

Bus Lane Adjudication Service Joint Committee Executive Sub Committee Agenda

Date: Tuesday 18th October 2016
Time: 12.30 pm or on the rise of the PATROL Joint Committee Executive Sub Committee
Venue: The Hoare Memorial Hall, Church House Westminster, Dean's Yard, London SW1P 3NZ

1. **Appointment of Chairman and Vice Chairman of the Executive Sub Committee**

To appoint a Chairman and Vice Chairman until the next meeting of the Joint Committee in 2017

2. **Apologies for Absence**

To receive apologies for absence

3. **Declarations 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

4. **Minutes of the Bus Lane Adjudication Service Executive Sub Committee meeting held on 27 January 2016** (Pages 1 - 6)

To approve the minutes of the Bus Lane Adjudication Joint Committee Executive Sub Committee meeting held on 27 January 2016

5. **Minutes of the Bus Lane Adjudication Service Joint Committee meeting held on 12 July 2016** (Pages 7 - 14)

To note the minutes of the Bus Lane Adjudication Service Joint Committee held on 12 July 2016

Contact: Louise Hutchinson, Director
Bus Lane Adjudication Service Joint Committee
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6. **Chair's Update**

To provide the Joint Committee with a general update since the last meeting

7. **PATROL AND BLASJC Resources Working Group and Sub Committee**
(Pages 15 - 18)

To report on the resolutions from the PATROL and BLASJC Resources Working Group and Sub Committee's meeting held on 13 September 2016

8. **Audit Commission Small Bodies Annual Return for the Year Ended 31 March 2016** (Pages 19 - 38)

To note the completion of the audit of accounts 2015/16 and review the Scheme of Delegation

9. **Budget Monitoring 2016/17** (Pages 39 - 42)

To note the income and expenditure at 31 July 2016

10. **Risk Register** (Pages 43 - 50)

To note the latest review of the Risk Register

11. **General Progress Report** (Pages 51 - 60)

To provide general information in respect of the Tribunal's activities

12. **Appointment to the Advisory Board** (Pages 61 - 64)

To approve an appointment to the Advisory Board

13. **Dates of Next Meetings**

31 January 2017

11 July 2017

Minutes of a meeting of the
Bus Lane Adjudication Service Joint Committee
 held on Wednesday, 27th January, 2016 in The Westminster Room, The
 Local Government Association, Local Government House, Smith Square,
 London SW1P 3HZ

PRESENT

Councillor Tony Page (Reading Borough Council) in the Chair	
Graham Burgess	Hampshire County Council
Saoirse Horan	Brighton & Hove City Council
Terry Douris	Hertfordshire County Council
Jamie Macrae	Cheshire East Council
Anthony Clarke	Bath and North East Somerset Council

Officers

Graham Addicott OBE	Independent Member Vice-Chair Advisory Board
Mark Samways	Advisory Board (Hampshire County Council)
Jo Abbott	Independent Member Advisory Board
George Broughton	Advisory Board (Cheshire East Council)
Caroline Sheppard	Chief Adjudicator
Louise Hutchinson	Director PATROL
Jon McEvoy	Carmarthenshire County Council
Paul Nicholls	Brighton and Hove City Council
John Kieran	Traffic Penalty Tribunal
Iain Worrell	Traffic Penalty Tribunal
Andy Diamond	PATROL
Cherry Foreman	Cheshire East Council

30 APOLOGIES FOR ABSENCE

The apologies for absence were reported.

31 DECLARATIONS OF INTEREST

There were no declarations of interest.

32 MINUTES OF THE MEETING HELD ON 27 OCTOBER 2015

RESOLVED

That the minutes of the meeting be approved as a correct record.

33 CHAIR'S UPDATE

The Chair reported that Kirklees would be commence civil enforcement with effect from early February.

34 PATROL AND BLASJC RESOURCES WORKING GROUP AND SUB COMMITTEE

Consideration was given to a report on the PATROL and BLASJC Resources Sub Committee and Working Group meeting held on 7 January. A number of matters with resources implications had been considered including the review of the management structure, the introduction of a scheme of delegation for the Chief Executive of Cheshire East Council to the Director, and research and public affairs projects.

The Chairman highlighted the outcomes from the Working Group meeting, which were detailed in the report, and confirmed that a full report on the Public Affairs Workshop held that day would be circulated in due course; attention was, however, drawn to the increased focus to be made on increasing the profile of PATROL and the Adjudication Service with Government bodies

The Director reported that the BLASJC may be a useful forum for exploring the potential to take advantage of new opportunities.

RESOLVED

1. That the resolutions of the Resources Sub Committee on 7 January be noted.
2. That approval be given for the Resources Sub-Committee and Working Group to oversee the matters highlighted in the report and to report back to the next meeting of the Joint Committees or their Executive Sub Committees.

35 CHIEF ADJUDICATOR'S UPDATE

The Chief Adjudicator extended her thanks to Brighton and Hove City Council which has assisted in the testing of the new online appeal system which was due to go live shortly. The Adjudicators had worked hard to introduce this new initiative which would enable the results of appeals to be read on line, but with an additional print facility. The records would also provide a useful register of work and results.

It was reported that use of the on-line system developed by PATROL was being looked at by the Courts as part of their own process of reform. The Chief Adjudicator had been invited to join the Justices Working Party, which was looking at reforming the Courts, with an intention of much of the work being done on-line in the future.

Other updates included the increasing speed with which appeals could now be dealt with.

RESOLVED

That the update be noted.

36 BUDGET MONITORING 2015/16

Consideration was given to the income, expenditure and reserves monitoring information for the year to 30 November 2015, and to the projected outturn for the end of the current financial year. The Tribunal operated on a self financing basis with income obtained from defraying expenses amongst the BLASJC member authorities and the revenue budget estimates were established on the basis that it would reflect the councils who were already members of the BLASJC.

RESOLVED

That the income and expenditure reserves at 30 November 2015, together with the projected outturn for 2015/16 be noted.

37 SERVICE LEVEL AGREEMENT BETWEEN THE JOINT COMMITTEE AND CHESHIRE EAST COUNCIL

Councillor J Macrae declared a non prejudicial interest in this item by virtue of being a Member of Cheshire East Council.

Consideration was given to the Service Level Agreement (SLA) with Cheshire East Council (the Host Authority) for 2016/17. A review of the services provided had been undertaken and it was reported at the meeting that the annual charge had reduced by £2,880; the provision of additional services in respect of printing and postage fell outside the SLA.

RESOLVED

That the variations to the Service Level Agreement for 2016/17 be approved and that Cheshire East Council be reimbursed for its services.

38 REVENUE BUDGETS FOR 2016/17

The budget estimates for 2016/17 were considered based on the likely service uptake during 2016/17 and the adjudicators, administrative support and accommodation needed. It had been agreed that both parking and bus lane adjudications be administered and heard 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; BLASJC was recharged by the PATROL Adjudication Joint Committee for this purpose.

RESOLVED

That approval be given to the Revenue Budget for 2016/17 as set out in the report.

39 DEFRAYING THE EXPENSES OF THE JOINT COMMITTEE 2016/17

Consideration was given to the basis for those participating in the Joint Committee to contribute to its expenses during 2016/17.

The BLASJC agreement provided for the adjudication service to be operated on a self financing basis with expenses shared by participating authorities; this also supported the reserves position. Options of 40p or 45p per PCN were considered, or of maintaining the current contribution of 45p and reviewing the position in July and October 2016.

RESOLVED

1. That approval be given to a charge of 45p per PCN and that the position be reviewed in July and October 2016.
2. That approval be given to there being no annual charge, nor cost per case.
3. That approval be given to the principle of introducing a cost per case charge in-year for paper evidence files once the portal is available to all Councils and that this will be preceded by a report to the Joint Committee or its Executive Sub Committee.
4. That invoicing be undertaken on a quarterly basis on estimated figures and subsequently adjusted to the actual figures at the September and March points.
5. That it be noted 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 agrees that the incidental costs of making a transcription from the audio recordings of the proceedings at a hearing be 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.

40 RISK REGISTER

In accordance with the Joint Committees Risk Management Strategy consideration was given to the latest review of the Risk Register.

RESOLVED

That the latest review of the Risk Register be noted.

41 APPOINTMENT TO THE ADVISORY BOARD

Consideration was given to the appointment of Ian Hughes of Calderdale Council to the Joint Committee as the Metropolitan Council representative on the Advisory Board. The Terms of Reference of the Board were attached for information.

RESOLVED

That approval be given to the appointment of Ian Hughes to the Advisory Board.

42 GENERAL PROGRESS AND SERVICE STANDARDS

Consideration was given to a summary of appeals activity for the seven month period to 31 October 2015. The Joint Committee had a set of performance standards one of which included appeals handled in both the legacy case management system and on the on-line portal case management system BECK (Best Evidence Cloud Knowledge). As all appeals would soon be transferred to BECK it was proposed that a revised framework for reporting be considered at the Joint Committees annual meetings in July.

Information given included bus lane appeals (excluding Wales) along with feedback on the three types of hearings namely E-decision, telephone and face to face hearings.

RESOLVED

That the summary of appeals information be noted.

43 DATE OF NEXT MEETING

RESOLVED

That the next meeting be held on 12 July 2016 at Church House Conference Centre, Westminster.

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Minutes of a meeting of the
Bus Lane Adjudication Service Joint Committee
 held on Tuesday, 12th July, 2016 in The Hoare Memorial Hall, Church House,
 Dean's Yard, London SW1P 3NZ

PRESENT

Councillor Tony Page (Reading Borough Council) in the Chair

Councillors

Terry Douris	Hertfordshire County Council
Anthony Clarke	Bath and North East Somerset Council
Nigel Cooke	Stockton-on-Tees Borough Council
Malcolm Kennedy L	Liverpool City Council
Alan Kerr	South Tyneside Council
Jamie Macrae	Cheshire East Council

Officers in attendance:

Graham Addicott OBE	Vice Chair Advisory Board
Robin Chantrill-Smith	Thanet District Council
Roy Tunstall	Liverpool City Council
John McEvoy	Carmarthenshire County Council
George Broughton	Cheshire East Council
Caroline Sheppard	Chief Adjudicator
Louise Hutchinson	Director PATROL
Jon Keighren	PATROL
Anna Scarisbrick	PATROL
Andy Diamond	PATROL
Cherry Foreman	Cheshire East Council

1 APPOINTMENT OF CHAIRMAN AND VICE CHAIRMAN

Consideration was given to the appointment of the Chairman and the Vice-Chairman.

