

Bus Lane Adjudication Service Joint Committee Agenda Executive Sub Committee Agenda

Date: Monday, 20th October, 2014
Time: 1.00 pm or on the rise of the PATROL Joint Committee
Executive Sub Committee
Venue: The Local Government Association, Local Government House,
Smith Square, London, SW1P 3HZ

1. **Appointment of Chairman and Vice Chairman of the Executive Sub Committee**
(Pages 1 - 2)

To appoint a Chairman and Vice Chairman until the next meeting of the Joint Committee in June 2015 in accordance with the Terms of Reference

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 Meeting held on 25 June 2014** (Pages 3 - 10)

To note the minutes of the Bus Lane Adjudication Service Joint Committee held on 25 June 2014

5. **Audit Commission Small Bodies Annual Return for the Year Ended 31 March 2014** (Pages 11 - 30)

To note the completion of the audit of accounts 2013/14 and the management response to the Issues Report and approve the 3 year internal audit strategy and bad debt policy

Contact: Louise Hutchinson, Head of Service
Bus Lane Adjudication Service Joint Committee
Springfield House, Water Lane, Wilmslow, SK9 5BG
Tel: 01625 445565
E-Mail: lhutchinson@patrol-uk.info

6. **Budget Monitoring 2014/15** (Pages 31 - 34)

To note income, expenditure and reserves position at 31 August 2014

7. **Risk Register** (Pages 35 - 44)

To note the latest review of the Risk Register

8. **New On-Line Appeal Portal and Case Management System** (Pages 45 - 50)

To report progress on the development and implementation of the on-line appeal portal

9. **General Progress and Service Standards** (Pages 51 - 58)

To provide general information in respect of the tribunal's initiatives and service standards

10. **Dates of Next Meetings**

Wednesday 28 January 2015	Church House Conference Centre, Westminster
Tuesday 30 June 2015	Westminster Suite, LGA
Tuesday 27 October 2015	Westminster Suite, LGA

Terms of Reference for the Executive Sub-CommitteeDelegation of the following functions to the BLASJC Executive Sub-Committee:-

1. Financial Matters.

- (a) Deciding on the level and proportion BLASJC member Councils shall contribute to the costs and expenses of the adjudication service.
- (b) Establishing and adopting not later than 31st January in each year a budget of estimated expenditure for the ensuing year commencing 1st April and approving accounts for the previous financial year by 30th June each year.
- (c) Accepting tenders for the supply of goods, services, materials, equipment, building and civil engineering works in excess of £250,000 per contract.
- (d) Accepting the tender of a sub-contractor or supplier for specialist work or material in excess of £100,000 for which a prime cost sum is included in the main contract sum for services, building and civil engineering works.
- (e) All financial matters not delegated to officers under the requirements of the Accounts and Audit Regulations and where full Joint Committee approval is not specifically required.
- (f) Reviewing the Joint Committee's Reserves Policy Statement and Risk Register.

2. Human Resources.

- (a) Approving changes above grade PO6 (SCP49) to the staff assignment, except for Adjudicator appointments.
- (b) Subject to the approval of the Lead Authority to consider applications for early retirement where there would be a financial cost to the Joint Committee.

3. Advisory Board.

Making additional appointments to or amending existing appointments to the Advisory Board.

4. New Council members to the BLASJC Agreement.

Noting new council members.

5. Adhoc delegations

The Joint Committee may from time to time make specific delegations to the Executive Sub Committee to progress business. The results of such delegations will be reported to the Joint Committee at its next meeting.

BUS LANE ADJUDICATION SERVICE JOINT COMMITTEE

Minutes of a meeting of the
Bus Lane Adjudication Service Joint Committee
 held on Wednesday, 25th June, 2014 at The Local Government Association,
 Local Government House, Smith Square, London SW1P 3HZ

PRESENT

Councillor Tony Page	Reading Borough Council, in the Chair
Councillor Jamie Macrae	Cheshire East Council,
Councillor Ian Davey	Brighton & Hove City Council
Councillor Harvey Siggs	Somerset County Council/Mendip
Councillor Graham Burgess	Hampshire County Council
Councillor Rosemary Healy	Nottingham City Council
Councillor Duncan Walker	Stoke on Trent City Council

Also Present:

Kathryn Eldridge	BATHNES (Advisory Board Chair)
Graham Addicott OBE	Advisory Board Vice Chair
Caroline Sheppard	Chief Adjudicator
Louise Hutchinson	Head of Service, PATROL
Mark Fletcher	Department for Transport
Paul Boulton	Coventry City Council
Helen Crozier	Oxfordshire County Council
Marc Samways	Hampshire County Council
Caroline Nash	Nottingham City Council
Philip Hammer	Cambridgeshire County Council
Robin Chantrill-Smith	Thanet District Council
Julie North	Cheshire East Council
Erica Maslen	PATROL
Miles Wallace	PATROL
Andy Diamond	PATROL

1 APPOINTMENT OF CHAIRMAN AND VICE CHAIRMAN

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

RESOLVED

That Cllr Tony page (Reading Borough Council) be appointed as Chairman of the Joint Committee and Cllr in Davey (Brighton and Hove Council) be appointed as Vice-Chairman..

2 APOLOGIES FOR ABSENCE

Apologies for absence were reported.

3 DECLARATIONS OF INTEREST

There were no declarations of interest.

4 MINUTES OF THE MEETING HELD ON 28TH JANUARY 2014

RESOLVED

That the minutes be approved as a correct record.

5 CHAIRMAN'S UPDATE

There were no Chairman's updates. However, the Chairman congratulated the officers on the new appeals portal.

6 BUS LANE ADJUDICATION SERVICE JOINT COMMITTEE FINANCIAL REGULATIONS 2014/15

The Joint Committee had last approved its Financial Regulations at its annual meeting in June 2013 and was asked to review the Financial Regulations, in the light of a number of changes. The Joint Committee's attention was drawn to para 7.1, relating to orders procedure (evaluating quotes and tenders), para 13.1, relating to Internal Audit and para 16.1, relating to expense claims.

RESOLVED

That the Financial Regulations for 2014/15 be approved.

7 DRAFT ANNUAL RETURN 2013/14

Consideration was given to a report relating to the Draft Annual Return 2013/14. At the meetings on 30th June 2006, the National Parking Adjudication Service Joint Committee (later replaced by the PATROL Adjudication Joint Committee) and Bus Lane Adjudication Service Joint Committee had agreed that the adjudication service should, as far as possible, be provided in an integrated manner for both parking and bus lane appeals. This arrangement had represented an opportunity for cost sharing and the provision of an efficient and cost effective service. As in previous years, for 2013/14, the administration of the two joint committees' accounts had been kept to a minimum by allocating actual expenditure based on the number of appeals received from each type of enforcement. Case related expenditure for Bus Lane Appeals had been based on a pro-rata cost per Bus Lane appeal and was detailed in the report. The

recharge was based on the total PATROL expenditure for 2013/14 divided by the total number of parking and bus lane appeals during 2013/14. This cost per appeal was then multiplied by the number of bus lane appeals to obtain the recharge value. The outturn position was shown at Appendix 1 of the report and the draft Annual Return at Appendix 2.

