

**ANNUAL MEETING OF THE  
PATROL ADJUDICATION JOINT COMMITTEE**

**Agenda**

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**Date:** Tuesday 12<sup>th</sup> July 2022  
**Time:** 10.00am  
**Venue:** Park Plaza County Hall, London

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1. **Appointment of Chair**  
To appoint a Chair until the next meeting of the Joint Committee.
2. **Appointment of Vice Chair**  
To appoint a Vice Chair until the next meeting of the Joint Committee.
3. **Appointment of Assistant Vice Chair**  
To appoint an Assistant Vice Chair until the next meeting of the Joint Committee.
4. **Appointment of Assistant Chair (Wales)**  
To appoint an Assistant Vice Chair (Wales) until the next meeting of the Joint Committee.
5. **Apologies for Absence**  
To receive apologies for absence.
6. **Declarations of Interest**  
To provide an opportunity for Members and Officers to declare any disclosable pecuniary and non-pecuniary interests and for Members to declare if they have pre-determined any item on the agenda.
7. **Minutes of the meeting held 13<sup>th</sup> July 2021**  
To approve the minutes of the PATROL Joint Committee held 13<sup>th</sup> July 2021 (enclosed).
8. **Chair's Update (Verbal)**  
To provide the Joint Committee with a general update since the last meeting.
9. **Chief Adjudicator's Update (Verbal)**  
To receive an update from the Chief Adjudicator in relation to Appendix 1.
10. **Draft Annual Return 2021/2022**  
To approve the draft annual return and note supporting documentation (enclosed)

## **Items common to PATROL and Bus Lane Adjudication Service Joint Committees**

### **11. Establishment of Executive Sub Committees**

To establish Executive Sub Committees and appoint members for the period until the annual meeting of the Joint Committee in July 2023 and approve the associated expenses guidelines (enclosed).

### **12. Report of the PATROL and BLASJC Resources Working Group**

To report on the PATROL and BLASJC Resources Working Group which met on 16<sup>th</sup> December 2021 and 26<sup>th</sup> May 2022 and to approve the Terms of Reference (enclosed).

### **13. Review of Financial Documentation**

To approve or note governance matters and documentation (enclosed)

- a. Financial Regulations 2022/2023
- b. Scheme of Financial Delegation 2022/2023
- c. Staff Expenses Policies 2022/2023
- d. Members Expenses Policies 2022/2023
- e. Hospitality Policies 2022/2023

### **14. Review of Governance Documentation**

To approve governance matters and documentation (enclosed)

- a. MOU Delegations to the Chief Adjudicator
- b. Delegations to the Director
- c. MOU Approved 2021
- d. Risk Register and Risk Management Strategy

### **15. Appointments to the Advisory Board**

To approve appointments to the Advisory Board for the period until the annual meeting of the Joint Committee in July 2023 (enclosed).

### **16. Date of next meeting**

## **Appendices**

### **1. General Progress Report**

General information in respect of appeals activity and tribunal initiatives during 2021/2022

### **2. Wales Report**

Update of enforcement and schemes in Wales

### **3. Public Affairs Report**

Update on current and public affairs activity

**AGENDA ISSUED Tuesday 5<sup>th</sup> July 2022**

# Item 7

## CHESHIRE EAST COUNCIL

Minutes of an Informal meeting of the **PATROL Adjudication Joint Committee**

held on 13 July 2021 at The Bishop Partridge Hall, Church House, Dean's Yard, London  
SW1P 3NZ

**As the meeting was inquorate it went ahead on an informal basis.**

### **Councillors Present:**

Councillor Stuart Hughes (Devon County Council) in the Chair

Calderdale MBC - Cllr Colin Hutchinson  
Cheshire East Council - Cllr Laura Crane  
Dartford BC - Cllr Marilyn Peters  
East Herts DC - Cllr David Andrews  
Eden DC - Cllr Michael Eyles  
Hambleton - DC Cllr Nigel Knapton  
Hampshire CC - Cllr Graham Burgess (BLASJC Vice Chair)  
IOW Council - Cllr Vanessa Churchman  
Reading BC - Cllr Tony Page (BLASJC Vice Chair)  
Somerset CC Cllr John Woodman  
South Hams DC - Cllr Dan Brown  
Tameside MBC - Cllr Peter Robinson  
Wigan MBC - Cllr Kevin Anderson

### **Officers present:**

Laura Padden - Director of PATROL  
Caroline Sheppard, OBE - Traffic Penalty Tribunal  
Sarah Baxter - Cheshire East Council  
Iain Worrall - Traffic Penalty Tribunal  
Jo Abbot - Advisory Board  
Patrick Duckworth - PATROL  
Andy Diamond - PATROL

### **THE FOLLOWING MEMBERS/OFFICERS WERE IN ATTENDANCE VIRTUALLY:-**

Councillor John Wilmott - Ashfield DC  
Councillor Mark Smith - Blackpool Council  
Councillor Steve Davis - Brighton & Hove CC  
Councillor Nigel Christian - Carlisle CC  
Councillor Tom Blackmore - Cheshire West & Chester Council  
Councillor Eileen Lintill - Chichester DC

Councillor Cathy Lugg - Dorset Council  
Councillor John Shuttleworth - Durham CC  
Councillor Martin Foster - East Lindsey DC  
Councillor Daniel Godfrey - East Sussex DC  
Councillor Andrew Leadbetter - Exeter City Council  
Councillor Marje Paling - Gedling BC  
Councillor Richard Cook - Gloucester CC  
Councillor Philip Raffaelli - Gosport BC  
Councillor Tim O'Kane - Hyndburn BC  
Councillor Bob Adams - Lincolnshire CC  
Councillor Roger Jeavons - Newport CC  
Councillor Margot McArthur - Sevenoaks DC  
Councillor Dan Brown - South Hams  
Councillor Richard Palmer - Swale BC  
Councillor Steve Adshead - Trafford MBC  
Councillor Vera Waters - Walsall MBC  
Councillor Martin King - Wychavon DC  
Councillor Andy D'Agorne - York CC

### **Officers (Virtual Attendance)**

Paul Nicholls Brighton & Hove CC  
Erica Maslen PATROL  
Stephen Knapp TPT  
Graham Addicott, OBE Independent/Advisory Board

#### **1. Appointment of Chair, Vice Chair, Assistant Vice Chair and Assistant Chair (Wales)**

This item was deferred to the next meeting.

#### **2. Apologies for Absence**

Apologies for absence were reported as follows:-

Amber Valley DC, Ashford BC, BATHNES, Birmingham Council, Bradford Council, Bristol CC, Buckinghamshire CC, Bury MBC, Cambridgeshire CC, Cannock Chase DC, Carmarthenshire CC, Chelmsford DC, Chesterfield BC, Conwy Council, Coventry CC, Craven DC, Dacorum BC, Darlington BC, Dudley MBC, East Hants DC, East Herts DC, Fareham DC, Folkestone & Hythe DC, Gateshead Council, Gloucestershire CC, Gwynedd Council, Harlow DC, Hartlepool BC, Havant BC, Hertfordshire CC, Hertsmere BC, Ipswich BC, Kirklees MBC, Kirklees MBC, Mendip Council, Neath Port Talbot CBC, New Forest DC, North Tyneside Council, North Yorks CC, Nottingham City Council, Notts CC, Oldham MBC, Redditch BC, Richmondshire CC, Rochdale BC, Runnymede BC,

Sefton MBC, Slough BC, South Staffs DC, Southampton CC, Southend on Sea BC, Stoke CC, Suffolk CC, Sunderland CC, Surrey CC, Swale BC, Swansea (City and County), Three Rivers DC, Torbay Council, Trafford MBC, Uttlesford DC, Warwickshire CC, Watford BC, Worcester CC

In addition apologies were received from:

Marc Samways	Independent / Advisory Board
Chris Major	BATHNES
Michael Clarke	Stoke City Council

### **3. Declarations of Interest**

There were no declarations of interest.

### **4. Minutes of the meeting held 16 July 2019**

This item was deferred to the next meeting

### **5. Minutes of the meeting held 28 July 2020**

This item was deferred to the next meeting.

### **6. Minutes of the meeting held 26 January 2021**

This item was deferred to the next meeting.

### **7. Chair's Update**

There was no further update given to what had already been presented at the Bus Lane Adjudication Committee which had taken place earlier due to being quorate.

### **8. Chief Adjudicator's Update**

There was no further update given to what had already been presented at the Bus Lane Adjudication Committee which had taken place earlier due to being quorate.

### **9. Draft Annual Return 2020/21**

Due to the meeting being inquorate, urgency powers as outlined in the Constitution were applied and the Chair signed and approved the annual return and the following recommendations contained within the accompanying report:-

1. That the outturn position against the 2020/21 budget, shown at Appendix 1 of the report, be noted.

2. That approval be given to the deficit for the year of £85,772, being taken from the Joint Committee's reserves.
3. That the Executive Sub Committee review the basis for defraying expenses following budget monitoring at the half-year point at their meeting in October 2021.
4. That the balance sheet, shown at Appendix 2 of the report and cash flow, shown at Appendix 3 of the report and audit timetable be noted.
5. That the Annual Internal Audit Report 2019/20, shown as Appendix 4 of the report be noted.
6. That approval be given to the recommendation that the Financial Regulations for 2021/22 remain unchanged apart from the change in the name of the Director where applicable, shown as Appendix 5 of the report.
7. That approval be given to the revised Scheme of Financial Delegation, shown as Appendix 7 of the PATROL papers.
8. That approval be given to the recommendation that the Code of Corporate Governance remains unchanged as shown at Appendix 7 of the report.
9. That the Staff Expensed Policy as shown at Appendix 8 of the report be noted.
10. That the Bad Debt Policy as shown at Appendix 9 of the report be approved.

#### **Items common to PATROL and Bus Lane Adjudication Service Joint Committees**

- 10 **Establishment of Executive Sub Committee**  
This item was informally noted.
- 11 **Report of the PATROL AND BLASJC Resources Working Group and Sub Committee**  
This item was informally noted.
- 12 **General Progress Report**  
This item was informally noted.
- 13 **Public Affairs Report**  
This item was informally noted.
- 14 **Risk Management Strategy and Register**  
This item was informally noted.

15 **Review of Governance Documentation**

This item was informally noted.

16 **Appointments to the Advisory Board**

This it was informally noted.

17 **PATROL Annual Reports by Councils (PACER - formerly PARC) Awards – DEFERRED**

That it be noted due to complications with booking the House of Commons for the event, in part due to Covid restrictions, the event had been postponed until October 2021. An alternative venue was currently being sought.

18 **Date of Next Meeting – Proposed as Wednesday 20 October 2021 TBC**

It was informally noted that the date of the next meeting would be **proposed as Wednesday 20 October 2021 however due to ongoing enquires in respect of venues, this is to be confirmed in due course.**

The meeting commenced at 12 noon and concluded at 12.20pm

Councillor Stuart Hughes (Chair)

# Item 10

## PATROL Adjudication Joint Committee

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<b>Date of Meeting:</b>	12 <sup>th</sup> July 2022
<b>Report of:</b>	The Director in consultation with the Advisory Board
<b>Subject/Title:</b>	Draft Annual Return 2021/22

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### 1.0 Report Summary

1.1 This report presents the draft annual return for the year 2021/22

### 2.0 Recommendations

That the Joint Committee:

- a) Notes the outturn position against the 2021/22 budget included within the report.  
**(Appendix 1) – Subject to external audit validation**
- b) Approves the **surplus** for the year of £329,736 to be added to the Joint Committee’s Reserves.

This excludes £254,299 being the total of Highways England (Dartford-Thurrock River Crossing) and Halton Borough Council (Mersey Gateway Bridge Crossing) surpluses taken from the Joint Committee’s reserves.

- c) Determines that the Executive Sub Committee review the basis for defraying expenses following budget monitoring at the half-year point at their meeting in October 2022.
- d) Notes the balance sheet (**Appendix 2**) and cash flow (**Appendix 3**) and audit timetable
- e) Notes the Annual Internal Audit Report 2021/22 (**Appendix 4**) and the Small Bodies Draft Annual Return submitted for External Audit (**Appendix 5**)
- f) Approves the recommendation that the Financial Regulations for 2022/23 remain unchanged
- g) Approves the revised Scheme of Financial Delegation
- h) Approves the recommendation that the Code of Corporate Governance remains unchanged

### 3.0 Reasons for Recommendations

3.1 To finalise accounts for 2021/22



#### **4.0 Financial Implications**

4.1 As outlined in the report

#### **5.0 Legal Implications**

5.1 None

#### **6.0 Risk Management**

6.1 None

#### **7.0 Background and Options**

7.1 This report provides background information in respect of:

- a) The outturn position against the 2021/22 budget included within the report. (**Appendix 1**)
- b) The **surplus** of £329,736 for the year being added to the Joint Committee's reserves.
- c) The basis for defraying expenses.
- d) The Balance Sheet (**Appendix 2**) and cash flow (**Appendix 3**) and audit timetable.
- e) The Internal Audit Report 2021/22 (**Appendix 4**)
- f) The Small Bodies Draft Annual Return submitted for External Audit (**Appendix 5**)
- g) Financial Regulations 2022/23
- h) The Scheme of Financial Delegation
- i) The Code of Corporate Governance

#### **8.0 Outturn Position against the 2021/22 budget**

##### **Introduction**

- 8.1 The adjudication service is operated on a self-financing basis with income obtained by defraying expenses amongst member authorities and providing adjudication services to non-member authorities as determined by statute.
- 8.2 At the meeting of Executive Sub-Committee held on 26th January 2021 it was agreed to adopt the revenue budget estimates for 2021/22 set out in this report.

- 8.3 At the meeting of the Executive Sub-Committee held on 26<sup>th</sup> January 2021 the Lead Officer was given authorisation in consultation with the Chair, Vice Chair and Assistant Chair to incur expenditure against the revenue budget in excess of the £3,487,571 set by the Committee should the need arise, provided such expenditure is within the total income for the year.
- 8.4 The outturn position to 31<sup>st</sup> March 2022 is enclosed at **Appendix 1**.  
The Balance Sheet at March 2022 is shown at **Appendix 2**.  
The Cash Flow for the year 2021/22 is shown at **Appendix 3**.
- 8.5 Additional income is derived from a recharge to the Bus Lane Adjudication Service Joint Committee and the provision of adjudication for appeals arising from road user charging enforcement at the Dartford-Thurrock River Crossing and at the Mersey Gateway Bridge Crossing.
- 8.6 The Joint Committee's income has previously been derived from a pre-estimate of the number of penalty charge notices (PCNs) each council will issue. Corrections were applied at the 6- month and 12-month points once the actual number of PCNs issued was known. Due to the ongoing pandemic income has been derived from **actual returns** received from enforcement authorities on a **monthly basis**. This has ensured that Income predictions and reporting are more timely and accurate
- 8.7 Should it be the case that there is a need for greater expenditure than that provided for in the approved budget, there is a recommendation to authorise the Director to incur additional expenditure, provided such expenditure does not exceed the income for the current year.
- 8.8 Should it be the case that the revenue account falls into deficit then the surplus from previous years is available.
- 8.9 Should there be greater income than expenditure in the year then there is a recommendation that this be transferred into the succeeding year as reserves.

#### Income and Expenditure – detail at Appendix 1

	Year to Date			
	31/03/2022	31/03/2022	31/03/2022	31/03/2022
	Year to Date	Budget	Var to Budget	Var to Budget
Income	3,227,703	2,908,017	319,686	11.0%
Expenditure	2,643,568	3,487,571	844,003	24.2%
Surplus / (Deficit)	<b>584,135</b>	<b>-579,554</b>	<b>1,163,689</b>	
<b>Breakdown of Surplus</b>				
PATROL	329,736	-30,497,538	30,827,275	
Halton Borough Council	70,020	29,987,984	-29,917,964	
National Highways	184,379	-70,000	254,379	
	<b>584,135</b>	<b>-579,554</b>	<b>1,163,689</b>	

**N.B.: This table was corrected at a subsequent meeting.**

8.10 Income was higher than budget by £319,686 and Expenditure lower than budget by £844,003. These combine to give an improved performance against budget of £1,163,689.

8.11 Improved income is mainly explained as follows:

- CAZ Income higher by £189,493 due to higher than anticipated issuance of PCNs
- PATROL Income higher by £285,203 due to better than anticipated recovery from the pandemic

These are offset by a lower than anticipated recharge of costs to Bus Lanes by £164,815 explained by the proportion of Bus Lane PCNs issued being lower than anticipated due to CAZ being higher.

Interest received is also lower than budgeted due to lower cash balances and interest rates.

8.12 Expenditure was lower than budgeted by £844,003 - **see Appendix 1**

This was in the main due to a positive outturn variance on the following items

- Adjudicator Budget of £457,333 primarily due to reduced numbers of appeals and unspent recruitment, and meetings and travel budgets
- Supplies and Services line of £180,914 relating to unspent travel, workshop and meetings budgets, as well as other initiatives
- Staffing costs show a positive variance to budget by £122,651 due to delayed or postponed recruitment

8.13 The budget line Service Management and Support relates to the business services provided by Cheshire East Council, the host authority.

## **Outturn**

8.14 The outturn for PATROL for 2021/22 was a surplus of £329,736.

8.17 The Joint Committee is asked to approve this surplus at 8.14 being added to the Joint Committee's reserves.

## Reserves

8.15 The current Reserves position is summarised as follows:

	PATROL only			
	Reserves	Approved	Free Reserves	Movement
<b>Opening Reserves 2018/19</b>	<b>3,119,193</b>	<b>1,910,717</b>	<b>1,208,476</b>	
Reserves for year 2018/19	281,670			
Drawdown in Year 2018/19	-249,002			
<b>Opening Reserves 2019/20</b>	<b>3,151,861</b>	<b>1,866,984</b>	<b>1,284,877</b>	<b>76,401</b>
Reserves for year 2019/20	169,537			
Drawdown in Year 2019/20	-231,600			
<b>Opening Reserves 2020/21</b>	<b>3,089,798</b>	<b>2,255,631</b>	<b>834,167</b>	<b>-450,710</b>
Reserves for year 2020/21	-636,717			
Drawdown in Year 2020/21	-214,362			
<b>Opening Reserves 2021/22</b>	<b>2,238,719</b>	<b>1,912,104</b>	<b>326,615</b>	<b>-507,552</b>
Reserves for year 2021/22	329,736			
Drawdown in Year 2021/22	0			
<b>Opening Reserves 2022/23</b>	<b>2,568,455</b>	<b>1,893,880</b>	<b>674,575</b>	<b>347,960</b>
	0			
<b>From 2019/20 to end 2021/22</b>	<b>-583,406</b>	<b>26,896</b>	<b>-610,302</b>	<b>-610,302</b>

PATROL ONLY	Reserves	Effect v Budget
<b>Opening Reserves 2019/20</b>	<b>3,151,861</b>	
Budget 19/20	-177,816	
Actual 19/20	-62,063	115,753
<b>Opening Reserves 2020/21</b>	<b>3,089,798</b>	
Budget 20/21	-148,963	
Actual 20/21	-851,079	-702,116
<b>Opening Reserves 2021/22</b>	<b>2,238,719</b>	
Budget 21/22	-483,445	
Actual 21/22	329,736	813,181
<b>Opening Reserves 2022/23</b>	<b>2,568,455</b>	<b>226,818</b>
RESERVES MOVEMENT	-583,406	
Budgeted Movement	-810,224	
<b>Improvement / Decline</b>	<b>226,818</b>	

The closing Free Reserves at March 2022 is £674,575.

Over the period 2019/20 to end 2021/22 cash reserves has decreased by £583,406. An additional increase in the approved reserve of £26,896 means that there has been a decrease in Free Reserves of £610,302.

**The decrease in cash Reserves of £583,406 can be attributed to the effect of the Pandemic as yet unrecovered.**

- 8.16 The approved budget for 2022/23 indicates a reduction in Reserves of £15,482 (PATROL only, excluding National Highways and Halton BC).

However, it should be noted that this is a prudent budget in that a cautious estimate has been taken of Income, and that the cost base is based on 'worst case' in that it is likely that some costs will not be incurred in the year in question.

It is therefore anticipated that the 22/23 year end position is likely to be **contribution to Reserves** rather than a contribution from.

	Full Year					
	31/03/2022	21/22	31/03/2022	22/23	Year on Year	22/23 budget v
	Year to Date	Budget	Var to Budget	Budget	Budget	21/22 Act
Income	3,227,703	2,908,017	319,686	3,423,185	515,168	195,482
Expenditure	2,643,568	3,487,571	844,003	3,425,300	62,271	-781,732
Surplus / (Deficit)	<b>584,135</b>	<b>-579,554</b>	<b>1,163,689</b>	<b>-2,115</b>	<b>577,439</b>	<b>-586,250</b>

#### Breakdown of Surplus

PATROL	329,736	-483,445	813,182	-15,482	467,963	-345,218
on Borough Council	70,020	-26,109	96,129	-10,288	15,821	-80,308
National Highways	184,379	-70,000	254,379	23,654	93,654	-160,725
	<b>584,135</b>	<b>-579,554</b>	<b>1,163,689</b>	<b>-2,116</b>	<b>577,438</b>	<b>-586,251</b>

#### External Audit

9.1 The external audit timetable is as follows:

Stage	2021/22
Draft annual return submitted to PATROL and Bus Lane Adjudication Service Joint Committees Resources Sub Committee for approval	12 <sup>th</sup> July 2022
Submission of Annual Return and Supporting Documents to BDO	31 <sup>st</sup> July 2022

#### 10. Internal Audit Report 2021/22

10.1 Internal audit is provided by the Host Authority. The internal audit report for 2021/22 is at Appendix 4 **to follow**

The number of recommendations raised is as follows:

	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22
Low	6	3	0	0	1	0	2
Med	11	7	1	0	3	0	0
High	2	1	0	0	0	0	0
<b>TOTAL</b>	<b>19</b>	<b>11</b>	<b>1</b>	<b>0</b>	<b>4</b>	<b>0</b>	<b>0</b>

10.2 The level of assurance for 2021/22 is given as **GOOD** which is the highest level that can be awarded.

**11. Financial Regulations**

No changes are recommended to the Financial Regulations.

**12. Scheme of Financial Delegation 2022/23**

No changes are recommended to the Scheme of Financial Delegation

**13. Code of Corporate Governance**

A copy of the Code of Corporate Governance is enclosed at Appendix 7.

