

PATROL Adjudication Joint Committee Executive Sub Committee

Agenda

Date: Tuesday 29th January 2019
Time: 11.00 am
Venue: Bishop Partridge Hall, Church House, Dean's Yard,
Westminster, London SW1P 3NZ

1. **Apologies for Absence**

To receive apologies for absence.

2. **Declaration 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.

3. **Minutes of the Meeting held on 30 October 2018** (Pages 1 - 8)

To approve the minutes of the PATROL Adjudication Joint Committee Executive Sub Committee held on 30 October 2018

4. **Chair's Update**

To provide an update on developments since the meeting in October 2018.

5. **Chief Adjudicator's Update**

To provide an update since the meeting held in October 2018.

6. **Wales Update**

To receive a report on civil traffic enforcement in Wales.

Contact: Louise Hutchinson, Director
PATROL Joint Committee
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7. **Budget Monitoring 2018/19** (Pages 9 - 14)

To note income, expenditure and reserves at 30 November 2018 together with the projected outturn at 31 March 2019.

8. **Reserves Policy Statement** (Pages 15 - 18)

To approve the reserves policy statement for 2018/20.

9. **Revenue Budget for 2019/20** (Pages 19 - 26)

To establish the Joint Committee's Revenue Budget for 2019/20.

10. **Defraying the Expenses of the Joint Committee 2019/20** (Pages 27 - 38)

To approve the basis for defraying the expenses of the Joint Committee 2019/20.

11. **Adjudicator Appointment Renewal** (Pages 39 - 42)

To note the renewal of the appointment of Caroline Sheppard OBE as Adjudicator and Chief Adjudicator to 22 May 2020.

Items common to PATROL and Bus Lane Adjudication Service Joint Committee

12. **Traffic Penalty Tribunal General Progress Report** (Pages 43 - 58)

To provide information in respect of the Traffic Penalty Tribunal's activities and initiatives.

13. **PATROL AND BLASJC Resources Working Group and Sub Committee**
(Pages 59 - 76)

To report on the PATROL and BLASJC Resources Working Group and Sub Committee's' meeting held on 8 January 2019.

14. **Annual Investment Strategy** (Pages 77 - 78)

To approve the annual investment strategy 2019/20.

15. **Appointment of Auditors 2019/2022** (Pages 79 - 80)

To approve the appointment of BDO LLP as external auditors for the period 2018/19 to 2020/21.

16. **Risk Management Report** (Pages 81 - 86)

To note the latest review of the Risk Register.

17. **Date of Next Meeting**

16 July 2019 Church House, Westminster followed by the PARC (Parking Annual Reports by Councils) Awards at the House of Commons

The meeting will be followed by a Member workshop after lunch commencing at 1.15 pm and concluding at 2.15 pm

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Minutes of a meeting of the
PATROL Adjudication Joint Committee
held on Tuesday, 30th October, 2018 at Bishop Partridge Hall, Church House,
Westminster SW1P 3NZ

PRESENT

Councillor Jamie Macrae (Cheshire East Council) in the Chair

Councillors

Councillor Keith Baldry – South Hams District Council
Councillor Graham Burgess – Hampshire County Council
Councillor Mike Brookes – Lincolnshire County Council
Councillor David Chadwick – Bolton Metropolitan Borough Council
Councillor Vanessa Churchman - IOW Council
Councillor Jeanette Clifford – West Berkshire Council
Councillor Peter Davis – Oldham Metropolitan Borough Council
Councillor Matthew Dickins - Sevenoaks District Council
Councillor Saoirse Horan – Brighton & Hove City Council
Councillor Stuart Hughes - Devon County Council (Vice Chair)
Councillor Gary Jones – East Herts District Council
Councillor Alan Kerr - South Tyneside Council
Councillor Martin King - Wychavon District Council
Councillor Nigel Knapton - Hambleton District Council
Councillor Tony Page - Reading Borough Council
Councillor Marje Paling - Gedling Borough Council
Councillor Marilyn Peters - Dartford Borough Council
Councillor Mark Shelford – Bath and North East Somerset Council
Councillor Jeanette Stephenson - Durham County Council
Councillor Chris Turrell - Bracknell Forest Borough Council
Councillor Stuart Whittingham - Wirral Metropolitan Borough Council
Councillor Vera Waters – Walsall Metropolitan Borough Council

Officers in attendance

Marc Samways – Chair of Advisory Board (Hampshire County Council)
Graham Addicott OBE – Vice Chair PATROL Advisory Board
Stephen Knapp – Deputy Chief Adjudicator
Louise Hutchinson – Director PATROL
Iain Worrall – Traffic Penalty Tribunal
Sarah Baxter – Cheshire East Council
Andy Diamond - PATROL

21 APOLOGIES FOR ABSENCE

Apologies for Absence were received from:-

Birmingham City Council, Carmarthenshire County Council, Chichester District Council, City of Bradford Metropolitan District Council, City and County of Swansea Council, City of York Council, Coventry City Council, Dacorum Borough Council, Dartford Borough Council, Havant Borough Council, Knowsley Metropolitan Borough Council, Scarborough Borough Council, Somerset County Council, Stockton on Tees Borough Council, Tameside Metropolitan Borough Council, Scarborough Borough Council and Wigan Council.

22 DECLARATIONS OF INTEREST

There were no declarations of interest.

23 MINUTES OF THE MEETING HELD ON 30 JANUARY 2018

RESOLVED

That the minutes of the meeting held on 30 January 2018 be approved as a correct record subject to the figure under minute no.46 third paragraph being amended to read '£296,570' and subject to the replacement of the words 'had been' with 'was to be' in the last sentence of the last paragraph prior to the resolution under minute no.48.

24 MINUTES OF THE MEETING HELD ON 10 JULY 2018

RESOLVED

That the minutes of the meeting held on 10 July 2018 be approved as a correct record and signed by the Chairman.

In respect of the Chief Adjudication's report there was reference made in the minutes to the slides she used in her presentation. It was agreed that these slides would be circulated electronically to Members of the Committee. Some Members had not received the slides and it was agreed that they would be recirculated.

25 CHAIR'S UPDATE

The Chair of the Committee:-

1. Reported that when the Committee had last met Members had an eventful day witnessing the RAF commemorative flypast from the balcony here and later in the day the PARC Awards reception was a great success sponsored by Huw Merriman MP with the awards being presented by broadcaster Gyles Brandreth. (Members were shown slides at the end of the update in respect of the Awards reception). The Chairman noted that he would like to record the Joint Committee's thanks to Huw Merriman MP for sponsoring the House of Commons event. Huw, who is MP for Bexhill and Battle and a member of the Transport Select Committee, was extremely interested in the role of PATROL and the Traffic Penalty

Tribunal and a meeting with him next month was scheduled to take place next month to discuss matters of mutual interest and invite him to sponsor next year's awards.

2. Stated that, as Councillors, the Committee could play a pivotal role in bringing information about civil enforcement into the public arena to improve awareness and address misunderstandings. It was for this reason that this year the PARC Awards Toolkit was sent to all Councillors as well as parking managers. It was hoped that all Members would encourage their enforcement teams to report.

3. Reported that the tribunal's digital transformation continued to be commended in judicial circles and was the subject of a European Conference of Supreme European Judges. The Deputy Chief Adjudicator would be talking about the introduction of digital review process and video hearings to the tribunal. Positive feedback had also been received from the introduction of FOAM (Fast Online Appeal Management) to Scottish parking and bus lane appeals.

4. Reported that in April 2018 the Government introduced new regulations to enable Local Authorities in England to issue penalties in respect of littering from vehicles. The Traffic Penalty Tribunal would hear these appeals. Stockton on Tees Borough Council had commenced enforcement although to date no appeals had been received by the tribunal. Two Local Authority workshops were held on littering from vehicles early in the year and there would be more on this new area of enforcement this during the meeting.

5. Stated that there would be more information about the Local Authority regional workshops conducted during the Summer. As the final report on the agenda indicated, Local Authority feedback continues to be very positive on these events.

6. Stated that the papers today had been streamlined by removing duplicate papers from the bus lane pack. The Chairman was also aware that some Members preferred to view their papers on tablets and laptops. Papers would still be available for those Members who preferred hard copies, but where Members were happy to read digitally, paper copies would not be sent. Officers would seek feedback on Member preferences for the January meeting.

26 CHIEF ADJUDICATOR UPDATE

The Deputy Chief Adjudicator gave an update in respect of the development of the digital system which had taken place within the last twelve months, including the process from making the appeal to the application for review. The first phase had been working well over the last four months.

The promotion of video hearings had also taken place; these hearings were in addition to telephone hearings already in existence. It was felt this option enabled those people who wished to be seen or who wanted to see were now provided with that alternative.

A number of local authority workshops had taken place within the last twelve months to promote the knowledge of parking law. These had proven to be very successful. It was felt that if Members were able to attend one of the workshops they would find them extremely beneficial.

Finally, an update was provided in respect of littering from vehicles. One of the workshops which had taken place was to seek views from Local Authorities. One Local Authority was about to commence issuing of Civil Enforcement Penalties in respect of littering from vehicles.

Questions were asked in respect of how many Local Authorities had indicated their interest in taking up powers in littering from vehicles and whether or not footage from fixed cameras or dash camera footage could be used.

RESOLVED

That the update be noted.

27 ADJUDICATOR APPOINTMENT RENEWALS

Consideration was given to a report on renewals of the appointments of the adjudicators. The Deputy Chief Adjudicator reported that Hilary Tilbury one of the longest serving adjudicators had recently retired. He requested that his thanks for her contribution over the years be recorded.

A question was asked in respect of how Adjudicators were remunerated. In response it was confirmed that all were fee paid apart from two who are salaried.

RESOLVED

That the renewal of the appointment of each Adjudicator named in Appendix 1 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 and Regulation 18 of the Littering from Vehicles outside London (Keepers: Civil Penalties) Regulations 2018 be noted.

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

28 WALES UPDATE

The Director of PATROL reported that Councillor John James had sent his apologies for the meeting and therefore on his behalf she reported the following developments in Wales:

The following Councils were in the process of applying for civil parking enforcement powers: Caerphilly County Borough Council; Monmouthshire County Council; Newport City Council and Torfaen County Borough Council.

Carmarthenshire County Council was in the process of applying for civil bus lane and moving traffic powers.

RESOLVED

That the update be noted.

29 AUDIT COMMISSION SMALL BODIES ANNUAL RETURN FOR THE YEAR ENDED 31 MARCH 2017

The Committee was asked to consider the findings of the external auditors for 2017/18.

At its meeting on 10 July 2018 the Joint Committee had approved the draft annual return for 2016/17 and also the appointment of BDO LLP to audit its annual returns for the period 2015/16 to 2017/18 and this was now attached as an appendix to the report. No issues were arising from the audit save for a variation of £1 due to roundings.

It was queried was an appendix referred to on page 34 of the report was not attached as part of the agenda. It was agreed that reference to the appendix which had been considered at the July 2018 meeting should have been included within the covering report.

The Director informed Members that the conclusion of the process had seen a favourable audit.

RESOLVED

That the findings of the external auditor for 2017/18, as shown in Appendix 1 of the report, be noted.

30 BUDGET MONITORING, REVIEW OF RESERVES AND THE BASIS FOR DEFRAYING EXPENSES 2018/19

Consideration was given to this report on the basis for defraying expenses during 2018/19.

The Director reported that the budget for the year 2018/19 had been approved at the meeting of the Executive Sub-Committee at its meeting on 30 January 2018 and the report now presented the expenditure position at 30 September 2018. The Tribunal operated on a self-financing basis and details were given of its income, expenditure and reserves.

It was commented that rather than using figures within the policy it would be better to use percentages as to why a reserve was necessary. It was felt unnecessary to build up the reserves to the extent they had been particularly if the technology worked. If more reserves were required, then this could be looked at in next years' budget.

The consensus was that option two was the preferred option and that a report should be brought back to the next meeting to see how much each Council had saved.

RESOLVED

1. That the income, expenditure and reserves at 30 September 2018 be noted.
2. That the information on the current and forecast reserves position be noted.
3. That the options for defraying expenses as set out in section 12 of the report be noted and that option two be adopted.

31 PATROL AND BLASJC RESOURCES WORKING GROUP AND SUB COMMITTEE

Consideration was given to a report of the PATROL and BLASJC Resources Working Group meeting held on 9 October 2018.

Information in respect of pavement parking outlined on page 44 7.2 a (i) of the report had been emailed to Members and a hard copy was circulated at the meeting. The summer local authority workshops had considered the issue of pavement parking and further specific workshops were planned. A further update on the matter would be provided at the January meeting.

In respect of the issue of clean air zones it was suggested that further information be circulated as it becomes available in relation to charging clean air zones.

RESOLVED

1. That the matters discussed at the meeting held 9th October 2018 be noted.

2. That the Resources Sub Committee and Working Group overseeing matters highlighted in the report and reporting back to the next meeting of the Executive Sub Committees be approved.

32 RISK REGISTER

Members were asked to consider the latest review of the risk register which had been reviewed in accordance with the Risk Management Strategy, and the further actions to be taken as set out in the appendix.

It was queried as to whether or not clean air zones could be included as a risk. In response it was considered that there was some scope to increase the risk without making it too high and to take it into account in CR2. It was considered important to engage with Local Authorities at an early stage.

RESOLVED

That the risk register be noted.

33 GENERAL PROGRESS REPORT

Consideration was given to a report providing a summary of the Traffic Penalty Tribunal appeals activity for the period April to September 2018.

It was reported that the statistical information had been simplified. It was reported that there had been an increase in appeals by 15% since May in relation to bus lane appeals. Video hearings had been introduced alongside telephone hearings. In addition, the assisted digital service of 'live chat' had been introduced. The general feedback had been very positive.

Iain Worrall gave an overview of the workshops that had taken place in the Autumn including the numbers of Local Authorities and Officers that had attended as well as providing information on the 11 different topics covered including the judicial process.

It was suggested that that information summarising the nature of the appeals could be circulated to Members, furthermore it was queried as to why there had been no workshops in the South East area of the Country. Information was also asked to be provided on which authorities had attended the workshops.

RESOLVED

That the report be noted.

34 DATE OF NEXT MEETINGS

It was reported that future meetings would take place as follows:-

29 January 2019 Church House, Westminster

16 July 2019 Church House, Westminster

The meeting commenced at 11.00 am and concluded at 12.32 pm

PATROL ADJUDICATION JOINT COMMITTEE
Executive Sub Committee

Date of Meeting 29th January 2019
Report of: The Director on behalf of the Resources Working Group and Sub Committee
Subject/Title: Budget monitoring and review of reserves: 30th November 2018

1.0 Report Summary

1.1 To present income, expenditure and reserves monitoring information for the year to 30th November 2018.

2.0 Recommendation

2.1 To note the income and expenditure and reserves at 30th November 2018.

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 2018/19 at the meeting of the Executive Sub Committee held 30th January 2018.

7.2 This report provides the Committee with the expenditure position at 30th November 2018.

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 2018/19 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 Additional income is derived from a recharge to the Bus Lane Adjudication Service Joint Committee and the provision of adjudication for appeals arising from road user charging enforcement at the Dartford-Thurrock River Crossing where the Charging Authority is Highways England. Additional income arises from adjudication for the Mersey Gateway Crossing (the Charging Authority is Halton Borough Council who are not members of the Joint Committee).
- 7.7 The Joint Committee's income is derived from a pre-estimate of the number of penalty charge notices (PCNs) each council and Charging Authority will issue. Corrections are applied at the 6-month and 12-month points once the actual number of PCNs issued is known.
- 7.8 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 Director to incur additional expenditure, provided such expenditure does not exceed the income for the current year.
- 7.9 Should it be the case that the revenue account falls into deficit then the surplus from previous years is available.
- 7.10 Should there be greater income than expenditure in the year then there is a recommendation that this be transferred into the succeeding year as reserves.

8.0 Expenditure

- 8.1 Expenditure was lower than budget by £147,255 year to date (7.1%).
- 8.2 Adjudicator costs were favourable to budget by £78,198 (11.7%) in line with lower than budgeted appeals and efficiencies arising from the online appeal system and new ways of working.
- 8.3 Supplies and Services were £68,366 (21.7%) lower than budget year to date. Some of this expenditure is planned to be incurred later in the year.
- 8.4 Staffing costs were favourable to budget by £14,941 year to date (2.2%). This was due in part to the use of consultancy services for communications activity, and also where savings have been made on unfilled vacancies within the appeals team due to efficiencies of working.
- 8.5 Premises costs are also favourable to budget by £21,418 (14.8%) year to date. £4,000 relates to unspent office maintenance budget, and £16,000 savings in utility and running costs.

8.6 IT costs are £29,747 (16.7%) adverse to budget year to date. Of this amount £10,000 relates to the update of print/copy/scan equipment and £20,000 to the replacement of other hardware.

9.0 Income

9.1 Overall income is £193,009 (8.5%) better than budget year to date.

Parking income was favourable to budget by £111,542 (10.2%). This includes the backdated reduction to 30 pence per PCN to April 2018, but also an amount of £16,405 for 2017/18 audit certificate adjustments.

The recharge for bus lane adjudication service costs is adverse to budget by £10,248 (3.3%). Income from the Dartford-Thurrock River Crossing was favourable to budget by £117,732 (22.3%). Income from the Mersey Gateway Crossing is lower than budget (£33,903, 10.6%) this is due to a correction in the numbers reported by Mersey Gateway of £55,786

10.0 Overall Result

10.1 Eight months into the financial year, the overall surplus is £527,578 against a budget of £187,314 (favourable variance of £340,264).

