

**BUS LANE ADJUDICATION SERVICE JOINT COMMITTEE
FOR RESOLUTION**

DATE: 2ND June 2008
AGENDA ITEM Number 6
SUBJECT Report of Chair's Actions
REPORT OF: The Lead Officer

PURPOSE OF REPORT

To inform members of actions taken by the Chair in the absence of a quorum on 29th January 2008.

RECOMMENDATIONS

It is recommended that the Joint Committee

- (i) Confirm the recommendations identified in Appendix 1 in relation to the budget for 2008/09.
- (ii) Confirm the recommendations identified in Appendix 2 in relation to setting services charges for 2008/09

CONTACT OFFICER

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APPENDIX 1

**BUS LANE ADJUDICATION SERVICE
JOINT COMMITTEE MEETING**

REPORT FOR RESOLUTION

DATE: 29th January 2008
AGENDA ITEM: Number 9
SUBJECT: Budget Estimates 2008/2009
REPORT OF: The Lead Officer on behalf of the Advisory Board

PURPOSE OF REPORT

To request the Committee to adopt the Revenue and Capital Budget estimates for 2008/2009.

RECOMMENDATIONS

It is recommended that the Joint Committee:

- [i] Agree to adopt the Revenue Budget estimates for 2008/2009 as detailed in the report.
- [ii] Agree to adopt a zero capital budget estimate for 2008/2009.

FINANCIAL CONSEQUENCES FOR THE REVENUE AND CAPITAL BUDGETS

It is intended that, in the long term, the service will be self-financing as a result of charges made to participating local authorities.

These charges are the subject of a separate report on the agenda and are recommended with a view to the service being self-financing.

CONTACT OFFICER

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BACKGROUND DOCUMENTS

Minutes of the Bus Lane Adjudication Service Joint Committee meeting held 29th January 2007.1.0

INTRODUCTION

- 1.1 In accordance with the BLASJC agreement and the Accounts and Audit Regulations it is necessary to establish a budget estimate for the forthcoming year. An assessment has been made of the likely service take up during 2008/09 and therefore the Adjudicators, administrative support and accommodation needed. This report deals with the consequential establishment of budgets to meet this level of demand.
- 1.2 The adjudication service is to be operated on a self-financing basis with income obtained from charges made to BLASJC member authorities.
- 1.3 In common with the budget setting process adopted by the National Parking Adjudication Service, no assumption is made about new councils joining the scheme in the current year.
- 1.4 It has been agreed that both parking and bus lane adjudications are to be administered, and heard by adjudicators, in an integrated fashion to afford an opportunity for cost sharing, further economies of scale and the ability to provide an efficient and effective service.
- 1.5 Initial discussions with the Audit Commission about a proposal to keep administration of the two joint committees' accounts to a minimum by allocating expenditure based on the number of appeals received from each type of enforcement would be an acceptable and economic solution. For 2007/08 a separate business area was established for the Bus Lane Adjudication Service to enable recharges between the two accounts for appeal expenditure. The recharging mechanism will be kept under review.
- 1.6 It is therefore expected that during 2008/9 there will be additional income and expenditure available to NPAS for bus lane adjudications.

2.0 BACKGROUND

Revenue Budget Estimates

- 2.1 It is proposed to balance the income and expenditure of the revenue budget without the need to charge a 'joining fee' to participating councils.
- 2.2 An assessment has been made of the revenue budget that will be needed to meet the demands on the service during 2008/9.

- 2.3 The costing resulting from the pro rata per case is made on the assumption that there will be 9,500 parking appeals and 292 bus lane appeals during the year. The pro rata per appeal expenditure is calculated from the NPASJC revenue budget.
- 2.4 The income is based on estimates of the number of PCNs likely to be issued by the participating authorities and assuming the joint committee agrees to a similar charge (£0.60) per PCN agreed by the NPASJC for year 2008/09. Civil enforcement of bus lanes is in its infancy and a contingency has been included to mitigate against changes to projected start dates and lower than anticipated PCN issue.
- 2.5 The budget has been set with a view to meeting the expected demands on the service and yet reflecting the economies of scale and income that should arise from the service charges, which are reported elsewhere on the agenda.
- 2.6 Details of the proposed revenue budget are shown below.