## Appendix 1:

PATROL Outturn to 31/03/2022

	Year to Date				Full Year				
	31/03/2022	31/03/2022	31/03/2022	31/03/2022	31/03/2022	31/03/2022	31/03/2022	31/03/2021	
	Year to Date	Budget	Var to Budget	Var to Budget	Forecast Outturn	Full Year Budget	Var to Budget	Prior Year Result	Var to Prior Yr
<b>Income:</b>									
PATROL *	1,535,084	1,300,819	234,265	18.0%	1,535,084	1,300,819	234,265	1,028,346	506,738
Recharge for Bus Lane Adjudication Costs	512,983	677,798	-164,815	-24.3%	512,983	677,798	-164,815	412,844	100,139
<b>Road User Charging:</b>									
RUCA (Dartcharge) - National Highways	683,657	649,908	33,749	5.2%	683,657	649,908	33,749	543,578	140,079
RUCA (Mersey Gateway) - Halton Borough Council	205,975	205,240	735	0.4%	205,975	205,240	735	131,544	74,431
Clean Air Zones	251,414	61,921	189,493	306.0%	251,414	61,921	189,493	0	251,414
LFV	132	330	-198	-60.1%	132	330	-198	47	85
Bank Interest	3,669	12,000	-8,331	-69.4%	3,669	12,000	-8,331	14,388	-10,719
Sale of Assets	250	0	250	0.0%	250	0	250	1,775	-1,525
Other Income	34,539	0	34,539	0.0%	34,539	0	34,539	0	34,539
<b>Total Income</b>	<b>3,227,703</b>	<b>2,908,017</b>	<b>319,686</b>	<b>11.0%</b>	<b>3,227,703</b>	<b>2,908,017</b>	<b>319,686</b>	<b>2,132,522</b>	<b>1,095,181</b>
<b>Expenditure:</b>									
Adjudicators	839,526	1,296,859	457,333	35.3%	839,526	1,296,859	457,333	803,931	-35,595
Staff	1,106,481	1,229,132	122,651	10.0%	1,106,481	1,229,132	122,651	1,090,156	-16,325
Premises / Accommodation	46,358	68,600	22,242	32.4%	46,358	68,600	22,242	203,802	157,444
Transport	22,467	90,500	68,033	75.2%	22,467	90,500	68,033	14,317	-8,150
Supplies and Services	222,105	403,019	180,914	44.9%	222,105	403,019	180,914	227,872	5,767
IT	351,241	342,188	-9,053	-2.6%	351,241	342,188	-9,053	290,287	-60,954
Services Management and Support	51,990	52,632	642	1.2%	51,990	52,632	642	51,600	-390
Audit Fees	3,400	4,641	1,241	26.7%	3,400	4,641	1,241	4,100	700
Contingency	0	0	0	0.0%	0	0	0	0	0
<b>Total Expenditure</b>	<b>2,643,568</b>	<b>3,487,571</b>	<b>844,003</b>	<b>24.2%</b>	<b>2,643,568</b>	<b>3,487,571</b>	<b>844,003</b>	<b>2,686,065</b>	<b>42,497</b>
<b>Surplus / (Deficit)</b>	<b>584,135</b>	<b>-579,554</b>	<b>1,163,689</b>		<b>584,135</b>	<b>-579,554</b>	<b>1,163,689</b>	<b>-553,543</b>	<b>1,137,678</b>
	0	0			0	0		0	0
<b>Breakdown of Surplus</b>	<b>584,135</b>	<b>-579,554</b>	<b>1,163,689</b>	<b>-200.8%</b>	<b>584,135</b>	<b>-579,554</b>	<b>1,163,689</b>	<b>-553,543</b>	<b>1,137,678</b>
<b>PATROL *</b>	<b>329,736</b>	<b>-481,127</b>	<b>810,863</b>	<b>-168.5%</b>	<b>329,736</b>	<b>-481,127</b>	<b>810,863</b>	<b>-636,717</b>	<b>966,453</b>
<b>Halton Borough Council</b>	<b>70,020</b>	<b>-26,796</b>	<b>96,815</b>	<b>-361.3%</b>	<b>70,020</b>	<b>-26,796</b>	<b>96,815</b>	<b>4,655</b>	<b>65,365</b>
<b>National Highways</b>	<b>184,379</b>	<b>-71,632</b>	<b>256,011</b>	<b>-357.4%</b>	<b>184,379</b>	<b>-71,632</b>	<b>256,011</b>	<b>78,520</b>	<b>105,859</b>

\* PATROL = Parking England and Wales, and Bus Lanes and Moving Traffic Wales, RUC Durham and Littering from Vehicles (England)



## Appendix 2:

### BALANCE SHEET - PATROL

	Apr-21 p01	May-21 p02	Jun-21 p03	Jul-21 p04	Aug-21 p05	Sep-21 p06	Oct-21 p07	Nov-21 p08	Dec-21 p09	Jan-22 p10	Feb-22 p11	Mar-22 p12
<b>Current Assets</b>												
LA Debtors	348,216	272,872	192,784	392,428	291,252	162,509	656,752	318,020	164,720	515,502	333,237	142,786
Other Debtors	55,394	110,792	147,378	134,278	138,140	111,586	98,840	55,116	75,282	102,266	42,567	71,976
VAT												
Cash and Bank	2,114,733	1,980,982	1,893,341	1,690,621	1,973,227	2,006,856	2,003,293	2,273,368	2,218,551	2,136,556	2,211,790	2,202,197
<b>Total</b>	<b>2,518,343</b>	<b>2,364,645</b>	<b>2,233,503</b>	<b>2,217,328</b>	<b>2,402,618</b>	<b>2,280,951</b>	<b>2,758,885</b>	<b>2,646,504</b>	<b>2,458,553</b>	<b>2,754,323</b>	<b>2,587,593</b>	<b>2,416,958</b>
<b>Current Liabilities</b>												
Trade Creditors	291,889	233,034	157,132	127,919	127,290	130,736	133,556	119,045	120,960	145,544	12,591	128,450
Other Public Bodies												
Other Creditors	-25,170	-15,715	-24,788	-256,649	-122,594	-168,879	-39,122	-67,463	-168,776	-159,475	-44,807	-573,314
<b>Total</b>	<b>266,719</b>	<b>217,319</b>	<b>132,345</b>	<b>-128,730</b>	<b>4,696</b>	<b>-38,143</b>	<b>94,434</b>	<b>51,582</b>	<b>-47,815</b>	<b>-13,930</b>	<b>-32,216</b>	<b>-444,865</b>
<b>Net Current Liabilities</b>	<b>2,251,624</b>	<b>2,147,327</b>	<b>2,101,158</b>	<b>2,346,057</b>	<b>2,397,922</b>	<b>2,319,093</b>	<b>2,664,451</b>	<b>2,594,922</b>	<b>2,506,368</b>	<b>2,768,254</b>	<b>2,619,809</b>	<b>2,861,823</b>
Long Term (Liabilities)/Assets	0	0	0	0	0	0	0	0	0	0	0	0
<b>NET ASSETS</b>	<b>2,251,624</b>	<b>2,147,327</b>	<b>2,101,158</b>	<b>2,346,057</b>	<b>2,397,922</b>	<b>2,319,093</b>	<b>2,664,451</b>	<b>2,594,922</b>	<b>2,506,368</b>	<b>2,768,254</b>	<b>2,619,809</b>	<b>2,861,823</b>
<b>Financed By:</b>												
Pension Reserve												
Reserves BF	2,385,957	2,385,957	2,385,957	2,385,957	2,385,957	2,385,957	2,385,957	2,385,957	2,385,957	2,385,957	2,385,957	2,385,957
Reserves drawdown	0									-41,380	-96,912	-108,269
Current Year Surplus	-134,333	-238,630	-284,799	-39,899	11,965	-66,863	278,495	208,966	120,412	423,677	330,764	584,135
<b>TOTAL NET WORTH</b>	<b>2,251,624</b>	<b>2,147,327</b>	<b>2,101,158</b>	<b>2,346,057</b>	<b>2,397,922</b>	<b>2,319,094</b>	<b>2,664,451</b>	<b>2,594,922</b>	<b>2,506,368</b>	<b>2,768,254</b>	<b>2,619,809</b>	<b>2,861,823</b>

## Appendix 3:

### CASH FLOW - PATROL

	Apr-21	May-21	Jun-21	Jul-21	Aug-21	Sep-21	Oct-21	Nov-21	Dec-21	Jan-22	Feb-22	Mar-22
	p1	p2	p3	p4	p5	p6	p7	p8	p9	p10	p11	p12
<b>Opening Cash Balance</b>	<b>2,140,483</b>	<b>2,114,733</b>	<b>1,980,982</b>	<b>1,893,341</b>	<b>1,690,621</b>	<b>1,973,227</b>	<b>2,006,856</b>	<b>2,003,293</b>	<b>2,273,368</b>	<b>2,218,551</b>	<b>2,136,556</b>	<b>2,211,790</b>
Decrease / (Increase) in LA Debtors	-183,081	75,344	80,088	-199,644	101,176	128,742	-494,243	338,732	153,300	-350,782	182,265	190,451
Decrease / (Increase) in Other Debtors	4,563	-55,398	-36,586	13,100	-3,861	26,554	12,746	43,724	-20,166	-26,984	59,699	-29,409
Decrease / (Increase) in VAT Debtor	0	0	0	0	0	0	0	0	0	0	0	0
Increase / (Decrease) in Trade Creditors	234,759	-58,855	-75,901	-29,213	-629	3,446	2,820	-14,510	1,915	24,584	-132,953	115,859
Increase / (Decrease) Public Body Creditors	0	0	0	0	0	0	0	0	0	0	0	0
Increase / (Decrease) in Other Creditors	52,342	9,455	-9,073	-231,861	134,055	-46,285	129,757	-28,342	-101,312	9,301	114,668	-528,508
Movement on Reserves	-134,333	-104,297	-46,168	244,899	51,865	-78,829	345,358	-69,529	-88,554	261,885	-148,445	242,014
<b>Closing Cash Balance</b>	<b>2,114,733</b>	<b>1,980,982</b>	<b>1,893,341</b>	<b>1,690,621</b>	<b>1,973,227</b>	<b>2,006,856</b>	<b>2,003,293</b>	<b>2,273,368</b>	<b>2,218,551</b>	<b>2,136,556</b>	<b>2,211,790</b>	<b>2,202,197</b>

Appendix 4:

# Internal Audit – Assurance Report PATROL (Parking and Traffic Regulations Outside London) 2021/22

Report Status: Final  
Report Date: 16<sup>th</sup> June 2022  
Prepared by: Lucy Nelson

*Draft reports should not be shared with anyone outside of the distribution list below without prior approval from the Audit Manager.*

## Distribution List – Draft Report:

- Laura Padden – PATROL, Director
- Erica Maslen – PATROL, Central Services Manager

*Final reports should not be shared with anyone outside of the distribution list without prior approval from the Audit Manager and Final Report Owner.*

## Distribution List – Final Report:

- Laura Padden – PATROL, Director
- Erica Maslen – PATROL, Central Services Manager

## Final Report Owner:

- Laura Padden – PATROL, Director

## Version Control

Version Number	Date	Changes
1.0	07/06/22	Draft report prepared
1.1	14/06/22	Draft report reviewed and approved for issue
1.2	15/06/22	Draft report comments received from PATROL and amendments noted.
1.3	16/06/22	Final Report agreed and issued

<b>Galileo Reference</b>	EXT001.0008
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## Executive Summary

### 1. Background

1.1 PATROL (Parking and Traffic Regulations Outside London) has been established to enable Councils undertaking civil parking enforcement in England and Wales and civil bus lane and moving traffic enforcement in Wales to exercise their functions under:

- Section 81 of the Traffic Management Act 2004 (TMA) and Regulations 17 and 18 of The Civil Enforcement of Parking Contraventions (England) General Regulations 2007 (the English General Regulations);
- Section 81 of the TMA and Regulations 16 and 17 of the Civil Enforcement of Road Traffic Contraventions (General Provisions) Wales Regulations 2013 (the Welsh General Provisions Regulations);
- Regulations 12 and 13 of The Road User Charging (RUCA) Schemes (Penalty Charges, Adjudication and Enforcement) (England) Regulations 2013 (the Road User Charging Regulations);
- Regulation 18 of The Littering from Vehicles Outside London (Keepers: Civil Penalties) Regulations 2018.

1.2 These functions are exercised through PATROL in accordance with Regulation 16 of the English General Regulations and Regulation 15 of the Welsh General Provisions Regulations.

1.3 The Bus Lane Adjudication Service Joint Committee (BLASJC) has been established to enable councils in England undertaking civil enforcement of bus lanes to exercise their functions under Regulation 11 of The Bus Lane Contraventions (Penalty Charges, Adjudication and Enforcement) (England) Regulations 2005 (the Bus Lane Regulations).

1.4 These functions are exercised through BLASJC in accordance with Regulation 12 of the Bus Lane Regulations.

1.5 Under the above legislation and regulations, Councils operating civil traffic enforcement functions are responsible for funding the provision of adjudication. The Councils carry out this function through a Joint Committee. The PATROL and Bus Lanes Adjudication Joint Committees perform this function in accordance with legislation and regulations and the constituent authorities of each Joint Committee defray expenses in such a proportion as the Joint Committees decide.

1.6 The Traffic Penalty Tribunal also provides adjudication in respect of penalties issued for failure to pay the road user charge at the Dartford-Thurrock River Crossing, the Mersey Gateway Bridge and the Durham Road User Charge Zone and in relation to Clean Air Zones, Moving Traffic offences and Littering from Vehicles penalty notices.

1.7 PATROL is classed as a small relevant body in accordance with the Accounts and Audit Regulations 2015, and prior to 2015/16 had to complete a Small Bodies Annual Return

## Executive Summary

(SBAR) summarising their annual activities at the end of each financial year. This requirement was removed for 2015/16 by the Accounts and Audit Regulations 2015; however, the Body has decided to still complete the SBAR on an annual basis as good practice and in the spirit of openness and transparency.

- 1.8 Cheshire East Council was appointed as the Host Authority to the PATROL Adjudication Joint Committee and Bus Lane Adjudication Joint Committee on 1st January 2013. As part of this role, the Council has delivered the Body's Internal Audit service.
- 1.9 Where reference is made to policies and procedures in this report, these are PATROL's, not Cheshire East Council's unless specified otherwise.

## 2. Scope of Review and Risks Covered

- 2.1. Due to the Covid-19 pandemic and following a period of consultation, PATROL staff have moved to Home Based contracts with staff operating under home working agreements. As such, Internal Audit has followed the programme of testing and carried out physical testing where required but has also placed reliance on information being supplied electronically.
- 2.2. In order to complete Section 4 of the 2021/22 SBAR, we had to determine whether the ten stated internal control objectives have been achieved throughout the 2021/22 financial year to a standard adequate to meet the needs of the Body. The control objectives are:

- A. Appropriate accounting records have been kept properly throughout the year.
- B. The body's financial regulations have been met, payments were supported by invoices, expenditure was approved and VAT appropriately accounted for.
- C. The body assessed the significant risks to achieving its objectives and reviewed the adequacy of arrangements to manage this.
- D. The annual taxation or levy or funding requirement resulted from an adequate budgetary process; progress against the budget was regularly monitored; and reserves were appropriate.
- E. Expected income was fully received, based on correct prices, properly recorded and promptly banked; and VAT was appropriately accounted for.
- F. Petty cash payments were properly supported by receipts, expenditure was approved and VAT appropriately accounted for.
- G. Salaries to employees and allowances to members were paid in accordance with body approvals, and PAYE and NI requirements were properly applied.
- H. Asset and investment registers were complete and accurate and properly maintained.
- I. Periodic and year-end bank account reconciliations were properly carried out.
- J. Accounting statements prepared during the year were prepared on the correct accounting basis (receipts and payments or income and expenditure), agreed to the cash book, were supported by an adequate audit trail from underlying records, and where appropriate, debtors and creditors properly recorded.

## Executive Summary

2.3. In order to satisfy the above control objectives, we carried out a programme of audit testing on the following areas:

- Assets
- Banking and Cheques
- Budgetary Control
- Income
- Payroll
- Procurement
- Purchase Cards
- Petty Cash
- Risk Management

2.4. PATROL introduced a petty cash system during 2019/20 with a balance limit of £50 and there are also six purchase cards linked to the bank account. As such, and as per testing carried out in previous years, a review of processes and controls in operation in relation to the cards was also undertaken.

2.5. The separate Joint Committees for PATROL Adjudication Service and Bus Lanes Adjudication Service share the same systems and processes. Therefore, where appropriate, audit work focussed on PATROL and assurance can be drawn from this for Bus Lanes.

2.6. Where sample testing was undertaken, sampling was proportionate to the volume of transactions in relation to the PATROL, Bus Lanes, RUCA moving traffic and littering. Furthermore, the samples selected included transactions completed throughout the whole of 2021/22 in order to ensure that the findings are as comprehensive and reliable

as possible and also capture an accurate reflection of the practices in place. Although reasonable assurance can be drawn from these findings it is never possible to give complete assurance that all issues have been uncovered, as we are unable to test every transaction.

2.7. We have previously issued a draft report to present our key findings and actions, (reported on an exception basis), to confirm the factual accuracy of the findings and to agree recommended actions. This final report is issued now that the recommended actions, along with responsibilities and timescales have been agreed.

### 3. Key Findings and Recommended Actions

3.1. A total of 88 controls have been tested covering all areas detailed in the control objectives on the SBAR. This draft report is intended to highlight the areas where improvements are required, either in the control itself or to improve compliance with the controls.

3.2. As a result of the testing, 2 recommended actions have been raised in this report and can be found at **Appendix A**. The actions raised relate to non-compliance with the controls the Body has established in its processes and procedures.

3.3. The areas identified for improvement are as follows:

#### Control Objective F

- There were no transactions recorded through Petty Cash during 2020/21 and 2021/22 with the minor

## Executive Summary

items of expenditure that the system was intended for being purchased using other methods.

### Control Objective H

- Although other checks have been in place, the IT Asset Register has not been fully independently reviewed in line with PATROL's Financial Regulations.

## 4. Conclusion and Opinion

- 4.1. The audit concluded that on the whole the 10 control objectives detailed on the 2021/22 SBAR are effectively managed for both PATROL and Bus Lane Adjudication Joint Committees. **Appendix B** confirms the results of the audit work as it will be entered on the SBAR.
- 4.2. The review concluded that the steps taken to address compliance with the controls the Body has established in its processes and procedures are operating satisfactorily.
- 4.3. Internal Audit use a formal opinion system, details of which are given in **Appendix C**. Based upon the findings and actions raised, a "Good Assurance" opinion has been given.

### Good Assurance

Controls are in place to mitigate against the risks identified in the Terms of Reference. Testing has shown that controls are working effectively and consistently to ensure that key risks are well managed.

- 4.4. In line with our Audit Charter, the agreed action plan will be subject to a follow up review to provide assurance that recommended actions have been implemented.



## Appendix A – Action Plan

F - Petty cash payments were properly supported by receipts, expenditure was approved and VAT appropriately accounted for				
	Finding	Implication	Recommended Action	Priority
1	<p>A petty cash system was introduced in 2019/20, with a balance limit of £50.</p> <p>A review of the records and physical cash held confirmed a current balance on 19<sup>th</sup> May 2022 of £21.92, with no transactions during 2021-22 and 2020-21. Petty cash was introduced to purchase minor items, for example, stamps and refreshments for meetings, however these items are reimbursed through staff expenses or purchased using a staff purchase card.</p>	<p>Petty cash facilities are not effectively managed and at an increased risk of misappropriation.</p>	<p>PATROL should review the requirement for a petty cash system and consider closing the fund if there is no longer a business need.</p>	<p>Low</p>
<b>Management Response</b>				
<p><b>Agreed:</b> Petty cash is kept in the safe with restricted access, however there is no longer a requirement for this facility. Facility has been removed</p> <p><b>Responsibility:</b> Central Services Manager</p> <p><b>Target Date:</b> Completed</p>				

H – Asset and investment registers were complete and accurate and properly maintained				
	Finding	Implication	Recommended Action	Priority
2	<p>Financial Regulations 21-22 sets out that IT equipment will be physically verified annually by the Finance and Central Services Manager.</p> <p>Although PATROL maintain an IT Asset Register there is no evidence to support when the IT Asset Register was last subject to an annual independent review.</p> <p>Previous audit records confirmed that a review took place in April / May 2019 and the review for</p>	<p>An increased risk that assets are not safeguarded against theft or identified for insurance purposes in the event of a claim.</p>	<p>The asset register should be formally reviewed on an annual basis and evidenced as such in line with the Financial Regulations 21-22.</p> <p>This should be in addition to the other controls in place.</p>	<p>Low</p>

OFFICIAL

## Appendix A – Action Plan

20/21 did not take place due to remote working through the Covid-19 outbreak.			
<b>Management Response</b>			
<p><b>Agreed:</b> To return to a full check each year. However, there have been checks completed but not as a single exercise:</p> <ul style="list-style-type: none"> <li>• A full check was completed in March 2022 by the Central Services Manager of equipment held by Adjudicators.</li> <li>• All equipment issued to staff is signed for. When replacement equipment is issued the form is updated and resigned. This form shows all equipment held and the control here is that any irregularities would be raised at this point.</li> <li>• All equipment in the office was recorded at the point of the move – Feb 2021.</li> </ul> <p><b>Responsibility:</b> Central Services Manager  <b>Target Date:</b> March 2023</p>			

## Appendix B – Summary of Results for the Small Bodies Annual Return

Section	Objective	Agreed		
		Yes	No	Not Covered
A	Appropriate accounting records have been kept properly throughout the year	✓		
B	The body's financial regulations have been met, payments were supported by invoices, expenditure was approved and VAT appropriately accounted for	✓		
C	The body assessed the significant risks to achieving its objectives and reviewed the adequacy of arrangements to manage this	✓		
D	The annual taxation or levy or funding requirement resulted from an adequate budgetary process; progress against the budget was regularly monitored; and reserves were appropriate	✓		
E	Expected income was fully received, based on correct prices, properly recorded and promptly banked; and VAT was appropriately accounted for	✓		
F	Petty cash payments were properly supported by receipts, expenditure was approved and VAT appropriately accounted for	✓ *		
G	Salaries to employees and allowances to members were paid in accordance with body approvals, and PAYE and NI requirements were properly applied	✓		
H	Asset and investment registers were complete and accurate and properly maintained	✓		
I	Periodic and year-end bank account reconciliations were properly carried out	✓		
J	Accounting statements prepared during the year were prepared on the correct accounting basis (receipts and payments or income and expenditure), agreed to the cash book, were supported by an adequate audit trail from underlying records, and where appropriate, debtors and creditors properly recorded	✓		

\* There are six purchase cards linked to the bank account, therefore, a review of processes and controls in operation in relation to the cards was also undertaken.

## Audit Opinion

An overall opinion on the control environment will be given on completion of the audit work. This opinion relates **only** to those risks identified or systems tested. Where the audit opinion given is either limited or no assurance, consideration will be given to including those areas in the Annual Governance Statement.

There are four possible opinions: good assurance, satisfactory assurance, limited assurance, and no assurance.

The following table explains the various assurance levels in terms of the controls in place and how testing has shown them to be operating. It also gives an indication as to the priority rating of recommendations you might expect at each assurance level, although please note this is for guidance only as the final opinion lies at the discretion of the Auditor.

Assurance Level	Explanation
<b>Good Assurance</b>	Controls are in place to mitigate against the risks identified in the terms of Reference. Testing has shown that controls are working effectively and consistently to ensure that key risks are well managed. No high level recommendations have been made although there may be a small number at medium level. Some changes in the control environment may be beneficial to enhance performance and realise best practice.
<b>Satisfactory Assurance</b>	Controls are adequate to address the risks identified in the terms of reference. Testing has shown that there are some inconsistencies in the application of the controls, and attention is needed to improve the effectiveness of these controls. Recommendations will normally be no higher than medium level.
<b>Limited Assurance</b>	Controls are either not designed to mitigate the risks identified in the terms of reference, or testing has shown there to be significant non-application of controls. There are likely to be a number of high priority recommendations and/or a large number at the medium level. Attention is needed to improve the quality and effectiveness of the control environment in order to ensure key risks can be managed well.
<b>No Assurance</b>	There is an absence of controls to mitigate against the risks identified in the terms of reference. The majority of recommendations made are high priority, and key risks are not being properly managed. Urgent attention is required by management to improve the control environment. This area may be considered for inclusion in the organisation's Annual Governance Statement. It may also be appropriate for this area to be included in the sections/directorate Risk Register, and for the action plan to address these fundamental weaknesses to become part of the Service Delivery Plan.

**Priority Rating for Individual Findings**

Every audit finding and supporting recommendation will be rated in line with the criteria shown below. Timescales for necessary actions will be discussed with service managers, but the broad expectations for consideration and implementation are outlined below.

Priority	Explanation		
	Risk	Controls and Testing	Timescale
<b>High</b>	<p>Action is required to mitigate against a risk which is assessed as likely to arise, and having a high impact should it do so. A fundamental risk may involve failure to:</p> <ul style="list-style-type: none"> <li>• Meet key business objectives</li> <li>• Meet statutory objectives</li> <li>• Adhere to Cheshire East policies</li> <li>• Prevent fraud or material error</li> </ul>	<p>Controls to mitigate risks identified in the terms of reference are either absent or poorly designed.</p> <p>Testing has shown that controls are significantly failing to work as intended.</p>	<p>This action needs immediate consideration by management.</p> <p>Implementation of necessary actions may take longer, but an action plan to address the issues should be developed immediately.</p>
<b>Medium</b>	<p>Action is required to mitigate against a risk which is assessed as being likely to arise OR having a significant impact if it should arise.</p>	<p>Controls to mitigate risks identified in the terms of reference are in place.</p> <p>Testing has shown that controls are working as intended, with some minor inconsistency.</p>	<p>This action needs to be considered by management within 3 months.</p> <p>Implementation of necessary actions may take longer, but an action plan to address the issues should be developed within 3 months.</p>
<b>Low</b>	<p>Action is required to mitigate against a risk which is assessed as having a low impact or being unlikely to arise.</p> <p>Implementation of these actions will further strengthen internal control and improve potential for achieving best practice.</p>	<p>Controls to mitigate risks identified in the terms of reference are in place.</p> <p>Testing has shown that the controls are being applied consistently and effectively.</p>	<p>This action needs to be considered by management within 6 months.</p> <p>Implementation of necessary actions may take longer, but an action plan to address the issues should be developed within 6 months.</p>

## Appendix 5:

### Joint Committees Return for the financial year ended 31 March 2022

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The return on pages 2 to 5 is made up of four sections:

- Sections 1 and 2 are completed by the person nominated by the Joint Committee
- Section 3 is completed by BDO LLP as the reviewer appointed by the Joint Committee.
- Section 4 is completed by the Joint Committee's internal audit provider.

#### Completing your return

Guidance notes, including a completion checklist, are provided on page 6 and at relevant points in the return. Also our extranet contains useful advice for you to refer to, see below.

Complete all sections highlighted in red. Do not leave any red box blank. Incomplete or incorrect returns require additional work and so may incur additional costs.

Send the return, together with your bank reconciliation as at 31 March 2022, an explanation of any significant year on year variances in the accounting statements and any additional information requested, to us, BDO LLP, by the due date.

We will identify and ask for any additional documents needed for our work. Therefore, unless requested, do not send any original financial records.

Once we have completed our work, the completed return will be returned to the Joint Committee.

It should not be necessary for you to contact us for guidance.

## Section 1 – Governance statement 2021/22

We acknowledge as the members of

Enter name of reporting body here:

PARKING & TRAFFIC REGULATIONS OUTSIDE  
LONDON ADJUDICATION JOINT COMMITTEE

Our responsibility for ensuring that there is a sound system of internal control, including the preparation of the accounting statements. We confirm, to the best of our knowledge and belief, with respect to the accounting statements for the year ended 31 March 2022, that:

	Agreed		Means that the body
	Yes	No*	
1 We approved the accounting statements prepared in accordance with the guidance notes within this Return.	✓		Prepared its accounting statements and approved them.
2 We maintained an adequate system of internal control, including measures designed to prevent and detect fraud and corruption and reviewed its effectiveness.	✓		Made proper arrangements and accepted responsibility for safeguarding the public money and resources in its charge
3 We took all reasonable steps to assure ourselves that there are no matters of actual or potential non-compliance with generally accepted good practice that could have a significant financial effect on the ability of the body to conduct its business or on its finances and have reported our financial results to our host authority for inclusion in their accounts.	✓		Has only done what it has the legal power to do and has complied with general accepted good practice
4 We carried out an assessment of the risks facing the body and took appropriate steps to manage those risks, including the introduction of internal controls and/or external insurance cover where required.	✓		Considered the financial and other risks it faces and has dealt with them properly.
5 We maintained throughout the year an adequate and effective system of internal audit of the body's accounting records and control systems.	✓		Arranged for a competent person, independent of the financial controls and procedures, to give an objective view on whether internal controls meet the needs of the body.
6 We took appropriated action on all matters raised during the year in reports from internal audit and external reviews.	✓		Responded to matters brought to its attention by internal and external reviewers.
7 We considered whether any litigation, liabilities or commitments, events or transactions, occurring either during tor after the year-end, have a financial impact on the body and where appropriate have included them in the accounting statements.	✓		Disclosed everything it should have about its business activity during the yea including events taking place after the year-end if relevant.

