

Bus Lane Adjudication Service Joint Committee Executive Sub Committee Agenda

Date: Tuesday 31st October 2017
Time: 12.30 pm
Venue: Bishop Partridge Hall, Church Lane, Westminster, SW1P 3NZ

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

To appoint a Chairman and Vice Chairman until the next meeting of the Joint Committee in 2018 in accordance with the Terms of Reference

2. **Apologies for Absence**

To receive apologies for absence

3. **Declarations of Interest**

To provide an opportunity to Members and Officers to declare any disclosable pecuniary and non-pecuniary interests and for Members to declare if they have pre-determined any item on the agenda

4. **Minutes of the Bus Lane Adjudication Service Executive Sub Committee meeting held on 31 January 2017** (Pages 3 - 8)

To approve the minutes of the Bus Lane Adjudication Service Joint Committee held on 31 January 2017

5. **Minutes of the Bus Lane Adjudication Services Joint Committee held on 11 July 2017** (Pages 9 - 14)

To note the minutes of the Bus Lane Adjudication Service Joint Committee held on 11 July 2017

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. **Chair's Update**

To provide the Joint Committee with a general update since the last meeting

7. **PATROL AND BLASJC Resources Working Group and Sub Committee**
(Pages 15 - 18)

To report on the resolutions from the PATROL and BLASJC Resources Working Group and Sub Committee's meetings held on 12 October 2017

8. **Audit Commission Small Bodies Annual Return for the Year Ending 31 March 2017** (Pages 19 - 38)

To note the completion of the external audit of accounts 2016/17 and approve the Scheme of Financial Delegation

9. **Budget Monitoring and Review of the Basis for Defraying Expenses 2017/18**
(Pages 39 - 42)

To note income and expenditure at 31 August 2017 and review the basis for defraying expenses 2017/18

10. **Risk Register** (Pages 43 - 50)

To note the latest review of the Risk Register

11. **General Progress and Service Standards** (Pages 51 - 60)

To provide general information in respect of the Tribunal's activities and initiatives for the six month period to 30 September 2017

BUS LANE ADJUDICATION SERVICE JOINT COMMITTEE**Terms of Reference for the Executive Sub-Committee**

Delegation of the following functions to the BLASJC Executive Sub-Committee:-

1. Financial Matters

- (a) Deciding on the level and proportion BLASJC member councils shall contribute to the costs and expenses of the adjudication service.
- (b) Establishing and adopting not later than 31st January in each year a budget of estimated expenditure for the ensuing year commencing 1st April and approving accounts for the previous financial year by 30th June each year.
- (c) Accepting tenders for the supply of goods, services, materials, equipment, building and civil engineering works in excess of £250,000 per contract.
- (d) All financial matters not delegated to officers under the Joint Committee's Financial Regulations.
- (e) Where appropriate, reviewing the Joint Committee's Reserves Policy Statement and Risk Register.

2. Human Resources

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

3. Advisory Board

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

4. New Council members to the BLASJC Agreement

Noting new council members.

5. Ad hoc delegations

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

The Executive Sub Committee may from time to time delegate actions to the PATROL Adjudication Joint Committee and Bus Lane Adjudication Service Joint Committee Resources Working Group and Sub Committee.

Minutes of a meeting of the
Bus Lane Adjudication Service Joint Committee
 held on Tuesday, 31st January, 2017 at The Bishop Partridge Hall, Church
 House, Dean's Yard, Westminster, London SW1P 3NZ

PRESENT

Councillor Graham Burgess (Hampshire County Council) Vice Chair in the
 Chair

Councillors

Terry Douris	Hertfordshire District Council
Anthony Clarke	BATHNES
Nigel Cooke	Stockton on Tees Borough Council

Officers in attendance

Kathryn Eldridge	Chair of the Advisory Board (BNES)
Graham Addicott OBE	Vice-Chair of the Advisory Board
George Broughton	Cheshire East Council
John McEvoy	Carmarthenshire County Council
Caroline Sheppard	Chief Adjudicator
Iain Worrall	Traffic Penalty Tribunal
Louise Hutchinson	Director PATROL
Andy Diamond	PATROL
Cherry Foreman	Cheshire East Council

31 APOLOGIES FOR ABSENCE

The apologies for absence were noted.

32 DECLARATION OF INTEREST

There were no declarations of interest.

33 MINUTES OF THE MEETING HELD ON 18 OCTOBER 2016

RESOLVED

That the minutes of the meeting held on 18 October 2016 be approved as
 a correct record.

34 CHAIR'S UPDATE

The Chairman reported that since the last meeting Blackburn with Darwin
 Borough Council had started using the bus lane adjudication service.

RESOLVED

That the update be noted.

35 PATROL AND BLASJC RESOURCES WORKING GROUP AND SUB COMMITTEE

Consideration was given to a report of the above meetings held on 10 January and a resume was given of the resolutions made. With reference to the submission to the Transport Select Committee Inquiry into urban congestion the Joint Committee was advised that two hearings had now been held and following the meeting members would be circulated with the electronic link to the details.

RESOLVED

That the report be noted and approval given to the Resources Sub-Committee and Working Group overseeing the matters set out in the report, and any previously approved, and that a report be made back to the July meetings of the Joint Committee.

36 CHIEF ADJUDICATOR'S UPDATE

The Chief Adjudicator reported on a presentation given to the All Party Parliamentary Group on Alternative Dispute Resolution and FOAM. All authorities would be on the system by the end of March after which the next major phase of development would be to streamline the witness statement process.

RESOLVED

That the update be noted.

37 BUDGET MONITORING 2016/17

Consideration was given to the income and expenditure monitoring report at 30 November 2016, and to the projected outturn for 2017/17. The Tribunal was operated on a self-financing basis with income obtained by defraying expenses between the BLASJC member authorities. The revenue budget estimates had, therefore, been established on the basis that this would reflect the councils who were already members of the BLASJC.

It was reported there had been an overachievement of income in the first eight months of 2016/17 giving a favourable variance of £64,345 which amounted to 22%. This was due to the volume of PCNs issued being greater than forecast and new councils joining the scheme. The recharge to PATROL was favourable to the budget by 10%, there was an overall surplus of £91,872 for the period and the forecast outturn was for an overall surplus of £51,545.

RESOLVED

That the income, expenditure and reserves position for the period to 30 November 2016, and the projected outturn for 31 March 2017, be noted.

38 SERVICE LEVEL AGREEMENT BETWEEN THE JOINT COMMITTEES AND CHESHIRE EAST COUNCIL

Consideration was given to the Service Level Agreement (SLA) with Cheshire East Council (CEC) for 2017/18. A review of the services had been undertaken by CEC with the assumption of an inflationary increase of 1.2% being applied to all elements of the 2016/17 charge apart from the retainer of £10,000 resulting in a total charge of £50,000.

This being the last year of the existing five year SLA it was agreed that the Resources Working Group oversee a review of the Host Authority SLA, due to terminate on 31 March 2018, and that the results be presented to the next meeting of the Joint Committee this coming July.

RESOLVED

1. That the variations to the SLA for 2017/18 be approved and that CEC be reimbursed for its services.
2. That the Resources Working Group oversee a review of the Host Authority SLA and a report on the outcome be considered at the meeting of the Joint Committee in July 2017.

39 REVENUE BUDGETS FOR 2017/18

Consideration was given to this report on the budget estimates for 2017/18. An assessment has been made of the likely service take up during that time and of the adjudicators, administrative support and accommodation needed.

The adjudication service was operated on a self-financing basis with income obtained from contributions from BLASJC member authorities. Both parking and bus lane adjudications were 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.

The recharge mechanism took 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. The proposed budget was set out in an appendix to the report.

RESOLVED

That approval be given to adopt the revenue budget estimates for 2017/18 set in in appendix 1 of the report.

40 DEFRAYING THE EXPENSES OF THE JOINT COMMITTEE 2017/18

Consideration was given to the basis for those participating in the Joint Committee to contribute to its expenses during 2017/18. The BLASJC Agreement provided for the adjudication service to be operated on a self financing basis with expenses shared by those participating.

Budgeting took account of the number of new councils that had joined the scheme during 2016/17 but not those forecast to join in 2017/18. The Resources Working Group and Sub Committee had considered three options of which their recommendation was Option 3, to retain the current rate of 40 pence per PCN, and for there to be a review in October at the half year point.

RESOLVED

1. That approval be given to the recommendation of the Resources Working Group and Sub Committee and that Option 3 be adopted.
2. That there be no annual charge or cost per case payable.
3. That invoicing be undertaken on a quarterly basis on estimated figures and subsequently adjusted to actual figures at the September and March points.
4. It be noted 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.

41 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.

RESOLVED

That the risk register be noted.

42 GENERAL PROGRESS AND SERVICE STANDARDS

Consideration was given to the general progress report and appeals summary for the period 1 April 2016 to 30 November 2016. Comparison with the same period last year showed that bus lane appeals had increased by 6.8% whilst parking appeals had decreased by 5.4%. Overall the total number of appeals had increased by 48% as a result of road user charging appeals at the Dartford Crossing.

With regard to hearing types there was a continuing increase in the use of the electronic and on line methods systems. An update was given on FOAM and its roll out, which was nearing completion, and on the ongoing training and support being provided. Examples of the positive feedback received on the assistance being given by way of training, mentoring and Freephone guidance were included in the report.

RESOLVED

That the report be received.

43 DATE OF NEXT MEETING

RESOLVED

That the next meeting be held on 11 July 2017 at Church House, London.

