

**ANNUAL MEETING OF THE  
PATROL ADJUDICATION JOINT COMMITTEE**

**Agenda**

---

**Date:** Tuesday 9<sup>th</sup> July 2024  
**Time:** 11.00 am  
**Venue:** Bevin Hall, Local Government Association, 18 Smith Square,  
London, SW1P 3HZ

---

1. **Appointment of Chair**  
To appoint a Chair for the municipal year 2024/25.
2. **Appointment of Vice Chair**  
To appoint a Vice Chair for the municipal year 2024/25.
3. **Apologies for Absence**  
To note any apologies for absence received and report verbally any additional apologies received on the day (Pages 4-6, enclosed).
4. **Declarations of Interest**  
To provide an opportunity for Members and Officers to declare any disclosable pecuniary and non-pecuniary interests and for Members to declare if they have pre-determined any item on the agenda.
7. **Minutes of the Previous Meeting**  
To approve the minutes of the previous meeting of the PATROL Adjudication Joint Committee held on 11<sup>th</sup> July 2023 as a correct record (Pages 7-18, enclosed).
8. **Chair's Update (Verbal Update)**  
To provide the Joint Committee with a general update since the last meeting.

9. **Chief Adjudicator's General Progress Report**  
To receive the Chief Adjudicator's General Progress Report (Pages 19-26, enclosed).
10. **Adjudicators' Annual Report**  
To receive the Adjudicators' Annual report (Pages 27-49, enclosed).
11. **Draft Annual Return 2023/24**  
To approve the Draft Annual Return 2023/24 and note supporting documentation (Pages 50-70, enclosed).
12. **Budget Monitoring Update for 2024/25**  
To consider a report on the Income and Expenditure position at 31<sup>st</sup> May 2024 for the year 2024/25 including the Reserves position at 31<sup>st</sup> May 2024 against the approved Reserves levels in order to comply with the approved Financial Regulations (Pages 71-74, enclosed).
13. **Review of Financial Documentation**  
To consider a report reviewing the financial matters and documentation of the following (Pages 75-110, enclosed):-
  - a. Financial Regulations 2024/2025
  - b. Scheme of Financial Delegation 2024/2025
  - c. Managers Expenses Policy 2024/2025
  - d. Staff Expenses Policy 2024/2025
  - e. Non Staff Expenses Policy 2024/25
  - f. Expenditure Falling Outside the Financial Regulations (2023/24)
14. **Review of the Standing Orders**  
To consider a report reviewing the Standing Orders (Pages 111-122, enclosed)
15. **Risk Management Framework**  
To note the latest review of the Risk Register (Pages 123-127, enclosed).
16. **Abolition of the PATROL Adjudication Joint Committee Resources Working Group and Sub Committee**  
To note the abolition of the PATROL Adjudication Joint Committee Resources Working Group and Sub Committee (Pages 128-129, enclosed).
17. **Establishment of the Executive Sub Committee**  
To establish an Executive Sub Committee and appoint members for the period until the annual meeting of the Joint Committee in July 2025 (Pages 130-133, enclosed).

18. **Amendments to the Advisory Board's Terms of Reference**  
To approve the amendments to the Advisory Board's terms of reference  
(Pages 134-140, enclosed).
19. **Appointments to the Advisory Board**  
To approve the appointments to the Advisory Board (Pages 141-142,  
enclosed).
20. **Public Affairs Report**  
To note the Public Affairs report during 2024 (Pages 143-151, enclosed).
21. **Presentation on Blue Badge Fraud**  
To receive a presentation from Tom Gallagher, Parking Fraud Investigations  
Manager at Lambeth Council.
22. **Date of next meeting**  
To note the date of the next meeting as follows:-  
Tuesday 15<sup>th</sup> July 2025-venue TBC.

For requests for further information or to submit apologies please contact: Sarah Baxter, Democratic Services and Policy Manager Tel: 01625 445576 E-Mail: [sbaxter@patrol-uk.info](mailto:sbaxter@patrol-uk.info)

For further information on any of the reports contained within the agenda, please contact Laura Padden, Director of PATROL, email: [info@patrol-uk.info](mailto:info@patrol-uk.info)

# ITEM 3

## PATROL Adjudication Joint Committee – 9<sup>th</sup> July 2024

### Apologies

#### Councillors

Cllr James Higginbottom – Barnsley Metropolitan Borough Council

Cllr Alan Ball – Basildon Council

Cllr Jim Weir – Bedford Borough Council

Cllr Liz Clements – Birmingham City Council

Cllr James Shorrocks – Blackburn with Darwen Borough Council

Cllr Kamran Hussain – Bradford City Council

Cllr Shah Hussain – Burnley Borough Council

Cllr Keith Henson – Ceredigion County Council

Cllr Kate Sarvent – Chesterfield Borough Council

Cllr Harsha Desai – Chichester Council

Cllr Adrian Lowe – Chorley Borough Council

Cllr Joshua Wells – City of Lincoln Council

Cllr Peter Kilbane – City of York Council

Cllr Richard Williams-Pears – Cornwall Council

Cllr Carmel Swan – Derby City Council

Cllr Jamie Pout – Dover District Council

Cllr Martin Foster – East Lindsey District Council

Cllr Paul West – East Riding of Yorkshire Council

Cllr Liz Frost – Epsom & Ewell Borough Council (Cllr Williamson to attend as the nominated Substitute)

Cllr Tom Cunningham – Essex County Council

Cllr Polly Blakemore – Folkestone and Hythe District Council

Cllr John McElroy – Gateshead Council

Cllr Dominic Morris – Gloucestershire County Council

Cllr Graham Burgess – Hampshire County Council  
Cllr Richard Brown – Havant Borough Council  
Cllr Phil Bibby – Hertfordshire County Council  
Cllr Mark Baynham – Horsham District Council  
Cllr Jane Riley – Ipswich Borough Council  
Cllr Tony Brennan – Knowsley Council  
Cllr Rupert Swarbrick – Lancashire County Council  
Cllr John Raine – Malvern Hills District Council  
Cllr Tracey Rawlins – Manchester City Council  
Cllr Tristan Osbourne – Medway Council  
Cllr Sarah Cox – Melton Borough Council  
Cllr Guy Cochran – Mid Devon District Council  
Cllr Chris Hobbs – Mid Sussex District Council  
Cllr Wyndham Fryer Griffiths – Neath Port Talbot Council  
Cllr Andy Freeman – Newark and Sherwood District Council  
Cllr Steve Davies – New Forest District Council  
Cllr Laura Lacey – Newport City Council  
Cllr Stewart Swinburn – North East Lincolnshire Council  
Cllr Chris Hinchliffe – North Herts Council  
Cllr Lucy Shires – North Norfolk District Council  
Cllr Hannah Young – North Somerset Council  
Cllr Michael Wyatt – North West Leicestershire District Council  
Cllr Bill Boulter – Oadby & Wigston Borough Council  
Cllr Chris Goodwin – Oldham Borough Council  
Cllr Neil Boyce – Peterborough City Council  
Cllr Mark Coker – Plymouth City Council  
Cllr Jackie Charlton – Powys County Council  
Cllr John Ennis – Reading Borough Council  
Cllr Sid Khan – Redditch Borough Council  
Cllr Andrew Morgan - Rhondda Cynon Taf Borough Council  
Cllr Andrew Walmsley – Rossendale Borough Council

Cllr Denise Lelliott – Rotherham Metropolitan Borough Council  
Cllr Mike McCusker – Salford City Council  
Cllr Suzanne Hartwell – Sandwell Council  
Cllr Ken Hawkins – Solihull Metropolitan Borough Council  
Cllr Eamonn Keogh – Southampton City Council  
Cllr Ian Fordham – Stafford Borough Council  
Cllr Seve Gomez-Aspron MBE – St Helens Borough Council  
Cllr Richard Smith – Suffolk County Council  
Cllr Claire Rowntree – Sunderland City Council  
Cllr Matt Furniss – Surrey County Council  
Cllr Amanda Owen – Torfaen County Borough Council  
Cllr Jan Matecki – Warwickshire County Council  
Cllr Tony Fairclough – Waverley Borough Council  
Cllr Nicola Pryce-Roberts – West Lancashire Borough Council  
Cllr Tom Richardson – West Sussex County Council  
Cllr Emma Stokes – Wychavon District Council  
Cllr Roger Berry – Wyre Council  
Cllr Ben Brookes – Wyre Forest District Council

### **Officers**

Jason Passfield – Adur and Worthing Councils  
Richard Waters – Carmarthenshire County Council  
Rob Shoebridge – Derby City Council  
Emma Barker – Sheffield City Council  
Erica Maslen – PATROL

Minutes of a meeting of the

## **PATROL Adjudication Joint Committee**

held on 11 July 2023 held in the Bevin Hall, Ground Floor, 18 Smith Square, London,  
SW1P 3HZ

### **PRESENT**

Councillor Stuart Hughes (Devon County Council) in the Chair

Councillor Simon Betty - Ashford Borough Council

Councillor Abdel Ibrahim - Basingstoke and Deane Borough Council

Councillor Craig Rimmer - Basildon Council

Councillor Dave Pidwell - Bassetlaw District Council

Councillor Paula Burdess - Blackpool Council

Councillor Trevor Muten - Brighton & Hove City Council

Councillor Will Mee - Broxtowe Borough Council

Councillor Colin Hutchinson - Calderdale Borough Council

Councillor Neil Shailer - Cambridgeshire County Council

Councillor Karen Davies - Carmarthenshire County Council

Councillor Louise Jones - Charnwood Borough Council

Councillor Andrew McHugh - Cherwell District Council

Councillor Laura Crane - Cheshire East Council

Councillor Yasmin Khan - Crawley Borough Council

Councillor Denise Rollo - Cumberland Council

Councillor Terry Douris - Dacorum Borough Council

Councillor Ian Hollidge - East Sussex County Council

Councillor Andrew Leadbetter - Exeter City Council

Councillor Dafydd Meurig - Gwynedd Council

Councillor Graham Burgess - Hampshire County Council

Councillor Mark Ieronimo - Hull City Council

Councillor Vanessa Churchman - Isle of Wight Council (Substitute)

Councillor Sam Riches - Lancaster City Council

Councillor Mike Brookes - Lincolnshire County Council

Councillor Emma Stephens - Maldon District Council

Councillor Tracey Rawlins - Manchester City Council

Councillor Andy Freeman - Newark and Sherwood District Council

Councillor Helen Walker - North Devon District Council

Councillor Jonathan Pessol - North Kesteven District Council

Councillor Chris Aldred - North Yorkshire Council

Councillor Derek Poole - Rugby Borough Council

Councillor Michael Cressey - Runnymede Borough Council  
Councillor Margot McArthur - Sevenoaks District Council  
Councillor Henry Nottage - Sheffield City Council  
Councillor Mike Rigby - Somerset Council  
Councillor Guy Pannell - South Hams District Council  
Councillor Andrea Powell - South Oxfordshire District Council  
Councillor Mary Bing Dong - Spelthorne Borough Council  
Councillor Ant Reid - Stafford Borough Council  
Councillor Lloyd Briscoe - Stevenage Borough Council  
Councillor Lorraine Grocott - Stratford District Council  
Councillor Joanne Bright - Thanet District Council  
Councillor David Davis - Tonbridge & Malling Borough Council  
Councillor Jermaine Atiya-Alla - Torbay Council  
Councillor Peter Lindstone - Tunbridge Wells Borough Council  
Councillor Geof Driscoll - Uttlesford District Council  
Councillor Mark Coleman - Vale of Whitehorse District Council  
Councillor Katya Dray - Warwick District Council  
Councillor Mike Eyles - Westmorland and Furness Council  
Councillor Stephen Hibbert - West Northamptonshire Council

#### **OFFICERS IN ATTENDANCE**

Sarah Baxter - PATROL  
Andy Diamond - PATROL  
Patrick Duckworth - PATROL  
Erica Maslen - PATROL  
Laura Padden - Director, PATROL  
Iain Worrall - PATROL  
Caroline Hamilton - Chief Adjudicator, Traffic Penalty Tribunal

#### **IN ATTENDANCE**

Graham Addicott, OBE - Advisory Board  
Paul Nicholls - Advisory Board  
Rob Shoebridge - Derby City Council  
Alan Wood - National Persistent Evader Database, (NPED)  
Councillor Tony Page - Reading Borough Council

#### **1.APPOINTMENT OF CHAIR**

Consideration was given to the appointment of Chair.

#### **RESOLVED**



That Councillor Stuart Hughes be appointed as Chair for the 2023/24 year.

## **2.APPOINTMENT OF VICE CHAIR**

Consideration was given to the appointment of Vice Chair.

### **RESOLVED**

That Councillor Graham Burgess be appointed as Vice Chair for the 2023/24 year.

## **3.APPOINTMENT OF ASSISTANT VICE CHAIR**

Consideration was given to the appointment of Assistant Vice Chair.

### **RESOLVED**

That Councillor Terry Douris be appointed as Assistant Vice Chair for the 2023/24 year.

## **4.APPOINTMENT OF ASSISTANT VICE CHAIR (WALES)**

Consideration was given to the appointment of Assistant Vice Chair (Wales).

### **RESOLVED**

That Councillor Laura Lacey be appointed as Assistant Vice Chair (Wales) for the 2023/24 year.

## **5.APOLOGIES FOR ABSENCE**

In addition to the apologies listed within the agenda pack further apologies were received as follows:-

Councillor Emma Evans, Adur & Worthing Council, Councillor Manda Rigby, BATHNES, Councillor Guy Gillbe, Bracknell Forest Borough Council, Councillor John Spanswick, Bridgend County Borough Council, Councillor Steve Broadbent, Buckinghamshire Council, Councillor Gareth Tranter, Central Bedfordshire, Councillor Keith Henson, Ceredigion County Council, Councillor Tony Dale, Cotswold District Council, Councillor Adrian Lowe, Chorley Borough Council, Councillor Marilyn Peters, Dartford Borough Council, Councillor Joseph Blackman, Doncaster City Council, Councillor Martin Foster, East Lindsey District Council, Councillor Polly Blakemore, Folkestone & Hythe District Council, Councillor Alison Hunt, Gedling Borough Council, Councillor Dom Morris, Gloucestershire County Council, Councillor Alan Durrant, Gosport Borough Council, Councillor Gwen Robinson, Havant Borough Council,

Councillor Sophie Connell, Ipswich Borough Council, Councillor Masood Ahmed, Kirklees Council, Councillor Javed Hussain, Luton Council, Councillor John W Raine, Malvern Hills District Council, Councillor Richard Tempest-Mitchell, Mansfield District Council, Councillor Leo Furness, Middlesbrough Council, Councillor Ruth Brown, North Hertfordshire District Council, Councillor Lucy Shires, North Norfolk District Council, Councillor Matthew Binley, North Northamptonshire Council, Councillor Hannah Young, North Somerset Council, Councillor Michael Wyatt, North West Leicestershire, Councillor Andrew Gant, Oxfordshire County Council, Councillor Mark Coker, Plymouth City Council, Councillor Jackie Charlton, Powys County Council, Councillor Hannah Avery, Reigate and Banstead Borough Council, Councillor Richard Marshall, Shropshire Council, Councillor Puja Bedi, Slough Borough Council, Councillor Eamonn Keogh, Southampton City Council, Councillor, Malcolm Gee, South Derbyshire District Council, Councillor Seve Gomez-Aspron MBE, St Helens Borough Council, Councillor Clare Gamble, Stockton-on-Tees Borough Council, Councillor Nick Adams-King, Test Valley Borough Council, Councillor Steve Adshead, Trafford Metropolitan Borough Council and Councillor Kelsie Learney, Winchester Council.

In addition, apologies were also received from Jo Abbot, Advisory Board, Chris Major, Advisory Board and Marc Samways, Advisory Board.

## **6.DECLARATIONS OF INTEREST**

There were no declarations of interest.

## **7.MINUTES OF THE PREVIOUS PATROL ADJUDICATION SERVICE JOINT COMMITTEE MEETING HELD ON 12 JULY 2022**

### **RESOLVED**

That the minutes of the previous PATROL Adjudication Service Joint Committee meeting held on 12 July 2022 be approved as a correct record and signed by the Chair.

## **8.MINUTES OF THE PREVIOUS OF THE BLASJC MEETING HELD ON 12 JULY 2022**

### **RESOLVED**

That the minutes of the previous BLASJC meeting held on 12 July 2022 be approved as a correct record and signed by the Vice Chair subject to the inclusion of Councillor Colin Hutchinson in the list of those present.

(Note: Subsequently, after the meeting it transpired that Councillor Colin Hutchinson was not a member of the BALSJC as his council currently did not undertake enforcement of bus lanes and therefore his vote to second the minutes was not valid. As there was only one councillor in attendance at the meeting and not two the minutes have retrospectively recorded an amendment to the resolution which states that the minutes of the previous BLASJC meeting held on 12 July 2022 be noted, rather than approved as a correct record).

## **9.MINUTES OF THE BLASJC EXECUTIVE SUB COMMITTEE MEETING HELD ON 24 JANUARY 2023**

### **RESOLVED**

The minutes of the previous BLASJC Executive Sub Committee meeting held on 24 January 2023 be noted.

(Due to no members being present at the meeting who were present at the BLASJC Executive Sub Committee meeting, the minutes could not formally be approved as a correct record).

## **10.CHAIR'S UPDATE**

The Chair reported on the following matters:-

- Death of former member of the Joint Committee, Councillor Simon Cronin, Worcester City Council;
- Departures of Councillor Martin King, former Vice Chair of the Joint Committee and Councillor Tony Page former Chair of the BLASJC and Joint Committee Member and Graham Addicott, OBE and Jo Abbott from the Advisory Board;
- A Survey issued by PATROL to all its members on the current levels of parking penalty charges in England and Wales.

## **11.ANNUAL REPORT OF THE CHIEF ADJUDICATOR**

Consideration was given to the annual report of the Chief Adjudicator.

The Chief Adjudicator, Caroline Hamilton attended the meeting provided an overview of her experience and a summary of the following:-

- Role of the Chief Adjudicator and adjudicators;
- Purpose of the annual report;
- Work undertaken by adjudicators in the last year;
- Future work programme of the adjudicators;
- Process to be followed if an appellants was unhappy with the appeal decision;

- Importance of Judicial Reviews;
- Key cases website;
- Training and appraisals of adjudicators.

A question was asked in respect of whether or not PATROL collated those appeals refused/allowed at a local authority level. In response, the Director of PATROL, Laura Padden advised that the statistics were available on the Traffic Penalty Tribunal website and she offered to circulate the website link after the meeting.

## **RESOLVED**

That the report be noted.

## **12.AMENDMENTS TO THE PATROLAJC DEED AGREEMENT**

Consideration was given to a report outlining amendments to the PATROLAJC Deed Agreement in line with changes to legislation.

## **RESOLVED**

1.That the amendments to the PATROLAJC Deed Agreement including amendments to all associated documents within the agreement as contained in Appendix One of the report be noted.

2.That it be noted from March 2023 the Bus Lane Adjudication Service Joint Committee and Bus Lane Adjudication Service Joint Committee Executive Sub Committee ceased to exist and the PATROL Adjudication Service Joint Committee and PATROL Adjudication Service Executive Sub Committee now had responsibility for all matters relating to bus lane enforcement.

## **13.AMENDMENTS TO THE TERMS OF REFERENCE TO THE PATROLAJC EXECUTIVE SUB COMMITTEE, THE PATROL ADJUDICATION JOINT COMMITTEE RESOURCES WORKING GROUP AND SUB COMMITTEE AND THE ADVISORY BOARD**

Consideration was given to a report outlining amendments to the amendments to the terms of reference to the PATROLAJC Executive Sub Committee, the PATROL Adjudication Joint Committee Resources Working Group and Sub Committee and the Advisory Board.

## **RESOLVED**

1. That the amendments to the terms of reference to the PATROLAJC Executive Sub Committee as contained in Appendix One of the report be noted.

2. That the amendments to the terms of reference to the PATROL Adjudication Joint Committee Resources Working Group and Sub Committee as contained in Appendix Two of the report be noted.

3. That the amendments to the terms of reference to the Advisory Board as contained in Appendix Three of the report be noted.

#### **14. DRAFT ANNUAL RETURN 2022/23**

Consideration was given to the draft Annual Returns for the year 2022/23, for both PATROL and BLASJC.

#### **RESOLVED**

That the Joint Committee for PATROL:-

1. Noted the outturn position against the 2022/23 budget included with the report (Appendix 1) – subject to external audit validation.

2. Approved the surplus for the year of £403,982 to be added to the Joint Committee's Reserves. This excluded the £262,177 being the total of Highways England (Dartford-Thurrock River Crossing) and Halton Borough Council.

3. Determined that the Executive Sub Committee review the basis for defraying expenses, following budget monitoring at the half year point, at their meeting in October 2023.

4. Noted the Balance Sheet (Appendix 2) and Cash Flow (Appendix 3) and audit timetable.

5. Noted the Small Bodies Draft Annual Return submitted for External Audit (Appendix 4).

6. Noted the Annual Internal Audit Report 2022/23 (Appendix 5). This covered both PATROL and BLASJC.

That the Joint Committee for the previous BLASJC:

1. Noted the outturn position against the 2022/23 budget included with the report (Appendix 6) – subject to external audit validation.

2. Approved the surplus for the year of £113,240 to be added to the Joint Committee's Reserves.

3.Determined that the Executive Sub Committee review the basis for defraying expenses, following budget monitoring at the half year point, at their meeting in October 2023.

4.Noted the Balance Sheet (Appendix 7) and Cash Flow (Appendix 8) and audit timetable.

5.Noted the Small Bodies Draft Annual Return submitted for External Audit (Appendix 9).

### **15.BUDGET MONITORING UPDATE FOR 2023/24**

Consideration was given to a report on the Income and Expenditure position at 31<sup>st</sup> May 2023 (now combined for both PATROL and BLASJC) for the year 2023/24 including details on the Reserves position at 31<sup>st</sup> May 2023 (now combined for both PATROL and BLASJC) against the approved Reserves levels.

Questions were asked in respect of staff vacancies and whether there was an impact on service delivery as a result of such vacancies, expenditure figures, how the finances were spent and how PATROL was funded.

#### **RESOLVED**

1.That the Income and Expenditure position at 31st May 2023 for the year 2023/24 be noted.

2.That the Reserves position at 31st May 2023 against the approved Reserves levels be noted.

### **16.REVIEW OF FINANCIAL DOCUMENTATION**

Consideration was given to the following documentation:-

- a. Financial Regulations 2023/2024
- b. Scheme of Financial Delegation 2023/2024
- c. Managers Expenses Policies 2023/2024
- d. Staff Expenses Policies 2023/2024
- e. Members Expenses Policies 2023/24
- f. Expenditure Falling Outside the Financial Regulations (2022/23)

Questions were asked in respect of whether or not any consideration had been given to the climate implications in respect of the expenses policies and EU procurement thresholds including what would happen if a procurement exercise resulted in the threshold of £250,000 being exceeded.

#### **RESOLVED**

That the policies listed above be adopted.

## **17.REVIEW OF SYSTEMS AND INFRASTRUCTURE**

Consideration was given to a report requesting approval of funds from the Technology Reserve in order to review the systems and infrastructure of the organisation.

Questions were asked as to who would be undertaking the review, what accreditation was being sought and from whom, whether or not the organisation had faced any security breaches, whether or not there had been consideration given in the budget for spending on cyber security, whether or not there was emergency funding available and had the organisation currently anything in place to prevent a cyber-attack.

### **RESOLVED**

That approval be given to a drawdown of up to £75,000 to support an IT infrastructure review as detailed within the report.

## **18.REVIEW OF GOVERNANCE DOCUMENTATION**

Consideration was given to a report reviewing a number of governance documents.

### **RESOLVED**

1.That the Schemes of Delegation to the Chief Adjudicator and Director which remained unchanged with the exception of the removal of any references to the Bus Lane Adjudication Service Joint Committee attached as appendix one of the report be noted.

2.That persons to fulfil the function of the proper officer under the relevant regulations attached as appendix two of the report be appointed.

3.That the Memorandum of Understanding between the Adjudicators and the Joint Committee attached as appendix three of the report be approved.

## **19.RISK MANAGEMENT FRAMEWORK**

Consideration was given to a report providing a summary of the most significant threats facing the Joint Committee which may prevent or assist with the achievement of its objectives.

### **RESOLVED**

That the current assessment of risk be noted.

## **20.ESTABLISHMENT OF THE EXECUTIVE SUB COMMITTEE**

Consideration was given to a report setting out arrangements for the Joint Committee to establish an Executive Sub Committee and its Terms of Reference for the coming year.

### **RESOLVED**

1. That an Executive Sub Committee to act on behalf of the Committee until its annual meeting in July 2024 be established by the Joint Committee, in accordance with paragraph two and appendix one of the report and that it appointed members of the Executive Sub Committee for the forthcoming year.

2. That it be noted the date of the first meeting of the Executive Sub Committee would take place on 17th October 2023.

3. That it be noted reasonable travel expenses may be claimed for attending Executive Sub Committee meetings in accordance with the policy as attached at appendix two to the report.

## **21. REPORT OF THE PATROL RESOURCES WORKING GROUP**

Consideration was given to a report summarising the PATROL Resources Working Group meetings held on 22<sup>nd</sup> September 2022 and 13<sup>th</sup> December 2022.

### **RESOLVED**

1. That the matters discussed at the meeting meetings be noted.

2. That approval be given to the Resources Working Group and Sub Committee overseeing matters highlighted in the report and with the Resources Working Group reporting back to the next meeting of the Joint Committee or its Executive Sub Committee.

## **22. APPOINTMENTS TO THE ADVISORY BOARD**

Consideration was given to a report setting out the terms of reference for the Advisory Board.

### **RESOLVED**

1. That the appointment of Richard Hibbert from Cheshire East Council be for a period of four years approved

2. That the appointment of Emma Barker from Sheffield City Council for a period of four years be approved.

3. That the appointment of Jason Passfield, from Adur & Worthing Councils for a period of four years be approved.

## **23. PUBLIC AFFAIRS REPORT**

Consideration was given to a report which provided an overview of current traffic management issues.

Laura Padden, the Director of PATROL also provided a more detailed update in relation to the following matters:-



- Pavement parking for both England and Wales;
- Moving Traffic Powers;
- Level of civil parking penalty charges in England.

The following questions/comments were raised:-

- Position currently within the regulatory framework for privately owned car parks;
- Possibility of lobbying or requesting a legislation change to enable councils to publish TROs electronically;
- Updates regarding pavement parking/private parking matters to be circulated to all members.

Members provided a number of examples from their own communities about the impact of pavement parking on their residents and there was a request for more information, particularly for new members, detailing the history and the current situation in relation to pavement parking.

#### **RESOLVED**

That the public affairs report be noted.

#### **24.PRESENTATION ON MOVING TRAFFIC POWERS**

Members received a presentation from Robert Shoebridge of Derby City Council on the council's experiences in respect of its implementation of moving traffic powers.

#### **RESOLVED**

That the presentation be noted.

#### **25.PRESENTATION ON NATIONAL PERSISTENT EVADER DATABASE (NPED)**

Members received a presentation from Alan Wood, CEO of NPED on the benefits of the NPED.

#### **RESOLVED**

That the presentation be noted.

#### **26.IMPLEMENTATION OF LITTERING FROM VEHICLES ENFORCEMENT**

Members received a presentation from Iain Worrall, the Stakeholder Engagement & Systems Manager at PATROL on the Littering from Vehicles Outside London (Keepers: Civil Penalties) Regulations 2018.

#### **RESOLVED**

That the presentation be noted.

## **27.DATE OF NEXT MEETING**

It was noted that the date of the next meeting of the PATROL Adjudication Joint Committee would take place as follows:-

Tuesday 9<sup>th</sup> July 2024 at the Local Government Association Headquarters, 18 Smith Square, London, SW1P 3HZ.

The meeting commenced at 11am and concluded at 1.20pm.

Councillor Stuart Hughes (Chair)

## Chief Adjudicator's General Progress report June 2024

### 1. Appeals summary

#### 1.1 PCNs appealed – General Trends pre and post pandemic

The below table and graph show PCNs appealed to the Tribunal from 1 April 2019 to 31 March 2024 (19/20 being predominantly pre pandemic, 23/24 being post pandemic).

	Totals		Like for Like *		Parking and BL/MT only **		
	number	% change	number	% change	number	% change	
2018/19	30,790		30,790		15,766		
2019/20	35,303	14.7%	35,303	14.7%	15,822	0.4%	full year
2020/21	18,122	-48.7%	18,122	-48.7%	9,844	-37.8%	full year
2021/22	26,337	45.3%	19,682	8.6%	11,809	20.0%	full year
2022/23	29,963	13.8%	21,693	10.2%	12,208	3.4%	full year
2023/24	37,038	23.6%	25,335	16.8%	14,552	19.2%	full year
2023/24 of 2019/20	104.9%		71.8%		92.0%		

\* Like for Like excludes CAZ

\*\* excludes CAZ and RUC

	PCNs appealed		
	22/23	23/24	YoY change
Parking - England	6,949	8,933	28.6%
Parking - Wales	612	756	23.5%
Bus Lanes	4,544	4,699	3.4%
Moving Traffic	103	164	59.2%
Dartcharge	8,478	9,567	12.8%
LFV	9	25	177.8%
Mersey Gateway	998	1,185	18.7%
CAZ	8,270	11,703	41.5%
Durham	0	6	0.0%
<b>Total</b>	<b>29,963</b>	<b>37,038</b>	<b>23.6%</b>

compares pre pandemic to now

	PCNs appealed	
	19/20	23/24 v 19/20
	9,668	-7.6%
	770	-1.8%
	5,229	-10.1%
	155	5.8%
	8,534	12.1%
	4	525.0%
	10,943	-89.2%
	0	0.0%
	0	0.0%
<b>Total</b>	<b>35,303</b>	<b>4.9%</b>

Throughout this report RUC refers to Dartcharge and Mersey Gateway

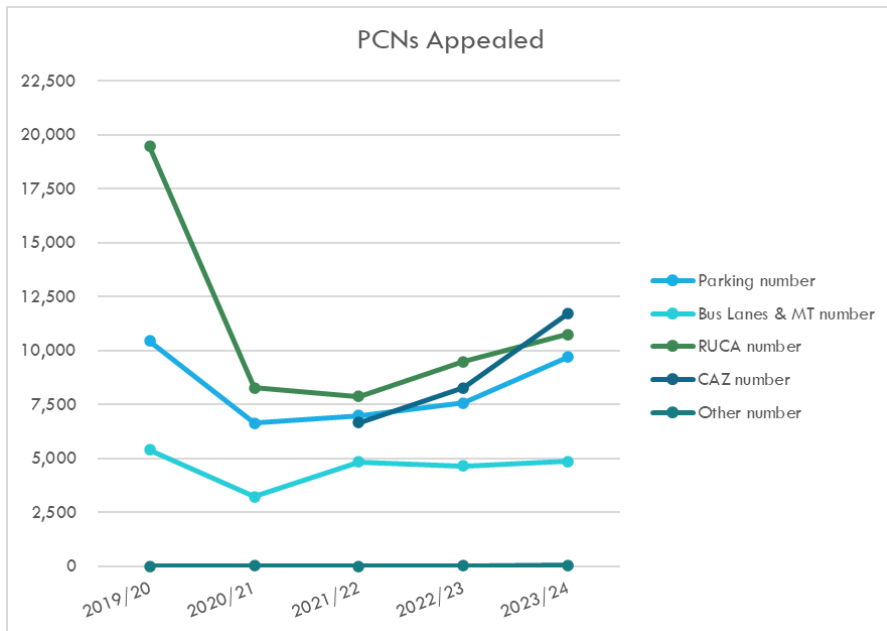
## Split between types of appeals.

\*\* subject to final audit

	2019/20		2020/21		2021/22		2022/23		2023/24	
Parking	10,438	29.6%	6,633	36.6%	6,977	26.5%	7,561	25.2%	9,689	26.2%
Bus Lanes & MT	5,384	15.3%	3,211	17.7%	4,832	18.3%	4,647	15.5%	4,863	13.1%
RUCA	19,477	55.2%	8,272	45.6%	7,869	29.9%	9,476	31.6%	10,752	29.0%
CAZ	0	0.0%	0	0.0%	6,655	25.3%	8,270	27.6%	11,703	31.6%
Other	4	0.0%	6	0.0%	4	0.0%	9	0.0%	31	0.1%
	<b>35,303</b>	<b>100.0%</b>	<b>18,122</b>	<b>100.0%</b>	<b>26,337</b>	<b>100.0%</b>	<b>29,963</b>	<b>100.0%</b>	<b>37,038</b>	<b>100.0%</b>

### Key points:

- Overall increase in PCNs appealed between 22/23 and 23/24 of 23.6%
- CAZ now make up 31.6% of our appeals activity
- Change by appeal stream appeals between 22/23 and 23/24 as follows:
  - Parking England 28.6%
  - Parking Wales 23.5%
  - Bus Lanes 3.4%
  - Moving Traffic 59.2%
  - Dartcharge 12.8%
  - Mersey Gateway 18.7%
  - CAZ 41.5%
- 23/24 compared 19/20, pre and post pandemic, are as follows:
  - Total is 104.9% of pre pandemic levels
  - Like for Like (exc CAZ) is 71.8% of pre pandemic levels
  - Parking appeals are 90.6% of pre pandemic levels
  - Bus Lane and MT appeals are 95.7% of pre pandemic levels
  - Dartcharge appeals are higher than pre pandemic levels
  - Mersey Gateway appeals are 89.2% lower than pre pandemic levels
- **Overall appeals are 23.6% higher than the previous year**
- **The largest increases relate to CAZ and Moving Traffic – new enforcement**



## 2. Context of PCNs Issued by Enforcement Authorities

The following two tables look at the levels of enforcement and PCN issuance, and their relationship to the numbers of PCNs being appealed, between 2019/20 (pre pandemic) and 23/24 post pandemic.