The governance statement is approved by the Joint Committee and recorded as minute reference

[Redacted signature box]

Date

[Redacted date box]

Signed by:

Chair

[Redacted signature box]

Signed by:

Clerk

[Redacted signature box]

\*Note: Please provide explanations on a separate sheet for each 'No' response. Describe how the joint committee will address the weaknesses identified.

## Section 2 – Accounting Statements 2021/22 for

Enter name of reporting body here:

**PARKING & TRAFFIC REGULATIONS OUTSIDE LONDON ARBITRATION JOINT COMMITTEE**

	Year ending		Notes and guidance Please round all figures to nearest £1. Do not leave any boxes blank and reports £0 or Nil balances. All figures must agree to underlying financial records.
	31 March 2021 £	31 March 2022 £	
1 Balances brought forward	3,177,712	2,385,957	Total balances and reserves at the beginning of the year as recorded in the body's financial records. Value must agree to Box 7 of previous year.
2 (+) Income from local taxation and/or levy	-	-	Total amount of local tax and/or levy received or receivable in the year including funding from a sponsoring body. Excluding any grants received.
3 (+) Total other receipts	2,132,523	3,227,703	Total income or receipts as recorded in the cashbook less the taxation and/or levy (line 2). Include any grants received here.
4 (-) Staff costs	1,889,304	1,879,435	Total expenditure or payments made to and on behalf of all employees. Include salaries and wages, PAYE and NI (employees and employers), pension contributions and employment expenses.
5 (-) Loan Interest/capital repayments	-	-	Total expenditure or payments of capital and interest made during the year on the body's borrowings (if any).
6 (-) All other payments	1,035,034	872,402	Total expenditure or payments as recorded in the cashbook less staff costs (line 4) and loan interest/capital repayments (line 5).
7 (=) Balances carried forward	2,385,957	2,861,823	Total balances and reserves at the end of the year. Must equal (1+2+3) – (4+5+6)
8 Total cash and short term investments	2,144,525	2,207,009	The sum of all current and deposit bank accounts, cash holdings and short term investments held as at 31 March – to agree with bank reconciliation.
9 Total fixed assets plus other long term investments and assets	-	-	The original Asset and Investment Register value of all fixed assets, plus other long term assets owned by the body as at 31 March
10 Total borrowings	-	-	The outstanding capital balance as at 31 March of all loans from third parties (including PWLB)

I certify that for the year ended 31 March 2022 the accounting statements in the return present fairly the financial position of the Joint Committee and its income and expenditure, or properly present receipts and payments, as the case may be.

Signed by Responsible Financial Officer:

Date  24/06/2022

I confirm that these accounting statements were approved by the Joint Committee on:



and recorded as minute reference:



Signed by Chair of meeting approving these accounting statements:





### Section 3 – External Report 2021/22 Certificate

We present the findings from our review of the return for the year ended 31 March 2022 in respect of:

Enter name of reporting body here:

PARKING & TRAFFIC REGULATIONS OUTSIDE  
LONDON ADJUDICATION JOINT COMMITTEE

Respective responsibilities of the Joint Committee and the reviewer

The Joint Committee has taken on the responsibility of ensuring that its financial management is adequate and effective and that it has a sound system of internal control. The Joint Committee prepares a return which:

- summarises the accounting records for the year ended 31 March 2022; and
- confirms and provides assurance on various governance matters in accordance with generally accepted good practice

This report has been produced in accordance with the terms of our engagement letter dated [date] ("the Engagement Letter") and in accordance with the International Standard on Related Services 4400 applicable to agreed-upon-procedures engagements as published by IAASB.

We have performed the following work in respect of the return prepared by the Joint Committee:

- agreed to bank reconciliation to the annual return and the bank statements
- agreed the Annual return figures back to the trial balance
- ensured the trial balance and accounting statements adds up
- agreed the precept to the funding body
- agreed any loans to the PWLB or whoever the loan is with
- checked the comparative figures to the prior year accounts
- undertake an analytical review of the figures and investigated any variances in excess of 10%
- agree that the accounting statements and annual governance statement have been signed and dated as required.
- investigated any NO answers to the Annual Governance Statement
- investigated any NO answers in the Internal auditor report

[No exceptions were found / Apart from the following exceptions, noted below, no exceptions were found.]

We have not subject the information contained in our report to checking or verification procedures except to the extent expressly stated above and this engagement does not constitute an audit or a review and, as such, no assurance is expressed. Had we performed additional procedures, an audit or a review, other matters might have come to light that would have been reported.

You were responsible for determining whether the agreed upon procedures we performed were sufficient for your purposes and we cannot, and do not, make any representations regarding the sufficiency of these procedures for your purposes.

Our report is prepared solely for the confidential use of the joint committee. Our report must not be used for any purpose other than for which it was prepared or be reproduced or referred to in any other document or made available to any third party without the written permission of BDO LLP.

We accept no liability to any other party who is shown or gains access to this report.

Reviewer signature

BDO LLP

## Section 4 – Annual internal audit report 2021/22 to

Enter name of reporting body here:

PARKING & TRAFFIC REGULATIONS OUTSIDE LONDON ADJUDICATION JOINT COMMITTEE

The Joint Committee's internal audit service provider, acting independently and on the basis of an assessment of risk, carried out a selective assessment of compliance with relevant procedures and controls expected to be in operation during the financial year ended 31 March 2022.

Internal audit has been carried out in accordance with the Joint Committee's needs and planned coverage.

On the basis of the findings in the areas examined, the internal audit conclusions are summarised in this table. Set out below are the objectives of internal control and alongside are the internal audit conclusions on whether, in all significant respects, the control objectives were being achieved throughout the financial year to a standard adequate to meet the needs of the Joint Committee.

Internal control objective	Agreed? Please choose one of the following		
	Yes	No*	Not covered**
A. Appropriate accounting records have been kept properly throughout the year.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
B. The Joint Committee's financial regulations have been met, payments were approved and VAT was appropriately accounted for.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
C. The Joint Committee assessed the significant risks to achieving its objectives and reviewed the adequacy of arrangements to manage these.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
D. The annual taxation or levy or funding requirements resulted from an adequate budgetary process; progress against the budget was regularly monitored; and reserves were appropriate.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
E. Expected income was fully received, based on correct prices, properly recorded and promptly banked; and VAT was appropriately accounted for.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
F. Petty cash payments were properly supported by receipts, all petty cash expenditure was approved and VAT appropriately accounted for.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
G. Salaries to employees and allowances to members were paid in accordance with the body approvals, and PAYE and NI requirements were properly applied.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
H. Asset and investments registers were complete and accurate and properly maintained.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
I. Periodic and year-end bank account reconciliations were properly carried out.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
J. Accounting statements prepared during the year were prepared on the correct accounting basis, agreed to the cash book, were supported by an adequate audit trail from underlying records, and, where appropriate, debtors and creditors were properly recorded.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

For any other risk areas identified by the Joint committee (list and other risk areas below or on separate sheets if needed) adequate controls existed:

Name of person who carried out the internal audit:

Signature of person who carried out the internal audit:  Date:

\*Note: If the response is 'no' please state the implications and action being taken to address any weakness in control identified (add separate sheets if needed).

\*\*Note: If the response is 'not covered' please state when the most recent internal audit work was done in this area and when it is next planned, or, if coverage is not required, internal audit must explain why not (add separate sheets if needed).

## Guidance notes on completing the 2021/2022 return

1. Make sure that your return is complete (i.e. no empty red boxes), and is properly signed and dated. Avoid making any amendments to the completed return. But, if this is unavoidable, make sure the amendments are drawn to the attention of and approved by the body, properly initialled and an explanation provided to us. Returns containing unapproved or unexplained amendments will be returned and may incur additional costs.
2. Use the checklist provided below. Use a second pair of eyes, perhaps a member of the committee or the Chair, to review your return for completeness before sending it to us.
3. Do not send us any information not specifically asked for. Doing so is not helpful. However, you must notify us of any change of Clerk, Responsible Financial Officer or Chair.
4. Make sure that the copy of the bank reconciliation or letter confirming the balance held on your behalf which you send with the return covers all your bank balances. If the joint committee holds any short-term investments, note their value on the bank reconciliation. We must be able to agree your bank reconciliation to Box 8 on the Accounting statements. You must provide an explanation for any difference between Box 7 and Box 8.
5. Explain fully significant variances in the accounting statements on page 3. Do not just send in a copy of your detailed accounting records instead of this explanation. We want to know that you understand the reasons for all variances. Include a complete analysis to support your explanation.
6. If we have to review unsolicited information, or receive an incomplete bank reconciliation, or you do not fully explain variances, this may incur additional costs for which we will make a charge.
7. Make sure that your accounting statements add up the balance carried forward from the previous year (Box 7 of 2021) equals the balance brought forward in the current year (Box 1 of 2022).
8. Do not complete section 3. We will complete it at the conclusion of our work.

Completion checklist – 'No' answers mean you may not have met requirements		Date?
All sections	All red boxed have been completed?	✓
	All information has been sent with this return?	✓
Section 1	For any statement to which the response is 'no', an explanation is provided?	✓
Section 2	Approval by the body confirmed by the signature of Chair of meeting approving the accounting standards?	✓
	An explanation of significant variations from last year to this year is provided?	✓
	Bank reconciliation as at 31 March 2022 agrees to Box 8?	✓
Section 4	An explanation of any difference between Box 7 and Box 8 is provided?	✓
	All red boxed completed by internal audit and explanations provided?	✓

# PATROL Adjudication Joint Committee

## Executive Sub Committee

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<b>Date of Meeting</b>	12 <sup>th</sup> July 2022
<b>Report of:</b>	The Director
<b>Subject/Title:</b>	Review of Income and Expenditure & Reserves for 2022/23 for PATROL

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### 1.0 Report Summary and Recommendation

1.1 To note the Income and Expenditure position at 31<sup>st</sup> May 2022 for the year 2022/23.

1.2 To note the Reserves position at 31<sup>st</sup> May 2022 against the approved Reserves levels.

### 2.0 Reasons for Recommendations

2.1 Compliance with financial regulations.

2.2 To inform the Risk Register.

### 3.0 Income and Expenditure

	SUMMARY TO DATE			
	31/05/2022	31/05/2022	31/05/2022	31/05/2022
	Year to Date	Budget	Var to Budget	Var to Budget
Income	503,063	570,531	-67,468	-11.8%
Expenditure	399,687	570,883	171,197	30.0%
Surplus / (Deficit)	<b>103,376</b>	<b>-353</b>	<b>103,729</b>	

#### Breakdown of Surplus

PATROL	60,653	-2,580	63,233
Halton Borough Council	9,630	-1,715	11,345
National Highways	33,094	3,942	29,151
	<b>103,376</b>	<b>-353</b>	<b>103,729</b>

3.1 Total Income to 31<sup>st</sup> May is £503,063 against a budget of £570,531 – a deficit of £67,468 (18.2%).

Of this £19,561 relates to CAZ PCN income achieved and £38,276 to the Recharge of Costs to BLASJC (due to lower than anticipated actual costs incurred, and subsequently recharged).

3.2 Expenditure to the end of May 2022 is £171,197 underspent against budget (30.0%).

This is primarily due to the timing of budgets.

£39,585 relates to staffing costs due to recruitment timing and the effect of the delay in some CAZ schemes.

A further £37,157 relates to a savings on Supplies and Services due one-off pieces of work not yet started, savings in Media and PR monitoring, reduced travel and meeting costs.

3.4 The overall position at end May for PATROL is therefore a surplus of £60,653 against a budgeted deficit of £2,580, a positive variance of £63,233. This is after allowing for the ringfenced amounts to Halton BC and National Highways

3.6 Reserves to date are summarised as follows:

	To Date	Budget	Var to Budget
Reserves b/f from 21/22	2,861,823	2,861,823	0
Surplus / (Deficit) for year 22/23 - YTD	103,376	-353	103,729
<b>Closing Balance</b>	<b>2,965,199</b>	<b>2,861,470</b>	<b>103,729</b>
<i>Approved Reserves</i>	1,893,698	1,893,698	0
<b>FREE Reserves to Date</b>	<b>1,071,501</b>	<b>967,772</b>	<b>103,729</b>
less:			
NH balance to date	237,724	208,572	29,151
MG balance to date	98,367	87,022	11,345
<b>PATROL FREE Reserves at 30/04/22</b>	<b>735,411</b>	<b>672,178</b>	<b>63,233</b>

Total Reserves are £2,965,199.

Total Free Reserves are £1,071,501.

Of this amount £735,411 relates to PATROL (£237,724 is ringfenced to National Highways and £98,367 is ringfenced to Halton BC).

PATROL has a balance of £735,411 FREE Reserves at end May 2022, against a budgeted FREE Reserves position of £672,178. This is an improved position of £63,233.

# Item 11

## PATROL AND BUS LANE ADJUDICATION SERVICE JOINT COMMITTEES

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<b>Date of Meeting:</b>	12 <sup>th</sup> July 2022
<b>Report of:</b>	The Director on behalf of the Resources Working Group and Sub Committee
<b>Subject/Title:</b>	Establishment of Executive Sub-Committee

---

### 1.0 Report Summary

- 1.1 This report sets out arrangements for each Joint Committee to establish an Executive Sub-Committee and its Terms of Reference for the coming year.

### 2.0 Recommendation

- 2.1 That each Joint Committees establishes an Executive Sub-Committee to act on behalf of the Committee until the annual meeting in July 2022, in accordance with paragraph 2 and Appendix 1 to this report, and that it appoints members of the Executive Sub-Committee for the forthcoming year.
- 2.2 Notes the date of the first meeting of the Executive Sub Committees will be on 11<sup>th</sup> October 2022 in London.
- 2.3 Notes that reasonable travel expenses may be claimed for attending Executive Sub Committee meetings in accordance with the policy at Appendix 2.

### 3.0 Reasons for Recommendations

- 3.1 To enable the Joint Committees to conduct their business effectively.

### 4.0 Financial Implications

- 4.1 The recommendations reduce expenditure for both the Joint Committees and the participating authorities.

### 5.0 Legal Implications

- 5.1 The PATROL and Bus Lane Adjudication Service Joint Committee agreements make provision for the establishment of sub committees.

### 6.0 Risk Management

- 6.1 The recommendations enable the Joint Committees to conduct their business effectively.

### 7.0 Background and Options

- 7.1 Members are aware that as each Council becomes a party to the PATROL and/or Bus Lane Adjudication Service Joint Committee Agreement it is required to appoint a Member to represent their Council on the Joint Committee.

- 7.2 As the number of Councils joining the Joint Committees increases, one way of avoiding the need for large numbers of members attending all the committee meetings is to establish an Executive Sub-Committee. Both the PATROL and Bus Lane Adjudication Service Joint Committee Standing Orders enable the Joint Committees to appoint such Sub-Committees as they see fit.
- 7.3 Any Terms of Reference for such Sub-Committees need to be agreed by the Joint Committees as and when each Sub-Committee is established.
- 7.4 Many of the day to day functions of the Joint Committees have already been delegated to officers. Some of the functions that have not been delegated have been examined and it is considered that if the Joint Committee so decides, an Executive Sub-Committee could deal with most of these non-delegated functions without the need for the full Committee to meet.
- 7.5 In particular there is a requirement in both the PATROL and Bus Lane Adjudication Service Joint Committee Agreements for the Joint Committees by 31<sup>st</sup> January each year to set a budget of estimated expenditure for the following year and to determine the amount of contribution of member Councils.
- 7.6 The functions recommended by officers for delegation to the Executive Sub-Committees are detailed in the Appendix to this report.
- 7.7 The size of the Executive Sub-Committees is recommended by officers to comprise a minimum of twelve in number for PATROL, including the Chair of the Joint-Committee and at least one each representing District, County, Unitary, Metropolitan councils and at least one from an English authority and one from a Welsh authority. The recommended minimum number for the Bus Lane Adjudication Service Joint Committee Executive Sub Committee is three.



## APPENDIX 1

### PATROL AND BUS LANE ADJUDICATION SERVICE JOINT COMMITTEES Executive Sub Committees' Terms of Reference

Delegation of the following functions to the PATROLAJC Executive Sub-Committee: -

#### 1. Financial Matters

- (a) Deciding on the level and proportion PATROLAJC and BLASJC member Councils shall contribute to the costs and expenses of the adjudication service.
- (b) Establishing and adopting not later than 31st January in each year a budget of estimated expenditure for the ensuing year commencing 1st April and approving accounts for the previous financial year by 30<sup>th</sup> June each year.
- (c) Accepting tenders for the supply of goods, services, materials, equipment, building and civil engineering works in excess of £250,000 per contract.
- (e) All financial matters not delegated to the Resources Working Group and Sub Committee or officers under the Joint Committee's Financial Regulations.
- (f) Reviewing the Joint Committee's Reserves Policy Statement and Risk Register.

#### 2. Human Resources

- (a) Approving changes above grade PO6 (SCP49) to the staff assignment, except for Adjudicator appointments. This may be delegated to the Resources Working Group and Sub Committee.
- (b) Subject to the approval of the Lead Authority to consider applications for early retirement where there would be a financial cost to the PATROLAJC. This may be delegated to the Resources Working Group and Sub Committee.

#### 3. Advisory Board

Making additional appointments to or amending existing appointments to the Advisory Board.

#### 4. New Council members to the PATROLAJC and BLASJC Agreements

Noting new council members.

#### 5. Ad hoc delegations

The Joint Committees may from time to time make specific delegations to the Executive Sub Committees to progress business. The results of such delegations will be reported to the Joint Committee at its next meeting. The Executive Sub Committee may from time to time delegate actions to the PATROLAJC and BLASJC Resources Working Group and Sub Committee.

#### 6. Chairs of the Executive Sub Committees

The chairs elected for the Joint Committee will assume the same positions on the Executive Sub Committees

## **APPENDIX 2: POLICY FOR MEETING MEMBERS' TRAVEL EXPENSES**

### **Introduction**

Following member representations and assessment of the budgetary impact, the Resources Working Group recommends the following policy for meeting members' travel expenses.

### **Proposed Policy**

It is recognised that local authorities face increasing budgetary pressures. For some time, PATROL has been meeting the costs of local authority officers attending local authority user group meetings.

In order to promote engagement with the Joint Committees, PATROL will meet some of the travel costs associated with Members attending meetings which take place outside the annual meeting, for example, the Executive Sub Committees. It is anticipated that member authorities will continue to fund the costs associated with Councillors (main representative or substitute) attending the Annual Meeting.

The following provides guidance on what attendees may claim in respect of out of pocket expenses.

### **Train Travel**

Joint Committee Meetings are generally held in London. PATROL will meet the cost of train travel between the Member's local railway station travelling to London. All train travel should be booked standard class except where an Advance first class ticket is equivalent or cheaper.

### **Claiming expenses**

Train travel expenses must be submitted on the PATROL Member Claim Form. This will be emailed to Members for electronic submission of claims.

Travel tickets may act as a receipt when reclaiming expenditure.

Claims should be submitted as soon as possible and certainly no later than 3 months following the expenditure.

Contact details:

[accounts@patrol-uk.info](mailto:accounts@patrol-uk.info)

or

Accounts  
PATROL  
Merlin House  
8 Grove Avenue  
Wilmslow  
SK9 5EG

Claims received by 12pm Wednesday will be paid the same day. The preferred method of payment is by electronic transfer. First time claimants will need to provide their bank account details (sort code, account number, account holder name).

# Member Claim Form

Name of Claimant:	
Date of Claim:	
Meeting / Event:	
Signature of Claimant:	
Authorised by:	

TRAIN TRAVEL	Start	Finish
Address / Station		
<b>TOTAL CLAIMED £</b>		

**Please make payment by:** Bank transfer (BACS)  Cheque

Account Number: \_\_\_\_\_

Sort Code: \_\_\_\_\_

Bank & Branch Name: \_\_\_\_\_

Make cheques payable to: \_\_\_\_\_

Postal address: \_\_\_\_\_

**Please submit all claims with receipts / tickets to [accounts@patrol-uk.info](mailto:accounts@patrol-uk.info) or post to PATROL, Accounts, Merlin House, 8 Grove Avenue, Wilmslow, SK9 5EG**

**Office use only:**

Total Claimed £	
Checked By and Date	

# Item 12

## **PATROL AND BUS LANE ADJUDICATION SERVICE JOINT COMMITTEES Executive Sub Committees**

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<b>Date of Meeting:</b>	12 <sup>th</sup> July 2022
<b>Report of:</b>	The Director on behalf of the PATROL and BLASJC Resources Working Group
<b>Subject/Title:</b>	Report of the PATROL and BLASJC Resources Working Group meetings held since the meeting of the Executive Sub Committees in January 2022.

---

### **1.0 Report Summary**

- 1.1 To report on the PATROL and BLASJC Resources Working Group meetings held since the Executive Sub Committee Meeting held in January 2022.

### **2.0 Recommendations**

- 2.1 To note the matters discussed at the meetings since the Executive Sub Committee in January 2022.
- 2.2 To approve the Resources Working Group and Sub Committee overseeing matters highlighted in the report and reporting back to the next meeting of the Joint Committees or their Executive Sub Committees

### **3.0 Reasons for Recommendations**

- 3.1 To update the Joint Committees

### **4.0 Financial Implications**

- 4.1 The Resources Working Group considered financial matters reported to this meeting.

### **5.0 Legal Implications**

- 5.1 None

### **6.0 Risk Management**

- 6.1 The Resources Working Group considered the risk management report presented to this meeting.

### **7.0 Background and Options**

- 7.1 The July 2019 meetings of the Joint Committees resolved that the Resources Sub Committee and Working Group would oversee a number of initiatives on its behalf.

- 7.2 The Resources Working Group comprises the Chairs of the Joint Committee and representatives from the Joint Committees' Advisory Board. The Resources Sub Committee comprises the Members.
- 7.3 During the Covid-19 pandemic, the Chairs of the Joint Committees have been appraised of the impact of reduced income on cash flow and the need to drawdown from the reserves from previous years in accordance with the Joint Committees' Reserves Policy.
- 7.4 The Resources Working Group have been appraised of the progress of permanent home working arrangements for all TPT and PATROL staff. Adjudicators already work remotely.
- 7.5 At its meetings the Resources Working Group received a report from the Chair and Director on the appointment of Caroline Hamilton as the Chief Adjudicator, commencing in July 2022 and have been kept appraised of the arrangements in relation to the retirement of Caroline Sheppard OBE.
- 7.6 The Resources Working Group reviewed the financial recommendations being made to this meeting together with:
- a) The annual review of the terms of reference for the PATROL and BLASJC Resources Working Group and Sub Committee.
  - b) The reporting of the Traffic Penalty Tribunal's statistics for 2021/2022.
  - c) Received a Public Affairs Update and resolved that a summary report is presented to the Joint Committees.
  - d) Received an update on the introduction of Clean Air Zones from 2021 and outlined the activities undertaken to prepare for their associated appeals.
  - e) Considerations for the review of resources required to meet obligations over the next five years.
  - f) Draft agendas, financial and governance reports for the Joint Committee meetings including reviewing the risk register.
  - g) Arrangements for reimbursing member travel expenses for attendance at Joint Committee meetings and review of staff expense guidelines.
  - h) Procurement falling outside the Joint Committee's financial regulations.
- 7.8 It is proposed that the Resources Working Group and Sub Committee continue to oversee the above matters and report to the next meeting of the Joint Committees or their Executive Sub Committees.

## **8.0 Recommendation**

- 8.1 To note the matters discussed at the meetings held since the Executive Sub Committee in January 2022.
- 8.2 To approve the Terms of Reference for 2022/2023.
- 8.3 To approve the Resources Working Group and Sub Committee overseeing matters highlighted in the report and reporting to the next meeting of the Joint Committees or their Executive Sub Committees.

## **Appendix 1**

### **PATROL AND BUS LANE ADJUDICATION SERVICE JOINT COMMITTEES**

#### **Resources Working Group and Sub Committee**

##### **Terms of Reference 2022/2023**

#### **Membership:**

Chairs, Vice Chairs, Assistant Chairs of PATROLAJC and BLASJC supported by a Resources Working Group to include: Chair and Vice Chair of Advisory Board, Director, Chief Adjudicator and such additional representatives that may assist the Working Group and Sub Committee.

#### **Meetings:**

As and when required.

#### **Delegation**

Delegation of the following functions from the PATROL Joint Committee or Executive Sub Committee to the PATROLAJC Resources Working Group and Sub Committee.

- (a) Any financial, governance or other matter that the Joint Committee or its Executive Sub Committee determines to delegate to the Resources Working Group to take forward between meetings as far as this does not contravene existing standing orders and governance arrangements and falls within the approved budget.
- (b) Progressing any urgent financial or governance matter including risk items relating to audit recommendations, which fall between Joint Committee and its Executive Meetings as raised by the Chairman or Director on the basis that this falls within the approved budget.
- (c) Accepting tenders for the supply of goods, services, materials, equipment, building and civil engineering works in excess of £250,000 per contract on the basis that they fall within the approved budget or relate to earmarked reserves.
- (d) Noting the recommendations from low-level internal audit reports and monitoring any follow up actions
- (e) Noting reports from the Director on expenditure falling outside the Joint Committee's Financial Regulations.
- (f) Approving human resource proposals which fall outside the delegation from the Joint Committee and Lead Authority to the Director save for those relating to Adjudicators which are delegated to the Chief Adjudicator on the basis that they fall within the approved budget.

