

## Parking fine nuisance

Council data shows drivers with valid tickets and permits having to appeal against unfair penalties

### MOTORING

**E**ver felt that you've been handed an unfair parking fine? You're not alone. We've learnt that many appeals against penalty charge notices (PCNs) have succeeded because the driver had a valid ticket or permit.

Using Freedom of Information Act (FOIA) requests, we asked 14 local authorities how many successful appeals were made against PCNs issued last year and why they succeeded.

Up to two thirds involved motorists with a valid ticket or parking permit. East Riding of Yorkshire Council granted 668 out of 1,088 appeals (61%) for this reason.

And up to a quarter of fines were cancelled because the disabled driver had a valid Blue Badge. Leicester City Council told us that out of 3,679 appeals, 951 (26%) were upheld on these grounds.

Some councils waive fines given to Blue Badge holders for a first parking offence, so we haven't included these cases in our figures.

### Council data

Overall, the 12 local authorities that responded to our request issued 927,437 PCNs last year. Ten of them upheld 71,762 appeals (8%) in total. Only six were able to provide reasons for successful appeals.

We think that all councils should collect this information so employees can be trained to issue PCNs correctly, and time and resources aren't wasted on appeals.

Public authorities can turn down FOIA requests if it'll cost more than £450 to find the data – two councils did so.

And whereas some complied with the request free of charge, Nottingham City Council said it would cost us almost £47,000.



### THE LOWDOWN ON PENALTY CHARGE NOTICE APPEALS

LOCAL AUTHORITY	Number of successful appeals	
	Valid ticket/permit	Blue Badge holder
Bristol City Council	199 (18%)	192 (18%)
East Riding of Yorkshire	668 (61%)	111 (10%)
Leicester City Council	874 (24%)	951 (26%)
London Borough of Enfield	3,350 (22%)	882 (6%)
Sheffield City Council	1,277 (35%)	336 (9%)
London Borough of Barnet	1,350 (5%)	1,405 (5%)

**Details not provided due to cost:** London Borough of Bromley; Birmingham City Council; Nottingham City Council. **Details not collected:** Cardiff City Council; Liverpool City Council; Leeds City Council.

**No response:** London Borough of Ealing; London Borough of Croydon.

### TAKE ACTION!

■ To find out how you can appeal against a parking ticket, visit our guide at [www.which.co.uk/parkingtickets](http://www.which.co.uk/parkingtickets).

## SATNAVS FALL FOUL OF NEW LAW

### TomToms fall silent over the airwaves after legislation restricts use of FM transmitters

Many satnav users tell us they like listening to directions through their car radio – but some TomTom owners have heard nothing from them lately.

Satnavs that have FM transmitters allow you to relay instructions through a car's sound system. But,

after several members with TomToms told us that this function appeared to have stopped working, the company said that a software update had disabled it.

This, it said, was to comply with new rules which don't allow silences exceeding one

minute between voice instructions. However, continuous transmission of music (as is the case when using a satnav as a music player) remains legal.

The models affected are GO 520, 530, 720, 730, 920 and 930.



TomTom told us it's working on a software update that meets the new rules, which it hopes to roll out this summer.

# Green claims in advertising can mislead shoppers

## 'Eco' ads under fire

### ENVIRONMENT

Most of us want to do our bit for the environment. But with green claims on everything from bank accounts to bubble bath, it's hard to know which to trust.

Concern about the increasing number of misleading green claims has led MPs to demand change, so we asked Which? members about green shopping habits.

We surveyed 1,918 Which? online panel members. You said that there are so many green claims you don't know which to take seriously. But while only 21% think green claims are always true, 56% of you are more likely to buy a product with a green claim than without.

You're least likely to be tempted by green financial products, however.

### Meaningless claims

Last month, MPs on the Environmental Audit Committee (EAC) reported that the use of 'meaningless environmental

claims' to promote products was a growing problem.

The Advertising Standards Agency received 369 complaints about green claims in 264 adverts in 2008 – and it upheld 21. In one case, the ASA told EasyJet not to repeat an ad that said: 'Choose airlines with... fewer emissions. EasyJet emits 22% less CO<sub>2</sub>'. The claim was based on the fact it carries more passengers per plane than traditional airlines.

### Codes under review

The EAC wants ministers to bring in a green labelling scheme to prevent the problem of 'greenwash' – where companies claim products are greener than they are. The ASA and the government are reviewing their green claims codes.

Which? green policy expert Simon Osborn said: 'Companies must ensure claims are clear and meaningful. We'll be looking at the use of green claims and the new codes to check whether consumers can trust claims that are made.'



### GREEN SHOPPING

We asked members which products they'd be more likely to buy if they had green claims

**67%**  
Household appliances

**53%**  
Gardening products

**47%**  
Cleaning products

**46%**  
Cars

**45%**  
Electrical goods

**44%**  
Food and drink

**31%**  
Toiletries and cosmetics

**18%**  
Utilities

**15%**  
Clothing and textiles

**6%**  
Financial products

## Unfair shares

Thousands of ordinary investors may have lost out on millions of pounds because of an unregulated financial service.