The Account Statement for 2013/14 had been prepared in accordance with the requirements of the Small Bodies Annual Return and included the Internal Audit Report (Appendix 3). It was noted that the completion of the Small Bodies Annual Return removed the requirement for a full set of accounts however a Balance Sheet is provided for information at Appendix 4.

RESOLVED

1. That the outturn position against the 2013/14 budget (Appendix 1) be noted.
2. That the 2013/14 draft Annual Return (Appendix 2), be approved
3. That the Annual Internal Audit Report and the audit plan for 2014/15 (Appendix 3), be noted.
4. That the internal audit timetable be noted.
5. That the Balance Sheet (Appendix 4), be noted.
6. That the Code of Corporate Governance (Appendix 5) be noted.

8 REVIEW OF GOVERNANCE

In June 2013, the Bus Lane Adjudication Service Joint Committee had approved changes to the Joint Committee's agreement, including Schedule 6 (Terms of Appointment of the Lead Authority), dated 1 May 2008, which had been reviewed in the light of the appointment of a new Host/Lead Authority from 1 April 2013. The Joint Committee had been asked to approve the new agreement, subject to obtaining the written consent of 75% of the Participating Authorities. To date just over 50% of the Councils had agreed to the new arrangements. Additional wording had been circulated to address queries concerning the indemnity provisions, detail of which was set out in the report.

Schedule 6 of the BLASJC agreement made reference to the development of a non-binding service level agreement (SLA) between the Joint Committee and the Lead Authority. The SLA set out arrangements for establishing a scheme of delegation to the Head of Service. The SLA for 2014/15 was presented for approval, at appendix 1 of the report.

The Standing Orders of the Joint Committee were reviewed on an annual basis and were presented for approval at Appendix 2 of the report.

It was reported that the Agreement included the Memorandum of Understanding between the Joint Committee and the Adjudicators, which had been approved at the November 2012 meeting. This had been reviewed in the light of changes to the Welsh regulations and the forthcoming new jurisdiction of road user charging and was presented for approval at Appendix 3 of the report.

Information was requested in respect of the comparison of the costs from the current host authority and the previous one.

It was noted that a report would be submitted to the October meeting regarding those functions delegated to the Chief Executive of the host authority (Cheshire East Council) in order to delegate them from him to the Joint Committee?

RESOLVED

1. That the position in relation to the revised Bus Lane Service Adjudication Joint Committee Agreement, approved at the June 2013 meeting, be noted.
2. That the Service Level Agreement for 2014/15 between the Joint Committee and the Host/Lead Authority, as set out in appendix 1 of the report, be approved and the arrangements for reviewing the Scheme of Delegation to the Head of Service be noted.
3. That the Standing Orders for 2014/15, as set out in appendix 2 of the report be approved.
4. That the updated Memorandum of Understanding between the Joint Committee and the Adjudicators, as set out in appendix 3 of the report be approved.
5. That persons be appointed to fulfil the function of the proper officer under the relevant regulations
6. That the cycle and location of meetings for 2014/15 be noted, as follows :-

Tuesday 21 October 2014
Tuesday 27 January 2015
Tuesday 30 June 2015

All to take place at the LGA, Local Government House, Smith Square, London.

9 ESTABLISHMENT OF EXECUTIVE SUB COMMITTEE

Consideration was given to a report setting out arrangements for establishing an Executive Sub-Committee and its Terms of Reference for the coming year.

RESOLVED

That an Executive Sub-Committee be established by the Joint Committee, to act on behalf of the Committee until the annual meeting in June 2015, in accordance with paragraph 2 and the Appendix to the report, and that the Sub-Committee would comprise representatives from

Reading Borough Council
Cheshire East Council,
Brighton & Hove City Council
Somerset County Council/Mendip
Hampshire County Council
Nottingham City Council
Stoke on Trent City Council
Hertfordshire County Council

10 APPOINTMENTS TO THE ADVISORY BOARD

Consideration was given to a report setting of the terms of reference for the Advisory Board and recommendations for appointments for 2014/15

RESOLVED

That the Terms of reference and composition of the Advisory Board, as set out in the Appendix to the report be approved. The Joint Committee welcomed Kathryn Eldridge as the new Chair of the Advisory Board following the retirement of John Satchwell.

11 RISK MANAGEMENT AND BUSINESS CONTINUITY

Consideration was given to a report seeking approval of the Risk Management Strategy and Business Continuity Management Policy and requesting that the Joint Committee review the updated risk register.

It was agreed that information in respect of data protection should be considered at the next review.

RESOLVED

1. That the Risk Management Strategy, as set out in appendix 1 of the report be approved.
2. That the updated Risk Register, as set out in appendix 2 of the report, be noted
3. That the Business Continuity Management Policy, as set out in appendix 3 of the report be approved.

12 CONSULTATION ON THE DRAFT TRAFFIC SIGNS REGULATIONS & GENERAL DIRECTIONS (TSRGD) CONSULTATION

It was reported that representatives for PATROL were due to meet with representatives from the Department for Transport in the following month regarding the consultation on the draft Traffic Signs Regulations & General Directions (TSRGD) 2015. Members of the Joint Committee were requested to submit any comments to the PATROL Lead Officer and these would be collated for submission.

13 GENERAL PROGRESS AND SERVICE STANDARDS

Consideration was given to report on tribunal activity and service standards for the period 2013/14.

It was agreed that a report should be submitted to the next meeting relating to the number of appeals outstanding from the previous year

RESOLVED

That the report on tribunal activity and service standards for the period 2013/14 be noted.

14 NEW APPEAL PORTAL

The Chief Adjudicator and Head of Service had given a presentation in advance of the meeting, updating the Committee regarding progress in respect of the new appeal portal. It was noted that the PATROL Adjudication Joint Committee had approved the drawing down of the remaining funds in the technology reserve and the Establishment of a Working Group to review progress on the development and implementation of the portal and any matters associated with it.

15 ADJUDICATOR APPOINTMENT

Consideration was given to a report seeking the re-appointment of Caroline Sheppard as Adjudicator and Chief Adjudicator for the period 2014 to 2019.