#### **Review**

These terms of reference will be presented to the Joint Committee on an annual basis. Last Approved 2021.

# Item 13a

## **PATROL ADJUDICATION & BUS LANE ADJUDICATION SERVICE JOINT COMMITTEE**

### **FINANCIAL REGULATIONS**

#### **2022 -23 DRAFT**

#### **1. General**

- 1.1 These Regulations should be read in conjunction with the Joint Committee's Financial Standing Orders and Rules of Financial Management contained within the Joint Committee's Agreement, the Scheme of Delegation to the Director and the Scheme of Financial Delegation to officers.
- 1.2 Where the Joint Committee has established a sub committee whose terms of reference include delegated financial functions, or where there is a specific delegation to such a sub committee, the reference to Joint Committee within the Regulations will include the sub committee.
- 1.3 These Regulations lay down for the guidance of members and officers, principles to be followed in securing the proper administration of the Joint Committee's financial affairs and shall be reviewed by the Joint Committee on an annual basis.
- 1.4 The Director, as the officer responsible for the administration of the Joint Committee's affairs, shall report to the Joint Committee any significant failure to comply with these regulations which comes to his/her attention.
- 1.5 The Director shall be responsible for the accountability and control of all resources managed by him/her on behalf of the Joint Committee and will maintain a written record where decision making has been delegated to others.
- 1.6 The Director will ensure the organisational structure provides an appropriate segregation of duties to provide adequate internal controls to minimise fraud or malpractice.
- 1.7 The Director can allow exceptions to these Regulations if it is believed that the best interests of the Joint Committee would be served if the Regulations were not applied. A written record of these decisions must be kept and reported to the Joint Committee at the earliest opportunity.
- 1.8 Whenever any matter arises which may involve financial irregularity, the Director shall be notified immediately, and if an irregularity is disclosed the matter shall, at the discretion of the Director and after consultation with the Joint

Committee's Treasurer (the Lead Authority's S151 Officer), be referred by them to the Joint Committee. The Director and the Joint Committee Treasurer will determine whether the matter should be referred to Internal Audit. Further in a case where the Director advises that there is prima facie evidence of a criminal offence having been committed, the matter shall be reported to the Police forthwith.

## **2. Accounting Arrangements**

- 2.1 The Statement of Responsibilities for the Statement of Accounts sets out the role of the Director and the Treasurer.
- 2.2 The Treasurer to the Joint Committee is the responsible Financial Officer for the purposes of the Annual Return.
- 2.3 The Director shall ensure that appropriate financial arrangements and procedures are in place on behalf of the Joint Committee in order that the Treasurer can be provided with the necessary accounting records.
- 2.4 The Director will make arrangements for the preparation and audit of annual accounts.
- 2.5 The Director will publish and make available a final accounts/audit timetable to member authorities following the annual meeting of the Joint Committee.
- 2.6 The Director, where applicable, shall be responsible for the submission of all claims for grant to Government Departments, or to the EU.

## **3. Banking Arrangements, Cheques and Purchase Cards**

- 3.1 All arrangements with the Joint Committee's bankers, including the procedures for the ordering and safe custody of cheques and purchase cards, shall be made under arrangements approved by the Director.
- 3.2 All cheques drawn on behalf of the Joint Committee shall be signed by two named signatories on the bank mandate. Electronic payments require approval from two individuals, who must have been granted access to the online banking system by the online bank administrator (Finance & Central Services Manager).
- 3.3 There is to be a clear segregation of responsibility between the preparation of payments and the authorisation of payments.
- 3.4 Purchase card limits will be as set out within the Scheme of Financial Delegation.



- 3.5 All Card Holders will sign a Credit Card Undertaking form. The Credit Card Undertaking form sets out agreed procedures including storage, authorised users and record keeping requirements.
- 3.6 Only the Finance & Central Services Manager will be permitted to withdraw cash against their card and this will be authorised in advance by the Director.
- 3.7 Bank reconciliation will be undertaken on a monthly basis (within 30 days) and signed by two members of staff in accordance with the Bank Reconciliation Procedure with one signature being that of the Finance & Central Services Manager.

#### **4. Revenue and Capital Budgets**

- 4.1 The Director, in consultation with appropriate Officers, shall prepare annual estimates of expenditure and income, including the proposals for the basis for defraying that expenditure through member authorities. The budget and the basis for defraying expenditure through member authorities must be approved by the Joint Committee by the end of January each year.
- 4.2 The Director will provide a copy of the Joint Committee's approved budget to the Treasurer.
- 4.3 The Director will monitor income and expenditure against the budget and will report to meetings of the Joint Committee showing budgeted, actual and where appropriate, projected expenditure. Monitoring will take place and be evidenced monthly.
- 4.4 The Director shall be authorised to approve transfers between expenditure heads up to a maximum of £25,000. These transfers will be reported to the Joint Committee at the next available meeting as part of the budget monitoring arrangements.
- 4.5 Where it is anticipated that total expenditure will exceed the approved budgeted expenditure by 2.5%, the Chair and Vice Chair of the Joint Committee should be notified by the Director at the earliest opportunity following consultation with the Chair of the Advisory Board.

#### **5. Income**

- 5.1 The collection of all money due to the Joint Committee shall be under the supervision of the Director.

- 5.2 All money received shall be without delay passed for payment to the Joint Committee's bank account.
- 5.3 The Director shall be furnished with information to ensure the prompt rendering of accounts for the collection of income.
- 5.4 Following year-end, where invoicing is based on estimates, the Director (delegated to the Central Services Manager) shall request a self-certification of penalty charge notices issued by authorities.
- 5.5 Any Debt unpaid after 90 days of issue will be provided for in the accounts as soon as it becomes 90 days old.
- 5.6 The Director shall report all bad debts to the Joint Committee for these to be provided for in accordance with the approved Bad Debt Policy. This report will include the cause of the bad debt and the recovering measures taken in accordance with the Debt Recovery Procedure.
- 5.7 Through regular budget monitoring reports, the Director will apprise the Joint Committee of variations in achieved income in order that the Joint Committee can take appropriate actions in a timely manner.

## **6. Borrowing and Investments**

- 6.1 The Joint Committee approves on an annual basis an Annual Investment Strategy prepared in consultation with the Treasurer. Where applicable, this will take into account any Joint Committee policies in relation to reserves.

## **7. Orders and Contracts**

- 7.1 The Scheme of Delegation to the Director and the Scheme of Financial Delegation include the required procedures, record keeping and procurement thresholds.
- 7.2 In evaluating quotations or tenders, the aim will be to achieve the most economically advantageous outcome, taking into account quality, cost and delivery experience. Such decisions will be documented. Where the lowest price option is not chosen, the Director must approve prior to goods/services being commissioned.
- 7.3 Only budget holders and staff who have received training in accordance with the Scheme of Financial Delegation may order goods or services.

- 7.4 The Director will ensure that staff involved in procurement are aware of financial thresholds and the need for aggregation with single suppliers in respect of purchasing thresholds. Market testing on rolling contracts over £2,000 will be undertaken on a three-year cycle.
- 7.5 The Director is required to obtain approval from the Joint Committee in respect of the supply of goods, services, materials, equipment, building and civil engineering works in excess of £250,000 per contract.
- 7.6 The Director has the authority to waive these rules (excluding those falling within the EU threshold) where the interests of the Joint Committee would be best served. Such circumstances would include where there is only one contractor that is able to provide goods and services or where the need for such goods and services was urgent and the above procedure would be detrimental to the Joint Committee. Forward planning and market testing will be deployed to ensure that cases of waiver are minimised. The Director shall maintain a record of such decisions and report to the Joint Committee at the earliest opportunity.
- 7.7 A Contracts Register will be kept of all ongoing contracts.

## **8. VAT**

- 8.1 The Director will make arrangements for VAT to be reclaimed from the Joint Committee's Lead Authority on a quarterly basis.

## **9. Reserves**

- 9.1 Where applicable, the Joint Committee will approve a Reserves Policy Statement on an annual basis. The Joint Committee will be asked to approve arrangements for placing elements of the reserve on deposit, with regard to ensuring sufficient cash flow and minimising risk. This is documented in the Annual Investment Strategy.

## **10. Equipment**

- 10.1 The Director will ensure that all staff are aware of their responsibility for the security and proper recording of equipment under their control including their personal responsibility with regard to the protection and confidentiality of information whether held in manual or computerised records in accordance with the Information Security Policy.
- 10.2 All equipment over £1,000 in value must be recorded in the Equipment Inventory in accordance with the Asset Management Policy.

10.3 All IT equipment and communications devices will be recorded in an IT register where the purchase value is greater than £100.

10.4 This will be physically verified annually by the Finance and Central Services Manager.

## **11. Insurance**

11.1 The Director shall arrange such insurances as he/she considers necessary.

11.2 Officers shall give prompt notification to the Director of all new risk or any alterations which may affect existing insurances.

11.3 Officers shall inform the Director promptly in writing of any events which may involve the Joint Committee in a claim.

## **12. Risk**

12.1 The Director will present a Risk Register for review by the Joint Committee at each meeting in accordance with the Joint Committee's Risk Management Strategy. In addition, the Director will ensure that effective Business Continuity Planning arrangements are in place in accordance with the Joint Committee's Business Continuity Management Policy.

## **13. Internal Audit**

13.1 The Joint Committee shall review the internal audit strategy.

13.2 The Director will arrange for the internal audit of accounts and internal assurance framework of the Joint Committee. Internal audit is currently undertaken by the Lead Authority's Internal Audit Department.

13.3 The Director will ensure that Internal Auditors have right of access to such records and explanations as they require to complete the work undertaken.

13.4 Audit Reports will be presented to the Joint Committee.

## **14. External Audit**

14.1 The Joint Committee will be asked to approve the appointment of auditors.

14.2 The Director will make such arrangements as are necessary to facilitate this audit.

14.3 The Director will ensure that External Auditors have right of access to such records and explanation as they require to complete the work undertaken.

14.4 Audit Reports will be presented to the Joint Committee.

## **15. Petty Cash**

15.1 The Director shall make such arrangements as he/she considers necessary for defraying petty cash and other expenses by means of an imprest system in accordance with a procedure to be agreed with the Treasurer. The Petty Cash shall be secured in the safe overnight, limited to a balance of £50 and reconciled each month independently.

## **16. Expenses**

16.1 The Director shall ensure that expense claims are underpinned by guidelines approved by the Joint Committee's Advisory Board.

## **17. Gifts and Hospitality Register**

17.1 The Director will ensure that a register is held for the purposes of recording gifts and hospitality and that staff are made aware of its existence.

## **18. Declaration of Interest**

18.1 All staff with financial responsibilities will be advised of their obligation to declare any interest on an annual basis. Members and Officers at each meeting will be provided with the opportunity to declare a pecuniary or non-pecuniary interest, where interests arise, individuals will be asked to complete the Declaration of Interest Form in addition to the interest being minuted.

## **19. Anti-fraud, anti-corruption and whistleblowing**

19.1 Compliance with these financial regulations is supported by policies and procedures in respect of anti-fraud, anti-corruption and whistleblowing. Where staff has concerns in this respect, they should approach their Line Manager, the Director or if they wish to speak to someone external to the organisation, they can contact Public Concern at Work which operates a confidential helpline 02074046609. Further advice and guidance can also be found on their website [www.pcaw.co.uk](http://www.pcaw.co.uk). The Director will ensure that staff are aware of the relevant internal and external contact points in these circumstances.

**20. Document Retention**

20.1 All financial documents will be retained for a period of six years in addition to the current year.

**21. Review and approvals**

21.1 These Financial Regulations will be reviewed by the Joint Committee on an annual basis.

## Item 13b



### **PATROL and Bus Lane Adjudication Service**

### **Scheme of Financial Delegation**

**Contact Details:** Laura Padden - Director  
**Version / Date:** May 2022

## Introduction

This Scheme of Delegation should be read in conjunction with the current PATROL and Bus Lane Adjudication Service Joint Committee's Financial Regulations and the Scheme of Delegation to the Director

### 1 Budget Management

#### i) In year budget management

The table below sets out which managers have been delegated the task of managing capital and revenue budgets.

Manager	Budget area	Name
Deputy Chief Adjudicator	Adjudicator fees and expenses	Stephen Knapp
Central Services Manager	Central Services functions including departmental staffing, premises, staff recruitment, training and Human Resources	Erica Maslen
Stakeholder Engagement Manager	Stakeholder departmental staffing and associated engagement expenditure IT departmental staffing, technology provision and development (software, hardware and infrastructure)	Iain Worrall
Director	Senior salaries, Case Management staffing budget Joint Committee initiatives, expenditure from approved reserves, consultancy and legal advice. PR, Communications and other expenditure not falling within the above delegations.	Laura Padden



ii) **Changing the Service budget in year**

Manager	Budget Area	Approval Limit
Director	All	£25,000

iii) **Planning future years budgets**

Responsibility:	Director and Central Services Manager in conjunction with budget managers set out above
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**2 Authorisations**

i) **Procurement – Purchasing Goods and Services, Contracts & Tenders, Requisitions and Orders**

The following limits apply to the approval of submission of tenders; acceptance of tenders; post contract negotiations; agreeing variations and lease, hire or rental agreements.

Up to £2,000	a written quotation submitted by the requisitioner and authorised by the Budget Manager
Between £2,000 and £30,000	three written quotations submitted against an outline specification by the Budget Manager
£30,000 to £172,514 (EU threshold)	formal tender process to at least three candidates authorised by the Director
EU threshold to £250,000	follow EU tender rules initiated by the Director

The primary budget holders may have authorised approvers within their teams who can approve up to £500 expenditure without budget holder approval on agreed budget areas.

<b>Authorised Approver</b>	<b>Primary Budget Holder</b>
Business Manager	Central Services Manager
Technology Manager	Stakeholder Engagement Manager
Appeals Manager	Director
Joint Committee Support Officer	Director / Stakeholder Engagement Manager

**ii) Purchase Cards**

<b>Card Holder (Role)</b>	<b>Transaction &amp; Monthly Limit</b>	<b>Approver (Role)</b>
Central Services Manager	£10,000	Director
Office and Facilities Manager	£10,000	Central Services Manager or Director
Technology Manager	£5,000	Stakeholder Engagement Manager or Cent Serv Manager
Projects Officer	£10,000	Stakeholder Engagement Manager or Cent Serv Manager
Appeals Manager	£5,000	Director or Cent Serv Manager
Executive Assistant	£10,000	Central Services Manager or Director
Stakeholder Engagement Manager	£5,000	Director or Central Services Manager

### iii) Imprest Accounts

Only the Central Services Manager / Finance Officer and Accounts Assistant have access to Petty Cash. The cash balance is limited to £50 at any one time, kept in the safe overnight and reconciled each month independently.

Where cash is required, only the Central Services Manager is authorised to draw cash from the Joint Committee’s current account in accordance with the Joint Committee’s approved Cash Policy.

### 3 Human Resources

Area of Delegation	Limit (Grade / £)	Designated Authorising Officers	Notes
Authorising that a post within the establishment is to be filled	Grade 10	Senior Manager for their department	The Business Manager will be notified to update the HR system.
Authorising: <ul style="list-style-type: none"> <li>• Staff appointments*</li> <li>• Promotions</li> </ul>	Grade 10 *Up to two increments depending upon qualifications and experience	Senior Manager for their department	As above
Authorise Changes to Employment Contracts	Grade 10	Senior Manager for their department	As above
Approval for overtime to be worked	Where allowed within contract	Senior Manager for their department	As above
Authorise Redundancies/Early Retirements	Applies across all grades	Director in conjunction with Joint Committee and CEC	As above

Area of Delegation	Limit (Grade / £)	Designated Authorising Officers	Notes
Authorise Payments: <ul style="list-style-type: none"> <li>• Staff Overtime Claims</li> <li>• Staff Expense Claims</li> </ul>	Where allowed within contract	Senior Manager for their department Senior Manager/Business Manager	As above
Authorise contractor/agency worker timesheets (or equivalent claims)	Grade 7	Senior Manager/Business Manager	As above

Note: Adjudicator recruitment and terms and conditions is delegated to the Chief Adjudicator.

#### 4 Management of Assets

Area of Delegation	Limit (£)	Designated Authorising Officers
Maintenance of Asset Inventory	>£100	Central Services Manager and Technology Manager
Authorising disposal of equipment or materials	≤ £5,000	Director
	> £5,000	Chair of Joint Committee
Authorising write off and / or disposal of IT hardware & software	≤ £5,000	Director

## 5 Banking and Income

No bank accounts may be opened or arrangements made with any other bank except by agreement with the Director.  
New investment deposits with current banking institutions will be authorised by the director.

Area of Delegation	Designated Accounting Officers	Notes
Authority to raise an external/internal invoice	Finance Manager	
Authority to cancel debt (e.g. credit notes).	Central Services Manager	
Authority to write off debt	Director	

### i) On-line banking authorisations

All transactions and amendments to user profiles and limits require 2 approvers (neither of which can be the user requesting the change).

Designated User	Raise Payments and Changes	Authorise with one other
Director	Yes	Yes
Central Services Manager	Yes	Yes
Finance Manager	Yes	No
Office and Facilities Manager	Yes	Yes
Stakeholder Engagement Manager	No	Yes

## 6 General Ledger

Area of Delegation	Limit (£)	Designated Authorising Officers	Notes
Journals	£350,000 in respect of income adjustments	Finance Manager Central Services Manager	<b>Two signatures required</b>
Additions, Changes and Deletions to Accounting Codes	£ 5,000 £25,000	Finance Manager Central Services Manager	
Amendments to budgeted amounts	All	Central Services Manager Director	

## 7 Performance Management

Responsibility for maintaining Performance Management System:	Director & Central Services Manager
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## 8 Risk Management

Responsibility for maintaining Risk Management System:	Director & Central Services Manager
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## 9 Insurance

<b>Area of Delegation</b>	<b>Designated Authorising Officers</b>
Obtain and maintain appropriate insurance cover	Central Services Manager
Dealing with claims (e.g. Statement of Disclosure, Defence etc.)	Central Services Manager

## 10 Information Management

<b>Area of Delegation</b>	<b>Designated Authorising Officers</b>
Responsibility for Document Retention/Information Management arrangements	Central Services Manager
Responsibility for Freedom of Information/Data Protection Act requests	Central Services Manager

## 11 Building/Security

<b>Area of Delegation</b>	<b>Officer/Building</b>
Building Specific Responsible Officers as required by Health and Safety Policy	Central Services Manager/Office and Facilities Manager
Key holders/Secure Access	Central Services Manager/Office and Facilities Manager
IT Physical Access to secure areas	IT Manager

## 12 Other

Business/Service owner of relevant policies/procedures (e.g. regular maintenance/update)	Central Services Manager
Service/Area specific Instructions/Regulations	Adjudicators/Appeals Manager
Contracts Register	Central Services Manager
Access to Systems / Network	IT Manager

## 13 Approval

<b>Scheme of Delegation – Approved by</b>	
<b>Date of approval</b>	

## 14. Review

This scheme will be reviewed on an annual basis.



# Item 13c

## TRAFFIC PENALTY TRIBUNAL & PATROL

### GUIDE TO STAFF OUT OF POCKET EXPENSES For Staff up to and including Grade 11

2022 / 23 DRAFT

#### Introduction

It is recognised that from time to time, in the course of performing their duties, staff will be required to incur out of pocket expenses, for instance when attending meetings/conferences/events or training days

The following provides guidance on what staff may claim in respect of out of pocket expenses. Please note that all expenditure must be supported by a full, itemised, VAT receipt, if none is available expenses may not be paid.

**This policy is to be applied to staff up to (and including) Grade 11.**

**This policy is separate to the Home Working Policy.**

#### Train Travel

All train travel is to be booked centrally via designated staff (unless unforeseen circumstances arise which mean travel has to be re-arranged).

When travelling on the London Underground evidence from your bank statement which shows TfL charges may be submitted instead of actual tickets or receipts, where you have used the card debit payment facility.

#### Car Travel

Where a member of staff is Home Based, car travel to the office will be paid at the standard rate based on the mileage stated on the Working from Home Agreement.

HMRC rules require that the reimbursement of all such mileage is for a **valid business reason**. If you are unsure, you should check with the Central Services Manager to avoid non-reimbursement.

Travel to other locations must be based on the shortest route.

Where claims are to be made the Claimant must provide evidence of appropriate business insurance for the vehicle used, and a copy of the relevant MOT. This is an audit requirement.

**The current rates for mileage are:**

	Engine size	Engine Size
OCCASIONAL USERS	451 -999cc	1000cc+
Per mile first 8,500	46.9p	52.2p
Per mile after 8,500	13.7p	14.4p

## Car Parking

Car Parking options and charges should be explored and the most cost effective rate sought.

**Under NO circumstances will staff be reimbursed for any fines or penalties incurred.**

## Taxis

Taxi journeys are to be a last resort, and other forms of travel should be used where possible.

All taxi journeys must be accompanied by a receipt. Details of the pickup, drop off and reason for journey must be detailed on the expense claim.

## Meals

### Breakfast

If you are travelling before 7.30 a.m. to attend a meeting/event/training session, you may make a claim for breakfast up to a maximum of £5.00.

### Light Refreshments

Claims for light refreshments are permissible on journeys of one hour or more if travelling to an event/external meeting/training session. Permissible claims include hot and cold drinks/light snacks.

### Lunch

If you are away from the office for a whole day and lunch is not provided as part of the meeting/event you are attending, a claim can be made for lunch up to a maximum of £10.00. Alcoholic drinks are not permissible. Claims must be accompanied by an itemised, VAT receipt.

### Evening Meal

If you are required to stay away from home overnight (see below), you may claim up to £35 for an evening meal. A valid detailed VAT receipt must be provided for any claim. Alcohol will not be reimbursed.

If your return journey is expected to be more than two hours AND your external meeting/event/training session ends at 6.00pm or later, you may claim up to £15.00 for a meal prior to departure or en-route if travelling by train.

## Accommodation

All accommodation is to be booked centrally via designated staff and as far in advance as possible.

Accommodation cost will be within committee approved guidelines, and will endeavor to ensure a balance between hotel cost and the cost of travel between the hotel and venue.

Should you experience disruption during your journey which means that accommodation needs to be arranged at short notice, you should seek the approval of the Director should any deviation from this policy be required.

**We recognize that this may not always be possible if travelling late in the day in which case you should arrange payment of any charges yourself and reclaim these back.**

## Miscellaneous Expenditure

All miscellaneous expenditure must be accompanied by a VAT receipt (this enables PATROL to reclaim any VAT due) and full details regarding the reason for the claim and event/external meeting/training session the expenditure relates to.

Examples of permissible miscellaneous expenditure include:

- Stationery (whilst at conferences etc)
- Wireless connectivity (on trains or in hotels)
- Toll charges (Detail which toll on claim form)
- Tea/Coffee/Milk for office

## Purchasing off the internet

It is recognised that from time to time staff may need to make small purchases from an Internet Store, for office use. Examples of this would include stationery or IT consumables. Purchases above £50.00 must be approved in advance by the Director or Central Services Manager.

The organisation's AMAZON account should be utilised wherever possible.

All items claimed for must be supported by a VAT receipt.

## Approval

All Hotel and Travel bookings **MUST** be made centrally.

Where exceptional circumstances apply (for example due to disrupted travel) the member of staff must pay for additional costs themselves and claim back via an Expenses Claim Form.

Hotels and Travel must **NOT** be paid for via an Organisational Credit Card. The **ONLY** exception to this is where the item is of a large value and the Director has approved the expenditure in writing in advance against a PATROL Credit Card to ensure that the member of staff is not disadvantaged by the cost, or where there has been unexpected disruption to travel plans.

The Director reserves the right to refuse reimbursement of expenses.

## Expenses falling outside these guidelines

Where you are aware in advance of expenses that will fall outside these guidelines, please raise with the Director before your trip/purchase. Where unanticipated expenditure arises, please raise this with the Director on your return. An itemised, VAT receipt must accompany your claim otherwise the expenditure will not be reimbursed.

## Claiming expenses

Claims should be submitted using the most up to date standard claim form to the Finance Team as soon as possible and certainly no later than 3 months following the expenditure.

Claims received by 12pm Wednesday will be paid the same day by electronic transfer, to be received by the claimant on the Friday of the same week.

**First time claimants will need to provide their bank account details (sort code, account number, account holder name).**

## SUMMARY GUIDELINES FOR CENTRAL BOOKING STAFF / FINANCE:

### Train Travel

#### Should be:

- Standard class except where a first class ticket is equivalent or cheaper.
- Booked as far in advance as is practically possible to ensure that the best fare is obtained
- The outward journey should be on a specific train time
- Where possible, the return journey should also identify a specific train time but it is recognised that in some circumstances this will not always be possible
- Underground tickets can either be bought centrally, or reimbursement claimed using the above expenses process.

**All train travel is to be booked centrally (unless unforeseen circumstances arise which mean travel has to be re-arranged).**

### Car Travel

#### Should be:

- Authorised by the Director in advance, where not the approved Home to Office journey
- Based on the most direct route and will be assessed against AA route finder or similar
- The driver must provide evidence of appropriate business insurance for the vehicle used and ensure their insurance records are kept up to date.

