

Here to help



**Head of News
Liz Edwards
tackles one
council over
parking tickets**

I've long suspected that some councils ignore parking ticket challenges until you mention the magic words 'formal appeal'.

My local council, Lambeth, in London, did nothing to dispel this suspicion after it issued me with an unjustified parking ticket recently, and some of the farce that followed will be familiar to many of you.

Lambeth's reply to my challenge had 'stock response' written all over it. I wrote again, with photos. Rather than sending a proper reply, Lambeth issued a 'charge certificate' saying that all my representations had been rejected and, if I didn't pay £150, I'd hear from the bailiffs.

Customer services told me to ignore the demand, which was sent 'by mistake'. I then got a proper rejection, made a formal appeal and got an apology from Lambeth and the ticket was cancelled.

I called Lambeth, as Which?, and it admitted that in 2007 it sent 8,000 wrong demands with the threat of bailiffs, due to an IT 'glitch'. I was told it was refunding the 212 people who paid, and had fixed the problem, but I've reported the case to the Local Government Ombudsman to check.

So if you think that a ticket is unjust, always contest it.

It's worth appealing against council charges on parking

Challenge parking fines



CAR PARKING

Some local councils reject far too many challenges to parking fines and force drivers to make formal appeals, according to a high-profile campaign group.

Appeal Now, which helps people challenge parking fines, says that in half of appeals won by drivers the council failed to offer evidence, suggesting it should have cancelled these tickets already.

For most of England and Wales, the local council, rather than the police, enforces parking. Overturning a ticket is a two-stage process. You challenge the council, but if you're rejected, you can appeal to independent adjudicators.

Barrie Segal of Appeal Now feels that not enough councils listen to motorists' challenges. He said: 'The hidden crime here is that many motorists give up when their challenge is rejected by a council, when a similar case might have won at appeal.'

TAKE ACTION!

■ If you think a parking ticket is unfair, challenge the council. If it rejects you, follow advice at www.parkingappeals.gov.uk for London and www.parkingappeals.gov.uk for the rest of Britain.

Potty penalties

Last month, Barrie Segal published stories of his favourite parking fines in *The Parking Ticket Awards*.

One disabled Blue-Badge holder parked in a designated bay but got two parking tickets. The first claimed there was no Blue Badge on display, and the second claimed that the bay was out of use, but noted the badge. Although the tickets contradicted one another, the case went all the way to appeal, where the adjudicator found in favour of the motorist.

In another example, a warden said that they had checked all windows on the vehicle and looked inside for a valid ticket. The victim pointed out that he owned a motorbike, but the case went all the way to appeal before the error was acknowledged.

About 8 million tickets were issued in 2005. Figures from that year show that councils varied hugely in the number of parking appeals they contested.

In Chelmsford, where drivers won the vast majority of appeals, the council didn't contest 43 per cent of these. In the London boroughs of Hackney, Hillingdon and Southwark, this rose to more than 60 per cent.

In contrast, Stockport issued almost 23,000 tickets, but there were no formal appeals. Stockport Council attributed this to its parking attendants having no targets for issuing tickets, and also said it tried to resolve parking challenges in-house.

In the latest Scottish figures, for 2006-07, seven in ten people won appeals, almost 80 per cent of which were uncontested.

BT is top of our pops

COMPLAINTS

Disgruntled BT customers have made the telecoms giant top of a recent monthly league of complaints made to our lawyers.

Which? Legal Service dealt with 61 calls from consumers asking for help with tackling billing problems or poor customer service in October.

Installation problems and general customer

service issues helped to put Virgin Media in second place; our lawyers took 39 calls about the company.

In third place was British Gas. Our lawyers took 36 calls about the utilities company, with billing problems and annual service contracts being the main cause of complaints.

Phone companies TalkTalk and Orange notched up 23 and 21 complaints, respectively, followed by Barclays with 14 calls, and Comet, Currys and Tiscali with 13 complaints each.

Other hot topics included mobile phone contract

cashback (see p12) and international lottery scams.

We'll continue to highlight the major companies giving readers cause for complaint in future issues.

To join Which? Legal Service, and get six months' membership for £12.75, call 0800 252 1090 or go to www.which.co.uk and click on the 'About us' section.



