

PATROL ADJUDICATION JOINT COMMITTEE
Executive Sub Committee
Agenda

Date: Tuesday 23rd January 2024
Time: 11.00 am
Venue: The Studio, 7 Cannon Street, Birmingham B2 5EP

1. **Apologies for Absence**

To receive apologies for absence (Page 4, enclosed).

2. **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.

3. **Minutes of the Previous Meeting**

To approve the minutes of the PATROL Adjudication Joint Committee Executive Sub Committee held on 17th October 2023 as a correct record (Pages 5-13, enclosed).

4. **Chair's Update (Verbal Update)**

To provide the Executive Sub Committee with a general update since the last meeting.

5. **Chief Adjudicator's Update (General Progress report)**

To receive an update from the Chief Adjudicator (Pages 14-20, enclosed).

6. **Budget Monitoring Update for 2023-24 - PATROL**

To consider a report on the Income and Expenditure position at 31st October 2023 for the year 2023/24 including the Reserves position at 31st October 2023 against the approved Reserves levels in order to comply with the approved Financial Regulations (Pages 21-24, enclosed).

7. **Reserves Policy Statement**
To review the Reserves Policy Statement for the Joint Committee for 2024/25 and to request that the Joint Committees approve the Reserves Policy Statement for 2024/25 (Pages 25-29, enclosed).
8. **Annual Investment Strategy 2024/2025**
To approve the Annual Investment Strategy for 2024/25 (Pages 30-31, enclosed).
9. **Revenue Budgets for 2024-25**
To adopt the revenue budget estimates for 2024/25 (Pages 32-37, enclosed).
10. **Defraying the Expenses of the Joint Committee**
To establish the basis for defraying expenses during the 2024/25 Financial Year (Pages 38-42, enclosed).
11. **Risk Management Framework**
To note the latest review of the Risk Register (Pages 43-47, enclosed).
12. **Member Portal**
To consider a report on the introduction of a member portal (Pages 48-49, enclosed).
13. **Proposed Evolution of Annual Awards and Reception Format**
To note the changes to the format of the PACER Awards (Pages 50-52, enclosed).
14. **Public Affairs Report**
To note the Public Affairs report during 2023 (Pages 53-59, enclosed).
15. **Date of next meeting of the PATROL Adjudication Joint Committee**
To note the date of the next Joint Committee meeting as follows:-
Tuesday 9th July 2024 at the Local Government Association Headquarters, 18 Smith Square, London, SW1P 3HZ. To be followed by the Local Impact Awards (formerly known as the PACER awards).
16. **Date of next meeting of the PATROL Adjudication Joint Committee Executive Sub Committee**
To note the date of the next Executive Sub Committee meeting as follows:-
Tuesday 15th October 2024 at the Local Government Association Headquarters, 18 Smith Square, London, SW1P 3HZ

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

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

ITEM 1

PATROL Adjudication Joint Committee – Executive Sub Committee- 23rd January 2024

Apologies

Councillors

Cllr David Pidwell - Bassetlaw District Council

Cllr Mike Crane - Tandridge District Council

Officers:

Jason Passfield - Adur and Worthing Councils

ITEM 3

Minutes of a meeting of the
**PATROL Adjudication Joint Committee Executive
Sub Committee**

held on 17 October 2023 in the Westminster Suite, 18 Smith Square,
London SW1P 3HZ

PRESENT

Councillor Stuart Hughes (Devon County Council) in the Chair

Councillor David Pidwell - Bassetlaw District Council

Councillor Paula Burdess - Blackpool Council

Councillor Laura Crane - Cheshire East Council

Councillor Denise Rollo - Cumberland Council

Councillor Marilyn Peters - Dartford Borough Council

Councillor Graham Burgess - Hampshire County Council

Councillor Vanessa Churchman - Isle of Wight Council (Substitute for
Councillor Phil Jordan)

Councillor Sam Riches - Lancaster City Council

Councillor Louise Marshall - North Tyneside Council

Councillor Chris Aldred - North Yorkshire Council

Councillor Margot McArthur - Sevenoaks District Council

Councillor Henry Nottage - Sheffield City Council

Councillor Mary Bing Dong - Spelthorne Borough Council

Councillor Andrew Stevens - Swansea Council

Councillor Geof Driscoll - Uttlesford 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

Caroline Hamilton - Traffic Penalty Tribunal

Erica Maslen - PATROL

Laura Padden - PATROL

ALSO IN ATTENDANCE

Paul Nicholls - Brighton and Hove City Council, Advisory Board

Marc Samways - Hampshire County Council, Advisory Board

28 APOLOGIES FOR ABSENCE

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

Councillor Abdel Ibrahim, Basingstoke and Deane Borough Council, Councillor Colin Hutchinson, Calderdale Council, Councillor Gareth Tranter, Central Bedfordshire Council, Councillor Andrew McHugh, Cherwell District Council, Councillor Phil Jordan, Isle of Wight Council, Councillor Jonathan Pessol, North Keveston District Council and Councillor Hannah Avery, Reigate and Banstead Borough Council.

In addition, apologies were received from Andy Diamond PATROL, Mark Fletcher, Advisory Board, Matt Jones, Advisory Board, Chris Major, Advisory Board, Jason Passfield, Advisory Board, Rob Shoebridge, Advisory Board and Richard Waters, Advisory Board.

29 DECLARATIONS OF INTEREST

There were no declarations of interest.

30 MINUTES OF THE MEETING HELD ON 24th JANUARY 2023

RESOLVED

That the minutes of the meeting of the PATROL Adjudication Joint Committee Executive Sub Committee held on 24th January 2023 be noted and signed by the Chair.

(Due to Councillor S Hughes being the only member present at the meeting the minutes could not formally be approved as a correct record).

31 CHAIR'S UPDATE

The Chair gave a verbal update which covered the following matters:-

- Agenda items to be considered by members of the Executive Sub Committee;
- Research exercise with local authorities in conjunction with the British Parking Association and the Local Government Association on the current levels of civil parking penalty charges in England and Wales;
- A summary of PATROL's response to the Government's Department for Levelling Up, Housing and Communities call for evidence on options for private parking charges and debt recovery fees;
- A summary of the Transport Secretary's 'Plan for drivers' which outlined a number of measures that would directly impact authorities' traffic management and enforcement, including:

- (i) Restricting the operating times of bus lanes;
- (ii) Strengthening guidance on moving traffic enforcement;
- (iii) Consulting on the generation of surpluses from traffic enforcement and the public's right to challenge local authority parking policies;
- (iv) Delivering a new National Parking Platform and digitising traffic regulation orders;
- (v) Powers for authorities to roll-out noise cameras and extending enforcement on roadside littering;
- (vi) Speeding up the roll-out of EV charge points;
- Response by Government to the pavement parking consultation undertaken in 2020.

It was agreed that copies of the presentations would be circulated to members after the meeting.

RESOLVED

That the Chair's update be noted.

32 CHIEF ADJUDICATOR'S UPDATE

Caroline Hamilton attended the meeting and gave an update in respect of the following matters:-

- Appeal trends including levels of enforcement and the relationship to the number of charges appealed;
- Number of hearings and adjudicator performance;
- Case closure times;
- Adjudicator priorities including an adjudicator training event arranged to take place at the end of November in Cardiff;
- Key cases website.

Members asked questions in respect of the number of adjudicators employed by the tribunal, whether adjudicators predominantly worked from home or an office, whether or not adjudicator training is mandatory and did the wording printed on PCNs make it clear how people could appeal.

In response the Chief Adjudicator confirmed there were 24 adjudicators appointed all working remotely from across the country. Adjudicators were expected to attend the training. So far, she advised only 2 adjudicators had confirmed they were unable to attend. In respect of the wording on the PCN, specifically regarding the appeals process, all councils were required to follow the statutory regulations in terms of what information should be printed on the PCN. She was not aware of any council not following regulations.

RESOLVED

That the Chief Adjudicator's update be noted.

33 PATROL ANNUAL RETURN 2022/23

Consideration was given to a report on the findings of the External and Internal Auditors for the year 2022/23.

RESOLVED

1. That the findings of the External Audit Reports for 2022/23 contained within appendix one of the report be noted.

2. That the findings of the Internal Audit Report for 2022/23 contained within appendix two of the report be noted.

34 BUDGET MONITORING UPDATE FOR FINANCIAL YEAR 2023-24

Consideration was given to a report on the Income and Expenditure position at 31st August 2023 (now combined for both PATROL and BLASJC) for the year 2023/24 alongside consideration of a report on the Reserves position at 31st August 2023 (now combined for both PATROL and BLASJC) against the approved Reserves levels in order to comply with the approved Financial Regulations.

RESOLVED

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

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

35 DEFRAYING THE EXPENSES OF THE JOINT COMMITTEE

Consideration was given to a report which reviewed the basis for defraying expenses during the 2023/24 Financial Year.

Questions were asked in respect of whether or not invoices to councils would be backdated, whether or not there would be a requirement to increase the charge back to 30p if staffing vacancies needed to be filled and if there was a mechanism for PATROL to fund external ventures proposed by private entities.

In response the Director confirmed that as local authorities had already been invoiced for the first part of the year, the five pence reduction would be implemented from October 2023.

In respect of staffing vacancies, members were informed that there was already an allocation within the budget to cover any anticipated increases in appeals and therefore posts were held in reserve in the event that if any positions needed to be filled, then the finances to do this would come from within the existing budget.

In response to the question regarding whether or not there was a mechanism for PATROL to provide funding towards private enterprises such as NPED or any other similar initiative, members were advised that although PATROL retains an innovation fund that is available to local authorities to pitch for funding from (with the caveat that it will benefit all authorities in England and Wales),

this has an allocation of only £25,000 and the initiatives must be authority led/owned.

The request for funding of £310,000 made to the Joint Committee by the CEO of NPED was in excess of the limits set by the Financial Regulations and therefore, in order to comply officers would need to commence a formal tender process and seek approval to make any such investment. In addition, it is unclear without seeking counsel advice, as to whether we are able to contract with a commercial organisation of this nature and without any assurances as to how this funding would be used.

The Joint Committee did not have the authorisation to award such an amount without a compliant procurement process taking place and neither was the request a fully considered funding proposal so there were no assurances as to how any such funding would be used. Furthermore, the amount of £1,000 which each authority was being asked to contribute was, for a third of PATROL's member councils, in excess of the amount they currently pay annually to PATROL to administer the Traffic Penalty Tribunal.

Finally, if the Joint Committee were in the position to approve the funding request, members were advised that this would impact on the organisation's budget leading to a deficit in terms of the organisation's minimum reserve levels. Officers therefore would not be able to offer a reduction in the PCN charge from 30 pence to 25 pence as is being decided today.