*It should be noted that 2023/24 numbers are subject to final audit*

### PCNs Issued

	PCNs Issued					
	2024/25 to date	2023/24 **	2022/23	2021/22	2020/21	2019/20
<b>Parking - England</b>	482,577	5,432,055	5,031,516	4,968,158	3,085,501	4,932,070
<b>Parking - Wales</b>	31,689	351,246	310,351	259,239	136,336	267,861
<b>Bus Lanes</b>	161,497	1,984,040	1,994,230	2,163,455	1,230,691	1,913,024
<b>Moving Traffic</b>	18,626	213,414	82,619	73,809	47,470	73,924
<b>Dartcharge</b>	512,854	2,107,430	2,547,684	2,198,857	1,671,267	2,332,501
<b>LFV</b>	37	1,922	231	437	159	75
<b>Mersey Gateway</b>	49,388	652,923	597,736	588,500	375,841	630,004
<b>CAZ</b>	71,610	1,366,108	895,027	838,047	0	0
<b>Durham</b>	0	0	0	0	0	0
<b>Total</b>	<b>1,328,278</b>	<b>12,109,138</b>	<b>11,459,394</b>	<b>11,090,502</b>	<b>6,547,265</b>	<b>10,149,459</b>

0

\* CAZ = 11m

\*\* subject to final audit

## Rate of Appeal

\*\* subject to final audit

	2019/20			2022/23			2023/24		
	PCNs Issued	PCNs Appealed	Appeal Rate %	PCNs Issued	PCNs Appealed	Appeal Rate %	PCNs Issued	PCNs Appealed	Appeal Rate %
<b>Bus Lanes - England</b>	1,913,024	5,229	0.27%	1,994,230	4,544	0.23%	1,984,040	4,699	0.24%
<b>Bus Lanes &amp; MT</b>	73,924	155	0.21%	82,619	103	0.12%	213,414	164	0.08%
<b>Parking - England</b>	4,932,070	9,668	0.20%	5,031,516	6,949	0.14%	5,432,055	8,933	0.16%
<b>Parking - Wales</b>	267,861	770	0.29%	310,351	612	0.20%	351,246	756	0.22%
<b>Dartcharge</b>	2,332,501	8,534	0.37%	2,547,684	8,478	0.33%	2,107,430	9,567	0.45%
<b>Mersey Gateway</b>	630,004	10,943	1.74%	597,736	998	0.17%	652,923	1,185	0.18%
<b>CAZ</b>	0	0	0.00%	895,027	8,270	0.92%	1,366,108	11,703	0.86%
<b>LFV + Durham</b>	75	4	5.33%	231	9	3.90%	1,922	31	1.61%
<b>Total</b>	<b>10,149,459</b>	<b>35,303</b>	<b>0.35%</b>	<b>11,459,394</b>	<b>29,963</b>	<b>0.26%</b>	<b>12,109,138</b>	<b>37,038</b>	<b>0.31%</b>
	0	0		0	0		0	0	

Exc CAZ	10,149,459	35,303	0.35%	10,564,367	21,693	0.21%	10,743,030	25,335	0.24%
Exc CAZ and MG	9,519,455	24,360	0.26%	9,966,631	20,695	0.21%	10,090,107	24,150	0.24%

	23/24 to 19/20 Appeal Rate %
<b>Bus Lanes - England</b>	-0.04%
<b>Bus Lanes &amp; MT</b>	-0.13%
<b>Parking - England</b>	-0.03%
<b>Parking - Wales</b>	-0.07%
<b>Dartcharge</b>	0.09%
<b>Mersey Gateway</b>	-1.56%
<b>CAZ</b>	0.86%
<b>LFV + Durham</b>	-3.72%
<b>Total</b>	-0.04%

	19/20 to 23/24	
	Change in number of PCNs Issued	Change in number of PCNs Appealed
<b>Bus Lanes - England</b>	3.7%	-10.1%
<b>Bus Lanes &amp; MT - Wales</b>	188.7%	5.8%
<b>Parking - England</b>	10.1%	-7.6%
<b>Parking - Wales</b>	31.1%	-1.8%
<b>Dartcharge</b>	-9.6%	12.1%
<b>Mersey Gateway</b>	3.6%	-89.2%
<b>CAZ</b>		
<b>LFV + Durham</b>	2462.7%	675.0%
<b>Total</b>	<b>19.3%</b>	<b>4.9%</b>

### Key Points:

- The rate of appeal remains relatively static year on year
- However there are appeal types where the trend in PCN issuance is not matched by the trend in the appeals received, An example is Parking Wales where an increase of 31.1% in PCNs issued compares with a 1.8% drop in appeals received.
- The reduction in rates of appeal would seem to indicate that appeals for PCNs are being resolved at an Enforcement Authority level and therefore not coming to the tribunal.

*Please note:*

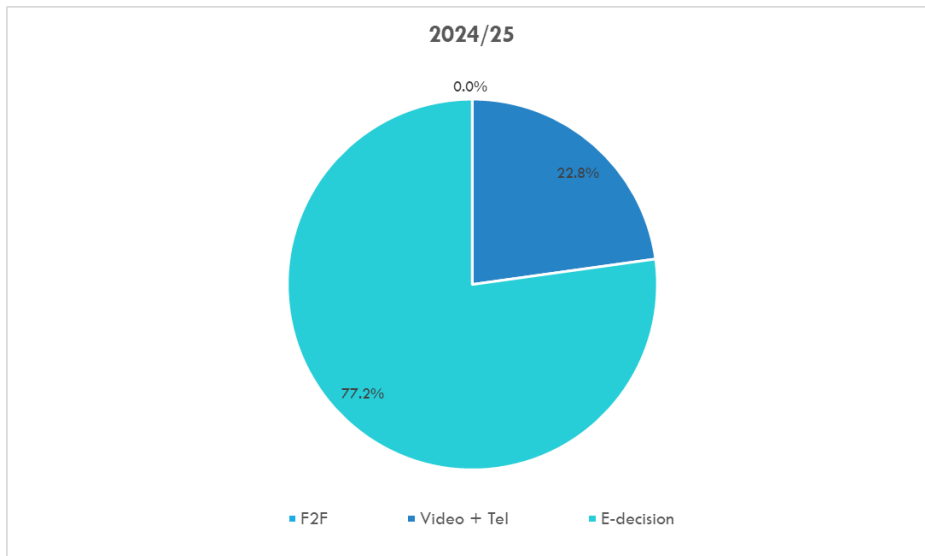
*The figures within this section include all PCNs dealt with by the Tribunal. This includes Witness Statements referred to the Adjudicators following debt registration at the Traffic Enforcement Centre at Northampton County Court. The PCN figures will also include a small number of duplicated PCNs and those PCNs not registered by the Adjudicator.*

### 3. Hearings

The tables below show a breakdown of the decision methods over the last few years.

Cases requiring a Decision					
	TOTAL	F2F	Video + Tel	E-decision	
2024/25	1,228	0	280	948	<i>part year</i>
2023/24	14,656	0	3,372	11,284	<i>full year</i>
2022/23	11,167	0	2,348	8,819	<i>full year</i>
2021/22	9,258	0	1,919	7,339	<i>full year</i>
2020/21	7,405	0	1,210	6,195	<i>full year</i>
2019/20	15,365	6	3,706	11,653	<i>full year</i>
2018/19	13,818	14	3,099	10,705	<i>full year</i>
2017/18	11,134	596	1,924	8,614	<i>full year</i>

Cases requiring a Decision					
	TOTAL	F2F	Video + Tel	E-decision	
2024/25	100.0%	0.0%	22.8%	77.2%	<i>part year</i>
2022/23	100.0%	0.0%	21.0%	79.0%	<i>full year</i>
2021/22	100.0%	0.0%	20.7%	79.3%	<i>full year</i>
2020/21	100.0%	0.0%	16.3%	83.7%	<i>full year</i>
2019/20	100.0%	0.0%	24.1%	75.8%	<i>full year</i>
2018/19	100.0%	0.1%	22.4%	77.5%	<i>full year</i>
2017/18	100.0%	5.4%	17.3%	77.4%	<i>full year</i>



#### 4. Proxy cases

For the small percentage of people who do find it initially difficult to go online, the TPT provides 'Assisted Digital' support. Assisted Digital is an active form of engagement with appellants to 'walk



through' the online appeal submission process and / or complete it on their behalf (by 'proxy'). Contact with the TPT team remains available throughout the process should it be required.

The average number of cases dealt with by proxy per month is currently just **4.13% for the 12 months 2023/24**.

#### 4. Case closure and Status

Appealing to the Traffic Penalty Tribunal is a judicial process, and while it is not appropriate to set rigid timescales, the TPT's objective is to provide a Tribunal service that is user focused, efficient, timely, helpful and readily accessible. Case resolution times provide a window on the efficiency and usability of the online appeals system, as well as the associated improved business processes.

At 22<sup>nd</sup> May 2024 there are 1,037 cases that are awaiting a decision.

Authority	Type	Cases
Secretary of State for Transport	Dart Charge	181
Birmingham	Clean Air Zones	100
Bradford CAZ	Clean Air Zones	40
Bristol	Clean Air Zones	34
Birmingham	Bus Lanes (England)	24
Brighton and Hove	Parking (England)	24
Sheffield	Clean Air Zones	24
Birmingham	Parking (England)	20
<b>Authorities &lt; 20 cases outstanding</b>		<b>590</b>

**1037**

The data below shows appeal case closure times for cases closed in April 2024.

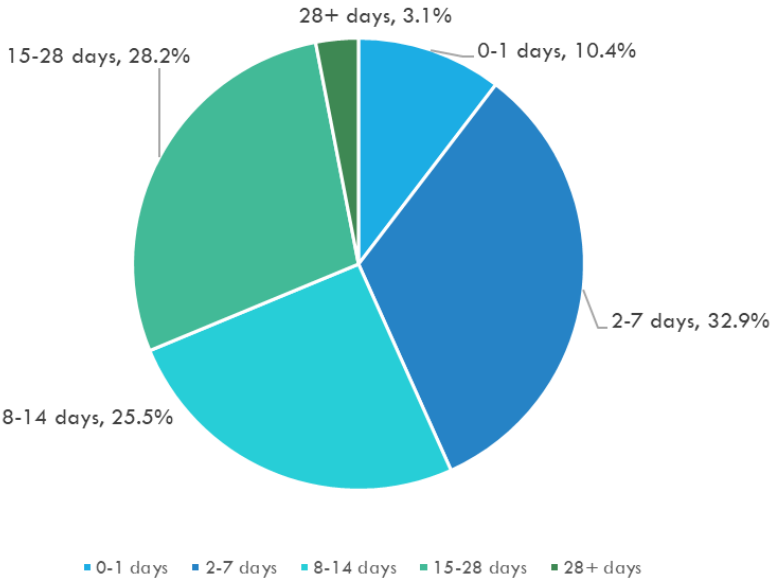
##### April 2024

Case Closure	
0-1 days	10.4%
2-7 days	32.9%
8-14 days	25.5%
15-28 days	28.2%
28+ days	3.1%

100%

Case Closure	
10%	0-1 day
43%	Less than 7 days
69%	Less than 14 days
97%	Less than 28 days
3%	More than 29 days

Days to Closure - current year

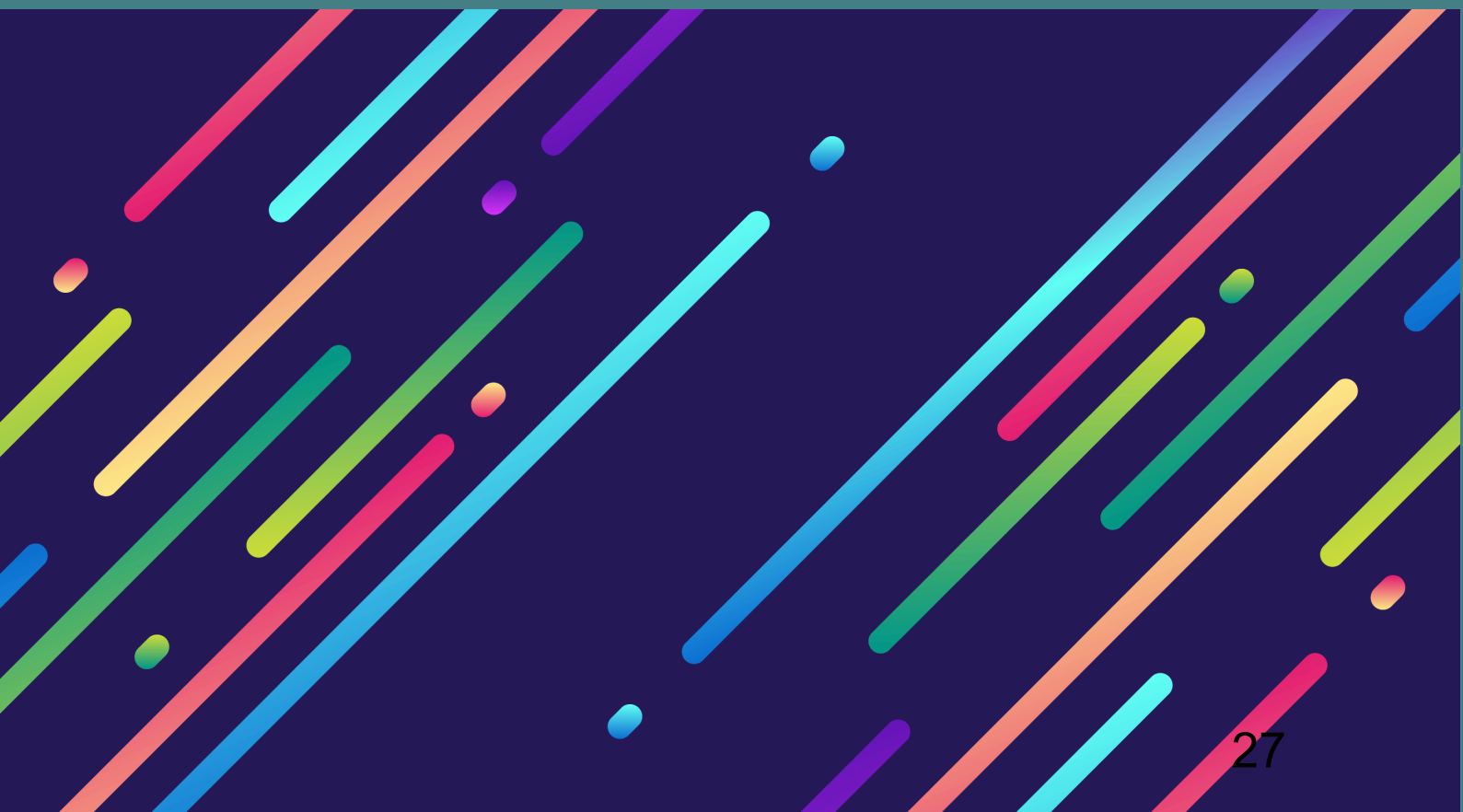




**Traffic Penalty  
Tribunal**  
England and Wales

# Annual Report

## 2023-24



# Contents

<b>Background</b>	<b>02</b>
<b>Chief Adjudicator’s Foreword</b>	<b>03</b>
<b>1. Workload</b>	<b>05</b>
1.1 New schemes	05
1.2 Appeal volumes and outcomes	06
1.3 Method of decisions	09
1.4 Costs	09
<b>2. Judicial Review</b>	<b>10</b>
2.1 Outcomes – permission granted	10
2.2. Applications – permission refused	10
2.3 Applications – awaiting permission	17
<b>3. Key Cases</b>	<b>18</b>
3.1 Example case search functionality	19
<b>4. Training and Appraisal</b>	<b>21</b>
4.1 Training	21
4.2 Appraisal	21
<b>5. The Adjudicators</b>	<b>22</b>
5.1 Changes and current list	22

# Background

**The Traffic Penalty Tribunal (TPT) decides motorists’ appeals against penalty charge notices (PCNs), issued by local authorities and charging authorities in England (outside London) and Wales, for traffic contraventions.**

This includes appeals against PCNs issued by over 300 local authorities in England and Wales for **parking, bus lane** and **moving traffic** contraventions, as well as for **Clean Air Zones** and **littering from vehicles** (England only).

The TPT also decides appeals against penalties from other road user charging schemes in England, including the Dartford -Thurrock River Crossing (**‘Dart Charge’**) and the Mersey Gateway and Silver Jubilee Bridge Crossings (**‘Merseyflow’**).

Appeals to the TPT are decided by 24 part-time Adjudicators, together with the Chief Adjudicator, Caroline Hamilton. All the adjudicators are wholly independent lawyers, whose appointments are subject to the Lord Chancellor’s consent. They are supported by a team of administrative staff.

The independent TPT is funded by a Joint Committee of the 300+ authorities that enforce the traffic restrictions: **Parking and Traffic Regulations Outside London (PATROL)**. These authorities are fulfilling a statutory duty to make provision for independent adjudication against the civil enforcement penalties they issue.

- The TPT decides appeals against ~26,000 PCNs each year.
- ~85% of appeals are completed fully online, with attendance hearings (via telephone or video) available, if necessary.
- Appellants unable to get online receive Assisted Digital support by phone, Live Chat or post for appeals to be completed ‘by proxy’.
- 40% of cases are completed within 14 days, with 75% within 28 days.



## Chief Adjudicator's Foreword

Caroline Hamilton

It has been another busy and productive year at the Traffic Penalty Tribunal. With more council authorities electing to enforce moving traffic contraventions by way of a civil penalty and Clean Air Zones having expanded further, our case numbers have in turn increased. Despite the expansion to our jurisdictions, in line with our published 2022–2023 aims the dedicated independent expert adjudicators and case support teams have continued to work together, providing efficient and effective access to justice to our users, with timely and proportionate resolutions to appeals. The Tribunal's appeal volumes and outcomes can be seen at Page 6.

### Appraisal

Adjudicators who were cross deployed from London Tribunals, having now been in post at the Traffic Penalty Tribunal for a year, took part in their first appraisal. This provided an opportunity for adjudicators to discuss their work, ensuring that the Tribunal's own automated appeal system was being used optimally and our case management processes uniformly applied. This year, to maintain the same high standards and to allow for a consistent application of the law and regulations, the exercise was undertaken jointly with the Environment and Traffic Adjudicators at London Tribunals. More information on the appraisal scheme and this joint initiative can be found at Page 21.

The experienced cohort of cross-deployed London adjudicators are now firmly embedded at the Traffic Penalty Tribunal, bringing their knowledge and experience in determining moving traffic and road user charging appeals with them and fully contributing to the Tribunal's ability to deliver justice.

### Training

The adjudicators took part in a training conference in Cardiff in November 2023. Training events allow the independent, impartial adjudicators (who all work independently and remotely) to meet and share experiences, as well as to confirm best practices. The training meeting is also an opportunity to discuss appeals generally, with a focus on interpretation of the law and regulations, ensuring that we all work cohesively with consistent application. This year, in furtherance of our commitment to mirror the 'One Judiciary' project that encourages and supports the exchange of experience and expertise between jurisdictions, we were pleased to be joined by Chief Adjudicator Anthony Chan from London Tribunals and Judge Alexander Green, the Chamber President of the General Regulatory Chamber of the First-tier Tribunal for Scotland. Further details of our training meeting can be found at Page 21.

### Key cases website

We were pleased to launch our 'key cases' website, *Traff-iCase* ([www.keycases.info](http://www.keycases.info)) in March 2024 (see Page 18). The overriding objective of civil enforcement of traffic management measures is to achieve compliance, but compliance can only be realised when there is a clear understanding of requirements and responsibilities. A large number of contraventions reaching appeal arise through error or misunderstanding, rather than the result of an intentional breach. Further frustration can be caused when the appellant motorist (who is generally not legally represented at the Tribunal) does not accept or endorse the limitations of the statutory appeal process. The aim of the *Traff-iCase* site is to provide clear and accessible information regarding the law and regulations, clarifying issues that frequently confuse or perplex motorists.

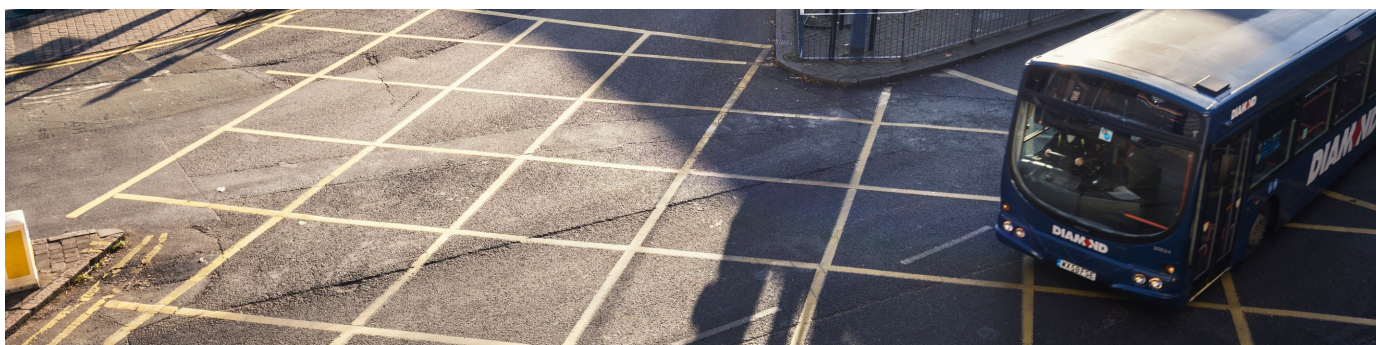
The site publishes key cases from the various independent adjudicating bodies for civil traffic appeals in one place for the first time. This user-friendly, 'one-stop' website allows all tribunal users to benefit from consistent information, based on case outcomes, putting an end to appeals that are pursued as a result of mistaken or out-of-date beliefs, gleaned from inaccurate, if well-meaning, content; for example, published by newspapers or appearing on online forums.

The site is designed to evolve and reflect current law, with the aim of providing an up-to-date analysis of case law and regulations in straightforward terms, allowing all users to have a better understanding of civil traffic regulations, enforcement and appeals. To this end, the *Traff-iCase* site includes a comprehensive, interactive library of legislation and regulations, as well as a repository of Frequently Asked Questions (FAQs).

Acknowledging our responsibility to provide timely, open and user-friendly access to justice, as well as our shared aim to improve the efficiency and cost efficiency of the administration of justice, the adjudicators are pleased to present our 2023–2024 annual report to the PATROL Joint Committee.

**Caroline Hamilton**  
**June 2024**





# 1. Workload

## 1.1 New schemes

**The jurisdiction of the adjudicators at the Traffic Penalty Tribunal continued to increase in the reporting year, with growth in the number of Clean Air Zones in operation and more local authorities commencing enforcement for moving traffic and bus lane contraventions.**

The function of the adjudicator is to assess evidence, make findings of fact and apply the relevant law to an appeal brought by the recipient of the statutory Notice of Rejection of Representations document issued by an enforcing authority, further to its consideration of formal representations. The adjudicators play no part in decisions as to where or whether restrictions should be introduced, nor are they responsible for fixing charges or penalty amounts.

### Clean Air Zones

The adjudicators now determine appeals from zones in Bath, Birmingham, Bradford, Bristol, Newcastle/Gateshead, Oxford (Zero Emission Zone) Portsmouth and Sheffield.

There are four types of Clean Air Zones:



**A:** Applying to buses, coaches, taxis and private hire vehicles (PHVs).

**B:** Applying to buses, coaches, taxis, PHVs and heavy goods vehicles (HGVs).

**C:** Applying to buses, coaches, taxis, PHVs, HGVs, vans and minibuses.

**D:** Applying to buses, coaches, taxis, PHVs, HGVs, vans and minibuses, as well as private cars (there is also an option to include private motorcycles under this zone marking).

All current zones fall under types B–D. Further information can be accessed at:

<https://www.gov.uk/guidance/driving-in-a-clean-air-zone>

### Moving traffic and bus lanes



Moving traffic restrictions are now enforced in the following local authority areas outside London: Buckinghamshire, Derby, Durham, Hampshire, Liverpool, Luton, Manchester, Oxfordshire, Reading, Walsall, West Berkshire and Wokingham. A further 11 authorities are due to start enforcement in the coming year. Authority areas that commenced bus lane enforcement in the reporting year are: Adur and Worthing, Blackpool, Bolton, Hampshire, Norfolk, North Somerset, South Cambridgeshire and Watford.

### Littering from vehicles



Littering from vehicles restrictions are currently enforced in: Bradford, Canterbury, Carlisle, Charnwood, Dorset, Hartlepool, Leicester, Mole Valley, Newcastle, North West Leicester, Stroud, Telford and Wrekin, Wigan and Wychavon. 28 further councils are working towards adopting the powers.

## 1.2 Appeal volumes and outcomes

The number of appeals registered in the reporting year has increased slightly, reflecting an increase in the operation of Clean Air Zones that can take some time to achieve compliance. As more schemes are put in place, motorists become more familiar with the self-declaratory nature of the schemes, so the appeals based on a lack of knowledge or understanding of the requirements generally fall away.

### Total appeals, 2023–24 (previous year shown in brackets)

- Appeals registered by adjudicator: 22,176 (22,063)
- Statutory Declarations / Witness Statements: 2,226 (1,648)
- Appeals (PCNs) determined: 25,649 (31,427)
- Appeals allowed: 10,428 (16,549), of which 7,545 (12,245) were not contested
- Appeals refused: 7,519 (6,621), of which 197 (226) were withdrawn

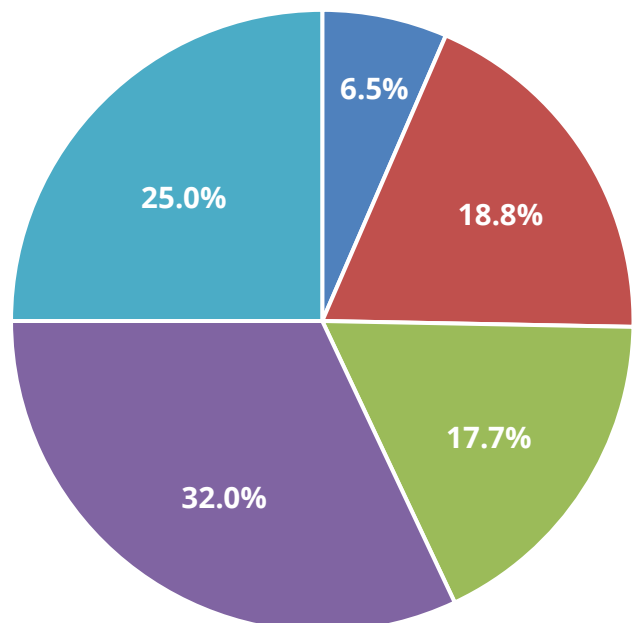
### A note on the data

The perceived discrepancy in the number of appeals received and determined is explained by appeals received and registered in April 2024 due for determination in the following reporting period, as well as the number of 'multiple PCN' cases received. These are cases where one motorist repeats a transgression over a period of time, resulting in a series of penalties being issued that are usually the subject of one appeal, but generating the need for a number of decisions. This typically arises when a vehicle has been stolen or cloned, the driver in such cases having no interest in complying with traffic or parking regulations. Multiple PCN cases may also arise with road user charging, due to motorists' initial unfamiliarity with the scheme before a series of PCNs may be issued by post.

The Traffic Penalty Tribunal does not have a backlog of cases. Once the appeal has been registered and the parties have submitted their evidence, the majority of appeals are determined within 28 days (see chart right).

Cases that take longer are generally delayed only while further evidence or a response to a query raised to the parties is sought. Appeals may be rescheduled or adjourned at the request of either party for a limited period, but it is generally not proportionate to delay the outcome of an appeal for a considerable time.

### Data: Number of days cases are open



- 0-1 Day
- 2-7 Days
- 8-14 Days
- 15-28 Days





## Appeals process

In order to initiate an appeal, the prospective appellant must meet the requirements of Part 2 of Schedule 1 to:

[The Civil Enforcement of Road Traffic Contraventions \(Representations and Appeals\) \(England\) Regulations 2022](#), Part 2 of: [The Road User Charging Schemes \(Penalty Charges, Adjudication and Enforcement\) \(England\) Regulations 2013](#), applying to road user charging, or Part 2 of: [The Littering From Vehicles Outside London \(Keepers: Civil Penalties\) Regulations 2018](#), which apply to littering from vehicles contraventions.

**A further 1,247 appeals to those cited on Page 6 were received at the Tribunal in the reporting year, but were not registered by the Proper Officer or independent adjudicator.** These appeals did not meet the requirements of the regulations and were rejected with reasons provided, identifying the deficiency to allow for correction and re-submission, where appropriate.

Some appeals are not contested by the enforcement authority. The expectation is that motorists will provide evidence to support their representations directly to the authority prior to the receipt of a Notice of Rejection of Representations.

Evidence in support of a vehicle's sale, hire agreements, evidence of payments or in support of extenuating circumstances are, however, often only provided for the first time with the Notice of Appeal.

The appeal is an ongoing process of review, with authorities considering late evidence and – if the reasons for rejecting representations no longer apply – they may indicate that the appeal is not contested, or offer to accept a reduced penalty amount (or payment of an entry / crossing charge, in the case of road user charging schemes).

Withdrawal of an appeal is also an option for appellants who, having had an opportunity to view the authority respondent's submitted evidence and case summary, may have a clearer understanding of the contravention. For example, this can arise in cases where the authority submits its evidence of signs and road markings, causing the motorist to have a better overview of the restrictions in place. The appeal may be withdrawn at any time prior to determination by the adjudicator. Once withdrawn, the penalty is payable to the authority within 14 days.

Consent Orders can also be achieved between the parties, using the appeal portal that allows queries to be raised and comments on evidence entered. Adjudicators can facilitate this process by asking for evidence regarding any exemption claimed or clarifying any misunderstanding regarding the law or regulations prior to the formal determination of the appeal.

**1,830 Consent Orders were issued in the reporting year.**

Orders issued by the Traffic Enforcement Centre (TEC) are referred to the adjudicator under Regulation 23 of: [The Civil Enforcement of Road Traffic Contraventions \(Approved Devices, Charging Guidelines and General Provisions\) \(England\) Regulations 2022](#) or Regulation 19 of the 2013 Road User Charging Regulations.

The Order of the County Court does not cancel the PCN. On receipt of the referral, the adjudicator will determine whether the matter should be listed for an appeal or whether any other direction should be issued, such as a payment direction or costs order. **1,824 (1,492) payment directions were made further to the referral of an Order issued by the TEC.**

The individual appeal types (parking, bus lane, moving traffic, Clean Air Zones, road user charging and littering from vehicles) had the following numbers and outcomes (previous year shown in brackets).