The current rates for mileage are:

	Engine size	Engine Size
<b>OCCASIONAL USERS</b>	451 -999cc	1000cc+
Per mile first 8,500	46.9p	52.2p
Per mile after 8,500	13.7p	14.4p

### Car Parking

Car Parking options and charges should be explored and the most cost effective rate sought.

**Under NO circumstances will staff be reimbursed for any fines or penalties incurred.**

## Taxis

Taxis should be used as a last resort, where alternative public transport routes are not available. All taxi journeys must be accompanied by a receipt. Details of the pickup, drop off and reason for journey must be detailed on the expense claim.

## Meals

### Breakfast

- Before 07:30 am
- Maximum £5.00
- Not to be claimed where included in Hotel Booking

### Light Refreshments

- Allowed on journeys of longer than one hour
- Drinks and light snacks

### Lunch

- When away from the office for a whole day
- Maximum £10.00
- Alcoholic drinks not permissible

### Evening Meal

- If away from home up to £35.00 per night
- If travelling home and event finishes after 6pm you may claim up to £15.00 for a meal prior to departure or en-route if travelling by train.
- The purchase of alcohol will not be reimbursed.

## Accommodation

### Should be:

- Booked centrally
- Approved in ADVANCE and in writing by the Director or Central Services Manager
- Cost effective in terms of costs of travelling from hotel to venue
- Outside London - £125 (Net of VAT) maximum per person per night
- Within London - £180 (Net of VAT) maximum per person per night
- Where accommodation exceeds the above limits the Director must give approval.

## Purchasing off the internet

### Should be:

- Via PATROL Amazon account if possible
- Other – up to £50 without prior approval
- Purchases above £50.00 must be approved in advance by the Director or Senior Manager.
- All items must be supported by a VAT receipt.

**TRAFFIC PENALTY TRIBUNAL & PATROL**

**GUIDE TO MANAGERS EXPENSES & TIME CLAIMS  
For Staff Grade 12 and upwards**

**2022/23 DRAFT**

**Introduction**

It is recognised that from time to time, in the course of performing their duties, staff will be required to incur out of pocket expenses and work longer hours, for instance when attending meetings/conferences/events or training days.

This particularly applies to senior managers within the organisation who do not 'clock' within the flexi system but who may work irregular hours in a variety of locations.

**This policy is to be applied to managers who are in a Grade 12 post or above, plus the Chief Adjudicator and Deputy Chief Adjudicator.**

**This policy is separate to the Home Working Policy.**

**Train Travel**

All train travel is to be booked centrally via designated staff (unless unforeseen circumstances arise which mean travel has to be re-arranged).

When travelling on the London Underground evidence from your bank statement which shows TfL charges may be submitted instead of actual tickets or receipts, where you have used the card debit payment facility.

**Air Travel**

From time to time, it is more cost effective to fly than use other forms of transport.

A full cost comparison should be supplied for approval by the Director or Central Services Manager before a booking request is made. Where cheaper travel alternatives are available, the request for air travel will be refused.

**Car Travel**

Where a member of staff is Home Based, car travel to the office will be paid at the standard rate based on the mileage stated on the Working from Home Agreement.

HMRC rules require that the reimbursement of all such mileage is for a **valid business reason**. If you are unsure, you should check with the Central Services Manager to avoid non-reimbursement.

Travel to other locations must be based on the shortest route.

Where claims are to be made the Claimant must provide evidence on request of appropriate business insurance for the vehicle used, and a copy of the relevant MOT. This is an audit requirement.

The current rates for mileage are:

	Engine size	Engine Size
OCCASIONAL USERS	451 -999cc	1000cc+
Per mile first 8,500	46.9p	52.2p
Per mile after 8,500	13.7p	14.4p

## Car Hire

**Car Hire is expected to be a last resort and should be approved by the Director in writing in ADVANCE.** As with Air Travel, a full cost comparison must be supplied for consideration.

When hiring a car, the hire charge should exceed no more than £40 per day before any insurance or insurance waiver charges. Director approval must be sought if it is necessary to hire a vehicle that exceeds this charge per day. If the car hire period spans a weekend / bank holiday or other non-working day, line manager approval must also be sought.

**Any charge due to damage that is not covered by insurance is the responsibility of the driver and will need to be repaid to the organisation.**

## Car Parking

Car Parking options and charges should be explored and the most cost effective rate sought.

**Under NO circumstances will staff be reimbursed for any fines or penalties incurred.**

## Taxis

Taxis journeys are to be a last resort, and other forms of transport should be used where possible.

All taxi journeys must be accompanied by a receipt. Details of the pickup, drop off and reason for journey must be detailed on the expense claim.

## Meals

### Breakfast

If you are travelling before 7.30 a.m. to attend a meeting/event/training session, you may make a claim for breakfast up to a maximum of £5.00.

### Light Refreshments

Claims for light refreshments are permissible on journeys of one hour or more if travelling to an event/external meeting/training session. Permissible claims include hot and cold drinks/light snacks.



## **Lunch**

If you are away from the office for a whole day and lunch is not provided as part of the meeting/event you are attending, a claim can be made for lunch up to a maximum of £10.00. Alcoholic drinks are not permissible. Claims must be accompanied by an itemized, VAT receipt.

## **Evening Meal**

If you are required to stay away from home overnight (see below), you may claim up to £35 for an evening meal. A valid detailed VAT receipt must be provided for any claim. Alcohol will not be reimbursed.

If your return journey is expected to be more than two hours AND your external meeting/event/training session ends at 6.00pm or later, you may claim up to £15.00 for a meal prior to departure or en-route if travelling by train.

## **Accommodation**

All accommodation is to be booked centrally via designated staff and as far in advance as possible.

Accommodation cost will be within committee approved guidelines, and will endeavor to ensure a balance between hotel cost and the cost of travel between the hotel and venue.

Should you experience disruption during your journey which means that accommodation needs to be arranged at short notice, you should seek the approval of the Director should any deviation from this policy be required.

**We recognise that this may not always be possible if travelling late in the day in which case you should arrange payment of any charges yourself and reclaim these back.**

## **Miscellaneous Expenditure**

All miscellaneous expenditure must be accompanied by a VAT receipt (this enables PATROL to reclaim any VAT due) and full details regarding the reason for the claim and event/external meeting/training session the expenditure relates to.

Examples of permissible miscellaneous expenditure include:

- Stationery (whilst at conferences etc)
- Wireless connectivity (on trains or in hotels)
- Toll charges (Detail which toll on claim form)
- Tea/Coffee/Milk for office

## **Purchasing off the internet**

It is recognised that from time to time staff may need to make small purchases from an Internet Store, for office use. Examples of this would include stationery or IT consumables. Purchases above £50.00 must be approved in advance by the Director or Central Services Manager.

The organisation AMAZON account should be utilized wherever possible.

All items claimed for must be supported by a VAT receipt.

## Gifts and Hospitality

Please refer to the separate Policy.

## Approval

All Hotel and Travel bookings MUST be made centrally.

Where exceptional circumstances apply (for example due to disrupted travel) the member of staff must pay for additional costs themselves and claim back via an Expenses Claim Form.

Hotels and Travel must **NOT** be paid for via an Organisational Credit Card. The **ONLY** exception to this is where the item is of a large value and the Director has approved the expenditure in writing in advance against a PATROL Credit Card to ensure that the member of staff is not disadvantaged by the cost, or where there has been unexpected disruption to travel plans.

The Director reserves the right to refuse reimbursement of expenses.

## Expenses falling outside these guidelines

Where you are aware in advance of expenses that will fall outside these guidelines, please raise with the Director before your trip/purchase. Where unanticipated expenditure arises, please raise with the Director on your return. An itemised, VAT receipt must accompany claim otherwise the expenditure will not be reimbursed.

## Claiming expenses

Claims should be submitted using the most up to date standard claim form to the Finance Team as soon as possible and certainly no later than 3 months following the expenditure.

Claims received by 12pm Wednesday will be paid the same day by electronic transfer, to be received by the claimant on the Friday of the same week.

**First time claimants will need to provide their bank account details (sort code, account number, account holder name).**

## Time and Non-Clocking Staff

It is recognised that senior staff may work more irregular hours in line with business requirements.

However, as part of our commitment to Wellbeing, we do not expect any member of staff to work hours longer than an average of 37 hours per week (if on a full-time contract). This includes travel time.

You must make your manager aware if this happening on a regular basis. Any hours worked outside the standard day (07:00 to 18:00) can be classed as TOIL and added to your balances with approval from your manager.

When attending events such as conferences, you should agree in advance with your manager how much time can be claimed for the event and added to your balances.

## GUIDELINES FOR CENTRAL BOOKING STAFF / FINANCE:

### Train Travel

#### Should be:

- Standard class except where a first class ticket is equivalent or cheaper.
- Booked as far in advance as is practically possible to ensure that the best fare is obtained
- The outward journey should be on a specific train time
- Where possible, the return journey should also identify a specific train time but it is recognised that in some circumstances this will not always be possible
- Underground tickets can either be bought centrally, or reimbursement claimed using the above expenses process.

**All train travel is to be booked centrally (unless unforeseen circumstances arise which mean travel has to be re-arranged).**

### Air Travel

#### Should be:

- Approved in advance by the Director or Central Services Manager following a full cost comparison

### Car Travel

#### Should be:

- Authorised by the Director in advance, where not the approved Home to Office journey
- Based on the most direct route and will be assessed against AA route finder or similar
- The driver must provide evidence on request of appropriate business insurance for the vehicle used.

The current rates for mileage are:

	Engine size	Engine Size
OCCASIONAL USERS	451 -999cc	1000cc+
Per mile first 8,500	46.9p	52.2p
Per mile after 8,500	13.7p	14.4p

### Car Hire

#### Should be:

- The hire charge should exceed no more than £40 per day before any insurance or insurance waiver charges.
- Director approval must be sought if it is necessary to hire a vehicle that exceeds this charge per day.
- If the car hire period spans a weekend / bank holiday or other non-working day, Director approval must also be sought in advance in writing.

**Any charge due to damage that is not covered by insurance is the responsibility of the driver and will need to be repaid to the organisation.**

### Car Parking

Car Parking options and charges should be explored and the most cost effective rate sought.

**Under NO circumstances will staff be reimbursed for any fines or penalties incurred.**

### Taxis

Taxis should be used as a last resort, where alternative public transport routes are not available. All taxi journeys must be accompanied by a receipt. Details of the pickup, drop off and reason for journey must be detailed on the expense claim.

### Meals

#### Breakfast

- Before 07:30 am
- Maximum £5.00
- Not to be claimed where included in Hotel Booking

#### Light Refreshments

- Allowed on journeys of longer than one hour
- Drinks and light snacks

#### Lunch

- When away from the office for a whole day
- Maximum £10.00
- Claims for Alcoholic drinks not permissible

#### Evening Meal

- If away from home up to £35.00 per night
- If travelling home and event finishes after 6pm you may claim up to £15.00 for a meal prior to departure or en-route if travelling by train.
- Claims for Alcoholic drinks not permissible

### Accommodation

#### Should be:

- Booked centrally

- Approved in ADVANCE and in writing by the Director or Central Services Manager
- Cost effective in terms of costs of travelling from hotel to venue
- Outside London - £125 (Net of VAT) maximum per person per night
- Within London - £180 (Net of VAT) maximum per person per night
- Where accommodation exceeds the above limits the Director must give approval.

### **Purchasing off the internet**

#### **Should be:**

- Via PATROL Amazon account is possible
- Other – up to £50 without prior approval
- Purchases above £50.00 must be approved in advance by the Director or Senior Manager.
- All items must be supported by a VAT receipt.

## PATROL (Parking and Traffic Regulations Outside London) and Bus Lane Adjudication Service Joint Committee

### GUIDE TO MEMBERS CLAIMING TRAVEL EXPENSES 2022 - 2023 DRAFT

#### Introduction

It is recognised that local authorities face increasing budgetary pressures. In order to promote engagement with the Joint Committees, PATROL will meet the travel costs associated with attending meetings which take place between the annual meetings. It is anticipated that member authorities will continue to fund the costs associated with Councillors (main representative or substitute) attending the Annual Meeting.

#### Train Travel

Joint Committee Meetings are generally held in London. All train travel should be booked standard class except where a first class ticket is equivalent or cheaper. Trains should be booked as far in advance as is practically possible. The outward journey should be on a specific train time. Where possible, the return journey should also identify a specific train time but it is recognised that in some circumstances this will not always be possible. Original travel tickets will act as a receipt when reclaiming expenditure.

#### Travel to railway station

Public transport or mileage claims may be made in respect of the journey from home to the railway station. The mileage rates are as follows:

	Engine size	Engine Size
OCCASIONAL USERS	451 -999cc	1000cc+
Per mile first 8,500	46.9p	52.2p
Per mile after 8,500	13.7p	14.4p

#### Claiming expenses

Claims should be submitted to the Finance Team using the attached claim form as soon as possible and no later than 3 months following the expenditure.

Claims received by 12pm Wednesday will be paid the same day or following day. The preferred method of payment is by electronic transfer. First time claimants will need to provide their bank account details (sort code, account number, account holder name).

#### Review

This policy will be reviewed on an annual basis by the Joint Committee's Resources Working Group and Sub Committee who will make a recommendation to the Joint Committee's annual meeting.

## TRAFFIC PENALTY TRIBUNAL & PATROL

### GIFTS AND HOSPITALITY EXPENSES

March 2022 DRAFT

#### Introduction

This policy is designed to help staff with complying with the above and seeks to protect staff and the organisation from accusations of showing favour to any other organisation or individual. The policy also aims to ensure that conduct in relation to gifts and hospitality is compliant with the Bribery Act 2010.

You should also never accept any gift and/or hospitality from any person or organisation with which you know we are considering entering into a contract. Please note, there is not an expectation that you will be aware of all of the organisation's work; rather, the expectation is that if you **are** aware of such work, you should act accordingly.

#### Gifts

Gifts are easily identified and are categorised based on their value. In most circumstances, this will need to be estimated. When considering the value of a gift, you should consider all gifts received from one person or organisation over a reasonable timescale as a single gift (e.g. if you receive five items each worth £5, you should consider them as a single gift worth £25).

#### The categories of gifts are as follows:

**Category A** – Gifts of little or no intrinsic value: These are smaller gifts, such as those typically handed out at conferences (e.g. pens, diaries etc.). These gifts are often primarily marketing tools and typically cost less than £5. These types of gifts can be accepted and kept by the individual. They do not need to be recorded in the Gift and Hospitality Register.

**Category B** – Gifts with an estimated intrinsic value of £5-£25: These are typically gifts given in gratitude or to mark an occasion (such as Christmas). Examples of gifts which may be received in this category are alcohol, flowers or foodstuffs. These types of gifts can be accepted, but should normally be raffled or shared. Gifts received in this category should be recorded in the Gift and Hospitality Register.

**Category C** – High Value Gifts: On some occasions, gifts of a high value (in excess of £25) will be offered. These gifts should not be accepted, as accepting such gifts may look to people outside the organisation as if they have been offered in order to compromise the judgement or integrity of the organisation. In some circumstances, it may be difficult to refuse a high value gift (for example, when it is offered by an international delegation and refusal could cause offence). In these circumstances, the gift can be accepted. If appropriate, the gift may then be raffled, donated to charity. Any gift offered in this category must be recorded in the Gift and Hospitality Register even if it is refused.

**Category D** - Gifts from any organisation against which, to the best of your knowledge, we are, or are considering entering in to a contract: **These gifts should never be accepted, regardless of their value, as there is a clear risk that this would create a perception outside the organisation of an attempt to compromise the organisations' judgement or integrity.** If offers of gifts in this category fall in to the criteria of Category B or C Gifts, they should be recorded in the Gift and Hospitality Register.

## Giving Gifts

The purchasing of gifts is subject to audit scrutiny and therefore **MUST** be approved in advance by the Director. Such gifts must **NOT** be purchased on an organisation credit card.

Claims for gifts not approved in advance may be refused by the Director.

## Hospitality

### Receiving Hospitality

Hospitality in the form of reasonable refreshments, intrinsic to another event (such as tea or coffee, a working lunch, or a lunch provided as part of an all-day training course), can be accepted. Hospitality such as this does not need to be recorded in the Gift and Hospitality Register.

Hospitality which is proportionate, for a clear business purpose and does not create a conflict of interest can be accepted and should be recorded in the Gifts and Hospitality Register.

Hospitality which is disproportionate, without a clear business purpose or may create a conflict of interest must be refused. The offer of hospitality should still be recorded in the Gifts and Hospitality Register.

Typically, offers of hospitality are made well in advance of the event in question. Therefore, you should be able to discuss a decision with the Director.

### Providing Hospitality

As a national organisation parties required to meet are based throughout the UK. Therefore it is not always possible to meet at the PATROL offices. Depending on timeframes, participant numbers and locations (ie London) it may be more cost effective to arrange a working lunch/dinner as opposed to hiring a venue.

Hospitality in the form of reasonable refreshments, intrinsic to another event (such as tea or coffee, a working lunch, or a lunch provided as part of an all-day training course), can be provided. Hospitality such as this does not need to be recorded in the Gift and Hospitality Register.

Hospitality which is proportionate, for a clear business purpose and does not create a conflict of interest can be provided and should be recorded in the Gifts and Hospitality Register.



Hospitality which is disproportionate, without a clear business purpose or may create a conflict of interest must not be offered.

Typically, offers of hospitality are made well in advance of the event in question. Therefore, you should be able to discuss a decision with the Director.

### **Claiming Hospitality Expenses**

The following provides a guide in terms of what may be claimed in respect of hospitality expenses. Please note that all expenditure must be supported by a full, itemised, VAT receipt, if not provided expenses may not be paid.

#### **Meals**

##### **Light Refreshments**

It is accepted that if travelling with an external person involved with the meeting/event that you are attending that refreshments may be purchased and claimed for drinks and snacks for that person.

It is acceptable for informal meetings/catch ups to be carried out at drinks.

##### **Lunch**

There may be occasions where a working lunch is arranged and the member of staff covers and claims the cost. The amounts are at the manager's discretion but will be monitored by the Director and the Central Services Manager to gauge if reasonable and must meet the guidelines above.

##### **Evening Meal**

In the event that a manager and external parties are due to stay overnight within proximity of the event/conference it could be deemed worthwhile having a working dinner to plan or debrief. On these occasions it is expected the manager covers and claims the cost. The amounts are at the manager's discretion but will be monitored by the Director and the Central Services Manager to gauge if reasonable and must meet the guidelines above.

### **Claiming expenses**

Claims should be submitted using the relevant and most up to date claim form to the Finance Team. Claims submitted using out of date forms may not be processed.

# Item 14

## PATROL AND BUS LANE ADJUDICATION SERVICE JOINT COMMITTEE

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	12 <sup>th</sup> July 2022
<b>Date of Meeting:</b>	
<b>Report of:</b>	The Director on behalf of the Resources Working Group and Sub Committee
<b>Subject/Title:</b>	Review of Governance Documentation

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### **1.0 Report Summary**

1.1 This report presents governance documentation and arrangements for review.

### **2.0 Recommendations**

2.1 That the Joint Committees:

- i) Note the Schemes of Delegation to the Chief Adjudicator and Director which remain unchanged.
- ii) Note the Approves the Memorandum of Understanding between the Adjudicators and the Joint Committee.
- iii) Appoints persons to fulfil the function of the proper officer under the relevant regulations

### **3.0 Reasons for Recommendations**

3.1 To fulfil the governance requirements of the Joint Committee.

### **4.0 Financial Implications**

4.1 Provision is made within the budget for the services provided by the Host/Lead Authority. The Scheme of Delegation to the Director reflects the Joint Committee's Financial Regulations

### **5.0 Legal Implications**

5.1 Appointment of the Proper Officer will ensure compliance with the relevant regulations.

### **6.0 Risk Management**

6.1 The recommendations in this report clarify the governance arrangements for the Joint Committee, the Adjudicators and the Host Authority.

## **7.0 Background and Options**

- 7.1 In June 2013, the Joint Committees approved changes to the agreements following the change of Host Authority to Cheshire East Council. The Joint Committee obtained approval from the required 75% of participating councils and the new agreement took effect on 3 December 2014.
- 7.2 The main agreement is under review to ensure that the Joint Committee and Traffic Penalty Tribunal can respond to emerging areas of appeal.
- 7.4 The Joint Committee is asked to note the Scheme of Delegation to the Chief Adjudicator and to the Director, which remain unchanged.
- 7.5 The Memorandum of Understanding between the Adjudicators and the Joint Committees is presented. This document will be reviewed with the introduction of new appeal streams.

# Item 14a

## **PATROL AND BUS LANE ADJUDICATION SERVICE JOINT COMMITTEES**

### **Delegation to Chief Adjudicator**

1. With the consent of the Lord Chancellor, the making of the Part-time Adjudicator appointments, for a period not exceeding 5 years. Such appointments to be sufficient to meet the needs of the service, as appropriate. With the consent of the Lord Chancellor, to extend these appointments to enable those Adjudicators to act within the areas of any Council which in future becomes party to the Joint Committee arrangements, as appropriate.
2. The determination of the terms and conditions applying to adjudicators, having regard to principles established for such judicial appointments and conduct by the Lord Chief Justice and Lord Chancellor.
3. The determination of where Adjudicators shall sit.
4. To obtain such legal advice and representation necessarily required for the adjudicators to perform their functions and to arrange for defence of any legal proceedings arising from the exercise of those functions, including the instruction of Counsel.
5. To conduct and approve press and media relations relating to the Traffic Penalty Tribunal, including press conferences, publicity and public relations and Tribunal information and publications.
6. Promotion of the Traffic Penalty Tribunal.

# Item 14b

## **PATROL and BUS LANE ADJUDICATION SERVICE JOINT COMMITTEE**

### **Delegations to the Director**

#### **Introduction**

In this document the Director means the person appointed by PATROLAJC as their Director and the BLASJC as their Director, being Louise Hutchinson for the time being, and her successors

In this scheme of delegation the phrase “Joint Committees” means the Parking and Traffic Regulation Outside London Adjudication Joint Committee and Bus Lane Adjudication Service Joint Committee.

“Lead Authority” means Cheshire East Council.

Pursuant to Clause 5.1 of the Service Level Agreement dated 3 December 2014 between the Joint Committees and the Lead Authority, the Lead Authority and Joint Committees shall delegate certain functions to the Director. This Scheme of Delegation delegates those functions.

The Joint Committees and Lead Authority approve the following functions ( the Approved Functions) being exercised by the Director subject to:

- a) Administrative procedures being in place to record and monitor decisions taken.
- b) There being an appropriate audit trail to evidence such decision
- c) Ensuring that decisions taken are within the limits of the budgets and policies approved by the Joint Committees unless there is a matter of urgency which has been consulted upon with the Chair, or in his or her absence the Vice Chair, of the Joint Committees which will be the subject of a report to the next meeting of the Joint Committee, Executive or Resources Sub Committee whichever takes place soonest. No such urgent action may incur any financial liability for the Lead Authority without the express agreement of that Authority.
- d) The preparation of Joint Committee reports being subject to consideration by the Joint Committees’ Officer Advisory Board unless urgent

Save to the extent that any of the Approved Functions are expressly reserved by the Lead Authority in this Scheme of Delegation, the Lead Authority is no longer obliged to carry out the Approved Functions.

## **1. General**

- 1.1 To expedite all necessary arrangements for the support of the Adjudicators for the performance of their functions under Part 6 of the Traffic Management Act 2004 and the Transport Act 2000 and in accordance with the Memorandum of Understanding between the Adjudicators and the Joint Committees.
- 1.2 To carry out or arrange for the carrying out of any functions conferred on the Lead Officer by virtue of the Joint Committees' Standing Orders and Financial Regulations.
- 1.3 To make necessary arrangements for the administration of the Joint Committee and its Advisory Board including:
  - receiving notifications from Participating Authorities that the appointment of their representative has terminated and the identity of their replacement representative,
  - receiving notifications generally sent to the Lead Officer under the deeds under which the Joint Committees operate, namely the Parking and Traffic Regulation Outside London Adjudication Joint Committee deed and the Bus Lane Adjudication Service Joint Committee deed, both dated 3 December 2014 between the participating authorities to the Parking and Traffic Regulation Outside London Adjudication Joint Committee and Bus Lane Adjudication Service Joint Committee

## **2. Financial**

Subject to compliance with the Joint Committee's Financial Regulations (Appendix 2)

- 2.1 To negotiate for the supply of goods, services, materials and equipment, subject to a limit of £250,000 per contract. Acceptance of other than the lowest tender, with the consent of the Joint Committee within that limit. Contracts above £250,000 may only be negotiated with formal consent from the Joint Committee.
- 2.2 To prepare reports to enable the Joint Committees to:
  - approve an annual budget by 31 January each,
  - to defray the expenses of the Joint Committee,
  - To monitor the budget

- Approve final accounts and
- Review internal and external audit recommendations.

- 2.3 Subject to the consent of the Joint Committees's Treasurer:
- To write off debts which are irrecoverable or losses due to burglaries, break-ins etc.
  - To write off or make adjustments in respect of deficiencies or surpluses of stock, equipment etc.
- 2.4 In consultation with the Chairman or Vice Chairman of the Joint Committees to authorize the withdrawal of funds from reserves to meet budgetary deficits or other requirements as approved by the Joint Committee.
- 2.5 To prepare, in consultation with the Joint Committees Treasurer a Reserves Policy and Treasury Management Policy for approval by the Joint Committees .
- 2.6 To review annually, in consultation with the Joint Committees Treasurer the Joint Committee's Financial Regulations.
- 2.7 To be responsible for Capital Investment bids for the refurbishment of property, changes in office layout, replacement of lifts, hearing, information technology and other equipment and plant.
- 2.8 Determination of ex-gratia claims for damage to, or loss of, personal property subject to the consent of the Joint Committees for claims in excess of £1,000.
- 2.9 Disposal of surplus or obsolete equipment, scrap etc (except vehicles) to the highest tenderer.

