

PATROL ADJUDICATION JOINT COMMITTEE

REPORT FOR INFORMATION

DATE: 7th October 2008

AGENDA ITEM Number 8

SUBJECT: General Progress and Service Standards

JOINT REPORT OF: The Lead Officer
On behalf of the Advisory Board

PURPOSE OF REPORT

To report to the Committee on progress in respect of: (a) the take up of decriminalised parking enforcement powers by Councils in England (outside London) and Wales; (b) service standard performance during 2007 (c) the introduction of Telephone Hearings.

RECOMMENDATIONS

It is recommended that the Committee:

- [i] Note the information provided in the report in respect of the current and future take up of civil enforcement of parking powers.
- [ii] Note the performance for 2007 and January to June 2008 against the agreed service standard indicators.
- [iii] Note progress with the introduction of telephone hearings.
- [iv] Note the progress with Appeal on Line

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INTRODUCTION

The service standard performance indicators are reported and figures are provided up to and including 30 June 2008. Additional information is provided relating to the introduction and evaluation of telephone hearings and appeal on line.

1. COUNCILS IN THE SCHEME

The latest information regarding councils who are party to the PATROL Joint Committee agreement is shown at Appendix 1 (insert).

2.0 SERVICE STANDARDS - PERFORMANCE INDICATORS

- 2.1 The Joint Committee at its meeting on 30th June 2007 approved the introduction of revised service standards as follows:

Personal Hearings

60% of cases to be offered a personal hearing date within 8 weeks of receipt of the Notice of Appeal.

90% of cases to be offered a personal hearing date within 12 weeks of receipt of the Notice of Appeal

Postal Decisions

80% of postal decisions to be made within 7 weeks of receipt of the Notice of Appeal.

These are standards are reflected in the figures for 2007 shown below.

TABLE 1

Year 2007	Postal Actual	Target 80% of postal cases to be decided within 7 weeks	Personal Hearings Offered within 8 weeks of registration (Actual)	Target	Personal Hearings Offered within 12 weeks of registration (Actual)	Target
2007	90.61%	80%	64.14%	60%	88.27%	90%
Jan –June 2008	80.79%	80%	61.30%	60%	89.08%	90%

Notes on Table 1

a) The postal figures relate to cases registered during the period that have been decided.

b) The personal figures relate to cases registered during the period that have been offered a hearing.

c) A complete picture only becomes available after the end of the year when all cases registered during the past year have been decided/offered a hearing.

TABLE 2

PERIOD	% of phone calls answered within 15 seconds	TARGET	% of appeals acknowledged within 2 working days	TARGET
2002/3	96%	80%	99%	80%
Year 2003	96%	80%	99%	80%
Year 2004	97%	80%	99%	80%
Year 2005	97%	90%	99%	95%
Year 2006	98 %	90%	92%	95%
Year 2007	98%	90%	92%	95%
Year to June 2008	97%	90%	93%	95%

3. Telephone Hearings

3.1 Previously, appellants could state a preference on their Notice of Appeal for a Personal or Postal Hearing.

3.2 Telephone Hearings were piloted during 2007/08 in order to improve the accessibility of the Tribunal to both parties. In particular, telephone hearings were seen as a way of reducing barriers to personal participation for the appellants as a result of:

