

EXPOSED: councils that issue dodgy tickets

Last year councils forced about 37,000 drivers in Britain to go through an independent appeal before they would cancel an unjust parking ticket.

These 37,000 dodgy tickets may be the tip of an iceberg since it's not known how many tickets councils cancel before they reach this appeal stage.

Figures obtained by *Which?* show that nearly two in three appeals last year to parking watchdogs by motorists led to a council ticket being cancelled.

Birmingham, one of the worst in our league, had a bonanza in 2004, with 81 per cent of appeals going against the council.

However, in another major city, Manchester, the council lost only 56 per cent of appeals. Its parking chief, Andy Vaughan, says: 'We've moved away from whether there was just a technical infringement; attendants now consider whether a ticket is reasonable and proportionate. And they have discretion to cancel a ticket if, say, someone struggles back to their car just a few minutes late.'

Our figures came from the three appeals bodies which cover the councils that enforce parking. Londoners are covered by the Parking and Traffic Appeals Service. In the rest of Britain it's the National Parking Adjudication Service and the Scottish Parking Appeals Service. Appeals can

enforcement from the police. The foundation says that whenever a council takes over, there are more fines. In some areas, tickets are £100 if you pay late.

The number of tickets – and appeals – is rising. Although less than 1 per cent of tickets get appealed, the figures indicate problem councils.

ACTION POINT

If you think a parking ticket is unjust, challenge the council. If it rejects you, follow advice at www.parkingandtrafficappeals.gov.uk for London and www.parking-appeals.gov.uk for the rest of Britain.

Another ticket is written out. Some council wardens are ticket-happy

Revenue from parking charges and fines hit £1 billion last year

go to one of these bodies only after they've been to the council. In Northern Ireland, police enforce parking, but it's due to be decriminalised soon.

Councils' revenue from parking charges and fines hit a record of nearly £1 billion last year, according to the RAC Foundation. By 2004, 155 of about 200 eligible councils had taken over parking

Our table shows the ten councils with the worst record for losing parking appeals. We've shown them ranked by the percentage of appeals that went in the driver's favour, so that their ticket was cancelled.

Britain's worst ten

COUNCIL

Parking ticket appeals in 2004			
	Number of tickets issued	Appeals adjudicated	Successful appeals (%) ^a
Islington ^b	377,034	4,318	87% (3,744)
Birmingham	174,852	1,259	81% (1,019)
Slough	42,138	160	80% (128)
Hillingdon ^b	88,958	753	80% (599)
Haringey ^b	212,872	803	78% (628)
Barking and Dagenham ^b	43,844	393	75% (294)
Hackney ^b	138,271	1,061	75% (791)
Liverpool	109,869	222	74% (165)
Chelmsford	21,706	151	74% (112)
Portsmouth	48,620	265	71% (188)

^a Includes those not contested. The number of successful appeals is in brackets

^b Appeal figures for London councils include bus lane appeals
We excluded councils with fewer than 100 appeals last year

round-up

VITAMINS WIN

The European Court's decision to limit the sale of vitamins and minerals to those on an approved list is good news. You can now be sure products are safe and effective. Visit www.which.co.uk/campaigns for more details.

AMBULANCE CALL TIMINGS

The government has tightened up rules for ambulance response times. The change means that the eight minutes allowed to reach the patient must now start when the emergency call is received. The bad news is that ambulance trusts can stop the clock when the ambulance gets to the scene, rather than when help reaches the patient.

CHEMICAL BAN

A chemical linked to cancer is now banned from toys by the European Union. Phthalates are used to soften plastic toys but can be found in other products, including nail polish and shampoo. The wider use of the chemical is set to be examined.

HEART SURGERY

Patients undergoing heart surgery will now receive better information on the risks of the operation. A guide, for use by cardiac teams, was developed after patients complained they weren't told of the possible dangers before consenting to surgery.

Supermarkets start to scrap the fat



Waitrose is axing heart-clogging trans fats from its own-brand biscuits from September. The move is good news for consumers worried about the effect of the fat on their health.

But Asda has said it won't remove this fat from its biscuits at the expense of taste, and other big-name supermarkets aren't acting as fast as we'd like.

Waitrose will cut artificial trans fats, which are linked to risk of heart attack and stroke, from other products in later phases. It follows rival Marks & Spencer's pledge to rid its foods of hydrogenated fats, the substance which can contain the harmful trans fats, also from September.