RESOLVED

1. That for the Financial Year 2023/24, the Executive Sub Committee approved a reduction in charge from **30 pence per PCN issued to 25 pence per PCN issued effective from 1st October 2023** for member authorities, and noted the expected impact on reserves contained within paragraph 4.6 of the report.

2. That this would be reviewed at the January 2024 meeting in the light of actual income and expenditure information as part of the budget approval process for the year 2024-25.

3. That the rate of **25 pence per PCN** would apply to penalties issued as follows:

Parking – England and Wales

Bus Lanes and Moving Traffic – England and Wales

Road User Charging – England and Wales (In respect of Clean Air Zones, and the Durham Peninsular)

Littering from Vehicles – England

4. That it be noted separate charging arrangements would be entered into with National Highways and Halton Borough Council who were not members of the Joint Committee but with each of whom the Joint Committee had entered into a Memorandum of Understanding. Ring-fenced balances associated with

these schemes would be reported separately to the Joint Committee within budget monitoring reports.

5. That there would be no annual charge, nor cost per case apart from the LFV PIN Generator initiative approved at the October 2022 meeting.

6. Invoicing would be undertaken based on monthly returns received from enforcement authorities as in 22/23.

36 EXPENDITURE FALLING OUTSIDE OF THE SCHEME OF DELEGATION

Consideration was given to a report on the expenditure falling outside the Scheme of Delegation.

One member had noted that the wording contained on page of the report- '*Advise the Joint Committee as soon as possible*' was not considered to be sufficiently robust and it was therefore agreed that when the report came back for consideration at the July 2024 PATROL Adjudication Joint Committee meeting the wording would be amended to address the concerns raised by the councillor.

Further to this a query was raised regarding references to the European Union within the report. In response, the Director confirmed that the terminology used was in accordance with the way the regulations had been written. She advised that legislation had not been redrafted since Brexit and therefore reference to the EU threshold was a necessity until legislation was amended.

RESOLVED

That the report be noted.

37 RISK MANAGEMENT FRAMEWORK

Consideration was given to a report summarising the most significant threats facing the Joint Committee which could prevent or assist with the achievement of its objectives. The only change reported from the previous meeting was in relation to CR2-Lack of Financial Resistance. This rating had been reduced from a risk of 8 to a risk of 5 as a consequence of the improved financial position in line with the recommendation to reduce to the per PCN charge to 25 pence.

In respect of this change it had been queried if this reduction had accounted for an increase in staffing or fluctuation appeals volumes. The Director confirmed that the budget did allow for flexibility should appeals increase and further staff be required.

A further question was also raised in relation to CR3 and whether or not there was a greater risk of 'online scams'. In terms of PATROL the Director felt the organisation was at a relatively low risk from a cyber-attack. Whilst the organisation held a significant amount of personal data it was not classed as high-risk data. At the July meeting officers had requested for a draw down from the technology reserve with a view to carrying out a thorough cyber review to ensure the organisation was as secure as possible.

RESOLVED

That the report be noted.

38 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 an update in relation to the following matters:-

- **Moving Traffic** - The report contained a list of all authorities that had been granted powers to date. Tranche three would be open to authorities until later in October.
- **PCN Charge Research** – Concerns had been raised by councils that the current fines were not acting as a deterrent to motorists. PATROL, with support from the British Parking Association and the backing of the Local Government Association, had conducted research into how current levels of parking penalty charges were impacting and possibly impeding local authority members in managing and enforcing their road networks. There was also a request for financial evidence to reflect the view PCN charges were too low. Members were advised there had been no formal review of civil parking penalty charges in England and Wales since 2008, with the exception of in London.

Members were informed that a survey had been sent to parking managers across member authorities in May / June, with responses and data currently being collated. Initial findings from the research showed that approximately 40% of authorities were running the parking service at a loss.

PATROL was scheduled to publish a report once it had been scrutinised by the Advisory Board, which would be shared with the Roads Minister Richard Holden in the Autumn.

One of the recommendations being made to the minister would be for the Joint Committee to have the same powers as London so that the Joint Committee could consider and set the appropriate PCN charge for local authorities.

- **Level of private parking penalty charges and debt recovery fees in England** - The Department for Levelling Up, Housing & Communities was currently consulting on the level of penalty charges that private parking operators were able to charge, as well as the associated debt recovery fees. PATROL had prepared a response to the consultation, which closed on 8th October which in summary stated that the PCN charge should be increased in line with the findings of the PCN charge research recommendations.

- **Pavement Parking**

Wales - The Welsh Government's plans to give councils powers to enforce against pavement parking were currently delayed. The decision was made 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 was due to be finalised this year, but this had been further delayed. PATROL had offered the government assistance in ensuring Civil Enforcement Officers had guidance in terms of what was classed as an obstruction.

England - In respect of England (outside London): PATROL continued to await an update from the Department for Transport (DfT) following its October 2020 consultation on when policy changes would be announced. On 20th September 2023, the Department confirmed the consultation response would be published 'in due course'. The general consensus from members was that pavement parking was an urgent issue that needed addressing.

Councillor Henry Nottage advised that his authority had established operation; 'Parksafe' whereby a web platform had been created that allowed members of the public to report traffic offences directly to the police and send in digital photographs. Photographs and reports were triaged by officers, and then used to prosecute those whose park vehicles in a dangerous or antisocial manner. Members were keen to learn more and Councillor Nottage agreed to circulate further detailed information on this scheme after the meeting.

- **Plan for Drivers** - Released during the conservative party conference – This set out the government's intention to prioritise the 'motorist', and there were references that there would be a consultation on some of the initial proposals in due course. As enforcement, particularly moving traffic contraventions were a point of focus in that document, members were encouraged to read it and liaise with officers to prepare any individual responses to the consultation.
- **National Parking Platform** - Richard Holden MP had recently written to local authorities to invite them to join/register for the National Parking Platform - a system that connected the various apps available for paying for parking - meaning that motorists would not need to download multiple apps and that only one app would be required. Local authority registration was free until Easter 2024 and it was irrelevant if councils were tied into existing contract as it was still something that could be signed up to now.

RESOLVED

That the update be noted.

39 APPOINTMENTS TO THE ADVISORY BOARD

Consideration was given to a report on appointments to the Advisory Board.

RESOLVED

That the report be noted.

40 A BRIEF OVERVIEW OF CIVIL PARKING AND MOVING TRAFFIC ENFORCEMENT

Paul Nicholls of Brighton & Hove City Council and Marc Samways of Hampshire County Council and attended the meeting and gave a presentation on Civil Parking and Traffic Enforcement.

Members asked the following questions:-

- How large would an authority need to be to fund the cost of the cameras;
- Had Hampshire County Council considered moving cameras from one location to another;
- Whether or not calibration from the VCA was site specific and not just equipment specific;
- Differences between an advisory and a mandatory cycle lane and could cameras be used to gather data which reclassified cycle lanes from advisory to mandatory;
- Could cameras be used to cover other parking contraventions taking place outside schools;
- Were School Street Schemes to be included within the legislation;
- Where did the funding come from to purchase the cameras.

RESOLVED

That the presentation be noted.

41 DATE OF NEXT MEETING

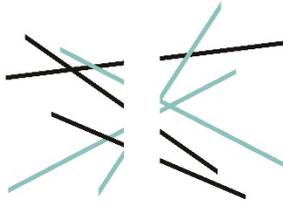
It was noted that the date of the next meeting of the PATROL Adjudication Joint Committee Executive Sub Committee would take place as follows:-

Tuesday 23rd January 2024 at The Studio, 7 Cannon Street, Birmingham, B2 5EP

The meeting commenced at 11.00am and concluded at 1.05pm.

Councillor S Hughes

(Chair)



Traffic Penalty Tribunal England and Wales

General Progress Report

November 2023

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 – 30 September 2023 (19/20 being predominantly pre pandemic, 23/24 being post pandemic).

The 23/24 numbers throughout this report refer to 6 months from April to end September 2023.

	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 - 6m	18,163	-39.4%	12,026	-44.6%	6,961	-43.0%	part year - 6m
2022/23 of 2019/20	84.9%		61.4%		77.2%		
2022/23 - 6m	14,906		10,634		6,393		
6m 23/24 v 6m 22/23	21.9%		13.1%		8.9%		

* Like for Like excludes CAZ

** excludes CAZ and RUC

	PCNs appealed		
	21/22	22/23	YoY change
Parking - England	6,438	6,949	7.9%
Parking - Wales	539	612	13.5%
Bus Lanes	4,723	4,544	-3.8%
Moving Traffic	109	103	-5.5%
Dartcharge	5,967	8,478	42.1%
LFV	4	9	125.0%
Mersey Gateway	1,902	998	-47.5%
CAZ	6,655	8,270	24.3%
Durham	0	0	0.0%
Total	26,337	29,963	13.8%
	0	0	
like for like - exc CAZ	19,682	21,693	10.2%
exc CAZ and RUCA	11,813	12,217	3.4%

	PCNs appealed - 6m YoY		
	23/24	22/23	YoY change
	4175	3818	9.4%
	372	291	27.8%
	2359	2236	5.5%
	44	44	0.0%
	4636	3807	21.8%
	11	4	175.0%
	429	434	-1.2%
	6137	4272	43.7%
	0	0	0.0%
Total	18,163	14,906	21.9%
	0	0	
	12,026	10,634	-11.6%
	6,961	6,393	-8.2%

compares pre pandemic to now

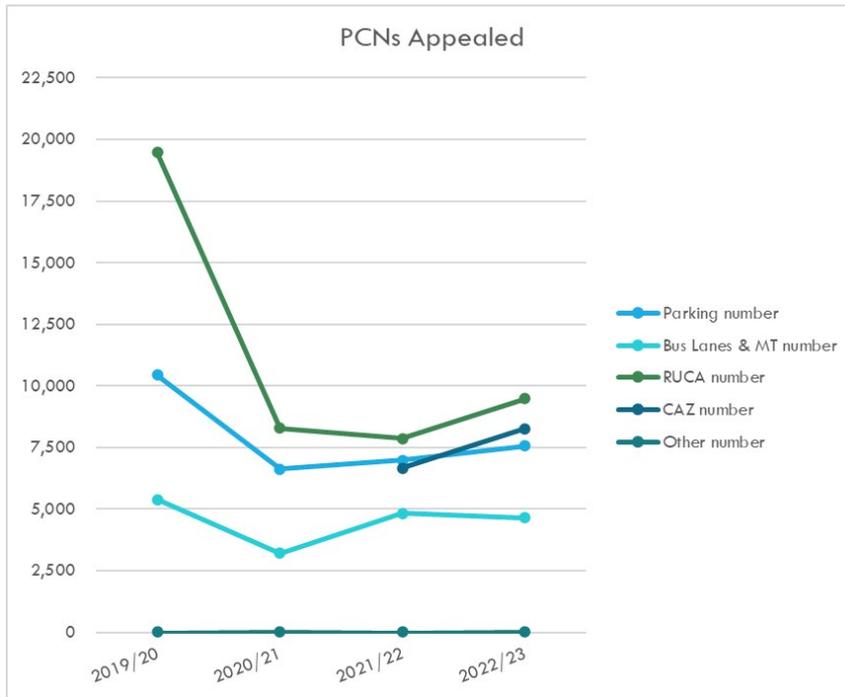
	PCNs appealed	
	19/20	22/23 v 19/20
	9,668	-28.1%
	770	-20.5%
	5,229	-13.1%
	155	-33.5%
	8,534	-0.7%
	4	125.0%
	10,943	-90.9%
	0	0.0%
	0	0.0%
Total	35,303	-15.1%
	0	
	35,303	-38.6%
	15,826	-22.8%

