

**REPORT FOR INFORMATION**

**SUBJECT:** General Progress and Service Standards

**REPORT OF:** The Lead Officer

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**PURPOSE OF REPORT**

To report to the Committee on progress in respect of: (a) the take up of civil enforcement of bus lanes powers by Councils in England [outside London]; (b) general progress and service standard information.

**RECOMMENDATIONS**

It is recommended that the Committee:

- [i] Note the information in respect of the take up of civil bus lane enforcement powers.
- [ii] Note the performance information.
- [iii] Note that appeals activity information will be published as part of an annual statistical report.

**CONTACT OFFICER**

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## BACKGROUND

### 1. PERIOD OF REPORTING

This report provides statistical information in relation to the year April 2009 to March 2010 and the first three months of 2010/11.

### 2. COUNCILS IN THE SCHEME

The following local authorities are party to the BLASJC Agreement: at 21<sup>st</sup> September 2010

Bath and North East Somerset Council	Reading City Council
Brighton and Hove City Council	Oxfordshire County Council
Essex County Council	Sheffield City Council
Hampshire County Council	Nottingham City Council
Manchester City Council	Stockton on Tees Borough Council
Liverpool City Council	Bristol City Council
Bournemouth Council	Gloucestershire County Council
South Tyneside Council	Coventry Council

### 3. APPEALS ACTIVITY DURING 2009/10 (Appendix 1)

#### 3.1 Comparing 2008/09 and 2009/10

A total of 634 appeals were registered with the tribunal during 2009/10. This represents an increase of 36% over the 464 appeals received during 2008/09. The number of penalty charge notices issued increased from 132,170 in 2008/09 to 172,390 in 2009/10 (an increase of 30%). The rate of appeal increased from 0.35% in 2008/09 to 0.37% in 2009/10.

Appeals not contested by the council reduced from 41% in 2008/09 to 37% in 2009/10 with the percentage of appeals allowed by the Adjudicator increasing from 26% to 28%. Thus the total number of appeals allowed (including not contested) reduced from 66% to 65% in 2009/10.

Appeals refused by the Adjudicator including out of time and withdrawn by the appellant reduced from 30% to 29% in 2009/10.

The number of appeals awaiting decision increased from 3% to 6%.

### 4. ADMINISTRATIVE TARGETS

Two indicators give an indication of availability and responsiveness for the Service: acknowledgement of appeals and telephone response times. As an integrated tribunal, no distinction is made between the response to bus lane and parking related telephone calls.

Details in relation to acknowledgement of appeals are given in Table 1 below.

PERIOD	% of appeals acknowledged within 2 working days	TARGET
April 2008 to March 2009	96%	95%
April 2009 to March 2010	97%	95%
April 2010 to June 2010	98%	95%

## 5. SERVICE STANDARDS – PERFORMANCE INDICATORS

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 Joint Committee in 2007 approved the introduction of the following service standards:

### Personal Hearings

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

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

### Postal Decisions

80% of postal decisions to be made within 7 weeks of receipt of the Notice of Appeal.

It is recognised that Members are also interested in the period of time taken to dispose of a case and for this reason, the following statistics reflect the number of weeks to case closure rather than the number of weeks to the date of the first hearing offered.

## 6. CASE CLOSURE

The reports on case closure include all cases registered and decided during April 2009 to March 2010.

This data will include cases that have been delayed for the following reasons.

### **Requests from parties to the appeal:**

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

### **Adjudicators may require:**

- Adjournments for additional evidence or submissions
- A personal 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

**6i Disposal of Cases – Bus Lanes April 2009/March 2010**

a) Comparing quarters

Type of Hearing	Postal				Personal				Telephone			
	Jan to Mar 10	Oct to Dec 09	July to Sept 09	Apr to Jun 09	Jan to Mar 10	Oct to Dec 09	July to Sept 09	Apr to Jun 09	Jan to Mar 10	Oct to Dec 09	July to Sept 09	Apr to Jun 09
Average no of weeks between registration and decision issued	<b>3.43 weeks</b>	3.99 weeks	5.75 weeks	4.49 weeks	<b>8.60 weeks</b>	8.17 weeks	7.89 weeks	9 weeks	<b>7.67 weeks</b>	6.40 weeks	8.38 weeks	10 weeks
Cases with less than 7 weeks between registration and decision (postal target)	<b>75 (97%)</b>	67 (92%)	328 (80%)	83 (87%)	<b>Target n/a</b>	Target n/a	Target n/a	Target n/a	<b>Target n/a</b>	Target n/a	Target n/a	Target n/a
Cases with less than 8 weeks between registration and decision (personal/ telephone target)	<b>Target n/a</b>	Target n/a	Target n/a	Target n/a	<b>6 (60%)</b>	7 (58%)	6 (67%)	1 (17%)	<b>4 (67%)</b>	4 (80%)	7 (54%)	1 (50%)
Cases with less than 12 weeks between registration and decision (personal/telephone target)	<b>77 (100%)</b>	73 (100%)	386 (95%)	95 (100%)	<b>8 (80%)</b>	10 (83%)	8 (89%)	6 (100%)	<b>6 (100%)</b>	5 (100%)	13 (100%)	2 (100%)

b) Comparison – January to March 2010 compared to January to March 2009

Type of Hearing	Postal		Personal		Telephone	
	Jan to Mar 10	Jan to Mar 09	Jan to Mar 10	Jan to Mar 09	Jan to Mar 10	Jan to Mar 09
Average no of weeks between registration and decision issued	<b>3.43 weeks</b>	5.26 weeks	<b>8.60 weeks</b>	12.5 weeks	<b>7.67 weeks</b>	8.44 weeks
Cases with less than 7 weeks between registration and decision (postal target)	<b>75 (97%)</b>	49 (80%)	<b>Target n/a</b>	Target n/a	<b>Target n/a</b>	Target n/a
Cases with less than 8 weeks between registration and decision (personal/ telephone target)	<b>Target n/a</b>	Target n/a	<b>6 (60%)</b>	0 (0%)	<b>4 (67%)</b>	5 (56%)
Cases with less than 12 weeks between registration and decision (personal/telephone target)	<b>77 (100%)</b>	61 (100%)	<b>8 (80%)</b>	1 (50%)	<b>6 (100%)</b>	8 (89%)

## Summary

### Quarter by Quarter Analysis

- There has been a reduction in the average number of weeks between registration and decision for postal cases with an increase for personal and telephone cases.
- The proportion of postal cases with less than 7 weeks between registration and decision has increased.
- There has been a slight increase in the proportion of personal cases with less than 8 weeks between registration and decision and an increase for telephone hearings.
- The proportion of cases with less than 12 weeks between registration and decision remains constant for postal and telephone cases with a slight reduction for personal cases.

### Comparing January to March 2010 with January to March 2009

- The average number of weeks has reduced across all hearing types.
- The proportion of postal cases closed within 7 weeks has shown an increase.
- There has been an increase in the proportion of personal and telephone hearings closed within 8 weeks.
- The proportion of cases closed within 12 weeks has increased for personal and telephone hearings and remained constant for postal decisions.

It should be noted that the report shows those cases that have been registered during the particular date range that have been decided upon.