Of this, £143,313 is ring-fenced to Highways England and £152,467 to Halton Borough Council in respect of the Mersey Gateway Crossing.

The PATROL surplus at 30th November is £231,798. The detailed overview is set out at Appendix 1 but in summary:

	Surplus at 30.11.20	Forecast surplus at 31.03.19
PATROL	£231,798	Deficit of £62,883
Highways England	£143,313	£246,778 ¹
Halton Borough Council	£152,467	£252,334 ¹
Total	£527,578	£436,229

Note 1. Based on current charging arrangements.

11.0 Reserves

11.1 Total Reserves are £3,521,239 at 30th November 2018, of which Free Reserves are £1,864,550.

Of Free Reserves £127,688 is ring-fenced to Highways England (including the agreed retained balance of £50,000) and £177,177 is ring-fenced to Halton Borough Council (including the agreed retained balance of £25,000) in respect of the Mersey Gateway Crossing.

The Free Reserves balance relating to PATROL is £1,559,685.

<u>Reserves</u>	TOTAL	PATROL	Dartcharge	Mersey Gateway
Reserves Brought Forward 01.04.17	3,182,460	3,116,338	66,122	0
<i>Reserves for 2017/18</i>	455,426	203,074	190,900	61,452
<i>Drawdown from Reserves 2017/18</i>	-195,745	-195,745		
<i>Adjustment</i>	0	-4,474		4,474
Closing Reserves 2017/18 and Opening Reserves of 2018/19	3,442,141	3,119,193	257,022	65,926
<i>Of which are:</i>				
<i>General Approved Reserve</i>	1,364,142	1,364,142		
<i>Approved Property Reserve</i>	296,575	296,575		
<i>Approved Technology Reserve</i>	250,000	250,000		
<i>Allocated to Bus Lanes (proposed)</i>	-254,028	-254,028		
<i>TOTAL Approved Reserve</i>	1,656,689	1,656,689	0	0
Free Reserves at 01.04.18	1,785,452	1,462,504	257,022	65,926
Drawdown of Reserves 2018/19	-448,480	-134,617	-272,647	-41,216
Reserves for 2018/19 to date	527,578	231,798	143,313	152,467
TOTAL Reserves to November 2018	3,521,239	3,216,374	127,688	177,177
<i>of which Free Reserves</i>	1,864,550	1,559,685	127,688	177,177
<i>* of which retained by agreement</i>			50,000	25,000

13. Recommendations

13.1 To note the income, expenditure and reserves position at 30th November 2018.

14.0 Access to Information

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

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Designation: Director

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Email: lhutchinson@patrol-uk.info

APPENDIX 1: PATROL Outturn to 30/11/2018

	Year to Date				Full Year			
	30/11/2018	30/11/2018	30/11/2018	30/11/2018	2018/19	2018/19	2018/19	2017/18
	Year to Date	Budget	Var to Budget	Var to Budget	Forecast Outturn	Full Year Budget	Var to Budget	Prior Year Result
Income								
Parking	1,205,875	1,094,333	111,542		1,659,704	1,641,500	18,204	1,744,815
RUCA (Dartcharge)	645,065	527,333	117,732		992,398	791,000	201,398	915,417
RUCA (Mersey Gateway)	287,297	321,200	(33,903)		499,354	481,800	17,554	209,141
Recharge for Bus Lane Adjudication Costs	305,038	315,287	(10,248)		444,159	472,930	(28,771)	426,443
Bank Interest	13,886	6,000	7,886		19,802	9,000	10,802	12,023
Contribution (to) / from Reserves	0	0	0	0.0%	0	0	0	0
Total Income	2,457,163	2,264,153	193,009	8.5%	3,615,416	3,396,230	219,186	3,307,838
Expenditure:								
Adjudicators	592,516	670,714	78,198	11.7%	963,598	1,005,819	42,222	911,826
Staff	664,026	678,967	14,941	2.2%	998,277	1,017,588	19,311	995,882
Premises / Accommodation	123,237	144,655	21,418	14.8%	191,136	216,982	25,846	174,528
Transport	60,031	52,960	(7,071)	-13.4%	90,916	79,440	(11,476)	81,685
Supplies and Services	247,362	315,728	68,366	21.7%	568,645	474,392	(94,253)	350,219
IT	207,496	177,749	(29,747)	-16.7%	313,948	266,624	(47,324)	284,621
Services Management and Support	33,333	33,333	(0)	0.0%	50,000	50,000	(0)	48,902
Audit Fees	1,583	2,733	1,150	42.1%	2,667	4,100	1,433	4,750
Contingency	0	0	0	0.0%	0	0	0	0
Total Expenditure	1,929,585	2,076,839	147,255	7.1%	3,179,187	3,114,945	(64,241)	2,852,412
Surplus / (Deficit)	527,578	187,314	340,264		436,230	281,285	154,945	455,426
Breakdown of Surplus								
PATROL	527,578	187,314			436,230	0		455,426
Mersey Gateway	231,798	38,003			(62,883)	57,218		203,074
Highways England	152,467	130,206			246,778	195,335		61,452
	143,313	19,106			252,334	28,733		190,900

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PATROL ADJUDICATION JOINT COMMITTEE
Executive Sub Committee

Date of Meeting: 29th January 2019
Report of: The Director in consultation with the PATROL and BLASJC Resources Working Group and Sub Committee.
Subject/Title: Reserves Policy Statement

1.0 Report Summary

1.1 To review the Reserves Policy Statement for the Joint Committee for 2019/20

2.0 Recommendation

2.1 To approve the Reserves Policy Statement for 2019/20 and the total approved reserve level for 2019/20 of £1,793,607. This equates to 54.8% of the overall budget.

The equivalent figure for 2018/19 (including the amount allocated to BLASJC) was £1,910,717 (61.3%) and for 2017/18 was £1,879,545 (54.1%).

2.2 To approve the balances of any surplus from 2018/19 being carried forward to 2019/20.

2.3 To approve the drawing down of the Technology Reserve to the Director to the value of £250,000 as required during 2019/20 on the basis that this expenditure will be reported to the Joint Committee's Resources Working Group and Sub Committee.

2.4 To approve the delegation of authority to the Chair and the Vice Chair for authorising the withdrawal of funds from general reserves to meet budgetary deficits.

3.0 Reasons for Recommendations

3.1 Compliance with Financial Regulations

4.0 Financial Implications

4.1 The Reserves Policy Statement contributes to the self-financing objectives of the Joint Committee.

5.0 Legal Implications

5.1 The Reserves Policy Statement will enable contractual obligations to be met

6.0 Risk Management

- 6.1 The Reserves Policy Statement forms part of the Risk Management Strategy. The Risk Management Strategy is reviewed at each meeting and includes the following statement:

“We will maintain a sufficient level of reserves to support liquidity and absorb short-term fluctuations in income and expenditure beyond our control.” (See 7.4)

7.0 Background and Options

- 7.2 PATROL has built up a body of reserves which ensures the continuation of service should there be an unexpected downturn of income or unforeseen expenditure. The availability of reserves is central to maintaining its ability to self-finance and reduce the likelihood of having to call on additional resources mid-year.

At 31st March 2018, the level of reserves was £3,442,141 of which £1,910,717 was approved reserves for 2018/19, £1,785,452 was Free Reserves of which £257,022 was ring-fenced to Highways England and £65,926 to Mersey Gateway.

- 7.3 For 2019/20, it is again recommended that the Reserves Policy Statement will be made up of three elements:

General Reserves
Property Reserves
IT Reserve

7.4 The General Reserve

The General Reserve aims to mitigate the risk arising from:

- a) Reduction in income as a result of individual enforcement authority issues.
- b) Reduction in income as a result of issues affecting civil enforcement across all or a majority of enforcement authorities
- c) Unanticipated costs associated with legal action
- d) Unanticipated expenditure due to unforeseen circumstances
- e) Overrun on expenditure
- f) Meeting contractual obligations in the event of closure.

It is recommended that the General Reserve for 2019/20 is £1,403,378. This reflects 43.0% of budget and compares to the General Reserve approved for 2018/19 of £1,364,142 which represents 43.8% of budget.

7.5 The Property Reserve

This provides an indemnity to the Host Authority in relation to any outstanding rent associated with the lease that they have entered into on behalf of the

Joint Committee. It reflects the number of years of commitment beyond the next budgeted year.

The lease for Springfield House was renewed in February 2018. 2019/20 represents the second year of lease which will have a breakclause at year 3. Therefore, provision is therefore made for rent for one year beyond that budgeted for in 2019/20.

It is recommended that the Property Reserve for 2019/20 is £135,230 which compares with £296,575 in 2018/19, and £221,340 in 2017/18.

7.6 Technology Reserve

It is recommended that the Technology reserve remains at the same level to enable further refinement of the digital appeal system and to prepare to receive road user charging appeals arising from penalties issued in charging clean air zones scheduled to commence early 2020.

Technology Reserve Levels

2019/20	£250,000
2018/19	£250,000
2017/18	£350,000

£250,000 represents 7.6% of the overall budget for 2019/20 (compared to 8.0% for 2018/19).

For 2019/20 it is recommended that a reserve of £250,000 is retained to further refine the digital appeal system and to prepare to receive road user charging appeals arising from penalties issued in charging clean air zones scheduled to commence early 2020.

- 7.7. **It is recommended that the total PATROL approved reserve level for 2019/20 is £1,562,303. This after allowing for the proposed Reserve Allocation to BLASJC of £231,304.**
- 7.8 It is anticipated that PATROL reserve will reach £2,743,878 (excluding ring-fenced amounts) at the 31st March 2019 and therefore sufficient reserves will be in place to accommodate the recommended approved reserve of £1,562,303.
- 7.9 The Joint Committee will monitor income and expenditure during 2019/20 to keep the Reserves Policy Statement under review. Any additional balances will be taken into account in setting the budgets and approving the basis for defraying expenses.

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

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PATROL ADJUDICATION JOINT COMMITTEE Executive Sub Committee

Date of Meeting: 29th January 2019
Report of: The Director in consultation with the PATROL and BLASJC
Resources Working Group and Sub Committee
Subject/Title: Budget 2019/20

1.0 Report Summary

1.1 To request the Committee to adopt the revenue budget estimates for 2019/20.

2.0 Recommendation

2.1 To agree to adopt the revenue budget for 2019/20 as detailed in the report.

3.0 Reasons for Recommendations

3.1 Joint Committee Financial Regulations

4.0 Financial Implications

4.1 Set out in the report

5.0 Legal Implications

5.1 Requirement to approve budget before 31 January 2019

6.0 Risk Management

6.1 Budget setting contributes to the Risk Management Strategy.

7.0 Background and Options

7.1 In accordance with the Joint Committee's agreement, it is necessary to establish a budget estimate for the forthcoming year. An assessment has been made of the likely service take up during 2019/20 and therefore the Adjudicators, administrative support and accommodation needed. The adjudication service is operated on a self-financing basis with income obtained from contributions by PATROL member authorities.

7.2 Income assumptions

Table 1 provides an income summary since 2010/11:

Year	Budgeted Income	Achieved Income	variance
2010/11	2,560,993	2,757,666	196,673
2011/12	2,782,500	3,158,649	376,149
2012/13	2,576,410	2,933,181	356,771
2013/14	3,091,564	3,260,847	169,283
2014/15	3,300,457	3,085,885	-214,572
2015/16	3,664,745	3,951,284	286,539
2016/17	3,670,344	3,537,576	-132,768
2017/18	3,529,490	3,307,838	-221,652

- 7.3 The Joint Committee has determined that member authorities will defray the expenses of the Joint Committee by way of a contribution based on the number of penalty charge notices they issue.
- 7.4 For 2019/20, the forecasting model focuses on trends from the past 12 month's income.
- 7.5 Additional income to the PATROL budget arises from a recharge to the Bus Lane Adjudication Service Joint Committee for the purposes of integrated adjudication services.
- 7.6 During 2019/20, additional income also derives from the Secretary of State for Transport in respect of adjudication of appeals arising from the enforcement of road user charging (RUCA) at the Dartford-Thurrock River Crossing and from charges to Halton Borough Council in respect of adjudication of appeals arising from the enforcement of road user charging at the Mersey Gateway Bridge. These charging authorities are not members of the PATROL Joint Committee. Any surplus/deficit arising from appeals activity in this respect is ring-fenced to those charging authorities. Charges are also agreed separately.
- 7.7 During 2018/19, new powers were introduced to enable Litter Authorities in England to undertake civil littering from vehicles. Whilst there has been considerable interest from local authorities' level of enforcement have been low and at the time of writing this report, no appeals have been received by the tribunal. The forecast for 2019/20 remains low for this new area of enforcement.
- 7.8 A modest amount of bank interest has been included in the income projection based on the Annual Investment Strategy reported elsewhere.

7.9 The Joint Committee approves a Reserves Policy Statement each January and for 2019/20, the level of reserves contributing to the budget for 2019/20 will depend on the basis for charging member authorities approved at the January 2019 meeting.

8.0 Expenditure

8.1 An assessment has been made of the revenue budget that will be needed to meet the demands on the service during 2018/19.

8.2 Appeals activity for the first eight months of 2019/20 has indicated that there has been an overall increase in appeals of 19%.

8.3 In preparing this budget for 2019/20, account has been taken of this together with the following objectives:

- To continue to develop an intuitive online appeal system for appellants and respondent authorities supported by information and guidance in response to user feedback and surveys.
- To continue to improve the tribunal's understanding of appellants who are not online and develop the assisted digital offer.
- To introduce interactive appeals statistics through the Traffic Penalty Tribunal website and develop the range of information available through the website.
- To strengthen local authority understanding of adjudication as a judicial process through local authority engagement and workshops.
- To liaise with DEFRA and local authorities in anticipation of the introduction of Charging Clean Air zones, to share findings from other road user charging appeal streams and adapt FOAM to accommodate resulting appeals.
- To continue to promote best practice in public information on civil enforcement including the development of shared resources available to local authorities.
- Develop the evidence base of enforcement and appeals on behalf of local authorities outside London.

8.4 The following provides a summary of anticipated expenditure in 2019/20

8.5 Adjudicators

The budget assumes a 2% inflationary increase in adjudicator fees.

8.6 Staffing

A 2% inflationary increase has also been assumed for salaries.

8.7 Premises

The total budgeted premises figure of £210,593 reflects rent, service charge, business rates, utilities, car parking, office maintenance and health and safety. The budget also includes for the replacement of lighting to increase energy efficiency.

8.8 Travel

In addition to staff travel, this budget line includes meeting the travel costs of local authority officers attending PATROL and Traffic Penalty Tribunal meetings and workshops. Without this, many authorities would not be able to attend these events which receive positive feedback and provide an opportunity to share innovation and best practice. Following approval at the July 2018 meeting, the budget also includes provision for member expenses for Joint Committee meetings outside the annual meeting.

8.9 Supplies and Services

The increase in supplies and services reflects an increasing focus on communication to raise awareness of the right to appeal and public information on traffic management matters. The tribunal's web site will be refreshed and the cost of providing public information films on the PATROL website is also included. These projects are being delivered through the use of tailored consultancy services to ensure the deployment of a range of skills. The budget also includes provision for independent research for both the tribunal and the Joint Committee. Additional legal costs have been budgeted for to review the Joint Committee agreements.

8.10 IT Costs

The IT budget for 2019/20 is comparable with the budget 2018/19 and represents a £47,000 saving on the forecast outturn for 2018/19. New developments for the tribunal's online appeal system are funded through the technology reserve, reported separately.

8.11 Service Management & Support

For 2019/20, it is anticipated that the Service Level Agreement charges with Cheshire East Council as Host Authority will remain broadly in line with those for 2018/19 in the region of £50,000. Information for previous years is set out below. If there is any variation this will be drawn to the attention of the Executive Sub Committee at Item 7.

Service	2017/18	2018/19
Human Resources	£7,995	£8,240
Internal Audit	£4,706	£4,850
Democratic Services	£7,995	£8,240
Legal	£7,995	£8,240
Finance	£4,706	£4,850
Host Authority Liaison	£5,505	£5,680
Retainer	£10,000	£10,000
Total	£48,902	£50,100

The increase was based on the CPI (Consumer Price Index) at November 2017

8.12 Audit

External Audit fees are broadly in line with those for 2017/18 subject to the appointment of auditors for 2019/20 reported separately. Internal Audit is included in the SLA Charges from Cheshire East see 8.11.

8.13 Contingency

In view of existing reserves, no contingency figure is proposed.

9.0 Summary of movement in income and expenditure

The tables below compare overall budgeted income and expenditure between 2018/19 and 2019/20 and the detail in relation to budgeted contributions to and from reserves (PATROL and those ring-fenced to Highways England and Mersey Gateway. Those schemes are currently charged on the basis of 35 pence and 55 pence respectively.

	Budget 2019/20	Budget 2018/19	Variance	% Change
Income	£3,464,298	£3,529,490	£68,068	2.0% increase
Expenditure	£3,275,097	£3,114,944	£160,152	5.0% increase
Contribution to Reserves	£189,201	£281,285	-£92,084	32.7% decrease

Contribution split as follows:

	Budget 2019/20	Budget 2018/19
PATROL (from reserves)	£-177,816	£57,577
Mersey Gateway (to ring-fenced reserves)	£237,785	£195,335
Highways England (to ring-fenced reserves)	£129,232	£28,373
TOTAL	£189,201	£281,285

**note – negative numbers indicate a contribution FROM Reserves*

The proposed budget for 2019/20 assumes the continuation of defraying the expenses amongst members of the Joint Committee on the basis of 30 pence per PCN as approved at the October 2018 meeting and backdated to April 2018.

