



Internal Appeals Handling Policy

Appeals Handling Policy Introduction

This document defines the internal appeals handling policy of Asteria Parking Ltd. This policy does not apply to second stage appeals (IAS, POPLA or other).

This document has been created to ensure that we are up-to-date and fully aware of the Private Parking Sector's Single Code of Practice.

Scope of this Policy

We consider an appeal to be any challenge against the validity of a Parking Charge. If an appeal raises a potential issue of non-compliance with the Conformity Assessment Scheme (CAS), this will be treated as a complaint and will be processed in accordance with our published complaints procedure.

How a motorist can lodge an appeal

There are several ways in which a motorist can lodge an appeal:

Online – www.paymypcn.net

Email – appeals@paymypcn.net

Post – [Appeals Department, PO Box 5419, Hove BN52 9AN](#)

We will not usually accept verbal appeals. This is to ensure that all records are accurate and fully reflect the appeal. We may, at our discretion, decide to accept a verbal appeal, if there is a compelling reason, or if we have a legal obligation to do so i.e. The Equality Act.

We will refer these cases to compliance who will review the relevant law and decide whether we must apply an exemption to our usual processes.

Unless a motorist specifically requests an alternate method, appeal decisions will be sent in the same way in which an appeal was received i.e. appeals made by post, will receive a letter, and appeals made by email or online, will receive an emailed response unless an email address is not provided (online appeals), in which case, the decision should be sent by post.

Appeals can only be accepted, from the registered keeper of a vehicle, relevant driver or nominated third-party (subject to receipt of written authority from the account holder).

We can only process appeals where a full name and postal address is provided. If an appeal is received and this is not the case, wherever possible, we will write to, or attempt to contact the appellant to advise that the appeal will not be processed without this information.

The exception to this is if we do not have any way of contacting the appellant.

In this case, we will note the account and let it progress through to the next stages. This may involve a DVLA request being made. If an address is obtained from DVLA and the keeper appeals, we will process the appeal as usual, but from the stage in which the account is at when the appeal is received and logged.

For example a parking charge is at the higher amount, and an appeal was received without an address, we will leave the balance at £100. This is at our discretion, and we can, if necessary, reduce it to the lower amount.

Upon receipt of a valid and correctly submitted appeal, enforcement will be halted and the balance of the charge at the time a valid appeal is received will be held while the appeal is being investigated.

Should the appeal be rejected, the appellant will be notified that they have an additional 28 days to pay the charge or if they disagree with the outcome, to raise a formal dispute through TheIAS.

If an appeal is received within the initial period of 14 days, where a discount would apply, the reduced rate of payment will be offered for a further period of 14 days should the appeal be rejected. This applies from the date of notification of the rejection of the appeal being sent.

Appeals will not be accepted or processed if the parking charge has been paid.

The only exceptions to this rule are if:

- **The parking charge had to be paid to release a vehicle e.g. on-site to release a barrier; or**
- **Evidence subsequently identifies suggested wrongdoing by the Parking Operator in respect of the issue of the notice. If we are in any doubt as to whether this is the case, the case should be placed on hold and referred to compliance for review.**

Recording of Appeals

Appeals must be submitted within 28 days from the date on which the parking charge or notice of parking charge is issued. Upon receipt of an appeal, the information will be logged and worked in date order i.e. older appeals to be worked first. All information received via the appeals process is regarded as private and confidential and must not be shared with anybody outside of the organisation unless a Data Sharing Agreement is in place.

We will ensure that we consider a customer's right to privacy always.

On occasion, a motorist will provide us with information which constitutes 'special category personal data' pursuant to the Data Protection Act 2018. Where an appeal of this nature is received and we have an email address or telephone number, we must contact the customer to confirm that they are consenting to us storing and processing the special category data.

Once consent is obtained, we will need to note the account

'appeal received *** (email/post etc). Appeal contains Special Category Data. The customer gave consent by (email/Tel) for this data to be processed. Account referred to Compliance for review'.

Compliance will log the appeal minus the sensitive information and will record this data on a separate log.

If a customer does not give explicit consent, we will follow the same process, but will make a small amendment to the system note

'appeal received *** (email/post etc). Appeal contains Special Category Data. (called/emailed – choose one) Customer who does not give us consent for this data to be processed. Account referred to Compliance for review'.

