
STATUTORY INSTRUMENTS

1993 No. 1202

**The Road Traffic (Parking Adjudicators)
(London) Regulations 1993**

PART II

Procedure relating to appeals

Procedure at a hearing

9.—(1) At the beginning of the hearing of an appeal the adjudicator shall explain the order of proceeding which he proposes to adopt.

(2) Subject to the provisions of this regulation, the adjudicator shall conduct the hearing of an appeal in such manner as he considers most suitable to the clarification of the issues before him and generally to the just handling of the proceedings; he shall so far as appears to him appropriate seek to avoid formality in the proceedings.

(3) Any hearing of an appeal by the adjudicator shall be in public except where the adjudicator is satisfied that, by reason of exceptional circumstances, it is just and reasonable for the hearing, or part of the hearing, to be in private.

(4) The following persons shall be entitled to attend the hearing of an appeal whether or not it is in private—

- (a) any adjudicator appointed under section 73(3)(a) of the Act; or
- (b) a member of the Council on Tribunals.

(5) The adjudicator, with the consent of the parties, may permit any other person to attend the hearing of an appeal which is held in private.

(6) Without prejudice to any other powers he may have, the adjudicator may exclude from the hearing of an appeal, or part of it, any person whose conduct has disrupted or is likely, in the opinion of the adjudicator, to disrupt the hearing.

(7) At the hearing of an appeal, the appellant may conduct his case himself (with the assistance from any person if he wishes) or may appear and be represented by any person whether or not legally qualified.

However, if in any particular case the adjudicator is satisfied that there are good and sufficient reasons for doing so, he may refuse to permit a particular person to assist or represent the appellant at the hearing.

(8) At the hearing of an appeal—

- (a) the parties shall be entitled to give evidence, to call witnesses, to question any witnesses and to address the adjudicator both on the evidence and generally on the subject matter of the appeal; and
- (b) the adjudicator may receive evidence of any fact which appears to him to be relevant notwithstanding that such evidence would be inadmissible in proceedings before a court of law.

(9) Without prejudice to regulation 7(4), a party who has been sent a notice of the hearing of an appeal or otherwise notified of the hearing in accordance with regulation 8 fails to attend or be represented at the hearing, the adjudicator may dispose of the appeal in his absence.