The budgeted income and expenditure for 2019/20 results in an overall forecast contribution to reserves of £189,201 (a proportion of which may be ring-fenced to road user charging schemes – see table above). This compares to a forecast contribution to Reserves at the end of the financial year 2018/19 of £436,230 (a proportion of which relates to road user charging).

Appendix 1 provides contextual information for the proposed 2019/20 budget:

- Forecast expenditure 2018/19 (at the seven-month point) (Col 1)
- Actual full year expenditure for 2017/18 (Col 2)
- Budget for 2019/20 (Col 3)
- Budget for 2018/19 (Col 4)
- Budget for 2017/18 (Col 5)
- Budget variance 2018/19 compared to 2019/20 (col 6)

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
 Tel No: 01625 445566
 Email: lhutchinson@patrol-uk.info

PATROL Budget Summary 2019/20

	Forecast 2018/19	Actuals 2017/18	Budget 2019/20	Budget 2018/19	Budget 2017/18	Budget Var 18/19 to 19/20
Income						
Parking	1,508,816	1,695,610	1,401,059	1,610,000	1,840,000	(208,941)
Recharge for Bus Lane Adjudication Costs	444,159	426,443	470,454	472,930	492,990	(2,475)
Moving Traffic	59,559	49,205	50,400	31,500	36,000	18,900
Road User Charging:						
Dart Charge	992,398	915,417	992,398	791,000	1,147,500	201,398
Mersey Gateway	499,354	209,141	532,236	481,800	4,000	50,436
Durham Peninsular	13					0
Littering from Vehicles	0	0	750	0	0	750
Other Income	91,316	0	0	0	0	0
Bank Interest	19,802	12,023	17,000	9,000	9,000	8,000
						0
Total Income	3,615,417	3,307,838	3,464,298	3,396,230	3,529,490	68,068
Expenditure:						
Adjudicators	963,598	912,583	1,074,435	1,005,818	1,240,718	(68,616)
Staff	998,277	995,882	1,072,521	1,017,588	1,159,493	(54,932)
Premises / Accommodation	191,136	174,528	210,593	216,982	205,602	6,389
Transport	90,916	80,927	97,000	79,440	84,075	(17,560)
Supplies and Services	568,645	366,149	499,555	474,392	376,356	(25,163)
IT	313,948	268,680	266,893	266,624	255,487	(269)
Services Management and Support	50,000	48,902	50,000	50,000	50,000	0
Audit Fees	2,667	4,750	4,100	4,100	4,750	0
Contingency	0	11	0	0	100,000	0
Total Expenditure	3,179,187	2,852,413	3,275,097	3,114,944	3,476,481	(160,151)
Surplus / (Deficit)	436,230	455,426	189,201	281,285	53,009	(92,083)

Breakdown of Contribution to Reserves:

TOTAL	436,230	455,426	189,201	281,285	53,009
PATROL	-62,882	203,074	-177,816	57,577	41,451
Mersey Gateway	246,778	61,452	237,785	195,335	0
Dart Charge	252,334	190,900	129,232	28,373	11,558

Note: A negative number means a contribution from reserves

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PATROL ADJUDICATION JOINT COMMITTEE
Executive Sub Committee

Date of Meeting:	29 th January 2019
Report of:	Director in consultation with the PATROL and BLASJC Resources Working Group and Sub Committee
Subject/Title:	Defraying the expenses of the Joint Committee 2019/20

1.0 Report Summary

1.1 To establish the basis for defraying expenses during 2019/20.

2.0 Recommendation

2.1 That for 2019/20, the Joint Committee approves the rate of 30 pence per PCN for member authorities agreed at its meeting in October 2018 and backdated to 1st April 2018. This will be reviewed at the October 2019 meeting in the light of actual income and expenditure information for the first half of the year is available. The rate of 30 pence will apply to penalties issued as follows:

Parking - England
Parking - Wales
Bus Lanes and Moving Traffic - Wales
Road User Charging – Durham County Council
Littering from vehicles - England

2.2 There will be no annual charge, nor cost per case.

2.3 Invoicing will be undertaken on a quarterly basis on estimated figures and subsequently adjusted at the 6 month and 12 month points.

2.4 To note the estimated impact (based on latest available estimates), by enforcement authority, of reducing the basis for defraying expenses in respect of parking penalties in 2018/19 from 35 to 30 pence (Appendix 1).

2.5 To note that the operation of a digital by design appeal platform has also brought about significant savings in officer time, printing and postage for member authorities as well as an intuitive appeal system for appellants and the Traffic Penalty Tribunal.

2.6 To note that separate charging arrangements are entered into with Highways England and Halton Borough Council who are not members of the Joint Committee but with each of whom the Joint Committee has entered into a

Memorandum of Understanding. Balances associated with these schemes are reported separately to the Joint Committee within budget monitoring reports.

2.7 To request the Resources Working Group and Sub Committee determine the arrangements for defraying expenses in 2019/20 in respect of appeals arising from penalties for failing to pay in any forthcoming charging clean air zones which come into force in the final quarter of 2019/20. The charging arrangements for such schemes for 2020/21 to be approved at the Joint Committee meeting in January 2020.

2.8 To note that the decision to provide a transcription from the audio recording of proceedings rests with the Adjudicator. Where this has been agreed to, the Joint Committee agree that the incidental costs of making a transcription from the audio recordings of the proceedings at a hearing is charged to the requesting party except when, in the view of the Adjudicator, a disability of the requesting party would make it desirable for that person to receive such a transcript.

3.0 Reasons for Recommendations

3.1 Compliance with Financial Regulations.

4.0 Financial Implications

4.1 Detailed in the report.

5.0 Legal Implications

5.1 In accordance with the PATROL Adjudication Joint Committee Agreement.

6.0 Risk Management

6.1 Financial resilience is monitored within the Risk Management Strategy.

7.0 Background and Options

7.1 The Joint Committee provides the means to appeal to an independent adjudicator in respect of civil traffic enforcement in England (outside London) and Wales, road user charging and littering from vehicles.

7.2 The PATROL agreement provides for the adjudication service to be operated on a self-financing basis with expenses defrayed by member authorities. Where authorities are working in partnership, it is practice to charge those enforcement authorities who manage the enforcement income stream. Table 1 provides an overview of the Joint Committee's basis for defraying expenses since inception.

Table 1 History of defraying the expenses of the Joint Committee

Year	Per PCN	Annual	Case
1991/2001	70 pence	£500	£10
2001/2003	70 pence	£500	£0
2003/2005	65 pence	£250	£0
2005/06	60 pence	£0	£0
2006/07	55 pence	£0	£0
2007/08	55 pence	£0	£0
2008/09	60 pence	£0	£0
2009/10	60/65 pence	£0	£0
2010/11	65 pence	£0	£0
2011/12	65 pence	£0	£0
2012/13	60 pence	£0	£0
2013/14	60 pence	£0	£0
2014/15	55 pence	£0	£0
2015/16	50/45 pence	£0	£0
2016/17	45/40 pence	£0	£0
2017/18	35 pence	£0	£0
2018/19	30 pence	£0	£0

- 7.3 The per PCN charge has more than halved since the inception of the Joint Committee and the annual and per case charges withdrawn entirely. This reduction is a result of economies of scale and efficiencies arising from the introduction of digital appeals.
- 7.4 Littering from vehicles is a new appeal stream where to date there has been little activity. An initial set up charge of 75 pence per PCN was introduced for 2018/19 however it is proposed to harmonise the charge with other appeal streams with other appeal streams from 1st April 2019.
- 7.5 Following consideration by the Resources Working Group and Sub Committee, it is recommended that for 2019/20, the Joint Committee approves the rate of 30 pence per PCN for member authorities agreed at its meeting in October 2018 and backdated to 1st April 2018. This will be reviewed at the October 2019 meeting in the light of actual income and expenditure information for the first half of the year is available. The rate of 30 pence will apply to penalties as follows:
- Parking - England
 - Parking - Wales
 - Bus Lanes and Moving Traffic - Wales
 - Road User Charging – Durham County Council
 - Littering from vehicles - England
- 7.6 The Joint Committee is asked to note that the PATROL Joint Committee provides access to independent adjudication through the Traffic Penalty Tribunal for appeals arising from penalty charge notices issued under Road

User Charging regulations at the Dartford-Thurrock River Crossing (Highways England) and at the Mersey Gateway Bridge Crossing (Halton Borough Council). These arrangements are each underpinned by a Memorandum of Understanding as the Charging Authorities are not members of the PATROL Joint Committee. The charges and agreed reserve levels for these are subject to separate arrangements agreed with the Charging Authority. Balances associated with these schemes are reported separately to the Joint Committee within budget monitoring reports.

- 7.7 The formal recommendation for defraying expenses for Member Authorities for 2019/20 and its impact on reserves is as follows:

To maintain a charge per PCN of 30 pence.

This will require a **contribution from reserves** for PATROL for 2019/20 (excluding Highways England and Mersey Gateway ring-fenced amounts) of £177,816.

This would be offset against a PATROL Free Reserve balance of £1,181,575 (predicted at 31st March 2019).

The basis for defraying expenses will be reviewed in October 2019 in the light of six-months income and expenditure information.

8.0 Access to Information

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

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Appendix 1:

Parking Estimated Savings 35p per PCN v 30p per PCN

Council	Estimated PCNS	Charge @ 35p per PCN	Charge @ 30p per PCN	Estimated Saving
Adur District Council	6,432	2,251.20	1,929.60	321.60
Allerdale Borough Council	3,880	1,358.00	1,164.00	194.00
Amber Valley Borough Council	2,158	755.30	647.40	107.90
Arun District Council	15,584	5,454.40	4,675.20	779.20
Ashfield District Council	2,176	761.60	652.80	108.80
Ashford Borough Council	14,984	5,244.40	4,495.20	749.20
Aylesbury Vale District Council	5,175	1,811.25	1,552.50	258.75
Barnsley Metropolitan Borough Council	10,015	3,505.25	3,004.50	500.75
Barrow Borough Council	1,883	659.05	564.90	94.15
Basildon Borough Council	10,058	3,520.30	3,017.40	502.90
Basingstoke and Deane Borough Council	10,299	3,604.65	3,089.70	514.95
Bassetlaw District Council	2,990	1,046.50	897.00	149.50
Bath and N E Somerset Council	36,816	12,885.60	11,044.80	1,840.80
Bedford Borough Council	33,299	11,654.65	9,989.70	1,664.95
Birmingham City Council	137,815	48,235.25	41,344.50	6,890.75
Blackburn with Darwen Borough Council	13,320	4,662.00	3,996.00	666.00
Blackpool Borough Council	32,620	11,417.00	9,786.00	1,631.00
Blaby District Council	3,273	1,145.55	981.90	163.65
Bolton Metropolitan Borough Council	26,783	9,374.05	8,034.90	1,339.15
Boston Borough Council	2,080	728.00	624.00	104.00
Bournemouth Borough Council	42,708	14,947.80	12,812.40	2,135.40
Bracknell Forest Council	4,503	1,576.05	1,350.90	225.15
Bradford Metropolitan District Council	23,319	8,161.65	6,995.70	1,165.95
Braintree District Council	9,623	3,368.05	2,886.90	481.15
Breckland District Council	3,685	1,289.75	1,105.50	184.25
Brentwood Borough Council	14,755	5,164.25	4,426.50	737.75
Bridgend County Borough Council	8,928	3,124.80	2,678.40	446.40
Brighton and Hove City Council	124,331	43,515.85	37,299.30	6,216.55
Bristol City Council	96,719	33,851.65	29,015.70	4,835.95
Broadland	444	155.40	133.20	22.20
Bromsgrove District Council	4,439	1,553.65	1,331.70	221.95
Broxbourne Borough Council	12,844	4,495.40	3,853.20	642.20
Broxtowe Borough Council	3,206	1,122.10	961.80	160.30
Buckinghamshire County Council	42,095	14,733.25	12,628.50	2,104.75
Burnley Borough Council	1,787	625.45	536.10	89.35
Bury Metropolitan Borough Council	17,399	6,089.65	5,219.70	869.95
Calderdale Borough Council	12,059	4,220.65	3,617.70	602.95
Cambridgeshire County Council	44,392	15,537.20	13,317.60	2,219.60
Cannock Chase District Council	1,891	661.85	567.30	94.55
Canterbury City Council	32,435	11,352.25	9,730.50	1,621.75

Cardiff County Council	63,991	22,396.85	19,197.30	3,199.55
Carlisle City Council	3,148	1,101.80	944.40	157.40
Carmarthenshire County Council	9,207	3,222.45	2,762.10	460.35
Castle Point Borough Council	5,377	1,881.95	1,613.10	268.85
Central Bedfordshire Council	16,259	5,690.65	4,877.70	812.95
Ceredigion County Council	5,231	1,830.85	1,569.30	261.55
Charnwood Borough Council	12,692	4,442.20	3,807.60	634.60
Chelmsford City Council	24,758	8,665.30	7,427.40	1,237.90
Cheltenham Borough Council	6,796	2,378.60	2,038.80	339.80
Cheshire East Council	31,119	10,891.65	9,335.70	1,555.95
Cheshire West and Chester Council	28,332	9,916.20	8,499.60	1,416.60
Chesterfield Borough Council	3,841	1,344.35	1,152.30	192.05
Chichester District Council	9,731	3,405.85	2,919.30	486.55
Chiltern District Council	3,480	1,218.00	1,044.00	174.00
Chorley Borough Council	3,783	1,324.05	1,134.90	189.15
Christchurch Borough Council	6,576	2,301.60	1,972.80	328.80
Colchester District Council	24,784	8,674.40	7,435.20	1,239.20
Conwy County Borough Council	19,044	6,665.40	5,713.20	952.20
Copeland Borough Council	636	222.60	190.80	31.80
Cornwall Council	45,528	15,934.80	13,658.40	2,276.40
Cotswold District Council	3,915	1,370.25	1,174.50	195.75
Coventry City Council	42,343	14,820.05	12,702.90	2,117.15
Craven District Council	2,998	1,049.30	899.40	149.90
Crawley Borough Council	10,356	3,624.60	3,106.80	517.80
Cumbria County Council	34,651	12,127.85	10,395.30	1,732.55
Dacorum Borough Council	6,824	2,388.40	2,047.20	341.20
Darlington Borough Council	7,203	2,521.05	2,160.90	360.15
Dartford Borough Council	13,027	4,559.45	3,908.10	651.35
Denbighshire County Council	5,927	2,074.45	1,778.10	296.35
Derby City Council	16,904	5,916.40	5,071.20	845.20
Derbyshire County Council	16,118	5,641.30	4,835.40	805.90
Derbyshire Dales District Council	4,192	1,467.20	1,257.60	209.60
Devon County Council	69,016	24,155.60	20,704.80	3,450.80
Doncaster Metropolitan Borough Council	18,128	6,344.80	5,438.40	906.40
Dorset County Council	22,523	7,883.05	6,756.90	1,126.15
Dover District Council	15,075	5,276.25	4,522.50	753.75
Dudley Metropolitan Borough Council	16,604	5,811.40	4,981.20	830.20
Durham County Council	22,880	8,008.00	6,864.00	1,144.00
East Devon District Council	2,859	1,000.65	857.70	142.95
East Dorset District Council (Off Street)	2,748	961.80	824.40	137.40
East Hampshire District Council	6,008	2,102.80	1,802.40	300.40
East Herts Council	55,112	19,289.20	16,533.60	2,755.60
East Lindsey District Council	4,890	1,711.50	1,467.00	244.50
East Riding of Yorkshire Council	19,691	6,891.85	5,907.30	984.55
East Staffordshire Borough Council	1,776	621.60	532.80	88.80
Eastbourne (East Sussex County Council)	16,303	5,706.05	4,890.90	815.15

