number of Appeals
Parking Eye Ltd	17579
Smart Parking	8900
UK Parking Control Ltd	4604
Civil Enforcement	4495
Indigo Solutions	3500
Euro Car Parks	2664
Highview Parking	1987
NCP Ltd	1970
Premier Park	1930
APCOA Parking	1608
MET Parking Services	1350
Gemini Parking Solutions London Ltd	883
CP Plus	756
Britannia Parking Group	725
Parking Ticketing	592
Liberty Services 358	588
Defence Systems Ltd	552
Horizon Parking Ltd	542
Total Parking Solutions	509
P4 Parking	503
One Parking Ltd	467
Parking Solutions 24	350
Minster Baywatch	334
Local Parking Security	326
Private Parking Solution (London)	317
First Parking	304
Anchor Security Services	295
Indigo (ZZPS 919)	280
Corporate Services	278
Absolute Parking Management	267
Elite Management	266
Spring Parking	222
Secure-a-space	219
Indigo Park Services	216

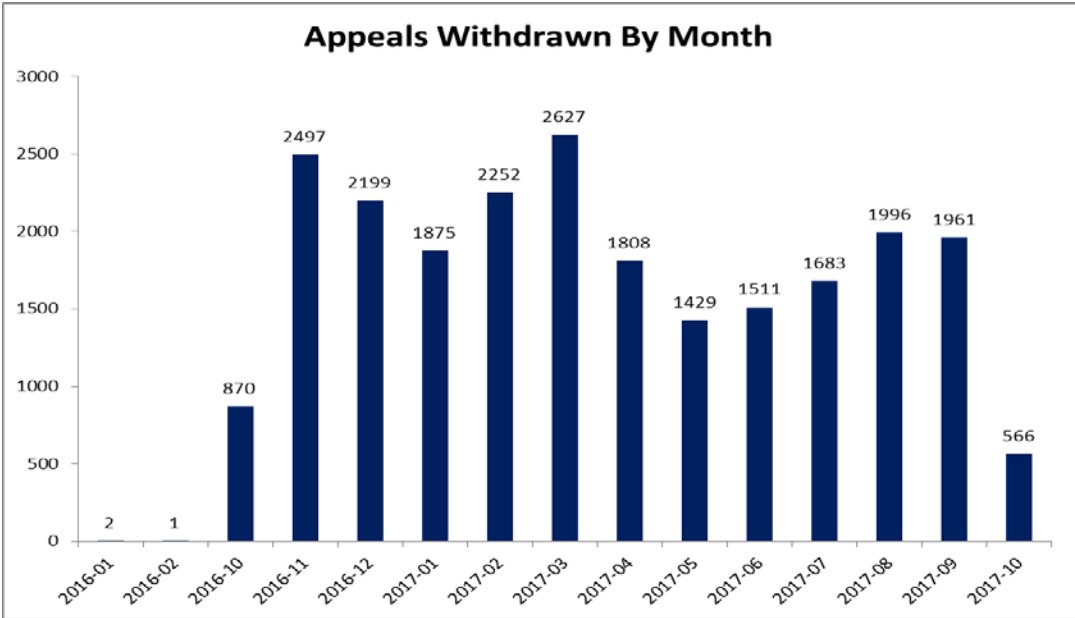
Ethical Parking Management	210
Northern Parking Services (North East Ltd)	206
Parking & Enforcement Agency	137
Observe Parking Consultancy	135
Wing Parking	126
LDK Security Group	124
Close Unit Protection	121
NSGL	100
OCS Group	79
Workflow Dynamics	78
Parking Enforcement & Security Services	71
Vehicle Control Solutions	70
Parking Charge Limited	62
Capital Car Park Control	61
TR Luckins	59
ANPR Parking Services	57
LCP Parking Services	54
NCP 437	50
NSL Ltd	50
JD Parking Consultants	44
RCP Parking Ltd	41
WY Parking Enforcement	41
Galan Parking	38
Empark	38
Serco Limited	36
Shield Security Services	35
AM Parking Services	35
CPS Enforcement Northern Ltd	32
SR Security Services	31
Key Parking Solutions Limited	29
Bridge Security	24
Carflow Ltd	24
Total Car Parks	22
All Parking Services	17
City Permits	14
Adaptis Solutions	8
Kernow Parking Solutions	8
Lodge Parking Ltd	7
Northwest Parking Management Ltd	7
Atlas Enforcement	6
New World Facilities	6
Leeds Teaching Hospitals NHS	5
StarTraq Limited t/a NotinMyParkingSpace.com	5
East Kent Hospitals University	5
Llawnroc Parking Services	5

