

Minutes of a meeting of the Bus Lane Adjudication Service Joint Committee held on 21 November 2012 at the St Alban's Centre, Leigh Place, Baldwins Gardens, Holborn, London EC1N 7AB

Present:

Councillor Phrynne Dickens – Hampshire County Council
Councillor Tony Page – Reading Borough Council
Councillor Jamie Macrae, Cheshire East Council
Councillor Rachel Bailey, Cheshire East Council
Councillor Kerr, South Tyneside
Councillor D Taylor, Luton Borough Council
Councillor Lindsley Harvard, Coventry City Council

Also Present:

John Satchwell – Chair, Advisory Board
Graham Addicott – Vice Chair Advisory Board
Caroline Sheppard – Chief Adjudicator
Louise Hutchinson, Head of Service, PATROL
Chris Shepherd for PATROL Secretary
Andrew Barfoot – Traffic Penalty Tribunal
Miles Wallace – PATROL
Kelly Cornell – PATROL
Robin Chantrill-Smith – Thanet District Council
Marc Samways – Hampshire County Council
John McEvoy – Carmarthenshire County Council
Derek Twigg – Hertfordshire County Council
Kevin Melling – Cheshire East Council
Beth Jackson, Highways Agency
Mark Fletcher, Department for Transport
Robert Pollard, Canterbury City Council
Kam Hothi, Slough Borough Council
Paul Jones, Cheshire East Council

BLAS/12/36 Minutes of the Bus Lane Adjudication Service Joint Committee

Decision

To approve the minutes of the Bus Lane Adjudication Service Joint Committee held on 25 September 2012.

BLAS/12/37 Tribunal General Progress and Service Standards

A report was submitted which detailed progress in respect of the take up of civil parking enforcement powers by Councils in England (outside London) and Wales and information in relation to general progress and service standards.

The Head of Service and Chief Adjudicator responded to questions on the report.

Decision

1. To note the information provided in the report in respect of the current take up of civil enforcement of parking powers.
2. To note the information in relation to appeals activity.
3. To note the information in relation to service standards.

BLAS/12/38 Department for Transport Consultation on Road User Charging Enforcement Regulations

A report informing the Joint Committee on the consultation on Road User Charging Enforcement Regulations was submitted.

Decision

To note the consultation on Road User Charging Enforcement Regulations.

BLAS/12/39 External Audit Report 2011/12

A report was submitted which presented the findings of the external audit for 2011/12.

Decision

To note the findings of the external audit for 2011/12.

BLAS/12/40 Budget Monitoring Report

A report which presented the expenditure monitoring information in respect of the Revenue Account for year 2012/13 was submitted.

Decision

1. To note the income and expenditure position at 30 September 2012.
2. To note a further report will be presented to the January 2013 meeting.

BLAS/12/41 Memorandum of understanding between the Adjudicators and the Joint Committees

A report was submitted which presented the Memorandum of Understanding between the Adjudicators and the Joint Committee for approval.

Decision

1. To approve the Memorandum of Understanding between the Adjudicators and the Joint Committee.
2. To agree that the Memorandum of Understanding will be a core governance document for the Joint Committee which will inform the Joint Committee's Schemes of Delegations and the Service Level Agreement with the Lead/Host Authority.
3. To agree to review the Memorandum of Understanding at the Joint Committee's annual meeting each year.

BLAS/12/42 Appointment of Cheshire East Council as the new Lead Authority

A report concerning the transfer of Lead Authority function on behalf of the Joint Committee was submitted for consideration.

Decision

1. To agree, in accordance with the Bus Lane Adjudication Service Joint Committee (BLASJC) Agreement to appoint Cheshire East Council as Lead Authority (to be known for day to day purposes as the Host Authority) to the Joint Committee with effect from 1st April 2013 for a period of five years to 31 March 2018. The commencement date will be preceded by a phased transition to enable premises to be commissioned by 31 March 2013
2. To agree to new Terms of Appointment of the Lead Authority being negotiated between the Joint Committee and the Lead Authority in accordance with the Agreement, such new Terms of Appointment to be in the form of a Service Level Agreement between the Joint Committee and the Lead Authority to be presented for approval to the BLASJC meeting in January 2013.
3. To agree that the Service Level Agreement will be informed by the Memorandum of Understanding between the Adjudicators and the Joint Committee, with both documents being reviewed annually.
4. To request the Chief Executive of Cheshire East Council to nominate the Head of Service to undertake the role of Lead Officer in accordance with the BLASJC Agreement and a Scheme of Delegation from

the Joint Committee.

5. To agree that a Scheme of Delegated Functions will be presented to the June 2013 meeting of the Bus Lane Adjudication Service Joint Committee for approval.
6. To agree that the Joint Committee will reimburse Cheshire East Council for all services provided to the Joint Committee in accordance with the provisions of the BLASJC Agreement.
7. To agree that the Section 151 Officer of Cheshire East Council be appointed the Joint Committee's Treasurer and will be consulted in the review of the Joint Committee's Reserves and Treasury Management policies scheduled for January 2013 and Financial Regulations in June 2013.
8. To note that the auditors appointed by the Audit Commission are retained following the transfer to Cheshire East Council.
9. To approve the TUPE transfer of staff to Cheshire East Council anticipated to take place on 1st April 2013 and meet the additional travel costs incurred by employees over a period of four years.
10. To request Cheshire East Council to enter into a lease for five years on behalf of the Joint Committee at the earliest opportunity (preferably before 15th January 2013) with a view to premises being operational by end of March 2013.
11. To request Cheshire East Council to assist the Joint Committee in identifying governance arrangements which continue to promote the independence of the Adjudicators, support the arms length nature of the Joint Committee and facilitate future growth.
12. To record the committee's thanks to Manchester City Council and Cheshire East Council for their assistance in effecting this transfer.

BLAS/12/43 Terms and conditions – part time Adjudicators

A report was submitted which advised the Committee of a revision of the terms and conditions of the part time adjudicator ahead of the impending recruitment exercise.

Decision

To approve the review of terms and conditions for part time adjudicators with the minor amendments highlighted by the Chief Adjudicator.

BLAS/12/44 Date of next meetings:

Tuesday 29 January 2013

Tuesday 25 June 2013