

Watch out if you're selling your car
– you could break the law

Car sale woe

MOTORING

Parking wardens gave Which? member Diane Draper a ticket – because her car was for sale.

Diane was stunned when she returned to her Nissan Tino, which was parked in a north London street, to find a £100 ticket. Diane, a Blue Badge holder from Hertfordshire, was told she'd contravened a London bylaw that prohibits selling vehicles on public streets.

But the problem isn't limited to London. Earlier this year, a driver from Essex persuaded Basildon Council to cancel a £60 fine after she parked her car with a 'for sale' sign on it in one of its car parks. The council told Which? there was a clear sign prohibiting vehicle sales.

Diane also persuaded Barnet Council to back down eventually.

Barrie Segal, who runs a parking appeals website, told us he'd heard of other cases.

In Britain, you could be caught out by at least two laws. Under one, it's an offence to have two or more cars for sale within 500 metres of each other, but you can avoid a £2,500 fine by proving you're not a business. And a street trading law makes it an offence to offer a car for sale in certain roads.

The rules were brought in to stop dealers using streets as car showrooms. Councils can also ban car sales in car parks.

Joanne Lezmore, of Which? Legal Service, says: 'Having a "for sale" sign in your car isn't an offence in every street, but the rules are confusing.'

'If you want to park in a street with a "for sale" sign in your car, check with the council.'



BLUE BADGE CONCERN

Plans to change the disabled parking Blue Badge scheme have been criticised by Help the Aged.

The government says the changes will extend the scheme to more who need it, such as parents of severely disabled children. It also wants to crack down on fraud, making badges harder to forge, and giving parking attendants the power to confiscate stolen, forged or fraudulently used badges.

But Help the Aged is concerned that under the proposals, you'd need to be unable or virtually unable to walk to qualify – excluding many older people with limited mobility.

A Snoopy toy given away with a Burger King meal in Malaysia



United over junk food promotion

KIDS' FOOD

From Australia to Mexico, tactics to tempt kids into eating unhealthy food include the use of cartoon characters and free toys.

Which? has joined forces with consumer groups across the globe – as Consumers' International (CI) – to transform the way food manufacturers promote these products.

CI has collected examples from across the world to highlight the influence that major companies have on children.

CI members, together with the International Obesity Task Force, want the World Health Organisation (WHO) and manufacturers to adopt a global code of practice that would ban irresponsible marketing of unhealthy foods to youngsters.

The code would prohibit the promotion of unhealthy foods using characters and free toys, before the 9pm watershed in TV advertising, on children's social networking websites, in schools and by celebrities.

As a member of CI, Which? has played a key role in developing the International Code on Marketing of Food and Non-Alcoholic Beverages to Children.

Which? Chief Policy Adviser Sue Davies said: 'With diet-related disease escalating globally, companies must be more responsible in their marketing in every country they trade in.'

The code sets out the approach that we also hope governments and WHO will adopt to curb unhealthy food promotions.'



Frosties showing cartoon characters in India and Thailand

Warning over PayPal refunds

SHOPPING ONLINE

PayPal has climbed down after it refused a refund in an apparently clear-cut case of misdescription.

Rex Gibbons thought he had a cast-iron case for a refund when the car dashboard he bought on eBay arrived with cracks.

He used the dispute resolution service of PayPal – the payment method used by eBay customers – but it threw out his claim without looking at the dashboard.

Rex, who bid £220 for the dashboard, said: 'I knew there were problems with cracking on Capri dashboards made in the 70s, so

I went for one that specified no cracks. But the item had fractures on the top.'

As required by PayPal, Rex had an expert assess and confirm the damage, but it still said that the item wasn't significantly misdescribed.

Rex then went to the Financial Ombudsman Service (FOS), so PayPal decided to give Rex a refund but refused to admit that it had made a mistake.

A PayPal spokeswoman said customer feedback was taken 'very seriously'. She added: 'In the case of Mr Gibbons, we were happy to be able to credit his account with £220, and are pleased his case is now resolved.'