Local Car Park Management	5
University of Kent	4
Westway Security Ltd	3
Euro Parking Collections	3
GMB Services (Scotland) Ltd	3
Parking Debt Collectors	3
Cobalt Telephone Technologies	3
MetroPark Ltd	3
JAS Parking Solutions	2
Prime Parking	2
Everything Parking	2
UK Car Park Management	2
AEJ Management	2
Salisbury NSH Foundation	2
South West London & St George Mental Health NHS Trust	2
Park Direct UK Ltd	1
Diamond Premises Control	1
VJC Parking Management	1
Knightshield Security Ltd	1
Autosecurity Ltd	1
Dean Clough Ltd	1
County Parking Enforcement	1
University of The West of England	1
Ranger Services	1
ZZPS Ltd	1
Commercial Collection Services	1
New Generation Parking Management	1
Grand Total	62844

## Withdrawn cases

Of the 62,844 cases received during this period, 23,277 cases were withdrawn. Once again, March 2017 saw the spike in this figure.

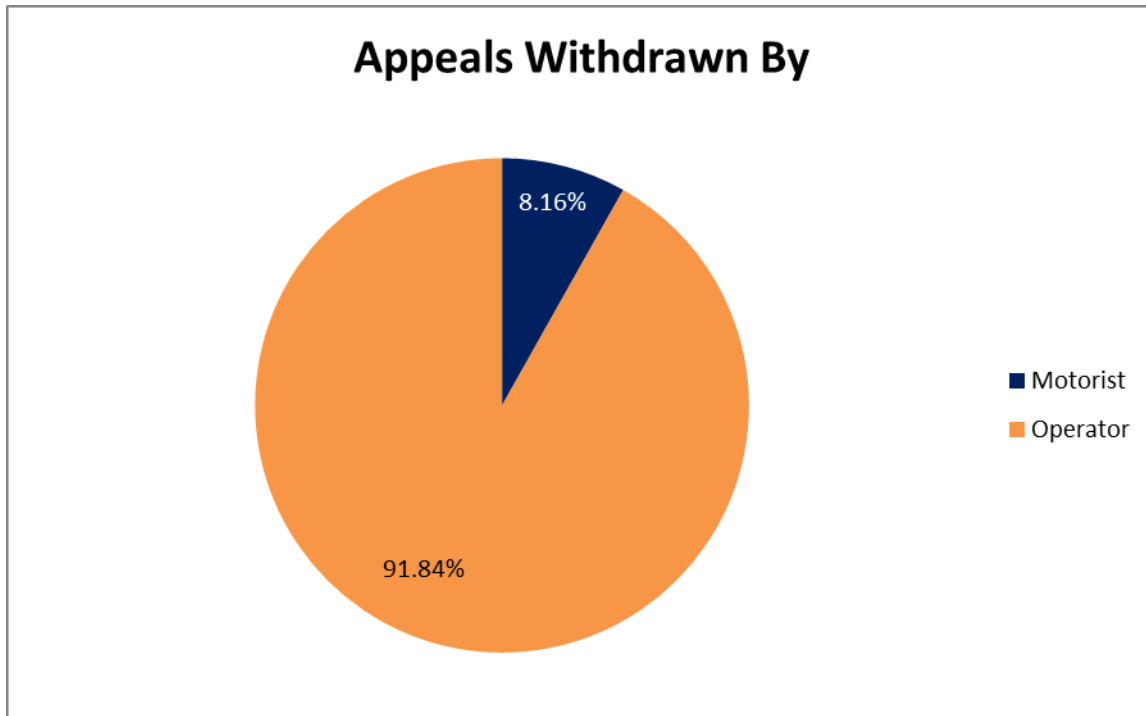
Fig 4:



The majority of these 23,277 withdrawals were withdrawn by the operator (21,377 - 91.84%) with 1,900 withdrawn by the motorist (8.16%).