Throughout this report RUCA refers to Dartcharge and Mersey Gateway

	2019/20		2023/24 to date	
Parking	10,438	29.6%	4,547	25.0%
Bus Lanes & MT	5,384	15.3%	2,403	13.2%
RUCA	19,477	55.2%	5,065	27.9%
CAZ	0	0.0%	6,137	33.8%
Other	4	0.0%	11	0.1%
Total	35,303	100.0%	18,163	100.0%

Key points:

- Overall increase in PCNs appealed between 21/22 and 22/23 of 13.8%
- CAZ now make up 33.8% of our appeals activity
- Change by appeal stream between 21/22 and 22/23 as follows:
 - Parking England 7.9%
 - Parking Wales 13.5%
 - Bus Lanes -3.8%
 - Moving Traffic -5.5%
 - Dartcharge 42.1%
 - Mersey Gateway -47.5%
 - CAZ 24.3%
- 22/23 compared 19/20, pre and post pandemic, are as follows:
 - Total is only 84.9% of pre pandemic levels
 - Like for Like (exc CAZ) is 61.4% of pre pandemic levels
 - Parking appeals are 69.4% of pre pandemic levels
 - Bus Lane and MT appeals are 71.9% of pre pandemic levels
 - Dartcharge appeals are 99.3% of pre pandemic levels
 - Mersey Gateway appeals are 9.1%
- Overall appeals are 21.9% higher than the same 6-month period last year
 - The largest increase relates to CAZ
 - Parking and Bus Lanes saw an increase of 8.9% Year on Year
 - Appeals also increased by 13.8% between 21/22 and 22/23



2. Context of PCNs Issued by Enforcement Authorities

The following two tables look at the levels of enforcement and their relationship to the numbers of PCNs being appealed, between 2019/20 (pre pandemic) and 21/22 post pandemic.

2022/23 numbers are not yet fully verified and hence not published. These should be available for the January ESC meeting. There are currently 2 returns outstanding for Bus Lanes and 15 for Parking. These are being chased weekly.

Rate of Appeal

	2020/21			2021/22		
	PCNs Issued	PCNs Appealed	Appeal Rate %	PCNs Issued	PCNs Appealed	Appeal Rate %
Bus Lanes - England	1,230,691	3,072	0.2%	2,163,455	4,723	0.2%
Bus Lanes & MT	47,470	139	0.3%	73,809	109	0.1%
Parking - England	3,085,501	6,194	0.2%	4,968,158	6,438	0.1%
Parking - Wales	136,336	439	0.3%	259,239	539	0.2%
Dartcharge	1,671,267	6,083	0.4%	2,198,857	5,967	0.3%
Mersey Gateway	375,841	2,189	0.6%	588,500	1,902	0.3%
CAZ	0	0	0.0%	838,047	6,655	0.8%
LFV	159	6	3.8%	437	4	0.9%
Total	6,547,265	18,122	0.3%	11,090,502	26,337	0.2%
	0	0		0	0	

Exc CAZ	6,547,265	18,122	0.3%	10,252,455	19,682	0.2%
Exc CAZ and MG	6,171,424	15,933	0.3%	9,663,955	17,780	0.2%

	19/20 to 21/22	
	Change in number of PCNs Issued	Change in number of PCNs Appealed
Bus Lanes - England	13.1%	-9.7%
Bus Lanes & MT - Wales	-0.2%	-29.7%
Parking - England	0.7%	-33.4%
Parking - Wales	-3.2%	-30.0%
Dartcharge	-5.7%	-30.1%
Mersey Gateway	-6.6%	-82.6%
CAZ	-	-
Total	9.3%	-25.4%

Key Points:

- The rate of appeal has dropped across all appeal streams except CAZ which is a new stream in this time
- This means that where the number of PCNs issued has dropped, the number of Appeals received has dropped by a greater amount
- The reduction in rates of appeal would indicate that appeals for PCNs are being resolved at an Enforcement Authority level and therefore not coming to the tribunal.
- The trend is particularly marked in the Bus Lane (England) numbers whereby the number of PCNs issued has increased by 15.9% between 19/20 and 21/22 but the number of PCNs appealed has reduced by -7.8%.

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	Tel	Video	E-decision	
2023/24	8,426	0	1,324	593	6,509	<i>part year</i>
2022/23	11,146	0	1,620	718	8,808	<i>full year</i>
2021/22	10,130	0	1,509	586	8,035	<i>full year</i>
2020/21	8,189	0	1,343	46	6,800	<i>full year</i>
2019/20	15,395	6	3,706	30	11,653	<i>full year</i>
2018/19	13,838	14	3,099	20	10,705	<i>full year</i>
2017/18	11,134	596	1,922	2	8,614	<i>full year</i>

	Cases requiring a Decision					
	TOTAL	F2F	Tel	Video	E-decision	
2023/24	100.0%	0.0%	15.7%	7.0%	77.2%	<i>part year</i>
2022/23	100.0%	0.0%	14.5%	6.4%	79.0%	<i>full year</i>
2021/22	100.0%	0.0%	14.9%	5.8%	79.3%	<i>full year</i>
2020/21	100.0%	0.0%	16.4%	0.6%	83.0%	<i>full year</i>
2019/20	100.0%	0.0%	24.1%	0.2%	75.7%	<i>full year</i>
2018/19	100.0%	0.1%	22.4%	0.1%	77.4%	<i>full year</i>
2017/18	100.0%	5.4%	17.3%	0.0%	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 **3.75%**.

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 20th November 2023 there are 2,099 PCNs that are ready for and awaiting a decision. 358 of these relate to the CAZ in Birmingham. 806 relate to all other Enforcement Authorities but where there are less than 25 PCNs awaiting decision for any one authority.

Decisions Outstanding as at 20/11/23

Authority	Number PCNs
Birmingham CAZ	358
Bradford CAZ	293
Dartcharge	179
Sheffield CAZ	121
Bristol CAZ	91
Halton BC	45
Southampton Parking	38
Leeds Bus Lanes	36
Bristol Bus Lanes	35
Sheffield Bus Lanes	34
Birmingham Parking	32
Birmingham Bus Lanes	31
< 25 PCNs per LA	806

2,099

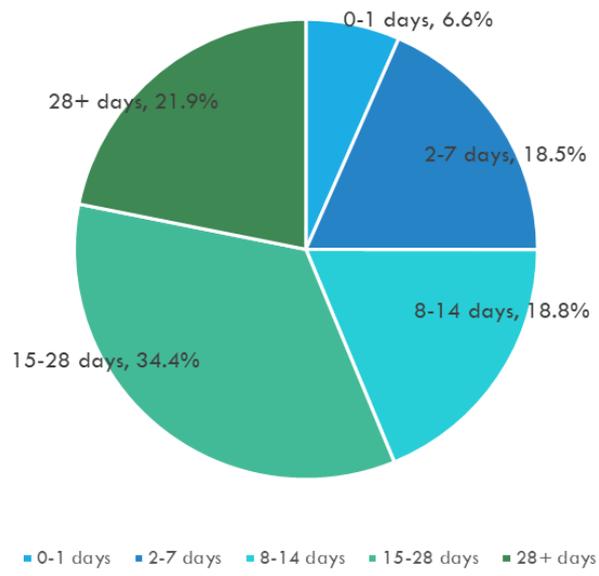
The data below shows appeal case closure times for cases received between 1 April 2023 and 9th September 2023.

Case Closure	
0-1 days	6.6%
2-7 days	18.5%
8-14 days	18.8%
15-28 days	34.4%
28+ days	21.9%

100%

Case Closure	
7%	0-1 day
25%	Less than 7 days
44%	Less than 14 days
78%	Less than 28 days
22%	More than 29 days

Days to Closure - current year



PATROLAJC Executive Sub Committee

Date of Meeting:	23 rd January 2024
Report Title:	Budget Monitoring Update for Financial Year 2023-24
Report of:	Laura Padden, Director, PATROL

1.0 Purpose of Report

- 1.1 To report the Income and Expenditure position at 31st October 2023 for the year 2023/24 in order to comply with the approved Financial Regulations.
- 1.2 To report the Reserves position at 31st October 2023 against the approved Reserves levels in order to comply with the approved Financial Regulations.

2.0 Recommendations

- 2.1 To note the Income and Expenditure position at 31st October 2023 for the year 2023/24.
- 2.2 To note the Reserves position at 31st October 2023 against the approved Reserves levels.

3.0 Reasons for Recommendations

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

4.0 Background**4.1 At 31st October 2023 Income is £88,334 over budget (positive variance).**

Expenditure is under budget by £289,553 (positive variance).

This results in a surplus to date of £595,311 against a budgeted surplus of £217,423 (a positive variance of £377,887)

Of this £595,311, £490,363 relates to PATROL with the balance being ring- fenced to National Highways (£57,981) and Halton Borough Council (£46,967).

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

SUMMARY TO DATE				
	31/10/2023	31/10/2023	31/10/2023	31/10/2023
	Year to Date	Budget	Var to Budget	Var to Budget
Income	2,115,481	2,027,147	88,334	4.4%
Expenditure	1,520,171	1,809,724	289,553	16.0%
Surplus / (Deficit)	595,311	217,423	377,887	

Breakdown of Surplus				
PATROL	490,363	118,726	371,637	
Halton Borough Council	46,967	24,251	22,716	
National Highways	57,981	74,446	-16,465	
	595,311	217,423	377,887	

The savings in expenditure are explained by:

- Savings in Staff Costs due to unfilled vacancies. This totals £109,167.
- Savings in Supplies and Services due to review of overheads and unspent provisions for Legal Costs and Initiatives. This totals £126,346.
- The realisation of Bad Debts Provision of £29,516 for Debts which have subsequently been paid.

