



2026UT71

Ref: UTS/AP/26/0049

DECISION OF

Sheriff Jillian Martin-Brown

**ON AN APPEAL
IN THE CASE OF**

Mr Peter Radosz

Appellant

- and -

Glasgow City Council

Respondent

FTS Case Reference: BL00096-2510

Forfar, 14 September 2026

Decision

The appeal is upheld. The decision of the General Regulatory Chamber of the First-tier Tribunal for Scotland dated 23 January 2026 is quashed. The Upper Tribunal re-makes the decision and allows the appeal. The Upper Tribunal directs cancellation of the Bus Lane Charge Notice and any associated enforcement action.

Reasons for Decision

Background

1. The appellant (Mr Radosz) appealed against a decision of the appellant (Glasgow City Council) relating to a Bus Lane Enforcement Charge Notice issued by the respondent on 4 June 2025 in respect of an alleged contravention on 21 May 2025. The General Regulatory



Chamber of the First-tier Tribunal for Scotland (“FTS”) refused the appeal on 23 January 2026.

2. The appellant applied to the FTS for permission to appeal its decision. Permission was granted in respect of five grounds on 7 March 2026 as follows:
 - (i) whether the notice of rejection met the requirement to provide reasons;
 - (ii) whether the FTS misdirected itself on the burden of evidence where signage and markings were disputed;
 - (iii) whether the reasons provided in respect of approved device evidence and timestamp reliability were inadequate;
 - (iv) whether the amount demanded exceeded the amount applicable in the circumstances; and
 - (v) whether the reasoning was inconsistent.
3. A hearing before the Upper Tribunal was scheduled for 14 September 2026 by WebEx.

Concession

4. The respondent notified the Upper Tribunal on 8 September 2026 of the withdrawal of its case. By way of explanation, the respondent had reviewed its position in light of another FTS decision involving the same appellant and the same bus lane contravention on a different date. The respondent undertook to refund any payments made in respect of the Bus Lane Charge Notice issued to the appellant.

Decision

5. In light of the respondent’s withdrawal of its case, there was no need for a hearing. Instead, I upheld the appeal and quashed the decision of the FTS dated 23 January 2026. I re-made the decision and allowed the appeal. I directed cancellation of the Bus Lane Charge Notice and any associated enforcement action.



*A party to this case who is aggrieved by this decision may seek permission to appeal to the Court of Session on a point of law only. A party who wishes to appeal must seek permission to do so from the Upper Tribunal within **30 days** of the date on which this decision was sent to him or her. Any such request for permission must be in writing and must (a) identify the decision of the Upper Tribunal to which it relates, (b) identify the alleged error or errors of law in the decision and (c) state in terms of section 50(4) of the Tribunals (Scotland) Act 2014 what important point of principle or practice would be raised or what other compelling reason there is for allowing a further appeal to proceed.*

Sheriff Jillian Martin-Brown
Member of the Upper Tribunal for Scotland