

**PARKING AND TRAFFIC REGULATION OUTSIDE LONDON (PATROL)
ADJUDICATION JOINT COMMITTEE INAUGURAL MEETING**

**MINUTES OF THE MEETING HELD AT THE NATIONAL MOTOCYCLE MUSEUM,
SOLIHULL, BIRMINGHAM, ON 2 JUNE 2008.**

PRESENT

Councillor Len Gregory	Birmingham City Council
Councillor Hugh Wilson	Buckinghamshire County Council
Councillor Mike Preston	Charnwood Borough Council
Councillor Mark Tufnell	Cotswold District Council
Councillor Herbert Chapman	Dacorum Borough Council
Councillor Mike Carver	East Hertfordshire District Council
Councillor Mark Howard	Essex County Council
Councillor Arthur Mandry	Fareham Borough Council
Councillor Mrs Phrynnette Dickens	Hampshire County Council
Councillor Terry James	Herefordshire Council
Councillor Jean Heywood	Hertsmere Borough Council
Councillor Bob Pendleton	Lancashire County Council
Councillor Nicholas Rushton	Leicestershire County Council
Councillor Ruth O'Keeffe	Lewes District Council
Councillor W. Jamie Macrae	Macclesfield Borough Council
Councillor Tony Burns	Manchester City Council
Councillor Nigel Angrave	Melton Borough Council
Councillor Philip Maskery	Newcastle under Lyme Borough Council
Councillor Patrick Mansfield	Oswestry Borough Council
Councillor Ian Hudspeth	Oxfordshire County Council
Councillor Roland L G Dibbs	Rushmoor Borough Council
Councillor Andrew Backhouse	Scarborough Borough Council
Councillor Ted Richards	Solihull Borough Council
Councillor Gerald Forsbrey	Spelthorne Borough Council
Councillor David A Leech	Staffordshire County Council
Councillor Lee Wanger	Stoke on Trent City Council
Councillor Joe Forbes	Stroud District Council
Councillor Richard Bell	Sunderland City Council
Councillor Andrew Doubleday	Tameside Borough Council
Councillor Ken Gregory	Thanet District Council
Councillor Brian Luiser	Tonbridge & Malling Borough Council
Councillor Julian Johnson	Wiltshire County Council
Councillor Bryan Turner	Worthing Borough Council
Councillor Philip Haycock	Wychavon District Council

Also in Attendance

Mr Robert Connolly	Birmingham City Council, Legal Services
Mr Dave Haycock	Birmingham City Council, Parking Services
Mr John Satchwell	Bournemouth Council, PATROL Advisory Board
Mr Andrew Pulham	Parking Manager – East Hertfordshire District Council
Ms Caroline Stylianou	Nottingham City Council
Mr Stewart Thompson	Nottingham City Council
Mr Bob Spicer	Thanet District Council
Mrs Christine Crisp	For PATROL Secretary
Mr Graham Addecott OBE	PATROL Advisory Board

Mr Peter Bayless	PATROL Advisory Board
Ms Caroline Sheppard	Chief Adjudicator
Louise Hutchinson	Head of Service, PATROL
Andrew Barfoot	PATROL
Rob Frood	PATROL

PATROL/08/01 Appointment of Chair, Vice Chair and Assistant Vice Chair

Nominations were invited.

Decision

To appoint Councillor Gregory (Thanet) as Chair and Councillor Burns (Manchester) as Vice Chair and Councillor Dickens (Hampshire) as Assistant Vice Chair.

Councillor Gregory in the Chair.

PATROL/08/02 Standing Orders, Financial Standing Orders and Rules of Financial Management

Decision

To adopt the Standing Orders and Financial Standing Orders and Rules of Financial Management.

PATROL/08/03 Lead Authority

Decision

1. To note that Manchester City has been appointed Lead Authority for the provision of goods and services to the Joint Committee.
2. To appoint the Chief Executive, Manchester City Council as Lead Officer to discharge the functions of the Joint Committee as set out in the Scheme of Delegation.
3. To adopt the Scheme of Delegated Functions.
4. To appoint the City Treasurer of the Lead Authority as the Joint Committee's Treasurer.
5. To note that the auditors appointed by the Audit Commission in respect of the Lead Authority will be appointed to the Joint Committee.

PATROL/08/04 Advisory Board

A report was submitted on the appointment of representatives to the Advisory Board and detailing changes to the current composition.

