

PATROL Adjudication Joint Committee Executive Sub-Committee

Agenda

Date: Tuesday 27th October 2015
Time: 11.30 am
Venue: The Westminster Room, The Local Government Association, Local Government House, Smith Square, London SW1P 3HZ

1. **Appointment of Chairman and Vice-chairman of the Executive Sub-committee**

To appoint a Chairman and Vice-chairman until the next meeting of the Joint Committee in June 2016.

2. **Apologies for Absence**

To receive apologies for absence.

3. **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.

4. **Minutes of the Meeting held on 28th January 2015** (Pages 1 - 8)

To approve the minutes of the PATROL Adjudication Joint Committee Executive Sub Committee held 28th January 2015.

5. **Minutes of the Meeting Held on 23rd June 2015** (Pages 9 - 20)

To note the minutes of the PATROL Adjudication Joint Committee held 23rd June 2015.

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Bus Lane Adjudication Service Joint Committee
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6. **Chair's Update**

To provide the Joint Committee with a general update since the last meeting.

7. **PATROL and BLASJC Resources Working Group and Sub-committee**
(Pages 21 - 22)

To report on the resolutions from the PATROL and BLASJC Resources Working Group and Sub Committee's meeting held on 21 September 2015.

8. **Audit Commission Small Bodies Annual Return for the Year Ended 31st March 2015** (Pages 23 - 60)

To note the completion of the audit of accounts for 2014/15 and approve a Scheme of Financial Delegation.

9. **Budget Monitoring** (Pages 61 - 66)

To note the income, expenditure and reserves position at 30 September 2015.

10. **Risk Register** (Pages 67 - 74)

To note the latest review of the Risk Register.

11. **Chief Adjudicator Update**

To receive a report from the Chief Adjudicator.

12. **Wales Update**

To note the progress of civil enforcement regulations in Wales

13. **General Progress and Service Standards** (Pages 75 - 92)

To provide general information in respect of the tribunal's initiatives and service standards for the six month period to 30 September 2015.

14. **Parking Annual Reports** (Pages 93 - 96)

To note the development of an Annual Reports toolkit and arrangements for submissions for 2014/15 reports.

15. **Dates of Next Meetings**

Wednesday 27th January 2016 Westminster Suite, LGA

Tuesday 12th July 2016 Hoare Memorial Hall, Church House Conference Centre

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PATROL Adjudication Joint Committee**Executive Sub Committee**

Minutes of a meeting

held on Wednesday, 28th January, 2015 in Bishop Partridge Hall, Church House
Conference Centre, London SW1P 3NZ

PRESENT

Cllr John Baverstock	South Hams District Council
Cllr Richard Bell	Sunderland City Council (Substitute)
Cllr Andrew Bosmans	Doncaster Council
Cllr Graham Burgess	Hampshire County Council
Cllr Mike Carver	East Hertfordshire District Council
Cllr Peter Cooper	Carmarthenshire County Council
Cllr Simon Cronin	Worcester City Council
Cllr Ken Gregory	Thanet District Council
Cllr Stuart Hughes	Devon County Council
Cllr Stuart Kinch	Lincolnshire County Council (Substitute)
Cllr Rachel Lancaster	Coventry City Council
Cllr John Leather	Cheshire West and Chester Council
Cllr Jamie Macrae	Cheshire East Council
Cllr Geraint Owens	Swansea City and County Council
Cllr Tony Page	Reading Borough Council
Cllr Peter Robinson	Tameside Metropolitan Borough Council
Cllr Gary Waller	Epping Forest District Council
Cllr Jane Urquhart	Nottingham City Council
Cllr Graham Beale	Wychavon District Council
Cllr Roland Dibbs	Rushmoor District Council

Also Present

Graham Addicott OBE	Vice Chair, Advisory Board
Caroline Shepherd	Traffic Penalty Tribunal
Miles Wallace	Traffic Penalty Tribunal
Iain Worrell	Traffic Penalty Tribunal
Louise Hutchinson	PATROL
Erica Maslen	PATROL
Curtis May	PATROL
George Broughton	Cheshire East Council
Robin Chantrill-Smith	Thanet District Council
Helen Crozier	Oxfordshire County Council
Lorna Day	Kent County Council
John McEvoy	Carmarthenshire County Council
Mark Fletcher	Department for Transport
Cherry Foreman	Cheshire East Council
Phil Hammer	Cambridgeshire City Council
Marc Samways	Hampshire County Council
Mohammed Shafie	Coventry City Council

Apologies for absence were received from:-

Councillor Alistair Black	Maidstone Borough Council
Councillor Derek Burrows	Bolton Metropolitan Borough Council
Councillor Ian Davey	Brighton & Hove City Council
Councillor Terry Douris	Hertfordshire County Council
Councillor Eileen Lintill	Chichester District Council
Councillor Elsie Martlew	Carlisle City Council
Councillor Harvey Siggs	Somerset County Council

41 DECLARATIONS OF INTEREST

There were no declarations of interest.

42 MINUTES OF THE MEETING HELD ON 28 OCTOBER 2014

RESOLVED

That the minutes of the meeting held on 28 October 2014 be approved as a correct record, subject to the addition Councillor John Leather to the list of apologies received.

43 CHAIR'S UPDATE

The Chair reported that:-

1. Appeals from the Dartford River Crossing had commenced. Each vehicle crossing would receive one warning letter; seven appeals had been received to date.
2. Cardiff had introduced the enforcement of bus lanes and moving traffic which would come under the remit of PATROL rather than the BLASJC.
3. The development and roll out of BECK was continuing with Brighton, Luton, Sandwell, Cardiff and Dartford currently using it; more Councils were coming on in February and feedback continued to be positive.
4. On 3 December 2014, new agreements with Cambridgeshire, Thameside, Derbyshire and Stafford City Council had been finalised and they had joined under the new BLASJC agreement. Knowsley would be undertaking civil parking enforcement in the Spring.
5. Parking appeals had seen a reduction of 10% compared to last year. Bus lane appeals remained constant and were likely to increase given the new bus lane Councils joining in December and those who had made known their intention to commence in 2015.
6. An electronic edition of the PATROL newsletter was due to be issued in February.
7. The Chair reported that Councillors Carver and Bavistock were stepping down and requested that the thanks of the Joint Committee be recorded for their support.

44 BUDGET MONITORING 2014/15

Consideration was given to the income, expenditure and reserves monitoring information for the year to 31 October 2014, and to the projected outturn for the Tribunal which operates on a self financing basis with income obtained from defraying expenses amongst the member authorities of the Joint Committee.

It was reported that the revenue estimate took account of recent income trends and included provision for the commencement of enforcement at the Dartford River Crossing; it also included provision for adjustments to be made once the number of PCNs issued by each council was known. Expenditure had been less than forecast and there had been an overachievement on parking income. The anticipated overall surplus was reported at £126,924 for RUCA, with a deficit for parking of £88,085.

RESOLVED

That the income and expenditure reserves at 31 October 2014, and the projected outturn, be noted.

45 RISK REGISTER

As part of the Risk Management Strategy consideration was given to the latest risk register. In considering the areas highlighted clarification was requested concerning the inclusion of the on-line appeal portal and it was reported that it would provide greater reliability, transparency and capacity and, as new technology was used increasingly, so risk would diminish.

RESOLVED

That the report be noted.

46 SERVICE LEVEL AGREEMENT BETWEEN THE JOINT COMMITTEES AND CHESHIRE EAST COUNCIL

Consideration was given to variations to the Service Level Agreement (SLA) with Cheshire East Council (CEC), as the host authority, for the provision of services. The SLA had been signed in August 2014 and provided for annual service reviews over a five year period.

Variations for 2015/16 included a reduction in finance charges to reflect the transfer of insurance costs from the Council to PATROLAJC and an amendment to PATROL hosting costs. It was also reported that working with Cheshire East Council was proving very successful and its staff were congratulated accordingly.

RESOLVED

1. That the variations to the SLA for 2015/16 be approved and that CEC be reimbursed for its services.
2. That the timescale for completing the delegation framework from the Chief Executive of CEC to the Head of Service be noted, and that this be overseen by the Resources Sub Committee and a report presented to the

Annual Meeting of the Joint Committee as part of its review of governance documentation.

47 REVENUE BUDGETS FOR 2015/16

The revenue budget estimates for 2015/16 were submitted to the Committee for adoption. An assessment had been made of the likely service uptake during the coming financial year and of the Adjudicators, administrative support and accommodation needed. The report included detailed assumptions on income, expenditure, associated costs and the key objectives to be taken into account.

RESOLVED

That the Revenue Budget for 2015/16, as detailed in the report and appendix, be agreed.

48 APPOINTMENTS SUB COMMITTEE AND WORKING GROUP

Consideration was given to the Appointments Sub-Committee and Working Group being renamed the Resources Sub-Committee and Working Group in order to reflect the wider remit that had developed over time and to help progress specific areas of work between Joint Committee meetings.

It was proposed that the Sub-Committee comprise of approximately eight members and those interested in being involved were asked to contact the Head of Service direct.

RESOLVED

1. That approval be given for the Appointments Sub-Committee and Working Group to be renamed the Resources Sub-Committee and Working Group and that it will report to the next available meeting of either the Joint Committee or of the Executive Sub-Committee.
2. That the work of the Resources Sub-Committee and Working Group include the review of the management structure in the light of management vacancies; the introduction of a scheme of delegation from the Chief Executive of Cheshire East Council to the Head of Service, and overseeing research projects undertaken by PATROL.

49 RESERVES POLICY STATEMENT

Members considered the Reserves Policy Statement for the Joint Committee for 2015/16. PATROL had built up a body of reserves which ensured the continuation of the service should there be an unexpected downturn of income or unforeseen expenditure; the reserves were considered to be central to maintaining its ability to be self financing.

The report gave details of the general, property and IT reserves; it was agreed that a more detailed breakdown of the general reserves be circulated to members for information.

RESOLVED

1. That approval be given to the Reserves Policy Statement for 2015/16.
2. That the balances of any surplus from 2014/15 be carried forward to 2015/16.
3. That delegated authority be given to the Chair and Vice-Chair to authorise the withdrawal of funds from reserves to meet budgetary deficits.

50 ANNUAL INVESTMENT STRATEGY

Consideration was given to a report on investments during 2014/15 and to the Investment Strategy for the coming year. The strategy included that investments will only be made with UK low risk banks, in the form of placing in fixed term deposit accounts and will be spread over at least two banks to reduce risk. Deposits will be moved to HSBC, Lloyds and Santander and the arrangements will continue on a rolling basis.

RESOLVED

That approval be given to the Annual Investment Strategy for 2015/16.

51 DEFRAYING THE EXPENSES OF THE JOINT COMMITTEE 2015/16

Members were asked to consider the basis for sharing expenses among the member authorities for the 2015/16 financial year. Various charging options were considered with each requiring an additional contribution being made from reserves. Taking into account the reserves position, the continuing development of the IT strategy and of the appeals portal, which was producing greater efficiencies, and the number of additional Councils that were due to join PATROLAJC, it was agreed that the contribution be set at 50 pence per PCN, with a contribution from reserves of £10,523, and that there be a further review in 6 months time.

Welsh Authorities undertaking civil bus lane and moving traffic enforcement are precluded from joining the Bus Lane Adjudication Service Joint Committee, instead their enforcement is enabled through the Traffic Management Act which applies to the PATROL Adjudication Joint Committee. The Head of Service was asked to reflect this in the contribution that Welsh authorities make to the PATROL Adjudication Joint Committee for this type of enforcement. The Head of Service was asked to report on the outcome of this at the June 2015 meeting.

RESOLVED

1. That approval be given for the Joint Committee to share its expenses amongst member authority in proportion to the number of PCNs issued on the following basis for 2015/16.

ELEMENT	CHARGE
Annual Charge	Nil
Charge per PCN issued	£0.50
Cost per case	See recommendation 3 below.

2. That there be a review of the position in 6 months time and a further report submitted to the Joint Committee.
3. That approval be given to the principle of introducing a cost per case charge in-year for paper evidence files once the portal is available to Councils; subject to a report being considered by the Joint Committee or its Executive Sub-Committee.
4. That invoicing be undertaken on a quarterly basis on estimated figures and subsequently adjusted.
5. That it be noted that the decision to provide a transcription from the audio recording of proceedings rests with the Adjudicator. Where this has been agreed to, the Joint Committee agree that the incidental costs of making a transcription from the audio recordings of the proceedings at a hearing be charged to the requesting party except when, in the view of the Adjudicator, a disability of the requesting party would make it desirable for that person to receive such a transcript.
6. That the next meeting of the Joint Committee is informed of the contribution from the Welsh Councils for in respect of civil bus lane and moving traffic PCNs..

52 CHIEF ADJUDICATOR'S UPDATE

This item was removed from the agenda.

53 ON-LINE APPEAL PORTAL

The Committee received an update on the introduction of the new on-line portal and case management system 'BECK' (Best Evidence Cloud Knowledge) which went live on 17 September 2014. The system was currently used by Brighton & Hove City Council, Luton, Cardiff, Sandwell and for the Dartford Crossing. Bournemouth, Oxfordshire and Bristol were due to be bought on board next and regional meetings were planned to inform councils about the portal.

