

Bus Lane Adjudication Service Joint Committee Executive Sub Committee

Agenda

Date: Tuesday, 30th January, 2018
Time: 12.30 pm
Venue: Bishop Partridge Hall, Church House, Dean's Yard,
Westminster, London SW1P 3NZ

1. **Apologies for Absence**

To receive apologies for absence

2. **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

3. **Minutes of the Meeting held on 31 October 2017** (Pages 1 - 4)

To approve the minutes of the Bus Lane Adjudication Service Joint Committee Executive Sub Committee held on 31 October 2017

4. **Chair's Update**

To provide an update on developments since the meeting in October 2017

5. **PATROL and BLASJC Resources Working Group and Sub Committee**
(Pages 5 - 20)

To report on the PATROL and BLASJC's Resources Working Group and Sub Committee's meeting held on 9 January 2018

Contact: Louise Hutchinson, Director
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 2017/18** (Pages 21 - 24)
To note income and expenditure to 30 November 2017 and the projected outturn
7. **Internal Audit Interim Report** (Pages 25 - 36)
To note the findings of the interim audit visit December 2017
8. **Service Level Agreement between the Joint Committees and Cheshire East Council**
To approve the variations to the service level agreement with the Host Authority for 2018/19
9. **Revenue Budgets for 2018/19** (Pages 37 - 40)
To establish the Joint Committee's Revenue Budgets for 2018/19
10. **Defraying the Expenses for the Joint Committee 2018/19** (Pages 41 - 42)
To approve the basis for defraying the expenses of the Joint Committee 2018/19
11. **Risk Management Framework** (Pages 43 - 50)
To approve the Risk Management Framework and note the current assessment of risk
12. **Chief Adjudicator's Update**
To receive a verbal report from the Chief Adjudicator
13. **General Progress and Service Standards** (Pages 51 - 64)
To provide general information in respect of the tribunal's activities and initiatives
14. **Dates of Next Meetings**

10 July 2018	Church House, Westminster followed by the PARC (Parking Annual Reports by Councils) Awards at the House of Commons
31 October 2018	Church House, Westminster

Minutes of a meeting
of the **Bus Lane Adjudication Service Joint Committee**
held on Tuesday, 31st October, 2017 at Bishop Partridge Hall, Church Lane,
Westminster, SW1P 3NZ

PRESENT

Councillor Tony Page (Reading Borough Council) in the Chair

Councillors

Councillor Graham Burgess - Hampshire County Council

Councillor Alan Kerr - South Tyneside Council

Councillor Sally Longford - Nottingham City Council

Councillor Steve Pearce - Bristol City Council

Officers in attendance

Caroline Sheppard OBE – Chief Adjudicator

Stephen Knapp – Deputy Chief Adjudicator

Marc Samways, Chair of Advisory Board (Hampshire County Council)

Louise Hutchinson Director PATROL

Sarah Baxter – Cheshire East Council

Andy Diamond – PATROL

Iain Worrall – Traffic Penalty Tribunal

15 APPOINTMENT OF CHAIRMAN AND VICE CHAIRMAN OF THE EXECUTIVE SUB COMMITTEE

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

RESOLVED

That Councillor Tony Page (Reading Council) be appointed Chairman and Councillor Graham Burgess (Hampshire County Council) be appointed Vice-Chairman.

Councillor Page took the Chair.

16 APOLOGIES FOR ABSENCE

Apologies for absence were reported: Councillor Peter Robinson (Tameside), Councillor Mike Smith (Stockton), Councillor Ian Gillies (York), Councillor Jayne Innes (Coventry), Councillor Mark Shelford (Bath and North East Somerset)

17 DECLARATIONS OF INTEREST

There were no declarations of interest.

18 MINUTES OF THE BUS LANE ADJUDICATION SERVICE EXECUTIVE SUB COMMITTEE MEETING HELD ON 31 JANUARY 2017

RESOLVED

That the minutes of the meeting held on 31 January 2017 be approved as a correct record.

19 MINUTES OF THE BUS LANE ADJUDICATION SERVICES JOINT COMMITTEE HELD ON 11 JULY 2017

RESOLVED

That the minutes of the meeting held on 11 July 2017 be approved as a correct record.

20 CHAIR'S UPDATE

The Chairman informed Joint Committee that since the previous meeting Oldham Metropolitan Borough Council and Solihull Metropolitan Borough Council had both joined. There were now 55 members.

21 PATROL AND BLASJC RESOURCES WORKING GROUP AND SUB COMMITTEE

Consideration was given to a report of this meeting at which consideration had included arrangements in place for the appeals arising from penalties issued for failure to pay a charge at the Mersey gateway Bridge between Runcorn and Widnes, new areas of adjudication including the introduction of Clean Air Zones and plans to introduce powers to enforce littering, public affairs, the progress of FOAM (Fast Online Appeal Management), Finance and HR matters and governance.

The Director informed Members that there was a small typographical error on page 25 of the report and that reference to 'February 2018' should have been included after the word 2nd, last sentence of the first bullet.

In addition, the Director reported that a new 5-year lease on Springfield House will be entered into with Cheshire East Council.

RESOLVED

That approval be given to the Resources Sub-Committee and Working Group overseeing the matters highlighted in the report and that a report be made to the next meeting of the Executive Sub-Committee.

22 AUDIT COMMISSION SMALL BODIES ANNUAL RETURN FOR THE YEAR ENDING 31 MARCH 2017

The Committee was asked to consider the findings of the external auditors for 2016/17 and to seek approval of the review of the Scheme of Financial Delegation first approved at the meeting in October 2015.

At its meeting on 11 July 2016 the Joint Committee had approved the draft annual return for 2016/17 and also the appointment of BDO LLP to audit its annual returns for the period 2015/16 to 2017/18 and this was now attached as an appendix to the report. No issues were arising from the audit save for a variation of £1.

The Director informed Members that the conclusion of the process had seen a favourable audit.

RESOLVED

1. That the findings of the external auditor for 2016/17, as shown in Appendix 1 of the report, be noted.
2. That approval be given to the PATROL and Bus Lane Adjudication Service Local Scheme of Financial Delegation, as set out in Appendix 2 of the report.

23 BUDGET MONITORING AND REVIEW OF THE BASIS FOR DEFRAYING EXPENSES 2017/18

Consideration was given to this report on the basis for defraying expenses during 2017/18. Details were given of the General Reserve, Property Reserve and the Technology Reserve along with a summary of the overall position at 31 August 2017.

The Director reported that the budget for the year 2017/18 had been approved at the meeting of the Executive Sub-Committee at its meeting on 31 January 2017 and the report now presented the expenditure position at 31 August 2017. The Tribunal operated on a self-financing basis and details were given of its income, expenditure and reserves.

Five months into the financial year and PATROL had produced a surplus with part of the surplus being ring-fenced to Highways England.

RESOLVED

1. That the income, expenditure and reserves at 31 August 2017 be noted.
2. That the options for defraying expenses as set out in section 12 of the report be noted and that option (iii) i.e. to reduce the

contribution to 35 pence per PCN backdated to 1 April 2017 be adopted.

24 **RISK REGISTER**

Members were asked to consider the latest review of the risk register which had been reviewed in accordance with the risk Management Strategy, and the further actions to be taken as set out in the appendix.

Particular reference was made to IT needs. New data protections regulations were due in 2018, however the systems and documentation would be reviewed to make sure data processes were reflecting the new regulations. A further update would be provided in January 2018.

RESOLVED

1. That the risk register be noted.
2. That it be noted that a review of Risk Management was being undertaken and the presentation of the risk register would change with effect from January 2018.

25 **GENERAL PROGRESS AND SERVICE STANDARDS**

Members gave consideration to a report summarising the Traffic Penalty Tribunal appeals activity for the six-month period to 30 September 2017.

RESOLVED

1. That the six-month summary of appeals be noted.
2. That the progress on other tribunal initiatives be noted.

The meeting commenced at 12.30 pm and concluded at 12.38 pm

Councillor T Page

PATROL AND BUS LANE ADJUDICATION SERVICE JOINT COMMITTEES

Executive Sub Committees

Date of Meeting:	30 th January 2018
Report of:	The Director on behalf of the PATROL and BLASJC Resources Working Group.
Subject/Title:	Report of the PATROL and BLASJC Resources Working Group meeting held 9 th January 2018.

1.0 Report Summary

- 1.1 To report on the PATROL and BLASJC Resources Working Group meeting held 9th January 2018.

2.0 Recommendations

- 2.1 To note the matters discussed at the meeting held 9th January 2018.
- 2.2 To approve the Resources Sub Committee and Working Group overseeing matters highlighted in the report and reporting back to the next meeting of the Executive Sub Committees.

3.0 Reasons for Recommendations

- 3.1 To update the Joint Committees' Executive Sub Committees

4.0 Financial Implications

- 4.1 The Resources Working Group considered financial issues reported to this meeting.

5.0 Legal Implications

- 5.1 None

6.0 Risk Management

- 6.1 The Resources Working Group considered the risk management report presented to this meeting.

7.0 Background and Options

- 7.1 The July 2017 meetings of the Joint Committees resolved that the Resources Sub Committee and Working Group would oversee a number of initiatives with resource and public affairs implications on their behalf.
- 7.2 The last meeting took place on 9th January 2018, was chaired by Councillor Macrae and considered the following items:

a) Mersey Gateway Bridge Crossings

Noted that appeals had been received in respect of Road User Charging penalties issued at the Mersey Bridge Crossing.

b) New areas of adjudication for the Traffic Penalty Tribunal

Noted the following planned new areas of enforcement and appeals:

i) Clean Air Zones

One of the five original clean air zones identified by the government, Leeds City Council has published its proposals which includes charges for HGVs, buses, taxis and private hire vehicles but not for private vehicles. There will be a consultation paper in the new year. The proposed charges are £100 for buses/coaches, £100 for HGVs and £12.50 for taxis and private hire. Following the consultation, the proposals will require government approval. Leeds is one of the original five councils identified by the Government to introduce measures to combat roadside nitrogen dioxide, the others are Birmingham, Nottingham, Derby and Southampton.

