

**PATROL ADJUDICATION JOINT COMMITTEE**  
**Executive Sub Committee**  
**Agenda**

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**Date:** Tuesday 24<sup>th</sup> January 2023  
**Time:** 11.00 am  
**Venue:** The Studio, 7 Cannon Street, Birmingham B2 5EP

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1. **Apologies for Absence (Page 4)**  
To receive apologies for absence (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 (Pages 5-10)**  
To approve the minutes of the PATROL Adjudication Joint Committee Executive Sub Committee held on 11<sup>th</sup> October 2022 as a correct record (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) (Pages 11-19)**  
To receive an update from the Chief Adjudicator (enclosed).
6. **Budget Monitoring Update for 2022-23 - PATROL (Pages 20-22)**  
To consider a report on the Income and Expenditure position at 31<sup>st</sup> October 2022 for the year 2022/23 including the Reserves position at 31<sup>st</sup> October 2022 against the approved Reserves levels in order to comply with the approved Financial Regulations (enclosed).

7. **Amendments to the PATROLAJC Deed Agreement (Pages 23-103)**  
To inform the Executive Sub Committee of the amendments to the PATROLAJC Deed Agreement in line with changes to legislation (enclosed).
8. **Amendments to the Terms of Reference to the PATROLAJC Executive Sub Committee, the PATROL and Bus Lane Adjudication Service Joint Committees' Resources Working Group and Sub Committee and the Advisory Board (Pages 104-111)**  
To approve the Amendments to the Terms of Reference to the PATROLAJC Executive Sub Committee, the PATROL and Bus Lane Adjudication Service Joint Committees' Resources Working Group and Sub Committee and the Advisory Board (enclosed).

**Items common to PATROL and Bus Lane Adjudication Service Joint Committee**

9. **Reserves Policy Statement (Pages 112-116)**  
To review the Reserves Policy Statement for the Joint Committee for 2023/24 and to request that the Joint Committees approve the Reserves Policy Statement for 2023/24 (enclosed).
10. **Annual Investment Strategy 2024 (Pages 117-118)**  
To approve the Annual Investment Strategy for 2023/24 (enclosed).
11. **Revenue Budgets for 2023-24 (Pages 119-124)**  
To adopt the revenue budget estimates for 2023/24, and to note that the report sets out a single budget amalgamating the activity and balances of both PATROL and BLASJC for the Financial Year 2023/24 (enclosed).
12. **Defraying the Expenses of the Joint Committee (Pages 125-129)**  
To establish the basis for defraying expenses during the 2023/24 Financial Year (enclosed).
13. **Cross-Assignment Exercise – Appointment of Adjudicators Cross-Deployed from London Tribunals (Pages 130-132)**  
To note the appointment of adjudicators cross-deployed from London Tribunals (enclosed).
14. **Appointments to the Advisory Board (Pages 133-134)**  
To note the appointments to the Advisory Board (enclosed).
15. **Risk Management Framework (Pages 135-140)**  
To note the latest review of the Risk Register (enclosed).
16. **Report of the PATROL and BLASJC Resources Working Group (Pages 141-143)**

To report on the PATROL and BLASJC Resources Working Group which met on 13<sup>th</sup> December 2022 (enclosed).

17. **Public Affairs Report (Pages 144-148)**

To note the Public Affairs report during 2022 (enclosed).

18. **Date of next meeting**

To note the date of the next meeting as follows:-

Tuesday 11<sup>th</sup> July 2023 at the Local Government Association Headquarters, 18 Smith Square, London, SW1P 3HZ. To be followed by the PACER awards – venue TBC.

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

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

## **PATROLAJC Executive Sub Committee Apologies**

Bradford MBC - Cllr Carol Thirkill

Brighton and Hove City Council - Cllr Steve Davis

Cheshire East Council - Cllr Laura Crane

Chichester DC - Cllr Eileen Lintill

Coventry CC - Cllr Patricia Hetherington

Dartford BC - Cllr Brian Garden

Dudley MBC - Cllr Ian Kettle

Durham CC - Cllr John Shuttleworth

East Herts DC - Cllr Graham McAndrew

Exeter CC - Cllr Andrew Leadbetter

Hambleton DC - Cllr Nige Knapton

Sevenoaks DC - Cllr Margot McArthur

Slough BC - Cllr Mohammed Nazir

Somerset CC - Cllr John Cook-Woodman

Stockton MBC - Cllr Mike Smith

Sunderland CC - Cllr Claire Rowntree

Tameside MBC - Cllr Janet Jackson

Uttlesford DC - Cllr Geof Driscoll

Wigan MBC - Cllr Kevin Anderson

Wirral MBC - Cllr Dave Mitchell

Wirral MBC - Cllr Lesley Rennie

## **Officers**

Erica Maslen - PATROL

Iain Worrall - PATROL

Minutes of a meeting of the

## **PATROL Adjudication Joint Committee**

held on 11 October 2022 at The Park Plaza London, Waterloo, SE1 7DP

### **PRESENT**

Councillor Stuart Hughes - Devon County Council in the Chair

Councillor Chris Turrell - Bracknell Forest District Council

Councillor Laura Crane - Cheshire East Council

Councillor Marilyn Peters - Dartford Borough Council

Councillor Mike Eyles - Eden District Council

Councillor Andrew Leadbetter - Exeter CC

Councillor Ray Fields - Folkestone & Hythe DC

Councillor Marje Pelling - Gelding BC

Councillor Graham Burgess - Hampshire County Council

Councillor Phil Bibby - Hertfordshire County Council

Councillor Mike Brookes - Lincolnshire CC

Councillor Tony Page - Reading Borough Council

Councillor Mohammed Nazir - Slough BC

Councillor Dan Brown - South Hams District Council

Councillor Simon Cronin - Worcester City Council

Councillor Martin King - Wychavon District Council

### **OFFICERS IN ATTENDANCE**

Sarah Baxter - PATROL

Andy Diamond - PATROL

Laura Padden - Director of PATROL

Iain Worrall - PATROL

Caroline Hamilton - Traffic Penalty Tribunal

### **IN ATTENDANCE**

Graham Addicott OBE - Advisory Board

### **19 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Les Phillimore, Blaby DC, Councillor Carol Thirkill, Bradford MBC, Councillor Colin Hutchinson, Calderdale MBC, Councillor Karen Davies, Carmarthenshire CC, Councillor John James, Carmarthenshire CC, Councillor Eileen Lintill, Chichester DC, Councillor Terry Douris, Dacorum BC, Councillor Ian Kettle, Dudley MBC, Councillor Karen Shakespeare, Dudley MBC, Councillor John Shuttleworth, Durham CC, Councillor Graham McAndrew, East Hertfordshire DC, Councillor

Nigel Knapton, Hambleton DC, Councillor Phil Bibby, Hertfordshire CC, Councillor Tony Brennan, Knowsley MBC, Councillor Laura Lacey, Newport CC, Councillor Margot McArthur, Sevenoaks DC, Councillor John Cook-Woodman, Somerset CC, Councillor Mike Smith, Stockton BC, Councillor Ian Shenton, Stratford DC, Councillor Claire Rowntree, Sunderland CC, Councillor Andrew Stephens, Swansea Council, Councillor Rob Larden, Walsall MBC, Councillor Kevin Anderson, Wigan MBC and Councillor Dave Mitchell, Wirral MBC.

In addition, apologies were received from Jo Abbot, Advisory Board, Paul Nicholls, Advisory Board, Marc Samways, Advisory Board, Richard Waters, Advisory Board, Erica Maslen, PATROL and Stephen Knapp, Traffic Penalty Tribunal.

## **20 DECLARATIONS OF INTEREST**

There were no declarations of interest.

## **21 MINUTES OF THE MEETING HELD ON 26<sup>TH</sup> JANUARY 2022**

### **RESOLVED**

That the minutes of the meeting of the PATROL Adjudication Joint Committee Executive Sub Committee held on 26<sup>th</sup> January 2022 be approved as a correct record and signed by the Chair.

## **22 CHAIR'S UPDATE**

The Chair gave a verbal update in respect of the following matters:-

- Pavement Parking - The Chair requested a letter be sent to the DfT by PATROL on behalf of the Joint Committee highlighting the impact the delay in legislation was having on councils;
- Location of future meetings of the Executive Sub Committees-Following feedback from Members to the Democratic Services and Policy Manager regarding the location of Executive Sub Committee meetings, it was agreed that the January meeting would be held in Birmingham.

In terms of pavement parking, Members welcomed the intention to write to the DfT. The general consensus of the Executive Sub Committee was that government needed to progress with some form of legislation; however, it was clear that a blanket ban would also not be the ideal solution.

### **RESOLVED**

That the Chair's update be noted.

## **23 CHIEF ADJUDICATOR'S UPDATE**

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

- Completion of adjudicator appraisals;
- Update on the adjudicator training session scheduled to take place in December as a result of feedback from the appraisals;
- Progress with ongoing Judicial Reviews;
- Proposals to work closely with London Tribunals including an intention to undertake a cross-ticketing exercise with London adjudicators in order to deliver recruitment and training cost savings, share their expertise in emerging legislation and to work collaboratively with other tribunals within the industry;
- Summary of the data in relation to parking appeals referred to in the general progress report.

### **RESOLVED**

That the update be noted.

## **24 ADJUDICATOR-CROSS-ASSIGNMENT EXERCISE**

Consideration was given to a report outlining proposals to undertake a cross-assignment exercise with approximately seven London adjudicators to develop the shared aim of working cost efficiently and collaboratively with London Tribunals and to address the expected imminent increase in moving traffic appeals.

The Vice Chair welcomed the report expressing the view that it was a good initiative which was well over due.

### **RESOLVED**

That the report be noted.

## **25 AUDIT COMMISSION SMALL BODIES ANNUAL RETURN FOR THE YEAR ENDED 31 MARCH 2022**

Consideration was given to a report on the findings of the External Auditors for the year 2021/22.

### **RESOLVED**

1. That the findings of the External Audit Report for 2021/22, enclosed in the report as Appendix One be noted.

2. That the findings of the Internal Audit Report for 2021/22 as reported to the PATROL and BLASJC Sub Committee at their meetings on 12 July 2022, enclosed in the report as Appendix Two be noted.

## **26 REVIEW OF INCOME AND EXPENDITURE AND RESERVES FOR 2022/23**

Consideration was given to a report on the Income and Expenditure and Reserves for 2022/23. It was noted that this would be reviewed again in January.

### **RESOLVED**

1. That the Income and Expenditure position at 31<sup>st</sup> July 2022 for the year 2022/23 be noted.

2. That the Reserves position at 31<sup>st</sup> July 2022 against the approved Reserves levels be noted.

3. That the recommended charge of 30 pence per PCN issued for the remainder of 2022/23 be approved.

## **27 LITTERING FROM VEHICLES-NUMBER GENERATOR**

Consideration was given to a report recommending the roll out of a web-based portal that generates penalty charge notice numbers and PINs as an authority subscription mode, in order to enable member authorities to make the use of 2018 Littering from Vehicles regulations.

### **RESOLVED**

That the immediate roll out of a subscription-based portal be approved.

## **ITEMS COMMON TO PATROL AND BUS LANE ADJUDICATION SERVICE JOINT COMMITTEE**

## **28 RISK MANAGEMENT FRAMEWORK**

Consideration was given to a report summarising the most significant threats facing the Joint Committees which could prevent or assist with the achievement of its objectives.

### **RESOLVED**

That the report be noted.

## **29 REPORT OF THE PATROL RESOURCES WORKING GROUP**

Consideration was given to a report summarising the matters discussed at the PATROL and BLASJC Resources Working Group meetings held since the Executive Sub Committee Meeting held in January 2022.

### **RESOLVED**

That the report be noted.

## **30 PUBLIC AFFAIRS REPORT**

Consideration was given to a report which provided an overview of current traffic management issues as well as the results of the PACER awards which took place in July 2022.

Laura Padden, the Director for PATROL updated the Joint Committee on the following matters:-

- Pavement parking - In respect of Wales slow progress had been made due to resources focussing on the introduction of 20mph zones across the country.

In respect of England there were ongoing frustrations as a result of the delay in implementing legislation. It was hoped that the appointment of a new Transport Minister combined with PATROL writing directly to the DfT with evidence presented at the meeting today, could result in a positive outcome.

- Moving Traffic - Only a small number of the 12 authorities granted powers to enforce MTE in England were currently in a position to enforce and to date, no appeals for those schemes had been received. The DfT were now inviting applications from authorities who wished to be part of the second tranche. The Director of Patrol reminded councils to consider their position now as there were no firm plans for a third tranche. The original deadline for submissions was 11 November but this had been pushed back to January 2023. If councils did not apply by January, then it could be a further year before another opportunity presented itself. If councils wanted further information, then they were advised to contact PATROL directly.

Councillor T Page advised Reading Borough Council was one of the 12 councils who had moved forward with moving traffic. He explained Reading Borough Council had undertaken a 'light touch' consultation online. Approximately 300-350 responses were received with majority support for the principle of enforcing moving traffic. Fifteen sites were identified which again secured a majority support. In order to comply with the regulations councils needed to allow for a six month 'amnesty' which meant that any motorist causing an offence would receive a warning letter, however if the offence was repeated within that period, then a ticket would be issued. As a result, it was considered unlikely that many appeals would be received within the first six months.

- Clean Air Zones - The latest scheme to go live was Bradford, their scheme started in September. The next authority to 'go live' would be Bristol in November. Newcastle and Sheffield were also both expected to 'go live' in early 2023. PATROL continued to host monthly CAZ Forums with those authorities in order to monitor their progress and assist councils with their implementation of the schemes.
- Workshops - TPT and PATROL would be undertaking a series of workshops throughout November. Six locations had been identified where Caroline Hamilton, Laura Padden and Iain Worrall would host events focused on authority engagement. The workshops were designed specifically to target officers working in traffic enforcement services. Currently over 350 officers had signed up to attend. A request was made for information on the workshops to be circulated after the meeting.

## **RESOLVED**

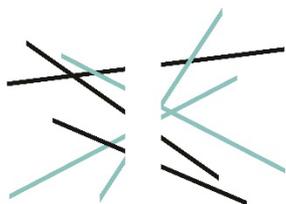
That the report be noted.

**31 DATE OF NEXT MEETING**

It was noted that the next meeting would take place on Tuesday 24<sup>th</sup> January 2023 in Birmingham.

The meeting commenced at 11am and included at 11.55am.

Councillor S Hughes  
(Chair)



**Traffic Penalty Tribunal** England and Wales

## General Progress Report

November 2022

### 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 2018 – 31 March 2022 (19/20 being predominantly pre pandemic, 21/22 being predominantly post pandemic)

#### PCNs appealed

Full Year	Totals		Like for Like *		Parking and BL/MT only **	
	number	% change	number	% change	number	% change
2019/20	37,837	9.2%	37,837	9.2%	18,356	-2.4%
2020/21	19,718	-47.9%	19,718	-47.9%	11,433	-37.7%
2021/22	27,892	41.5%	21,195	7.5%	13,319	16.5%
2021/22 of 2019/20	73.7%		56.0%		72.6%	

\* Like for Like excludes CAZ

\*\* excludes CAZ and RUC

Full Year	Parking		Bus Lanes & MT		RUCA	
	number	% change	number	% change	number	% change
2019/20	12,529	6.0%	5,827	-16.6%	19,477	23.0%
2020/21	7,994	-36.2%	3,439	-41.0%	8,279	-57.5%
2021/22	8,269	3.4%	5,050	46.8%	7,872	-4.9%
2021/22 to 2019/20	66.0%		86.7%		40.4%	

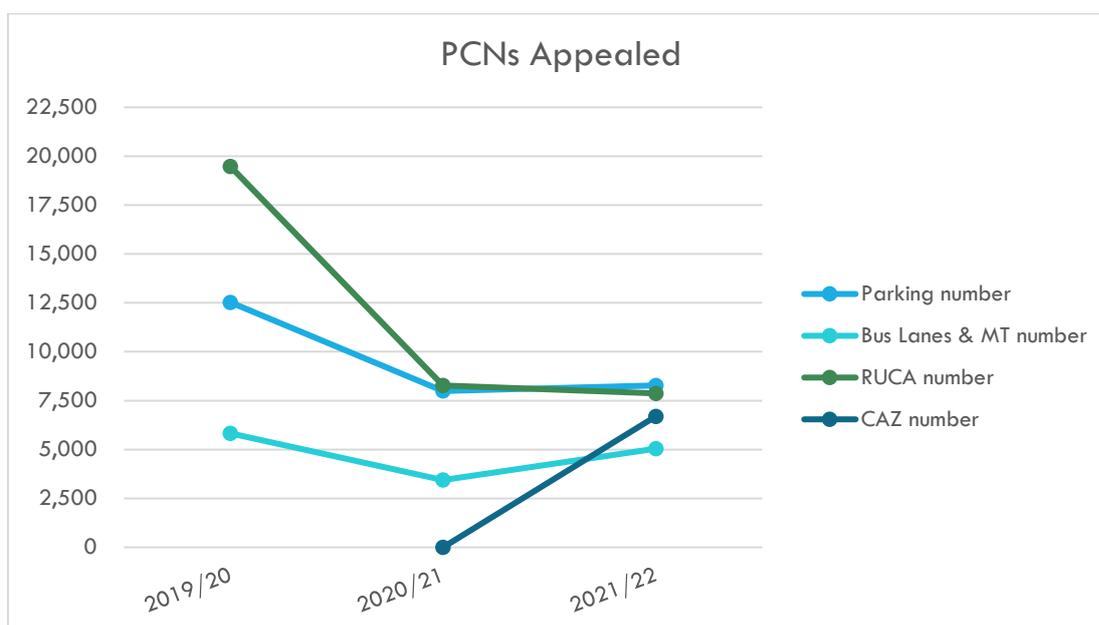
Throughout this report RUCA refers to Dartcharge and Mersey Gateway

#### Key points:

- Overall increase in PCNs appealed between 20/21 and 21/22 of 41.5%
- Excluding CAZ which was introduced in 21/22, the increase is 7.5%

- Parking, Bus Lanes and MT show a combined increase between 20/21 and 21/22 of 16.5%
- 21/22 compared 19/20, pre and post pandemic, are as follows:
- Total is only 73.7% of pre pandemic levels
- Like for Like (exc CAZ) is 56.0% of pre pandemic levels
- Parking appeals are 66.0% of pre pandemic levels
- Bus Lane and MT appeals are 86.7% of pre pandemic levels
- RUCA appeals are 40.4% of pre pandemic levels

Bus Lanes and Moving Traffic have shown the strongest recovery with a Year-on-Year increase of 46.8% (compared to 3.4% for Parking)



This can likely be attributed to the onset of COVID-19 restrictions in early 2020 and the subsequent changes in driver behavior as a result of the pandemic. With moving traffic restrictions set to be enforced by local authorities in England (outside London) from Spring 2022, a further increase in appeal numbers is expected into 2022/23.

Enforcement started at the first CAZs from March 2021. While further CAZs were expected to launch in 2022 (including Bradford, Greater Manchester, Newcastle, Gateshead and North Tyneside, and Bristol), there is current uncertainty regarding some of the proposed schemes which has resulted in them being delayed or reviewed.

### 1.1 PCNs appealed – Current Year (2022/23)

The table below compares PCNs appealed (Year to Date) for the current year, against the same point last year.

2022/23

compares pre pandemic to now

	PCNs appealed year to date - 7m			PCNs appealed year to date - 7m	
	21/22	22/23	YoY change	19/20	YoY change
<b>Parking - England</b>	4,361	4,523	3.7%	3,962	14.2%
<b>Parking - Wales</b>	380	354	-6.8%	289	22.5%
<b>Bus Lanes - England</b>	2,888	2,617	-9.4%	1,818	43.9%
<b>Bus Lanes - Wales</b>	37	32	-13.5%	95	-66.3%
<b>Moving Traffic</b>	84	53	-36.9%	72	-26.4%
<b>Dartcharge</b>	3,231	4,473	38.4%	3,341	33.9%
<b>LFV</b>	4	5	25.0%	1	400.0%
<b>Mersey Gateway</b>	1,182	513	-56.6%	5,573	-90.8%
<b>CAZ</b>	1,267	4,692	270.3%	0	0.0%
<b>Durham</b>	0	0	0.0%	0	0.0%
<b>Total</b>	<b>13,434</b>	<b>17,262</b>	<b>28.5%</b>	<b>15,151</b>	<b>13.9%</b>
	0	0			
<i>like for like - exc CAZ</i>	12,167	12,570	3.3%	15,151	-17.0%
<i>exc CAZ and RUCA</i>	7,754	7,584	-2.2%	6,237	21.6%

### Key Points:

- Parking England PCNs appealed are higher than last year by 3.7% whilst Parking Wales PCNs appealed have dropped by 6.8%
- Bus Lanes and Moving Traffic PCNs appealed are lower than the same point last year for both England and Wales (England Bus Lanes -9.4%, Wales Bus Lanes -13.5% and Wales MT -36.9%)
- Dartcharge PCNs appealed are 38.4% higher in the current year, this may be due to Easter holidays' being later
- Appeals for PCNs relating to Mersey Gateway are substantially lower (-56.6%)
- Excluding CAZ and RUCA, PCNs appealed are lower than last year (-2.2%)
- Total PCNs appealed are higher than pre-Pandemic levels (2019/20) 13.9% (17,262 compared to 15,151) but lower when comparing Like for Like (excluding CAZ) by -17.0% (12,570 compared to 15,151)

### 1.3 PCNS appealed: England and Wales

The below table provides a breakdown of PCNs appealed to the Tribunal from 1 April 2019 – 31 March 2022, issued from English Parking and Bus Lane schemes, and Welsh Parking Bus Lane and Moving Traffic schemes.

	2019/20	2020/21	2021/22	21/22 compared to 19/20
England Parking	11,669	7,499	7,676	65.8%
England Bus Lanes	5,392	3,201	4,847	89.9%
<b>England Total</b>	<b>17,061</b>	<b>10,700</b>	<b>12,523</b>	<b>73.4%</b>
Wales Parking	860	495	593	69.0%
Wales Bus Lanes	240	84	69	28.8%
Wales MT	195	154	134	68.7%
<b>Wales Total</b>	<b>1,295</b>	<b>733</b>	<b>796</b>	<b>61.5%</b>
<b>GRAND TOTAL</b>	<b>18,356</b>	<b>11,433</b>	<b>13,319</b>	<b>72.6%</b>

### Key Points:

- The number of PCNs appealed for Parking and Bus Lanes for England and Wales is still only at 72.6% of pre pandemic levels – at the end of 2021/22
- Trends vary across the various streams of activity

## 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.

### Rate of Appeal

	2019/20 Appeal Rate %	2020/21 Appeal Rate %	2021/22 Appeal Rate %	19/20 to 21/22 Appeal Rate %	2022/23 YTD - 7M Appeal Rate %
<b>Bus Lanes - England</b>	0.3%	0.3%	0.2%	-0.06%	0.2%
<b>Bus Lanes &amp; MT - Wales</b>	0.6%	0.5%	0.2%	-0.40%	0.1%
<b>Parking - England</b>	0.2%	0.2%	0.2%	-0.08%	0.2%
<b>Parking - Wales</b>	0.3%	0.5%	0.2%	-0.09%	0.2%
<b>Dartcharge</b>	0.4%	0.4%	0.3%	-0.09%	0.3%
<b>Mersey Gateway</b>	1.7%	0.6%	0.3%	-1.41%	0.1%
<b>CAZ</b>	0.0%	0.0%	0.8%	0.80%	1.2%
<b>LFV</b>	5.3%	3.8%	0.9%	-4.42%	2.0%
<b>Total</b>	<b>0.4%</b>	<b>0.3%</b>	<b>0.3%</b>	<b>-0.12%</b>	<b>0.3%</b>

\* excludes LFV and Durham

Exc CAZ	0.4%	0.3%	0.2%	-0.17%	0.2%
Exc CAZ and MG	0.3%	0.3%	0.2%	-0.08%	0.2%

	19/20 to 21/22	
	Change in number of PCNs Issued	Change in number of PCNs Appealed
<b>Bus Lanes - England</b>	12.9%	-10.1%
<b>Bus Lanes &amp; MT - Wales</b>	45.4%	-53.3%
<b>Parking - England</b>	-1.1%	-34.2%
<b>Parking - Wales</b>	-2.9%	-31.0%
<b>Dartcharge</b>	-5.7%	-30.1%
<b>Mersey Gateway</b>	-6.6%	-82.6%
<b>CAZ</b>	-	-
<b>Total</b>	<b>8.7%</b>	<b>-26.3%</b>

Exc CAZ 0.3% -44.0%

### 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
- This trend continued in the 7 months to October 2022 where the appeal rate either remained static or dropped between 21/22 and 22/23 (except CAZ and LFV which increased from 0.8% to 1.2%, and 0.9% to 2.0% respectively)
- When comparing 2019/20 pre-Pandemic to the first months of 22/23 the rate of appeal has halved when excluding CAZ (from 0.4% to 0.2%). Most of this drop is attributable to a drop in the rate of appeal for Mersey Gateway from 1.7% to 0.1%
- 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 and Moving Traffic numbers whereby the number of PCNs issued has increased by 45.4% between 19/20 but the number of PCNs appealed has reduced by -53.3%.