- Work or domestic commitments

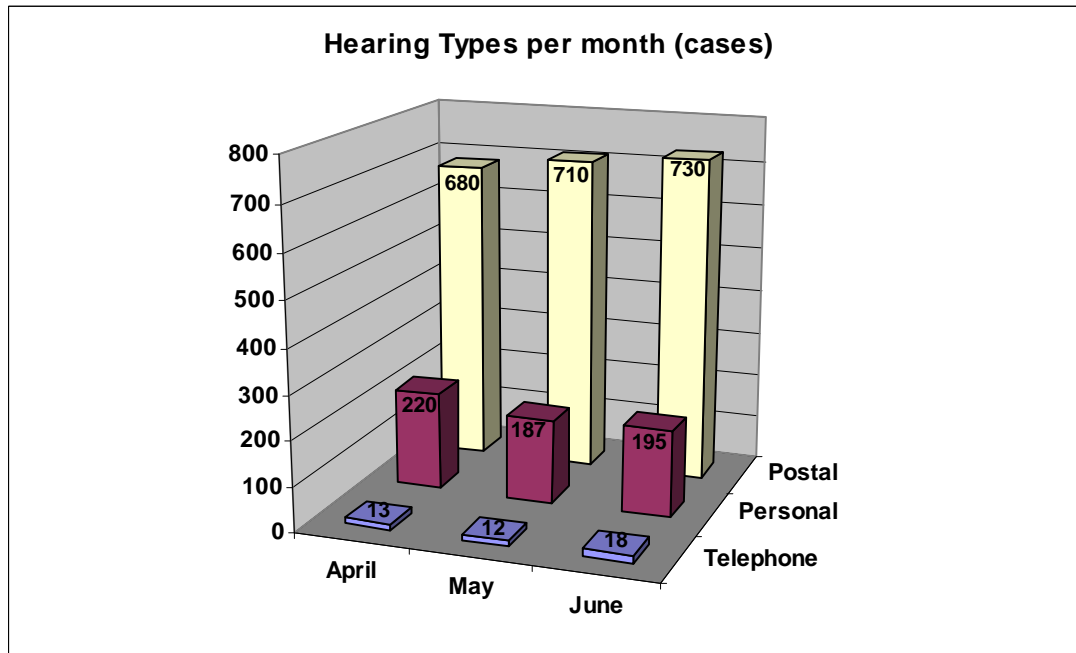
- Mobility issues
 - Travel issues
- 3.3 For council officer, telephone hearings were seen as a means of enabling more councils to participate in a hearing because of the reduction in time and travelling commitments to the venue.
- 3.4 For the Tribunal, the third option of a telephone hearing could be used to target cases to optimize the efficiency of the Tribunal for all parties e.g. in rural areas where the time taken to gather a viable list is prohibitive.
- 3.5 In addition, in the case of an adjournment following a personal hearing, the Adjudicator has the option to subsequently bring the parties together by a telephone hearing.
- 3.6 In practice, a telephone hearing involves the Tribunal organising a conference call through BT which enables the parties to be joined with the Adjudicator. Telephone hearings are a relatively new initiative in the Tribunal world and the Tribunal will be monitoring them closely both from the perspective of the parties to the appeal, the Adjudicator and operational implications.
- 3.7 Following a successful pilot, in April 2008, telephone hearings were included on the Notice of Appeal for appellants to identify as a preference.

Volume of telephone hearings

Whilst the volume of telephone hearings remains relatively low in comparison with postal and personal hearings, appellants are clearly starting to state a preference for Telephone Hearings on their Notice of Appeal:

Appellant's Hearing Preference	2006	2007	2008
Personal	3262	3545	2987 (37%)
Postal	5779	6518	4603 (57%)
Telephone	33	86	453 (6%)

The second quarter of 2008 has witnessed the preference for telephone hearings increase to 9%.



Initially it had been anticipated that telephone hearings would largely be the preferred option for appellants whose first preference was a personal hearing. Initial signs are that they are just as popular with people who may previously have opted for a postal hearing.

What is particularly encouraging is the high level of participation by councils. Between April and August 2008, councils participated in 65% of telephone hearings. Over the period April to August 2008 of those councils returning feedback forms, 84% of councils who participate in telephone hearings also attend personal hearings.

Follow up evaluation is underway with both appellants and councils and the feedback, in the main, has been extremely positive. The following feedback is based on 18 returns and so will need to be reviewed in the light of a greater volume of evaluation returns. However it provides a positive starting point:

96% of appellants/100% of Councils stated that the time of the hearing offered was convenient

96% of appellants/90% of Councils agreed that they were contacted on time?

92% appellants/96% of Councils stated that they had had sufficient opportunity to put their case across to the Adjudicator.

85% of appellants/ 100% of Councils stated that they would state a preference for a telephone hearing again or recommend it to a friend.