As reported to the Joint Committee in July 2017, a further twenty-two local authorities outside London were identified as having roadside nitrogen dioxide exceedances (in some cases relating to a single stretch of road) in the government's UK plan for tackling roadside nitrogen dioxide published in July 2017. These councils are expected to submit action plans to the Government, not necessarily involving clean air zones, by March 2018. Amongst these, Sheffield City Council's new clean air strategy has ruled out charges for cars, taxis and private hire vehicles. Should finalised proposals include charging schemes, independent adjudication will be provided by the Traffic Penalty Tribunal. Discussions are being held with DEFRA in relation to local authority Clean Air Zones introduced with powers deriving from the Transport Act 2000

ii) Littering from Vehicles

Following a public consultation as part of the launch of England's first ever Litter Strategy in April 2017, the Government is planning to introduce new powers for local authorities to issue penalties in relation

to littering from vehicles in 2018, subject to parliamentary progress of the draft regulations “Environmental Protection, England. The Littering from Vehicles Outside London (Keepers: Civil Penalties) Regulations 2017”. The Government has said that councils should take into account local circumstances, such as local ability to pay, when setting the level for these fines. Government guidance will be issued to ensure the new powers are used in a fair and proportionate way by local authorities. At the time of the consultation, around 20 authorities outside London indicated that they may utilise these new powers. Discussions are being held with DEFRA in relation to this new area of enforcement and appeals. The Traffic Penalty Tribunal will hear appeals arising from penalties issued by local authorities in this respect.

c) Public Affairs

- (i) Noted the coverage in “Parking Review” of PATROL and the Traffic Penalty Tribunal’s involvement as event partners at Parking World 2018.
- (ii) Noted the new PATROL website and its continued development including the introduction of public information items/videos and that the next issue of the PATROL newsletter would be issued mid-January.
- (iii) Noted that following the recent government reshuffle, steps would be made to finalise the arrangements for the PATROL Annual Report Awards Reception in the Terrace Pavilion at the House of Commons on 10th July 2018. The deadline for annual report submissions is 31st January 2018.
- (iv) Noted the response to the section on unauthorised pavement parking in the Department for Transport’s Draft Transport Accessibility Action Plan – A Transport System that is open to everyone (Appendix 1). The government intends to issue a consultation on the traffic regulation order making process and PATROL will draw this to the attention of member authorities as well as preparing its own response.
- (v) Noted the impact on one local authority of the current process for handling witness statements and that information about the wider impact is being sought.
- (vi) Noted the planned collection of evidence amongst member authorities in respect of the impact of not having the remaining powers of Part 6 of the Traffic Management Act 2004
- (vii) Received an update on the Private Member’s Bill – Parking (Code of Practice) Bill sponsored by Sir Greg Knight which aims to make provision for a single code of practice containing guidance about the operation and management of private parking facilities. The bill which

has cross-party support was presented to Parliament on 19th July 2017 is expected to have its second reading on 2nd February 2018.

- (viii) Noted the consultation “Remote parking and motorway assist: proposals for amending regulations and the Highway Code” and that the matter would be raised with member authorities and a response submitted.
- (ix) Noted the report from The Money Advice Trust “Mapping local authority debt collection practices in England and Wales” which makes a number of recommendations in respect of improving debt collection practices and that this would be circulated for information to local authority officers and members.

d) FOAM (Fast Online Appeals Management)

Noted the progress of FOAM (Fast Online Appeal Management) development with the introduction of new functionality to manage witness statements which is now available to all authorities. The Traffic Penalty Tribunal continues to receive interest from other tribunals who are seeking to move to an online service.

e) Finance Matters

- (i) Noted the satisfactory outcome of the interim Internal Audit visit in December 2017. A report will be presented to the Executive Sub Committee.
- (ii) Noted procurement falling outside the Joint Committees’ Financial Regulations
- (iii) Reviewed the financial papers being presented to the Committees’ Executive Sub Committees on 30th January 2018
- (iv) Reviewed the risk report being presented to the Joint Committee’s Executive Sub Committees.

f) Governance

Noted progress with the review of the PATROL and BLASJC Agreements and that the Director is working with the Host Authority Cheshire East Council (CEC) to finalise the second five-year agreement (2018 – 2023) with CEC entering into a new coterminous lease for the offices in Wilmslow.

7.3 It is proposed that the Resources Working Group and Sub Committee oversee the above matters and report back to the July 2018 meetings of the Joint Committees.

8.0 Recommendation

8.1 To note the matters discussed at the meeting held 9th January 2018.

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

9.0 Access to Information

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

Name: Louise Hutchinson

Designation: Director

Tel No: 01625 445566

Email: lhutchinson@patrol-uk.info

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Appendix 1

Response to Department for Transport Accessibility Action Plan

1. Introduction

The PATROL (Parking and Traffic Regulations Outside London) Joint Committee comprises over 300 local authorities in England (outside London) and Wales. The principal function of the Joint Committee is to make provision for independent adjudication in respect of parking penalty charge notices issued by local authorities. This is delivered through the Traffic Penalty Tribunal which comprises 30 adjudicators and their support staff.

The statutory function of the Adjudicators of the Traffic Penalty Tribunal is to hear and decide appeals brought against Penalty Charge Notices (PCNs) issued by authorities in England (outside London) and Wales that operate civil parking, bus lane and moving traffic enforcement under the Traffic Management Act 2004 and Transport Act 2000. Adjudicators also consider appeals against PCNs issued for failing to pay a charge at the Dartford-Thurrock River Crossing (where the enforcement authority is the Secretary of State for Transport), the Durham Peninsular and the Mersey Gateway Bridge Crossings under the Transport Act 2000.

In addition, the Joint Committee recognises the importance of public information to promote understanding of the civil parking enforcement. To this end it has produced a leaflet and web site explaining the enforcement process www.patrol-uk.info

PATROL also represents its member authorities on traffic management issues of mutual interest and promotes best practice in public information to increase understanding of traffic management objectives.

On behalf of its member local authorities PATROL welcomes the opportunity to respond to the Department for Transport's Accessibility Action Plan, specifically on the question on pavement parking (Action 39).

Summary of Responses

- Greater London's ban on footway parking which has been in operation since 1974 operates on the assumption that pavement parking is banned everywhere and that exceptions, where pavement parking is permitted, are signed.
- Outside London pavement parking causes significant problems for local authorities and their communities in terms of accessibility and additional maintenance costs.
- Feedback from a survey of authorities at the time of the Pavement Parking Bill going through Parliament in 2015 indicated that a quarter of the 130 respondents were enforcing pavement parking, 42% would consider enforcing with new powers, with 53% waiting to see the detail of the powers before deciding. Authorities were enforcing through single/double line restrictions, traffic regulation orders and pavement/verge parking bans. 40% of authorities had experienced problems enforcing parking in this way.
- Community requests for action in respect of pavement parking in one authority, Devon County Council, following the introduction of a reporting function in August 2015 resulted in 2000 reports being received identifying issues in over 120 communities in Devon. The County Council has introduced educational leaflets in areas where enforcement isn't possible.

https://www.patrol-uk.info/annual_reports/Devon%20County%20Council/Devon-County-CouncilParking-Enforcement-Report-2015-16-4.pdf

- PATROL welcomes the government's intention to review the Traffic Regulation Order making process. It is the overwhelming view of the PATROL member authorities that the current regulatory process for changing traffic orders, set out in the Local Authority Traffic Orders (Procedure)(England and Wales) Regulations 1996, is subject to a prescribed, long drawn-out and expensive process. This in itself is a barrier to an authority being responsive to the expressed needs of the community.
- PATROL is willing to assist in any review of the Traffic Regulation Order making process. The Traffic Penalty Tribunal hosts an online resource of 19,000 local authority traffic regulation orders.
- In addition to reviewing the traffic regulation order procedure, an immediate solution has been highlighted by Caroline Sheppard OBE, Chief Adjudicator for England and Wales i.e. to add "obstruction" as a contravention subject to civil enforcement. An outline proposal is included in this response and further detail can be provided. PATROL is prepared to coordinate public information across all its

authorities and to commission, for example, a public information video for YouTube together with social media awareness campaign of the new contravention.

2. Current position for Local Authorities (outside London) attempting to effectively tackle pavement parking

The view of our local authority members is that vehicles parked on pavements cause significant problems and potential danger to people who are blind or partially sighted, and to wheelchair users, children in prams and pushchairs among others. Many of our local authority members in England and Wales receive frequent representations from disabled groups and others asking them to tackle pavement parking in their area. Indeed, members of the public often incorrectly assume that councils already have powers to issue Penalty Charge Notices to any vehicle parked on the pavement, in line with the Greater London ban on footway parking (1974). This is often based on the Highway Code requirement that driver 'shall not park on the pavement' which although not a legal requirement outside London conveys the importance of only parking on the road or carriageway.

Due to the drafting of some regulations, they only apply to the carriageway or road. This includes pedestrian crossings and dropped kerbs, where pavements are not protected as a matter of course. Councils outside London can ban pavement parking in a specific area by advertising a Traffic Regulation Order and considering any objections. If minded to implement a ban, they must sign the boundaries and include repeater signs within the area, in line with the Traffic Signs and General Directions (TSRGD) requirements. The process itself is resource intensive and expensive, often costing several hundred pounds in signage costs alone, just to ban parking in one street. The process also adds to street clutter and obstacles for the visually impaired. In practice, following implementation of a pavement parking ban the problem can result in displacement of pavement parking to surrounding streets not covered by the ban.

It is noted that the Transport Select Committee in 2006 said "The Government must grip the problem of pavement parking once and for all and ensure that it is outlawed throughout the country... rather than relying on the use of individual Traffic Regulation Orders on specific streets and local Acts to impose a ban."



3. Scale of the problem in England and Wales outside London

Devon County Council has sought to identify the scale of the pavement parking problem within the County. A reporting mechanism has been provided to the public to identify where they are affected by pavement parking. Where instances of pavement parking occur adjacent to existing waiting restrictions or dropped crossing points, enforcement can be provided utilising traditional Civil Parking Enforcement powers. Elsewhere either educational leaflets, consideration of restrictions, or, no further action would need to be considered.

However, the vast majority of instances are at locations without existing restrictions. Since launching the reporting function in August 2015, over 2000 reports have been received identifying issues in over 120 communities within Devon, in many cases having multiple locations identified as of concern in each community. The public perception is that pavement parking is a significant issue.



Feedback from our local authority members on the issue of pavement parking

It is clear that pavement parking is a significant issue for our members who are also conscious of their duties under the Equalities Act 2010. In response to this and the Pavement Parking Bill going through parliament in 2015, PATROL conducted a survey of our local authority members in England and Wales (outside London) on the subject of pavement parking. Over 130 responses were received from our local authority members before the Pavement Parking Bill was withdrawn;

Q. Does your Local Authority enforce pavement parking?

Yes 24% No 76%

Q. Are you aware of the Pavement Parking Bill 2014/15 currently going through Parliament?

Yes 74% No 26%

Q. Would you consider enforcing pavement parking if this Bill becomes legislation?

Yes 42% No 5% I would need more information 53%

Q. How do you currently enforce pavement parking?

A range of answers were provided mainly;

Through the use of single /double yellow line restrictions.

Through the use of Traffic Regulation Orders and a pavement /verge parking ban.

Q. Have you encountered any problems enforcing pavement parking in this way?

Yes 40% No 60%

If yes, please explain

Comments here ranged from concerns about the cost of signage and repeater signs within a pavement parking ban area. Concerns about not being able to enforce pavement parking on single yellow lines after restrictions ended. Suggestions that the Highway Code could be clearer that yellow line restriction apply up to the building line and not just the road.

Concerns about enforcement officers determining the boundaries of public / private land.

Q. Are you aware of the Pavement Parking Bill 2014/15 currently going through Parliament?

Yes 85% No 15%

Q. If this Bill became legislation, would it change the way you enforced pavement parking?

Yes 29% No 0% I would need more information 71%

Q. Would it be costly for you to remove any existing pavement parking scheme you have in place?

Yes 10% No 90%

It is clear from the number of responses and interest in the Pavement Parking Bill before it was withdrawn that councils are very keen to tackle the issue of pavement parking, but in a cost effective manner.