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Bus Lane Adjudication Service Joint Committee

Minutes of the meeting held on Tuesday, 11th July, 2017 at The Hoare Memorial Hall, Church House, Dean's Yard, London SW1P 3NZ

PRESENT

Councillor Tony Page, Reading Borough Council (in the Chair)

Councillors

Saoirse Horan, Brighton & Hove City Council

Alan Kerr, South Tyneside Council

Steve Pearce, Bristol City Council

IN ATTENDANCE

Marc Samways, Chair Advisory Board (Hampshire County Council)

Graham Addicott OBE, Vice Chair Advisory Board

George Broughton, Cheshire East Council

Louise Hutchinson, PATROL

Caroline Sheppard OBE, Traffic Penalty Tribunal

Stephen Knapp, Traffic Penalty Tribunal

Iain Worrall, Traffic Penalty Tribunal

Tom Flanagan, Traffic Penalty Tribunal

Andy Diamond, PATROL

Paul Nicholls, Brighton & Hove City Council

1 APPOINTMENT OF CHAIRMAN AND VICE CHAIRMAN

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

RESOLVED

That Councillor Tony Page (Reading Borough Council) be appointed Chairman for the meeting, and Councillor Graham Burgess (Hampshire County Council) be appointed Vice-Chairman

2 APOLOGIES FOR ABSENCE

Apologies for absence were reported as follows:

Bolton MBC

Bury MBC

Cheshire East Council

City of York Council

Coventry Council

Hampshire County Council

Hertfordshire County Council

North Tyneside Council
Nottingham City Council
Somerset County Council
Tameside Council
Walsall Council

3 DECLARATIONS OF INTEREST

There were no declarations of interest.

4 MINUTES OF THE MEETING HELD 12TH JULY 2016

RESOLVED

That the minutes of the meeting held on 12 July 2016 be approved as a correct record.

5 MINUTES OF THE MEETING OF THE EXECUTIVE SUB COMMITTEE HELD 31ST JANUARY 2017

RESOLVED

That the minutes of Bus Lane Adjudication Service Joint Committee Executive Sub-Committee held on 31 January 2017 be noted.

6 CHAIRMAN'S UPDATE

The Chair reported that there are currently 54 members of the Bus Lane Adjudication Service Joint Committee and welcomed the new representative from Bristol City Council.

7 REPORT OF THE PATROL AND BLASJC RESOURCES WORKING GROUP

Consideration was given to a report of the Resources Working Group and Sub-Committee meetings held on 21 March and 6 June 2017 respectively. The report gave a resume of their discussions and of actions agreed at that time.

An update was given on progress since then and it was proposed that the Resources Working Group and Sub-Committee continue to oversee matters as appropriate, and report back to the Executive Sub-Committee and to the Annual meeting in July 2018.

Attention was drawn to the Terms of Reference of the Working Group and Sub-Committee which had been reviewed.

RESOLVED

1. That the revised Terms of Reference for the Resources Working Group and Sub Committee be approved.
2. That the matters taken forward by the Resources Working Group and Sub-Committee at its meetings on 21 March and 6 June 2017 be noted.
3. That approval be given for the Resources Working Group and Sub-Committee to oversee matters highlighted in the report, and any previously approved, reports on which to be made to the Executive Sub-Committee and the Joint Committee in July 2018.

8 DRAFT ANNUAL RETURN 2016/17

Consideration was given to the draft annual return. Whilst the requirement to publish externally audited accounts had been removed the decision had been taken to continue to do so for the purposes of transparency. The report detailed the outturn position against the 2016/17 budget along with expenditure, income and reserves. It also included a copy of the Code of Corporate Governance.

It was reported that at the meeting of the Resources Working Group and Sub-Committee consideration had been given to the basis for defraying expenses and it had been agreed that this be considered by the Executive Sub Committee at its meeting in October when the 6-month income and expenditure figures would be known.

RESOLVED

1. That the outturn position against the 2016/17 budget be noted.
2. That approval be given for the surplus of income over expenditure of £107,562 being added to the Joint Committees reserves.
3. That the Executive Committee review the basis for defraying expenses following budget monitoring at the half-year point at their meeting in October 2017.
4. That approval be given to the 2016/17 Annual Return and that the balance sheet and cash flow and audit timetable be noted.
5. That the Annual Internal Audit Report 2016/17 be noted.
6. That approval be given to the Code of Corporate Governance.

9 ESTABLISHMENT OF EXECUTIVE SUB COMMITTEE

Arrangements for establishing an Executive Sub-Committee, and its Terms of Reference for the coming year, were considered. As the number of Councils joining the Sub-Committee increased this would avoid the need for large numbers of members having to attend all the meetings. BLASJC Standing Orders enabled the Joint Committee to appoint such Sub-Committees as it saw fit.

RESOLVED

1. That the Joint Committee establishes an Executive Sub-Committee to act on behalf of the Committee until the Annual Meeting in 2018, and that it appoints members of the Executive Sub-Committee for the forthcoming year.
2. That the proposal to hold the first meeting of the Executive Sub-Committee in London on 31 October 2017 be noted.

10 APPOINTMENTS TO THE ADVISORY BOARD

Consideration was given to the Terms of Reference for the Advisory Board and to appointments for 2017/18.

RESOLVED

1. That approval be given to the Terms of Reference and composition of the Advisory Board, as set out in the appendix to the report.
2. It be noted that Marc Samways of Hampshire County Council had been elected Chair of the Advisory Board.
3. That thanks be extended to the outgoing Chair, Kathryn Eldridge, formerly of Bath and North East Somerset Council, and that she be wished every success in her new position with Highways England.
4. That the re-nomination of the independent member Graham Addicott OBE for a further period of 4 years, to July 2021, be noted.
5. That approval be given to the nomination of Michael Clarke of Stoke City Council to take up the role as bus lane representative on the Advisory Board.

11 RISK MANAGEMENT AND BUSINESS CONTINUITY

Members considered the updated risk register and were asked to consider delegating the approval of revised Risk Management and Continuity Strategies to the Executive Sub-Committee; the Joint Committee was

required to review these on an annual basis and also to review the updated risk register at each meeting.

RESOLVED

1. That the updated risk register, shown at Appendix 1 of the report, be noted.
2. That approval of the revised Risk Management Strategy be delegated to the Executive Sub-Committee.

12 REVIEW OF GOVERNANCE

Consideration was given to the governance documentation and arrangements for its review. Members were advised that since 2014 an annual review had been carried out of the Joint Agreement but this year it was proposed that this be a more fundamental review to facilitate the widening jurisdictions requiring adjudication.

Consideration was also given to copy of the SLA between the Joint Committee and the lead authority, Cheshire East Council, and it was noted that this was in the process of review prior to its anticipated renewal in February 2018. The Schemes of Delegation to the Chief Adjudicator and to the Director, which were both unchanged, were attached. It was reported that the Memorandum of Understanding between the Adjudicators and the Joint Committee had been updated to include for road user charging at the Mersey Gateway due to come on line in the early autumn.

RESOLVED

1. That the intention to review the Bus Lane Adjudication Service Joint Committee Agreement of 2014 be noted and considered further at a future meeting.
2. That it be noted that the Service Level Agreement between the Joint Committee and the Host/Lead Authority is currently under review in anticipation of the renewing the lease premises in Wilmslow in 2018, and it be agreed that this be taken forward by the Resources Working Group and Sub-Committee.
3. That the Schemes of Delegation to the Chief Adjudicator and to the Director be noted.
4. That approval be given to the Memorandum of Understanding between the Adjudicators and the Joint Committee.
5. That the Chief Adjudicator be requested to appoint to the proper officer function.

6. That approval be given to the Financial Regulations 2017/18.
7. That the proposed dates for the following meetings be noted: -
 - Executive Sub-Committee – 31 October 2017 and 30 January 2018
 - Annual General Meeting – 10 July 2018

13 CHIEF ADJUDICATOR'S UPDATE

As reported at the PATROL Adjudication Joint Committee.

14 GENERAL PROGRESS AND SERVICE STANDARDS

An update was given on appeals activity and tribunal initiatives. The figures were presented in a new format which it was proposed would be used as the basis for future reporting; the figures had been separated into English and Welsh Authorities and Road User Charging at Dartford, as well as showing them combined. Information was provided on the frequency of hearings, case closure times and support provided for off-line appellants. An update was also given on the continuing development of FOAM over the last year.

RESOLVED

That the report be noted.

PATROL AND BUS LANE ADJUDICATION SERVICE JOINT COMMITTEES

Executive Sub Committees

Date of Meeting:	31 st October 2017
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 12 th October 2017.

1.0 Report Summary

- 1.1 To report on the PATROL and BLASJC Resources Working Group meeting held 12th October 2017.

2.0 Recommendations

- 2.1 To note the matters discussed at the meeting held 12th October 2017.
- 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 and Sub Committee considered financial issues reported to this meeting.

5.0 Legal Implications

- 5.1 None

6.0 Risk Management

- 6.1 None

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 resources implications on its behalf.