### Parking



<b>Appeals received:</b>	7,655 (8,033)
<b>Appeals allowed:</b>	<b>3,429 (4,011)</b> , inc. 1,863 (2,028) not contested
<b>Appeals refused:</b>	<b>3,440 (2,176)</b> , inc. 45 (62) withdrawn

### Bus Lane



<b>Appeals received:</b>	3,704 (4,144)
<b>Appeals allowed:</b>	<b>1,592 (2,586)</b> , inc. 1,071 (1,741) not contested
<b>Appeals refused:</b>	<b>1,596 (1,638)</b> , inc. 57 (71) withdrawn

### Moving Traffic



<b>Appeals received:</b>	129 (83)
<b>Appeals allowed:</b>	<b>54 (31)</b> , inc. 41 (19) not contested
<b>Appeals refused:</b>	<b>67 (48)</b> , inc. 3 (5) withdrawn

### Clean Air Zone



<b>Appeals received:</b>	7,806 (6,507)
<b>Appeals allowed:</b>	<b>3,865 (6,259)</b> , inc. 3,159 (5,046) not contested
<b>Appeals refused:</b>	<b>2,244 (1,220)</b> , inc. 66 (44) withdrawn

### Dart Charge



<b>Appeals received:</b>	3,361 (2,883)
<b>Appeals allowed:</b>	<b>1,063 (3,285)</b> , inc. 1,025 (3,043) not contested
<b>Appeals refused:</b>	<b>66 (604)</b> , inc. 22 (28) withdrawn

### Merseyflow



<b>Appeals received:</b>	738 (404)
<b>Appeals allowed:</b>	<b>408 (372)</b> , inc. 380 (366) not contested
<b>Appeals refused:</b>	<b>95 (267)</b> , inc. 4 (15) withdrawn

### Durham RUC\* Zone



<b>Appeals received:</b>	5 (0)
<b>Appeals allowed:</b>	<b>2 (0)</b> , inc. 2 (0) not contested
<b>Appeals refused:</b>	<b>2 (0)</b> , inc. 0 (0) withdrawn

### Littering from Vehicles



<b>Appeals received:</b>	25 (9)
<b>Appeals allowed:</b>	<b>15 (5)</b> , inc. 4 (2) not contested
<b>Appeals refused:</b>	<b>9 (3)</b> , inc. 0 (1) withdrawn

\* RUC: Road User Charge

## 1.3 Method of decisions

### The automated case management system

The Traffic Penalty Tribunal's ability to provide a reliable and accessible online appeals system and remote hearings continues to deliver efficient, effective access to justice. This allows for the timely and proportionate resolution of appeals currently under the jurisdiction of the adjudicators.

The user-friendly digital platform has been embraced by Tribunal users, but the adjudicators still recognise that some motorists prefer to submit an appeal by post or email. This remains an option and 4.15% of appeals were lodged in this way. On receipt of appeals correspondence in these formats, the Tribunal will create an appeal 'by proxy' on the online case management system, allowing the council authorities to access the appeal via the portal in the usual way, but with corresponding communications for the appellant sent by post or email.

Once the appeal is registered, the parties are provided with an opportunity to select their preferred hearing type.

**e-Decisions: 11,286 in the reporting year** (18,043 in 2022–23)

e-Decisions (referring to a decision processed through the Tribunal's digital case management system) are determined by the adjudicator on the evidence provided by each party to the appeal, without further oral evidence or submissions.

Parties to the appeal may, however, prefer to present evidence orally. This can be efficiently and justly achieved by attendance at a hearing by telephone or via video (facilitated through the popular Microsoft Teams platform).

**Telephone / Video Attendance Hearings: 3,321 in the reporting year** (2,137 in 2022–23), of which attendance by telephone: **2,230** (1,493) and via video: **1,091** (644).

The adjudicator is responsible for managing the hearings and, under the 2022 Appeals Regulations and the 2013 Road User Charging Regulations, must conduct proceedings

'in the manner most suitable to the clarification of the issues and generally to the just handing of the proceedings...' The regulations also provide the adjudicator with the power to require the attendance of 'any person including a party to the appeal'.

Full written reasons for the decision reached by the adjudicator are provided to the parties, even if the decision is given orally at the end of the hearing.

## 1.4 Costs

Appellants pay no issuing fee to submit an appeal to the independent adjudicator and under the regulations governing the Traffic Penalty Tribunal, the adjudicators must not normally make an award of costs or expenses.

The adjudicator may, however, exercise the powers conferred under the relevant regulations on the application of a party, or of the adjudicator's own motion. An order can be made only if the adjudicator considers that the party has acted 'frivolously or vexatiously', or the party's conduct in making, pursuing or resisting an appeal was 'wholly unreasonable'. There is no power to make an award of compensation. The high threshold for such an award is reflected by the limited number of orders made.

### Applications for costs (2023–24)

	Appellant	Authority	TOTAL
<b>Costs applications made</b>	120 (108)	1 (2)	<b>121 (110)</b>
<b>Costs awarded</b>	1 (1)	1 (0)	<b>2 (2)</b>

### Want to find out more?

Further information on the Tribunal's work, as well as comprehensive information on the enforcement and appeals process for different penalty types can be found at:

[www.trafficpenaltytribunal.gov.uk/](http://www.trafficpenaltytribunal.gov.uk/)



## 2. Judicial Review

**The adjudicators are the expert statutory tribunal in place to determine civil penalty traffic appeals. Once a party has exhausted their remedy before the independent adjudicator, however, a further challenge may be made through an application to the High Court for permission to seek a judicial review.**

The High Court Judge will review the lawfulness of the decision. Decisions of the High Court are in turn appealable on a point of law to the Court of Appeal (and beyond). The adjudicators remain charged with making findings of fact on the evidence submitted by the parties, but they are bound by any decision of the Courts regarding the application or interpretation of the law. Judgments of the Courts are therefore invaluable to the adjudicators, providing firm clarity on the interpretation of regulations, obligations and responsibilities, and ensuring that the law is applied consistently.

Over the years, the Courts have determined a number of crucial issues, clarifying or confirming the application of the law regarding a number of issues relating to traffic appeals; for example: owner liability (*London Borough Of Wandsworth, R (on the application of) v Parking Adjudicator [1996] EWCA Civ 869*); mitigation (*Walmsley v Transport for London & Others [2005] EWCA Civ 1540*); the required level of compliance with regulations (*R (Herron) v Parking Adjudicator [2011] EWCA Civ 905*), and procedural impropriety (*R (Bedi) v Traffic Adjudicator [2022] EWHC 1795 (Admin)*). These cornerstone decisions remove uncertainty, to the benefit of motorists generally, as well as our Tribunal users.

**The 2023–24 reporting year saw a number of judicial review applications.**

### 2.1 Outcomes – permission granted

*No application received permission to proceed to judicial review in this reporting year.*

### 2.2 Applications – permission refused

***The King on the application of Gary Parkin v The Adjudicator and Nottingham City Council (interested party CO/1050/2023)***  
*Parkin v Nottingham City Council (TPT NG00375-2211)*

#### **The appeal decision**

The appeal was refused by the independent adjudicator for the following reasons:

- “
1. *This matter was determined after a telephone hearing on 3 March 2023. Mr Parkin represented himself and the Council did not take part.*

2. *Mr Parkin commenced the hearing by stating that he had not yet received the evidence from the Council. He stated that he had attended the Council offices on three occasions demanding that the papers be handed to him in person, but this was refused.*
3. *The Council initially sent the evidence by first class post on 29 November 2022. At an earlier stage of this appeal, I initially directed the Council to resend the evidence, as I was concerned that Mr Parkin may not have received it. After some further discussion regarding Mr Parkin's need for paper evidence, and the possible effect of the postal strike, the Council did send out a further copy of the evidence by first class post on 13 February 2023.*
4. *I find it highly unlikely that two sets of evidence sent by Royal Mail first class post to the same person would both go missing. I acknowledge that the first set may have been delayed by the Royal Mail strikes, but the same reasoning would not apply to the second posting. I therefore find it more likely than not that Mr Parkin has received the evidence.*
5. *In any event, looking at the evidence that the Council has provided, Mr Parkin has always accepted driving through this tram gate. In his formal representations he simply stated that he was not aware of having done so, and in any event was being 'cut up' by another motorist. He therefore calls into question the adequacy of the signage, which is a matter I can assess from looking at the evidence provided.*
6. *Looking at the Council's photographs and video evidence, I can see that the signs on either side of the entry point are lit at night. There is also advance warning signage further back down the road. In addition there is the wording on the road surface at the entry to the tram gate. Looking at the situation as a whole, I am satisfied that the driver is given adequate warning about the tram gate in time to take avoiding action.*
7. *At a later stage in the proceedings, Mr Parkin also stated that he was in a medically urgent situation, 'literally going to the toilet' at the time. However, as the Council has pointed out, Mr Parkin could have stopped his car before arriving at the tram gate. More importantly this factual issue was not raised when he made his formal representations. I would have expected such a fact to have been included in his early representations, if it were true.*
8. *In summary, I find this tram gate adequately signed and marked, even at night time, as the signage is lit. Mr Parkin may not have seen it, but it was there to be seen. I do not accept that it was more likely than not that Mr Parkin was experiencing any kind of medical emergency which might have justified him passing through the tram gate. I therefore find that the contravention occurred, and I am satisfied that this matter has been dealt with in accordance with The Civil Enforcement of Road Traffic Contraventions (Representations and Appeals) (England) Regulations 2022.*
9. *This appeal is dismissed, and I direct that the penalty of £70 be paid within 28 days."*

### **The application for review**

The reviewing adjudicator identified no ground for review under the regulations and rejected the application.

### **The application for judicial review**

The application was refused. The adjudicator having made the findings that he did was entitled to proceed with the hearing without adjourning and the decision to do so involved no arguable procedural irregularity or other unfairness. The adjudicator was entitled to dismiss the appeal and confirm the PCN for the reasons given. The Claimant's application for an oral renewal hearing was refused.

**The King (on the Application of Brown) v Traffic Penalty Tribunal  
and Doncaster Metropolitan Borough Council CO/1621/2023**  
*Brown v Nottingham City Council (TPT DN00067-2212)*

## **The appeal decision**

The appeal was refused by the independent adjudicator for the following reasons:

“

1. *Mr Brown accepts he had parked on a single yellow line in High Street when the PCN was issued and when he accepts he should not have parked there, he had just gone to the shop but he appeals on the basis the council does not have the power to change the law or the power to issue PCNs. In this respect Mr Brown said in his representations to the council he had not contracted with the council and that a parking contravention was still a parking offence that, I infer, he believes the police have the power to deal with and not the council.*
2. *Following the hearing Mr Brown sent me the following message, 'What I was trying to say in the meeting was the 1984 road traffic regulation act and the 1991 traffic act are still in force today. The wording that is on there is still in force today. The permitted parking area order 2005 Doncaster is in force today. The point I'm making is how can two laws be in force if they do the opposite of each other. It's impossible. It's like saying I'm going forward at the same time as backward. One law says they can issue penalty charges one law says it can't'*
3. *It is true to say there are some parts of the Road Traffic Regulation Act 1984 and the Road Traffic Act 1991 that are still in force today but large parts of both acts have been repealed or modified by subsequent legislation. This is the nature of our legal system as law develops over time.*
4. *However, if Mr Brown was referring in his representations specifically to section 5 (1), Road Traffic Regulation Order 1984, "A person who contravenes a traffic regulation order, or who uses a vehicle, or causes or permits a vehicle to be used in contravention of a traffic regulation order, shall be guilty of an offence."*
5. *This provision, whilst still on the statute book, was modified by the Road Traffic Act 1991. The Road Traffic Act 1991 made provision for traffic regulation orders outside Greater London and permitted and special parking areas outside London at section 43 and Schedule 3 and Schedule 6 contained the provisions for dealing with parking penalties.*
6. *In 2004 the Traffic Management Act 2004 decriminalised parking enforcement and provided at section 72 as follows,*

### **Civil penalties for road traffic contraventions**

- (1) The appropriate national authority may make provision by regulations for or in connection with—
  - (a) the imposition of penalty charges in respect of road traffic contraventions that—
    - (i) are subject to civil enforcement (see section 73), and
    - (ii) are committed in an area that is a civil enforcement area for contraventions of that description (see section 74), and
  - (b) the payment of such penalty charges.

### 7. *Sub section 3 provides,*

The regulations shall include provision in respect of any description of conduct for which a penalty charge may be imposed—

- (a) prohibiting criminal proceedings or the issuing of a fixed penalty notice in respect of conduct of that description, or
- (b) securing that a penalty charge is not required to be paid, or is refunded, where the conduct is the subject of criminal proceedings or of a fixed penalty notice.

8. *Sections 76 and 78 deal with the appointment of civil enforcement officers and the notification of penalty charges and Schedule 7 Part 1, provides a list of offences now known as parking contraventions, section 4 is as follows,*

- (1) Outside Greater London there is a parking contravention in relation to a vehicle if it is stationary in circumstances in which any of the offences listed below is committed.
- (2) The offences are—
  - (a) an offence under section 64(3) of the Local Government (Miscellaneous Provisions) Act 1976 (c. 57) of causing a vehicle to stop on part of a road appointed, or deemed to have been appointed, as a hackney carriage stand;
  - (b) an offence under section 5, 11, 16(1) or 16C of the Road Traffic Regulation Act 1984 (c. 27) (contravention of certain traffic orders) of contravening a prohibition or restriction on waiting, or loading or unloading, of vehicles;  
an offence committed in England under section 25(5) of the Road Traffic Regulation Act 1984 of contravening paragraph 1 or 3 of Part 5 of Schedule 14 to the Traffic Signs Regulations and General Directions 2016 (S.I. 2016/362);
  - (c) an offence under section 25(5) of the Road Traffic Regulation Act 1984 of contravening regulation 18 or 20 of the Zebra, Pelican and Puffin Pedestrian Crossings Regulations and General Directions 1997 (S.I. 1997/2400) (prohibition on stopping vehicles on or near pedestrian crossings);
  - (d) an offence under section 35A(1), 47(1) or 53(5) or (6) of the Road Traffic Regulation Act 1984 (offences in connection with parking places);
  - (e) an offence under section 61(5) of the Road Traffic Regulation Act 1984 (parking in loading areas); an offence under section 30(1) of the Exeter City Council Act 1987 (c. xi) (prohibition of parking vehicles on verges, central reservations and footways).
  - (f) an offence under section 6(6) of the Essex Act 1987 (c. xx) of leaving a vehicle on any land in contravention of a prohibition under that section (prohibitions relating to verges and certain other land adjoining or accessible from highway);  
an offence under section 19 of the Road Traffic Act 1988 (c. 52) (parking of HGVs on verges, central reservations or footways);
  - (h) an offence under section 21 of the Road Traffic Act 1988 (offences relating to cycle tracks) of parking a vehicle wholly or partly on a cycle track;  
an offence committed in England under section 36(1) of the Road Traffic Act 1988 (failure to comply with traffic sign) of failing to comply with a sign of the type referred to in—
    - (i) item 51 or 53 in the table in Part 2 of Schedule 14 to the Traffic Signs Regulations and General Directions 2016, where that sign is placed for the purposes of a signal-controlled crossing facility or a parallel crossing as defined by Schedule 1 to that Instrument; or
    - (ii) paragraph 1 of Part 6 of Schedule 7 to that Instrument (bus stop or bus stand clearway markings);]
  - (i) an offence under section 36(1) of the Road Traffic Act 1988 (failure to comply with traffic sign) of failing to comply with a sign of a type referred to in—
    - (i) regulation 10(1)(b) of the Traffic Signs Regulations and General Directions 2002 (S.I. 2002/3113) (zig-zag lines relating to certain crossings), or
    - (ii) regulation 29(1) of those regulations (bus stop or bus stand markings).

9. *Section 74 and Schedule 8 Part 2 of the Act contains the power to designate civil enforcement areas for parking contraventions outside London upon the application of a local authority and the Order designating the Metropolitan Area of Doncaster as a Permitted Parking Area and Special Parking Area can be seen in its entirety at evidence tab 11. This Order came into force on 4th July 2005 and as such, when the civil enforcement officer observed Mr Brown's vehicle on a single yellow line, he was entitled to issue a PCN and when the PCN was not paid the council was entitled to take enforcement proceedings.*

10. *When Mr Brown parked his vehicle in High Street he had not entered into a contract with the council to do so but he was subject to the traffic regulation order, a copy of which is provided at evidence tab 10 and having parked on a clear single yellow line during the restricted hours, something Mr Brown accepted he should not have done, I find the contravention occurred.*

11. *The council quite rightly say there were no mitigating circumstances to consider and as such, I find Mr Brown was not entitled to park as he did when the PCN was issued and his appeal is accordingly refused."*

## The application for review

The reviewing adjudicator identified no ground for review.

## The application for judicial review

The application did not address the review decision in any way, but merely repeated arguments previously made to the parking adjudicator that were rejected. No public law challenge had been identified and there were no arguable grounds on which to challenge the decision reviewer. Further the application was not brought promptly. The Claimant's application for a renewal hearing was refused on 21 December 2023.

## The King on the application of Thomas Campbell v Bedford Borough Council (CO/2708/2023)

Thomas Campbell v Bedford Borough Council TPT BF00014-2304

## The appeal decision

The appeal was refused by the independent adjudicator for the following reasons:

“

1. *The penalty charge notice (PCN) alleges stopping on a restricted bus stop on Friday 24 March 2023 at 15:55. The Council must prove the contravention (they have the burden of proof). Mr Campbell raises a number of issues and my decision is therefore more detailed than is typical for an appeal against a parking PCN.*
2. *For the reasons set out below, I conclude that Mr Campbell has not shown a reason to win his appeal and that the contravention is proved. I say at the outset that I accept his evidence 'I was not aware that any special restrictions applied to stopping at bus stops' (representations at evidence 3) and that it was not a deliberate misuse of the restricted bus stop.*

### The statutory framework for enforcement under the civil law

3. *In the past, parking restrictions were enforced under the criminal law but some years ago this changed to enforcement under the civil law by local authorities. The current statutory framework is The Traffic Management Act 2004 and The Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022 ("the 2022 Regulations"), replacing earlier 2007 regulations.*
4. *As the adjudicator, I must assess all the evidence that is relevant to the alleged contravention, apply the law, decide if the contravention is proved and decide whether or not Mr Campbell has shown a reason to win his appeal under The Civil Enforcement of Road Traffic Contraventions (Representations and Appeals) (England) Regulations 2022 ("the 2022 Appeals Regulations"). The grounds of appeal are set out in regulation 5(4) and my role is set out in regulation 7.*
5. *My role does not extend to a consideration of policy in relation to the siting of restricted bus stops (Mr Campbell's evidence 11 and 22).*
6. *Because this is a civil law matter, if there is an issue of fact for me to resolve, I must decide what is more likely than not based on the evidence that is available to me.*

### Camera enforcement

7. *The Council rely on video evidence of this area of the public highway, filmed by an approved camera system and fixed camera (evidence 18). An officer reviewed the footage (evidence 13).*



8. *Gathering evidence by an approved camera system as the basis for issuing a PCN for stopping on a restricted bus stop is permitted by the 2022 General Regulations. I refer to regulation 4 and schedule 1 and to regulation 10(2)(a), regulation 10(3)(b), regulation 11(1)(b) and regulation 11(2).*
9. *Mr and Mrs Campbell chose to drive his car on the public highway. Google November 2021 shows a sign to warn of traffic enforcement by camera on the approach to the bus stop. The presence of this sign is described in the email dated 26 April 2023 from Mayor Dave Hodgson provided by Mr Campbell (evidence 22). My understanding is that Mr Campbell does not dispute the presence of this sign to warn of camera enforcement. I find that it is more likely than not that it was present on 24 March 2023.*
10. *Mr Campbell chose to start this appeal to this Tribunal. In order to carry out my role as an adjudicator under the 2022 Appeals Regulations, I have watched the video.*

### The circumstances

11. *Mr Campbell accepts that his vehicle stopped in a bus stop at the time alleged. He says that his wife was driving but started to feel unwell and so they decided to swap for safety and to do that in the bus stop. He says that after swapping, he drove off and the event lasted about a minute and they did not obstruct a bus. His account of their actions is consistent with the video and I accept it.*
12. *The circumstances that he describes are not a defence. The prohibition against stopping in a restricted bus stop means exactly that. The prohibition is stricter than 'no waiting' shown by single or double yellow lines, where some exemptions apply, for example to let a passenger get in or out, to load or to allow the holder of a disabled blue badge to park. In a restricted bus stop, there are no such exemptions, not even for a blue badge holder.*
13. *The source of the prohibition against stopping is statutory. There is no longer a need for a traffic regulation order to create a restricted bus stop. I refer to The Traffic Signs Regulations and General Directions 2016 at Schedule 7-3-3, S7-4-9, S7-6-1 and S7-6-4 and to DfT Circular 01/2016 at 3.48. I refer to these regulations as "TSRGD 2016". The statutory basis is described at 13.24.1 of the Traffic Signs Manual, Chapter 3 2019 (available at gov.uk) which I refer to as "TSM". I note that the presence of this restricted bus stop is shown in the Tile P20 Plan that is part of a 2009 traffic regulation order (evidence 7).*
14. *The law does give an exemption if the vehicle has to be stopped in a restricted bus stop in order to avoid injury or damage to persons or property (TSRGD 2016 at S7-6-4(2)(b)). It would be for Mr Campbell to prove the exemption. The account he gives of their decision to swap and the video evidence of his wife getting out of the driver's seat and walking unaided round to the passenger side is not consistent with a medical emergency sufficient to establish this exemption. I find that such an exemption is not proved.*

### The yellow markings and sign

15. *Mr Campbell describes the yellow sign 'No stopping 7am-7pm except buses' on the lamp-post beside the bus stop which he saw on his return visit on 1 April (evidence 3). The sign is visible in his video filmed on 5 May 2023 (evidence 28). He objects that this sign is not sufficiently visible when approaching and is not fit for the purpose of warning drivers not to stop. He says that it should be turned through 90 degrees to face oncoming traffic.*
16. *He also puts in issue the presence of the sign on 24 March 2023. He says that the sign is not visible in the video of his car on 24 March 2023 and the Council's extra photos at evidence 14, 15 and 17 are not dated.*

17. *I find that the video establishes that on 24 March 2023 there was only one lamp-post along the length of the bus stop. The presence of one lamp-post is consistent with the photos at 14, 15 and 17. The presence of one lamp-post is consistent with Google which shows the location as at November 2021, with the yellow sign in place on the lamp-post. It would be more helpful if the Council showed the date of their extra photos. On the basis of Google as at November 2021 and Mr Campbell's evidence that the sign was present on 1 April, I find that it is more likely than not that it was present on the lamp-post on 24 March 2023. The field of view of the camera is such that the yellow sign was side on to it, facing the road, and this is why it is not prominent.*
18. *Mr Campbell is correct to identify the need to communicate a parking restriction to drivers. The law imposes a statutory duty on the Council to provide adequate information about a parking restriction created by a traffic regulation order (regulation 18 of The Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996) and this standard of 'adequate information' is applied by analogy by adjudicators to restrictions that are imposed directly by statutory regulations.*
19. *The Council does not have a free hand in how they communicate a restriction of the public highway. They must use the surface markings and signs set out in TSRGD 2016.*
20. *For a restricted bus stop, the yellow markings are prescribed by TSRGD 2016 S7-4-9 (diagram 1025.1) and see S7-6-1 and S7-6-4 (Mr Campbell refers to this at evidence 25). The yellow sign is prescribed by Schedule 4 at S4-3-2 and see also TSM at 13.24.6, Figure 13-72 and 13.24.9 (Mr Campbell refers to this at evidence 23).*
21. *Paragraph 13.24.9 gives guidance about the siting of the sign. It explains that the sign for a restricted bus stop need not face oncoming traffic because of the 'clearway' information that is communicated by the broad yellow line at the edge of the carriageway, which is visible as traffic approaches.*
22. *I agree with Mr Campbell that the yellow sign would not be immediately visible to a driver when approaching in a moving vehicle. The key point is that the yellow markings convey the 'clearway' status of the bus stop and warn drivers 'no stopping' even before the supporting yellow sign is seen. The yellow markings are visible to drivers as they approach. The broad yellow line next to the kerb means 'no stopping' and alerts drivers that this is a restricted bus stop, even if they have not yet had an opportunity to check the supporting yellow sign.*
23. *In terms of how drivers are reasonably expected to know this, The Highway Code at page 116 shows a diagram of the yellow markings with the broad yellow line and refers readers to rule 243 which says 'DO NOT stop or park at or near a bus or tram stop or taxi rank'. There is also a publication 'Know Your Traffic Signs' (2007 hard copy or available on gov.uk) which at page 34 explains that the broad yellow line means that stopping is prohibited.*
24. *I accept Mr Campbell's evidence that he was not aware that stopping is prohibited in this type of bus stop, but the markings and sign were there to be seen. The video shows the car approach the empty bus stop and pull into it and stop before the large surface lettering 'BUS STOP' (evidence 18). I find that the broad yellow line that means that the area is restricted as a 'no stopping' clearway was sufficiently visible as they approached.*
25. *The law is clear that when assessing the adequacy of information for drivers about a parking restriction, it is necessary to consider the markings and sign as a whole in their context and determine if they substantially comply with the regulations (Court of Appeal in R v the Parking Adjudicator and Sunderland City Council ex parte Herron and another [2011] EWCA Civ 905).*
26. *I find that the markings and sign for this bus stop considered as a whole sufficiently comply with the regulations and are adequate to inform drivers of the prohibition against stopping. Unfortunately, Mr and Mrs Campbell made a mistake by deciding to stop in the bus stop to swap places. Mr Campbell has not shown a reason under the law to win his appeal. The contravention is proved.*

27. *When a contravention is proved, the Council have a discretion to take into account all the circumstances in relation to their decision to enforce. As set out in regulation 7(8) of the 2022 Appeals Regulations, I have a discretionary power to refer a case back to the Council with a recommendation that they use their discretion to cancel if I am satisfied that there are compelling reasons to do so. I do not find compelling reasons in this case.*

28. *The amount for this contravention starts at £70. The law requires the Council to offer a 50% discount in the PCN, but after that any later discount is only at their discretion. They offered another chance to pay 50% in the Notice of Rejection but Mr Campbell did not take that offer. Mr Campbell as registered keeper is liable to pay £70.*

29. *I make no comment on the different vehicle that was filmed by Mr Campbell on a different date (evidence 28) because it is outside the scope of my determination of this appeal."*

### **The application for review**

The reviewing adjudicator identified no ground for review.

### **The application for judicial review**

In this case, proceedings were brought against the council authority.

The Claimant's appeals to the adjudicator were refused. The judicial review proceedings targets the PCN, but that remedy had been used at the Tribunal. Judicial review proceedings would amount to a collateral challenge to the established and appropriate method of disputing a PCN. Permission must be refused for this reason alone. Further, the Claimant has not identified any arguable grounds to challenge the decision. The application was refused with an order of costs granted to the council.

The outcome of a renewal application on the issue of costs is pending.

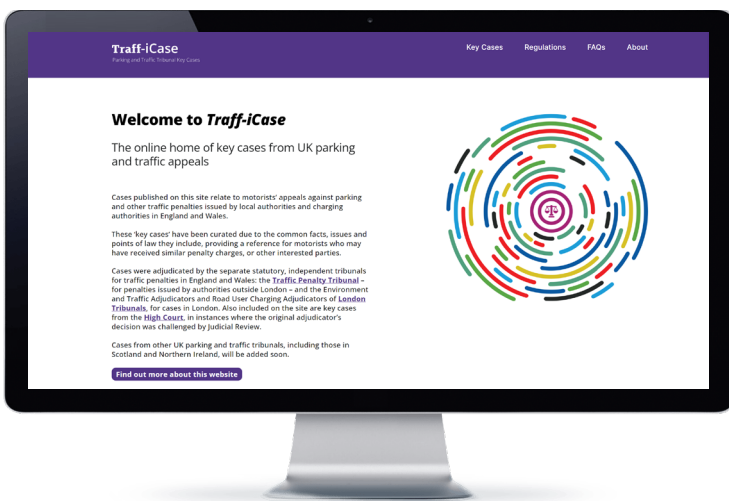
## 2.3 Applications – awaiting permission

**AC-2024-LON-000953 Robert White v Traffic Penalty Tribunal and Adur and Worthing Councils (interested party)**  
White v Adur and Worthing Borough Council TPT UW00002-2401

# 3. Key Cases

The Traffic Penalty Tribunal launched a key cases website (*Traff-iCase*, available at [www.keycases.info](http://www.keycases.info)) in March 2024. The site brings together key cases from the different UK traffic tribunals in one place for the first time as a 'go-to' resource, providing clear and accessible information to motorists and other stakeholders.

Through reference to binding and previous adjudicator decisions and legal judgments, the *Traff-iCase* website's core purpose is to remove uncertainty and facilitate a better understanding of traffic enforcement, the issues involved and the implications for challenges. By making clear, unequivocal information publicly available, the hope is that the site will alleviate frustrations and resolve misunderstandings. The site provides direct access to the relevant regulations, with key requirements (e.g. statutory time limits) highlighted.



## Key features of the site

- Key cases selected and curated to explain and clarify the law / issues that confuse, divide opinion and that are often misinterpreted
- Cases published, searchable by penalty type and issue, alongside common facts, FAQs and points of law
- All applicable legislation, regulations and requirements, accessible in a single user-friendly, interactive portal
- Motorists benefit from searching for cases involving similar issues to their PCN, allowing for an informed decision on next steps
- Other interested parties; for example, media / motorist groups, can improve the accuracy and relevance of content

## Which cases are included?

Cases relate to appeals against traffic PCNs issued by English and Welsh, as well as Scottish and Northern Irish (later phase) local authorities, together with charging authorities such as Transport for London, for a range of contraventions. These include: parking, bus lanes, moving traffic and road user charging (including the London Congestion Charge and Clean Air Zones outside London).

Cases are curated by the Traffic Penalty Tribunal based on their individual merits in explaining and clarifying issues, with a neutral stance on the adjudicating body. Cases are in the public domain.

### 3.1 Example case search functionality

Site users can look for key cases using separate filters for contravention type and issue, or by entering key words into a free-text search box. The below example demonstrates how key words facilitate a user's search.

Search word: '50% discount'

Keycases > Archives > 50% discount

**Mr H – v – Nottingham City Council**  
(NG00056-2402)

Traffic Penalty Tribunal  
Decision Date: 2024-03-13  
Outcome: Dismissed

Parking 50% Discount Accuracy Blue Badge  
Council discretion Grace Period Incomplete paperwork  
Observation Period Signs / Lines Standard / burden of proof  
Stopping / Waiting Strict Liability Substantial compliance  
Time limits

This case highlights and clarifies a number of issues:

- Signs and lines must adequately advise the motorist of the restriction, but do not need to be in pristine condition. Substantial compliance with the regulations is sufficient, but signs must not mislead or fail to inform.
- There is no requirement on the civil enforcement officer to record the model of the vehicle.
- The blue badge concession does not apply when waiting restrictions are in force. When no waiting restrictions are in force, the clock must be set to the time of arrival and three hours parking time is permitted.
- There is no right to an observation period or period of grace.
- The 50% discount is offered to the penalty charge notice only – any further discount is at the council's discretion.
- The authority has a period of six months to serve the Notice to Owner.

Read adjudicator's decision in full

**Mrs K – v – Gateshead Council**  
(GH00035-2304)

Traffic Penalty Tribunal  
Decision Date: 2023-05-10  
Outcome: Dismissed

Parking 50% Discount Grace Period Observation Period  
Pay & Display

There is no period of grace – any observation period is to collect evidence of an exempt activity. The penalty does not increase after 14 days, the Council must, however, accept a reduced amount (50% discount) if a payment is made closing the case within 14 days.

Read adjudicator's decision in full

**Mr R – v – Manchester City Council**

Traffic Penalty Tribunal

The website provides the user with a number of cases that address the 50% discount period, providing a summary of each case and identifying the issues the decision covers; for example: *'There is no period of grace – any observation period is to collect evidence of an exempt activity. The penalty does not increase after 14 days, the Council must, however, accept a reduced amount (50% discount) if a payment is made closing the case within 14 days.'*

The user can then select and read the full decision, either as a formatted PDF version of the original, taken from the relevant Tribunal's appeals system (see below example), or via a direct web link to the judgment in the cases of High Court decisions.

### Adjudicator's Reasons

1. The penalty charge notice (PCN) is for not parking correctly within the markings of the 2 hour parking bay. Mrs K [REDACTED] wrote the same day to object that a minimum of 5 minutes observation was not given and they were doing a delivery and had to park safely. They say that they were gone within 5 minutes and offer to provide a delivery note. They query why the silver car behind in the disabled bay, which did not appear to have a blue badge, did not receive a PCN.
2. The officer noted 'straddled across two bays' and took photos. The officer logged Mrs K [REDACTED]'s car at 10:46 and issued at 10:47. Photos at 10:48 and 10:49 show the PCN served to the windscreen. I find that the rear (about a quarter of the length) was parked in the disabled bay. She does not claim that a valid disabled blue badge was on display. The lettering 'DISABLED' along the edge was in good condition and clearly visible, as was the corner and end line that marks the boundary before the start of the adjoining bay that offers 2 hours' parking.
3. There is no right under the law to a minimum number of minutes on arriving and parking at a location before a PCN can be issued for an alleged contravention. There is a wide range of parking restrictions and potential contraventions. Whether or not an officer will in practice observe for some minutes depends on what restriction is in place and whether observation would be relevant.
4. For example, if the underlying traffic regulation order creates an exemption for loading activity, such as the loading exemption to 'no waiting' yellow lines, an officer will usually in practice observe for about 5 minutes to watch for loading (but is not required by law to do so). The purpose of this observation is to gather evidence about whether or not a relevant exemption applies. The longer an officer waits without seeing activity, the more the driver will have to explain the period of the absence. The observation avoids creating situations where an officer issues immediately on yellow lines, but the driver returns within 2 minutes carrying heavy items to load into the vehicle and the vehicle is clearly entitled to the exemption.
5. For a bay that is restricted to vehicles displaying a disabled blue badge, a vehicle that parks inside it without a blue badge is in contravention of that restriction. There is not an exemption for loading by a vehicle that is not displaying a blue badge. The purpose of the bay is to keep the bay available for use by disabled badge holders. The Highway Code at rule 241 is clear '*You MUST NOT park in parking spaces reserved for specific users, such as Blue Badge holders, residents or motorcycles, unless entitled to do so*'.
6. As for the other silver car in the disabled bay, the photos do not show the dashboard. I do not have all the relevant evidence about the circumstances of that car and cannot comment on whether or not it was parked in contravention of the bay. In any event, its status is not directly relevant to the contravention by Mrs K [REDACTED]'s car. She expresses a feeling of being targeted by the officer but there is no evidence to support that claim. There is no evidence of any encounter between the officer and the driver of Mrs K [REDACTED]'s car on arrival to form the basis for the officer then to target them while they were absent by issuing a PCN.
7. I find that a significant amount of Mrs K [REDACTED]'s car was parked outside the marking of the 2 hour bay and inside the disabled bay. It was parked in the disabled bay without justification. The contravention is proved. Mrs K [REDACTED] has not shown a reason to win her appeal.
8. The contravention starts at £50. The law requires the Council to offer a 50% discount in the PCN. After that, any later discount is only at the Council's discretion. They extended the chance to pay 50% by letter 2 February but that offer passed. Mrs K [REDACTED] is liable to pay £50.
9. I note that the amount would have been higher (£70) if the officer had used the alternative contravention of parking in a disabled bay without displaying a valid badge.