RESOLVED

That the following appointments be made:

Chairman – Councillor Tony Page (Reading Borough Council)
 Vice-chairman – Councillor Graham Burgess (Hampshire County Council)

2 APOLOGIES FOR ABSENCE

The apologies for absence were reported.

3 DECLARATIONS OF INTEREST

There were no declarations of interest.

4 MINUTES OF THE MEETING HELD ON 23 JUNE 2015

RESOLVED

That the minutes of the meeting held on 23 June 2015 be approved as a correct record subject to the addition of Councillor Clarke to the list of those present.

5 MINUTES OF THE MEETING OF THE EXECUTIVE SUB COMMITTEE HELD ON 27 JANUARY 2016

RESOLVED

That the minutes of the meeting held on 27 January 2016 be approved as a correct record.

6 CHAIRMAN'S UPDATE

The Chairman reported that since the last meeting there had been two new bus lane councils, these being Warrington and Southampton.

He reported that twenty councils had attended a bus lane conference and users group in London in June the feedback from which had been very positive. The event took a 360 degree view on bus lanes and had included presentations from Transport Focus on the importance of punctuality for passengers, the Traffic Commissioner Beverley Bell on their role with bus operators, an overview of the Traffic Signs Regulations General Directions 2016 and traffic enforcement in Cardiff.

RESOLVED

That the update be noted.

7 REPORT OF THE PATROL AND BLASJC RESOURCES WORKING GROUP

Consideration was given to a report from the meeting of this Working Group at which the Terms of Reference for both the Sub-Committee and the Working Group had been reviewed. Ongoing matters in the fields of public affairs, human resources and finance had also been considered; these were listed in the report and it was proposed they continue to be overseen by the Resources Working Group and Sub-Committee and that reports be made back to the Joint Committee Executive Sub-Committee in October 2016 and 2017.

With reference to the introduction of the Traffic Signs Regulation and General Directions 2016 it was noted that a number of anomalies had arisen; it was agreed this be the subject of a presentation to a future meeting of the Sub-Committee and Members were invited to notify the Director of any particular areas of concern. It was also agreed that a presentation on the roll out of FOAM (Fast Online Appeal Management) be given to the Executive Sub-Committee.

RESOLVED

1. That the report on the matters discussed at the meeting on 25 May 2016 be noted.
2. That approval be given to the Terms of Reference for PATROL and BLASJC Resources Working Group as set out in the Appendix of the report.
3. That approval be given for the Resources Sub-Committee and Working Group to oversee the matters highlighted in the report and to report back to the next meeting of the Joint Committees or their Executive Sub-Committees.

8 APPOINTMENT OF AUDITORS

Consideration was given to the appointment of BDO as external auditor for the 2015/16 to 2017/18 accounts. Previously BDO had been appointed to undertake an annual review of the accounts and whilst this was no longer a requirement under the Local Audit and Accountability Act 2014 it was considered that its continuance, along with the review provided by internal audit, would provide assurance to the Joint Committee of the appropriateness of accountancy processes undertaken on their behalf.

RESOLVED

That approval be given to the appointment of BDO as external auditors for the 2015/16 to 2017/18 accounts.

9 DRAFT ANNUAL RETURN 2015/16

Consideration was given to the draft return for 2015/16. The accounting statement had been prepared in accordance with the requirements of the Audit Commissions Small Bodies Annual Return and although that removed the requirement for a full set of accounts a balance sheet and cash flow statement had been provided for information.

The audit had concluded that the majority of controls were operating effectively and a 'Satisfactory Assurance' opinion had been given; recommended actions were detailed for those areas where attention was needed to improve the effectiveness of the controls.

RESOLVED

That:

1. The outturn position against the 2015/16 budget included within the report, at Appendix 1, be noted.
2. The 2015/16 draft Annual Return, shown at Appendix 2 of the report, be approved.

3. The Annual Internal Audit Report, shown at Appendix 3 of the report, be noted.
4. The audit timetable included within the report be approved.
5. The Balance Sheet and Cash Flow Statements, shown at Appendices 4 and 5 of the report, be noted.
6. Approval be given to the surplus of income over expenditure of £311,366 being added to the Bus Lane Adjudication Service Joint Committee's reserves.
7. The recommendation to review the Code of Corporate Governance at the October 2016 meeting to take account the CIPFA (Chartered Institute of Public Finance and Accountancy) publication: "Delivering Good Governance in Local Government Framework – 2016) be noted.

10 REVIEWING THE BASIS FOR DEFRAYING EXPENSES 2016/17

Consideration was given to the report of the Director, in consultation with the PATROL and BLASJC Resources Working Group, on the basis for defraying expenses in 2016/17. The BLASJC agreement provided for the adjudication service to be operated on a self-financing basis with expenses defrayed by member authorities.

RESOLVED

It was approved that:

1. A reduction from 45 to 40 pence per PCN be the basis for defraying expenses with effect from 1 April 2016 and that there be a further review in October 2016 in the light of six months' income and expenditure for 2016/17.
2. There will be no annual charge, nor cost per case.
3. A cost per case charge in-year be introduced where a council chooses not to engage with the appeal portal once it is available to all councils. This will be preceded by a report to the Joint Committee or its Executive Sub-Committee.
4. Invoicing will be undertaken on a quarterly basis on estimated figures and subsequently adjusted.
5. 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.

11 BUS LANE ADJUDICATION SERVICE JOINT COMMITTEE FINANCIAL REGULATIONS 2016/17

Consideration was given to a report on the Financial Regulations for 2016/17 which had been reviewed in the light of the Scheme of Local Financial Delegation approved by the Joint Committees Executive Sub-Committee in October 2015. In accordance with this the Director was required to report any procurement falling outside the financial regulations and these were detailed in the report as follows:

Active Documents, BDO, Cheshire East Council, Clara Net, Emerson Management Services, Forrest, Four Colman Getty, Gardner Systems PLC, Jadu, Log Me In, Morgan Hunt, NABARRO, NB Colour Print, O2, PA Consulting, Pangea Systems, Pitney Bowes, QA Ltd, Resolver, Sarah Perry Recruitment, Senitor Recruitment, Softworks, Sopra, Thomson Reuters, University of Birmingham and Xerox Finance.

RESOLVED

That the Financial Regulations for 2016/17 be approved and matters arising outside of them be noted.

12 ESTABLISHMENT OF EXECUTIVE SUB COMMITTEE

The Committee considered arrangements for the establishment of an Executive Sub-Committee and its Terms of Reference for the coming year. Each council becoming party to the PATROL Adjudication Agreement was required to appoint a member to represent their Council on the Joint Committee and to avoid the need for an increasing number of members to attend all the meetings it was proposed that an Executive Sub-Committee be established.

BLASJC Standing Orders enabled the Joint Committee to appoint such Sub-Committees as it saw fit. It was suggested that functions not currently delegated to officers should form the functions of the Executive Sub-Committee and could be dealt with without the need for the full Committee to meet.

An Appendix to the report detailed the functions considered suitable for the Executive Sub-Committee which it was recommended should comprise a minimum of twelve people including the Chair of the Joint Committee and a least one member each from a District, County, Unitary, and Metropolitan Council, and at least one from an English Authority and one from a Welsh authority.

RESOLVED

That an Executive Sub-Committee be appointed to act on behalf of the Committee until the Annual Meeting in June 2017 in accordance with the Appendix to the report, and that it appoints members of the Executive Sub-Committee including new representatives at the meeting for the forthcoming year.

13 APPOINTMENTS TO THE ADVISORY BOARD

A report was considered setting out the terms of reference for the Advisory Board and recommendations for appointments for 2016/17. The governance

arrangements for the Joint Committee provided for the appointment of an Advisory Board comprising the Lead Officer and other such officers and persons appointed by the Joint Committee to advise on its functions.

At its meetings in June 2015 and January 2016 appointments had been made for the period ending at the next Annual Meeting and they were listed in the Appendix to the report.

RESOLVED

That the Terms of Reference and composition of the Advisory Board, set out in the Appendix to the report, be adopted.

14 RISK MANAGEMENT AND BUSINESS CONTINUITY

The Joint Committee considered the Risk Management Strategy and the Business Continuity Management Policy and was requested to review the updated Risk Register.

RESOLVED

That

1. The Risk Management Strategy, shown at Appendix 1 of the report, be approved.
2. The updated Risk Register, shown at Appendix 2 of the report, be noted.
3. The Business Continuity Management Policy, shown at Appendix 3 of the report, be approved.
4. That the intention to commission a review of business continuity matters as part of the internal audit work for 2016/17 be noted.

15 REVIEW OF GOVERNANCE

The governance documentation was considered and reviewed by the Joint Committee, this included the PATROL Adjudication Agreement, the Service Level Agreement with the Host/Lead Authority, Schemes of Delegation and the Memorandum of Understanding between the Adjudicators and the Joint Committee. It was reported that the annual review of the documentation had been undertaken and as a result there had been some factual updates which were now reported.

RESOLVED

That:

1. The variation in the Bus Lane Adjudication Service Joint Committee Agreement dated 3 December 2014, and the variation to the Standing Orders, shown at Appendix 1 of the report, be approved.
2. The Service Level Agreement between the Joint Committee and the Host /Lead Authority, shown at Appendix 2 of the report, be noted.

3. The Schemes of Delegation to the Chief Adjudicator and Director, shown at Appendix 3 and 4 of the report, be noted.
4. The updated Memorandum of Understanding between the Adjudicators and the Joint Committee, shown at Appendix 5 of the report, be approved.
5. Persons be appointed to fulfil the function of the Proper Officer under the relevant regulations.
6. That meetings be held on the following dates be noted.