Feedback from Appellants

Very impressed from beginning to end - from office to staff to Adjudicator - all very helpful - Allowed

Very good and very convenient and saves fuel - Dismissed

Am pleased that I have been made aware of telephone hearings - would definitely recommend - Allowed

Extremely business like and to the point. I was impressed by the Adjudicator's professional manner - Allowed

Saves on a journey for something so short - Allowed

Easy and convenient for a fair and reasonable hearing - Allowed

Far better to talk to someone rather than put it in writing - Allowed

Very speedy and convenient but with plenty of opportunity to put your case across - Not Decided

The whole process has been conducted thoroughly and efficiently - Not Decided

I was frustrated that the council did not attend to argue their position - Not Decided

Feedback from Councils

Adjudicator gave both parties a chance to give their representations however I thought the Tribunal would be on the line before the council and appellant - Allowed

Convenient for the council - Allowed

The appellant should have joined the call last - Consent Order

I was surprised that the council was the first person to talk to the appellant - Allowed

The proceedings with BT did not go well due to confusion with who was being contacted but I will continue to support telephone hearings - Allowed

Saves time and costs - Allowed

I thought it was very fair - Allowed

Quick and easy way to resolve the issue - Allowed

Gave the council more of a chance to give account of their submission - very happy with the process - Dismissed

We were hesitant for the first telephone hearing but it works very well so no hesitation in the future - Dismissed

Saves time traveling and costs but also saves organising cover for the office – Dismissed

I personally prefer to see the appellant and Adjudicator but if the appellant chooses a telephone hearing then we will participate - Allowed

More efficient use of my time than attending a personal hearing - Not Decided

I think the Adjudicator should be contacted first - awkward silence on the phone with the appellant - Allowed

Feedback from Councils who had not participated in telephone hearings evaluated.

Whilst the number of councils participating is encouraging, the Tribunal has also sought feedback from those councils who have not participated in telephone hearings in order to identify any barriers which may exist.

Of those councils returning feedback forms,

60% of councils who did not participate in telephone hearings would usually send a representative to a personal hearing.

85% of councils stated that they would take part in future telephone hearings if the issues mentioned were resolved.

Issues raised by councils

I anticipated taking part but did not receive the pro-forma until the day after - Allowed

Recent office move but mainly lack of facilities/ a quiet office and telephone issues - Allowed

No quiet office with a phone - Allowed

We want to keep it business like and as with personal hearings, we feel that we have done enough by sending the evidence in. We may look to take part in the future. - Allowed

We received notification that the telephone hearing was taking place but no details of how and which number to call. We did not seem to receive instructions on how contact would be made with us. - Dismissed

Did not know about the hearing - Allowed

Understaffed - Allowed

Staff on leave - Allowed

No quiet office with phone access - Allowed

Open plan office and noise issue and we have taken the decision not to attend hearings as it does not seem to be of any use and a waste of council resources - Adjourned

We cannot afford staff time for telephone hearings - Adjourned

Initial findings

1. Telephone hearings can provide a successful third option for hearings with benefits to both parties and the Tribunal.
2. Refinements do need to be made within the Tribunal in relation to the practicalities of planning and organising telephone hearings.
3. Availability of appropriate room to participate in the telephone hearing is an issue for some councils

4. The Tribunal could usefully provide additional guidance to councils in relation to telephone appeals in terms of procedures for planning the hearing, what to expect on the day and any other relevant practical requirements.
5. Monitoring needs to continue to assist with forecasting demand for telephone appeals and the operational impact of increased numbers of telephone hearings on the Tribunal.
6. From a judicial perspective, future consideration will be given to some form of external evaluation and findings from this will be beneficial to the Tribunal, the councils, the public and the judicial world in general.

4. **Appeal on Line**

The Tribunal introduced the facility for appellants to submit their appeal on line several years ago and worked with the councils' IT Suppliers to allow councils to provide this facility which is quite a straightforward process for both parties.

An area of the Traffic Penalty Tribunal website at www.trafficpenaltyTribunal.gov.uk has been developed as "Appeal On-Line" to allow the appeal to be submitted using the website.

This section prompts the user to enter a Personal Identification Number (PIN) which will be displayed on the Notice of Rejection. The PIN code is derived from the Notice of Rejection Date and ensures the appeal is valid and within the time allowed.