Annie Hockaday  
Adjudicator  
10/05/2023

The *Traff-iCase* website is an evolving tool and will be periodically updated with new key cases, the latest legislation and regulations, as well as further FAQs and other useful content. The site is developed by the Traffic Penalty Tribunal with funding provided by Parking and Traffic Regulations Outside London (PATROL).

# 4. Training and Appraisal

## 4.1 Training

Adjudicators attended a training day in Cardiff on 30 November 2023 and were pleased to be joined by Anthony Chan, Chief Environment and Traffic Adjudicator at London Tribunals, and Judge Alexander Green, the Chamber President of the General Regulatory Chamber of First-tier Tribunals for Scotland. Sharing our training day with the judicial leaders in our sister tribunals supports the 'One Judiciary' initiative first spearheaded by the Lord Chief Justice, allowing tribunal users throughout the jurisdictions to benefit from a more cohesive and consistent approach to the application of the regulations and the interpretation of the law, promoted through the sharing of skills, knowledge and expertise.

The training programme included a presentation from the President of Welsh Tribunals, The Right Honourable Sir Gary Hickinbottom, who started his judicial career as a fee-paid parking adjudicator. With his expert knowledge of administrative law and his own experiences of the challenges that adjudicators face, Sir Gary was well placed to provide adjudicators with firm guidance as to the function and role of the independent adjudicator, focusing on areas of law and regulations that require a more complex analysis.

The training day also covered Clean Air Zones, a growing area of the Tribunal's work (see Page 8 for appeal numbers), and the General Data Protection Regulations (GDPR). The afternoon session focused on equality and diversity, with effective communication and conflict resolution as key issues. Adjudicators discussed ways that the Tribunal could improve its skills. This included the provision for better case management by communicating clear decisions that bring proceedings to a close, meaning both parties have an understanding and acceptance of the outcome, thereby reducing post-appeal correspondence or applications for review.

Training meetings allow adjudicators to explore their skills, abilities and capabilities, bringing the cohort together to discuss experiences and share efficiencies observed from sitting at the Traffic Penalty Tribunal, as well as other courts and tribunals. The learning experience includes interaction and feedback from our administrative support team members, allowing each arm of the Tribunal to share best practice and explore innovations and improvements.

## 4.2 Appraisal

Appraisal is mandatory at the Traffic Penalty Tribunal. Appraisal not only ensures that standards are maintained and the law and regulations are applied consistently, but also assists in maintaining public confidence in judicial performance.

The appraisal scheme implemented by the Tribunal reflects and aligns to the competencies identified by the Judicial Studies Board and the Judicial Skills and Abilities Framework, endorsed by the then Lord Chief Justice and the Senior President of Tribunals, but adjusted to reflect the specific needs and requirements of the adjudicators' particular jurisdictions.

The appraisal of all adjudicators sitting at the Traffic Penalty Tribunal took place between July 2022 and September 2022. The further cohort of adjudicators, cross assigned from London Tribunals were appraised in the first quarter of 2024.

To reflect our aim to provide a single high standard across the separate tribunals engaged in civil penalty appeals, the appraisal was overseen by both this tribunal and London Tribunals (Environment and Traffic). This joint initiative allowed the appraisal of adjudicators sitting in London and at the Traffic Penalty Tribunal, ensuring a consistent approach and the application of a clear statement of expectations in respect of both.

Thanks are extended to London Chief Adjudicator Chan and Michael Greenslade, the senior Environment and Traffic Adjudicator responsible for the implementation and successful completion of this latest round of appraisals.

At appraisal, hearings are observed and written determinations discussed, with a number of competencies assessed.

## TPT appraisal competencies

### A: Knowledge and values

A suitable level of knowledge of the jurisdiction, law and procedure of tribunals, and an understanding of the appropriate principles and standards of the Tribunal.

### B: Communication

Effective communication between the adjudicator, parties and members of staff.

### C: Conduct of cases/case management

Fair and timely disposal of appeals.

### D: Evidence

All relevant issues are addressed by eliciting and managing evidence, applying the relevant burden and standard of proof.

### E: Decision making

Effective deliberation, structured decision making and timely disposal of the case

At the conclusion of an appraisal, the adjudicator takes part in a meeting with the Chief Adjudicator to discuss strengths, assess any development needs and consider career progression. This provides an opportunity for the adjudicator to give and receive feedback, raise queries and make suggestions that can benefit the efficiency of the Tribunal. Appraisal and discussions are also used to inform the training programme, so that training provided can be relevant to any needs identified of the adjudicators.

**Appraisal is carried out on a three-year cycle. The next round will start from July 2025.**

## 5. The Adjudicators

### 5.1 Changes and current list

In this reporting year, Philippa Alderson was appointed a fee-paid Road User Charging Adjudicator at London Tribunals, joining her colleagues Joanne Coombe, George Dodd, Natalie Goffe and Belinda Pearce. Adjudicators sitting in all three tribunals (the Traffic Penalty Tribunal and London: Environment and Traffic and Road User Charging) are well placed to share best practice and promote the unified approaches that this Tribunal is striving to achieve, and we congratulate Philippa on her appointment.

Mirroring the cross-ticketing exercise carried out last year, a number of this Tribunal's adjudicators have been appointed to sit as Environment and Traffic Adjudicators at London Tribunals.

#### Current full adjudicator list:

Philippa Alderson\*  
Andrew Barfoot  
Davin Binns  
Teresa Brennan\*  
Michael Burke\*  
Katherine Cartwright  
Joanne Coombe\*  
George Dodd\*  
Gillian Ekins\*  
Cordelia Fantinic\*  
Bhopinder Gandham  
Joanne Garbett  
Natalie Goffe\*  
Toby Halliwell  
Caroline Hamilton\*  
Martin Hoare\*  
Annie Hockaday  
Judith Ordish  
Belinda Pearce\*  
James Richardson\*  
Mackenzie Robinson\*  
Timothy Thorne\*  
Sarah Tozzi  
Rhys Williams  
Jill Yates

\* Environment and Traffic and / or Road User Charging Adjudicator at London Tribunals





**Traffic Penalty  
Tribunal**  
England and Wales

© Traffic Penalty Tribunal. All rights reserved

Traffic Penalty Tribunal  
PO Box 472, Merlin House  
8 Grove Avenue  
Wilmslow  
Cheshire  
SK9 0HL

**T:** 0800 160 1999

**E:** [info@trafficpenaltytribunal.gov.uk](mailto:info@trafficpenaltytribunal.gov.uk)

**W:** [www.trafficpenaltytribunal.gov.uk](http://www.trafficpenaltytribunal.gov.uk)

Report design by Amped Consultancy Ltd

## **PATROL Adjudication Joint Committee**

---

**Date of Meeting:** Tuesday 9<sup>th</sup> July 2024  
**Report Title:** Draft Annual Return PATROL 2023/24  
**Report of:** Laura Padden, Director, PATROL

---

### **1.0 Report Summary**

**1.1** This report presents the draft Annual Return for the year 2023/24 for PATROL.

### **2.0 Recommendations**

#### **2.1 That the Joint Committee:**

- a. Notes the outturn position against the 2023/24 budget included with the report **(Appendix 1) – subject to external audit validation.**
- b. Approves the **surplus** for the year of £450,163 to be added to the Joint Committee's Reserves.

This excludes £222,648 being the total of Highways England (Dartford-Thurrock River Crossing) and Halton Borough Council.

- c. Determines that the Executive Sub Committee review the basis for defraying expenses, following budget monitoring at the half year point, at their meeting in October 2024.
- d. Notes the Balance Sheet **(Appendix 2)** and Cash Flow **(Appendix 3)** and audit timetable
- e. Notes the Small Bodies Draft Annual Return to be submitted for External Audit **(Appendix 4)**
- f. Notes the Annual Internal Audit Report 2023/24 **(Appendix 5).**

### **3.0 Reasons for Recommendations**

**3.1** Required under the Joint Committee Financial Regulations to finalise the accounts

for 2023/24.

#### 4.0 Background

4.1 At the meeting of the Executive Sub Committees held on 25<sup>th</sup> January 2022 it was agreed to adopt the revenue budget estimates set out in this report.

4.2 The outturn position for PATROL to 31<sup>st</sup> March 2023 is enclosed at **Appendix 1**  
The Balance Sheet for PATROL at 31<sup>st</sup> March 2023 is shown at **Appendix 2**  
The Cash Flow for PATROL for the year 22/23 is shown at **Appendix 3**

4.3 Should it be the case that there is a need for greater expenditure than that provided for in the approved budget, there is a recommendation to authorise the Director to incur additional expenditure, provided such expenditure does not exceed the income for the current year.

4.4 Should it be the case that the revenue account falls into deficit then the surplus from previous years is available.

4.5 Should there be greater income than expenditure in the year then there is a recommendation that this be transferred into the succeeding year as reserves.

#### 4.6 Income and Expenditure Summary – PATROL

	SUMMARY TO DATE			
	31/03/2024	31/03/2024	31/03/2024	31/03/2024
	Year to Date	Budget	Var to Budget	Var to Budget
Income	3,461,223	3,475,109	-13,886	-0.4%
Expenditure	2,788,411	3,144,714	356,303	11.3%
Surplus / (Deficit)	<b>672,811</b>	<b>330,395</b>	<b>342,416</b>	

##### Breakdown of Surplus

PATROL	450,163	169,441	280,722
Halton Borough Council	68,591	40,356	28,235
National Highways	154,057	120,598	33,459
	<b>672,811</b>	<b>330,395</b>	<b>342,416</b>

A negative variance in Income (£13,886) and a positive variance in Expenditure (£356,303) combine to give a result which was £342,416 better than budgeted. Of this amount £280,722 relates to PATROL surpluses and the balance is ringfenced to Halton Borough Council (in respect of the Mersey Gateway) and National Highways (in respect of the Dartford River Crossing).

## Income:

- Income for the year 23/24 is £13,886 under budget (negative variance of 0.4%)
- Primarily due to lower National Highways Income (£163,410) due to a change in contracts which resulted in a hold on PCNs being issued
- Although this was offset by higher than anticipated Clean Air Zone Income (£118,785) and Bank Interest (£80,488)

## Expenditure:

- Expenditure for the year 23/24 is £356,303 underspent (positive variance of 11.3%)
- Staff costs were underspent by £127,182 due to unfilled vacancies
- Travel costs were underspent by £31,056 due to savings made by holding fewer meetings requiring travel and accommodation
- Supplies and Services were underspent by £222,884 (65.1%). This is broadly explained as follows:
  - £70k unused legal budget
  - £55k unused specialist consultants fees
  - £33k savings on media monitoring (brought in house)
  - £15k savings on meeting costs
  - £20k savings on expenses costs

## 4.7 Reserves – PATROL

The Reserves position at 31<sup>st</sup> March 2024 for PATROL is summarised as follows:

	PATROL Only			
	Reserves	Approved	Free Reserves	Movement
<b>Opening Reserves 2021/22</b>	<b>2,238,719</b>	<b>1,912,104</b>	<b>326,615</b>	
Reserves for year 2021/22	329,736			
Drawdown 2021/22	0			
<b>Opening Reserves 2022/23</b>	<b>2,568,455</b>	<b>1,893,880</b>	<b>674,575</b>	<b>347,960</b>
Reserves for year 2022/23	403,982			
Drawdown 2022/23	0			
<b>Opening Reserves 2023/24</b>	<b>2,972,437</b>	<b>2,095,228</b>	<b>877,209</b>	<b>202,634</b>
Bus Lane Reserves TFR In	713,799			
Reserves for year 2023/24	450,163			
Drawdown 2023/24	0			
<b>CLOSING RESERVES 2023/24</b>	<b>4,136,399</b>	<b>2,095,228</b>	<b>2,041,171</b>	<b>1,163,962</b>

The Reserves balance at 31<sup>st</sup> March 2024 for PATROL (excluding amounts ringfenced for National Highways and Halton Borough Council) are £4,136,399 (FREE Reserves are £2,041,171).

This amount includes accumulated Reserves brought across from the BLASJC Reserves of £713,799.

#### 4.8 External Audit

The external audit timetable is as follows:

Stage	2023/24 dates
Draft Annual Return submitted to PATROL AJC for approval	9 <sup>th</sup> July 2024
Submission of Small Bodies Annual Return and Supporting Documents to BDO for external audit	12 <sup>th</sup> July 2024
Completion of External Audit reported to Joint Committee	15 <sup>th</sup> October 2024

#### 4.9 Internal Audit Report 2023/24

Internal audit is provided by the Host Authority. The Internal Audit Report is at **Appendix 5**.

**The number of recommendations is as follows:**

	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24
Low	0	0	1	0	2	0	0
Med	1	0	3	0	0	0	0
High	0	0	0	0	0	0	0
<b>TOTAL</b>	<b>1</b>	<b>0</b>	<b>4</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

**The level of assurance for 23/24 is GOOD which is the highest level that can be awarded.**

#### 5.0 Implications

##### 5.1 Finance

5.1.1 To adhere to the Financial Regulations.

##### 6.0 Risk Management

6.1.1 To provide assurance on the financial stability of the Joint Committee and to inform the Risk Management Framework.

## Appendix 1 – PATROL Outturn:

	Year to Date				Full Year	
	31/03/2024	31/03/2024	31/03/2024	31/03/2024	31/03/2023	
	Year to Date	Budget	Var to Budget	Var to Budget	Prior Year Result	Var to Prior Yr
<b>Income:</b>						
PATROL *	1,646,798	1,659,748	-12,951	-0.8%	1,740,945	-94,148
Bus Lane Income	549,364	623,440	-74,076	-11.9%	522,233	27,131
<b>RoAE User Charging:</b>						
RUCA (Dartcharge) - National Highways	567,713	731,123	-163,410	-22.4%	764,305	-196,592
RUCA (Mersey Gateway) - Halton Borough Council	180,122	181,181	-1,059	-0.6%	209,208	-29,086
Clean Air Zones	385,142	266,357	118,785	44.6%	268,508	116,634
LFV	1,812	60	1,752	2919.6%	1,569	243
Bank Interest	93,688	13,200	80,488	609.8%	19,765	73,923
Sale of Assets	330	0	330	0.0%	180	150
Other Income	36,255	0	36,255	0.0%	38,276	-2,021
<b>Total Income</b>	<b>3,461,223</b>	<b>3,475,109</b>	<b>-13,886</b>	<b>-0.4%</b>	<b>3,564,989</b>	<b>-103,766</b>
<b>Expenditure:</b>						
Adjudicators	845,074	799,833	-45,241	-5.7%	809,459	-35,615
Staff	1,297,961	1,425,143	127,182	8.9%	1,244,551	-53,410
Premises / Accommodation	74,434	79,200	4,766	6.0%	67,184	-7,250
Transport	21,444	52,500	31,056	59.2%	28,164	6,720
Supplies and Services	119,456	342,340	222,884	65.1%	335,158	215,702
IT	387,118	387,438	320	0.1%	351,694	-35,424
Services Management and Support	53,340	53,340	0	0.0%	53,340	0
Audit Fees	4,510	4,920	410	8.3%	4,100	-410
Bad Debts - movement on provision	-14,925	0	14,925	0.0%	5,180	20,105
<b>Total Expenditure</b>	<b>2,788,411</b>	<b>3,144,714</b>	<b>356,303</b>	<b>11.3%</b>	<b>2,898,830</b>	<b>110,419</b>
<b>Surplus / (Deficit)</b>	<b>672,811</b>	<b>330,395</b>	<b>342,416</b>		<b>666,159</b>	<b>6,652</b>
						0
<b>Breakdown of Surplus</b>	<b>672,811</b>	<b>330,395</b>	<b>342,416</b>	<b>103.6%</b>	<b>666,159</b>	<b>6,652</b>
PATROL *	450,163	169,441	280,722	165.7%	403,982	46,181
Halton Borough Council	68,591	40,356	28,235	70.0%	79,061	-10,470
National Highways	154,057	120,598	33,459	27.7%	183,116	-29,059

## Appendix 2 – PATROL Balance Sheet:

	Apr-23	May-23	Jun-23	Jul-23	Aug-23	Sep-23	Oct-23	Nov-23	Dec-23	Jan-24	Feb-24	Mar-24
	p1	p2	p3	p4	p5	p6	p7	p8	p9	p10	p11	p12
<b>Current Assets</b>												
LA Debtors	662,866	246,702	53,434	574,300	282,450	106,622	516,341	135,756	13,473	516,268	312,431	172,310
Other Debtors	78,596	106,276	90,427	86,881	50,193	32,116	21,328	-12,783	10,575	-15,686	-22,511	107,442
VAT												
Cash and Bank	3,135,914	3,538,475	3,562,674	3,503,422	3,667,451	3,670,292	3,680,314	3,913,982	3,921,661	3,825,973	3,670,730	3,638,378
<b>Total</b>	<b>3,877,375</b>	<b>3,891,453</b>	<b>3,706,535</b>	<b>4,164,603</b>	<b>4,000,094</b>	<b>3,809,030</b>	<b>4,217,983</b>	<b>4,036,954</b>	<b>3,945,710</b>	<b>4,326,555</b>	<b>3,960,651</b>	<b>3,918,130</b>
<b>Current Liabilities</b>												
Trade Creditors	12,485	129,016	133,004	236,409	6,114	123,986	131,995	9,241	125,098	181,417	7,472	127,607
Other Public Bodies												
Other Creditors	-192,853	-386,497	-639,164	-381,147	-342,042	-652,220	-365,812	-404,046	-557,465	-276,281	-517,013	-612,013
<b>Total</b>	<b>-180,368</b>	<b>-257,481</b>	<b>-506,160</b>	<b>-144,738</b>	<b>-335,929</b>	<b>-528,234</b>	<b>-233,817</b>	<b>-394,805</b>	<b>-432,366</b>	<b>-94,863</b>	<b>-509,541</b>	<b>-484,407</b>
<b>Net Current Liabilities</b>	<b>4,057,743</b>	<b>4,148,933</b>	<b>4,212,695</b>	<b>4,309,342</b>	<b>4,336,023</b>	<b>4,337,264</b>	<b>4,451,800</b>	<b>4,431,759</b>	<b>4,378,076</b>	<b>4,421,419</b>	<b>4,470,192</b>	<b>4,402,537</b>
Long Term (Liabilities)/Assets	0	0										
<b>NET ASSETS</b>	<b>4,057,743</b>	<b>4,148,933</b>	<b>4,212,695</b>	<b>4,309,342</b>	<b>4,336,023</b>	<b>4,337,264</b>	<b>4,451,800</b>	<b>4,431,759</b>	<b>4,378,076</b>	<b>4,421,419</b>	<b>4,470,192</b>	<b>4,402,537</b>
<b>Financed By:</b>												
Pension Reserve												
Reserves BF	3,946,353	3,946,353	3,946,353	3,946,353	3,946,353	3,946,353	3,946,353	3,946,353	3,946,353	3,946,353	3,946,353	3,946,353
Reserves drawdown	-14,776	-14,776	-14,776	-37,820	-37,820	-37,820	-54,840	-54,840	-69,847	-113,775	-127,671	-186,615
Current Year Surplus	126,165	217,356	281,117	400,808	427,489	428,730	560,286	540,246	501,570	588,840	651,509	642,798
<b>TOTAL NET WORTH</b>	<b>4,057,742</b>	<b>4,148,933</b>	<b>4,212,695</b>	<b>4,309,341</b>	<b>4,336,022</b>	<b>4,337,264</b>	<b>4,451,799</b>	<b>4,431,759</b>	<b>4,378,076</b>	<b>4,421,418</b>	<b>4,470,191</b>	<b>4,402,536</b>

### Appendix 3 – PATROL Cash Flow:

	Apr-23	May-23	Jun-23	Jul-23	Aug-23	Sep-23	Oct-23	Nov-23	Dec-23	Jan-24	Feb-24	Mar-24
	p1	p2	p3	p4	p5	p6	p7	p8	p9	p10	p11	p12
<b>Opening Cash Balance</b>	<b>2,202,197</b>	<b>3,135,914</b>	<b>3,538,475</b>	<b>3,562,674</b>	<b>3,503,422</b>	<b>3,667,451</b>	<b>3,670,292</b>	<b>3,680,314</b>	<b>3,913,982</b>	<b>3,921,661</b>	<b>3,825,973</b>	<b>3,670,730</b>
Decrease / (Increase) in LA Debtors	-520,080	416,164	193,267	-520,866	291,850	175,828	-409,719	380,585	122,283	-502,795	203,837	140,122
Decrease / (Increase) in Other Debtors	-6,620	-27,681	15,850	3,545	36,688	18,077	10,788	34,111	-23,359	26,261	6,825	-129,953
Decrease / (Increase) in VAT Debtor	0	0	0	0	0	0	0	0	0	0	0	0
Increase / (Decrease) in Trade Creditors	-115,965	116,531	3,988	103,405	-230,295	117,872	8,009	-122,754	115,858	56,319	-173,946	120,135
Increase / (Decrease) Public Body Creditors	0	0	0	0	0	0	0	0	0	0	0	0
Increase / (Decrease) in Other Creditors	380,462	-193,644	-252,667	258,017	39,105	-310,178	286,408	-38,233	-153,419	281,184	-240,732	-95,001
Movement on Reserves	1,195,919	91,191	63,762	96,647	26,681	1,241	114,536	-20,040	-53,683	43,342	48,773	-67,655
<b>Closing Cash Balance</b>	<b>3,135,913</b>	<b>3,538,475</b>	<b>3,562,674</b>	<b>3,503,422</b>	<b>3,667,451</b>	<b>3,670,292</b>	<b>3,680,314</b>	<b>3,913,982</b>	<b>3,921,661</b>	<b>3,825,973</b>	<b>3,670,730</b>	<b>3,638,378</b>



## Appendix 4 – Small Bodies DRAFT Annual Return – PATROL:

### Joint Committees

## Return for the financial year ended 31 March 2024

---

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 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.

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 2024, 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.

## Section 1 – Governance statement 2023/24

We acknowledge as the members of

Enter name of reporting body here:

PARKING & TRAFFIC REGULATIONS OUTSIDE LONDON ADJUDICATION 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 2024, that:

		Agreed		'Yes' Means that the body
		Yes	No*	
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

Date DD/MM/YYYY

Signed by:

Chair SIGNATURE REQUIRED

Signed by:

Clerk SIGNATURE REQUIRED

\*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 2023/24 for

Enter name of reporting body here:

PARKING & TRAFFIC REGULATIONS OUTSIDE  
LONDON ADJUDICATION JOINT COMMITTEE

	Year ending		Notes and guidance
	31 March 2023 £	31 March 2024 £	
1 Balances brought forward	2,861,823	3,323,555	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	—	713,799	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	3,564,990	3,431,209	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	2,058,992	2,136,056	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	1,135,266	838,970	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	3,232,555	4,402,537	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	2,444,111	3,645,176	The sum of all current and deposit bank accounts, cash holdings and short term investments held as at 31 March – <b>to agree with bank reconciliation.</b>
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 2024 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

DD/MM/YYYY

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

DD/MM/YYYY

and recorded as minute reference:

MINUTE REFERENCE

Signed by Chair of meeting approving these accounting statements:

SIGNATURE REQUIRED

### Section 3 – Annual internal audit report 2023/24 to

Enter name of reporting body here: **PARKING & TRAFFIC REGULATIONS OUTSIDE LONDON ADJUDICATION 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 2024.


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:

Name of person who carried out the internal audit: **Josie Griffiths** NAME

Signature of person who carried out the internal audit:  SIGNATURE REQUIRED Date: **21/06/2024**

\*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 2023/2024 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 2023) equals the balance brought forward in the current year (Box 1 of 2024).

Completion checklist – 'No' answers mean you may not have met requirements		Done?
All sections	All red boxes 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 2024 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?	✓

# Internal Audit – Assurance Report PATROL (Parking and Traffic Regulations Outside London) 2023/24

Report Status: Final Report Date:  
5 June 2024 Prepared by: Lucy  
Nelson

## Distribution List and Version Control

*Draft reports should not be shared with anyone outside of the distribution list below without prior approval from the Audit Manager.*

### **Distribution List – Draft Report:**

- Laura Padden – PATROL, Director
- Erica Maslen – PATROL, Central Services Manager

*Final reports should not be shared with anyone outside of the distribution list without prior approval from the Audit Manager and Final Report Owner.*

### **Distribution List – Final Report:**

- Laura Padden – PATROL, Director
- Erica Maslen – PATROL, Central Services Manager

### **Final Report Owner:**

- Laura Padden – PATROL, Director

### **Version Control**

<b>Version Number</b>	<b>Date</b>	<b>Changes</b>
1.0	24.05.24	Draft report prepared
1.1	28.05.24	Draft report reviewed by Principal Auditor
1.1	28.05.24	Draft report cleared by Audit Manager
1.2	05.06.24	Draft report approved for issue by Head of Audit & Risk

## Executive Summary

### 1. Background

1.1 PATROL (Parking and Traffic Regulations Outside London) has been established to enable councils undertaking civil parking enforcement in England and Wales and civil bus lane and moving traffic enforcement in Wales to exercise their functions under:

- Section 81 of the Traffic Management Act 2004 (TMA) and Regulations 17 and 18 of The Civil Enforcement of Parking Contraventions (England) General Regulations 2007 (the English General Regulations).
- Section 81 of the TMA and Regulations 16 and 17 of the Civil Enforcement of Road Traffic Contraventions (General Provisions) Wales Regulations 2013 (the Welsh General Provisions Regulations).
- Regulations 12 and 13 of The Road User Charging (RUCA) Schemes (Penalty Charges, Adjudication and Enforcement) (England) Regulations 2013 (the Road User Charging Regulations).
- Regulation 18 of The Littering from Vehicles Outside London (Keepers: Civil Penalties) Regulations 2018.

1.2 These functions are exercised through PATROL in accordance with Regulation 16 of the English General Regulations and Regulation 15 of the Welsh General Provisions Regulations.

1.3 The Bus Lane Adjudication Service Joint Committee (BLASJC) was established to enable councils in England undertaking civil enforcement of bus lanes to exercise their functions under Regulation 11 of The Bus Lane Contraventions (Penalty Charges, Adjudication and Enforcement) (England) Regulations 2005 (the Bus Lane Regulations).

1.4 Until March 2023, these functions were exercised through BLASJC in accordance with Regulation 12 of the Bus Lane Regulations. However, legislation was introduced to transfer the bus lane enforcement regime outside London from the Transport Act 2000 to the bus lane enforcement provisions in the Part 2 of Schedule 8 of the 2004 Act. Meaning there was no longer a requirement for a separate Bus Lane Adjudication Service Joint Committee or Bus Lane Adjudication Service Joint Committee Executive Sub Committee.

1.5 Under the above legislation and regulations, councils operating civil traffic enforcement functions are responsible for funding the provision of adjudication. The councils carry out this duty through a Joint Committee.

1.6 The PATROL Adjudication Joint Committee performs this function in accordance with legislation and regulations and the constituent authorities of the Joint Committee defray expenses in such a proportion as the Joint Committee decides.

1.7 The Traffic Penalty Tribunal also provides adjudication in respect of penalties issued for failure to pay the road user



## Executive Summary

charge at the Dartford-Thurrock River Crossing, the Mersey Gateway Bridge and the Durham Road User Charge Zone and in relation to Clean Air Zones, Moving Traffic offences and Littering from Vehicles penalty notices.

- 1.8 PATROL is classed as a small relevant body in accordance with the Accounts and Audit Regulations 2015, and prior to 2015/16 had to complete a Small Bodies Annual Return (SBAR) summarising their annual activities at the end of each financial year. This requirement was removed in 2015/16 by the Accounts and Audit Regulations 2015; however, the Body has decided to still complete the SBAR on an annual basis as good practice and in the spirit of openness and transparency.
- 1.9 Cheshire East Council was appointed as the Host Authority to the PATROL Adjudication Joint Committee and Bus Lane Adjudication Joint Committee on 1 January 2013. As part of this role, the Council has delivered the Body's Internal Audit service.
- 1.10 Where reference is made to policies and procedures in this report, these are PATROL's, not Cheshire East Council's unless specified otherwise.

### 2. Scope of Review and Risks Covered

- 2.1. As a result of the COVID pandemic and following a period of consultation, PATROL staff moved to Home Based contracts with staff operating under home working agreements. As such, Internal Audit has followed the programme of testing and carried out physical testing

where required but has also placed reliance on information being supplied electronically.

- 2.2. In order to complete Section 4 of the 2023/24 SBAR, we had to determine whether the ten stated internal control objectives have been achieved throughout the 2023/24 financial year to a standard adequate to meet the needs of the Body. The control objectives are:
  - 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 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, expenditure was approved and VAT appropriately accounted for.
  - G. Salaries to employees and allowances to members were paid in accordance with body approvals, and PAYE and NI requirements were properly applied.
  - H. Asset and investment registers were complete and accurate and properly maintained.

## Executive Summary

- 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 properly recorded.
- 2.3. To satisfy the above control objectives, we carried out a programme of audit testing on the following areas:
- Assets
  - Banking and Cheques
  - Budgetary Control
  - Income
  - Payroll
  - Procurement
  - Purchase Cards
  - Risk Management
- 2.4 PATROL did not operate a petty cash/imprest system during 2023/24 (Control F on the SBAR). However, they do have seven purchase cards linked to their bank account. As such, and as per the testing carried out in previous years, a review of processes and controls in operation in relation to the cards was undertaken. PATROL are about to undertake a review of cards with the aim of reducing the requirement and number of cards, and centralising the payments made via card into the Finance function (this will come under a newly created Business Support officer role).
- 2.5 Where sample testing was undertaken, sampling was proportionate to the volume of transactions in relation to the PATROL, Bus Lanes, RUCA, Clean Air Zones, moving traffic and littering. Furthermore, the samples selected included transactions completed throughout the whole of 2023/24 to ensure that the findings are as comprehensive and reliable as possible and capture an accurate reflection of the practices in place. Although reasonable assurance can be drawn from these findings it is never possible to give complete assurance that all issues have been uncovered, as we are unable to test every transaction.
- 2.6 We have previously issued a draft report to present our key findings and actions (reported on an exception basis), to confirm the factual accuracy of the findings and agree recommended actions where appropriate. This final report is issued now as agreed.

### 3. Key Findings and Recommended Actions

- 3.1. A total of 77 controls have been tested covering all areas detailed in the control objectives on the SBAR. This draft report is intended to highlight the areas where improvements are required, either in the control itself or to improve compliance with the controls.
- 3.2. As a result of the testing, no issues were identified during the review and as such, no recommended actions have been raised in this report.

### 4. Conclusion and Opinion

## Executive Summary

- 4.1. The audit concluded that the 10 control objectives detailed on the 2023/24 SBAR are effectively managed for the PATROL Adjudication Joint Committee. **Appendix A** confirms the results of the audit work as it will be entered on the SBAR.
- 4.2. Internal Audit use a formal opinion system, details of which are given in **Appendix B**. Based upon the findings and actions raised, a “Good Assurance” opinion has been given.

### Good Assurance

Controls are in place to mitigate against the risks identified in the Terms of Reference. Testing has shown that controls are working effectively and consistently to ensure that key risks are well managed.