Fig 5:



The following table details the number of appeals withdrawn for each operator.

Fig 6:

Operator	No. Withdrawn
Smart Parking	6722
Parking Eye Ltd	3226
Civil Enforcement	2585
Indigo Solutions	2251
UK Parking Control Ltd	1726
Euro Car Parks	972
MET Parking Services	796
Highview Parking	711
NCP Ltd	665
APCOA Parking	596
Britannia Parking Group	288
Premier Park	285
Gemini Parking Solutions London Ltd	262
CP Plus	198
Indigo (ZZPS 919)	193
Horizon Parking Ltd	189
Total Parking Solutions	160
First Parking	117

Defence Systems Ltd	114
Indigo Park Services	109
LDK Security Group	95
Liberty Services 358	79
One Parking Ltd	77
P4 Parking	71
Vehicle Control Solutions	65
Secure-a-space	60
Parking Solutions 24	58
Absolute Parking Management	53
Parking & Enforcement Agency	53
Ethical Parking Management	44
Parking Ticketing	43
Minster Baywatch	41
Northern Parking Services (North East Ltd)	30
Corporate Services	29
Elite Management	22
Anchor Security Services	21
Parking Charge Limited	21
Wing Parking	18
Private Parking Solution (London)	16
Observices Parking Consultancy	15
NSGL	14
Close Unit Protection	13
Galan Parking	11
Key Parking Solutions Limited	11
Parking Enforcement & Security Services	10
TR Luckins	9
ANPR Parking Services	9
Workflow Dynamics	9
Local Parking Security	8
RCP Parking Ltd	8
OCS Group	7
Shield Security Services	7
Serco Limited	7
NCP 437	6
CPS Enforcement Northern Ltd	6
SR Security Services	5
JD Parking Consultants	5
Atlas Enforcement	5
LCP Parking Services	5
Carflow Ltd	4
Northwest Parking Management Ltd	4
WY Parking Enforcement	3
Kernow Parking Solutions	3
Empark	3

JAS Parking Solutions	2
AM Parking Services	2
City Permits	2
Capital Car Park Control	2
Prime Parking	2
Total Car Parks	2
AEJ Management	2
Parking Debt Collectors	2
Spring Parking	2
County Parking Enforcement	1
GMB Services (Scotland) Ltd	1
Commercial Collection Services	1
UK Car Park Management	1
Ranger Services	1
East Kent Hospitals University	1
ZZPS Ltd	1
Bridge Security	1
Adaptis Solutions	1
Westway Security Ltd	1
New Generation Parking Management	1
Grand Total	23277

## Appeals Opened vs. Appeals Withdrawn

The table below shows a breakdown of the number of appeals opened and withdrawn during the period by operator.

Fig 6:

Operator	Appeals Opened	Appeals Withdrawn
Parking Eye Ltd	17579	3226
Smart Parking	8900	6722
UK Parking Control Ltd	4604	1726
Civil Enforcement	4495	2585
Indigo Solutions	3500	2251
Euro Car Parks	2664	972
Highview Parking	1987	711
NCP Ltd	1970	665
Premier Park	1930	285
APCOA Parking	1608	596
MET Parking Services	1350	796
Gemini Parking Solutions London Ltd	883	262