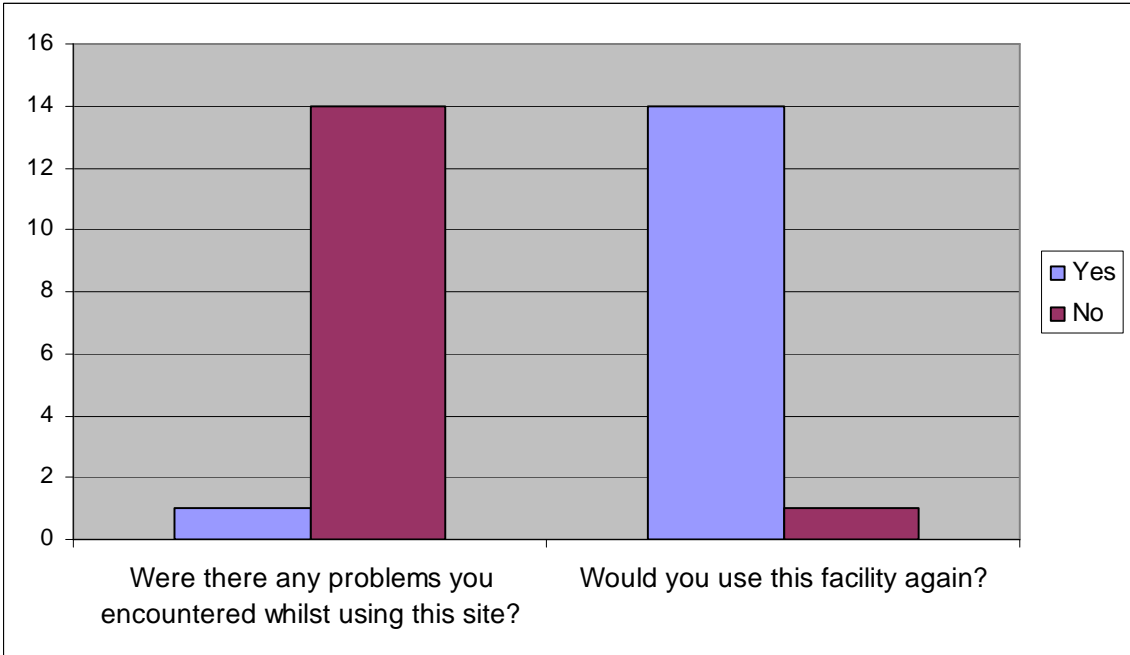
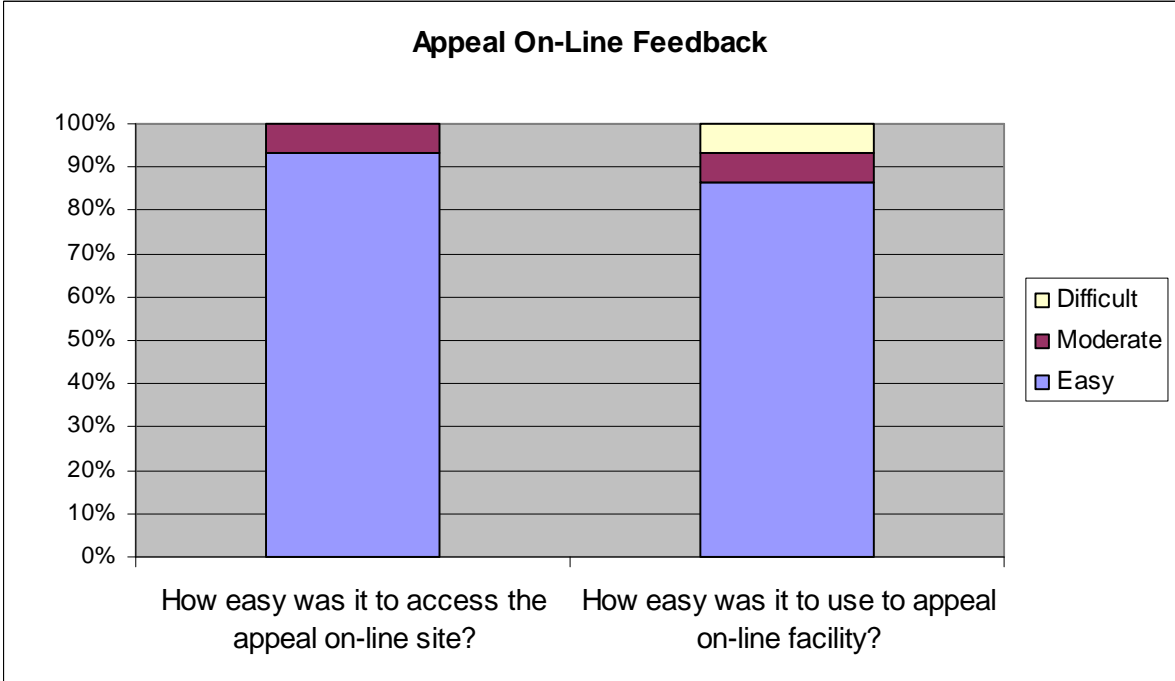
On screen guidance notes assist the appellant in completing the appeal form. The system automatically sends the appellant a confirmation message stating the Traffic Penalty Tribunal has received the appeal.

