

# PATROL

The Joint Committee of England and Wales  
for the civil enforcement of  
Parking and Traffic Regulations Outside London

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## Newsletter

## Spring 2015



Welcome to the third, and now e-edition of the PATROL newsletter. It has been an exciting few months for both PATROL and the Traffic Penalty Tribunal since the last edition of our newsletter. The Traffic Penalty Tribunal's new online appeals portal and case management system, BECK (Best Evidence Cloud Knowledge), is now receiving appeals in 15 councils. With more councils set to come on board in the coming months and new developments to the system, 2015 is set to be a transformational year in terms of how the tribunal and councils operate.

In a widening of its jurisdiction, the Traffic Penalty Tribunal now considers appeals in relation to penalties issued for failing to pay a charge at the Dartford River Crossing. A new free flow traffic system has been introduced at the crossing with existing barriers and toll booths being removed. BECK has been adapted for these appeals.

In other new developments, the Government has announced that from 6th April motorists in England must receive a 10 minute grace period from councils if they overstay their paid for (or free for a specified period) permitted parking either on or off street. It is worth noting these changes do not apply where vehicles are parked on yellow lines, on dropped kerbs or in permit bays, nor do they apply where no payment has been made (where required).

In addition to these changes, Councils will no longer be able to issue Penalty Charge Notices (PCNs) by post on the basis of a contravention captured on CCTV or by camera car, except for vehicles stopped outside school entrances, red routes, bus lanes or bus stops and clearways.

Finally, the Welsh Government has introduced the additional powers of the Traffic Management Act 2004 which allows authorities to enforce moving traffic contraventions such as yellow box junctions and no right turns. In November 2014 Cardiff became the first authority in Wales to adopt these powers initially focusing on yellow box junctions and bus lane enforcement.

**Cllr Jamie Macrae**  
**Chair**

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## **BECK (Best Evidence Cloud Knowledge)**

A recent [report for the Civil Justice Council](#) has recommended sweeping changes to the way smaller civil cases are handled and decisions made. The recommendations include running an online dispute resolution style system alongside traditional courts to speed up cases, reduce costs and improve accessibility. The report holds up the Traffic Penalty Tribunal's online appeals portal and case management system, BECK, as a pioneer in this field.

BECK, has been live for 7 months. 15 authorities are now on board with more councils to follow in the coming months.

Feedback from all parties has been positive. Early indications show the time between case registration and closure is reducing significantly. Developments will continue to be made to BECK over the coming months to add additional features, improve its functionality and provide an enhanced experience for appellants, councils and adjudicators alike.

### **Chief Adjudicator, Caroline Sheppard explains:**

*"Adjudicators can manage their own caseload, message out directions to parties and easily see the evidence, including videos, which is also displayed to all parties. At telephone conference hearings all participants can view the same evidence, guided by the adjudicator. The system, that supports the TPT objectives of transparency, proportionality and finality, is still in development; we continue to learn from the experience and feedback from appellants and authorities."*

The tribunal has been actively seeking feedback from appellants who have used the system, comments included;

- *"I like getting the email prompts to log on"*
- *"This is a positive step forward. As a large company I would always look to appeal on line as it saves time and paper"*
- *"Once I got to grips with where everything is I can see the merits of the system".*

The introduction of the dashboard for authorities has made managing cases and preparing evidence much simpler. Councils have commented:

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

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

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

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

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

## Mike James, Parking Services Enforcement Manager, Bristol City Council

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## Road User Charging

### Dart Charge

In a widening of its jurisdiction, the Traffic Penalty a Tribunal has begun considering appeals against penalties issued for failing to pay a charge at the Dartford River Crossing.



A new free flow traffic system has been introduced at the crossing with existing barriers and toll booths being removed to allow the free flow of vehicles in both directions. Approximately 50 million vehicles use the crossing each year. Motorists using the crossing are subject to a charge which must be paid either in advance or by midnight the day following the crossing.

Those failing to pay the charge are subject to penalties, sent by post, to the Registered Keeper of the vehicle. Penalties are £70 - reduced to £35 if paid within 14 days. In a slight difference to parking and bus lane PCNs, the cost of the unpaid journey crossing is required in addition to the penalty charge.

Anyone wishing to contest a penalty should first appeal to the Dart Charge team. If this is rejected an appeal may be made to the independent adjudicator at the Traffic Penalty Tribunal.