CP Plus	756	198
Britannia Parking Group	725	288
Parking Ticketing	592	43
Liberty Services 358	588	79
Defence Systems Ltd	552	114
Horizon Parking Ltd	542	189
Total Parking Solutions	509	160
P4 Parking	503	71
One Parking Ltd	467	77
Parking Solutions 24	350	58
Minster Baywatch	334	41
Local Parking Security	326	8
Private Parking Solution (London)	317	16
First Parking	304	117
Anchor Security Services	295	21
Indigo (ZZPS 919)	280	193
Corporate Services	278	29
Absolute Parking Management	267	53
Elite Management	266	22
Spring Parking	222	2
Secure-a-space	219	60
Indigo Park Services	216	109
Ethical Parking Management	210	44
Northern Parking Services (North East Ltd)	206	30
Parking & Enforcement Agency	137	53
Observices Parking Consultancy	135	15
Wing Parking	126	18
LDK Security Group	124	95
Close Unit Protection	121	13
NSGL	100	14
OCS Group	79	7
Workflow Dynamics	78	9
Parking Enforcement & Security Services	71	10
Vehicle Control Solutions	70	65
Parking Charge Limited	62	21
Capital Car Park Control	61	2
TR Luckins	59	9
ANPR Parking Services	57	9
LCP Parking Services	54	5
NCP 437	50	6
NSL Ltd	50	0
JD Parking Consultants	44	5
RCP Parking Ltd	41	8
WY Parking Enforcement	41	3
Galan Parking	38	11
Empark	38	3

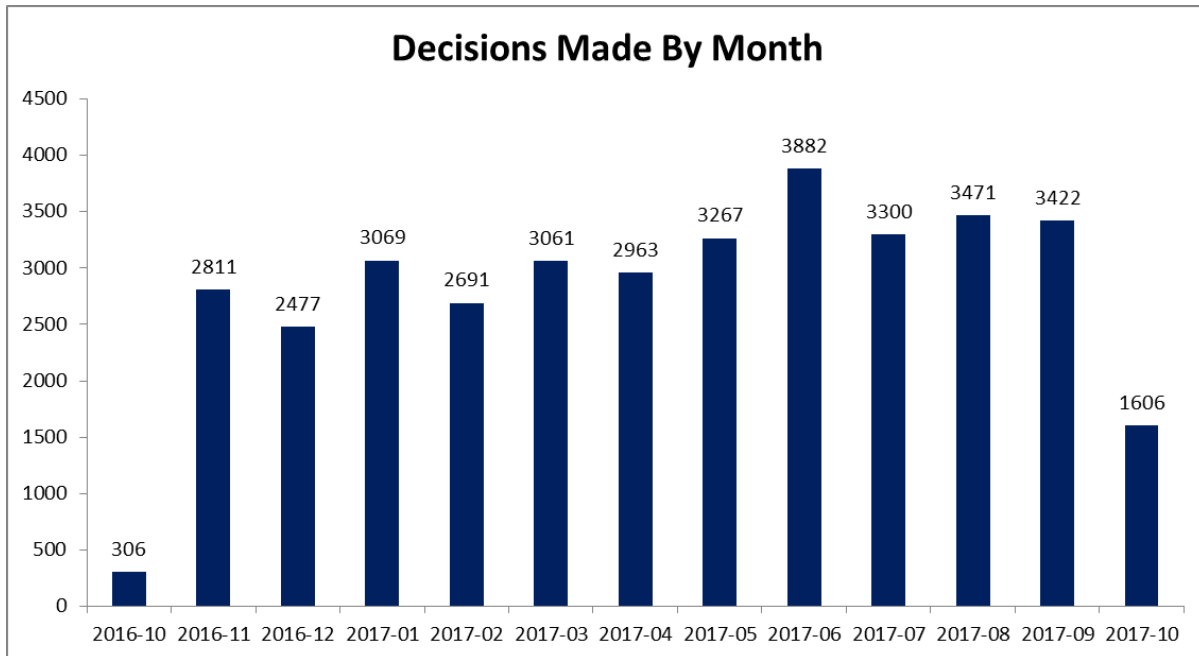
Serco Limited	36	7
Shield Security Services	35	7
AM Parking Services	35	2
CPS Enforcement Northern Ltd	32	6
SR Security Services	31	5
Key Parking Solutions Limited	29	11
Bridge Security	24	1
Carflow Ltd	24	4
Total Car Parks	22	2
All Parking Services	17	0
City Permits	14	2
Adaptis Solutions	8	1
Kernow Parking Solutions	8	3
Lodge Parking Ltd	7	0
Northwest Parking Management Ltd	7	4
Atlas Enforcement	6	5
New World Facilities	6	0
Leeds Teaching Hospitals NHS	5	0
StarTraq Limited t/a NotinMyParkingSpace.com	5	0
East Kent Hospitals University	5	1
Llawnroc Parking Services	5	0
Local Car Park Management	5	0
University of Kent	4	0
Westway Security Ltd	3	1
Euro Parking Collections	3	0
GMB Services (Scotland) Ltd	3	1
Parking Debt Collectors	3	2
Cobalt Telephone Technologies	3	0
MetroPark Ltd	3	0
JAS Parking Solutions	2	2
Prime Parking	2	2
Everything Parking	2	0
UK Car Park Management	2	1
AEJ Management	2	2
Salisbury NSH Foundation	2	0
South West London & St George Mental Health NHS Trust	2	0
Park Direct UK Ltd	1	0
Diamond Premises Control	1	0
VJC Parking Management	1	0
Knightshield Security Ltd	1	0
Autosecurity Ltd	1	0
Dean Clough Ltd	1	0
County Parking Enforcement	1	1
University of The West of England	1	0
Ranger Services	1	1

