

Item 5c

PARKING AND TRAFFIC REGULATIONS OUTSIDE LONDON
ADJUDICATION JOINT COMMITTEE (PATROLAJC)
SCHEME OF DELEGATION TO OFFICERS OF THE
LEAD AUTHORITY AND CHIEF ADJUDICATOR

Note

- i The delegated powers of officers set out in this Scheme of Delegation may be exercised by other officers authorised to act on behalf of and in the name of the relevant officer provided that administrative procedures are in place to record and monitor decisions so taken.
- ii Where an officer is given specific authority to determine a particular matter the officer should ensure that there is an appropriate audit trail to evidence such determination.
- iii All decisions taken under this scheme of delegation must be within the limits of the budgets and policies approved by the PATROLAJC.

Delegation to the Lead Officer:-

1. General

1. All necessary arrangements for the support of the adjudicators for the performance of their functions under Part 6 of the Traffic Management Act 2004 including the provision or securing the provision of accommodation and administrative support including the following but subject to the limitations set out below:-

2. Financial

1. Acceptance of the lowest tender or where appropriate to negotiate for the supply of goods, services, materials, equipment, building and civil engineering works, subject to a limit of £250,000 per contract and the acceptance of other than the lowest tender with the agreement of the PATROLAJC's Treasurer within that limit.
2. Authority to agree price increases where a price variation clause has been included in a contract subject to the agreement of the PATROLAJC's Treasurer.

3. The assignment of a contract or the approval of the appointment of a sub-contractor.
4. The acceptance of the tender of a sub-contractor or supplier for the specialist work or material for which a prime cost sum is included in the main contract sum for building and civil engineering works where:-
 - a) The prime cost sum included for any item does not exceed £100,000
 - b) At least four competitive tenders have been invited
 - c) The tender which it is proposed to accept does not exceed the prime cost sum included in the main contract sum, but a tender exceeding the prime cost sum may be accepted with the concurrence of the PATROLAJC's Treasurer
5. Subject to the agreement of the PATROLAJC's Treasurer:-
 - a) The writing off of debts which are irrecoverable or losses due to burglaries, break-ins, etc
 - b) The writing off or making adjustments in respect of deficiencies or surpluses of stock, equipment etc
6. In consultation with the PATROLAJC's Treasurer the opening up of petty cash imprest accounts, etc.
7. Delegated authority in consultation with the Chairman or Vice Chairman for authorizing the withdrawal of funds from reserves to meet budgetary deficits.
8. Negotiation and agreement of variations in contracts arising out of statutory requirements.
9. Determination of ex-gratia claims for damage to, or loss of, personal property subject to the approval of the PATROLAJC's Treasurer for claims in excess of £1,000.
10. Disposal of surplus or obsolete equipment, scrap, etc, (except vehicles) to the highest tenderer.
11. To defend all claims made against the PATROLAJC and the legal recovery of debts due to the PATROLAJC.

12. To give indemnities on behalf of the PATROLAJC to organisations for the use of their facilities.
13. Responsibility for Capital Investment bids for the refurbishment of property, changes in office layout, replacement of lifts, heating, Information Technology and other equipment and plant, etc.

3. Land and Property

1. Management and use of land, property, accommodation and facilities.
2. Repair and maintenance of buildings and upkeep of grounds.
3. Temporary closure of premises.
4. Determination of hours of opening of premises and facilities, including seasonal arrangement and closure during holiday periods.
 - a) The approval and completion of property transactions on behalf of the PATROLAJC including the acquisition and disposal of freeholds, the taking and granting of leases, easements, wayleaves, rent reviews, and all other estate management issues
5. VAT
 - a) Where appropriate, and in consultation with the PATROLAJC Treasurer, to elect for VAT status on particular land and property
6. Vandalism
 - a) To take all necessary measures, to prevent vandalism of buildings belonging to or under control of the PATROLAJC

4. Miscellaneous

1. To determine officer attendance on visits.
2. To determine officer and Member attendance at Conferences/Seminars, etc (unless held abroad).
3. To determine Member attendance on visits in consultation with the Chairman or Vice Chairman.

