

BUS LANE ADJUDICATION SERVICE JOINT COMMITTEE

REPORT FOR INFORMATION

DATE: 30th June 2009

AGENDA ITEM Number 6

SUBJECT: General Progress and Service Standards

JOINT REPORT OF: The Lead Officer
On behalf of the Advisory Board

PURPOSE OF REPORT

To report 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.

RECOMMENDATIONS

It is recommended that the Committee:

- [i] Note the information in respect of the take up of civil bus lane enforcement powers.
- [ii] Note the performance information.

CONTACT OFFICER

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BACKGROUND

1.0 INTRODUCTION

- 1.1 The Bus Lane Adjudication Service Joint Committee (BLASJC) will be informed of the current take-up of Civil Bus Lane Enforcement powers.
- 1.2 Performance information will be reported.

2.0 TAKE UP OF CIVIL BUS LANE ENFORCEMENT POWERS

- 2.1 The following local authorities are party to the BLASJC Agreement:

Bath and North East Somerset Council	Reading City Council
Brighton and Hove City Council	Oxfordshire County Council
Essex County Council	Sheffield City Council
Hampshire County Council	Nottingham City Council
Manchester City Council	Stockton on Tees Borough Council

3. ADMINISTRATIVE TARGETS

- 3.1 Two indicators give an indication of availability and responsiveness for the service: acknowledgement of appeals and telephone response times. As an integrated tribunal, no distinction is made between the response to bus lane and parking related telephone calls. Details in relation to acknowledgement of appeals are given in Table 1 below.

TABLE 1: ACKNOWLEDGEMENT OF APPEALS

PERIOD	% of appeals acknowledged within 2 working days	TARGET
April 2008 to March 2009	92%	95%

4. SERVICE STANDARDS – PERFORMANCE INDICATORS

- 4.1 Appealing to the Traffic Penalty Tribunal is a judicial process and, as such, it is not appropriate to set out rigid timescales for deciding appeals, however the Tribunal's objective is to "To provide a tribunal service which is user-focused, efficient timely, helpful and readily accessible".
- 4.2 The Joint Committee at its meeting on 30th June 2007 approved the introduction of revised service standards as follows:

Personal Hearings

60% of cases to be offered a personal hearing date within 8 weeks of receipt of the Notice of Appeal.

90% of cases to be offered a personal hearing date within 12 weeks of receipt of the Notice of Appeal

Postal Decisions

80% of postal decisions to be made within 7 weeks of receipt of the Notice of Appeal.

- 4.3 It is recognised that Members are also interested in the period of time taken to dispose of a case and for this reason, the following statistics reflect the number of weeks to case closure rather than the number of weeks to the date of the first hearing offered, the measure approved in the revised service standards.

4.4 Tables 2a and 2b consider all cases closed during the period i.e. data is included for cases which were subject to delay for the following reasons:

Requests from parties to the appeal:

- Additional time to submit evidence
- Requests for adjournment of hearings
- Inconvenience of hearing time/venue
- Availability of witnesses

Adjudicators may require:

- Adjournments for additional evidence or submissions
- A personal hearing supplemented by a later telephone hearing to consider additional evidence.
- Consolidation of cases which relate to a common issue.
- Holding cases pending a particular Decision of the Traffic Penalty Tribunal or High Court

Table 2a Disposal of Cases – Comparing Quarters

Type of Hearing	Postal				Personal				Telephone			
	Jan to Mar 09	Oct to Dec 08	July to Sept 08	April to June 08	Jan to Mar 09	Oct to Dec 08	July to Sept 08	April to June 08	Jan to Mar 09	Oct to Dec 08	July to Sept 08	April to June 08
Average no of weeks between registration and decision issued	5.26 weeks	6.32 weeks	6.48 weeks	7.30 weeks	12.50 weeks	17.88 weeks	16.63 weeks	17.14 weeks	8.44 weeks	10 weeks	14.30 weeks	23.50 weeks
Cases with less than 7 weeks between registration and decision (postal target)	49 (80%)	59 (83%)	66 (73%)	56 (62%)	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Cases with less than 8 weeks between registration and decision (personal/ telephone target)	n/a	n/a	n/a	n/a	0 (0%)	0 (0%)	0 (0%)	4 (29%)	5 (56%)	8 (62%)	2 (20%)	0 (0%)
Cases with less than 12 weeks between registration and decision (personal/telephone target)	61 (100%)	64 (90%)	81 (89%)	86 (95%)	1 (50%)	2 (25%)	2 (25%)	5 (36%)	8 (89%)	10 (77%)	4 (40%)	1 (13%)

