

Minutes of a meeting of the PATROL Adjudication Joint Committee held on 26 June 2012 at the Warwickshire County Cricket Club, Edgbaston, Birmingham.

Present:

Councillor Ken Gregory – Thanet District Council (Chair)
Councillor Richard Bell, Sunderland City Council
Councillor Phrynnette Dickens – Hampshire County Council
Councillor Mike Carver – East Herts District Council
Councillor Tony Page – Reading Borough Council
Councillor Rachel Bailey – Cheshire East Council
Councillor Ian Davey – Brighton & Hove City Council
Councillor R Dibbs – Rushmoor Borough Council
Councillor Paul Key, Gedling Borough Council
Councillor David Chadwick, Bolton MBC
Councillor Andrew Bosman, Doncaster MBC
Councillor Rodney Rose, Oxfordshire Council
Councillor Peter Cooper, Carmarthenshire County Council
Councillor John Leather, Cheshire West and Chester Council
Councillor Peter Robinson, Tameside Metropolitan Borough Council

Also Present:

John Satchwell – Chair, Advisory Board
Richard Charles, Adjudicator, Traffic Penalty Tribunal
Louise Hutchinson, Head of Service, PATROL
Chris Shepherd for PATROL Secretary
Andrew Barfoot – Traffic Penalty Tribunal
Miles Wallace – PATROL
Kelly Cornell – PATROL
Andy Diamond – PATROL
Graham Addicott – PATROL
Robin Chantrill Smith – Thanet District Council
Marc Samways – Hampshire County Council
Helen Crozier – Oxfordshire County Council
Paul Thomas – Cardiff City Council
John McEvoy – Carmarthenshire County Council
Derek Twigg – Hertfordshire County Council
Kevin Melling – Cheshire East Council

PATROL/12/14 Appointment of Chair, Vice Chair and Assistant Chair

Decision

To appoint Councillor Gregory (Thanet) as Chair, Councillor Dibbs (Rushmoor BC) as Vice Chair and Councillor Dickens (Hampshire) as Assistant Chair until the next Annual Meeting of the Joint Committee.

Councillor Gregory – In the Chair

PATROL/12/15 The Death of Former Councillor Tony Burns

The Committee and those present stood in silence to show their respect for former Councillor Tony Burns. John Satchwell spoke about his memories of Tony Burns and that he was present at the inception of the Joint Committee. The Advisory Board acknowledged his tremendous contribution to the work of the Joint Committee and expressed condolences to his family.

PATROL/12/16 Urgent Business

The Chair welcomed Councillor Peter Cooper as the new Assistant Chair (Wales).

PATROL/12/17 Minutes of the Patrol Adjudication Joint Committee

Decision

To approve the minutes of the Patrol Adjudication Joint Committee held on 31 January 2012 subject to the reference to Doncaster at PATROL/12/02 being replaced with South Yorkshire Joint Secretariat and Barnsley Council.

PATROL/12/18 Minutes of the Patrol Adjudication Joint Committee Appointment Sub Committee

Decision

To approve the minutes of the Patrol Adjudication Joint Committee Appointment Sub Committee held on 29 February 2012.

PATROL/12/19 Tribunal General Progress and Service Standards

A report was submitted which detailed progress in respect of the take up of civil parking enforcement powers by Councils in England (outside London) and Wales and information in relation to general progress and service standards.

The Head of Service reported that the Tribunal had been approached by Century Films to make a documentary about parking enforcement and adjudication. Filming will be completed by the end of July.

The Head of Service and Regional Adjudicator responded to questions on the report.

Decision

1. To note the information provided in the report in respect of the current take up of civil enforcement of parking powers.
2. To note the information in relation to appeals activity.
3. To note the information in relation to service standards.
4. To note the additional general progress information.

PATROL/12/20 Patrol Annual Report Award 2010/11

A report updating the Joint Committee on the PATROL Annual Report Award was submitted.

Decision

1. To note the results of the second PATROL Annual Report Award for 2010/11.
2. To receive a report on the findings of the Review Group at the Executive Sub Committee in September.
3. To note the arrangements for the Award for 2011/12 reports.

PATROL/12/21 Risk Register

A report was submitted which presented the current evaluation of the risk and sought approval of the Risk Management Strategy which would underpin the future management, monitoring and reporting of risk to the Joint Committee. The Head of Service responded to questions relating to resilience and business continuity.

Decision

1. To approve the Risk Management Strategy and summary of the Joint Committee's Risk Appetite.
2. To receive a Risk Report at each meeting.
3. To approve the Business Continuity Management Policy

PATROL/12/22 Treasury Management Statement

The Treasury Management Statement was submitted for review.

Decision

1. To note the Treasury Management Statement 2012/13.
2. To note the intention to move to a maximum of 3 month deposits in October 2012.
3. To review the Treasury Management Statement on an annual basis.