## Appendix A – Summary of Results for the Small Bodies Annual Return

Section	Objective	Agreed		
		Yes	No	Not Covered
<b>A</b>	Appropriate accounting records have been kept properly throughout the year	✓		
<b>B</b>	The Joint Committee's financial regulations have been met, payments were approved and VAT appropriately accounted for	✓		
<b>C</b>	The Joint Committee assessed the significant risks to achieving its objectives and reviewed the adequacy of arrangements to manage these	✓		
<b>D</b>	The annual taxation or levy or funding requirement resulted from an adequate budgetary process; progress against the budget was regularly monitored; and reserves were appropriate	✓		
<b>E</b>	Expected income was fully received, based on correct prices, properly recorded and promptly banked; and VAT was appropriately accounted for	✓		
<b>F</b>	Petty cash payments were properly supported by receipts, expenditure was approved and VAT appropriately accounted for	✓ *		
<b>G</b>	Salaries to employees and allowances to members were paid in accordance with body approvals, and PAYE and NI requirements were properly applied	✓		
<b>H</b>	Asset and investment registers were complete and accurate and properly maintained	✓		
<b>I</b>	Periodic and year-end bank account reconciliations were properly carried out	✓		
<b>J</b>	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 properly recorded	✓		

\* PATROL did not operate a petty cash system during 2023/24, however there are seven purchase cards linked to the bank account, therefore, a review of processes and controls in operation in relation to the cards was undertaken.

## Appendix B – Audit Opinion and Priority Rating for Individual Findings

### Audit Opinion

An overall opinion on the control environment will be given on completion of the audit work. This opinion relates **only** to those risks identified or systems tested. Where the audit opinion given is either limited or no assurance, consideration will be given to including those areas in the Annual Governance Statement.

There are four possible opinions: good assurance, satisfactory assurance, limited assurance, and no assurance.

The following table explains the various assurance levels in terms of the controls in place and how testing has shown them to be operating. It also gives an indication as to the priority rating of recommendations you might expect at each assurance level, although please note this is for guidance only as the final opinion lies at the discretion of the Auditor.

Assurance Level	Explanation
<b>Good Assurance</b>	Controls are in place to mitigate against the risks identified in the terms of Reference. Testing has shown that controls are working effectively and consistently to ensure that key risks are well managed. No high level recommendations have been made although there may be a small number at medium level. Some changes in the control environment may be beneficial to enhance performance and realise best practice.
<b>Satisfactory Assurance</b>	Controls are adequate to address the risks identified in the terms of reference. Testing has shown that there are some inconsistencies in the application of the controls, and attention is needed to improve the effectiveness of these controls. Recommendations will normally be no higher than medium level.
<b>Limited Assurance</b>	Controls are either not designed to mitigate the risks identified in the terms of reference, or testing has shown there to be significant non-application of controls. There are likely to be a number of high priority recommendations and/or a large number at the medium level. Attention is needed to improve the quality and effectiveness of the control environment in order to ensure key risks can be managed well.
<b>No Assurance</b>	There is an absence of controls to mitigate against the risks identified in the terms of reference. The majority of recommendations made are high priority, and key risks are not being properly managed. Urgent attention is required by management to improve the control environment. This area may be considered for inclusion in the organisation's Annual Governance Statement. It may also be appropriate for this area to be included in the sections/directorate Risk Register, and for the action plan to address these fundamental weaknesses to become part of the Service Delivery Plan.

## Appendix B – Audit Opinion and Priority Rating for Individual Findings

### Priority Rating for Individual Findings

Every audit finding and supporting recommendation will be rated in line with the criteria shown below. Timescales for necessary actions will be discussed with service managers, but the broad expectations for consideration and implementation are outlined below.

Priority	Explanation		
	Risk	Controls and Testing	Timescale
<b>High</b>	<p>Action is required to mitigate against a risk which is assessed as likely to arise, and having a high impact should it do so. A fundamental risk may involve failure to:</p> <ul style="list-style-type: none"> <li>• Meet key business objectives</li> <li>• Meet statutory objectives</li> <li>• Adhere to Cheshire East policies</li> <li>• Prevent fraud or material error</li> </ul>	<p>Controls to mitigate risks identified in the terms of reference are either absent or poorly designed.</p> <p>Testing has shown that controls are significantly failing to work as intended.</p>	<p>This action needs immediate consideration by management.</p> <p>Implementation of necessary actions may take longer, but an action plan to address the issues should be developed immediately.</p>
<b>Medium</b>	<p>Action is required to mitigate against a risk which is assessed as being likely to arise OR having a significant impact if it should arise.</p>	<p>Controls to mitigate risks identified in the terms of reference are in place.</p> <p>Testing has shown that controls are working as intended, with some minor inconsistency.</p>	<p>This action needs to be considered by management within 3 months.</p> <p>Implementation of necessary actions may take longer, but an action plan to address the issues should be developed within 3 months.</p>
<b>Low</b>	<p>Action is required to mitigate against a risk which is assessed as having a low impact or being unlikely to arise.</p> <p>Implementation of these actions will further strengthen internal control and improve potential for achieving best practice.</p>	<p>Controls to mitigate risks identified in the terms of reference are in place.</p> <p>Testing has shown that the controls are being applied consistently and effectively.</p>	<p>This action needs to be considered by management within 6 months.</p> <p>Implementation of necessary actions may take longer, but an action plan to address the issues should be developed within 6 months.</p>

**PATROL Adjudication Joint Committee**

---

**Date of Meeting:** 9<sup>th</sup> July 2024

**Report Title:** Budget Monitoring Update for 2024-25

**Report of:** Laura Padden, Director, PATROL

---

**1. Purpose of Report**

- 1.1. To report the Income and Expenditure position at 31<sup>st</sup> May 2024 for the year 2024/25 in order to comply with the approved Financial Regulations.
- 1.2. To report the Reserves position at 31<sup>st</sup> May 2024 against the approved Reserves levels in order to comply with the approved Financial Regulations.

**2. Recommendations**

- 2.1. To note the Income and Expenditure position at 31<sup>st</sup> May 2024 for the year 2024/25.
- 2.2. To note the Reserves position at 31<sup>st</sup> May 2024 against the approved Reserves levels.

**3. Reasons for recommendations**

- 3.1. To comply with the approved Financial Regulations.
- 3.2. To inform the Risk Register.

**4. Background**

- 4.1. At 31<sup>st</sup> May 2024 Income is £152,044 over budget (positive variance). This is primarily due to a large increase in PCN issuance by National Highways in respect of the Dartford River Crossing. We understand that this increase is temporary and due to a backlog caused by a change in systems.

Expenditure is under budget by £112,769 (positive variance).

This results in a surplus to date of £240,198 against a budgeted deficit of £24,616 (a positive variance of £264,813)

Of this £240,198, £121,267 relates to PATROL with the balance being ring-fenced to National Highways (£108,577) and Halton Borough Council (£10,354).

The detail is provided at **Appendix 1**.

<b>SUMMARY TO DATE</b>			
	31/05/2024	31/05/2024	31/05/2024
	Year to Date	Budget	Var to Budget
Income	685,554	533,510	152,044
Expenditure	445,356	558,125	112,769
<b>Surplus / (Deficit)</b>	<b>240,198</b>	<b>-24,616</b>	<b>264,813</b>
<b>Breakdown of Surplus</b>			
PATROL	121,267	-13,603	134,870
Halton Borough Council	10,354	5,743	4,611
National Highways	108,577	-16,756	125,332
	<b>240,198</b>	<b>-24,616</b>	<b>264,813</b>

**The savings in expenditure are explained by:**

- Savings in Staff Costs due to unfilled vacancies, plus lower than budgeted Employers Pension Contributions. This totals around £43k.
- Savings in Supplies and Services due to review of overheads and unspent provisions for Legal Costs and Initiatives. This totals around £29k.
- The realisation of Bad Debts Provision of £5k for Debts which have subsequently been paid.
- Savings on Adjudicator Fees of around £32k due to lower than anticipated activity.

**4.2.** Reserves to date are summarised as follows:



	To Date	Budget	Var to Budget
Reserves b/f from 23/24	4,432,550	4,432,550	0
Surplus / (Deficit) for the year 24/25 - YTD	240,198	-24,616	264,813
	-139,248	0	-139,248
<b>Budgeted Reserves to Date</b>	<b>4,533,500</b>	<b>4,407,934</b>	<b>125,565</b>
<i>Approved reserves</i>	2,222,251	2,222,251	0
<b>FREE Reserves to Date</b>	<b>2,311,249</b>	<b>2,185,683</b>	<b>125,565</b>
<i>less:</i>			
<i>National Highways Balance to date</i>	224,830	227,711	2,881
<i>Mersey Gateway Balance to date</i>	51,003	57,426	6,423
<b>PATROL FREE Reserves to date</b>	<b>2,035,415</b>	<b>1,900,545</b>	<b>134,870</b>
	0		0

At 31st May 2024 there is a Reserves balance of £4,533,500 giving a Free Reserves balance of £2,311,249 (against a budgeted balance of £2,185,683).

Of this FREE Reserves Balance of £2,311,249, £224,840 is ring-fenced to National Highways and £51,003 ring-fenced to Halton Borough Council. This leaves a balance of FREE Reserves to PATROL of £2,035,415.

## 5. Implications

### 5.1. Finance

5.1.1 Assurance of financial health and therefore limited financial risk.

### 6.1 Risk Management

6.1.1 Assurance of financial health and therefore limited financial risk.

## Appendix 1:

PATROL Outturn to 31/05/2024

	Year to Date					
	31/05/2024	31/05/2024	31/05/2024	31/05/2024	30/05/2023	
	Year to Date	Budget	Var to Budget	Var to Budget	Prior Year **	Var to Current Yr
<b>Income:</b>						
PATROL *	258,178	241,030	17,148	7.1%	280,342	-22,164
Bus Lane Income	80,746	86,113	-5,367	-6.2%	98,515	-17,770
Moving Traffic Income	9,313	7,896	1,417	17.9%	10,498	-1,185
<b>RoAE User Charging:</b>						
RUCA (Dartcharge) - National Highways	251,214	85,000	166,214	195.5%	108,358	142,856
RUCA (Mersey Gateway) - Halton Borough Council	25,812	29,212	-3,400	-11.6%	25,937	-125
Clean Air Zones	31,368	67,496	-36,128	-53.5%	55,474	-24,106
LFV	769	63	706	1126.3%	0	769
Bank Interest	22,245	11,000	11,245	102.2%	8,180	14,065
Sale of Assets	210	0	210	0.0%	0	210
Other Income	5,700	5,700	0	0.0%	6,184	-484
<b>Total Income</b>	<b>685,554</b>	<b>533,510</b>	<b>152,044</b>	<b>28.5%</b>	<b>593,488</b>	<b>92,066</b>
<b>Expenditure:</b>						
Adjudicators	137,761	170,015	32,254	19.0%	140,393	2,632
Staff	210,376	253,136	42,760	16.9%	201,648	-8,728
Premises / Accommodation	13,459	13,583	125	0.9%	12,127	-1,332
Transport	4,449	2,833	-1,616	-57.0%	2,457	-1,992
Supplies and Services	16,079	39,824	23,744	59.6%	11,683	-4,396
IT	59,339	68,534	9,194	13.4%	55,123	-4,216
Services Management and Support	10,173	9,335	-839	-9.0%	8,890	-1,283
Audit Fees	-875	867	1,742	201.0%	683	1,558
Bad Debts - movement on provision	-5,405	0	5,405	0.0%	-56,872	-51,467
<b>Total Expenditure</b>	<b>445,356</b>	<b>558,125</b>	<b>112,769</b>	<b>20.2%</b>	<b>376,132</b>	<b>-69,224</b>
<b>Surplus / (Deficit)</b>	<b>240,198</b>	<b>-24,616</b>	<b>264,813</b>		<b>217,356</b>	<b>22,842</b>
		0			0	-0
<b>Breakdown of Surplus</b>	<b>240,198</b>	<b>-24,616</b>	<b>264,813</b>	<b>-1075.8%</b>	<b>217,356</b>	<b>22,842</b>
PATROL *	121,267	-13,603	134,870	-991.5%	161,021	-39,754
Halton Borough Council	10,354	5,743	4,611	80.3%	12,871	-2,517
National Highways	108,577	-16,756	125,332	-748.0%	43,463	65,114

## **PATROL Adjudication Joint Committee**

---

**Date of Meeting:** 9<sup>th</sup> July 2024  
**Report Title:** Review of Financial Documentation  
**Report of:** Laura Padden, Director PATROL

---

### **1.0 Purpose of Report**

- 1.1** To request that the Committee approve the following documents:
- a. Financial Regulations 2024/2025 (enclosed)
  - b. Scheme of Financial Delegation 2024/2025 (enclosed)
  - c. Managers Expenses Policy 2024/2025 (enclosed)
  - d. Staff Expenses Policy 2024/2025 (enclosed)
  - e. Non Staff Expenses Policy 2024/25 (enclosed)
  - f. Expenditure Falling Outside the Financial Regulations (2023/24) (enclosed)

### **2.0 Recommendations**

- 2.1** To agree to adopt the policies listed at 1.1 above.

### **3.0 Reasons for Recommendations**

- 3.1** Required under the Joint Committee Financial Regulations.

### **4.0 Background**

- 4.1** The following policies set out the principles by which PATROL will safeguard the assets of the Joint Committee.

**a. Financial Regulations 2024/2025 (enclosed)**

These Regulations lay down for the guidance of members and officers, principles to be followed in securing the proper administration of the Joint Committee's financial affairs and shall be reviewed by the Joint Committee on an annual basis.

**b. Scheme of Financial Delegation 2024/2025 (enclosed)**

Details the specific application of delegation from the Financial Regulations in terms of limits, authorisations and individuals / roles.

**c. Managers Expenses Policy 2024/2025 (enclosed)**

Detail the amounts that can be claimed for work related travel and subsistence.

Split into two policies:

Managers – over Grade 11

Staff – up to and including Grade 11

**d. Staff Expenses Policy 2024/2025**

Details the amounts staff may claim in respect of out-of-pocket expenses.

**e. Non Staff Expenses Policy 2024/25 (enclosed)**

Details the amounts that can be claimed for non-PATROL staff.

**f. Expenditure Falling Outside the Financial Regulations (2023/24) (enclosed)**

Provides detail of Expenditure by Supplier that falls outside the Scheme of Financial Delegation specifically spend with any supplier where total spend is over £2,000 but where 3 written quotes have not been obtained and the reason why.

**5.0 Implications**

**5.1 Finance**

**5.1.1** To adhere to the Financial Regulations.

**6.0 Risk Management**

**6.1.1** To set a framework to adhere to the Financial Regulations and provide assurance of the processes and controls which safeguard the Committee's assets.

## **APPENDIX A**

### **PATROL ADJUDICATION SERVICE JOINT COMMITTEE**

#### **FINANCIAL REGULATIONS**

#### **2024-25 DRAFT**

##### **1. General**

- 1.1 These Regulations should be read in conjunction with the Joint Committee's Financial Standing Orders and Rules of Financial Management contained within the Joint Committee's Agreement, the Scheme of Delegation to the Director and the Scheme of Financial Delegation to officers.
- 1.2 Where the Joint Committee has established a sub committee whose terms of reference include delegated financial functions, or where there is a specific delegation to such a sub committee, the reference to Joint Committee within the Regulations will include the sub committee.
- 1.3 These Regulations lay down for the guidance of members and officers, principles to be followed in securing the proper administration of the Joint Committee's financial affairs and shall be reviewed by the Joint Committee on an annual basis.
- 1.4 The Director, as the officer responsible for the administration of the Joint Committee's affairs, shall report to the Joint Committee any significant failure to comply with these regulations which comes to his/her attention.
- 1.5 The Director shall be responsible for the accountability and control of all resources managed by him/her on behalf of the Joint Committee and will maintain a written record where decision making has been delegated to others.
- 1.6 The Director will ensure the organisational structure provides an appropriate segregation of duties to provide adequate internal controls to minimise fraud or malpractice.
- 1.7 The Director can allow exceptions to these Regulations if it is believed that the best interests of the Joint Committee would be served if the Regulations were not applied. A written record of these decisions must be kept and reported to the Joint Committee at the next available meeting.
- 1.8 Whenever any matter arises which may involve financial irregularity, the Director shall be notified immediately, and if an irregularity is disclosed the matter shall, at the discretion of the Director and after consultation with the Joint

Committee's Treasurer (the Lead Authority's S151 Officer), be referred by them to the Joint Committee. The Director and the Joint Committee Treasurer will determine whether the matter should be referred to Internal Audit. Further in a case where the Director advises that there is prima facie evidence of a criminal offence having been committed, the matter shall be reported to the Police forthwith.

## **2. Accounting Arrangements**

- 2.1 The Statement of Responsibilities for the Statement of Accounts sets out the role of the Director and the Treasurer.
- 2.2 The Treasurer to the Joint Committee is the responsible Financial Officer for the purposes of the Annual Return.
- 2.3 The Director shall ensure that appropriate financial arrangements and procedures are in place on behalf of the Joint Committee in order that the Treasurer can be provided with the necessary accounting records.
- 2.4 The Director will make arrangements for the preparation and audit of annual accounts.
- 2.5 The Director will publish and make available a final accounts/audit timetable to member authorities following the annual meeting of the Joint Committee.
- 2.6 The Director, where applicable, shall be responsible for the submission of all claims for grant to Government Departments, or to the EU.

## **3. Banking Arrangements, Cheques and Purchase Cards**

- 3.1 All arrangements with the Joint Committee's bankers, including the procedures for the ordering and safe custody of cheques and purchase cards, shall be made under arrangements approved by the Director.
- 3.2 All cheques drawn on behalf of the Joint Committee shall be signed by two named signatories on the bank mandate. Electronic payments require approval from two individuals, who must have been granted access to the online banking system by the online bank administrator (Central Services Manager).
- 3.3 There is to be a clear segregation of responsibility between the preparation of payments and the authorisation of payments.
- 3.4 Purchase card limits will be as set out within the Scheme of Financial Delegation.
- 3.5 All Card Holders will sign a Credit Card Undertaking form. The Credit Card Undertaking form sets out agreed procedures including storage, authorised users and record keeping requirements.

- 3.6 Only the Central Services Manager will be permitted to withdraw cash against their card and this will be authorised in advance by the Director.
- 3.7 Bank reconciliation will be undertaken on a monthly basis (within 30 days) and signed by two members of staff in accordance with the Bank Reconciliation Procedure with one signature being that of the Central Services Manager.

#### **4. Revenue and Capital Budgets**

- 4.1 The Director, in consultation with appropriate Officers, shall prepare annual estimates of expenditure and income, including the proposals for the basis for defraying that expenditure through member authorities. The budget and the basis for defraying expenditure through member authorities must be approved by the Joint Committee by the end of January each year.
- 4.2 The Director will provide a copy of the Joint Committee's approved budget to the Treasurer.
- 4.3 The Director will monitor income and expenditure against the budget and will report to meetings of the Joint Committee showing budgeted, actual and where appropriate, projected expenditure. Monitoring will take place and be evidenced monthly.
- 4.4 The Director shall be authorised to approve transfers between expenditure heads up to a maximum of £25,000. These transfers will be reported to the Joint Committee at the next available meeting as part of the budget monitoring arrangements.
- 4.5 Where it is anticipated that total expenditure will exceed the approved budgeted expenditure by 2.5%, the Chair and Vice Chair of the Joint Committee should be notified by the Director at the earliest opportunity following consultation with the Chair of the Advisory Board.

#### **5. Income**

- 5.1 The collection of all money due to the Joint Committee shall be under the supervision of the Director.
- 5.2 All money received shall be without delay passed for payment to the Joint Committee's bank account.
- 5.3 The Director shall be furnished with information to ensure the prompt rendering of accounts for the collection of income.
- 5.4 Following year-end, where invoicing is based on estimates, the Director (delegated to the Central Services Manager) shall request a self-certification of penalty charge notices issued by authorities.

- 5.5 Any Debt unpaid after 90 days of issue will be provided for in the accounts as soon as it becomes 90 days old.
- 5.6 The Director shall report all bad debts to the Joint Committee for these to be provided for in accordance with the approved Bad Debt Policy. This report will include the cause of the bad debt and the recovering measures taken in accordance with the Debt Recovery Procedure.
- 5.7 Through regular budget monitoring reports, the Director will apprise the Joint Committee of variations in achieved income in order that the Joint Committee can take appropriate actions in a timely manner.

## **6. Borrowing and Investments**

- 6.1 The Joint Committee approves on an annual basis an Annual Investment Strategy prepared in consultation with the Treasurer. Where applicable, this will take into account any Joint Committee policies in relation to reserves.

## **7. Orders and Contracts**

- 7.1 The Scheme of Delegation to the Director and the Scheme of Financial Delegation include the required procedures, record keeping and procurement thresholds.
- 7.2 In evaluating quotations or tenders, the aim will be to achieve the most economically advantageous outcome, taking into account quality, cost and delivery experience. Such decisions will be documented. Where the lowest price option is not chosen, the Director must approve prior to goods/services being commissioned.
- 7.3 Only budget holders and staff who have received training in accordance with the Scheme of Financial Delegation may order goods or services.
- 7.4 The Director will ensure that staff involved in procurement are aware of financial thresholds and the need for aggregation with single suppliers in respect of purchasing thresholds. Market testing on rolling contracts over £2,000 will be undertaken on a three-year cycle.
- 7.5 The Director is required to obtain approval from the Joint Committee in respect of the supply of goods, services, materials, equipment, building and civil engineering works in excess of £250,000 per contract.
- 7.6 The Director has the authority to waive these rules (excluding those falling within the EU threshold) where the interests of the Joint Committee would be best served. Such circumstances would include where there is only one contractor that is able to provide goods and services or where the need for such goods and services was urgent and the above procedure would be detrimental to the Joint Committee. Forward planning and market testing will be deployed to ensure that cases of waiver are minimised. The



Director shall maintain a record of such decisions and report to the Joint Committee at the earliest opportunity.

7.7 A Contracts Register will be kept of all ongoing contracts.

## **8. VAT**

8.1 The Director will make arrangements for VAT to be reclaimed from the Joint Committee's Lead Authority on a quarterly basis.

## **9. Reserves**

9.1 Where applicable, the Joint Committee will approve a Reserves Policy Statement on an annual basis. The Joint Committee will be asked to approve arrangements for placing elements of the reserve on deposit, with regard to ensuring sufficient cash flow and minimising risk. This is documented in the Annual Investment Strategy.

## **10. Equipment**

10.1 The Director will ensure that all staff are aware of their responsibility for the security and proper recording of equipment under their control including their personal responsibility with regard to the protection and confidentiality of information whether held in manual or computerised records in accordance with the Information Security Policy.

10.2 All equipment over £1,000 in value must be recorded in the Equipment Inventory in accordance with the Asset Management Policy.

10.3 All IT equipment and communications devices will be recorded in an IT register where the purchase value is greater than £100.

10.4 A sample of assets will be physically verified annually by the Central Services Manager (or a delegated member of staff).

## **11. Insurance**

11.1 The Director shall arrange such insurances as he/she considers necessary.

11.2 Officers shall give prompt notification to the Director of all new risk or any alterations which may affect existing insurances.

11.3 Officers shall inform the Director promptly in writing of any events which may involve the Joint Committee in a claim.

## **12. Risk**

12.1 The Director will present a Risk Register for review by the Joint Committee at each meeting in accordance with the Joint Committee's Risk Management Strategy. In addition, the Director will ensure that effective Business Continuity Planning arrangements are in place in accordance with the Joint Committee's Business Continuity Management Policy.

### **13. Internal Audit**

13.1 The Joint Committee shall review the internal audit strategy.

13.2 The Director will arrange for the internal audit of accounts and internal assurance framework of the Joint Committee. Internal audit is currently undertaken by the Lead Authority's Internal Audit Department.

13.3 The Director will ensure that Internal Auditors have right of access to such records and explanations as they require to complete the work undertaken.

13.4 Audit Reports will be presented to the Joint Committee.

### **14. External Audit**

14.1 The Joint Committee will be asked to approve the appointment of auditors.

14.2 The Director will make such arrangements as are necessary to facilitate this audit.

14.3 The Director will ensure that External Auditors have right of access to such records and explanation as they require to complete the work undertaken.

14.4 Audit Reports will be presented to the Joint Committee.

### **15. Petty Cash**

15.1 The Director shall make such arrangements as he/she considers necessary for defraying petty cash and other expenses by means of an imprest system in accordance with a procedure to be agreed with the Treasurer. The Petty Cash shall be secured in the safe overnight, limited to a balance of £50 and reconciled each month independently.

### **16. Expenses**

16.1 The Director shall ensure that expense claims are underpinned by guidelines approved by the Joint Committee's Advisory Board.

### **17. Gifts and Hospitality Register**

17.1 The Director will ensure that a register is held for the purposes of recording gifts and hospitality and that staff are made aware of its existence.

## **18. Declaration of Interest**

- 18.1 All staff with financial responsibilities will be advised of their obligation to declare any interest on an annual basis. Members and Officers at each meeting will be provided with the opportunity to declare a pecuniary or non-pecuniary interest, where interests arise, individuals will be asked to complete the Declaration of Interest Form in addition to the interest being minuted.

## **19. Anti-fraud, anti-corruption and whistleblowing**

- 19.1 Compliance with these financial regulations is supported by policies and procedures in respect of anti-fraud, anti-corruption and whistleblowing. Where staff has concerns in this respect, they should approach their Line Manager, the Director or if they wish to speak to someone external to the organisation, they can contact Public Concern at Work which operates a confidential helpline 02074046609. Further advice and guidance can also be found on their website [www.pcaw.co.uk](http://www.pcaw.co.uk). The Director will ensure that staff are aware of the relevant internal and external contact points in these circumstances.

## **20. Document Retention**

- 20.1 All financial documents will be retained for a period of six years in addition to the current year.

## **21. Review and approvals**

- 21.1 These Financial Regulations will be reviewed by the Joint Committee on an annual basis.

## APPENDIX B



## PATROL ADJUDICATION SERVICE JOINT COMMITTEE

### Scheme of Financial Delegation

**Contact Details:** Laura Padden - Director  
**Version / Date:** May 2024

## Introduction

This Scheme of Delegation should be read in conjunction with the current PATROL 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.

<b>Manager</b>	<b>Budget area</b>	<b>Name</b>
<b>Chief Adjudicator</b>	Adjudicator fees and expenses	Caroline Hamilton
<b>Central Services Manager</b>	Central Services functions including departmental staffing, premises, staff recruitment, training and Human Resources	Erica Maslen
<b>Stakeholder Engagement Manager</b>	Stakeholder departmental staffing and associated engagement expenditure IT departmental staffing, technology provision and development (software, hardware and infrastructure)	Iain Worrall
<b>Director</b>	Senior salaries, Case Management staffing budget Joint Committee initiatives, expenditure from approved reserves, consultancy and legal advice. PR, Communications and other expenditure not falling within the above delegations.	Laura Padden

**ii) Changing the Service budget in year**

<b>Manager</b>	<b>Budget Area</b>	<b>Approval Limit</b>
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.

Authorised Approver	Primary Budget Holder
Business and HR Manager	Central Services Manager
Technology Manager	Stakeholder Engagement Manager
Appeals Manager	Director
Democratic Services Manager	Director

**ii) Purchase Cards**

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

### iii) Imprest Accounts

We no longer hold Petty Cash.

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	All	Central Services Manager / HR Manager with Approval from the Director	The Business Manager will be notified to update the HR system.
Authorising: <ul style="list-style-type: none"> <li>• Staff appointments*</li> <li>• Promotions</li> </ul>	All	Central Services Manager / HR Manager with Approval from the Director	As above
Authorise Changes to Employment Contracts	All	Central Services Manager / HR Manager with Approval from the Director	As above
Approval for overtime to be worked	Where allowed within contract / within policy	Senior Manager for their department Senior Manager / HR Manager	As above
Authorise Redundancies/Early Retirements	All	Director in conjunction with Joint Committee and CEC	As above



Area of Delegation	Limit (Grade / £)	Designated Authorising Officers	Notes
Authorise Payments: <ul style="list-style-type: none"> <li>• Staff Overtime Claims</li> <li>• Staff Expense Claims</li> </ul>	Where allowed within contract / within policy	Senior Manager for their department Senior Manager/HR Manager	As above
Authorise contractor/agency worker timesheets (or equivalent claims)	All	Central Services Manager/ HR Manager / Director	As above

Note: Adjudicator recruitment and terms and conditions is delegated to the Chief Adjudicator.

#### 4 Management of Assets

Area of Delegation	Limit (£)	Designated Authorising Officers
Maintenance of Asset Inventory	>£100	Central Services Manager and Technology Manager
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 Manager	
Authority to cancel debt (e.g. credit notes).	Central Services Manager / Director	
Authority to write off debt	Director	

### i) On-line banking authorisations

All transactions and amendments to user profiles and limits require 2 approvers (neither of which can be the user requesting the change).

Designated User	Raise Payments and Changes	Authorise with one other
Director	Yes	Yes
Central Services Manager	Yes	Yes
Finance Manager	Yes	No
Office and Facilities Manager	Yes	Yes
Democratic Services Manager	No	Yes

Stakeholder Engagement Manager	No	Yes
--------------------------------	----	-----

## 6 General Ledger

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

## 7 Insurance

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

## 8 Information Management

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

## 9 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
IT Physical Access to secure areas	IT Manager

## 10 Other

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

Contracts Register	Central Services Manager
--------------------	--------------------------

Access to Systems / Network	IT Manager within policies
-----------------------------	----------------------------

### **13. Review**

This scheme will be reviewed on an annual basis.

## APPENDIX C

### TRAFFIC PENALTY TRIBUNAL & PATROL

#### GUIDE TO MANAGERS EXPENSES & TIME CLAIMS For Staff Grade 12 and upwards

2024/25 DRAFT

##### Introduction

It is recognised that from time to time, in the course of performing their duties, staff will be required to incur out of pocket expenses and work longer hours, for instance when attending meetings/conferences/events or training days.

This particularly applies to senior managers within the organisation who do not 'clock' within the flexi system but who may work irregular hours in a variety of locations.

**This policy is to be applied to managers who are in a Grade 12 post or above, plus the Chief Adjudicator and Deputy Chief Adjudicator.**

**This policy is separate to the Home Working Policy.**

##### Train Travel

All train travel is to be booked centrally via designated staff (unless unforeseen circumstances arise which mean travel has to be re-arranged).

When travelling on the London Underground evidence from your bank statement which shows TfL charges may be submitted instead of actual tickets or receipts, where you have used the card debit payment facility.

##### Air Travel

From time to time, it is more cost effective to fly than use other forms of transport.

A full cost comparison should be supplied for approval by the Director or Central Services Manager before a booking request is made. Where cheaper travel alternatives are available, the request for air travel will be refused.

##### Car Travel

Where a member of staff is Home Based, car travel to the office will be paid at the standard rate based on the mileage stated on the Working from Home Agreement.

HMRC rules require that the reimbursement of all such mileage is for a **valid business reason**. If you are unsure, you should check with the Central Services Manager to avoid non-reimbursement.

Travel to other locations must be based on the shortest route.

Where claims are to be made the Claimant must provide evidence on request of appropriate business insurance for the vehicle used, and a copy of the relevant MOT. This is an audit requirement.

The current rates for mileage are:

	Engine size	Engine Size
OCCASIONAL USERS	451 -999cc	1000cc+
Per mile first 8,500	46.9p	52.2p
Per mile after 8,500	13.7p	14.4p

## Car Hire

**Car Hire is expected to be a last resort and should be approved by the Director in writing in ADVANCE.** As with Air Travel, a full cost comparison must be supplied for consideration.

When hiring a car, the hire charge should exceed no more than £40 per day before any insurance or insurance waiver charges. Director approval must be sought if it is necessary to hire a vehicle that exceeds this charge per day. If the car hire period spans a weekend / bank holiday or other non-working day, line manager approval must also be sought.

**Any charge due to damage that is not covered by insurance is the responsibility of the driver and will need to be repaid to the organisation.**

## Car Parking

Car Parking options and charges should be explored and the most cost effective rate sought.

**Under NO circumstances will staff be reimbursed for any fines or penalties incurred.**

## Taxis

Taxis journeys are to be a last resort, and other forms of transport should be used where possible.

All taxi journeys must be accompanied by a receipt. Details of the pickup, drop off and reason for journey must be detailed on the expense claim.

## Meals

### Breakfast

If you are travelling before 7.30 a.m. to attend a meeting/event/training session, you may make a claim for breakfast up to a maximum of £5.00.

### Light Refreshments

Claims for light refreshments are permissible on journeys of one hour or more if travelling to an event/external meeting/training session. Permissible claims include hot and cold drinks/light snacks.

## **Lunch**

If you are away from the office for a whole day and lunch is not provided as part of the meeting/event you are attending, a claim can be made for lunch up to a maximum of £10.00. Alcoholic drinks are not permissible. Claims must be accompanied by an itemized, VAT receipt.

## **Evening Meal**

If you are required to stay away from home overnight (see below), you may claim up to £35 for an evening meal. A valid detailed VAT receipt must be provided for any claim. Alcohol will not be reimbursed.