18 October 2016

31 January 2017

11 July 2017

16 CHIEF ADJUDICATOR'S UPDATE

Consideration was given to a report tabled at the meeting on the appointments and retirements of Adjudicators. Appointments were made for a period of five years and were subject to the consent of the Chancellor; a brief background to some of the changes was given.

It was reported that as appeal numbers increased it was necessary to maintain adjudicator capacity. It was anticipated that by the end of August the majority of the large councils would be on line with smaller councils by the end of the year.

An update was given on the recent trial in Windsor and Maidenhead of applying a discount to the penalty in the event of an appeal not being made. Whilst this could be accommodated by the system it was considered it needed to be monitored carefully and it was agreed this be the subject of a report to future meeting.

RESOLVED

1. That the appointment or reappointment of the Adjudicators shown in Appendix 1 of the report, initially until 2020, be noted 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.

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

2. That the retirement of those adjudicators named in Appendix 1 of the report be noted, and the thanks of the Joint Committee be extended to them for their services to the Traffic Penalty Tribunal.

17 GENERAL PROGRESS AND SERVICE STANDARDS

The Joint Committee considered an update on the management of appeals and the continuing roll out of the online appeal management system to local authorities for which there was an approved a technology reserve for 2016/17 for its continued development. Recognising the importance of liaison with the respondent authorities the new role of Authority Engagement Manager had been created and was now supporting the rollout of the system to local authorities.

Following the development and evaluation of a prototype a new Fast Online Appeal Management system (FOAM) had been developed for appellants, authorities, adjudicators and administrators. Feedback from appellants suggested they were finding the system intuitive and were supported by email prompts to track the progress of their case. Development was continuing to include the ability to handle witness statements, reviews and costs and increased reporting functionality. Information on appeals activity was circulated at the meeting.

An accelerated roll out programme was underway with training workshops being delivered around the country; an Appendix to the report listed the authorities already using FOAM, and the roll out plan.

RESOLVED

1. That information about the introduction of online appeal management and progress on the roll out of the new system set out in Appendix 1 of the report, be noted.
2. Information about appeals activity (Appendix 2 of the report) be noted.
3. To note the intention to ask the Joint Committee at its meeting in July 2017 to approve a performance framework which reflects the nature of online working once this has been made available to all local authorities and all appeals are managed within a single case management system.

The meeting commenced at 1.30 pm and concluded at 1.50 pm

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

Date of Meeting: 18th October 2016
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 13th September 2016.

1.0 Report Summary

1.1 To report on the PATROL and BLASJC Resources Working Group meeting held 13th September 2016.

2.0 Recommendations

2.1 To note the matters discussed at the meeting held 13th September 2016.

2.2 To approve 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.

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 and Sub Committee considered financial issues reported to this meeting.

5.0 Legal Implications

5.1 None

6.0 Risk Management

6.1 None

7.0 Background and Options

7.1 The July 2016 meetings of the Joint Committees resolved that the Resources Sub Committee and Working Group would oversee a number of initiatives with resources implications on its behalf..

7.2 The last meeting took place on 13th September 2016 chaired by Councillor Macrae and considered the following:

a) Greater London Authority tender for the provision of appeals services to Central London Congestion Charging and Low Emission Zone Schemes.

Following previous discussions and sanction to submit a tender, noted that a decision was awaited from the Greater London Authority on the outcome of their tender evaluation process.

b) Other potential areas of adjudication

Noted that in addition to new appeals arising from road user charging at the Mersey Gateway that other potential areas for appeals included: clean air zones, vehicle littering, school absences and domestic waste penalties.

c) Public Affairs

- Noted the progress since the beginning of 2016 in raising PATROL's profile as an efficient service provider; champion of transparency & best practice; consumer champion; problem solver; thought leader and champion of innovation.

Steps had included: the second annual report awards reception in parliament hosted by David Rutley MP attended by a number of MPs including Mike Penning MP, the Bus Lane Conference held at the London Transport Museum, the Traffic Penalty Tribunal case study in the Justice report "What is a court?" The report describes the tribunal as **"a compelling example of the use of digital case management systems... at the forefront of reform embracing new technology and methods of working."** and a call to give evidence to the All Party Parliamentary Group for Alternative Dispute Resolution and PATROL demonstrating support the "Strengthening Local Transparency" agenda through the PATROL annual report initiative and the toolkit template for financial and statistical information. The Chief Adjudicator and a representative from the Advisory Board had also contributed to the Department for Transport round table on pavement parking.

- Noted that an officer working group will be convened to explore the issues surrounding the use of ANPR (Automatic Number Plate Recognition) in local authority car parks.

d) FOAM (Fast Online Appeals Management)

- Noted the progress of the roll out to authorities with 50% of appeals (excluding Dart Charge) being handled by FOAM and that workshops are being held regionally to support authorities in their transfer to FOAM.

e) Finance and HR matters

- Noted the details of the internal audit findings and management response in relation to “low priority” audit recommendations.
- Noted procurement falling outside the Joint Committees’ Financial Regulations
- Reviewed the financial papers being presented to the Joint Committees’ Executive Sub Committees
- Reviewed the risk register being presented to the Joint Committee’s Executive Sub Committees.
- Noted that the Communications Manager had left the organisation. It was not proposed to immediately appoint to the vacancy. Specialist suppliers are providing support in the interim.

7.3 It is proposed that the Resources Working Group and Sub Committee oversee the above matters and report back to the January 2017 meetings of the Joint Committee Executive Sub Committees.

8.0 Recommendation

8.1 To note the matters discussed at the meeting held 13th September 2016.

8.2 To approve the Resources Sub Committee and Working Group overseeing matters highlighted in the report and reporting back to the next meeting of the Joint Committees or their Executive Sub Committees.

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

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BUS LANE ADJUDICATION SERVICE JOINT COMMITTEE Executive Sub Committee

Date of Meeting: 18th October 2016
Report of: The Lead Officer on behalf of the Resources Working Group
Subject/Title: Audit Commission Small Bodies Annual Return for the Year Ended 31 March 2016

1.0 Report Summary

- 1.1 To report the findings of the external auditors for 2015/16 and to seek approval of the review of the Scheme of Financial Delegation first approved at the meeting in October 2015.

2.0 Recommendation

- 2.1 To note the findings of the external audit for 2015/16 in the enclosed annual return (Appendix 1) and note that there were no issues arising.
- 2.2 To approve approve the PATROL and Bus Lane Adjudication Service local Scheme of Financial Delegation (Appendix 2)

3.0 Reasons for Recommendations

- 3.1 Compliance with PATROL Financial Regulations and response to an internal audit recommendation.

4.0 Financial Implications

- 4.1 Set out in the report

5.0 Legal Implications

- 5.1 None at this time

6.0 Risk Management

- 6.1 Internal and external audit findings provide assurance to the Joint Committee on financial management.

7.0 Background and Options

- 7.1 The Joint Committee approved the draft annual return for 2015/16 at its meeting on 12th July 2016.
- 7.3 At the same meeting, the Joint Committee approved the appointment of BDO LLP to audit the annual return of the Joint Committee. The final audited return is shown at Appendix 1.
- 7.4 There are no issues arising
- 7.5 A local Scheme of Financial Delegation was approved at the Joint Committee's October 2015 meeting. This has been reviewed and is presented at Appendix 2.
- 7.6 There is no requirement for the Joint Committee to publish accounts from 2015/16 onwards however at the Joint Committee meeting in June 2015, it was determined that this would continue.

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

Joint Committees

Return for the financial year ended 31 March 2016

The return on pages 2 to 5 is made up of four sections:

- Sections 1 and 2 are completed by the person nominated by the Joint Committee
- Section 3 is completed by BDO LLP as the reviewer appointed by the Joint Committee.
- Section 4 is completed by the Joint Committee's internal audit provider.

Completing your return

Guidance notes, including a completion checklist, are provided on page 6 and at relevant points in the return. Also our extranet contains useful advice for you to refer to, see below.

Complete all sections highlighted in red. Do not leave any red box blank. Incomplete or incorrect returns require additional work and so may incur additional costs.

Send the return, together with your bank reconciliation as at 31 March 2016, an explanation of any significant year on year variances in the accounting statements and any additional information requested, to us, BDO LLP, by the due date.

We will identify and ask for any additional documents needed for our work. Therefore, unless requested, do not send any original financial records.

Once we have completed our work, the completed return will be returned to the Joint Committee.

It should not be necessary for you to contact us for guidance.

Additional information can be found on our extranet
(<https://bdoextranet.bdo.co.uk/sites/councils/pages/default.aspx>.)

Section 1 – Governance statement 2015/16

We acknowledge as the members of

Enter name of reporting body here:

BUS LANE ADJUDICATION SERVICE JOINT COMMITTEE

Our responsibility for ensuring that there is a sound system of internal control, including the preparation of the accounting statements. We confirm, to the best of our knowledge and belief, with respect to the accounting statements for the year ended 31 March 2016, that:

	Agreed		'Yes'
	Yes	No*	Means that the body:
1 We approved the accounting statements prepared in accordance with the guidance notes within this Return.	✓		Prepared its accounting statements and approved them.
2 We maintained an adequate system of internal control, including measures designed to prevent and detect fraud and corruption and reviewed its effectiveness.	✓		Made proper arrangements and accepted responsibility for safeguarding the public money and resources in its charge
3 We took all reasonable steps to assure ourselves that there are no matters of actual or potential non-compliance with generally accepted good practice that could have a significant financial effect on the ability of the body to conduct its business or on its finances and have reported our financial results to our host authority for inclusion in their accounts.	✓		Has only done what it has the legal power to do and has complied with general accepted good practice
4 We carried out an assessment of the risks facing the body and took appropriate steps to manage those risks, including the introduction of internal controls and/or external insurance cover where required.	✓		Considered the financial and other risks it faces and has dealt with them properly.
5 We maintained throughout the year an adequate and effective system of internal audit of the body's accounting records and control systems.	✓		Arranged for a competent person, independent of the financial controls and procedures, to give an objective view on whether internal controls meet the needs of the body.
6 We took appropriated action on all matters raised during the year in reports from internal audit and external reviews.	✓		Responded to matters brought to its attention by internal and external reviewers.
7 We considered whether any litigation, liabilities or commitments, events or transactions, occurring either during tor after the year-end, have a financial impact on the body and where appropriate have included them in the accounting statements.	✓		Disclosed everything it should have about its business activity during the yea including events taking place after the year-end if relevant.