4. Area wide pavement parking bans, Traffic Regulation Orders and Signage

Greater London's ban on footway parking which has been in operation since 1974 operates on the assumption that pavement parking is banned everywhere and that exceptions, where pavement parking is permitted are signed. Outside London there are also many areas, such as Controlled Parking Zones where councils need a cost effective solution to ban pavement parking without the need for expensive signage, other than to indicate where pavement parking is actually permitted. This would require changes to the TSRGD signage requirements and Traffic Regulation Order making process.

This is not to say that PATROL local authorities are in favour of removing a traffic order making process altogether; simply that the need to modernise the process prescribed by the 1996 Regulations is long overdue. It is the overwhelming view of the PATROL local authorities that the current regulatory process for changing traffic orders, set out in the Local Authority Traffic Orders (Procedure) (England and Wales) Regulations 1996, is subject to a prescribed, long drawn-out and expensive process. This in itself is a barrier to an authority being responsive to the expressed needs of the community. In particular, the requirement to advertise in local newspapers, which can cost around £1,000 for an advert, is outmoded and is positively contrary to the digital by default government agenda. Any review of the traffic order making process, also needs to take into account the introduction of autonomous vehicles and how traffic order information can be 'understood' by these vehicles in terms of where they can and cannot park.

Whilst any streamlining of Traffic Order processes is welcomed, we do not believe this alone is a sufficient or appropriate response to the issue of pavement parking experienced across all Authorities.

To process Traffic Orders for each community, regardless of any streamlining, remains unsustainable. Moreover, the need to sign any location that is subject to such a Traffic Order is an even greater concern both in terms of cost (implementation, and ongoing maintenance), and the intrusion on the streetscape

5. Pavement maintenance costs

For local councils, safe well maintained pavements are important for the young and old, disabled and non-disabled. The Department for Transport's highways maintenance block will provide £3.8 billion of funding between 2016-17 and 2020-21. This funding is shared between local highway authorities in England (outside London). Currently, this funding is distributed using a formula that takes into account the length of different types of road, and can be used for the upkeep and maintenance of pavements.

The decriminalisation of the offence of obstruction would help councils protect their footways from damaging pavement parking. Indirect costs include costly claims for trips and falls resulting from damaged pavements. Broken paving stones are of course particularly hazardous to the visually impaired.



6. Police powers to tackle the offence of obstruction

Whilst it is illegal to drive on the pavement and illegal to obstruct a pavement, it is clearly not a police priority. Where it is at its most acute, is essentially tolerated which results in a growing problem for many of our local authority members. A

police officer would need to have witnessed the vehicle driving on the pavement for action to be taken, which is unlikely. Whilst the police have powers to remove

vehicles under the offence of obstruction, local authorities can only do so if the vehicle is parked in contravention, which is often not the case. The decriminalisation of the offence of obstruction would also free up police time to deal with more serious police matters. It could result in savings on pavement maintenance for councils and a safer built environment for the visually impaired.

7. Definition of obstruction

The Department for Transport [Inclusive Mobility guidance](#) suggests – “a clear width of 2000 mm allows two wheelchairs to pass one another comfortably. This should be regarded as the minimum under normal guidance. Where this is not possible because of physical constraints – 1500 mm could be regarded as the minimum acceptable under most circumstances, giving sufficient space for a wheelchair user and a walker to pass one another. A blind person using a long cane or with an assistance dog needs 1100 mm. A visually impaired person who is being guided needs a width of 1200 mm”.

8. Obstruction as a contravention subject to civil enforcement.

The Traffic Penalty Tribunal’s Chief Adjudicator Caroline Sheppard OBE and Marc Samways (Hampshire County Council and Chair of the PATROL Advisory Board) attended the Pavement Parking Round table convened by Andrew Jones. The Chief Adjudicator points to an additional immediate solution that is to add obstruction to the list of contraventions for which civil enforcement applies contained in Part 1 of Schedule 7 of the Traffic Management Act 2004. Paragraph 5(1) provides:

Power to add further offences

5(1) The appropriate national authority may by regulations amend paragraph 3 or 4 so as to add further offences (but only in so far as they relate to stationary vehicles).

Therefore, the additional contravention of obstruction (Code 99 on the police codes) could be added by a simple order.

Local authority civil enforcement teams have more than enough experience to make a judgement as to what constitutes obstruction. Guidance should be provided as to what constitutes a typical obstruction contravention. With developments in technology if a civil enforcement officer is in any doubt about whether a vehicle is

obstructing the highway then photographs can instantly be sent to superiors for confirmation.

There would also need to be public information that this new power had been given to local authorities together with illustrations of the type of parking that would attract a penalty for obstruction.

PATROL is prepared to coordinate public information across all its authorities and to commission, for example, a public information video for YouTube together with social media awareness campaign of the new contravention.

9. Arrangements prior to the introduction of any area wide pavement parking ban or the decriminalisation of the offence of obstruction

Any decriminalisation of the offence of obstruction or introduction of an area wide pavement parking ban should be accompanied with updated Statutory Guidance to Local Authorities on the correct application of the contravention. We would suggest that this also includes local publicity in advance of any changes to local regulations. The use of warning notices would also be an important part of implementing any wide scale local changes to the enforcement of pavement parking. Prior to the introduction of any area wide parking ban councils could also consider:

- Evidence-based feasibility studies and options appraisal
- Evidence of local consultation with stakeholders
- Where pavement parking bans are proposed, evidence of steps to be taken to provide adequate warning through signage (both signs and location) and commitment to fairness in handling representations e.g. warning letters on first contravention etc.
- Evidence-based objectives taking into account local measures and robust monitoring arrangements
- Consideration to be given to the potential displacement of pavement parking to other areas

10. Contact Details

It is clear that pavement parking is a major issue for most local authorities, their residents and disabled groups. PATROL welcomes the government's consultation on this issue and would be willing to provide more details on the points raised in this response. PATROL would be willing to assist the Government in the steps it takes to respond to this consultation.

Louise Hutchinson

Director

PATROL

lhutchinson@patrol-uk.info

www.patrol-uk.info

Direct Line: 01625 445566

BUS LANE ADJUDICATION SERVICE JOINT COMMITTEE

Executive Sub Committee

Date of Meeting:	30 th January 2018
Report of:	The Director on behalf the Resources Working Group and Sub Committee
Subject/Title:	Budget monitoring at 30 th November 2017

1.0 Report Summary

- 1.1 To present income and expenditure monitoring information for the year to 30th November 2017.

2.0 Recommendation

- 2.1 To note the income and expenditure position at 30th November 2017.

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 The budget for 2017/18 was approved at the meeting of the Executive Sub Committee held 31st January 2017.
- 7.2 This report provides the Committee with the expenditure position at 30th November 2017.

- 7.3 The Tribunal operates on a self-financing basis with income obtained from defraying expenses amongst the Joint Committee member authorities. The Joint Committee's income is derived from a pre-estimate of the number of penalty charge notices (PCNs) each council will issue. Corrections are applied at the six and twelve month points once the actual number of PCNs issued is known.
- 7.4 This report provides the Joint Committee with the income and expenditure position at 30th November 2017. (Appendix 1).
- 7.5 As at 30th November 2017 bus lane income was lower than forecast by £2,720 This reflects the reduced charging which took effect from 1st April 2017.
- 7.6 Pro-rata appeal costs which form the basis of the recharge have been lower than anticipated with a favourable variance of £36,053.
- 7.7 The overall effect at 30th November 2017 is a surplus of £24,673 against a budgeted deficit of £8,660.

8.0 Recommendations

- 8.1 To note the income and expenditure position at 31st October 2017.

9.0 Access to Information

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

Name: Louise Hutchinson

Designation: Director

Tel No: 01625 445566

Email: lhutchinson@patrol-uk.info

BUS LANE Outturn to 30/11/2017

	Year to Date			
	30/11/2017	30/11/2017	30/11/2017	30/11/2017
	Actual	Budget	Var to Budget	Var to Budget
Income				
Bus Lane Income	317,280	320,000	-2,720	-0.85%
Total Income	317,280	320,000	-2,720	-0.85%
Expenditure:				
Supplies and Services Recharge	292,607	328,660	36,053	10.97%
Total Expenditure	292,607	328,660	36,053	10.97%
Surplus / (Deficit)	24,673	-8,660	33,333	384.91%

Full Year			
2017/18	2017/18	2017/18	2016/17
Forecast Outturn	Full Year Budget	Var to Budget	Prior Year Result
448,686	480,000	-31,314	527,744
448,686	480,000	-31,314	527,744
515,219	492,990	-22,229	420,182
515,219	492,990	-22,229	420,182
-66,533	-12,990	-53,543	107,562

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PATROL AND BUS LANE ADJUDICATION SERVICE JOINT COMMITTEES

Executive Sub Committees

Date of Meeting: 30th January 2018
Report of: The Director
Subject/Title: Internal Audit Follow-Up Review of Actions

1.0 Report Summary

- 1.1 This report presents the Internal Audit Report in relation to their audit visit in December 2017 to undertake a review of actions raised in their report of the audit for the year 2016/17.

2.0 Recommendations

- 2.1 That the Joint Committee notes the findings of Internal Audit Report in respect of their follow-up review. (Appendix 1)

3.0 Reasons for Recommendations

- 3.1 To provide assurance in respect of financial controls in place.

4.0 Financial Implications

- 4.1 As outlined in the report

5.0 Legal Implications

- 5.1 None

6.0 Risk Management

- 6.1 Internal audit supports the Joint Committee's Risk Management Strategy.

7.0 Background and Options

- 7.1 In May 2017 Internal Audit carried out the annual audit for 2016/17 and subsequently issued a report detailing the findings, recommended actions and the assurance opinion. The opinion awarded was "Limited Assurance" due to a significant number of the actions raised relating to non-compliance with established controls in its processes and procedures. The report also referred to resource issues following a series of staffing changes. The finance team is now fully staffed.

- 7.2 As a result of the “Limited Assurance” opinion being given, it was agreed by the Director of PATROL and Internal Audit that a follow-up review of the actions raised would be carried out later in 2017 to provide assurance to the Joint Committee that the identified weaknesses have been addressed.
- 7.3 The follow up review took place at PATROL on 14th December 2017. Sample testing was undertaken on transactions completed in 2017/18 and appropriate evidence was obtained to provide assurance that all actions raised have been addressed.
- 7.4 The enclosed Internal Audit report concludes that the actions arising from the PATROL 2016/17 audit have been successfully implemented and points to the need to ensure that controls are consistently applied throughout the remainder of 2017/18.