RESOLVED

1. That the re-appointment of Caroline Sheppard as Adjudicator be Approved, subject to the consent of the Lord Chancellor, for the period 2014/2019, by virtue of Regulation 11 of the Bus Lane Contraventions (Penalty Charges, Adjudication and Enforcement) (England) Regulations 2005 (the Bus Lane Regulations). The functions are exercised through BLASJC in accordance with Regulation 12 of the Bus Lane Regulations.
2. That Caroline Sheppard's appointment as Chief Adjudicator for England and Wales be extended for the same period.

The meeting commenced at 1.40 pm and concluded at 1.50 pm

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BUS LANE ADJUDICATION SERVICE JOINT COMMITTEE Executive Sub Committee

Date of Meeting: 20th October 2014
Report of: The Lead Officer on behalf of the Advisory Board
Subject/Title: Audit Commission Small Bodies Annual Return for the Year Ended 31 March 2014

1.0 Report Summary

1.1 To report the findings of the external auditors for 2013/14.

2.0 Recommendation

2.1 To note the findings of the external audit for 2013/14 in the enclosed annual return and the management response to the Issues Report and approve the 3 year internal audit strategy and bad debt policy.

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 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 Small relevant bodies with an annual turnover of £6.5 million or less must complete annual return in accordance with proper practices summarising their annual activities at the end of each financial year.

7.2 The Joint Committee approved the draft annual return for 2013/14 at its meeting on 25th June 2014.

- 7.3 The Audit Commission has appointed BDO LLP to audit the annual return of the Joint Committee. The final return (Appendix 1) and Issues Report (Appendix 2) is enclosed.
- 7.4 The Issues Report refers to one matter and the management response is set out below:

Fidelity Guarantee Cover

Recommendations in respect of insurance cover for 2014/15 will be presented to the January 2015 meeting of the Executive Sub Committee as part of the budget setting process.

8.0 Access to Information

The background papers relating to this report can be inspected by contacting the report writer:

Name: Louise Hutchinson
Designation: Head of Service
Tel No: 01625 445566
Email: lhutchinson@patrol-uk.info

Small Bodies in England

Annual return for the financial year ended 31 March 2014

Small relevant bodies in England with an annual turnover of £6.5 million or less must complete an annual return in accordance with proper practices summarising their annual activities at the end of each financial year.

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

- Sections 1 and 2 are completed by the person nominated by the body.
- Section 3 is completed by the external auditor appointed by the Audit Commission.
- Section 4 is completed by the body's internal audit provider.

Each body must approve this annual return no later than 30 June 2014.

Completing your annual return

Guidance notes, including a completion checklist, are provided on page 6 and at relevant points in the annual return.

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

Send the annual return, together with your bank reconciliation as at 31 March 2014, an explanation of any significant year on year variances in the accounting statements and any additional information requested, to your external auditor by the due date.

Your external auditor will identify and ask for any additional documents needed for audit. Therefore, unless requested, do not send any original financial records to the external auditor.

Audited and certified annual returns will be returned to the body for publication or public display of sections 1, 2 and 3. You must publish or display the audited annual return by 30 September 2014.

It should not be necessary for you to contact the external auditor or the Audit Commission directly for guidance.

More guidance on completing this annual return is available in the Practitioners' Guides for either local councils or internal drainage boards. These publications may be downloaded from the National Association of Local Councils (NALC) or Society of Local Council Clerks (SLCC) websites (www.nalc.gov.uk or www.slcc.co.uk) or from the members area of the Association of Drainage Authorities website (www.ada.org.uk).

Section 1 – Accounting statements 2013/14 for:

Enter name of reporting body here:

BUS LANE ADJUDICATION SERVICE JOINT COMMITTEE

	Year ending		Notes and guidance
	31 March 2013 £	31 March 2014 £	
1 Balances brought forward	93,860	86,981	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.
3 (+) Total other receipts	340,701	541,849	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	347,580	618,396	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	86,981	10,433	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	150,949	656,539	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 2014 the accounting statements in this annual return present fairly the financial position of the body and its income and expenditure, or properly present receipts and payments, as the case may be.

Signed by Responsible Financial Officer:

[Signature]

Date 12/06/14

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

25/06/2014

and recorded as minute reference:

7/14

Signed by Chair of meeting approving these accounting statements:

[Signature]

Date 25/06/2014.

Section 2 – Annual governance statement 2013/14

We acknowledge as the members of 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 2014, that:

	Agreed –		'Yes' means that the body:
	Yes	No*	
1 We approved the accounting statements prepared in accordance with the requirements of the Accounts and Audit Regulations and proper practices.	✓		prepared its accounting statements in the way prescribed by law.
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 laws, regulations and proper practices that could have a significant financial effect on the ability of the body to conduct its business or on its finances.	✓		has only done what it has the legal power to do and has complied with proper practices in doing so.
4 We provided proper opportunity during the year for the exercise of electors' rights in accordance with the requirements of the Accounts and Audit Regulations.	✓		during the year has given all persons interested the opportunity to inspect and ask questions about the body's accounts.
5 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.
6 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.
7 We took appropriate action on all matters raised in reports from internal and external audit.	✓		responded to matters brought to its attention by internal and external audit.
8 We considered whether any litigation, liabilities or commitments, events or transactions, occurring either during or 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 year including events taking place after the year-end if relevant.

This annual governance statement is approved by the body and recorded as minute reference

7/14

dated 25/06/2014

Signed by:

Chair



dated 25/04/2014

Signed by:

Clerk



dated 25/06/2014.

*Note: Please provide explanations to the external auditor on a separate sheet for each 'No' response. Describe how the body will address the weaknesses identified.

Section 3 – External auditor certificate and opinion 2013/14

Certificate

We certify that we have completed the audit of the annual return for the year ended 31 March 2014 of:

BUS LANE ADJUDICATION SERVICE JOINT COMMITTEE

Respective responsibilities of the body and the auditor

The body is responsible for ensuring that its financial management is adequate and effective and that it has a sound system of internal control. The body prepares an annual return in accordance with proper practices which:

- summarises the accounting records for the year ended 31 March 2014; and
- confirms and provides assurance on those matters that are important to our audit responsibilities.

Our responsibility is to conduct an audit in accordance with guidance issued by the Audit Commission and, on the basis of our review of the annual return and supporting information, to report whether any matters that come to our attention give cause for concern that relevant legislation and regulatory requirements have not been met.

External auditor report

(~~Except for the matters reported below~~)* on the basis of our review, in our opinion the information in the annual return is in accordance with proper practices and no matters have come to our attention giving cause for concern that relevant legislation and regulatory requirements have not been met. (*delete as appropriate).

