

Nicola Mullany
Independent Scrutiny Board for Parking Appeals on Private Land

27 January 2016

Dear Nicola,

Adjourned cases

Thank you again for your letter dated 16 December 2015. As you know, the BPA has since then been investigating - as far as it is able - the further statements in your letter about ISPA's understanding of decisions made by POPLA in relation to cases adjourned pending the Supreme Court decision in *Beavis v Parking Eye*.

I am pleased to say, that in the light of that further information, the BPA Board has agreed to instruct the service provider appointed to consider these cases to do the following:


- ensure that the entire cases are reheard rather than just the issue relating to the proportionality of the charge and
- to invite both parties to submit any additional evidence to enable the service provider to determine an outcome.

I am grateful for your offer for ISPA to review a selection of cases. In view of this new position, it would be most helpful if ISPA could oversee the judicial aspects of the service in the same way it does for normal POPLA activity. In this way all parties to appeals can be confident that proper process has been followed to arrive at a fair and independent decision.

Thank you again for clarifying your understanding of decisions made by the Lead Adjudicator. While I have little doubt that the experience we have had here is unique, the role of ISPA in ensuring that POPLA's independence is protected has been proved and demonstrates the importance of independent oversight of appeals services.

I have copied this letter to DCLG and DVLA and placed a copy on our website to mirror your actions.

Yours sincerely

A handwritten signature in black ink, appearing to be 'Patrick Troy', written over a horizontal line.

Patrick Troy
Chief Executive