8.0 Access to Information

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

Name: Louise Hutchinson

Designation: Director

Tel No: 01625 445566

Email: lhutchinson@patrol-uk.info

Internal Audit

**PATROL (Parking and Traffic Regulations
Outside London) 2016/17 Follow Up**

Report Status: Final

Report Date: 17th January 2018

Prepared by: Lucy Nelson

Distribution List:

Louise Hutchinson – PATROL, Director

Erica Maslen – Central Services Manager

1 Introduction and background

- 1.1 Cheshire East Council was appointed as the Host Authority to the PATROL Adjudication Joint Committee and Bus Lane Adjudication Joint Committee on 1st January 2013. As part of this role, the Council has delivered the Body's Internal Audit service.
- 1.2 In May 2017 Internal Audit carried out the annual audit and subsequently issued a report detailing the findings, recommended actions and the assurance opinion. The opinion awarded was "Limited Assurance" due to a significant number of the actions raised relating to non-compliance with the controls the Body established in its processes and procedures.
- 1.3 As a result of the "Limited Assurance" opinion being given, it was agreed by the Director of PATROL and Internal Audit that a follow-up review of the actions raised would be carried out later in 2017 to provide assurance to the Joint Committee that the identified weaknesses have been addressed.

2 Objectives, scope & methodology

- 2.1 The original 2016/17 audit report included 8 recommended actions which the Body agreed to implement in order to improve the control environment.
- 2.2 In addition to the 8 actions raised in the 2016/17 audit report, 3 findings and associated recommended actions deemed to be "low" priority were informally reported to the Body.

- 2.3 The follow up review took place at PATROL on 14th December 2017. Sample testing was undertaken on transactions completed in 2017/18 and appropriate evidence was obtained to provide assurance that all actions raised have been addressed.

3 Key Findings

- 3.1 The main findings of the follow-up can be found at **Appendix A** with the "low" priority findings shown at **Appendix B**.
- 3.2 Sample testing has confirmed that the actions raised in the 2016/17 PATROL audit have been successfully implemented.

4 Audit Conclusion and Opinion

- 4.1 The follow up and associated testing has concluded that the actions arising from the PATROL 2016/17 audit have been successfully implemented. However, the Body must ensure that controls are consistently applied throughout the remainder of 2017/18.

Appendix A – 2016/17 PATROL Audit Findings, Recommended Actions & Follow Up

B: The body's financial regulations have been met, payments were supported by invoices, expenditure was approved and VAT appropriately accounted for		
Finding	Implication	Recommended Action
<p>Budget holders are responsible for managing contracts in their area of responsibility and sample testing confirmed that the Body reviewed a number of their service contracts during 2016/17. In addition, the Director reports exceptions to the Financial Regulations each year at the Annual Joint Committee meeting and quarterly to the Resources Working Group.</p> <p>However, the Body does not maintain a central record of their contracts.</p>	<p>Purchasing arrangements adopted may not provide value for money or prevent waste and fraud. Failure to have a contracts register could inhibit effective timing of re-procurements.</p>	<p>A contracts register should be developed listing all current contracts, values and expiry dates.</p>
1	Management Response	
<p>Agreed: Yes Responsibility: The Finance and Central Services Manager Target Date: July 2017</p> <p>The introduction of a centralised contract register will enhance the existing controls.</p>		
December 2017 Follow-up		
<p>A contracts register has been developed in line with the recommended action, evidence provided to Internal Audit.</p> <p>Action Implemented.</p>		

C. The body assessed the significant risks to achieving its objectives and reviewed the adequacy of arrangements to manage this		
Finding	Implication	Recommended Action
<p>The Risk Management Strategy sets out the following responsibilities;</p> <ul style="list-style-type: none"> • The Joint Committee is responsible for responding to the training requirements of Members and Officers • The Risk Management Group is responsible for responding to training needs on risk awareness and management <p>The Leadership Team was not fully in place until January 2016, and as such Risk Management training is yet to be addressed.</p>	<p>The Body may fail to comprehensively assess the significant risks to achieving its objectives, and may also be unable to effectively review the adequacy of the relevant risk management arrangements.</p>	<p>The Body should assess the risk management training requirements of both the Risk Management Group and staff. Once the requirements are established, appropriate training should be delivered.</p>
2		

Appendix A – 2016/17 PATROL Audit Findings, Recommended Actions & Follow Up

<p>Management Response</p> <p>Agreed: Yes Responsibility: Director Target Date: December 2017</p> <p>An assessment of training need and delivery of training will be undertaken.</p>
<p>December 2017 Follow-up</p> <p>Meetings held with Joanne Butler (CE – Business Governance and Risk Manager) and workshop completed.</p> <p>Agenda for the 11th July 2017 shows Risk Strategy.</p> <p>Risk Strategy was presented to the Joint Committee Resources Working Group advisory Board 12th Dec 2017, and will be presented to the next Resources Committee & Joint Committee in January 2018.</p> <p>Action implemented.</p>

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

Finding	Implication	Recommended Action
<p>3</p> <p>Budget holders are required to review their expenditure each month and provide the Finance Officer with confirmation that they have done so. The budget monitoring reports were reviewed as part of the audit, which highlighted the following:</p> <ul style="list-style-type: none"> • April – Jun 2016 were reviewed by budget holders in August; • Aug – Oct 2016 were reviewed by budget holders in November; • The budgets held by the Director were not reviewed in Jan 2017. <p><i>(This issue was raised in the 2014/15 and 2015/16 audits).</i></p>	<p>Budget monitoring procedures could be ineffective and may result in incorrect accounting records.</p>	<p>Finance should ensure all budget holders are provided with their monthly expenditure promptly after each period end, in order for monthly monitoring to be completed.</p> <p>In addition, budget holders should ensure they review the expenditure promptly and return the documentation to the Finance Officer at the earliest opportunity.</p>
<p>Management Response</p>		

Appendix A – 2016/17 PATROL Audit Findings, Recommended Actions & Follow Up

<p>Agreed: Yes Responsibility: The Finance and Central Services Manager Target Date: Immediate</p>
<p>As noted in 4.3 of the introduction to this report, finance staff turnover, recruitment and training caused delays in the first part of 2016/17.</p>
<p>December 2017 Follow-up</p>
<p>Sample testing of monthly budget monitoring reports between April 2017 and September 2017 was carried out which confirmed monthly budget monitoring is carried out within a month of the period end.</p> <p>The October 2017 budget monitoring was delayed and due to be carried out in December as a result of changing responsibilities which resulted in a delay with signing off with the relevant budget holders.</p> <p>Action implemented.</p>

<p>G: Salaries to employees and allowances to members were paid in accordance with body approvals, and PAYE and NI requirements were properly applied</p>		
Finding	Implication	Recommended Action
<p>4</p> <p>A sample of 6 adjudicator fee claims were selected and checked. The following issues were highlighted:</p> <ul style="list-style-type: none"> • One adjudicator is submitting their monthly fee claims in relation to hearings held 5 – 6 months previously; • A claim submitted for travel without a receipt totalling £33.50 was processed; • 2 instances were noted where the officer checking the form did not evidence the checks carried out. <p><i>(This issue was raised in the 2015/16 audit).</i></p>	<p>Payroll payments may not be made in accordance with levels of delegated authority and processed without regard to established procedures, which could lead to possible fraud or error.</p>	<p>The Body should revise the “Adjudicators Fee Claim Guidelines” to state that claims for expenses may not be certified if they are not submitted in a timely fashion (to be determined by the Body), and the circumstances under which exceptions will be accepted.</p> <p>The Body also needs to ensure expenses are processed within the relevant accounting year.</p> <p>Expense claims that are not supported by a valid receipt should not be processed (as per the Adjudicators Fee Claim Guidelines).</p> <p>Finance staff should ensure all claims are supported by valid receipts prior to processing for payment. Furthermore, the officer checking the</p>

Appendix A – 2016/17 PATROL Audit Findings, Recommended Actions & Follow Up

		validity of the claims should sign and date the claims as evidence.
Management Response		
<p>Agreed: Yes Responsibility: Finance and Central Services Manager Target Date: July 2017</p> <p>Adjudicator fee guidelines and associated finance procedures will be updated.</p>		
December 2017 Follow-up		
<p>The “Adjudicators Fee Claim Guidelines” have been revised for 2017/18. A sample of 6 adjudicator fee claims were reviewed, they were found to be submitted for payment in a timely manner, supported by valid receipts and all evidenced as checked by Finance.</p> <p>Action implemented.</p>		

G: Salaries to employees and allowances to members were paid in accordance with body approvals, and PAYE and NI requirements were properly applied		
Finding	Implication	Recommended Action
<p>5 A sample of 7 staff expenses was selected and reviewed. One instance was identified whereby a member of staff had purchased a gift for another officer. The purchase of the gift had been approved in advance by the Director in accordance with the Guide to Staff Out of Pocket Expenses 2016/17 ‘expenditure falling outside the specified guidelines’.</p> <p>However, the expenditure is not considered a staff expense and should have been procured using an alternative method.</p>	<p>Payroll payments may not be made in accordance with levels of delegated authority and processed without regard to established procedures, which could lead to possible fraud or error.</p>	<p>Care should be taken to ensure items of expenditure are procured using the most appropriate method and in accordance with the appropriate policies.</p>
Management Response		
<p>Agreed: Yes, in part Responsibility: The Finance and Central Services Manager Target Date: July 2017</p> <p>The requirements of the existing controls had been followed in this case. Additional controls have been introduced i.e. the Expenses Policy has been amended</p>		

Appendix A – 2016/17 PATROL Audit Findings, Recommended Actions & Follow Up

	so that requests for exceptions which are referred in advance for approval to the Director indicate why a purchase card cannot be used.
December 2017 Follow-up	
6 staff expenses reviewed with no issues raised.	
Action implemented.	

H: Asset and investment registers were complete and accurate and properly maintained		
Finding	Implication	Recommended Action
<p>6</p> <p>An independent check on a sample of the assets listed on the IT asset register was undertaken in April 2017 in response to a recommendation made in the 2014/15 audit. However, sample testing highlighted the following issues:</p> <ul style="list-style-type: none"> • A large LG TV located in the meeting room was not listed on the asset register; • 2 iPhone 5 devices (which had not been assigned to their new users) were not included on the IT Asset register. <p><i>(Issues relating to the Asset Register were raised in the 2014/15 and 2015/16 audits).</i></p>	<p>Assets may not be adequately recorded and safeguarded.</p> <p>Failure to review the asset register on a timely and frequent basis means the Body is unable to validate the accuracy of the register and as such, the Body may not be aware of losses or damages which have been incurred.</p>	<p>As a minimum, an annual check of all assets listed on the both the IT Asset and Asset registers should be undertaken and documented as such by an officer independent of the day to day maintenance of the registers. The checks should also ensure that the assets held in the office(s) have been correctly included in the registers (2 way check).</p> <p>Furthermore, the Body should ensure new assets are added to the appropriate register at the earliest opportunity.</p>
Management Response		
<p>Agreed: Yes Responsibility: Finance and Central Services Manager Target Date: A check of ALL assets to be taken by July 17. All new assets recorded at earliest opportunity with immediate effect.</p> <p>A check of all remote working assets held by adjudicators was performed. A sample of other IT assets was undertaken. Clarification was sought from Internal Audit in April 2017 to establish whether the sampling element of the asset audit was sufficient. We were advised that it was. A full audit will now be undertaken each year.</p>		
December 2017 Follow-up		
A review of the IT asset register confirmed an independent check has been completed of all IT assets listed and there was evidence of new assets added.		