7.2 The last meeting took place on 12th October 2017 chaired by Councillor Macrae and considered the following:

a) Mersey Gateway Bridge Crossings

Noted the arrangements put in place for appeals arising from penalties issued for failure to pay a charge at the Mersey Gateway Bridge between Runcorn and Widnes which opened on 14th October 2017

b) New areas of adjudication

Noted that PATROL and the Traffic Penalty Tribunal are liaising with DEFRA concerning the introduction of Clean Air Zones and plans for introduce powers to enforce littering from vehicles.

c) Public Affairs

- Noted the progress since the beginning of 2016 in raising PATROL's profile including appointed as event partner for Parking World 2017 which takes place at The Oval on 9th November.
- Esther McVey MP has agreed to sponsor the PATROL Annual Report Awards Reception at the House of Commons on 10th July 2018. The Local Authority Engagement Manager has conducted a series of workshops in September 2017 with parking staff which included the production of annual reports, the collation of statistics and finance to development the evidence base for enforcement and appeals outside London and introducing a digital element to annual reporting.
- Noted the Department for Transport's Draft Transport Accessibility Action Plan – A Transport System that is open to everyone". <https://www.gov.uk/government/consultations/draft-transport-accessibility-action-plan>. The draft includes a section on unauthorised pavement parking and points to a survey being launched in Autumn 2017 on the wider Traffic Regulation Order (TRO) and seeks feedback on the process in terms of the current situation, the costs and timescales for processing TROs and information about other areas that should be considered. The consultation has been circulated to all Parking Managers. PATROL and the Traffic Penalty Tribunal will make a submission. The closing date is 15th November 2017.
- Noted the Local Government Associations' recent publication "A country in a jam: tackling congestion in our towns and cities. How councils are dealing with congestion and how they could do more." <https://www.local.gov.uk/tackling-congestion>. The report includes a range of case studies from member authorities and highlights the problems facing local authorities including the absence of legislative powers including moving traffic powers. PATROL recently undertook a survey of bus lane councils in connection with the absence of moving traffic powers and will be extending this to include parking authorities.

- Noted the Private Member's Bill – Parking (Code of Practice) Bill
Sir Greg Knight is sponsoring this Private Member's Bill which aims to make provision for a single code of practice containing guidance about the operation and management of private parking facilities. Sir Greg Knight is calling for a "fairer, more transparent and consistent enforcement system". In the past year over four million enquiries have been made to the DVLA by private parking operators for details to send parking charges. The bill which has cross-party support was presented to Parliament on 19th July 2017 and is expected to have its second reading on 2nd

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.

e) Finance and HR matters

- Noted the details of the internal audit findings and management response in relation to "low priority" audit recommendations.
- Noted procurement falling outside the Joint Committees' Financial Regulations
- Reviewed the financial papers being presented to the Committees' Executive Sub Committees on 31st October 2017
- Reviewed the risk register being presented to the Joint Committee's Executive Sub Committees.
- Noted proposals in relation to the staff management structure.

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 review 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 January 2018 meetings of the Joint Committee Executive Sub Committees.

8.0 Recommendation

8.1 To note the matters discussed at the meeting held 12th October 2017.

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

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 ADJUDICATION SERVICE JOINT COMMITTEE
Executive Sub Committee

Date of Meeting: 31st October 2017
Report of: The Director on behalf of the Resources Working Group
Subject/Title: Audit Commission Small Bodies Annual Return for the Year Ended 31 March 2017

1.0 Report Summary

- 1.1 To report 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.

2.0 Recommendation

- 2.1 To note the findings of the external audit for 2016/17 in the enclosed annual return (Appendix 1).
- 2.2 To approve the PATROL and Bus Lane Adjudication Service Local Scheme of Financial Delegation (Appendix 2)

3.0 Reasons for Recommendations

- 3.1 Compliance with PATROL Financial Regulations and response to an internal audit recommendation.

4.0 Financial Implications

- 4.1 Set out in the report

5.0 Legal Implications

- 5.1 None at this time

6.0 Risk Management

- 6.1 Internal and external audit findings provide assurance to the Joint Committee on financial management.

7.0 Background and Options

- 7.1 The Joint Committee approved the draft annual return for 2016/17 at its meeting on 11th July 2017.
- 7.2 The Joint Committee approved the appointment of BDO LLP to audit the annual returns of the Joint Committee for the period 2015/16 to 2017/18 at its meeting in July 2016. The final audited return is shown at Appendix 1
- 7.3 There are no issues arising.
- 7.4 There is no requirement for the Joint Committee to publish accounts from 2015/16 onwards however at the Joint Committee meeting in June 2015, it was determined that this would continue for the purposes of transparency.
- 7.5 A local Scheme of Financial Delegation was first approved at the Joint Committee's October 2015 meeting with a view to being reviewed annually. This has been reviewed and is presented at Appendix 2.

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

Joint Committees

Return for the financial year ended 31 March 2017

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

- Sections 1 and 2 are completed by the person nominated by the Joint Committee
- Section 3 is completed by BDO LLP as the reviewer appointed by the Joint Committee.
- Section 4 is completed by the Joint Committee's internal audit provider.

Completing your return

Guidance notes, including a completion checklist, are provided on page 6 and at relevant points in the return. Also our extranet contains useful advice for you to refer to, see below.

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

Send the return, together with your bank reconciliation as at 31 March 2017, an explanation of any significant year on year variances in the accounting statements and any additional information requested, to us, BDO LLP, by the due date.

We will identify and ask for any additional documents needed for our work. Therefore, unless requested, do not send any original financial records.

Once we have completed our work, the completed return will be returned to the Joint Committee.

It should not be necessary for you to contact us for guidance.

Additional information can be found on our extranet
(<https://bdoextranet.bdo.co.uk/sites/councils/pages/default.aspx>.)

Section 1 – Governance statement 2016/17

We acknowledge as the members of

Enter name of reporting body here:

BUS LANE ADSUDICATION SERVICE JOINT COMMITTEE

Our responsibility for ensuring that there is a sound system of internal control, including the preparation of the accounting statements. We confirm, to the best of our knowledge and belief, with respect to the accounting statements for the year ended 31 March 2017, that:

	Agreed		'Yes'
	Yes	No*	Means that the body:
1 We approved the accounting statements prepared in accordance with the guidance notes within this Return.	✓		Prepared its accounting statements and approved them.
2 We maintained an adequate system of internal control, including measures designed to prevent and detect fraud and corruption and reviewed its effectiveness.	✓		Made proper arrangements and accepted responsibility for safeguarding the public money and resources in its charge
3 We took all reasonable steps to assure ourselves that there are no matters of actual or potential non-compliance with generally accepted good practice that could have a significant financial effect on the ability of the body to conduct its business or on its finances and have reported our financial results to our host authority for inclusion in their accounts.	✓		Has only done what it has the legal power to do and has complied with general accepted good practice
4 We carried out an assessment of the risks facing the body and took appropriate steps to manage those risks, including the introduction of internal controls and/or external insurance cover where required.	✓		Considered the financial and other risks it faces and has dealt with them properly.
5 We maintained throughout the year an adequate and effective system of internal audit of the body's accounting records and control systems.	✓		Arranged for a competent person, independent of the financial controls and procedures, to give an objective view on whether internal controls meet the needs of the body.
6 We took appropriated action on all matters raised during the year in reports from internal audit and external reviews.	✓		Responded to matters brought to its attention by internal and external reviewers.
7 We considered whether any litigation, liabilities or commitments, events or transactions, occurring either during tor after the year-end, have a financial impact on the body and where appropriate have included them in the accounting statements.	✓		Disclosed everything it should have about its business activity during the yea including events taking place after the year-end if relevant.

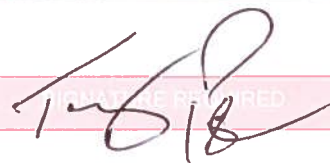
The governance statement is approved by the Joint Committee and recorded as minute reference

MINUTE REFERENCE 8/17

Date 11 07 2017

Signed by:

Chair



Signed by:

Clerk



*Note: Please provide explanations on a separate sheet for each 'No' response. Describe how the joint committee will address the weaknesses identified.

Section 2 – Accounting Statements 2016/17 for

Enter name of reporting body here:

BUS LANE ADJUDICATION SERVICE JOINT COMMITTEE

	Year ending		Notes and guidance
	31 March 2016 £	31 March 2017 £	
			Please round all figures to nearest £1. Do not leave any boxes blank and reports £0 or Nil balances. All figures must agree to underlying financial records.
1 Balances brought forward	(24,676)	286,690	Total balances and reserves at the beginning of the year as recorded in the body's financial records. Value must agree to Box 7 of previous year.
2 (+) Income from local taxation and/or levy	-	-	Total amount of local tax and/or levy received or receivable in the year including funding from a sponsoring body. Excluding any grants received.
3 (+) Total other receipts	618,521	527,744	Total income or receipts as recorded in the cashbook less the taxation and/or levy (line 2). Include any grants received here.
4 (-) Staff costs	-	-	Total expenditure or payments made to and on behalf of all employees. Include salaries and wages, PAYE and NI (employees and employers)), pension contributions and employment expenses.
5 (-) Loan Interest/capital repayments	-	-	Total expenditure or payments of capital and interest made during the year on the body's borrowings (if any).
6 (-) All other payments	307,155	420,182	Total expenditure or payments as recorded in the cashbook less staff costs (line 4) and loan interest/capital repayments (line 5).
7 (=) Balances carried forward	286,690	394,252	Total balances and reserves at the end of the year. Must equal (1+2+3) – (4+5+6)
8 Total cash and short term investments	345,023	446,228	The sum of all current and deposit bank accounts, cash holdings and short term investments held as at 31 March – to agree with bank reconciliation.
9 Total fixed assets plus other long term investments and assets	-	-	The original Asset and Investment Register value of all fixed assets, plus other long term assets owned by the body as at 31 March
10 Total borrowings	-	-	The outstanding capital balance as at 31 March of all loans from third parties (including PWLB)

I certify that for the year ended 31 March 2017 the accounting statements in the return present fairly the financial position of the Joint Committee and its income and expenditure, or properly present receipts and payments, as the case may be.

