
**Minutes of a meeting of the PATROL Adjudication Joint Committee
Executive Sub Committee held on 25 September 2012 at the
Warwickshire County Cricket Club, Edgbaston, Birmingham.**

Present:

Councillor Ken Gregory	Thanet Council
Councillor John Leather	Cheshire West and Chester Council
Councillor Jamie Macrae	Cheshire East Council
Councillor Harvey Siggs	Somerset County Council
Councillor Roland Dibbs	Rushmoor Council
Councillor Richard Bell	Sunderland City Council
Councillor Tony Page	Reading Borough Council
Councillor Alan Cooper	Carmarthenshire County Council

Apologies:

Councillor Phrynette Dickens	Hampshire County Council
Councillor Mike Carver	East Herts
Councillor Rachel Bailey	Cheshire East Council
Councillor Ian Davey	Brighton & Hove City Council
Councillor Rodney Rose	Oxfordshire County Council
Councillor Paul Key	Gedling Borough Council

Also Present:

Louise Hutchinson	PATROL
Andy Diamond	PATROL
Kelly Cornell	PATROL
Miles Wallace	PATROL
Andrew Barfoot	Traffic Penalty Tribunal
Caroline Sheppard	Traffic Penalty Tribunal
Chris Shepherd	Manchester City Council
Graham Addicott	Vice-Chair Advisory Board
Kevin Melling	Cheshire East Council
Brian Reed	Cheshire East Council
Anjna Patel	Sandwell Council
Helen Crozier	Oxfordshire County Council
Robin Chantrill-Smith	Thanet Council
John McEvoy	Carmarthenshire Council

PATROL/EXE/12/1 Minutes of the PATROL Adjudication Joint Committee

Decision

To note the minutes of the PATROL Adjudication Joint Committee held on 26 June 2012.

PATROL/EXE12/2 Minutes of the PATROL Adjudication Joint Committee Executive Sub Committee

Decision

To approve the minutes of the PATROL Adjudication Joint Committee Executive Sub Committee held on 28 June 2011.

PATROL/EXE12/3 Traffic management Developments in Wales

Councillor Cooper tabled a document which provided the Committee with an update of the traffic management development in Wales.

The document stated that the Welsh Government is bringing forward a suite of Regulations that will implement, in full, the civil enforcement provisions in part 6 of the Traffic Management Act 2004.

The overall aim of the Regulations would be to improve bus services by allowing local authorities to put in place effective traffic management and enforcement measures that will help to tackle congestion and provide priority through traffic for local bus services. This would help to improve the punctuality and reliability of local bus services and help make them more attractive for passengers.

Following the introduction of Regulations in 2008, local authorities in Wales could apply to Welsh Ministers to become Civil Parking Enforcement authorities (CPEs). (Similar arrangements were put in place in England). The Welsh Government was now introducing regulations to allow CPEs to enforce some bus lane, parking and moving traffic offences.

Rather than producing separate sets of regulations in respect of bus lanes, parking and moving traffic offences, the provisions have been consolidated into four statutory instruments. This would simplify and consolidate the law in this area for the general public. There were two additional statutory instruments currently in force which deal with certain aspects of civil enforcement that complement these provisions.

These Regulations would enable local authorities to assume responsibility for enforcement of bus lane and certain moving traffic offences. They incorporate, for the purposes of consolidation, existing powers available to local authorities to enforce parking contraventions within their area. This would provide local authorities

with a full basket of powers to tailor their approach to particular local circumstances, improving the likelihood of success.

The timescale, in conjunction with the Wales Office, was for the Regulations to be laid simultaneously in Parliament and the National Assembly for Wales during October and have a coming into force date, subject to parliamentary and plenary debate time and clearance, of December 2012.

The Welsh Government would then prepare statutory and operational guidance for local authorities that would be published in due course.

Decision

To note the report.

PATROL/EXE/12/4 Memorandum of Understanding

The Lead Officer gave a brief update on the production of the Memorandum of Understanding between the Adjudicators and the Joint Committee which will be reported in full to the November 2012 meeting.

Decision

To note the production of the Memorandum of Understanding.

PATROL/EXE/12/5 Part-time Adjudicator Recruitment

A report informing the Joint Committee of the planned recruitment exercise for the appointment of part-time adjudicators was submitted.

Decision

To note the planned recruitment exercise.

PATROL/EXE/12/6 Tribunal General Progress and Service Standards

A report was submitted which detailed the progress in respect of the take up of civil parking enforcement powers by Councils in England (outside London) and Wales and information in relation to general progress and service standards.

The Committee noted that during the first quarter of 2012/13, nine new Councils had joined the scheme, namely: Northumberland County Council, East Hampshire District Council, Somerset County Council, Mendip District Council, Sedgemoor District Council, South Somerset District Council, West Somerset Council, Ceredigion County Council and Rhondda Cynon Taf County Borough Council.

