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SCOTTISH STATUTORY INSTRUMENTS

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**2004 No. 86**

**The Road Traffic (Parking Adjudicators)  
(Dundee City Council) Regulations 2004**

**PART II**

Procedure relating to Appeals

**Review of adjudicator's decision**

**11.**—(1) The adjudicator shall have power on the application of a party, to review and revoke or vary any decision to dismiss or allow an appeal or any decision as to expenses on the grounds in each case that—

- (a) the decision was wrongly made as the result of an error on the part of his administrative staff;
- (b) a party who had failed to appear or be represented at a hearing had good and sufficient reason for his failure to appear;
- (c) where the decision was made after a hearing, new evidence has become available since the conclusion of the hearing the existence of which could not have been reasonably known of or foreseen;
- (d) where the decision was made without a hearing, new evidence has become available since the decision was made, the existence of which could not have been reasonably known of or foreseen; or
- (e) the interests of justice require such a review.

(2) An adjudicator shall have power, on the application of a party, to review and revoke or vary any interlocutory decision.

(3) An application under this regulation shall be made to the proper officer within 14 days after the date on which a copy of the entry of the decision was sent to the parties and must state in full the grounds for that application.

(4) The parties shall have the opportunity to be heard on any application for review under this regulation and if, having reviewed the decision, the adjudicator directs the decision to be revoked, he shall substitute such decision as he thinks fit or order a redetermination by either the same or a different adjudicator.

(5) Regulation 10 shall apply to a decision under paragraph (1) as it applies to a decision made on the disposal of an appeal.