The governance statement is approved by the Joint Committee and recorded as minute reference

MINUTE 9/16

Date 12 07 2016

Signed by:

Chair 

Date 12 07 2016

Signed by:

Clerk 

Date 12 07 2016

*Note: Please provide explanations on a separate sheet for each 'No' response. Describe how the joint committee will address the weaknesses identified.

Section 2 – Accounting Statements 2015/16 for

Enter name of reporting body here:

BUS LANE ADJUDICATION SERVICE JOINT COMMITTEE

	Year ending		Notes and guidance
	31 March 2015 £	31 March 2016 £	
1 Balances brought forward	10,433	(24,676)	Total balances and reserves at the beginning of the year as recorded in the body's financial records. Value must agree to Box 7 of previous year.
2 (+) Income from local taxation and/or levy	-	-	Total amount of local tax and/or levy received or receivable in the year including funding from a sponsoring body. Excluding any grants received.
3 (+) Total other receipts	461,191	618,521	Total income or receipts as recorded in the cashbook less the taxation and/or levy (line 2). Include any grants received here.
4 (-) Staff costs	-	-	Total expenditure or payments made to and on behalf of all employees. Include salaries and wages, PAYE and NI (employees and employers), pension contributions and employment expenses.
5 (-) Loan Interest/capital repayments	-	-	Total expenditure or payments of capital and interest made during the year on the body's borrowings (if any).
6 (-) All other payments	496,301	307,155	Total expenditure or payments as recorded in the cashbook less staff costs (line 4) and loan interest/capital repayments (line 5).
7 (=) Balances carried forward	(24,676)	286,690	Total balances and reserves at the end of the year. Must equal (1+2+3) – (4+5+6)
8 Total cash and short term investments	13,125	345,023	The sum of all current and deposit bank accounts, cash holdings and short term investments held as at 31 March – to agree with bank reconciliation.
9 Total fixed assets plus other long term investments and assets	-	-	The original Asset and Investment Register value of all fixed assets, plus other long term assets owned by the body as at 31 March
10 Total borrowings	-	-	The outstanding capital balance as at 31 March of all loans from third parties (including PWLB)

I certify that for the year ended 31 March 2016 the accounting statements in the return present fairly the financial position of the Joint Committee and its income and expenditure, or properly present receipts and payments, as the case may be.

Signed by Responsible Financial Officer:

A. Bates

Date 29/06/16

I confirm that these accounting statements were approved by the Joint Committee on:

12 07 2016

and recorded as minute reference:

M 9/16

Signed by Chair of meeting approving these accounting statements:

[Signature]

Date 12 07 2016

Section 3 – External Report 2015/16 Certificate

We present the findings from our review of the return for the year ended 31 March 2016 in respect of:

Enter name of reporting body here:

BUS LANE ADJUDICATION SERVICE JOINT COMMITTEE

Respective responsibilities of the Joint Committee and the reviewer

The Joint Committee has taken on the responsibility of ensuring that its financial management is adequate and effective and that it has a sound system of internal control. The Joint Committee prepares a return which:

- summarises the accounting records for the year ended 31 March 2016; and
- confirms and provides assurance on various governance matters in accordance with generally accepted good practice

This report has been produced in accordance with the terms of our engagement letter dated [date] ("the Engagement Letter") and in accordance with the International Standard on Related Services 4400 applicable to agreed-upon-procedures engagements as published by IAASB.

We have performed the following work in respect of the return prepared by the Joint Committee:

- agreed to bank reconciliation to the annual return and the bank statements
- agreed the Annual return figures back to the trial balance
- ensured the trial balance and accounting statements adds up
- agreed the precept to the funding body
- agreed any loans to the PWLB or whoever the loan is with
- checked the comparative figures to the prior year accounts
- undertake an analytical review of the figures and investigated any variances in excess of 10%
- agree that the accounting statements and annual governance statement have been signed and dated as required.
- investigated any NO answers to the Annual Governance Statement
- investigated any NO answers in the Internal auditor report

~~[No exceptions were found / Apart from the following exceptions, noted below, no exceptions were found.]~~

We have not subject the information contained in our report to checking or verification procedures except to the extent expressly stated above and this engagement does not constitute an audit or a review and, as such, no assurance is expressed. Had we performed additional procedures, an audit or a review, other matters might have come to light that would have been reported.

You were responsible for determining whether the agreed upon procedures we performed were sufficient for your purposes and we cannot, and do not, make any representations regarding the sufficiency of these procedures for your purposes.

Our report is prepared solely for the confidential use of the joint committee. Our report must not be used for any purpose other than for which it was prepared or be reproduced or referred to in any other document or made available to any third party without the written permission of BDO LLP.

We accept no liability to any other party who is shown or gains access to this report.

Reviewer signature

BDO ul

BDO LLP

14/9/16

BDO LLP is a limited liability partnership registered in England and Wales (with registered number OC305127).

Section 4 – Annual internal audit report 2015/16 to

Enter name of reporting body here:

BUS LANE ADJUDICATION SERVICE JOINT COMMITTEE

The Joint Committee's internal audit service provider, acting independently and on the basis of an assessment of risk, carried out a selective assessment of compliance with relevant procedures and controls expected to be in operation during the financial year ended 31 March 2016.

Internal audit has been carried out in accordance with the Joint Committee's needs and planned coverage.

On the basis of the findings in the areas examined, the internal audit conclusions are summarised in this table. Set out below are the objectives of internal control and alongside are the internal audit conclusions on whether, in all significant respects, the control objectives were being achieved throughout the financial year to a standard adequate to meet the needs of the Joint Committee.

Internal control objective	Agreed? Please choose one of the following		
	Yes	No*	Not covered**
A. Appropriate accounting records have been kept properly throughout the year.	✓		
B. The Joint Committee's financial regulations have been met, payments were approved and VAT was appropriately accounted for.	✓		
C. The Joint Committee assessed the significant risks to achieving its objectives and reviewed the adequacy of arrangements to manage these.	✓		
D. The annual taxation or levy or funding requirements resulted from an adequate budgetary process; progress against the budget was regularly monitored; and reserves were appropriate.	✓		
E. Expected income was fully received, based on correct prices, properly recorded and promptly banked; and VAT was appropriately accounted for.	✓		
F. Petty cash payments were properly supported by receipts, all petty cash expenditure was approved and VAT appropriately accounted for.	*✓		
G. Salaries to employees and allowances to members were paid in accordance with the body approvals, and PAYE and NI requirements were properly applied.	✓		
H. Asset and investments registers were complete and accurate and properly maintained.	✓		
I. Periodic and year-end bank account reconciliations were properly carried out.	✓		
J. Accounting statements prepared during the year were prepared on the correct accounting basis, agreed to the cash book, were supported by an adequate audit trail from underlying records, and, where appropriate, debtors and creditors were properly recorded.	*✓		

For any other risk areas identified by the Joint committee (list and other risk areas below or on separate sheets if needed) adequate controls existed:

* See Internal Audit Report.
These are agreed - additional notes per Appendix B of the Internal Audit Report.

Name of person who carried out the internal audit:

MICHAEL TODD

Signature of person who carried out the internal audit:



Date:

29/06/2016

*Note: If the response is 'no' please state the implications and action being taken to address any weakness in control identified (add separate sheets if needed).

**Note: If the response is 'not covered' please state when the most recent internal audit work was done in this area and when it is next planned, or, if coverage is not required, internal audit must explain why not (add separate sheets if needed).

Guidance notes on completing the 2015/2016 return

1. Make sure that your return is complete (i.e. no empty red boxes), and is properly signed and dated. Avoid making any amendments to the completed return. But, if this is unavoidable, make sure the amendments are drawn to the attention of and approved by the body, properly initialled and an explanation provided to us. Returns containing unapproved or unexplained amendments will be returned and may incur additional costs.
2. Use the checklist provided below. Use a second pair of eyes, perhaps a member of the committee or the Chair, to review your return for completeness before sending it to us.
3. Do not send us any information not specifically asked for. Doing so is not helpful. However, you must notify us of any change of Clerk, Responsible Financial Officer or Chair.
4. Make sure that the copy of the bank reconciliation or letter confirming the balance held on your behalf which you send with the return covers all your bank balances. If the joint committee holds any short-term investments, note their value on the bank reconciliation. We must be able to agree your bank reconciliation to Box 8 on the Accounting statements. You must provide an explanation for any difference between Box 7 and Box 8.
5. Explain fully significant variances in the accounting statements on page 3. Do not just send in a copy of your detailed accounting records instead of this explanation. We want to know that you understand the reasons for all variances. Include a complete analysis to support your explanation.
6. If we have to review unsolicited information, or receive an incomplete bank reconciliation, or you do not fully explain variances, this may incur additional costs for which we will make a charge.
7. Make sure that your accounting statements add up the balance carried forward from the previous year (Box 7 of 2015) equals the balance brought forward in the current year (Box 1 of 2016).
8. Do not complete section 3. We will complete it at the conclusion of our work.