Examples of Special Category data are:

- Personal data revealing racial or ethnic origin
- Personal data revealing political opinions
- Personal data revealing religious or philosophical beliefs
- Personal data revealing trade union membership
- Genetic data
- Biometric data
- Data concerning health
- Data concerning a person's sexual orientation or sex life

If we are unsure as to the status of any data, we must place the account on hold and refer to compliance.

Once an appeal is in progress, we will not usually accept later submissions of new or different documentation, or a postal submission after an initial appeal has been made. When a customer appeals they are required to submit all relevant documentation at the point of appeal. The exception to this, is if we request further information from an appellant, as required to do so under the new code of practice.

Appeals out of time

Whilst appeals must be received within 28 days from the date of issue of the Parking Charge/Notice of Parking Charge (NPC), the new code mandates that there will be exceptional circumstances which warrant consideration of an appeal received outside of the usual times. Government considers exceptional circumstances to be as follows:

- The recipient was away on holiday and was unable to appeal within 28 days
- The recipient was incarcerated e.g. in police custody or prison
- The recipient serves in the Armed Forces and was away active service
- The recipient was an in-patient in hospital
- The Notice of Parking Charge was issued to an incorrect address (through no fault of the recipient)
- The registered keeper of a vehicle was not the relevant driver and can demonstrate that they were not aware that a parking charge had been issued

When considering whether exceptional circumstances apply, we are allowed to request sufficient evidence before making our decision. We are also allowed to request that the customer signs a statement of truth confirming their submissions. Note that when requesting further evidence, we must balance our needs with the customers, and must ensure that we are only requesting the minimum amount of information to allow us to make a considered decision. If the further evidence constitutes special category data, we must follow the process set out above and refer the case to compliance.

We will not consider a customer's circumstances to be '*exceptional*' if sufficient evidence is not provided upon request or if the customer refuses to provide a signed statement of truth.

We do not consider the following to be exceptional circumstances:

- Where a Registered Keeper has changed their address and has failed to notify the DVLA pursuant to Part IV (regulation 18) of the Road Vehicles (Registration and Licensing) Regulations 2002.
- Where it is alleged that a Notice of Parking Charge/Parking Charge has not been received, when the evidence suggests otherwise i.e. if our account history shows that a letter or email has been sent, and the appellant cannot provide any evidence as to why it was not received, as they were on holiday or in hospital etc.

A bare assertion that correspondence was not received, without supporting evidence, is insufficient to establish exceptional circumstances.

If we decide that exceptional circumstances do apply, then we will revert the parking charge back to 'day one' and will restart the 28-day period.

Investigating the Appeal

It is a requirement of the new code that appeals be handled by appropriately trained appeals handlers. A record of staff training will be retained and will be provided to the relevant CAS.

Each appeal will be investigated on its own merits and all appellants will be treated with respect.

The process of investigation must include the following:

- A review of the parking charge, and reasons for issue
(e.g. does the reason for issue match the signage on-site)
- A review of all photographic evidence
(do the photo's support the issue of the charge, do they have correct time stamps etc)
- A review of any witness statements from Parking Attendant(s) or other relevant personnel
- A manual check of any 'whitelist' to ensure vehicle is not exempt
- A check to confirm if 'reasonable adjustments' have been made for motorists who meet the legal criteria for 'disability'
(this may include things like allowing extra 'consideration' or 'grace' periods, allowing an appeal if the signage is too high etc)

- A check to confirm a keying error has not been made – if a minor keying error is found, then the parking charge should be cancelled if it is the motorists first parking charge issued for this reason
- Where relevant, a check of pay and display machine logs or web-based payment systems to confirm that the systems were working around the time of parking charge issuance
(often a customer will appeal and say that the payment system/P&D machine was not working. We should check the payment system to ensure that payments were being made around the time that the parking charge was issued. If we do not have access to check ourselves, we must ask the Client/Site for this information)
- A review of customers mitigating circumstances
(any contentious appeal must be referred to compliance for review)
- A review of any other relevant information
(this may include external factors such as incremental weather, force majeure events etc)

At all times, we must request sufficient evidence to support an appeal. The provision of evidence is not mandatory, but the refusal by a customer to provide evidence may affect the outcome of an appeal.