If your return journey is expected to be more than two hours AND your external meeting/event/training session ends at 6.00pm or later, you may claim up to £15.00 for a meal prior to departure or en-route if travelling by train.

## **Accommodation**

All accommodation is to be booked centrally via designated staff and as far in advance as possible.

Accommodation cost will be within committee approved guidelines, and will endeavor to ensure a balance between hotel cost and the cost of travel between the hotel and venue.

Should you experience disruption during your journey which means that accommodation needs to be arranged at short notice, you should seek the approval of the Director should any deviation from this policy be required.

**We recognise that this may not always be possible if travelling late in the day in which case you should arrange payment of any charges yourself and reclaim these back.**

## **Miscellaneous Expenditure**

All miscellaneous expenditure must be accompanied by a VAT receipt (this enables PATROL to reclaim any VAT due) and full details regarding the reason for the claim and event/external meeting/training session the expenditure relates to.

Examples of permissible miscellaneous expenditure include:

- Stationery (whilst at conferences etc)
- Wireless connectivity (on trains or in hotels)
- Toll charges (Detail which toll on claim form)
- Tea/Coffee/Milk for office

## **Purchasing off the internet**

It is recognised that from time to time staff may need to make small purchases from an Internet Store, for office use. Examples of this would include stationery or IT consumables. Purchases above £50.00 must be approved in advance by the Director or Central Services Manager.

The organisation AMAZON account should be utilized wherever possible.

All items claimed for must be supported by a VAT receipt.



## Gifts and Hospitality

Please refer to the separate Policy.

## Approval

All Hotel and Travel bookings MUST be made centrally.

Where exceptional circumstances apply (for example due to disrupted travel) the member of staff must pay for additional costs themselves and claim back via an Expenses Claim Form.

Hotels and Travel must **NOT** be paid for via an Organisational Credit Card. The **ONLY** exception to this is where the item is of a large value and the Director has approved the expenditure in writing in advance against a PATROL Credit Card to ensure that the member of staff is not disadvantaged by the cost, or where there has been unexpected disruption to travel plans.

The Director reserves the right to refuse reimbursement of expenses.

## Expenses falling outside these guidelines

Where you are aware in advance of expenses that will fall outside these guidelines, please raise with the Director before your trip/purchase. Where unanticipated expenditure arises, please raise with the Director on your return. An itemised, VAT receipt must accompany claim otherwise the expenditure will not be reimbursed.

## Claiming expenses

Claims should be submitted using the most up to date standard claim form to the Finance Team as soon as possible and certainly no later than 3 months following the expenditure.

Claims received by 12pm Wednesday will be paid the same day by electronic transfer, to be received by the claimant on the Friday of the same week.

**First time claimants will need to provide their bank account details (sort code, account number, account holder name).**

## Time and Non-Clocking Staff

It is recognised that senior staff may work more irregular hours in line with business requirements.

However, as part of our commitment to Wellbeing, we do not expect any member of staff to work hours longer than an average of 37 hours per week (if on a full-time contract). This includes travel time.

You must make your manager aware if this happening on a regular basis. Any hours worked outside the standard day (07:00 to 18:00) can be classed as TOIL and added to your balances with approval from your manager.

When attending events such as conferences, you should agree in advance with your manager how much time can be claimed for the event and added to your balances.

## **GUIDELINES FOR CENTRAL BOOKING STAFF / FINANCE:**

### **Train Travel**

#### **Should be:**

- Standard class except where a first class ticket is equivalent or cheaper.
- Booked as far in advance as is practically possible to ensure that the best fare is obtained
- The outward journey should be on a specific train time
- Where possible, the return journey should also identify a specific train time but it is recognised that in some circumstances this will not always be possible
- Underground tickets can either be bought centrally, or reimbursement claimed using the above expenses process.

**All train travel is to be booked centrally (unless unforeseen circumstances arise which mean travel has to be re-arranged).**

### **Air Travel**

#### **Should be:**

- Approved in advance by the Director or Central Services Manager following a full cost comparison

### **Car Travel**

#### **Should be:**

- Authorised by the Director in advance, where not the approved Home to Office journey
- Based on the most direct route and will be assessed against AA route finder or similar
- The driver must provide evidence on request of appropriate business insurance for the vehicle used.

The current rates for mileage are:

	Engine size	Engine Size
<b>OCCASIONAL USERS</b>	451 -999cc	1000cc+
Per mile first 8,500	46.9p	52.2p
Per mile after 8,500	13.7p	14.4p

## Car Hire

### Should be:

- The hire charge should exceed no more than £40 per day before any insurance or insurance waiver charges.
- Director approval must be sought if it is necessary to hire a vehicle that exceeds this charge per day.
- If the car hire period spans a weekend / bank holiday or other non-working day, Director approval must also be sought in advance in writing.

**Any charge due to damage that is not covered by insurance is the responsibility of the driver and will need to be repaid to the organisation.**

## Car Parking

Car Parking options and charges should be explored and the most cost effective rate sought.

**Under NO circumstances will staff be reimbursed for any fines or penalties incurred.**

## Taxis

Taxis should be used as a last resort, where alternative public transport routes are not available. All taxi journeys must be accompanied by a receipt. Details of the pickup, drop off and reason for journey must be detailed on the expense claim.

## Meals

### Breakfast

- Before 07:30 am
- Maximum £5.00
- Not to be claimed where included in Hotel Booking

### Light Refreshments

- Allowed on journeys of longer than one hour
- Drinks and light snacks

### Lunch

- When away from the office for a whole day
- Maximum £10.00
- Claims for Alcoholic drinks not permissible

### Evening Meal

- If away from home up to £35.00 per night
- If travelling home and event finishes after 6pm you may claim up to £15.00 for a meal prior to departure or en-route if travelling by train.
- Claims for Alcoholic drinks not permissible

## Accommodation

### Should be:

- Booked centrally
- Approved in ADVANCE and in writing by the Director or Central Services Manager
- Cost effective in terms of costs of travelling from hotel to venue
- Outside London - £125 (Net of VAT) maximum per person per night
- Within London - £180 (Net of VAT) maximum per person per night
- Where accommodation exceeds the above limits the Director must give approval.

## Purchasing off the internet

### Should be:

- Via PATROL Amazon account is possible
- Other – up to £50 without prior approval
- Purchases above £50.00 must be approved in advance by the Director or Senior Manager.
- All items must be supported by a VAT receipt.

## APPENDIX D

### TRAFFIC PENALTY TRIBUNAL & PATROL

#### GUIDE TO STAFF OUT OF POCKET EXPENSES For Staff up to and including Grade 11

2024/25 DRAFT

##### Introduction

It is recognised that from time to time, in the course of performing their duties, staff will be required to incur out of pocket expenses, for instance when attending meetings/conferences/events or training days

The following provides guidance on what staff may claim in respect of out-of-pocket expenses. Please note that all expenditure must be supported by a full, itemised, VAT receipt, if none is available expenses may not be paid.

This policy is to be applied to staff up to (and including) Grade 11.

**This policy is separate to the Home Working Policy.**

##### Train Travel

All train travel is to be booked centrally via designated staff (unless unforeseen circumstances arise which mean travel has to be re-arranged).

When travelling on the London Underground evidence from your bank statement which shows TfL charges may be submitted instead of actual tickets or receipts, where you have used the card debit payment facility.

##### Air Travel

From time to time, it is more cost effective to fly than use other forms of transport. A full cost comparison should be supplied for approval by the Director or Central Services Manager before a booking request is made. Where cheaper travel alternatives are available, the request for air travel will be refused.

##### Car Travel

Where a member of staff is Home Based, car travel to the office will be paid at the standard rate based on the mileage stated on the Working from Home Agreement.

HMRC rules require that the reimbursement of all such mileage is for a **valid business reason**. If you are unsure, you should check with the Central Services Manager to avoid non-reimbursement.

Travel to other locations must be based on the shortest route.

Where claims are to be made the Claimant must provide evidence of appropriate business insurance for the vehicle used, and a copy of the relevant MOT. This is an audit requirement.

The current rates for mileage are:

	Engine size	Engine Size
OCCASIONAL USERS	451 -999cc	1000cc+
Per mile first 8,500	46.9p	52.2p
Per mile after 8,500	13.7p	14.4p

### **Car Hire**

**Car Hire is expected to be a last resort and should be approved by the Director in writing in ADVANCE.** As with Air Travel, a full cost comparison must be supplied for consideration.

When hiring a car, the hire charge should exceed no more than £40 per day before any insurance or insurance waiver charges. Director approval must be sought if it is necessary to hire a vehicle that exceeds this charge per day. If the car hire period spans a weekend / bank holiday or other non-working day, line manager approval must also be sought.

**Any charge due to damage that is not covered by insurance is the responsibility of the driver and will need to be repaid to the organisation.**

### **Car Parking**

Car Parking options and charges should be explored and the most cost-effective rate sought.

**Under NO circumstances will staff be reimbursed for any fines or penalties incurred.**

### **Taxis**

All taxi journeys must be accompanied by a receipt. Details of the pickup, drop off and reason for journey must be detailed on the expense claim.

### **Meals**

#### **Breakfast**

If you are travelling before 7.30 a.m. to attend a meeting/event/training session, you may make a claim for breakfast up to a maximum of £5.00.

#### **Light Refreshments**

Claims for light refreshments are permissible on journeys of one hour or more if travelling to an event/external meeting/training session. Permissible claims include hot and cold drinks/light snacks.

### **Lunch**

If you are away from the office for a whole day and lunch is not provided as part of the meeting/event you are attending, a claim can be made for lunch up to a maximum of £10.00. Alcoholic drinks are not permissible. Claims must be accompanied by an itemised, VAT receipt.

### **Evening Meal**

If you are required to stay away from home overnight (see below), you may claim up to £35 for an evening meal. A valid detailed VAT receipt must be provided for any claim. Alcohol will not be reimbursed.

If your return journey is expected to be more than two hours AND your external meeting/event/training session ends at 6.00pm or later, you may claim up to £15.00 for a meal prior to departure or en-route if travelling by train.

### **Accommodation**

All accommodation is to be booked centrally via designated staff in the office as far in advance as possible. It is expected that accommodation will be booked close to the working venue and that additional costs to and from hotel and venue will NOT be required.

Accommodation cost will be within committee approved guidelines. Should you experience travel disruption during your journey, you should seek the approval of the Director should any deviation from this policy be required.

### **Miscellaneous Expenditure**

All miscellaneous expenditure must be accompanied by a VAT receipt (this enables PATROL to reclaim any VAT due) and full details regarding the reason for the claim and event/external meeting/training session the expenditure relates to.

Examples of permissible miscellaneous expenditure include:

- Stationery (whilst at conferences etc)
- Wireless connectivity (on trains or in hotels)
- Toll charges (Detail which toll on claim form)
- Tea/Coffee/Milk for office

### **Approval**

Out of pocket expenses for travel and accommodation can only be claimed for via an Expenses Claim Form, and **NOT** paid for via an Organisational Credit Card.

The **ONLY** exceptions to this is where the item is of a large value and the Director has approved the expenditure in writing in advance against a PATROL Credit Card to ensure that the member of staff is not disadvantaged by the cost, or where there has been unexpected disruption to travel plans.

The Director reserves the right to refuse reimbursement of expenses.

## **Purchasing off the internet**

It is recognised that from time to time staff may need to make small purchases from an Internet Store, for office use. Examples of this would include stationery or IT consumables. Purchases above £50.00 must be approved in advance by the Director or Central Services Manager.

The organisation's AMAZON account should be utilised wherever possible.

All items must be supported by a VAT receipt.

## **Expenses falling outside these guidelines**

Where you are aware in advance of expenses that will fall outside these guidelines, please raise with the Director before your trip/purchase. Where unanticipated expenditure arises, please raise with the Director on your return. An itemised, VAT receipt must accompany your claim otherwise the expenditure will not be reimbursed.

## **Claiming expenses**

Claims should be submitted using the most up to date standard claim form to the Finance Team as soon as possible and certainly no later than 3 months following the expenditure.

Claims received by 12pm Wednesday will be paid the same day by electronic transfer. First time claimants will need to provide their bank account details (sort code, account number, account holder name).



## GUIDELINES FOR CENTRAL BOOKING STAFF / FINANCE:

### Train Travel

#### Should be:

- Standard class except where a first class ticket is equivalent or cheaper.
- Booked as far in advance as is practically possible to ensure that the best fare is obtained
- The outward journey should be on a specific train time
- Where possible, the return journey should also identify a specific train time but it is recognised that in some circumstances this will not always be possible
- Underground tickets can either be bought centrally, or reimbursement claimed using the above expenses process.

**All train travel is to be booked centrally via designated staff in the office (unless unforeseen circumstances arise which mean travel has to be re-arranged).**

### Air Travel

#### Should be:

- Approved in advance by the Director or Central Services Manager

### Car Travel

#### Should be:

- Authorised by the Director in advance, where not the approved Home to Office journey
- Based on the most direct route and will be assessed against AA route finder or similar
- The driver must provide evidence of appropriate business insurance for the vehicle used and ensure their insurance records are kept up to date.

The current rates for mileage are:

	Engine size	Engine Size
OCCASIONAL USERS	451 -999cc	1000cc+
Per mile first 8,500	46.9p	52.2p
Per mile after 8,500	13.7p	14.4p

## **Car Hire**

### **Should be:**

- The hire charge should exceed no more than £40 per day before any insurance or insurance waiver charges.
- Director approval must be sought if it is necessary to hire a vehicle that exceeds this charge per day.
- If the car hire period spans a weekend / bank holiday or other non-working day, Director approval must also be sought in advance in writing.

**Any charge due to damage that is not covered by insurance is the responsibility of the driver and will need to be repaid to the organisation.**

## **Car Parking**

Car Parking options and charges should be explored and the most cost effective rate sought.

**Under NO circumstances will staff be reimbursed for any fines or penalties incurred.**

## **Taxis**

Taxis should be used as a last resort, where alternative public transport routes are not available. All taxi journeys must be accompanied by a receipt. Details of the pickup, drop off and reason for journey must be detailed on the expense claim.

## **Meals**

### **Breakfast**

- Before 07:30 am
- Maximum £5.00
- Not to be claimed where included in Hotel Booking

### **Light Refreshments**

- Allowed on journeys of longer than one hour
- Drinks and light snacks

### **Lunch**

- When away from the office for a whole day
- Maximum £10.00
- Alcoholic drinks not permissible

### **Evening Meal**

- If away from home up to £35.00 per night
- If travelling home and event finishes after 6pm you may claim up to £15.00 for a meal prior to departure or en-route if travelling by train.
- The purchase of alcohol will not be reimbursed.

## **Accommodation**

### **Should be:**

- Booked centrally and NOT on organisational credit card
- Approved in ADVANCE and in writing by the Director or Central Services Manager
- Booked close to the event in order that travel costs to and from the hotel are NOT incurred
- Outside London - £125 (Net of VAT) maximum per person per night
- Within London - £180 (Net of VAT) maximum per person per night
- Where accommodation exceeds the above limits the Director must give approval.

## **Purchasing off the internet**

### **Should be:**

- Via PATROL Amazon account if possible
- Other – up to £50 without prior approval
- Purchases above £50.00 must be approved in advance by the Director or Senior Manager.
- All items must be supported by a VAT receipt.

## Appendix E

### PATROL (Parking and Traffic Regulations Outside London)

#### GUIDE TO CLAIMING TRAVEL EXPENSES (Non-PATROL staff) 2024-25

##### Introduction

Owing to increasing budgetary pressures faced by local authorities and in order to promote engagement with its Joint Committee, PATROL will meet the travel costs associated with Members or invited officers attending meetings of the **Executive Sub Committee** which take place in January and October. In accordance with our individual agreements with local authorities, costs associated with attending the annual meeting in July will be borne by the authority being represented.

Meetings of the Executive Sub Committee are generally held in either London or Birmingham. Those attending meetings will be required to make their own travel arrangements in accordance with this policy should they intend to make a claim for reimbursement of expenses. PATROL reserves the right to refuse reimbursement where expense claims fall outside of this policy or where evidence in support of a claim is missing, incomplete or does not meet our requirements to comply with financial regulations.

##### Train Travel

All train travel should be booked standard class except where a first-class ticket is equivalent or cheaper. **Trains should be booked as far in advance as is practically possible to ensure the best value for money and lowest fares.** The outward journey should be on a specific train time. Where possible, the return journey should also identify a specific train time but it is recognised that in some circumstances this will not always be possible. Original travel tickets will act as a receipt when reclaiming expenditure.

##### Travel to railway station

Public transport or mileage claims may be made in respect of the journey from home to the railway station. The mileage rates are as follows:

	Engine size 451 - 999cc	Engine size 1000cc+
Per mile first 8,500	46.9p	52.2p
Per mile after 8,500	13.7p	14.4p

## **Alternative travel**

**Any attendee wishing to make alternative travel to meetings, for example travelling by car then the claim will be capped at the price of a standard train ticket.**

**It is also an audit requirement that claims cannot be processed without evidence of a current MOT and evidence that business travel is covered on the claimant's car insurance.**

## **Accommodation**

Overnight accommodation will be provided on request for invited attendees with a train journey in excess of 2.5 hours who would otherwise be unable to reach the meeting venue in time for the start of the meeting. Any accommodation required will be booked directly by PATROL. Should you be unable to attend the meeting after accommodation has been booked, you should notify PATROL as soon as possible to avoid late cancellation charges.

## **Subsistence**

If there is a requirement to stay away from home overnight, then an allowance of up to £35 for an evening meal will be made available. A valid detailed VAT receipt must be provided for any claim. Alcohol will not be reimbursed.

## **Claiming expenses**

Claims should be submitted to the Finance Team using the attached claim form as soon as possible and no later than 3 months following the expenditure.

Forms should be emailed to [accounts@patrol-uk.info](mailto:accounts@patrol-uk.info) and include copies of all receipts.

Claims received by 12pm Wednesday will be paid the same day or following day by bank transfer. First time claimants will need to provide their bank account details (sort code, account number, account holder name).

## **Review**

This policy will be reviewed on an annual basis for approval at the annual meeting, or when necessary.

Appendix F-Expenditure Falling Outside the Financial Regulations (2023/24) - Financial Year 23/24:

Supplier	Financial Year 23-24	Comment
Resolver Consultancy	188,313.16	Knowledge Base - System development
Duckworth / Amped	59,980.15	Specialist communications consultancy.
Iomart Hosting Ltd	33,845.50	Ongoing commitment - server hosting (IT). Previously known as Melbourne Hosting
R-Com Consulting Ltd	21,029.94	Knowledge Base (IT Support)
Forrest Recruitment	19,387.27	Temp Resource and Recruitment. Best candidates.
Gardner Systems	16,635.71	Network provision and Support - ongoing
Live Chat	10,798.70	On Line Customer Service Tool
Amazon/AWS	9,647.88	Data Storage - ongoing commitment
SMC Premier Cleaning	8,684.04	Ongoing contract. To seek comparable quotes in 23/24
Critical/Fusemail	7,898.67	Knowledge Base (IT support)
Post Office	7,685.29	Outward postage
Thinkpol Training	7,281.11	Preferred Trainer
Ring Central	7,067.48	Ongoing Commitment - PC Phone System
Southern Communications	6,820.09	Mobile Comms - all staff
Trainline	5,944.24	Online centralised booking for travel.
Microsoft	5,299.66	MS TEAMS - Hearings and Meetings
Adobe	5,274.88	Reporting Tool
Premier Inn	5,086.90	Preferred Venue for Hotel Stays - London
Softworks	4,577.81	HR database and time recording system
BDO	4,305.00	External Audit - Allocated
Essendex	2,851.28	Text Service
Duo Security	2,833.69	2 factor security for FOAM
Bitesize	2,728.18	OnLine training for staff
Iain Worrall - staff	2,637.34	Travel to workshops etc, best price sought
EDF Energy	2,542.09	Energy contract
Freshworks	2,531.04	IT ticket management and workload planning
Softcat	2,523.12	IT Support - ongoing

## **PATROL Adjudication Joint Committee**

---

<b>Date of Meeting:</b>	9 <sup>th</sup> July 2024
<b>Report Title:</b>	Review of the Standing Orders
<b>Report of:</b>	Laura Padden, Director, PATROL

---

**1. Purpose of Report**

1.1. This report presents minor amendments to the Standing Orders.

**2. Recommendation**

2.1 To approve minor amendments to the Joint Committee's Standing Orders attached as appendix one to the report.

**3. Reasons for Recommendations**

3.1 To fulfil the governance requirements of the Joint Committee.

**4. Background**

4.1 In accordance with the functions of the Joint Committee, any amendments to the Standing Orders must be approved by the Joint Committee.

**5. Implications**

**5.1. Legal**

5.1.1 None.

**6.1. Finance**

6.1.1 None.

Schedule 4

Standing Orders

THE PARKING AND TRAFFIC REGULATIONS OUTSIDE LONDON ADJUDICATION JOINT  
COMMITTEE'S STANDING ORDERS

2024/2025

Index No.

- 1 Chair ~~and~~, Vice-Chair ~~and Assistant Vice-Chair~~
- 2 Duration of Appointments
- 3 Servicing and Advice
- 4 Meetings and Agenda
- 5 Cancellation of Meetings
- 6 Substitute Representatives
- 7 Attendance Record
- 8 Order of Business
- 9 Minutes
- 10 Subcommittee
- 11 Voting
- 12 Quorum
- 13 Rules of Debate
- 14 Admission of Public to Meetings
- 15 Disorderly Conduct
- 16 Disturbance by Members of the Public
- 17 Urgent Business
- 18 Rescission of Preceding Resolution
- 19 Delegation of Functions
- 20 Variation and Revocation of Standing Orders
- 21 Interests of Representatives in Contracts and Other Matters
- 22 Interests of Officers in Contracts and Other Matters



23 Access to Documents Information and Land

24 Suspension of Standing Orders

25 Interpretation

1. Chair ~~and Vice-Chair and Assistant Vice-Chair~~

The PATROLAJC at its first meeting and subsequently on an annual basis shall (a) elect from one of its representatives a Chair and Vice-Chair ~~and Assistant Vice-Chair~~ and (b) appoint Auditors.

2. Duration of Appointments

(i) Each representative on the PATROLAJC shall hold office from the date of the first meeting of the PATROLAJC following his appointment to the date of the next annual meeting of the PATROLAJC or until his appointment is terminated by the appointing Participating Authority which may be done at any time or until he ceases to be entitled to be a representative of that Participating Authority on a Joint Committee under the constitutional arrangements applicable to that appointing Participating Authority.

(ii) The Chair ~~and Vice-Chair and Assistant Vice-Chair~~ shall hold office until the following Annual meeting but such office shall be deemed to be vacated if the appointment as a representative on the Joint Committee is terminated by their Participating Authority or if they cease to be entitled to be a representative on a Joint Committee under the constitutional arrangements applicable to that appointing Authority.

3. Servicing and Advice

(i) It shall be the responsibility of the Lead Officer to convene all meetings of the **PATROLAJC**;

(ii) An Advisory Board may be appointed by the PATROLAJC comprising the Lead Officer, such other officers of the Participating Authorities and other persons appointed by the PATROLAJC and a representative nominated by the Department for Transport (DFT) as set out in the MOU between the Joint Committee and the Secretary of State. The Advisory Board shall be entitled to depute one or more of their number to attend and advise at meetings of the PATROLAJC.

4. Meetings and Agenda

(i) A meeting of the PATROLAJC may be called at such date, time and place:

a) at the instance of the Chair; or

b) as may be determined by the PATROLAJC; or

c) by a requisition, signed by not less than one half of the representatives of the PATROLAJC delivered to the Lead Officer at least ten working days before the date of the meeting.

d) At the instance of the Lead Officer

Provided that the PATROLAJC shall meet at least once every year (the Annual Meeting).

The summons to any meeting shall set out the business to be transacted thereat, and no business other than that set out in the summons shall be considered at the meeting unless by reason of special circumstances, which shall be specified in the minutes, the Chair of the meeting is of the opinion that the item should be considered at the meeting as a matter of urgency.

(ii) At every meeting of the PATROLAJC the Chair, if present, shall preside. If the Chair is absent the Vice-Chair, if present, shall preside. ~~If both the Chair and Vice Chair are absent the Assistant Vice-Chair shall preside.~~ If the Chair and , Vice Chair ~~and Assistant Vice-Chair~~ are all absent the meeting shall elect a Chair from one of its representatives. For the purposes of these Standing Orders references to the Chair, in the context of the conduct of business at meetings, shall mean the person presiding under the Standing Orders.

(iii) Any Participating Authority acting through its representative on the Joint Committee or through an Advisory Board Representative may give written notice of an item within the remit of PATROL to be placed on the Agenda of the PATROLAJC. All notices of items for agendas must be received by the Lead Officer not less than fifteen working days prior to the meeting to which the agenda relates.

(iv) Each of the Participating Authorities and every Advisory Board representative shall be entitled to have access to an electronic copy of the Agenda, papers and minutes of the proceedings of the PATROLAJC.

(v) The Lead Officer shall not less than seven clear days before the intended meeting of the PATROLAJC -

(a) Circulate a notice thereof to each Participating Authority representative on the PATROLAJC and to the nominated officer of each Participating Authority, accompanied by a notice of the business to be transacted.  
Provided that the failure of any such notice to be delivered shall not affect the validity of the meeting or of the business transacted thereat

(b) Publish notice thereof on PATROL's website 7 days prior to the meeting taking place

(vi) Substitutes shall be entitled, upon prior notification being given to the Lead Officer and at the discretion of the Chair, to attend and address the meeting for not more than ten minutes and to answer questions from representatives on the PATROLAJC for a further ten minutes.

#### 4A. Cancellation of Meetings

The Lead Officer may cancel or postpone any meeting in consultation with the Chair or Vice Chair ~~or Assistant Vice-Chair~~ prior to the issue of the agenda or subsequently if there is no business to be transacted, or in other exceptional circumstances.

#### 5. Substitute Members

If a representative of the PATROLAJC is unable to be present at a meeting of the PATROLAJC, that Participating Authority may be represented by a substitute duly appointed by that Participating Authority for the purpose in accordance with their own constitutional arrangements and whose name has been duly notified in writing or verbally to the Lead Officer of the PATROLAJC by the nominated Officer or Councillor of the Participating Authority concerned prior to the Committee meeting. A substitute attending a meeting of the PATROLAJC shall declare and vote as the Participating Authority representative on the PATROLAJC. No substitute representative may attend any meeting at which the representative for which he/she is substitute is present.

#### 6. Attendance Record

At every meeting each representative attending shall record such presence on the attendance sheet or other form of record provided by the Lead Officer.

#### 7. Order of Business

- (i) The order of business at every meeting shall be:
  - (a) to approve as a correct record the minutes of the last meeting;
  - (b) to dispose of business (if any) remaining from the last meeting;
  - (c) to receive and consider reports prepared for the PATROLAJC
- (ii) The Chair shall have discretion to alter the order in which business is taken at the meeting.

8. Minutes

- (i) Minutes of every meeting of the PATROLAJC or any Subcommittee shall be submitted to and signed at the next following meeting of the body concerned.
- (ii) The Chair shall put the question that the minutes submitted be approved as a correct record of the meeting in question.
- (iii) No other motion or discussion shall take place upon the Minutes except upon their accuracy. If no such question is raised or if it is raised, then as soon as it has been disposed of, the Chair shall sign the Minutes.

9. Sub-Committees

- (i) The PATROLAJC shall be entitled to appoint such Sub-committees as it thinks fit.

10. Voting

- (i) Each representative (or if absent the named substitute) shall be entitled to one vote on each question to be decided. Subject to paragraph 10 (iii), every question shall be determined by a show of hands and shall be determined by a simple majority.
- (ii) In the case of an equality of votes, the Chair shall have a second or casting vote.
- (iii) On the requisition of any representative, provided it is supported by at least two others, made before any vote is taken on a motion or an amendment, the voting shall be recorded so as to show how each representative present and voting voted. The name of any representative present and not voting shall also be recorded.

11. Quorum

- (i) The quorum of the PATROLAJC meeting in person shall be a minimum number of 8 of the Participating Authority representatives, and the quorum of a Sub-committee meeting in person shall be a minimum number of 8.
- (ii) For the avoidance of doubt non-attendance of the representative appointed by the DFT shall not render the meeting inquorate nor shall he be counted in deciding whether a quorum has been established.
- (iii) No business can be transacted at any meeting unless a quorum is present. Any matters of urgency will be considered under Standing Order 16.

12. Rules of Debate

- (i) A motion or amendment shall not be discussed unless it has been proposed and seconded.
- (ii) A representative shall address the Chair and direct any speech to the question under discussion. If two or more representatives indicate they wish to speak the Chair shall call on one to speak first.

- (iii) An amendment shall be:
  - (a) to leave out words
  - (b) to leave out words and insert or add others
  - (c) to insert or add words

but any such amendment must not have the effect of introducing a new proposal into or of negating the original motion
- (iv) A representative shall not speak for longer than 5 minutes on any matter without the **consent of the PATROLAJC**.
- (v) No representative shall address the PATROLAJC more than once on any issue, but the mover of an original motion may reply, in which reply no new matter shall be introduced, but the reply shall be confined strictly to answering the previous observations.
- (vi) A representative may claim to speak on a point of order or in personal explanation and shall be entitled to be heard forthwith. A point of order shall relate only to an alleged breach of a specified statutory provision or a specified standing order and the way in which the representative raising it considers that it has been broken. A personal explanation shall be confined to some material part of a former speech by them in the current debate, which may appear to have been misunderstood. The ruling of the Chair on a point of order or on the admissibility of a personal explanation shall not be open to discussion.
- (vii) If an amendment is rejected other amendments may be moved on the original motion. If an amendment is carried, the motion as amended shall take the place of the original motion and shall become the motion upon which any other amendment may be moved.
- (viii) A further amendment shall not be moved until the PATROLAJC has disposed of every amendment previously moved, provided that the Chair shall have discretion to allow debate to take place on two or more amendments.
- (ix) A representative at the conclusion of a speech of another representative may move without comment: -
  - (a) that the question be now put
  - (b) that the debate be now adjourned
  - (c) that the PATROLAJC proceed to the next business
  - (d) that the PATROLAJC do now adjourn

If such a motion is seconded, the Chair, shall, subject to the mover's right to reply, put the motion to the vote, and if it is carried: -

In case (a) - the motion then before the meeting shall, subject to The right of reply, be put to the vote; or

In case (b) - the debate on the motion then before the PATROLAJC shall stand deferred until the next meeting of the PATROLAJC unless requested to be dealt with as an urgent matter; or

In case (c) - the motion then before the PATROLAJC shall be regarded as lost and the PATROLAJC shall proceed to the next item on the Agenda, if any; or In case (d) - the meeting shall stand adjourned.

- (x) If the Chair is of the opinion that the matter before the PATROLAJC has been sufficiently discussed they may put the motion that the question now be put.
- (xi) The Chair shall decide all questions of order and any ruling by the Chair upon such questions and the interpretations of these Standing Orders, and upon matters arising in debate shall be final and shall not be open to discussion.

13. Admission of Public to Meetings

All meetings of the PATROLAJC shall be open to the public (including the Press) except to the extent that they are excluded whether during the whole or part of the proceedings either: -

- (i) In accordance with Section 100A(2) of the Local Government Act 1972; or
- (ii) By resolution passed to exclude the public on the grounds that it is likely, in view of the nature of the proceedings that if members of the public were present there would be disclosure to them of exempt information as defined in Section 101 of the Local Government Act 1972. Any such Resolution shall identify the proceedings or the part of the proceedings to which it applies and state the description, in terms of Schedule 12A to the Local Government Act 1972 of the exempt information giving rise to the exclusion of the public.

Exempt information means information falling with the following categories (subject to any condition):

Category	Condition
1. Information relating to any individual.	Information is exempt if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.
2. Information which is likely to reveal the identity of an individual.	Information is exempt if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.
3. Information relating to the financial or business affairs of any particular person (including the authority holding that information).	Information is exempt if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.
"financial or business affairs" includes contemplated, as well as past or current, activities	Information within paragraph 3 is not exempt if it must be registered under:
	(a) the Companies Act 1985; (b) the Friendly Societies Act 1974; (c) the Friendly Societies Act 1992; (d) the Industrial and Provident Societies Acts 1965 to 1978; (e) the Building Societies Act 1986; or (f) the Charities Act 1993.
4. Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office- holders under the authority.	Information is exempt if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.
"labour relations matter" are as specified in paragraphs (a) to (g) of section 218(1) of the	

Trade Unions and Labour Relations (Consolidation) Act 1992, i.e. matters which may be the subject of a trade dispute within the meaning of that Act or any dispute about any such matter.	
5. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.	Information is exempt if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.
6. Information which reveals that the authority proposes: (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or (b) to make an order or direction under any enactment	Information is exempt if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.
7. Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.	Information is exempt if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

#### 14. Disorderly Conduct

- (i) If the Chair is of the opinion that a representative has misconducted, or is misconducting himself by persistently disregarding the ruling of the Chair or by behaving irregularly, improperly or offensively or by wilfully obstructing the business of the PATROLAJC they may notify the meeting of that opinion and may take any of the following action either separately or in sequence: -
- (a) they may direct the representative to refrain from speaking during all, or part of the remainder of the meeting
  - (b) they may direct the representative to withdraw from all or part of the remainder of the meeting
  - (c) they may order the representative to be removed from the meeting
  - (d) they may adjourn the meeting for such period as shall seem expedient to him
- (ii) In the event of general disturbance which, in the opinion of the Chair, renders the due and orderly dispatch of business impossible, the Chair, in addition to any other power invested in the Chair, may without question, adjourn the meeting for such periods as in the Chair's discretion shall be considered expedient.