4.2 Reserves to date are summarised as follows:

	To Date	Budget	Var to Budget
Reserves b/f from 22/23	3,946,353	3,946,353	0
Surplus / (Deficit) for year 23/24 - YTD	595,311	217,423	377,887
Closing Balance	4,541,664	4,163,777	377,887
<i>Approved Reserves</i>	2,095,228	2,095,228	0
FREE Reserves to Date	2,446,436	2,068,549	377,887
less:			
NH balance to date	251,263	267,729	-16,465
MG balance to date	58,962	36,246	22,716
PATROL FREE Reserves to date	2,136,211	1,764,574	371,637

At 31st October 2023 there is a Reserves balance of £4,541,664 giving a Free Reserves balance of £2,446,436 (against a budgeted balance of £2,068,549).

Of this FREE Reserves Balance of £2,446,436, £251,263 is ring-fenced to National Highways and £58,962 ring-fenced to Halton Borough Council. This leaves a balance of FREE Reserves to PATROL of £2,136,211.

4.3 Free Reserves (PATROL excluding ring-fenced amounts) were £834,167 at the end of 2019/20 (pre-Pandemic), and £242,353 for BLASJC. These combined gave a FREE Reserves balance of £1,076,520.

4.4 This combined balance is now £2,136,211 and shows that the losses suffered by the Pandemic effect on enforcement have been fully recovered.

5.0 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:

	Year to Date						Full Year					
	31/10/2023	31/10/2023	31/10/2023	31/10/2023	31/10/2022	31/10/2022	31/03/2024	31/03/2024	31/03/2024	31/03/2023		
	Year to Date	Budget	Var to Budget	Var to Budget	Prior Year **	Var to Current Yr	Forecast Outturn	Full Year Budget	Var to Budget	Prior Year Result	Var to Prior Yr	
Income:												
PATROL *	1,037,287	968,186	69,100	7.1%	1,012,995	24,292	1,640,980	1,659,748	-18,768	1,740,945	-99,965	
Bus Lane Income	349,200	363,673	-14,473	-4.0%	407,035	-57,835	565,848	623,440	-57,592	522,233	43,615	
Road User Charging:												
RUCA (Dartcharge) - National Highways	256,379	426,488	-170,109	-39.9%	428,123	-171,744	476,019	731,123	-255,104	764,305	-288,286	
RUCA (Mersey Gateway) - Halton Borough Council	117,127	105,689	11,438	10.8%	123,878	-6,751	192,163	181,181	10,982	209,208	-17,045	
Clean Air Zones	289,472	155,375	134,097	86.3%	113,080	176,392	445,929	266,357	179,572	268,508	177,421	
LFV	380	35	345	984.3%	2	378	430	60	370	1,569	-1,139	
Bank Interest	44,826	7,700	37,126	482.2%	5,208	39,618	65,795	13,200	52,595	19,765	46,030	
Sale of Assets	0	0	0	0.0%	0	0	0	0	0	180	-180	
Other Income	20,811	0	20,811	0.0%	23,729	-2,918	34,500	0	34,500	38,276	-3,776	
Total Income	2,115,481	2,027,147	88,334	4.4%	2,114,050	1,431	3,421,664	3,475,109	-53,445	3,564,989	-143,325	
Expenditure:												
Adjudicators	464,320	443,233	-21,087	-4.8%	494,658	30,338	928,212	799,833	-128,379	809,459	-118,753	
Staff	719,562	828,729	109,167	13.2%	668,680	-50,882	1,231,917	1,425,143	193,226	1,244,551	12,634	
Premises / Accommodation	43,066	46,200	3,134	6.8%	39,321	-3,745	68,630	79,200	10,570	67,184	-1,446	
Transport	9,420	30,625	21,205	69.2%	13,105	3,685	16,920	52,500	35,580	28,164	11,244	
Supplies and Services	74,600	200,946	126,346	62.9%	174,605	100,005	146,664	342,340	195,676	335,158	188,494	
IT	204,889	226,006	21,117	9.3%	187,729	-17,160	361,946	387,438	25,492	351,694	-10,252	
Services Management and Support	31,115	31,115	0	0.0%	30,328	-787	53,340	53,340	0	53,340	0	
Audit Fees	2,716	2,870	154	5.4%	2,392	-324	4,510	4,920	410	4,100	-410	
Bad Debts - movement on provision	-29,516	0	29,516	0.0%	8,694	38,210	-29,516	0	29,516	5,180	34,696	
Total Expenditure	1,520,171	1,809,724	289,553	16.0%	1,619,512	99,341	2,782,623	3,144,714	362,091	2,898,830	116,207	
Surplus / (Deficit)	595,311	217,423	377,887		494,538	100,773	639,041	330,395	308,646	666,159	-27,118	
		0			0	0		0	0		308,646	
Breakdown of Surplus	595,311	217,423	377,887	173.8%	494,538	100,773	639,041	330,395	308,646	666,159	-27,118	
PATROL *	490,363	118,726	371,637	313.0%	345,922	144,441	521,331	169,441	351,890	403,982	117,349	
Halton Borough Council	46,967	24,251	22,716	93.7%	46,589	378	37,935	40,356	-2,421	79,061	-41,126	
National Highways	57,981	74,446	-16,465	-22.1%	102,027	-44,046	79,775	120,598	-40,823	183,116	-103,341	
	0	0			-0		0	0		0		

* PATROL = Parking England and Wales, and Bus Lanes and Moving Traffic Wales, RUC Durham and Littering from Vehicles (England), Bus Lanes from 01/04/23

** Prior Year = PATROL and Bus Lanes combined (as current year)

PATROLAJC Executive Sub Committee

Date of Meeting:	23 rd January 2024
Report Title:	Reserves Policy Statement
Report of:	Laura Padden, Director, PATROL

1.0 Purpose of Report

- 1.1** To review the Reserves Policy Statement for the Joint Committee for 2024/25 and to request that the Joint Committees approve the Reserves Policy Statement for 2024/25.

2.0 Recommendations

- 2.1** To approve the proposed Reserves Policy Statement for 2024/25.
- 2.2** To approve the total PATROL approved reserve level for 2024/25 of £2,222,251 as set out at (4). The equivalent amount for 2023/24 was £2,084,766.
- 2.3** To approve the balances of any surplus from 2023/24 being carried forward to 2024/25.
- 2.4** To approve the delegation of authority to the Chair and the Vice Chair for authorising the withdrawal of funds from PATROL Free Reserves to meet budgetary deficits.

3.0 Reasons for Recommendations

- 3.1** To ensure compliance with the Joint Committee's Financial Regulations.

4.0 Background

- 4.1** PATROL has built up a body of reserves which ensures continuity of service should there be an unexpected downturn of income or unforeseen expenditure. The availability of reserves is central to maintaining our ability to self-finance and reduce the likelihood of having to call on additional resources from member authorities' mid- year. The availability of reserves (Approved and Free Reserves) enabled the Joint Committee to be self-supporting during a prolonged period of fluctuations in income arising from the Covid-19 pandemic.

4.2 For 2024/25, it is recommended that, as in previous years, the Reserves Policy Statement will be made up of four elements:

General Reserve
Property Reserve
IT Reserve
Research and Innovation Reserve

4.3 The General Reserve

The General Reserve is an operating reserve that aims to mitigate the risk arising from:

- Reduction in income because of individual enforcement authority issues.
- Reduction in income as a result of issues affecting civil enforcement across all, or a significant number of, enforcement authorities
- Unanticipated costs associated with legal action
- Unanticipated expenditure due to unforeseen circumstances
- Overrun on expenditure
- Meeting contractual obligations in the event of closure.

The General Reserve is based on 50% of total budgeted costs. It is recommended that the General Reserve for 2024/25 will be £1,674,376. This compares to £1,563,638 for the previous year and is higher due to an increased cost base.

4.4 The Property Reserve

This reserve provides an indemnity to the Host Authority in relation to any outstanding rent (or other costs) associated with the lease that they have entered into on behalf of the Joint Committee.

It is recommended that the Property Reserve for 2024/25 is maintained at a level to cover two years beyond the current financial year. The property reserve for 2024/25 will be £163,000, which compares with £158,400 in the previous year.

4.5 Technology Reserve

It is recommended that the Technology reserve be set at £334,875 which is the equivalent of 10% of total budgeted costs. This compares with £312,728 in 2023/24. This is consistent with the previous year's calculation and will support further improvements to our IT Infrastructure.

4.6 Research & Innovation Reserve

It is recommended for 2024/25 that this be set at £50,000. This is the same as approved for 2023/24. Initiatives might include:

- Commissioning independent research to support PATROL objectives

- Supporting member authorities to undertake research, initiatives or pilots that support PATROL's objectives.

The Advisory Board and Executive Sub Committee will be requested to oversee the expenditure from the Research and Innovation Reserve. Update reports will be presented to the Joint Committee or its Executive Sub Committee.

It is recommended for 2024/25 that the Research and Innovation Reserve be set at £50,000.

4.7 Summary

It is recommended that the combined PATROL and BLASJC approved reserve level for 2024/25 is £2,222,251.

Reserves Summary:

	2022/23	2023/24	2024/25	Movement on Prior Year
General Operating Reserve	1,712,650	1,563,638	1,674,376	-110,738
Technology Reserve	342,530	312,728	334,875	-22,147
Property Reserve	135,860	158,400	163,000	-4,600
Innovation and Research Reserve	50,000	50,000	50,000	0
Total approved Reserve	2,241,040	2,084,766	2,222,251	-137,485
<i>Reserve allocated to BLASJC</i>	<i>347,342</i>	<i>0</i>	<i>0</i>	<i>0</i>
PATROL Reserve	1,893,699	2,084,766	2,222,251	-137,485

4.8 It is anticipated that PATROL reserve will reach £4,125,948 (excluding ring-fenced amounts) at the 31st March 2025 and therefore sufficient reserves will be in place to accommodate the recommended approved reserve of £2,222,251. This would result in forecast Free Reserves at March 2025 of £1,903,697.

	PATROL inc BL
Closing Reserves 2022/23 and Opening Reserves of 2023/24	3,686,235
Forecast Surplus / (Deficit) 23/24	521,331
Drawdowns 23/24 - to date	0
FORECAST Reserves 31.03.24	4,207,566
Proposed Budget for 2024/25	-81,618
Forecast Reserves at 31.03.25	4,125,948
Of which are:	
General Approved Reserve	1,674,376
Approved Property Reserve	163,000
Approved Technology Reserve	334,875
Reserearch and Innovation Reserve	50,000
Allocated to Bus Lanes (proposed)	0
TOTAL Approved Reserve	2,222,251
<i>of which Free Reserves</i>	1,903,697

4.9 The Joint Committee will monitor income and expenditure during 2024/25 to keep the Reserves Policy Statement under review.

