



Transport Appeals

PRACTICE DIRECTION No 1 of 2023

Uploading of Evidence

1. The Chamber President issues this Practice Direction under section 74 of the 2014 Act, and all other powers enabling the Chamber President to do so. The Chamber President does so having obtained the approval of the President of Scottish Tribunals as required by that section.
2. This Direction comes into force on 1 December 2023 and only applies to proceedings commenced on or after that date.
3. In this Practice Direction-
 - (a) “First-tier Tribunal” has the same meaning as paragraph 1 of schedule 1 of the procedural rules;
 - (b) “FOAM” means the Fast Online Appeals Management system (the case management system used by the First-tier Tribunal as set out in paragraph 1 of schedule 1 of the procedural rules);
 - (c) “procedural rules” means the First-tier Tribunal for Scotland General Regulatory Chamber Parking and Bus Lane Appeals (Rules of Procedure) Regulations 2020;
 - (d) “relevant photograph” means a photograph which was taken by a parking attendant at the time a penalty charge notice was issued;
 - (e) “the 2014 Act” means the Tribunal (Scotland) Act 2014;
 - (f) “Traffic Regulation Order” means a Traffic Regulation Order under the Road Traffic Regulation Act 1984; and
 - (g) “zone map tile” means the map tile contained within a Traffic Regulation Order.

4. Unless stated otherwise, any words or expressions used in this Direction have the same meaning as those words and meanings used in the procedural rules and the 2014 Act.

Uploading documents to FOAM

5. This Direction sets out the practice which the parties to proceedings in the First-tier Tribunal should follow when uploading evidence onto FOAM.
6. Parties should upload any evidence that party wants to rely on to FOAM, in accordance with any timescales set out in the procedural rules or otherwise set down by the First-tier Tribunal.
7. The link to FOAM can be found at www.generalregulatorychamber.scot
8. When uploading any supporting evidence it wishes to rely on to FOAM, the respondent authority should:
 - (a) upload each item of evidence under a separate and clearly described evidence tab on FOAM, rather than one pdf file under a single evidence tab (e.g. "Copy PCN/CN", "Photographs", "TRO and Schedules");
 - (b) group any relevant photographs together under a single evidence tab;
 - (c) upload the Traffic Regulation Order(s) relevant to the penalty charge notice/bus lane enforcement charge notice and the hearing, together with any applicable zone map tile; and
 - (d) upload a note which identifies which Article(s) of the Traffic Regulation Order(s) the relevant authority considers are relevant.

Mr Alex Green

Alexander M S Green
Chamber President

First-tier Tribunal for Scotland, General Regulatory Chamber

Aberdeen

22 November 2023