Eastleigh Borough Council	8,095	2,833.25	2,428.50	404.75
Eden District Council	484	169.40	145.20	24.20
Elmbridge Council	33,724	11,803.40	10,117.20	1,686.20
Epping Forest District Council	17,304	6,056.40	5,191.20	865.20
Epsom & Ewell Borough Council	12,012	4,204.20	3,603.60	600.60
Erewash Borough Council	1,960	686.00	588.00	98.00
Exeter City Council	2,392	837.20	717.60	119.60
Fareham Borough Council	7,027	2,459.45	2,108.10	351.35
Flintshire County Council	855	299.25	256.50	42.75
Folkestone and Hythe District Council (Shepway)	21,132	7,396.20	6,339.60	1,056.60
Forest of Dean District Council	276	96.60	82.80	13.80
Fylde Borough Council	2,035	712.25	610.50	101.75
Gateshead Council	15,120	5,292.00	4,536.00	756.00
Gedling Borough Council	3,701	1,295.35	1,110.30	185.05
Gloucester City Council	4,264	1,492.40	1,279.20	213.20
Gloucestershire County Council	33,363	11,677.05	10,008.90	1,668.15
Gravesham Borough Council	20,816	7,285.60	6,244.80	1,040.80
Great Yarmouth Borough Council	9,684	3,389.40	2,905.20	484.20
Guildford Borough Council	32,852	11,498.20	9,855.60	1,642.60
Gwynedd Council	14,116	4,940.60	4,234.80	705.80
Hambleton District Council	7,019	2,456.65	2,105.70	350.95
Harborough District Council	6,203	2,171.05	1,860.90	310.15
Harlow District Council	9,110	3,188.50	2,733.00	455.50
Hart District Council	3,936	1,377.60	1,180.80	196.80
Hartlepool Borough Council	5,155	1,804.25	1,546.50	257.75
Hastings (East Sussex County C.)	15,460	5,411.00	4,638.00	773.00
Hastings Borough Council	3,692	1,292.20	1,107.60	184.60
Havant Borough Council	10,188	3,565.80	3,056.40	509.40
Herefordshire District Council	22,304	7,806.40	6,691.20	1,115.20
Hertsmere Council	7,644	2,675.40	2,293.20	382.20
High Peak Borough Council	2,911	1,018.85	873.30	145.55
Hinckley & Bosworth Borough Council	4,682	1,638.70	1,404.60	234.10
Horsham District Council	12,115	4,240.25	3,634.50	605.75
Hyndburn Borough Council	23	8.05	6.90	1.15
Ipswich Borough Council	20,056	7,019.60	6,016.80	1,002.80
Isle of Anglesey County Council	880	308.00	264.00	44.00
Isle of Wight Council	22,511	7,878.85	6,753.30	1,125.55
King's Lynn & West Norfolk	22,540	7,889.00	6,762.00	1,127.00
Kingston Upon Hull City Council	19,631	6,870.85	5,889.30	981.55
Kirklees Metropolitan Council	28,076	9,826.60	8,422.80	1,403.80
Knowsley Metropolitan Borough Council	6,823	2,388.05	2,046.90	341.15
Lancashire County Council	55,336	19,367.60	16,600.80	2,766.80
Lancaster City Council	6,256	2,189.60	1,876.80	312.80
Leeds City Council	96,736	33,857.60	29,020.80	4,836.80
Leicester City Council	76,227	26,679.45	22,868.10	3,811.35
Lewes Council	10,567	3,698.45	3,170.10	528.35

Lichfield District Council	4,103	1,436.05	1,230.90	205.15
Lincoln City Council	1,984	694.40	595.20	99.20
Lincolnshire County Council	30,344	10,620.40	9,103.20	1,517.20
Liverpool City Council	81,631	28,570.85	24,489.30	4,081.55
Luton Borough Council	52,815	18,485.25	15,844.50	2,640.75
Maidstone Borough Council	30,979	10,842.65	9,293.70	1,548.95
Maldon District Council	4,606	1,612.10	1,381.80	230.30
Malvern Hill District Council	3,088	1,080.80	926.40	154.40
Manchester City Council	149,271	52,244.85	44,781.30	7,463.55
Mansfield District Council	3,811	1,333.85	1,143.30	190.55
Medway Council	83,328	29,164.80	24,998.40	4,166.40
Melton Borough Council	4,105	1,436.75	1,231.50	205.25
Mendip District Council	8,342	2,919.70	2,502.60	417.10
Merthyr Tydfil County Borough Council	3,328	1,164.80	998.40	166.40
Mid Devon District Council	2,163	757.05	648.90	108.15
Mid Sussex District Council	15,595	5,458.25	4,678.50	779.75
Middlesbrough Council	11,323	3,963.05	3,396.90	566.15
Milton Keynes Council	29,199	10,219.65	8,759.70	1,459.95
Mole Valley District Council	9,267	3,243.45	2,780.10	463.35
Neath Port Talbot County Borough Council	12,564	4,397.40	3,769.20	628.20
Newark & Sherwood District Council	3,073	1,075.55	921.90	153.65
New Forest	10,000	3,500.00	3,000.00	500.00
Newcastle City Council	77,072	26,975.20	23,121.60	3,853.60
Newcastle-Under-Lyme Borough Council	3,491	1,221.85	1,047.30	174.55
Norfolk County Council	4,363	1,527.05	1,308.90	218.15
North Devon District Council	8,696	3,043.60	2,608.80	434.80
North East Derbyshire District Council	206	72.10	61.80	10.30
North East Lincolnshire Council	14,704	5,146.40	4,411.20	735.20
North Hertfordshire District Council	13,696	4,793.60	4,108.80	684.80
North Kesteven District Council	1,064	372.40	319.20	53.20
North Lincolnshire Borough Council	8,332	2,916.20	2,499.60	416.60
Norfolk District Council	6,021	2,107.35	1,806.30	301.05
North Somerset Council	16,611	5,813.85	4,983.30	830.55
North Tyneside Council	26,787	9,375.45	8,036.10	1,339.35
North West Leicestershire District Council	5,944	2,080.40	1,783.20	297.20
North Yorkshire County Council	22,895	8,013.25	6,868.50	1,144.75
Northamptonshire County Council	52,683	18,439.05	15,804.90	2,634.15
Northumberland County Council	25,027	8,759.45	7,508.10	1,251.35
Norwich City Council	26,671	9,334.85	8,001.30	1,333.55
Nottingham City Council	53,239	18,633.65	15,971.70	2,661.95
Nottinghamshire County Council (parent)	30,602	10,710.70	9,180.60	1,530.10
Nuneaton & Bedworth Borough Council	4,332	1,516.20	1,299.60	216.60
Oadby & Wigston	4,101	1,435.35	1,230.30	205.05
Oldham Metropolitan Borough Council	16,867	5,903.45	5,060.10	843.35
Oxfordshire County Council	42,455	14,859.25	12,736.50	2,122.75
Pembrokeshire County Council	15,540	5,439.00	4,662.00	777.00

Pendle Borough Council	1,039	363.65	311.70	51.95
Peterborough City Council	13,024	4,558.40	3,907.20	651.20
Plymouth City Council	43,403	15,191.05	13,020.90	2,170.15
Poole Borough Council	17,240	6,034.00	5,172.00	862.00
Portsmouth City Council	53,508	18,727.80	16,052.40	2,675.40
Powys County Council	6,920	2,422.00	2,076.00	346.00
Preston City Council	2,108	737.80	632.40	105.40
Purbeck District Council	465	162.75	139.50	23.25
Reading Borough Council	44,639	15,623.65	13,391.70	2,231.95
Redcar & Cleveland Borough Council	4,520	1,582.00	1,356.00	226.00
Redditch Borough Council	1,468	513.80	440.40	73.40
Reigate and Banstead Borough Council	12,376	4,331.60	3,712.80	618.80
Rhondda Cynon Taff County Borough Council	12,452	4,358.20	3,735.60	622.60
Ribble Valley Borough Council	700	245.00	210.00	35.00
Richmond District Council	4,129	1,445.15	1,238.70	206.45
Rochdale Metropolitan Borough Council	28,240	9,884.00	8,472.00	1,412.00
Rochford District Council	6,584	2,304.40	1,975.20	329.20
Rotherham Metropolitan Borough Council	11,040	3,864.00	3,312.00	552.00
Royal Borough of Windsor and Maidenhead	23,768	8,318.80	7,130.40	1,188.40
Rugby Borough Council	440	154.00	132.00	22.00
Runnymede Borough Council	7,148	2,501.80	2,144.40	357.40
Rushcliffe Borough Council	4,381	1,533.35	1,314.30	219.05
Rushmoor Borough Council	13,280	4,648.00	3,984.00	664.00
Rutland County Council	1,911	668.85	573.30	95.55
Ryedale District Council	2,890	1,011.50	867.00	144.50
Salford City Council	32,852	11,498.20	9,855.60	1,642.60
Sandwell Metropolitan Borough Council	42,979	15,042.65	12,893.70	2,148.95
Scarborough Borough Council	27,249	9,537.15	8,174.70	1,362.45
Sedgemoor District Council	2,790	976.50	837.00	139.50
Sefton Metropolitan Borough Council	31,500	11,025.00	9,450.00	1,575.00
Selby District Council	1,363	477.05	408.90	68.15
Sevenoaks District Council	12,171	4,259.85	3,651.30	608.55
Sheffield City Council	47,852	16,748.20	14,355.60	2,392.60
Shropshire Council	14,292	5,002.20	4,287.60	714.60
Slough Borough Council	30,748	10,761.80	9,224.40	1,537.40
Solihull MBC	25,408	8,892.80	7,622.40	1,270.40
Somerset County Council	26,734	9,356.90	8,020.20	1,336.70
South Bucks District Council	2,427	849.45	728.10	121.35
South Derbyshire District Council	272	95.20	81.60	13.60
South Gloucestershire Council	10,403	3,641.05	3,120.90	520.15
South Hams District Council	7,531	2,635.85	2,259.30	376.55
South Kesteven District Council	2,975	1,041.25	892.50	148.75
South Lakeland District Council	5,572	1,950.20	1,671.60	278.60
South Ribble Borough Council	864	302.40	259.20	43.20
South Norfolk District Council	398	139.30	119.40	19.90
South Somerset District Council	3,056	1,069.60	916.80	152.80

South Staffordshire Council	319	111.65	95.70	15.95
South Tyneside Council	8,556	2,994.60	2,566.80	427.80
Southampton City Council	61,980	21,693.00	18,594.00	3,099.00
Southend on Sea Borough Council	47,843	16,745.05	14,352.90	2,392.15
Spelthorne Borough Council	7,236	2,532.60	2,170.80	361.80
St Albans City and District Council	19,256	6,739.60	5,776.80	962.80
St Helens Council	6,600	2,310.00	1,980.00	330.00
Stafford Borough Council	4,179	1,462.65	1,253.70	208.95
Staffordshire County Council	23,936	8,377.60	7,180.80	1,196.80
Staffordshire Moorlands District Council	1,028	359.80	308.40	51.40
Stevenage Borough Council	10,679	3,737.65	3,203.70	533.95
Stockport MBC	23,824	8,338.40	7,147.20	1,191.20
Stockton on Tees Borough Council	4,183	1,464.05	1,254.90	209.15
Stoke City Council	28,467	9,963.45	8,540.10	1,423.35
Stratford District Council	1,756	614.60	526.80	87.80
Stroud District Council	3,499	1,224.65	1,049.70	174.95
Sunderland City Council	17,236	6,032.60	5,170.80	861.80
Surrey Heath Borough Council, Enviromenta	8,112	2,839.20	2,433.60	405.60
Swale Borough Council	19,752	6,913.20	5,925.60	987.60
Swansea Council	50,487	17,670.45	15,146.10	2,524.35
Swindon Borough Council	20,316	7,110.60	6,094.80	1,015.80
Tameside MBC	20,059	7,020.65	6,017.70	1,002.95
Tamworth Borough Council	4,224	1,478.40	1,267.20	211.20
Tandridge District Council	3,092	1,082.20	927.60	154.60
Taunton Deane District Council	9,457	3,309.95	2,837.10	472.85
Teignbridge District Council	2,343	820.05	702.90	117.15
Tendring District Council	9,818	3,436.30	2,945.40	490.90
Test Valley Borough Council	7,687	2,690.45	2,306.10	384.35
Tewkesbury Borough Council	1,639	573.65	491.70	81.95
Thanet District Council	22,992	8,047.20	6,897.60	1,149.60
Three Rivers District Council	4,411	1,543.85	1,323.30	220.55
Thurrock Borough Council	18,284	6,399.40	5,485.20	914.20
Tonbridge & Malling Borough Council	8,840	3,094.00	2,652.00	442.00
Torbay Borough Council	26,768	9,368.80	8,030.40	1,338.40
Torridge District Council	3,167	1,108.45	950.10	158.35
Trafford Metropolitan Borough Council	25,792	9,027.20	7,737.60	1,289.60
Tunbridge Wells Borough Council	38,283	13,399.05	11,484.90	1,914.15
Uttlesford District Council	8,035	2,812.25	2,410.50	401.75
Vale of Glamorgan Council	6,724	2,353.40	2,017.20	336.20
Wakefield Council	14,403	5,041.05	4,320.90	720.15
Walsall Metropolitan Borough Council	20,964	7,337.40	6,289.20	1,048.20
Wareham Council	232	81.20	69.60	11.60
Warrington Borough Council	12,707	4,447.45	3,812.10	635.35
Warwick District Council	6,260	2,191.00	1,878.00	313.00
Warwickshire County Council	33,963	11,887.05	10,188.90	1,698.15
Watford Council	28,351	9,922.85	8,505.30	1,417.55

Waverley Borough Council	13,439	4,703.65	4,031.70	671.95
Welwyn Hatfield Borough Council	10,903	3,816.05	3,270.90	545.15
West Berkshire District Council	6,808	2,382.80	2,042.40	340.40
West Devon Borough Council	3,379	1,182.65	1,013.70	168.95
West Lancashire District Council	1,956	684.60	586.80	97.80
West Lindsey District Council	825	288.75	247.50	41.25
West Oxfordshire District Council	8,515	2,980.25	2,554.50	425.75
West Somerset District Council	1,201	420.35	360.30	60.05
Weymouth and Portland Borough Council	8,708	3,047.80	2,612.40	435.40
Wigan Council	14,263	4,992.05	4,278.90	713.15
Wiltshire Council	10,988	3,845.80	3,296.40	549.40
Winchester City Council	14,384	5,034.40	4,315.20	719.20
Wirral Council	20,736	7,257.60	6,220.80	1,036.80
Woking Borough Council	14,512	5,079.20	4,353.60	725.60
Wokingham DC	13,068	4,573.80	3,920.40	653.40
Wolverhampton City Council	18,631	6,520.85	5,589.30	931.55
Worcester City Council	14,116	4,940.60	4,234.80	705.80
Worthing Borough Council	24,339	8,518.65	7,301.70	1,216.95
Wrexham County Borough Council	5,948	2,081.80	1,784.40	297.40
Wychavon District Council	5,440	1,904.00	1,632.00	272.00
Wycombe District Council	7,779	2,722.65	2,333.70	388.95
Wyre Borough Council	2,652	928.20	795.60	132.60
Wyre Forest District Council	6,087	2,130.45	1,826.10	304.35
York City Council	22,167	7,758.45	6,650.10	1,108.35
				249,744.45

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PATROL ADJUDICATION JOINT COMMITTEE

Executive Sub Committee

Date of Meeting: 29th January 2019
Report of: The Director
Subject/Title: Adjudicator Appointments

1.0 Report Summary

To note the renewal of the appointment of Caroline Sheppard OBE as Adjudicator and Chief Adjudicator to 22nd May 2020.

2.0 Recommendations

Members are asked to note:

- a) The renewal of the appointment of Caroline Sheppard OBE to 22nd May 2020 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 Regulation 12 of the Road User Charging (Penalty Charges, Adjudication and Enforcement) England Regulations 2013 and Regulation 18 of the Littering from Vehicles outside London (Keepers: Civil Penalties) Regulations 2018.

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

- b) The renewal of Caroline Sheppard OBE as Chief Adjudicator to 22nd May 2020.

3.0 Reasons for Recommendations

Adjudicator appointments have previously been made for a period of five years. For administrative ease, the Chief Adjudicator (to whom the Joint Committees have delegated adjudicator appointments) introduced a common

renewal date for all adjudicators to 22nd May 2020. This was reported to the meeting in October 2018. There is a presumption of renewal.

4.0 Financial Implications

None

5.0 Legal Implications

None

6.0 Risk Management

Resources planning is an element of the Risk Management Framework.

7.0 Background and Options

The Memorandum of Understanding between the Joint Committee and the Adjudicators which is reviewed at the annual meeting sets out the arrangements for appointing adjudicators.

8.0 Recommendations

Members are asked to note:

- a) The renewal of the appointment of Caroline Sheppard OBE to 22nd May 2020 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 and Regulation 18 of the Littering from Vehicles outside London (Keepers: Civil Penalties) Regulations 2018.

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

- b) The renewal of Caroline Sheppard OBE as Chief Adjudicator to 22nd May 2020.

9.0 Access to Information

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

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Designation: Director

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

Date of Meeting: 29th January 2019
Report of: The Director
Subject/Title: General Progress Report

1.0 Report Summary

1.1 To provide a General Progress Report for the period April to November 2019.

2.0 Recommendations

2.1 To note the matters reported.

3.0 Reasons for Recommendations

3.1 To update the Joint Committees' Executive Sub Committees.

4.0 Financial Implications

4.1 This information will be reviewed in preparing budgets for 2019/20 in January 2019.

5.0 Legal Implications

5.1 None

6.0 Risk Management

6.1 Appeals activity is reflected in the Risk Management Framework reported separately.

7.0 Background and Options

7.1 A report is presented at Appendix 1

8.0 Access to Information

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

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PATROL AND BUS LANE ADJUDICATION SERVICE JOINT COMMITTEES Resources Working Group and Sub Committee meeting 8th January 2019

General Progress Report 1 April 2018 to 30th November 2018

1. Introduction

The Traffic Penalty Tribunal was established in 1999. It comprises the Chief Adjudicator, Caroline Sheppard OBE and Deputy Chief Adjudicator Stephen Knapp and 27 part-time adjudicators working remotely in England and Wales. The adjudicators are supported by fourteen administrative staff. Adjudication is provided to over 300 member authorities, Highways England and Halton Borough Council.

The adjudicators of the Traffic Penalty Tribunal decide appeals against penalties issued by local authorities in England (outside London) and Wales who undertake civil enforcement of parking, bus lanes and, in Wales, moving traffic contraventions. The tribunal also decides appeals arising from road user charging enforcement at the Dartford-Thurrock River and Mersey Bridge Crossings. In the case of the former, the Charging Authority is the Secretary of State for Transport and for the latter Halton Borough Council. Road User Charging enforcement is also undertaken by Durham County Council. The tribunal also decides appeals against penalties issued by local authorities in England (outside London) for littering from vehicles.

The following report provides details of:

2. FOAM
3. Appeals summary April to November 2018
4. Hearings
5. Case closure
6. Assisted digital support
7. Appellant feedback
8. Local authority workshops conducted during the year.