4.10 PATROL Free Reserves

PATROL Free Reserves is the Residual balances over and above the approved reserve (which combines General, Premises and Technology Reserves). PATROL Free Reserves excludes any ring-fenced reserves arising from agreed charging arrangements for adjudication held with third parties. PATROL Free Reserves may be used for the following purposes:

- To balance an in-year budgetary deficit
- To fund approved reductions in member charges.
- To uplift an existing specific or ear marked reserve such as the Technology Reserve.
- To establish an ear marked reserve.
- To undertake approved initiatives delivering mutual benefits to member authorities within the remit of the Joint Committee.

Approval for use of PATROL Free Reserve must be given by the Joint Committee, its Executive Sub Committee or Advisory Board except in the case of use for meeting budgetary deficits where authority is delegated to the Chair and Vice Chair.

5.0 Implications

5.1 Finance

5.1.1 Reserves Policy Statement contributes to the self-financing objectives of the Joint Committee.

6.1 Risk Management

6.1.1 The Reserves Policy Statement forms part of the Risk Management Strategy. The Risk Management Framework is reviewed at each meeting and includes the following statement:

“We will maintain a sufficient level of reserves to support liquidity and absorb short-term fluctuations in income and expenditure beyond our control.”

PATROLAJC Executive Sub Committee

Date of Meeting:	23 rd January 2024
Report Title:	Annual Investment Strategy
Report of:	Laura Padden, Director, PATROL

1.0 Purpose of Report

- 1.1. To seek the Executive Sub Committee's approval of the Annual Investment Strategy for 2024/25.

2.0 Recommendations

- 2.1. That investments will only be made with low-risk institutions with offices in the UK.

The CIPFA requirements in the Treasury Code of Practice require the use of credit ratings as a qualifying level – Cheshire East Council (our host authority) will be requiring grade A- for 2024/25. This relates to the lowest published long-term credit rating from Fitch, Moody's or Standard and Poor's.

Investments will take the form of fixed term deposit accounts. Deposits will be spread over at least two banks to reduce risk. The banks are currently Santander, Lloyds and HSBC which have the required credit rating.

- 2.2 The availability of new investments will be reviewed regularly to ensure that the best products are chosen in terms of rate of return and accessibility.
- 2.3 That the Director will sign off any proposed deposits in terms of amount, duration and rate.

3.0 Reasons for Recommendations

- 3.1 To comply with the Joint Committee Financial Regulations.

4.0 Background

4.1 The Joint Committee or its Executive Sub Committee is responsible for approving the Joint Committee's Annual Investment Strategy.

4.2 The Annual Investment Strategy will be informed by the Joint Committee's Risk Management Strategy and the Treasury Management Strategy of the host authority. The Joint Committee has determined:

“We will avoid risks that threaten our ability to undertake our principal objectives in a way which 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”

4.4 Interest generated has been as follows on average per month.

2020/21	£1,232
2021/22	£318
2022/23	£590
2023/24	£6,404

4.5 Deposits utilised in the year include six-month and 12-month deposits and continuous transfer of overnight balances from the current account, leaving a residual balance of £30,000. Deposits are placed with a variety of withdrawal notice periods to ensure adequate access to funds. In addition, deposits are made across a number of banks.

50. Implications

5.1. Finance

5.1.1 Set out in the report.

6.1 Risk Management

6.1.1 The Annual Investment Strategy is informed by the Joint Committee's Risk Management Strategy.

PATROLAJC Executive Sub Committee

Date of Meeting: 23rd January 2024

Report Title: Revenue Budgets for 2024-25

Report of: Laura Padden, Director, PATROL

1.0 Purpose of Report

1.1 To request the Executive Sub Committee to adopt the revenue budget estimates for 2024/25.

2.0 Recommendation

2.1 To agree to adopt the revenue budget for 2024/25 as detailed in the report.

3.0 Reasons for Recommendation

3.1 Required under the Joint Committee Financial Regulations.

4.0 Background

4.1 In accordance with the Joint Committee's agreement, it is necessary to establish a budget estimate for the forthcoming year. An assessment has been made of the likely service take up during 2024/25 and therefore the Adjudicators, administrative support and associated costs required. The adjudication service is operated on a self-financing basis with income obtained from contributions by PATROL member authorities and the provision of adjudication to third parties.

4.2 The Joint Committee has determined that member authorities will defray the expenses of the Joint Committee by way of a contribution based on the number of penalty charge notices they issue.

4.3 For 2024/25, the budget model focuses on trends from the past 24 months' income and new appeal streams that are confirmed as being due to come into force during the year in question. This budget takes a prudent approach to income recognition / forecasting.

- 4.4** Income also derives from the Secretary of State for Transport in respect of adjudication of appeals arising from the enforcement of road user charging (RUCA) at the Dartford-Thurrock River Crossing and from charges to Halton Borough Council in respect of adjudication of appeals arising from the enforcement of road user charging at the Mersey Gateway Bridge.

These charging authorities are not members of the PATROL Joint Committee. Any surplus/deficit arising from appeals activity in this respect is ring-fenced to those charging authorities. Charges are also agreed separately with these authorities, but are currently in line with PATROL charges.

- 4.5** In respect of Income relating to Clean Air Zones estimates of additional income have been included in respect of schemes with confirmed start dates.
- 4.6** No assumptions have been made to include income for the introduction of the remaining powers of Part 6 of the Traffic Management Act in 2021.
- 4.7** A forecast for bank interest has been included based on increasing rates of interest and improved cash balances.
- 4.8** The Joint Committee approves a Reserves Policy Statement annually, reported separately.
- 4.9** The Joint Committee approves a Defraying Expenses Policy annually, reported separately.

4.10 Expenditure

An assessment has been made of the revenue budget that will be needed to meet the demands on the service during 2024/25.

In addition, the following assumptions have been made:

Adjudicator Fees and Salaried Roles:

The budget assumes a 3% inflationary increase in adjudicator fees. Adjudicator salaries and fees are aligned with the Ministry of Justice judicial salary scales. These are usually announced in the autumn and backdated to the beginning of the financial year.

Staffing:

A 4% inflationary increase has also been assumed for salaries for staff. Non-judicial salaries are determined by Local Government Services' Pay Agreement and will reflect any agreements reached in respect of 2024/25.

There are 3 additional admin vacancies included to assist with CAZ, Moving Traffic and other associated work.

Premises:

This budget assumes no change in office provision in 24/25. There are no proposed changes to current working arrangements.

Additional cost budget has been included for increasing utilities costs.

Travel:

In addition to staff travel, this budget line includes meeting the travel costs of local authority officers attending PATROL and Traffic Penalty Tribunal meetings and workshops.

It is anticipated that there will be a blend of face-to-face and virtual meetings going forwards.

Supplies and Services:

The decrease in supplies and services costs reflects consultants' fees, one off initiative costs and provision for legal costs now reduced in line with actual spend.

IT Costs:

The IT budget is broadly in line with the previous year's budget reflecting no planned projects or development. As in previous years this does include an element of hardware replacement for end, or near end, of life equipment.

Service Management & Support:

For 2024/25, the proposed Service Level Agreement (SLA) charges with Cheshire East Council as Host Authority for routine services will remain broadly in line with those for 2023/24 (£53,340). These are currently under review however to consider value for money.

The contracted services are set out below:

HR
Audit
Democratic Services Support – now in house
Legal
Finance
Highways - Hosting of PATROL
Retainer (Assets, FOI, procurement, IT Support, H&S)

Audit

External Audit fees are broadly in line with those for 2023/24. Internal Audit is included in the SLA Charges from Cheshire East see table above.

4.11 Budget Summary

The proposed budget for 2024/25 assumes the approval of the recommendation of defraying the expenses amongst members of the Joint Committee on the basis of **25 pence per PCN**.

The budgeted income and expenditure for 2024/25 would therefore result in an overall forecast contribution **FROM** reserves of £147,695 (of this a deficit of £81,618 relates to PATROL). A proportion of this will be ring-fenced to road user charging schemes as follows:

	Budget 2021/22	Budget 2022/23	Budget 2023/24	Budget 2024/25
PATROL	-481,127	-16,596	169,440	-81,618
Halton Borough Council	-26,796	-11,145	40,366	34,457
Nat Highways	-71,632	25,625	120,589	-100,534
TOTAL	-579,555	-2,116	330,395	-147,695

It should be noted that the budget for National Highways although currently showing a deficit will be reviewed in our quarterly review meetings with them, adjusted where required. Their position is entirely independent from the PATROL position.

The table below provides contextual information for the proposed 2023/24 budget:

- Full Budget for 2023/24 **(Col 1)**
- Full budget for 2024/25 **(Col 2)**
- Variance between these budgets **(Col 3)**
- Full Year Outturn 22/23 **(Col 4)**
- Forecast Full Year 23/24 **(Col 5)**
- Variance between Budget and Forecast for 23/24 **(col 6)**

	1	2	3	4	5	6
	FULL Budget	FULL Budget	Budget Var	ACTUAL	Forecast	Var to Budget
	2023/24	2024/25	23/24 to 24/25	22/23	2023/24	2023/24
Income						
PATROL & Bus Lanes Combined*	2,215,553	1,962,856	(252,698)	1,700,739	2,189,499	(26,054)
Recharge for Bus Lane Adjudication Costs	0	0	0	522,233	0	0
Moving Traffic	33435.9	47378.5	13,943	40,206	51,828	18,392
Road User Charging:						
Highways England	731,123	510,000	(221,123)	764,305	476,019	(255,104)
Halton Borough Council	181,181	175,272	(5,909)	209,208	192,163	10,982
Durham Peninsular						
Littering from Vehicles	60	376	316	1,569	430	370
Clean Air Zones	266,357	404,975	138,618	268,508	445,929	179,573
Other Income	34,200	34,200	0	38,456	0	(34,200)
Bank Interest	13,200	66,000	52,800	19,765	65,795	52,595
Total Income	3,475,109	3,201,057	(274,053)	3,564,989	3,421,663	(53,446)
Expenditure:	0	0	0			
Adjudicators	799,833	1,020,089	(220,255)	809,459	928,212	(128,379)
Staff	1,425,143	1,518,814	(93,671)	1,244,551	1,231,917	193,226
Premises / Accommodation	79,200	81,500	(2,300)	67,184	68,630	10,570
Transport	52,500	17,000	35,500	28,164	16,920	35,580
Supplies and Services	342,340	238,941	103,399	340,338	146,664	195,676
IT	387,438	411,201	(23,763)	351,694	361,946	25,492
Services Management and Support	53,340	56,007	(2,667)	53,340	53,340	0
Audit Fees	4,920	5,200	(280)	4,100	4,510	410
Contingency	0	0	0	0	(29,516)	29,516
Total Expenditure	3,144,715	3,348,752	(204,037)	2,898,830	2,782,623	362,092
Surplus / (Deficit)	330,395	(147,695)	(478,090)	666,159	639,040	308,645