Signed by Responsible Financial Officer:

SIGNATURE REQUIRED

Date

26/06/2017

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

11 07 2017

and recorded as minute reference:

8/17 REFERENCE

Signed by Chair of meeting approving these accounting statements:

SIGNATURE REQUIRED

Signature

Section 3 – External Report 2016/17 Certificate

We present the findings from our review of the return for the year ended 31 March 2017 in respect of:

Enter name of reporting body here:

BUS LANE ADJUDICATION SERVICE JOINT COMMITTEE

Respective responsibilities of the Joint Committee and the reviewer

The Joint Committee has taken on the responsibility of ensuring that its financial management is adequate and effective and that it has a sound system of internal control. The Joint Committee prepares a return which:

- summarises the accounting records for the year ended 31 March 2017; and
- confirms and provides assurance on various governance matters in accordance with generally accepted good practice

This report has been produced in accordance with the terms of our engagement letter dated [date] (“the Engagement Letter”) and in accordance with the International Standard on Related Services 4400 applicable to agreed-upon-procedures engagements as published by IAASB.

We have performed the following work in respect of the return prepared by the Joint Committee:

- agreed to bank reconciliation to the annual return and the bank statements
- agreed the Annual return figures back to the trial balance
- ensured the trial balance and accounting statements adds up
- ~~agreed the precept to the funding body~~
- agreed any loans to the PWLB or whoever the loan is with
- checked the comparative figures to the prior year accounts
- undertake an analytical review of the figures and investigated any variances in excess of 10%
- agree that the accounting statements and annual governance statement have been signed and dated as required.
- investigated any NO answers to the Annual Governance Statement
- investigated any NO answers in the Internal auditor report

[No exceptions were found / ~~Apart from the following exceptions, noted below, no exceptions were found.~~]

We have not subject the information contained in our report to checking or verification procedures except to the extent expressly stated above and this engagement does not constitute an audit or a review and, as such, no assurance is expressed. Had we performed additional procedures, an audit or a review, other matters might have come to light that would have been reported.

You were responsible for determining whether the agreed upon procedures we performed were sufficient for your purposes and we cannot, and do not, make any representations regarding the sufficiency of these procedures for your purposes.

Our report is prepared solely for the confidential use of the joint committee. Our report must not be used for any purpose other than for which it was prepared or be reproduced or referred to in any other document or made available to any third party without the written permission of BDO LLP.

We accept no liability to any other party who is shown or gains access to this report.

Reviewer signature

BDO LLP

BDO LLP

8/9/17

Section 4 – Annual internal audit report 2016/17 to

Enter name of reporting body here:

BUS LANE ADJUDICATION SERVICE JOINT COMMITTEE

The Joint Committee's internal audit service provider, acting independently and on the basis of an assessment of risk, carried out a selective assessment of compliance with relevant procedures and controls expected to be in operation during the financial year ended 31 March 2017.

Internal audit has been carried out in accordance with the Joint Committee's needs and planned coverage.

On the basis of the findings in the areas examined, the internal audit conclusions are summarised in this table. Set out below are the objectives of internal control and alongside are the internal audit conclusions on whether, in all significant respects, the control objectives were being achieved throughout the financial year to a standard adequate to meet the needs of the Joint Committee.

Internal control objective	Agreed? Please choose one of the following		
	Yes	No*	Not covered**
A. Appropriate accounting records have been kept properly throughout the year.	✓		
B. The Joint Committee's financial regulations have been met, payments were approved and VAT was appropriately accounted for.	✓		
C. The Joint Committee assessed the significant risks to achieving its objectives and reviewed the adequacy of arrangements to manage these.	✓		
D. The annual taxation or levy or funding requirements resulted from an adequate budgetary process; progress against the budget was regularly monitored; and reserves were appropriate.	✓		
E. Expected income was fully received, based on correct prices, properly recorded and promptly banked; and VAT was appropriately accounted for.	✓		
F. Petty cash payments were properly supported by receipts, all petty cash expenditure was approved and VAT appropriately accounted for.	* ✓		
G. Salaries to employees and allowances to members were paid in accordance with the body approvals, and PAYE and NI requirements were properly applied.	✓		
H. Asset and investments registers were complete and accurate and properly maintained.	✓		
I. Periodic and year-end bank account reconciliations were properly carried out.	✓		
J. Accounting statements prepared during the year were prepared on the correct accounting basis, agreed to the cash book, were supported by an adequate audit trail from underlying records, and, where appropriate, debtors and creditors were properly recorded.	* ✓		

For any other risk areas identified by the Joint committee (list and other risk areas below or on separate sheets if needed) adequate controls existed:

*SEE INTERNAL AUDIT REPORT
THESE ARE AGREED - ADDITIONAL NOTES PER APPENDIX B OF REPORT.

Name of person who carried out the internal audit:

JOSIE GRIFFITHS

Signature of person who carried out the internal audit:



Date: 26/06/17

*Note: If the response is 'no' please state the implications and action being taken to address any weakness in control identified (add separate sheets if needed).

**Note: If the response is 'not covered' please state when the most recent internal audit work was done in this area and when it is next planned, or, if coverage is not required, internal audit must explain why not (add separate sheets if needed).

Guidance notes on completing the 2016/2017 return

1. Make sure that your return is complete (i.e. no empty red boxes), and is properly signed and dated. Avoid making any amendments to the completed return. But, if this is unavoidable, make sure the amendments are drawn to the attention of and approved by the body, properly initialled and an explanation provided to us. Returns containing unapproved or unexplained amendments will be returned and may incur additional costs.
2. Use the checklist provided below. Use a second pair of eyes, perhaps a member of the committee or the Chair, to review your return for completeness before sending it to us.
3. Do not send us any information not specifically asked for. Doing so is not helpful. However, you must notify us of any change of Clerk, Responsible Financial Officer or Chair.
4. Make sure that the copy of the bank reconciliation or letter confirming the balance held on your behalf which you send with the return covers all your bank balances. If the joint committee holds any short-term investments, note their value on the bank reconciliation. We must be able to agree your bank reconciliation to Box 8 on the Accounting statements. You must provide an explanation for any difference between Box 7 and Box 8.
5. Explain fully significant variances in the accounting statements on page 3. Do not just send in a copy of your detailed accounting records instead of this explanation. We want to know that you understand the reasons for all variances. Include a complete analysis to support your explanation.
6. If we have to review unsolicited information, or receive an incomplete bank reconciliation, or you do not fully explain variances, this may incur additional costs for which we will make a charge.
7. Make sure that your accounting statements add up the balance carried forward from the previous year (Box 7 of 2016) equals the balance brought forward in the current year (Box 1 of 2017).
8. Do not complete section 3. We will complete it at the conclusion of our work.

Completion checklist – 'No' answers mean you may not have met requirements		Done?
All sections	All red boxed have been completed?	✓
	All information has been sent with this return?	✓
Section 1	For any statement to which the response is 'no', an explanation is provided?	✓
Section 2	Approval by the body confirmed by the signature of Chair of meeting approving the accounting standards?	✓
	An explanation of significant variations from last year to this year is provided?	✓
	Bank reconciliation as at 31 March 2017 agrees to Box 8?	✓
	An explanation of any difference between Box 7 and Box 8 is provided?	✓
Section 4	All red boxed completed by internal audit and explanations provided?	✓



PATROL and Bus Lane Adjudication Service Scheme of Financial Delegation

Contact Details: Louise Hutchinson

Version / Date: October 2017

Introduction

This Scheme of Delegation should be read in conjunction with the current PATROL and Bus Lane Adjudication Service Joint Committee’s Financial Regulations and the Scheme of Delegation to the Director

1 Budget Management

i) In year budget management

The table below sets out which managers have been delegated the task of managing capital and revenue budgets.

Manager	Budget area	Name
Deputy Chief Adjudicator	Adjudicator fees and expenses	Stephen Knapp
Central Services Manager	Central Services functions including departmental staffing, premises, staff recruitment, training and Human Resources	Erica Maslen
Stakeholder Engagement Manager	Stakeholder departmental staffing and associated engagement expenditure IT departmental staffing, technology provision and development (software, hardware and infrastructure)	Iain Worrall
Director	Senior salaries, Case Management staffing budget Joint Committee initiatives, expenditure from approved reserves, consultancy and legal advice. PR, Communications and other	Louise Hutchinson

	expenditure not falling within the above delegations.	
--	---	--

ii) Changing the Service budget in year

Manager	Budget Area	Approval Limit
Director	All	£25,000

iii) Planning future years budgets

Responsibility:	Director and Central Services Manager in conjunction with budget managers set out above
-----------------	---

2 Authorisations

i) Procurement – Purchasing Goods and Services, Contracts & Tenders, Requisitions and Orders

The following limits apply to the approval of submission of tenders; acceptance of tenders; post contract negotiations; agreeing variations and lease, hire or rental agreements.

Up to £2,000	a written quotation submitted by the requisitioner and authorised by the Budget Manager
Between £2,000 and £30,000	three written quotations submitted against an outline specification by the Budget Manager
£30,000 to £172,514 (EU threshold)	formal tender process to at least three candidates authorised by the Director

EU threshold to £250,000	follow EU tender rules initiated by the Director
--------------------------	--

The primary budget holders may have authorised approvers within their teams who can approve up to £500 expenditure without budget holder approval on agreed budget areas.