2. FOAM (Fast Online Appeals Management)

The Traffic Penalty Tribunal has always harnessed technology to provide an accessible and efficient tribunal. In 2013/14, supported by investment from the PATROL Joint Committee, the tribunal committed to introducing a new system which would be “digital by design”; and be developed with a user-focused approach. The tribunal also committed to retaining the “human touch” with the staff adopting new customer service role to provide “Assisted Digital” support to people who require help in appealing online. The intention was also to introduce efficiencies in delivery costs both for the tribunal and the member authorities.

The new approach was not simply the development of a new system but a complete overhaul of existing tribunal processes and a root and branch review of communications to ensure that the system was intuitive for all users.

The principles behind what came to be known as FOAM (Fast Online Appeals Management) are accessibility (for online and offline), transparency (all parties can see the appeal, the evidence and the decision), proportionality (to the nature of the penalty), velocity (the review of business processes and the system has streamlined the appeal journey) and finality (the visibility of the appeal process and decision can help to draw the matter to a close).

The starting point for the appeal process sits in the authority's Notice of Rejection of Representations. Appellants are provided with a URL link to the FOAM system. A helpline number is also provided for people who do not wish to or cannot appeal online.

There are four actors in FOAM: the appellant, the respondent authority, the adjudicator and the tribunal staff. Part of the intuitive design of FOAM lies in the colour coding which means that each actor knows when it is their turn to act.

The tribunal appointed a Local Authority Engagement Manager and the system was rolled out through 38 local authority workshops in a 12-month period 2016/17. Local authority workshops continue on a regular basis and include a range of tribunal and PATROL topics.

The features of FOAM include:

- Appeals submitted and processed fully online
- Authorities see appeals and respond in real-time
- Bespoke dashboard for authorities to manage cases
- Evidence submitted and reviewed online by both appellant and authority
- Accessible on all smartphones, tablets and laptops

The impact of FOAM

The impact of FOAM has been significant. Requests for hearings have reduced and now hearings take place bringing the parties together on the telephone and, more recently, video hearings can be arranged. Some cases are closed on the same day as they are submitted by the appellant when the authority decides not to contest the case.

Feedback from local authorities has been positive:

“The speed and ease of communication has enabled all parties to clarify and comment on all aspects of the case”

Cornwall County Council

“Reviewing of case is all in one place from start to finish; makes all the difference – instant messaging saves time in calls”

Bristol City Council

“We now save 85% on postage and we no longer hold the record for most printing”.

Manchester City Council

Local authorities have pointed to an average saving per case of £150 when staff time, postage and printing is taken into account.

Recognition of the Traffic Penalty Tribunal's digital transformation

The tribunal received a number of awards for its online appeal system including:

- The North of England Transport Awards - Winner (Excellence in Technology) 2016

- The British Parking Awards Winner Intelligent Parking Awards 2017
- The Society of IT Managers in the Public Sector (SOCITM) 2017 Shortlisted for the Collaboration Award in recognition of the scale of the deployment of the system across over 300 local authorities
- The National Transport Awards (Shortlisted) (Excellence in Technology) 2017

The tribunal has also been recognised as being at the forefront of judicial digital transformation and has been referenced as a judicial digital case study in JUSTICE reports: “What is a court?” (2016) and “Preventing Digital Exclusion from Online Justice” (2018).

The Traffic Penalty Tribunal’s digital transformation is being presented as a case study in simplified online judicial procedures to the European Conference of Supreme Administrative Judges. The Chief Adjudicator was invited to speak at the first International Online Courts Forum held earlier this month.

FOAM in Scotland

The Traffic Penalty Tribunal has always retained good communications with other similar jurisdictions and the Chief Adjudicator has in recent years convened seminars for those involved in Scotland, London and Northern Ireland tribunals. This has been an opportunity to demonstrate the impact that reviewing business processes, content and introducing an intuitive digital platform can have on the appeal process and user experience.

The tribunal has explained its approach to business processes to process and content and provided a copy of FOAM to the Parking and Bus Lane Tribunal for Scotland (PBLTS). Earlier this year our Authority Engagement Manager coordinated training for adjudicators, staff and local authorities for their version of FOAM adapted to the local regulations. Our tribunal staff were on site when FOAM went live in Scotland with Aberdeen, Angus, Argyll and Bute, Dundee, East Ayrshire, East Dumbartonshire, East Lothian, East Renfrewshire, Edinburgh, Fife, Glasgow, Highland, Inverclyde, Perth, Renfrewshire, South Ayrshire, South Lanarkshire and Stirling responding to appeals digitally. The feedback is that the tribunal process has been transformed.

The Traffic Penalty Tribunal continues to offer assistance as required to PBLTS, DVSA and the Scottish Courts and Tribunal Service.

3. Appeals summary April to November 2018

The following table compares case volumes across all appeal streams in the first eight months of 2018/19 with the previous two years.

Month	18/19	17/18	16/17
April	1,713	1,585	2,205
May	1,930	1,759	2,038
June	1,757	1,717	2,089
July	2,009	1,689	2,145
Aug	2,046	1,700	2,238
Sept	1,975	1,455	2,302
Oct	2,366	1,721	2,272
Nov	2,328	1,913	2,297
TOTAL	16,124	13,539	17,586

There has been a 19% increase in cases for the period April to November 2018 when compared with the same period in 2017. This is mainly the result of increases in bus lane (England), the moving traffic (Wales) and Mersey Gateway cases.

ALL APPEAL STREAMS

The following sets out the case volumes by appeal stream.

	Parking	Bus Lanes	Moving Traffic	DC	MG	Durham	Month Total	Running Total
April	886	360	13	382	72	0	1,713	1,713
May	914	432	20	484	80	0	1,930	3,643
June	808	440	17	457	35	0	1,757	5,400
July	874	513	19	562	41	0	2,009	7,409
Aug	929	436	16	535	130	0	2,046	9,455
Sept	848	435	11	550	131	0	1,975	11,430
Oct	987	612	26	577	164	0	2,366	13,796
Nov	930	584	9	599	206	0	2,328	16,124

Table 1: Case volumes by appeal stream

The following provides further detail on case volumes for individual appeal streams:

ENGLAND

Case volumes for the period April to Nov 2018 (figures in brackets relate to the same period for 2017)

	Parking England	Bus Lanes England
April	855 (778)	355 (245)
May	868 (799)	411 (303)
June	766 (867)	419 (271)
July	839 (854)	498 (274)
Aug	887 (898)	414 (267)
Sept	809 (758)	414 (251)
Oct	929 (877)	579 (320)
Nov	883 (812)	563 (306)
Total	6,836 (6,643)	3,653 (2,237)

Table 2: Case volumes comparing April to Nov 2018 against the same period in 2017

Parking: The volume of parking appeals has increased by 3%.

Bus Lane: The volume of bus lane appeals has increased by 63%.

WALES

The following shows case volumes in relation to Wales for the period April to Nov 2018. The figure in brackets relates to the same period in 2017.

	Bus Lanes	Parking	Moving Traffic	Month Total	Running Total
April	5 (8)	31 (53)	13 (6)	49 (67)	49 (67)
May	21 (14)	46 (41)	20 (5)	87 (60)	136 (127)
June	21 (37)	42 (33)	17 (7)	80 (77)	216 (204)
July	15 (31)	35 (50)	19 (6)	69 (87)	285 (291)
Aug	22 (21)	42 (34)	16 (7)	80 (62)	365 (353)
Sept	21 (8)	39 (30)	11 (2)	71 (40)	436 (393)
Oct	33 (16)	58 (34)	26 (10)	117 (60)	553 (453)
Nov	21 (13)	47 (40)	9 (15)	77 (68)	630 (521)
Total	159 (148)	340 (315)	131 (58)	630 (521)	

Table 3: Case volumes by appeal stream in Wales for April to Nov 2018

Bus Lanes: The volume of bus lanes appeals has increased by 7.4%.

Parking: The volume of parking appeals has increased by 7.9%.

Moving Traffic: Moving traffic appeals have increased by 126% but remains relatively low in volume.

Total Wales: There has been an overall increase in cases of 21%

DART CHARGE (Highways England)

	Dart Charge 2018	Dart Charge 2017	Running Total 2018
April	382	495	382
May	484	597	866
June	457	502	1,323
July	562	474	1,885
Aug	535	473	2,420
Sept	550	406	2,970
Oct	577	464	3,547
Nov	599	506	4,146
Total	4,146	3,917	

Table 4: Case volumes Dart Charge comparing April to Nov 2018 and 2017

There has been a slight increase in Dart Charge cases of almost 6% when comparing the period April to November 2018 with the same period last year.

MERSEYFLOW (Halton Borough Council)

Road user charging was newly introduced at the Mersey Gateway Bridge Crossing in October 2017. The first appeal was received at the tribunal on 7th November 2017. A total 2,686 of have been submitted to the tribunal during the period to 30th November 2018.

4. Hearings

The online appeals portal FOAM has transformed the way that the tribunal handles appeals and this is particularly evident in hearings. The ability to message, comment on evidence and request extra evidence be uploaded has meant that most cases can be resolved without a hearing i.e. through an E-Decision. In addition, the appellant only requests a hearing once all the evidence is available to the parties and the Adjudicators are able to review cases in advance to see whether a hearing is actually required. The demand for face to face hearings reduced significantly. E-decisions and telephone hearings have become the most prevalent and the tribunal has also begun to trial video hearings in 2018.

Feedback in relation to video hearings has included:

“Video hearings humanise the situation – you get more of a human connection when you can see who you are talking to, even if the appeal didn’t go your way, you feel that you have been listened to”

	TOTAL	E- decision	F2F	Telephone	Video
2018/19 ¹	15,288	13,182	13	2,079	14
2017/18	18,166	15,873	596	1,695	2
2016/18	21,008	17,400	1,333	2,275	0

Note ¹ – April to Nov 2018

Table 5: Breakdown of hearings during the period April 2016 to Nov 2018.

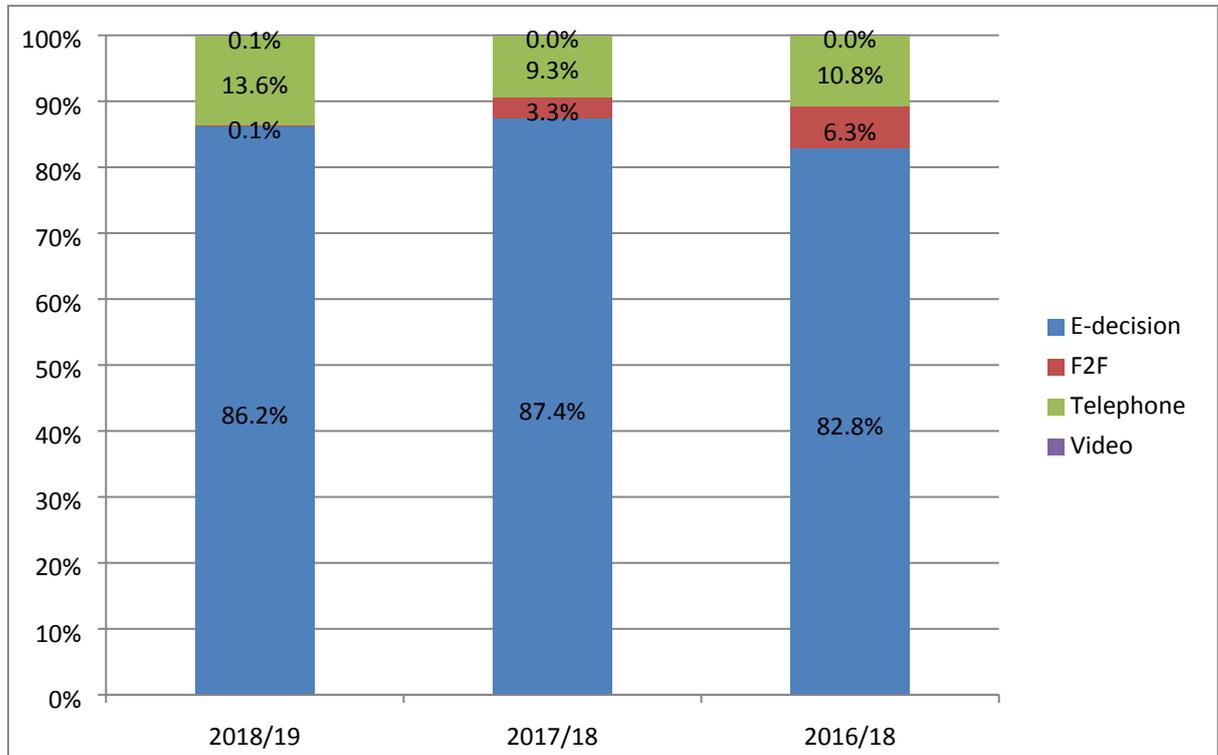


Table 6: Proportion of hearing types during the period April 2016 to Nov 2018.

5. Case Closure

The online system has resulted in a new way of handling appeals with the facility for messaging and all parties having access to the same information and evidence in the same place. This allows the adjudicator to adopt a more inquisitorial approach to ascertain details of the case.

Appealing to the Traffic Penalty Tribunal is a judicial process and whilst it is not appropriate to set rigid timescales, the tribunal’s objective is to provide:

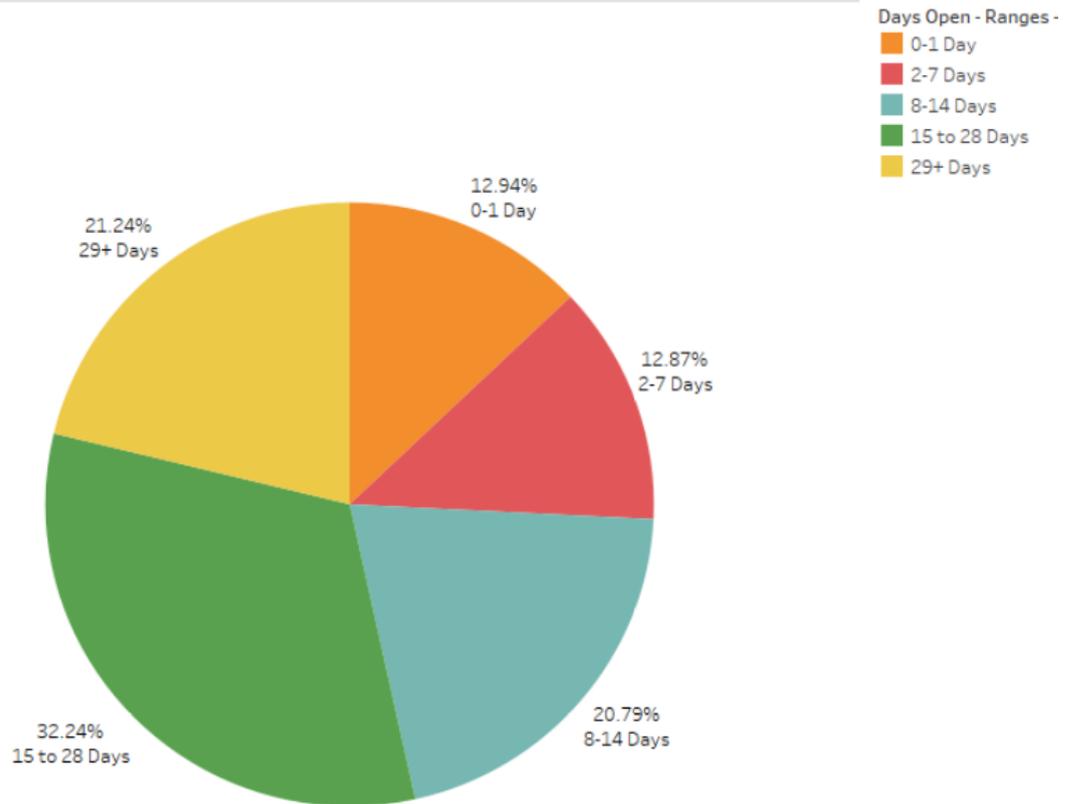
“a tribunal service that is user-focused, efficient, timely, helpful and readily accessible”

Figure 1 provides a breakdown of case closure times across all appeal streams.

Figure 1: Case closure all appeal types.

During the period April to November 2018, cases were closed as follows (the figure in brackets relates to the previous 12-month period for comparison).

Number of Days Cases are Open



0-1 day	13% (9%)
2-7 days	13% (11%)
8-14 days	21% (21%)
15-28 days	32% (28%)
29 days plus	21% (31%)

- During this period over three quarters (78.84%) of cases were closed within 28 days.
- This compares to the same period in 2017 where 69% of cases were closed within 28 days.
- This equates to approximately a 10% increase in cases closed within 28 days.

6. Assisted Digital & Helping Offline Appellants

The Tribunal has long recognised the importance of complimenting the online system with an experienced customer service team to provide support to appellants in making an appeal. For most appellants it will be their first and perhaps their only experience of engaging with a judicial process.

For the small percentage of people who do find it initially difficult to go online, TPT provides Assisted Digital Support. Contact with the customer service team is also available for all appellants throughout the process should they need it. A ‘Live Chat’ facility has recently been introduced which further complements the online support that is available and is a further channel of support that the Tribunal offers.

The tribunal’s customer service team proactively engages with appellants to promote, explain and support the online appeal process, both with appellants who wish to go online but need assistance and those who require an alternative way of appealing.

However, the tribunal recognises that there will be appellants who, because of their ability, confidence or preference, choose to request a form be posted to them

The percentage of offline (proxy) cases has continued to reduce. In July 2018, this reached a new low of 6.48%. It is recognised that there will be fluctuations and at November 2018, the figure was 6.91%.