(continue on a separate sheet if required)

Other matters not affecting our opinion which we draw to the attention of the body:

Please see enclosed report

BDO LLP Southampton
United Kingdom

(continue on a separate sheet if required)

External auditor signature

[Signature]

External auditor name

**BDO LLP Southampton
United Kingdom**

Date

17/3/14

Note: The auditor signing this page has been appointed by the Audit Commission and is reporting to you that they have carried out and completed all the work that is required of them by law. For further information please refer to the Audit Commission's publication entitled Statement of Responsibilities of Auditors and of Audited Small Bodies.

Section 4 – Annual internal audit report 2013/14 to

The body's internal audit, 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 2014.

Internal audit has been carried out in accordance with the body'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 body.

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 body's financial regulations have been met, payments were supported by invoices, all expenditure was approved and VAT was appropriately accounted for.	✓		
C The body 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 requirement 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 expenditure was approved and VAT appropriately accounted for.	*	✓	
G Salaries to employees and allowances to members were paid in accordance with 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 (receipts and payments or income and expenditure), 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 body (list any other risk areas below or on separate sheets if needed) adequate controls existed:

* SEE INTERNAL AUDIT REPORT.
THESE ARE AGREED - ADDITIONAL NOTES FOR APPENDIX C OF THE AUDIT REPORT.

Name of person who carried out the internal audit: **NEIL TAYLOR** (AUDIT MANAGER CHESHIRE EAST GOU)

Signature of person who carried out the internal audit: *Neil Taylor* Date: **12/06/2014**

*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 2013/14 annual return

- 1 You must apply proper practices for preparing this annual return. Proper practices are found in the Practitioners' Guides* which are updated from time to time and contain everything you should need to prepare successfully for your financial year-end and the subsequent audit. Both NALC and SLCC have helplines if you want to talk through any problem you may encounter.
- 2 Make sure that your annual 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 is provided to the external auditor. Annual returns containing unapproved or unexplained amendments will be returned unaudited and may incur additional costs.
- 3 Use the checklist provided below. Use a second pair of eyes, perhaps a member or the Chair, to review your annual return for completeness before sending it to the external auditor.
- 4 Do not send the external auditor any information not specifically asked for. Doing so is not helpful. However, you must notify the external auditor of any change of Clerk, Responsible Financial Officer or Chair.
- 5 Make sure that the copy of the bank reconciliation which you send to your external auditor with the annual return covers all your bank accounts. If your body holds any short-term investments, note their value on the bank reconciliation. The external auditor 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. More help on bank reconciliation is available in the Practitioners' Guides*.
- 6 Explain fully significant variances in the accounting statements on page 2. Do not just send in a copy of your detailed accounting records instead of this explanation. The external auditor wants to know that you understand the reasons for all variances. Include a complete analysis to support your explanation. There are a number of examples provided in the Practitioners' Guides* to assist you.
- 7 If the external auditor has to review unsolicited information, or receives an incomplete bank reconciliation, or you do not fully explain variances, this may incur additional costs for which the auditor will make a charge.
- 8 Make sure that your accounting statements add up and the balance carried forward from the previous year (Box 7 of 2013) equals the balance brought forward in the current year (Box 1 of 2014).
- 9 Do not complete section 3. The external auditor will complete it at the conclusion of the audit.

Completion checklist – 'No' answers mean you may not have met requirements		Done?
All sections	All red boxes have been completed?	✓
	All information requested by the external auditor has been sent with this annual return? Please refer to your notice of audit.	✓
Section 1	Approval by the body confirmed by signature of Chair of meeting approving the accounting statements?	✓
	An explanation of significant variations from last year to this year is provided?	✓
	Bank reconciliation as at 31 March 2014 agreed to Box 8?	✓
	An explanation of any difference between Box 7 and Box 8 is provided?	✓
Section 2	For any statement to which the response is 'no', an explanation is provided?	✓
Section 4	All red boxes completed by internal audit and explanations provided?	✓

*Note: Governance and Accountability for Local Councils in England – A Practitioners' Guides, is available from NALC and SLCC representatives or Governance and Accountability for Internal Drainage Boards in England – A Practitioners' Guides, is available from the ADA at The Association of Drainage Authorities, 12 Cranes Drive, Surbiton, Surrey, KT5 8AL or from the NALC, SLCC or ADA websites - see page 1 for addresses.



**ISSUES ARISING REPORT FOR
Bus Lane Adjudication Service Joint Committee
Audit for the year ended 31 March 2014**

Introduction

The following matters have been raised to draw items to the attention of Bus Lane Adjudication Service Joint Committee. These matters came to the attention of BDO LLP during the audit of the annual return for the year ended 31 March 2014.

The audit of the annual return may not disclose all shortcomings of the systems as some matters may not have come to the attention of the auditor. For this reason, the matters raised may not be the only ones that exist.

The matters listed below are explained in further detail on the page(s) that follow;

- Fidelity Guarantee
 - Minor issues
 - Internal auditor's recommendations endorsed
-

The following issue(s) have been raised as there are minor errors on the annual return which we wish to draw to the attention of the body so they do not occur again in future years.

Minor issues

What is the issue?

The following issues have been raised as minor issues or omissions have been identified in the current year's Annual Return:

The annual return does not add up by £1.

Why has this issue been raised?

This is to draw these minor errors to the attention of the body.

What do we recommend you do?

The body should ensure in future years that the above minor errors or omissions are not included in the Statement of Accounts.

Further guidance on this matter can be obtained from the following source(s):

Governance and Accountability in Local Councils in England - A Practitioners Guide, NALC/SLCC

The following issue(s) have been raised to assist the body. The body is recommended to take action on the following issue(s) to ensure that the body acts within its statutory and regulatory framework.

Fidelity Guarantee

What is the issue?

The body has fidelity guarantee cover, however this appears to be insufficient in light of the bank balances held at 31 March 2014.

Why has this issue been raised?

A body, under S114 of the Local Government Act 1972, must take security as it considers sufficient in the case of any of its officers likely to handle its money. The body may decide that insurance is not 'sufficient' for them, but in order to come to this opinion it must have reviewed the requirement annually and have objective grounds for such a conclusion.

What do we recommend you do?

The body should consider the level of insurance cover and set it to a level that will protect the body against potential loss. The body should review the level of cover at least annually as circumstances may change throughout the year.

The amount should be sufficient to cover the maximum amount of money the body holds at any one time during the year. A body does not have to have fidelity guarantee insurance if it considers that no security is 'sufficient' but there must be objective grounds for such a conclusion.

Further guidance on this matter can be obtained from the following source(s):

Local Council Administration, 8th Edition, Charles Arnold-Baker, Chapter 9.8
Governance and Accountability in Local Councils in England - A Practitioners Guide, NALC/SLCC

Internal auditor's recommendations endorsed

What is the issue?