Completion checklist – 'No' answers mean you may not have met requirements		Done?
All sections	All red boxed have been completed?	✓
	All information has been sent with this return?	✓
Section 1	For any statement to which the response is 'no', an explanation is provided?	✓
Section 2	Approval by the body confirmed by the signature of Chair of meeting approving the accounting standards?	✓
	An explanation of significant variations from last year to this year is provided?	✓
	Bank reconciliation as at 31 March 2016 agrees to Box 8?	✓
	An explanation of any difference between Box 7 and Box 8 is provided?	✓
Section 4	All red boxed completed by internal audit and explanations provided?	✓

APPENDIX 2



PATROL and Bus Lane Adjudication Service Scheme of Financial Delegation

Contact Details: Louise Hutchinson
Version / Date: October 2016

Introduction

This Scheme of Delegation should be read in conjunction with the current PATROL and Bus Lane Adjudication Service Joint Committee’s Financial Regulations and the Scheme of Delegation to the Director (Appendix 4 and 5).

1 Budget Management

i) In year budget management

The table below sets out which managers have been delegated the task of managing capital and revenue budgets.

Manager	Budget area	Name
Deputy Chief Adjudicator	Adjudicator fees,	Stephen Knapp
Operations Manager	Operations Functions including departmental staffing budget, technology (infrastructure, hardware and software), hearings and local authority engagement.	Erica Maslen
Central Services Manager	Central Services functions including departmental staffing, premises, staff training	Anna Scarisbrick
Communications and Public Affairs Manager	Communications including departmental staffing design and print and event management.	Vacant
Director	Senior salaries, Joint Committee initiatives, expenditure from approved reserves, consultancy and legal advice and other expenditure not falling within the above delegations.	Louise Hutchinson

ii) Changing the Service budget in year

Manager	Budget Area	Approval Limit
Director	All	£25,000

iii) Planning future years budgets

Responsibility:	Director and Central Services Manager in conjunction with budget managers set out above
-----------------	-----------------------------------------------------------------------------------------

2 Authorisations

i) Procurement – Purchasing Goods and Services, Contracts & Tenders, Requisitions and Orders

The following limits apply to the approval of submission of tenders; acceptance of tenders; post contract negotiations; agreeing variations and lease, hire or rental agreements.

Up to £2,000	a written quotation submitted by the requisitioner and authorised by the Budget Manager
Between £2,000 and £30,000	three written quotations submitted against an outline specification by the Budget Manager
£30,000 to £172,514 (EU threshold)	formal tender process to at least three candidates authorised by the Director
EU threshold to £250,000	follow EU tender rules initiated by the Director

The primary budget holders may have authorised approvers within their teams who can approve up to £500 expenditure without budget holder approval on agreed budget areas.

Role / Position of approver	Department
Business Manager	Central Services
Technology Manager	Operations
Appeals Manager	Operations
Communications Officer	Communications and Public Affairs

ii) Purchase Cards

Card Holder (Role)	Transaction & Monthly Limit	Approver (Role)
Central Services Manager	£10,000	Director or Operations Manager
Operations Manager	£10,000	Director
Business Manager	£10,000	Central Services Manager or Director
Technology Manager	£5,000	Operations Manager or Cent Serv Mgr
Projects Officer	£10,000	Operations Manager or Cent Serv Mgr
Appeals Manager	£5,000	Operations Manager or Cent Serv Mgr
Executive Assistant	£10,000	Central Services Manager or Director
Local Authority Engagement Manager	£5,000	Operations Manager or Director

iii) Imprest Accounts

The Joint Committee does not currently operate an imprest account. Where cash is required, only the Central Services Manager is authorised to draw cash from the Joint Committee’s current account in accordance with the Joint Committee’s approved Cash Policy.

3 Human Resources

Area of Delegation	Limit (Grade / £)	Designated Authorising Officers	Notes
Authorising that a post within the establishment is to be filled	Grade 10	Senior Manager for their department	The Business Manager will be notified to update the HR system.
Authorising: <ul style="list-style-type: none"> • Staff appointments* • Promotions 	Grade 10 *Up to two increments depending upon qualifications and experience	Senior Manager for their department	As above
Authorise Changes to Employment Contracts	Grade 10	Senior Manager for their department	As above
Approval for overtime to be worked	Where allowed within contract	Senior Manager for their department	As above
Authorise Redundancies/Early Retirements	Applies across all grades	Director in conjunction with Joint Committee and CEC	As above

Area of Delegation	Limit (Grade / £)	Designated Authorising Officers	Notes
Authorise Payments: <ul style="list-style-type: none"> • Staff Overtime Claims • Staff Expense Claims 	Where allowed within contract	Senior Manager for their department Senior Manager/Business Manager	As above
Authorise contractor/agency worker timesheets (or equivalent claims)	Grade 7	Senior Manager/Business Manager	As above

4 Management of Assets

Area of Delegation	Limit (£)	Designated Authorising Officers
Maintenance of Asset Inventory		Central Services Manager and Operations Manager (technology)
Authorising disposal of equipment or materials	≤ £5,000	Director
	> £5,000	Chair of Joint Committee
Authorising write off and / or disposal of IT hardware & software	≤ £5,000	Director

5 Banking and Income

No bank accounts may be opened or arrangements made with any other bank except by agreement with the Director.
 New investment deposits with current banking institutions will be authorised by the director.

Area of Delegation	Designated Accounting Officers	Notes
Authority to raise an external/internal invoice	Finance Officer	
Authority to cancel debt (e.g. credit notes).	Central Services Manager	
Authority to write off debt	Director	.

6 General Ledger

Area of Delegation	Limit (£)	Designated Authorising Officers	Notes
Journals	£350,000 in respect of income adjustments	Finance Officer	
Additions, Changes and Deletions to Accounting Codes	£ 5,000 £25,000	Finance Officer Central Services Manager	

7 Performance Management

Responsibility for maintaining Performance Management System:	Director & Operations Manager
---------------------------------------------------------------	-------------------------------

8 Risk Management

Responsibility for maintaining Risk Management System:	Director & Central Services Manager
--------------------------------------------------------	-------------------------------------

9 Insurance

Area of Delegation	Designated Authorising Officers
Obtain and maintain appropriate insurance cover	Central Services Manager
Dealing with claims (e.g. Statement of Disclosure, Defence etc.)	Central Services Manager

10 Information Management

Area of Delegation	Designated Authorising Officers
Responsibility for Document Retention/Information Management arrangements	Central Services Manager
Responsibility for Freedom of Information/Data Protection Act requests	Central Services Manager

11 Building/Security

Area of Delegation	Officer/Building
Building Specific Responsible Officers as required by Health and	Central Services Manager/Business Manager

Scheme of Financial Delegation
Service Name: PATROL and BLASJC

Contact Details: Louise Hutchinson
Version and date: V1 September 2016

Safety Policy	
Key holders/Secure Access	Central Services Manager/Business Manager

12 Other

Business/Service owner of relevant policies/procedures (e.g. regular maintenance/update)	Central Services Manager
Service/Area specific Instructions/Regulations	Adjudicators/Operations Manager

13 Approval

Scheme of Delegation – Approved by	<u>Executive Sub Committee</u>
Date of approval	<u>October 2016</u>
Evidence of approval held by	<u>Minutes of the meeting</u>

14. Review

This scheme will be reviewed on an annual basis.

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**BUS LANE ADJUDICATION SERVICE JOINT COMMITTEE
Executive Sub Committee**

Date of Meeting:	18 th October 2016
Report of:	The Director on behalf of the Resources Working Group and Sub Committee
Subject/Title:	Budget monitoring of revenue account 2016/17

1.0 Report Summary

- 1.1 To present income, expenditure and reserves monitoring information for the year to 31st July 2016.

2.0 Recommendation

- 2.1 To note the income, expenditure and reserves position at 31st July 2016.
- 2.2 To monitor the position at the January 2017 meeting.

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 provides assurance as set out in the risk register.

7.0 Background and Options

- 7.1 At the meeting of the Bus Lane Adjudication Service Joint Committee held on 27th January 2016 the revenue budget estimate was approved for the year 2016/17. At the July 2016 meeting it was agreed to reduce the basis for defraying expenses from 45 pence (based on the budget) to 40 pence backdated to April 2016. Adjustments to the 40 pence reduction were applied in July. The full year outturn position is included based on forecasts on the assumption of 40 pence contributions and an agreed contribution from reserves outlined at the July 2016 meeting.

- 7.2 The Tribunal is operated on a self-financing basis with income obtained from defraying expenses amongst the BLASJC member authorities. The revenue budget estimates were established on the basis that this would reflect the councils who were already members of the BLASJC.
- 7.3 This report provides the Joint Committee with the income and expenditure position at 31 July 2016 (Appendix 1).
- 7.4 As at July 2016 Bus Lane income is higher than budgeted by £51,632. This is predominantly due to the annual correction of total PCN volumes in 2015-16, where PCN volumes were underestimated by approximately 8%.
- 7.5 Pro-rata appeal costs which form the basis of the recharge have been lower than anticipated by £11,511.
- 7.6 The overall effect at 31 July is a surplus of £66,504.

8.0 Full Year Outturn Forecast

- 8.1 Note that the income in April to June was based on a PCN charge of 45 pence. At the Joint Committee Meeting of July 2016 it was agreed that the PCN charge would be reduced to 40 pence and backdating for the first quarter would apply. The reason for this reduction was due to the prior year surplus and therefore a contribution from reserves was required to fund this reduction.
- 8.2 The full year outturn is provided in appendix 1 (highlighted in yellow). A surplus of £32,998 is anticipated at this stage in the year.

9.0 Recommendations

- 9.1 To note the income, expenditure and reserves position at 31st July 2016.
- 9.2 To monitor the position at the January 2017 meeting.