Decision

To adopt the Terms of Reference and Composition of the Advisory Board and appoint members as follows:

The Lead Officer plus up to 11 people viz:

At least one representing an English Authority

Bournemouth Unitary Council – John Satchwell

At least one representing a Welsh Authority

Carmarthenshire County Council – Trevor Sage

At least one representing a District Council

Winchester City Council – Andy Hickman

At least one representing a County Council

Hampshire County Council – Peter Bayless

Leeds City Council – Chris Bramham

At least one representing a Unitary or Metropolitan Council

Manchester City Council – Michelle Chard

At least one representing a bus lane enforcement Council

Bath and North East Somerset – Kathryn Eldridge

A representative each from the DfT and NafW (Ex-Officio)– *Marilyn Waldron (DfT) and Catherine de Marco (DfT) and Colin Eakitts (NafW)*

A representative from a Motoring Association

Paul Watters – AA Motoring Trust (Ex-Officio)

An independent person with knowledge of judicial or tribunal systems (Ex-Officio)

Graham Addicott OBE

PATROL/08/05 Establishment of Executive Sub Committee

A report was submitted on the appointment of an Executive Sub-Committee for the forthcoming year.

Decision

1. To approve the establishment of an Executive Sub-Committee to act on behalf of the Joint Committee until the annual meeting in 2009, comprising Councillors

Mike Carver (East Hertfordshire), Tony Burns (Manchester), Roland Dibbs (Rushmoor), Phrynnette Dickens (Hampshire), Andrew Doubleday (Tameside), Ken Gregory (Thanet), Jean Heywood (Hertsmere), Richard Bell (Sunderland), Tony Page (Reading), Gerald Forsbrey (Spelthorne), Ruth O'Keefe (Lewes), Hugh Wilson (Buckinghamshire), Richard Bell (Sunderland), Pat Drake (Brighton and Hove) and a representative from Wales.

PATROL/08/06 Cycle of Meetings

Decision

1. To agree that the ordinary meetings of the Joint Committee are to be held in January and June (Annual Meeting) and an additional meeting for 2008 in September, the dates to be agreed by the Lead Officer in consultation with the Chair.
2. To note that the meeting of the Executive Sub Committee will be held on 27 January 2009 and that the PATROL Adjudication Joint Committee will be held on 30 June 2009.

PATROL/08/07 Admittance of Other Approved Local Authorities to the Joint Committee Arrangement

The report relating to the above was withdrawn from the Agenda

PATROL/08/08 Appointment of Proper Officer

Decision

To approve the appointment of the Tribunal Manager to undertake the functions of the 'Proper Officer' for the purposes of the Parking Adjudication Regulations and to delegate to the Tribunal Manager the appointment of one or more persons to undertake the duties of the proper officer as their deputy when the proper officer is unable to act.

PATROL/08/09 NPASJC Minutes

The Minutes of the National Parking Adjudication Service Joint Committee held on 30 June 2007 were submitted.

Decision

To approve as a correct record the Minutes of the meeting held on 30 June, 2007.

PATROL/08/10**Executive Sub-Committee Minutes****Decision**

To note the Minutes of the meeting held on 29 January, 2008.

PATROL/08/11**Revenue and Capital Budget 2008/09**

A report was submitted requesting the Joint Committee to adopt the . 2008/09 Revenue and Capital Budget previously approved by the National Parking Adjudication Service, and requesting approval for the production and distribution of the PATROL public information leaflets.

The Head of Service responded to individual questions from members in relation to the detail of the accounts.

Decision

1. To adopt the Revenue Budget approved at the meeting of the NPAS Executive Sub-Committee in January 2008.
2. To approve the arrangements to meet the costs of the PATROL public information leaflets for 2008/09.
3. To note that a report on the launch of the PATROL website would be submitted to the next meeting of the Joint Committee.

PATROL/08/12**Service Charge 2008/09**

The Joint Committee were requested to adopt the method of charging and the charges to be levied from local authorities participating in the Joint Committee's adjudication service during 2008/2009 as approved by the Executive Sub-Committee in January 2008.

Decision

1. To adopt the following charges as agreed by the Executive Sub-Committee in January 2008 in support of the service to be made to participating local authorities during the financial year 2008/2009:-

Element	Charge
Annual Charge (per SPA)	£0
Charge per PCN issued	£0.60
Charge per adjudication case	£0

2. To agree to levy service charges based on a quarterly in advance basis for the PCN charge based on estimated figures and subsequently adjusted.

3. 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 cost of making a transcription from the audio recording of proceedings at a personal 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.

PATROL/08/12 Final Revenue and Capital Accounts 2007/08

The Final Accounts for the year 2007/08 were submitted. A point of clarification was raised in relation to the assumptions regarding the basis for estimating Assets and Liabilities. The Head of Service stated that this had followed standard practice of the Pension Scheme.

Decision

1. To note the outturn position against the 2007/08 revenue budget as detailed in the report.

2. To approve the 2007/08 Accounts for the NPASJC as prepared by the Lead Officer and detailed in the report including the Annual Governance Statement 2007/08.