*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.*

## First 7 months Trends – PCNs Issued & Appealed

### PCNs Issued

	2019/20 - 7m	2020/21 - 7m	2021/22 - 7m	2022/23 - 7m	2022/23 to 21/22 - % change	2022/23 to 19/20 - % change	PCNs appealed 22/23 to 19/20 % change
<b>Bus Lanes - England</b>	1,071,640	704,451	1,210,161	1,248,969	3.2%	16.5%	43.9%
<b>Bus Lanes &amp; MT - Wales</b>	43,122	27,691	62,703	67,796	8.1%	57.2%	41.0%
<b>Parking - England</b>	2,877,041	1,793,560	2,846,029	2,933,342	3.1%	2.0%	14.2%
<b>Parking - Wales</b>	156,252	61,325	151,657	165,661	9.2%	6.0%	22.5%
<b>Dartcharge</b>	1,360,626	974,906	1,282,667	1,427,075	11.3%	4.9%	33.9%
<b>Mersey Gateway</b>	367,502	219,241	343,292	353,937	3.1%	-3.7%	-90.8%
<b>CAZ</b>	0	0	488,861	387,601	-20.7%	0.0%	0.0%
<b>LFV</b>	44	93	255	255	0.0%	482.7%	400.0%
<b>Total</b>	<b>5,876,227</b>	<b>3,781,266</b>	<b>6,385,623</b>	<b>6,584,636</b>	<b>3.1%</b>	<b>12.1%</b>	<b>13.9%</b>
<i>exc CAZ</i>	<i>5,876,227</i>	<i>3,781,266</i>	<i>5,896,762</i>	<i>6,197,035</i>	<i>5.1%</i>	<i>5.5%</i>	

### Key Points:

- PCN issuance is 3.1% higher for the first 7 months of 22/23 compared to the same period in 21/22
- When comparing pre and post Pandemic PCNs issued 22/23 is 12.1% higher than 19/20 – this includes CAZ which was a new appeal stream in this period
- Excluding CAZ, 22/23 is 5.5% higher than 19/20

## 2. Hearings

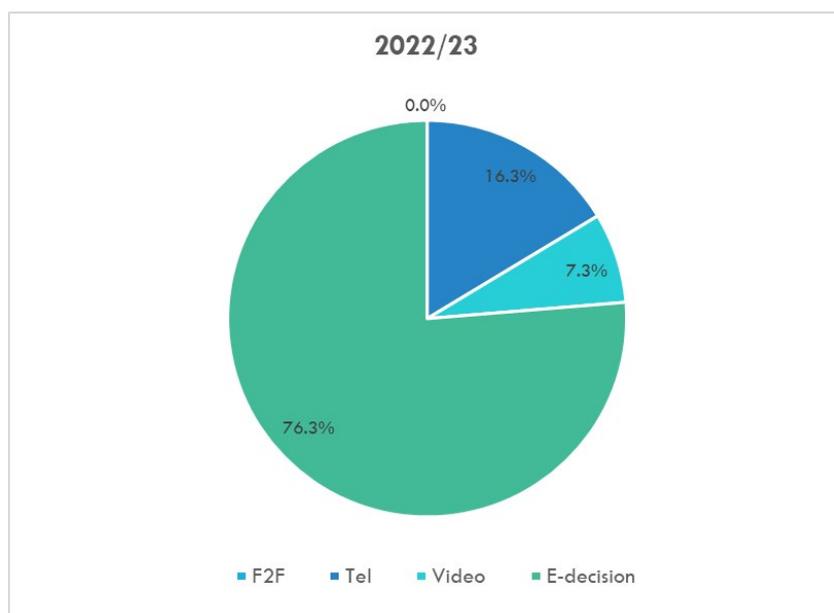
The tables below show a breakdown of the decision methods over the last few years.

	Cases requiring a Decision					
	TOTAL	F2F	Tel	Video	E-decision	
<b>2022/23</b>	5,524	0	902	406	4,216	<i>part year</i>
<b>2021/22</b>	10,130	0	1,509	586	8,035	<i>full year</i>
<b>2020/21</b>	8,189	0	1,343	46	6,800	<i>full year</i>
<b>2019/20</b>	15,395	6	3,706	30	11,653	<i>full year</i>
<b>2018/19</b>	13,838	14	3,099	20	10,705	<i>full year</i>
<b>2017/18</b>	11,134	596	1,922	2	8,614	<i>full year</i>

	Cases requiring a Decision					
	TOTAL	F2F	Tel	Video	E-decision	
2022/23	100.0%	0.0%	16.3%	7.3%	76.3%	part year
2021/22	100.0%	0.0%	14.9%	5.8%	79.3%	full year
2020/21	100.0%	0.0%	16.4%	0.6%	83.0%	full year
2019/20	100.0%	0.0%	24.1%	0.2%	75.7%	full year
2018/19	100.0%	0.1%	22.4%	0.1%	77.4%	full year
2017/18	100.0%	5.4%	17.3%	0.0%	77.4%	full year

The increase in Video Hearings as a proportion of the different decision methods reflects the initiative of 2021/22 to allow those Appellants and Authorities who are able and wish to connect themselves to hearings to do so using the Microsoft Teams platform.

The current proportions for 22/23 (4 months) are shown below:



### 3. 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 20<sup>th</sup> November there are 2,478 PCNs that are ready for and awaiting a decision. 1,139 of these relate to Mersey Gateway. 744 relate to all other Enforcement Authorities but where there are less than 25 PCNs awaiting decision for any one authority.

Decision Outstanding as at 20/11/22

Authority	Number PCNs
Halton BC	1,139
Dartcharge	244
Birmingham CAZ	235
Brsistol Bus Lanes	48
Nottingham Bus Lanes	37
Sheffield Bus Lanes	31
< 25 PCNs per LA	744

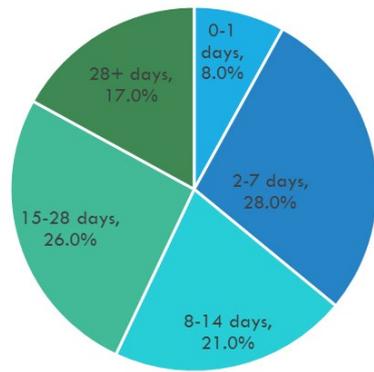
2,478

The data below shows appeal case closure times for cases received between 1 April 2022 and 20<sup>th</sup> November 2022.

Case Closure	
0-1 days	8.0%
2-7 days	28.0%
8-14 days	21.0%
15-28 days	26.0%
28+ days	17.0%

100.0%

Days to Closure



■ 0-1 days ■ 2-7 days ■ 8-14 days ■ 15-28 days ■ 28+ days ■

## **PATROLAJC Executive Sub Committee**

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**Date of Meeting:** 24<sup>th</sup> January 2023

**Report Title:** Budget Monitoring Update for 2022-23 - PATROL

**Report of:** The Director in consultation with the PATROL and BLASJC Resources Working Group

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

- 1.1. To report the Income and Expenditure position at 31<sup>st</sup> October 2022 for the year 2022/23 in order to comply with the approved Financial Regulations.
- 1.2. To report the Reserves position at 31<sup>st</sup> October 2022 against the approved Reserves levels in order to comply with the approved Financial Regulations.

### **2. Recommendations**

- 2.1. To note the Income and Expenditure position at 31<sup>st</sup> October 2022 for the year 2022/23.
- 2.2. To note the Reserves position at 31<sup>st</sup> October 2022 against the approved Reserves levels.

### **3. Reasons for recommendations**

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

### **4. Background**

- 4.1. At 31<sup>st</sup> October 2022 Income is £17,895 over budget (positive variance).  
Expenditure under budget by £376,360 (positive variance).

This results in a surplus to date of £393,021 against a budgeted deficit of £1,234 (a positive variance of £394,255).

Of this £393,021, £244,045 relates to PATROL with the balance being ring-fenced to National Highways (£102,027) and Halton Borough Council (£46,589).

<b>SUMMARY TO DATE</b>				
	31/10/2022	31/10/2022	31/10/2022	31/10/2022
	Year to Date	Budget	Var to Budget	Var to Budget
Income	2,014,752	1,996,858	17,895	0.9%
Expenditure	1,621,732	1,998,092	376,360	18.8%
Surplus / (Deficit)	<b>393,021</b>	<b>-1,234</b>	<b>394,255</b>	

#### **Breakdown of Surplus**

PATROL	244,405	-9,031	253,436
Halton Borough Council	46,589	-6,001	52,590
National Highways	102,027	13,798	88,228
	<b>393,021</b>	<b>-1,234</b>	<b>394,255</b>

The savings in expenditure are explained by:

- Savings in Adjudicator costs (recruitment costs, other initiatives not undertaken, and reduction in Duty cover). This totals around £218k.
- Savings in Staff Costs (unfilled vacancies). This totals around £136k.
- IT savings (due to review of overheads and hardware replacement not required). This totals around £45k.

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

	To Date	Budget	Var to Budget
Reserves b/f from 21/22	2,861,823	2,861,823	0
us / (Deficit) for year 22/23 - YTD	393,021	-1,234	394,255
<b>Closing Balance</b>	<b>3,254,844</b>	<b>2,860,589</b>	<b>394,255</b>
<i>Approved Reserves</i>	1,893,698	1,893,698	0
<b>FREE Reserves to Date</b>	<b>1,361,146</b>	<b>966,891</b>	<b>394,255</b>
<b>less:</b>			
<b>NH balance at 31/10/22</b>	<b>176,710</b>	<b>88,481</b>	88,228
<b>MG balance at 30/09/22</b>	<b>85,107</b>	<b>32,517</b>	52,590
<b>PROL FREE Reserves at 30/09/22</b>	<b>1,099,329</b>	<b>845,893</b>	<b>253,436</b>

At 31st October 2022 there is a Reserves balance of £3,254,844 giving a Free Reserves balance of £1,361,146 (against a budgeted balance of £966,891).

Of this FREE Reserves Balance of £1,361,146, £176,710 is ring-fenced to National Highways and £85,107 ring-fenced to Halton Borough Council. This leaves a balance of FREE Reserves to PATROL of £1,099,329.

**4.3** The table below demonstrates that Cash Reserves (PATROL excluding ring-fenced amounts) have decreased by £276,398 from pre-Pandemic to date. This is partially offset by an decrease in Approved Reserves of £361,751 combining to give an increase in Free Reserves of £84,813.

This shows that the losses suffered by the Pandemic effect on enforcement are not yet fully recovered.

<b>PATROL only</b>				
	<b>Reserves</b>	<b>Approved</b>	<b>Free Reserves</b>	<b>Movement</b>
<b>Opening Reserves 2020/21</b>	<b>3,089,798</b>	<b>2,255,631</b>	<b>834,167</b>	
Reserves for year 2020/21	-636,717			
Drawdown in Year 2020/21	-214,362			
<b>Opening Reserves 2021/22</b>	<b>2,238,719</b>	<b>1,912,104</b>	<b>326,615</b>	<b>-507,552</b>
Reserves for year 2021/22	329,736			
Drawdown in Year 2021/22	0			
<b>Opening Reserves 2022/23</b>	<b>2,568,455</b>	<b>1,893,880</b>	<b>674,575</b>	<b>347,960</b>
Reserves for year 2022/23	244,405			
Drawdown in Year 2022/23	0			
<b>RESERVES TO END JULY 2022</b>	<b>2,812,860</b>	<b>1,893,880</b>	<b>918,980</b>	<b>244,405</b>
<b>From start 2020/21 to date</b>	<b>-276,938</b>	<b>-361,751</b>	<b>84,813</b>	<b>84,813</b>

## 5. Implications

### 5.1. Finance

Assurance of financial health and therefore limited financial risk.

## 6. Risk Management

**6.1** Assurance of financial health and therefore limited financial risk.



## PATROLAJC Executive Sub Committee

---

<b>Date of Meeting:</b>	24 <sup>th</sup> January 2022
<b>Report Title:</b>	Amendments to the PATROLAJC Deed Agreement
<b>Report of:</b>	Sarah Baxter, Democratic Services and Policy Manager

---

### 1. Purpose of Report

- 1.1. To inform the Executive Sub Committee of the amendments to the PATROLAJC Deed Agreement in line with changes to legislation.

### 2. Recommendations

- 2.1. To approve the amendments to the PATROLAJC Deed Agreement including amendments to all associated documents within the agreement as contained in Appendix One of the report.
- 2.2. To note that from March 2023 the Bus Lane Adjudication Service Joint Committee and Bus Lane Adjudication Service Joint Committee Executive Sub Committee will cease to exist and that the PATROL Adjudication Joint Committee and PATROL Adjudication Joint Committee Executive Sub Committee will have responsibility for all matters relating to bus lane enforcement.

### 3. Reasons for Recommendations

- 3.1. In order to comply with changes to the Transport Act 2000 and the Traffic Management Act 2004.

### 4. Background

- 4.1. The Traffic Management Act 2004 (“the 2004 Act”) was introduced in order to tackle congestion and disruption on the road network. The 2004 Act places a duty on local authorities to make sure traffic moves freely and quickly on their roads and the roads of nearby authorities. Further to this the 2004 act gives councils more tools to manage parking policies, coordinate street works and enforce some moving traffic offences.
- 4.2. Part 6 of the 2004 Act confers powers on the Lord Chancellor and “the appropriate national authority” (in England, the Secretary of State) to make statutory instruments providing for a national legislative framework for the civil

enforcement by local traffic authorities of contraventions of parking, bus lane, and certain moving traffic restrictions such as ignoring no entry signs, waiting on box junctions and performing banned turns. These regulations make provisions with regard to representations to the enforcement authority and appeals to an adjudicator by those on whom penalties are imposed.

- 4.4** Historically, all road traffic violations were contraventions enforced by the police. However, to enable the police service to focus its resource on other priorities, several Acts have been introduced since the 1990s decriminalising some traffic contraventions, converting them to civil contraventions, and transferring to local authority enforcement.
- 4.5** Civil enforcement of parking and bus lane contraventions has become commonplace across England, and, since 2003, civil enforcement of moving traffic contraventions has operated successfully in London under the London Local Authorities and Transport for London Act 2003. However, elsewhere the equivalent moving traffic enforcement powers under Part 6 of the 2004 Act were never commenced.
- 4.6** The Government has now decided to implement the moving traffic enforcement powers; recognising the dual imperatives to improve air quality through reduced traffic congestion, and to encourage behavioural shift towards sustainable travel choices by keeping junctions and cycle lanes clear of obstructing vehicles to improve bus reliability and to promote cycling. This commitment was made by the Prime Minister in launching the Government's broader policy to further promote active travel choices, post Covid-19, in its policy document 'Gear Change: a bold vision for cycling and walking'. That document highlighted the need for local authorities to have the necessary enforcement powers to improve traffic flow.
- 4.7** As a result the legislative opportunity has been taken to transfer the bus lane enforcement regime outside London from the Transport Act 2000 ("the 2000 Act") to the bus lane enforcement provisions in Part 2 of Schedule 8 of the 2004 Act. This reflects the original intention when the 2004 Act was introduced.
- 4.8** This means that there will be no requirement for a separate Bus Lane Adjudication Service Joint Committee or Bus Lane Adjudication Service Joint Committee Executive Sub Committee. Powers of both these committees will be transferred to the PATROL Adjudication Joint Committee and its Executive Sub Committee.
- 4.9** Under the 2000 Act, motorists contravening bus lane restrictions outside London did not have the following stronger rights of representation and appeal available to them under the 2004 Act for parking (and the new moving traffic) contraventions. These are: procedural impropriety on the part of the local authority; an express duty placed on local authorities to consider 'compelling reasons' put forward by appellants to support their case; the power for adjudicators to refer cases back to local authorities, and a requirement for local authorities to respond to representations within 56 days. Aligning bus lane

contraventions under the 2004 Act corrects this anomaly by giving motorists equal rights of representation and appeal in parking, bus lane and moving traffic cases.

- 4.10** The instrument extends the long-established rights of representation and appeals for parking contraventions to bus lane and moving traffic contraventions outside London.
- 4.11** Bringing bus lane powers under the 2004 Act also enables Ministers to publish statutory guidance to local authorities on bus lane enforcement for the first time, which local authorities must have regard to. This provides an opportunity to set out best practice in how bus lane enforcement powers should be exercised.
- 4.12** Further to this there is also an opportunity to make further minor amendments to the deed with specific reference to the Standing Orders contained within schedule four of the agreement which are necessary including an amendment to the quorum where there is an anomaly within paragraph (i) of schedule four which states:-

‘The quorum of the PATROLAJC shall be one twentieth of the number of the Participating Authority representatives but in any event not less than three, and the quorum of a Sub-Committee shall be one quarter of the number if members of the Sub-Committee but in any event not less than three’.

- 4.13** For the avoidance of doubt, it has been proposed that the quorum for the Joint Committee and its Executive Sub Committee should be a minimum number of 8 attendees. The current wording in relation to the quorum is confusing and the potential for decisions to be made by only three members present could be considered to be undemocratic.

## **5. Implications**

### **5.1. Legal**

- 5.1.1** Part 6 of the Traffic Management Act 2004 (“the 2004 Act”) provides for civil penalties for road traffic contraventions. Section 72 of the 2004 Act allows regulations to be made for or in connection with the imposition of penalty charges for road traffic contraventions subject to civil enforcement. The Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022 came into force on 31 May 2022 which provides for the civil enforcement of, inter alia, bus lane contraventions and moving traffic contraventions in England but outside Greater London. Should the amendments to PATROLAJC Deed Agreement not be agreed then the Executive Sub Committee would not be able to deal with bus lane contraventions. The revocation of section 144 of the 2000 Act means there is a requirement to move the enforcement function to the 2004 Act and the 2022 Regulations. Failure to approve the changes would leave bus lane contraventions adjudicated until such time that the subcommittee adopts the recommendations.

## **5.2 Risk Management**

- 5.2.1** Should the Executive Sub Committee decide not to adopt the recommendations it would leave bus lane contraventions unadjudicated until such time that the Executive Sub Committee adopts the recommendations.

**APPENDIX ONE**

DATED

[20142023](#)

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DEED

relating to a parking and traffic regulations outside London  
adjudication joint committee

---



**N A B A R R O**

125 London Wall London  
EC2Y 5AL

Tel: +44 (0)20 7524 6000

P2394/00003/70902597 v.8

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DEED

DATE

20142023

3 December

**PARTIES**

The Local Authorities listed in **Schedule 1 and Schedule 1A** of this deed in pursuance of arrangements made under Part 6 of the Traffic Management Act 2004 (the "**2004 Act**"), sections 101(5), 102(1)(b) and 101(58) of the Local Government Act 1972, section 20 of the Local Government Act 2000, the Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2000, the Local Authorities (Executive Arrangements) (Discharge of Functions and Responsibilities) (Wales) Regulations 2007, sections 9EA and 9E8 of the Local Government Act 2000, the Local Authorities (Arrangement for the Discharge of Functions) (England) Regulations 2012, Local Authorities (Goods and Services) Act 1970, section 1 of the Localism Act 2011 and all other enabling powers.

**RECITALS**

**(A)** ~~(A)~~—The Local Authorities listed in **Schedule 1** to this deed are enforcement authorities for the purposes of Part 6 of the 2004 Act in relation to road traffic contraventions

**(B)** ~~The Local Authorities listed in **Schedule 1A** to this deed are enforcement authorities for the purposes of Part 6 of the 2004 Act in relation to bus lane contraventions~~

**(8C)** Regulations made under Part 6 of the 2004 Act provide (inter alia) that the functions relating to adjudication and adjudicators conferred on Local Authorities under section 81 of the 2004 Act and regulations made under the 2004 Act shall be discharged by them through a joint committee set up under sections 101(5) and 102(1)(b) of the Local Government Act 1972 in respect of the exercise of non-executive functions and under sections 9EA and 9E8 of the Local Government Act 2000 in respect of the exercise of functions which under executive arrangements are the responsibility of the executive of such Local Authorities.

**(C)(D)** PATROL has been established to enable councils undertaking civil parking enforcement and civil bus lane enforcement in England and Wales and civil bus lane and moving traffic enforcement in Wales to exercise their functions under:

**a)** ~~a.~~ section 81 of the Traffic Management Act 2004 (TMA) and Regulations 17 and Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022 ~~18 of The Civil Enforcement of Parking Contraventions (England) General Regulations 2007~~ (the English General Regulations);

**a.** section 81 of the TMA and Regulations 16 and 17 of the Civil Enforcement of Road Traffic Contraventions (General Provisions) Wales Regulations 2013 (the Welsh General Provisions Regulations);

**b.** Regulations 12 and 13 of The Road User Charging Schemes (Penalty Charges, Adjudication and Enforcement) (England) Regulations 2013 (the Road User Charging Regulations).

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a)

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

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~~(D)~~(E) It is expedient that provision should be made to enable other Local Authorities on whom such functions are conferred to become parties to this deed.

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~~(E)~~(F) The agreed primary objectives of the joint committee are the provision of:

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- (i) a fair adjudication service for appellants including visible independence of adjudicators from the Local Authorities in whose areas they are working;
- (ii) consistency of adjudication across the service;
- (iii) a cost effective and equitable adjudication service for all Local Authorities party to the arrangements established pursuant to this deed;
- (iv) flexibility to deal with a wide range of Local Authorities with varying levels of demand for adjudication; and
- (v) such other functions as may be conferred on the joint committee by statute from time to time (which include, at the date of this deed, the arrangements made under the Memorandum of Understanding regarding the Provision of Adjudication Services between  
(1) the Secretary of State for Transport and (2) PATROLAJC dated 27 August 2014).

~~(F)~~(G) It is expedient that the arrangements established pursuant to this deed should replace those previously in place contained in:

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- (i) a deed dated 12 October 2001 and/or memoranda of participation entered into pursuant and annexed to that deed;
- (ii) a deed dated 1 May 2008 and/or memoranda of participation entered into pursuant to and annexed to that deed;
- (iii) an indemnity agreement from the joint committee to Cheshire East Council in relation to a lease of part of the Second Floor, Springfield House, Water Lane, Wilmslow dated 15 February 2013, and

(iv) an indemnity agreement from the joint committee to Cheshire East Council in relation to Cheshire East Council becoming the Lead Authority dated 28 March 2013;

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(v) a deed dated 3 December 2014 in respect of road traffic regulations and/or memoranda of participation entered into pursuant to and annexed to that deed

(iv)

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with effect from 1 April ~~2013~~2023 notwithstanding that this deed has ~~not~~ been entered into ~~until~~on the date written above.