It was reported that the system had received very encouraging feedback; it provided a completely new approach to complaint handling and it had been suggested that it might be adopted for use by other legal jurisdictions.

RESOLVED

That the progress of the on-line portal and case management system be noted.

54 WALES UPDATE

Councillor Peter Cooper updated the Committee on the implementation of the moving traffic enforcement in Cardiff and a review of the Blue Badge Scheme that had been requested by the Welsh Minister of Transport.

In addition he reported that the Welsh Government had announced it wished to reform local government in Wales, one of the main implications of which was that

the number of authorities was likely to reduce from 22 to between 12 and 14. Further information on this was expected at the end of February and it was, therefore, proposed that a further report on this matter be considered at the Committee meeting in June.

RESOLVED

That the report be noted and an update on the reform of local government in Wales be considered at the next meeting of the Committee.

55 ROAD USER CHARGING

An update was given on the introduction of Road User Charging Appeals at the A282 Dartford-Thurrock Crossing. Enforcement at the crossing had commenced on 30 November and numbers were now starting to increase as cases worked their way through the system. At present 55 pence per PCN was being charged based on initial estimates of enforcement and appeal levels. As this was a new jurisdiction for the Tribunal the figures for 2015/16 would form the basis for future forecasting of activity.

RESOLVED

1. That the arrangements for a Memorandum of Understanding between the PATROL Joint Committee and the Secretary of State for Transport in respect of the Trunk Road User Charging Scheme for the A282 Dartford-Thurrock Crossing be noted.
2. That the update on activity since the introduction of enforcement on 30 November 2014 be noted.
3. That approval be given to the proposed payment to the Joint Committee of £0.55 for each PCN issued by the Secretary of State for the period 1 April 2015 to 31 March 2016.

56 PAVEMENT PARKING

In view of time constraints it was agreed that Caroline Shepherd (Traffic Penalty Tribunal) would circulate her presentation to the members of the Joint Committee by email

RESOLVED

That the presentation on the pavement parking survey be emailed to members of the Joint Committee.

57 GENERAL PROGRESS AND SERVICE STANDARDS

Members received a report on tribunal activity and service standards for the 2014/15 in respect of its objective of "providing a tribunal service which is user-focused, efficient, timely, helpful and readily accessible".

The report included details of telephone response times, new Councils that had joined for the purposes of bus lane and moving traffic enforcement, parking and

bus lane appeals, acknowledgement time for appeals, and a range of statistics for the various types of hearing and parking appeals.

RESOLVED

1. That the report on tribunal activity and service standards for the period April to November 2014 be noted.
2. That a report be presented to the June 2015 meeting in relation to reporting in the light of the new appeal streams and on-line portal.

58 JOINT COMMITTEE RESEARCH

A progress report was given on Annual Report Research and arrangements for undertaking further research on civil parking enforcement. The findings of the first phase of work on the benefits to Councils of producing parking annual reports was expected to be available in February and the next phase, to develop an annual report toolkit, would start that same month.

Members requested that future reports include an indication of whether research had been carried out in-house or by external consultants.

RESOLVED

1. That the progress of the Annual Report Research be noted.
2. That the deadline of Friday 27 February 2015, for submission for the PATROL Annual Report Award 2013/14, be noted.
3. That oversight of the commissioning and implementation of further Joint Committee research be delegated to the Resources Sub Committee and Advisory Board.

59 DATE OF NEXT MEETINGS

The next two meetings were proposed for 30 June and 27 October 2015 both at the LGA, Westminster. Unfortunately it had transpired that the meeting on 30 June 2015 clashed with the LGA conference in Harrogate and so would need to be rearranged.

RESOLVED

That the date of the meeting in October be noted and that members be canvassed further regarding the date of the meeting to be held on June.

The meeting commenced at 12.00 noon and concluded at 13.10 pm

Minutes of a meeting of the **PATROL Adjudication Joint Committee**
held on Tuesday, 23rd June, 2015 in The Hoare Memorial Hall, Church House
Conference Centre, Dean's Yard, London SW1P 3NZ

PRESENT

Councillors

Jamie Macrae	Cheshire East Council (in the Chair)
Richard Bell	Sunderland City Council
Derek Burrows	Bolton Metropolitan Council
Peter Cooper	Carmarthenshire County Council
Simon Cronin	Worcester City Council
Roland Dibbs	Rushmoor Borough Council
Keith Dollemore	Adur District Council
Terry Douris	Hertfordshire County Council
Ken Gregory	Thanet District Council
Stuart Hughes	Devon County Council
Elsie Martlew	Carlisle City Council
Nigel Knapton	Hambledon District Council
Tony Page	Reading Borough Council
Peter Robinson	Tameside Metropolitan Borough Council

Officers in attendance

Kathryn Eldridge	BATHNES (Chair of Advisory Board)
Graham Addicott OBE	Vice Chair of Advisory Board
Caroline Sheppard	Chief Adjudicator
Stephen Knapp	Deputy Chief Adjudicator
Louise Hutchinson	Director PATROL
Andy Diamond	PATROL
Erica Maslen	PATROL
George Broughton	Cheshire East Council
Cherry Foreman	Cheshire East Council

1 APPOINTMENT OF CHAIRMAN, VICE CHAIRMAN AND ASSISTANT VICE CHAIRMAN

Consideration was given to the appointment of the Chairman, Vice-Chairman and Assistant Vice-Chairman.

RESOLVED

That Councillor Jamie Macrae (Cheshire East Council) be appointed Chairman, Councillor Stuart Hughes (Devon County Council) be appointed as Vice-Chairman, and Councillor Tony Page (Reading Council) be appointed as Assistant Vice-Chairman.

Councillor Macrae took the Chair.

2 APOLOGIES FOR ABSENCE

The apologies for absence were reported.

3 **DECLARATIONS OF INTEREST**

There were no declarations of interest.

4 **MINUTES OF THE MEETING HELD ON 25 JUNE 2014**

The minutes of the meeting held on 25 June 2014 were considered. An amendment was made to the final paragraph of the preamble of Minute 9 (Review of Governance Arrangements) whereby the word 'authority' was changed to 'service'.

RESOLVED

That subject to the above amendment the minutes be approved as a correct record.

5 **MINUTES OF THE MEETING HELD ON 28 JANUARY 2015**

The minutes of the meeting held on 28 January 2015 were considered. An amendment was made to the spelling of the name 'Shepherd' whereby it was corrected to 'Sheppard' in Minute 56 (Pavement Parking).

RESOLVED

That subject to the above amendment the minutes be approved as a correct record.

6 **CHAIRMAN'S UPDATE**

The Chairman welcomed new members from Liverpool, Nottingham, York City, Gedling, Newark & Sherwood, and Bedford Councils; and he thanked continuing members for their previous involvement. He reported that Knowsley Borough Council had joined PATROL, giving a total of 306 parking councils, Wolverhampton and Norfolk County Councils had joined the bus lane councils, giving a total of 44, and that by the end of June 32 councils would have been introduced to the on-line case management system and portal.

Other updates included that the Authority Engagement Manager had promoted the benefits of on-line working at Parkex in Birmingham, and also at the British Parking Association's regional meetings of council officers in Warrington, Grimsby, Cardiff, Bristol, Margate and Ipswich where Councils were proving keen to engage with the new system.

It was planned that some of the pathfinder councils would meet on 2 July to evaluate their experiences in order to improve the next phase of development. The appellant, adjudicator and back office experience was also being looked at in order to identify where improvements could be made.

Enforcement at the Dartford River Crossing had commenced on 30 November 2014; both Penalty Charge Notice (PCN) issue and appeals had been lower than forecast although an increase was now being seen with the numbers going from 51,705 in January to 232,176 in May. The adjudicators would be preparing a six month review report to Highways England on their findings.

The Parking on Private Land Appeals Service (POPLA) had been retendered, the Ombudsman Services had won the contract previously delivered by London Councils and PATROL and Traffic Penalty Tribunal had responded to a DCLG consultation on parking reform, a report on which was to be considered later on the agenda. Responsibility for off-street parking had moved to the DCLG whilst the DfT retained responsibility for on-street parking for both public and private sector.

Following the last Resources Committee a meeting had been held with Four Colman Getty to establish a plan for raising the profile of PATROL across government; an initial vehicle for raising awareness would be a parliamentary reception for the shortlisted and winning councils of the PATROL Annual Report Award in in October. The Director and Chair of the Advisory Board had been invited to work with the DfT and DCLG on the development of a protocol for Traffic Regulation Orders for small scale developments.. The 3rd edition of PATROL newsletter had been issued in e-format

The PATROL Joint Committee Executive Sub-Committee had approved a reduction to 50p per PCN; the Joint Committee would be reviewing the progress of the budget and reserves at the forthcoming meetings in October 2015 and January 2016.

Councillor Macrae reported that he had chaired a meeting of the Resources Sub Committee on 25 March 2015, comprising the Chairs, Vice Chairs and Assistant Chairs plus Councillors Leather (Cheshire West & Chester) and Bosmans (Doncaster). The Resources Working Group had included the Chair and Vice Chair of the Advisory Board and a representative from Cheshire East Council HR. Resolutions from the meeting included that:

1. Draft terms of reference be prepared – to be considered later on the agenda.
2. There be a proposed revised structure for both adjudicators and staff to include the introduction of a Deputy Chief Adjudicator and three senior managers – Operations, Communications and Public Affairs, and Central Services, and that the Head of Service be known as the Director.
3. The on-line portal experiences of the pathfinder councils are evaluated before embarking on further significant investment in the on-line portal.
4. An Annual Report Toolkit, to assist local authorities in producing parking annual reports, be developed and launched later in 2015.
5. An apolitical public affairs programme be developed to raise the profile and promote the objectives and concerns of the PATROL Joint Committee with central government and other stakeholders.
6. A Scheme of Delegation to the Director be approved, subject to final approval later on this agenda, and that it would be subject to annual review.

7. It was suggested that this Sub-Committee meets between the Joint Committee and the Executive Sub-Committee meetings as required.
8. That the production and publication of externally audited accounts be continued despite the legal requirement for Joint Committees to do this no longer being required; it was considered that this demonstrated transparency and provided Members with assurance over the accounting arrangements for PATROL.

RESOLVED

That the report of the Chairman be noted.

7 REPORT OF THE PATROL AND BLASJC RESOURCES WORKING GROUP AND SUB COMMITTEE

At the meeting of the Executive Sub-Committee in January it was resolved that the Resources Sub-Committee and Working Group would oversee a number of initiatives that had resources implications, including the review of the management structure, the introduction of a scheme of delegation from the Chief Executive of Cheshire East Council to the Head of Service, and a number of research projects.

The meeting, Chaired by Councillor Macrae, took place on 25 March 2015 and its draft Terms of Reference were now submitted to the Joint Committee for approval. The Resources Sub-Committee and Working Group had also approved a revised structure for adjudicators and staff including the redesignation of the Head of Service as Director, the introduction of three new management posts plus a salaried Deputy Chief Adjudicator, with fee-paid arrangements being retained for adjudicators generally. The proposed scheme of delegation was considered and is the subject of a separate report on this agenda.

The meeting noted the impact of the introduction of the BECK (Best Evidence Cloud Knowledge) on-line appeal portal and case management system, and also the opportunities it presented for further efficiencies and its potential for use in other jurisdictions. It was agreed that user feedback be sought prior to commencing phase 2 development of the project, and also with regard to exploring other commercial opportunities for its use, over which it would undertake a scrutiny role.

Approval was given to raising the profile of PATROL at a national level and to a Public Affairs Campaign. In the interest of openness, and to provide assurance to the Joint committee, it was agreed to continue the production of audited accounts beyond 2014/15 when the legal requirement to do so had been removed.

RESOLVED

1. That the resolutions of the Resources Sub-Committee meeting on 25 March 2015 be noted.
2. That approval be given to the proposed Terms of Reference for the Resources Sub Committee and Working Group.

3. That the future tasks for the Sub-Committee and Working Group, set out in the report, be approved.

8 CHIEF ADJUDICATOR'S UPDATE

The Chief Adjudicator, Caroline Sheppard, reported on a number of ongoing matters of interest to the Committee including the commercial opportunities to be explored for the use of the BECK system. To demonstrate the ease of use of the system she showed a live case from Bristol which had been completed in only 5 days; reference was made to the advantage of users of the system being qualified/authorised to take the necessary decisions.

She also reported on a recent consultation of the DCLG on Parking on Private Land Appeals (POPLA) to which a response had been made, and the results of which were awaited with interest and would be circulated to the committee. Particular interest was expressed in the implications of the case for parking enforcement on private housing estates.

RESOLVED

That the update be noted.

9 ADJUDICATOR APPOINTMENTS

The Chief Adjudicator reported on the reappointment of fifteen Adjudicators, and on the appointment of a Deputy Chief Adjudicator. It was confirmed that appointments were for a period of five years and there was a presumption of renewal.