3. To agree to carry forward the excess of income over expenditure in the 2007/08 Revenue Account to the 2008/2009 Revenue Account.

4. To note that the Auditor's report in relation to 2007/08 will be submitted to the Joint Committee in due course.

5. To note that changes are required to the delegation arrangements referred to in the Reserves Policy contained in the report, under Management of Reserves, Item 3 will be replaced with delegated authority to the Lead Officer, in consultation with the Chair and Vice Chair.

PATROL/08/13 Annual Report of the Parking Adjudicators

A report of the Lead Officer was submitted presenting arrangements for the production of the Annual Report of the Parking Adjudicators.

Decision

1. To approve the move to report on a financial year basis following the production of the final NPAS Annual Report covering the period January 2007 to March 2008 and subsequent arrangements for future reports.
2. To note the arrangements for presenting the 2007/08 report to the Joint Committee.

PATROL/08/14 Traffic Management Act 2004 – Bus Lane and Moving Traffic

The Chief Adjudicator updated the Joint Committee in relation to the imminent consultation on legislation in relation to enforcement powers covering bus lanes and other moving traffic e.g. box junctions and right and left turns. She stressed the importance of each council responding to the consultation and questioned the possibility of holding a meeting at the point of the consultation.

PATROL/08/15 Appointment of Chief Adjudicator

A report was submitted relating to an offer of appointment by virtue of Regulation 17 of the civil Enforcement of Parking Contraventions (England) General Regulations 2007 and Regulation 9 of the Civil Enforcement of Parking Contraventions (Penalty Charge Notices, Enforcement and Adjudication) (Wales) Regulations 2008 to Caroline Sheppard, and to extend her appointment as Chief Adjudicator for England and Wales for the purposes of Part 6 of the Traffic Management Act 2004.

Decision

1. To approve the offer of an appointment as an adjudicator under Regulation 17 of the Civil Enforcement of Parking Contraventions (England) General Regulations 2007 and Regulation 9 of the Civil Enforcement of Parking Contraventions (Penalty Charge Notices, Enforcement and Adjudication) (Wales) Regulations 2008 to Caroline Sheppard who holds an existing appointment under Section 73 of the Road Traffic Act 1991 from the former National Parking Adjudication Service Joint Committee, the fresh appointment being subject to the consent of the Lord Chancellor.
2. To agree that when the Lord Chancellor's consent has been obtained, Caroline Sheppard be appointed as the Chief Adjudicator for England and Wales of the Traffic Penalty Tribunal, on the terms and conditions for the time being applying to her existing appointment as Chief Adjudicator.

PATROL/08/16 Appointment of Adjudicators

A report was submitted relating to an offer of an appointment by virtue of Regulation 17 of the civil Enforcement of Parking Contraventions (England) General Regulations 2007 and Regulation 9 of the Civil Enforcement of Parking Contraventions (Penalty Charge Notices, Enforcement and Adjudication) (Wales) Regulations 2008 to each of the adjudicators who previously held NPASJC appointments under the terms of Section 73 of the road Traffic Act 1991, subject to obtaining the consent of the Lord Chancellor.

The Joint Committee was informed that the appointments would be for a period of five years.

Decision

1. To approve the offer of an appointment under Regulation 17 of the Civil Enforcement of Parking Contraventions (England) General Regulations 2007 and Regulation 9 of the Civil Enforcement of Parking Contraventions (Penalty Charge Notices, Enforcement and Adjudication) (Wales) Regulations 2008 to each adjudicator who holds an appointment under Section 73 of the Road Traffic Act 1991 from the former National Parking Adjudication Service Joint Committee, the fresh appointments being subject to the consent of the Lord Chancellor.

2. To agree that the appointments be on such terms and conditions that are considered appropriate by the Chief Adjudicator having regard to the standards set down by the Lord Chief Justice for the terms and conditions of the tribunal judiciary, and the exigencies of the Traffic Penalty Tribunal.

PATROL/08/17 Meeting with the Minister for Transport

Reference was made to the suggestion of a meeting with the Minister for Transport to enable members to express their concerns about the impact of the regulations on Councils outside London in relation to the Traffic Management Act 2004.

Members agreed that the September meeting of the Joint Committee may be an ideal date for such a meeting with the Minister and agreed that the meeting should be held in London.

The Joint Committee agreed that it was important that there should be as many representatives as possible attending the meeting and that arrangements be made as soon as possible to enable Councillors to arrange their diaries accordingly.

PATROL/08/17 Presentation

The Chief Adjudicator gave a presentation to the Joint Committee about the adjudication service and then responded to questions.

Reference was made to the pilot being undertaken in relation to telephone appeals. The Joint Committee was informed that this had received positive feedback and that a report would be submitted to the next meeting on the success of the scheme.