We applaud these supermarkets' steps after previously calling for an end to the use of the artificial fat. Research shows that it can increase risk of heart disease in people who regularly eat as little as one gram a day.

Disappointingly, other supermarkets, including Asda, Morrisons and Tesco, said only that they are working towards reducing or removing the fat.

Asda said it's 'working to reduce both saturated and hydrogenated fats in all products where practicable and where it's not to the detriment of the eating quality.'

The good news is that, since our tests last October on the levels of trans fats in everyday foods, five out of 13 manufacturers we highlighted have told us they've changed their recipes (see 'Trans fat content', right). Heinz has removed all hydrogenated fat from its Linda McCartney deep country pies.

The US is taking the issue of trans fats in foods seriously. New laws passed there mean that from January its presence must be listed on food labels. But here there is no such law. The only way consumers can avoid trans fats is not to eat foods containing hydrogenated or partially-hydrogenated fats.

Trans fats are linked to risk of heart attack and stroke

Trans fat content

The table shows the reduction in trans fat in foods we highlighted last October (see 'The state of our food', p10).

	JUNE 2004 ^a (g per portion)	NOW ^b (g per portion)
Cadbury's Boost bar	1.2g	0.6g
McVitie's Penguin biscuit	0.2g	0.1g
Heinz Linda McCartney deep country pies	0.5g	see ^c
Mr Kipling Mini Classics Victoria sponge cake	0.8g	0.65g
Sainsbury's puff pastry minced beef and onion pie	1.8g	0.45g

^a Our test results ^b Figures from manufacturers
^c Heinz did not give an actual figure, but pointed out it has now removed all hydrogenated fat from this product

Avis accused of bumper profit



This Renault Mégane's hire costs soared because of minor damage (circled)

Car-rental giant Avis has agreed to refund a customer a £234 charge for three small scratches on the bumper that he could barely see.

Alan Deller was stunned by the charge after he hired a Renault from Avis in Majorca this year.

Alan, from Surrey, said: 'I felt like I'd been mugged. The damage charge was more than double the hire fee. Avis said I had to pay. I did as I had to catch a plane, even though I didn't know when the scratches happened.'

'They were less than one centimetre each. Avis later sent me a copy of the repair estimate and it seems ridiculously

high. If it does the work later, there could be other repairs at the same time, saving money.'

Avis told *Which?* that 'wear and tear' wasn't included in rental fees if it would cost money to repair, and that it used standard guidelines to calculate charges. But it has refunded Alan because of delays in responding to him.

The incident follows concerns that car-hire companies may be profiteering from damage charges. Avis rewrote its terms and conditions last year after Citizens Advice caught it making an

£80 profit on a damage charge. Small print had allowed it to take the full collision damage waiver excess even if damage cost less to repair.

Last year, we found one in eight car-hire customers had unexpected charges (see 'Dirty business', *Which?*, July, p26).

ACTION POINT

Inspect a rental car before and after use. If you're charged for damage done during your hire, demand a copy of the repair bill and don't be afraid to challenge it.

Marketing materials mix-up

Two mobile-phone companies have come under fire from readers fed up with being bombarded with marketing material.

Graham Wood, 51, used Nokia's online help form but didn't opt to receive marketing material. He was stunned to get an email saying: 'We are unable to investigate as you have not given us permission to use your details to contact you with marketing material.'

Nokia said it needs permission to pass on customers' details because a third party runs its support service. It admitted the phrase 'marketing material' is confusing but said it had had more complaints over previous wordings. It added: 'I can assure customers they won't receive marketing material.'

Orange customers can also expect more marketing material now that it is part of the France Telecom group, which includes internet service provider Wanadoo. It told customers on its bills that it will pass on their data to the group, but didn't say how to opt out. Orange said it was a mistake, adding: 'We will be communicating this to our customers in the near future.'

ACTION POINT

To opt out of receiving Orange marketing, call 150 (contract) or 450 (prepay) from an Orange phone.



Nokia won't send marketing material



When it comes to call centres, I'm a 'press five for any other enquiry' person. And when I do get through, I often feel a gremlin must be making me incomprehensible.