RESOLVED

That the renewal of the appointment of each Adjudicator, named in Appendix 1 of the report, for a further period of five years to 2020 (or, in relevant cases, until the end of the year of their 70th birthday) as:

Parking Adjudicator for England under the provisions of Regulation 17(1) and (5) of the Civil Enforcement of Parking Contraventions (England) General Regulations 2007. By virtue of this appointment the adjudicators also have jurisdiction to determine appeals under of Regulation 12 of the Road User Charging (Penalty Charges, Adjudication and Enforcement) England Regulations 2013

Traffic Adjudicator for Wales under Regulation 16 of the Civil Enforcement of Road Traffic Contraventions (General Provisions) (Wales) Regulations 2013

and of Adjudicator Stephen Knapp as the Deputy Chief Adjudicator, be noted.

10 GENERAL PROGRESS AND SERVICE STANDARDS

Consideration was given to an annual summary of appeals activity set against the Joint Committee's performance standards. It was noted that this was a transitional year and therefore the overview of appeals activity for 2014/15 detailed those handled by both the legacy case management system and also by BECK, the on-line portal. The report included a summary of the number of

appeals, the trend across different appeal types, hearing types and associated case closure times.

It was proposed that, in the light of the changes in performance brought about by the on-line portal, the reporting framework be reviewed and considered further at the next meeting of the Joint Committee.

RESOLVED

1. That the annual summary of appeals activity be noted.
2. That an updated reporting framework be considered at the meeting of the Joint Committee in June 2016.

11 DRAFT ANNUAL RETURN 2014/15

Consideration was given to the draft Annual Return 2014/15 this being the last year for which it was a legal requirement. It was reported that whilst the income received had reduced there was an overall surplus; the position would be kept under review and considered further at the meeting of the Joint Committee in October.

In considering the findings members of the Joint Committee were invited to contact the Director and she would then respond to them direct.

Thanks were extended to the Cheshire East Internal Audit Team who had assisted in putting the Return together.

RESOLVED

That:

1. the outturn position against the 2014/15 budget included within the report be noted;
2. the 2014/15 draft Annual Return, Appendix 1 of the report, be approved;
3. the Annual Internal Audit Report, Appendix 2 of the report, be noted and that approval be given for Resources Committee to oversee the low priority audit recommendations;
4. the audit timetable included within the report be noted;
5. the Balance Sheet and Cash Flow Statements, Appendices 3 and 4 of the report, be noted;
6. approval be given for the surplus of income over expenditure of £176,655, of which £16,440 relates to RUCA, to be added to the Joint Committee's reserves and that the level of reserves be reviewed at the meeting in January 2016; and
7. the Code of Corporate Governance, Appendix 5 of the report, be approved.

12 PATROL ADJUDICATION JOINT COMMITTEE FINANCIAL REGULATIONS 2015/16

Consideration was given to the Financial Regulations for 2015/16; the Joint Committee had last considered these in June 2014 and it was now asked to review them in the light of a number of changes.

In respect of para 1.7 of the PATROL Financial Regulations the Director could allow exceptions to the Regulations if it was believed that the best interests of the Joint Committee would be served if they were not applied. A written record of such decisions had to be kept and reported to the Joint Committee at the earliest opportunity; the following exceptions were reported: -

Alderley Edge Hotel	Adjudicator conference and training
Foden Grealy	Consultancy
Nabarro	Legal Advice
Zen Office	Decorating and furniture
Small Back Room	Web site design
JS Collaborations	Consultancy
Plain Language Commission	Consultancy
Mercer	Consultancy
PA	Consultancy

RESOLVED

1. That approval be given to the Financial Regulations for 2015/16 as detailed in Appendix 1 of the report.
2. That the report on exceptions to the PATROL Financial Regulations 2014/15, shown above, be noted.
3. That approval be given to the Advances Policy, and to the Cash Policy, as detailed in Appendices 2 and 3 respectively.

13 APPOINTMENT OF AUDITORS

The Director reported that following the requirement to publish externally audited accounts being removed, the Joint Committee would place reliance on internal audit but continue to publish accounts.

RESOLVED

That the arrangements for 2015/16 accounts be noted.

14 REVIEW OF GOVERNANCE

The Joint Committee reviewed the governance documentation and arrangements, including the PATROL Agreement and Standing Orders, the Service Level Agreement with the Host Authority, Cheshire East, the Memorandum of Understanding between the Adjudicators and the Joint Committee, Schemes of Delegation, the appointment of the Proper Officer, and meeting dates for 2015/16.

In considering the meeting dates it was suggested that the date in June 2016 be moved to July and it was agreed that Members be canvassed on this outside the meeting.

RESOLVED

1. That approval be given to the variation in the PATROL Adjudication Joint Committee Agreement dated 3 December 2014 and variation to the standing orders, detailed in Appendix 1.
2. That the Service Level Agreement between the Joint Committee and the Host/Lead Authority, detailed in Appendix 2, be noted.
3. That approval be given to the Schemes of Delegation to the Chief Adjudicator and Head of Director, Appendices 3 and 4 respectively.
4. That approval be given to the updated Memorandum of Understanding between the Adjudicators and the Joint Committee, detailed in Appendix 5.
5. That approval be given to appoint persons to fulfil the function of the proper officer under the relevant regulations.
6. That the cycle and location of meetings for 2015/16 be agreed as 27th October 2015, 27th January 2016 and that the June/July 2016 date be confirmed.

15 ESTABLISHMENT OF EXECUTIVE SUB COMMITTEE

Consideration was given to arrangements for establishing an Executive Sub-Committee and to its Terms of Reference. At present Councils belonging to the PATROL Adjudication Agreement had to then appoint a Member to represent them on the Joint Committee. As the number of Councils increased a way of avoiding the need for large numbers of members having to attend all the meetings was to establish an Executive Sub-Committee; as allowed by PATROLAJC Standing Order no 9. The Terms of Reference had to be agreed by the Joint Committee and the functions recommended for delegation were set out in an appendix to the report.

It was recommended that the Executive Sub Committee comprise a minimum of 12 members including the Chair of the Joint Committee and at least one member from a District, a County, a Unitary, and a Metropolitan Council, plus one from an English Authority and one from a Welsh Authority.

RESOLVED

That approval be given for the Joint Committee to establish an Executive Sub-Committee to act on behalf of the Committee until the annual meeting in 2016, in accordance with the Appendix to the report, and that it appoints members of the Executive Sub-Committee for the forthcoming year.

16 APPOINTMENTS TO THE ADVISORY BOARD

Standing Orders provided for the Joint Committee to establish and appoint an Advisory Board and consideration was now given to its Terms of Reference and appointments for 2015/16. The appointments were for a two year period and had last been made in June 2014. It was proposed that an Independent Consumer Member be added to the membership and that they should be from a motoring organisation such as the RAC Foundation or the AA Motoring Trust; this was agreed.

RESOLVED

That the Terms of Reference and composition of the Advisory Board, as set out in the Appendix to the report, be adopted.

17 PATROL ANNUAL REPORT AWARD

The Director reported that whilst annual reports were useful tools for disseminating information to Councillors, Parking Managers, staff, and for general communication, they could be onerous as far as resource implications were concerned. In a recent survey of Local Authorities many agreed that a toolkit to produce such a report would be welcomed.

It was now proposed to launch an Annual Report Toolkit to Local Authorities at the 2013/14 PATROL Annual Report Award. David Rutley, MP for Macclesfield, had agreed to host the event at the House of Commons on a date to be confirmed at the end of October 2015.

RESOLVED

That the report be noted and the date of the Annual Report Award Ceremony, and of the Annual Report Toolkit launch, be confirmed as soon as possible.

18 RISK MANAGEMENT AND BUSINESS CONTINUITY

The Joint Committee considered the Risk Management Strategy, the Business Case Continuity Management Policy, and the latest Risk Register. It was reported that training for risk management was to be added.

RESOLVED

1. That the Risk Management Strategy, set out in Appendix 1 of the report, be approved.
2. That it be noted that the Joint Committee's Executive Sub-Committee will be updated on Risk Management Training as identified in the 2014/15 Internal Audit Report.
3. That the updated Risk Register, set out in Appendix 2 of the report, be noted.
4. That approval be given to the Business Continuity Management Policy, set out in Appendix 3 of the report.

19 WALES UPDATE

Councillor Peter Cooper (Carmarthenshire County Council) updated the Joint Committee on developments in Wales since the last meeting. He reported that activity had centred on the future of Local Government and in the previous week the Minister for Public Service had published the Government's plan and map for the future in which it was proposed that the number of authorities would reduce from the current 22 unitary authorities to 9 – 10.

With reference to parking, the introduction of the moving traffic offences legislation and enforcement in Cardiff had progressed relatively smoothly. In the first five months just over 32,000 offences had been detected. The Council was working very closely with the Wales Government on the introduction of the scheme which had no doubt helped with the schemes smooth progress. No other authorities had yet applied for the powers although there was some interest from the City and County of Swansea. The Wales Government had no plans to take forward any further proposals or changes regarding parking at the present time.

A discussion ensued on road traffic penalties outside of London, including bus lane and yellow box junction enforcement, and the developments in Wales were considered important in this aim; the lobbying of the DfT and the DCLG by Members, both as individuals and on behalf of Local Authorities, would be worthwhile.

RESOLVED

That the update be noted.

20 DARTFORD RIVER CROSSING - MEMORANDUM OF UNDERSTANDING

Consideration was given to the 'Specific' Memorandum of Understanding in respect of the Trunk Road User Charging Scheme for the A282 Dartford-Thurrock Crossing. This would replace the blanket Memorandum which the Joint Committee had previously entered into with the Secretary of State regarding the provision of adjudication services.

RESOLVED

That the 'Specific' Memorandum of Understanding in respect of the Trunk Road User Charging Scheme for the A282 Dartford-Thurrock Crossing be noted.

21 DISCUSSION PAPER AND CALL FOR EVIDENCE: "PARKING REFORM - TACKLING UNFAIR PRACTICES"

The response made by the PATROL and Traffic Penalty Tribunal to the DCLG on the Local Government discussion paper and call for evidence on "Parking reform – tackling unfair practices" was circulated for the information of the Joint Committee.

RESOLVED

That the response be noted.

The meeting commenced at 11.30 am and concluded at 13.10 pm

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PATROL AND BUS LANE ADJUDICATION JOINT COMMITTEE EXECUTIVE SUB COMMITTEE

Date of Meeting: 27th October 2015
Report of: The Director
Subject/Title: Report of the PATROL and BLASJC Resources Sub Committee and Working Group meeting held 21 September 2015.

1.0 Report Summary

1.1 To report on the Resources Sub Committee and Working Group meeting held 21 September 2015.

2.0 Recommendations

2.1 To note the resolutions of the Resources Sub Committee meeting on 21 September 2015

2.2 To approve the Resources Sub Committee and Working Group overseeing matters highlighted in the report.

3.0 Reasons for Recommendations

3.1 To update the Joint Committee Executive Sub Committee

4.0 Financial Implications

4.1 A financial summary was considered by the Resources Sub Committee and Working Group.

5.0 Legal Implications

5.1 None

6.0 Risk Management

6.1 None

7.0 Background and Options

7.1 The June 2015 meeting of the Joint Committee resolved that the Resources Sub Committee and Working Group would oversee a number of initiatives with resources implications on its behalf including: the review of the management structure; the introduction of a scheme of delegation from the Chief Executive of Cheshire East Council to the Director and oversee research and public affairs projects.

7.2 The meeting took place on 21 September 2015. Councillor Macrae was elected as Chair.

7.3 The Resources Sub Committee:

- noted the progress of the staffing restructure
- recommended that the basis for defraying the expenses of the Joint Committees is reviewed at the October meeting of the Executive Sub Committees in the light of budget monitoring information.
- Approved policies and procedures arising from the internal audit low level audit report
- Reviewed the draft Scheme of Delegation reported as part of this agenda.
- Noted the progress with the new portal and case management system which will be piloted with a small group of councils and rolled out to councils in the New Year
- Noted the University of Birmingham research to understand appellant actions at the point of receiving a Notice of Rejection.
- Noted developments on public affairs matters and resolved to hold a public affairs workshop at its next meeting.

7.4 It is proposed that the Resources Working Group and Sub Committee continue to oversee the above matters and report back to the January 2016 meetings of the Joint Committee Executive Sub Committee.

8.0 Recommendation

8.1 To note the resolutions of the Resources Sub Committee meeting on 21 September 2015

8.2 To approve the Resources Sub Committee and Working Group overseeing matters highlighted in the report.

9.0 Access to Information

The background papers relating to this report can be inspected by contacting the report writer:

Name: Louise Hutchinson

Designation: Director

Tel No: 01625 445566

Email: lhutchinson@patrol-uk.info

PATROL ADJUDICATION JOINT COMMITTEE
Executive Sub Committee

Date of Meeting: 27th October 2015
Report of: The Lead Officer on behalf of the Advisory Board
Subject/Title: Audit Commission Small Bodies Annual Return for the Year Ended 31 March 2015

1.0 Report Summary

- 1.1 To report the findings of the external auditors for 2013/14 and to seek approval of a Scheme of Financial Delegation.

2.0 Recommendation

- 2.1 To note the findings of the external audit for 2014/15 in the enclosed annual return (Appendix 1) and note that there were no issues arising in the Issues Report (Appendix 2)
- 2.2 To approve approve the PATROL and Bus Lane Adjudication Service Scheme of Financial Delegation (Appendix 3)

3.0 Reasons for Recommendations

- 3.1 Compliance with PATROL Financial Regulations and response to an internal audit recommendation.