PATROL/12/23 Patrol Adjudication Joint Committee Financial Regulations and Procurement

A report was submitted which requested the Joint Committee to review its Financial Regulations and in accordance with section 1.6 of said regulations, note where services have been procured outside of those Financial Regulations.

Decision

1. To approve the revised Financial Regulations
2. To note the procurement information set out in the report.

PATROL/12/24 Draft Annual Return for 2011/12

A report was submitted which presented the Draft Annual return for the year 2011/12.

Decision

1. To note the outturn position against the 2011/12 budget as detailed in Appendix 1 of the report.
2. To approve the 2011/12 Annual Return, note the Annual Internal Audit Report and Balance Sheet, as detailed in Appendices 2, 3 and 4 of the report
3. To note that the External Auditor's report and final Annual Accounts for 2011/12 will be submitted to the PATROL Adjudication Joint Committee in September.
4. To approve the surplus of income over expenditure of £ 502,504 being added to the Joint Committee's reserves at 31 March 2011 of £1,115,411 which takes the reserves at 31 March 2012 to £1,863,717 and to note that the Reserves Level will be reviewed at the January 2013 meeting.

5. To approve the Code of Corporate Governance as detailed in Appendix 5 of the report

PATROL/12/25 Appointment of Auditors for five years from 2012/13

Decision

To approve the response to the Audit Commission in respect of their consultation on the appointment of BDO LLP as external auditors to the Joint Committee.

PATROL/12/26 Patrol Executive Sub Committee – Wales

Councillor Cooper would provide a verbal update at the next meeting.

PATROL/12/27 Annual Review of Governance Documentation

A report was submitted which presented the governance documentation for annual review. Members considered that this documentation required a full review but that this should not be carried out until the formal arrangement with Cheshire East has been confirmed.

Decision

1. To adopt the Standard Orders contained in the report.
2. To adopt the Scheme of Delegation contained in the report.
3. To note the cycle of meetings for 2012/13.

PATROL/12/28 Establishment of Executive Sub Committee

A report was submitted which requested the Joint Committee to consider the establishment of an Executive Sub-Committee and its Terms of Reference for the forthcoming year.

Decision

To establish an Executive Sub-Committee to act on behalf of the Committee until the annual meeting in June 2013 with the following membership:

Councillor Ken Gregory – Thanet District Council (Chair)
Councillor Richard Bell, - Sunderland City Council
Councillor Phrynette Dickens – Hampshire County Council
Councillor Mike Carver – East Herts District Council

Councillor Tony Page – Reading Borough Council
Councillor Rachel Bailey – Cheshire East Council
Councillor Ian Davey – Brighton & Hove City Council
Councillor Roland Dibbs – Rushmoor Borough Council
Councillor Paul Key, - Gedling Borough Council
Councillor Rodney Rose, - Oxfordshire Council
Councillor Peter Cooper, - Carmarthenshire County Council
Councillor John Leather, - Cheshire West and Chester

PATROL/12/29 Appointments to the Advisory Board

A report was submitted which requested the Joint Committee to agree the terms of reference of and made appointments to the Advisory Board for the forthcoming year.

Decision

1. To adopt the Terms of Reference and Composition of the Advisory Board set out in the Appendix to the report.
2. To appoint the members of the Advisory Board as set out in the appendix to the report until the annual meeting in June 2013.

PATROL/12/30 Lead Authority Arrangements

A report was submitted which provided a progress report on arrangements for a new Lead Authority.

Kevin Melling from Cheshire East Council gave a verbal update to Members and answered questions in relation to a number of issues including accommodation and staffing.

RECOMMENDATIONS

1. To note the progress that has been made in developing the arrangements for the transfer to Cheshire East as the new host authority.
2. To note the temporary adjudicator arrangements to create a more robust framework to support the Adjudicators and Tribunal Staff during the succession to a new Chief Adjudicator and Lead Authority
3. To agree that at its next meeting, the Executive Sub Committee take the following action:
 - a) To review and approve the Memorandum of Understanding between the Adjudicators and the Joint Committee.
 - b) To review, and approve the Reserves Policy to ensure that this adequately covers all potential liabilities of the new host authority.

- c) To review, and approve the final proposal from Cheshire East.
 - d) To approve the support arrangements for staff transferring to Cheshire East.
 - e) To be notified of the timetable for the appointment of the new Chief Adjudicator once the new host authority arrangements have been approved.
4. To note that the Head of Service continues to progress discussions with Cheshire East with a view to facilitating early signature of:
- a. The lease for accommodation within Cheshire East
 - b. The contract for the case management system
5. To note that the Head of Service and representatives from Cheshire East will liaise with Manchester City Council in relation to the transfer arrangements of staff and services etc.
6. To note a report of actions associated with the above will be presented to the September meeting of the PATROL Adjudication Joint Committee Executive Sub Committee and the Bus Lane Adjudication Service Joint Committee.
7. To note that a Service Level Agreement between the Joint Committees and the new Host Authority will be presented to the January 2013 meeting.

PATROL/12/31 Date of next meeting

The next meeting would be held on 25 September 2012.