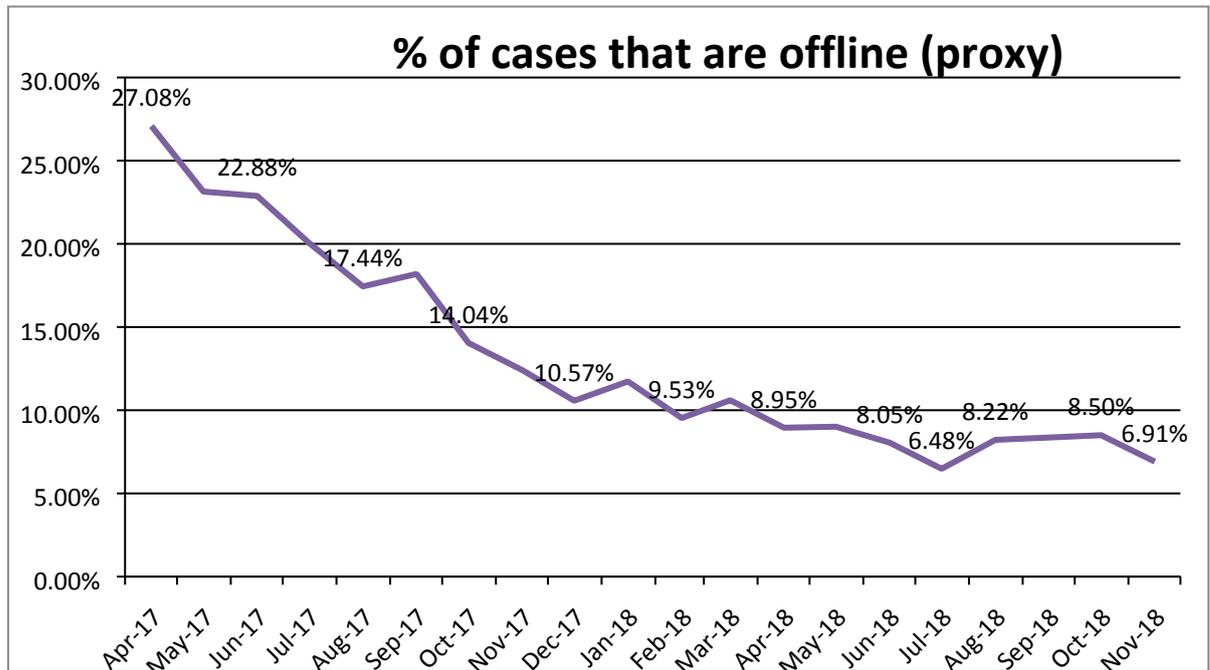
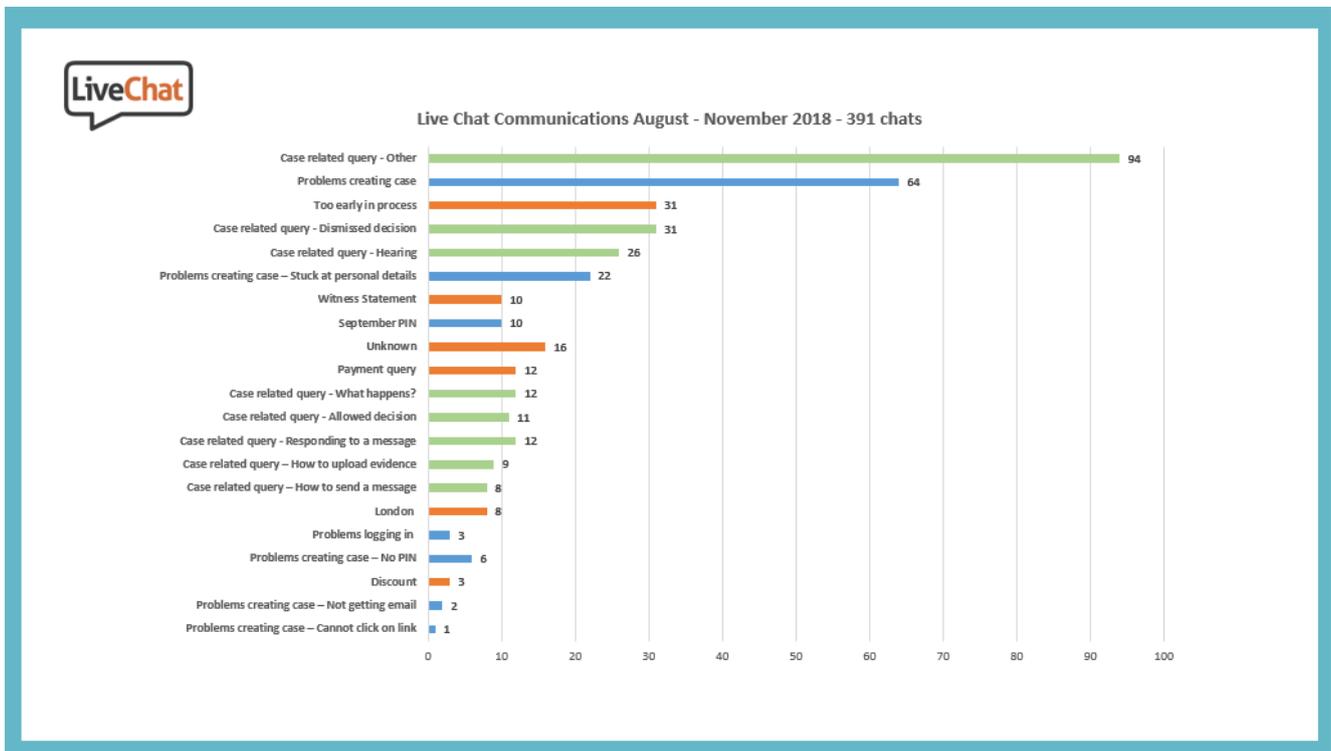


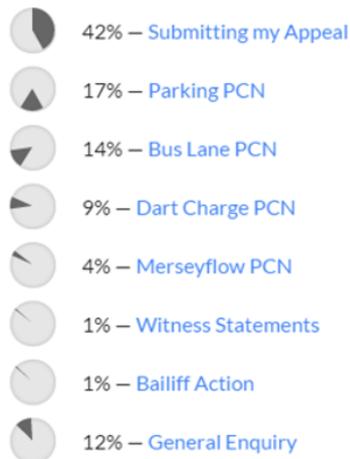
Figure 2: Proportion of tribunal appeals that are off-line (April 2017 to November 2018)



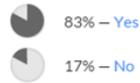
- Live Chat has become an extra channel for case related enquiries
- Chat volumes are quite low, approx. 5 – 10 per day but we have the capacity to deal with more
- Can add links to the chats which take appellants to the exact page they need to be in FOAM
- Able to see the pages that the appellant has viewed and whether they have a case already



What is your query regarding? (364 answers)



Is this the first time you have chatted with us? (104 answers)



Was the issue resolved during the chat? (104 answers)



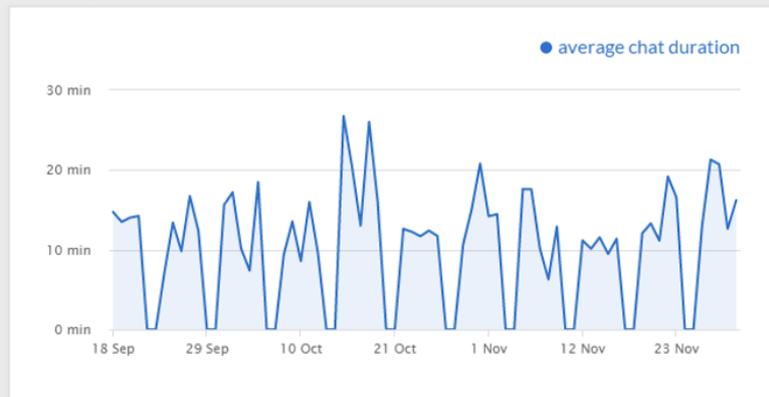
How would you have contacted us if Livechat wasn't available. (95 answers)



9 out of 104 visitors didn't choose any of the answers.



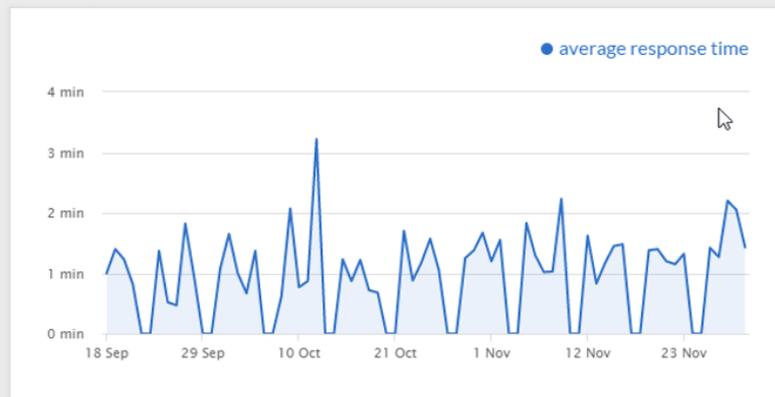
Average chat duration (average: 14 min 11 s)



save as CSV



Average response time (average: 1 min 19 s)



save as CSV

364 chats from 18th September to 30th November

Enabled an extra channel of communication

Enhancement of our Assisted Digital offer



7. Appellant Feedback

The tribunal continues to review feedback from all users in respect of its online system, processes and information to provide an optimal user experience.

In July 2018 the tribunal conducted an online appellant survey, which saw almost all respondents rank the online appeals process as nearly 90 out of a hundred in terms of satisfaction, with 95% of all respondents either “very likely” or “highly likely” to recommend FOAM to others. A survey to ascertain the experiences of offline (proxy) appellants will be issued in the coming months.

Appellants are routinely surveyed on their telephone hearing experience and we use their comments and feedback to refine the service that we offer and address any technical issues. The overwhelming response to the telephone hearings survey is positive:

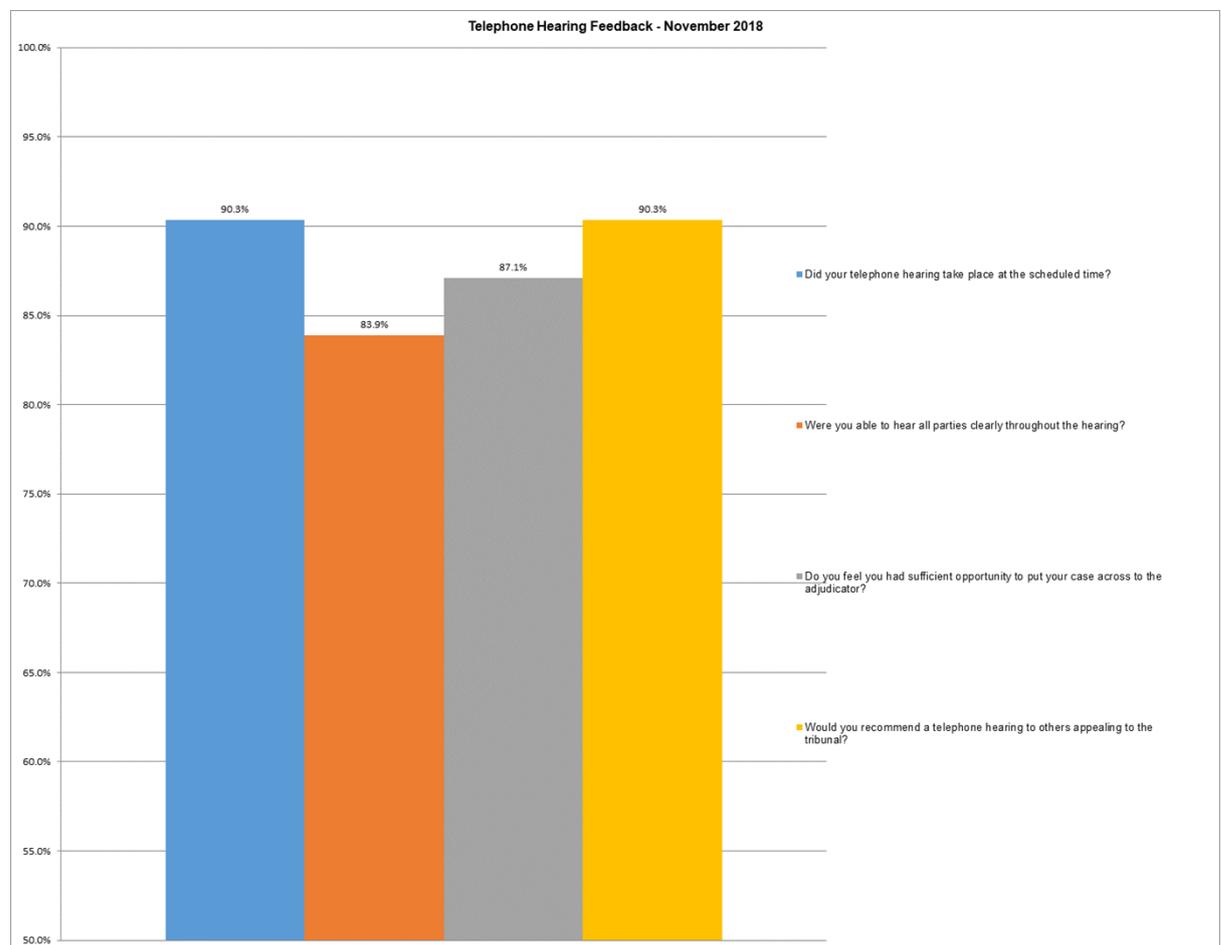


Figure 3: Snapshot of our positive feedback on telephone hearings from November 2018

8. Local Authority Workshops

The Authority Engagement Manager conducted a series of 10 workshops over the summer in: Durham; Manchester; Burton upon Trent; Birmingham; Cambridge; London; Bristol; Swansea; Winchester and Totnes covering a range of topics including:

- Today’s TPT & Patrol
- New Innovation in your area
- The Judicial Process

- Decide some recent cases
- The new Review Application tool
- FOAM Evidence Provision – Best Practice
- Pavement Parking
- Service by 1st Class Post
- Zoom Hearings
- Littering from vehicles

Following consultation with member authorities at earlier workshops, a standardised notice of rejection has been rolled out to all authorities. Following a recommendation in the University of Birmingham research report on online appeals, this will promote a consistent approach which makes it clear to the recipient of the Notice of Rejection that there is the right to appeal to the independent adjudicator.

Feedback on the workshops continues to be very positive and PATROL recognises the importance of opportunities for officers to share experiences and best practice and reimburses travel expenses to assist attendance.

“Very satisfied with the workshop. It was carried out in an informative way but with the correct blend of informality which made it easier to follow” Carmarthenshire County Council

“Well organized and informative. Well delivered” Cardiff Council

“Great trainer. Very informative day – thank you” North Somerset Council

“A good session, adequate timings, good content which was well delivered” Derby City Council

“Good interactive workshop” Sandwell MBC

“Thank you for a very interesting and informative day. Lots to take away and implement” Torbay Council

“Iain was excellent – clear and practical explanations, humorous too! Variation of subjects/processes was good” Test Valley BC

“Iain was a great host and kept the session up beat and was quick to get the group back on track” Eastleigh Borough Council

“Very informative – relaxed environment – good workshop” New Forest District Council

“Great workshop yesterday and amazing venue” Teignbridge District Council

Future workshops include:

February 2019: Responding to appeals against littering from vehicles for environmental teams (North and South)

March 2019: Bus Lane Conference

Summer 2019 Programme of regional local authority workshops

Date to be confirmed Clean Air Zones and Road User Charging Appeals

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

Date of Meeting: 29th January 2019
Report of: The Director on behalf of the PATROL and BLASJC
Resources Working Group.
Subject/Title: Report of the PATROL and BLASJC Resources Working
Group meeting held 8th January 2019.

1.0 Report Summary

1.1 To report on the PATROL and BLASJC Resources Working Group meeting held 8th January 2019.

2.0 Recommendations

2.1 To note the matters discussed at the meeting held 8th January 2019

2.2 To approve the Resources Sub Committee and Working Group overseeing matters highlighted in the report and appendix and reporting back to the next meeting of the Executive Sub Committees.

3.0 Reasons for Recommendations

3.1 To update the Joint Committees' Executive Sub Committees

4.0 Financial Implications

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

5.0 Legal Implications

5.1 None

6.0 Risk Management

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

7.0 Background and Options

7.1 The July 2018 meetings of the Joint Committees resolved that the Resources Sub Committee and Working Group would oversee a number of initiatives and report to the Joint Committees and their Executive Sub Committees.

7.2 The last meeting took place on 8th January 2019, was chaired by Councillor Macrae and considered the following items:

a) Public Affairs

The meeting considered updates on a range of public affairs matters and an overview of the various issues is included at Appendix 1.

b) Financial Reports

The meeting reviewed the following draft reports presented with the agenda for 29th January 2019 and the recommendations contained within the reports reflect discussion at the meeting:

Budget monitoring to 30th November 2019
Draft reserves policy statements 2019/20
Draft investment strategy 2019/20
Draft budgets 2019/20
Reports on Defraying Expenses 2019/20
Procurement report
Appointment of external auditors 2018/19 to 2020/21
Risk Management Update

c) Member workshops

A number of options were put forward as topics for the workshop on 29th January 2019 with a view to inviting members to make suggestions.