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

Appendix 1: BLASJ Budget Monitoring As At July 2016

	Year to Date				Full Year			
	31.07.16	31.07.16	31.07.16	31.07.16	2016/17	2016/17	2015/16	2015/16
	Actual	Budget	Var to Budget	Var to Budget	Forecast Outturn	Full Year Budget	Var to Budget	Prior Year Result
Income								
Bus Lane Income	196,797	145,165	51,632	35.57%	466,108	435,496	30,612	618,521
Other Income			0	0.00%				
Bank Interest			0	0.00%				
Total Income	196,797	145,165	51,632	35.57%	466,108	435,496	30,612	618,521
Expenditure:								
Adjudicators								
Staff								
Premises / Accommodation								
Transport								
Supplies and Services	130,293	141,804	11,511	8.12%	433,110	425,421	-7,689	348,760
IT								
Services Management and Support								
Audit Fees								
Contingency								-41,605
Total Expenditure	130,293	141,804	11,511	8.12%	433,110	425,421	-7,689	307,155
Surplus / (Deficit)	66,504	3,361	63,142	-1878.49%	32,998	10,075	22,923	311,366

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**PATROL ADJUDICATION JOINT COMMITTEE
& BUS LANE ADJUDICATION SERVICE JOINT COMMITTEE
Executive Sub Committees**

Date of Meeting: 18th October 2016
Report of: The Director on behalf of the Resources Sub Committee and Working Group
Subject/Title: Risk Register

1.0 Report Summary

1.1 To present the latest review of the risk register

2.0 Recommendation

2.1 To note the latest review of the risk register

3.0 Reasons for Recommendations

3.1 Compliance with the Joint Committee's Risk Management Strategy

4.0 Financial Implications

4.1 None at this time

5.0 Legal Implications

5.1 None at this time

6.0 Risk Management

6.1 The risk register forms part of the Risk Management Strategy

7.0 Background and Options

7.1 The Joint Committee is committed to avoiding risks that threaten its ability to undertake its principal objectives in a way which provides quality and value. It will maintain a sufficient level of reserves to support liquidity and absorb short-term fluctuations in income and expenditure beyond its control.

7.2 The Joint Committee has established a Risk Management Strategy which includes the review of the risk register.

8.0 Recommendation

The Joint Committee is asked to note the current review of the risk register.

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 2: RISK REGISTER OCTOBER 2016

Rank	Risk Description	Consequence Description	Risk Impact	Likelihood	Score	Key Controls In Place	Assurances	Response	Previously Reported Status	Current Status	Further Actions to be taken to Manage Risk Better	Lead
1.	Unforeseen significant fluctuations in income and assurance on service charge income	Inability to meet financial obligations	4	2	8	Audit figures and history on which to base forecasts. Reserve policy in place Bad debt policy	Internal & External Audit Reports Committee Reports	Treat			Continued forecasting, budget monitoring and cash flow analysis. Monitor new jurisdictions.	D
2.	Inability of IT to support needs of organisation and technology users (including data protection)	Reduced effectiveness and efficiency for tribunal, councils and appellants.	3	3	9	Robust hosting and support arrangements in place. In-house IT team providing first line support. Registered with the Information Commissioner Data Sharing Agreements implemented with respondent authorities... Frequent reporting of appeal portal development and progress.	Performance Reports IT hardware replacement programme. Technology Reserves in place Feedback from appellants and authorities to inform future development. The tribunal web site and portal explains to the parties how information will be shared.	Treat			Feedback will continue to be collated – including Birmingham University Research. Refinements and developments continue Privacy impact assessment being undertaken. A programme to roll out the portal has commenced.	D

Appendix 2: RISK REGISTER OCTOBER 2016

3.	Loss of key members of management and staff	Disruption to operations Management of vacancies Project and operational targets affected	3	3	9	Clearly defined roles with flexibility to provide cover. Documented procedures Arrangements for temporary cover Arrangements in place to extend cover. Resources Sub Committee and Working Group established.	Committee Reports	Treat			Complete staff re-structure.	D
4	Insufficient adjudicator/ staff resources to meet demand	Inability to meet targets Pressure to reach decisions may result in increased number of judicial reviews	3	2	6	Monitoring of demand and performance Staff recruitment, induction, training and appraisal. Established operating model with proven systems for training and managing new staff. Contingency Planning	Resources Sub Committee and Working Group in place Committee Reports Development of the portal will increase efficiency of the appeals process	Treat			Review capacity and training needs of adjudicators and staff in the light of the roll out of the new appeal portal and case management system and the need to address succession.	CA/D

Appendix 2: RISK REGISTER OCTOBER 2016

5	Achievement of Key Objectives	Failure to achieve key objectives	3	3	9	Leadership team established focussing on key objectives.	Internal & External Audit Reports Committee Reports Secondment to fill Authority Engagement Manager roll to support the take up of the portal by local authorities.	Treat			Maintain review of velocity and effectiveness of portal roll out process.	D
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CA = Chief Adjudicator D - Director

Note 1 The Risk Register is underpinned by the Risk Management Strategy and should be read in conjunction with business continuity planning arrangement

Risks that have been downgraded in accordance with the Risk Management Strategy following the report to September 2011 Joint Committee

	Effective Financial and Resource Management including spending within agreed budgets	Financial instability	2	2	4	Historical data on which to base forecasts. Specified role for budget holders in budget monitoring. Recommendations from Internal Audit	Internal & External Audit Reports Committee Reports	Treat			Impact of revisions to budget management Internal Audit Annual Plan for 2011/12.
	Change in government policy	Change in direction for traffic regulations/adjudication	5	1	5	Establishing and maintaining dialogue with relevant government departments, responding to consultation, participation in working groups	Committee Reports	Tolerate			None at this time

Appendix 2: RISK REGISTER OCTOBER 2016

	Health and Safety Breach	Risk to welfare of adjudicators, appellant, staff Disruption to tribunal operation	3	1	3	Health and Safety policy in place. Procedures in place for monitoring risk/handling incidents which may be a threat to health and security. Business Continuity Plan in place.	Reporting requirements for Health and Safety Matters	Treat			None at this time
--	--------------------------	---------------------------------------------------------------------------------------	---	---	---	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------	-------	--	--	-------------------

Appendix 2: RISK REGISTER OCTOBER 2016

Risk Impact Details

Name		Description
1	Immaterial	Loss of up to £10k; examples include little effect on service delivery; no health and safety impact; no damage to reputation.
2	Minor	Loss of £10k to £50k; examples include minor disruption to effective service delivery i.e. staff in unplanned absence for up to one week; minor injury; no requirement for professional medical treatment; slight damage to reputation.
3	Moderate	Loss of £50k to £250k; examples include delays in effective service delivery i.e. adjustments to work programmes in up to one week or staff long term absence; injury to an individual(s) requiring professional medical treatments; reputation damage is localised and minor.
4	Significant	Loss of £250k to £500k; examples include effective service delivery is disrupted in specific areas of the business; multiple serious injuries requiring professional medical treatment; reputation damage occurs with key stakeholders.
5	Major	Loss of £500k +; examples include effective service delivery is no longer achievable, fatality of staff, visitor or public; reputation damage is irrecoverable i.e. regulatory body intervention.

Likelihood

Description	Probability	Indicators
5. Highly Probable	> 80%	<input type="checkbox"/> Is expected to occur in most circumstances <input type="checkbox"/> Circumstances frequently encountered – daily/weekly/monthly/annually <input type="checkbox"/> Imminent/near miss
4. Probable/ Likely	60% - 80%	<input type="checkbox"/> Will probably occur in many circumstances <input type="checkbox"/> Circumstances occasionally encountered but not a persistent issue (e.g. once every couple/few years) <input type="checkbox"/> Has happened in the past or elsewhere
3. Possible	40% - 60%	<input type="checkbox"/> Not expected to happen, but is possible (once in 3 or more years) <input type="checkbox"/> Not known in this activity
2. Unlikely	20% - 40%	<input type="checkbox"/> May occur only in exceptional circumstances <input type="checkbox"/> Has rarely / never happened before <input type="checkbox"/> Force majeure
1. Remote	20%	<input type="checkbox"/> The risk will not emerge in any foreseeable circumstance

Appendix 2: RISK REGISTER OCTOBER 2016

The evaluation process will highlight the key risks that require urgent attention. However, all the risks need to be considered and action agreed, even if this is to take no action at the current time. The options are either to: Tolerate, Treat, Terminate or Transfer each risk.

- Tolerate the risk (accept it)** – some low scoring risks may be considered as acceptable, but these need to be reviewed on a regular basis to confirm that the circumstances have not changed.
- Treat the risk (reduce by control procedures)** – the risk can be considered acceptable provided the control mechanisms work.
- Terminate the risk (cease or modify the method of delivery)** – where risks are unacceptable and control mechanisms will not provide adequate security, the activity or the method of delivery must be modified.
- Transfer the risk** – through insurance of financial contingency provision.

MEASUREMENT OF RISK AND REPORTING

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

Legend:

Score of 25 equates to **Extreme Risk**: Immediate escalation to Director for urgent consideration by Joint Committee.

Scores of 20-15 **High Risk**: Risk to be escalated to the Joint Committee/Executive Sub Committee with mitigating action plan. Risk to be actively managed by Director and Advisory Board.

Scores of 12-6 **Medium Risk**: Risk to be captured on Risk Register and progress with mitigation to be tracked by Director and Advisory Board/Joint Committee/Executive Sub Committee.

Scores of 5 and below **Low Risk**: Risk to be removed from register and managed within appropriate services.