The internal auditor has noted a few issues in the financial systems of the body.

Why has this issue been raised?

The body is exposed to the risks associated with these weaknesses.

What do we recommend you do?

The body must implement the recommendations made by the internal auditor to improve the financial systems of the body as soon as possible or in any event before the end of the current financial year.

If the body addresses all the issues raised by the internal auditor the body should improve internal controls which will help to prevent and detect error and fraud and assist the body to operate in an effective and efficient manner.

Further guidance on this matter can be obtained from the following source(s):

Governance and Accountability in Local Councils in England - A Practitioners' Guide, NALC/SLCC

No other matters came to our attention.

For and on behalf of
BDO LLP

Date: 17 September 2014

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Item 5 Appendix 3

DRAFT 3 YEAR INTERNAL AUDIT STRATEGY 2015/2018

Background

External Audit is provided to the PATROLAJC through BDO LLP in accordance with the Audit Commission Small Bodies Annual Return. This places significant reliance on the findings of internal audit.

Internal Audit is currently provided through Cheshire East Council internal audit. Whilst there is a separate Joint Committee for the Bus Lane Adjudication Service, it does share a number of systems and processes with PATROL. As a consequence, the audit work relating to PATROL can be used as a reasonable source of assurance. Where independent systems and processes are in operation for Bus Lanes, sample testing is undertaken.

Supporting the completion of the Audit Commission Small Bodies in England Annual Return

The main focus for internal audit each year will to underpin the completion of the draft annual return. The key areas for testing therefore will be:

- Financial records
- Accounts Payable
- Risk Management
- Budget Monitoring
- Income
- Imprest/Petty Cash/Purchase Cards
- HR/Salary
- Asset/Treasury Management
- Cash/Bank Reconciliation
- Accounting Statements and Principles

Further details are included at Appendix 1.

Further work on key areas

From time to time, sampling in the above areas will indicate that further work could usefully be undertaken to provide assurance to the Joint Committee. A contingency will be provided for this purpose. The Head of Service will be asked to approve that this work proceeds.

Additional areas of work

It is recognised that internal audit can provide assurance to support the Joint Committee's Risk Management Strategy and Risk Register. It is proposed that on an annual basis in January of each year, the Joint Committee is asked to approve the purpose and charges for this additional work. Examples would include: Business Continuity; Procurement; Health and Safety. The overall aim would be to provide assurance in areas of significance to the Joint Committee at any given time rather than prescribing over the three year period.

Review and market testing

The Joint Committee will review this strategy every three years and during this period, the Head of Service will conduct a market testing exercise the results of which will be reported to the Joint Committee.

Operational Area	
SBAR A	Appropriate records have been kept properly throughout the year. FINANCIAL RECORDS
SBAR B	The body's financial regulations have been met, payments were supported by invoices, all expenditure was approved and VAT was appropriately accounted for. ACCOUNTS PAYABLE
SBAR C	The body assessed the significant risks to achieving its objectives and reviewed the adequacy of arrangements to manage these. RISK MANAGEMENT
SBAR D	The annual taxation or levy or funding requirement, resulted from an adequate budgetary process; progress against the budget was regularly monitored and reserves were appropriate. BUDGET MONITORING
SBAR E	Expected income was fully received, based on correct prices, properly recorded and promptly banked and VAT was appropriately accounted for. INCOME
SBAR F	Petty cash payments were properly supported by receipts, all expenditure was approved and VAT appropriately accounted for. IMPREST/PETTY CASH
SBAR G	Salaries to employees and allowances to members were paid in accordance with body approvals, and PAYE and NI requirements were properly applied. HR/SALARY
SBAR H	Assets and Investments registers were complete, and accurate and properly maintained. ASSET/TREASURY MANAGEMENT
SBAR I	Periodic and year end bank account reconciliations were properly carried out. CASH/BANK RECONCILIATION
SBAR J	Accounting statements prepared during the year were prepared on the correct accounting basis, (receipts and payments or income and expenditure), agreed to the cash book, were supported by an adequate audit trail from underlying records, and, where appropriate, debtors and creditors were properly recorded.

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Item 5 Appendix 4**BAD DEBT POLICY****Introduction:**

Bad debts represent uncollectable income. PATROL rarely has a debt which remains unpaid.

However, there are inevitably occasions when the income due to PATROL cannot be collected within a reasonable timescale or cannot be collected at all and the Bad Debt Policy needs to be implemented.

Policy Statement:

1. PATROL aims, through this policy, to ensure that only uncollectable balances are written off.
2. PATROL will make a prudent provision for bad debts on the basis of the age of the debt in accordance with the following table:

Debt % Provision

0-30 days from invoice date	0%
30-60 days from invoice date	0%
60-90 days from invoice date	0%
90 days + from invoice date	100%

3. Debts will only be written off where all the arrears processes have been exhausted and the debt collection referral agencies advise the PATROL that the debt is uncollectable.
4. All write-offs are recommended by the Finance Manager and approved by the Head of Service.

Key Performance Areas:

- A. The Finance Manager will establish appropriate procedures and training requirements relating to pursuing debts and determining which debts should be written off.
- B. The Finance Manager will calculate the bad debt provision on a monthly basis in accordance with the policy. The level of bad debt will be reported to the Joint Committee with other financial updates.
- C. The Head of Service will authorise the write off debts in accordance with the policy on a monthly basis.
- D. The policy will be reviewed on an annual basis to coincide with the review of Financial Regulations.
- E. Any amounts written off will be reported at the following Joint Committee meeting

Date of Issue: October 2014
Review Date: June 2015

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BUS LANE ADJUDICATION SERVICE JOINT COMMITTEE Executive Sub Committee

Date of Meeting 20th October 2014
Report of: The Lead Officer on behalf of the Advisory Board
Subject/Title: Budget monitoring or revenue account 2014/15

1.0 Report Summary

- 1.1 To present income, expenditure and reserves monitoring information at 31st August 2014

2.0 Recommendation

To note the income, expenditure and reserves position at 31 August 2014 and to note that a report will be presented to the January 2015 Executive Sub Committee as part of the budget setting process for 2015/16.

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 28th January 2014 and as reported to the June 2014 meeting in accordance with Standing Orders, the revenue budget estimate was approved for the year 2014/15.

