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**REPORT FOR RESOLUTION****SUBJECT:** Defraying the expenses of the Joint Committee 2011/12**REPORT OF:** The Lead Officer

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**PURPOSE OF REPORT**

To establish the basis for sharing the expenses of the Joint Committee between member authorities in 2011/12.

**RECOMMENDATIONS**

It is recommended that:

- [i] The Joint Committee shares its expenses between member authorities in proportion to the number of PCNs issued on the following basis:

ELEMENT	CHARGE
Annual Charge	£nil
Charge per PCN Issued	£0.65 pence
Charge per Adjudication Case	£5.00 in respect of non-electronic cases with effect from 1 <sup>st</sup> September 2011

- [ii] Member authorities are invoiced on a quarterly in advance based on estimated figures and subsequently adjusted.

- [iii] To note that the decision to provide a transcription from the audio recording of proceedings rests with the Adjudicator. Where this has been agreed to, the Joint Committee agree that the incidental cost of making a transcription from the audio recording of proceedings at a personal hearing is charged to the requesting party except when, in the view of the Adjudicator, a disability of the requesting party would make it desirable for that person to receive such a transcript.

**FINANCIAL CONSEQUENCES FOR THE REVENUE AND CAPITAL BUDGETS**

It is intended that service will be self financing as a result of contributions made from participating local authorities. No provision has been made in the 2011/12 budget for income arising from the per case charge.

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## INTRODUCTION

- 1.1 An essential element for a local authority when adopting civil bus lane enforcement powers is the existence of a means to appeal to an independent bus lane adjudicator. The approved local authorities who are participating in the Bus Lane Adjudication Service Joint Committee (BLASJC) agreement are required to fund adjudication as part of their powers.
- 1.2 The BLASJC agreement provides for the Committee to decide the cost sharing arrangements.

## 2.0 BACKGROUND

- 2.1 The BLASJC agreement envisages the adjudication service to be operated on a self-financing basis with revenue obtained from contributions made by participating local authorities. The level of contribution has been based on the predicted appeal activity without taking into account new councils joining in 2011/12.
- 2.2 There is provision in the BLASJC agreement for other approved local authorities to participate in the agreement and so it might be the case that other councils become a party to the agreement before the year end and additional income may arise to that estimated.
- 2.3 The Joint Committee has a member authority contribution framework which includes a charge per case. The Joint Committee has been appraised separately of the efficiency drive to engage more councils in electronic transfer of evidence. This requires councils to have access to the Internet and the facility to convert documents into PDF. Using this facility saves councils postage, paper and administrative time and allows the secure transfer of large files which may otherwise not be possible to send in Outlook or other email systems. The tribunal benefits by reduced scanning and data entry. The tribunal proposes to dedicate staff resource to supporting councils in introducing this facility with a view to all councils engaging with the tribunal electronically by September. This provides a lead time of 8 months. From 1<sup>st</sup> September 2011 an additional case charge of £5 per case in respect of non-electronic cases will be introduced.

## 3.0 RECOMMENDATION

- 3.1 The Joint Committee shares its expenses between member authorities in proportion to the number of PCNs issued on the following basis:

ELEMENT	CHARGE
Annual Charge	£nil
Charge per PCN Issued	£0.65 pence
Charge per Adjudication Case	£5.00 in respect of non-electronic cases

#### **4.0 METHOD OF CHARGING**

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

#### **5.0 TRANSCRIPTION COSTS**

To note that the decision to provide a transcription from the audio recording of proceedings rests with the Adjudicator. Where this has been agreed to, the Joint Committee agrees that the incidental cost of making a transcription from the audio recording of proceedings at a personal hearing is charged to the requesting party except when, in the view of the Adjudicator, a disability of the requesting party would make it desirable for that person to receive such a transcript.