TAKE ACTION!

If you're dissatisfied with PayPal's response to a complaint, go to www.financial-ombudsman.org.uk for support from FOS.

Tributes flood in after Eirlys Roberts dies, aged 97

First editor of Which? is remembered

Eirlys Roberts helped shape *Which?* into a highly respected and successful magazine – growing its membership to 300,000 in its first six years, and laying down its principles for truth and bravery.

Co-founder of *Which?*, the late Michael Young, described her as the most considerable figure produced by the British consumer movement.

Peter Goldman – director of *Which?* in the 1960s – called the magazine ‘her creation’. He said: ‘A toughly intelligent Celtic charm shone from its pages and drew out of those who worked for it more than they thought they had in them.’

Fearless journalist

Eirlys is credited with setting out the straightforward style of the magazine. On cleaning your teeth, one article said: ‘No toothbrush will make up for slipshod brushing.’

During her 15-year tenure, she fearlessly tackled uncharted territory, including our 1963 contraceptives supplement. Such articles bought about real change for years afterwards.

The first tests of seat belts in 1962 led to the compulsory wearing of front seat belts years later in 1983.

Educated at Clapham High School, Eirlys went on to read classics at Girton College, Cambridge, and later helped Robert Graves research his novel *I, Claudius*.

During the war she served in military and political intelligence, and worked in the Treasury’s information division between 1947 and 1957. She went on to write freelance articles on consumer affairs for *The Observer*.

In those days, products weren’t



tested, so Eirlys interviewed firms’ technical staff, who were ‘so helpful’. She said: ‘I mean they were utterly indiscreet. I was staggered at the amount they would tell me.’

European influence

From 1958 she was Head of the Research and Editorial Division at the Consumers’ Association (later *Which?*) and was Deputy Director until 1977, leading *Which?*’s advocacy work. She received an OBE in 1971 and was appointed CBE in 1977. In retirement, she set up the European Research Institute for Consumer Affairs.

Ray and Dorothy Goodman, also co-founders of *Which?*, said: ‘Eirlys was a partisan of the consumer

before CA. Her *Observer* articles led to our inviting her to join the promoters of the organisation.

‘A classicist, not a technician, she had a passion for clarity and good plain English that had much to do with the magazine’s success.

‘She was a good friend until the last, and *Which?* is her monument.’

The current Chief Executive of *Which?*, Peter Vicary-Smith, said: ‘Eirlys shaped not only *Which?* the magazine but also *Which?* the organisation.

‘She continued to take a keen interest in everything we did until her death and will be remembered as a huge influence on the consumer movement, both here and in Europe.’

PARKING TICKET APPEALS

■ New figures on appeals against parking tickets show you’ve a good chance of success. The National Parking Adjudication Service – which operates in England and Wales but outside London – overturned two out of every three tickets in 2006. Visit its new site under its new name – at www.trafficpenaltytribunal.gov.uk – for more on how to appeal.



MOBILE CASHBACK FINES

■ Phone companies offering mobile cashback deals face fines if they don’t tackle mis-selling. In January (p12), we highlighted problems with these deals, including complex small print making it hard to claim cash. Many customers have complained of mis-selling but, under an Ofcom rule due to come in this summer, companies that fail to tackle mis-selling could be fined up to 10 per cent of relevant turnover.

HOME IMPROVER RIGHTS

■ Homeowners getting a fitted kitchen or bathroom should be better informed about their rights after a trade body pledged to be clearer about its deposit cover scheme – under pressure from *Which?* and the OFT. The Kitchen Bathroom Bedroom Specialists Association – see www.kbsa.co.uk – will make it clearer that deposits of more than 25 per cent will be lost completely under its ConsumerCare scheme if a member firm goes bust.



SHOPPING GUIDE

■ Don’t go shopping this month without our *Buying Guide*, which lists all the latest Best Buys together with their prices and ratings. The latest copy is available at www.which.co.uk/onlineguide – and will be updated next on 1 May.

