



Appeals Procedure

General principles

The Appeals Procedure is applied in all cases in a non discriminatory manner. Appeals are usually answered by trained and experienced staff and are undertaken according to the wishes of the individual clients. The operating instructions of the clients are adhered to in all cases. No information regarding appeals is kept on individual workstation computers. All information is regarded as private and confidential and is not shared with anyone outside the organization except relevant personnel of the respective clients or other recognized authorities or advisors. Company information relating to appeals or any aspect of the issue of a Parking Charge Notice is considered to be subject to the Data Protection Act.

Information Required in order to Appeal

Details of how to access the Appeal process are written on the parking notices that are issued to drivers. Appeals are considered only where the following information is supplied:

- the parking notice reference number
- the vehicle registration number
- details of the person submitting the appeal
- details of the driver of the vehicle (if they are not the person submitting the appeal)
- the reasons for the appeal

We do not consider anonymous appeals.

Appeal Forms

For convenience, a standard Appeal Form is available. If required, completion of which ensures that all the necessary information is supplied. The Appeal Form can be downloaded from our website, or it is available by post. If appellants wish a copy posted to them they should telephone 01582 434512 and leave their name, address and Parking Notice reference number. An Appeal Form will be posted within 2 working days.

Appeal Timescales

All appeals are dealt with in strict chronological order and emails do not receive any priority over posted appeals.

Appeals must be received by us within 28 days of the date of issue of the parking notice. Appeals received outside of that timescale will not be considered.

A reply will normally be sent within 10 working days of receipt and a further 7 days should be allowed for delivery. Appellants should not enquire as to the status of their appeal until that stated timescale has passed.

If there are queries that require extra investigation and are likely to result in a longer than normal period before a reply is made, an acknowledgement is sent to confirm that an investigation is underway and the full response will follow in due course.

Client Confidentiality

Where clients have requested that their contact information be confidential, their wishes will be upheld and Wing Parking will carry out all stages of the Operators appeal process.

First Stage Appeal

1. All appeals are logged on the relevant computer system.
2. All information pertaining to the incident is reviewed – this may include inspection or contacting of one or more of the following: enforcement photographs, telephone call logs, emails from estate managers, enforcement operatives, log of temporary instructions (this is not a finite list and from time to time other reviews may be necessary).
3. Letters are prepared according to clients wishes.
4. Copies of all letters (incoming and outgoing) are kept as scanned computer files for a period of 2 years. Paper copies are not stored.
5. A copy of relevant enforcement photographs may be sent with replies if necessary but will not be done in all cases. No charge is made for photographs sent out with appeal replies however where customers request copies of photographs for their own purposes, a charge may be made according to the provisions of the Data Protection Act.
6. If appeals are received for clients who carry out their own appeal process, copies are not passed to the client but the appellant is notified of the correct contact details.
7. If a Stage 1 appeal is rejected and further appeal Stages are available, the information on how to do this will be included in the reply.
8. If an appeal is upheld and a refund is required, this will be done at the time and sent with the reply or within 2 working days if a credit card refund is required.

Second Stage Appeal

1. Any Stage 2 appeal must be received within 14 days of the date of rejection of the Stage 1 appeal.
2. All second stage appeals are logged on the relevant computer system.
3. Any new evidence is reviewed.
4. For complex appeals, either the Office Manager or a Director would be consulted.

5. Letters are prepared according to clients wishes.
6. Copies of all letters (Incoming and outgoing) are kept as scanned computer files for a period of 2 years. Paper copies are not stored.
7. If a Stage 2 appeal is rejected and further appeal Stages are available, the information on how to do this will be included in the reply.
8. If an appeal is upheld and a refund is required, this will be done at the time and sent with the reply or within 2 working days if a credit card refund is required.
9. Unless a Stage 3 appeal is specifically requested by Clients, the Stage 2 appeal will be the final part of the Operators Appeal Process.

POPLA Appeals

Where applicable, after the Operators Appeal process has been completed (and this may include Client stages), a further right of appeal to an Independent Appeals Service will apply. These appeals will be carried out by Parking On Private Land Appeals (POPLA).

Where the right of appeal to POPLA exists, information on how to appeal will be provided at the final rejection Stage of the Operators Appeal process.

Discount Period and Appeals

Provided that your appeal is made prior to the expiry of any applicable discount period, the charges will be frozen at the discounted amount and if your appeal is rejected, a further period of 14 days, commencing on the date of the rejection decision will be allowed before the discount period allowing reduced payment expires. If you do not appeal until after the expiry of the discount period, then that discount period will not be extended any further and if your appeal is rejected, the full charge will be due.

Non Response

If an appellant does not receive a reply to their appeal, this should not be construed as confirmation that the appeal has been upheld. Appellants cannot consider their appeal upheld unless they have specific written confirmation thereof.

All appeals are replied to and if no reply is received within the timescales detailed above, the appellant should contact us to obtain a copy of the reply. If the appellant does not contact us at that time, not only will the discount period not be extended any further, there is the chance that if the appeal has not been upheld and the Parking Notice remains unpaid, the case may be passed for debt collection or other legal action, incurring the appellant in further costs that will not be waived.

Grounds of Appeal

Appeals will only be considered on one of the following grounds:

- The vehicle was not improperly parked
- The parking charge exceeded the appropriate amount
- The vehicle was stolen
- You are not liable for the parking charge

We will not consider appeals for reasons such as:

- My permit fell off the windscreen
- I forgot to display my disabled badge
- I've only just got the car and haven't had time to get a permit
- I was only parked for five minutes
- My car had broken down
- I can't afford the fee
- My friend/neighbour said that I could park there
- I want to get some change for the machine
- I could not find anywhere else to park
- I didn't notice the enforcement signs
- I couldn't see the point of having a yellow line there
- My permit application is in the post
- I thought I was correctly parked, but I made a mistake

These reasons are "mitigating circumstances" and are not relevant reasons for submitting an appeal.