Table 2b Disposal of Cases – Annual Summary

Type of Hearing	April 08 to March 09 12 months		
	Postal	Personal	Telephone
Average no of weeks between registration and decision issued	6.45 weeks	16.91 weeks	13.43 weeks
Cases with less than 7 weeks between registration and decision (postal target)	230 (73%)	n/a	n/a
Cases with less than 8 weeks between registration and decision (personal/ telephone target)	n/a	4 (13%)	15 (38%)
Cases with less than 12 weeks between registration and decision (personal/telephone target)	292 (93%)	10 (31%)	23 (58%)

**Hearings that are decided outside 12 weeks -
Bus Lane Personals (Apr 08 to Mar 09)**

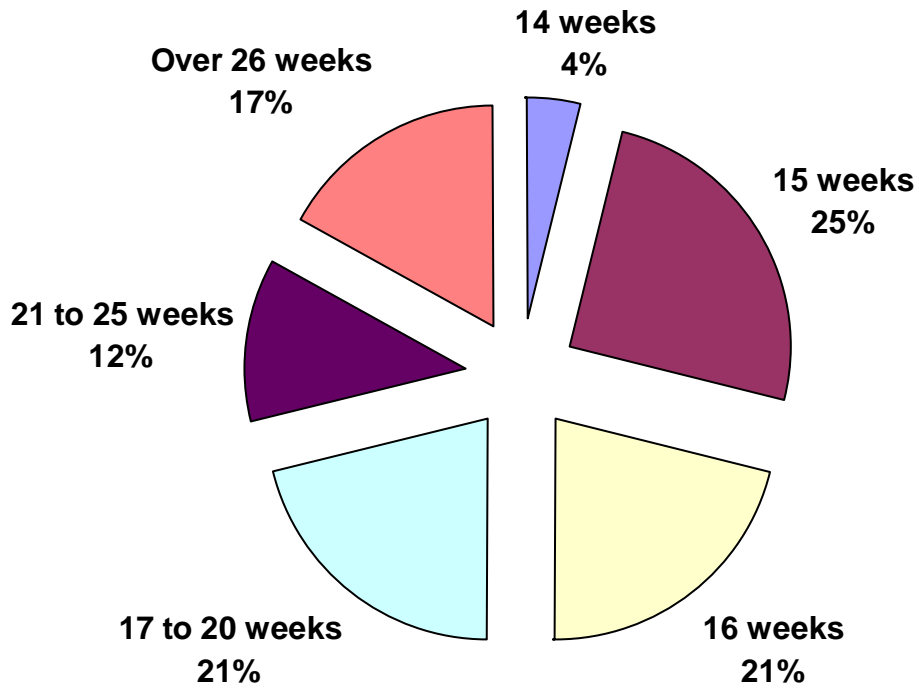


Figure 1: Bus Lane Cases with personal hearings which are decided outside 12 weeks

Figure 1 indicates the decision times for personal cases falling outside the 31% highlighted in Table 2b.

4.5 Performance Summary

Table 2a **Quarter by Quarter Analysis**

- The average number of weeks for cases to be decided (based on cases closed during the period) has reduced for each type of hearing (postal, personal and telephone).
- For postal cases, the number and proportion of cases decided within 7 weeks has increased through the year, meeting the target of 80% to be decided within 7 weeks in the final quarter, with 100% of cases in the final quarter being decided within 12 weeks.
- The number of cases included in the personal and telephone statistics are small and this should be taken into account when interpreting findings.

Table 2b **Annual Analysis**

- The number of cases reported on increases when performance is reported at the end of the year. This is because the calculations are based on cases closed and by the end of the year, it is expected that increasing numbers of cases (at least from the first three quarters would be closed)
- Taking this full year analysis, the average number of weeks ranges from 6.45 weeks to 16.91 weeks for cases to be closed across all hearing types.
- 73% of postal cases were decided within 7 weeks (against the Joint Committee's target of 80%) 93% of postal cases were decided within 12 weeks.
- 31% of personal hearings and 58% of telephone hearings were closed within the 12 weeks
- 50% of personal cases falling outside 12 weeks were decided within 16 weeks.