- 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 position at 31st August 2014 (Appendix1).
- 7.4 There has been an overachievement of income in the first six months of 2014/15 giving a favourable variance of £23,447.
- 7.5 The number of appeals has been greater than forecast, resulting in an increased re-charge payment to PATROL, giving an adverse variance of £75,447 for the five month period to 31 August 2014. This compares with the reported adverse variance of £55,895 for the six month period to 30 September 2013.
- 7.5 There is an overall deficit of £53,942 for the five month period to 31 August 2014 which compares to the report deficit for the six month period to 30 September 2013 of £24,843.
- 7.6 The Bus Lane Adjudication Service Joint Committee reserves position is as follows:

Reserves at 31.03.13	£86,982
Authorised Drawdown	0
Deficit on reserves 31.03.14	-£76,549
Reserves at 31.04.15	£10,443
Authorised Drawdown	0
Deficit for the Year (to date)	-£53,942
Reserves at 31.08.14	-£43,509

The deficit at 31.08.14 will be taken into account in budget setting for 2015/16 which will be reported to the Executive Sub Committee in January 2015.

8.0 Recommendation

To note the income, expenditure and reserves position at 31 August 2014 and to note that a report will be presented to the January 2015 Executive Sub Committee as part of the budget setting process for 2015/16.

9.0 Access to Information

The background papers relating to this report can be inspected by contacting the report writer:

Name: Louise Hutchinson

Designation: Head of Service

Tel No: 01625 445566

Email: lhutchinson@patrol-uk.info

APPENDIX 1

Bus Lane YTD to 31.08.14	to 31.08.14	to 31.08.14	to 31.08.14	2014/15	2013/14
	Actual	Budget	Var to Budget	Full Year Budget	OUTTURN
Income					
Penalty Charge Notice	214,732	191,285	23,447	459,085	541,179
Contribution from Reserves			0	12,640	76,549
Other Income			0	0	0
Bank Interest			0	0	669
Recharge for Bus Lane Adjudication Costs			0	0	0
Total Income	214,732	191,285	23,447	471,725	618,398
Expenditure:					
Adjudicators			0	0	0
Staff			0	0	0
Premises / Accommodation			0	0	0
Transport			0	0	0
Supplies and Services	51	3,415	3,364	4,696	116
IT	42		-42	0	0
Services Management and Support			0	0	0
Pro-Rata Appeal Costs	268,582	193,135	-75,447	463,529	616,681
Audit Fees			0	3,500	1,600
Contingency			0	0	0
Total Expenditure	268,674	196,550	-72,124	471,725	618,397
Surplus / (Deficit)	-53,942	-5,265	-48,677	0	0

BUS LANE ADJUDICATION SERVICE JOINT COMMITTEE

Executive Sub Committee

Date of Meeting: 20th October 2014
Report of: The Lead Officer on behalf of the Advisory Board
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: Head of Service
Tel No: 01625 445566
Email: lhutchinson@patrol-uk.info

RISK REGISTER
OCTOBER 2014

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	5	2	10	Audit figures on which to base forecasts. Historical data on which to base forecasts. Reserve policy in place	Internal & External Audit Reports Committee Reports	Treat			Continued forecasting, budget monitoring and cashflow analysis.	HOS
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 third party hosting and support arrangements in place. In-house IT team providing first line support. Registered with the Information Commissioner.	Performance Reports IT replacement programme completed. Technology Reserves in place. On line appeal portal in development. The tribunal web site and portal explains to the parties how information will be shared. Legacy system will be in place for 2015/16.	Treat			On line appeal portal introduced to first council. Feedback will continue to be collated. Developments continue A programme to roll out the portal will be implemented. IT policies and procedures to be reviewed in the light of the on-line portal.	HOS

RISK REGISTER
OCTOBER 2014

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. Activity monitoring and forecasting Arrangements for temporary cover Arrangements in place to extend cover. Appointment Sub Committee & Working Group established.	Committee Reports	Treat	Vacant manager posts under review.	HOS
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. Contingency planning	Committee Reports Regional Adjudicator structure in place. Training for new adjudicators complete. Development of the portal will increase efficiency of the appeals process	Treat	Phased roll out of on line appeals to adjudicators and staff.	CA
5	Achievement of Key Objectives	Failure to achieve key objectives	3	3	9	Performance Management Strategy and Reporting	Internal & External Audit Reports Committee	Treat	Finance Manager role backfilled to provide project management support. Additional support in place for specific work streams on	HOS

RISK REGISTER
OCTOBER 2014

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
	Health and Safety Breach	Risk to welfare of adjudicators, appellants, 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

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

RISK REGISTER
OCTOBER 2014

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

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	25	20	15	10	5
	20	16	12	8	4
	15	12	9	6	3
	10	8	6	4	2
	5	4	3	2	1

Legend:

Score of 25 equates to **Extreme Risk**: Immediate escalation to Head of Service 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 Head of Service and Advisory Board.

Scores of 12-6 Risk to be captured on Risk Register and progress with mitigation to be tracked by Head of Service 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.

BUS LANE ADJUDICATION SERVICE JOINT COMMITTEE Executive Sub Committee

Date of Meeting: 20th October 2014
Report of: The Lead Officer on behalf of the Advisory Board
Subject/Title: BECK (Best Evidence Cloud Knowledge) On-line appeal portal and case management system.

1.0 Report Summary

1.1 To provide a progress report on BECK (Best Evidence Cloud Knowledge)

2.0 Recommendation

To note progress with the BECK programme

3.0 Reasons for Recommendations

3.1 Progress report

4.0 Financial Implications

Reported at the June 2014 meeting

5.0 Legal Implications

5.1 None

6.0 Risk Management

6.1 Identified within the Risk Register

7.0 Background and Options

7.1 At the June 2014 meeting the Joint Committee was updated on the progress of the development of a new web site, case management system and appeal portal through which the public would make appeals on line.

7.2 Key features of BECK include:

- Appeals submitted online
- Validation of appeals by respondent councils
- Evidence submitted online by both parties who may comment on each other's evidence.

- Councils have dashboard through which to manage their cases, showing the status of each car and prompting due actions
 - All parties and the adjudicator can view evidence online.
 - Email prompts and directions
 - Decisions presented online to both parties
 - BECK will be accessible on smart phones, tablets, laptops and PCs.
- 7.3 Users are guided through the process in a one-stop, self-service appeal portal which replaces the existing paper appeal form. For the tribunal it will mean less focus on data entry and document scanning and more time for customer service, particularly for those who are unable or unwilling to engage digitally or who need support and guidance through the process.
- 7.4 The project has been greatly assisted by the involvement and feedback from the pathfinder councils which highlighted the significant benefits brought about by the council dashboard.
- 7.5 BECK brings about significant benefits in terms of efficiencies, savings and improved quality.