4.0 Financial Implications

- 4.1 Set out in the report

5.0 Legal Implications

- 5.1 None at this time

6.0 Risk Management

- 6.1 Internal and external audit findings provide assurance to the Joint Committee on financial management.

7.0 Background and Options

- 7.1 Small relevant bodies with an annual turnover of £6.5 million or less must complete annual return in accordance with proper practices summarising their annual activities at the end of each financial year. This requirement for Joint Committees comes to an end following the accounts for 2014/15.
- 7.2 The Joint Committee approved the draft annual return for 2014/15 at its meeting on 23rd June 2015.
- 7.3 The Audit Commission appointed BDO LLP to audit the annual return of the Joint Committee. The final return (Appendix 1) and Issues Report (Appendix 2) are enclosed.
- 7.4 The Issues Report makes no recommendations
- 7.5 Following an internal audit recommendation, a draft Scheme of Financial Delegation is presented (Appendix 3). The scheme has been reviewed by the Resources Sub Committee and approval is now sought from the Executive Sub Committee. The Scheme sets out the local delegations arising from the Joint Committees' financial governance documents. For reference purposes a copy of the Joint Committee's Financial Regulations (Appendix 4) and Scheme of Delegation to the Director (Appendix 5)
- 7.6 There is no requirement for the Joint Committee to publish accounts from 2015/16 onwards however at the Joint Committee meeting in June 2015, it was determined that this would continue.

8.0 Access to Information

The background papers relating to this report can be inspected by contacting the report writer:

Name: Louise Hutchinson
Designation: Director
Tel No: 01625 445566
Email: lhutchinson@patrol-uk.info

Small Bodies in England

Annual return for the financial year ended 31 March 2015

Small relevant bodies in England with an annual turnover of £6.5 million or less must complete an annual return in accordance with proper practices summarising their annual activities at the end of each financial year.

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

- Sections 1 and 2 are completed by the person nominated by the body.
- Section 3 is completed by the external auditor appointed by the Audit Commission.
- Section 4 is completed by the body's internal audit provider.

Each body must approve this annual return no later than 30 June 2015.

Completing your annual return

Guidance notes, including a completion checklist, are provided on page 6 and at relevant points in the annual return.

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

Send the annual return, together with your bank reconciliation as at 31 March 2015, an explanation of any significant year on year variances in the accounting statements and any additional information requested, to your external auditor by the due date.

Your external auditor will identify and ask for any additional documents needed for their work. Therefore, unless requested, do not send any original financial records to the external auditor.

Once the auditor has completed their work, certified annual returns will be returned to the body for publication or public display of sections 1, 2 and 3. You must publish or display the annual return, including the external auditor's report, by 30 September 2015.

It should not be necessary for you to contact the external auditor for guidance.

More guidance on completing this annual return is available in the Practitioners' Guides for either local councils or internal drainage boards. These publications may be downloaded from the National Association of Local Councils (NALC) or Society of Local Council Clerks (SLCC) websites (www.nalc.gov.uk or www.slcc.co.uk) or from the members area of the Association of Drainage Authorities website (www.ada.org.uk).

Section 1 – Accounting statements 2014/15 for:

Enter name of reporting body here:

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

	Year ending		Notes and guidance
	31 March 2014 £	31 March 2015 £	
1 Balances brought forward	2,183,991	2,452,731	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.
3 (+) Total other receipts	3,260,847	3,085,885	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	1,703,652	1,902,611	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	1,288,455	1,006,619	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	2,452,731	2,629,386	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	2,059,769	2,300,343	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 2015 the accounting statements in this annual return present fairly the financial position of the body and its income and expenditure, or properly present receipts and payments, as the case may be.

Signed by Responsible Financial Officer:

P. Bates

Date 05/06/2015

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

23/06/2015

and recorded as minute reference:

11/15

Signed by Chair of meeting approving these accounting statements:

M. Williams

Date 23/06/2015

Section 2 – Annual governance statement 2014/15

We acknowledge as the members of **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 2015, that:

	Agreed –		'Yes' means that the body:
	Yes	No*	
1 We approved the accounting statements prepared in accordance with the requirements of the Accounts and Audit Regulations and proper practices.	✓		prepared its accounting statements in the way prescribed by law.
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 laws, regulations and proper practices that could have a significant financial effect on the ability of the body to conduct its business or on its finances.	✓		has only done what it has the legal power to do and has complied with proper practices in doing so.
4 We provided proper opportunity during the year for the exercise of electors' rights in accordance with the requirements of the Accounts and Audit Regulations.	✓		during the year has given all persons interested the opportunity to inspect and ask questions about the body's accounts.
5 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.
6 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.
7 We took appropriate action on all matters raised in reports from internal and external audit.	✓		responded to matters brought to its attention by internal and external audit.
8 We considered whether any litigation, liabilities or commitments, events or transactions, occurring either during or 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 year including events taking place after the year-end if relevant.

This annual governance statement is approved by the body and recorded as minute reference

11/15

dated **23/06/2015**

Signed by:

Chair **W. J. Williams**

dated **23/06/2015**

Signed by:

Clerk **S. J. Jones**

dated **23/06/2015**

*Note: Please provide explanations to the external auditor on a separate sheet for each 'No' response. Describe how the council will address the weaknesses identified.

Section 3 – External auditor certificate and report 2014/15 Certificate

We certify that we have completed our review of the annual return, and discharged our responsibilities under the Audit Commission Act 1998 as transitionally saved, for the year ended 31 March 2015 in respect of:

PARKING & TRAFFIC REGULATIONS OUTSIDE LONDON ADJUDICATION
JOINT COMMITTEE

Respective responsibilities of the body and the auditor

The body is responsible for ensuring that its financial management is adequate and effective and that it has a sound system of internal control. The body prepares an annual return in accordance with proper practices which:

- summarises the accounting records for the year ended 31 March 2015; and
- confirms and provides assurance on those matters that are important to our audit responsibilities.

Our responsibility is to review the annual return in accordance with guidance issued by the Audit Commission (see note below). Our work does not constitute an audit carried out in accordance with International Standards on Auditing (UK & Ireland) and does not provide the same level of assurance that such an audit would do.

External auditor report

(~~Except for the matters reported below~~)* on the basis of our review of the annual return, in our opinion the information in the annual return is in accordance with proper practices and no matters have come to our attention giving cause for concern that relevant legislation and regulatory requirements have not been met. (*delete as appropriate).

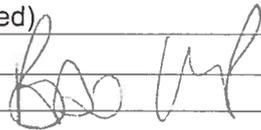
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Other matters not affecting our opinion which we draw to the attention of the body:

Please see enclosed report

**BDO LLP Southampton
United Kingdom**

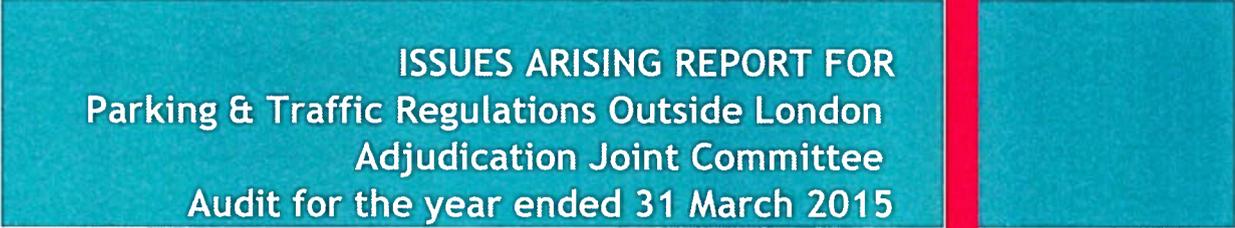
(continue on a separate sheet if required)

External auditor signature 

External auditor name **BDO LLP Southampton
United Kingdom** Date 15/9/15

BDO LLP is a limited liability partnership registered in England and Wales (with registered number OC305127).

Note: The Audit Commission issued guidance in its Standing Guidance, which is applicable to external auditors' work on 2014/15 accounts.



**ISSUES ARISING REPORT FOR
Parking & Traffic Regulations Outside London
Adjudication Joint Committee
Audit for the year ended 31 March 2015**

Introduction

The following matters have been raised to draw items to the attention of Parking & Traffic Regulations Outside London Adjudication Joint Committee. These matters came to the attention of BDO LLP during the audit of the annual return for the year ended 31 March 2015.

The audit of the annual return may not disclose all shortcomings of the systems as some matters may not have come to the attention of the auditor. For this reason, the matters raised may not be the only ones that exist.

The matters listed below are explained in further detail on the page(s) that follow;

- Internal auditor's recommendations
-

The following issue(s) have been raised to assist the body. The body is recommended to take action on the following issue(s) to ensure that the body acts within its statutory and regulatory framework.

Internal auditor's recommendations

What is the issue?

The internal auditor has noted a number of weaknesses in the financial systems of the body.

Why has this issue been raised?

The body is exposed to the risks associated with these weaknesses.

What do we recommend you do?

The body must implement the recommendations made by the internal auditor to improve the financial systems of the body as soon as possible or in any event before the end of the current financial year.

If the body addresses all the issues raised by the internal auditor the body should improve internal controls which will help to prevent and detect error and fraud and assist the body to operate in an effective and efficient manner.

Further guidance on this matter can be obtained from the following source(s):

Governance and Accountability in Local Councils in England - A Practitioners Guide, NALC/SLCC

No other matters came to our attention.

For and on behalf of
BDO LLP

Date: 15 September 2015

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APPENDIX 3



PATROL and Bus Lane Adjudication Service Scheme of Financial Delegation

Contact Details: Louise Hutchinson
Version / Date: October 2015

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 (Appendix 4 and 5).

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,	Stephen Knapp
Operations Manager	Operations Functions including departmental staffing budget, technology (infrastructure, hardware and software), hearings and local authority engagement.	Erica Maslen
Central Services Manager	Central Services functions including departmental staffing, premises, staff training	c/o Louise Hutchinson until appointment
Communications and Public Affairs Manager	Communications including departmental staffing design and print and event management.	c/o Louise Hutchinson until appointment
Director	Senior salaries, Joint Committee initiatives, expenditure from approved reserves, consultancy and legal advice and other expenditure not falling within the above delegations.	Louise Hutchinson

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
-----------------	---

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.

Role / Position of approver	Department
Business Manager	Central Services
Technology Manager	Operations
Appeals Manager	Operations
Communications Officer	Communications and Public Affairs

ii) Purchase Cards

Card Holder (Role)	Transaction Limit & Monthly Limit	Approver (Role)
Central Services Manager	£10,000	Director or Operations Manager
Business Manager	£10,000	Central Services Manager or Director
Finance Officer	£10,000	Central Services Manager or Director
PA to Leadership Team	£10,000	Central Services Manager or Director
Local Authority Engagement Manager	£5,000	Operations Manager or Director

iii) Imprest Accounts

Scheme of Financial Delegation
Service Name: PATROL and BLASJC

Contact Details: Louise Hutchinson
Version and date: V1 September 2015

The Joint Committee does not currently operate an imprest account. 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"> • Staff appointments* • Promotions 	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
Authorise Payments: <ul style="list-style-type: none"> • Staff Overtime Claims • Staff Expense Claims 	Where allowed within contract	Senior Manager for their department Senior Manager/Business Manager	As above

Area of Delegation	Limit (Grade / £)	Designated Authorising Officers	Notes
Authorise contractor/agency worker timesheets (or equivalent claims)	Grade 7	Senior Manager/Business Manager	As above

4 Management of Assets

Area of Delegation	Limit (£)	Designated Authorising Officers
Maintenance of Asset Inventory		Central Services Manager and Operations Manager (technology)
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.

Area of Delegation	Designated Accounting Officers	Notes
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Scheme of Financial Delegation
Service Name: PATROL and BLASJC

Contact Details: Louise Hutchinson
Version and date: V1 September 2015

Authority to raise an external/internal invoice	Finance Officer	
Authority to cancel debt (e.g. credit notes).	Central Services Manager	
Authority to write off debt	Director	.

6 General Ledger

Area of Delegation	Limit (£)	Designated Authorising Officers	Notes
Journals	£350,000 in respect of income adjustments	Finance Officer	
Additions, Changes and Deletions to Accounting Codes	£ 5,000 £25,000	Finance Officer Central Services Manager	

7 Performance Management

Responsibility for maintaining Performance Management System:	Director & Operations Manager
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8 Risk Management

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

Area of Delegation	Designated Authorising Officers
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

Area of Delegation	Designated Authorising Officers
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

Area of Delegation	Officer/Building
Building Specific Responsible Officers as required by Health and Safety Policy	Central Services Manager/Business Manager
Key holders/Secure Access	Central Services Manager/Business Manager

12 Other

Scheme of Financial Delegation
Service Name: PATROL and BLASJC

Contact Details: Louise Hutchinson
Version and date: V1 September 2015

Business/Service owner of relevant policies/procedures (e.g. regular maintenance/update)	Central Services Manager
--	--------------------------

Service/Area specific Instructions/Regulations	Adjudicators/Operations Manager
--	---------------------------------

13 Approval

Scheme of Delegation – Approved by	
Date of approval	
Evidence of approval held by	

14. Review

This scheme will be reviewed on an annual basis.