Examples of where we must request further evidence are as follows:

- Where the vehicle would have been permitted to park in the location, but the driver failed to enter the registration number into the terminal. For example a member of a gym who would be permitted to park and has parked in accordance with all the other terms and conditions, but upon entry to the gym they forgot to enter their registration correctly on the terminal the motorist would need to produce confirmation on company headed paper from the organisation that they visited that their vehicle was permitted to be parked at the time of issue
- Where a vehicle has been parked in a bay that required the motorist to display a parking permit but no permit was visible on display so a parking charge was issued the motorist will need to provide evidence of a valid permit at the time of the parking event.
- Where a vehicle has been parked in an accessible bay and the motorist has forgotten to display the valid Blue Badge required for the vehicle to be permitted to park in that bay the motorist will need to provide a copy of a valid blue badge. They will need to identify whether it is their blue badge, or if not what the circumstances were regarding the parking event and their relationship with the Blue Badge holder.
- Where a vehicle has been parked in a bay that required the motorist to pay a tariff and display a ticket but no pay and display ticket was clearly visible on the dashboard of the vehicle so a parking charge was issued the motorist will need to provide a copy of the valid pay and display ticket for that parking session that they had purchased to validate their stay. This will also apply if a P&D ticket was face down.
- Where a parking charge has been issued to an emergency services vehicle, the emergency service in question can provide a letter on headed paper confirming the vehicle was parked in the course of its duty while attending an emergency.
- Where a vehicle has been driven on to controlled land (land where parking is not allowed i.e. 'strictly no parking', 'no parking on the roadway or pavement' due to instruction from a member of the emergency services, the motorist would need to have evidence from the emergency service that there had been an issue which resulted in the request for the vehicle to enter the controlled land
- Where a breakdown or recovery vehicle was attending an incident, the company or organisation must provide an activity log to demonstrate the date, time and location,

the details of the vehicle that was being attended to and the nature of what the issue was and what the resolution was

- Where the vehicle was used by a doctor attending an emergency call, the Doctor must provide details of their registration with the General Medical Council (GMC) and provide details of the emergency they were attending.

If sufficient evidence is provided, then the appeal must be upheld. The exception to this would be if the customer has received more than one parking charge for the same contravention. In these cases, you must refer the appeal to compliance for a review against the code.

Appeal Decisions

We must provide an outcome to an appeal within 28 days of the appeal being lodged. If a customer's appeal is complex and we require more time, we must contact them in writing to notify them of the delay and must give them an expectation as to when the appeal will be concluded.

If an appeal is successful, the parking charge will be cancelled. If the need for any corrective action is identified, we must keep a record of the action, which may include further staff training, a review of our processes, suspension of enforcement on site etc.

Examples would be things like a customer appealing saying that they tried to purchase a pay and display ticket, but the machine(s) were not working. In this case, we would need to check the payment system or check with the client/site, and if no payments were received around the issue time, it would be reasonable to assume that the machine had a fault.

If an appeal is unsuccessful, the customer will be given an opportunity to dispute the outcome of the internal appeal to an Independent Appeals Service and will be afforded a period of 28 days in which to do so.

Until further notice, this will continue to be either Popla (BPA) or IAS (IPC). The IAS decision is binding on the operator, and we will always adhere to their decision.

All appeal rejection notices must include the amount of the balance owing, the date and time of the parking event, details of the contravention and details/instructions as to how the balance can be paid.

We must ensure that all relevant points of appeal are responded to in our correspondence.

Should the motorists decide to dispute the outcome of their internal appeal to an Independent Appeals Service and it is subsequently rejected, the option to pay a discounted amount will no longer be available and the full amount of the Parking Charge will become due. Payment should be made to the Operator within 28 days from the date of the dismissal notification, with all further enforcement halted during this process to allow the motorist time to make payment.

This policy will be reviewed annually or in the event of a Regulatory requirement, whichever comes first. Questions regarding this policy should be addressed in the first instance to the Compliance Head.

New Version - Updated August 2026