ZZPS Ltd	1	1
Commercial Collection Services	1	1
New Generation Parking Management	1	1
<b>Grand Total</b>	<b>62844</b>	<b>23277</b>

## Decisions

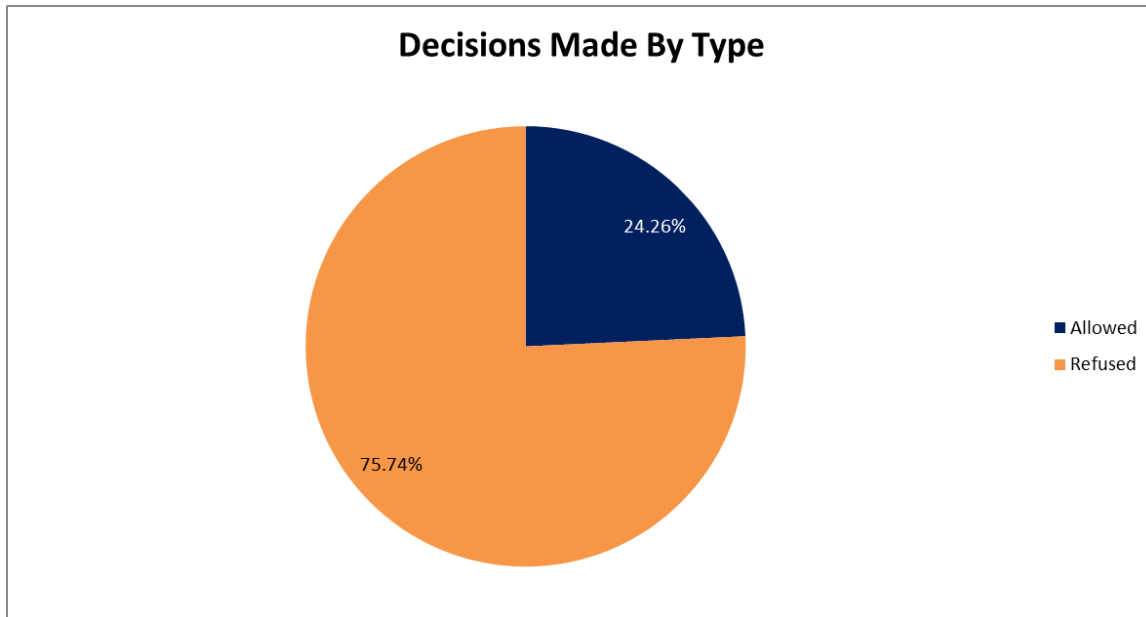
Of the cases created during the period, 36,326 decisions were made in total. The peak month for decisions made was June 2017 with 3,882 made (10.69% of the total).