Tribunal

- Removal of costs for printing and distributing appeal forms to all councils
- Reduced stationery and postage costs as increasing numbers of appellants communicate online
- Reduced requirements for increasing numbers of adjudicators and the staffing establishment to handle new appeal streams
- Reduced number of gaps in hearing lists associated with appellants not turning up.
- Reduce IT infrastructure costs after 2014/15 transition from the existing case management system to BECK.
- Transfer of staff skills from scanning and data entry to customer service to support the off line process
- Reduced administration burden where appellants withdraw or councils no contest, this process will be automated.
- The tribunal will have access to analytics on appeals activity
- The tribunal will have access to data with which to promote continuous improvement and quality assurance and measuring of key performance indicators (KPIs)
- There will be increased flexibility for adjudicators to access BECK as it is a web based application.

Councils

- Council survey indicated that some councils were taking 2 hours to prepare an evidence pack in response to an appeal – BECK should reduce this to between 15 minutes and half an hour.
 - Parking departments are heavy users of paper and postage. BECK will reduce printing and postage on posting bulky evidence packs
 - Reduced requirements to phone or email the tribunal to check on the progress of an appeal as councils and appellants will have a dashboard that includes status and calls to action
 - Phase 2 of the BECK development includes the facility for councils to obtain analytics from their dashboard.
 - BECK includes the potential to speed up the appeal process.
 - Appellants will be provided with a direct payment link to the council, should their appeal be dismissed.
 - There will be increased flexibility for council offices to access BECK as it is a web based application,
- 7.6 The project has been built upon a fundamental review of business processes, both for TPT and respondent authorities, which will see the removal of the paper appeal form by councils (with consequent savings in printing and postage costs) and the deferral of the appellant request for a hearing until the council evidence has been received, with the aim of having fewer “no shows” at hearings. Councils will no longer have to send the evidence bundle (often more than 100 pages) to the appellant – they will place the evidence in the BECK case file for the appellant and adjudicator to view. The reduction in postage will in itself provide significant savings.
- 7.7 The web site went live on 17 September 2014 and the portal was opened for appeals against one of the pathfinder councils: Brighton & Hove City Council. The appeal portal removes the requirement for Brighton & Hove City Council to issue tribunal appeal forms with their Notices of Rejection. This reduces administrative effort. Instead, information about appealing through the portal is set out within the Notice of Rejection. For people who do not have access to the internet, a telephone number is included (Appendix 1).
- 7.8 Experience to date has seen
- ◆ 10 appeals (parking and bus lanes) coming directly through the live portal.
 - ◆ 0 appeal forms requested from the tribunal
 - ◆ 9 appellants with NORs issued prior to 17 September have had their hard copy appeal forms uploaded to the portal.
- 7.9 By way of comparison, the existing appeal on line system is used by 18% of Brighton’s appellants.

- 7.10 Feedback from appellants is that the portal is simple and quick to use with everything in one place. Feedback from Brighton & Hove City Council:

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

Paul Nicholls, Policy and Development Manager, Transport Operations,
Brighton & Hove City Council.

- 7.11 Development on the portal and case management system continues to provide the full scope of required functionality as well as introducing specific changes required for the Dartford process as enforcement is due to commence in late November 2014 with an anticipated 8000 appeals in the first year, increasing the tribunal's appeals by one third.
- 7.12 It is anticipated that Luton Council will join the BECK programme at the beginning of November. The remaining pathfinder councils will join between January and March 2015, with the programme being extended to all councils during 2015/16.

8.0 Recommendation

The Joint Committee is asked to note progress with the BECK programme.

9.0 Access to Information

The background papers relating to this report can be inspected by contacting the report writer:

Name: Louise Hutchinson
Designation: Head of Service
Tel No: 01625 445566
Email: lhutchinson@patrol-uk.info

How to Appeal:

If you disagree with the council's decision you can appeal to the independent adjudicator at the Traffic Penalty Tribunal. The adjudicators are independent of the council and their decision is final.

You can appeal now by visiting the tribunal's website: www.trafficpenaltytribunal.gov.uk/appeal

The website explains what the adjudicator can consider and how to appeal. There is no charge for appealing and costs are not normally awarded. The website gives full details. You will need the information in the box below to hand when you begin your appeal.

<p>«PCN_Corresp_Date»</p> <p>«PCN_Ticket_Number»</p> <p>«PCN_Registration_Number»</p>

You should appeal within 28 days of delivery of this Notice of Rejection (usually 2 working days after the 'Notice of Rejection' date above - our website explains this)

If you are unable to appeal online you may request a paper form from the Traffic Penalty Tribunal by calling 01625 44 55 99 and leaving your name, address, telephone number, vehicle registration mark and penalty charge notice number.



Traffic Penalty Tribunal England and Wales

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Parking Services
Room 217
Hove Town Hall
Norton Road
Hove
BN3 3BQ
(01273 296622
* parking.appeals@brighton-hove.gov.uk

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BUS LANE ADJUDICATION SERVICE JOINT COMMITTEE

Executive Sub Committee

Date of Meeting: 20th October 2014
Report of: The Lead Officer on behalf of the Advisory Board
Subject/Title: General Progress and Service Standards

1.0 Report Summary

To report on tribunal activity and service standards for the period 2014/15.

2.0 Recommendations

Members are asked to note the report on tribunal activity and service standards for the period April to July 2014/15.

3.0 Reasons for Recommendations

To update Members on the tribunal's activity during 2014/15

4.0 Financial Implications

None

5.0 Legal Implications

None

6.0 Risk Management

Tribunal capacity to handle appeals is reviewed through the Risk Register.

7.0 Background and Options

7.1 The following provides a summary of tribunal activity with particular focus on the tribunal's objective of "providing a tribunal service which is user-focused, efficient, timely, helpful and readily accessible."

7.2 Telephone Response Times

All appellants and councils are given a direct dial number to their Appeal Coordinator. Where these direct dials are not utilised, for instance when a member of the public is not at the correct stage to appeal, a telephone system has been introduced which directs these callers according to their enquiry using an automated attendant. To measure responsiveness, the assumption has been made that callers on average will listen to half the automated attendance (15 seconds), followed by up to three rings to be put through to a