~~(G)~~(H) This deed is adopted by the Parties as a variation to the deedss referred to in Recital ~~(F)~~(G) ~~(ii)~~(iv) above by means of a resolution of the PATROLAJC dated ~~25 June 2013~~[\_\_\_\_\_] and ~~the consent in writing by at least 75% of the Participating Authorities.~~

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IT IS AGREED AS FOLLOWS:

1. DEFINITIONS AND INTERPRETATIONS

1.1 In this deed:

**"Adjudicators"**

means those persons engaged by the PATROLAJC as adjudicators for the purpose of the independent and impartial tribunal for the determination of appeals made to them;

**"Appropriate National Authority"**

means the Secretary of State for Transport in respect of matters concerning those Participating Authorities situated in England and the Welsh Ministers in respect of those Participating Authorities situated in Wales;

**"Financial Regulations"**

means the financial standing orders and rules and the financial regulations in **Schedule 5** to this deed as may be amended from time to time by the PATROLAJC;

**"Head of Service"**

means such person appointed by the PATROLAJC from time to time as the head of service of the PATROLAJC;

**"Lead Authority"**

means Cheshire East Council or such replacement Participating Authority as the Participating Authorities may from time to time appoint to inter alia provide goods and services under the arrangements established pursuant to this deed;

**"Lead Officer"**

means the officer of the Lead Authority to whom functions are delegated by the PATROLAJC pursuant to this deed and to the Standing Orders;

**"Local Authorities"**

means those local authorities who are enforcement authorities for the purpose of Part 6 of the 2004 Act in relation to road traffic contraventions (of any description) or who are performing the functions of such an enforcement authority;

**"Memorandum of Participation"**

means a memorandum in the form set out in **Schedule 7** to this deed [in respect of road traffic contraventions or in the form set out in Schedule 7A to this deed in respect of bus lane contraventions](#);

**"Participating Authority"**

means a Local Authority which is or becomes party to the arrangements established pursuant to this deed or under **clause 13** of this deed and by virtue of a Memorandum of Participation and who are party to the arrangements established pursuant to this deed at the relevant time;

**"PATROLAJC"**

means the joint committee established by the Participating Authorities on the terms contained in this deed for the purpose of jointly exercising the functions referred to in this deed including those in set out in Schedule 3 (Functions), and the expression PATROL shall be construed accordingly;

**"PATROLAJC Reserve Fund"**

means the fund established by PATROLAJC named the "General Reserve" fund in the PATROLAJC's annual Reserves Policy Statement whose funds would indemnify the Lead Authority where required in accordance with paragraph 8 of schedule 6 where insurance is unavailable, and whose level of reserves is maintained at the level recommended annually by the PATROLAJC's Reserves Policy Statement.

**"Representative"**

means the person who has been appointed by each Participating Authority in accordance with law and their own constitutional arrangements to serve as the representative of that Participating Authority on the PATROLAJC;

**"Standing Orders"**

means the standing orders set out in **Schedule 4** to this deed or such replacement or amended standing orders as are adopted by the PATROLAJC at its annual meeting or as otherwise amended from time to time by the PATROLAJC.

- 1.2 References to any enactment include references to that enactment as for the time being amended, applied consolidated re-enacted by or having effect by virtue of any subsequent enactment and for this purpose **"enactment"** means any Act whether public general or local and includes any order rule regulations scheme or any instrument having effect by virtue of an enactment.
- 1.3 References to the discharge of any function includes references to the doing of anything which is calculated to facilitate or is conducive or incidental to the discharge of any of the functions specified in Schedule 3 to this deed.

**2. COMMENCEMENT**

- 2.1 Subject to **clause 2.3** of this deed, this deed shall have effect from 1 April ~~2013~~ 2023 (the **"Commencement Date"**) notwithstanding that this deed has not been entered into until the date written above.
- 2.2 In respect of any Local Authority who joins the arrangements established pursuant to this deed after the Commencement Date, the deed shall come into effect on the date that Local Authority signs or executes a Memorandum of Participation.
- 2.3 With effect from the Commencement Date, the arrangements in this deed replace those previously in place contained in:
  - 2.3.1 a deed dated 12 October 2001 and/or memoranda of participation entered into pursuant and annexed to that deed;
  - 2.3.2 a deed dated 1 May 2008 and/or memoranda of participation entered into pursuant to and annexed to that deed;
  - 2.3.3 an indemnity agreement from the PATROLAJC to Cheshire East Council in relation to a lease of part of the Second Floor, Springfield House, Water Lane, Wilmslow dated 15 February 2013; and

2.3.4 an indemnity agreement from the joint committee to Cheshire East Council in relation to Cheshire East Council becoming the Lead Authority dated 28 March 2013.

2.3.5 a deed dated 3 December 2014 in respect of road traffic regulations and/or memoranda of participation entered into pursuant to and annexed to that deed

2.4 It is acknowledged that the PATROLAJC has entered into a memorandum of understanding with the Adjudicators dated 21 November 2012, a copy of which is set out in **Schedule 8** of this deed.

### 3. THE PATROLAJC

3.1 The Participating Authorities acknowledge that the PATROLAJC has been established as a joint committee for the purpose of exercising the functions conferred upon it.

3.2 The composition of the PATROLAJC shall be one Representative from each Participating Authority appointed in accordance with **Schedule 2** of this deed.

3.3 The PATROLAJC in exercising the functions conferred upon it shall have regard to the primary objectives set out in **recital (EE)** of this deed.

3.4 The PATROLAJC shall comply with the Standing Orders.

3.5 The PATROLAJC shall comply with the Financial Regulations.

3.6 The PATROLAJC may arrange for the discharge of any of the functions conferred on it by a subcommittee of it or by an officer of any of the Participating Authorities or by the Head of Service.

3.7 The PATROLAJC may in the exercise of its functions be advised by an official nominated by the Appropriate National Authority and such official(s) shall be entitled to attend and speak (but not to vote) at meetings of the PATROLAJC for this purpose.

### 4. LEAD AUTHORITY

4.1 The PATROLAJC appoints Cheshire East Council ("**CEC**") to act as Lead Authority as successor Lead Authority to the Council of the City of Manchester for the purpose of the arrangements established by this deed and on the terms set out in **Schedule 6** to this deed and CEC agrees to the appointment on these terms, with effect from the Commencement Date.

4.2 The terms of appointment of the Lead Authority are as set out in **Schedule 6** to this deed, provided that such terms of appointment may be varied from time to time by written agreement between the PATROLAJC and the Lead Authority.

4.3 The Lead Authority may resign as Lead Authority by giving not less than 12 months written notice (or such other period as may be agreed between the Lead Authority and the PATROLAJC) to the PATROLAJC, such resignation to take effect on 1 April the following year or on such other date as may be agreed between the Lead Authority and the PATROLAJC ("**Date of Resignation**"), and the PATROLAJC shall appoint a new Lead Authority with effect from the date immediately following the Date of Resignation.

4.4 The appointment of the Lead Authority may be terminated by the PATROLAJC by the giving of not less than 12 months written notice (or such other period as may be agreed between the Lead Authority and the PATROLAJC) to the Lead Authority, such termination to take effect on

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1 April the following year or on such other date as may be agreed between the Lead Authority and the PATROLAJC ("**Date of Termination**") and the PATROLAJC shall appoint a new Lead Authority with effect from the date immediately following the Date of Termination.

- 4.5 Following the giving of notice of resignation or termination of the appointment of the Lead Authority, the outgoing Lead Authority and any Participating Authority which has been nominated as the new Lead Authority shall take such measures as are necessary to ensure the efficient and expeditious transition of responsibility (including transfer of staff) between them.

## 5. FINANCIAL MATTERS

- 5.1 The Participating Authorities shall contribute such sums in relation to the establishment and operation of arrangements pursuant to this deed (including but not limited to the costs and expenses properly incurred by the Lead Authority and those of the PATROLAJC) in such proportions as may be determined from time to time by the PATROLAJC.
- 5.2 The PATROLAJC shall not later than 31 January in each year adopt a budget of estimated expenditure by it for the ensuing year commencing on the 1 April and shall in accordance with such budget determine the amount of contributions from each of the Participating Authorities in that year, the date or dates on or before which a payment or payments in respect of the contributions are required to be made and the amount of that payment or each of those payments.
- 5.3 The PATROLAJC may require Participating Authorities to pay such contribution by means of such periodic payments as it may deem appropriate.
- 5.4 Any liabilities arising, incurred or entered into prior to the Commencement Date under the terms of the arrangements referred to in **recital (FG)** of this deed shall be carried forward into the arrangements under this deed and the Participating Authorities shall be so liable as if the liabilities had arisen, been incurred or entered into under the terms of the arrangements set out in this deed.

## 6. CONFIDENTIALITY

Except where disclosure is required by law (including but not limited to pursuant to the Freedom of Information Act 2000 or the Environmental Information Regulations 2004) or to professional advisers and subject to the provisions of the Standing Orders and **clause 7** of this deed each Participating Authority shall in respect of this deed and all information that may be derived from or in connection with the PATROLAJC or from this deed (the "**Information**"):

- 6.1 treat the Information as confidential and not disclose the Information to persons or entities not being Participating Authorities without the prior written consent of the PATROLAJC; and
- 6.2 take all necessary precautions to ensure that the Information is treated as confidential and not disclosed in accordance with **clause 6.1**.

## 7. DATA PROTECTION

- 7.1 Each Participating Authority shall not (except as required by law) disclose or allow access to personal data provided or acquired by the PATROLAJC (other than data supplied to the

PATROLAJC by the Participating Authority concerned) for the purposes of this deed other than to another Participating Authority for the purpose of this deed.

- 7.2 Any disclosure of or access to personal data permitted by **clause 7.1** shall be made in confidence and shall extend only so far as that which is specifically necessary for the purposes of the performance of the functions of the PATROLAJC.

## **8. PUBLICITY**

Subject to the Standing Orders, no Participating Authority shall arrange a press release or other forms of publicity regarding the functions of the PATROLAJC without the prior written consent of the PATROLAJC.

## **9. WITHDRAWAL OF A PARTICIPATING AUTHORITY FROM THE ARRANGEMENT**

- 9.1 A Participating Authority may by notice given in writing to the Lead Officer not later than the 31 March in any year withdraw from the arrangements established pursuant to this deed with effect from 1 April the following year.
- 9.2 Withdrawal of a Participating Authority pursuant to **clause 9.1** shall not affect any liabilities of that Participating Authority arising incurred or entered into prior to the effective date of withdrawal nor unless otherwise agreed by the PATROLAJC shall the withdrawal entitle that Participating Authority to any repayment of contributions made to the budget of the PATROLAJC.
- 9.3 Subject to **clause 9.2**, the withdrawal of a Participating Authority from the arrangements established pursuant to this deed shall not affect the validity or the continuation of those arrangements between the remaining Participating Authorities.

## **10. NOT USED**

## **11. TERMINATION**

- 11.1 The arrangements contained in this deed may be terminated:
- 11.1.1 by a decision of a simple majority of those voting at a duly convened meeting of the PATROLAJC; or
- 11.1.2 where there is no Lead Authority and no Participating Authority is willing to become the Lead Authority on expiry of the notice given by or to the outgoing Lead Authority pursuant to **clause 4.3** or **clause 4.4** (as the case may be).
- 11.2 If the arrangements established pursuant to this deed come to an end an account shall be taken of such assets, proceeds and liabilities of the PATROLAJC and the assets of the PATROLAJC shall then be realised and the proceeds of the PATROLAJC shall be applied in discharge of the liabilities of the PATROLAJC and paying the expenses of winding up of the arrangements and:
- 11.2.1 any surplus shall be distributed (after first repaying any special advances or contributions made by any Participating Authority to the assets of the PATROLAJC) in accordance with

the proportion in which the Participating Authority concerned contributed towards the acquisition of the asset in question or such other proportions as may be agreed between the Participating Authorities; and

- 11.2.2 any deficit shall be met by each of the Participating Authorities in accordance with such proportions as may be agreed between the Participating Authorities.

## 12. VARIATION

This deed may be varied with the consent of a simple majority of those voting at a duly convened meeting of the PATROLAJC.

## 13. ADDITIONAL LOCAL AUTHORITIES

Any Local Authority who is or becomes an enforcement authority for the purposes of Part 6 of the 2004 Act in relation to road traffic contraventions [or bus lane contraventions](#) or performs the functions of such an enforcement authority shall on the date agreed between that Local Authority and the Lead Officer and evidenced by a Memorandum of Participation executed or signed on behalf of the relevant Local Authority become party to the arrangements established pursuant to this deed and from that date shall be bound by the terms of this deed and shall (without prejudice to the generality of the foregoing) contribute to the costs of the arrangements established pursuant to this deed in such proportion as may be agreed by the PATROLAJC.

## 14. NOTICES

- 14.1 Any notice to be given to the PATROLAJC or to any Participating Authority shall be sufficiently given if sent by first class letter, facsimile transmission or email to the Town Clerk, Secretary or Head of Service of the Participating Authority concerned or the Lead Officer of the PATROLAJC (as appropriate);
- 14.2 If any notice is sent in accordance with 1.1, it shall, subject to proof to the contrary, be deemed to have been received by the Participating Authority or the PATROLAJC (as the case may be) on:
- 14.2.1 the second business day after the date of posting;
- 14.2.2 on successful transmission of a facsimile if transmitted before 4pm on a business day and otherwise at 9am on the next business day;
- 14.2.3 on the sending of an email if sent before 4pm on a business day and otherwise at 9am on the next business day.
- 14.3 To be effective, such notice or communication must be sent to the most recent address, facsimile number or email address notified to the other party.

## 15. ARBITRATION

Any dispute which may arise between the Participating Authorities about this deed and/or the arrangements established pursuant to this deed unless otherwise stipulated shall be referred to

and determined by a single arbitrator nominated by the Chartered Institute of Arbitrators on the application of the PATROLAJC.

The Parties have, pursuant to recital (FG), executed and delivered this deed on the date written above.

**Schedule 1**

Participating Authorities  
(Road Traffic  
 Contraventions)

1. Adur District Council
2. Allerdale Borough Council
3. Amber Valley Borough Council
4. Arun District Council
5. Ashfield District Council
6. Ashford Borough Council
7. ~~Aylesbury Vale District Council~~  
~~Babergh District Council~~
8. Barnsley Metropolitan Borough Council
9. Barrow Borough Council
10. Basildon ~~District Borough~~ Council
11. Basingstoke and Deane Borough Council
12. Bassetlaw District Council
13. Bath and North East Somerset Council
14. Bedford Borough Council
15. Birmingham City Council
16. ~~BSlaby District Council~~
17. Blackburn with Darwen Borough Council
- ~~18.~~ Blackpool Borough Council
- ~~18.19.~~ Blaenau Gwent County Borough Council
- ~~19.20.~~ Bolsover District Council
- ~~20.21.~~ Bolton Metropolitan Borough CouncilBC
- ~~24.22.~~ Borough Council of Kings Lynn and West Norfolk
- ~~22.~~ ~~Borough of Poole~~
23. Boston Borough Council
24. Bournemouth, Christchurch and Poole Borough Council
- ~~25.~~ Bracknell Forest Borough Council
- ~~26.~~ City of Bradford (City of) Metropolitan Borough Council

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25-

27. Braintree District Council

26-28. Breckland Council

27-29. Brentwood Borough Council

28-30. Bridgend County Borough Council

29-31. Brighton & Hove City Council

32. Bristol City Council

30-33. Broadland District Council

34-34. Bromsgrove District Council

32-35. Broxbourne Borough Council

33-36. Broxtowe Borough Council

34-37. Buckinghamshire County Council

35-38. Burnley Borough Council

39. Bury MBC Metropolitan Borough Council

36-40. Caerphilly County Borough Council

37-41. Calderdale Borough Council

38-42. Cambridge City Council

39-43. Cambridgeshire County Council

40-44. Cannock Chase District Council

44-45. Canterbury City Council

42-46. Cardiff City Council

43-47. Carlisle City Council

44-48. Carmarthenshire County Council

45-49. Castle Point Borough Council

46-50. Central Bedfordshire Council

47-51. Ceredigion County Council

48-52. Charnwood Borough Council

49-53. Chelmsford City Borough Council

54. Cheltenham Borough Council

50-55. Cherwell District Council

51-56. Cheshire East Council

52-57. Cheshire West and Chester Council

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53-58. Chesterfield Borough Council

54-59. Chichester District Council

55. ~~Chiltern District Council~~

56-60. Chorley Borough Council

57. ~~Christchurch Borough Council~~

58-1. ~~City of Bradford Metropolitan Borough Council~~

59-1. ~~City of Lincoln Council~~

60. ~~City of York Council~~

61. Colchester Borough Council

62. Conwy County Borough Council

63. Copeland Borough Council

64. Cornwall Council

65. Cotswold District Council

66. County Durham Council

65.

66-67. Coventry City Council

67-68. Craven District Council

68-69. Crawley Borough Council

69-70. Cumbria County Council

70-71. Dacorum Borough Council

71-72. Darlington Council

72-73. Dartford Borough Council

73. ~~Daventry District Council~~

74. Denbighshire County Council

75. Derby City Council

76. Derbyshire County Council

77. Derbyshire Dales District Council

78. Devon County Council

79. Doncaster Metropolitan Borough Council

80. Dorset ~~County~~ Council

81. Dover District Council

82. Dudley Metropolitan Borough Council

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~~83.1. County Durham Council~~

~~84.83. Eastbourne Borough Council~~

~~85.84. East Devon District Council~~

~~86. East Dorset District Council~~

~~87.85. East Hampshire District Council~~

~~88.86. East Hertfordshire District Council~~

~~89.87. East Lindsey District Council~~

~~90.88. East Riding of Yorkshire~~

~~89. East Staffordshire Borough Council~~

~~94.90. East Suffolk District Council~~

~~92.91. East Sussex County Council~~

~~93.92. Eastleigh Borough Council~~

~~94.93. Eden District Council~~

~~95.94. Elmbridge Borough Council~~

~~96.95. Epping Forest District Council~~

~~97.96. Epsom and Ewell Borough Council~~

~~98.97. Erewash Borough Council~~

~~99.98. Essex County Council~~

~~100.99. Exeter City Council~~

~~104.100. Fareham Borough Council~~

~~101. Flintshire County Council~~

~~102. Folkestone & Hythe District Council~~

~~103.1. Fylde Borough Council~~

~~103. Forest of Deane District Council~~

~~104. Fylde Borough Council~~

~~104.~~

105. Gateshead Metropolitan Borough Council

106. Gedling Borough Council

107. Gloucester City Council

~~108. Gloucestershire County Council~~

~~109. Gosport Borough Council~~

~~110. Gravesham Borough Council~~

~~108.~~

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- ~~410.1. Gravesham Borough Council~~
- 411.112. Guildford Borough Council
- 113. Gwynedd Council
- ~~412. Halton Borough Council~~
- 443.114. Hambleton District Council
- 444.115. Hampshire County Council
- 445.116. Harborough District Council
- 446.117. Harlow ~~Borough District~~ Council
- 447.118. Harrogate Borough Council
- 448.119. Hart District Council
- 449.120. Hartlepool Borough Council
- 420.121. Hastings Borough Council
- 421.122. Havant Borough Council
- 422.123. Herefordshire ~~District~~ Council
- 423.124. Hertfordshire County Council
- 424.125. Hertsmere Borough Council
- 425.126. High Peak Borough Council
- 426.127. Hinckley and Bosworth Borough Council
- 427.128. Horsham District Council
- 428.129. Hyndburn Borough Council
- 429.130. Ipswich Borough Council
- 430.131. Isle of Anglesey County Council
- 434.132. Isle of Wight Council
- 432.133. Kent County Council
- 433.134. Kingston upon Hull City Council
- 135. Kirklees Metropolitan Borough Council
- ~~434.136. Knowsley Metropolitan Borough Council~~
- 435.137. Lancashire County Council
- 436.138. Lancaster City Council
- 437.139. Leeds City Council

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~~139-141.~~ Leicestershire County Council

~~142.~~ Lewes District Council

~~143.~~ City of Lincoln (City of) Council

~~140.~~

~~141-144.~~ Lincolnshire County Council

~~142-145.~~ Litchfield District Council

~~143-146.~~ Liverpool City Council

~~144-147.~~ Luton Borough Council

~~145-148.~~ Maidstone Borough Council

~~146-149.~~ Malden District Council

~~147-150.~~ Malvern Hills District Council

~~148-151.~~ Manchester City Council

~~149-152.~~ Mansfield District Council

~~150-153.~~ Medway Council

~~154.~~ Melton Borough Council

~~154-155.~~ Mendip District Council

~~152-156.~~ Merthyr Tydfil County Borough Council

~~157.~~ Mid Devon District Council

~~153-158.~~ Mid Suffolk District Council

~~154-159.~~ Mid Sussex District Council

~~155-160.~~ Middlesbrough Council

~~156-161.~~ Milton Keynes City Council

~~162.~~ Mole Valley District Council

~~157-163.~~ Monmouthshire County Council

~~158-164.~~ Neath Port Talbot County Borough Council

~~159-165.~~ New Forest District Council

~~160-166.~~ Newark and Sherwood District Council

~~164-167.~~ Newcastle City Council

~~168.~~ Newcastle-under-Lyme Borough Council

~~162-169.~~ Newport City Council

~~163-170.~~ Norfolk County Council

~~164-171.~~ North Devon District Council

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- ~~165.~~ North Dorset District Council
- ~~166.~~~~172.~~ North East Derbyshire District Council
- ~~167.~~~~173.~~ North East Lincolnshire Council
- ~~168.~~~~174.~~ North Hertfordshire District Council
- ~~169.~~~~175.~~ North Kesteven District Council
- ~~170.~~~~176.~~ North Lincolnshire Council
- ~~177.~~ North Norfolk District Council
- ~~178.~~ North Northamptonshire Council
- ~~171.~~~~179.~~ North Somerset Council
- ~~172.~~~~180.~~ North Tyneside Council
- ~~181.~~ North Warwickshire Borough Council
- ~~173.~~~~182.~~ North West Leicestershire District Council
- ~~174.~~~~183.~~ North Yorkshire County Council
- ~~175.~~ Northampton Borough Council
- ~~176.~~ Northamptonshire County Council
- ~~177.~~~~184.~~ Northumberland County Council
- ~~178.~~~~185.~~ Norwich City Council
- ~~179.~~~~186.~~ Nottingham City Council
- ~~180.~~~~187.~~ Nottinghamshire County Council
- ~~181.~~~~188.~~ Nuneaton and Bedworth Borough Council
- ~~182.~~~~189.~~ Oadby and Wigston Borough Council
- ~~183.~~~~190.~~ Oldham Metropolitan Borough Council
- ~~184.~~~~191.~~ Oxfordshire County Council
- ~~185.~~~~192.~~ Pembrokeshire County Council
- ~~186.~~~~193.~~ Pendle Borough Council
- ~~187.~~~~194.~~ Peterborough City Council
- ~~188.~~~~195.~~ Plymouth City Council
- ~~189.~~~~196.~~ Portsmouth City Council
- ~~190.~~~~197.~~ Powys County Council
- ~~191.~~~~198.~~ Preston City Council
- ~~192.~~ Purbeck District Council
- ~~193.~~~~199.~~ Reading Borough Council

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- 494-200. Redcar and Cleveland Borough Council
- 495-201. Redditch Borough Council
- 496-202. Reigate and Banstead Borough Council
- 497-203. Rhondda Cynon Taf County Borough Council
- 204. Ribble Valley Borough Council
- 498-205. Richmondshire District Council
- 499-206. Rochdale Metropolitan Borough CouncilBC
- 200-207. Rochford District Council
- 208. Rossendale Borough Council
- 204-209. Rother District Council
- 202-210. Rotherham Metropolitan Borough Council
- 203-211. Royal Borough of Windsor and Maidenhead
- 204-212. Rugby Borough Council
- 205-213. Runnymede Borough Council
- 206-214. Rushcliffe Borough Council
- 207-215. Rushmoor Borough Council
- 216. Rutland County Council
- 208-217. Ryedale District Council
- 209-218. Salford City Council
- 210-219. Sandwell Metropolitan Borough CouncilBC
- 220. Scarborough Borough Council
- 211-221. Secretary of StateSedgemoor District Council
- 212-222. Sefton Metropolitan Borough Council
- 213-223. Selby District Council
- 214-224. Sevenoaks District Council
- 215-225. Sheffield City Council
- 216. ~~Shepway District Council~~
- 217-226. Shropshire Council
- 218-227. Slough Borough Council
- 219-228. Solihull Metropolitan Borough Council
- 229. Somerset County Council
- 220-230. Somerset West and Taunton District Council