Fig 7:



The majority of the decisions made during the period were 'Refused'. These accounted for 75.74% of the total decisions made. 'Allowed' accounted for 24.26% of those made.

Fig 8:



The following table details the number of decisions for each operator by type. Parking Eye Ltd had the most decisions made; this correlates with the number of appeals received. The top four companies in terms of decisions also make up the top 4 in terms of appeals received during the period.

Fig 9:

Operator	No. Of Decisions		Grand Total
	Allowed	Refused	
Parking Eye Ltd	2487	11157	13644
UK Parking Control Ltd	452	2316	2768
Smart Parking	315	1423	1738
Civil Enforcement	252	1472	1724
Euro Car Parks	495	1130	1625
Premier Park	204	1320	1524
Highview Parking	207	1052	1259
NCP Ltd	174	1075	1249
APCOA Parking	263	679	942
Gemini Parking Solutions London Ltd	186	414	600
CP Plus	107	430	537
Parking Ticketing	131	404	535
MET Parking Services	52	465	517
Liberty Services 358	240	255	495
P4 Parking	169	254	423
Defence Systems Ltd	92	326	418
Britannia Parking Group	103	302	405
One Parking Ltd	126	249	375

Horizon Parking Ltd	62	271	333
Indigo Solutions	328	4	332
Total Parking Solutions	119	208	327
Private Parking Solution (London)	123	170	293
Local Parking Security	260	32	292
Parking Solutions 24	83	206	289
Minster Baywatch	42	239	281
Anchor Security Services	94	172	266
Corporate Services	145	100	245
Elite Management	203	35	238
Absolute Parking Management	91	123	214
Spring Parking	193	5	198
First Parking	71	104	175
Northern Parking Services (North East Ltd)	22	150	172
Ethical Parking Management	70	92	162
Secure-a-space	24	126	150
Wing Parking	15	91	106
Observices Parking Consultancy	71	34	105
Close Unit Protection	55	46	101
Indigo Park Services	87	12	99
NSGL	22	62	84
Parking & Enforcement Agency	30	49	79
OCS Group	65	3	68
Workflow Dynamics	21	44	65
Parking Enforcement & Security Services	25	33	58
Capital Car Park Control	30	24	54
TR Luckins	27	23	50
NSL Ltd	34	13	47
LCP Parking Services	5	41	46
ANPR Parking Services	31	15	46
JD Parking Consultants	19	18	37
WY Parking Enforcement	21	14	35
Parking Charge Limited	15	19	34
AM Parking Services	6	27	33
RCP Parking Ltd	7	25	32
Empark	21	10	31
LDK Security Group	28	1	29
Shield Security Services	13	15	28
Serco Limited	26		26
Galan Parking	9	17	26
CPS Enforcement Northern Ltd	12	14	26
NCP 437	7	19	26
SR Security Services	6	18	24
Bridge Security	20		20
Total Car Parks	7	13	20
Key Parking Solutions Limited	4	13	17



All Parking Services	17		17
Carflow Ltd	4	13	17
City Permits	12		12
Adaptis Solutions	7		7
New World Facilities	3	3	6
Lodge Parking Ltd		6	6
Llawnroc Parking Services	3	2	5
Kernow Parking Solutions	2	3	5
Leeds Teaching Hospitals NHS	5		5
Vehicle Control Solutions	5		5
East Kent Hospitals University		4	4
StarTraq Limited t/a NotinMyParkingSpace.com	4		4
Northwest Parking Management Ltd	1	2	3
University of Kent	2	1	3
Cobalt Telephone Technologies	3		3
MetroPark Ltd	3		3
Westway Security Ltd	2		2
Local Car Park Management	1	1	2
Indigo (ZZPS 919)	2		2
Everything Parking	2		2
Euro Parking Collections	2		2
GMB Services (Scotland) Ltd	2		2
South West London & St George Mental Health NHS Trust		2	2
Knightshield Security Ltd	1		1
Autosecurity Ltd	1		1
VJC Parking Management		1	1
Parking Debt Collectors	1		1
Park Direct UK Ltd	1		1
Dean Clough Ltd	1		1
Salisbury NSH Foundation		1	1
University of The West of England	1		1
UK Car Park Management	1		1
Atlas Enforcement	1		1
<b>Grand Total</b>	<b>8814</b>	<b>27512</b>	<b>36326</b>