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	FULL Budget	FULL Budget	Budget Var	ACTUAL	Forecast	Budget Var
Breakdown of Contribution to Reserves:	2023/24	2024/25	23/24 to 24/25	22/23	2023/24	21/22 to 22/23
TOTAL	330,395	-147,695	-478,090	666,159	639,041	308,645
PATROL	169,440	-81,618	-251,058	403,982	521,331	351,891
Halton Borough Council	40,366	34,457	-5,909	79,061	37,935	(2,431)
National Highways	120,589	-100,534	-221,123	183,116	79,775	(40,814)

* PATROL = Parking England and Wales, and Bus Lanes and Moving Traffic Wales, RUC Durham and Littering from Vehicles (England), CAZ

4.12 Reserves

	PATROL inc BL
Closing Reserves 2022/23 and Opening Reserves of 2023/24	3,686,235
Forecast Surplus / (Deficit) 23/24	521,331
Drawdowns 23/24 - to date	0
FORECAST Reserves 31.03.24	4,207,566
Proposed Budget for 2024/25	-81,618
Forecast Reserves at 31.03.25	4,125,948
<i>Of which are:</i>	
<i>General Approved Reserve</i>	1,674,376
<i>Approved Property Reserve</i>	163,000
<i>Approved Technology Reserve</i>	334,875
<i>Reserach and Innovation Reserve</i>	50,000
<i>Allocated to Bus Lanes (proposed)</i>	0
TOTAL Approved Reserve	2,222,251
<i>of which Free Reserves</i>	1,903,697

The effect on Reserves is as follows:

- Forecast PATROL Reserves at 31st March 2024 of £4,207,566
 - **25 pence per PCN** proposed charge resulting in PATROL **deficit** for year of £81,618
- Forecast Reserves balance of £4,125,948 at 31st March 2025
- Budgeted required Approved Reserves of £2,222,251
- Forecast FREE Reserves at 31st March 2024 of £1,903,697
- These balances exclude National Highways and Mersey Gateway ringfenced balances

5.0 Implications

5.1 Finance

5.1.1 Requirement to approve budget before 31 January 2024.

6.1 Risk Management

6.1.1 Budget setting contributes to the Risk Management Strategy.

PATROLAJC Executive Sub Committee

Date of Meeting:	23 rd January 2024
Report Title:	Defraying the Expenses of the Joint Committee
Report of:	Laura Padden, Director, PATROL

1.0 Purpose of Report

1.1 To establish the basis for defraying expenses during the 2024/25 Financial Year.

2.0 Recommendations

2.1 That for the Financial Year 2024/25, the Executive Sub Committee approves a continuation in charge of **25 pence per PCN** issued for member authorities, and notes the expected impact on reserves at 4.6 below.

2.2 That this will be reviewed at the October 2024 meeting in the light of actual income and expenditure information for the first half of the year.

2.3 That the rate of **25 pence per PCN** will apply to penalties issued as follows:

Parking – England and Wales

Bus Lanes and Moving Traffic – England and Wales

Road User Charging – England and Wales (In respect of Clean Air Zones, and the Durham Peninsular)

Littering from Vehicles - England

2.4 To note that separate charging arrangements are entered into with National Highways and Halton Borough Council who are not members of the Joint Committee but with each of whom the Joint Committee has entered into a Memorandum of Understanding. Ring-fenced balances associated with these schemes are reported separately to the Executive Sub Committee within budget monitoring reports.

2.5 That there will be no annual charge, nor cost per case apart from the LFV PIN Generator initiative approved at the October 22 meeting.

2.6 Invoicing will be undertaken based on monthly returns received from enforcement authorities as in 23/24. A new portal is also currently being rolled out to all authorities to enable easier and more timely submission of returns.

3.0 Reasons for Recommendations

3.1 To comply with the Joint Committee's Financial Regulations.

4.0 Background and Options

4.1 The Joint Committee provides the means to appeal to an independent adjudicator in respect of civil traffic enforcement in England (outside London) and Wales, road user charging, clean air zones and littering from vehicles.

4.2 The PATROL agreement provides for the adjudication service to be operated on a self-financing basis with expenses defrayed by member authorities. Where authorities are working in partnership, it is practice to charge those enforcement authorities who manage the enforcement income stream.

4.3 Table 1 provides an overview of the Joint Committee's basis for defraying expenses since inception.

Table 1

Period	Per PCN	Annual	Per Case
1998 to 2001	70 pence	£500	£10
2001 to 2003	70 pence	£500	£0
2003 to 2005	65 pence	£250	£0
2005/06	60 pence	£0	£0
2006/07	55 pence	£0	£0
2007/08	55 pence	£0	£0
2008/09	60 pence	£0	£0
2009/10	60/65 pence	£0	£0
2010/11	65 pence	£0	£0
2011/12	65 pence	£0	£0
2012/13	60 pence	£0	£0
2013/14	60 pence	£0	£0
2014/15	55 pence	£0	£0
2015/16	50/45 pence	£0	£0
2016/17	45/40 pence	£0	£0
2017/18	35 pence	£0	£0
2018/19	30 pence	£0	£0
2019/20	30 pence	£0	£0
2020/21	30 pence	£0	£0
2021/22	30 pence	£0	£0
2022/23	30 pence	£0	£0
2023/24	30/25 pence	£0	£0
2024/25	25 pence - proposed	£0	£0

note: where two rates are shown the charge changed at the half year point

4.4 The per PCN charge has more than halved since the inception of the Joint Committee, with the annual and per case charges withdrawn entirely. This reduction is a result of economies of scale and efficiencies arising from the

introduction of digital appeals in addition to a post-Covid efficiency saving exercise to reduce expenditure.

- 4.5** It is recommended that for 2024/25, the Executive Committee approves a rate of **25 pence per PCN** and that this is reviewed at the October 2024 meeting when the actual income and expenditure information for the first half of the year is available.
- 4.6** The Executive Sub Committee is asked to note that the PATROL Joint Committee provides access to independent adjudication through the Traffic Penalty Tribunal for appeals arising from penalty charge notices issued under Road User Charging regulations at the Dartford-Thurrock River Crossing (Highways England) and at the Mersey Gateway Bridge Crossing (Halton Borough Council).
- 4.7** These arrangements are each underpinned by a Memorandum of Understanding as the Charging Authorities are not members of the PATROL Joint Committee.
- 4.8** The charges and agreed reserve levels for these are subject to separate arrangements agreed with the Charging Authority.
- 4.9** Balances associated with these schemes are reported separately to the Joint Committee within budget monitoring reports.
- 4.10** The formal recommendation for defraying expenses for Member Authorities for 2022/23 and its impact on reserves is as follows:
- To adopt a charge per PCN of **25 pence per PCN** issued for 24/25
 - Forecast PATROL Reserves at 31st March 2024 of £4,207,566
 - 25 pence per PCN resulting in PATROL **deficit** for year of £81,618
 - The deficit will go against FREE Reserves
 - Forecast Reserves balance of £4,125,948 at 31st March 2025
 - Budgeted required Approved Reserves of £2,222,561
 - Forecast FREE Reserves at 31st March 2024 of £1,903,697
 - These balances exclude National Highways and Mersey Gateway ringfenced balances

PATROL inc BL	
Closing Reserves 2022/23 and Opening Reserves of 2023/24	3,686,235
Forecast Surplus / (Deficit) 23/24	521,331
Drawdowns 23/24 - to date	0
FORECAST Reserves 31.03.24	4,207,566
Proposed Budget for 2024/25	-81,618
Forecast Reserves at 31.03.25	4,125,948
Of which are:	
<i>General Approved Reserve</i>	<i>1,674,376</i>
<i>Approved Property Reserve</i>	<i>163,000</i>
<i>Approved Technology Reserve</i>	<i>334,875</i>
<i>Reserach and Innovation Reserve</i>	<i>50,000</i>
<i>Allocated to Bus Lanes (proposed)</i>	<i>0</i>
TOTAL Approved Reserve	2,222,251
<i>of which Free Reserves</i>	1,903,697

4.11 The Budget process also considered an increase to 28 pence per PCN issued.

This would result in a budgeted surplus of £108,052 for PATROL, and Reserves balances as follows:

Forecast Opening Bal 24/25	4,207,566
Budgeted surplus / (deficit) 24/25	108,052
Budgeted Approved Reserves	<u>2,222,251</u>
Budgeted FREE Reserves	<u>2,093,367</u>

4.12 A charge of 28 pence per PCN issued would result in a contribution **to** Reserves of £108,052 for PATROL (excluding ringfenced balances) compared to a contribution **from** Reserves of £81,618 with a charge of 25 pence per PCN.

4.13 A charge of 28 pence per PCN would result in forecast Free Reserves at 31st March 2025 of £2,093,367 (£1,903,697 with a charge of 25 pence per PCN).

4.14 It is therefore considered that there are sufficient FREE Reserves to allow for a continued charge of 25 pence per PCN and that this is the recommendation for approval.

5.0 Implications

5.1 Finance

5.1.1 As detailed in the report.

6.1 Legal Implications

6.1.1 In accordance with the PATROL Adjudication Joint Committee Agreement.

7.1 Risk Management

7.1.1 Financial resilience is monitored within the Risk Management Strategy.

PATROLAJC Executive Sub Committee

Date of Meeting:	23 rd January 2024
Report Title:	Risk Management Framework
Report of:	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.

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 and reporting to the Joint Committee's Officer Advisory Board whose terms of reference include the review of risk.
- 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 no changes to report from when the document was last considered at the October meeting of the Executive Sub Committee.
- 4.12** 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 2023/2024

ITEM 11 (i)

Date Last Reviewed:

Oct-23

Risk No.	Risk	Risk Description including impact	Risk Owner	Rating	Direction	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 Manager	4		The net risk rating is 4 (low). The tribunal has a fully scalable online system and a flexible adjudicator and staffing model. The online process is complimented by assisted digital support for appellants who are unable to make their appeal on line. 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 Covid-19 which has also seen a reduction in appeals. A further assessment of adjudicator requirements is currently ongoing, however this risk is being mitigated bringing in cross-assigned adjudicators from London.
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	5		This rating reduced from 8 to 5. The reserves levels have now been restored to their minimum threshold. Whilst the number of PCNs issued is still lower than prepandemic levels, the addition of CAZ and moving traffic schemes is hving 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 PCN 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 fluctations.