### **3. Land and Property**

- 3.1 To identify property requirements to meet the needs of the Adjudicators and the staff of the Joint Committees.
- 3.2 To liaise with Property Services of the Lead Authority to negotiate Heads of Terms and the Lease for such property.
- 3.3 To arrange for the routine repair, maintenance and alteration of the offices. The Lead Authority as the Lease Holder will be consulted concerning any structural changes to the offices during the period of the lease and their prior agreement obtained unless the Joint Committees

provides an indemnity in a form approved by the Lead Authority's Head at Legal Services against any liability incurred as a result of the works.

- 3.4 To take all necessary measures to prevent vandalism of buildings belonging to or under the control of the Joint Committees.
- 3.5 To grant permission to elected members or officers of Participating Authorities or representatives of the Joint Committees to enter any land or buildings occupied by the Joint Committees to which the public do not have access or to which such members, officers and representatives do not regularly have access subject to such conditions, if any, as she or he considers appropriate

#### **4. Miscellaneous**

- 4.1 To control and coordinate press and media relations subject to the agreement of the Chair and Vice Chair of the Joint Committee and with the agreement of the Lead Authority Communications Manager when such press and media relations relates to the Lead Authority.

#### **5. Human Resources**

Insofar as the following delegations derive from the Lead Authority they may only be exercised to the extent that they have no adverse budgetary implications for that Authority. Also these delegations are subject to paragraph 5.19 below.

- 5.1 To take necessary steps (including advertising, job evaluation etc) to fill posts and where this departs from Cheshire East Council's standard policies and procedures, to raise this matter with the council and the Joint Committee or its Executive or Resources Sub Committee to identify an agreed way forward.
- 5.2 To fill vacant posts within approved establishments except Adjudicator posts.
- 5.3 To determine applications for paid and unpaid maternity/paternity leave
- 5.4 To determine casual or essential car users allowance to officers
- 5.5 To determine the payment of removal expenses, lodging allowances or travelling allowances but in consultation with the Chairman of Vice Chairman of the Joint Committees where such payments fall outside the Joint Committees agreed policy.



- 5.6 To determine proposals to attend training courses except where absence is required for more than 10 days or where Joint Committees expenditure involved is in excess of £6,000, in which cases subject to consultation with the Chairman or Vice Chairman of the Joint Committees.
- 5.7 To assign temporary posts which are for a period of not exceeding 12 months.
- 5.8 To grant acceleration of increments for any staff within their substantive grade for merit and ability.
- 5.9 To determine paid and unpaid special leave.
- 5.10 Subject to the agreement of the Joint Committees to assign additional posts at grades up to and including Grade PO 6 or equivalent in categories of posts where there is already an agreed job description and a grade fixed for the post.
- 5.11 To determine requests or recommendations for honoraria (subject to reporting every honoraria payment made to the Joint Committees), gratuities and responsibilities allowances, except those relating to the Director.
- 5.12 To determine applications for paid and unpaid leave – to include the following:
  - a) For trade union training
  - b) For health and safety training
  - c) For paid leave for an employee to discharge his/her duties of office of President of a Trade Union
  - d) For personal or domestic reasons
  - e) For maternity or paternity leave
  - f) For the use of part or frozen leave entitlement where there are urgent personal or domestic reasons for needing additional paid leave.
- 5.13 Where appropriate, the determination of extensions of payments to employees in relation to sickness.
- 5.14 Determination of extensions of service except that of first and second tier officers.
- 5.15 Determination of planned overtime for officers
- 5.16 Determination of applications for early retirement in consultation with the Lead Authority's Head of Personnel and the Joint Committees and with

the prior agreement of the Lead Authority unless the Joint Committees provides an indemnity in a form approved by the Lead Authority's Head at Legal Services against any liability incurred by the Lead Authority as a result of the decision.

- 5.17 To discipline, suspend and/or dismiss staff
- 5.18 Authority to assimilate staff on appointment, promotion or regarding where s/he thinks appropriate within the approved grade having regard to all circumstances.
- 5.19 The Director may not exercise any of the powers in this paragraph 5 if to do so would confer a benefit on the Director.

## **6. Support to the Joint Committee and Advisory Board**

- 6.1 To convene meetings of the Advisory Board and keep the attendance record of such meetings in accordance with the Terms of Reference agreed by the Joint Committees.
- 6.2 To convene meetings and arrange for the preparation of agendas and reports, sending out of the same and giving notice of the meeting of the Joint Committees and any Executive Sub Committees, Sub Groups or Working Groups including:
  - Receiving requisitions for meetings
  - Receiving notices of items for agendas from Participating Authorities
  - Receiving notifications from deputations
  - Cancelling or postponing any meeting in consultation with the chairman prior to the issue of the agenda or subsequently if there is no business to be transacted or in other exceptional circumstances
  - Receiving notification of a Participating Authority's substitute for a meeting
  - Arranging for the minutes of the meeting to be taken

*[Note: for the avoidance of any doubt the Lead Officer will also be able to convene meetings of the Joint Committees]*
- 6.3 To deal with urgent business of Joint Committees after consulting the Chairman or Vice Chairman.
- 6.4 Record declarations and matters of interest of Joint Committees Members and Officers.
- 6.5 (a) To arrange for the giving of advice and support to the Joint Committees in legal matters. Where external advice is sought which will also affect the Lead Authority written instructions will be provided to the

lawyers and those instructions will be agreed with the Head of Legal Services of the Lead Authority.

(b) Where there is a potential conflict of interests or it is otherwise appropriate the Joint Committees and the Lead Authority may wish to seek their own legal advice in which case the Director will arrange for the giving of advice and support to the Joint Committees and the Head of Legal Services of the Lead Authority will arrange for the giving of advice and support to the Lead Authority.

- 6.6 In agreement with the Head of Legal Services, where it will affect the Lead Authority, to defend all claims made against the Joint Committees and take preliminary steps to protect the rights and interests of the Joint Committees.
- 6.7 To hold documents and provide or refuse access to Joint Committees documents and information in accordance with the provisions of law including carrying out the function of the proper officer under section 100F(2) Local Government Act 1972. For the avoidance of doubt, this does not include documents held by the Traffic Penalty Tribunal in pursuance of the Adjudicators' procedural regulations.
- 6.8 To instruct the Lead Authority to prepare Memorandums of Participation to enable councils undertaking civil parking or bus lane enforcement to join the respective Joint Committees.
- 6.9 Receiving notifications from Participating Authorities that they wish to withdraw from participation in the arrangements of the Joint Committees

## 7. **Legal**

- 7.1 To prepare and arrange for the entering into of contracts and the execution of documents on behalf of the Joint Committees where the total value of the goods and services does not exceed the amount of the EU threshold and where there is no requirement for the contract to be sealed.
- 7.2 In consultation with the Head of Legal Services, where appropriate, to arrange for the assignment of a contract or the approval of the appointment of a sub-contractor.

**MEMORANDUM OF UNDERSTANDING**

*between*

**Adjudicators of the Traffic Penalty Tribunal**

*and*

**The PATROL Adjudication Joint Committee and  
The Bus Lane Adjudication Service Joint Committee**

**November 2012**

Reviewed and approved at Joint Committee June 2014  
Reviewed and approved at Joint Committee June 2015  
Reviewed and approved at Joint Committee July 2016  
Reviewed and approved at Joint Committee July 2017  
Reviewed and approved at Joint Committee July 2018  
Reviewed and approved at Joint Committee July 2019  
Reviewed and approved at Joint Committee October 2021

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## MEMORANDUM OF UNDERSTANDING

### 1. Introduction

This Memorandum of Understanding (MOU) is between:

- a) The Adjudicators
- b) The Parking and Traffic Regulations Outside London Joint Committee (PATROL) and the Bus Lane Adjudication Service Joint Committee (BLASJC)

The jurisdiction is England (outside London) and Wales. Legislation is devolved to Wales.

The purpose of this MOU is to clarify the relationship between the Adjudicators and the joint committees and promote mutual understanding of the duties and obligations to preserve judicial independence.

The MOU seeks to provide an instrument to support our understanding of how the Parking and Traffic Regulations Outside London Joint Committee and Bus Lane Adjudication Service Joint Committee Agreements will be delivered.

Not only must each party to the MOU perform their functions with a view to protecting the independence of the tribunal but must recognise that the public perception of independence is as important as de facto independence.

### 2. Shared Aims

The Adjudicators and joint committees are committed to a fair adjudication service for appellants including visible independence of Adjudicators from the authorities in whose area they are working.

### 3. Overriding Principles

- 3.1 The overriding principle of this memorandum is that the Adjudicators are independent judicial office holders exercising a judicial function.
- 3.2 The Adjudicators are not employees of the Joint Committees. Together they constitute the independent and impartial tribunal for the determination of appeals made to them, as required by Article 6 of the European Convention on Human Rights. The Adjudicators and their administrative staff are, for convenience, described collectively as the Traffic Penalty Tribunal.
- 3.3 Neither the Chief Adjudicator (see paragraph 5 below) nor any other Adjudicator is answerable to the Joint Committees in any way as regards the performance of their judicial functions.
- 3.4 The Joint Committees has no remit to consider or influence decisions of Adjudicators and the function of the adjudication service as an independent tribunal.

#### 4. The Statutory Framework

- 4.1 The relationship between the Adjudicators and the joint committees is derived from and governed by the Traffic Management Act 2004 (TMA) and Transport Act 2000 (TA) and the regulations made under those two Acts which:
- a) establish the office of Adjudicator for parking, bus lane, moving traffic and road user charging appeals.
  - b) prescribes the roles and responsibilities of the Adjudicators and the Joint Committees
- 4.2 PATROL has been established to enable councils undertaking civil parking enforcement in England and Wales and civil bus lane and moving traffic enforcement in Wales to exercise their functions under:
- a) section 81 of the Traffic Management Act 2004 (TMA) and Regulations 17 and 18 of The Civil Enforcement of Parking Contraventions (England) General Regulations 2007 (the English General Regulations);
  - b) section 81 of the TMA and Regulations 16 and 17 of the Civil Enforcement of Road Traffic Contraventions (General Provisions) Wales Regulations 2013 (the Welsh General Provisions Regulations);
  - c) The Road User Charging Schemes (Penalty Charges, Adjudication and Enforcement) (England) Regulations 2013 [S.I. 2013 No. 1783]
  - d) The Road User Charging Schemes (Penalty Charges, Adjudication and Enforcement) (England) (Amendment) Regulations 2014 [S.I. 2014 No. 81]

These functions are exercised through PATROL in accordance with Regulation 16 of the English General Regulations and Regulation 15 of the Welsh General Provisions Regulations.

Regulation 12 of the Road User Charging Schemes (Penalty Charges, Adjudication and Enforcement) (England) Regulations 2013 provides that Adjudicators appointed by virtue of Regulation 17 of the Civil Enforcement of Parking Contraventions (England) General Regulations 2007 by the Joint Committee are the adjudicators for determining road user charge appeals. For schemes outside Greater London the adjudicators are the ones appointed by the PATROL joint committee. The 2013 Adjudication regulations currently apply to the Dartford-Thurrock and Mersey Gateway Crossings. From January 2020 they will also apply to road user charging appeals arising from penalties issued by Charging Authorities in connection with Charging Clean Air Zones. Regulation 13 requires the charging authorities to meet the expenses incurred in supporting the adjudicators in performing their functions, including providing a 'proper officer'.

Regulation 18 of The Littering from Vehicles Outside London (Keepers: Civil Penalties) Regulations 2018 provides that Adjudicators appointed by virtue of regulation 17 of the Civil Enforcement of Parking Contraventions (England) General Regulations 2007 by the Joint Committee are the adjudicators for littering from vehicles appeals.

4.3 Where charging authorities are not members of the Joint Committee, the arrangements set out in 4.2 will be underpinned by a Memorandum of Understanding.

4.4 BLASJC has been established to enable councils in England undertaking civil enforcement of bus lanes to exercise their function under Regulation 11 of The Bus Lane Contraventions (Penalty Charges, Adjudication and Enforcement) (England) Regulations 2005 (the Bus Lane Regulations).”

These functions are exercised through BLASJC in accordance with Regulation 12 of the Bus Lane Regulations.

4.5. The functions of PATROL and BLASJC are:

So far as the Adjudicators are concerned, the functions of the Joint Committees are as follows:

- a) With consent of the Lord Chancellor, appoint and reappoint Adjudicators
- b) Remove Adjudicators from office with the agreement of the Lord Chancellor and Lord Chief Justice
- c) Determine the place at which Adjudicators are to sit

The Joint Committees have formally delegated the above functions to the Chief Adjudicator (see Section 5 below).

The Joint Committees’ functions also include:

- Providing or making arrangements for accommodation, administrative staff (and facilities) for the Adjudicators
- Defraying expenses incurred in the Adjudicators performing their function.
- Appointing persons to fulfill the function of the proper officer under the relevant regulations.

4.3 The Regulations also provide that:

- In accordance with such requirements as may be imposed by the Joint Committee, each Adjudicator shall make an annual report to the Joint Committees on the discharge of his/her function. The Joint Committees have agreed that this requirement will be fulfilled by the Chief Adjudicator.
- The Joint Committees shall make and publish annual reports in writing to the Secretary of State or Welsh Ministers as appropriate on the discharge of the Adjudicators and their functions.

## **5. Chief Adjudicator**

5.1 There is no statutory provision for a Chief Adjudicator and Deputy Chief Adjudicator. Nevertheless, the Joint Committees and the Adjudicators have agreed:

- a) There is a need for a de-facto Chief Adjudicator and Deputy Chief Adjudicator



- b) The Joint Committees shall designate two of the Adjudicators to be the Chief Adjudicator and Deputy Chief Adjudicator.
- c) The role and responsibilities of the Chief Adjudicator and Deputy Chief Adjudicator are set out at Appendix 1 and 2 and shall include all aspects of judicial leadership and management including the following functions that the Joint Committee have delegated to the Chief Adjudicator:
  - i) With the consent of the Lord Chancellor, the making of and reappointment of the part-time Adjudicator appointments, for a period not exceeding 5 years. Such appointments to be sufficient to meet the needs of the service, as appropriate.
  - ii) The determination of the terms and conditions applying to Adjudicators having regard to principles established for such judicial appointments and conduct by the Lord Chief Justice and Lord Chancellor.
  - iii) The determination of where Adjudicators shall sit.

It is also for the Chief Adjudicator:

- i) To obtain such legal advice and representation necessarily required for the Adjudicators to perform their functions and to arrange for defense of any legal proceedings arising from the exercise of those functions, including the instruction of Counsel.
- ii) To conduct and approve press and media relations relating to the Traffic Penalty Tribunal, including press conferences, publicity and public relations and tribunal information and publications.
- iii) To oversee promotion of the Traffic Penalty Tribunal.

5.2 Like all Adjudicators, both the Chief Adjudicator and Deputy Chief Adjudicator enjoy judicial independence.

5.3 The Chief Adjudicator and Deputy Chief Adjudicator will form the judicial management team which has responsibility for judicial and jurisdictional leadership of the tribunal. The judicial management team will form a Joint Senior Management Team with the support services management team headed by the Director to drive tribunal improvement and ensure the successful achievement of objectives.

## **6. Salaried Adjudicators**

6.1 The Chief Adjudicator and Deputy Chief Adjudicator have a contract of employment with the Lead Authority for employment rights such as salary and pensions however they are not accountable to the Chief Executive of the Lead Authority for the performance of their functions.

## **7. Judicial Leadership, Management and Discipline Functions**

7.1 Neither the Joint Committees nor the Lead Authority are liable for Judicial Leadership, Management and Discipline functions.

## **8. Removal of Adjudicators**

- 8.1 An Adjudicator may only be removed from office for misconduct or if unable or unfit to discharge his or her functions (s 81 (2) (d) Traffic Management Act 2004).
- 8.2 The procedure for removal is specified in the Adjudicators' terms of appointment and has been delegated by the Joint Committees to the Chief Adjudicator.

## **9. Appeals and Judicial Matters**

- 9.1 Appeals are made to the Adjudicators and are their responsibility. They have a duty to ensure that appeals are dealt with in accordance with the requirements of Article 6 of the European Convention on Human Rights for a fair and public hearing within a reasonable time.
- 9.2 Judicial matters are entirely the responsibility of the Chief Adjudicator and Deputy Chief Adjudicator to determine. These include:
- a) Monitoring and appraisal of Adjudicators' competencies
  - b) Adjudicator training
  - c) Dealing with judicial complaints and discipline
  - d) Allocation of cases
- 9.3 The following are also matters for the Chief Adjudicator and Deputy Chief Adjudicator to determine:
- a) Administrative procedures
  - b) Training requirements for Adjudicators
  - c) Communications strategy
- 9.4 The Joint Committees would expect to be consulted to the extent that 9.2 have budgetary implications.
- 9.5 The Chief Adjudicator and Deputy Chief Adjudicator may delegate functions for the expeditious operation of the tribunal.

## **10. Lead Officer**

- 10.1 The PATROLAJC and BLASJC Agreements make provision for the appointment of a Lead Officer to whom functions are delegated pursuant to that Deed of Arrangement and the Standing Orders of the Joint Committees
- 10.2 In view of the nature of the relationship between the Adjudicators, Joint Committees and the Lead Authority, the expectation is that the Joint Committees will request the Chief Executive of the Lead Authority to nominate the Head of Service (Director) as Lead Officer who amongst the functions delegated to the role will be expected to:
- a) Be responsible for the administration of the Joint Committees and the Traffic Penalty Tribunal and provide for the Adjudicators on behalf of the Joint Committees, the accommodation, administrative staff and facilities. The Lead Officer has no remit to influence the decisions of the Adjudicators.
  - b) Be responsible for ensuring that the Adjudicators requirements as set out in the Memorandum of Understanding with the Joint Committees are met within the Financial Regulations of the Joint Committee.

- c) Work in partnership with the Chief Adjudicator, Deputy Chief Adjudicator and other senior managers as part of the Joint Senior Management Team to ensure the vision, aims and objectives of the tribunal are achieved
- d) Provide strong and strategic leadership to manage the support function for the Adjudicators to deliver an efficient service that ensures all appeals are held within legal requirements and performance criteria.
- e) Manage the Service Level Agreement with the Lead Authority on behalf of the Joint Committees.

## **11. Accommodation, administrative staff and facilities**

- 11.1 The Joint Committees have a statutory duty to provide accommodation, administrative staff and facilities for the Adjudicators sufficient to enable them to perform their functions in accordance with their duty as set out in Section 4 above.
- 11.2 The nature of administrative support (including staff, facilities and accommodation) are for agreement between the Adjudicators and the Joint Committees, having regard to the Joint Committees' duty to the Adjudicators set out in Section 4 above
- 11.3 The accommodation and administrative staff provided for the Adjudicators by the Joint Committees in accordance with their statutory duties are, for convenience, along with the body of the Adjudicators whom they support, described collectively as the Traffic Penalty Tribunal. The Traffic Penalty Tribunal is not a legal entity.
- 11.4 The Joint Committees are responsible for the management of the accommodation and facilities including health and safety procedures for all users of the accommodation.
- 11.5 In accordance with the regulations made under the TMA and the TA, the Joint Committees are each required to appoint one member of staff to fulfill the duties of the "Proper Officer" for the purposes of those regulations. It is anticipated that the Joint Committees will consult with the Chief Adjudicator on the appointment of the Proper Officer.
- 11.6 The function of the staff, including the Proper Officer, is to support the Adjudicators in the performance of their function and to carry out such administrative tasks as the Adjudicators require in that connection. They act under the direction of the Adjudicators.
- 11.7 The Lead Authority will provide contracts of employment for the staff provided by the Joint Committees to ensure their employment rights and obligations.
- 11.8 For the purposes of employment rights and obligations, whilst employment policies may stem from the Lead Authority, it must be recognised that when staff are performing duties stemming from the procedural regulations that govern the Tribunal or under the delegation of Adjudicators, the latter takes precedence.
- 11.9 The independence of the Tribunal requires that staff are engaged solely on the work of the Tribunal.
- 11.10 The Joint Committees will ensure that staff provided for the Adjudicators carry out their functions effectively and efficiently and are responsible for their:

- a) Recruitment
- b) Training
- c) Line Management
- d) Appraisal
- e) Disciplinary procedures, including considering complaints, grievances etc.

The staff will be selected by open recruitment (except where specifically agreed by the Chief Adjudicator) for skills, experience and aptitude to administer the tribunal in accordance with the regulation governing the tribunal procedure. The Chief Adjudicator will be consulted on the appointment of senior posts and staffing structures.

When the tribunal staff are performing these functions, management instructions will support and underpin the directions of the Adjudicator.

These functions are delegated to the Joint Committees' Lead Officer in consultation with the Chief Adjudicator.

- 11.11 There is an expectation that tribunal HR policies should be formulated in consultation with the Lead Authority but there is not an expectation that the policies of the Lead Authority will automatically be adopted. Policies need to be fit for purpose for a national tribunal, with particular regard to Wales, and its procedural regulation.

## **12. Defraying the expenses of the Tribunal**

- 12.1 The Joint Committees are responsible for defraying the expenses incurred in the Adjudicators performing their functions.
- 12.2 Consequent upon the duty specified in paragraph 12.1, the Joint Committees are responsible for:
  - a) approving the budget for the tribunal and determining the contribution for member authorities
  - b) financial control, management and monitoring

The Joint Committees will consult the Adjudicators in approving the budget and will otherwise consult with them as may be appropriate for the proper discharge of these functions.

## **13. Advisory Board**

- 13.1 The Joint Committees' Standing Orders provide for the Joint Committees to establish and appoint an Advisory Board comprising such officers and persons appointed by the Joint Committees to advise them on their functions .
- 13.2 The purpose of the Advisory Board is to assist and advise the Joint Committees on the overall policies and strategies for administering the adjudication service and on their responsibilities under the TMA, the English General Regulations, the Welsh General Provisions Regulations, the Bus Lane Regulations and the Road User Charging Regulations.
- 13.3 The Advisory Board has no remit to consider or influence decisions of Adjudicators and the function of the adjudication service as an Independent Tribunal.
- 13.4 The diversity of membership of the Advisory Board including judicial expertise and consumer representation strengthens the scrutiny function it performs which is of mutual benefit to the Adjudicators, the Joint Committees and Lead Authority.

## **14. Lead/Host Authority**

- 14.1 The Joint Committees are not made body corporate by statute however the Joint Committees are entities recognized in law as ones distinct from their members. The Joint Committees themselves may enter into contracts and also commissions services as required from time to time from one of its member councils referred to as the Host or Lead Authority.
- 14.2 The expectation is that the relationship between the Lead Authority and both the Joint Committees and the tribunal will replicate that of an arm's length body, with the Lead Authority providing services and advice as required.
- 14.3 The services provided by the Lead Authority, enabling the Joint Committees to provide the resources to the Adjudicators as identified in this Memorandum of Understanding, will be supported by a Service Level Agreement with the Joint Committees.
- 14.4 The period of tenure for the Lead Authority is five years.

## **15. Review Mechanism**

*Memorandum of Understanding between the Adjudicators of the Traffic Penalty Tribunal and the PATROL Adjudication Joint Committee and the Bus Lane Adjudication Service Joint Committee*

- 15.1 The MOU will be reviewed by the Adjudicators and the Joint Committees on an annual basis. This review will inform the annual review of the service level agreement between the Joint Committees and the Lead Authority.
- 15.2 Should the Chief Adjudicator have any concerns about matters impacting upon the independence of the Adjudicators, this will be brought to the immediate attention of the Chairs of the Joint Committees and/or their Advisory Board.

## CHIEF ADJUDICATOR ROLE

### Introduction

The Chief Adjudicator's role is to recruit, lead and manage the Adjudicators with the aim of delivering a fair, timely and efficient adjudication service. In so doing, the responsibility of the Chief Adjudicator shall include the following:

1. Arrange the recruitment of an appropriate number of Adjudicators
2. Advise the Joint Committees on the removal of Adjudicators where necessary
3. Advise the Joint Committees on the reappointment of Adjudicators
4. Arrange appropriate induction and continuing training for Adjudicators, supplemented by appropriate guidance materials
5. Ensure the independence of Adjudicators
6. Monitoring, mentoring and appraisal of Adjudicators
7. Represent the Adjudicators in dealing with others, including:
  - i) The Joint Committees
  - ii) Government
  - iii) The press
8. Ensure proper rules of procedure and practices and promote consistency in their application.
9. Establish appropriate delegation in respect of the Chief Adjudicator and Adjudicator functions for the expeditious operation of the tribunal.
10. Ensure that administrative provision for Adjudicators is adequate and appropriate.
11. Deal with complaints against Adjudicators in accordance with the Adjudicators' Judicial Complaints Protocol, and other disciplinary matters
12. Provide guidance and support to individual Adjudicators
13. Deal with representation of Adjudicators in the event of a judicial review of their decision or other legal proceedings arising from the performance of their function.
14. Allocation of cases
15. On behalf of the Adjudicators, and in fulfillment of their obligation to the Joint Committees to report annually, author and present an annual report to the Joint Committees on the discharge by the Adjudicators of their functions with a view to its subsequent publication to the Secretary of State.
16. Keep the Joint Committees informed of all legal matters affective implementation and maintenance of the adjudication system.