As companies including BT, Halifax and Standard Life have 'floated' on the stock market, millions of people have been offered shares at a discount.

But the process that manages flotation issues – run by company registrars – isn't regulated. This means that if something goes wrong, disputes can't be taken to the Financial Ombudsman (even if both parties want it), and must go through the courts, which most people can't afford.

One Which? member complained when his application for Standard Life shares was rejected by company registrars Computershare Investor Services. He posted his application two days before the deadline, using Computershare's envelope, and he obtained a certificate of posting.

But Computershare said his application arrived seven days after the deadline – on the day it was clearing up after completing the £5bn flotation of Standard Life shares.

The member disputed this, as he says post sent to

Computershare over the years had never arrived more than one day later. There was no industrial action that could explain the delay so he cannot understand why, on this occasion, post arrived not just one or two days later, but nine days after posting.

Computershare told us: 'Registrars are very careful to ensure that every document meeting the requirements is processed. All applications that were received as per the terms and conditions of the Standard Life offer were processed accordingly.'

Our member believes this needs further investigation and that if the service was regulated he could ask the Financial Ombudsman to arbitrate. As it is, he has no option but to battle the dispute out in court or drop it.

### TAKE ACTION!

■ Do you think the activities of company registrars should be regulated? Tell us about your experience of dealing with company registrars. Email [helpwanted@which.co.uk](mailto:helpwanted@which.co.uk) with 'company registrars' and 'Teresa Fritz' in the subject line.

Online stores update their terms after contact from Which?

## Check your rights online

### ONLINE SHOPPING

**W**hich? has succeeded in getting your favourite online stores to update their websites, so you're fully protected when buying goods.

Following our review of 51 websites in November 2008 (p22), we found that a number of websites' terms and conditions failed to comply with at least one rule under the Distance Selling Regulations (DSRs).

Six months on, we checked these shops and some still weren't following DSRs to the letter, while others were ignoring OFT guidance on how they should comply with the rules.

### Returning goods

For example, under the DSRs, you can cancel an order any time before and up to seven working days from the day after you receive your goods. Four websites still gave you less than this – but all of them reworded their terms after we got in contact.

In March, Homebase.co.uk stated that you had seven working days to cancel, after delivery, which missed off the extra working day – it now includes it.

Thebookpeople.co.uk said an order couldn't be cancelled until an order arrived and it gave only seven days to return it. The company told us that it did

meet DSRs but its website wording was not clear, so it updated it.

Elc.co.uk (Early Learning Centre) and Orange.co.uk said you could cancel orders within seven days of receiving goods. Orange.co.uk also told us that it met the DSRs but would change its website as 'a matter of priority'.

ELC said there was an error on its website, which was then updated to 'eight working days'.

However, some websites had already improved since our first investigation in November. Landsend.co.uk had changed its cancellation policy – from seven working days from delivery to 'any time' after an order (if it's not caught before dispatch). And Vodafone.co.uk said that you could cancel orders within 14 days of delivery.

### Cost of returns

In March, we found that, contrary to OFT guidance on how best to comply with the DSRs, Next.co.uk and Frangencedirect.co.uk didn't refund original delivery charges on returns if you changed your mind about your order and wanted to return it.

OFT guidance says that refunds should include the original delivery charges (companies can charge you to return goods).

Next.co.uk said that the OFT guidance was 'one interpretation' of the rules and that it did fully comply with the DSRs. It also pointed out that it offers a free returns service. We were still waiting for a detailed response from Frangence Direct as we went to press.

## In brief

### ENERGY DIRECT DEBITS

■ After we reported on excessive energy bill direct debits (*Which?*, April 09, p4), we were pleased to hear that Scottish Power is to compensate customers. Those with more than £100 in credit will get £1 for every £33 they've 'loaned' to Scottish Power through high direct debits. We're pressing other energy companies to do the same. Visit [www.whichswitch.co.uk](http://www.whichswitch.co.uk) to save on energy bills by switching tariffs.



### CORGI REPLACEMENT

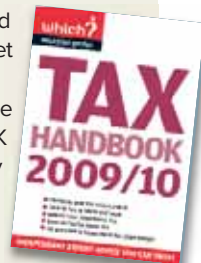
■ If you're looking for a boiler repair or replacement, remember that the Corgi gas registration scheme has been replaced. Any person or business carrying out work on gas appliances must now be on the Gas Safe Register – see [www.which.co.uk/gasregister](http://www.which.co.uk/gasregister) for more information. For details of gas engineers who've been recommended by our members, visit [www.which-local.co.uk](http://www.which-local.co.uk).



## COMING SOON

Reduce your tax bill and find out how the Budget will affect you with *Tax Handbook 2009/10*, the hassle-free guide to UK tax. To preorder a copy of *Tax Handbook 2009/10* at £9.99 including free p&p (normal price £10.99), call 01903

828557 and quote TAXW0509 and ISBN 9781844900602. Offer closes 24 May. Books will be delivered after publication: 26 May 2009.



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