As previously mentioned appeals can be made and managed through BECK, the tribunal's new online appeals system. More information on the changes to the Dartford River Crossing can be found at: <https://www.gov.uk/pay-dartford-crossing-charge>.

### Durham City peninsula

Durham City council has recently introduced a road user charging scheme at the Durham City peninsula. Motorists failing to pay the charge will receive warning notices in the first instance, penalties will then be issued for subsequent contraventions. Appeals relating to these penalties will be considered by the Traffic Penalty Tribunal.

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## Moving Traffic - Wales

Following the introduction of the additional parts of the Traffic Management Act 2004 by the Welsh Government, Cardiff Council has become the first council to enforce moving traffic



contraventions. Enforcement began in December 2014. Bus lane enforcement in Wales will now also come under the Traffic Management Act 2004.

English councils have yet to be given permission by the Government to adopt these additional powers despite pressure from a number of

councils.

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## Annual Report Award

The PATROL annual report award continues to go from strength to strength. As part of its commitment to providing quality public information, PATROL has recently commissioned research into the production of annual reports. This research will consider what information is currently included in reports, how reports are valued and why some council do not produce a report. A report will be produced following these findings and presented to the Joint Committee.

In addition to this, PATROL will also launching a toolkit in June for councils highlighting good practice and key features to be included in annual reports which will provide a solid template for council reporting.

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## Pavement Parking

Following discussion at the Joint Committee meeting in October, it was agreed that PATROL would undertake a short online survey to understand how different local authorities approach the issue of pavement parking.

This survey was issued at the beginning of January and results have been collated. Headline findings can be seen below;



- 124 councils responded to survey (some skipped questions)
- 23% of respondents undertake pavement parking enforcement
- 76% of respondents are aware of the new pavement parking bill currently going through Parliament
- Of those councils which don't enforce pavement parking 41% stated the new Bill would make them consider enforcing whilst 54% would need more information on the Bill
- Councils use TROs to create restrictions
- Some councils enforce where restrictions are in place adjacent to the highway
- Some councils use CCTV to enforce
- The survey suggests councils believe problems with enforcement arise due to a lack of understanding from motorists

Chief Adjudicator, Caroline Sheppard has suggested that adding 'obstruction' to the list of 'offences' in Paragraph 4(2)(i) of Schedule 7 of the Traffic Management Act 2004 so that local authorities may enforce through civil enforcement (including removing the vehicle) is one possible solution to the issue.

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## The Joint Committees

The principle objectives of the PATROL Adjudication Joint Committee and Bus Lane Adjudication Service Joint Committee include:

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

In addition, the Joint Committee oversees any agreed PATROL initiatives e.g. commissioning Independent Reviews and the provision of public information.

There will soon be 306 member councils of the PATROL Adjudication Joint Committee with Knowsley MBC commencing Civil Parking Enforcement on 11th May. In addition, there are now 43 members of the Bus Lane Adjudication Service Joint Committee.

### DATE OF NEXT MEETING

Tuesday 23rd June 2015,  
Church House Conference Centre,  
Dean's Yard,  
London,  
SW1P 3NZ

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## New Agreements

Following the change in host authority from Manchester City Council to Cheshire East Council, councils were required to consent to a new Joint Committee agreement. These new agreements came into force for both committees on 3rd December 2014, coinciding with a service level agreement between the Joint Committees and Cheshire East Council.

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## Committee Chairs

### PATROL Adjudication Joint Committee

Chair - Cllr Jamie Macrae - Cheshire East Council

Vice Chair - Cllr Mike Carver - East Hertfordshire District Council

Assistant Chair - Cllr Stuart Hughes - Devon County Council

Assistant Chair (Wales) - Cllr Peter Cooper - Carmarthenshire County Council

## **Bus Lane Adjudication Service Joint Committee**

Chair - Cllr Tony Page - Reading Borough Council

Vice-Chair - Cllr Ian Davey - Brighton & Hove City Council

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## **New Bus Lane Councils**

Since the last PATROL newsletter in July 2014 the following councils commenced civil bus lane enforcement:

Cardiff City Council (Bus Lane and Moving Traffic)

Cambridgeshire County Council

Salford City Council

Tameside Metropolitan Borough Council

Derby City Council

Staffordshire County Council

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