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APPENDIX 4

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

FINANCIAL REGULATIONS

2015/16

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 and the Scheme of Delegation to the Director.
- 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 organizational structure provides an appropriate segregation of duties to provide adequate internal controls to minimize 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 (NB with effect from the financial year 2015/16, there is no statutory duty to prepare audited accounts but the Joint Committee has decided to do so).**
- 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 the Director and Finance Manager, except in their absence or in the case of personal expenses incurred by these post holders, in which circumstances, named signatories as approved by the Director will provide signatures. **All cheques and electronic payments require two signatures.**
- 3.3 **There is to be a clear segregation of responsibility between the preparation of payments and the authorization of payments.**

3.4 Purchase cards limits **will be as follows:**

3.4.1 Finance Manager – limit £10,000

3.4.2 Business Manager – limit £10,000

3.4.3 Finance Officer – limit £10,000

3.4.4 PA to Chief Adjudicator and Director – limit £10,000

3.4.5 All other – limit £5000

3.5 Each can be used to a pre-set limit per month (**as above**) and a single transaction **limit (as above)**.

3.6 All Card Holders will sign a Credit Card Undertaking form. The Credit Card Undertaking form sets out agreed procedures including storage, authorized users and record keeping requirements.

3.7 Only the Finance Manager will be permitted to withdraw cash against their card and this will be authorized in advance by the Director.

3.8 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 Manager.

3.9 The Director will sign a summary sheet to ensure that bank reconciliations are completed in accordance with the financial regulations.

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.

4.4 Monitoring will take place and be evidenced monthly.

4.5 The Director shall be authorized 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.

- 4.6 Where it is anticipated that total expenditure will exceed the approved revenue budget by more than 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, the Director 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 written off **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 appraise 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 Order Procedure includes the required procedures, record keeping and procurement thresholds. These procurement thresholds are set out below together with the responsibilities of the Director and budget holders in procurement.

Up to £2,000, a written quotation submitted by the requisitioner and authorized by the Budget Holder.

Between £2,000 and £30,000 – three written quotations submitted by the Budget Holder.

£30,000 to EU threshold – formal tender process to at least three candidates authorised by the Director.

Ongoing contracts exceeding £2000 on an annual basis, such as office cleaning, will be subject to a rolling programme of re-tendering such that contracts are reviewed every two years.

EU threshold to £250,000 follow EU tender rules initiated by the Director.

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.

Only budget holders and staff who have received training in the order procedure may order goods or services.

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 will be undertaken on a three year cycle.

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.

The Director is required to obtain approval from the Joint Committee in respect of tenders of a sub contractor or supplier for specialist work or material in excess of £100,000 for which a prime cost sum is included in the main contract sum for services, building and civil engineering works.

- 7.2 The Director has the authority to waiver 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.

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.**

10.0 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 computerized 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 Manager.**

10.5 The Director will all ensure that no Joint Committee equipment is subject to personal use by an employee without proper authorisation.

11.0 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 approve **a three year Internal Audit Strategy and** an annual plan.

13.2 The Director will, in accordance with the above plan, 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, should a petty cash imprest system be introduced.

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 required to complete a Declaration of Interest form on an annual basis at the end of each financial year. 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 have concerns in this respect, they should approach their Line Manager, the Director or if they wish to speak to someone external to the organization, 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. The Director will ensure that staff are aware of whom they contact both within and external to the organisation 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 in accordance with the Document Retention Policy.

21. Review

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

22. Financial Regulations – related documentation

- (i) Financial Standing Orders and Rules of Financial Management contained within the Joint Committee Agreement
- (ii) The Scheme of Delegation to the Director
- (iii) Code of Corporate Governance
- (iv) **Annual Investment Strategy** (where applicable)
- (v) Reserves Policy Statement (where applicable)
- (vi) Responsibilities of the Joint Committee are set out in the Joint Committee Agreement.
- (vii) Terms of reference for the Executive Sub Committee (where applicable)
- (viii) Terms of reference for the Advisory Board
- (ix) Financial Regulations – Operational Procedures Manual containing all policies, procedures and guidelines to staff referenced within these Regulations.
- (x) **Bad Debt Policy**
- (xi) **3 Year Internal Audit Strategy**
- (xii) **Expenses Guidelines**
- (xiii) **Cash Policy**
- (xiv) **Advances Policy**

23. Review and approvals

21 September 2010
28 September 2011
26 June 2012
25 June 2013
25 June 2014

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Appendix 5

PATROL ADJUDICATION 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

- 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 than 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:
- a) To write off debts which are irrecoverable or losses due to burglaries, break-ins etc.
 - b) 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.

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PATROL ADJUDICATION JOINT COMMITTEE
Executive Sub Committee

Date of Meeting 27th October 2015
Report of: The Director
Subject/Title: Budget Monitoring 2014/15

1.0 Report Summary

1.1 To present income, expenditure and reserves monitoring information for the year to 30th September 2015.

2.0 Recommendations

2.1 To note the income and expenditure and reserves at 30 September.

2.2 To review the basis for defraying expenses with effect from 1st October 2015.

2.3 To continue to monitor the 2015/16 income and expenditure position at January 2016

2.4 To request the Resources Working Group and Sub Committee to review the Reserves Policy statement prior to the January 2016 meeting.

3.0 Reasons for Recommendations

3.1 Compliance with Financial Regulations

4.0 Financial Implications

4.1 Set out in the report.

5.0 Legal Implications

5.1 None

6.0 Risk Management

6.1 Budget monitoring forms part of the Risk Register.

7.0 Background and Options

7.1 The budget was approved for the year 2015/16 at the meeting of the Executive Sub Committee held 28th January 2015

- 7.2 This report provides the Committee with the expenditure position at 30th September 2015. (Appendix 1).
- 7.3 The Tribunal is operated on a self-financing basis with income obtained from defraying expenses amongst the Joint Committee member authorities.
- 7.4 The revenue budget estimate was established by the Joint Committee for 2015/16 on the basis that this would reflect the councils who were already members of the Joint Committee.
- 7.5 The Joint Committee forecasting model takes account of recent income trends (i.e. within the last 12 months)
- 7.6 The Joint Committee's income is derived from a pre-estimate of the number of PCNs each council will issue. Corrections are applied at the 6 month and 12 month points once the actual number of PCNs issued is known.
- 7.7 Should it be the case that there is a need for greater expenditure than that provided for in the approved budget, then there is a recommendation to authorise the Head of Service to incur additional expenditure, provided such expenditure does not exceed the income for the current year.
- 7.8 Should it be the case that the revenue account falls into deficit then the surplus from previous years is available.
- 7.9 Should there be greater income than expenditure in the year then there is a recommendation that this is reviewed at each meeting.

8.0 Income

- 8.1 Parking income at 30 September 2015 is showing a favourable variance of £92,665 which in part reflects the introduction of bus lane and moving traffic enforcement in Wales but also audit adjustments for 2014/15.
- 8.2 Income from road user charging at Dartford is showing an under achievement of £41,777 (a variance of 7%) due to lower than forecast enforcement.
- 8.3 There is also an underachievement in respect of the re-charge from the Bus Lane Adjudication Service Joint Committee (£39,615).
- 8.4 Bank interest figure shows an under achievement of income of £1,150 which reflects the accrual to 2014/15 of a payment received in April 2015. It is anticipated that forecast interest will be achieved by the end of the financial year.

9.0 Expenditure

- 9.1 Adjudication expenditure is showing a favourable variance of £281,189 due to lower than forecast appeals for the six month period (6,292) compared with a forecast 7,975 appeals, a variance of 21%.

- 9.2 Staffing expenditure is showing a favourable variance of £32,349 due to unfilled vacancies.
- 9.3 Supplies and Services are showing a favourable variance of £23,680.
- 9.4 General IT expenditure is showing a favourable variance of £10,588 and charges for the Host Authority and Audit are as expected.
- 9.5 The overall effect of income as forecast and reduced expenditure is an in-year surplus at 30 September 2015 of £459,714.
- 9.6 Of this total surplus of £459,714, £208,614 is ring fenced surplus in respect of road user charging on account of road user charging appeals being lower than forecast (836 compared to a forecast of 3853, a variance of 78%).
- 9.7 The PATROL surplus at 30 September 2015 is £251,100.

10.0 Reserves

	£
Total Surplus at 31 March 2015	176,655
Resulting in a total Reserve at 31 March 2015	2,430,906
Approved Reserve for 2015/16 (i.e. in respect of the General, Technology and Premises reserve)	1,957,027
“Free Reserves” at 31 March 2015	473,879
Minus RUCA ring-fenced surplus at 31 March 2015	16,440
PATROL Free Reserves at 31 March 2015	457,439

11.0 Defraying expenses 1 October 2015 to 31 March 2016

- 11.1 At the January 2015 meeting of the PATROL Joint Committee, consideration was given to reducing the per PCN basis for defraying expenses from 55 pence to either 50 or 45 pence. A cautious approach was adopted, reducing to 50 pence, with a commitment to review in October.
- 11.2 Income is broadly in line with forecast and expenditure is considerably below forecast at the half year point.
- 11.3 A reduction of five pence to 45 pence would cost in the region of £100,000 (for the period 1 October 2015 to 31 March 2016). A further reduction to 40 pence would cost £200,000 for the six month period.
- 11.4 The recommendation from the Resources Sub Committee is to reduce to 45 pence with effect from 1 October 2015 and review again in January 2016.

12.0 Road User Charging

- 12.1 The Memorandum of Understanding with Dart Charge is based on 55 pence per PCN. The RUCA income and expenditure is ring-fenced and the surplus at 30 September 2015 of £208,614 will be allocated to the RUCA account.
- 12.2 There is provision for an annual review and it is proposed that the review includes the charging mechanism based on 12 months operational experience.

13.0 Recommendations

- 13.1 To note the income and expenditure and reserves at 30 September.
- 13.2 To review the basis for defraying expenses with effect from 1st October 2015.
- 13.3 To continue to monitor the 2015/16 income and expenditure position at January 2016
- 13.4 To request the Resources Working Group and Sub Committee to review the Reserves Policy statement prior to the January 2016 meeting.

14.0 Access to Information

The background papers relating to this report can be inspected by contacting the report writer:

Name: Louise Hutchinson
Designation: Director
Tel No: 01625 445566
Email: lhutchinson@patrol-uk.info

PATROL Budget Monitoring to 30 September 2015
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	09/15 Actual	09/15 Budget	09/15 Variance	2015/16 Full Year Budget	2014/15 OUTTURN
Income					
Parking Income	1,073,670	981,006	92,665	1,962,011	2,415,908
Other Income	10		10		61,699
Bank Interest	4,850	6,000	(1,150)	12,000	2,962
RUCA Income	590,723	632,500	(41,777)	1,265,000	152,710
Recharge for Bus Lane Adjudication Costs	173,252	212,867	(39,615)	425,734	452,607
Total Income	1,842,504	1,832,373	10,132	3,664,745	3,085,885
Expenditure:					
Adjudicators	512,247	793,435	281,189	1,591,159	1,124,751
Staff	404,132	436,481	32,349	896,657	805,001
Premises / Accommodation	79,847	80,940	1,094	161,881	152,960
Transport	27,810	42,013	14,203	66,169	76,065
Supplies and Services	183,014	206,695	23,680	429,139	481,405
IT	153,200	163,788	10,588	327,576	211,893
Services Management and Support	23,912	24,750	838	49,500	47,666
Audit Fees	3,826	4,500	674	9,000	4,290
Contingency	-5,198	0	5,198	100,000	5,197
Total Expenditure	1,382,791	1,752,603	369,812	3,631,081	2,909,229
Surplus / (Deficit)	459,714	79,770	379,944	33,664	176,655

Note

Of the £459,714 overall surplus, £208,614 is ring fenced in respect of road user charging.
The PATROL surplus is therefore £251,100

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**PATROL ADJUDICATION JOINT COMMITTEE
& BUS LANE ADJUDICATION SERVICE JOINT COMMITTEE
Executive Sub Committees**

Date of Meeting: 27th October 2015
Report of: The Director on behalf of the Advisory Board
Subject/Title: Risk Register

1.0 Report Summary

1.1 To present the latest review of the risk register

2.0 Recommendation

2.1 To note the latest review of the risk register

3.0 Reasons for Recommendations

3.1 Compliance with the Joint Committee's Risk Management Strategy

4.0 Financial Implications

4.1 None at this time

5.0 Legal Implications

5.1 None at this time

6.0 Risk Management

6.1 The risk register forms part of the Risk Management Strategy

7.0 Background and Options

7.1 The Joint Committee is committed to avoiding risks that threaten its ability to undertake its principal objectives in a way which provides quality and value. It will maintain a sufficient level of reserves to support liquidity and absorb short term fluctuations in income and expenditure beyond its control.

7.2 The Joint Committee has established a Risk Management Strategy which includes the review of the risk register.

8.0 Recommendation

The Joint Committee is asked to note the current review of the risk register.

