

PATROL ADJUDICATION JOINT COMMITTEE

REPORT FOR RESOLUTION

DATE: 7th October 2008

AGENDA ITEM: Number 5

SUBJECT: Establishment of Executive Sub-Committee (Wales)

REPORT OF: The Lead Officer

PURPOSE OF REPORT

To request that the Joint Committee consider the establishment of an Executive Sub-Committee and its Terms of Reference for the forthcoming year.

RECOMMENDATIONS

It is recommended that:

1. The Joint Committee establishes an Executive Sub-Committee (Wales) in accordance with paragraph 2 and the Appendix to this report.
2. The Joint Committee reviews its Standing Orders and create a new position of Assistant Vice Chair (Wales) to which the Chair of the Executive Sub-Committee (Wales) would automatically be appointed for a period of 12 months at the annual meeting of the Joint Committee.

CONTACT OFFICERS

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1.0 INTRODUCTION

- 1.1 The introduction of the Traffic Management Act 2004 in March 2008 saw, for the first time, separate regulations for the civil enforcement of parking in England and Wales
- 1.2 The introduction of bus lane moving traffic regulations under the Traffic Management Act 2004 will be approached separately in England and Wales.
- 1.3 The Traffic Penalty Tribunal is responsible for adjudication in Wales and has Welsh speaking Adjudicators, Hearing Centre Supervisors and provides documentation in dual language.
- 1.4 The Welsh Assembly Government and Welsh Councils have expressed a wish to remain members of the PATROL Joint Committee but have identified the need to ensure that any variations resulting from the Welsh regulatory framework are taking into account by the Joint Committee.
- 1.5 The introduction of an Executive Sub Committee (Wales) would provide an opportunity for matters relating to Welsh regulations to be considered.
- 1.6 It is recommended that the Chair of the Executive Sub Committee (Wales) is drawn from Welsh member councils and is also appointed as Assistant Vice-Chair (Wales) to the Joint Committee.
- 1.7 Minutes of the Executive Sub Committee (Wales) would be noted at the full Joint Committee meeting.
- 1.8 The Advisory Board to the Joint Committee already has presentation from a Welsh council and from the Welsh Assembly Government.
- 1.9 The Traffic Penalty Tribunal will consult with Welsh Councils through a separate meeting in its Council User Group programme.

2.0 BACKGROUND

- 2.1 PATROLAJC standing Order 9 enables the Joint Committee to appoint such Sub-Committees as it thinks fit.
- 2.2 Any Terms of Reference for such Sub-Committees would need to be agreed by the Joint Committee as and when each Sub-Committee is established.
- 2.3 Should the Joint Committee decide to establish an Executive Sub-Committee the Joint Committee will need to determine the size,

composition and Terms of Reference at the outset. These could be reviewed at a future date.

- 2.4 The functions recommended by officers for delegation to the Executive Sub-Committee (Wales) are detailed in the Appendix to this report.
- 2.7 The size of the Executive Sub-Committee (Wales) is recommended by officers to comprise one representative from each participating Welsh Council.

APPENDIX

Terms of Reference for the Executive Sub-Committee (Wales)

Delegation of the following functions to the PATROL Adjudication Joint Committee Executive Sub-Committee (Wales) :-

1. To appoint a Chair from within Welsh member councils who will also be appointed Assistant Vice Chair (Wales) on the PATROL Adjudication Joint Committee.
2. To consider such matters which derive from the Welsh legislation which have a direct impact on the functions of the Joint Committee.
3. To bring such matters to the attention of the Joint Committee.
4. To receive an annual report upon adjudication in Wales from the Adjudicators
5. To make and publish an annual report to the First Minister on the discharge by the Adjudicators of their functions.