8.0 Recommendation

8.1 To note the matters discussed at the meeting held 8th January 2019.

8.2 To approve the Resources Sub Committee and Working Group overseeing matters highlighted in the report and appendix and reporting back to the next meetings of the Joint Committee July 2019.

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

Appendix 1

PATROL AND Bus Lane Adjudication Service Joint Committee PATROL Public Affairs Overview

1. Introduction

With a membership of over 300 local authorities, PATROL is uniquely placed to understand the local authority perspective on civil enforcement matters whilst at the same time having regard to the issues that matter to motorists through the experience of appeals to the Traffic Penalty Tribunal.

The Resources Working Group and Sub Committee has been overseeing a range of public affairs initiatives on behalf of the PATROL and the Bus Lane Adjudication Service Joint Committees and their Executive Sub Committees.

The following report provides an update on activities.

2. Pavement Parking

Objectives: To contribute evidence and solutions to the government's exploration of how local authorities outside London can more effectively enforce pavement parking, streamlining the regulatory regime and demonstrating the benefits for local communities.

Background

In 2016 the then Minister, Andrew Jones, convened a roundtable discussion on pavement parking. This was attended by the Chief Adjudicator and Chair of the PATROL Advisory Board. Discussion focused on the local authority concerns regarding the ability to introduce and enforce pavement parking prohibitions outside London were issues relating to the processing of Traffic Regulation Orders.

In August 2017 the Department for Transport published a consultation document "Accessibility Action Plan Consultation – A Transport System that is open to everyone". The consultation included a section on unauthorised pavement parking. PATROL submitted a response to the consultation.

The consultation document refers to a survey on the wider Traffic Regulation Order (TRO) process in terms of the current situation, the costs and timescales for processing TROs and information about options for change. Representatives from PATROL and the Traffic Penalty Tribunal met with civil servants at the Department for Transport and outlined the challenges of the TRO making process generally and, in particular, for pavement parking and set out the option of introducing obstruction as a contravention. Parking Review invited PATROL to outline its position on pavement parking and this was published in March.

Since the meeting, it is understood that the Department for Transport will also be looking specifically to gather evidence on the effectiveness or not of current regulatory frameworks for pavement parking.

Pavement parking was an issue picked up in a number of parking annual reports. Two of the shortlisted councils (Devon County Council and Derby City Council) outlined steps they had taken to address the issue.

The Stakeholder Engagement Manager, Iain Worrall, incorporated feedback on pavement parking into the Summer 2018 workshops and this will be drawn upon as part of the evidence submission to the Department for Transport. Over 50 authorities indicated an interest taking part in further discussions on this subject.

A response was submitted to the Department for Transport Survey (Appendix i)

Three workshops were held on pavement parking one with members and two in the North and South of England with a mixture of local authority members and officers. The latter two received a presentation from the Department for Transport with the lead civil servant listening to the feedback from delegates on this issue.

A clear message from PATROL's workshops is that local authorities are looking for a range of tools to deploy to tackle pavement parking in a way that meets the specific needs of their community rather than a "one size fits all" approach.

Officers attending the workshop said they face constant calls to enforce against obstruction but are currently powerless to intervene. A small number of local authorities have introduced schemes prohibiting footway parking but these tend to focus on geographically distinct areas such as city centres. Authorities shared examples of education projects they were undertaking to raise awareness of the problems of pavement parking and other street clutter.

There was a consensus that the introduction of a new contravention of obstruction would enable councils to take targeted enforcement action against pavement parking in both a proactive and responsive way, thus reducing their reliance of police intervention. There was also considerable interest in the potential of the contravention of obstruction to apply to vehicles parked in proximity to junctions which would be beneficial in terms of road safety.

The workshops highlighted that civil enforcement officers were already undertaking dropped kerb enforcement and had demonstrated that this could be done proportionately. Dealing with obstruction in off-street carparks is also commonplace.

There was also overwhelming agreement that any new measures need to be accompanied by public information to ensure that motorists understand what is expected of them.

A meeting has been requested with the Minister, Jesse Norman, to discuss this issue.

Next steps

- Member authorities to provide estimates of the likely costs to local authorities arising from the introduction of an overall pavement parking ban in terms of identifying and signing/lining permitted pavement parking.
- Monitor developments in pavement parking in Scotland
- Develop the pavement parking briefing note to provide further detail in terms of the scope and implementation practicalities on obstruction as a contravention.
- Liaise with the Department for Transport in relation to the timetable for any formal consultation in 2019.

3. Camera enforcement and cycle lanes

The Department for Transport has been carrying out a cycling and walking safety review, considering how to make cycling and walking safer and more attractive modes of transport.

The Department has now concluded that review and has [announced several new policy measures](#) designed to address some of the problems that have been raised.

The enforcement of cycle lanes was a major theme emerging from the initial call for evidence; many cyclists felt that motorists who drive and park in cycle lanes have little chance of being caught, and consequently there is very little deterrence against this behaviour.

The Department has accepted these concerns, and in response, they have announced that they will make it easier for local authorities to tackle vehicles parking in cycle lanes.

The intention is to amend the 2015 regulations which largely banned the use of cameras by councils for parking enforcement in order to insert an exemption for mandatory cycle lanes. In practical terms, therefore, local authorities will be allowed to use camera devices (e.g. fixed CCTV or camera cars) to enforce parking restrictions (eg. yellow lines) in mandatory cycle lanes (i.e. cycle lanes marked by solid white lines). There will be no change to the separate moving traffic offence of driving in a mandatory cycle lane; this offence is not being decriminalised and will remain under police enforcement. It is not anticipated at this stage that there will be any further changes to camera enforcement. Evidence suggests that some local authorities are deploying red route enforcement as a result of this.

<https://www.gov.uk/government/publications/cycling-and-walking-investment-strategy>

There is no confirmed date for this legislative change however it is anticipated that there will be a further update in Spring.

The government has also signalled its intention to review the Highway Code.

Next steps

Liaise with the Department for Transport in respect of the planned changes to the regulations and Highway Code.

4. Moving Traffic Powers

Objectives: To develop an evidence base in respect of moving traffic powers and the impact of their absence on local authorities in England (outside of London) drawing upon experience on enforcement and appeals from their current use in Wales.

Background

Moving Traffic Powers are currently available to local authorities in Wales but not to English authorities outside London.

PATROL has surveyed member authorities in relation to their likelihood of taking up these powers were they made available. It is clear that local authorities in England (outside London) have an interest in these powers and are willing to support any actions taken to raise awareness with Ministers. The Local Government Association published a report in 2017 "A country in a jam: tackling congestion in our towns and cities". PATROL has sought to engage with the Local

Government Association on matters of mutual interest. The Secretary of State for Transport is expected to issue new Statutory Guidance in relation to civil bus lane enforcement in due course.

As an initial step, Hampshire County Council has agreed to review its collision data.

Next steps

Collate the various sources of local and national congestion, journey times, accident and contravention data.

5. Littering from Vehicles

Objectives: To provide access to independent adjudication in respect of this new area of environmental civil enforcement and liaise with local authorities to promote awareness of the requirements of civil enforcement drawing upon experience within civil parking and bus lane enforcement.

Introduction

New regulations "Littering from Vehicles Outside London (Keepers: Civil Penalties) Regulations 2018 came into force on 1st April 2018. PATROL and the Traffic Penalty Tribunal responded to a consultation on littering from vehicles introduced in the Litter Strategy for England

<https://www.gov.uk/government/publications/litter-strategy-for-england>,

DEFRA has issued the attached implementation advice to local authorities. This also references a consultation on improved guidance on the use of enforcement powers to tackle littering and related offences which they propose to incorporate into a statutory Code of Practice on Litter and Refuse. DEFRA published a summary of responses to the consultation.

Appeals arising from these penalties will be considered by the Traffic Penalty Tribunal. Experience from London suggests that volumes of appeals will be extremely low however to date over 60 authorities outside London have expressed an interest in taking up these powers.

A survey of councils was undertaken to understand which department – Parking or Environment is leading in this area of enforcement and to appreciate the variables in terms of level of penalty charge and the option offer of discounts.

PATROL has liaised with DVLA to request access to the same driver details portal as used in civil parking enforcement rather than a single use system currently used in environment enforcement.

Appeals will be handled through FOAM. Workshops have been held with officers from parking and environmental teams in Wilmslow and London. Three local authorities have indicated that they will commence enforcement but no appeals have been received to date.

Next steps

- To hold two FOAM workshops for authorities where enforcement is being led by environmental teams – February 2019
- To monitor and report on appeals arising under these new regulations.
- Liaise with DEFRA in relation to the formal guidance.

fg

6. Clean Air Zones

Objectives: To bring experiences from road user charging enforcement and appeals to the government and local authority plans to introduce Clean Air Zones, where these are charging clean air zones.

Background

In 2017 DEFRA consulted on its Air Quality Strategy “Improving air quality: national plan for tackling nitrogen dioxide in our towns and cities. PATROL responded to this consultation.

The five original mandated locations (Birmingham, Derby, Leeds, Nottingham and Southampton) are required to have their plans finalised, including whether this will include a charging CAZ by the end of 2018 for implementation in 2019. A further 23 local authorities were required to take steps to reduce road side emissions in 2017.

In July 2018 DEFRA directed 33 more English local authorities to carry out studies reducing nitrogen dioxide air pollution in their areas.

PATROL and TPT are liaising with DEFRA and Welsh Government in relation to the introduction of charging clean air zones on subjects including:

- Considerations for the procurement of ANPR equipment.
- Single national payment portal
- The appeals process

The purpose being to share experiences from appeals in other road user charging schemes.

Of the five original authorities mandated to look into emissions, two have confirmed that they will introduce a Charging Clean Air Zone (CAZs): Leeds City Council and Birmingham City Council (the other three authorities being Nottingham, Derby and Southampton).

Leeds City Council are proposing a Class B CAZ which will involve charges for buses, coaches, heavy goods vehicles, taxis and private hire vehicles (PHVs) that fail to comply with the scheme’s emission standards.

Birmingham City Council’s proposal is for a Class B CAZ which will involve charges for the categories above plus light goods vehicles (LGVs) and cars.

In addition, the following authorities have also indicated that a charging clean air zone is their intention: Bath and North East Somerset, Bristol City Council and City of Wolverhampton Council.

In November 2018 the Welsh Government published the “Supplemental plan to the UK plan for tackling roadside nitrogen dioxide concentrations 2017” which directs the councils of Cardiff and Caerphilly to undertake an assessment by 30th June 2019 to achieve nitrogen dioxide limit values within the shortest possible time.

Next steps

- To hold monthly update calls with DEFRA
- To monitor the take up of charging clean air zones
- Traffic and Parking 2019 on 22nd January will include a clean air zones discussion.

- To hold a Charging CAZ workshop in the first half of 2019.

7. The Private Member's Bill - Parking (Code of Practice) Bill

Objectives: To bring the experiences of civil enforcement and adjudication to plans to introduce a single Code of Practice to the private parking sector promoting fairness and transparency.

Background

Sir Greg Knight (Conservative Member of Parliament for East Yorkshire) is sponsoring this Private Member's Bill (Ballot Bill).

In Sir Greg's words:

"Self-regulation hasn't worked and we need to put this on a statutory footing to stop motorists being ripped off. We need to have a fairer, more transparent and consistent enforcement system. "

There has been coverage in the media of issues relating to parking on private land and on land owned by public authorities (e.g. NHS hospital parking), including:

- Practices which could be in breach of consumer protection laws, such as companies setting excessive parking charges, or levying excessive penalties for overstaying which are dressed up as official "parking fines".
- Practices that undermine the principle underlying the formation of a contract, including unclear or missing signage, or a lack of transparency on charges and/or fines.
- Failure to treat drivers fairly when they have incurred a penalty, including the failure to provide information, consider appeals fairly and the aggressive use of bailiffs.
- Some have called for specific action, including the introduction of a binding code of practice; for mandatory membership of an accredited trade association; or a rethink of whether the rules about access to the DVLA database are robust enough

The Bill aims to make provision for a single code of practice containing guidance about the operation and management of private parking facilities. The then Minister, Marcus Jones, invited the Chief Adjudicator to sit on a group to produce an advisory Code of Practice for the private parking industry. The group is being chaired by Steve Gooding, Director of the RAC Foundation

The [Parking \(Code of Practice\) Bill 2017-19](#) is now approaching its second reading in the House of Lords and continues to have cross party support.

The Bill in summary

The Parking Bill will cover England, Wales, and Scotland – creating consistency for motorists anywhere in Britain.

The new Code of Practice will be drafted up with stakeholders, and would provide the clarity of a single set of rules for private parking, with clearer processes for appeals.

The Secretary of State would also have the power to raise a levy on the sector to fund the production, publishing and enforcement of the code.

An amendment expanded the existing levy under the Bill described above to cover the costs of appointing and maintaining a single appeals service.

A single code is intended to set a higher standard for practices across the sector, especially in the area of appeals against parking tickets. The new Code of Practice will also be developed by the Secretary of State Rt Hon James Brokenshire MP in conjunction with motorists' groups and other experts.

<https://services.parliament.uk/bills/2017-19/parkingcodeofpractice.html>

PATROL is supportive of this bill as the public do not always make the distinction between public and private parking enforcement. PATROL is grateful to Members who have supported this initiative.

Next steps

The Chief Adjudicator continues to sit on the MHCLG Code of Practice Advisory Group.

8. House of Commons PARC Awards (Parking Annual Reports by Councils) Reception, 10th July 2018

Objectives: To support and share best practice in the production of local authority parking annual reports in order to promote transparency and a greater public understanding of traffic management and civil parking enforcement.

Background

The PARC Awards recognise the local authorities that have articulated and communicated on parking services; appeals and finances in their area in a compelling and well-structured way through the production of an Annual Report. The Awards Reception on 10th July 2018 was kindly sponsored by Huw Merriman MP for Bexhill and Battle who is a member of the Transport Select Committee.

Huw shared some valuable insights and encouragement to local authority attendees on the importance of their mission to improve the communication of parking and other civil enforcement activities within their areas. Broadcaster and author Gyles Brandreth gave a spirited talk saying *"The quality of a society can be measured by the quality of the environment it creates for its citizens; and what you do is part and parcel of creating civilised, health places for people to live"*. Gyles' father, Charles, wrote the landmark book "Parking Law". A short video of the event has been produced.

The regional Local Authority User Groups reported elsewhere have included workshops on parking annual reports. A workshop was also conducted with Members after the July 2018 Joint Committee meeting. PATROL provides a toolkit for authorities. The latest toolkit promotes a five step plan to producing a report and highlights the possibilities for a digital approach to the provision of information. Copies of the updated toolkit have been issued to Parking Managers and Councillors in all PATROL's member authorities.

Huw Merriman MP has once again kindly offered to sponsor the 2019 reception on 16th July 2019.

Next steps

The 2019 toolkit to support the production of annual reports will be produced in a digital format.

PATROL will continue to work with Knowsley Borough Council on the production of a digital report and local authorities are invited to submit their annual reports by **31st January 2019**.

9. Simplifying the Civil Enforcement of Parking Contraventions (Guidelines on Levels of Charges) (England) Order 2007 Government Response

The Government has confirmed that the lower band of penalty charges will be retained, to give local authorities the discretion to reduce their parking penalties, if elected councillors wish to adopt such a policy. The response points to the intention to adopt the Welsh model of listing higher level contravention types in an Order while publishing the specific contravention codes in guidance. The Government will seek to amend the 2007 Order to this effect.

Currently London Councils performs a coordinating role on behalf of all councils in the review of contravention codes. PATROL has offered to undertake this role on behalf of outside London Councils.

PATROL has confirmed its willingness to undertake this role to the Minister, Jesse Norman.

Next steps

To discuss this further at the requested meeting with the Minister.

10. Building an evidence based picture of enforcement in England (outside London) and Wales

Objectives: Develop and enhance our evidence-base to provide an objective assessment of civil enforcement and appeals in England (outside London) and Wales.

Background

PATROL is encouraging local authorities to contribute local statistics to produce a comprehensive evidence based picture of enforcement in England (outside London) and Wales.

Next steps

The template is reproduced in the new Annual Report Toolkit. A small working group to look at streamlining the provision of this information will be arranged in the New Year.

11. Traffic and Parking 2019

Objectives: Share best practice with local authorities and other stakeholders.

Background

PATROL was Event Partner at Parking World in November 2017 with positive feedback. A number of Councillors attended. The event looked at the future challenges and technology impacting on

parking. Landor Links has approached PATROL to be the programme partner Traffic and Parking 2019 which will take place on 22nd January in Manchester. The event has generated considerable interest amongst member authorities.

Next steps

To update Members on the event.

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DEPARTMENT FOR TRANSPORT
PAVEMENT PARKING QUESTIONNAIRE

Introduction

The PATROL (Parking and Traffic Regulations Outside London) Joint Committee comprises over 300 local authorities in England (outside London) and Wales. The principal function of the Joint Committee is to make provision for independent adjudication in respect of parking and a range of traffic penalty charge notices issued by local authorities. This is delivered through the Traffic Penalty Tribunal which comprises 30 independent adjudicators and their support staff.

PATROL also represents its member authorities on traffic management issues of mutual interest and promotes best practice in public information to increase understanding of traffic management objectives.

On behalf of its member local authorities PATROL welcomes the opportunity to respond to the Department for Transport's survey questionnaire on pavement parking. This follows PATROL's response to the consultation on the department's draft Accessibility Action Plan question on pavement parking.

Is pavement parking a widespread problem in your borough?

PATROL has consulted over 70 parking managers representing district, county and unitary councils outside London as part of a series of Regional Local Authority Workshops and received a range of responses on the issue of pavement parking.