John Young suffered a similar fate when he

[fighting your corner]

Which?'s Liz Edwards takes on big companies for you

rang his car insurer, Egg (named, surely, to please headline writers), to say he'd moved. It sent him new documents but no insurance certificate or explanation. Another call brought another set of papers – but no certificate.

John tried to renew his car tax but the post office wanted a certificate. A clerk said that, without it, driving

was illegal. A third call brought yet another set of papers, with a certificate...which had just expired.

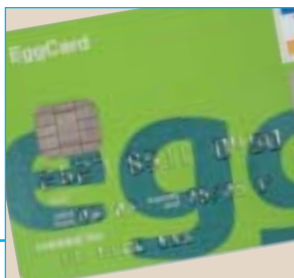
Infuriated, John called Egg's helpline, where

staff said a certificate would have to be sent by registered post. This failed to arrive. John spoke to team leader 'Michael', who promised a certificate, which did arrive, eventually. Michael offered a generous...83p a day for John's carless period.

I called Egg, which apologised for a 'communication error'. John's old certificate was

valid all along so he didn't need a new one. Egg gave him £75 for expenses such as fares while without his car.

You must tell your insurer when you move house. Your policy schedule will change, but your certificate's valid as there's no address on it. A simple message which just got, er, scrambled.



No release from bad advice

Older people could be putting their homes in jeopardy due to bad financial advice, according to new research.

More than 70 per cent of financial advisers gave bad advice to customers about equity release schemes in mystery shopping carried out by the regulator the Financial Services Authority (FSA).

These schemes let you release cash from your home without having to move. You borrow against the value of your home or sell part of it for less than market value.

In the worst cases, some advisers suggested people borrow more than they need and invest the surplus. This is what happened in the 1980s when home income plans were mis-sold to thousands of older people, many of whom are still struggling with huge debts.

The FSA research revealed that advisers failed to gather enough information to properly assess whether an equity release scheme was suitable, failed to explain the risks involved and failed to refer customers to local advice agencies that might suggest cheaper, subsidised schemes.

The FSA said: 'Our work has found another disappointing instance of many advisers giving

'Advisers failed to explain the risks of equity release schemes'

Financial Services Authority

poor-quality advice. What makes matters worse is that these consumers tend to be elderly and vulnerable people who can ill afford to be unnecessarily exposed to risk.'

Our own research into equity release schemes has found them inflexible, expensive and difficult to compare, so good financial advice is essential if you are considering one. But the FSA's research highlights that good advice can prove difficult to find.

You can obtain the FSA's equity release scheme factsheet at www.fsa.gov.uk or by calling 0845 456 1555.

We'll be looking at equity release schemes again in January 2006.

More than 70 per cent of advisers gave bad advice about equity release schemes

Food hygiene scores go online



Camden is the first English council to put inspection results on the web

The food may be delicious but do you wonder how clean the kitchens are at your favourite restaurant?

Diners in north London can see just what lurks behind the kitchen door after Camden became the first English council to publish hygiene scores.

Each of the 2,000 businesses that serves food in the borough is being given a star

Ratings range from three stars for excellent to no stars if major improvements are needed in a particular area. Businesses are also assessed on the risk that the food they serve could be contaminated with dangerous organisms such as *E coli*.

These details are posted on the Camden Council website and people can search for individual restaurants

'For people who live in the rest of the country the picture is still pretty bleak'

Miranda Watson

rating to reflect the condition of the premises when they were last inspected.

Businesses are rated on their food safety and hygiene practices, as well as on the conditions of the premises and the knowledge of food handling.

or by street. Highland Council in Scotland is also publishing food inspection reports on its website.

Which? welcomes both moves. We think consumers have a right to know how food outlets did in their last inspection and we've been asking councils to

put this information online.

'This is great news if you live in Camden or the Highlands of Scotland but for people in the rest of the country the picture is still pretty bleak,' said Which? food campaigner Miranda Watson.

'We want all councils to follow the example set by Camden and the Highlands.'