9.0 Access to Information

The background papers relating to this report can be inspected by contacting the report writer:

Name: Louise Hutchinson

Designation: Director

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RISK REGISTER
OCTOBER 2015

Rank	Risk Description	Consequence Description	Risk Impact	Likelihood	Score	Key Controls In Place	Assurances	Response	Previously Reported Status	Current Status	Further Actions to be taken to Manage Risk Better	Lead
1.	Unforeseen significant fluctuations in income and assurance on service charge income	Inability to meet financial obligations	5	2	10	Audit figures on which to base forecasts. Historical data on which to base forecasts. Reserve policy in place Bad debt policy	Internal & External Audit Reports Committee Reports	Treat			Continued forecasting, budget monitoring and cashflow analysis. Monitor new jurisdictions.	D
2.	Inability of IT to support needs of organisation and technology users (including data protection)	Reduced effectiveness and efficiency for tribunal, councils and appellants.	3	3	9	Robust hosting and support arrangements in place. In-house IT team providing first line support. Registered with the Information Commissioner. Frequent reporting of appeal portal development and progress.	Performance Reports IT hardware replacement programme. Technology Reserves in place under regular review by Joint Committee and Resources sub-committee. Feedback from appellants and authorities to inform future	Treat			Feedback will continue to be collated. Refinements and developments continue Privacy impact assessment to be undertaken. A programme to roll out the portal is being implemented.	D

RISK REGISTER
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							development. The tribunal web site and portal explains to the parties how information will be shared. Legacy system will be in place for 2015/16.					
3.	Loss of key members of management and staff	Disruption to operations Management of vacancies Project and operational targets affected	3	3	9	Clearly defined roles with flexibility to provide cover. Documented procedures Arrangements for temporary cover Arrangements in place to extend cover. Resources Sub Committee and Working Group established.	Committee Reports	Treat			Implement staff restructure.	D
4	Insufficient adjudicator/ staff resources to meet demand	Inability to meet targets Pressure to reach	3	2	6	Monitoring of demand and performance Staff	Resources Sub Committee and Working	Treat			Review adjudicators and staff in the light of the roll out of the new appeal portal and case	CA/D

RISK REGISTER
OCTOBER 2015

		decisions may result in increased number of judicial reviews				recruitment, induction, training and appraisal. Contingency Planning	Group in place Committee Reports Training for new adjudicators complete. Development of the portal will increase efficiency of the appeals process				management system and the need to address succession.	
5	Achievement of Key Objectives	Failure to achieve key objectives	3	3	9	Leadership team established focussing on key objectives.	Internal & External Audit Reports Committee Reports Secondment to fill Authority Engagement Manager roll to support the take up of BECK by local authorities.	Treat			Recruit to senior management posts. Implement review of management structure supported by external consultancy where required.	D

CA = Chief Adjudicator D - Director

Note 1 The Risk Register is underpinned by the Risk Management Strategy and should be read in conjunction with business continuity planning arrangement
Risks that have been downgraded in accordance with the Risk Management Strategy following the report to September 2011 Joint Committee

RISK REGISTER
OCTOBER 2015

	Effective Financial and Resource Management including spending within agreed budgets	Financial instability	2	2	4	<p>Historical data on which to base forecasts.</p> <p>Specified role for budget holders in budget monitoring.</p> <p>Recommendations from Internal Audit</p>	<p>Internal & External Audit Reports</p> <p>Committee Reports</p>	Treat		<p>Impact of revisions to budget management</p> <p>Internal Audit Annual Plan for 2011/12.</p>
	Change in government policy	Change in direction for traffic regulations/adjudication	5	1	5	<p>Establishing and maintaining dialogue with relevant government departments, responding to consultation, participation in working groups</p>	Committee Reports	Tolerate		None at this time
	Health and Safety Breach	<p>Risk to welfare of adjudicators, appellant, staff</p> <p>Disruption to tribunal operation</p>	3	1	3	<p>Health and Safety policy in place.</p> <p>Procedures in place for monitoring risk/handling incidents which may be a threat to health and security.</p> <p>Business Continuity Plan in place.</p>	Reporting requirements for Health and Safety Matters	Treat		None at this time

RISK REGISTER
OCTOBER 2015

Risk Impact Details

Name		Description
1	Immaterial	Loss of up to £10k; examples include little effect on service delivery; no health and safety impact; no damage to reputation.
2	Minor	Loss of £10k to £50k; examples include minor disruption to effective service delivery i.e. staff in unplanned absence for up to one week; minor injury; no requirement for professional medical treatment; slight damage to reputation.
3	Moderate	Loss of £50k to £250k; examples include delays in effective service delivery i.e. adjustments to work programmes in up to one week or staff long term absence; injury to an individual(s) requiring professional medical treatments; reputation damage is localised and minor.
4	Significant	Loss of £250k to £500k; examples include effective service delivery is disrupted in specific areas of the business; multiple serious injuries requiring professional medical treatment; reputation damage occurs with key stakeholders.
5	Major	Loss of £500k +; examples include effective service delivery is no longer achievable, fatality of staff, visitor or public; reputation damage is irrecoverable i.e. regulatory body intervention.

Likelihood

Description	Probability	Indicators
5. Highly Probable	> 80%	<input type="checkbox"/> Is expected to occur in most circumstances <input type="checkbox"/> Circumstances frequently encountered – daily/weekly/monthly/annually <input type="checkbox"/> Imminent/near miss
4. Probable/ Likely	60% - 80%	<input type="checkbox"/> Will probably occur in many circumstances <input type="checkbox"/> Circumstances occasionally encountered but not a persistent issue (e.g. once every couple/few years) <input type="checkbox"/> Has happened in the past or elsewhere
3. Possible	40% - 60%	<input type="checkbox"/> Not expected to happen, but is possible (once in 3 or more years) <input type="checkbox"/> Not known in this activity
2. Unlikely	20% - 40%	<input type="checkbox"/> May occur only in exceptional circumstances <input type="checkbox"/> Has rarely / never happened before <input type="checkbox"/> Force majeure
1. Remote	20%	<input type="checkbox"/> The risk will not emerge in any foreseeable circumstance

RISK REGISTER
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The evaluation process will highlight the key risks that require urgent attention. However, all the risks need to be considered and action agreed, even if this is to take no action at the current time. The options are either to: Tolerate, Treat, Terminate or Transfer each risk.

- Tolerate the risk (accept it)** – some low scoring risks may be considered as acceptable, but these need to be reviewed on a regular basis to confirm that the circumstances have not changed.
- Treat the risk (reduce by control procedures)** – the risk can be considered acceptable provided the control mechanisms work.
- Terminate the risk (cease or modify the method of delivery)** – where risks are unacceptable and control mechanisms will not provide adequate security, the activity or the method of delivery must be modified.
- Transfer the risk** – through insurance of financial contingency provision.

MEASUREMENT OF RISK AND REPORTING

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

Legend:

Score of 25 equates to **Extreme Risk**: Immediate escalation to Head of Service for urgent consideration by Joint Committee.

Scores of 20-15 **High Risk**: Risk to be escalated to the Joint Committee/Executive Sub Committee with mitigating action plan. Risk to be actively managed by Head of Service and Advisory Board.

Scores of 12-6 **Medium Risk**: Risk to be captured on Risk Register and progress with mitigation to be tracked by Head of Service and Advisory Board/Joint Committee/Executive Sub Committee.

Scores of 5 and below **Low Risk**: Risk to be removed from register and managed within appropriate services.

**PATROL ADJUDICATION JOINT COMMITTEE &
BUS LANE ADJUDICATION SERVICE JOINT COMMITTEE
Executive Sub Committee Meetings**

Date of Meeting: 27th October 2015
Report of: The Director on behalf of the Advisory Board
Subject/Title: General Progress and Service Standards

1.0 Report Summary

- 1.1 To provide a summary of appeals activity for the six month period to 30 September 2015

2.0 Recommendations

- 2.1 To note the six month summary

3.0 Reasons for Recommendations

- 3.1 To inform the Joint Committees of appeals activity

4.0 Financial Implications

- 4.1 The volumes of appeals have been reflected in the budget monitoring to 30 September 2015.

5.0 Legal Implications

- 5.1 None

6.0 Risk Management

- 6.1 None

7.0 Background and Options

7.1 The Joint Committee has a set of performance standards which are reported against. The enclosed report provides an overview of appeals activity for the six months to 30 September 2015 which includes appeals handled in both the legacy case management system and the on-line portal and case management system, BECK (Best Evidence Cloud Knowledge).

8.0 Recommendations

To note the annual summary of appeals activity at Appendix 1

9.0 Reasons for Recommendations

To inform the Joint Committees of appeals.

10.0 Access to Information

The background papers relating to this report can be inspected by contacting the report writer:

Name: Louise Hutchinson

Designation: Director

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Appendix 1

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

Appeal Summary 1 April 2015 – 30 September 2015

1. Background

The Tribunal aims to be user-focused, efficient, timely, helpful and readily accessible. The following provides a summary of appeals activity for the period April 2015 to September 2015.

2014/15 was a transitional year in terms of reporting as the new appeal portal and case management system (BECK) was introduced amongst pathfinder councils.

The programme has now been rolled out to the following authorities with support from the Authority Engagement Manager:

Ashford Borough Council
Bath & North East Somerset Council
Bournemouth Borough Council
Brighton & Hove City Council
Bristol City Council
Bristol City Council
Cardiff County Council
Cheshire West and Chester Council
Cornwall Council
Dart Charge
Devon County Council
Dover District Council
Durham County Council
Kent County Council (with Ashford Borough Council)
Kent County Council (with Dover District Council)
Kent County Council (with Thanet District Council)
Knowsley Council
Leeds City Council
Luton Borough Council
Manchester City Council
Oxfordshire County Council
Plymouth City Council
Sandwell Metropolitan Borough Council
Teignbridge District Council
Thanet District Council
Torbay Council

This phase has provided a proof of concept that it is possible to transform the handling of appeals for all users: appellants, authorities and the tribunal. From the perspective of the Joint Committee’s existing reporting framework, it has meant:

- a) The requirement to monitor acknowledgement of appeals is less relevant as acknowledgement is instantaneous through the portal.
- b) The timeframes for appeals handling have shortened significantly which will make the existing “performance” timescales less relevant

The report will highlight where the results apply only to cases dealt with through the legacy system and where it includes the new system, BECK.

A revised reporting framework will be developed in the light of experience with BECK during 2015/16.

2. Appeals Summary April 2015 to September 2015

The table below shows the total number of cases and witness statements received by the Tribunal between for the years 2013/14 and 2014/15, and the 6 months April 2015 to September 2015.

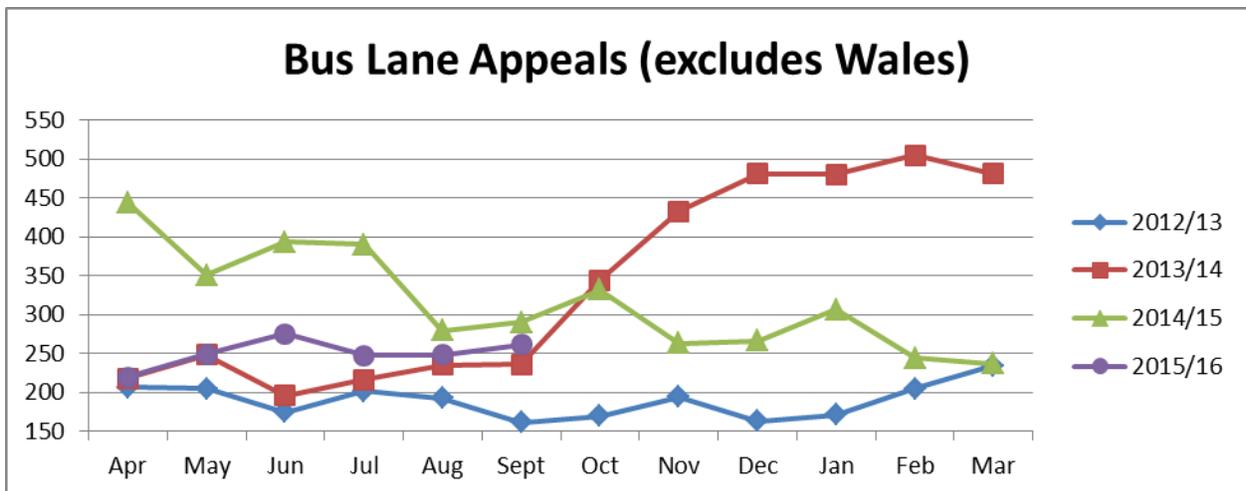
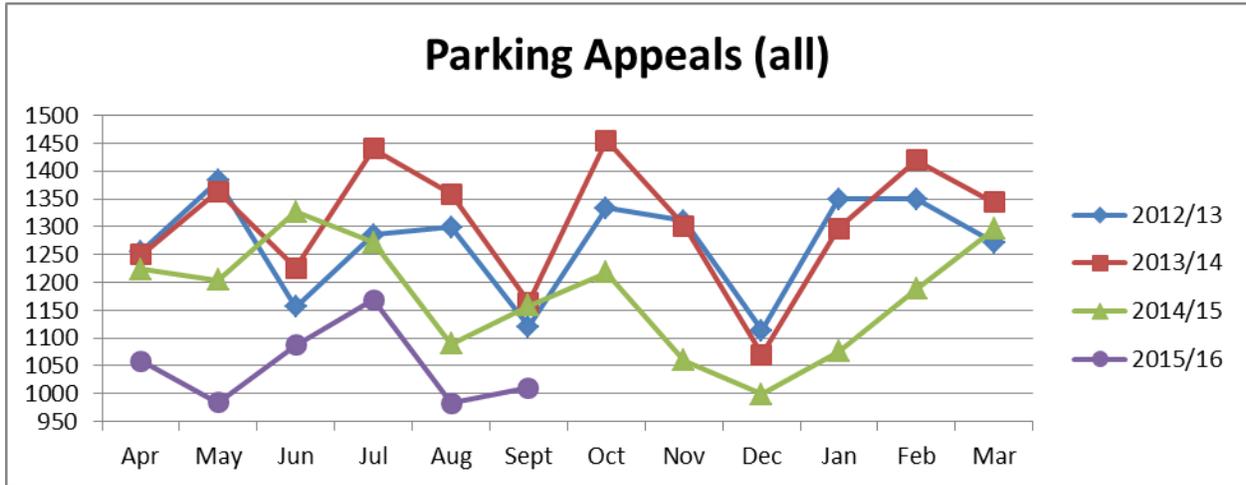
Parking appeals showed a decrease of 9.7% (between 13/14 and 14/15). Bus Lanes appeals reduced by 7.4% over the same period. The overall reduction in cases was 7.7%.