# Parking on Private Land Appeals



## **The role of POPLA**

POPLA was set up by the British Parking Association (BPA) to consider appeals independent of the parking operators within its membership.

POPLA's role is to provide an independent decision as to whether the parking charge has been issued correctly based on the evidence provided.

## **What evidence should I submit when making an appeal?**

You should attach or enclose any evidence that you believe supports your case. For example:

- Crime reference number (if the vehicle was stolen)
- Photographs (if you think that the signage was inadequate)
- Pay and display voucher (if you say it was displayed and had not expired)
- Witness statement

## **Will the assessor collect evidence or contact witnesses on my behalf?**

It is not the role of the assessor to collect evidence or contact witnesses. They will look at the evidence that is provided to them from both parties and make a decision based on this alone.

## **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.

## **Can I submit an appeal late?**

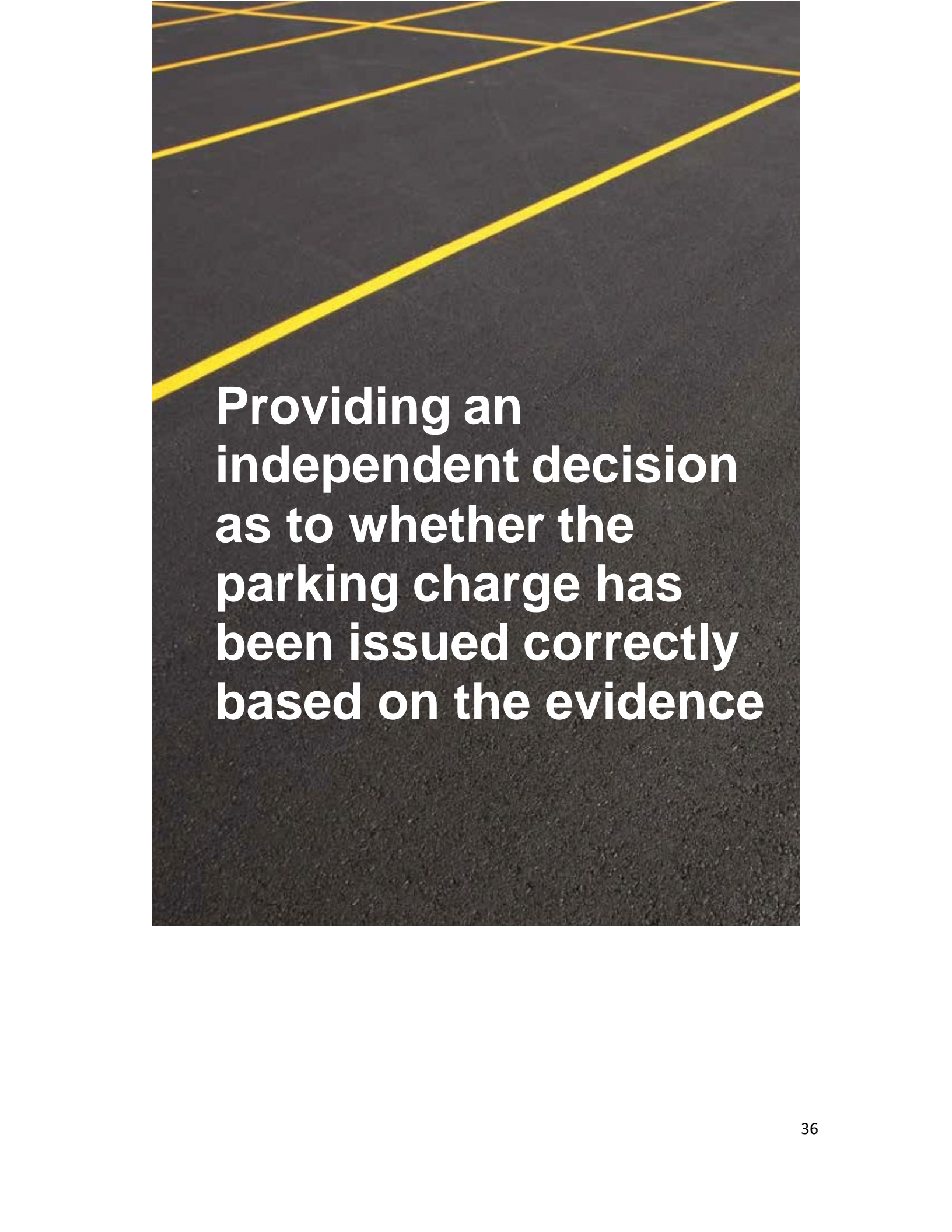
In exceptional circumstances, the assessor may be able to extend the 28 day time limit.