4. Production of publications, relating to the service provided, or sale or free distribution to the public.
5. To control and co-ordinate press and media relations, the organisation of press conferences, publicity and public relations including approval of the issue of all official publicity and official publications.
6. To arrange for the institution, conduct, prosecution or defence of any claims and/or legal proceedings including the recovery of debts, the instruction of Counsel on behalf of the PATROLAJC relating to the functions of the PATROLAJC.
7. To take preliminary steps to protect the rights and interest of the PATROLAJC.
8. To prepare and arrange for the entering into of contracts and the execution of documents on behalf of the PATROLAJC.
9. To carry out any functions conferred on the Lead Officer by virtue of the Standing Orders and Financial Regulations.

5. Human Resources

1. Assignment of temporary posts which are for a period not exceeding 12 months.
2. Filling of vacant posts within approved establishments except Adjudicator posts.
3. Assignment of additional posts at grades up to the including PO6 or equivalent in categories of posts where there is already an agreed job description and a grade fixed for the post.
4. Granting acceleration of increments for any staff within their substantive grade for merit and ability.
5. Determination of requests or recommendations for honoraria, (subject to reporting every honoraria payment made to the PATROLAJC), gratuities and responsibility allowances.
6. The determination of applications for paid and unpaid leave:-
 - a) For trade union training
 - b) For health and safety, professional and other service related training

- c) For paid leave for an employee to discharge her/his 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
7. Where appropriate, the determination of extensions of payments to employees in relation to sickness.
 8. Determination of requests for extensions of service except that of first and second tier officers.
 9. Determination of casual or essential car users allowance to officers.
 10. Determination of planned overtime for officers above Scale 6.
 11. Determination of the payment of removal expenses, lodging allowances or travelling allowances but in consultation with the Chairman or Vice Chairman of the PATROLAJC where such payments fall outside the PATROLAJC's agreed policy.
 12. Determination of proposals to attend training courses, unless the leave of absence required is for more than 10 days or where expenditure involved is in excess of £6,000, in which cases subject to consultation with the Chairman or Vice Chairman of PATROLAJC.
 13. Discipline, suspension and/or dismissal of employees.
 14. Determination of applications for early retirement.
 15. Authority to assimilate staff on appointment, promotion or regarding where he thinks appropriate within the approved grade having regard to all the circumstances.

6. Support to the Joint Committee

1. Promotion of the functions generally of the PATROLAJC including the provision of such administrative support activities required by the Adjudicators and for the efficient discharge of the adjudication service.
2. Arrange for the giving of advice and support to the PATROLAJC in legal matters.
3. Convening meetings of PATROLAJC and the Officer Advisory Board and keep the attendance record of such meetings.
4. Deal with urgent business of PATROLAJC, after consulting the Chairman or Vice Chairman.
5. Record declarations and matters of interest of PATROLAJC Members, Officers and Adjudicators.
6. Holding and providing access to PATROLAJC documents and information in accordance with the provisions of law. For the avoidance of doubt, this does not include documents held by the Traffic Penalty Tribunal in pursuance of the adjudicators' procedural regulations.

7. Extension of Chief Adjudicator's Appointment to other Council Areas

- I. To grant authority to the Lead Officer, subject to the Lord Chancellor's consent, to extend the remit of the Chief Adjudicator, by appointment to her to act as Chief Adjudicator within the areas of any Council which becomes party to these Joint Committee arrangements.

Delegation to Chief Adjudicator:-

- I. With the consent of the Lord Chancellor the making of the Part-time Adjudicator appointments, for a period not exceeding 5 years. Such appointments to be sufficient to meet the needs of the service, as appropriate. With the consent of the Lord Chancellor, to extend these appointments to enable those Adjudicators to act within the areas of any Councils which if future become party to the Joint Committee arrangements, as appropriate.

2. The determination of the terms and conditions applying to adjudicators having regard to principles established for such judicial appointments and conduct by the Lord Chief Justice and Lord Chancellor.
3. The determination of where Adjudicators shall sit.
4. To obtain such legal advice and representation necessarily required for the adjudicators to perform their functions and to arrange for defence of any legal proceedings arising from the exercise of those functions including the instruction of Counsel.
5. To conduct and approve press and media relations relating to the Traffic Penalty Tribunal, including press conferences, publicity and public relations and Tribunal information and publications.
6. Promotion of the Traffic Penalty Tribunal.