Role / Position of approver	Department
Business Manager	Central Services
Technology Manager	Stakeholder Engagement Manager
Appeals Manager	Director
Communications Officer	Communications and Public Affairs

ii) Purchase Cards

Card Holder (Role)	Transaction & Monthly Limit	Approver (Role)
Central Services Manager	£10,000	Director
Office and Facilities Manager	£10,000	Central Services Manager or Director
Technology Manager	£5,000	Stakeholder Engagement Manager or Cent Serv Mgr
Projects Officer	£10,000	Stakeholder Engagement Manager or Cent Serv Mgr

Scheme of Financial Delegation
Service Name: PATROL and BLASJC

Contact Details: Louise Hutchinson
Version and date: V1 October 2017

Appeals Manager	£5,000	Director or Cent Serv Mgr
Executive Assistant	£10,000	Central Services Manager or Director
Stakeholder Engagement Manager	£5,000	Director

iii) Imprest Accounts

The Joint Committee does not currently operate an imprest account. Where cash is required, only the Central Services Manager is authorised to draw cash from the Joint Committee’s current account in accordance with the Joint Committee’s approved Cash Policy.

3 Human Resources

Area of Delegation	Limit (Grade / £)	Designated Authorising Officers	Notes
Authorising that a post within the establishment is to be filled	Grade 10	Senior Manager for their department	The Business Manager will be notified to update the HR system.
Authorising: <ul style="list-style-type: none"> • Staff appointments* • Promotions 	Grade 10 *Up to two increments depending upon qualifications and experience	Senior Manager for their department	As above
Authorise Changes to Employment Contracts	Grade 10	Senior Manager for their department	As above
Approval for overtime to be worked	Where allowed within contract	Senior Manager for their department	As above

Scheme of Financial Delegation
Service Name: PATROL and BLASJC

Contact Details: Louise Hutchinson
Version and date: V1 October 2017

Area of Delegation	Limit (Grade / £)	Designated Authorising Officers	Notes
Authorise Redundancies/Early Retirements	Applies across all grades	Director in conjunction with Joint Committee and CEC	As above
Authorise Payments: <ul style="list-style-type: none"> • Staff Overtime Claims • Staff Expense Claims 	Where allowed within contract	Senior Manager for their department Senior Manager/Business Manager	As above
Authorise contractor/agency worker timesheets (or equivalent claims)	Grade 7	Senior Manager/Business Manager	As above

4 Management of Assets

Area of Delegation	Limit (£)	Designated Authorising Officers
Maintenance of Asset Inventory		Central Services Manager and Operations Manager (technology)
Authorising disposal of equipment or materials	≤ £5,000	Director
	> £5,000	Chair of Joint Committee
Authorising write off and / or disposal of IT hardware & software	≤ £5,000	Director

5 Banking and Income

No bank accounts may be opened or arrangements made with any other bank except by agreement with the Director.
 New investment deposits with current banking institutions will be authorised by the director.

Area of Delegation	Designated Accounting Officers	Notes
Authority to raise an external/internal invoice	Finance Officer	
Authority to cancel debt (e.g. credit notes).	Central Services Manager	
Authority to write off debt	Director	.

6 General Ledger

Area of Delegation	Limit (£)	Designated Authorising Officers	Notes
Journals	£350,000 in respect of income adjustments	Finance Officer	
Additions, Changes and Deletions to Accounting Codes	£ 5,000 £25,000	Finance Officer Central Services Manager	
Amendments to budgeted amounts	All	Central Services Manager Director	

7 Performance Management

Responsibility for maintaining Performance Management System:	Director & Central Services Manager
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8 Risk Management

Responsibility for maintaining Risk Management System:	Director & Central Services Manager
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9 Insurance

Area of Delegation	Designated Authorising Officers
Obtain and maintain appropriate insurance cover	Central Services Manager
Dealing with claims (e.g. Statement of Disclosure, Defence etc.)	Central Services Manager

10 Information Management

Area of Delegation	Designated Authorising Officers
Responsibility for Document Retention/Information Management arrangements	Central Services Manager
Responsibility for Freedom of Information/Data Protection Act requests	Central Services Manager

11 Building/Security

Area of Delegation	Officer/Building
Building Specific Responsible Officers as required by Health and Safety Policy	Central Services Manager/Office and Facilities Manager
Key holders/Secure Access	Central Services Manager/Office and Facilities Manager

12 Other

Business/Service owner of relevant policies/procedures (e.g. regular maintenance/update)	Central Services Manager
Service/Area specific Instructions/Regulations	Adjudicators/Operations Manager
Contracts Register	Central Services Manager

13 Approval

Scheme of Delegation – Approved by	
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Scheme of Financial Delegation
Service Name: PATROL and BLASJC

Contact Details: Louise Hutchinson
Version and date: V1 October 2017

Date of approval	
Evidence of approval held by	

14. Review

This scheme will be reviewed on an annual basis.

BUS LANE ADJUDICATION SERVICE JOINT COMMITTEE

Executive Sub Committee

Date of Meeting:	31 st October 2017
Report of:	The Director on behalf the Resources Working Group and Sub Committee
Subject/Title:	Budget monitoring and review of the basis for defraying expenses 2017/18

1.0 Report Summary

- 1.1 To present income and expenditure monitoring information for the year to 31st August 2017 and review the basis for defraying expenses 2017/18.

2.0 Recommendation

- 2.1 To note the income and expenditure position at 31st August 2017.
- 2.2 To review the options for defraying expenses for the year 2017/18.

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 31st August 2017.
- 7.3 The Tribunal is operated on a self-financing 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 31st August 2017. (Appendix 1).
- 7.5 As at 31st August 2017 Bus Lane income was marginally higher than budget by £ 2,666.
- 7.6 Pro-rata appeal costs which form the basis of the recharge have been lower than anticipated with a favourable variance of £19,687.
- 7.7 The overall effect at 31st August is a surplus of £16,941 against a budgeted deficit of £5,413.

8.0 Defraying Expenses

Reviewing the basis for defraying expenses in the light of five-month income and expenditure experience, the following options were considered.

- (i) Maintain the current contribution based upon 40 pence per PCN. This would not incur any additional costs and based on income and expenditure to 31 August 2017, the full-year forecast is a surplus of £4,000 which would be added to the surpluses from previous years. This would result in BLASJC's reserve being £398,000 at the end of the financial year 2017/18.
- (ii) Reduce the contribution to 35 pence per PCN for the remainder of 2017/18 backdated to 1st October 2017. This would cost £30,000 which is forecast to result in a contribution of £26,000 from BLASJC's reserves, resulting in a closing reserve of £368,000 at the end of the financial year.
- (iii) Reduce the contribution to 35 pence for the remainder of the year and backdate it to April 2017. This would cost £60,000 and is forecast to require a contribution from reserves of £56,000, resulting in a closing reserve of £338,000.

9.0 Recommendations

- 9.1 To note the income and expenditure position at 31st August 2017.
- 9.2 To adopt option (iii) above i.e. to reduce the contribution to 35 pence backdated to April 2017. There is no annual charge or charge per case.

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

BUS LANE Outturn to 31/08/2017								
	Year to Date				Full Year			
	31/08/2017	31/08/2017	31/08/2017	31/08/2017	2017/18	2017/18	2017/18	2016/17
	Actual	Budget	Var to Budget	Var to Budget	Forecast Outturn	Full Year Budget	Var to Budget	Prior Year Result
Income								
Bus Lane Income	202,666	200,000	2,666	1.33%	420,000	480,000	-60,000	527,744
Other Income			0	0.00%				
Bank Interest			0	0.00%				
Total Income	202,666	200,000	2,666	1.33%	420,000	480,000	-60,000	527,744
Expenditure:								
Adjudicators								
Staff								
Premises / Accommodation								
Transport								
Supplies and Services	185,726	205,413	19,687	9.58%	475,941	492,990	17,049	420,182
IT								
Services Management and Support								
Audit Fees								
Contingency								
Total Expenditure	185,726	205,413	19,687	9.58%	475,941	492,990	17,049	420,182
Surplus / (Deficit)	16,941	-5,413	22,353	412.99%	-55,941	-12,990	-42,951	107,562

Forecast Outturn assumes PCN charge reduced to 35 pence and backdated to Apr 17.

PATROL ADJUDICATION JOINT COMMITTEE & BUS LANE ADJUDICATION SERVICE JOINT COMMITTEE

Executive Sub Committees

Date of Meeting: 31st October 2017
Report of: The Director on behalf of the Resources Sub Committee and Working Group
Subject/Title: Risk Register

1.0 Report Summary

1.1 To present the latest review of the risk register

2.0 Recommendation

2.1 To note the latest review of the risk register

2.2 To note that a review of Risk Management is being undertaken and the presentation of the risk register will change with effect from January 2018

3.0 Reasons for Recommendations

3.1 Compliance with the Joint Committee's Risk Management Strategy

4.0 Financial Implications

4.1 None at this time

5.0 Legal Implications

5.1 None at this time

6.0 Risk Management

6.1 The risk register forms part of the Risk Management Strategy

7.0 Background and Options

7.1 The Joint Committee is committed to avoiding risks that threaten its ability to undertake its principal objectives in a way which provides quality and value. It will maintain a sufficient level of reserves to support liquidity and absorb short-term fluctuations in income and expenditure beyond its control.