**PATROL ADJUDICATION JOINT COMMITTEE &
BUS LANE ADJUDICATION SERVICE JOINT COMMITTEE**

Executive Sub Committees

**General Progress Report
Appeals Summary 1 April 2016 – 30 June 2016**

1. Background

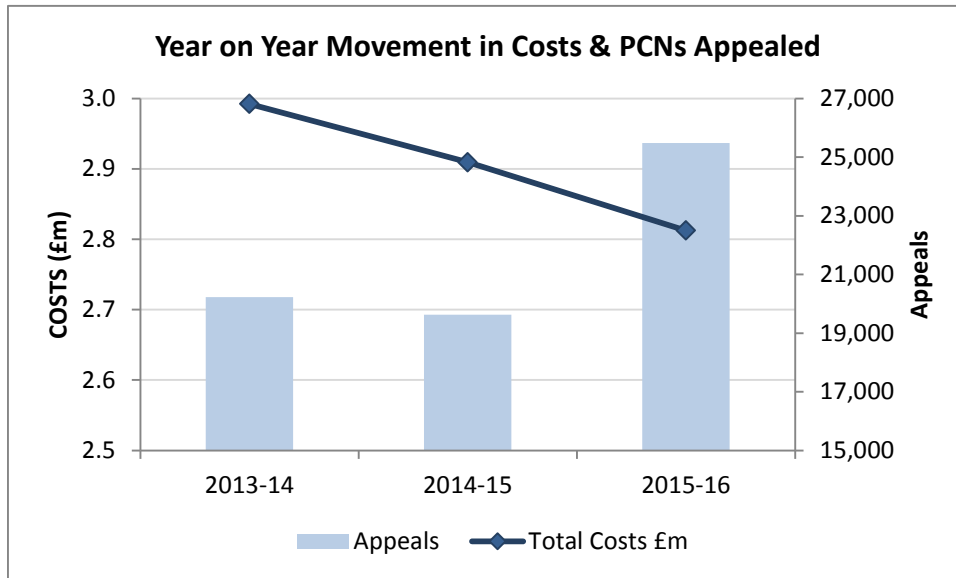
The table below shows the number of PCNs appealed (including witness statements) for the years 2013/14 to 2015/16.

	Parking England and Wales	Bus Lane (England)	Bus Lanes and Moving Traffic Wales	Dart Charge	Durham	Total
Apr 2013 – Mar 2014	15,578	4,648	0	n/a	n/a	20,226
Apr 2014 – Mar 2015	14,490	4,209	45	880	n/a	19,624
Apr 2015 – Mar 2016	13,619 ¹	3,690	219	9,174	1	26,703

Note 1 Parking England (12,976) Parking Wales (643)

- This indicates an overall increase in PCNs appealed for 2015/16 over 2014/15 of 36%.
- Parking England and Wales have seen a drop over the same period of 6%,
- Bus Lanes England have also seen a decrease of 12%
- Bus Lanes and Moving Traffic Wales - Cardiff and Swansea have commenced enforcement of bus lanes and Cardiff is undertaking moving traffic enforcement (yellow box junctions)
- Dart Charge enforcement commenced on 30th November 2014

The graph below shows the increase in PCNs appealed whilst year on year Joint Committee expenditure has reduced.



2. Year on Year Comparison

The table below compares the 3 months April 2015- June 2015 with the same period in the current year.

	Bus Lanes	Parking	Other	Total
Apr 15 – June 15	743	3,130	376	4,249
Apr 16 – June 16	768	3,156	2,409	6,333

Bus Lane appeals show an increase of 3.3%

Parking appeals show an increase of 0.8%

Other appeals show a marked increase but include 2,365 appeals for penalties issued at the Dartford River Crossing against 339 Dart Charge appeals for the same period last year.

Total appeals (including Witness Statements) have increased by 49%.

3. Handling of appeals

During 2015/16, two appeal systems were in operation, the legacy system and the prototype online appeal system. The latter includes automated acknowledgement of appeals which is instantaneous. In 2015/16, using the legacy system, 99% of appeals were acknowledged within 2 working days.

Period	Actual	Target
2013/14	99%	95% within 2 working days
2014/15	99%	95% within 2 working days
2015/16	99%	95% within 2 working days

FOAM the new On Line appeal system was launched on 14th March 2016. As with the prototype system all appeals are acknowledged immediately.

4. Hearing Types

Adjudicators may decide cases simply on the evidence presented. These are known as edecisions. Alternatively, cases may be decided by telephone or face to face hearing. Telephone hearings are telephone conference calls between the adjudicator and the parties and face to face hearings are conducted across England and Wales, usually in hotel meeting rooms. The table below shows the movement in hearing types across 2014/15 and 2015/16.

All case types including Dartcharge:

Type	3m to June 16	12m 2015/16
E Decision	79%	76%
Telephone Hearing	12%	16%
Face to Face Hearing	9%	8%

5. Rollout of FOAM

The process of transferring authorities from the legacy and prototype systems to FOAM is continuing at pace,

As at 26th September some 80 authorities have joined FOAM. Larger authorities have been targetted and as a result 54% of appeals volume (excluding Dartcharge) is now being processed through FOAM, a further 23% appeals will be covered by authorities trained and waiting to Go Live. A further 10% of appeals will be covered by authorities who are scheduled in the workshop programme throughout September and October with Go Live dates to follow soon after.

Workshops are taking place regionally as follows:

Southampton	27th Sept
Shrewsbury	29th Sept
Worcester	11th Oct

Warwick	13 th Oct
Chesterfield	19th Oct
Lichfield	20th Oct
York	25th Oct
Peterborough	26th Oct

Dartcharge are due to transfer to FOAM in the Autumn, and have already been trained.

Feedback received from authorities regarding FOAM continues to very positive:

“FOAM has enabled the efficient processing of TPT cases for our busy Parking Office. Although TPT cases are relatively rare, the efficiency provided by FOAM has enabled our team to process appeals in the same time it takes to review a Formal Representation (approx. 20 minutes per case). The old method of case preparation required 3 copies of a case bundle to be produced in paper form taking anywhere between a few hours to a full day to complete. In terms of officer hours, it could be argued that the saving have been substantial given that Parking Services Officers are paid at an hourly rate of approx. £8.89 per hour. As an extreme example, a case that would take one day to complete would cost £71.12 in staff time, is now likely to cost £4.50 per case.” - Luton

“We have also found the appellant to be more responsive to the evidence, as this is uploaded online, they have opportunity to comment on each item. This has allowed swifter resolution to most cases and has no doubt aided the adjudicators in decision making. Cases are now typically resolved within 28 days of the appeal being made, subject to any hearing requests and additional evidence required.” - Luton

“Foam has allowed for the service to continue efficiently whilst the council have had to make staff cuts. It has bridges the gap enabling the council to continue with its business whilst maintaining high standards.

Foam has also complemented and supported the council’s flexible and agile workforce enabling for the work to be carried out from anywhere in the country as well as Europe.

Foam has provided a real technical solution to today’s work life balance and the bonus is not only improving the quality of work place atmosphere but also contributing to savings by management of the service with fewer staff” - Sandwell

“Significantly reduced the printing costs, one officer was in the top 20 for printing costs, since the introduction of the portal/FOAM this has changed and is no longer on this list.

This also helps with the fact there are not paper documents being passed from Officer to Manager and being stored for reference, everything is easily accessible on the system.

The time to complete each case has increased from completing 2-3 per day to 5-6.

Easier to communicate with TPT and the appellant by being able to send messages”
- Manchester

*“**Time and resources** - Previously we had to prepare a case summary and then print all documentation relating to the case. This was then put into numerical order and the case was printed 3 times – 1 for the appellant, 1 for the tribunal and a copy for the Council. The old process could have taken a number of days but on the portal an appeal can be uploaded within an hour or 2, approved and submitted.*

***Staff** - are confidently and happily working with the new system – initially there were a few grumbles but now all staff agree this way of working is so much easier.*

***Faster and more efficient** – once an appeal is uploaded we are able to monitor the progress of the case. Further information and decisions are uploaded quickly and is accessible to all. We are also able to view when and who reads a decision which is a great tool for when an appellant states they didn't receive a decision!*

*Also, instead of taking hard copies of case summaries and TRO's to appeal hearings we only need to take a laptop now - **Oxford***

“The speed and ease of communication allows all parties to clarify and comment on aspects of the case leading to a quicker resolution. A particular benefit is for cases where the appellant has provided information or evidence that the Council has previously requested. If this is provided as part of the appeal we can quickly inform all parties that we are not contesting the case.

Prior to BECK/FOAM, around 50% of appeals were dealt with as personal or telephone hearings. The number of appeals dealt with in this way is now minimal leading to cost and time savings for all involved.

*FOAM allows us to put packs together more easily and quickly. Prior to managing cases online, it could take half a day or more to complete a pack, now a straightforward case can be completed in less than an hour. Managing cases online also reduces printing costs. We currently have 2 representations officers where previously we have had 3. FOAM allows us to manage our workloads effectively to keep within SLAs.” - **Cornwall***

6. Customer Service

The Case Management Team continue to focus closely on Customer Service.

A large number of appellants are contacted to ensure that they are happy with the system and its use. The feedback received is recorded and used to inform development and next steps. In addition where an appellant has requested a paper form by which to appeal, the Customer Liaison staff contact the appellant to advise them regarding the on-line process and the benefits it offers. This contact successfully results in around 25% conversion from off-line to on-line appeals.

Similarly, the team and Authority Engagement Manager are in regular contact with the authorities who are live on FOAM. Feedback from authorities is very positive and also used to inform development where suggestions for improvement are made.

The tribunal has also implemented a Freephone number which appears on all correspondence. This is aimed at ensuring that the cost of making a call is not a barrier to appealing.

7. Case Closure – comparing legacy system to online system

Appealing to the Traffic Penalty Tribunal is a judicial process and, as such, it is not appropriate to set out rigid timescales for deciding appeals, however the tribunal's objective is to "To provide a tribunal service which is user-focused, efficient timely, helpful and readily accessible"

The online system has resulted in a new way of handling appeals with instant messaging and all parties having access to the same information and evidence at once. The adjudicator is able to adopt a more inquisitorial approach to ascertain the details of the case.

Taking into account all appeal streams for the period 1st April 2016 to 30th June 2016, the velocity of the online system results in a significant proportion of cases be dealt with in under a week, particularly where authorities choose not to contest a case, and over 60 per cent of cases dealt with within three weeks.

Case Closure	% of cases	Cumulative %
up to 7 days	20.3%	20.3%
7 to 14 days	23.3%	43.6%
14 to 21 days	20.7%	64.3%
Over 21 days	35.7%	100%

The average number of weeks between registration of an appeal and a decision being issued in the legacy system, taking England appeals 2015/16 as an example and the final six months of 2015/16 for online appeals:

Decision Type	Legacy Average Number of weeks	Online system average Number of weeks
E decision	4.92	3.32
Telephone	6.69	5.32
Face to Face	12.50	10.94

The saving of 1.6 weeks for edecisions is significant as section 3 above highlights the move to edecisions. The tribunal has always adopted a fast track approach to telephone hearings because of their flexibility and this will be maintained. As fewer people opt for face to face hearings, the tribunal are responding flexibly to these to enable smaller lists to take place in a wider range of locations.