Appendix A – 2016/17 PATROL Audit Findings, Recommended Actions & Follow Up

	The equipment register (a small register of items with a value above £1,000) also shows evidence of new item listed (Defibrillator).
	Action implemented.

I: Periodic and year-end bank account reconciliations were properly carried out			
	Finding	Implication	Recommended Action
7	<p>Delays were noted in the bank reconciliation of parking income. Reconciliations for April 2016, May 2016 and June 2016 were all carried out on 25th July 2016.</p> <p>The Financial Regulations 2016/17 state:</p> <p><i>'Bank reconciliation will be undertaken on a monthly basis (within 30 days) and signed by two members of staff in accordance with the Bank Reconciliation Procedure with one signature being that of the Finance Manager.'</i></p>	Banking processes adopted do not ensure accounting records and underlying accounts are accurate and do not prevent fraud or error.	Bank account reconciliations should be carried out and signed off promptly in line with the approved 2016/17 Financial Regulations.
Management Response			
<p>Agreed: Yes Responsibility: Finance and Central Services Manager Target Date: Immediately</p> <p>As noted in 4.3 of the introduction to this report, finance staff turnover, recruitment and training caused delays in the first part of 2016/17. The process was in place for the remainder of 2016/17.</p>			
December 2017 Follow-up			
A review of completed bank reconciliations between April 2017 and November 2017 confirmed that there were no delays.			
Action implemented.			

I: Periodic and year-end bank account reconciliations were properly carried out			
	Finding	Implication	Recommended Action
8	The following audit action was raised as part of the 2015/16 review:	Banking processes adopted do not ensure accounting records and underlying accounts are accurate and do not prevent	The Body should ensure bank account authorisations (cheque signatories and online bank account user id's) are cancelled immediately upon an officer

Appendix A – 2016/17 PATROL Audit Findings, Recommended Actions & Follow Up

<p><i>Bank account reconciliation testing highlighting the following issues:</i></p> <ul style="list-style-type: none"> <i>An officer left the employment of the Body in June 2015 who was an authorised signatory on the bank account. At the time of the audit review in May 2016, the officer had not been removed from the bank mandate;</i> <p>Testing highlighted that this issues remains outstanding. <i>(This issue was raised in the 2015/16 audit).</i></p>	<p>fraud or error.</p>	<p>leaving the employment of the Body.</p>
<p>Management Response</p>		
<p>Agreed: Yes Responsibility: Finance and Central Services Manager Target Date: Complete</p> <p>This has been rectified.</p>		
<p>December 2017 Follow-up</p>		
<p>Bank confirmation received stating that the bank mandate has been updated to remove the signatory.</p> <p>Action implemented.</p>		

Appendix B – 2016/17 “Low” Priority Audit Findings, Recommended Actions & Follow Up

No.	Finding	Implication	Recommended Action	Priority	Agreed Target Date	Responsibility	Management Action	Follow Up
F: Petty cash payments were properly supported by receipt, expenditure was approved and VAT appropriately accounted for								
1	Purchase cards are reconciled on a monthly basis by the Central Services Manager, however the June 2016 transactions were not reconciled until 25th August 2016.	Purchase card facilities could be ineffectively managed and used inappropriately.	Purchase card reconciliations should be undertaken promptly on a monthly basis.	Low	Actioned	Finance & Central Services Manager	Continue to reconcile purchase cards promptly on a monthly basis.	Random sample of 5 reconciliations confirmed no delays. Action implemented.
I: Periodic and year-end bank account reconciliations were properly carried out								
2	The Finance Office safe key-code has not been changed since the departure of the Finance Officer in March 2017.	Banking processes adopted may not ensure accounting records and underlying accounts are accurate and do not prevent fraud or error.	In addition to the safe key-code being changed annually it should also be changed where staff with knowledge of the key-code leave the employment of the Body.	Low	Actioned	Finance & Central Services Manager	Change the key code annually and change when staff cease employment with PATROL.	The Finance Officer has confirmed that the key is changed annually and was also changed when the Finance & Central Services Manager left PATROL. Action implemented.
3	The bank account set up prior to the Dartford Crossing Road User Charge coming into force in December 2014, has not been used. Income received is paid into the Parking Bank Account and transferred appropriately.	Banking processes adopted do not ensure accounting records and underlying accounts are accurate and do not prevent fraud or error.	Any bank accounts that are not utilised should be closed.	Low	Actioned by July 17	Finance & Central Services Manager	Close bank accounts that are not utilised. Request placed with bank to close account on 15/6/17.	Finance Officer confirmed that the bank account has been closed. Email confirmation from the bank provided. Action implemented.

BUS LANE ADJUDICATION SERVICE JOINT COMMITTEE

Date of Meeting: 30th January 2018
Report of: The Director on behalf of the Resources Working Group and Sub Committee
Subject/Title: Budget estimates for 2018/19

1.0 Report Summary

1.1 To request the Joint Committee to adopt the budget estimates for 2018/19.

2.0 Recommendation

2.1 It is recommended that the Joint Committee agrees to adopt the revenue budget estimates for 2018/19 as detailed in Appendix 1.

3.0 Reasons for Recommendation

3.1 Compliance with the Joint Committee's Financial Regulations

4.0 Financial Implications

4.1 Detailed in the report.

5.0 Legal Implications

5.1 None

6.0 Risk Management

6.1 Budget setting and forecasting forms part of the risk register.

7.0 Background and Options

7.1 In accordance with the Bus Lane Adjudication Service Joint Committee (BLASJC) Agreement and its Financial Regulations, it is necessary to establish a budget estimate for the forthcoming year. An assessment has been made of the likely service take up during 2018/19 and therefore the adjudicators, administrative support and accommodation needed. This report deals with the establishment of budgets to meet this level of demand.

7.2 The adjudication service is to be operated on a self-financing basis with income obtained from contributions from BLASJC member authorities.

- 7.3 In common with the budget setting process adopted by the PATROL Adjudication Joint Committee, no assumption is made about new councils joining in 2018/19.
- 7.4 It has been agreed that both parking and bus lane adjudications are to be administered and heard by adjudicators, in an integrated fashion to afford an opportunity for cost sharing, further economies of scale and the ability to provide an efficient and effective service. The BLASJC is recharged by the PATROL Adjudication Joint Committee for this purpose.
- 7.5 An assessment has been made of the revenue budget that will be needed to meet the demands on adjudication during 2018/19.
- 7.6 The recharge mechanism takes account of appeals and hearing activity as well as the proportion of PCNs compared to other appeals streams in accordance with the Joint Committee's billing arrangements.
- 7.7 Based on recent income trends, the 2018/19 budget assumes a reduction in income of 12.5% compared to 2017/18 reflecting an anticipated reduction in the number of penalty charge notices issued. The budget incorporates a contribution from the BLASJC surplus from previous years of £52,930. By comparison the contribution for 2017/18 was £12,990.
- 7.8 Expenditure reflects a reduction of 4.1% in relation to anticipated few appeals.
- 7.9 The proposed budget is set out at Appendix 1.

8.0 Recommendation

- 8.1 It is recommended that the Joint Committee agrees to adopt the revenue budget estimates for 2018/19 as detailed in Appendix 1.

9.0 Access to Information

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

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

Appendix 1: Bus Lane Budget 2018/19

Bus Lanes Budget 2018/19

	Actuals 2016/17	Forecast 2017/18	Budget 2017/18	Budget 2018/19	Budget Var 17/18 to 18/19	Budget 2015/16	Budget 2016/17
Income							
Bus Lane Income	527,744	448,686	480,000	420,000	(60,000)	431,647	435,496
Contribution (to) / from Reserves	(107,562)	66,533	12,990	52,930	39,940	(2,753)	(10,075)
Total Income	420,182	515,219	492,990	472,930	(20,060)	428,894	425,421
Expenditure:							
Supplies and Services	420,182	515,219	492,990	472,930	20,060	428,894	425,421
Total Expenditure	420,182	515,219	492,990	472,930	20,060	428,894	425,421
Surplus / (Deficit)	0	0	0	0	0	0	0

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BUS LANE ADJUDICATION SERVICE JOINT COMMITTEE

Executive Sub Committee

Date of Meeting:	30 th January 2018
Report of:	Director in consultation with the PATROL and BLASJC Resources Working Group and Sub Committee
Subject/Title:	Defraying the expenses of the Joint Committee 2018/19

1.0 Report Summary

- 1.1 To establish the basis for those participating in the Joint Committee to contribute to its expenses during 2018/19.

2.0 Recommendations

- 2.1 The Joint Committee notes the Resources Working Group and Sub Committee recommendation.
- 2.2 No annual charge or cost per case is payable.
- 2.3 Invoicing will be undertaken on a quarterly basis on estimated figures and subsequently adjusted to actual figures at the September and March points.
- 2.4 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 costs of making a transcription from the audio recordings of the proceedings at a hearing is charged to the requesting party except when, in the view of the Adjudicator, a disability of the requesting party would make it desirable for that person to receive such a transcript.

3.0 Reasons for Recommendations

- 3.1 Compliance with Financial Regulations

4.0 Financial Implications

- 4.1 Detailed in the report

5.0 Legal Implications

- 5.1 In accordance with the Bus Lane Adjudication Service Joint Committee (BLASJC) Agreement

6.0 Risk Management

6.1 Identified within the Risk Register

7.0 Background and Options

7.1 The Joint Committee provides the means to appeal to an independent adjudicator in respect of civil bus lane enforcement in England (outside London).

7.2 The BLASJC agreement provides for the adjudication service to be operated on a self-financing basis with expenses shared by participating. Where authorities are working in partnership, it is practice only to charge those enforcement authorities who manage the enforcement income stream.

7.3 Budgeting takes account of the number of new councils that have joined the scheme during 2017/18 but not those forecast to join in 2018/19.

7.4 At its meeting in January 2017, the Joint Committee Executive Sub Committee determined to review the basis for defraying expenses at its October meeting. In October 2017, it was determined that the basis for defraying expenses would reduce from 40 to 35 pence per PCN and that this reduction would be backdated to April 2017.

7.5 The Resources Working Group recommends that a similar approach is taking in 2018/19 with the October 2018 meeting reviewing income and expenditure at the half-year point in order to review the basis for defraying expenses.

8.0 Access to Information

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

Name: Louise Hutchinson

Designation: Director

Tel No: 01625 445566

Email: lhutchinson@patrol-uk.info

PATROL AND BUS LANE ADJUDICATION SERVICE JOINT COMMITTEES

Executive Sub Committees

Date of Meeting: 30th January 2018

Report of: The Director on behalf of the PATROL and BLASJC Resources
Working Group and Sub Committee

Subject/Title: Risk Management Framework

1. Report Summary

The report presents a Risk Management Framework for approval

2. Recommendation

To approve the Risk Management Framework and note the current assessment of risk. (Appendix 1)

3. Reasons for Recommendations

To put in place arrangements for identifying, managing and reporting risk

4. Financial Implications

None at this time

5. Legal Implications

None

6. Risk Management

Provides a framework for risk management.