We test how well cosmetic companies explain their claims

The science of confusing

SCIENCE

Pentapeptides, hyaluronic acid and omega 3 might sound impressive, but scratch beneath the surface of the glossy cosmetic adverts and the claims of some companies don't make a whole lot of sense.

Adverts for skincare products, featuring celebrities such as Penelope Cruz and Sarah Jessica Parker, promise to 'refuel surface skin cells' and give skin 'a dewy glow', using scientific terms to back up these claims.

We wanted to see whether the public could get a better explanation of these claims if it contacted customer services at companies such as Garnier and L'Oreal.

Posing as a consumer, we asked how ingredients such as hyaluronic acid and pentapeptides actually worked on the skin (see below). We showed the results to Sense About Science, a charity that promotes good science, to see what it thought of the information we were given.

It thought that staff were often fobbing off customers with pseudo-science that was



Celebrities like Sarah Jessica Parker endorse cosmetics

incomprehensible even to a trained scientist. After reading our transcripts, the scientists were no wiser about how pentapeptides, lipopeptides or omega 3 managed to 'help with the signs of ageing' or 'improve the appearance of your skin'.

'It's insulting to people's intelligence to expect customers to accept these explanations,' said spokeswoman Dr Aarathi Prasad. 'They're taking the real science out of context so it becomes bad science.'

'They're taking real science out of context'

A consumer calls beauty companies



Olay Regenerist

Which?: Are the ingredients natural?

Customer service:

Pentapeptides are fragments of molecules. They're found naturally throughout the body so they originate from the body.

Sense About Science verdict:

This can't be right. Laboratory-made pentapeptides may be chemically indistinguishable from those that occur naturally, but be clear that they're not extracting them from real cells.

Garnier Nutritionist

Omega Skin

Which?: How will it help with the fine lines on my face?

Customer service: You have the

rosehip and the magnesium that do that and also there's another ingredient called lipopeptides and that is also another natural stimulant that helps the skin. It makes the skin resilient and visibly younger.

Sense About Science verdict: Certain lipopeptides can be potent stimulants – of the immune system. But stimulating the immune system is by no means the same as stimulating collagen formation. You cannot really link stimulation of the immune system with skin rejuvenation like this. I can't think what else



she may be referring to when she says it 'stimulates'.

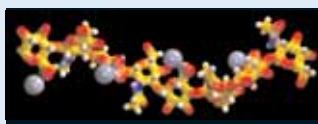
L'Oreal Derma Genesis

Which?: What is hyaluronic acid?

Customer service: It's not an actual acid. The product replumps, tautens and illuminates to give radiance to the skin.

Sense About Science verdict:

This does not answer the question and does not explain what the acid does in any mechanistic sense. And it is an acid in all senses of the word.



Lastminute's cancellations cost more

HOTELS ONLINE

Booking a hotel room through Lastminute.com could leave you paying over the odds if you have to cancel.

When one reader cancelled a room at the Menzies Silverlink Hotel, in Newcastle upon Tyne, Lastminute.com told him he'd have to pay the full £120 for a night's stay, despite the fact he'd given six days' notice. It claimed this was the hotel's policy.

But the hotel told our reader its policy was to charge a £20 administration fee, not the full amount, if a room was cancelled more than 48 hours before arrival. Eventually, Lastminute.com agreed to charge him only £20.

To test whether Lastminute.com routinely applies such cancellation policies, we posed



The Menzies Hotel, Newcastle

as a consumer and booked and cancelled two rooms, one at the same Menzies Hotel and one at the Copthorne, Cardiff.

Both times, Lastminute.com demanded full payment when we cancelled and said it was the hotel's policy. It then relented when we pointed out the true policy of each hotel, and charged just an administration fee. Lastminute.com even printed contradictory cancellation policies in its confirmation emails to us.

When we contacted Lastminute.com as Which?, it insisted that the Menzies hotel had agreed to a stricter cancellation policy for the sale of rooms through the website.

TAKE ACTION!

■ Always check whether you can get a more favourable deal and cancellation policy by booking direct – the Menzies Hotel offered a similar price and better cancellation terms when we checked.