## Appendix 2

### **DEPUTY CHIEF ADJUDICATOR ROLE**

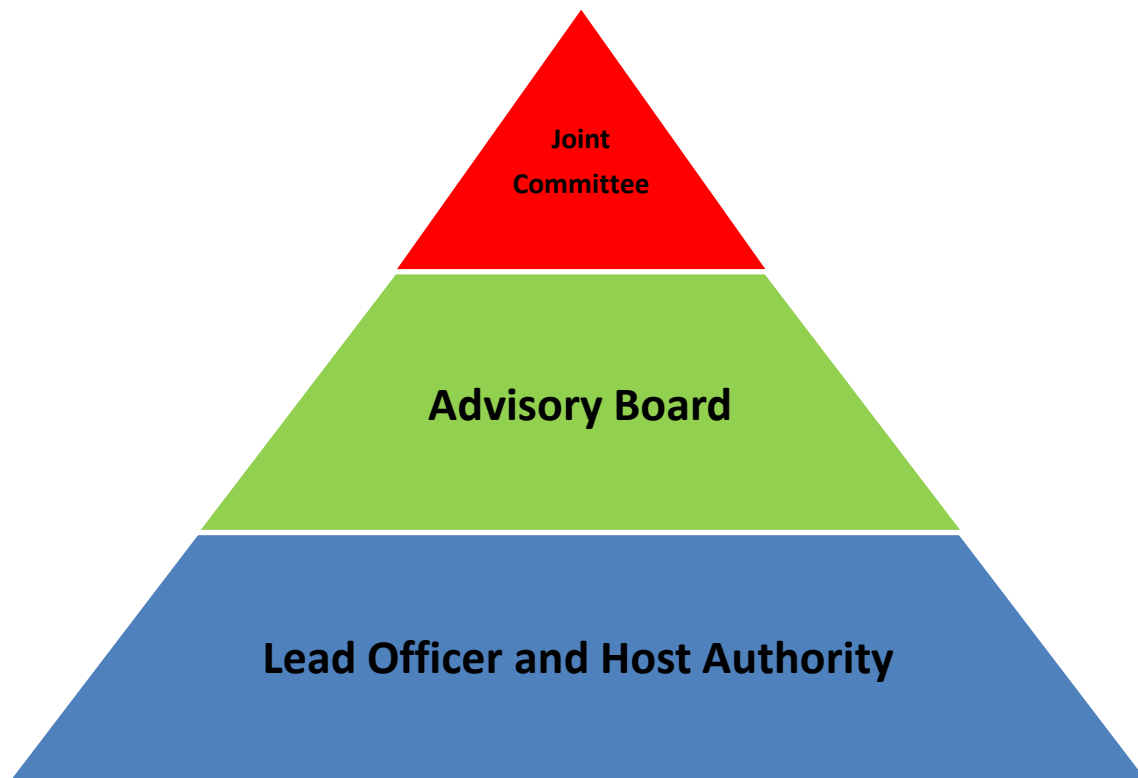
1. To determine appeals in all areas of the TPT Adjudicators' jurisdiction, ensuring compliance with the Adjudicators' Procedural Regulations
2. To deputise for the Chief Adjudicator at Joint Committee meetings, other external events and to liaise with the media, where required.
3. To be a key member of the team driving the TPT transformation project, including the information and communications strategy, contributing to the strategic direction and development objectives of the tribunal.
4. To oversee the arrangements for the recruitment, induction, welfare, regular training and appraisal of Adjudicators in order to enhance their judicial performance.
5. To maintain a close working relationship with the Head of Operations and the appeals staff to ensure high standards of case management including providing appropriate guidance, advice and support.
6. To formulate policies, delegations, procedures, guidance and prepare reports including coordinating of the Annual Reports to the Joint Committees, the Adjudicators Bulletin and key cases for the website.
7. To oversee the handling and monitoring of Review and Costs Applications and to develop and implement a robust process for handling complaints against Adjudicators.



**Figurative Representation of the roles referred to in the Memorandum of Understanding**

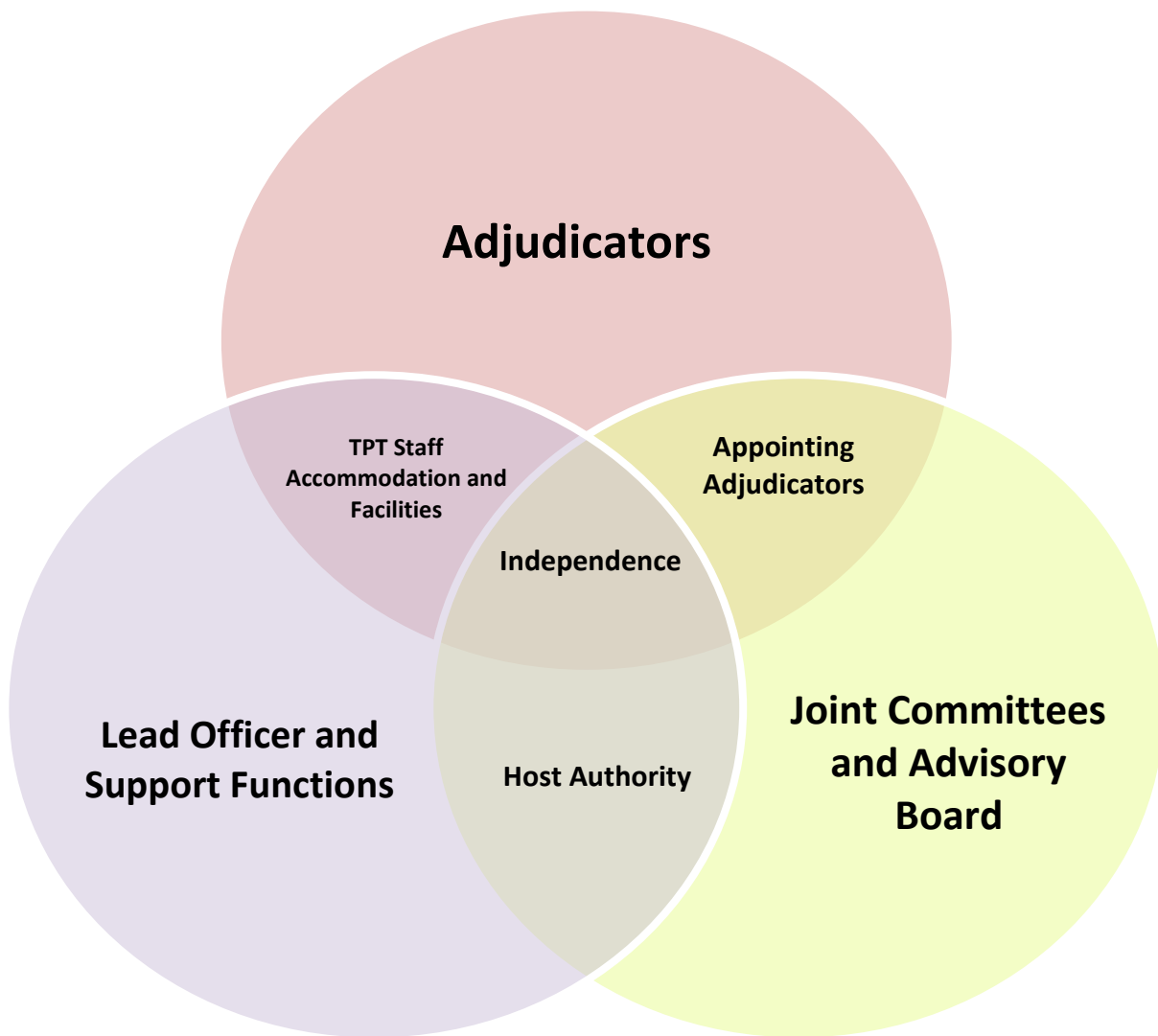


**Fig 1. Provision of Services to Adjudicators**



**Fig 2. Governance Structure**

*Memorandum of Understanding between the Adjudicators of the Traffic Penalty Tribunal and the PATROL Adjudication Joint Committee and the Bus Lane Adjudication Service Joint Committee*



**Fig 3. Overview of Joint Committee Relationships**

# Item 14d

## **PATROL AND BUS LANE ADJUDICATION SERVICE JOINT COMMITTEES** **Executive Sub Committees**

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**Date of Meeting:** 12<sup>th</sup> July 2022

**Report of:** The Director in consultation with Resources  
Working Group

**Subject/Title:** Risk Register

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**1. Report Summary**

The report presents the current assessment of risk.

**2. Recommendation**

To note the current assessment of risk.

**3. Reasons for Recommendations**

To report on arrangements for identifying, managing and reporting risk

**4. Financial Implications**

As reported within this report and financial reports on the agenda.

**5. Legal Implications**

None

**6. Risk Management**

Provides a framework for risk management.

**7. Background and Options**

The Risk Register is set out in this report.

# Risk Management Framework

## 1. Introduction

This report provides a summary of the most significant threats facing the Joint Committees which may prevent or assist with the achievement of its objectives.

It is the role of the Joint Committee’s Resources Working Group and Sub Committee to review the report prior to consideration by the Joint Committees or their Executive Sub Committees. This review aims to provide assurance on the adequacy of the risk management framework and internal control environment. Risk management is not about being risk averse, it is about effectively managing risks that could affect the achievement of objectives and ensuring that an appropriate risk culture is in place.

A risk is concerned with a threat, or a possible future event, which will adversely or beneficially affect the Joint Committee’s ability to achieve its objectives. Risk management is central to good governance and is all about people making the best decision at all levels within the organisation.

A strong risk framework:

- Strengthens governance effectiveness
- Provides a focusing mechanism
- Balances the scale of risk and reward
- Enables better decision making

## 2. Corporate Risks

The Joint Committee summarises its risk appetite as follows:

*“We will avoid risks that threaten our ability to undertake our principal objectives in a way that provides quality and value. We will maintain a sufficient level of reserves to support liquidity and absorb short-term fluctuations in income and expenditure beyond our control.”*

There are presently five threats on the Corporate Risk Register. These are currently measured as being “low” or “medium” scale risks. The classification of risk is set out below.

### Risk Matrix

		Consequence				
		5	4	3	2	1
Likelihood	5	25	20	15	10	5
	4	20	16	12	8	4
	3	15	12	9	6	3
	2	10	8	6	4	2
	1	5	4	3	2	1

### **3. Background to Corporate Risks:**

Local authorities who undertake civil parking and bus lane enforcement are required by statute to make provision for independent adjudication. The relationship between the adjudicators and the Joint Committee is derived from and governed by the Traffic Management Act 2004 and, in the case of the Bus Lane Adjudication Service Joint Committee, the Transport Act 2000.

The main function of the Joint Committee is to provide resources to support independent adjudicators and their staff who together comprise the Traffic Penalty Tribunal. The tribunal's appeal streams include:

- Parking
- Bus Lanes
- Moving Traffic
- Road User Charging (Dartford-Thurrock River Crossing, Mersey Gateway Bridge Crossing and Charging Clean Air Zones)
- Littering from vehicles

The objectives of PATROL include:

- a) A fair adjudication service for Appellants including visible independence of adjudicators from the authorities in whose areas they are working.
- b) Consistency in access to adjudication.
- c) A cost effective and equitable adjudication service for all Parking Authorities and Bus Lane authorities in England and Wales.
- d) Flexibility to deal with a wide range of local authorities with varying levels of demand for adjudication.

The relationship between the adjudicators and the PATROL and Bus Lane Adjudication Service Joint Committees is underpinned by a Memorandum of Understanding. The overriding principle of this memorandum is that the adjudicators are independent judicial office holders exercising a judicial function.

The adjudicators and joint committees are committed to a fair adjudication service for appellants including visible independence of adjudicators from the authorities in whose area they are working.



### **4. Review**

The Director is responsible for coordinating the review of the Risk Management Framework and reporting to the Joint Committee's Officer Advisory Board and the Resources Working Group and Sub Committee whose terms of reference include the review of risk. Following this scrutiny, the Risk Management Framework is reported to the PATROL and Bus Lane Adjudication Service Joint Committees or their Executive Sub Committees.

Additional assurance is provided by Internal and External Audit. PATROL and the Bus Lane Adjudication Service is not required to prepare and publish audited accounts but does so to promote transparency.

# Item 14d cont...

Risk Register 2022 - 2023						
Date Last Reviewed:			13th May 2022			
Risk No.	Risk	Risk Description including impact	Risk Owner	Rating	Direction	Comments
CR1	Inability to meet demand for service	(Cause) The tribunal provides a statutory function which is available to all vehicle owners who receive a Notice of Rejection of Representations in respect of specified penalties. (Threat) the tribunal is unable to meet its statutory obligations (impact) appellants are unable to appeal penalties	Chief Adjudicator and Stakeholder Manager.	4	↔	The net risk rating is 4 (low). The tribunal has a fully scalable online system and a flexible adjudicator and staffing model. The online process is complimented by assisted digital support for appellants who are unable to make their appeal on line. The tribunal continues to refine and develop the online system in response to user feedback. The tribunal demonstrated a seamless transition to homeworking for staff without an impact on service delivery. A further assessment of adjudicator requirements is currently underway.
CR2	Lack of Financial Resilience	(Cause)The basis for defraying Joint Committee expenses is based on variable rather than fixed charges. This means that the Joint Committee must manage unforeseen significant fluctuations in either Income or Costs such that (threat) Reserves are significantly eroded and (impact) financial obligations cannot be met.	Director and Central Services Manager	8	↓	This rating reduced from 10 to 8. This reflects increased experience of the impact of the pandemic on enforcement, the improvement of the reserves position in 2021/2022 and the introduction of new appeal streams. Whilst a degree of uncertainty remains, expenditure and use of free and approved reserves will be strictly monitored.
CR3	Loss of Data Integrity	(Cause) The Tribunal operates an on-line appeal system to improve the quality and flexibility for tribunal users. Support systems are also underpinned by a range of technologies. With this deployment of technologies, the risk of security breaches increases. This could result in the inability of IT to support the needs of the organization and users such that (threat) the statutory service is not accessible to all and (impact) appeals cannot be adjudicator online.  Potential breach of General Data Protection Regulations 2016 and Data Protection Act 2018	Director and Stakeholder Manager	9	↔	This rating remains unchanged - medium. A range of security monitoring features, data management procedures and training are being reviewed/deployed in the light of GDPR and DPA 2018. These measures have been reviewed in light of homeworking and continue to be closely monitored.

CR4	<b>Lack of Resource Planning</b>	(Cause) Insufficient adjudicator or staff resources to support the needs of the organisation such that (threat) the organisation is unable to meet its statutory obligations and (impact) the quality or timeliness of the adjudication process, administrative standards or the achievement of development objectives compromised	Chief Adjudicator & Director	4		<p>This rating remains at 4 in the light of reduced appeals during 2020/21.</p> <p>A further assessment of adjudicator and staff requirements is currently underway in the light of Clean Air Zones. Scalability modelling is also currently underway based on current forecasting data.</p>
CR5	<b>Lack of preparation for business continuity</b>	(Cause) that an internal or external incident occurs which renders the organisation unable to utilise part or all of its infrastructure such that (impact) the organisation is unable to deliver some or all of its services resulting in (impact) reduced accessibility to our service.	Central Services Manager & Stakeholder Engagement Manager	5		<p>This rating remains at 5 and reflects the flexibility demonstrated in moving from an office based to remote workforce with no unplanned loss of service. Planned technology upgrades have taken place to further support business continuity.</p> <p>A detailed DR plan to mitigate risk is held and reviewed each quarter. This is accessible to all managers and has clearly defined responsibilities. This plan is regularly reviewed.</p>

# Item 15

## **PATROL AND BUS LANE ADJUDICATION SERVICE JOINT COMMITTEES**

**Date of Meeting:** 12<sup>th</sup> July 2022

**Report of:** The Director on behalf of the Advisory Board

**Subject/Title:** Appointments to the Advisory Board

### **1.0 Report Summary**

**1.1** This report sets out the terms of reference for the Advisory Board and recommendations for appointments for 2022/2023

### **2.0 Recommendation**

**2.1** That the Joint Committees adopts the terms of reference and composition of the Advisory Board set out in the Appendix to this report.

**2.2** Approves the following:

- a) The extension of Marc Samways as English Shire Member to July 2026.
- b) The extension of Graham Addicott OBE as an Independent Member to July 2023.

**2.3** Notes the following:

- a) The retirement of George Broughton (Lead Authority Representative) and the vacancy which remains until his successor is appointed.
- b) The intention to appoint a new District Authority Member, whilst retaining Pat Knowles (formerly District) as the representative of councils undergoing structure changes from multi-tiers to unitary authorities.
- c) The intention to recruit an Independent Member for the period 2023/2024 with consideration of suitable candidates ongoing.

### **3.0 Reasons for Recommendations**

**3.1** Appointments to the Advisory Board are reviewed on an annual basis.



#### **4.0 Financial Implications**

4.1 The budget makes provision for the Advisory Board

#### **5.0 Legal Implications**

5.1 The Joint Committee's governance arrangements make provision for the appointment of an Advisory Board

#### **6.0 Risk Management**

6.1 The Advisory Board scrutinises the Joint Committee's Governance and Finance progress and associated documentation.

#### **7.0 Background and Options**

7.1 The Standing Orders provide for the Joint Committee to establish and appoint an Advisory Board comprising the Lead Officer and other such officers and persons appointed by the Joint Committee to advise it on its functions.

7.2 The attached Terms of Reference enable an effective and efficient arrangement for matters relating to the PATROLAJC and the Bus Lane Adjudication Service Joint Committee BLASJC

7.3 At the meeting held in October 2013, the PATROL Joint Committee determined to appoint a representative from the Department for Transport in respect of road user charging enforcement.

7.4 The Joint Committees confirm appointments to the Advisory Board on an annual basis. These are detailed in the attached document.

7.5 The Joint Committee is invited to adopt the terms of reference and make the appointments recommended in the appendix to this report.

## Appendix 1

### **PATROL AND Bus Lane Adjudication Service Joint Committees' Advisory Board**

#### **Terms of Reference**

1. To assist and advise the Joint Committees on the overall policies and strategies for administering the adjudication service and on their responsibilities under
  - section 81 of the Traffic Management Act 2004 (TMA) and Regulations 17 and 18 of The Civil Enforcement of Parking Contraventions (England) General Regulations 2007 (the English General Regulations);
  - section 81 of the TMA and Regulations 16 and 17 of the Civil Enforcement of Road Traffic Contraventions (General Provisions) Wales Regulations 2013 (the Welsh General Provisions Regulations);
  - Regulations 12 and 13 of The Road User Charging Schemes (Penalty Charges, Adjudication and Enforcement) (England) Regulations 2013 (the Road User Charging Regulations).
  - Regulation 18 of The Littering from Vehicles Outside London (Keepers: Civil Penalties) Regulations 2018

These functions are exercised through PATROL in accordance with Regulation 16 of the English General Regulations and Regulation 15 of the Welsh General Provisions Regulations.

2. The Advisory Board has no remit to consider or influence decisions of adjudicators and the function of the adjudication service as an Independent Tribunal.
3. To receive and monitor progress against the Performance Management Strategy produced by the Director and to review the service structure, organisation and administration and to scrutinise recommendations for changes before they are put before the Joint Committees.
4. To monitor and review the service revenue budgets and to scrutinise recommendations for changes before they are put before the Joint Committees.
5. To assist and advise the Director on the preparation of an annual service plan

6. The Board shall consist of always the Lead Officer plus up to eleven people:
- Seven representatives of local authorities as follows:
    - At least one representing an English Authority
    - At least one representing a Welsh Authority
    - At least one representing a District Council
    - At least one representing a County Council
    - At least one representing a Unitary or Metropolitan Council
    - At least one representing a Civil Bus Lane Enforcement Council.
  - A representative from the Department for Transport (road user charging).
  - A representative from a motoring association.
  - An independent person with knowledge of judicial or tribunal systems.
  - An independent consumer representative

The DfT, WG, Motoring Association and Independent members would act as ex-officio members.

Department for Transport and Welsh Government representatives will be welcomed to attend meetings or provide updates.

The Joint Committees shall make appointments to the Advisory Board based on recommendations received from the Advisory Board. Such appointments are to be for four years but may be subject to reappointment. Except for the Lead Officer, members shall retire on a four-year rotation cycle.

The Advisory Board shall recommend to the Joint Committees representatives of an appropriate motoring organisation and appropriate independent persons who should sit on the Board.

The DfT shall nominate a specific representative for road user charging.

Advisory Board members should not be day-to-day managers of parking services and should where possible include representatives from legal and financial backgrounds as well as those responsible for parking.

The Board shall elect a Chairman, a Vice-Chairman and a Secretary from within the membership of the Board.

Where a representative has been unable to attend three consecutive meetings, the Chair will draw this to the attention of the Board to determine whether an alternative representative be sought.

## **Appointments and four-year cycle**

### **Local Authority Members**

The following local authority members were appointed by the Joint Committees and retire as set out below.

#### **July 2023**

Cheshire East Council	VACANT	Lead Authority
South Lakeland Council	Pat Knowles	English District
Calderdale Council	Ian Hughes	Metropolitan Authority

#### **July 2024**

B&NES Council	Chris Major	Clean Air Zones
Brighton & Hove City Council	Paul Nicholls	Unitary Authority
Carmarthenshire Council	Richard Waters	Welsh Authority

#### **July 2025**

City of Stoke on Trent	Michael Clarke	Bus Lane Authority
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#### **July 2026**

Hampshire	Marc Samways	English Shire
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### **Welsh Government Member**

This is a matter for the Welsh Government Transport Directorate to decide from time to time. Currently Owen Jones Williams is their representative.

### **Department for Transport Member**

This is a matter for the DfT to decide from time to time. Dana Bourne is currently their representative in respect of road user charging.

### **Independent Member**

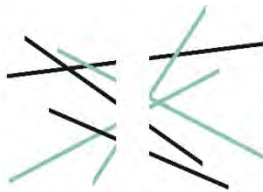
The Joint Committee has appointed Graham Addicott OBE, as the independent member until July 2022. The Joint Committee is asked to approve an extension until July 2023.

### **Motoring Organisation Member**

The Advisory Board considers it appropriate that from time to time. This appointment should be rotated between the RAC Foundation and the AA Motoring Trust.

### **Bus Lane Member**

The Bus Lane Joint Committee has appointed Michael Clarke of City of Stoke on Trent.



## General Progress Report

June 2022

### 1. Appeals summary

#### 1.1 PCNs appealed – General Trends

The below table and graph show PCNs appealed to the Tribunal from 1 April 2018 – 31 March 2022.

	Totals		Like for Like *		Parking and BL/MT only	
	number	% change	number	% change	number	% change
2018/19	34,646		34,646		18,806	
2019/20	37,837	9.2%	37,837	9.2%	18,356	-2.4%
2020/21	19,718	-47.9%	19,718	-47.9%	11,433	-37.7%
2021/22	27,892	41.5%	21,195	7.5%	13,319	16.5%
	73.7%		56.0%		72.6%	

	Parking		Bus Lanes & MT		RUCA	
	number	% change	number	% change	number	% change
2018/19	11,820		6,986		15,840	
2019/20	12,529	6.0%	5,827	-16.6%	19,477	23.0%
2020/21	7,994	-36.2%	3,439	-41.0%	8,279	-57.5%
2021/22	8,269	3.4%	5,050	46.8%	7,872	-4.9%
	66.0%		86.7%		40.4%	

#### Key points:

Overall increase in PCNs appealed between 20/21 and 21/22 of 41.5%

Excluding CAZ which was introduced in 21/22, the increase is 7.5%

Parking, Bus Lanes and MT show a combined increase Year on Year of 16.5%

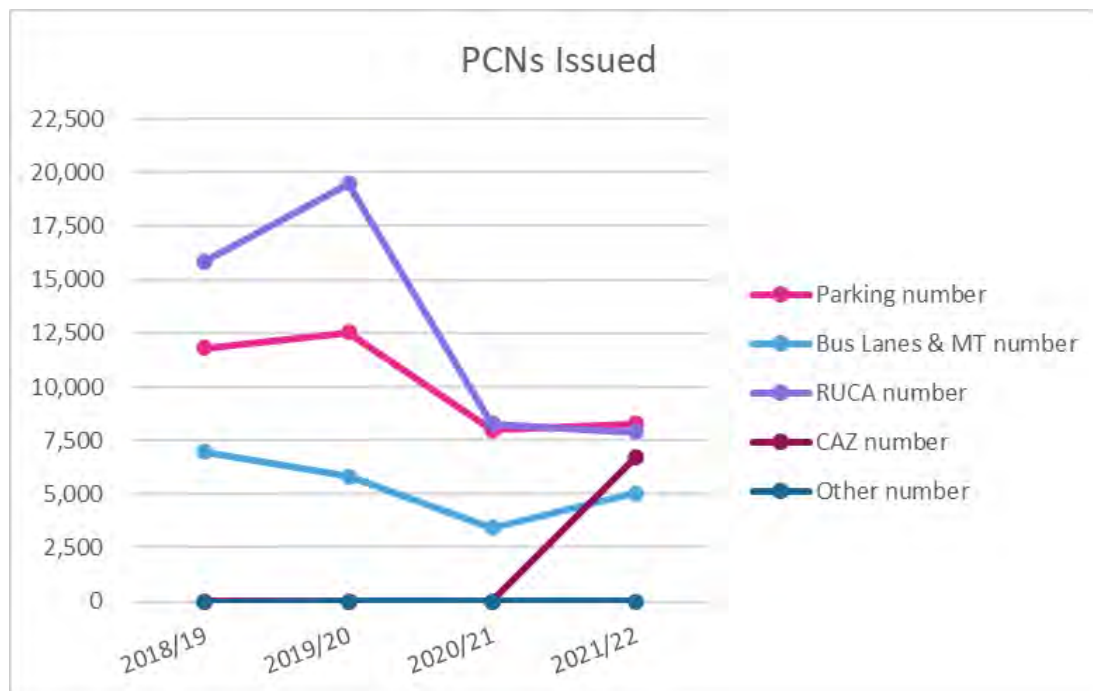
21/22 compared 19/20, pre and post pandemic, are as follows:

Total is only 73.7% of pre pandemic levels

Like for Like (exc CAZ) is 56.0% of pre pandemic levels

Parking, Bus Lanes and MT Total is 72.6% of pre pandemic levels

Bus Lanes and Moving Traffic have shown the strongest recovery with a Year-on-Year increase of 46.8% (compared to 3.4% for Parking) and levels back at 86.7% of pre pandemic (compared to 66.0% for Parking, and 40.4% for RUCA).