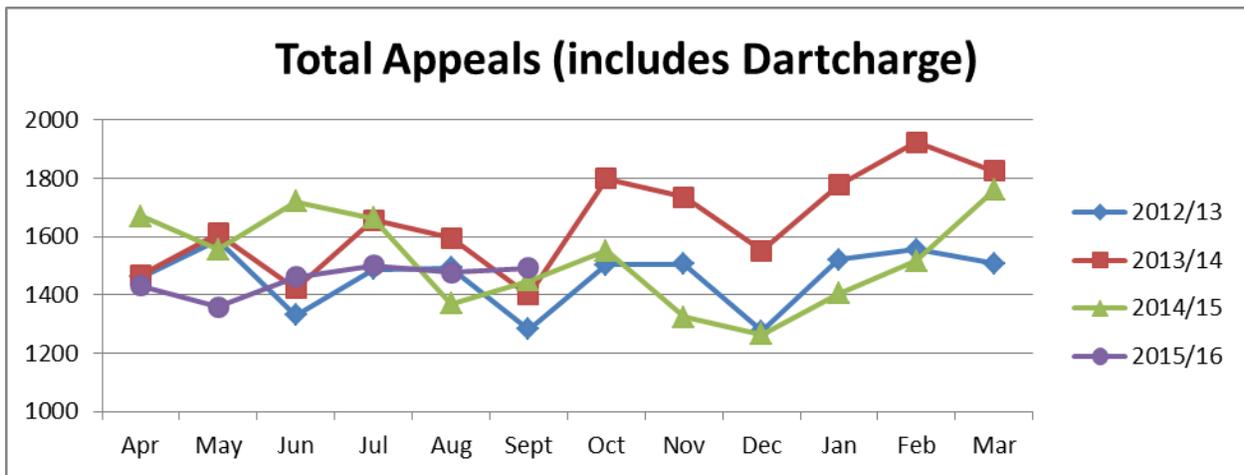
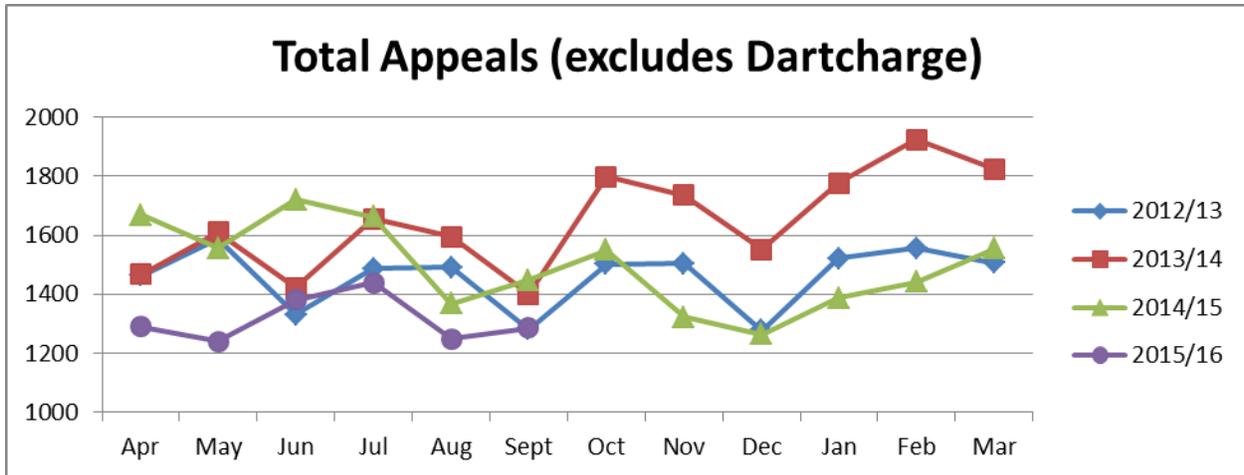
	Parking	Bus Lane (England and Wales) + Moving Traffic (Wales only)	Dart Charge	Total
Apr 2013 – Mar 2014	15,631	4,139	n/a	19,770
Apr 2014 – Mar 2015	14,111	3,832	295	18,238
Apr 2015 – Sep 2015 (6m)	6,292	1,591	836	8,719

The table below shows the comparison of appeals received April to September 2015, compared to the same period last year:

	6m to Sept 2015	6m to Sept 2014	% change
Parking	6,292	7,274	-13.50%
Bus Lanes	1,499	2,147	-30.00%
Dart Charge	836	0	n/a
Moving Traffic (Wales)	92	0	n/a
TOTAL	8,719	9,421	-7.45%

The following graphs set out trends across the different appeal types:





3. Acknowledgement of Appeals (legacy system only)

The nature of the new appeals and case management system means that both parties to an appeal receive an instant electronic notification of a new appeal therefore it is not necessary to measure appeal acknowledgement rates for BECK. Acknowledgement of appeals has remained extremely high in the legacy system at 99% for the period 2014/15.

Period	Actual	Target
2013/14	99%	95% within 2 working days
2014/15	99%	95% within 2 working days
2015/16 (6m)	99%	95% within 2 working days

4. Hearing Types

This shows the percentage of actual hearings which took place by type. Cases not contested by council or withdrawn by the appellant are excluded. The introduction of BECK was based on a fundamental review of business processes. Previously appellants were asked to confirm their hearing request at the beginning of the process whereas in BECK this issue is raised following the submission of authority evidence.

Experience to date in BECK suggest a reduction in requests for hearings when compared to the legacy system. We have witnessed a slight increase in hearings on the new portal (2014/15 compared to 2015/16) which is being investigated.

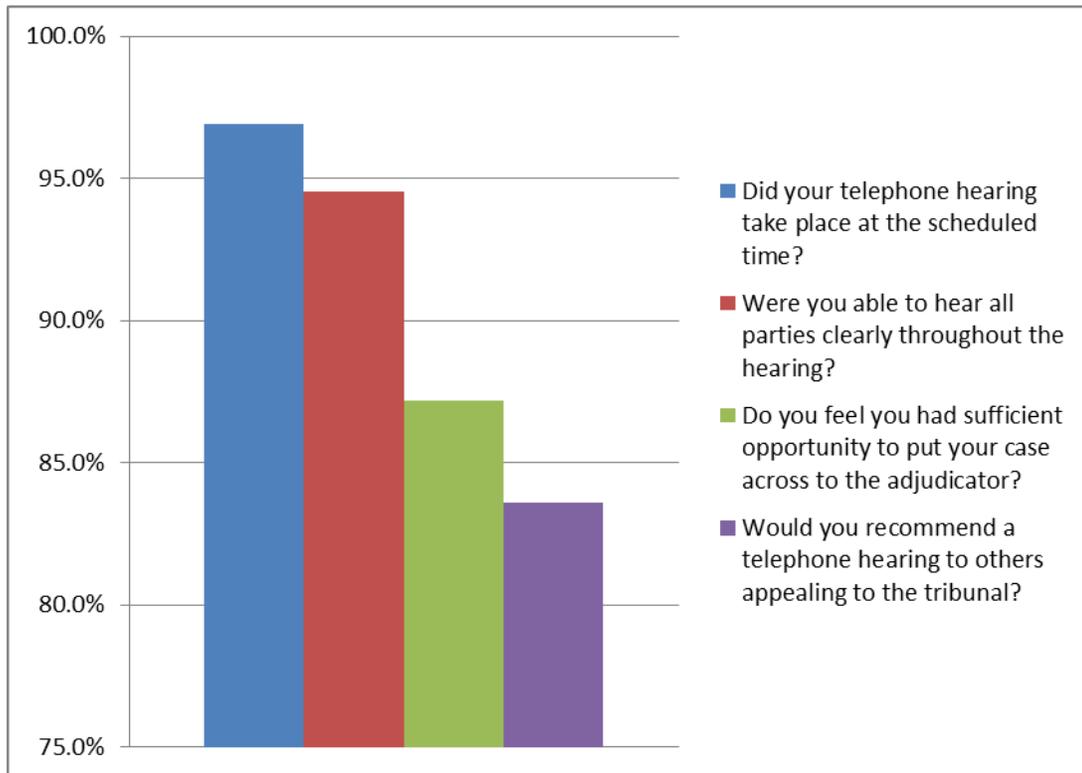
Type of Hearing	AIMS 2014/15 12m	AIMS 2015/16 6m	BECK 2014/15 8m	BECK 2015/16 6m
E-decision	67%	68%	87%	75%
Telephone hearing	21%	21%	9%	15%
Face to face hearing	12%	10%	4%	11%

Note: BECK figures exclude Dart Charge

6. Feedback

6.1 Feedback from appellants who have participated in a telephone hearing continues to be positive.

Feedback Received from Telephone Hearings April 2015 to date:



6.2 Obtaining feedback in relation to BECK has been an ongoing process in terms of how user friendly the portal is for appellants including corporate appellants. Once appellants are using the portal, early findings indicate that it is intuitive.

Thank you for a swift decision and to reiterate my thanks to all concerned for their advice and guidance throughout the process. Although the decision went against me I feel that I've received a fair hearing and can't fault the process.

6.3 Statistics are, however, showing a sustained drop in the number of appeals being submitted to the tribunal.

Research has been commissioned from Professor John Raine of Birmingham University to assist with understanding the causes of this drop. Professor Raine also conducted the Tribunals previous user survey in 2003.

The 2015 survey will consult with three groups:

- Motorists who received a Notice of Rejection from an authority but did not appeal, to gain an understanding as to why they did not appeal

- Motorists who did appeal through the on-line portal, to gain an understanding of their views on the appeal process and portal
- Motorists who received a Notice of Rejection, contacted the Tribunal but still did not appeal, to gain an understanding of why they did not submit an appeal

6.4 Feedback from councils has been extremely positive in terms of the ease of use and efficiencies they have achieved through a more streamlined and transparent process.

"The user friendly web portal has been a great success in reducing time taken to process appeals and improving appeals management overall. The improved communication that this system delivers is a big leap forward in appeals administration."

Paul Nicholls, Policy & Development Manager at Brighton & Hove Council

"Since going live with the portal the team in Luton has seen an immediate increase in efficiency. The time taken to prepare a case file has dramatically improved. The average time for a case, from preparation of documents to their upload onto the portal, is no more than 30 minutes. The entire process is now condensed, streamlined and managed from a single screen desktop PC. A change in TPT's ethos which encourages a new way of considering appeals as an open, transparent, dialogue based process allows both parties greater communicative opportunity. The use of the instant messaging function has already improved communication between all parties and I expect its use will increase as we find our way with the new system".

Arshad Baksh, Parking and Blue Badge Team Leader, Luton Borough Council

"We are now live on BECK and completed our first case via the portal yesterday. It was a no contest and was fully completed it in under 30 minutes. This included accepting the case, reviewing the case and responding. Initial monitoring of the our incoming processing of appeals is showing a time saving of a minimum of 5 minutes per case, by not having to copy/scan/input etc. In the current climate this new portal is good news and will assist Bristol's move to smarter working".

Mike James, Parking Services Enforcement Manager, Bristol City Council

6.5 A survey to ascertain council experience of both transferring to the portal and using the portal to manage cases has been undertaken with very positive results:

86% of responses confirmed that authorities felt well prepared to go live on BECK.
86% of responses marked the training delivered as Very Good or Excellent.
All responses rated the support at Go Live, Good or better.

In terms of time saved per case, comparing old processes against using the portal, the following responses were received:

Time saved per case:	Responses:
None	0.00%
1-30 minutes	28.57%
30 to 60 minutes	14.29%
1 to 2 hours	14.29%
More than 2 hours	42.86%

7. Case Closure (Legacy System)

Appealing to the Traffic Penalty Tribunal is a judicial process and, as such, it is not appropriate to set out rigid timescales for deciding appeals, however the tribunal’s objective is to “To provide a tribunal service which is user-focused, efficient timely, helpful and readily accessible”. In June 2007 the Joint Committee approved the following targets:

Face to face hearings

60% of cases to be offered a face to face hearing date within 8 weeks of receipt of the Notice of Appeal.
 90% of cases to be offered a face to face hearing date within 12 weeks of receipt of the Notice of Appeal

E-decision Decisions

80% of decisions without a hearing to be made within 7 weeks of receipt of the Notice of Appeal.