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- ~~221.~~ ~~Mendip District Council~~
- ~~222.~~ ~~Sedgemoor District Council~~
- ~~223-231.~~ ~~South Derbyshire District Council~~
- ~~224-232.~~ ~~South Gloucestershire Council~~
- ~~225-233.~~ ~~South Hams District Council~~
- ~~226-234.~~ ~~South Holland District Council~~
- ~~227-235.~~ ~~South Kesteven District Council~~
- ~~228-236.~~ ~~South Lakeland District Council~~
- ~~237.~~ ~~South Norfolk District Council~~
- ~~238.~~ ~~South Oxfordshire District Council~~
- ~~239.~~ ~~South Ribble Borough Council~~
- ~~229.~~
- ~~240.~~ ~~South Somerset District Council~~
- ~~230.~~
- ~~231-241.~~ ~~South Staffordshire District Council~~
- ~~232.~~ ~~South Ribble Borough Council~~
- ~~233-242.~~ ~~South Tyneside Metropolitan Borough Council~~
- ~~234-243.~~ ~~Southampton City Council~~
- ~~235-244.~~ ~~Southend-on-Sea Borough Council~~
- ~~236-245.~~ ~~Spelthorne Borough Council~~
- ~~246.~~ ~~St Albans City and District Council~~
- ~~237-247.~~ ~~St Helens Borough Council~~
- ~~238-248.~~ ~~Stafford Borough Council~~
- ~~239-249.~~ ~~Staffordshire County Council~~
- ~~240-250.~~ ~~Staffordshire Moorlands District Council~~
- ~~241-251.~~ ~~Stevenage Borough Council~~
- ~~242-252.~~ ~~Stockport Metropolitan Borough Council~~BC
- ~~243-253.~~ ~~Stockton on Tees Borough Council~~
- ~~244-254.~~ ~~Stoke-on-Trent City Council~~
- ~~245-255.~~ ~~Stratford-upon-Avon District Council~~
- ~~246-256.~~ ~~Stroud District Council~~
- ~~247.~~ ~~St Helens Borough Council~~
- ~~248-257.~~ ~~Suffolk County Council~~
- ~~249-258.~~ ~~Sunderland City Council~~

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- ~~250-259.~~ Surrey County Council
- ~~254-260.~~ Surrey Heath Borough Council
- ~~252-261.~~ Swale Borough Council
- ~~253-262.~~ Swansea City and County
- ~~263.~~ Swindon Borough Council
- ~~254-264.~~ Tameside Metropolitan Borough Council
- ~~255-265.~~ Tamworth Borough Council
- ~~256.~~ Tameside Metropolitan Borough Council
- ~~257-266.~~ Tandridge District Council
- ~~258.~~ Taunton Deane Borough Council
- ~~259-267.~~ Teignbridge District Council
- ~~268.~~ Telford and Wrekin Council
- ~~260-269.~~ Tendring District Council
- ~~264-270.~~ Test Valley Borough Council
- ~~262-271.~~ Tewkesbury Borough Council
- ~~263-272.~~ Thanet District Council
- ~~264-273.~~ Three Rivers District Council
- ~~265-274.~~ Thurrock Borough Council
- ~~266-275.~~ Tonbridge & Malling Borough Council
- ~~276.~~ Torbay Council
- ~~267-277.~~ Torfean County Borough Council
- ~~268-278.~~ Torridge District Council
- ~~269-279.~~ Trafford Metropolitan Borough Council
- ~~270-280.~~ Tunbridge Wells Borough Council
- ~~271-281.~~ Uttlesford District Council
- ~~282.~~ Vale of Glamorgan Council
- ~~283.~~ Vale of Whitehorse District Council
- ~~272-284.~~ Wakefield Council
- ~~273-285.~~ Walsall Metropolitan Borough Council
- ~~274-286.~~ Wareham Town Council
- ~~275-287.~~ Warrington Borough Council
- ~~276-288.~~ Warwick District Council

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~~278-290.~~ Watford Borough Council

~~279-291.~~ Waverley Borough Council

~~280-292.~~ Welwyn Hatfield Council

~~281-293.~~ West Berkshire Council

~~282-294.~~ West Devon Borough Council

~~283.~~ ~~West Dorset District Council~~

~~284.1.~~ ~~West Oxfordshire Council~~

~~285-295.~~ West Lancashire ~~Borough~~District Council

~~296.~~ West Lindsey District ~~Ce~~council

~~297.~~ ~~West Northamptonshire Council~~

~~298.~~ ~~West Oxfordshire Council~~

~~286.~~

~~287.~~ ~~West Somerset Council~~

~~299.~~ ~~West Suffolk Council~~

~~300.~~ West Sussex County Council

~~288.~~

~~289.~~ ~~Weymouth and Portland Borough Council~~

~~290-301.~~ Wigan ~~Metropolitan Borough Council~~SC

~~291-302.~~ Wiltshire Council

~~292-303.~~ Winchester City Council

~~293-304.~~ Wirral Metropolitan Borough Council

~~305.~~ Woking Borough Council

~~294-306.~~ ~~Wokingham Borough Council~~

~~295-307.~~ Wolverhampton City Council

~~296-308.~~ Worcester City Council

~~297-309.~~ Worcestershire County Council

~~298-310.~~ Worthing Borough Council

~~299-311.~~ Wrexham County Borough Council

~~300.~~ ~~Wycombe District Council~~

~~304-312.~~ Wychavon District Council

~~302-313.~~ Wyre Borough Council

~~314.~~ Wyre Forest District Council

~~303-315.~~ York (City of) Council

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[Schedule 1A](#)

[Participating Authorities  
\(Bus Lane  
Contraventions\)](#)

The Participating Authorities listed below are enforcement authorities in relation to bus lane contraventions. The list below consists of the current Participating Authorities. New participating authorities will be incorporated by reference and the list updated when next this deed is revised.

1. Bath and North East Somerset Council

2. Bedford Borough Council

3. Birmingham City Council

4. Blackburn with Darwen Borough Council

5. Blackpool Council

6. Bournemouth, Christchurch and Poole Borough Council

7. Bradford (City of) Metropolitan District Council

8. Brighton & Hove City Council

9. Bristol City Council

10. Bury Metropolitan Borough Council

11. Cambridgeshire County Council

12. Cardiff City Council

13. Central Bedfordshire Council

14. Cheshire East Council

15. Cheshire West and Chester Council

16. Coventry City Council

17. Derby City Council

18. Doncaster Metropolitan Borough Council

19. Durham County Council

20. Essex County Council

21. Gateshead Council

22. Gloucestershire County Council

23. Hampshire County Council

24. Hertfordshire County Council

- [25. Hull City Council](#)
- [26. Kent County Council \(Tunbridge Wells Borough Council\)](#)
- [27. Kirklees Metropolitan Council](#)
- [28. Lancashire County Council](#)
- [29. Leeds City Council](#)
- [30. Leicester City Council](#)
- [31. Liverpool City Council](#)
- [32. Luton Borough Council](#)
- [33. Manchester City Council](#)
- [34. Medway Council](#)
- [35. Middlesbrough Council](#)
- [36. Newcastle City Council](#)
- [37. North Northamptonshire Council](#)
- [38. North Somerset Council](#)
- [39. North Tyneside Council](#)
- [40. Northumberland County Council](#)
- [41. Norwich City Council](#)
- [42. Northampton City Council](#)
- [43. Nottinghamshire County Council](#)
- [44. Oldham Metropolitan Borough Council](#)
- [45. Oxfordshire County Council](#)
- [46. Plymouth City Council](#)
- [47. Portsmouth City Council](#)
- [48. Reading Borough Council](#)
- [49. Salford City Council](#)
- [50. Sandwell Metropolitan Borough Council](#)
- [51. Sheffield City Council](#)
- [52. Shropshire County Council](#)
- [53. Slough Borough Council](#)
- [54. Solihull Metropolitan Borough Council](#)
- [55. Somerset County Council](#)

- [56. South Gloucestershire Council](#)
- [57. Southampton City Council](#)
- [58. Staffordshire County Council](#)
- [59. Stockport Metropolitan Borough Council](#)
- [60. Stockton on Tees Borough Council](#)
- [61. Stoke-on-Trent \(City of\) Council](#)
- [62. Surrey County Council \(Woking Borough Council\)](#)
- [63. Swindon Borough Council](#)
- [64. Tameside Metropolitan Borough Council](#)
- [65. Walsall Metropolitan Borough Council](#)
- [66. Warrington Borough Council](#)
- [67. Watford Borough Council](#)
- [68. West Berkshire District Council](#)
- [69. West Northamptonshire Council](#)
- [70. West Sussex County Council](#)
- [71. Wiltshire Council](#)
- [72. Wolverhampton City Council](#)
- [73. Woking Borough Council](#)
- [74. Worcestershire County Council](#)
- [75. York \(City of\) Council](#)

## Schedule 2

### Composition of membership of the PATROLAJC

1. The PATROLAJC shall comprise one ~~Representative~~Representing Councillorve from each of the Participating Authorities appointed from time to time by the relevant Participating Authority in accordance with law and the appointing Participating Authority's constitutional arrangements.
2. Each Participating Authority shall as soon as practicable after joining the arrangements established pursuant to this deed notify the Lead Officer of the identity of the ~~Representative~~Representing Councillorve appointed by it to be its Representative of the PATROLAJC and the identity of any substitute ~~representative~~Representing Councillorve.
3. The appointment of a ~~Representative~~Representing Councillorve may be terminated at any time by the appointing Participating Authority by providing written notice of the termination to the PATROLAJC.
4. The term of office of a ~~Representative~~Representing Councillorve shall be from the date of the first meeting of the PATROLAJC held after the notification by the appointing Participating Authority of the appointment of the ~~Representative~~Representing Councillorve until the earlier of:
  - 4.1 termination of the appointment of the ~~Representing Councillor~~ative by the appointing Participating Authority; or
  - 4.2 the ~~Representing Councillor~~Representative ceasing to be a member of the Participating Authority or ceasing to be entitled to be a ~~Representing Councillor~~Representative of the appointing Participating Authority on a joint committee under the constitutional arrangements applicable to the appointing Participating Authority.
5. On termination of the appointment of a ~~Representative~~Representing Councillor the appointing Participating Authority shall as soon as practicable notify the Lead Officer of termination of the appointment and of the identity of the replacement ~~Representative~~Representing Councillor appointed by it and the provisions of this **Schedule 2** shall apply to the replacement ~~Representative~~Representing Councillor.

**Schedule  
3**

Functions of the PATROLAJC

The functions of the PATROLAJC shall be:

1. to appoint (re-appoint and dismiss) subject to the Lord Chancellor's consent (and that of the Lord Chief Justice as required) Adjudicators for the purposes of Part 6 of the 2004 Act;
2. to appoint a proper officer and deputy of PATROLAJC;
3. pursuant to the terms of this deed to appoint (and terminate and accept the resignation of) a Lead Authority for the purpose of the arrangements established by this deed;
4. to provide or make arrangements for the provision of accommodation and administrative staff and facilities for the Adjudicators;
5. to determine after consultation with the relevant Participating Authority where the Adjudicators are to sit;
6. to commission and receive an annual report upon the Adjudication Service from the Adjudicators;
7. to make and publish an annual report to the Appropriate National Authority as appropriate on the discharge by the Adjudicators of their functions;
8. to defray all the expenses of the adjudication process and in particular expenses in relation to the remuneration of Adjudicators;
9. to establish and approve annual budgets and receive annual accounts and regular monitoring reports on associated expenditure;
10. to undertake such other functions as are reasonably incidental to the efficient operation of the adjudication process;
11. such other associated functions as Participating Authorities may lawfully arrange for the PATROLAJC to perform as they from time to time consider appropriate, provided that the PATROLAJC agrees to such associated functions.

Schedule 4  
Standing Orders

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

2014-15/2022/2023

Index No.

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

23 Suspension of Standing Orders

24 Interpretation

1. Chair, Vice-Chair and Assistant Vice- Chair

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

2. Duration of Appointments

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

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

3. Servicing and Advice

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

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

4. Meetings and Agenda

- (i) A meeting of the PATROLAJC may be called at such date, time and place:
- a) at the instance of the Chair; or
  - b) as may be determined by the PATROLAJC; or
  - c) by a requisition, signed by not less than one half of the representatives of the PATROLAJC delivered to the Lead Officer at least ten working days before the date of the meeting.
  - d) At the instance of the Lead Officer

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

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

- (ii) At every meeting of the PATROLAJC the Chair, if present, shall preside. If the Chair is absent the Vice-Chair, if present, shall preside. If both the Chair and Vice Chair are absent the Assistant Vice-Chair shall preside. If the Chair, Vice Chair and Assistant Vice-Chair are all absent the meeting shall elect a Chair from one of its representatives.

For the purposes of these Standing Orders references to the Chair, in the context of the conduct of business at meetings, shall mean the person presiding under the Standing Orders.

- (iii) Any Participating Authority acting through its representative on the Joint Committee or through an Advisory Board Representative may give written notice of an item within the remit of PATROL to be placed on the Agenda of the PATROLAJC. All notices of items for agendas must be received by the Lead Officer not less than fifteen working days prior to the meeting to which the agenda relates.
- (iv) Each of the Participating Authorities and every Advisory Board representative shall be entitled to have access to an electronic copy of the Agenda, papers and minutes of the proceedings of the PATROLAJC.

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

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

(b) Publish notice thereof ~~on PATROL's website 7days prior to the meeting taking place in the London Gazette or such other daily national publication as may be specified by the Lead Officer. Provided always if not published in the London Gazette the Lead Officer shall give 14 days notice in writing to the Participating Authorities of the name of newspapers in which the notice of meetings is to be published.~~

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

(vii) ~~A representative of the OFT may attend the meetings of the PATROLAJC and may participate fully on all items of business but not vote.~~

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#### 4A. Cancellation of Meetings

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

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#### 5. Substitute Members

If a representative of the PATROLAJC is unable to be present at a meeting of the PATROLAJC, that Participating Authority may be represented by a substitute duly appointed by that Participating Authority for the purpose in accordance with their own constitutional arrangements and whose name has been duly notified in writing or verbally to the Lead Officer of the PATROLAJC by the nominated Officer or Councillor of the

Participating Authority concerned ~~at least 24 hours~~ prior to the Committee meeting. A substitute attending a meeting of the PATROLAJC shall declare and vote as the Participating Authority representative on the PATROLAJC. No substitute representative may attend any meeting at which the representative for which he/she is substitute is present.

6. Attendance Record

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

7. Order of Business

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

8. Minutes

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

9. Sub-Committees

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

10. Voting

- (i) Each representative (or if absent the named substitute) shall be entitled to one vote on each question to be decided. Subject to paragraph 10 (iii), every question shall be determined by a show of hands and shall be determined by a simple majority.
- (ii) In the case of an equality of votes, the Chair shall have a second or casting vote.
- (iii) On the requisition of any representative, provided it is supported by at least two others, made before any vote is taken on a motion or an amendment, the voting shall

be recorded so as to show how each representative present and voting voted. The name of any representative present and not voting shall also be recorded.

11. Quorum

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

12. Rules of Debate

- (i) A motion or amendment shall not be discussed unless it has been proposed and seconded.
- (ii) A representative shall address the Chair and direct any speech to the question under discussion. If two or more representatives indicate they wish to speak the Chair shall call on one to speak first.
- (iii) An amendment shall be:
  - (a) to leave out words
  - (b) to leave out words and insert or add others
  - (c) to insert or add wordsbut any such amendment must not have the effect of introducing a new proposal into or of negating the original motion
- (iv) A representative shall not speak for longer than 5 minutes on any matter without the **consent of the PATROLAJC**.
- (v) No representative shall address the PATROLAJC more than once on any issue, but the mover of an original motion may reply, in which reply no new matter shall be introduced, but the reply shall be confined strictly to answering the previous observations.
- (vi) A representative may claim to speak on a point of order or in personal explanation and shall be entitled to be heard forthwith. A point of order shall relate only to an alleged

breach of a specified statutory provision or a specified standing order and the way in which the representative raising it considers that it has been broken. A personal explanation shall be confined to some material part of a former speech by them in the current debate, which may appear to have been misunderstood. The ruling of the Chair on a point of order or on the admissibility of a personal explanation shall not be open to discussion.

- (vii) If an amendment is rejected other amendments may be moved on the original motion. If an amendment is carried, the motion as amended shall take the place of the original motion and shall become the motion upon which any other amendment may be moved.
- (viii) A further amendment shall not be moved until the PATROLAJC has disposed of every amendment previously moved, provided that the Chair shall have discretion to allow debate to take place on two or more amendments.
- (ix) A representative at the conclusion of a speech of another representative may move without comment:-
  - (a) that the question be now put
  - (b) that the debate be now adjourned
  - (c) that the PATROLAJC proceed to the next business
  - (d) that the PATROLAJC do now adjourn

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

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

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

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

- (x) If the Chair is of the opinion that the matter before the PATROLAJC has been sufficiently discussed they may put the motion that the question now be put.

- (xi) The Chair shall decide all questions of order and any ruling by the Chair upon such questions and the interpretations of these Standing Orders, and upon matters arising in debate shall be final and shall not be open to discussion.

13. Admission of Public to Meetings

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

- (i) In accordance with Section 100A(2) of the Local Government Act 1972; or
- (ii) By resolution passed to exclude the public on the grounds that it is likely, in view of the nature of the proceedings that if members of the public were present there would be disclosure to them of exempt information as defined in Section 1001 of the Local Government Act 1972. Any such Resolution shall identify the proceedings or the part of the proceedings to which it applies and state the description, in terms of Schedule 12A to the Local Government Act 1972 of the exempt information giving rise to the exclusion of the public.

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

**Category**

**Condition**

1. Information relating to any individual.	Information is exempt if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.
2. Information which is likely to reveal the identity of an individual.	Information is exempt if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.
3. Information relating to the financial or business affairs of any particular person (including the authority holding that information).	Information is exempt if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.
"financial or business affairs" includes contemplated, as well as past or current, activities	Information within paragraph 3 is not exempt if it must be registered under: (a) the Companies Act 1985; (b) the Friendly Societies Act 1974;

- (c) the Friendly Societies Act 1992;
- (d) the Industrial and Provident Societies Acts 1965 to 1978;
- (e) the Building Societies Act 1986; or
- (f) the Charities Act 1993.

4. Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour matter arising between the authority or a Minister of the Crown and employees of, or office-holders under the authority.

"labour relations matter" are as specified in paragraphs (a) to (g) of section 218(1) of the Trade Unions and Labour Relations (Consolidation) Act 1992, i.e. matters which may be the subject of a trade dispute within the meaning of that Act or any dispute about any such matter.

5. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.

6. Information which reveals that the authority proposes:

- (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or
- (b) to make an order or direction under any enactment.

7. Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

Information is exempt if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

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14. Disorderly Conduct

- (i) If the Chair is of the opinion that a representative has misconducted, or is misconducting himself by persistently disregarding the ruling of the Chair or by behaving irregularly, improperly or offensively or by wilfully obstructing the business of the PATROLAJC they may notify the meeting of that opinion and may take any of the following action either separately or in sequence:-
  - (a) they may direct the representative to refrain from speaking during all, or part of the remainder of the meeting

- (b) they may direct the representative to withdraw from all or part of the remainder of the meeting
- (c) they may order the representative to be removed from the meeting
- (d) they may adjourn the meeting for such period as shall seem expedient to him

(ii) In the event of general disturbance which, in the opinion of the Chair, renders the due and orderly dispatch of business impossible, the Chair, in addition to any other power invested in the Chair, may without question, adjourn the meeting for such periods as in the Chair's discretion shall be considered expedient.

15. Disturbance by Members of the Public

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

16. Urgent Business

(i) If at any time the Lead Officer considers any matter is urgent and should be decided upon prior to the next meeting of the PATROLAJC then he/she shall consult the PATROLAJC's Chair. If the Chair or in the absence of the Chair, the Vice Chair or Assistant Vice Chair agrees the matter is urgent, then the Lead Officer shall be empowered to make the decision in accordance with such recommendation, subject to the decision being recorded in writing and signed by the Lead Officer to the PATROLAJC.

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

17. Rescission of Preceding Resolution

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

18. Delegation of Functions

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

19. Variations and Revocation of Standing Orders

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

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

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

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

meetings of the PATROLAJC or subcommittee shall make the same disclosures of pecuniary interests, and shall withdraw from the room in which the meeting is being held on the same occasions, as he/she would have to do if he were a representative of the PATROLAJC or subcommittee.

21. Interests of Officers in Contracts and Other Matters

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

Government Act 1972, or of paragraph (i) they shall remind the meeting orally of that interest.

22. Access to Documents, Information and Land

- (i) In addition to the rights of representatives of the PATROLAJC under Section 100F of the Local Government Act 1972, but subject to paragraph (ii) below, any member of the Participating Authorities shall be entitled on application to the Lead Officer to inspect any document or recorded information in the possession, or under the control, of the PATROLAJC access to which is necessary for the proper discharge of their functions as a member of that Participating Authority;  
Provided that: -
  - (a) no person shall be entitled to inspect any document or have access to any information relating to a matter in which they have a pecuniary interest;
  - (b) access to information not in the form of a document need not be given where the cost of providing the access is unreasonably high, or during such period as the giving of access would unreasonably disrupt the work of the PATROLAJC.
- (ii) In the case of any document other than a document to which the rights under Section 100F of the Local Government Act 1972 apply, and if the Lead Officer considers that access to any document or other information is not necessary for the proper discharge of the functions (as a member of the Participating Authority or as a representative of the PATROLAJC, as the case may be) of the person requesting such access, and there is good reason why access should be refused, they may refuse the person concerned access to the document or information in question.
- (iii) Where a person inspects a document under the rights conferred by Section 100F of the Local Government Act 1972 or this standing order, and the PATROLAJC may lawfully make a copy of that document, they shall be entitled, on request, to be given a copy of that document provided that:
  - (a) a reasonable charge shall be made for the copy unless the Lead Officer otherwise directs;
  - (b) a copy may be refused if the Lead Officer considers that it is impracticable to make a copy.

- (iv) If a representative on the PATROLAJC or an elected member or officer of the Participating Authorities wishes to have access to land or buildings in the occupation of the PATROLAJC to which the public do not have access and to which such representative, member or officer does not regularly have access, he shall apply to the Lead Officer. Unless the Lead Officer considers that there are good reasons why such access should not be given, they shall give permission but may attach conditions to that permission including particularly a condition that a specified officer of the PATROLAJC shall accompany the representative, member or officer.
- (v) If any member of the Participating Authorities or any other representative of the PATROLAJC is dissatisfied with any determination of the Lead Officer under Section 100F of the Local Government Act 1972 or under this standing order, he/she may refer the question to the PATROLAJC which shall, after considering any representations that person or the Lead Officer may wish to make, determine whether or not to uphold the Lead Officer's determination.
- (vi) No elected members or officer of the Participating Authorities and no representative of the PATROLAJC shall have any claim by virtue of his position:
  - (a) to enter any land or buildings occupied by the PATROLAJC to which the public do not have access or to which such members, officer or representative do not regularly have access except with the permission of the Lead Officer;
  - (b) to exercise any power of the PATROLAJC to enter or inspect other land or buildings, except where specifically authorised to do so by the PATROLAJC ;
  - (c) to exercise any other power of the PATROLAJC;
  - (d) to issue any order with respect to any works which are being carried out by, or on behalf of, the PATROLAJC, or with respect to any goods or services which are being, or might be, purchased by the PATROLAJC
- (vii) The Proper Officer for the Purpose of Section 100F(2) of the Local Government Act 1972 and for the purposes of this standing order is the Lead Officer.