#### 15. Disturbance by Members of the Public

If any member of the public interrupts the proceedings at a meeting of the PATROLAJC, the Chair may warn that person to stop. If the person continues the interruption, the Chair may order that person's removal from the meeting. In the event of general disturbance in the part of the room provided for the public, the Chair may order that part to be cleared.

#### 16. Urgent Business

- (i) If at any time the Lead Officer considers any matter is urgent and should be decided upon prior to the next meeting of the PATROLAJC then he/she shall consult the

PATROLAJC's Chair. If the Chair or in the absence of the Chair, the Vice Chair ~~or Assistant Vice Chair~~ agrees the matter is urgent, then the Lead Officer shall be empowered to make the decision in accordance with such recommendation, subject to the decision being recorded in writing and signed by the Lead Officer to the PATROLAJC.

- (ii) All decisions taken under this Standing Order shall be reported to the next meeting of the PATROLAJC.

17. Rescission of Preceding Resolution

No motion to rescind any resolution passed at the meeting and no motion or amendment to the same effect shall be proposed at that meeting.

18. Delegation of Functions

The PATROLAJC may delegate to officers such of their functions as are permissible under statute and may, in relation to any of those functions, require that the exercise of those functions be subject to such conditions as the PATROLAJC deems fit to impose.

19. Variations and Revocation of Standing Orders

Any motion to vary or revoke these Standing Orders shall require confirmation at the next ordinary meeting of the PATROLAJC before the proposed variation or revocation shall be considered to be effective provided that nothing in this Standing Order shall operate to prevent the PATROLAJC adopting new Standing Orders at its annual meeting.

20. Interests of Participating Authority representatives in Contracts and Other Matters

If any Participating Authority adopts a Code of Conduct pursuant to the provisions Part 1 - Local Government - Chapter 7 - Standards of the Localism Act 2011 then that Code shall apply with respect to the representative of that Participating Authority save in so far as it is incompatible with the following provisions which shall apply to all representatives irrespective of any other code of conduct that they may be subject to: -

- (i) Where any Participating Authority representative has given a general notice of a pecuniary interest of his or of his spouse they shall nevertheless orally declare it at any meeting where the matter is discussed. Any such reminder shall be recorded in the minutes of the meeting.
- (ii) Where any Participating Authority representative has declared a pecuniary interest in a contract, grant, proposed contract or other matter by making an oral declaration at a meeting, they shall withdraw from the room in which the meeting is being held while the matter is under consideration unless:
  - (a) the disability to discuss, or vote upon any matter arising from the contract or other matter has been removed under Chapter 7 Section 33 of the Localism Act 2011; or
  - (b) the contract, grant, proposed contract or other matter is under consideration by the meeting as part of the report or minutes of a subcommittee (in the case of a meeting of the PATROLAJC) and is not itself the subject of debate.
- (iii) Any person, other than an officer of the PATROLAJC, who is appointed to do anything in connection with the PATROLAJC or subcommittee which enables him to speak at meetings of the PATROLAJC or subcommittee shall make the same disclosures of pecuniary interests, and shall withdraw from the room in which the meeting is being held on the same occasions, as he/she would have to do if he were a representative of the PATROLAJC or subcommittee.

21. Interests of Officers in Contracts and Other Matters

- (i) In addition to their duty under Section 117 of the Local Government Act 1972 if it comes to the knowledge of any officer that they have a pecuniary interest either direct or indirect (not being a contract to which he is himself a party) in any contract which has been or is proposed to be, entered into by the PATROLAJC, or in some other matters which is to be considered by PATROLAJC or one of its subcommittees, they shall as soon as practicable, give notice in writing to the Lead Officer of the fact that they are interested therein.
- (ii) For the purpose of this standing order, a disclosable pecuniary interest is an interest that, if the officer were a representative of the PATROLAJC and if the contract or other matter were to be considered at a meeting of the PATROLAJC at which he/she were present, he would have to disclose it under Chapter 7 Section 31 of the Localism Act 2011.
- (iii) The Lead Officer shall record in a book to be kept for the purpose particulars of any notice of a pecuniary interest given by an officer under Section 117 of the Local Government Act 1972 or paragraph (i). The book shall, during the ordinary office hours of the Lead Authority be open for inspection by any representative of the PATROLAJC.
- (iv) Where an officer submits a report to a meeting on a matter in which they have declared an interest under Section 117 of the Local Government Act 1972 or paragraph (i) they shall state that such declaration has been made, and give brief details of it, in a separate paragraph at the commencement of the report.
- (v) Where any officer advises orally a meeting of the PATROLAJC or a subcommittee on a contract, grant, proposed contract or other matter and has declared a pecuniary interest in that matter, whether under the requirements of Section 117 of the Local Government Act 1972, or of paragraph (i) they shall remind the meeting orally of that interest.

22. Access to Documents, Information and Land

- (i) In addition to the rights of representatives of the PATROLAJC under Section 100F of the Local Government Act 1972, but subject to paragraph (ii) below, any member of the Participating Authorities shall be entitled on application to the Lead Officer to inspect any document or recorded information in the possession, or under the control, of the PATROLAJC access to which is necessary for the proper discharge of their functions as a member of that Participating Authority;

Provided that: -

- (a) no person shall be entitled to inspect any document or have access to any information relating to a matter in which they have a pecuniary interest;
- (b) access to information not in the form of a document need not be given where the cost of providing the access is unreasonably high, or during such period as the giving of access would unreasonably disrupt the work of the PATROLAJC.
- (ii) In the case of any document other than a document to which the rights under Section 100F of the Local Government Act 1972 apply, and if the Lead Officer considers that access to any document or other information is not necessary for the proper discharge of the functions (as a member of the Participating Authority or as a representative of the PATROLAJC, as the case may be) of the person requesting such access, and there is good reason why access should be refused, they may refuse the person concerned access to the document or information in question.
- (iii) Where a person inspects a document under the rights conferred by Section 100F of the Local Government Act 1972 or this standing order, and the PATROLAJC may



lawfully make a copy of that document, they shall be entitled, on request, to be given a copy of that document provided that:

- (a) a reasonable charge shall be made for the copy unless the Lead Officer otherwise directs;
  - (b) a copy may be refused if the Lead Officer considers that it is impracticable to make a copy.
- (iv) If a representative on the PATROLAJC or an elected member or officer of the Participating Authorities wishes to have access to land or buildings in the occupation of the PATROLAJC to which the public do not have access and to which such representative, member or officer does not regularly have access, he shall apply to the Lead Officer. Unless the Lead Officer considers that there are good reasons why such access should not be given, they shall give permission but may attach conditions to that permission including particularly a condition that a specified officer of the PATROLAJC shall accompany the representative, member or officer.
- (v) If any member of the Participating Authorities or any other representative of the PATROLAJC is dissatisfied with any determination of the Lead Officer under Section 100F of the Local Government Act 1972 or under this standing order, he/she may refer the question to the PATROLAJC which shall, after considering any representations that person or the Lead Officer may wish to make, determine whether or not to uphold the Lead Officer's determination.
- (vi) No elected members or officer of the Participating Authorities and no representative of the PATROLAJC shall have any claim by virtue of his position:
- (a) to enter any land or buildings occupied by the PATROLAJC to which the public do not have access or to which such members, officer or representative do not regularly have access except with the permission of the Lead Officer;
  - (b) to exercise any power of the PATROLAJC to enter or inspect other land or buildings, except where specifically authorised to do so by the PATROLAJC;
  - (c) to exercise any other power of the PATROLAJC;
  - (d) to issue any order with respect to any works which are being carried out by, or on behalf of, the PATROLAJC, or with respect to any goods or services which are being, or might be, purchased by the PATROLAJC
- (vii) The Proper Officer for the Purpose of Section 100F(2) of the Local Government Act 1972 and for the purposes of this standing order is the Lead Officer.
- (viii) For the purposes of this standing order a person has a pecuniary interest in a matter if, on the assumptions that he/she were a representative on the PATROLAJC, and that the matter was to be considered by the PATROLAJC, he would have to declare the interest under Section 94 of the Local Government Act 1972.
- (ix) Where any information is given to any person (including a member of the Participating Authorities, or any representative of the PATROLAJC) by the PATROLAJC or by one of the employees of the Lead Authority in the course of transacting any business of the PATROLAJC, and it is made clear (in whatever way) that the information is given in confidence, that person is not entitled to make that information public without the consent of the PATROLAJC.

23. Suspension of Standing Orders

Any of the preceding Standing Orders may be suspended at any meeting so far as regards any business on the Agenda for such a meeting, providing that the majority of the representatives present and voting so decide.

24. Interpretation and Definitions

In these Standing Orders the following terms shall have the following meanings assigned to them: -

"Local Authority" means a local authority which is an enforcement authority for the purpose of Part 6 of the Traffic Management Act 2004 in relation to road traffic contraventions (of any description) or performing the functions of such an enforcement authority.

"The Agreement" means an agreement for Parking and Traffic Regulations Outside London Adjudication Joint Committee made between The Council of the City of Manchester, Hampshire County Council, Oxfordshire County Council and Denbighshire County Council dated 1 May 2008, or its successor Agreement that is due to be completed in 2014. "Participating Authority" means any Local Authority then party to the joint arrangements contained in the Agreement.

"Lead Authority" means such Participating Authority appointed as such pursuant to the Agreement.

"Lead Officer" means the Chief Executive of the Council of Cheshire East Council or such other officer of the Lead Authority nominated by them.

"The Advisory Board" means the Board comprising the Lead Officer and other officers and other persons appointed by the PATROLAJC and may include sitting in an ex-officio capacity an official nominated by the PATROLAJC and may include sitting in an ex-officio capacity an official nominated by the DFT.

## PATROL Adjudication Joint Committee

---

<b>Date of Meeting:</b>	9 <sup>th</sup> July 2024
<b>Report Title:</b>	Risk Management Framework
<b>Report of:</b>	Laura Padden, Director, PATROL

---

### 1.0 Purpose of Report

- 1.1. To provide the Joint Committee with a summary of the most significant threats facing the Joint Committee which may prevent or assist with the achievement of its objectives.

### 2.0 Recommendation

- 2.1. To note the current assessment of risk as attached to appendix one of the report.

### 3.0 Reasons for Recommendation

- 3.1 To report on arrangements for identifying, managing and reporting risk.

### 4.0 Background

- 4.1 It is the role of the Advisory Board to review the report prior to consideration by the Joint Committee or its Executive Sub Committee. This review aims to provide assurance on the adequacy of the risk management framework and internal control environment. Risk management is not about being risk averse, it is about effectively managing risks that could affect the achievement of objectives and ensuring that an appropriate risk culture is in place.
- 4.2 A risk is concerned with a threat, or a possible future event, which will adversely or beneficially affect the Joint Committee's ability to achieve its objectives. Risk management is central to good governance and is all about people making the best decision at all levels within the organisation.
- 4.3 A strong risk framework:

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

**4.4** The Joint Committee summarises its risk appetite as follows:

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

There are presently 5 threats on the Corporate Risk Register. These are currently measured as being “low” or “medium” scale risks. The classification of risk is set out below.

**Risk Matrix**

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

**4.5** Background to Corporate Risks:

**4.6** Local authorities who undertake civil parking and bus lane enforcement are required by statute to make provision for independent adjudication. The relationship between the adjudicators and the Joint Committee is derived from and governed by the Traffic Management Act 2004.

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

- Parking
- Bus Lanes
- Moving Traffic
- Road User Charging (Dartford-Thurrock River Crossing, Mersey Gateway Bridge Crossing and Charging Clean Air Zones)
- Littering from vehicles

**4.8** The objectives of PATROL include:

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

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

- 4.9** The adjudicators and the Joint Committee is committed to a fair adjudication service for appellants including visible independence of adjudicators from the authorities in whose area they are working.
- 4.10** The Director is responsible for coordinating the review of the Risk Management Framework with input from the Senior Management Team.
- 4.11** Following this scrutiny, the Risk Management Framework is reported to the PATROL Committee or its Executive Sub Committee. The framework has been reviewed and there are two changes to report from when the document was last considered at the January meeting of the Executive Sub Committee as well as minor changes to the format.
- 4.12** The changes to report relate to a reduction in risk in respect of CR1 (from 4 to 3) and CR5 (from 5 to 4).
- 4.13** Additional assurance is provided by Internal and External Audit. PATROL is not required to prepare and publish audited accounts but does so to promote transparency.

## **5.0 Implications**

### **6.1. Finance**

- 6.1.1** As reported within this report and financial reports on the agenda.

### **7.1 Risk Management**

- 7.1.1** Provides a framework for risk management.

Risk Register 2024/2025 - Reviewed April 2024											APPENDIX ONE			
Risk No.	Risk	Risk Description including impact	Risk Owner(s)	Inherent Likelihood	Inherent Impact	Residual Rating	Risk Accepted	Direction	Controls	Inherent Likelihood	Inherent Impact	Residual Rating	Comments	
CR1	Inability to meet demand for service	(Cause) The tribunal provides a statutory function which is available to all vehicle owners who receive a Notice of Rejection of Representations in respect of specified penalties. (Threat) the tribunal is unable to meet its statutory obligations (impact) appellants are unable to appeal penalties	Chief Adjudicator and Stakeholder Engagement & Systems Manager	1	3	3	Yes	↓	This rating has reduced from 4 to 3 (low). The tribunal has a fully scalable online system and a flexible adjudicator and staffing model. The online process is complemented by assisted digital support for appellants who are unable to make their appeal online. The tribunal continues to refine and develop the online system in response to user feedback. The tribunal has demonstrated a seamless transition to homeworking for staff in response to the pandemic which has also seen a reduction in appeals. In addition to this a further assessment of adjudicator requirements was undertaken and a number of adjudicators from London were assigned to work with the Traffic Penalty Tribunal. These appointments will assist with the hearing process should	1	3	3	No further action	
CR2	Lack of Financial Resilience	(Cause) The basis for defraying Joint Committee expenses is based on variable rather than fixed charges. This means that the Joint Committee must manage unforeseen significant fluctuations in either Income or Costs such that (threat) Reserves are significantly eroded and (impact) financial obligations cannot be met.	Director and Central Services Manager	1	5	5	Yes	→	This rating remains unchanged. The Reserves levels have now been restored to their minimum threshold. Whilst the number of FQNs issued is still lower than pre-pandemic levels, the addition of Q&Z and moving traffic schemes is having a positive impact on overall volumes and income. We continue to strictly monitor income and expenditure and are now in the position to reduce the FQN charge without a negative impact on our operations, we have therefore reduced this risk but will continue to keep our monitoring and controls in place and being reactive to any fluctuations.	1	5	5	No further action	
CR3	Loss of Data Confidentiality, Integrity & Availability (C.I.A)	(Cause) The Tribunal operates an on-line appeal system to improve the quality and flexibility for tribunal users. Support systems are also underpinned by a range of technologies. With this deployment of technologies, the risk of security breaches increases. This could result in the inability of IT to support the needs of the organization and users such that (threat) the (Cause) insufficient adjudicator or staff resources to support the needs of the organization such that (threat) the organization is unable to meet its statutory obligations and (impact) the quality or timeliness of the adjudication process, administrative standards or the achievement of development objectives compromised.	Director and Stakeholder Engagement & Systems Manager	3	3	9	Yes	→	This rating remains unchanged. A range of security monitoring features, data management procedures and training are being reviewed and deployed in the light of GDPR and DPA 2018. These measures have been reviewed in light of homeworking. The data impact of the UK leaving the EU is being kept under review and hosting of the appeal system has transferred from the EU to UK.	3	3	9	No further action	
CR4	Lack of Resource Planning	(Cause) insufficient adjudicator or staff resources to support the needs of the organization such that (threat) the organization is unable to meet its statutory obligations and (impact) the quality or timeliness of the adjudication process, administrative standards or the achievement of development objectives compromised.	Chief Adjudicator and Director	2	2	4	Yes	→	This rating remains at 4 in the light of reduced appeals since the pandemic. Current information shows that appeals are not increasing at a significant rate where additional resources would be required. There are vacancies within the team and these could be filled as and when required. Short term indicators imply that the situation is unlikely to change in the near future. The appointment of a number of adjudicators from the London Tribunal means there is now the ability to call on additional resources if required should circumstances change.	2	2	4	No further action	
CR5	Lack of preparation for business continuity	(Cause) that an internal or external incident occurs which renders the organisation unable to utilise part or all of its infrastructure such that (impact) the organisation is unable to deliver some or all of its services resulting in (impact) reduced accessibility to our service.	Central Services Manager and Stakeholder Engagement & Systems Manager	1	4	4	Yes	↓	This rating has reduced from 5 to 4 and reflects the flexibility demonstrated in moving from an office based to remote workforce with no unplanned loss of service. Planned technology upgrades have taken place to further support business continuity. A detailed DRP plan to mitigate risk is held and reviewed each year. This is accessible to all managers and has clearly defined responsibilities.	1	4	4	No further action	

Impact Levels	Impact	Definition
0	There is no impact on the organisation	Loss of service for > 30 Minutes
1	There is a minimal impact on the organisation	Loss of service for > 2 Hours
2	There is a minor impact on the organisation	Loss of service for > 8 Hours
3	There is a moderate impact on the organisation	Loss of service for > 1 Day
4	There is a serious impact on the organisation	Loss of service for > 3 Days
5	There is a severe impact on the organisation	Loss of service for > 7 Days
Likelihood Levels		Definition
0	Never	0% chance of successful exercise of threat during a one-year period
1	Rare	1% chance of successful exercise of threat during a one-year period
2	Unlikely	2% - 5% chance of successful exercise of threat during a one-year period
3	Possible	5% - 10% chance of successful exercise of threat during a one-year period
4	Likely	10% - 25% chance of successful exercise of threat during a one-year period
5	Very Likely	> 25% chance of successful exercise of threat during a one-year period
Risk Levels = Impact Level x Likelihood Level		Definition
0		No risk
1 - 4		Very low risk
5 - 9		Low risk
10 - 14		Medium risk
15 - 20		High risk
21 - 25		Critical risk

**PATROL Adjudication Joint Committee**

---

<b>Date of Meeting:</b>	9 <sup>th</sup> July 2024
<b>Report Title:</b>	Abolition of the PATROL Adjudication Joint Committee Resources Working Group and Sub Committee
<b>Report of:</b>	Sarah Baxter, Democratic Services & Policy Manager

---

**1. Purpose of Report**

- 1.1. This report sets out the reasons for the abolition of the PATROL Adjudication Joint Committee Resources Working Group and Sub Committee.

**2. Recommendation**

- 2.1. To note the abolition of the PATROL Adjudication Joint Committee Resources Working Group and Sub Committee

**3. Reasons for Recommendation**

- 3.1 Due to the membership significantly being reduced as a result of the May 2023 elections, the abolition of the BLASJC and the recommendation to remove the positions of Assistant Chair (Wales) and Assistant Vice Chair (Wales).

**4. Background**

- 4.1 In 2015 the Appointments Sub Committee was rebranded as the Resources Sub Committee and Working Group.
- 4.2 The membership of the Resources Sub Committee and Working Group comprised of Chairs, Vice Chairs, Assistant Chairs of PATROLAJC supported by a Resources Working Group to include the Chair and Vice Chair of the Advisory Board, Director, Chief Adjudicator and such additional representatives that could assist the Working Group and Sub Committee.
- 4.3 The following functions were delegated from the PATROL Joint Committee or Executive Sub Committee to the PATROLAJC Resources Working Group and Sub Committee:-



- (a) Any financial, governance or other matter that the Joint Committee or its Executive Sub Committee determines to delegate to the Resources Working Group to take forward between meetings as far as this does not contravene existing standing orders and governance arrangements and falls within the approved budget.
- (b) Progressing any urgent financial or governance matter including risk items relating to audit recommendations, which fall between Joint Committee and its Executive Meetings as raised by the Chairman or Director on the basis that this falls within the approved budget.
- (c) Accepting tenders for the supply of goods, services, materials, equipment, building and civil engineering works in excess of £250,000 per contract on the basis that they fall within the approved budget or relate to earmarked reserves.
- (d) Noting the recommendations from low-level internal audit reports and monitoring any follow up actions.
- (e) Noting reports from the Director on expenditure falling outside the Joint Committee's Financial Regulations.
- (f) Approving human resource proposals which fall outside the delegation from the Joint Committee and Lead Authority to the Director save for those relating to Adjudicators which are delegated to the Chief Adjudicator on the basis that they fall within the approved budget.

**4.4** Since the dissolution of the BLASJC in 2023 and the May 2023 local elections, only three councillors (the Chair and Vice Chair of the PATROL Adjudication Joint Committee and the Assistant Chair (Wales) remained on the membership. Consequently, it was decided that officers would review the future of the Resources Sub Committee and Working Group alongside the Assistant Vice Chair and Assistant Chair (Wales) positions.

**4.5** Dialogue with the Chair and Vice Chair of the Joint Committee as well as the Advisory Board resulted in the decision being made to transfer several functions of the PATROLAJC Resources Working Group and Sub Committee to the Advisory Board. Further to this it was decided that the Assistant Vice Chair and Assistant Chair (Wales) positions were no longer necessary and that briefing meetings with the Chair and Vice Chair of the Joint Committee would be established in order for officers to run through JC/ESC agendas prior to meetings.

## **5. Implications**

### **5.1 Legal**

#### **5.1.1 None.**

## **PATROL Adjudication Joint Committee**

---

<b>Date of Meeting:</b>	9 <sup>th</sup> July 2024
<b>Report Title:</b>	Establishment of the Executive Sub Committee
<b>Report of:</b>	Sarah Baxter, Democratic Services and Policy Manager

---

### **1. Purpose of Report**

- 1.1. This report sets out arrangements for the Joint Committee to establish an Executive Sub Committee and its Terms of Reference for the coming year.

### **2. Recommendations**

- 2.1. That the Joint Committee establishes an Executive Sub Committee to act on behalf of the Committee until its annual meeting in July 2025, and that it appoints members of the Executive Sub Committee for the forthcoming year.
- 2.2. Reviews and approves the Terms of Reference of the Executive Sub Committee attached as appendix one to the report.
- 2.3. Notes the date of the first meeting of the Executive Sub Committee will be on 15<sup>th</sup> October 2024.

### **3. Reasons for Recommendations**

- 3.1. To enable the Joint Committee to conduct their business effectively.

### **4. Background**

- 4.1. Members are aware that as each Council becomes a party to the PATROL Adjudication Service Joint Committee Agreement it is required to appoint a Member to represent their Council on the Joint Committee.
- 4.2. As the number of Councils joining the Joint Committee increases, one way of avoiding the need for large numbers of members attending all the committee meetings is to establish an Executive Sub Committee. The PATROL

Adjudication Service Joint Committee Standing Orders enables the Joint Committee to appoint such Sub Committees as it sees fit.

- 4.3** Any terms of reference for such Sub Committees need to be agreed by the Joint Committee as and when each Sub Committee is established.
- 4.4** Many of the day-to-day functions of the Joint Committee has already been delegated to officers. Some of the functions that have not been delegated have been examined and it is considered that if the Joint Committee so decides, an Executive Sub-Committee could deal with most of these non-delegated functions without the need for the full Committee to meet.
- 4.5** In particular there is a requirement for the PATROL Adjudication Service Joint Committee by 31<sup>st</sup> January each year to set a budget of estimated expenditure for the following year and to determine the amount of contribution of member Councils.
- 4.6** The functions recommended by officers for delegation to the Executive Sub-Committee is detailed in the Appendix to this report.
- 4.7** The size of the Executive Sub Committee is recommended by officers to comprise a minimum of 8 in number for PATROL, including the Chair of the Joint Committee and at least one each representing District, County, Unitary, Metropolitan councils and at least one from an English authority and one from a Welsh authority.

## **5. Implications**

### **5.1. Legal**

- 5.1.1** The PATROL Adjudication Joint Committee agreement makes provision for the establishment of sub committees.

### **5.2 Risk Management**

- 5.2.1** The recommendations enable the Joint Committees to conduct their business effectively.

### **5. Financial**

- 5.3.1** The recommendations reduce expenditure for the Joint Committee and the participating authorities.

**PATROL ADJUDICATION SERVICE JOINT COMMITTEE  
Executive Sub Committee Terms of Reference**

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

=

**1. Financial Matters**

- (a) Deciding on the level and proportion PATROLAJC 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 30<sup>th</sup> 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.
- (e) All financial matters not delegated to ~~the Resources Working Group and Sub Committee~~ or officers under the Joint Committee's Financial Regulations.
- (f) 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. This may be delegated to the ~~Resources Working Group and Sub Committee~~ Advisory Board.
- (b) Subject to the approval of the Lead Authority to consider applications for early retirement where there would be a financial cost to the PATROLAJC. This may be delegated to the ~~Resources Working Group and Sub Committee~~ Advisory Board.

**3. Advisory Board**

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

**4. New Council members to the PATROLAJC 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 ~~PATROLAJC Resources Working Group and Sub Committee~~. Advisory Board.

## **6. Chair of the Executive Sub Committee**

The chair elected for the Joint Committee will assume the same position on the Executive Sub Committee.

**PATROL Adjudication Joint Committee**

---

<b>Date of Meeting:</b>	9 <sup>th</sup> July 2024
<b>Report Title:</b>	Amendments to the Terms of Reference - Advisory Board
<b>Report of:</b>	Sarah Baxter, Democratic Services and Policy Manager

---

**1. Purpose of Report**

- 1.1. To inform the Joint Committee of a number of amendments to the Advisory Board's terms of reference.

**2. Recommendation**

- 2.1. To approve the amendments to the Advisory Board's terms of reference attached as appendix one to the report.

**3. Reasons for Recommendation**

- 3.1 A review of the Advisory Board's terms of reference has resulted in a number of revisions to the Board's terms of reference.

**4. Background**

- 4.1 Discussions with the chair of the Advisory Board, Marc Samways (Hampshire County Council) and officers at PATROL highlighted that a review of current arrangements was required. Consequently, an Advisory Board Working Group comprising of Michael Clarke, Paul Nicholls and Marc Samways was established to consider how the document could be amended so that it was less prescriptive in terms of the role of the Board and its membership.
- 4.2 Working in conjunction with the Director of PATROL, Laura Padden and the Democratic Services & Policy Manager, Sarah Baxter the Advisory Board Working Group proposed several amendments to the terms of reference. The proposals were formally considered and approved at a meeting of the Advisory Board held on the 13<sup>th</sup> September 2023 where members accepted the amendments. The changes allow for the scope of the Board's work to be increased as well as ensuring the process for appointing members is less

cumbersome since there will no longer be a requirement for future reports to come to the Joint Committee requesting an extension to each Board member's four-year appointment once it comes to an end.

- 4.4** Further to this a recommendation was put forward that the Resources Working Group should also be formally wound down (this forms a separate report on the agenda) and that the Joint Committee's Chair and Vice Chair should be invited to attend future meetings of the Advisory Board as observers.

## **5. Implications**

### **5.1. Legal**

- 5.1.1** There are no direct legal implications arising as a result of this report.

## APPENDIX ONE

### PATROL Adjudication Joint Committee Advisory Board

#### Terms of Reference (Amended with tracked changes)

1. To assist and advise the Joint Committees on the overall policies and strategies for administering the adjudication service and on their responsibilities under
  - section 81 of the Traffic Management Act 2004 (TMA) and Regulations 17 and 18 of The Civil Enforcement of Parking Contraventions (England) General Regulations 2007 (the English General Regulations);
  - section 81 of the TMA and Regulations 16 and 17 of the Civil Enforcement of Road Traffic Contraventions (General Provisions) Wales Regulations 2013 (the Welsh General Provisions Regulations);
  - Regulations 12 and 13 of The Road User Charging Schemes (Penalty Charges, Adjudication and Enforcement) (England) Regulations 2013 (the Road User Charging Regulations).
  - Regulation 18 of The Littering from Vehicles Outside London (Keepers: Civil Penalties) Regulations 2018

Formatted: Font: 12 pt

Formatted: Font: 12 pt

These functions are exercised through PATROL in accordance with Regulation 16 of the English General Regulations and Regulation 15 of the Welsh General Provisions Regulations.

~~• The Advisory Board has no remit to consider or influence decisions of adjudicators and the function of the adjudication service as an Independent Tribunal.~~

~~2. To receive, and comment and make recommendations on draft reports due for submission at meetings of the Joint Committee/Executive Sub Committee~~

~~2.3. To monitor progress against the Performance Management Strategy produced by the Director and to review the service structure, organisation and administration and to scrutinise recommendations for changes before they are put before the Joint Committees.~~

4. To monitor and review the service revenue budgets and to scrutinise

Formatted: Indent: Left: 0.28 cm, Hanging: 1.27 cm, Right: 0 cm, No bullets or numbering, Tab stops: Not at 1.55 cm



recommendations for changes before they are put before the Joint Committees.

5. To comment and provide advice on relevant consultations being undertaken by government. Any comments to be reported to the Joint Committee/Executive Sub Committee.

6. To work collaboratively with external organisations where appropriate and for the benefit of local authority civil enforcement schemes.:-

7. To support the work of the Joint Committee/Executive Sub Committee and offer advice, e-and guidance and an authority perspective on relatedevant issues where possible.

8. To highlight to the Joint Committee/Executive Sub Committee any strategic issues relating to civil enforcement which may require the Joint Committee to communicate directly with government.,

~~• To assist and advise the Director on the preparation of an annual service plan~~

**Formatted:** Indent: Left: 0.28 cm, Hanging: 1.27 cm, Right: 0 cm, No bullets or numbering, Tab stops: Not at 1.55 cm

**Formatted:** Indent: Left: 0.28 cm, Hanging: 1.27 cm, Right: 0 cm, No bullets or numbering, Tab stops: Not at 1.55 cm

**Formatted:** Indent: Left: 0.28 cm, Hanging: 1.27 cm, Right: 0 cm, No bullets or numbering, Tab stops: Not at 1.55 cm

**Formatted:** Font: 12 pt

**Formatted:** Font: 12 pt

**Formatted:** Font: 12 pt

**Formatted:** Font: 12 pt

**Formatted:** Indent: Left: 0.28 cm, Hanging: 1.27 cm, Right: 0 cm, No bullets or numbering, Tab stops: Not at 1.55 cm

**Formatted:** Normal, Right: 2.62 cm, No bullets or numbering, Tab stops: 1.55 cm, Left

## Membership of the Advisory Board

The Board shall consist of always the Director of PATROL Lead Officer ~~plus up to eleven people with~~ appointed representatives ideally comprising of ~~council~~ Local Authority officers with substantial experience working in roles that have a strong connection to the operation of local authority civil enforcement schemes.

In addition to the above membership to the Board should also include the following:-

- A representative from National Highways – Representing the Motorway and Trunk Road Network, including toll roads.
- A representative from Mersey Gateway
- An independent Member or a representative from a Motoring Organisation

Ideally the Board should also comprise of members with the intention of achieving the following:

- A geographical split across England and Wales
- Local Authority representatives should be selected so that the following enforcement functions are covered within the group: Civil Parking Enforcement, Bus Lane Enforcement, Moving Traffic Enforcement and Low Emission Zones.

~~Representatives should ideally comprise of in roles that have a strong connection to the operation of local authority civil enforcement schemes representatives of local authorities as follows:~~

- ~~\_\_\_\_\_~~
  - ~~\_\_\_\_\_~~
  - ~~At least one representing an English Authority~~
  - ~~At least one representing a Welsh Authority~~
  - ~~At least one representing a District Council~~
  - ~~At least one representing a County Council~~
  - ~~At least one representing a Unitary or Metropolitan Council~~
  - ~~At least one representing a Civil Bus Lane Enforcement Council.~~
  - ~~\_\_\_\_\_~~
- ~~A representative from the Department for Transport (road user charging).~~
- ~~\_\_\_\_\_~~
- ~~A representative from a motoring association.~~
- ~~\_\_\_\_\_~~
- ~~An independent person with knowledge of judicial or tribunal systems.~~

Formatted: Font: Bold

Formatted: Centred

Formatted: Normal, Right: 2.71 cm, Space Before: 3.9 pt, Tab stops: 1.55 cm, Left

Formatted: Indent: Left: 1.55 cm, No bullets or numbering

Formatted: Strikethrough

Formatted: Indent: First line: 0 cm, Bulleted + Level: 2 + Aligned at: 2.19 cm + Indent at: 2.82 cm, Tab stops: Not at 2.54 cm

4. ~~➤ An independent consumer representative~~  
The Chair and Vice Chair of the Joint Committee will be invited to attend meetings, purely in an observer capacity.