7. Background and Options

The Risk Management Framework is set out at Appendix 1.

8. Access to Information

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

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

Risk Management Framework

1. Introduction

This report provides a summary of the most significant threats facing the Joint Committees which may prevent or assist with the achievement of its objectives. We are grateful to input from Cheshire East Council in reviewing our approach to managing and reporting risks and feedback from officers and members.

It is the role of the Joint Committee's Resources Working Group and Sub Committee to review the report prior to consideration by the Joint Committees or their Executive Sub Committees. This review aims to provide assurance on the adequacy of the risk management framework and internal control environment. Risk management is not about being risk averse, it is about effectively managing risks that could affect the achievement of objectives and ensuring that an appropriate risk culture is in place.

A risk is concerned with a threat, or a possible future event, which will adversely or beneficially affect the council's ability to achieve its objectives. Risk management is central to good governance and is all about people making the best decision at all levels within the organisation.

A strong risk framework:

- Strengthens governance effectiveness
- Provides a focusing mechanism
- Balances the scale of risk and reward
- Enables better decision making

2. Corporate Risks

The Joint Committee summarises its risk appetite as follow:

"We will avoid risks that threaten our ability to undertake our principal objectives in a way that provides quality and value. We will maintain a sufficient level of reserves to support liquidity and absorb short-term fluctuations in income and expenditure beyond our control."

There are presently five threats on the Corporate Risk Register. These are currently measured as being "low" or "medium" scale risks. The classification of risk is set out below.

Risk Matrix

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

3. Background to Corporate Risks:

Local authorities who undertake civil parking and bus lane enforcement are required by statute to make provision for independent adjudication. The relationship between the adjudicators and the Joint Committee is derived from and governed by the Traffic Management Act 2004 and, in the case of the Bus Lane Adjudication Service Joint Committee, the Transport Act 2000.

The main function of the Joint Committee is to provide resources to support independent adjudicators and their staff who together comprise the Traffic Penalty Tribunal. The tribunal's appeal streams include:

- Parking
- Bus Lanes
- Moving Traffic (Wales only)
- Road User Charging

The objectives of PATROL include:

- a) A fair adjudication service for Appellants including visible independence of adjudicators from the authorities in whose areas they are working.
- b) Consistency in access to adjudication.
- c) A cost effective and equitable adjudication service for all Parking Authorities and Bus Lane authorities in England and Wales.
- d) Flexibility to deal with a wide range of local authorities with varying levels of demand for adjudication.

The relationship between the adjudicators and the PATROL and Bus Lane Adjudication Service Joint Committees is underpinned by a Memorandum of Understanding. The overriding principle of this memorandum is that the adjudicators are independent judicial office holders exercising a judicial function.

The adjudicators and joint committees are committed to a fair adjudication service for appellants including visible independence of adjudicators from the authorities in whose area they are working.

A core principle for the tribunal has been providing an accessible tribunal which is proportionate to the jurisdiction. It is recognised that for most appellants, appealing to the

tribunal will be the only time they come into contact with the judiciary. For this reason, the tribunal seeks to provide access to adjudication which is simple to use and timely for appellants in England and Wales.

The focus for the delivery of adjudication is:

***“a tribunal service that is user-focused,
efficient, timely, helpful and readily accessible”***

The Traffic Penalty Tribunal is committed to the principles of Digital by Design and the provision of Assisted Digital Support to support people who are unable to or need assistance to appeal online. The tribunal’s online appeal system has received national and regional awards and its levels of customer service has also been commended. The FOAM (Fast Online Appeal Management) initiative and the collaboration between more than 300 local authorities has been cited as a digital exemplar.

4. **Review**

The Director is responsible for coordinating the review of the Risk Management Framework and reporting to the Joint Committee’s Officer Advisory Board and the Resources Working Group and Sub Committee whose terms of reference include the review of risk. Following this scrutiny, the Risk Management Framework is report to the PATROL and Bus Lane Adjudication Service Joint Committees or their Executive Sub Committees.

Additional assurance will be provided by Internal Audit.

5. Corporate Risks

Ref & Type	Risk Description (Including Cause, threat and impact upon outcomes)	Risk Owners	Rating and Direction	Comments
CR1	<p>Inability to meet demand for service (Cause) The tribunal provides a statutory function which is available to all vehicle owners who receive a Notice of Rejection of Representations in respect of specified penalties. (Threat) the tribunal is unable to meet its statutory obligations (impact) appellants are unable to appeal penalties</p>	Chief Adjudicator and Stakeholder Manager.	4 (new)	The net risk rating is 4 low. The tribunal has a fully scalable online system and a flexible adjudicator and staffing model. This is complimented by assisted digital support for appellants who are unable to make their appeal on line. The tribunal continues to refine and develop the online system in response to user feedback.
CR2 Threat	<p>Financial Resilience (Cause)The basis for defraying Joint Committee expenses is based on variable rather than fixed charges. This means that the Joint Committee must manage unforeseen significant fluctuations in either Income or Costs such that (threat) Reserves are significantly eroded and (impact) financial obligations cannot be met.</p>	Director and Central Services Manager	8 ↔	This rating remains unchanged - medium. Continued budgeting and forecasting and cash flow analysis combined with Internal and External audit, Financial Delegations and Reserves Policy act to mitigate the impact of this risk.
CR3 Threat	<p>Information Security and data management (Cause) The Tribunal operates an on-line appeal system to improve the quality and flexibility for tribunal users. Support systems are also underpinned by a range of technologies. With this deployment of technologies, the risk of security breaches increases. This could result in the inability of IT to support the needs of the organisation and users such that (threat) the statutory service is not accessible to</p>	Director and Stakeholder Manager	9 ↔	This rating remains unchanged - medium. A range of security monitoring features and procedures are deployed with are being reviewed in the light of the General Data Protection Regulations 2018.

	all and (impact) appeals cannot be adjudicated online. Potential breach of General Data Protection Regulations 2018.			
CR4 Threat	Resource Planning (Cause) Insufficient adjudicator or staff resources to support the needs of the organisation such that (threat) the organisation is unable to meet its statutory obligations and (impact) the quality or timeliness of the adjudication process, administrative standards or the achievement of development objectives compromised	Chief Adjudicator & Director	6 ↔	This rating remains unchanged - medium. Continued monitoring of workload and capacity, training and appraisals combined with documentation of processes and procedures and the Resources Sub Committee act to mitigate this risk.
CR5 Threat	Business Continuity (Cause) that an internal or external incident occurs which renders the organisation unable to utilise part or all of its infrastructure such that (impact) the organisation is unable to deliver some or all of its services resulting in (impact) reduced accessibility to our service.	Central Services Manager & Stakeholder Engagement Manager	6	This rating is medium A detailed DR plan is held and reviewed each quarter. This is accessible to all managers and has clearly defined responsibilities. This plan acts to mitigate this risk. This plan is due to be reviewed and as such is on the 'watch' list

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PATROL ADJUDICATION JOINT COMMITTEE & BUS LANE ADJUDICATION SERVICE JOINT COMMITTEE

Executive Sub Committee Meetings

Date of Meeting: 30th January 2018
Report of: The Director on behalf of the Resources Working Group and
Sub Committee
Subject/Title: General Progress Report

1.0 Report Summary

1.1 To provide a summary of the Traffic Penalty Tribunal appeals activity for the eight-month period to 30 November 2017.

2.0 Recommendations

2.1 To note the eight-month summary of appeals

2.2 Note progress on other tribunal initiatives

3.0 Reasons for Recommendations

3.1 To inform the Joint Committees of appeals activity and tribunal initiatives

4.0 Financial Implications

4.1 The volumes of appeals have been reflected in the budget monitoring to 30th November 2017.

5.0 Legal Implications

5.1 None

6.0 Risk Management

6.1 None

7.0 Background and Options

- 7.1 The enclosed report (Appendix 1) provides an overview of appeals activity for the eight-month period to 30 November 2017.
- 7.2 A summary of tribunal initiatives is set out below.

8.0 Tribunal Initiatives

- 8.1 The tribunal rolled out the FOAM (Fast Online Appeal Management) system over 300 member authorities during the 12-month period to 31st March 2017. This unique digital collaboration has been highlighted in January 2018 as an exemplar by Digital by Default News.
- 8.2 Additional functionality has been developed to manage the witness statement process which following a pilot with pathfinder authorities has now been rolled out across all authorities.
- 8.3 The tribunal's Assisted Digital Strategy will be enhanced by new functionality to bring "offline" appellants "online" should they wish to transfer following the start of their appeal.
- 8.4 The next module to be released is the Application for Review procedure. This is the process where either party may apply for a review of an adjudicator's decision in accordance with the regulations and on a limited number of grounds. Whilst applications for review of the Adjudicator's decision from either appellants or local authorities are rare, it is more efficient to have all case actions handled within the online system.
- 8.5 Following the success of the eight local authority user group workshops held across England and Wales in September, repeat workshops are being held in January to accommodate additional attendees. Workshop subjects included: an overview of the Traffic Penalty Tribunal and PATROL; feedback on using FOAM; the four "e's" of enforcement: engineering, education, enforcement and empathy; the representations process; witness statements in FOAM; Applications for Review; the new PATROL web site; the Parking Annual Reports and collating statistics for the PATROL Annual Report Toolkit. A new series of workshops is planned over the coming months.

9.0 Recommendations

- 9.1 To note the eight-month summary of appeals
- 9.2 Note progress on other tribunal initiatives

10.0 Access to Information

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

Name: Louise Hutchinson

Designation: Director

Tel No: 01625 445566

Email: lhutchinson@patrol-uk.info

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PATROL AND BUS LANE ADJUDICATION SERVICE JOINT COMMITTEES
Executive Sub Committees

30th January 2018

TRAFFIC PENALTY TRIBUNAL Appeals Summary 1 April 2017 – 30 November 2017

Summary

The tables below show the number of appeals to the Tribunal for the period 1st April 2017 to 30th November 2017 by type of appeal. This is compared to the same period last year i.e. 1st April 2016 to 30th November 2016. Additional information is provided in relation to hearings, case closure and assisted digital support.

1.1 English authorities (outside London)

The volume of parking appeals has reduced by 11.4% (7,495 to 6,643)
The volume of bus lane appeals has increased by 3.6% (2,159 to 2,237)
Total movement in England is a decrease of 8% (9,655 to 8,880)

The volume of parking PCNs issued remains relatively static. Figures for 2015/16 and 2016/17 point to a 2% increase. These figures will be reviewed when 2017/18 PCN statistics are available.

London Tribunals which provides adjudication for parking penalties issued by London authorities has also witnessed a reduction in parking appeals over this period. Whilst bus lanes (England) have seen a small increase, this reflects new authorities undertaking civil bus lane enforcement and the introduction of new bus lanes within existing councils. The volume of parking councils, in comparison, has plateaued.