(viii) For the purposes of this standing order a person has a pecuniary interest in a matter if, on the assumptions that he/she were a representative on the PATROLAJC, and that the matter were to be considered by the PATROLAJC, he would have to declare the interest under Section 94 of the Local Government Act 1972.

(ix) Where any information is given to any person (including a member of the Participating Authorities, or any representative of the PATROLAJC) by the PATROLAJC or by one of the employees of the Lead Authority in the course of transacting any business of the PATROLAJC, and it is made clear (in whatever way) that the information is given in confidence, that person is not entitled to make that information public without the consent of the PATROLAJC.

23. Suspension of Standing Orders

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

24. Interpretation and Definitions

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

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

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

"Participating Authority" means any Local Authority then party to the joint arrangements contained in the Agreement.

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

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

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

## Schedule 5

### Financial Regulations

#### PATROL ADJUDICATION JOINT

#### COMMITTEE FINANCIAL REGULATIONS

2022/2023-2014/2015

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#### 1. General

- 1.1 These Regulations should be read in conjunction with the Joint Committee's Financial Standing Orders and Rules of Financial Management contained within the Joint Committee's Agreement, the Scheme of Delegation to the Director and the Scheme of Financial Delegation to officers.
- 1.2 Where the Joint Committee has established a sub committee whose terms of reference include delegated financial functions, or where there is a specific delegation to such a sub committee, the reference to Joint Committee within the Regulations will include the sub committee.
- 1.3 These Regulations lay down for the guidance of members and officers, principles to be followed in securing the proper administration of the Joint Committee's financial affairs and shall be reviewed by the Joint Committee on an annual basis.
- 1.4 The Director, as the officer responsible for the administration of the Joint Committee's affairs, shall report to the Joint Committee any significant failure to comply with these regulations which comes to his/her attention.
- 1.5 The Director shall be responsible for the accountability and control of all resources managed by him/her on behalf of the Joint Committee and will maintain a written record where decision making has been delegated to others.
- 1.6 The Director will ensure the organisational structure provides an appropriate segregation of duties to provide adequate internal controls to minimise fraud or malpractice.
- 1.7 The Director can allow exceptions to these Regulations if it is believed that the best interests of the Joint Committee would be served if the Regulations were not applied. A written record of these decisions must be kept and reported to the Joint Committee at the earliest opportunity.
- 1.8 Whenever any matter arises which may involve financial irregularity, the Director shall be notified immediately, and if an irregularity is disclosed the matter shall, at the discretion of the Director and after consultation with the Joint Committee's Treasurer (the Lead Authority's S151 Officer), be referred by them to the Joint Committee. The Director and the Joint Committee Treasurer will determine whether the matter should be referred to Internal Audit. Further in a case where the Director advises that there is prima facie evidence of a criminal offence having been committed, the matter shall be reported to the Police forthwith.

#### 2. Accounting Arrangements

- 2.1 The Statement of Responsibilities for the Statement of Accounts sets out the role of the Director and the Treasurer.
- 2.2 The Treasurer to the Joint Committee is the responsible Financial Officer for the purposes of the Annual Return.
- 2.3 The Director shall ensure that appropriate financial arrangements and procedures are in place on behalf of the Joint Committee in order that the Treasurer can be provided with the necessary accounting records.
- 2.4 The Director will make arrangements for the preparation and audit of annual accounts.

2.5 The Director will publish and make available a final accounts/audit timetable to member authorities following the annual meeting of the Joint Committee.

2.6 The Director, where applicable, shall be responsible for the submission of all claims for grant to Government Departments, or to the EU.

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

3.1 All arrangements with the Joint Committee's bankers, including the procedures for the ordering and safe custody of cheques and purchase cards, shall be made under arrangements approved by the Director.

3.2 All cheques drawn on behalf of the Joint Committee shall be signed by two named signatories on the bank mandate. Electronic payments require approval from two individuals, who must have been granted access to the online banking system by the online bank administrator (Finance & Central Services Manager).

3.3 There is to be a clear segregation of responsibility between the preparation of payments and the authorisation of payments.

3.4 Purchase card limits will be as set out within the Scheme of Financial Delegation.

3.5 All Card Holders will sign a Credit Card Undertaking form. The Credit Card Undertaking form sets out agreed procedures including storage, authorised users and record keeping requirements.

3.6 Only the Finance & Central Services Manager will be permitted to withdraw cash against their card and this will be authorised in advance by the Director.

3.7 Bank reconciliation will be undertaken on a monthly basis (within 30 days) and signed by two members of staff in accordance with the Bank Reconciliation Procedure with one signature being that of the Finance & Central Services Manager.

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

4.1 The Director, in consultation with appropriate Officers, shall prepare annual estimates of expenditure and income, including the proposals for the basis for defraying that expenditure through member authorities. The budget and the basis for defraying expenditure through member authorities must be approved by the Joint Committee by the end of January each year.

4.2 The Director will provide a copy of the Joint Committee's approved budget to the Treasurer.

4.3 The Director will monitor income and expenditure against the budget and will report to meetings of the Joint Committee showing budgeted, actual and where appropriate, projected expenditure. Monitoring will take place and be evidenced monthly.

4.4 The Director shall be authorised to approve transfers between expenditure heads up to a maximum of £25,000. These transfers will be reported to the Joint Committee at the next available meeting as part of the budget monitoring arrangements.

4.5 Where it is anticipated that total expenditure will exceed the approved budgeted expenditure by 2.5%, the Chair and Vice Chair of the Joint Committee should be notified by the Director at the earliest opportunity following consultation with the Chair of the Advisory Board.

### **5. Income**

5.1 The collection of all money due to the Joint Committee shall be under the supervision of the Director.

5.2 All money received shall be without delay passed for payment to the Joint Committee's bank account.

5.3 The Director shall be furnished with information to ensure the prompt rendering of accounts for the collection of income.

5.4 Following year-end, where invoicing is based on estimates, the Director (delegated to the Central Services Manager) shall request a self-certification of penalty charge notices issued by authorities.

5.5 Any Debt unpaid after 90 days of issue will be provided for in the accounts as soon as it becomes 90 days old.

5.6 The Director shall report all bad debts to the Joint Committee for these to be provided for in accordance with the approved Bad Debt Policy. This report will include the cause of the bad debt and the recovering measures taken in accordance with the Debt Recovery Procedure.

5.7 Through regular budget monitoring reports, the Director will apprise the Joint Committee of variations in achieved income in order that the Joint Committee can take appropriate actions in a timely manner.

## **6. Borrowing and Investments**

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

## **7. Orders and Contracts**

7.1 The Scheme of Delegation to the Director and the Scheme of Financial Delegation include the required procedures, record keeping and procurement thresholds.

7.2 In evaluating quotations or tenders, the aim will be to achieve the most economically advantageous outcome, taking into account quality, cost and delivery experience. Such decisions will be documented. Where the lowest price option is not chosen, the Director must approve prior to goods/services being commissioned.

7.3 Only budget holders and staff who have received training in accordance with the Scheme of Financial Delegation may order goods or services.

7.4 The Director will ensure that staff involved in procurement are aware of financial thresholds and the need for aggregation with single suppliers in respect of purchasing thresholds. Market testing on rolling contracts over £2,000 will be undertaken on a three-year cycle.

7.5 The Director is required to obtain approval from the Joint Committee in respect of the supply of goods, services, materials, equipment, building and civil engineering works in excess of £250,000 per contract.

7.6 The Director has the authority to waive these rules (excluding those falling within the EU threshold) where the interests of the Joint Committee would be best served. Such circumstances would include where there is only one contractor that is able to provide goods and services or where the need for such goods and services was urgent and the above procedure would be detrimental to the Joint Committee. Forward planning and market testing will be deployed to ensure that cases of waiver are minimised. The Director shall maintain a record of such decisions and report to the Joint Committee at the earliest opportunity.

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

## **8. VAT**

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

## **9. Reserves**

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

## **10. Equipment**

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

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

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

10.4 This will be physically verified annually by the Finance and Central Services Manager.

#### **11. Insurance**

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

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

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

#### **12. Risk**

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

#### **13. Internal Audit**

13.1 The Joint Committee shall review the internal audit strategy.

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

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

13.4 Audit Reports will be presented to the Joint Committee.

#### **14. External Audit**

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

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

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

14.4 Audit Reports will be presented to the Joint Committee.

#### **15. Petty Cash**

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

#### **16. Expenses**

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

**17. Gifts and Hospitality Register**

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

**18. Declaration of Interest**

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

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

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

**20. Document Retention**

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

**21. Review and approvals**

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

**4. General**

1.1 These Regulations should be read in conjunction with the Joint Committee's Financial Standing Orders and Rules of Financial Management contained within the Joint Committee's Agreement and the Scheme of Delegation to the Head of Service.

1.2 Where the Joint Committee has established a sub-committee whose terms of reference include delegated financial functions, or where there is a specific delegation to such a sub-committee, the reference to Joint Committee within the Regulations will include the sub-committee.

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

1.4 The Head of Service, as the officer responsible for the administration of the Joint Committee's affairs, shall report to the Joint Committee any significant failure to comply with these regulations which comes to his/her attention.

1.5 The Head of Service shall be responsible for the accountability and control of all resources managed by him/her on behalf of the Joint Committee and will maintain a written record where decision making has been delegated to others.

1.6 The Head of Service will ensure the organizational structure provides an appropriate segregation of duties to provide adequate internal controls to minimize fraud or malpractice.

~~1.7 — The Head of Service can allow exceptions to these Regulations if it is believed that the best interests of the Joint Committee would be served if the Regulations were not applied. A written record of these decisions must be kept and reported to the Joint Committee at the earliest opportunity.~~

~~1.8 — Whenever any matter arises which may involve financial irregularity, the Head of Service shall be notified immediately, and if an irregularity is disclosed the matter shall, at the discretion of the Head of Service, and after consultation with the Joint Committee's Treasurer (the Lead Authority's S151 Officer), be referred by them to the Joint Committee. The Head of Service and the Joint Committee Treasurer will determine whether the matter should be referred to Internal Audit. Further in a case where the Head of Service advises that there is prima facie evidence of a criminal offence having been committed, the matter shall be reported to the Police forthwith.~~

## ~~2. — Accounting Arrangements~~

~~2.1 — The Statement of Responsibilities for the Statement of Accounts sets out the role of the Head of Service and the Treasurer.~~

~~2.2 — The Treasurer to the Joint Committee is the responsible Financial Officer for the purposes of the Annual Return. The Head of Service shall ensure that appropriate financial arrangements and procedures are in place on behalf of the Joint Committee in order that the Treasurer can be provided with the necessary accounting records.~~

~~2.3 — The draft Annual Return must be approved by the Joint Committee at its June meeting.~~

~~2.4 — The Head of Service will publish and make available a final accounts/audit timetable to member authorities following the June meeting of the Joint Committee.~~

~~2.5 — The Head of Service, where applicable, shall be responsible for the submission of all claims for grant to Government Departments, or to the EU.~~

## ~~3. — Banking Arrangements, Cheques and Purchase Cards~~

~~3.1 — All arrangements with the Joint Committee's bankers, including the procedures for the ordering and safe custody of cheques and purchase cards, shall be made under arrangements approved by the Head of Service.~~

~~3.2 — All cheques drawn on behalf of the Joint Committee shall be signed by the Head of Service and Finance Manager, except in their absence or in the case of personal expenses incurred by these post holders, in which circumstances, named signatories as approved by the Head of Service will provide signatures.~~

~~3.3 — Purchase cards can be used to a pre-set limit of £50,000 per month and £15,000 per single transaction and will be used in accordance with agreed procedures including storage, authorized users and record-keeping requirements.~~

~~3.4 — Bank reconciliation will be undertaken on a monthly basis (within 30 days) and signed by two members of staff in accordance with the Bank Reconciliation Procedure with one signature being that of the Finance Manager.~~

~~3.5 — The Head of Service will sign a summary sheet to ensure that bank reconciliations are completed in accordance with the financial regulations.~~

## ~~4. — Revenue and Capital Budgets~~

~~4.1 — The Head of Service, in consultation with appropriate Officers, shall prepare annual estimates of expenditure and income, including the proposals for the basis for defraying that expenditure through member authorities. The budget and the basis for defraying expenditure through member authorities must be approved by the Joint Committee by the end of January each year.~~

~~4.2 — The Head of Service will provide a copy of the Joint Committee's approved budget to the Treasurer.~~

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- 4.3 — ~~The Head of Service will monitor income and expenditure against the budget and will report to meetings of the Joint Committee showing budgeted, actual and where appropriate, projected expenditure.~~
- 4.4 — ~~The Head of Service shall be authorized to approve transfers between expenditure heads up to a maximum of £25,000. These transfers will be reported to the Joint Committee at the next available meeting as part of the budget monitoring arrangements.~~
- 4.5 — ~~Where it is anticipated that total expenditure will exceed the approved revenue budget by more than 2.5%, the Chair and Vice Chair of the Joint Committee should be notified by the Head of Service at the earliest opportunity following consultation with the Chair of the Advisory Board.~~

## **5. Income**

- 5.1 The collection of all money due to the Joint Committee shall be under the supervision of the Head of Service.
- 5.2 All money received shall be without delay passed for payment to the Joint Committee's bank account.
- 5.3 The Head of Service shall be furnished with information to ensure the prompt rendering of accounts for the collection of income.
- 5.4 Following year-end, the Head of Service shall request a self-certification of penalty charge notices issued by member authorities.
- 5.5 The Head of Service shall report all bad debts to the Joint Committee for these to be written off. This report will include the cause of the bad debt and the recovering measures taken in accordance with the Debt Recovery Procedure.
- 5.6 Through regular budget monitoring reports, the Head of Service will apprise the Joint Committee of variations in achieved income in order that the Joint Committee can take appropriate actions in a timely manner.

## **6. Borrowing and Investments**

- 6.1 The Joint Committee approves on an annual basis a Treasury Management Statement prepared with advice from the Treasurer. Where applicable, this will take into account any Joint Committee policies in relation to reserves.

## **7. Orders and Contracts**

- 7.1 The Order Procedure includes the required procedures, record keeping and procurement thresholds. These procurement thresholds are set out below together with the responsibilities of the Head of Service and budget holders in procurement.

Up to £2,000, a written quotation submitted by the requisitioner and authorized by the Budget Holder.

Between £2,000 and £30,000 – three written quotations submitted by the Budget Holder.

£30,000 to EU threshold – formal tender process to at least three candidates authorised by the Head of Service.

EU threshold to £250,000 follow EU tender rules initiated by the Head of Service.

In evaluating quotations or tenders, the aim will be to achieve the most economically advantageous outcome, taking into account quality, cost and delivery experience. Such decisions will be documented. Where the lowest price option is not chosen, the Head of Service must approve prior to goods/services being commissioned.

Only budget holders and staff who have received training in the order procedure may order goods or services.

The Head of Service will ensure that staff involved in procurement are aware of financial thresholds and the need for aggregation with single suppliers in respect of purchasing thresholds. Market testing will be undertaken on a three year cycle.

The Head of Service is required to obtain approval from the Joint Committee in respect of the supply of goods, services, materials, equipment, building and civil engineering works in excess of £250,000 per contract.

The Head of Service is required to obtain approval from the Joint Committee in respect of tenders of a sub-contractor or supplier for specialist work or material in excess of £100,000 for which a prime cost sum is included in the main contract sum for services, building and civil engineering works.

7.2 The Head of Service has the authority to waive these rules (excluding those falling within the EU threshold) where the interests of the Joint Committee would be best served. Such circumstances would include where there is only one contractor that is able to provide goods and services or where the need for such goods and services was urgent and the above procedure would be detrimental to the Joint Committee. Forward planning and market testing will be deployed to ensure that cases of waiver are minimised. The Head of Service shall maintain a record of such decisions and report to the Joint Committee at the earliest opportunity.

#### **8. VAT**

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

#### **9. Reserves**

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

#### **10.0 Equipment**

10.1 The Head of Service will ensure that all staff are aware of their responsibility for the security and proper recording of equipment under their control including their personal responsibility with regard to the protection and confidentiality of information whether held in manual or computerized records in accordance with the Information Security Policy. All equipment over £1,000 in value must be recorded in the Equipment Inventory in accordance with the Asset Management Policy. The Head of Service will also ensure that no Joint Committee equipment is subject to personal use by an employee without proper authorisation.

#### **11.0 Insurance**

11.1 The Head of Service shall in consultation with the Joint Committee's Treasurer, arrange such insurances as he/she considers necessary.

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

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

#### **12. Risk**

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

#### **13. Internal Audit**

~~13.1—The Joint Committee shall approve an annual plan.~~

~~13.2—The Head of Service will, in accordance with the above plan, arrange for the internal audit of accounts and internal assurance framework of the Joint Committee. Internal audit is currently undertaken by the Lead Authority's Internal Audit Department.~~

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

~~13.4—Audit Reports will be presented to the Joint Committee.~~

#### **14. — External Audit**

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

~~14.2—The Head of Service will make such arrangements as are necessary to facilitate this audit.~~

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

~~14.4—Audit Reports will be presented to the Joint Committee.~~

#### **15. — Petty Cash**

~~15.1—The Head of Service shall make such arrangements as he/she considers necessary for defraying petty cash and other expenses by means of an imprest system in accordance with a procedure to be agreed with the Treasurer, should a petty cash imprest system be introduced.~~

#### **16. — Expenses**

~~16.1—The Head of Service shall ensure that expense claims are underpinned by guidelines approved by the Joint Committee's Advisory Board.~~

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

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

#### **18. — Declaration of Interest**

~~18.1—All staff with financial responsibilities will be required to complete a Declaration of Interest form on an annual basis at the end of each financial year. Members at each meeting will be provided with the opportunity to declare a pecuniary or non-pecuniary interest. The Head of Service will ensure that a register is held for the purposes of recording gifts and hospitality and that staff are made aware of its existence.~~

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

~~19.1 Compliance with these financial regulations is supported by policies and procedures in respect of anti-fraud, anti-corruption and whistleblowing. Where staff have concerns in this respect, they should approach their Line Manager, the Head of Service or if they wish to speak to someone external to the organization, they can contact the Audit Commission Whistleblowing Hotline on 0845 052 2646. The Head of Service will ensure that staff are aware of whom they contact both within and external to the organisation in these circumstances.~~

**20. Document Retention**

20.1 All financial documents will be retained for a period of six years in addition to the current year in accordance with the Document Retention Policy.

**21. Review**

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

**20 Financial Regulations – related documentation**

- (i) Financial Standing Orders and Rules of Financial Management contained within the Joint Committee Agreement
- (ii) The Scheme of Delegation to the Head of Service
- (iii) Code of Corporate Governance
- (iv) Treasury Management Statement (where applicable)
- (v) Reserves Policy Statement (where applicable)
- (vi) Responsibilities of the Joint Committee are set out in the Joint Committee Agreement.
- (vii) Terms of reference for the Executive Sub Committee (where applicable)
- (viii) Terms of reference for the Advisory Board
- (ix) Financial Regulations – Operational Procedures Manual containing all policies, procedures and guidelines to staff referenced within these Regulations.

**22. Review and approvals**

21 September 2010  
28 September 2011  
26 June 2012  
25 June 2013

## Schedule 6

### Terms of appointment of the Lead Authority

1. The PATROLAJC agrees that the Lead Authority shall provide to the PATROLAJC such goods and services as the PATROLAJC may from time to time determine.
2. Without prejudice to the generality of **paragraph 1** of this **Schedule 6**, the Lead Authority shall provide staff for the performance on behalf of the PATROLAJC of the functions which are the subject of the arrangements established pursuant to this deed and may in particular:
  - 2.1 appoint, dismiss and discipline staff;
  - 2.2 meet the expenses of the PATROLAJC which relate to the provision of goods and/or services to the PATROLAJC;
  - 2.3 negotiate and execute contracts including but not limited to contracts for works;
  - 2.4 negotiate and enter into property transactions including but not limited to leases, licenses and wayleaves;
  - 2.5 give and procure administration support and professional advice including but not limited to legal, financial, surveying and personnel matters (including, for the avoidance of doubt, the procurement of external advisers to provide such administration support and/or professional advice); and
  - 2.6 such other goods and services as may be agreed with the Lead Authority and authorised by the PATROLAJC.
3. The PATROLAJC and the Lead Authority will enter into a non-binding service level agreement which, thereafter, will be reviewed on an annual basis and which will include:
  - 3.1 shared aims and principles;
  - 3.2 without prejudice to the generality of paragraph 2 of this Schedule 6, the services that the Lead Authority will provide to the PATROLAJC;
  - 3.3 the functions which the Lead Authority may at its discretion from ~~time to time~~time-to-time delegate to the Head of Service;
  - 3.4 the estimated costs of the services on an annual basis; and
  - 3.5 service reporting and review procedures.
4. The PATROLAJC and the Lead Authority shall jointly review the Lead Authority's role as such at the end of each ~~five-year~~five-year period calculated from the Commencement Date until the Date of Resignation or the Date of Termination (whichever occurs first).
5. The PATROLAJC shall reimburse the Lead Authority all costs and charges incurred (including, for the avoidance of doubt, costs and charges of appointing external advisers) including value added tax charged at the current standard rate in the provision of goods and/or services to the PATROLAJC as Lead Authority within 30 days of receipt of an invoice submitted by the Lead Authority to the PATROLAJC.

6. The consideration payable to the Lead Authority pursuant to **paragraph 5** of this **Schedule 6** shall be subject to audit by the PATROLAJC and the Lead Authority shall upon request make available all accounts records and other documents reasonably required for such purpose.
7. The Lead Authority shall take all reasonable steps to protect the interests of the PATROLAJC and to keep the PATROLAJC fully informed of all acts or decisions undertaken by the Lead Authority in its role as Lead Authority.
8. The PATROLAJC shall fully and effectively indemnify and keep indemnified the Lead Authority on demand from and against all claims, demands, liabilities, damages, losses, costs and expenses, save for instances where the Lead Authority has acted negligently and/or fraudulently and/or illegally, arising out of:
  - 8.1 the giving of professional advice or its actions as Lead Authority. For the avoidance of doubt, such indemnity applies to the actions or omissions of the Lead Authority in relation to its management of employees, workers, officers and agents carrying out work for or under the direction of the Lead Authority specifically and solely in relation to the functions which are the subject of the arrangements established pursuant to this deed for the benefit of the PATROLAJC and to the termination of the employment or engagement of any such employees, workers, officers and/or agents;
  - 8.2 the bringing and/ or defending (including settling) any claims, counterclaims, causes or rights of action or proceedings of whatsoever nature and howsoever arising (whether, at the date hereof, known or unknown, suspected or unsuspected, actual or contingent) which relate to the acts or omissions of any previous Lead Authority (including, but not limited to, any advice given by that previous Lead Authority to PATROL and/ or the Participating Authorities and whether or not such advice was procured from a third party);
  - 8.3 the actions or omissions of any previous Lead Authority in respect of any:
    - 8.3.1 employee or former employee employed specifically and solely in relation to the functions which are the subject of the arrangements established pursuant to this deed for the benefit of PATROL of any previous Lead Authority;
    - 8.3.2 trade union or elected employee representative of any employee or former employee employed specifically and solely in relation to the functions which are the subject of the arrangements established pursuant to this deed for the benefit of PATROL of any previous Lead Authority;
    - 8.3.3 worker or former worker employed specifically and solely in relation to the functions which are the subject of the arrangements established pursuant to this deed for the benefit of PATROL of any previous Lead Authority;
    - 8.3.4 officer or agent employed specifically and solely in relation to the functions which are the subject of the arrangements established pursuant to this deed for the benefit of PATROL of any previous Lead Authority;

where such claims demands costs and/or expenses relate to any claim or allegation that liability for such actions or omissions of any previous Lead Authority has transferred, transfers or will transfer to the Lead Authority by operation of the Transfer of Employment (Protection of Employment) Regulations 2006; any provision of European Community Legislation and/or any other provision whose purpose or effect is to transfer liability for such claims demands costs and/or expenses;

8.4 in respect of any claim brought by any staff employed specifically and solely in relation to the functions which are the subject of the arrangements established pursuant to this deed for the benefit of PATROL by the Lead Authority in its capacity as Lead Authority and/ or any claim brought by any adjudicator relating to the provision of (or failure to provide) pension benefits and premature retirement rights to any such person; and/or

8.5 any Losses arising out of or in connection with any lease (including related refurbishment activities) entered into on behalf of PATROL save where such Losses arise from the fraud or wilful default of the Lead Authority (but excluding, for the avoidance of doubt, any wilful default of PATROL staff);

and this indemnity shall continue to apply notwithstanding termination of the arrangements established pursuant to this deed and/or the termination of this deed.