7.2 The Joint Committee has established a Risk Management Strategy which includes the review of the risk register.

8.0 Recommendation

8.1 To note the latest review of the risk register

8.2 To note that a review of Risk Management is being undertaken and the presentation of the risk register will change with effect from January 2018

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

Appendix 2: RISK REGISTER OCTOBER 2017

Rank	Risk Description	Consequence Description	Risk Impact	Likelihood	Score	Key Controls In Place	Assurances	Response	Previously Reported Status	Current Status	Further Actions to be taken to Manage Risk Better	Lead
1.	Unforeseen significant fluctuations in income and assurance on service charge income	Inability to meet financial obligations	4	2	8	Audit figures and history on which to base forecasts. Reserve policy in place Bad debt policy	Internal & External Audit Reports Committee Reports	Treat			Continued forecasting, budget monitoring and cashflow analysis. Monitor new jurisdictions.	D
2.	Inability of IT to support needs of organisation and technology users (including data protection)	Reduced effectiveness and efficiency for tribunal, councils and appellants.	3	3	9	Robust hosting and support arrangements in place. In-house IT team providing first line support. Registered with the Information Commissioner Data Sharing Agreements implemented with respondent authorities. Privacy Impact Assessment in Place Frequent reporting of appeal portal development and progress.	Performance Reports IT hardware replacement programme. Technology Reserves in place Feedback from appellants and authorities to inform future development. The tribunal web site and portal explains to the parties how information will be shared.	Treat			Build upon the University of Birmingham research to obtain feedback to enhance the user experience. Refinements and developments continue to the system including mobile optimisation. Continued project management of development priorities and addressing defects. Review systems in the light of the general Data Protection Regulation (GDPR) which comes into force in 2018.	D
3.	Loss of key members of management and staff	Disruption to operations Management of vacancies	3	3	9	Clearly defined roles with flexibility to provide cover.	Committee Reports	Treat			Temporary resource to support the closure of the legacy system and transition to all appeals and witness statements	D

Appendix 2: RISK REGISTER OCTOBER 2017

		Project and operational targets affected				Documented procedures Arrangements for temporary cover Arrangements in place to extend cover. Resources Sub Committee and Working Group established.				handled through FOAM (Fast Online Appeal Management)	
4	Insufficient adjudicator/ staff resources to meet demand	Inability to meet targets Pressure to reach decisions may result in increased number of judicial reviews	3	2	6	Monitoring of demand and performance Staff recruitment, induction, training and appraisal. Established operating model with proven systems for training and managing new staff. Contingency Planning	Resources Sub Committee and Working Group in place Committee Reports Development of the portal will increase efficiency of the appeals process	Treat		Continually review capacity and training needs of adjudicators and staff	CA/D
5	Achievement of Key Objectives	Failure to achieve key objectives	3	3	9	Leadership team established focussing on key objectives.	Internal & External Audit Reports Committee Reports	Treat		Following the successful roll out of FOAM, the focus is now on rolling out the new witness statement process and introducing the reviews and cost module. A series of TPT engagement workshops have provided the basis for this roll out.	CA/D

CA = Chief Adjudicator D - Director

Note 1 The Risk Register is underpinned by the Risk Management Strategy and should be read in conjunction with business continuity planning arrangement

Appendix 2: RISK REGISTER OCTOBER 2017

Risks that have been downgraded in accordance with the Risk Management Strategy following the report to September 2011 Joint Committee

	Effective Financial and Resource Management including spending within agreed budgets	Financial instability	2	2	4	Historical data on which to base forecasts. Specified role for budget holders in budget monitoring. Recommendations from Internal Audit	Internal & External Audit Reports Committee Reports	Treat			Impact of revisions to budget management Internal Audit Annual Plan for 2011/12.
	Change in government policy	Change in direction for traffic regulations/adjudication	5	1	5	Establishing and maintaining dialogue with relevant government departments, responding to consultation, participation in working groups	Committee Reports	Tolerate			None at this time
	Health and Safety Breach	Risk to welfare of adjudicators, appellant, staff Disruption to tribunal operation	3	1	3	Health and Safety policy in place. Procedures in place for monitoring risk/handling incidents which may be a threat to health and security. Business Continuity Plan in place.	Reporting requirements for Health and Safety Matters	Treat			None at this time

Appendix 2: RISK REGISTER OCTOBER 2017

Risk Impact Details

Name		Description
1	Immaterial	Loss of up to £10k; examples include little effect on service delivery; no health and safety impact; no damage to reputation.
2	Minor	Loss of £10k to £50k; examples include minor disruption to effective service delivery i.e. staff in unplanned absence for up to one week; minor injury; no requirement for professional medical treatment; slight damage to reputation.
3	Moderate	Loss of £50k to £250k; examples include delays in effective service delivery i.e. adjustments to work programmes in up to one week or staff long term absence; injury to an individual(s) requiring professional medical treatments; reputation damage is localised and minor.
4	Significant	Loss of £250k to £500k; examples include effective service delivery is disrupted in specific areas of the business; multiple serious injuries requiring professional medical treatment; reputation damage occurs with key stakeholders.
5	Major	Loss of £500k +; examples include effective service delivery is no longer achievable, fatality of staff, visitor or public; reputation damage is irrecoverable i.e. regulatory body intervention.

Likelihood

Description	Probability	Indicators
5. Highly Probable	> 80%	<input type="checkbox"/> Is expected to occur in most circumstances <input type="checkbox"/> Circumstances frequently encountered – daily/weekly/monthly/annually <input type="checkbox"/> Imminent/near miss
4. Probable/ Likely	60% - 80%	<input type="checkbox"/> Will probably occur in many circumstances <input type="checkbox"/> Circumstances occasionally encountered but not a persistent issue (e.g. once every couple/few years) <input type="checkbox"/> Has happened in the past or elsewhere
3. Possible	40% - 60%	<input type="checkbox"/> Not expected to happen, but is possible (once in 3 or more years) <input type="checkbox"/> Not known in this activity
2. Unlikely	20% - 40%	<input type="checkbox"/> May occur only in exceptional circumstances <input type="checkbox"/> Has rarely / never happened before <input type="checkbox"/> Force majeure
1. Remote	20%	<input type="checkbox"/> The risk will not emerge in any foreseeable circumstance

The evaluation process will highlight the key risks that require urgent attention. However, all the risks need to be considered and action agreed, even if this is to take no action at the current time. The options are either to: Tolerate, Treat, Terminate or Transfer each risk.

- Tolerate the risk (accept it)** – some low scoring risks may be considered as acceptable, but these need to be reviewed on a regular basis to confirm that the circumstances have not changed.
- Treat the risk (reduce by control procedures)** – the risk can be considered acceptable provided the control mechanisms work.

Appendix 2: RISK REGISTER OCTOBER 2017

- Terminate the risk (cease or modify the method of delivery)** – where risks are unacceptable and control mechanisms will not provide adequate security, the activity or the method of delivery must be modified.
- Transfer the risk** – through insurance or financial contingency provision.

MEASUREMENT OF RISK AND REPORTING

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

Legend:

Score of 25 equates to **Extreme Risk**: Immediate escalation to Director for urgent consideration by Joint Committee.

Scores of 20-15 **High Risk**: Risk to be escalated to the Joint Committee/Executive Sub Committee with mitigating action plan. Risk to be actively managed by Director and Advisory Board.

Scores of 12-6 **Medium Risk**: Risk to be captured on Risk Register and progress with mitigation to be tracked by Director and Advisory Board/Joint Committee/Executive Sub Committee.

Scores of 5 and below **Low Risk**: Risk to be removed from register and managed within appropriate services.

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PATROL ADJUDICATION JOINT COMMITTEE & BUS LANE ADJUDICATION SERVICE JOINT COMMITTEE

Executive Sub Committee Meetings

Date of Meeting: 31st October 2017
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 six-month period to 30 September 2017

2.0 Recommendations

2.1 To note the six-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 31st August 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 six months to 30 September 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 to all member authorities during the 12-month period to 31st March 2017. The final cases within the legacy system are being run out.
- 8.2 Additional functionality has been developed to manage the witness statement process which following a pilot with pathfinder authorities is being rolled out across all authorities.
- 8.3 The next area for FOAM development is the Reviews procedure. 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.
- 8.4 Following on from the success of the local authority regional workshops to roll out FOAM, the Authority Engagement Manager held a series of eight workshops around England and Wales (Llandrindod Wells, Newcastle upon Tyne, Manchester, Birmingham, Nottingham, Bath and London. 127 delegates from 74 authorities attended. Demand for places was high and further workshops are planned. Feedback from authorities was extremely positive both for the topics discussed and the opportunity to network with other officers. 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.

9.0 Recommendations

To note the update on tribunal initiatives and annual summary of appeals activity at Appendix 1

10.1 Reasons for Recommendations

To inform the Joint Committees of Traffic Penalty Tribunal activity and initiatives.

11.0 Access to Information

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

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TRAFFIC PENALTY TRIBUNAL
Appeals Summary 1 April – 30 September 2017

Summary

The tables below show the volume of PCNs appealed to the Traffic Penalty Tribunal for the period 1st April 2017 to 30th September 2017 by type of appeal. This is compared to the same period last year i.e. 1st April 2016 to 30th September 2016.

English authorities (outside London)

The volume of parking appeals has reduced by 13.2% (5,710 to 4,955)
The volume of bus lane appeals has increased by 0.2% (1,607 to 1,610).
Total movement in England is a decrease of 10.3% (7,317 to 6,565)

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.

Welsh Authorities

The volume of parking appeals has reduced by 8% (263 to 242)
The volume of bus lanes appeals has increased by 41.7% (84 to 119)
Moving traffic appeals have increased by 357.1% (7 to 32)
Total movement in Wales is an increase of 11% (354 to 393)

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.

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

There has been a decrease of 9.3% appeals across parking, bus lane & moving traffic appeal streams (i.e. excluding Dartcharge) (7,671 to 6,958)

Dart Charge

Road user charging (Dart Charge) was introduced at the Dartford-Thurrock River Crossing in November 2014. There has been a decrease of 44.9% (5,346 to 2,947) in appeals when comparing 1st April 2017 – 30th September 2017 with the same period last year.

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.

Total across all appeal streams

Comparing 1st April 2017 – 30th September 2017 against the same period for 2016/17, there has been a decrease of 23.9% in appeals across all streams (13,017 to 9,905). The highest proportion of this decrease relates to Road User Charging at the Dartford River Crossing which is 44.9% (5,346 to 2,947).

