
Minutes of a meeting of the Bus Lane Adjudication Service Joint Committee held on 31 January 2012 at the Warwickshire County Cricket Club, Edgbaston, Birmingham.

Present:

Councillor Page – Reading Council
Councillor Ian Davey – Brighton & Hove City Council
Councillor Watson – Stoke-on-Trent City Council
Councillor Phrynette Dickens – Hampshire County Council (Chair)

Also Present:

John Satchwell – Chair, Advisory Board
Caroline Sheppard, Chief Adjudicator, Traffic Penalty Tribunal
Louise Hutchinson, Head of Service, PATROL
Chris Shepherd for PATROL Secretary
Andrew Barfoot – Traffic Penalty Tribunal
Miles Wallace – PATROL
Kelly Cornell – PATROL
Michael Clarke – Stoke City Council
Paul Thomas – Cardiff City Council
Marc Samways – Hampshire County Council

BLAS/12/01 Minutes

To approve as a correct record the minutes of the meeting held on 28 September 2011.

BLAS/12/02 Lead Authority arrangements

A report was submitted which provided the background documentation in respect of the Lead Authority arrangements to the Joint Committee. The Committee noted that the current Lead Authority, Manchester City Council, had given formal notice of their intention to relinquish this role in accordance with the terms of PATROL Adjudication Joint Committee Agreement. The Agreement allows for the notice period to be shortened by mutual consent and Manchester City Council had indicated that their preference would be for a new Lead Authority to be appointed as soon as possible.

The Head of Service for PATROL reported that three authorities had expressed an interest, namely – Cheshire East, Oxfordshire and Doncaster. It was proposed to ask these authorities to bring forward proposals by mid February in order to progress this matter.

Decision

1. To note the contents of Schedule 6 and Section 4 of the PATROL Adjudication Joint Committee Agreement
2. To note that the current Lead Authority has served notice on the Joint Committee
3. To record thanks to Manchester City Council for its services to the Joint Committee.
4. To note the intention to identify a new Lead Authority in order to facilitate a transfer of the Lead Authority function and agree a timescale for reviewing: the documentation which supports this arrangement; the services provided and the options for operating models.
5. To delegate authority to the Appointments Sub Committee to progress the appointment of a new Lead Authority with a view to reporting to the June 2012 meeting.

BLAS/12/03 Report of the Appointment Sub Committee and Working Group

The Appointments Sub Committee reported that:

1. The time commitment for the new Chief Adjudicator should be full time and note less than 4 days per week (in which case the salary would be adjusted accordingly)
2. Flexibility to change the time commitment of the Chief Adjudicator should be built into the terms of appointment and made clear during the recruitment process subject to further review of the legal position and advice from the Lead Authority's personnel advisors.
3. There is a presumption of renewal beyond the five year fixed term contract for the Chief Adjudicator.
4. The recruitment exercise is to be restricted to existing adjudicators and ex adjudicators and other suitably qualified candidates. Experience of the jurisdiction will be stated as desirable.
5. The approved salary is equivalent to Grade 6.2 on the Judicial Salaries Scales.
6. Advice will be sought from the Judicial Appointments Department of the Ministry of Justice in respect of the process to ensure that it meets with the Lord Chancellor's approval.
7. Quotations will be obtained from appropriate recruitment agencies and the Judicial Appointments Commission (if this is available) in accordance with the appropriate process.
8. If it achieves best value, the recruitment of part-time adjudicators will be combined with the Chief Adjudicator process.
9. The final interview panel will be considered by the Appointments Sub Committee following advice from the Judicial Appointments Department of the Ministry of Justice.

10. Interim arrangements will be put in place beyond 31 March to coincide with the identification of a new Lead Authority. The existing Chief Adjudicator has continued to work on a part-time basis at the pro-rata equivalent of Grade 6.2.
11. A timetable has been agreed for progressing the recruitment process.

BLAS/12/04 Annual Report of the Parking Adjudicators

A report was submitted which appended the annual report from the Adjudicators for the 12 month period from April 2010 to March 2011. This would be forwarded to the Secretary of State for Transport and the First Minister.

Decision

1. To receive the annual report from the Adjudicators for the period April 2010 to March 2011.
2. To agree to forward to the Secretary of State.
3. To agree that the report is published and circulated free of charge.

BLAS/12/05 General Progress and Service Standards

A report was submitted to the Committee on progress in respect of: (a) the take up of civil enforcement of bus lanes powers by Councils in England [outside London]; (b) general progress and service standard information.

Decision

1. To note the information in respect of the take up of civil bus lane enforcement powers.
2. To note the performance information.

BLAS/12/06 Risk Register

The Committee received a report on the most recent review of the risk register.

Decision

1. To review the current evaluation of risk.
2. To note the arrangements for management of risk in accordance with the risk matrix set out in the report.

BLAS/12/07 Internal Audit

The Head of Service outlined the internal audit arrangements for the Bus Lane Adjudication Service Joint Committee.

Decision

1. To approve the adoption of the format of the PATROL Internal Audit Strategy for the Bus Lane Adjudication Service Joint Committee subject to changes in relation to the scope of the document and specifically the relationship with external audit as well as specification of relationships.

BLAS/12/08 Budget Monitoring of Revenue Expenditure

A report was submitted which presented the expenditure monitoring information in respect of the Revenue Account for the year 2011/12.

Decision

1. To note the income and expenditure position at 30 November 2011
2. To authorise the Lead Officer to incur expenditure against the revenue budget in excess of the £246, 297 set by the Committee should the need arise, provided such expenditure is within the total income.
3. To agree that should there be a surplus of income in the 2011/12 revenue account this is to be carried forward to year 2012/13

BLAS/12/09 Budget estimates 2012/13

A report was submitted which detailed the Revenue Budget estimates for 2012/13.

Decision

To agree to adopt the Revenue Budget estimates for 2012/13 as detailed in the report.

BLAS/12/10 Defraying the expenses of the Joint Committee 2012/13

A report was submitted explaining the need to establish the basis for local authorities who are participating in the Joint Committee's arrangements to contribute to expenses during 2012/13

1. To share the Joint Committee's expenses between member authorities in proportion to the number of PCNs issued on the following basis for 2012/13

ELEMENT	CHARGE
Annual Charge	£nil
Charge per PCN Issued	£0.60 pence

2. To review the arrangements for defraying expenses once the new case management system and web portal has been introduced.
3. To approve that local authorities are invoiced quarterly in advance based on estimated figures and subsequently adjusted.
4. To note that the decision to provide a transcription from the audio recording of proceedings rests with the Adjudicator. Where this has been agreed to, the Joint Committee agree that the incidental cost of making a transcription from the audio recording of proceedings at a personal hearing is charged to the requesting party except when, in the view of the Adjudicator, a disability of the requesting party would make it desirable for that person to receive such a transcript.

BLAS/12/11 Date of next meeting

To note the next meeting will be held on 26 June 2012.