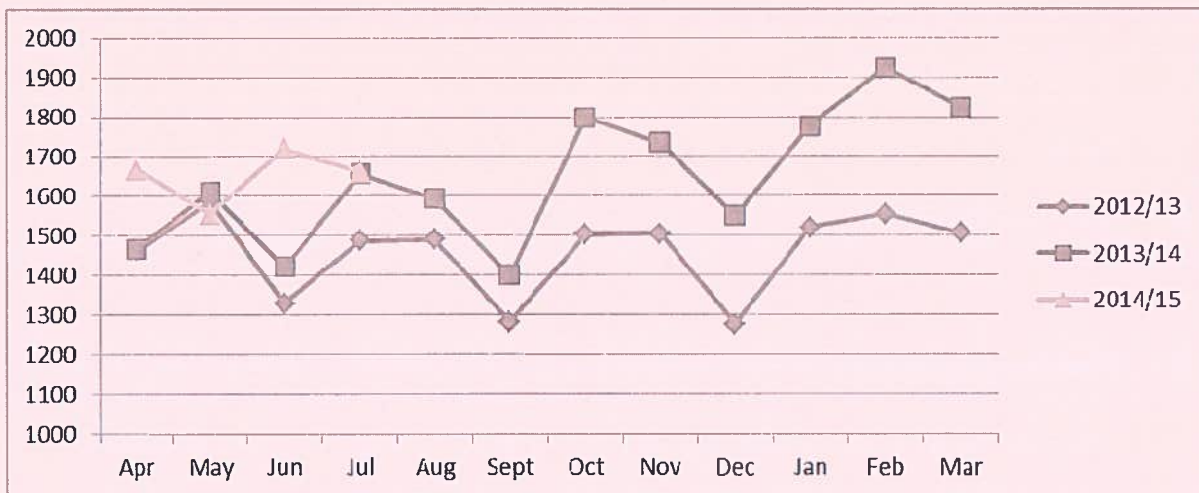
member of staff(10 seconds). Responsiveness can be measured in calls answered within 25 seconds.

We have set a target of 70% of calls to be answered within 25 seconds. For the 5 months ending 31 August 2014 79% of calls were answered within this period. This

7.3 Parking and Bus Lane Appeals

The table below shows the total number of appeals and witness statements received by the Tribunal.

	Parking	Bus Lane	Total
Apr 2012 – Mar 2013	15,168	2,342	17,510
Apr 2013 – Mar 2014	15,631	4,139	19,770
Apr 2014 – Jul 2014	5,024	1,578	6,602



7.4 Acknowledgement of Appeals

Acknowledgement of appeals has remained extremely high at 99% for the first four month of 2014/15.

Period	Actual	Target
2011/12	99%	95% within 2 working days
2012/13	95%	95% within 2 working days
2013/14	99%	95% within 2 working days
2014/15 (Apr to July)	99%	95% within 2 working days

7.5. Hearing Types

From April 2014 to July 2014, 52% of cases were determined by without a hearing, 27% by telephone hearing and 20% with a face to face hearing. This excludes cases not contested by council or withdrawn.

7.6 Case Closure

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". In June 2007 the Joint Committee approved the following targets:

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

Postal 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 during April to July 2013/14 and have been decided. 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

The following tables provide case closure times in respect of: Parking (England), Parking (Wales) and Bus Lanes (England).

c) Parking Appeals (England)

Cases decided without a hearing

Measure	April 2012 to March 2013	April 2013 to March 2014	April to July 2014
Average number of weeks between registration of appeal and decision issued	5.35 weeks	5.03 weeks	4.15 weeks
Cases with less than 7 weeks between registration and decision (postal target)	80.81%	83.84%	90.26%
Cases with less than 12 weeks between registration and decision	96.03%	96.43%	98.97%

Cases decided through a telephone hearing

Measure	April 2012 to March 2013	April 2013 to March 2014	April to July 2014
Average number of weeks between registration of appeal and decision issued	9.08 weeks	8.51 weeks	7.01
Cases with less than 8 weeks between registration and decision (personal target)	58.33%	61.47%	76.95%
Cases with less than 12 weeks between registration and decision (personal target)	83.79%	89.16%	95.02%

Cases decided through a face to face hearing

Measure	April 2012 to March 2013	April 2013 to March 2014	April to July 2014
Average number of weeks between registration of appeal and decision issued	13.79 weeks	12.75 weeks	9.75 weeks
Cases with less than 8 weeks between registration and decision (personal target)	18.06%	25.40%	34.14%
Cases with less than 12 weeks between registration and decision (personal target)	53.69%	60.02%	82.33%

d) **Parking Appeals (Wales)****Cases decided without a hearing**

Measure	April to March 2012/13	April to March 2013/14	April to July 2014/15
Average number of weeks between registration of appeal and decision issued	5.50 weeks	4.63 weeks	3.48 weeks
Cases with less than 7 weeks between registration and decision (postal target)	82.82%	86.80%	94.48%
Cases with less than 12 weeks between registration and decision	92.84%	96.89%	99.31%

Cases decided through a telephone hearing

Measure	April 2012 to March 2013	April 2013 to March 2014	April to July 2014/15
Average number of weeks between registration of appeal and decision issued	8.41 weeks	9.04 weeks	7.03 weeks
Cases with less than 8 weeks between registration and decision (personal target)	65.33%	57.78%	72.41%
Cases with less than 12 weeks between registration and decision (personal target)	86.67%	91.11%	100%

Cases decided through a face to face hearing

Measure	April 2012 to March 2013	April 2013 to March 2014	April to July 2014/15
Average number of weeks between registration of appeal and decision issued	13.23 weeks	14.85 weeks	8.37 weeks
Cases with less than 8 weeks between registration and decision (personal target)	30.19%	13.70%	47.37%
Cases with less than 12 weeks between registration and decision (personal target)	56.60%	45.21%	100%

e) **BUS LANES (England)****Cases decided without a hearing**

Measure	April 2012 to March 2013	April 2013 to March 2014	April to July 2014
Average number of weeks between registration of appeal and decision issued	5.81 weeks	5.97 weeks	4.84 weeks
Cases with less than 7 weeks between registration and decision (postal target)	76.17%	72.61%	81.24%
Cases with less than 12 weeks between registration and decision	94.26%	92.11%	98.72%

Cases decided through a telephone hearing

Measure	April 2012 to March 2013	April 2013 to March 2014	April to July 2014
Average number of weeks between registration of appeal and decision issued	10.01 weeks	9.48 weeks	7.78 weeks
Cases with less than 8 weeks between registration and decision	48.18%	53.70%	66.31%
Cases with less than 12 weeks between registration and decision	79.87%	82.58%	91.44%

Cases decided through a face to face hearing

Measure	April 2012 to March 2013	April 2013 to March 2014	April to July 2014
Average number of weeks between registration of appeal and decision issued	14.15weeks	12.45 weeks	10.13 weeks
Cases with less than 8 weeks between registration and decision (personal target)	11.68%	23.96%	29.51%
Cases with less than 12 weeks between registration and decision (personal target)	47.20%	59.45%	78.69%

8.0 Access to Information

The background papers relating to this report can be inspected by contacting the report writer:

Name: Louise Hutchinson
Designation: Head of Service
Tel No: 01625 445566
Email: lhutchinson@patrol-uk.info

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