CR3	Loss of Data Integrity	<p>(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 statutory service is not accessible to all and (impact) appeals cannot be adjudicated online.</p> <p>Potential breach of General Data Protection Regulations 2016 and Data Protection Act</p>	Director and Stakeholder Manager	9		<p>This rating remains unchanged - medium.</p> <p>A range of security monitoring features, data management procedures and training are being reviewed/deployed in the light of GDPR and DPA 2018. These measures have been reviewed in light of homeworking.</p> <p>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.</p>
CR4	Lack of Resource Planning	<p>(Cause) Insufficient adjudicator or staff resources to support the needs of the organisation such that (threat) the organisation 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.</p>	Chief Adjudicator & Director	4		<p>This rating remains at 4 in the light of reduced appeals during 2020/21.</p> <p>A further assessment of adjudicator and staff requirements is ongoing in the light of Clean Air Zones. Scalability modelling is also currently underway based on current forecasting data. 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 indications imply that the situation is unlikely to change in the near future. Further to this proposals to work collaboratively with other tribunals are being investigated which means there is potential to call on additional resources if required should circumstances change.</p>
CR5	Lack of preparation for business continuity	<p>(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.</p>	Central Services Manager & Stakeholder Engagement Manager	5		<p>This rating remains at 5 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.</p> <p>A detailed DR plan to mitigate risk is held and reviewed each quarter. This is accessible to all managers and has clearly defined responsibilities. This plan is regularly reviewed.</p>

PATROLAJC Executive Sub Committee

Date of Meeting:	23 rd January 2024
Report Title:	Member Portal
Report of:	Sarah Baxter, Democratic Services and Policy Manager

1.0 Purpose of Report

- 1.1. To put forward a proposal to the Executive Sub Committee which would see the introduction of a member portal located within the PATROL website.

2.0 Recommendation

- 2.1. To approve the introduction of a member portal.

3.0 Reasons for Recommendation

- 3.1 To allow for easier accessibility of documents.

4.0 Background

- 4.1 Current practice when sending out presentations or consultation responses is to email all members of the Joint Committee.

- 4.2 There have been occasions when the size of the document sent to members via email exceeds standard mailbox limits. This has resulted in documents not always being able to get through via email. Officers are of the view that if a member portal was created, all documents members were required to have sight of, or access to, could be uploaded to the portal including the Members Expenses Policy, claim form, introduction to PATROL, the induction presentation, presentations to the Joint Committee, consultation responses, correspondence to government and so forth.

- 4.3 Each time a document is uploaded to the portal, members would receive an email notification advising them that a new document had been published. The advantage of the portal means that documents of any size can easily be accessed. In addition, the information is always be there to be referred to and

not deleted as can happen when documents are attached to emails are not always filed away. Furthermore, if members require a certain document, for example a claim form, they would not need to email PATROL to ask for one. It could easily be accessed from the portal at their convenience.

- 4.4** Members would be provided with their own two-factor authentication log in details which would require downloading the app to smart phone to receive the login code, or if the app cannot be downloaded a confirmation call could be received to either a mobile or landline number which would provide the code to login to the secure area. Two-factor authentication is considered to be essential and a requirement of PATROL's Cyber Essentials accreditation.

Importantly, the organisation's high level of IT customer service provision would always be available to help with any initial set up enquiries.

- 4.5** Members of the Advisory Board considered the proposals at their meeting held on 6th December 2023 and fully endorsed the recommendation to introduce a member portal.

5.0 Implications

5.1. Finance

- 5.1.1** The cost of implementing the proposal would be in the region of £3,000 annually which includes any upgrades required for the secure area of the website, and these costs could be met from within existing budgets.

6.1 Risk Management

- 6.1.1** The two-factor authentication process ensures greater security.

7.1 Legal

- 7.1.1** None.

PATROLAJC Executive Sub Committee

Date of Meeting:	23 rd January 2024
Report Title:	Proposed Evolution of Annual Awards and Reception Format
Report of:	Sarah Baxter, Democratic Services and Policy Manager

1.0 Purpose of Report

- 1.1. PATROL is proposing an evolution of its existing annual reports awards programme, the Promoting Awareness of Civil Enforcement through Reporting (PACER) Awards, from next year's 2024 event.

2.0 Recommendation

- 2.1. To comment on and note the changes to the format of the PACER awards.

3.0 Reasons for Recommendation

- 3.1 Officers feel now is a good time to cap off the progress made on annual reports after 15 years and expand the focus to foster authorities' customer service, innovation, improvement and engagement more generally, under a new programme.

4.0 Background

- 4.1 The PACER (previously, PARC) Awards first started in 2008–09 and have proven successful in encouraging the production of high-quality annual reports that engage the public on the detail, as well as the purpose and objectives, of traffic management and enforcement.
- 4.2 Local authorities' annual reports have increased in scope and presentation over the years, with many now utilising clever design, graphics and digital formats to really bring to life the hard work their teams are doing. New faces among the winners in recent years also point to a rise in quality across the PATROL member cohort.

- 4.3 The **Local Impact Awards** (working title) will offer authorities the chance to submit a bid for funding to carry out a campaign or activity to have an impact or effect positive change in the delivery of its service or engagement with the public.
- 4.4 Officers propose that a theme for the awards be decided by PATROL's Advisory Board each year, based on current events, issues and trends in the parking and traffic management landscape. Local authorities will then be invited to submit a bid to fund a campaign or activity that will deliver on objectives relating to the chosen theme.
- 4.5 Bids will be reviewed initially by the PATROL team, with the proposed winning bid / bids elevated to the Advisory Board for sign-off. Funding will be drawn from PATROL's existing budget for innovation and research, with a maximum award of £25,000 each year.
- 4.6 The winner/s will be invited to the PATROL Annual Reception (see following page) at the House of Commons, where they will be recognised for their entry.
- 4.7 The chosen authority / authorities will then carry out their campaign or activity in the following year, with regular progress gates and a final evaluation on its impact and any associated materials reported back to PATROL.
- 4.8 Officers welcome any comments or suggestions on this proposed new format and will take them on board in finalising and communicating the new format of the awards programme early in 2024.
- 4.9 Coupled with the introduction of the Local Impact Awards, PATROL is intending to evolve its annual event at the House of Commons to become a general organisation reception, with an expanded guest list and purpose.
- 4.10 While the Local Impact Awards will form part of the new reception's agenda, with time dedicated to celebrating the winning authorities and promoting their efforts, the new reception will also act as a more focused platform in the heart of Government to disseminate the work of PATROL directly to ministers, MPs, civil servants and other invited stakeholders.
- 4.11 More time will be given over in the reception agenda to highlight the work and achievements of the organisation (as well as the Traffic Penalty Tribunal) – both internally and externally – with updates and takeaways from PATROL's Annual Joint Committee Meeting (held earlier in the day) channelled into proceedings, as appropriate. This could include guest speakers and experts.
- 4.12 The overall aim will be to consolidate PATROL as the legitimate leading voice on civil traffic enforcement in the eyes of the Government and other industry stakeholders, further bolstered by the unique insights from the Tribunal.
- 4.13 The new Annual Reception forms part of PATROL's renewed public affairs and external communications focus moving into 2024, with a series of campaigns and activities of its own planned to bolster its presence and reach across the parking, traffic and wider transport industry.

4.14 Officers again welcome any comments or suggestions on the format and scope of the proposed new Annual Reception.

5.0 Implications

5.1. Finance

5.1.1 The cost of implementing changes to the format of the PACER awards would be met from within existing budgets.

6.1 Risk Management

6.1.1 None.

7.1 Legal

7.1.1 None.

PATROL

Public Affairs Update: To 3 January 2024

1. 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/ukxi/2022/686/contents/made>) and July 2023 (<https://www.legislation.gov.uk/ukxi/2023/698/contents/made>).

Authority	Detail on active / proposed restrictions
Bath & North East Somerset Council	https://beta.bathnes.gov.uk/moving-traffic-enforcement-powers-consultation/location-summary
Bedford Borough Council	https://www.bedford.gov.uk/parking-roads-and-travel/roads-and-pavements/traffic-regulation-orders/implemented-traffic
Birmingham City Council	https://www.birmingham.gov.uk/blog/birmingham-blog/post/1210/using-new-powers-to-keep-the-city-moving
Bournemouth, Christchurch and Poole Council	https://haveyoursay.bcpccouncil.gov.uk/21069/widgets/59914/documents/35609
Bradford Council	https://www.bradford.gov.uk/browse-all-news/press-releases/new-highway-enforcement-powers-to-improve-road-safety/
Bristol City Council	https://www.ask.bristol.gov.uk/moving-traffic-enforcement-powers-consultation
Buckinghamshire Council	https://www.buckinghamshire.gov.uk/parking-roads-and-transport/moving-traffic-offences/
Cambridgeshire County Council	https://www.cambridgeshire.gov.uk/residents/travel-roads-and-parking/roads-and-pathways/moving-traffic-offences-consultation
Central Bedfordshire Council	https://www.centralbedfordshire.gov.uk/news/article/742/residents-urged-to-comment-on-plans-to-stop-moving-traffic-offences
Cheshire West and Chester Borough Council	https://www.cheshirewestandchester.gov.uk/news/council-moves-forward-with-camera-enforcement-of-moving-traffic-violations
Coventry City Council	https://letstalk.coventry.gov.uk/mtepowers#:~:text=adopt%20the%20powers.-,Background,restricted%20areas%20when%20not%20permitted.
Derby City Council	https://www.derby.gov.uk/transport-and-streets/parking-in-derby/moving-traffic-enforcement/#page-1

Durham County Council	https://www.durham.gov.uk/article/28419/Council-enforcement-goes-live-with-new-cameras
Gloucestershire County Council	https://www.gloucestershire.gov.uk/highways/parking/moving-traffic-enforcement-information/
Hampshire County Council	https://www.hants.gov.uk/transport/transport schemes/traffic-enforcement-consultation
Herefordshire Council	https://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?ID=8953
Hertfordshire County Council	https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/roadworks-and-road-closures/major-roadwork-projects/unattended-camera-enforcement.aspx
Kent County Council	https://www.kent.gov.uk/roads-and-travel/travelling-around-kent/enforcing-traffic-offences
Lancashire County Council	https://council.lancashire.gov.uk/mglIssueHistoryHome.aspx?Id=114710&Opt=0
Leeds City Council	https://democracy.leeds.gov.uk/ieDecisionDetails.aspx?Id=56023
Leicester City Council	https://www.leicester.gov.uk/transport-and-streets/traffic-regulation-orders/
Liverpool City Council	https://liverpool.gov.uk/parking-roads-and-travel/parking-fines-and-challenges/moving-traffic-offences/
Luton Borough Council	https://m.luton.gov.uk/Page/Show/Transport and streets/Parking/Pages/Moving-traffic-enforcement.aspx#:~:text=Moving%20traffic%20enforcement%20is%20where,are%20subject%20to%20traffic%20enforcement.
Manchester City Council	https://www.manchester.gov.uk/info/200024/consultations_and_surveys/8436/moving_traffic_contraventions_consultation/10
Medway Council	https://www.medway.gov.uk/info/200160/roads_and_pavements/1602/moving-traffic-offences
Newcastle City Council	https://www.newcastle.gov.uk/citylife-news/transport/council-apply-new-traffic-enforcement-powers-following-consultation
Norfolk County Council	https://www.norfolk.gov.uk/roads-and-transport/moving-traffic-and-bus-lane-enforcement/moving-traffic-enforcement
North Northamptonshire Council	https://northnorthants.citizenspace.com/highways/moving-traffic-offences/
Nottingham City Council	https://www.transportnottingham.com/nottingham-is-awarded-powers-to-enforce-moving-traffic-offences/
Oldham Council	https://pclengagement-hub.co.uk/en-GB/projects/oldhammteplans
Peterborough City Council	https://www.peterborough.gov.uk/news/peterborough-looking-to-enforce-moving-traffic-offences#:~:text=Peterborough%20City%20Council%20has%20launched,safety%2C%20and%20encourage%20sustainable%20travel.
Oxfordshire County Council	https://www.oxfordshire.gov.uk/residents/roads-and-transport/parking/moving-traffic-offences
Reading Borough Council	https://www.reading.gov.uk/vehicles-roads-and-transport/moving-traffic-enforcement/
Rochdale Council	https://pclengagement-hub.co.uk/folders/rochdalemte
Rotherham Metropolitan Borough Council	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.
Salford City Council	https://www.salford.gov.uk/your-council/news/news-archive/news-from-january-2023/public-back-move-to-act-on-box-blocking/