The reports on case closure include all cases which were registered during April to March 2015 and have been decided including cases which have not been contested. This data will include cases that have been delayed for the following reasons.

a) Requests from parties to the appeal:

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

b) Adjudicators may require:

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

The following tables provide case closure times in respect of: Parking (England), Parking (Wales) and Bus Lanes (England) and Bus Lanes and Moving Traffic (England and Wales).

All measures show a consistent improvement in the time taken to issue decisions on appeals.

a) Parking Appeals (England)

Cases decided by e-decision

Measure	April 2012 to March 2013	April 2013 to March 2014	April 2014 to March 2015	April 2015 to Sept 2015 (6m)
Average number of weeks between registration of appeal and decision issued	5.35 weeks	5.03 weeks	4.85 weeks	4.34 weeks
Cases with less than 7 weeks between registration and decision (e-decision target)	80.81%	83.84%	84.18%	88.44%
Cases with less than 12 weeks between registration and decision	96.03%	96.43%	96.99%	97.37%

Cases decided through a telephone hearing

Measure	April 2012 to March 2013	April 2013 to March 2014	April 2014 to March 2015	April 2015 to Sept 2015 (6m)
Average number of weeks between registration of appeal and decision issued	9.08 weeks	8.51 weeks	6.74	5.89 weeks
Cases with less than 8 weeks between registration and decision (telephone target)	58.33%	61.47%	81.18%	88.41%
Cases with less than 12 weeks between registration and decision (telephone target)	83.79%	89.16%	95.77%	97.97%

Cases decided through a face to face hearing

Measure	April 2012 to March 2013	April 2013 to March 2014	April 2014 to March 2015	April 2015 to Sept 2015 (6m)
Average number of weeks between registration of appeal and decision issued	13.79 weeks	12.75 weeks	11.40 weeks	10.09 weeks
Cases with less than 8 weeks between registration and decision (face to face target)	18.06%	25.40%	25.22%	35.94%
Cases with less than 12 weeks between registration and decision (face to face target)	53.69%	60.02%	68.59%	78.65%

b) Parking Appeals (Wales)

Cases decided by e-decision

Measure	April 2012 to March 2013	April 2013 to March 2014	April 2014 to March 2015	April 2015 to Sept 2015 (6m)
Average number of weeks between registration of appeal and decision issued	5.50 weeks	4.63 weeks	3.89 weeks	3.86 weeks
Cases with less than 7 weeks between registration and decision (e-decision target)	82.82%	86.80%	91.25%	89.13%
Cases with less than 12 weeks between registration and decision	92.84%	96.89%	99.47%	97.10%

Cases decided through a telephone hearing

Measure	April 2012 to March 2013	April 2013 to March 2014	April 2014 to March 2015	April 2015 to Sept 2015 (6m)
Average number of weeks between registration of appeal and decision issued	8.41 weeks	9.04 weeks	7.85 weeks	6.72 weeks
Cases with less than 8 weeks between registration and decision (telephone target)	65.33%	57.78%	64.56%	80.00%
Cases with less than 12 weeks between registration and decision (telephone target)	86.67%	91.11%	94.94%	92.00%

Cases decided through a face to face hearing

Measure	April 2012 to March 2013	April 2013 to March 2014	April 2014 to March 2015	April 2015 to Sept 2015 (6m)
Average number of weeks between registration of appeal and decision issued	13.23 weeks	14.85 weeks	12.66 weeks	9.45 weeks
Cases with less than 8 weeks between registration and decision (face to face target)	30.19%	13.70%	24.59%	35.00%
Cases with less than 12 weeks between registration and decision (face to face target)	56.60%	45.21%	63.93%	90.00%

c) Bus lane appeals (England)

Cases decided by e-decision

Measure	April 2012 to March 2013	April 2013 to March 2014	April 2014 to March 2015	April 2015 to Sept 2015 (6m)
Average number of weeks between registration of appeal and decision issued	5.81 weeks	5.97 weeks	5.05 weeks	4.24 weeks
Cases with less than 7 weeks between registration and decision (e-decision target)	76.17%	72.61%	80.65%	88.31%
Cases with less than 12 weeks between registration and decision	94.26%	92.11%	96.43%	97.55%

Cases decided through a telephone hearing

Measure	April 2012 to March 2013	April 2013 to March 2014	April 2014 to March 2015	April 2015 to Sept 2015 (6m)
Average number of weeks between registration of appeal and decision issued	10.01 weeks	9.48 weeks	7.49 weeks	5.96 weeks
Cases with less than 8 weeks between registration and decision	48.18%	53.70%	72.04%	86.55%
Cases with less than 12 weeks between registration and decision	79.87%	82.58%	91.03%	98.25%

Cases decided through a face to face hearing

Measure	April 2012 to March 2013	April 2013 to March 2014	April 2014 to March 2015	April 2015 to Sept 2015 (6m)
Average number of weeks between registration of appeal and decision issued	14.15 weeks	12.45 weeks	11.44 weeks	10.40 weeks
Cases with less than 8 weeks between registration and decision (face to face target)	11.68%	23.96%	27.16%	30.91%
Cases with less than 12 weeks between registration and decision (face to face target)	47.20%	59.45%	66.26%	80.00%

8. BECK on-line portal and case management system - initial findings on case closure and hearing types:

The BECK portal and case management system has resulted in a new way of handling appeals with instant messaging and all parties having access to the same information and evidence at once. The adjudicator is able to adopt a more inquisitorial approach. The following tables indicate the truncation of timescales when compared to the legacy system. These tables cover the period 1 April 2015 – 30 September 2015

Numbers of cases closed and time to close in BECK:**a) All appeal types including Dartford Crossing:**

	TOTAL cumulative	
Up to one day	7.3%	7.3%
2-4 days	10.0%	17.3%
5-7 days	9.2%	26.5%
8-10 days	7.9%	34.4%
11-14 days	9.7%	44.1%
15-21 days	15.6%	59.7%
22-28 days	15.7%	75.4%
28 days +	24.6%	100.0%
Total	100.0%	

The above indicates that 26.5% of cases are closed within 7 days of being received by the Tribunal, 44.1% within 14 days and 59.7% within 21 days. The cases which take longer to decide are where the appellant had requested a hearing.

b) **Dartford Crossing only:**

Dartford Crossing		
Cumulative		
Up to one day	13.6%	13.6%
2-4 days	21.6%	35.2%
5-7 days	14.8%	50.0%
8-10 days	11.8%	61.8%
11-14 days	11.5%	73.4%
15-21 days	14.5%	87.9%
22-28 days	4.4%	92.3%
28 days +	7.7%	100.0%
Total	100.0%	

The time taken to close Dartford appeals is shorter than for other appeal types. This is due to the fact that to date there have been no hearings required for Dartford appeals.

50% of Dartford appeals are closed within 7 days of submission.

c) **England – Parking and Bus Lanes:**

	Parking England		Bus Lanes England	
		cumulative		cumulative
Up to one day	2.9%	2.9%	4.2%	4.2%
2-4 days	4.9%	7.8%	4.2%	8.4%
5-7 days	7.2%	15.0%	4.7%	13.1%
8-10 days	6.2%	21.2%	5.2%	18.3%
11-14 days	10.5%	31.7%	6.3%	24.6%
15-21 days	16.7%	48.4%	15.7%	40.3%
22-28 days	20.6%	68.9%	22.5%	62.8%
28 days +	31.1%	100.0%	37.2%	100.0%
Total	100.0%		100.0%	

For English Parking and Bus Lanes appeals, 15% and 13.1% (respectively) are closed within 7 days of receipt, 31.7% and 24.6% within 14 days, and 48.4% and 40.3% within 21

days. Again, cases which require a hearing mean that the time required is longer, particularly where the appellant has requested a Face to Face hearing.

d) Wales – Parking and Bus Lanes:

	Wales Parking		Wales Bus Lanes and Moving Traffic	
		cumulative		cumulative
Up to one day	0.0%	0.0%	20.7%	20.7%
2-4 days	0.0%	0.0%	6.9%	27.6%
5-7 days	0.0%	0.0%	10.3%	37.9%
8-10 days	11.8%	11.8%	6.9%	44.8%
11-14 days	5.9%	17.6%	5.2%	50.0%
15-21 days	11.8%	29.4%	13.8%	63.8%
22-28 days	35.3%	64.7%	12.1%	75.9%
28 days +	35.3%	100.0%	24.1%	100.0%
Total	100.0%		100.0%	

Average time taken to close cases in BECK (weeks) – England:

e) Closure by hearing type

The new portal has seen a substantial decrease in the time required to close an appeal. This is primarily due to the speed at which the parties can communicate.

	Parking	Bus Lanes
E-Decision	3.07	3.41
Telephone Hearing	5.20	5.37
Face to Face Hearing	8.95	9.55
All Cases	3.43	3.80

The comparable times in the legacy system (as reported above) are:

Parking – E-Decision (4.34 weeks), Telephone Hearing (5.89 weeks), Face to Face Hearing (10.09 weeks).

Bus Lanes - E-Decision (4.24 weeks), Telephone Hearing (5.96 weeks), Face to Face Hearing (10.40 weeks).

f) Average time taken to close cases in BECK (weeks) – Wales:

	Parking	Bus Lanes and Moving Traffic
E-Decision	3.59	2.47
Telephone Hearing	4.00	3.14
Face to Face Hearing	10.57	4.64
All Cases	4.03	2.56

The comparable times in the legacy system (as reported above) are:

Parking – E-Decision (3.86 weeks), Telephone Hearing (6.72 weeks), Face to Face Hearing (9.45 weeks).

g) The total number of cases received in BECK (to 30 September 2015):

Parking	Bus Lanes	Moving traffic	Dartford	TOTAL
939	350	92	836	2,217

PATROL ADJUDICATION JOINT COMMITTEE EXECUTIVE SUB COMMITTEE

Date of Meeting: 27th October 2015
Report of: The Director
Subject/Title: PATROL Annual Report Award

1.0 Report Summary

- 1.1 To update the Joint Committee on the PATROL Annual Report Award, introduction of a toolkit to assist local authorities in producing a report and to confirm the arrangements for submissions for the 2014/15 award.

2.0 Recommendation

- 2.1 To note the shortlist for 2013/14 awards
- 2.2 To note the introduction of a civil enforcement reporting toolkit
- 2.3 To note the arrangements for 2014/15 submissions

3.0 Reasons for Recommendations

- 3.1 To update the Joint Committee and raise awareness of the importance of civil enforcement annual reports.

4.0 Financial Implications

- 4.1 Within agreed budget

5.0 Legal Implications

- 5.1 The Local Government Transparency Code 2015 requires certain information relating to parking provision and enforcement to be published. The Secretary of State's Statutory Guidance expects local authorities to produce annual reports.

6.0 Risk Management

- 6.1 None

7.0 Background and Options

- 7.1 PATROL introduced the PATROL Annual Report Award to coincide with the implementation of the Traffic Management in 2008. The aim was to raise public awareness and understanding of the objectives of civil parking enforcement.
- 7.2 The importance of transparency through the production of annual reports and accounts was a central recommendation of the Transport Select Committee enquiry into Local Authority Parking Enforcement in 2013, to which the Chief Adjudicator and Director gave evidence.
- 7.3 PATROL surveyed a sample of local authority officers and members and a key finding was that a toolkit or template would assist them in producing their report and would also lead to a more consistent approach in the reporting of service and enforcement statistics together with financial information.
- 7.4 This toolkit will be launched at a reception hosted by David Rutley MP at the House of Commons on 27th October which will also see the overall winners and shortlisted councils be recognised for their 2013/14 reports. The shortlisted councils are:

- For the best report published by a local authority. This will be judged based upon the presentation of the report itself, how helpful it is to the local community, the policies, scheme design and the quality of the information provided.

Brighton & Hove City Council
Durham County Council
Weymouth & Portland Borough Council
Worcester City Council

- For the most concise report published by a local authority. This will be judged based upon a council's ability to deliver necessary and pertinent information in a succinct and effective way.

Bath and North East Somerset Council
Ceredigion County Council
Stoke-on-Trent City Council

- 7.5 The awards ceremony will recognise those local authorities who have proactively sought to publish information about their traffic management objectives to raise public awareness and understanding of civil parking enforcement. They are the local authorities who have demonstrated their commitment to delivering the government's agenda for openness and transparency, ensuring that residents, businesses and visitors can enjoy a

vibrant local economy as well as reducing congestion and promoting road safety.

- 7.6 The deadline for submissions to the PARC (Parking Annual Report by Councils) Award 2014/15 is 15th January 2016 with winners being announced on 31 March 2016.
- 7.7 The 2014/15 awards will also recognise councils that have demonstrated best practice reporting on:
- Innovation and new services
 - Customer service
 - Presentation of finance and statistics

8.0 Recommendation

- 8.1 To note the shortlist for 2013/14 awards
- 8.2 To note the introduction of a civil enforcement reporting toolkit
- 8.3 To note the arrangements for 2014/15 submissions

9.0 Access to Information

- 9.1 The background papers relating to this report can be inspected by contacting the report writer:

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