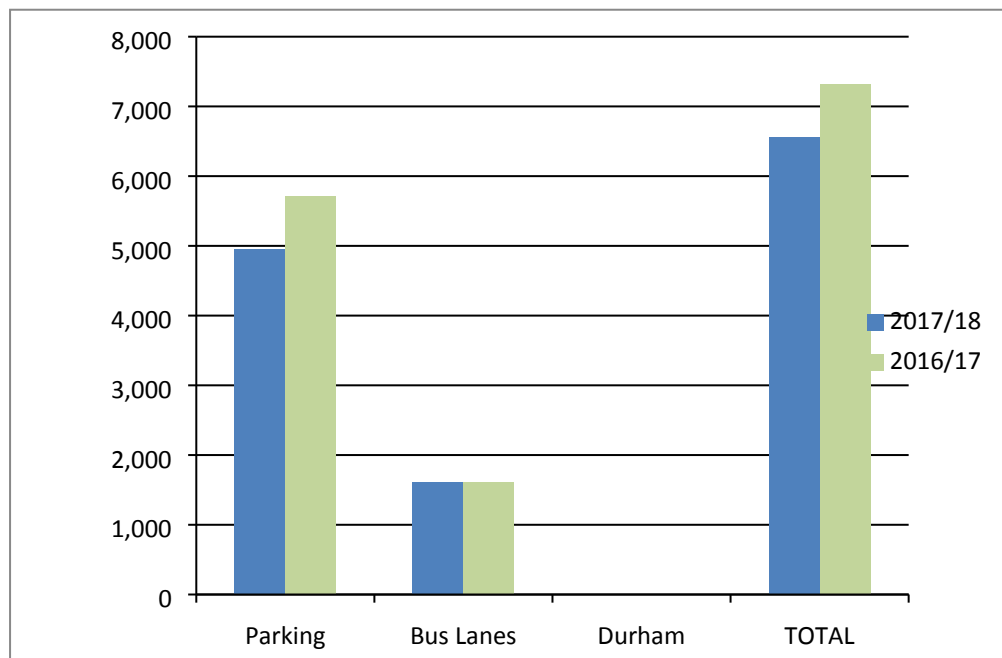
The overall volume of PCNs issued including Dart Charge showed a reduction of 3.75% between 2015/16 and 2016/17, mainly as a result of the reduction Dart Charge PCNs. These figures will be reviewed when the 2017/18 statistics are available.

Detail

English Local Authorities (exc Dartcharge)

The volume of parking appeals has reduced by 13.2% (5,710 to 4,955)
 The volume of bus lane appeals has increased by 0.2% (1,607 to 1,610)
 Total movement in England is a decrease of 10.3% (7,317 to 6,565)

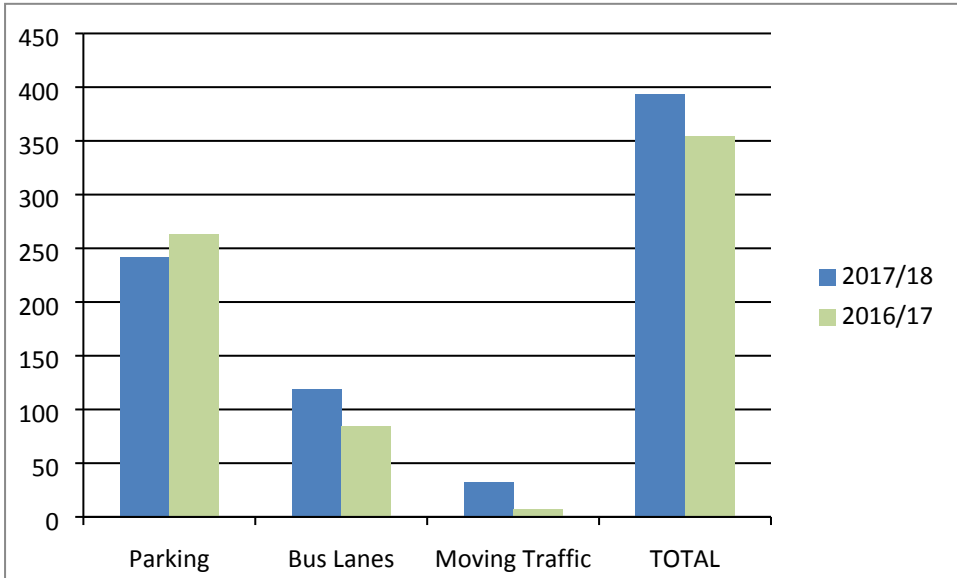
	Parking	Bus Lanes	Durham	TOTAL
2017/18	4,955	1,610	0	6,565
2016/17	5,710	1,607	0	7,317



Welsh Local Authorities

The volume of parking appeals has reduced by 8% (263 to 242)
 The volume of bus lanes appeals has increased by 41.7% (84 to 119)
 Moving traffic appeals have increased by 357.1% (7 to 32)
 Total movement in Wales is an increase of 11% (354 to 393)

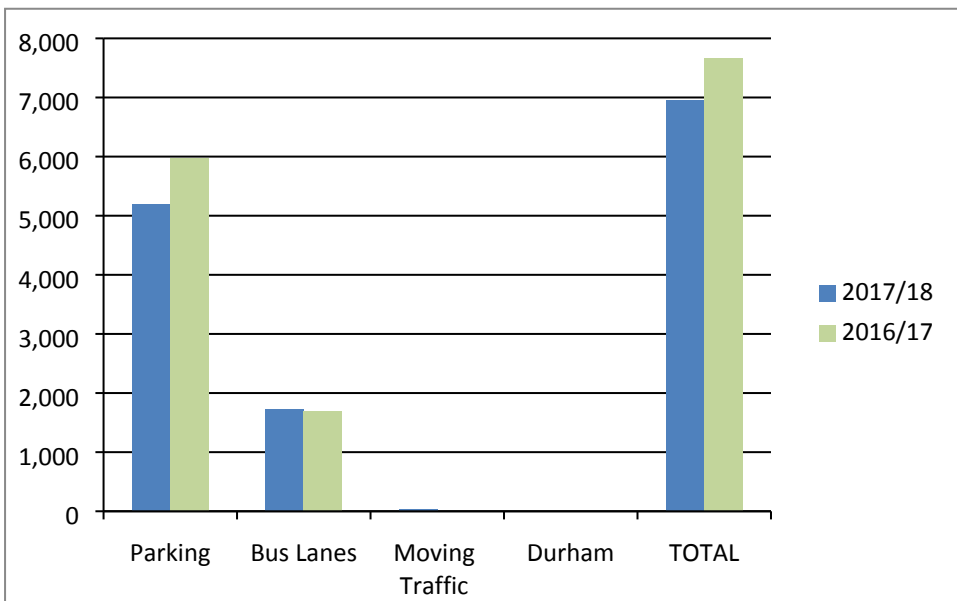
	Parking	Bus Lanes	Moving Traffic	TOTAL
2017/18	242	119	32	393
2016/17	263	84	7	354



England and Wales combined (excl Dartcharge)

There has been a decrease of 9.3% appeals across parking, bus lane & moving traffic appeal streams (i.e. excl Dartcharge) (7,671 to 6,958)

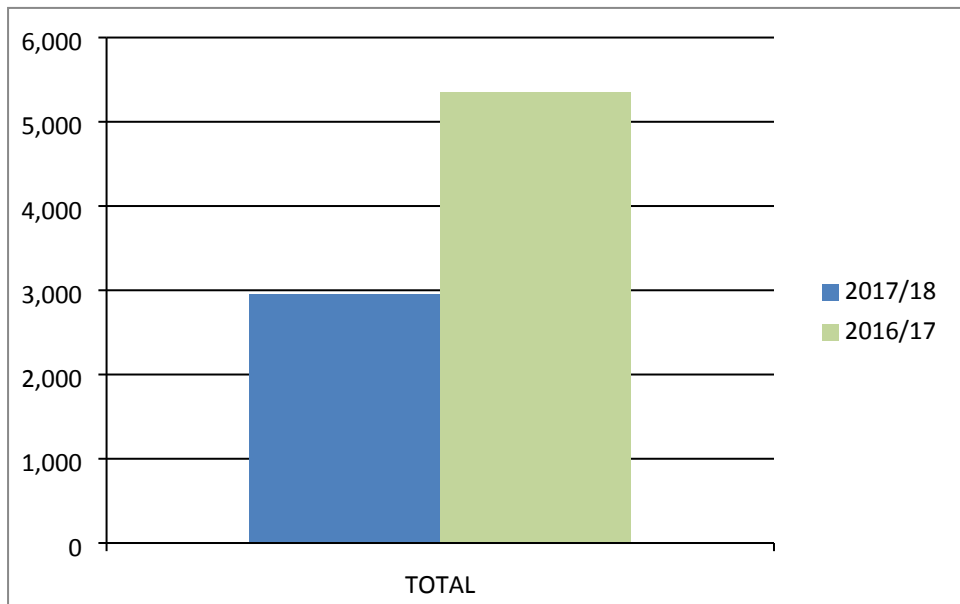
	Parking	Bus Lanes	Moving Traffic	Durham	TOTAL
2017/18	5,197	1,729	32	0	6,958
2016/17	5,973	1,691	7	0	7,671



Dart Charge

Road user charging was introduced at the Dartford-Thurrock crossing in November 2014. There has been a decrease of 44.9% (5,346 to 2947) in appeals when comparing 1st April 2017 – 30th September 2017 with the same period last year.