Sheffield City Council	https://connectingsheffield.commonplace.is/en-GB/proposals/enforcing-moving-traffic-offences-traffic-management-act-2004-part-6/step1
Shropshire Council	https://newsroom.shropshire.gov.uk/2023/05/council-moving-traffic-powers-school-streets/
South Gloucestershire Council	https://consultations.southglos.gov.uk/gf2.ti/f/1470306/154603941.1/PDF/-/Frequently%20Asked%20Questions%20Moving%20Traffic%20Enforcement.pdf
Southampton City Council	https://transport.southampton.gov.uk/tro-consultations/closed-consultations/moving-traffic-restrictions-order-2022/
City of Stoke-on-Trent Council	https://www.stoke.gov.uk/info/20008/roads_parking_and_travel/568/moving_traffic
Surrey County Council	https://www.surreycc.gov.uk/roads-and-transport/moving-traffic-offences
Thurrock Borough Council	https://consult.thurrock.gov.uk/enforcing-mto
Trafford Council	https://trafford.citizenspace.com/place/moving-traffic-offences-consultation/
Walsall Council	https://go.walsall.gov.uk/newsroom/walsall-council-gain-powers-civil-enforcement-moving-traffic-contraventions#:~:text=councils%20in%20England,-.Walsall%20Council%20to%20gain%20powers%20for%20civil%20enforcement%20of%20moving,safety%20of%20all%20road%20users.
West Berkshire District Council	https://www.westberks.gov.uk/MTOpowers#Results
West Northamptonshire Council	https://www.westnorthants.gov.uk/news/west-northants-invited-have-its-say-new-traffic-powers
West Sussex County Council	https://www.westsussex.gov.uk/roads-and-travel/parking/moving-traffic-enforcement/
Wigan Council	https://www.wigan.gov.uk/Council/Consultations/Current/Moving-traffic-offences.aspx
Royal Borough of Windsor and Maidenhead	https://rbwmtogether.rbwm.gov.uk/mtcepilot
Wirral Council	https://haveyoursay.wirral.gov.uk/moving-traffic-enforcement
Wokingham Borough Council	https://www.wokingham.gov.uk/parking-and-transport/moving-traffic-offences#:~:text=We%20will%20be%20issuing%20tickets%20for%20moving%20traffic%20offences&text=Previously%2C%20Thames%20Valley%20Police%20only,commit%20a%20moving%20traffic%20offence.

- The Traffic Penalty Tribunal decides appeals relating to the enforcement of moving traffic contraventions, with the first of these appeals received in June 2023. 15 appeals have been registered at the Tribunal to date.
- A third tranche of authorities is set to follow and PATROL continues to engage with its members that have indicated they wish to commence moving traffic enforcement, in order to assist them with preparations.
 - Applications for the third tranche closed in October, with powers expected to be granted in early 2024.

b. Level of civil parking penalty charges in England

- PATROL, with support from the British Parking Association and the backing of the Local Government Association, is conducting research into how the current levels of parking penalty charges are impacting and possibly impeding local authority members in managing and enforcing their road networks. There has been no formal review of civil parking penalty charges in England and Wales since 2008, with the exception of in London.
- A survey went out to parking managers across member authorities in May / June 2023, with responses and data currently collated into a draft report.
 - The primary recommendation is for English and Welsh authorities to 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. Such a model is already in place for enforcement in London.
 - In the shorter term, it is also recommended that the levels of civil penalty charges in England and Wales enforced under the *Traffic Management Act 2004* be increased to £100 (lower level) and £130 (higher level), as appropriate. These proposed charges take into account inflation and are in line with similar traffic and transport penalties set and approved for increase in recent years.
 - Other recommendations cover the use of Automatic Number Plate Recognition (ANPR) for civil parking enforcement and reforms to the servicing of notices via first class post.
- This report was reviewed in draft by the Department for Transport (DfT), the Department of Levelling Up, Housing and Communities and the Welsh Government before Christmas 2023.
- Following final comments from the BPA and LGA, PATROL aims to publish and distribute the report to ministers and shadow ministers in the first two weeks of Parliament's return from recess in 2024 (from wc. 8 January).
 - Further detailed data is expected to be provided to civil servants as a next step towards any legislative or regulatory changes.

c. 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 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.
- The consultation can be viewed at: <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> and closed on 8 October 2023. PATROL awaits the Department's response.

d. Pavement Parking

- **Wales:** The Welsh Government's plans to give councils powers to enforce against pavement parking are currently delayed.

The decision was made due to the pressure on authorities to implement enforcement alongside the planned default 20mph speed limit and reforms to the bus network this year. Consultation and introduction of the new pavement parking powers was due to be finalised this year, but is now not due to start until 2024.

- **England (outside London):** PATROL continues to await an update from the DfT – following its October 2020 consultation – on when policy changes will be announced.

On 13 March 2023, a debate on pavement parking was held in the House of Commons (<https://hansard.parliament.uk/Commons/2023-03-13/debates/4479BB2C-49BD-47FD-9C76-5149A8A12DF7/PavementParking?highlight=pavement%20parking#contribution-1B8A7090-2D90-44A5-B070-B8138980AC82>)

During the debate, Richard Holden, then Parliamentary Under-Secretary of State (Roads and Local Transport) at the DfT, provided an update on the consultation response, discussing the pros and cons of the three possible solutions (an outright ban, enforcing 'obstruction' as a new contravention and reforming the TRO-making process), and stated that pavement parking was '*...a very real and complex problem that we are looking to address at the earliest opportunity*', adding that he and the Department were actively working on the issue.

On 20 September, the Department confirmed the consultation response would be published 'in due course', responding to a campaign for action by charity, Guide Dogs.

PATROL has since received further recent assurances from the DfT that a response is expected at the earliest.

- **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.

From 11 December 2023, local authorities were able to begin enforcement, with penalty charges set at £100. Edinburgh City Council confirmed it intends to enforce the restrictions from January 2024, see: <https://www.edinburgh.gov.uk/news/article/13849/pavement-parking-controls-to-be-introduced-in-edinburgh>.

e. Other items of interest

- **19 December: RESEARCH – Literature review: *Local authority capacity and capability for transport provision***
A review of relevant literature regarding local authority capacity and capability for planning and providing local transport.
<https://www.gov.uk/government/publications/literature-review-local-authority-capacity-and-capability-for-transport-provision>
- **17 November: FUNDING – £8 billion boost to repair roads and back drivers**
The Government is allocating £8.3 billion to fund the resurfacing of 5,000 miles of road across the country over the next 11 years. The DfT said: *'Each local authority can use its share ... to identify what local roads are in most need of repair and deliver immediate improvements for communities and residents... To increase transparency, local authorities will be required to publish information on their websites on a regular basis explaining how they are spending the funding in their area.'*
<https://www.gov.uk/government/news/8-billion-boost-to-repair-roads-and-back-drivers>
- **13 November: NEWS – Guy Opperman confirmed as new roads minister**
Guy Opperman, MP for Hexham, has been appointed as Parliamentary Under Secretary of State with the ministerial portfolio for roads and local transport at the DfT. He replaces Richard Holden MP, who was moved to Minister without Portfolio in the Cabinet Office during the Prime Minister's recent reshuffle. In the Lords, Lord Davies of Gower replaces Baroness Vere with the same portfolio. Lady Vere has moved to the Treasury.
- **23 October: FUNDING – Additional £150 million funding to improve bus services**
Local authorities in the Midlands and North East will benefit from £150 million of new funding to improve bus services over the next financial year, including provision for new bus lane schemes as part of Bus Service Improvement Plans.
<https://www.gov.uk/government/news/major-150-million-funding-boost-for-local-bus-services-as-fare-cap-set-to-be-extended>
- **2 October: POLICY PAPER – *Plan for drivers***
The Government is targeting ways to improve the experience of driving and services provided for motorists in a new policy paper, the *Plan for drivers*:
<https://www.gov.uk/government/publications/plan-for-drivers>.

The DfT said the plan *'focuses on issues we know matter to drivers, including: smoother journeys...stopping unfair enforcement...easier parking...cracking down on inconsiderate driving...helping the transition to zero emission driving.'*

A number of actions in the plan are of particular relevance to PATROL authorities:

- The development of sector-led guidance on a fair, proportionate and consistent enforcement approach for moving traffic enforcement powers, including the strengthening of statutory guidance.
- A planned call for evidence on options to restrict a local authority's ability to generate surpluses from traffic contraventions.

PATROL is actively interfacing with the DfT in relation to the *Plan for drivers* and will keep members updated on discussions and further steps, as required.

2. Roll-out of Clean Air Zones (CAZs) in England (outside London)

Overview of confirmed local authority CAZ / Zero Emission Zone (ZEZ) plans

Location	Current status
Bath	<ul style="list-style-type: none"> • Zone launched 15 March 2021.
Birmingham	<ul style="list-style-type: none"> • Zone launched 1 June 2021.
Portsmouth	<ul style="list-style-type: none"> • Zone launched 29 November 2021.
Oxford (ZEZ)	<ul style="list-style-type: none"> • Pilot zone launched 28 February 2022. • Public consultation on wider zone currently ongoing until 3 October 2022.
Bradford	<ul style="list-style-type: none"> • Zone launched 26 September 2022.
Bristol	<ul style="list-style-type: none"> • Launch launched 28 November 2022.
Newcastle, Gateshead and North Tyneside	<ul style="list-style-type: none"> • Launch launched 30 January 2023.
Sheffield	<ul style="list-style-type: none"> • Launch launched 27 February 2023.
Greater Manchester (Greater Manchester Combined Authority)	<ul style="list-style-type: none"> • 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.