The Lead Officer also reported that in section 4 of the report, the performance figure for time taken to answer the telephone for the period April – June 2012 was 96.05%.

Decision

1. To note the information provided in the report in respect of the current take up of civil enforcement of parking powers.
2. To note the information in relation to appeals activity.
3. To note the information in relation to service standards.

PATROL/EXE/12/7 New Host Authority Arrangements

It was reported that the Chair and the Lead Officer had attended a meeting of the Cabinet for Cheshire East Council where the decision was made that Cheshire East Council would become the host authority for PATROL.

Councillor Macrae, the representative from Cheshire East Council read out the Cabinet's decision as follows:

“2.1 To agree to undertake the role of Host Authority to the PATROL Adjudication Joint Committee and Bus Lane Adjudication Service Joint Committee subject to all legal and financial due diligence being satisfactorily completed in accordance with the proposed timetable. This decision will be communicated to the PATROL Adjudication Joint Committee at their next meeting.

2.2 Subject to 2.1 above to delegate authority to the Head of Highways, in consultation with and subject to the approval of the Borough Solicitor and the S151 Officer and the appropriate Portfolio Holder, to develop and implement a detailed activity schedule that will anticipate the commencement date for Cheshire East Council becoming the Host Authority on 1 January 2013.

2.3 To note that by becoming the Host Authority, this will trigger the automatic application of the TUPE Regulations which will affect a transfer of 24 employees (Chief Adjudicator and 23 support staff) from Manchester City Council to Cheshire East Council”.

The Lead Officer explained that she would be working very closely with Kevin Melling and his colleagues from Cheshire East Council in relation to HR, democratic services and property services. The priority for the service was to confirm the location of the offices and to arrange for the staff to be TUPE over to Cheshire East.

The members of PATROL expressed their appreciation to the Lead Officer and the staff and colleagues for the work that has been done to ensure a smooth handover.

A meeting would be convened on 21 November 2012 to formalise the new appointment of the Host Authority.

PATROL/EXE/12/8 Private Parking Enforcement – Independent Appeals Service

A report was submitted which informed the Committee of the submission made to the Minister in connection with the tender for the Private Parking Enforcement – Independent Appeals Service.

Members asked when information about this new service would be available as Local Authorities would have to update their websites and call centres in order to deal with enquiries from the general public. The Committee were informed that the British Parking Association had prepared information leaflets which would be circulated to all local authorities. The Chief Adjudicator reported that the Department of Transport had produced draft guidance which was available on their website. The Lead Officer would arrange for copies to be circulated.

Decision

To note the submission made to the Minister.

PATROL/EXE/12/9 Adjudication for Road User Charging Schemes in England

A report to inform the Committee of the Government's plans to introduce The Road User Charging Schemes (Enforcement) (England) Regulations was submitted. The report also sought approval to progress discussions with the Department for Transport and Highway Agency on the provision of adjudication arrangements.

The Head of Service explained that she would liaise with the new host Authority in order to engage with the Highways Agency.

Decision

1. To note the report.
2. To approve the Chief Adjudicator and Head of Service progressing discussions with the Department of Transport and Highways Agency on the provision of adjudication arrangements and report to the Joint Committee at a later date.

PATROL/EXE/12/10 Equality Policy Statement

A report which submitted the Equality Policy Statement for approval was submitted.

Decision

To approve the PATROL Adjudication Joint Committee Equality Policy Statement.

PATROL/EXE/12/11 Patrol Annual Report Award 2011/12

A report which informed the Joint Committee of the findings of the PATROL Annual Report Review Group for 2012/11 was submitted.

Decision

To note the findings of the Review Group.

PATROL/EXE/12/12 Final Annual Accounts 2011/12

The Lead Officer informed the Committee that the final annual accounts for 2011/12 had not yet been received from the Auditors BDO. A report will be presented to the November meeting.

PATROL/EXE/12/13 Budget Monitoring of revenue account 2012/13

A report which presented the expenditure monitoring information in respect of the Revenue account for 2012/13 was submitted. The Lead Officer advised the Committee that based on the first quarter, it was anticipated that there would be an underachievement of appeals related income from the Bus Lane Adjudication Service Joint Committee account to the PATROL account. This would be monitored and a further monitoring report presented to the next meeting.

Decision

1. To note the report.
2. To authorise the Lead Officer to incur expenditure against the revenue budget in excess of the £3,072,064 set by the Committee, should the need arise, provided such expenditure is within the total income.

PATROL/EXE/12/14 Risk Register

A report which presented the most recent review of the risk register was submitted. The Lead Officer provided an overview of IT security arrangements.

Decision

To note the report.

PATROL/EXE/12/15 Date of next meeting

PATROL Adjudication Joint Committee – 21 November 2012 – time and venue to be confirmed

PATROL Adjudication Joint Committee Executive Sub Committee – 29 January 2013