8A Subject to paragraph 8B, the PATROLAJC shall, take out and maintain insurances, to the extent that they are available in the market, at commercially reasonable rates, to meet its potential obligation towards the Lead Authority under the indemnity provided in **paragraph 8**, for and on behalf of the Participating Authorities. Neither the Lead Authority nor the Participating Authorities shall take any action (or fail to take any action) which would entitle any insurer to refuse to pay any claim under any insurance policy taken out under this paragraph 8A.

8B. In the event that PATROLAJC are unable to take out or maintain the insurances required for the purposes of Paragraph 8 or, in the event that the insurance proceeds do not fully cover the indemnity demanded by the Lead Authority under Clause 8, PATROLAJC shall indemnify the Lead Authority from the PATROLAJC Reserve Fund to the extent not provided for by the insurances. In the event the PATROLAJC Reserve Fund does not contain sufficient funds to provide the indemnity as set out in paragraph 8, the Participating Authorities shall indemnify the Lead Authority in accordance with paragraph 8, provided that the Lead Authority has not acted negligently and/or fraudulently and/or illegally.

8C For the purposes of **paragraph 8.5** of this **Schedule 6, "Losses"** shall mean all claims, demands, costs, liabilities and expenses including but not limited to:

8C.1 the properly incurred costs of legal or professional services;

8C.2 any costs incurred by the Lead Authority as a result of PATROLAJC failing to successfully enforce the terms of any appointment, collateral warranty or guarantee relating to all refurbishment activities; and

8C.3 the rent, service charge and other payments due to be made by the Lead Authority, pursuant to the terms of any lease whether arising under statute, contract or at common law.

9. Upon the Lead Authority becoming aware of, or aware of the prospect of, any such claims, demands, liabilities, damages, losses, costs or expenses under this paragraph 8 the Lead Authority shall contact the Participating Authorities in writing within 30 days of becoming aware of the same, providing all necessary information for the Participating Authorities to properly evaluate and consider any such claims, demands, liabilities, damages, losses, costs or expenses. For the avoidance of doubt, any failure on the part of the Lead Authority to comply with the provisions of this paragraph 9 shall in no way invalidate, lessen, diminish or otherwise have an adverse impact on the indemnities given by the PATROLAJC in favour of the Lead Authority pursuant to this Schedule 6.

10. The Lead Authority may in pursuance of the arrangements established pursuant to this deed and Section 120(4) of the Local Government Act 1972 acquire and dispose of land on behalf of the Participating Authorities.
11. Subject to **paragraph 11** of this **Schedule 6**, no property belonging to the Lead Authority including staff and premises provided by the Lead Authority for the use of the PATROLAJC shall become part of the assets of the PATROLAJC and for the avoidance of doubt neither the PATROLAJC nor any of the Participating Authorities shall acquire or be entitled to claim or seek to enforce any rights as to possession or otherwise in respect of such premises and possession of such premises shall be delivered when required by the Lead Authority.
12. Without prejudice to any other assets of the PATROLAJC, the following agreements shall be treated as assets of the PATROLAJC:
  - 12.1 the lease in respect of part of the Second Floor, Springfield House, Water Lane, Wilmslow, Cheshire between (1) Cheshire East Council and (2) Orbit Developments (Manchester) Limited dated 15 February 2013 and any lease entered into by the Lead Authority in its capacity as Lead Authority for the purpose of the provision of accommodation for the PATROLAJC; and
  - 12.2 contracts of employment of staff employed by the Lead Authority in its capacity as Lead Authority for the purpose of the provision of staff for the PATROLAJC.

## Schedule 7

Memorandum of Participation in the PATROLAJC

### **MEMORANDUM OF PARTICIPATION (ROAD TRAFFIC CONTRAVENTIONS)**

Council

#### RECITALS

- (A) Whereas [ ] Council is an enforcement authority for the purposes of Part 6 of the Traffic Management Act 2004 (the "**2004 Act**") or is performing the functions of such an enforcement authority.
- (B) And whereas Regulations made under the 2004 Act (the "**Regulations**") provide that the functions conferred on each Local Authority relating to adjudication and adjudicators shall be discharged by it through a joint committee set up in pursuance of arrangements entered into by it under sections 101(5) and 102(1)(b) of the Local Government Act 1972.
- (C) And whereas a number of Local Authorities have entered into an agreement for the establishment of a joint committee known as the Parking and Traffic Regulations Outside London Adjudication Joint Committee ("**PATROLAJC**").
- (D) And whereas it is expedient that other Local Authorities should have the opportunity of making similar arrangements to exercise their functions through the joint committee and the said agreement makes provision for such Local Authorities to join in the said arrangements by means of this Memorandum.
- (E) And whereas the said Local Authority wishes to enter into the same arrangements as govern the setting up of the PATROLAJC with those Local Authorities which are currently parties to the said arrangements and to that end wishes to become a party to those arrangements.
- (F) And whereas the said Local Authority is hereby acting in accordance with its own constitutional arrangements and under the provisions of section 101(5) of the Local Government Act 1972, section 20 of the Local Government Act 2000, sections 9EA and 9EB of the Local Government Act 2000 and any regulations made thereunder.

#### IT IS AGREED AS FOLLOWS:

- 1. In the signing of this Memorandum the [ Council] (the "**Joining Local Authority**") shall become a party to the joint arrangements set out in the agreement annexed at **Schedule 1** to this Memorandum as if the Joining Local Authority had been named as a party in the said agreement ([Schedule 1](#)) but subject only to the modifications contained in this Memorandum.
- 2. By signing this Memorandum the Joining Local Authority hereby agrees to be bound by the terms set out in the said agreement subject only to the following modifications:

2.1 the agreement shall come into effect insofar as the Joining Local Authority is concerned only on the date the Joining Local Authority signs this Memorandum;

2.2 the Joining Local Authority shall be liable to contribute under clause 5.1 of the agreement and in accordance with the terms of contribution currently in effect at the date of joining which have been agreed by PATROLAJC which have been notified to the Joining Local Authority by the Lead Officer in the letter which forms **Schedule 2** to this Memorandum.

Signed.....

Authorised Signatory .....

Name and Position (please print) .....

Dated .....

[Council Name]

(Council Address)

**Schedule 7A**

Memorandum of Participation in the PATROLAJC

**MEMORANDUM OF PARTICIPATION**  
**(BUS LANE CONTRAVENTIONS)**

Council

**RECITALS**

- (G) Whereas [ ] Council is an enforcement authority for the purposes of Part 6 of the Traffic Management Act 2004 (the "2004 Act") or is performing the functions of such an enforcement authority.
- (H) And whereas Regulations made under the 2004 Act (the "Regulations") provide that the functions conferred on each Local Authority relating to adjudication and adjudicators shall be discharged by it through a joint committee set up in pursuance of arrangements entered into by it under sections 101(5) and 102(1)(b) of the Local Government Act 1972.
- (I) And whereas a number of Local Authorities have entered into an agreement for the establishment of a joint committee known as the Parking and Traffic Regulations Outside London Adjudication Joint Committee ("PATROLAJC").
- (J) And whereas it is expedient that other Local Authorities should have the opportunity of making similar arrangements to exercise their functions through the joint committee and the said agreement makes provision for such Local Authorities to join in the said arrangements by means of this Memorandum.
- (K) And whereas the said Local Authority wishes to enter into the same arrangements as govern the setting up of the PATROLAJC with those Local Authorities which are currently parties to the said arrangements and to that end wishes to become a party to those arrangements.
- (L) And whereas the said Local Authority is hereby acting in accordance with its own constitutional arrangements and under the provisions of section 101(5) of the Local Government Act 1972, section 20 of the Local Government Act 2000, sections 9EA and 9EB of the Local Government Act 2000 and any regulations made thereunder.

**IT IS AGREED AS FOLLOWS:**

1. In the signing of this Memorandum the [ ] Council] (the "Joining Local Authority") shall become a party to the joint arrangements set out in the agreement annexed at **Schedule 1** to this Memorandum as if the Joining Local Authority had been named as a party in the said agreement (Schedule 1A) but subject only to the modifications contained in this Memorandum.
2. By signing this Memorandum the Joining Local Authority hereby agrees to be bound by the terms set out in the said agreement subject only to the following modifications:

2.1 the agreement shall come into effect insofar as the Joining Local Authority is concerned only on the date the Joining Local Authority signs this Memorandum;

2.2 the Joining Local Authority shall be liable to contribute under clause 5.1 of the agreement and in accordance with the terms of contribution currently in effect at the date of joining which have been agreed by PATROLAJC which have been notified to the Joining Local Authority by the Lead Officer in the letter which forms **Schedule 2** to this Memorandum.

Signed.....

Authorised Signatory .....

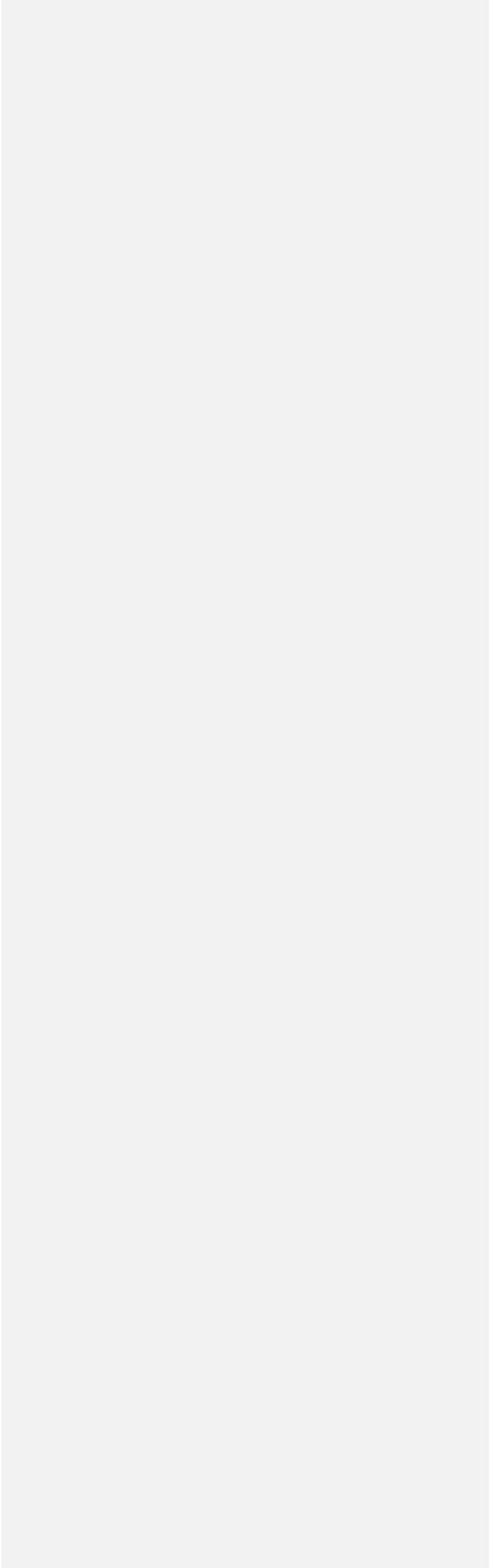
Name and Position (please print) .....

Dated .....

[Council Name]

[Council Address]

**Schedule 8**  
**PATROLAJC Agreement**



**Schedule 9**  
Contribution letter

[Date]

[Letterhead]

[Council]

Dear [Legal Officer]

**Civil Enforcement of Parking**  
**Defraying the expenses of the PATROL Adjudication Joint Committee**  
**[Council]**

I note your intention to introduce civil parking enforcement on [date].

The Lead Authority, Cheshire East Council, will be writing to you shortly to make arrangements for [Council] to become a party to the PATROL Adjudication Joint Committee agreement

The Joint Committee has determined the proportion in which expenses will be defrayed by member authorities for the period as follows.

Charge Type	Charge applicable 01/04/23 to 31/03/24
Annual Fee	£nil
PCN Fee	£0.30 <del>28TB</del> C
Appeal Case Fee	£nil

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I trust this is satisfactory however if you have any queries, please do not hesitate to contact me.

Yours sincerely,

**Laura Padden**  
**Director, PATROL**  
Email: [lpadden@patrol-uk.info](mailto:lpadden@patrol-uk.info)

**Schedule 10**

Memorandum of Understanding between adjudicators of the Traffic Penalty Tribunal And  
The Patrol Adjudication Joint Committee and The Bus Lane Adjudication Service Joint  
Committee

**MEMORANDUM OF UNDERSTANDING**

**Between**

**Adjudicators of the Traffic Penalty**

**Tribunal And**

**The PATROL ADJUDICATION JOINT COMMITTEE**

**and THE BUS LANE ADJUDICATION SERVICE JOINT**

**COMMITTEE**

**November 2012 (day reviewed June 2014)**

|

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## MEMORANDUM OF UNDERSTANDING

### 1. Introduction

This Memorandum of Understanding (MOU) is between:

- a) The Adjudicators
- b) The Parking and Traffic Regulations Outside London Joint Committee (PATROL) and the Bus Lane Adjudication Service Joint Committee (BLASJC)

The jurisdiction is England (outside London) and Wales. Legislation is devolved to Wales.

The purpose of this MOU is to clarify the relationship between the adjudicators and the joint committees and promote mutual understanding of the duties and obligations to preserve judicial independence.

The MOU seeks to provide an instrument to support our understanding of how the Parking and Traffic Regulations Outside London Joint Committee and Bus Lane Adjudication Service Joint Committee Agreements will be delivered.

Not only must each party to the MOU perform their functions with a view to protecting the independence of the tribunal but must recognise that the public perception of independence is as important as de facto independence.

### 2. Shared Aims

The adjudicators and joint committees are committed to a fair adjudication service for appellants including visible independence of adjudicators from the authorities in whose area they are working.

### 3. Overriding Principles

- 3.1 The overriding principle of this memorandum is that the adjudicators are independent judicial office holders exercising a judicial function.
- 3.2 The adjudicators are not employees of the Joint Committees. Together they constitute the independent and impartial tribunal for the determination of appeals made to them, as required by Article 6 of the European Convention on Human Rights. The adjudicators and their administrative staff are, for convenience, described collectively as the Traffic Penalty Tribunal.
- 3.3 Neither the Chief Adjudicator (see paragraph 5 below) nor any other adjudicator is answerable to the Joint Committees in any way as regards the performance of their judicial functions.
- 3.4 The Joint Committees has no remit to consider or influence decisions of adjudicators and the function of the adjudication service as an independent tribunal.

### 4. The Statutory Framework

- 4.1 The relationship between the adjudicators and the joint committees is derived from and governed by the Traffic Management Act 2004 (TMA) and Transport Act 2000 (TA) and the regulations made under those two Acts which:

- b)a) \_\_\_ establish the office of adjudicator for parking, bus lane, moving traffic and road user charging appeals.
- e)b) \_\_\_ prescribes the roles and responsibilities of the adjudicators and the Joint Committees

4.2 PATROL has been established to enable councils undertaking civil parking enforcement in England and Wales and civil bus lane and moving traffic enforcement in Wales to exercise their functions under:

- a) section 81 of the Traffic Management Act 2004 (TMA) and Regulations 17 and 18 of The Civil Enforcement of Parking Contraventions (England) General Regulations 2007 (the English General Regulations);
- b) section 81 of the TMA and Regulations 16 and 17 of the Civil Enforcement of Road Traffic Contraventions (General Provisions) Wales Regulations 2013 (the Welsh General Provisions Regulations);
- d) Regulations 12 and 13 of The Road User Charging Schemes (Penalty Charges, Adjudication and Enforcement) (England) Regulations 2013 (the Road User Charging Regulations).

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

4.3 BLASJC has been established to enable councils in England undertaking civil enforcement of bus lanes to exercise their function under Regulation 11 of The Bus Lane Contraventions (Penalty Charges, Adjudication and Enforcement) (England) Regulations 2005 (the Bus Lane Regulations)."

These functions are exercised through BLASJC in accordance with Regulation 12 of the Bus Lane Regulations.

4.4 The functions of PATROL and BLASJC are:

So far as the adjudicators are concerned, the functions of the Joint Committees are as follows:

- a) With consent of the Lord Chancellor, appoint and reappoint adjudicators
  - b) Remove adjudicators from office with the agreement of the Lord Chancellor and Lord Chief Justice
  - c) Determine the place at which adjudicators are to sit
- The Joint Committees have formally delegated the above functions to the Chief Adjudicator (see Section 5 below).

The Joint Committees' functions also include:

- Providing or making arrangements for accommodation, administrative staff (and facilities) for the adjudicators
- Defraying expenses incurred in the adjudicators performing their function.
- Appointing persons to fulfill the function of the proper officer under the relevant regulations.

4.5 The Regulations also provide that:

- In accordance with such requirements as may be imposed by the Joint Committee, each adjudicator shall make an annual report to the Joint Committees on the discharge of his/her function. The Joint Committees have agreed that this requirement will be fulfilled by the Chief Adjudicator.
- The Joint Committees shall make and publish annual reports in writing to the Secretary of State or Welsh Ministers as appropriate on the discharge of the adjudicators and their functions.

## **5. Chief Adjudicator**

- 5.1 In order to create and preserve the actual and transparent independence of the adjudicators, the Joint Committees shall designate one of the adjudicators to take the role of Chief Adjudicator, thus acting as the judicial head of the tribunal. Like all adjudicators, the Chief Adjudicator enjoys judicial independence.
- 5.2 There is no statutory provision for a President or Chief Adjudicator. Nevertheless, the Joint Committees and the adjudicators have agreed:
- a) There is a need for a de-facto Chief Adjudicator
  - b) The Joint Committees shall designate one of the adjudicators to be the Chief Adjudicator
  - c) The role and responsibilities of the Chief Adjudicator are set out at Appendix A and shall include all aspects of judicial leadership and management including the following functions that the Joint Committee have delegated to the Chief Adjudicator:
    - i) With the consent of the Lord Chancellor, the making of and reappointment of the part-time Adjudicator appointments, for a period not exceeding 5 years. Such appointments to be sufficient to meet the needs of the service, as appropriate.
    - ii) The determination of the terms and conditions applying to Adjudicators having regard to principles established for such judicial appointments and conduct by the Lord Chief Justice and Lord Chancellor.
    - iii) The determination of where Adjudicators shall sit.
- It is also for the Chief Adjudicator:
- iv) To obtain such legal advice and representation necessarily required for the Adjudicators to perform their functions and to arrange for defense of any legal proceedings arising from the exercise of those functions, including the instruction of Counsel.
  - v) To conduct and approve press and media relations relating to the Traffic Penalty Tribunal, including press conferences, publicity and public relations and tribunal information and publications
  - vi) To oversee promotion of the Traffic Penalty Tribunal

## **6. Salaried Adjudicators**

- 6.1 The Chief Adjudicator and salaried Adjudicators have a contract of employment with the Lead Authority for employment rights such as salary and pensions however they are not accountable to the Chief Executive of the Lead Authority for the performance of their functions.

## **7. Judicial Leadership, Management and Discipline Functions**

- 7.1 Neither the Joint Committees nor the Lead Authority are liable for Judicial Leadership, Management and Discipline functions.

## **8. Removal of Adjudicators**

- 8.1 An Adjudicator may only be removed from office for misconduct or if unable or unfit to discharge his or her functions (s 81 (2) (d) Traffic Management Act 2004.

8.2 The procedure for removal is specified in the Adjudicators' terms of appointment and has been delegated by the Joint Committees to the Chief Adjudicator.

## 9. Appeals and Judicial Matters

9.1 Appeals are made to the Adjudicators and are their responsibility. They have a duty to ensure that appeals are dealt with in accordance with the requirements of Article 6 of the European Convention on Human Rights for a fair and public hearing within a reasonable time.

9.2 Judicial matters are entirely the responsibility of the Chief Adjudicator to determine.

These include:

- a) Monitoring and appraisal of adjudicators' competencies
- b) Adjudicator Training
- c) Dealing with judicial complaints and discipline
- d) Allocation of cases

9.3 The following are also matters for the Chief Adjudicator to determine:

- a) Administrative procedures
- b) Training requirements for Adjudicators
- c) Communications strategy

9.4 The Joint Committees would expect to be consulted to the extent that 9.2 have budgetary implications.

9.5 The Chief Adjudicator may delegate functions for the expeditious operation of the tribunal.

## 10. Lead Officer

10.1 The PATROLAJC and BLASJC Agreements make provision for the appointment of a Lead Officer to whom functions are delegated pursuant to that Deed of Arrangement and the Standing Orders of the Joint Committees.

10.2 In view of the nature of the relationship between the Adjudicators, Joint Committees and the Lead Authority, the expectation is that the Joint Committees will request the Chief Executive of the Lead Authority to nominate the Head of Service as Lead Officer who amongst the functions delegated to the role will be expected to:

- (a) Be responsible for the administration of the Joint Committees and the Traffic Penalty Tribunal and provide for the Adjudicators on behalf of the Joint Committees, the accommodation, administrative staff and facilities. The Lead Officer has no remit to influence the decisions of the Adjudicators.
- (b) Be responsible for ensuring that the Adjudicators' requirements as set out in the Memorandum of Understanding with the Joint Committees are met within the Financial Regulations of the Joint Committee.
- (c) Work in partnership with the Chief Adjudicator to ensure the vision, aims and objectives of the tribunal are achieved.

- (d) Provide strong and strategic leadership to manage the support function for the Adjudicators to deliver an efficient service that ensures all appeals are held within legal requirements and performance criteria.
- (e) Manage the Service Level Agreement with the Lead Authority on behalf of the Joint Committees.

#### **11. Accommodation, administrative staff and facilities**

- 11.1 The Joint Committees have a statutory duty to provide accommodation, administrative staff and facilities for the Adjudicators sufficient to enable them to perform their functions in accordance with their duty as set out in Section 4 above.
- 11.2 The nature of administrative support (including staff, facilities and accommodation) are for agreement between the Adjudicators and the Joint Committees, having regard to the Joint Committees' duty to the Adjudicators set out in Section 4 above.
- 11.3 The accommodation and administrative staff provided for the Adjudicators by the Joint Committees in accordance with their statutory duties are, for convenience, along with the body of the Adjudicators whom they support, described collectively as the Traffic Penalty Tribunal. The Traffic Penalty Tribunal is not a legal entity.
- 11.4 The Joint Committees are responsible for the management of the accommodation and facilities including health and safety procedures for all users of the accommodation.
- 11.5 In accordance with the regulations made under the TMA and the TA, the Joint Committees are each required to appoint one member of staff to fulfill the duties of the "Proper Officer" for the purposes of those regulations. It is anticipated that the Joint Committees will consult with the Chief Adjudicator on the appointment of the Proper Officer.
- 11.6 The function of the staff, including the Proper Officer, is to support the Adjudicators in the performance of their function and to carry out such administrative tasks as the Adjudicators require in that connection. They act under the direction of the Adjudicators.
- 11.7 The Lead Authority will provide contracts of employment for the staff provided by the Joint Committees to ensure their employment rights and obligations.
- 11.8 For the purposes of employment rights and obligations, whilst employment policies may stem from the Lead Authority, it must be recognised that when staff are performing duties stemming from the procedural regulations that govern the Tribunal or under the delegation of Adjudicators, the latter takes precedence.
- 11.9 The independence of the Tribunal requires that staff are engaged solely on the work of the Tribunal.
- 11.10 The Joint Committees will ensure that staff provided for the Adjudicators carry out their functions effectively and efficiently and are responsible for their:
  - a) Recruitment
  - b) Training
  - c) Line Management
  - d) Appraisal
  - e) Disciplinary procedures, including considering complaints, grievances etc.