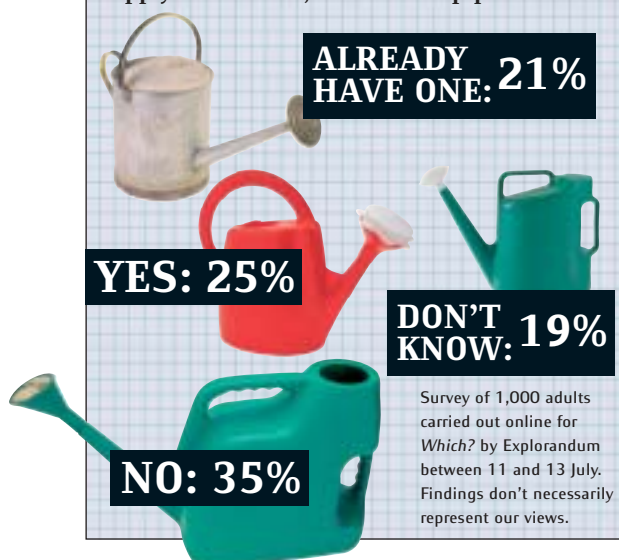
For Camden scores, go to www.camden.gov.uk/environmentalhealth and click on 'Food Safety'. For the Highlands' scores visit www.highland.gov.uk and click on 'Environmental Health Inspection Reports'.

ACTION POINT

Use our template letter at www.which.co.uk/campaigns/food to ask your council for local restaurant hygiene reports.

THE PUBLIC'S VIEW

At least one water company thinks compulsory meters are the best way to conserve scarce supplies. Would you be prepared to have a water meter to avoid the risk of water supply restrictions, such as hosepipe bans?



Copy carts barred

One of the UK's largest third-party ink cartridge suppliers has stopped selling unbranded ink cartridges for Epson printers, following an out-of-court settlement, leading to fears of rising printer ink prices.

Unbranded ink is popular with consumers because it's cheaper than manufacturers' branded ink.

Own-brand ink supplier Environmental Business Products said: 'We are not confident of finding Epson-compatibles that don't infringe Seiko Epson's patents or registered designs.'

Printer manufacturer Epson said: 'We will continue the enforcement of our intellectual property to protect our innovative products.'

Commenting on the issue of third-party ink cartridges, Canon said it won't prevent third-party companies from producing inks for its printers 'so long as no infringements are made on Canon intellectual property'.

Similarly, Lexmark said: 'We will protect our investment and if we think our copyrights and patents are being infringed, we'll defend them vehemently.'

HP didn't want to comment.



Filthy 'Oscars' for waste and water firms

The ten worst polluters in England and Wales are mainly water and waste companies, says a new report from the Environment Agency.

Its catalogue of last year's convictions for environmental offences reveals the ten that clocked up the biggest fines. They include four water companies and three waste firms.

Between them, these seven were responsible for a staggering 59 pollution incidents, including sewage spills and landfill gas leaks.

The worst of all, however, was a chemical company, Sevalco Ltd of Avonmouth, Bristol, which was fined £240,000 plus costs for six offences. For more than four years, the company had been releasing up to 17 times the safe level of cyanide that it was permitted to discharge into the Severn estuary, harming wildlife. Sevalco then orchestrated a cover-up. Since then, it has sacked the staff implicated, said the agency.

The latest *Spotlight on Business*, the agency's seventh such annual review of companies' behaviour, highlights five water companies as serial offenders. Anglian Water (three convictions last year), Thames Water (eight), United Utilities (nine), South West Water (13) and Southern Water (14) were all fined £10,000 or more for the sixth year running.



A sewage spill killed these fish

Southern Water had the highest number of breaches of any water company; the agency said that Southern's level of repeat offending was 'unacceptable'. The latest incidents included letting sewage seep into lakes in East Sussex (see picture, above), and an oil spill in a river.

Water companies also came in for criticism last year. However, the agency says that the sector has since cut by nearly a third the number of serious pollution incidents it caused.

And finally... Water cheek

Penta: restructured optimal cellular bio-hydration to help you combat the 21st century...or just very expensive pseudo-science? Easy to drink? Yes. So it should be for £1.50. The claims are somewhat harder to swallow.

Busy mums and high-flyers use Penta to rise above the daily grind. You can use Penta (1 to 4 bottles per day) to enjoy what we call Bio-Hydration: optimal cellular hydration that will help your body combat the negative effects of 21st century living and help your brain to stay more alert all day long. Penta is the ultra pure, easy to drink, fast acting water that has been proven to hydrate more effectively. It



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contact inside story

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are free) or you can email us at insidestory@which.co.uk. We're sorry but we can't respond individually.