1.2 Welsh Authorities

The volume of parking appeals has reduced by 8.2% (343 to 315)
The volume of bus lanes appeals has increased by 32.1% (112 to 148)
Moving traffic appeals have increased by 728.6% (7 to 58)
Total movement in Wales is an increase of 12.8% (462 to 521)

The volume of PCNs (parking, bus lanes and moving traffic) issued in Wales is relatively static with a 1% increase between 2015/16 and 2016/17. These figures will be reviewed when 2017/18 PCN statistics are available.

1.3 Combined figures England and Wales (parking, bus lanes, moving traffic)

There has been a decrease of appeals across parking, bus lane & moving traffic appeal streams (i.e. excluding Dartcharge) of 7.1% (10,117 to 9,401)

The volume of PCNs issued at the Dartford-Thurrock River Crossing reduced by 7.6% when comparing 2015/16 and 2016/17. These figures will be reviewed when 2017/18 PCN statistics are available.

1.4 Dart Charge

Road user charging began at the Dartford-Thurrock crossing in November 2014. There has been a decrease of 47.6% (7,469 to 3,917) in appeals when comparing 1st April 2017 – 30th November 2017 with the same period last year.

1.5 Merseyflow

Road user charging was newly introduced at the Mersey Gateway Bridge Crossing in October 2017. The first appeal was received at the tribunal on 7th November and the Adjudicators and staff are monitoring the scheme closely.

1.6 Total across all appeal streams (including Dart Charge & Merseyflow)

Comparing 1st April 2017 – 30th November 2017 against the same period for 2016/17, there has been a decrease of 24.3% in appeals across all streams (17,586 to 13,318). The highest proportion of this decrease relates to Road User Charging at the Dartford River Crossing which is 47.6% (7,469 to 3,917)).

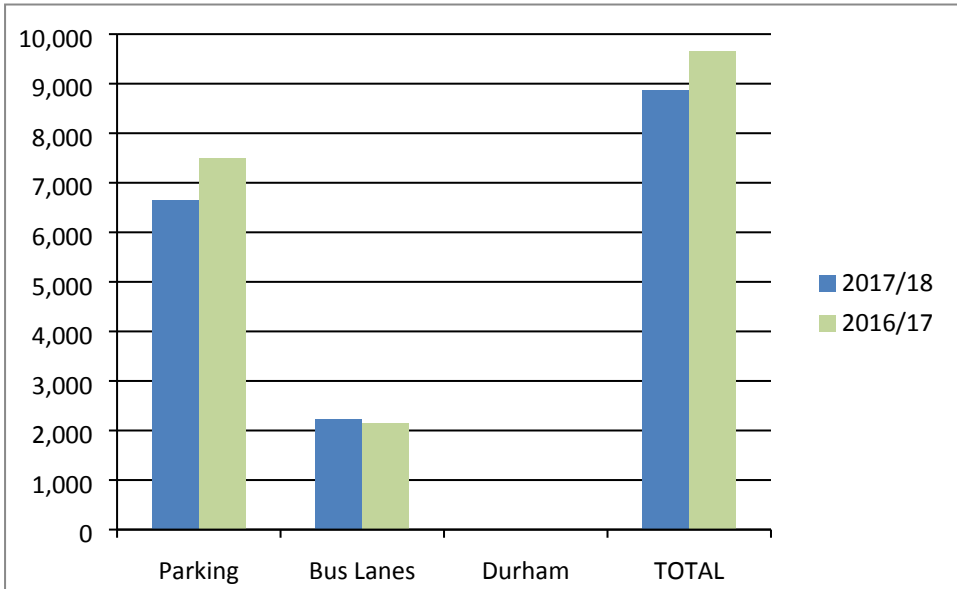
Where the Merseyflow appeals are included from November 2017 this reduction lessens slightly to 23.01% (17,586 to 13,539)

The overall volume of PCNs issued including Dart Charge showed a reduction of 3.75% between 2015/16 and 2016/17, mainly as a result of the reduction Dart Charge PCNs. These figures will be reviewed when the 2017/18 statistics are available.

1.7 English Local Authorities (exc Dartcharge)

The volume of parking appeals has reduced by 11.4% (7,495 to 6,643)
 The volume of bus lane appeals has increased by 3.6% (2,159 to 2,237)
 Total movement in England is a decrease of 8% (9,655 to 8,880)

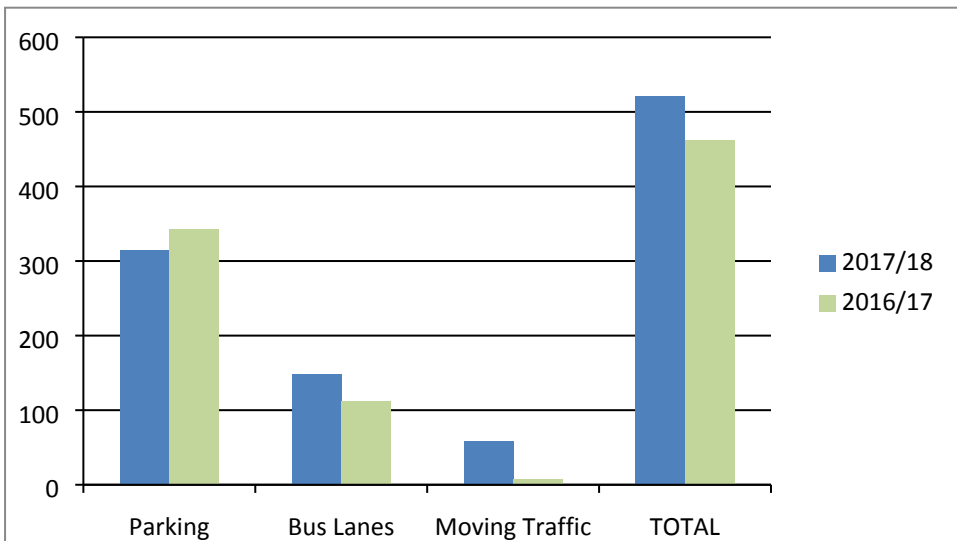
	Parking	Bus Lanes	Durham	TOTAL
2017/18	6,643	2,237	0	8,880
2016/17	7,495	2,159	1	9,655



2.1 Welsh Local Authorities

The volume of parking appeals has reduced by 8.2% (343 to 315)
 The volume of bus lanes appeals has increased by 32.1% (112 to 148)
 Moving traffic appeals have increased by 728.6% (7 to 58)
 Total movement in Wales is an increase of 12.8% (462 to 521)

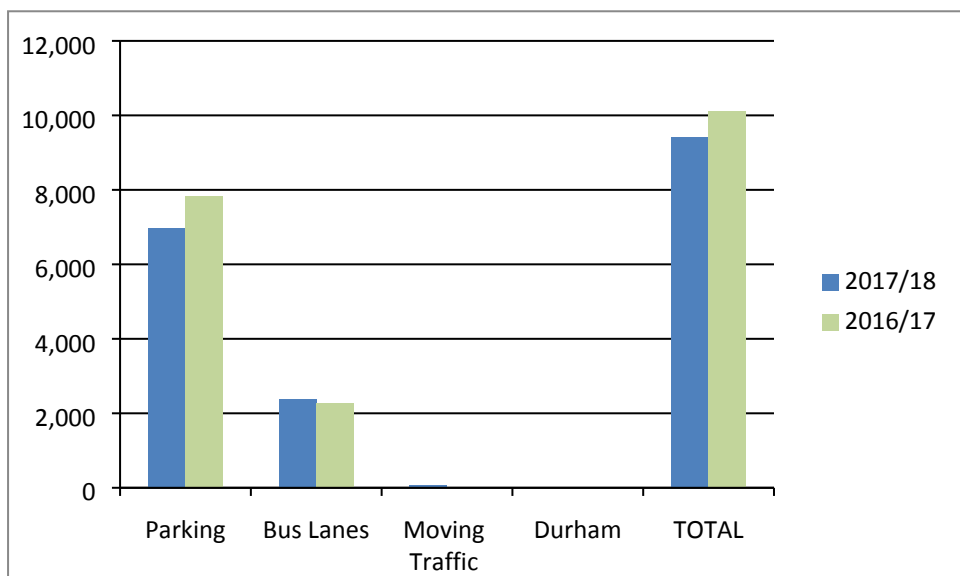
	Parking	Bus Lanes	Moving Traffic	TOTAL
2017/18	315	148	58	521
2016/17	343	112	7	462



2.2 England and Wales combined (excl Dartcharge)

There has been a decrease of appeals across parking, bus lane & moving traffic appeal streams (i.e. excluding Dartcharge) of 7.1% (10,117 to 9,401)

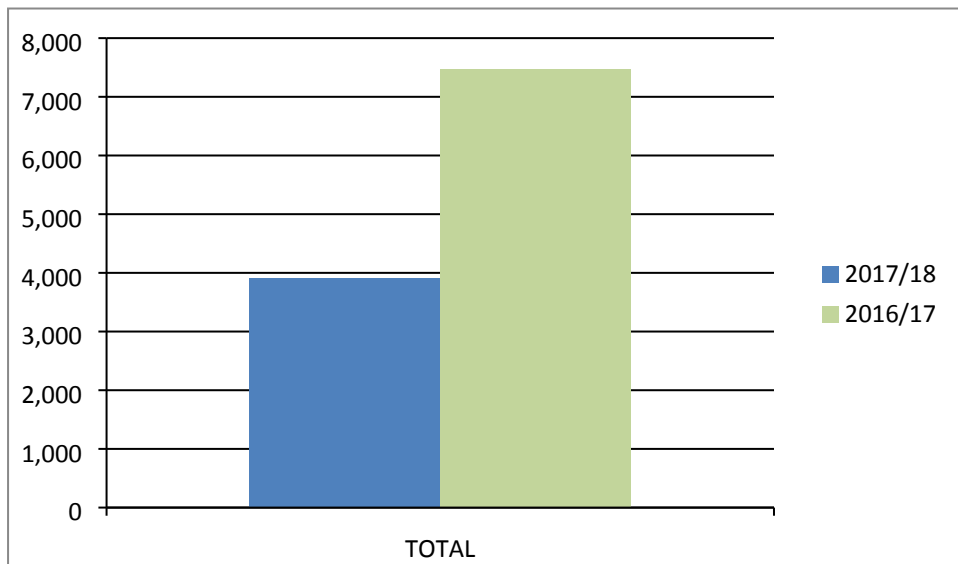
	Parking	Bus Lanes	Moving Traffic	Durham	TOTAL
2017/18	6,958	2,385	58	0	9,401
2016/17	7,838	2,271	7	1	10,117



2.3 Dart Charge

Road user charging began at the Dartford-Thurrock crossing in November 2014. There has been a decrease of 47.6% (7,469 to 3,917) in appeals when comparing 1st April 2017 – 30th November 2017 with the same period last year.