The site allows the appellant to submit additional documents to their appeal such as photographs, word documents etc. Additional evidence may also be submitted to the site at a later date by the appellant using this area again accessible using their PIN code and PCN number(s).

The benefits for appellants are increasing choice and access to a simple method of appealing. However, it should be noted that the introduction of Appeal on Line within a council does not result in an increase in appeals.

For councils the benefits are both symbolic and practical. The initiative fits well with the eAgenda, many councils already offer the facility for appellants to make their representations to the council on line. In addition there are processing benefits gained from received documentation.

Feedback from appellants has been extremely positive:



Over the past 12 months through visits to IT supplier groups and discussions with new councils joining the scheme, the number of councils has shown a significant increase, however as a proportion of the total number of councils in the scheme, this remains quite small (see below).

Bath & NE Somerset
Bedford
Brighton
Bournemouth
Brentwood
Bristol
Canterbury
Carrick
Elmbridge
Gateshead
Liverpool
Manchester
Oxford
Rochford
Redcar & Cleveland
Scarborough
Shropshire
South Tyneside
Stockton on Tees
Thanet
Tonbridge
Tandridge
Worthing

Wales

Denbighshire
Gwynedd
Anglesey

As the Tribunal moves towards increasing its range of on-line facilities, the objective must now be to harness all local authorities within this scheme so that it can be presented as a global option rather than by postcode. The Tribunal will be communicating this objective to councils in the coming months.

Appendix 1

Membership of the PATROL Joint Committee

Allerdale Borough Council	Cumbria County Council
Ashford Borough Council	Dacorum Borough Council
Aylesbury Vale District Council	Dartford Borough Council
Barnsley Metropolitan Borough Council	Dembyshire County Council
Barrow Borough Council	Derby City Council
Basildon District Council	Doncaster Borough Council
Basingstoke and Deane Borough Council	Dorset County Council
Bath and N E Somerset Council	Dover District Council
Bedford Borough Council	East Herts Council
Bedfordshire County Council	East Staffordshire Borough Council
Birmingham City Council	East Sussex County Council
Blaby District Council	Eastleigh Borough Council
Blackburn with Darwen Borough Council	Eden District Council
Blackpool Borough Council	Elmbridge Borough Council
Bolton Metropolitan Borough Council	Epping Forest District Council
Borough of Poole	Epsom and Ewell Borough Council
Bournemouth Borough Council	Essex County Council
Bracknell Forest Borough Council	Fareham Borough Council
Braintree District Council	Fylde Borough Council
Brentwood Borough Council	Gateshead Metropolitan Borough Council
Bridgnorth District Council	Gloucester City Council
Brighton and Hove City Council	Gloucestershire County Council
Bristol City Council	Gravesham Borough Council
Broxbourne Borough Council	Guildford Borough Council
Buckinghamshire County Council	Gwynedd Council
Burnley Borough Council	Hampshire County Council
Bury Metropolitan Borough Council	Harborough District Council
Calderdale Metropolitan Borough Council	Harlow District Council
Cambridge City Council	Harrogate Borough Council
Cambridgeshire County Council	Hart District Council
Canterbury City Council	Hartlepool Borough Council
Carlisle City Council	Hastings Borough Council
Carmarthenshire County Council	Havant Borough Council
Castle Point Borough Council	Herefordshire District Council
Charnwood Council	Hertfordshire County Council
Chelmsford Borough Council	Hertsmere Borough Council
Cheltenham Borough Council	Hinckley and Bosworth
Cheshire Council	Horsham District Council
Chiltern District Council	Hyndburn Borough Council

Chorley Borough Council
 Christchurch Borough Council
 City of York Council
 Colchester Borough Council
 Conwy County Borough Council
 Copeland Borough Council
 Cotswold District Council
 Coventry City Council
 Crewe & Nantwich Borough Council
 Lancaster City Council
 Leeds City Council
 Leicester City Council
 Leicestershire County Council