If you are submitting your appeal late you must state fully and clearly the reasons for the delay. You must also provide any evidence you have to justify the delay, along with your appeal.

## **How does POPLA assess appeals?**

The assessor will review the evidence supplied by both parties to establish what happened during the incident.

If it is relevant to the specific appeal, the assessor will consider whether the parking operator has correctly abided by the British Parking Association Code of Practice and relevant law.



**Providing an independent decision as to whether the parking charge has been issued correctly based on the evidence**

### **Will the assessor collect evidence or contact witnesses on my behalf?**

It is not the role of the assessor to collect evidence or contact witnesses. They will look at the evidence that is provided to them from both parties and make a decision based on this alone.

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### **How does POPLA assess appeals?**

The assessor will review the evidence supplied by both parties to establish what happened during the incident.

If it is relevant to the specific appeal, the assessor will consider whether the parking operator has correctly abided by the British Parking Association Code of Practice and relevant law.

### **Will the parking charge increase if I lose my appeal?**

The parking charge will not increase if you lose your appeal, although the early payment discount period will have passed by the time your appeal has been considered.

### **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, the parking operator may try to recover the parking charge.

### **Will I have to pay costs if I lose my appeal?**

POPLA is a free service for motorists. The assessor is not able to award costs, expenses or compensation to either party in any circumstances. The remit of the assessor only extends to refusing or allowing an appeal against a parking charge.

### **Can I submit an appeal by post?**

You can submit an appeal by post, but this will take longer than using our web portal due to postage and processing requirements.

Please note that we will require you to complete a POPLA postal appeal form.

When completing the postal appeal form, please ensure you write as clearly and legibly as you can, and wherever possible word process your submission.

The parking operator that issued the parking charge notice may have already provided this to you.

However, if you have not been provided with one please call us and we will send one out for you to complete and return. Once you have



the appropriate form, you must clearly state your name, contact details and your postal address. If you do not clearly include your POPLA reference number, we will not be able to consider your appeal. Please note we do not provide a free returns envelope with the postal appeal form, you are responsible for returning it.

### **When to contact POPLA**

Please note that POPLA is unable to get involved in an issue with a parking charge until the parking operator has issued a rejection letter.

If you have an issue with a parking operator and you have not had a rejection letter and/or verification code, please contact the parking operator involved in the first instance.

Should you have any general queries about the private parking industry, your best option would be to contact the BPA directly.

Further information about the BPA and its role can be found on its website: [www.britishparking.co.uk](http://www.britishparking.co.uk)



POPLA administered by  
The Ombudsman Service Limited

[www.popla.co.uk](http://www.popla.co.uk)  
0330 159 6126

PO Box 1270  
WARRINGTON WA4 9RL

Published