Some parking managers didn't think pavement parking was a significant problem in their area. They explained that in some areas pavement parking was encouraged to allow access for example to refuse vehicles.

Other parking managers felt that pavement parking was a significant and widespread problem in their area. Many had introduced pavement parking bans in areas where this had become a problem for pedestrians.

A range of measures are being used in response to calls from members of the public to councils about pavement parking. Many refer callers to the police non-emergency number so that a report of obstruction can be made. Some also place warning notices on the vehicle, highlighting the problems pavement parking causes.

Approximately what percentage of roads in your borough is pavement parking a routine occurrence?

Devon County Council's Parking Annual Report 16/17

https://www.patrol-uk.info/annual_reports/Devon%20County%20Council/Parking-Enforcement-Report-2017.pdf

explained that it had logged over 2,000 incidents of pavement parking since it launched a public online reporting tool in August 2015. This had affected over 120 communities in the county, with 655 reports of pavement parking just in Exeter alone.

In the last year approximately how many pedestrians in your borough have been hurt as a result of either being hit by a vehicle while they were walking on the carriageway to pass round a parked vehicle or by a vehicle driving on the pavement to park?

PATROL is aware that it is difficult for parking managers to compile this data as road traffic accident data is not categorised in a manner which allows for this information to be easily extracted.

It is however clear that inconsiderate pavement parking which forces pedestrians onto busy streets is not only anti-social but can have serious road safety implications. Although the problem can affect all pedestrians it is often those who are most vulnerable such as the elderly and those with pushchairs or wheelchairs whose safety is most at risk by pavement parking.

In the last year, has your council had to repair any pavements damaged by vehicles parking on them?

The Highways Manager at Brighton and Hove City Council has estimated that approximately 10 - 20% of the footway repair budget of £500k is spent repairing pavements damaged as a result of pavement parking. In addition to direct damage to pavements, councils also incur costs when pedestrians trip and fall on broken paving and take legal action against the council.

Pavement parking can also damage utilities sited below the footway surface, causing disruption during repairs.

How many roads are there in your borough where pavement parking is prohibited by traffic order (excluding normal yellow line restrictions)?

In the survey of around 70 parking managers 17 mentioned that they had banned pavement parking in some local areas. Derby City Council has banned pavement parking through a Traffic Regulation Order, in a signed inner city area. Generally, areas covered by pavement parking bans are small due to the cost of providing and maintaining signage at the entry points and repeater signs.

In your opinion have these restrictions worked?

In general parking managers reported that compliance with pavement parking bans was good with drivers observing the signed restrictions resulting in a significant reduction in pavement parking. The Derby pavement parking ban is an example of the use of Traffic Regulation Orders and signage which has worked to combat pavement parking.

Although pavement parking bans have been introduced by councils to small areas we are not aware of any Local Authority where a pavement ban has been applied to the entire area. There will

inevitably be some streets where there will be a range of views and implications of road lay out and use factors which contribute to the debate about whether pavement parking should/could be banned or not. Meaningful consultation with residents and providing information to residents and stakeholders is therefore key to the successful implementation of any change to an area.

How many permanent Traffic Regulation Orders (not just footway and verge parking orders) does your council make in a typical year?

The Traffic Penalty Tribunal maintains a publically accessible online library of all Traffic Regulation Orders made by over 300 Local Authorities in England (outside London) and Wales There are over 21,000 orders in total. Some 1500 orders of all types were added in the last 12 months.

How long do you think, including drafting and making the Traffic Regulation Order plus installing traffic signs, it would take your council to prohibit pavement parking on one street / ward.

The cost of making a Traffic Regulation Order, varies between authorities but figures including advertising can range cost up to £5,000 including advertising for small areas. The Traffic Regulation Order making process can take anywhere from 3 to 12 months depending on resources, current workloads and the level of objections received during the public advertisement stage.

In advance of this a survey is generally carried out to establish signage requirements, particularly whether new signage can be fixed to existing street furniture or whether poles will be required, adding to street clutter. The amount of time required to complete the survey will depend on the size of the area where the ban is to be introduced. New signs and posts can be unpopular with local residents especially in conservation areas.

Similarly, following the introduction of the ban the amount of time required to install the signage would vary between local authorities and would depend on the extent of the area being covered.

What prevents your council making a single Traffic Regulation Order to prohibit footway parking across your entire borough?

As explained above, the cost of signing a pavement parking ban throughout a borough, town or city would be prohibitively expensive and significantly add to street clutter, with repeater signs every 30metres.

The maintenance of all signage then becomes the responsibility of the council which can add significantly to budgetary pressures.

One of PATROL's preferred solutions would not require a Traffic Regulation Order at all i.e. the decriminalisation of the offence of obstruction (see below). As the police are currently responsible for enforcing this offence this would help free up their time for other priorities.

A simple and timely solution - Obstruction as a contravention subject to civil enforcement.

The Chief Adjudicator of the Traffic Penalty Tribunal has identified an immediate solution of adding obstruction to the list of contraventions for which civil enforcement applies contained in Part 1 of Schedule 7 of the Traffic Management Act 2004. Paragraph 5(1) provides:

Power to add further offences

5(1)The appropriate national authority may by regulations amend paragraph 3 or 4 so as to add further offences (but only in so far as they relate to stationary vehicles).

Therefore, the additional contravention of obstruction (Code 99 on the police codes) could be added by a simple statutory instrument. It would be a matter for each authority to formulate and publish policies on the type of obstruction they propose to target in their area.

Local authority civil enforcement teams have more than enough experience to make a judgement as to what constitutes obstruction. Currently obstruction attracts light-touch enforcement by the police. Each authority would agree and publish its own policies and priorities for enforcement, e.g. certain streets, and examples of unsociable parking that creates problems for other road users and people with disabilities. They need not enforce arbitrarily beyond the scope of the published policies. Guidance should be provided as to what constitutes a typical obstruction contravention. With developments in technology if a civil enforcement officer is in any doubt about whether a vehicle is obstructing the highway then photographs can instantly be sent to superiors for confirmation,

There would also need to be public information that this new power had been given to local authorities together with illustrations of the type of parking that would attract a penalty for obstruction. PATROL is prepared to coordinate public information across all its authorities and to commission, for example, a public information video for YouTube together with social media awareness campaign to discourage pavement parking.

Any other comments

The view of our local authority members is that vehicles parked on pavements cause significant problems and potential danger to people who are blind or partially sighted, and to wheelchair users, children in prams and pushchairs among others. Many of our local authority members in England and Wales receive frequent representations from disabled groups and others asking them to tackle pavement parking in their area. Indeed, members of the public often incorrectly assume that councils already have powers to issue Penalty Charge Notices to any vehicle parked on the pavement.

Outside London comprises a varied built environment/traffic management landscape. Given the variety of demands (arising from differing needs in cities, suburbs, historic market towns and villages across over 300 authorities) it is PATROL's view that a national pavement parking ban would result in

significant traffic management challenges for many local authorities. A more locally responsive approach would enable local authorities to draw on a range of options to meet local circumstances.

1. The decriminalisation of the offence of obstruction (set out above)
2. A pavement parking ban in Controlled Parking Zones
3. The current approach of area wide pavement parking bans based on Traffic Regulation Orders and signage.

Key to compliance is that the motorist understands what they are required to do and public information should reinforce that pavement parking is not acceptable and explain the new civil enforcement contravention. This would best be achieved through a national campaign which PATROL would be willing to coordinate, and at local level by local authorities.

Any decriminalisation of the offence of obstruction or introduction of an area wide pavement parking ban should be accompanied with updated Statutory Guidance to local authorities on the correct application of the contravention. There should be a requirement for meaningful local consultation with stakeholders and local publicity in advance of any changes to local enforcement policy. The use of warning notices would also be an important part of implementing any wide scale local changes as a means of education, to promote public understanding and compliance.

PATROL would welcome the opportunity to discuss further the challenges of addressing pavement parking to meet the needs of all members of the community and these potential solutions to equip local authorities with the effective tools to tackle pavement parking in their areas.

In tandem, PATROL would welcome the opportunity to contribute to any review of the traffic regulation order making process which was last prescribed in the Local Authority Traffic Orders (Procedure) (England and Wales) Regulations 1996 and could be substantially modernised to enable local authorities to be more responsive to the needs of their communities.

Contact: Louise Hutchinson

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PATROL and Bus Lane Adjudication Joint Committees Executive Sub Committee

Date of Meeting:	29 th January 2019
Report of:	The Director in consultation with the PATROL and BLASJC Resources Working Group and Sub Committee
Subject/Title:	Annual Investment Strategy

1.0 Report Summary

- 1.1 To report on investments during 2018/19 and request the Joint Committee to approve the annual investment strategy for 2019/20.

2.0 Recommendation

- 2.1 To approve the Annual Investment Strategy 2019/20.

3.0 Reasons for Recommendations

- 3.1 Joint Committee 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 The Annual Investment Strategy is informed by the Joint Committees' Risk Management Strategy.

7.0 Background and Options

- 7.1 The Joint Committees or their Executive Sub Committees are responsible for approving the Joint Committees' Annual Investment Strategy.
- 7.2 The Director will prepare an Annual Investment Strategy in consultation with the Joint Committees' Treasurer (the Host Authority's Section 151 Officer)
- 7.3 The Annual Investment Strategy will be informed by the Joint Committees' Risk Management Strategy. The Joint Committees have determined:

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

7.4 Deposits utilised in the year include six-month and 12-month deposits and continuous transfer of overnight balances from the current account, leaving a residual balance of £30,000. Deposits are placed with a variety of withdrawal notice periods to ensure adequate access to funds.

8.0 Annual Investment Strategy 2019/20

8.1 Investments will only be made with low risk institutions with offices in the UK (the CIPFA requirements in the Treasury Code of Practice require the use of credit ratings as a qualifying level – for example Cheshire East Council will be requiring grade A- for 2019/20. This relates to the lowest published long-term credit rating from Fitch, Moody’s or Standard and Poor’s). Investments take the form of fixed term deposit accounts. Deposits will be spread over at least two banks to reduce risk. The banks are currently Santander, Lloyds and HSBC which have the required credit rating.

8.2 In addition, the following banks have now achieved the required credit rating and their deposit rates will be kept under review: Bank of Scotland PLC, Barclays Bank; Handelsbanken PLC (recently registered as a UK bank); National Westminster Bank and Royal Bank of Scotland.

8.3 The availability of new investments will be reviewed regularly to ensure that the best products are chosen in terms of rate of return and accessibility.

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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PATROL and BUS LANE ADJUDICATION SERVICE JOINT COMMITTEES

Date of Meeting:	29 th January 2019
Report of:	The Director in consultation with the Resources Working Group and Sub Committee
Subject/Title:	Appointment of External Auditor

1.0 Report Summary

1.1 To seek approval for the appointment of external auditors for the period 2018/19 to 2020/21.

2.0 Recommendation

2.1 To approve BDO LLP as external auditors for the period covering 2018/19 to 2020/21 accounts.

3.0 Reasons for Recommendations

3.1 To formally appoint an external auditor to the PATROL and Bus Lane Adjudication Service Joint Committees.

4.0 Financial Implications

4.1 The combined fee for PATROL and BLASJC for the audit of the 2017/18 accounts was £3,800 (£2,800 for PATROL and £1,000 for BLASJC).

5.0 Legal Implications

5.1 None

6.0 Risk Management

6.1 The external audit provides assurance to the Joint Committees

7.0 Background and Options

7.1 From 1 April 2015, the implementation of the Local Audit and Accountability Act 2014 meant that joint committees are no longer be required to have their accounts separately prepared and audited. The Joint Committees decided to continue with this practice in the interests of transparency.

- 7.2 BDO LLP have provided the external audit function in accordance with the requirements of the Small Bodies Annual Return which is utilised for bodies with an annual turnover of less than £6.5 million.
- 7.3 The combination of internal audit and external audit provides assurance to the Joint Committee of the appropriateness of accountancy processes undertaken on their behalf.
- 7.4 External audit charges have remained relatively constant with the total cost of external audit for both PATROL and the Bus Lane Adjudication Service during 2017/18 being £3,800 (PATROL: £2,800 and BLASJC £1,000).
- 7.5 The purpose of this report is to seek approval to the appointment of BDO as external auditor for the period covering 2018/19 to 2020/21 accounts.

8.0 Recommendation

- 8.1 To approve BDO as external auditors for the period covering 2018/19 to 2020/21 accounts.

9.0 Access to Information

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

Name: Louise Hutchinson
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**PATROL AND BUS LANE ADJUDICATION SERVICE JOINT
COMMITTEES**

Date of Meeting: 29th January 2019

Report of: The Director in consultation with the Resources Working Group
and Sub Committee

Subject/Title: Risk Management Framework

1. Report Summary

The report presents the current assessment of risk.

2. Recommendation

To note the current assessment of risk (Appendix 1).

3. Reasons for Recommendations

To report on arrangements for identifying, managing and reporting risk

4. Financial Implications

None at this time

5. Legal Implications

None

6. Risk Management

Provides a framework for risk management.

7. Background and Options

The Risk Register is set out at Appendix 1.

8. Access to Information

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

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Designation: Director

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Appendix 1

Risk Management Framework

1. Introduction

This report provides a summary of the most significant threats facing the Joint Committees which may prevent or assist with the achievement of its objectives. We are grateful to input from Cheshire East Council in reviewing our approach to managing and reporting risks and feedback from officers and members.

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

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

A strong risk framework:

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

2. Corporate Risks

The Joint Committee summarises its risk appetite as follow:

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

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

Risk Matrix

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

3. Background to Corporate Risks:

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

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

- Parking
- Bus Lanes
- Moving Traffic (Wales only)
- Road User Charging
- Littering from vehicles

The objectives of PATROL include:

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

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

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

A core principle for the tribunal has been providing an accessible tribunal which is proportionate to the jurisdiction. It is recognised that for most appellants, appealing to the tribunal will be the only time they come into contact with the judiciary. For this reason, the tribunal seeks to provide access to adjudication which is simple to use and timely for appellants in England and Wales.

The focus for the delivery of adjudication is:

***“a tribunal service that is user-focused,
efficient, timely, helpful and readily accessible”***

The Traffic Penalty Tribunal is committed to the principles of Digital by Design and the provision of Assisted Digital Support to support people who are unable to or need assistance to appeal online. The tribunal’s online appeal system has received national and regional awards and its levels of customer service has also been commended. The FOAM (Fast Online Appeal Management) initiative and the collaboration between more than 300 local authorities has been cited as a digital exemplar.

4. Review

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

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

5. Corporate Risks

Ref & Type	Risk Description (Including Cause, threat and impact upon outcomes)	Risk Owners	Rating and Direction	Comments
CR1	<p>Inability to meet demand for service (Cause) The tribunal provides a statutory function which is available to all vehicle owners who receive a Notice of Rejection of Representations in respect of specified penalties. (Threat) the tribunal is unable to meet its statutory obligations (impact) appellants are unable to appeal penalties</p>	Chief Adjudicator and Stakeholder Manager.	4 ↔	The net risk rating is 4 low. The tribunal has a fully scalable online system and a flexible adjudicator and staffing model. This is complimented by assisted digital support for appellants who are unable to make their appeal on line. The tribunal continues to refine and develop the online system in response to user feedback.
CR2 Threat	<p>Financial Resilience (Cause)The basis for defraying Joint Committee expenses is based on variable rather than fixed charges. This means that the Joint Committee must manage unforeseen significant fluctuations in either Income or Costs such that (threat) Reserves are significantly eroded and (impact) financial obligations cannot be met.</p>	Director and Central Services Manager	9 ↓	This rating has reduced from 12 as reported in July 2018 to 9 to reflect the financial reporting at the October 2018 meeting. Continued budgeting and forecasting and cash flow analysis combined with Internal and External audit, Financial Delegations and Reserves Policy act to mitigate the impact of this risk.
CR3 Threat	<p>Information Security and data management (Cause) The Tribunal operates an on-line appeal system to improve the quality and flexibility for tribunal users. Support systems are also underpinned by a range of technologies. With this deployment of technologies, the risk of security breaches increases. This could result in the inability of IT to support the needs of the organisation and users</p>	Director and Stakeholder Manager	9 ↔	This rating remains unchanged - medium. A range of security monitoring features, data management procedures and training are being reviewed/deployed in the light of the General Data Protection Regulations 2016 and Data Protection Act 2018.

	such that (threat) the statutory service is not accessible to all and (impact) appeals cannot be adjudicated online. Potential breach of General Data Protection Regulations 2016 and Data Protection Act 2018.			
CR4 Threat	Resource Planning (Cause) Insufficient adjudicator or staff resources to support the needs of the organisation such that (threat) the organisation is unable to meet its statutory obligations and (impact) the quality or timeliness of the adjudication process, administrative standards or the achievement of development objectives compromised	Chief Adjudicator & Director	6 ↔	This rating remains unchanged - medium. Continued monitoring of workload and capacity, training and appraisals combined with documentation of processes and procedures and the delegations to the Resources Sub Committee act to mitigate this risk.
CR5 Threat	Business Continuity (Cause) that an internal or external incident occurs which renders the organisation unable to utilise part or all of its infrastructure such that (impact) the organisation is unable to deliver some or all of its services resulting in (impact) reduced accessibility to our service.	Central Services Manager & Stakeholder Engagement Manager	6 ↔	This rating is medium A detailed DR plan is held and reviewed each quarter. This is accessible to all managers and has clearly defined responsibilities. This plan acts to mitigate this risk. This plan is due to be reviewed and as such is on the 'watch' list