	TOTAL
2017/18	3,917
2016/17	7,469



2.4 Merseyflow

Road user charging was newly introduced at the Mersey Gateway Bridge Crossing in October 2017. The first appeal was received at the tribunal on 7th November and the Adjudicators and staff are monitoring the scheme closely. The table below shows the number of appeals received in this initial period of enforcement

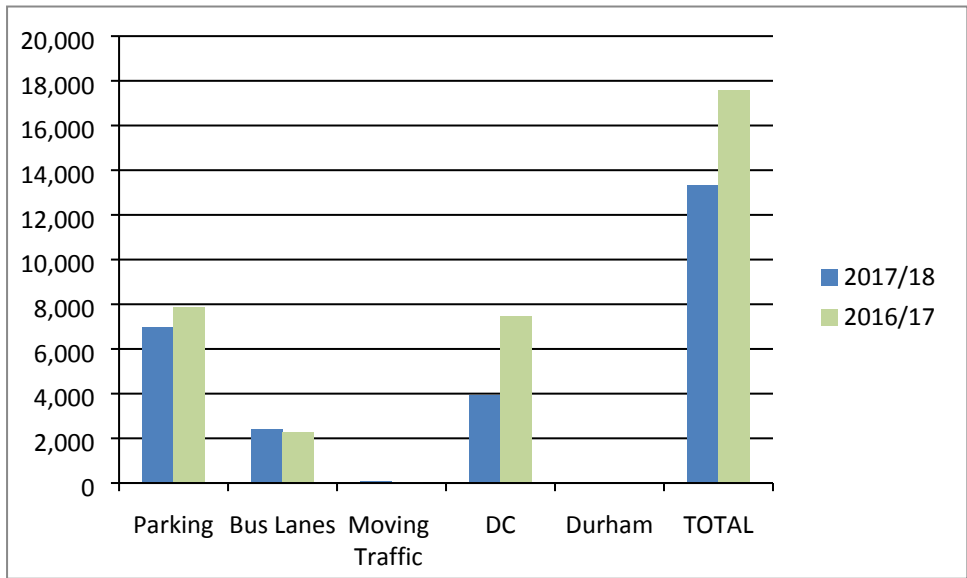
November 2017	221
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2.5 Total across all appeal streams.

Comparing 1st April 2017 – 30th November 2017 against the same period for 2016/17, there has been a decrease of 24.3% in appeals across all streams (17,586 to 13,318). The highest proportion of this decrease relates to Road User Charging at the Dartford River Crossing which is 47.6% (7,469 to 3,917)).

Where the Merseyflow appeals are included from November 2017 this reduction lessens slightly to 23.01% (17,586 to 13,539)

	Parking	Bus Lanes	Moving Traffic	DC	Durham	TOTAL	Including Merseyflow
2017/18	6,958	2,385	58	3,917	0	13,318	13,539
2016/17	7,838	2,271	7	7,469	1	17,586	

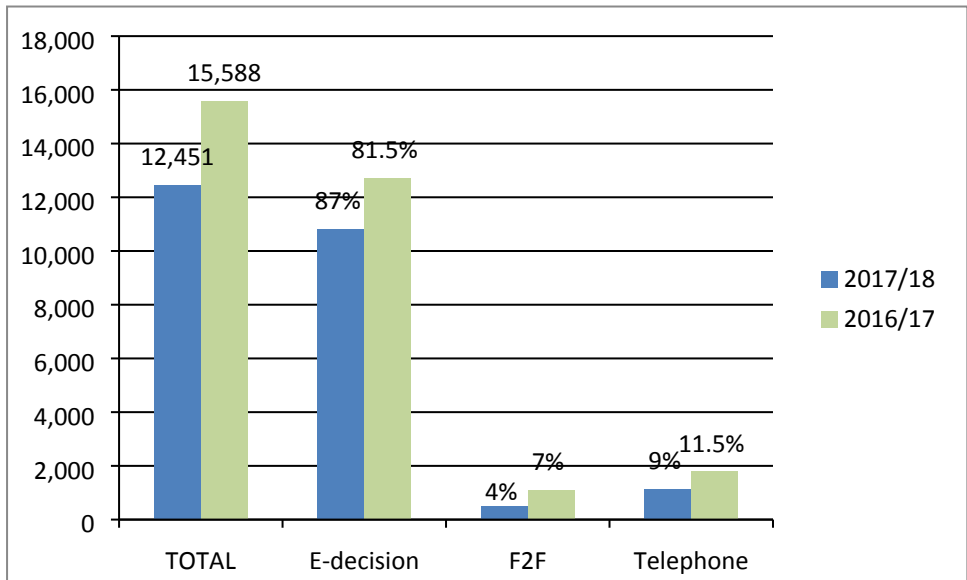


3 Frequency of hearings

The online appeals portal FOAM has transformed the way that the tribunal handles our appeals and this is particularly evident in hearings. The ability to message, comment on evidence and request extra evidence be uploaded has meant that a lot of cases can be resolved without a hearing. In addition the appellant only opts for a hearing once they have seen the authority evidence and the Adjudicators are able to review cases in advance to see whether a hearing is actually required. So, it is no surprise that with all these new developments the demand for face to face hearings has reduced significantly. This has had the consequence of some appellants waiting longer for hearings and having to travel further.

The volume of hearings by type is shown below. E-decisions and telephone hearings are becoming the most prevalent. The tribunal is also looking to pilot video hearings in 2018. This was a recommendation in the University of Birmingham report “To Appeal or Not to Appeal – Motorists’ Awareness and Experience of the Traffic Penalty Tribunal” (Professor John Raine et al, 2016)

	TOTAL	E-decision	F2F	Telephone
2017/18	12,451	10,816 (87%)	496 (4%)	1,139 (9%)
2016/17	15,588	12,713 (81.5%)	1,087 (7%)	1,788 (11.5%)



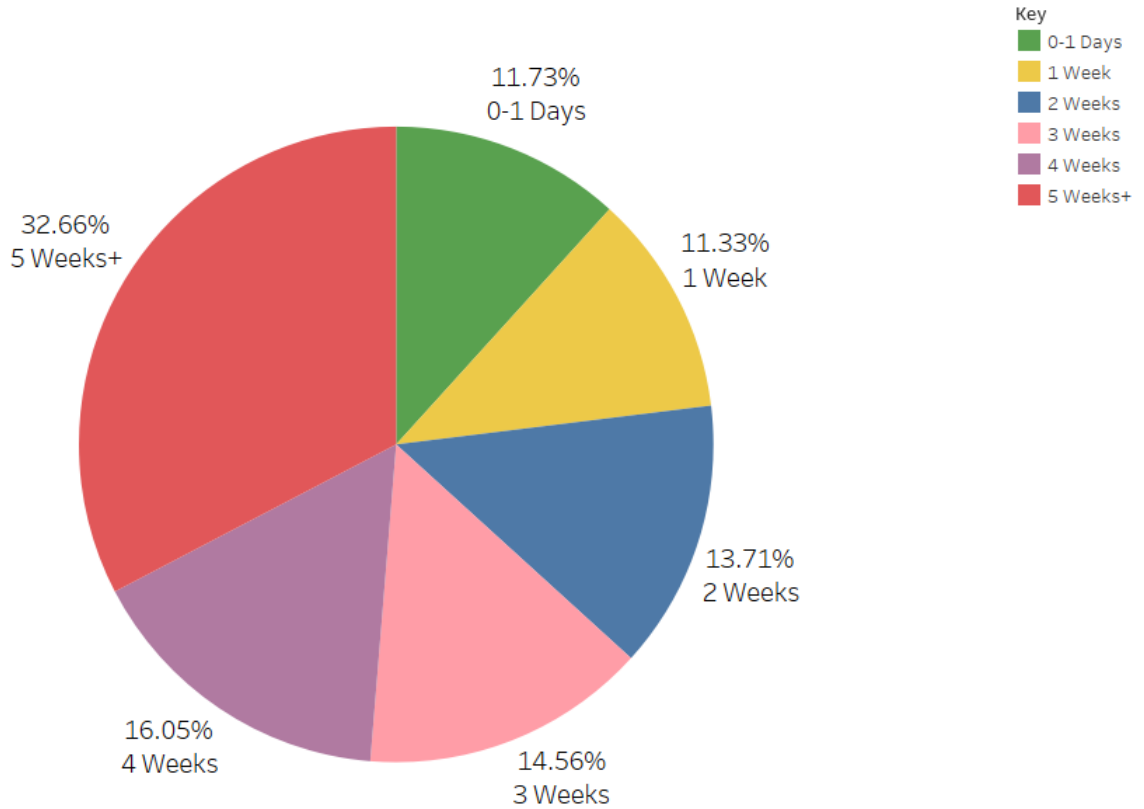
4 Case Closure

- By the end of March 2017, all local authorities and their appellants had been provided with access to FOAM (Fast Online Appeal Management). The online system has resulted in a new way of handling appeals with the facility for messaging and all parties having access to the same information and evidence in the same place. This allows the adjudicator to adopt a more inquisitorial approach to ascertain details of the case.
- Appealing to the Traffic Penalty Tribunal is a judicial process and whilst it is not appropriate to set rigid timescales, the tribunal’s objective is to provide:

“a tribunal service that is user-focused, efficient, timely, helpful and readily accessible”

The following graph provides a breakdown of case closure times across all appeal streams in FOAM (excluding Dart Charge & Merseyflow). In summary, across the appeal streams (excluding Dart Charge & Merseyflow):

- Approx. 12% case of closed within a day of them being submitted
- Almost a quarter (23%) of case are closed in a week or less
- Approx. 37% of cases are closed within 2 weeks
- Over half (51%) of cases closed within 3 weeks
- Over two thirds (67%) of cases are closed within 4 weeks



4. Assisted Digital & Helping Offline Appellants

The Tribunal has long recognised the importance of complementing the online system with an experienced customer service team to provide support to appellants in making an appeal. For most appellants it will be their first and perhaps their only experience of engaging with a judicial process.

For the small percentage of people who do find it initially difficult to go online, TPT provides Assisted Digital Support. Contact with the customer service team is also available for all appellants throughout the process should they need it.

The tribunal’s customer service team proactively engages with appellants to promote, explain and support the online appeal process, both with appellants who wish to go online but need assistance and those who require an alternative way of appealing.

Examples of assisted digital support include:

- A helpline number means staff can talk people through the process
- Staff stay on the line and help people to upload their appeal
- The team contact people who have started compiling their appeal online but not completed it to help them do so.

- Posting an appeal form and uploading the case as a proxy so that the authority may engage online while the appellant receives letters and phone calls.
- Taking appeal details over the phone where people cannot submit online or complete a form.

Off line appellants during this period made up approximately 18% of the total appeals submitted i.e. approximately 82% of appeals were submitted online (excluding Dart Charge & Merseyflow).

Of the 82% that submitted their appeal online there will be many that have contacted the tribunal by phone or email and have been assisted in successfully submitting their appeal online.

However, it is recognised that there will be appellants who, because of their ability, confidence or preference, choose to request a form be posted to them

However, even where a form has been posted during this period (1144 forms) we have recorded that 113 of them (10%) have successfully appealed online rather than return the paper form, this is excluding Dart Charge & Merseyflow appeals.

The tribunal continues to refine its online appeals system and keep under review its Assisted Digital support to enhance the accessibility of independent adjudication.

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