The staff will be selected by open recruitment (except where specifically agreed by the Chief Adjudicator) for skills, experience and aptitude to administer the tribunal in accordance with the regulation governing the tribunal procedure. The Chief Adjudicator will be consulted on the appointment of senior posts and staffing structures.

When the tribunal staff are performing these functions, management instructions will support and underpin the directions of the adjudicator.

These functions are delegated to the Joint Committees' Lead Officer in consultation with the Chief Adjudicator.

- 11.11 There is an expectation that tribunal HR policies should be formulated in consultation with the Lead Authority but there is not an expectation that the policies of the Lead Authority will automatically be adopted. Policies need to be fit for purpose for a national tribunal, with particular regard to Wales, and its procedural regulations.

#### **12.0 Defraying the expenses of the Tribunal**

- 12.1 The Joint Committees are responsible for defraying the expenses incurred in the Adjudicators performing their functions.
- 12.2 Consequent upon the duty specified in paragraph 12.1, the Joint Committees are responsible for:
- a) approving the budget for the tribunal and determining the contribution for member authorities.
  - b) financial control, management and monitoring

The Joint Committees will consult the Adjudicators in approving the budget and will otherwise consult with them as may be appropriate for the proper discharge of these functions.

#### **13. Advisory Board**

- 13.1 The Joint Committees' Standing Orders provide for the Joint Committees to establish and appoint an Advisory Board comprising such officers and persons appointed by the Joint Committees to advise them on their functions.
- 13.2 The purpose of the Advisory Board is to assist and advise the Joint Committees on the overall policies and strategies for administering the adjudication service and on their responsibilities under the TMA, the English General Regulations, the Welsh General Provisions Regulations, the Bus Lane Regulations and the Road User Charging Regulations.
- 13.3 The Advisory Board has no remit to consider or influence decisions of adjudicators and the function of the adjudication service as an Independent Tribunal.
- 13.4 The diversity of membership of the Advisory Board including judicial expertise and consumer representation strengthens the scrutiny function it performs which is of mutual benefit to the Adjudicators, the Joint Committees and Lead Authority.

#### **14.0 Lead/Host Authority**

- 14.1 The Joint Committees are not made body corporate by statute however the Joint Committees are entities recognized in law as ones distinct from their members. The Joint Committees themselves may enter into contracts and also commissions services as required from time to time from one of its member councils referred to as the Host or Lead Authority.
- 14.2 The expectation is that the relationship between the Lead Authority and both the Joint Committees and the tribunal will replicate that of an arm's length body, with the Lead Authority providing services and advice as required.
- 14.3 The services provided by the Lead Authority, enabling the Joint Committees to provide the resources to the Adjudicators as identified in this Memorandum of Understanding, will be supported by a Service Level Agreement with the Joint Committees.
- 14.4 The period of tenure for the Lead Authority is five years.

**15. Review Mechanism**

- 15.1 The MOU will be reviewed by the Adjudicators and the Joint Committees on an annual basis. This review will inform the annual review of the service level agreement between the Joint Committees and the Lead Authority.
- 15.2 Should the Chief Adjudicator have any concerns about matters impacting upon the independence of the Adjudicators, this will be brought to the immediate attention of the Chairs of the Joint Committees and/or their Advisory Board.

## APPENDIX A

### CHIEF ADJUDICATOR ROLE

#### Introduction

The Chief Adjudicator's role is to recruit, lead and manage the Adjudicators with the aim of delivering a fair, timely and efficient adjudication service. In so doing, the responsibility of the Chief Adjudicator shall include the following:

1. Arrange the recruitment of an appropriate number of Adjudicators
2. Advise the Joint Committees on the removal of Adjudicators where necessary
3. Advise the Joint Committees on the reappointment of Adjudicators
4. Arrange appropriate induction and continuing training for Adjudicators, supplemented by appropriate guidance materials
5. Ensure the independence of Adjudicators
6. Monitoring, mentoring and appraisal of Adjudicators
7. Represent the Adjudicators in dealing with others, including:
  - i) The Joint Committees
  - ii) Government
  - iii) The press
8. Ensure proper rules of procedure and practices and promote consistency in their application.
9. Establish appropriate delegation in respect of the Chief Adjudicator and Adjudicator functions for the expeditious operation of the tribunal.
10. Ensure that administrative provision for Adjudicators is adequate and appropriate.
11. Deal with complaints against Adjudicators in accordance with the Adjudicators' Judicial Complaints Protocol, and other disciplinary matters
12. Provide guidance and support to individual Adjudicators
13. Deal with representation of Adjudicators in the event of a judicial review of their decision or other legal proceedings arising from the performance of their function.
14. Allocation of cases
15. On behalf of the Adjudicators, and in fulfillment of their obligation to the Joint Committees to report annually, author and present an annual report to the Joint Committees on the discharge by the Adjudicators of their functions with a view to its subsequent publication to the Secretary of State.
16. Keep the Joint Committees informed of all legal matters affective implementation and maintenance of the adjudication system.

APPENDIX B

FIGURATIVE REPRESENTATION OF THE ROLES REFERRED TO IN THE MEMORANDUM OF UNDERSTANDING

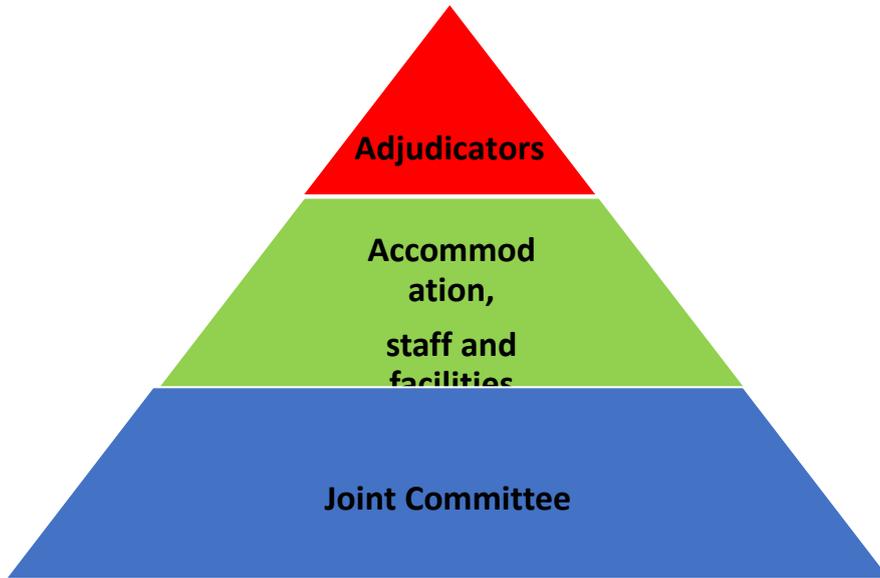


Fig 1. Provision of Services to Adjudicators

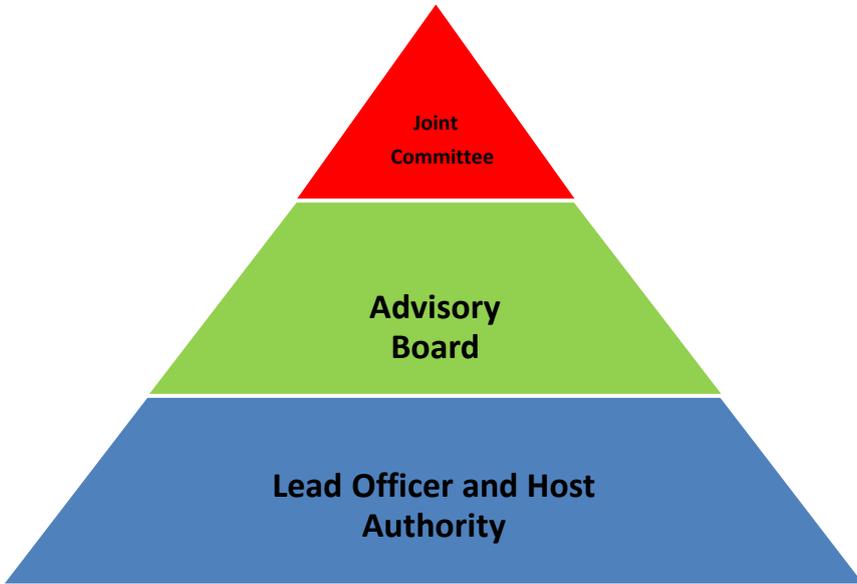


Fig 2. Governance Structure

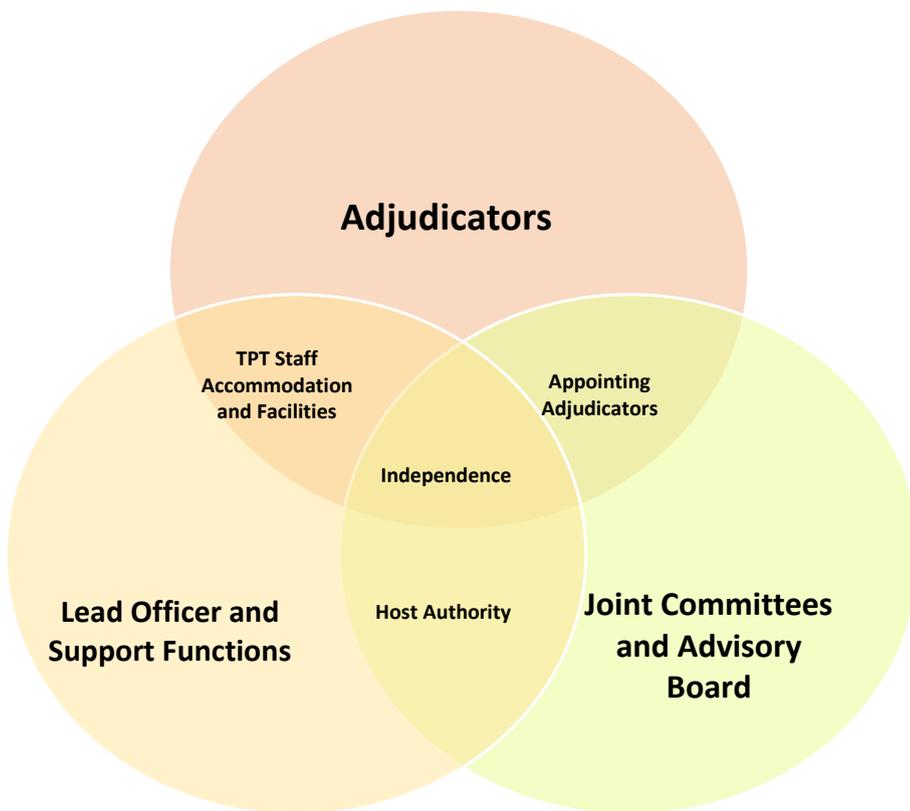


Fig 3. Overview of Joint Committee Relationships



## PATROLAJC Executive Sub Committee

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<b>Date of Meeting:</b>	24 <sup>th</sup> January 2022
<b>Report Title:</b>	Amendments to the Terms of Reference to the PATROLAJC Executive Sub Committee, the PATROL and Bus Lane Adjudication Service Joint Committees' Resources Working Group and Sub Committee and the Advisory Board
<b>Report of:</b>	Sarah Baxter, Democratic Services and Policy Manager

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### 1. Purpose of Report

- 1.1. To inform the Executive Sub Committee of the amendments to the terms of reference to the PATROLAJC Executive Sub Committee, the PATROL and Bus Lane Adjudication Service Joint Committees' Resources Working Group and Sub Committee and the Advisory Board.

### 2. Recommendations

- 2.1. To approve the amendments to the terms of reference to the PATROLAJC Executive Sub Committee as contained in Appendix One of the report.
- 2.2. To approve the amendments to the terms of reference to the PATROL and Bus Lane Adjudication Service Joint Committees' Resources Working Group and Sub Committee as contained in Appendix Two of the report.
- 2.3. To approve the amendments to the terms of reference to the Advisory Board as contained in Appendix Three of the report.

### 3. Reasons for Recommendations

- 3.1. As a result of the changes to the Transport Act 2000 and the Traffic Management Act 2004.

### 4. Background

- 4.1. Legislative changes have resulted in the transfer of the bus lane enforcement regime outside London from the Transport Act 2000 ("the 2000 Act") to the bus lane enforcement provisions in Part 2 of Schedule 8 of the 2004 Act. This reflects the original intention when the 2004 Act was introduced.

- 4.2** This means the Bus Lane Adjudication Service Joint Committee and Bus Lane Adjudication Service Joint Committee Executive Sub Committee will cease to exist and that the PATROL Adjudication Joint Committee and PATROL Adjudication Joint Committee Executive Sub Committee will have responsibility for all matters relating to bus lane enforcement.
- 4.3** As a result the terms of reference of the Executive Sub Committee, the PATROL and Bus Lane Adjudication Service Joint Committees' Resources Working Group and Sub Committee and the Advisory Board need to be amended to remove any reference to the BLASAJC Executive Sub Committee or any reference to the joint committees Joint Executive Sub Committees.
- 4.4** In addition the opportunity has been taken to make some further minor amendments to the terms of reference to the Advisory Board.

## **5. Implications**

### **5.1. Legal**

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

**PATROL ~~AND BUS LANE~~ ADJUDICATION SERVICE JOINT COMMITTEES  
Executive Sub Committees' Terms of Reference**

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

=

**1. Financial Matters**

- (a) Deciding on the level and proportion PATROLAJC ~~and BLASJC~~ member Councils shall contribute to the costs and expenses of the adjudication service.
- (b) Establishing and adopting not later than 31st January in each year a budget of estimated expenditure for the ensuing year commencing 1st April and approving accounts for the previous financial year by 30<sup>th</sup> June each year.
- (c) Accepting tenders for the supply of goods, services, materials, equipment, building and civil engineering works in excess of £250,000 per contract.
- (e) All financial matters not delegated to the Resources Working Group and Sub Committee or officers under the Joint Committee's Financial Regulations.
- (f) Reviewing the Joint Committee's Reserves Policy Statement and Risk Register.

**2. Human Resources**

- (a) Approving changes above grade PO6 (SCP49) to the staff assignment, except for Adjudicator appointments. This may be delegated to the Resources Working Group and Sub Committee.
- (b) Subject to the approval of the Lead Authority to consider applications for early retirement where there would be a financial cost to the PATROLAJC. This may be delegated to the Resources Working Group and Sub Committee.

**3. Advisory Board**

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

**4. New Council members to the PATROLAJC ~~and BLASJC~~ Agreements**

Noting new council members.

#### **5. Ad hoc delegations**

The Joint Committee~~a~~ may from time to time make specific delegations to the Executive Sub Committee~~s~~ to progress business. The results of such delegations will be reported to the Joint Committee at its next meeting. The Executive Sub Committee may from time-to-time delegate actions to the PATROLAJC ~~and BLASJC~~-Resources Working Group and Sub Committee.

#### **6. Chairs of the Executive Sub Committees**

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

**PATROL ~~AND BUS LANE~~ ADJUDICATION SERVICE JOINT COMMITTEES**

**Resources Working Group and Sub Committee**

**Terms of Reference 202~~31~~/202~~42~~**

**Membership:**

Chairs, Vice Chairs, Assistant Chairs of PATROLAJC ~~and BLASJC~~ supported by a Resources Working Group to include: Chair and Vice Chair of Advisory Board, Director, Chief Adjudicator and such additional representatives that may assist the Working Group and Sub Committee.

**Meetings:**

As and when required.

**Delegation**

Delegation of the following functions from the PATROL Joint Committee or Executive Sub Committee to the PATROLAJC Resources Working Group and Sub Committee.

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

## **Review**

These terms of reference will be presented to the Joint Committee on an annual basis.

**PATROL ~~AND Bus Lane~~ Adjudication Service Joint Committees'  
Advisory Board**

**Terms of Reference**

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

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

2. The Advisory Board has no remit to consider or influence decisions of adjudicators and the function of the adjudication service as an Independent Tribunal.
3. To receive and monitor progress against the Performance Management Strategy produced by the Director and to review the service structure, organisation and administration and to scrutinise recommendations for changes before they are put before the Joint Committees.
4. To monitor and review the service revenue budgets and to scrutinise recommendations for changes before they are put before the Joint Committees.
5. To assist and advise the Director on the preparation of an annual service plan.
6. The Board shall consist of always the Lead Officer plus up to

eleven people:

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

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

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

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

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

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

Advisory Board members should not have direct responsibility for the appeals process and should not be day-to-day managers of parking services and should where possible include representatives from legal and financial backgrounds as well as those responsible for parking.

The Board shall elect a Chairman and; a Vice-Chairman and a Secretary from within the membership of the Board.

## PATROL and BLASJC Executive Sub Committees

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<b>Date of Meeting:</b>	24 <sup>th</sup> January 2023
<b>Report Title:</b>	Reserves Policy Statement
<b>Report of:</b>	The Director in consultation with the PATROL and BLASJC Resources Working Group

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### 1.0 Purpose of Report

- 1.1 To review the Reserves Policy Statement for the Joint Committee for 2023/24 and to request that the Joint Committees approve the Reserves Policy Statement for 2023/24.

### 2.0 Recommendations

- 2.1 To approve the proposed Reserves Policy Statement for 2023/24 which is combined for BLASJC and for PATROL for the financial year 23/24 onwards.
- 2.2 To approve the total PATROL approved reserve level for 2023/24 of £2,084,765 combined for PATROL and BLASJC as set out at (4). The equivalent amount for 2022/23 was £2,241,040 (comprising £1,893,699 for PATROL and £347,342 for BLASJC).
- 2.3 To approve the balances of any surplus from 2022/23 being carried forward to 2023/24.
- 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 the continuation of service should there be an unexpected downturn of income or unforeseen expenditure. The availability of reserves is central to maintaining its 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) has 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 2023/24, 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 majority 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 2023/24 will be £1,563,638. This compares to £1,712,650 for the previous year and is lower due to reduced 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 from 2023/24 is maintained to cover two years beyond the current financial year. The property reserve for 2023/24 will be £158,400, which compares with £135,860 in the previous year. This increase is due to increasing Fuel costs included in the Service Charge.**

### **4.5 Technology Reserve**

**It is recommended that the Technology reserve be set at £312,728 which is the equivalent of 10% of total budgeted costs. This compares with £342,530 in 2022/23. 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 2023/24 that this be set at £50,000. This is the same as approved for 2022/23. Initiatives might include:

- Commissioning independent research to support PATROL objectives
- Supporting member authorities to undertake research/initiatives/pilots that support PATROL objectives.

The Resources Working Group and 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 2023/24 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 2023/24 is £2,084,765.**

	2021/22	2022/23	2023/24	Movement on Prior Year
General Operating Reserve	1,743,785	1,712,650	1,563,638	149,013
Technology Reserve	348,757	342,530	312,728	29,803
Property Reserve	108,460	135,860	158,400	-22,540
Innovation and Research Reserve	50,000	50,000	50,000	0
<b>Total approved Reserve</b>	<b>2,251,003</b>	<b>2,241,040</b>	<b>2,084,765</b>	<b>156,275</b>
<i>Reserve allocated to BLASJC</i>	<i>338,899</i>	<i>347,342</i>	<i>0</i>	<i>347,342</i>
<b>PATROL Reserve</b>	<b>1,912,104</b>	<b>1,893,699</b>	<b>2,084,765</b>	<b>-191,066</b>

**4.8** It is anticipated that PATROL reserve will reach £3,786,822 (excluding ring-fenced amounts) at the 31<sup>st</sup> March 2024 and therefore insufficient reserves will be in place to accommodate the recommended approved reserve of £2,084,765. This would result in forecast Free Reserves at March 2024 of £1,702,056.

These balances include the amount of £708,955 transferred to PATROL from BLASJC for the year 2023/24 onwards.

	BUS LANES	PATROL	TOTAL PATROL & BLASJC
<b>Closing Reserves 2021/22 and Opening Reserves of 2022/23</b>	<b>600,560</b>	<b>2,568,455</b>	<b>3,169,015</b>
Forecast Surplus / (Deficit) 22/23	108,395	327,174	435,569
Drawdowns 22/23 - to date	0	0	0
<b>FORECAST Reserves 31.03.23</b>	<b>708,955</b>	<b>2,895,629</b>	<b>3,604,584</b>
Proposed Budget for 2023/24	0	182,238	182,238
Combine PATROL and BLASJC Reserves	-708,955	708,955	0
<b>Forecast Reserves at 31.03.24</b>	<b>0</b>	<b>3,786,822</b>	<b>3,786,822</b>
<i>Of which are:</i>			
General Approved Reserve		1,563,638	1,563,638
Approved Property Reserve		158,400	158,400
Approved Technology Reserve		312,728	312,728
Reserach and Innovation Reserve		50,000	50,000
Allocated to Bus Lanes (proposed)		0	0
<b>TOTAL Approved Reserve</b>	<b>0</b>	<b>2,084,765</b>	<b>2,084,765</b>
		0	
<i>of which Free Reserves</i>	<b>0</b>	<b>1,702,056</b>	<b>1,702,056</b>

**4.9** The Joint Committee will monitor income and expenditure during 2023/24 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 Resources Working Group and Sub Committee 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**

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

## **6.0 Risk Management**

**6.1** 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.”*



## PATROL and BLASJC Executive Sub Committees

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<b>Date of Meeting:</b>	24 <sup>th</sup> January 2023
<b>Report Title:</b>	Annual Investment Strategy
<b>Report of:</b>	The Director in consultation with the PATROL and BLASJC Resources Working Group

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### 1. Purpose of Report

- 1.1. To request the Joint Committee to approve the Annual Investment Strategy for 2023/24.

### 2. 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 2022/23. 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. Reasons for Recommendations

- 3.1 To comply with the Joint Committee Financial Regulations

### 4. 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 per month
2021/22	£318 per month
2022/23	£590 per month (ytd)

- 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.

## **5. 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.



## PATROL and BLASJC Executive Sub Committees

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<b>Date of Meeting:</b>	24 <sup>th</sup> January 2023
<b>Report Title:</b>	Revenue Budgets for 2023-24
<b>Report of:</b>	The Director in consultation with the PATROL and BLASJC Resources Working Group

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### 1.0 Purpose of Report

- 1.1 To request the Committee to adopt the revenue budget estimates for 2023/24, and to note that this report sets out a single budget which amalgamates the activity and balances of both PATROL and BLASJC for the Financial Year 2023/24.

### 2.0 Recommendations

- 2.1 To agree to adopt the revenue budget for 2023/24 as detailed in the report.

### 3.0 Reasons for Recommendations

- 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 2023/24 and therefore the Adjudicators, administrative support and accommodation needed.

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 2023/24, 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** In previous years additional income to the PATROL budget has arisen from a recharge of costs to the Bus Lane Adjudication Service Joint Committee for the purposes of integrated adjudication services.

From 2023/24 this will no longer apply as the activity for the BLASJC will be reported under PATROL. This includes income derived from BLASJC member authorities which will be reported in the PATROL Income and Expenditure Report.

- 4.5** Additional 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.

- 4.6** In respect of Income relating to Clean Air Zones estimates of additional income have been included in respect of schemes with confirmed start dates.

- 4.7** In respect of Income relating to Clean Air Zones estimates of additional income have been included in respect of schemes with confirmed start dates.

- 4.8** 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.

- 4.9** A forecast for bank interest has been included based on increasing rates of interest and improved cash balances.