~~The DfT, WG, Motoring Association and Independent members would act as ex-officio members.~~

~~Department for Transport and Welsh Government representatives will be welcomed to attend meetings or provide updates.~~

The Joint Committee shall make appointments to the Advisory Board based on recommendations received from the Advisory Board. Such appointments are to be for ~~four years but may be subject to reappointment~~ an indefinite period. ~~Except for the Lead Officer, members shall retire on a four year rotation cycle.~~

~~The Advisory Board shall recommend to the Joint Committees representatives of an appropriate motoring organisation and appropriate independent persons who should sit on the Board.~~

~~The DfT shall nominate a specific representative for road user charging.~~

~~Advisory Board members should not be day to day managers of parking services and should where possible include representatives from legal and financial backgrounds as well as those responsible for parking.~~

The Board shall elect on an annual basis a ~~Chairman and~~ a Vice-Chairman ~~and a Secretary~~ from within the membership of the Board.

#### **Quorum of Meetings**

There should be at least 3 members of the Advisory Board present at meetings.

#### **Openness of Meetings**

Meetings to be held in private with minutes and agendas to remain confidential.

Formatted: Indent: Hanging: 0.64 cm, Bulleted + Level: 1 + Aligned at: 1.55 cm + Indent at: 2.19 cm, Tab stops: Not at 1.27 cm

Formatted: Normal, No bullets or numbering, Tab stops: 2.19 cm, Left + Not at 1.27 cm

Formatted: Font: Bold

Formatted: Font: Bold

Formatted: Centred

~~Where a representative has been unable to attend three consecutive meetings, the Chair will draw this to the attention of the Board to determine whether an alternative representative be sought.~~

## PATROL Adjudication Joint Committee

---

<b>Date of Meeting:</b>	9 <sup>th</sup> July 2024
<b>Report Title:</b>	Appointments to the Advisory Board
<b>Report of:</b>	Laura Padden, Director PATROL on behalf of the Advisory Board

---

### 1. Purpose of Report

- 1.1. This report sets out the recommendations for appointments to the Advisory Board.

### 2. Recommendations

- 2.1. To approve the appointments of Matt Jones (Lincolnshire County Council) and Robert Shoebridge (Derby City Council).
- 2.2. To approve the appointment of Mark Fletcher from National Highways.
- 2.3. To note that all previous appointments to the Board will be for an indefinite period in line with the changes to the Advisory Board's terms of reference.

### 3. Reasons for Recommendations

- 3.1. To fill vacancies on the Advisory Board as a result of retirements/resignations.

### 4. Background

- 4.1. Due to several retirements/resignations from the Advisory Board it was felt that further officers should be recruited to sit on the Board. Recommendations from the Stakeholder & Engagement Manager at PATROL led to Matt Jones and Robert Shoebridge being approached by the Democratic Services & Policy Manager to see if either or both would be interested in being appointed to the Board. Both attended the September 2023 meeting as observers. Following this meeting both agreed that they wished to be formally appointed onto the Board.

**4.2** In 2023 officers were advised that Dana Bourne from National Highways had resigned, and that Mark Fletcher would be her replacement. His appointment to the Advisory Board is also required to be formally approved by the Joint Committee.

**4.3** In line with the changes to the Advisory Board's terms of reference these appointments will be for an indefinite period.

## **5. Implications**

### **5.1. Finance**

**5.1.1** The budget makes provision for the Advisory Board.

### **6.1 Risk Management**

**6.1.1** The Advisory Board scrutinises the Joint Committee's Governance and Finance progress and associated work.

### **7.1 Legal**

**7.1.1** The Joint Committee's governance arrangements make provision for the appointment of an Advisory Board.

# PATROL

## Public Affairs Update: To 3 June 2024

### 1. Forthcoming General Election – 4 July

On 22 May, Prime Minister Rishi Sunak announced he had requested permission from the King to dissolve parliament and called a general election to be held on 4 July. Parliament was subsequently dissolved on 30 May.

PATROL is monitoring coverage and policy announcements from the Conservatives and Labour in anticipation of the next Parliament. We are mindful of the organisation's ongoing public affairs activity (presented across this report) and how it may be impacted and adapted for in the event of a change of administration.

### 2. Current traffic management issues

#### a. Moving Traffic Powers in England (outside London)

A list of local authorities approved to enforce moving traffic restrictions and links to details of those restrictions can be found in the table below.

These authorities were included under Designation Orders that came into force in July 2022 (<https://www.legislation.gov.uk/uksi/2022/686/contents/made>) and July 2023 (<https://www.legislation.gov.uk/uksi/2023/698/contents/made>).

Authority	Detail on active / proposed restrictions
Bath & North East Somerset Council	<a href="https://beta.bathnes.gov.uk/moving-traffic-enforcement-powers-consultation/location-summary">https://beta.bathnes.gov.uk/moving-traffic-enforcement-powers-consultation/location-summary</a>
Bedford Borough Council	<a href="https://www.bedford.gov.uk/parking-roads-and-travel/roads-and-pavements/traffic-regulation-orders/implemented-traffic">https://www.bedford.gov.uk/parking-roads-and-travel/roads-and-pavements/traffic-regulation-orders/implemented-traffic</a>
Birmingham City Council	<a href="https://www.birmingham.gov.uk/blog/birmingham-blog/post/1210/using-new-powers-to-keep-the-city-moving">https://www.birmingham.gov.uk/blog/birmingham-blog/post/1210/using-new-powers-to-keep-the-city-moving</a>
Bournemouth, Christchurch and Poole Council	<a href="https://haveyoursay.bcpccouncil.gov.uk/21069/widgets/59914/documents/35609">https://haveyoursay.bcpccouncil.gov.uk/21069/widgets/59914/documents/35609</a>
Bradford Council	<a href="https://www.bradford.gov.uk/transport-and-travel/highways/traffic-regulation-order/">https://www.bradford.gov.uk/transport-and-travel/highways/traffic-regulation-order/</a>
Bristol City Council	<a href="https://www.bristol.gov.uk/residents/streets-travel/transport-plans-and-projects/moving-traffic-enforcement">https://www.bristol.gov.uk/residents/streets-travel/transport-plans-and-projects/moving-traffic-enforcement</a>

<b>Buckinghamshire Council</b>	<a href="https://www.buckinghamshire.gov.uk/parking-roads-and-transport/moving-traffic-offences/">https://www.buckinghamshire.gov.uk/parking-roads-and-transport/moving-traffic-offences/</a>
<b>Cambridgeshire County Council</b>	<a href="https://www.cambridgeshire.gov.uk/residents/travel-roads-and-parking/roads-and-pathways/moving-traffic-offences-consultation">https://www.cambridgeshire.gov.uk/residents/travel-roads-and-parking/roads-and-pathways/moving-traffic-offences-consultation</a>
<b>Central Bedfordshire Council</b>	<a href="https://www.centralbedfordshire.gov.uk/news/article/742/residents_urged_to_comment_on_plans_to_stop_moving_traffic_offences">https://www.centralbedfordshire.gov.uk/news/article/742/residents_urged_to_comment_on_plans_to_stop_moving_traffic_offences</a>
<b>Cheshire West and Chester Borough Council</b>	<a href="https://www.cheshirewestandchester.gov.uk/residents/transport-and-roads/parking-and-permits/bus-lane-enforcement/moving-traffic-enforcement">https://www.cheshirewestandchester.gov.uk/residents/transport-and-roads/parking-and-permits/bus-lane-enforcement/moving-traffic-enforcement</a>
<b>Coventry City Council</b>	<a href="https://letstalk.coventry.gov.uk/mtepowers#:~:text=adopt%20the%20powers.-,Background,restricted%20areas%20when%20not%20permitted.">https://letstalk.coventry.gov.uk/mtepowers#:~:text=adopt%20the%20powers.-,Background,restricted%20areas%20when%20not%20permitted.</a>
<b>Derby City Council</b>	<a href="https://www.derby.gov.uk/transport-and-streets/parking-in-derby/moving-traffic-enforcement/#page-1">https://www.derby.gov.uk/transport-and-streets/parking-in-derby/moving-traffic-enforcement/#page-1</a>
<b>Durham County Council</b>	<a href="https://www.durham.gov.uk/article/28419/Council-enforcement-goes-live-with-new-cameras">https://www.durham.gov.uk/article/28419/Council-enforcement-goes-live-with-new-cameras</a>
<b>Gloucestershire County Council</b>	<a href="https://www.gloucestershire.gov.uk/parking/moving-traffic-enforcement-information/">https://www.gloucestershire.gov.uk/parking/moving-traffic-enforcement-information/</a>
<b>Hampshire County Council</b>	<a href="https://www.hants.gov.uk/transport/transport schemes/traffic-enforcement-consultation">https://www.hants.gov.uk/transport/transport schemes/traffic-enforcement-consultation</a>
<b>Herefordshire Council</b>	<a href="https://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?ID=8953">https://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?ID=8953</a>
<b>Hertfordshire County Council</b>	<a href="https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/speed-awareness-and-driver-training/enforcement-cameras/unattended-camera-enforcement.aspx">https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/speed-awareness-and-driver-training/enforcement-cameras/unattended-camera-enforcement.aspx</a>
<b>Kent County Council</b>	<a href="https://letstalk.kent.gov.uk/hub-page/moving-traffic-enforcement">https://letstalk.kent.gov.uk/hub-page/moving-traffic-enforcement</a>
<b>Lancashire County Council</b>	<a href="https://www.lancashire.gov.uk/roads-parking-and-travel/roads/moving-traffic-offences/">https://www.lancashire.gov.uk/roads-parking-and-travel/roads/moving-traffic-offences/</a>
<b>Leeds City Council</b>	<a href="https://democracy.leeds.gov.uk/ieDecisionDetails.aspx?Id=56023">https://democracy.leeds.gov.uk/ieDecisionDetails.aspx?Id=56023</a>
<b>Leicester City Council</b>	<a href="https://www.leicester.gov.uk/transport-and-streets/traffic-regulation-orders/">https://www.leicester.gov.uk/transport-and-streets/traffic-regulation-orders/</a>
<b>Liverpool City Council</b>	<a href="https://liverpool.gov.uk/parking-roads-and-travel/parking-fines-and-challenges/moving-traffic-offences/">https://liverpool.gov.uk/parking-roads-and-travel/parking-fines-and-challenges/moving-traffic-offences/</a>
<b>Luton Borough Council</b>	<a href="https://m.luton.gov.uk/Page/Show/Transport_and_streets/Parking/Pages/Moving-traffic-enforcement.aspx">https://m.luton.gov.uk/Page/Show/Transport_and_streets/Parking/Pages/Moving-traffic-enforcement.aspx</a>
<b>Manchester City Council</b>	<a href="https://www.manchester.gov.uk/info/500344/roads_and_transport/8642/moving_traffic_contraventions">https://www.manchester.gov.uk/info/500344/roads_and_transport/8642/moving_traffic_contraventions</a>
<b>Medway Council</b>	<a href="https://www.medway.gov.uk/info/200160/roads_and_pavements/1602/moving_traffic_offences">https://www.medway.gov.uk/info/200160/roads_and_pavements/1602/moving_traffic_offences</a>
<b>Newcastle City Council</b>	<a href="https://www.newcastle.gov.uk/citylife-news/transport/council-apply-new-traffic-enforcement-powers-following-consultation">https://www.newcastle.gov.uk/citylife-news/transport/council-apply-new-traffic-enforcement-powers-following-consultation</a>
<b>Norfolk County Council</b>	<a href="https://www.norfolk.gov.uk/roads-and-transport/moving-traffic-and-bus-lane-enforcement/moving-traffic-enforcement">https://www.norfolk.gov.uk/roads-and-transport/moving-traffic-and-bus-lane-enforcement/moving-traffic-enforcement</a>
<b>North Northamptonshire Council</b>	<a href="https://northnorthants.citizenspace.com/highways/moving-traffic-offences/">https://northnorthants.citizenspace.com/highways/moving-traffic-offences/</a>
<b>Nottingham City Council</b>	<a href="https://www.transportnottingham.com/nottingham-is-awarded-powers-to-enforce-moving-traffic-offences/">https://www.transportnottingham.com/nottingham-is-awarded-powers-to-enforce-moving-traffic-offences/</a>
<b>Oldham Council</b>	<a href="https://pplengagement-hub.co.uk/en-GB/projects/oldhamteplans">https://pplengagement-hub.co.uk/en-GB/projects/oldhamteplans</a>
<b>Peterborough City Council</b>	<a href="https://www.peterborough.gov.uk/residents/transport-and-streets/moving-traffic-enforcement#:~:text=We%20can%20now%20enforce%20moving,as%20detailed%20in%20our%20factsheet.">https://www.peterborough.gov.uk/residents/transport-and-streets/moving-traffic-enforcement#:~:text=We%20can%20now%20enforce%20moving,as%20detailed%20in%20our%20factsheet.</a>
<b>Oxfordshire County Council</b>	<a href="https://www.oxfordshire.gov.uk/residents/roads-and-transport/parking/moving-traffic-offences">https://www.oxfordshire.gov.uk/residents/roads-and-transport/parking/moving-traffic-offences</a>



Reading Borough Council	<a href="https://www.reading.gov.uk/vehicles-roads-and-transport/moving-traffic-enforcement/">https://www.reading.gov.uk/vehicles-roads-and-transport/moving-traffic-enforcement/</a>
Rochdale Council	<a href="https://pclengagement-hub.co.uk/folders/rochdalemte">https://pclengagement-hub.co.uk/folders/rochdalemte</a>
Rotherham Metropolitan Borough Council	<a href="https://www.rotherham.gov.uk/news/article/700/have-your-say-on-enforcing-moving-traffic-offences#:~:text=Rotherham%20Council%20is%20asking%20for,congestion%20at%20known%20problem%20sites.">https://www.rotherham.gov.uk/news/article/700/have-your-say-on-enforcing-moving-traffic-offences#:~:text=Rotherham%20Council%20is%20asking%20for,congestion%20at%20known%20problem%20sites.</a>
Salford City Council	<a href="https://www.salford.gov.uk/your-council/news/news-archive/news-from-january-2023/public-back-move-to-act-on-box-blocking/">https://www.salford.gov.uk/your-council/news/news-archive/news-from-january-2023/public-back-move-to-act-on-box-blocking/</a>
Sheffield City Council	<a href="https://www.sheffield.gov.uk/parking/cyclists-and-pedestrians-roads-policy">https://www.sheffield.gov.uk/parking/cyclists-and-pedestrians-roads-policy</a>
Shropshire Council	<a href="https://www.shropshire.gov.uk/traffic-management/permanent-traffic-regulation-orders/">https://www.shropshire.gov.uk/traffic-management/permanent-traffic-regulation-orders/</a>
South Gloucestershire Council	<a href="https://consultations.southglos.gov.uk/gf2.tif/1470306/154603941.1/PDF/-/Frequently%20Asked%20Questions%20Moving%20Traffic%20Enforcement.pdf">https://consultations.southglos.gov.uk/gf2.tif/1470306/154603941.1/PDF/-/Frequently%20Asked%20Questions%20Moving%20Traffic%20Enforcement.pdf</a>
Southampton City Council	<a href="https://transport.southampton.gov.uk/tro-consultations/closed-consultations/moving-traffic-restrictions-order-2022/">https://transport.southampton.gov.uk/tro-consultations/closed-consultations/moving-traffic-restrictions-order-2022/</a>
City of Stoke-on-Trent Council	<a href="https://www.stoke.gov.uk/info/20008/roads_parking_and_travel/568/moving_traffic">https://www.stoke.gov.uk/info/20008/roads_parking_and_travel/568/moving_traffic</a>
Surrey County Council	<a href="https://www.surreycc.gov.uk/roads-and-transport/moving-traffic-offences">https://www.surreycc.gov.uk/roads-and-transport/moving-traffic-offences</a>
Thurrock Borough Council	<a href="https://consult.thurrock.gov.uk/enforcing-mto">https://consult.thurrock.gov.uk/enforcing-mto</a>
Trafford Council	<a href="https://trafford.citizenspace.com/place/moving-traffic-offences-consultation/">https://trafford.citizenspace.com/place/moving-traffic-offences-consultation/</a>
Walsall Council	<a href="https://go.walsall.gov.uk/newsroom/walsall-council-gain-powers-civil-enforcement-moving-traffic-contraventions.">https://go.walsall.gov.uk/newsroom/walsall-council-gain-powers-civil-enforcement-moving-traffic-contraventions.</a>
West Berkshire District Council	<a href="https://www.westberks.gov.uk/MTOpowers#Results">https://www.westberks.gov.uk/MTOpowers#Results</a>
West Northamptonshire Council	<a href="https://www.westnorthants.gov.uk/news/west-northants-invited-have-its-say-new-traffic-powers">https://www.westnorthants.gov.uk/news/west-northants-invited-have-its-say-new-traffic-powers</a>
West Sussex County Council	<a href="https://www.westsussex.gov.uk/roads-and-travel/parking/moving-traffic-enforcement/">https://www.westsussex.gov.uk/roads-and-travel/parking/moving-traffic-enforcement/</a>
Wigan Council	<a href="https://www.wigan.gov.uk/Council/Consultations/Current/Moving-traffic-offences.aspx">https://www.wigan.gov.uk/Council/Consultations/Current/Moving-traffic-offences.aspx</a>
Royal Borough of Windsor and Maidenhead	<a href="https://www.rbwm.gov.uk/home/transport-and-streets/parking/moving-traffic-enforcement-frequently-asked-questions">https://www.rbwm.gov.uk/home/transport-and-streets/parking/moving-traffic-enforcement-frequently-asked-questions</a>
Wirral Council	<a href="https://haveyoursay.wirral.gov.uk/moving-traffic-enforcement">https://haveyoursay.wirral.gov.uk/moving-traffic-enforcement</a>
Wokingham Borough Council	<a href="https://www.wokingham.gov.uk/parking-and-transport/moving-traffic-offences">https://www.wokingham.gov.uk/parking-and-transport/moving-traffic-offences</a>

- The Traffic Penalty Tribunal decides appeals relating to the enforcement of moving traffic contraventions, with the first of these appeals received relating to England (outside London) authorities in June 2023. **51 appeals have been registered at the Tribunal to date.**
- A third tranche of authorities was set to be granted powers this year, but this is currently on hold pending an update from the Department for Transport (DfT), which has stated the necessary Designation Order would be delivered 'likely later in the year or early next year'. This will also likely be impacted by the result of the General Election.
- **PATROL continues to engage with its members that have indicated they wish to commence moving traffic enforcement to assist them with preparations.**

## b. Level of civil parking penalty charges in England

- PATROL has conducted research into how the current civil parking penalty charge levels are impacting its authorities. The research – carried out with the British Parking Association (BPA) and the support of the Local Government Association (LGA) between May and August last year – produced stark findings relating to the financial position of authorities and the impact on enforcement.
- The main findings of the research, based on data from participating PATROL authorities, are as follows:
  1. Over a third of authorities' (34%) parking services no longer pay for themselves (operating costs have increased 29% on average).
  2. More than half of authorities (54%) believe the current levels of parking penalty charges are ineffective as a deterrent.
  3. Over two thirds of authorities (70%) reported individual motorists regularly receiving and paying PCNs in their area.
- Respondent authorities are increasingly concerned about the adequacy of income generated to maintain enforcement services at a sufficient level. Additionally, they are worried about the diminishing financial deterrent effect of the penalty levels, which have not kept pace with inflation. These concerns are further exacerbated by a significant rise in the number of vehicles on roads in recent years, which has stretched enforcement resources still further.
- In response, PATROL, the BPA and the LGA made the following recommendations to the DfT and Department for Levelling Up, Housing and Communities (DLUHC) in January:
  1. The levels of civil penalty charges in England and Wales enforced under the *Traffic Management Act 2004* should be increased to £100 (lower level contraventions) and £130 (higher level), as appropriate.
  2. The PATROL Joint Committee should be given the ability to regularly consult on and review civil penalties (for parking and other traffic schemes) as part of PATROL's statutory function, bringing powers in line with the London model.
  3. Automatic Number Plate Recognition (ANPR) powers should be granted to authorities enforcing off-street car parks.
  4. Statutory enforcement documents (post-PCN) should be issued digitally, rather than by first-class post, where motorists have engaged with the digital route.
- **A copy of the research report is available at:**  
[https://www.patrol-uk.info/docs/PATROL-PCN-Research-Docs/PATROL\\_BPA\\_LGA\\_Research\\_report\\_Civil\\_parking\\_penalty\\_levels\\_RELEASE\\_100424.pdf](https://www.patrol-uk.info/docs/PATROL-PCN-Research-Docs/PATROL_BPA_LGA_Research_report_Civil_parking_penalty_levels_RELEASE_100424.pdf)
  - **PATROL has received an initial response from Parliamentary Under-Secretary of State for Roads and Local Transport at the DfT, Guy Opperman, who thanked the organisations for such a thorough and detailed body of evidence.**
  - **A further update is awaited and will be communicated when appropriate. This will be revisited following the result of the General Election.**

## c. Restricting the generation of surplus funds from traffic contraventions

- The DfT is currently gathering evidence on councils' abilities to generate and / or retain a surplus from traffic enforcement, the practices that may lead to such surpluses being generated and what the impact may be if the revenue was surrendered to HM Treasury, rather than being used to fund local transport projects.
  - View the consultation (closing on 25 May) at: <https://www.gov.uk/government/calls-for-evidence/restricting-the-generation-of-surplus-funds-from-traffic-contraventions/restricting-the-generation-of-surplus-funds-from-traffic-contraventions>
- The consultation follows the publication of the Department's *Plan for drivers* earlier in October last year, which is targeting ways to improve the experience of driving and services provided for motorists.
  - The latest information on the Plan, set out by Secretary of State for Transport Mark Harper in March, is available at: <https://www.gov.uk/government/speeches/plan-for-drivers-ensuring-traffic-measures-have-local-support>

Of most relevance to PATROL authorities is the *Plan's* stated aim to 'crack down' on 'unfair enforcement' and 'improve drivers' lives, reduce congestion and make journeys smoother'. Measures in the plan include:

- New guidance on Low Traffic Neighbourhoods <https://www.gov.uk/government/publications/implementing-low-traffic-neighbourhoods/implementing-low-traffic-neighbourhoods>.
  - The call for evidence on restricting surpluses.
  - Updated bus lane guidance <https://www.gov.uk/government/publications/bus-user-priority-ltn-124>.
  - Delivering the National Parking Platform ending the need to use multiple parking apps (over 200 local authorities have signed up to the scheme to date).
  - Development of new sector-led guidance on moving traffic enforcement powers, including the strengthening of statutory guidance (this appears to have been shelved for now).
- In light of our research referenced at Item '2b', which conversely found councils are facing financial shortfalls and that any surpluses were generally small or non-existent, PATROL responded to the call for evidence on surpluses on 9 May, making reference to its findings and subsequent recommendations. A response is set to be delayed by the General Election.
  - **PATROL structured its response – available to view or download at:** [https://www.patrol-uk.info/wp-content/uploads/2024/05/DfT-Call-for-Evidence-Restricting-surpluses-PATROL-Response\\_090524.pdf](https://www.patrol-uk.info/wp-content/uploads/2024/05/DfT-Call-for-Evidence-Restricting-surpluses-PATROL-Response_090524.pdf)  
– around the following arguments:
    - **Financial viability and service quality.**
    - **Fairness and economic impact.**
    - **Inflation adjustment and deterrence.**
    - **Resource allocation and compliance.**
    - **Alignment with the *Plan for drivers*.**

## d. Level of private parking penalty charges and debt recovery fees in England

- The DLUHC recently consulted on the level of penalty charges that private parking operators can charge, as well as the associated debt recovery fees.
  - The consultation (<https://www.gov.uk/government/calls-for-evidence/private-parking-code-of-practice-call-for-evidence/private-parking-charges-and-debt-recovery-fees-call-for-evidence>) was part of the Government's industry reform efforts through the *Parking (Code of Practice) Act 2019*.
- PATROL prepared a response to the consultation calling for greater consistency and parity between the private and civil schemes, from the perspective of the motorist user experience. This included the recommendation that penalty charges be set at the same levels, the discount period for paying being the same (50%) and, at least in time, ANPR powers being granted for civil parking enforcement (echoing the findings of the research on civil penalty charge levels).
  - View the response at: [https://www.patrol-uk.info/wp-content/uploads/2024/05/PATROL-response-to-Private-Parking-CfE\\_FINAL\\_061023.pdf](https://www.patrol-uk.info/wp-content/uploads/2024/05/PATROL-response-to-Private-Parking-CfE_FINAL_061023.pdf)
- The consultation closed on 8 October 2023. PATROL awaits the Department's response, which is set to be delayed by the General Election.

## e. Pavement Parking

- **England (outside London):** PATROL continues to await a formal response from the DfT – following its October 2020 consultation – on when policy changes will be announced. This was set to be the summer (see below), but will be impacted by the General Election.
- On 21 March, Lilian Greenwood, MP for Nottingham South (Labour) raised the issue at Transport Topical Questions and received the following response from Minister Opperman: ***'That particular issue is on my desk, and we are considering it at present. I can assure the hon. Lady that the results of the consultation will be published in the summer.'***
- The issue has been raised formally on other recent occasions in both Houses:
  - **8 May (House of Commons):**  
A group of MPs led by Sir Bill Wiggin (North Herefordshire, Conservative) presented a Ten Minute Rule Bill: the Assistance Dogs and Pavement Parking Bill, calling for a prohibition on pavement parking.

The Bill seeks to remove exemptions that prevent access for individuals with assistance dogs, mandate disability equality training for taxi drivers and prohibit pavement parking. Wiggin highlighted the challenges faced by assistance dog users, including frequent refusals from businesses and difficulties navigating obstructed pavements, despite existing legal protections. The Bill aims to enhance accessibility and safety for people with disabilities and their assistance dogs.

- The bill is due for a second reading on 21 June.
- The debate is available at: <https://hansard.parliament.uk/commons/2024-05-08/debates/B7A5E924-E2D9-442E-87DB-E271D7EB551B/AssistanceDogsAndPavementParking>

- **21 February and 7 March (Houses of Commons and Lords)**
  - **Pavement Parking debates:**

In the Commons, Liz Twist, MP for Blaydon (Labour) and others emphasised the negative impact of pavement parking on disabled individuals, families and pedestrians, urging a national ban similar to London to ensure consistent enforcement across the country. They highlighted the inefficiency and cost of local Traffic Regulation Orders (TROs) and called for immediate legislative action to improve pedestrian safety and accessibility.

Minister Opperman assured the house his department is actively working on a response, while reiterating the complexities. See the full debate at:

<https://hansard.parliament.uk/Commons/2024-03-07/debates/047DDD2E-5BA9-4116-8CE2-CAC7805FC102/PavementParking?highlight=pavement%20parking#contribution-8C2495F8-4DC8-442A-98A6-6898BFBEE8D4>

In the Lords, Lords Holmes of Richmond and Wallace of Saltaire highlighted the dangers posed by pavement parking, especially for vulnerable groups, and pressed for clarity on the Government's plans and potential legislative measures. Responding, Lord Davies of Gower, DfT Parliamentary Under Secretary of State, acknowledged the complexity of implementing a national ban and the extensive analysis required for the consultation response.

He mentioned the challenges of delivering effective solutions but assured that the Government is working on the issue. See the full debate at:

<https://hansard.parliament.uk/Lords/2024-02-21/debates/378EC9EE-C357-4081-A91E-9558139DA40D/PavementParking?highlight=pavement%20parking#contribution-56E72CF8-BB4E-400B-B6F4-EEEC3AD5E5AC>

- **Wales:** The Welsh Government's plans to give councils powers to enforce against pavement parking are currently on hold.
  - The decision was made last year due to the pressure on authorities to implement enforcement alongside the planned default 20mph speed limit and reforms to the bus network. Consultation and introduction of the new pavement parking powers are still expected in 2024.
- **Scotland:** The *Transport (Scotland) Act 2019* bans pavement parking, double parking and parking at dropped kerbs, with certain exemptions designated by local authorities; for example, to ensure safe access for emergency vehicles.
  - Authorities currently enforcing or planning to enforce pavement parking include: Aberdeenshire, East Lothian, Edinburgh, Fife, Glasgow, Highland, North Ayrshire and South Ayrshire.

## f. Other items of interest

- 20 May: LEGISLATION – Self-driving vehicles set to be on roads by 2026 as Automated Vehicles Act becomes law**  
 Road safety is at the heart of the legislation, with automated vehicles expected to improve road safety by reducing human error.  
<https://www.gov.uk/government/news/self-driving-vehicles-set-to-be-on-roads-by-2026-as-automated-vehicles-act-becomes-law>
- 25 April: STATISTICS – National Travel Survey mid-year estimates: year ending June 2023**  
 Estimates of travel behaviours by residents of England travelling within Great Britain.  
<https://www.gov.uk/government/statistics/national-travel-survey-mid-year-estimates-year-ending-june-2023>
- 25 April: GUIDANCE – Latest certifications for CCTV and recording devices for traffic offences**  
<https://www.gov.uk/government/publications/list-of-certifications-granted-for-approved-devices>
- 4 April: REPORT – Clean air zone service annual report 2021 to 2022**  
 Jointly produced by the DfT and the Department for Environment, Food & Rural Affairs (Defra), the report focuses on the operational performance of the online GOV.UK clean air zone service (where payment for zone entries is made) and associated channels.  
<https://www.gov.uk/government/publications/clean-air-zone-service-annual-report-2021-to-2022>

## 3. Roll-out of Clean Air Zones (CAZs) and similar schemes in England (outside London) and Wales

### Overview of confirmed local authority plans

Location	Current status
Bath	<ul style="list-style-type: none"> <li>Zone launched 15 March 2021.</li> </ul>
Birmingham	<ul style="list-style-type: none"> <li>Zone launched 1 June 2021.</li> </ul>
Portsmouth	<ul style="list-style-type: none"> <li>Zone launched 29 November 2021.</li> </ul>
Oxford (ZEZ)	<ul style="list-style-type: none"> <li>Pilot zone launched 28 February 2022.</li> <li>Public consultation on wider zone currently ongoing until 3 October 2022.</li> </ul>
Bradford	<ul style="list-style-type: none"> <li>Zone launched 26 September 2022.</li> </ul>
Bristol	<ul style="list-style-type: none"> <li>Launch launched 28 November 2022.</li> </ul>
Newcastle, Gateshead and North Tyneside	<ul style="list-style-type: none"> <li>Launch launched 30 January 2023.</li> </ul>
Sheffield	<ul style="list-style-type: none"> <li>Launch launched 27 February 2023.</li> </ul>
Greater Manchester (Greater Manchester Combined Authority)	<ul style="list-style-type: none"> <li>Mayor Andy Burnham confirmed on 13 December 2023 that a non-charging plan and investment in cleaner transport (buses and taxis) had replaced the CAZ plans. Government sign-off is pending.</li> </ul>
Cardiff	<ul style="list-style-type: none"> <li>Council investigating possibility of a Congestion Charge.</li> </ul>

## 4. Launch of the Driving Improvement Awards



- **PATROL has launched the Driving Improvement Awards – a new programme to fund and develop public awareness and engagement campaigns that focus on important or long-standing issues faced by authority enforcement teams.**

The Driving Improvement Awards replace the Promoting Awareness of Civil Enforcement through Reporting (PACER) Awards from 2024 onwards, shifting the focus to celebrate authorities' customer service, innovation, improvement and engagement more broadly.

- Authorities have the chance to submit a bid for funding for up to £25K to develop a communication campaign or activity to effect change, both in the local area and replicable nationally. This could include, for example, new public information, social media, marketing, branding or PR. Bids will be encouraged around a specific theme each year, based on current or pressing events, issues and trends in the parking and traffic enforcement landscape.
  - **In its inaugural guise this year, the Driving Improvement Awards is focused on the issue of abuse experienced by local authority enforcement staff, both on the front line and in the back office, which speaks to an intensity of negative public sentiment towards parking and traffic enforcement, generally.**
- PATROL's aim is for the programme and its funding package to help create engaging content that drives improvement in either the delivery of services or engagement with the public. More importantly, the content or campaign produced by the winning authority will be made available to all councils to use, helping to ensure the campaign(s) receive national exposure and have a greater impact.
- Winning authorities will be recognised at PATROL's Annual Reception in July, held in Westminster. The PATROL team will then support winning authorities to implement their campaign / activity ahead of next year's event, with the outcomes, learnings and best practice shared with the wider authority cohort.
- **Entries were taken for the awards from February – March, with Chief Executives and Enforcement Teams contacted separately to invite submission of bids for funding online. PATROL has received a number of bids and is currently reviewing entries ahead of announcing a shortlist in early June.**