This can likely be attributed to the onset of COVID-19 restrictions in early 2020 and the subsequent changes in driver behavior as a result of the pandemic. With moving traffic restrictions set to be enforced by local authorities in England (outside London) from Spring 2022, a further increase in appeal numbers is expected into 2022/23.

Enforcement started at the first CAZs from March 2021. While further CAZs were expected to launch in 2022 (including Bradford, Greater Manchester, Newcastle, Gateshead and North Tyneside, and Bristol), there is currently significant uncertainty regarding future schemes – many of which have been paused.

### 1.1 PCNs appealed – Current Year (2022/23)

The table below compares PCNs appealed Year to Date for the current year, against the same point last year.

#### Key Points:

- Bus Lanes (both England and Wales) PCNs appealed are higher than last year
- Parking PCNs appealed are the same as last year, but lower in England (2.7%)
- Dartcharge PCNs appealed are 36.4% higher in the current year, this may be due to Easter holidays' being later
- Appeals for PCNs relating to Mersey Gateway are substantially lower (69.8%)
- Excluding CAZ and RUCA, PCNs appealed are broadly comparable to last year (0.3% higher)

	PCNs appealed year to date		
	21/22	22/23	YoY change
Bus Lanes - England	589	613	4.1%
Bus Lanes - Wales	34	35	2.9%
Parking - England	334	325	-2.7%
Parking - Wales	7	7	0.0%
Moving Traffic	19	5	-73.7%
Dartcharge	401	547	36.4%
LFV	0	1	0.0%
MG	248	75	-69.8%
CAZ	0	734	0.0%
Durham	0	0	0.0%
<b>Total</b>	<b>1,632</b>	<b>2,342</b>	<b>43.5%</b>

*like for like*                      1,632              1,608              -1.5%

*exc CAZ and RUCA*              983              986              0.3%

### 1.3 PCNS appealed: England and Wales

The below table provides a breakdown of PCNs appealed to the Tribunal from 1 April 2019 – 31 March 2022, issued from English Parking and Bus Lane schemes, and Welsh Parking Bus Lane and Moving Traffic schemes.

	2019/20	2020/21	2021/22	21/22 compared to 19/20
England Parking	11,669	7,499	7,676	65.8%
England Bus Lanes	5,392	3,201	4,847	89.9%
<b>England Total</b>	<b>17,061</b>	<b>10,700</b>	<b>12,523</b>	<b>73.4%</b>
Wales Parking	860	495	593	69.0%
Wales Bus Lanes	240	84	69	28.8%
Wales MT	195	154	134	68.7%
<b>Wales Total</b>	<b>1,295</b>	<b>733</b>	<b>796</b>	<b>61.5%</b>
<b>GRAND TOTAL</b>	<b>18,356</b>	<b>11,433</b>	<b>13,319</b>	<b>72.6%</b>

#### Key Points:

The number of PCNs appealed for Parking and Bus Lanes for England and Wales is still only at 72.6% of pre pandemic levels.

Trends vary across the various streams of activity



## 2. Context of PCNs Issued by Enforcement Authorities

The following two tables look at the levels of enforcement and their relationship to the numbers of PCNs being appealed.

	2019/20			2020/21			2021/22			19/20 to 21/22
	PCNs Issued	PCNs Appealed	Appeal Rate %	PCNs Issued	PCNs Appealed	Appeal Rate %	PCNs Issued	PCNs Appealed	Appeal Rate %	Appeal Rate %
Bus Lanes - England	1,837,097	5,392	0.3%	1,207,631	3,201	0.3%	1,982,661	4,847	0.2%	-0.05%
Bus Lanes & MT - Wales	73,924	435	0.6%	47,470	238	0.5%	107,490	203	0.2%	-0.40%
Parking - England	4,932,070	11,669	0.2%	3,074,674	7,499	0.2%	4,589,945	7,676	0.2%	-0.07%
Parking - Wales	267,861	860	0.3%	105,128	495	0.5%	248,148	593	0.2%	-0.08%
Dartcharge	2,332,501	8,534	0.4%	1,671,267	6,089	0.4%	2,198,857	5,968	0.3%	-0.09%
Mersey Gateway	630,004	10,943	1.7%	375,841	2,190	0.6%	588,500	1,904	0.3%	-1.41%
CAZ	0	0	0.0%	0	0	0.0%	838,047	6,697	0.8%	0.80%
<b>Total</b>	<b>10,073,457</b>	<b>37,833</b>	<b>0.4%</b>	<b>6,482,011</b>	<b>19,712</b>	<b>0.3%</b>	<b>10,553,648</b>	<b>27,888</b>	<b>0.3%</b>	<b>-0.11%</b>

\* excludes LFV and Durham

Exc CAZ                      10,073,457      37,833      0.4%      6,482,011      19,712      0.3%      9,715,601      21,191      0.2%      -0.16%

	19/20 to 21/22	
	Change in PCNs Issued	Change in PCNs Appealed
Bus Lanes - England	7.9%	-10.1%
Bus Lanes & MT - Wales	45.4%	-53.3%
Parking - England	-6.9%	-34.2%
Parking - Wales	-7.4%	-31.0%
Dartcharge	-5.7%	-30.1%
Mersey Gateway	-6.6%	-82.6%
CAZ	-	-
<b>Total</b>	<b>4.8%</b>	<b>-26.3%</b>

### Key Points:

The rate of appeal has dropped across all appeal streams except CAZ which is a new stream in this time

When comparing 2019/20 to 2021/22 the rate of appeal has almost halved when excluding CAZ (from 0.4% to 0.2%). Most of this drop is attributable to a drop in the rate of appeal for Mersey Gateway from 1.7% to 0.3% (1.41%).

If we exclude the effect of Mersey Gateway – the drop in the rate of appeal is reduced to 0.07%. The reduction in rates of appeal would indicate that appeals for PCNs are being resolved at an Enforcement Authority level and therefore not coming to the tribunal.

The trend is particularly marked in the Bus Lane and Moving Traffic numbers whereby the number of PCNs issued has increased by 45.4% between 19/20 but the number of PCNs appealed has reduced by 53.3%.

*Please note:*

*The figures within this section include all PCNs dealt with by the Tribunal. This includes Witness Statements referred to the Adjudicators following debt registration at the Traffic Enforcement Centre at Northampton County Court. The PCN figures will also include a small number of duplicated PCNs and those PCNs not registered by the Adjudicator.*

## 2. Hearings

The table below shows a breakdown of the decision methods that were selected by appellants between 1 April 2021 and 31 March 2022 – different hearing types, together with e-Decisions (where a case is decided by an Adjudicator without a hearing, based on the evidence and communications submitted within the online system). Figures for the same period in 2020/21 are shown for comparison.

Breakdown of decision method				
	TOTAL Cases	e-Decision	Telephone Hearing	Video Hearing
<b>2021/22</b>	<b>19,224</b>	<b>17,319</b> (90.1% of total)	<b>1,383</b> (7.2% of total)	<b>522</b> (2.7% of total)
<b>2020/21</b>	<b>13,308</b>	<b>11,919</b> (89.6% of total)	<b>1,343</b> (10.1% of total)	<b>46</b> (0.3% of total)

While rising from a very low base, the figures for 2021/22 show a huge increase in Video Hearings as a proportion of the different decision methods. This reflects the wholesale review TPT took into its processes around hearings throughout 2021/22 to allow those Appellants and Authorities who are able and wish to connect themselves to hearings to do so using the Microsoft Teams platform.

Please note that references to ‘Telephone Hearing’ and ‘Video Hearing’ in the table above reflect the system choices available to Appellants when requesting a hearing in the online appeals system. Following the transition to all hearings now being carried out over Microsoft Teams – and with the ability for an Appellant to choose whether to turn their video camera on and off during the hearing (if connecting via a web link) – these terms are now interchangeable in practice.

## 3. Proxy cases

While 95% of all appeals to the TPT are submitted online, the TPT Customer Liaison team supports appellants who cannot or prefer not to.

For the small percentage of people who do find it initially difficult to go online, the TPT provides 'Assisted Digital' support. Assisted Digital at the TPT provides an active form of customer engagement with appellants to 'walk through' the online appeal submission process and / or complete it on their behalf (by 'proxy'). Contact with the TPT team remains available throughout the process should it be required, including through instant messaging and Live Chat functionality within FOAM.

The average number of cases dealt with by proxy per month is currently just **4.88%**.

#### 4. Case closure and Status

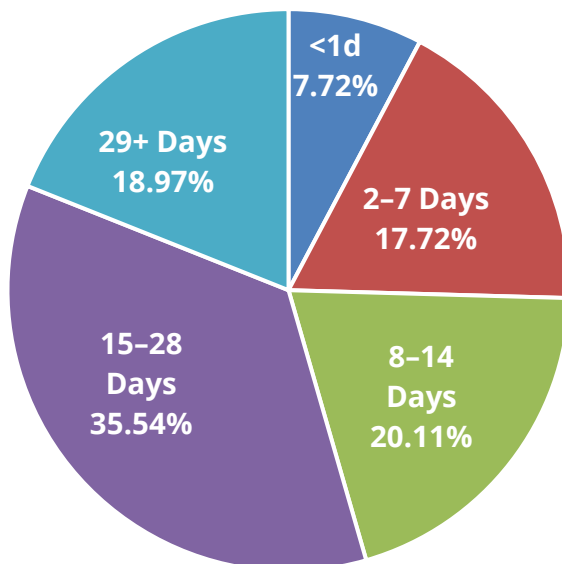
Appealing to the Traffic Penalty Tribunal is a judicial process, and while it is not appropriate to set rigid timescales, the TPT's objective is to provide a Tribunal service that is user focused, efficient, timely, helpful and readily accessible. Case resolution times provide a window on the efficiency and usability of the online appeals system, as well as the associated improved business processes.

At 8<sup>th</sup> June there are 934 PCNs that are awaiting a decision. 927 of these relate to Mersey Gateway.

Authority	Appeal Stream	Number
Birmingham	Bus Lanes (England)	2
Essex - Bus Lanes	Bus Lanes (England)	1
Halton	Mersey Flow	927
Newcastle-Upon-Tyne	Bus Lanes (England)	1
Nottingham	Bus Lanes (England)	1
Sandwell	Bus Lanes (England)	2

934

The pie chart below shows appeal case closure times from 1 April 2021 to 31 March 2022.



- **8%** of cases were resolved in 1 day
- **25%** within 7 days
- **46%** within 14 days
- **81%** within 28 days

# Appendix 2

## PATROL ADJUDICATION JOINT COMMITTEE

### Executive Sub Committee

Dates: 12<sup>th</sup> July 2022

Report: Wales Update

#### 1. Civil Parking Enforcement (CPE)

All local authorities in Wales are now in the civil scheme.

#### 2. Moving Traffic Enforcement

There are two authorities undertaking civil enforcement of moving traffic powers (Cardiff Council and Carmarthenshire County Council). Swansea Council is undertaking civil bus lane enforcement.

#### 3. Pavement Parking

The Welsh Government announced in June 2021 that pavement parking is set to be banned in Wales 'wherever possible'. The policy forms part of the Government's legislative programme, which also includes a new 20mph default speed limit in residential areas.

A pilot began for the new speed limit in areas of Cardiff on 20 June 2022. No further update on pavement parking has been made at this stage.

This action follows the acceptance by the Welsh Government in October 2020 of recommendations made by a pavement parking Task Force Group, which comprised representatives from PATROL, the Traffic Penalty Tribunal, a number of Welsh local authorities and other interested parties.

The Group produced a report (<https://gov.wales/sites/default/files/publications/2020-10/welsh-pavement-parking-task-force-group-report.pdf>) setting out its recommendations, which included the passing of subordinate legislation to add an offence of 'unnecessary obstruction' (in so far as it applies to footways) to the list of enforceable contraventions to enable local authorities to carry out civil enforcement of pavement parking.

At the time, the Government's Deputy Minister for Economy and Transport (responding to the Task Force Group's Report) explained that, subject to further policy development and consultation, the intention is to commence civil enforcement of unnecessary obstruction of the pavement by July 2022.

#### 4. Clean Air Zones

The Welsh Government published its latest *Clean Air Plan for Wales* in August 2020 (<https://gov.wales/sites/default/files/publications/2020-08/clean-air-plan-for-wales->

[healthy-air-healthy-wales.pdf](#)) where it anticipated seeing ‘...Clean Air Zones established in towns and cities throughout Wales to reduce the impact of transport emissions on health. Some of these may be supported by a charging element.’

A Clean Air Act for Wales was also anticipated and subsequently consulted on in April 2021, and the Government committed to publishing an updated Clean Air Zone Framework for Wales by early 2021. Further updates on these elements of the Government’s plans are still pending – the slow pace has recently attracted criticism from opposition MPs.

Previously, in 2019, Cardiff Council ruled out a charging Clean Air Zone, instead looking to impose alternatives measures, but is currently considering a potential congestion charge. Caerphilly County Borough Council does not have immediate plans for a Clean Air Zone but has identified Air Quality Management Areas.

## PATROL and Bus Lane Adjudication Service Joint Committees Resources Working Group and Sub-Committee

Date of meeting: 12<sup>TH</sup> July 2022

Report of the Director

# PATROL

## Public Affairs Update: To 23 June 2022

### 1. Current traffic management issues

#### a. Pavement Parking

- **Wales:** The Welsh Government announced in July 2021 that pavement parking is set to be banned in Wales 'wherever possible'. The policy forms part of the Government's new legislative programme, which also includes a new 20mph default speed limit in residential areas (a pilot began for the new speed limit in areas of Cardiff on 20 June).
- **England (outside London):** PATROL continues to await an update from the Department for Transport (DfT) following its October 2020 consultation. The DfT has confirmed that analysis of submissions is now complete and a ministerial decision is pending, with the latest responses to Departmental questions indicating that a response to the consultation and next steps will be published 'as soon as possible'.

#### b. Moving Traffic Powers in England (outside London)

- **New regulations giving effect to moving traffic enforcement powers for local authorities in England (outside London) – under Part 6 of the *Traffic Management Act 2004* came into force on Tuesday 31 May 2022.**
  - The new Regulations can be accessed at the links below:
    - [\*The Civil Enforcement of Road Traffic Contraventions \(Approved Devices, Charging Guidelines and General Provisions\) \(England\) Regulations 2022\*](#)
    - [\*The Civil Enforcement of Road Traffic Contraventions \(Representations and Appeals\) \(England\) Regulations 2022\*](#)
  - Accompanying the new Regulations is Statutory Guidance for local authorities on the civil enforcement of bus lane and moving traffic contraventions.

The Regulations bring bus lane enforcement under the *Traffic Management Act 2004* for the first time and introduce two new 'grounds' (reasons) that motorists may cite when making representations or appealing against PCNs issued in relation bus lane contraventions (in line with the existing grounds for parking and forthcoming grounds for moving traffic). The two new grounds relate to procedural impropriety by the authority and an appellant's compelling reasons within the circumstances of the case.

Access the new Statutory Guidance at the link below:

- [\*\*Bus lane and moving traffic enforcement outside London\*\*](#)
  
- **On 21 June the first *Designations and Miscellaneous Amendments Order* for local authorities that have applied to the Secretary of State for moving traffic enforcement powers was laid before Parliament.**
  - The local authorities in the first tranche are:
    - Bath and North East Somerset Council
    - Bedford Borough Council
    - Buckinghamshire Council
    - Derby City Council
    - Durham County Council
    - Hampshire County Council
    - Kent County Council
    - Luton Borough Council
    - Norfolk County Council
    - Oxfordshire County Council
    - Reading Borough Council
    - Surrey County Council
  - **The provisions of the order are set to come into force by Friday 15 July.**
  
- PATROL continues to engage with authorities that have indicated they wish to commence moving traffic enforcement, in order to assist them with preparations.
  
- Additionally, information on the PATROL website, as well as the Traffic Penalty Tribunal website and Online Appeals Management System has been updated to reflect the new Regulations' impact on bus lane appeals, with Adjudicators briefed on dealing with cases concerning contraventions that fall either side of the 31 May legislation date.

### **c. The Parking (Code of Practice) Act 2019: Private Parking**

- **The Department for Levelling Up, Housing and Communities (DLUHC) has temporarily withdrawn its new private parking Code of Practice in Parliament, pending review of the levels of charges and additional fees. This follows legal challenges from some private parking operators.**
- The new code is aimed at improving the standards and consistency of private parking operators, generally, as well as to provide greater clarity and protections for the motorist against so called 'rogue' operators, unfair and confusing enforcement practices.
  - The new code is still available at:  
<https://www.gov.uk/government/publications/private-parking-code-of-practice/private-parking-code-of-practice>

An implementation period to allow parking operators to align with the code – following 'as many of the rules as possible' – was to be in place until the end of 2023, after which operators will be expected to fully adhere to the code. The new single appeals service was also expected to be in operation by this time.

**PATROL will continue to engage with DLUHC on the adoption of the new code and will assist, as required, in its discovery phase with regards the new single appeals service.**

### **d. Responding to the challenge of Electric Vehicles (EVs) and Autonomous Vehicles**

- **14 June: NEWS – Plug-in grant for cars to end as focus moves to improving electric vehicle charging**  
Government to concentrate funding on expanding the public charge point network, as well as electric taxis, vans, trucks, motorcycles and wheelchair accessible vehicles.
  - Success in the UK's electric car revolution leads the government to refocus plug-in grant funding to encourage other vehicles to 'charge up and go green'.
    - Funding will target expansion of the public charge point network, helping to eradicate 'range anxiety' and ensure the transition to zero-emission transport is easy and convenient for all drivers.
    - This follows a commitment made in the Government's EV infrastructure strategy, published on 25 March, which focuses on ensuring 300,000 public charge points are in operation by 2030. The Government also wishes to remove key barriers to EV driving by ensuring charge point operators are legally required to meet rigorous standards.

<https://www.gov.uk/government/news/plug-in-grant-for-cars-to-end-as-focus-moves-to-improving-electric-vehicle-charging>



- **14 June: RESEARCH – Electric vehicle drivers: attitudes and behaviours**  
This survey, carried out by BritainThinks, explores current attitudes and behaviours of UK EV drivers, including:
  - driving behaviours
  - EV charging behaviours
  - attitudes to public charging infrastructure
  - improvements to public charging infrastructure.

<https://www.gov.uk/government/publications/electric-vehicle-drivers-attitudes-and-behaviours>
- **24 May: NEWS – Electric vehicle sales continue to soar in green revolution**  
Sales of electric vehicles reach an all-time high, while the UK boasts one of the most extensive networks of rapid chargers in Europe.
  - Electric vehicle registrations double to more than 74,000 in the north of England as government’s drive boosts tens of thousands of green jobs and supports all regions to level up.
  - Sales of new plug-in vehicles nationally rise by over 70% as UK continues to accelerate towards net-zero transport.
  - Transport Secretary meets northern leaders to expand public electric vehicle charging across the region.

<https://www.gov.uk/government/news/quick-off-the-spark-electric-vehicle-sales-continue-to-soar-in-green-revolution>
- **OZEV’s latest statistics on EV charging infrastructure:**  
<https://www.gov.uk/government/collections/electric-vehicle-charging-infrastructure-statistics>  
and grants: <https://www.gov.uk/government/statistics/electric-vehicle-charging-device-grant-scheme-statistics-january-2022>

## e. Promotion of Active Travel

- **14 May: NEWS – Healthy, cost-effective travel for millions as walking and cycling projects get the green light**  
Funding worth £200 million announced for new walking and cycling schemes across England.
  - Millions of people across the country will benefit from healthier, free local journeys in a boost to air quality and people’s physical and mental health.
  - ‘Golden age’ of cycling and walking galvanised by £200 million government investment, with Active Travel England overseeing 134 ambitious projects – part of a £2 billion commitment to active travel.
  - Government continues to lead the world in tackling climate change, improving low-carbon infrastructure and growing local economies.

<https://www.gov.uk/government/news/healthy-cost-effective-travel-for-millions-as-walking-and-cycling-projects-get-the-green-light>

## 2. Roll-out of Clean Air Zones (CAZ) in England (outside London)

- **Delays and confirmed upcoming launches to CAZ schemes**
  - The largest CAZ, Greater Manchester – originally due to launch in May – has been delayed and Metro Mayor Andy Burnham has now proposed that all charges should be removed. The Government has instructed the Greater Manchester Combined Authority to reduce the size of the zone by 95%.
    - The effects of the pandemic and global supply chain issues impacting the availability of cleaner vehicles for upgrades were cited as being behind the delay.
  - Other CAZs have been delayed, including Bradford (now due September), Bristol (due November), Newcastle, Gateshead and North Tyneside (postponed indefinitely) and Sheffield (due 2023 at the earliest).
- PATROL has created a CAZ Implementation Forum to encourage local authorities, at different stages of implementing CAZ or Zero Emission Zone (ZEZ) schemes, to share their experiences and learnings with each other in a dedicated meeting.

### Overview of confirmed local authority CAZ / ZEZ plans (as of 23 June 2022)

Location	Current status
<b>Bath</b>	<ul style="list-style-type: none"> <li>• Zone launched 15 March 2021.</li> </ul>
<b>Birmingham</b>	<ul style="list-style-type: none"> <li>• Zone launched 1 June 2021.</li> </ul>
<b>Portsmouth</b>	<ul style="list-style-type: none"> <li>• Zone launched 29 November 2021.</li> </ul>
<b>Oxford (ZEZ)</b>	<ul style="list-style-type: none"> <li>• Pilot zone launched 28 February 2022.</li> </ul>
<b>Greater Manchester</b> (Greater Manchester Combined Authority)	<ul style="list-style-type: none"> <li>• Launch postponed – new plan due to be submitted to Government by July.</li> </ul>
<b>Bradford</b>	<ul style="list-style-type: none"> <li>• Launch expected September 2022.</li> </ul>
<b>Bristol</b>	<ul style="list-style-type: none"> <li>• Launch expected November 2022.</li> </ul>
<b>Sheffield</b>	<ul style="list-style-type: none"> <li>• Launch expected 2023.</li> </ul>
<b>Newcastle, Gateshead and North Tyneside</b>	<ul style="list-style-type: none"> <li>• Launch delayed indefinitely.</li> </ul>

A more detailed status update on upcoming, live and previously planned CAZ schemes can be found on the PATROL website at:

<https://www.patrol-uk.info/charging-clean-air-zones-local-authority-plans>.

### 3. Improving public information on civil enforcement and the PACER Awards\*

# PATROL PACER Awards

Promoting Awareness of  
Civil Enforcement through Reporting

- **North East Lincolnshire Council awarded Overall Winner in the 2022 PATROL PACER Awards**

PATROL is delighted to announce that [North East Lincolnshire Council](#) is the Overall Winner of this year's PACER Awards, which recognised 2020/21 parking and traffic management Annual Reports. The other award winners were as follows:

- **Best for Customer Service**  
Dacorum Borough Council  
[View report>>](#)
  - **Best for Finance and Statistics**  
Hampshire County Council  
[View report>>](#)
  - **Best for Innovation and New Services**  
Gloucestershire County Council  
[View report>>](#)
  - **Best Concise Report**  
Devon County Council  
[View report>>](#)
  - **Best use of Design**  
North Essex Parking Partnership  
[View report>>](#)
  - **Best use of Digital Channels**  
East Sussex County Council  
[View report>>](#)
- Chosen from a number of high-quality entries this year, North East Lincolnshire's report really impressed the independent Review Group as one that was attractively presented, easy to read and made great use of statistics, graphics and imagery, with lots of local character. The report also featured lots of engaging information putting the department's work in context, content on new services, as well as useful guidance and links.

All award winners this year have received feedback on their reports, individually. There are, once again, a number of new faces in the winner's circle.

This year's Review Group included **Lorraine Martin (nee Rushton), Parking Services Manager at Cheshire East Council**, which was Overall Winner in last year's awards. Lorraine joined long-standing Review Group members, Jo Abbott (Communications Manager, RAC – Retired) and David Leibling (Transport Consultant) in deciding the award winners this time round.

- PATROL looks forward to hosting North East Lincolnshire and all the other award winners at this year's PACER Awards reception at the House of Commons on Tuesday 12 July, where Huw Merriman, MP for Bexhill and Battle, and Chair of the House of Commons Transport Committee, will be presenting the awards.

### **About the PACER Awards**

Producing an Annual Report on parking and other traffic management makes authorities eligible to enter the PACER Awards (formerly the PARC Awards), with those receiving an award invited to a reception at the House of Commons.

- More information on producing a report, as well as examples from previous winners, can be found on [PATROL's Digital Annual Report Toolkit](#).