The following tables set out case closure across the various appeal streams in the legacy system in detail. These are framed within the Joint Committee's performance framework.

During 2016/17, the tribunal will be operating three systems: legacy, prototype and FOAM. All authorities will be brought into FOAM. During the year, a revised reporting framework will be developed to take account of the changes brought by FOAM.

5. Case Closure (Legacy System)

In June 2007 the Joint Committee approved the following targets which currently apply to the legacy system:

Face to face hearings

60% of cases to be offered a face to face hearing date within 8 weeks of receipt of the Notice of Appeal.

90% of cases to be offered a face to face hearing date within 12 weeks of receipt of the Notice of Appeal

E-decision Decisions

80% of decisions without a hearing to be made within 7 weeks of receipt of the Notice of Appeal.

The reports on case closure include all cases which were registered in the period and have been decided, including cases which have not been contested. This data will include cases that have been delayed for the following reasons.

a) Requests from parties to the appeal:

- Additional time to submit evidence
- Requests for adjournment of hearings
- Inconvenience of hearing time/venue
- Availability of witnesses

b) Adjudicators may require:

- Adjournments for additional evidence or submissions
- A face to face hearing supplemented by a later telephone hearing to consider additional evidence.
- Consolidation of cases which relate to a common issue.
- Holding cases pending a particular Decision of the Traffic Penalty Tribunal or High Court

a) Parking Appeals (England):**Cases decided by e-decision:**

Measure	April 2013 to March 2014	April 2014 to March 2015	April 2015 to March 2016
Average number of weeks between registration of appeal and decision issued	5.03 weeks	4.85 weeks	4.92 weeks
Cases with less than 7 weeks between registration and decision (e-decision target)	83.84%	84.18%	83.75%
Cases with less than 12 weeks between registration and decision	96.43%	96.99%	96.23%

Cases decided through a telephone hearing:

Measure	April 2013 to March 2014	April 2014 to March 2015	April 2015 to March 2016
Average number of weeks between registration of appeal and decision issued	8.51 weeks	6.74	6.69 weeks
Cases with less than 8 weeks between registration and decision (telephone target)	61.47%	81.18%	82.01%
Cases with less than 12 weeks between registration and decision (telephone target)	89.16%	95.77%	94.65%

Cases decided through a face to face hearing:

Measure	April 2013 to March 2014	April 2014 to March 2015	April 2015 to March 2016
Average number of weeks between registration of appeal and decision issued	12.75 weeks	11.40 weeks	12.50 weeks
Cases with less than 8 weeks between registration and decision (face to face target)	25.40%	25.22%	22.02%
Cases with less than 12 weeks between registration and decision (face to face target)	60.02%	68.59%	59.73%

b) Parking Appeals (Wales)**Cases decided by e-decision:**

Measure	April 2013 to March 2014	April 2014 to March 2015	April 2015 to March 2016
Average number of weeks between registration of appeal and decision issued	4.63 weeks	3.89 weeks	4.62 weeks
Cases with less than 7 weeks between registration and decision (e-decision target)	86.80%	91.25%	83.55%
Cases with less than 12 weeks between registration and decision	96.89%	99.47%	94.78%

Cases decided through a telephone hearing:

Measure	April 2013 to March 2014	April 2014 to March 2015	April 2015 to March 2016
Average number of weeks between registration of appeal and decision issued	9.04 weeks	7.85 weeks	7.09 weeks
Cases with less than 8 weeks between registration and decision (telephone target)	57.78%	64.56%	80.26%
Cases with less than 12 weeks between registration and decision (telephone target)	91.11%	94.94%	92.11%

Cases decided through a face to face hearing:

Measure	April 2013 to March 2014	April 2014 to March 2015	April 2015 to March 2016
Average number of weeks between registration of appeal and decision issued	14.85 weeks	12.66 weeks	12.33 weeks
Cases with less than 8 weeks between registration and decision (face to face target)	13.70%	24.59%	27.91%
Cases with less than 12 weeks between registration and decision (face to face target)	45.21%	63.93%	60.47%

c) Bus lane appeals (England):**Cases decided by e-decision:**

Measure	April 2013 to March 2014	April 2014 to March 2015	April 2015 to March 2016
Average number of weeks between registration of appeal and decision issued	5.97 weeks	5.05 weeks	5.02 weeks
Cases with less than 7 weeks between registration and decision (e-decision target)	72.61%	80.65%	82.35%
Cases with less than 12 weeks between registration and decision	92.11%	96.43%	95.89%

Cases decided through a telephone hearing:

Measure	April 2013 to March 2014	April 2014 to March 2015	April 2015 to March 2016
Average number of weeks between registration of appeal and decision issued	9.48 weeks	7.49 weeks	7.04 weeks
Cases with less than 8 weeks between registration and decision	53.70%	72.04%	77.24%
Cases with less than 12 weeks between registration and decision	82.58%	91.03%	92.74%

Cases decided through a face to face hearing:

Measure	April 2013 to March 2014	April 2014 to March 2015	April 2015 to March 2016
Average number of weeks between registration of appeal and decision issued	12.45 weeks	11.44 weeks	12.45 weeks
Cases with less than 8 weeks between registration and decision (face to face target)	23.96%	27.16%	13.87%
Cases with less than 12 weeks between registration and decision (face to face target)	59.45%	66.26%	56.65%

**PATROL ADJUDICATION JOINT COMMITTEE
and BUS LANE ADJUDICATION SERVICE JOINT COMMITTEE
Executive Sub Committees**

Date of Meeting: 18th October 2016
Report of: The Director on behalf of the Advisory Board
Subject/Title: Appointment to the Advisory Board

1.0 Report Summary

1.1 This report sets out the terms of reference for the Advisory Board and recommendations for a new appointment for 2016

2.0 Recommendation

2.1 That the Joint Committee approves the new appointment of Paul Nicholls (Brighton & Hove City Council) as the Unitary Council representative on the Advisory Board.

3.0 Reasons for Recommendations

3.1 The Joint Committee and its Executive Sub Committee may approve nominations to the Advisory Board.

4.0 Financial Implications

4.1 The budget makes provision for the Advisory Board

5.0 Legal Implications

5.1 The Joint Committee's governance arrangements make provision for the appointment of an Advisory Board

6.0 Risk Management

6.1 The Advisory Board scrutinises the Joint Committee's Risk Management Strategy and associated documentation.

7.0 Background and Options

7.1 The Standing Orders provide for the Joint Committee to establish and appoint an Advisory Board comprising the Lead Officer and other such officers and persons appointed by the Joint Committee to advise it on its functions.

7.2 The terms of reference of the Advisory Board are set out in Appendix 1.

8.0 Recommendation

That the Joint Committee approves the new appointment of Paul Nicholls (Brighton & Hove City Council) as the Unitary Council representative on the Advisory Board.

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 ADJUDICATION SERVICE
& BUS LANE ADJUDICATION SERVICE
ADVISORY BOARD**

Terms of Reference

1. To assist and advise the Joint Committees on the overall policies and strategies for administering the adjudication service and on their responsibilities under
 - section 81 of the Traffic Management Act 2004 (TMA) and Regulations 17 and 18 of The Civil Enforcement of Parking Contraventions (England) General Regulations 2007 (the English General Regulations);
 - section 81 of the TMA and Regulations 16 and 17 of the Civil Enforcement of Road Traffic Contraventions (General Provisions) Wales Regulations 2013 (the Welsh General Provisions Regulations);
 - Regulations 12 and 13 of The Road User Charging Schemes (Penalty Charges, Adjudication and Enforcement) (England) Regulations 2013 (the Road User Charging Regulations).

These functions are exercised through PATROL in accordance with Regulation 16 of the English General Regulations and Regulation 15 of the Welsh General Provisions Regulations.

2. The Advisory Board has no remit to consider or influence decisions of adjudicators and the function of the adjudication service as an Independent Tribunal.
3. To receive and monitor progress against the Performance Management Strategy produced by the Director and to review the service structure, organisation and administration and to scrutinise recommendations for changes before they are put before the Joint Committees.
4. To monitor and review the service capital and revenue budgets and to scrutinise recommendations for changes before they are put before the Joint Committees.
5. To assist and advise the Director on the preparation of an annual service plan
6. The Board shall consist of always the Lead Officer plus up to eleven people:
 - Seven representatives of local authorities as follows:

- At least one representing an English Authority
 - At least one representing a Welsh Authority
 - At least one representing a District Council
 - At least one representing a County Council
 - At least one representing a Unitary or Metropolitan Council
 - At least one representing a Civil Bus Lane Enforcement Council.
- A representative from the Department for Transport (road user charging).
 - A representative from the Department for Transport (non-road user charging)
 - A representative from the Welsh Government (WG).
 - A representative from a motoring association.
 - An independent person with knowledge of judicial or tribunal systems.
 - An independent consumer representative

The DfT, WG, Motoring Association and Independent members would act as ex-officio members.

The Joint Committees shall make appointments to the Advisory Board based on recommendations received from the Advisory Board. Such appointments are to be for four years but may be subject to reappointment. Except for the Lead Officer, members shall retire on a four-year rotation cycle.

The Advisory Board shall recommend to the Joint Committees representatives of an appropriate motoring organisation and appropriate independent persons who should sit on the Board.

The DfT shall nominate a specific representative for road user charging.

The DfT and WG Transport Directorate shall nominate its own representatives.

Advisory Board members should not be day-to-day managers of parking services and should where possible include representatives from legal and financial backgrounds as well as those responsible for parking.

The Board shall elect a Chairman, a Vice-Chairman and a Secretary from within the membership of the Board.

Where a representative has been unable to attend three consecutive meetings, the Chair will draw this to the attention of the Board to determine whether an alternative representative should be sought.