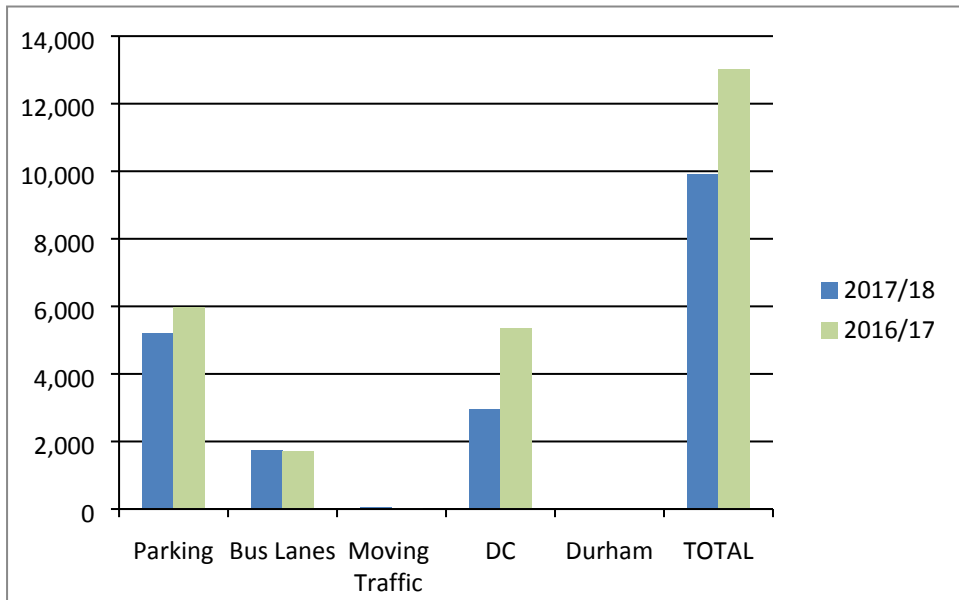
	TOTAL
2017/18	2,947
2016/17	5,346



Total across all appeal streams.

Comparing 1st April 2017 – 30th September 2017 against the same period for 2016/17, there has been a decrease of 23.9% in appeals across all streams (13,017 to 9,905). The highest proportion of this decrease relates to Road User Charging at the Dartford River Crossing which is 44.9% (5,346 to 2,947).

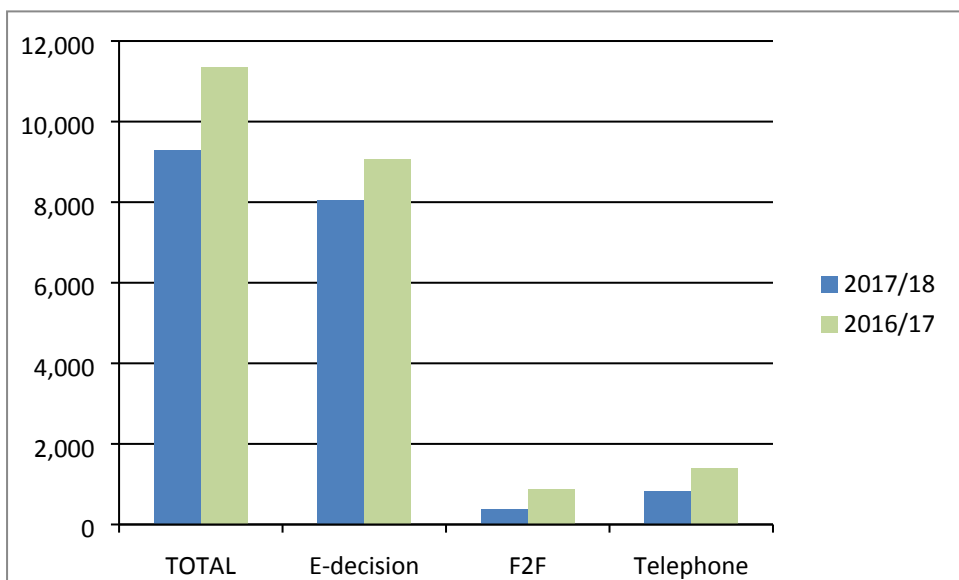
	Parking	Bus Lanes	Moving Traffic	DC	Durham	TOTAL
2017/18	5,197	1,729	32	2,947	0	9,905
2016/17	5,973	1,691	7	5,346	0	13,017



Frequency of hearings

The volume of hearings by type is shown below. E-decisions and telephone hearings are becoming the most prevalent.

	TOTAL	E- decision	F2F	Telephone
2017/18	9,283	8,059 86.8%	383 4.1%	841 9.1%
2016/17	11,350	9,072 79.9%	879 7.7%	1,399 12.3%



Case Closure

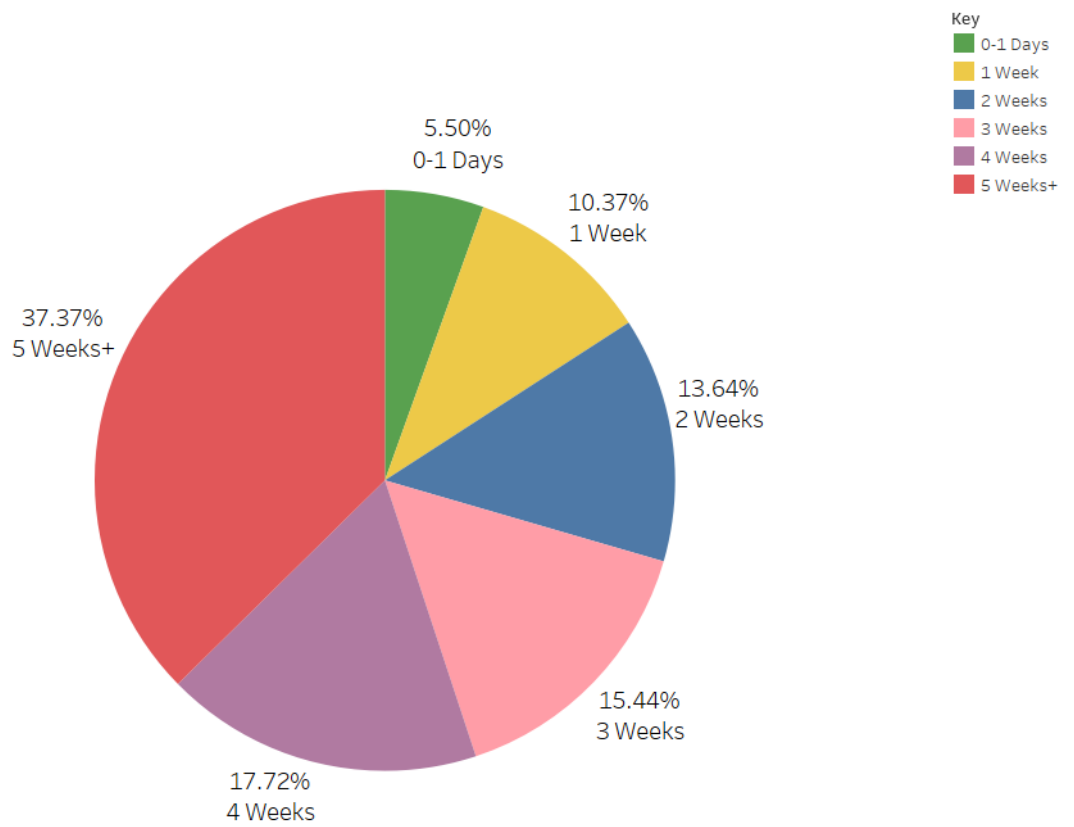
By the end of March 2017, all local authorities and their appellants had been provided with access to FOAM (Fast Online Appeal Management). The online system has resulted in a new way of handling appeals with the facility for messaging and all parties having access to the same information and evidence 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 FOAM (excluding Dart Charge).

- 5% case of closed within a day of them being submitted
- Approx. 17% of case are closed in a week or less
- Almost one third of cases are closed within 2 weeks
- Almost half of cases closed within 3 weeks
- Almost two thirds of cases are closed within 4 weeks



Case Closure Time

Assisted Digital Support

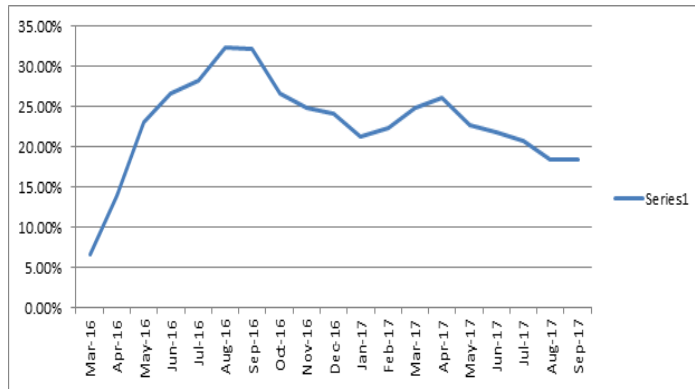
Assisted digital support is help for people who can't use or need help using digital services.

The tribunal recognises the importance of complimenting the online system with an experienced customer service team to provide support to appellants in making an appeal. For most appellants this will be their first experience of engaging with a judicial process.

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. During this period 970 paper appeal forms were issued and 10% of the se appellants were supported to appeal online.

Where appellants cannot engage digitally, the case is uploaded by tribunal staff (proxy cases). This means that the authority can engage with the case digitally save for posting evidence to the appellant, the adjudicator can decide the case online and the appellant receives communications and the adjudicator's decision by post.

The graph below shows a decreasing trend in off-line or proxy cases since all authorities joined FOAM with latest available figures showing 18% of cases fall into this category.



Percentage of proxy (off-line cases)

The tribunal continues to explore other areas of assisted digital support to improve the appellant user experience and promote on-line take up of services.

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