Expenditure	Year 2007/8	Year 2008/09
	£	£
Pro Rata per Appeal expenditure	23,774	75,034
Separate BLASJC costs	3,000	3,000
Service Management and Support	1,000	1,000
Audit Fee	0	0
Contingency	6,115	8,626
Total Expenditure	33,889	87,660
Income		
Penalty Charge Notices	33,889	87,660
Total Income	33,889	87,660
Net Expenditure	0	0

3. Capital Budget Estimates

- 3.1 It is recommended that the Committee adopt a zero capital budget estimate for 2008/09.

APPENDIX 2

BUS LANE ADJUDICATION SERVICE JOINT COMMITTEE MEETING

REPORT FOR RESOLUTION

DATE: 29th January 2008
AGENDA ITEM: Item 10
SUBJECT: Service Charges 2008/2009
REPORT OF: The Lead Authority on behalf of the Advisory Board

PURPOSE OF REPORT

To establish the method of charging and the charges to be levied from local authorities participating in the Joint Committee's arrangements during 2008/2009.

RECOMMENDATIONS

It is recommended that:

- [i] The Joint Committee adopts the following charges in support of the service to be made to participating local authorities during the financial year 2008/2009, as detailed below.

ELEMENT	CHARGE
Charge per PCN Issued	£0.60

- [ii] Service Charges are levied on a quarterly in advance basis for the PCN charge based on estimated figures and subsequently adjusted.
- [iii] 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.

FINANCIAL CONSEQUENCES FOR THE REVENUE AND CAPITAL BUDGETS

It is intended that service will be self financing as a result of contributions made from participating local authorities.

CONTACT OFFICER

Louise Hutchinson, NPAS Headquarters, Barlow House, Minshull Street, Manchester. Tel: 0161 242 5270

BACKGROUND DOCUMENTS

Minutes of the Bus Lane Adjudication Service Joint Committee meeting held 29th January 2007.

INTRODUCTION

1.0 An essential element for a local authority when adopting civil bus lane enforcement powers is the existence of a means to appeal to an independent bus lane adjudicator. The approved local authorities who are participating in the BLASJC agreement are required to fund adjudication as part of their powers.

1.1 The BLASJC agreement provides for the Committee to decide the cost sharing arrangements.

2.0 BACKGROUND

2.1 The BLASJC agreement envisages the adjudication service to be operated on a self-financing basis with revenue obtained from charges made to participating local authorities. The level of charging has been based on this predicted service activity on the basis of existing councils.

2.2 The current level of parking appeals are on average at about the 0.3% level of the number of PCNs issued. It has been assumed that a similar level of appeal will arise from bus lane PCNs. To date, there is limited experience of bus lane enforcement outside London that would provide an indication of the level of appeal per PCN issued.

2.3 Allowance has been made in the budget estimates for the time lag in receiving appeals.

2.4 There is provision in the BLASJC agreement for other approved local authorities to participate in the agreement and so it might be the case that other councils become a party to the agreement before the year end and additional income may arise to that estimated.

- 2.5 It is recommended that the cost sharing arrangement is based on the level of charge per PCN issued by the participating councils to that for the NPASJC. i.e. £0.60 per PCN.

3.0 METHOD OF CHARGING

- 3.1 To provide a positive flow of cash within the revenue account during the year it is proposed to levy the charges quarterly in advance based on an estimate of the number of PCNs each council estimates it will issue during the year. This is similar to the NPASJC charging arrangement.

4.0 TRANSCRIPTION COSTS

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.