 Lewes District Council
 Liverpool City Council
 Luton Borough Council
 Maidstone Borough Council
 Maldon District Council
 Manchester City Council
 Medway Borough Council
 Melton Borough Council
 Mid Bedfordshire District Council
 Mid Sussex District Council
 Middlesbrough Council
 Milton Keynes Council
 Mole Valley District Council
 Neath Port Talbot Borough Council
 New Forest District Council
 Newcastle-under-Lyme Borough Council
 Norfolk County Council
 North Dorset District Council
 North Hertfordshire District Council
 North Shropshire Council
 North Tyneside Council
 North West Leicestershire District Council
 North Wiltshire District Council
 North Yorkshire County Council
 Northampton Borough Council
 Northamptonshire County Council
 Norwich City Council
 Nottingham City Council
 Oadby and Wigston Borough Council
 Oldham Metropolitan Borough Council
 Oswestry Borough Council

 Ipswich Borough Council
 Isle of Anglesey County Council
 Isle of Wight Council
 Kennet District Council
 Kent County Council
 Kingston Upon Hull City Council
 Kirklees Metropolitan Council
 Lancashire County Council
 Rochdale Metropolitan Borough Council
 Rochford District Council
 Rossendale Borough Council
 Rotherham Metropolitan Borough Council
 Royal Borough of Windsor and
 Maidenhead
 Rugby Borough Council
 Runnymede Borough Council
 Rushmoor Borough Council
 Salford City Council
 Salisbury District Council
 Sandwell Metropolitan Borough Council
 Scarborough Borough Council
 Sefton Metropolitan Borough Council
 Sevenoaks District Council
 Sheffield City Council
 Shepway District Council
 Shrewsbury & Atcham Borough Council
 Shropshire County Council
 Slough Borough Council
 Solihull Metropolitan Borough Council
 South Bedfordshire District Council
 South Gloucestershire Council
 South Lakeland District Council
 South Ribble Borough Council
 South Shropshire District Council
 South Tyneside Council
 Southampton City Council
 Southend on Sea Borough Council
 Spelthorne Borough Council
 St Albans City and District Council
 Stafford Borough Council
 Staffordshire County Council
 Staffordshire Moorlands District Council
 Stevenage Borough Council
 Stockport Metropolitan Borough Council
 Stockton-on-Tees Borough Council

Oxfordshire County Council
Pendle Borough Council
Peterborough City Council
Plymouth City Council
Portsmouth City Council
Preston City Council
Purbeck District Council
Reading Borough Council
Redcar & Cleveland Borough Council
Reigate and Banstead Borough Council

Ribble Valley Borough Council
Tandridge District Council
Taunton Deane Borough Council
Tendring District Council
Test Valley Borough Council
Tewkesbury Borough Council
Thanet District Council
Three Rivers District Council
Thurrock Borough Council
Tonbridge & Malling Borough Council
Torbay Council
Trafford Metropolitan Borough Council
Tunbridge Wells Borough Council

Uttlesford District Council
Wareham Town Council
Warrington Borough Council
Warwick District Council
Warwickshire County Council
Watford Borough Council
Waverley Borough Council
Welwyn Hatfield Council
West Lancashire District Council
West Sussex County Council

New Councils TMA

Ashfield District Council
Bassetlaw District Council
Broxtowe Borough Council
Carrick District Council
City and County of Swansea
Cornwall County Council
Devon County Council

Stoke on Trent City Council
Stratford on Avon District Council
Stroud District Council
Suffolk County Council
Sunderland City Council
Surrey County Council
Surrey Heath Borough Council
Swale Borough Council
Swindon Borough Council

Tameside Metropolitan Borough Council
Weymouth and Portland Borough Council

Wigan Council
Wiltshire County Council
Winchester City Council
Wirral Metropolitan Borough Council
Woking Borough Council
Wolverhampton City Council
Worcester City Council
Worcestershire County Council
Worthing Borough Council
Wrexham County Borough Council
Wychavon District Council
Wycombe District Council
Wyre Borough Council
Wyre Forest District Council

Dudley District Council
East Devon District Council
Exeter City Council
Forest of Dean District Council
Gedling Borough Council
Macclesfield Borough Council
Mansfield District Council
Mid Devon District Council
Newark and Sherwood District Council
North Devon District Council
Nottinghamshire County Council
Restormel Borough Council
Rushcliffe Borough Council
Rutland County Council
South Hams District Council
St Helens Borough Council
Teignbridge District Council
Torridge District Council
West Devon Borough Council
West Wiltshire District Council
Wycombe District Council