- 4.10** The Joint Committee approves a Reserves Policy Statement annually, reported separately.

- 4.11** The Joint Committee approves a Defraying Expenses Policy annually, reported separately.

**4.12 Expenditure**

An assessment has been made of the revenue budget that will be needed to meet the demands on the service during 2023/24.

**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.

It is not proposed to fill the vacant Deputy Chief Adjudicator role in 2023/24, which is vacant due to the retirement of the previous role holder.

**Staffing:**

A 2% inflationary increase has also been assumed for salaries as well as now reduced rates of National Insurance. Non-judicial salaries are determined by Local Government Services' Pay Agreement and will reflect any agreements reached in respect of 2023/24.

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 23/24.

The new lease at Merlin House is for 3 years with a break clause at year 2 (Feb 2023). 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 increase in supplies and services reflects consultants' fees with regards to website refreshes and a cyber security review, one off initiative costs and provision for legal costs.

**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 2023/24, 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 2022/23 (£53,340).

The contracted services are set out below:

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

Whilst Democratic Services have been brought in house with the recruitment earlier this year of the Democratic Services and Policy Manager, it is our intention to keep a small retained balance on this line in case of required cover.

In addition, it is proposed to move the unused balance of this cost line (Democratic Services) to the Legal Services line in recognition of additional support around Committee MOU changes etc. which are likely to be required from Cheshire East.

#### **Audit**

External Audit fees are broadly in line with those for 2022/23. Internal Audit is included in the SLA Charges from Cheshire East see table above.

### **4.13 Budget Summary**

The proposed budget for 2023/24 assumes the approval of the recommendation of defraying the expenses amongst members of the Joint Committee on the basis of **30 pence per PCN**.

The budgeted income and expenditure for 2023/24 would therefore result in an overall forecast contribution **TO** reserves of £347,834 (of this £182,238 relates to PATROL). A proportion of this will be ring-fenced to road user charging schemes as follows:

	<b>ACTUAL</b>	<b>6+6 Forecast</b>	<b>Budget</b>	<b>Budget</b>	<b>Budget</b>
	<b>2021/22</b>	<b>2022/23</b>	<b>2021/22</b>	<b>2022/23</b>	<b>2023/24</b>
<b>PATROL</b>	329,736	363,564	-481,127	-16,596	182,238
<b>Halton Borough Council</b>	70,020	40,357	-26,796	-11,145	41,288
<b>Nat Highways</b>	184,379	153,651	-71,632	25,625	124,309
<b>TOTAL</b>	<b>584,135</b>	<b>557,572</b>	<b>-579,555</b>	<b>-2,116</b>	<b>347,834</b>

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

- Full Budget for 2022/23 (Col 1)
- Full budget for 2023/24 (Col 2)
- Variance between budgets (Col 3)
- Full Year Outturn 21/22 (Col 4)
- Forecast Full Year 22/23 (Col 5)
- Variance between Budget and Forecast for 22/23 (col 6)

	1	2	3	4	5	6
	FULL Budget	FULL Budget	Budget Var	ACTUAL	Forecast	Var to Budget
	2022/23	2023/24	21/22 to 22/23	2021/22	2022/23	2022/23
<b>Income</b>						
PATROL & Bus Lanes Combined*	1,444,178	2,248,989	804,811	1,537,048	1,687,479	243,301
Recharge for Bus Lane Adjudication Costs	694,684	0	(694,684)	512,983	533,107	(161,577)
Moving Traffic	50,400	34,200	(16,200)	32,825	0	(50,400)
<b>Road User Charging:</b>						
Highways England	692,038	731,123	39,085	683,657	727,205	35,167
Halton Borough Council	208,777	181,181	(27,596)	205,975	180,656	(28,121)
Durham Peninsular						
Littering from Vehicles	60	60	0	132	15	(45)
Clean Air Zones	329,448	266,357	(63,092)	251,414	213,015	(116,433)
Other Income	0	0	0	0	0	0
Bank Interest	3,600	13,200	9,600	3,669	7,500	3,900
<b>Total Income</b>	<b>3,423,185</b>	<b>3,475,109</b>	<b>51,924</b>	<b>3,227,703</b>	<b>3,348,977</b>	<b>(74,208)</b>
<b>Expenditure:</b>						
Adjudicators	1,223,139	793,150	429,989	838,810	802,303	420,836
Staff	1,378,763	1,414,388	(35,625)	1,106,481	1,182,143	196,620
Premises / Accommodation	67,930	79,200	(11,270)	46,358	70,947	(3,017)
Transport	54,500	52,500	2,000	22,467	25,628	28,873
Supplies and Services	243,269	342,340	(99,071)	223,546	344,100	(100,831)
IT	399,374	387,438	11,936	351,240	322,830	76,544
Services Management and Support	53,685	53,340	345	51,990	53,340	345
Audit Fees	4,641	4,920	(279)	3,400	4,920	(279)
Contingency	0	0	0	(725)	(14,807)	14,807
<b>Total Expenditure</b>	<b>3,425,301</b>	<b>3,127,275</b>	<b>298,025</b>	<b>2,643,567</b>	<b>2,791,403</b>	<b>633,897</b>
<b>Surplus / (Deficit)</b>	<b>(2,116)</b>	<b>347,834</b>	<b>349,950</b>	<b>584,136</b>	<b>557,574</b>	<b>559,689</b>
			(0)	0	0	0
<b>Breakdown of Contribution to Reserves:</b>	<b>FULL Budget</b>	<b>FULL Budget</b>	<b>Budget Var</b>	<b>ACTUAL</b>	<b>Forecast</b>	<b>Budget Var</b>
	<b>2022/23</b>	<b>2023/24</b>	<b>21/22 to 22/23</b>	<b>2020/21</b>	<b>2022/23</b>	<b>21/22 to 22/23</b>
<b>TOTAL</b>	<b>-2,116</b>	<b>347,834</b>	<b>349,950</b>	<b>584,135</b>	<b>557,572</b>	<b>559,688</b>
PATROL	-16,596	182,238	198,834	329,736	363,564	380,160
Halton Borough Council	-11,145	41,288	52,433	70,020	40,357	51,502
National Highways	25,625	124,309	98,684	184,379	153,651	128,026

## 4.14 Reserves

	BUS LANES	PATROL	TOTAL PATROL & BLASJC
<b>Closing Reserves 2021/22 and Opening Reserves of 2022/23</b>	<b>600,560</b>	<b>2,568,455</b>	<b>3,169,015</b>
Forecast Surplus / (Deficit) 22/23	108,395	327,174	435,569
Drawdowns 22/23 - to date	0	0	0
<b>FORECAST Reserves 31.03.23</b>	<b>708,955</b>	<b>2,895,629</b>	<b>3,604,584</b>
Proposed Budget for 2023/24	0	182,238	182,238
Combine PATROL and BLASJC Reserves	-708,955	708,955	0
<b>Forecast Reserves at 31.03.24</b>	<b>0</b>	<b>3,786,822</b>	<b>3,786,822</b>
<i><b>Of which are:</b></i>			
General Approved Reserve		1,563,638	1,563,638
Approved Property Reserve		158,400	158,400
Approved Technology Reserve		312,728	312,728
Reserach and Innovation Reserve		50,000	50,000
Allocated to Bus Lanes (proposed)		0	0
<b>TOTAL Approved Reserve</b>	<b>0</b>	<b>2,084,765</b>	<b>2,084,765</b>
		0	
<i>of which Free Reserves</i>	<b>0</b>	<b>1,702,056</b>	<b>1,702,056</b>

### The effect on Reserves is as follows:

- Forecast combined PATROL and BLASJC Reserves at 31<sup>st</sup> March 2023 of £3,786,822
- **30 pence per PCN** proposed charge resulting in PATROL (including Bus Lanes for 23/24) surplus for year of £182,238
- Forecast Reserves balance of £3,786,822 at 31<sup>st</sup> March 2024
- Budgeted required Approved Reserves of £2,084,765
- Forecast FREE Reserves at 31<sup>st</sup> March 2024 of £1,702,056
- These balances exclude National Highways and Mersey Gateway ringfenced balances

## 5.0 Implications

### 5.1 Finance

Requirement to approve budget before 31 January 2023.

### 6.0 Risk Management

Budget setting contributes to the Risk Management Strategy.

## PATROL and BLASJC Executive Sub Committees

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<b>Date of Meeting:</b>	24 <sup>th</sup> January 2023
<b>Report Title:</b>	Defraying the Expenses of the Joint Committee
<b>Report of:</b>	The Director in consultation with the PATROL and BLASJC Resources Working Group

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### 1.0 Purpose of Report

- 1.1 To establish the basis for defraying expenses during the 2023/24 Financial Year.

### 2.0 Recommendations

- 2.1 That for the Financial Year 2023/24, the Joint Committee approves a maintenance in charge of **30 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 2023 meeting in the light of actual income and expenditure information for the first half of the year.
- 2.3 That the rate of **30 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 Joint 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 22/23.

### 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 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.

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

**Table 1**

<b>Year</b>	<b>Per PCN</b>	<b>Annual</b>	<b>Per Case</b>
1991/2001	70 pence	£500	£10
2001/2003	70 pence	£500	£0
2003/2005	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
<b>2023/24</b>	<b>30 pence - proposed</b>	<b>£0</b>	<b>£0</b>

- 4.3 The per PCN charge has more than halved since the inception of the Joint Committee and 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.
- 4.4 Following consideration by the Resources Working Group, it is recommended that for 2023/24, the Joint Committee approves a rate of **30 pence per PCN** and that this is reviewed at the October 2023 meeting when the actual income and expenditure information for the first half of the year is available.
- 4.5 The Joint 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).

These arrangements are each underpinned by a Memorandum of Understanding as the Charging Authorities are not members of the PATROL Joint Committee.

The charges and agreed reserve levels for these are subject to separate arrangements agreed with the Charging Authority.

Balances associated with these schemes are reported separately to the Joint Committee within budget monitoring reports.

- 4.6 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 **30 pence per PCN** issued
  - Forecast combined PATROL and BLASJC Reserves at 31<sup>st</sup> March 2023 of £3,604,584
  - 30 pence per PCN resulting in PATROL (including Bus Lanes for 23/24) surplus for year of £182,238
  - Forecast Reserves balance of £3,786,822 at 31<sup>st</sup> March 2024
  - Budgeted required Approved Reserves of £2,084,765
  - Forecast FREE Reserves at 31<sup>st</sup> March 2024 of £1,702,056
  - These balances exclude National Highways and Mersey Gateway ringfenced balances

	BUS LANES	PATROL	TOTAL PATROL & BLASJC
<b>Closing Reserves 2021/22 and Opening Reserves of 2022/23</b>	<b>600,560</b>	<b>2,568,455</b>	<b>3,169,015</b>
Forecast Surplus / (Deficit) 22/23	108,395	327,174	435,569
Drawdowns 22/23 - to date	0	0	0
<b>FORECAST Reserves 31.03.23</b>	<b>708,955</b>	<b>2,895,629</b>	<b>3,604,584</b>
Proposed Budget for 2023/24	0	182,238	182,238
Combine PATROL and BLASJC Reserves	-708,955	708,955	0
<b>Forecast Reserves at 31.03.24</b>	<b>0</b>	<b>3,786,822</b>	<b>3,786,822</b>
<i>Of which are:</i>			
General Approved Reserve		1,563,638	1,563,638
Approved Property Reserve		158,400	158,400
Approved Technology Reserve		312,728	312,728
Reserarch and Innovation Reserve		50,000	50,000
Allocated to Bus Lanes (proposed)		0	0
<b>TOTAL Approved Reserve</b>	<b>0</b>	<b>2,084,765</b>	<b>2,084,765</b>
		0	
<i>of which Free Reserves</i>	<b>0</b>	<b>1,702,056</b>	<b>1,702,056</b>

4.7 The Resources Working Group also considered a reduction to 28 pence per PCN issued.

This would result in the following budgeted surpluses and Reserves balances:

### Surpluses

	ACTUAL 2021/22	6+6 Forecast 2022/23	Budget 2021/22	Budget 2022/23	Budget 2023/24 30 pence	Budget 2023/24 28 pence
PATROL	329,736	363,564	-481,127	-16,596	182,238	98,391
Halton Borough Council	70,020	40,357	-26,796	-11,145	41,288	35,248
Nat Highways	184,379	153,651	-71,632	25,625	124,309	99,938
<b>TOTAL</b>	<b>584,135</b>	<b>557,572</b>	<b>-579,555</b>	<b>-2,116</b>	<b>347,834</b>	<b>233,577</b>

### Reserves

<b>Forecast Opening Bal 23/24 COMBINED</b>	<b>3,604,584</b>
Budgeted surplus / (deficit) 23/24	98,391
Budgeted Approved Reserves	2,084,765
<b>Budgeted FREE Reserves</b>	<b>1,618,210</b>

4.8 A charge of 28 pence per PCN issued would result in a contribution to Reserves of £93,391 for PATROL (excluding ringfenced balances) compared to a contribution to Reserves of £182,238 with a charge of 30 pence per PCN.

4.9 A charge of 28 pence per PCN would result in forecast Free Reserves at 31<sup>st</sup> March 2024 of £1,618,210 (£1,702,056 with a charge of 30 pence per PCN).

## **5.0 Implications**

### **5.1 Finance**

Detailed in the report.

### **5.2 Legal Implications**

In accordance with the PATROL Adjudication Joint Committee Agreement.

## **6.0 Risk Management**

Financial resilience is monitored within the Risk Management Strategy.



## PATROLAJC and BLASJC Executive Sub Committees

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<b>Date of Meeting:</b>	24 <sup>th</sup> January 2023
<b>Report Title:</b>	Cross-Assignment Exercise – appointment of adjudicators cross-deployed from London Tribunals
<b>Report of:</b>	The Chief Adjudicator, Caroline Hamilton

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### 1. Purpose of Report

- 1.1. To advise the PATROLAJC AND BLASJC Executive Sub Committees of the appointment of nine London Adjudicators, who have been identified as suitable for cross deployment to the Traffic Penalty Tribunal in accordance with the cross-deployment report that was noted and endorsed by the Executive Sub Committees further to the Chief Adjudicator's report presented to the PATROLAJC Executive Sub Committee on 11<sup>th</sup> October 2022.

### 2. Recommendation

- 2.1. To note the report.

### 3. Reasons for Recommendation

- 3.1 The nine adjudicators have been selected further to an expression of interest and interview exercise. They have the necessary qualifications and the tested expertise required, to determine appeals justly. They have each indicated that they have the capacity to take on the further jurisdictions of the Traffic Penalty Tribunal and through interview with the Chief Adjudicator and Director of PATROL, are deemed suitable for cross-deployment to TPT.
- 3.2 Usual practice would have been to seek the Executive Sub Committees' approval of the Adjudicators' appointments; however, as a decision was required prior to the Executive Sub Committee meetings taking place in January, an urgent decision was taken in accordance with Schedule 4, index 16 of the Parking and Traffic Regulations Outside London Adjudication Joint Committee's Standing Orders, that the Chairs of the PATROLAJC and BLASJC agree to the appointment of the listed adjudicators to the Traffic Penalty Tribunal for a period of five years. In taking this urgent decision it ensured the

adjudicators were appointed in time to attend the training session organised for all adjudicators on the 8<sup>th</sup> December 2022 and that liaison with the Judicial Office could be undertaken ahead of those meetings.

#### **4. Background**

**4.1** At a meeting of the PATROLAJC Executive Sub-Committee held on 11th October 2022, endorsement was given to proposals to undertake a cross-assignment exercise with interested London adjudicators, to develop the shared aim of working cost efficiently and collaboratively with London Tribunals and to address the expected imminent increase in moving traffic appeals.

**4.2** Following initial expressions of interest in the role, followed by an interview, nine London Tribunal Adjudicators have now been appointed to the Traffic Penalty Tribunal. Each was determined as having the expertise and experience necessary and as suitable for appointment to this tribunal. The Adjudicators have also confirmed that they have the capacity to devote time to the work of the Traffic Penalty Tribunal.

**4.3** The appointments are proposed to not only develop the shared aim of working cost efficiently and collaboratively with London Tribunals, but also to address the anticipated increase in Moving Traffic and Clean Air Zone appeals at the Traffic Penalty Tribunal in an efficient and proportionate manner.

**4.4** The following Adjudicators were appointed:

- (1) Ms Alderson
- (2) Ms Brennan
- (3) Mr Burke
- (4) Ms Coombe
- (5) Mr Dodd
- (6) Ms Fantinic
- (7) Ms Goffe
- (8) Ms Pearce
- (9) Mr Thorne

#### **5. Implications**

##### **5.1. Finance**

**5.1.1** The proposed number of adjudicators being appointed will replace adjudicators who are no longer in post, or who are due to take up judicial appointments, (salaried judges are not permitted to retain fee paid appointments at the Traffic Penalty Tribunal).

**5.1.2** Returned computer equipment, necessary for accessing the FOAM system and conducting remote appeal hearings will, where possible, be re-distributed to the new adjudicators, keeping expenditure to an absolute minimum.

## **5.2 Legal**

**5.2.1** Under Regulation 16(2) of Part 4 of The Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022, an appointment made by the Joint Committees is required to be ratified by obtaining the consent of the Lord Chancellor. The appointment will not take effect until that has been obtained; however, this was sought in October 2022. [To be updated when we have further news].

## **5.3 Risk Management**

**5.3.1** It is expected that the appointment of additional adjudicators, to replace those adjudicators who are no longer in post, will provide a sufficient pool of adjudicators (all part-time office holders) available to address any increase in appeals, ensuring that our users continue to receive timely, efficient and cost-efficient appeal outcomes.



## PATROLAJC and BLASJC Executive Sub Committees

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<b>Date of Meeting:</b>	24 <sup>th</sup> January 2023
<b>Report Title:</b>	Appointments to the Advisory Board
<b>Report of:</b>	Laura Padden, Director PATROL

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### 1. Purpose of Report

- 1.1. To note appointments to the Advisory Board.

### 2. Recommendations

- 2.1. To note the appointment of Richard Hibbert, representing Cheshire East Council. Richard replaced George Broughton who retired. His appointment will run until July 2023 in line with when George Broughton's tenure was scheduled to end.
- 2.2. To note the appointment of Emma Barker from Sheffield City Council for a period of four years.
- 2.3. To note the appointment of Jason Passfield, representing Adur & Worthing Councils for a period of four years.

### 3. Reasons for Recommendations

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

### 4. Background

- 4.1. The retirement of George Broughton led to a vacancy which has now been filled by Richard Hibbert representing Cheshire East Council. Pat Knowles, representing South Lakeland Council also informed the Director of her intention to retire in 2023. As a result, enquiries were made to find a suitable replacement. Jason Passfield, representing Adur & Worthing Councils was approached and he kindly agreed to be a member of the advisory Board.
- 4.2. In addition to recruiting Richard and Jason it was felt that an additional officer representative on the Advisory Board would be useful and emails were sent to a number of authorities seeking a volunteer. Emma Barker, representing

Sheffield City Council responded confirming she would be willing to act as a representative on the Advisory Board.

## **5. Implications**

### **5.1. Finance**

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

### **6.1 Risk Management**

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

### **7.1 Legal**

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



## PATROLAJC and BLASJC Executive Sub Committees

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<b>Date of Meeting:</b>	24 <sup>th</sup> January 2023
<b>Report Title:</b>	Risk Management Framework
<b>Report of:</b>	Laura Padden, Director PATROL

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### 1. Purpose of Report

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

### 2. Executive Summary

- 2.1 The report presents the current assessment of risk.

### 3. Recommendations

- 3.1. To note the current assessment of risk.

### 4. Reasons for Recommendations

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

### 5. Background

- 5.1 It is the role of the Joint Committee's Resources Working Group and Sub Committee to review the report prior to consideration by the Joint Committees or their Executive Sub Committees. 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.

- 5.2 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.

- 5.3 A strong risk framework:

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

**5.4** 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

**5.5** Background to Corporate Risks:

**5.6** 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 and, in the case of the Bus Lane Adjudication Service Joint Committee, the Transport Act 2000.

**5.7** 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

**5.8** 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 and Bus Lane Adjudication Service Joint Committees 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.

**5.9** The adjudicators and joint committees are committed to a fair adjudication service for appellants including visible independence of adjudicators from the authorities in whose area they are working.

**6.0** The Director is responsible for coordinating the review of the Risk Management Framework and reporting to the Joint Committee's Officer Advisory Board and the Resources Working Group and Sub Committee whose terms of reference include the review of risk.

Following this scrutiny, the Risk Management Framework is reported to the PATROL and Bus Lane Adjudication Service Joint Committees or their Executive Sub Committees.

Additional assurance is provided by Internal and External Audit. PATROL and the Bus Lane Adjudication Service is not required to prepare and publish audited accounts but does so to promote transparency

**7. Implications**

**7.1. Finance**

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

**8.1 Risk Management**

**8.1.1** Provides a framework for risk management.

## Risk Register 2022/2023

Date Last Reviewed:

13th December 2022

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	8		This rating reduced from 10 to 8. This reflects the improvement in reserves balances and the easing of the financial pressures caused by the coronavirus pandemic. Whilst a degree of fluctuation remains, we continue to strictly monitor income and expenditure. There is also an anticipated increase in the volume of CAZ and Moving Traffic appeals throughout 2023/2024 . Important to note however that the losses suffered by the pandemic's effect on enforcement has to date been recovered. Whilst reserves are back to pre-pandemic levels there is a reliance on CAZ to mitigate risk which needs to be taken into account.

CR3	<b>Loss of Data Integrity</b>	<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</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	<b>Lack of Resource Planning</b>	<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	<p><b>Lack of preparation for business continuity</b></p>	<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>	<p>Central Services Manager &amp; Stakeholder Engagement Manager</p>	<p>5</p>		<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>
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## PATROL and BLASJC Executive Sub Committees

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<b>Date of Meeting:</b>	24 <sup>th</sup> January 2023
<b>Report Title:</b>	Report of the PATROL and BLASJC Resources Working Group meeting held since the meeting of the Executive Sub Committees in October 2022
<b>Report of:</b>	Sarah Baxter, Democratic Services and Policy Manager

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### 1. Purpose of Report

- 1.1. To report on the PATROL and BLASJC Resources Working Group meeting held since the Executive Sub Committee Meeting held in October 2022.

### 2. Executive Summary

- 2.1. To provide a summary of the matters discussed at the 13<sup>th</sup> December 2022 PATROL and BLASJC Resources Working Group meeting.

### 3. Recommendations

- 3.1. To note the matters discussed at the meeting since the last Executive Sub Committee.
- 3.2. To approve the Resources Working Group and Sub Committee overseeing matters highlighted in the report and reporting back to the next meeting of the Joint Committees or their Executive Sub Committees.

### 4. Reasons for Recommendations

- 4.1. To update the Joint Committees.

### 5. Background

- 5.1 The July 2019 meetings of the Joint Committees resolved that the Resources Sub Committee and Working Group would oversee a number of initiatives on its behalf.
- 5.2 The Resources Working Group comprises the Chairs of the Joint Committee and representatives from the Joint Committees' Advisory Board. The Resources Sub Committee comprises the Members.

**5.3** At its meeting on the 13th December 2022, the Resources Working Group considered the following:-

a) Reports for the Joint Committee meetings including:-

- Budget Monitoring Update 2022/23;
- Reserves Policy Statement;
- Annual Investment Strategy;
- Revenue Budgets for 2023/24;
- Defraying the Expenses of the Joint Committee.

In respect of the last report detailed discussions took place as to whether the PCN charge should be reduced from 30p to 28p. Concerns were raised that a 2p reduction would have a minimum impact. A number of proposals were put forward but ultimately the RWG felt that the PCN charge should remain at 30p which would allow the organisation further time to build up its reserves.

Officers would then have the opportunity to re-evaluate the financial position either mid-way through the year or in 12 months' time at whether or not the amount could be reduced by 5p. It was also suggested that included within the report there be information indicating the thoughts of officers regarding what the future reserves position might be. Erica Maslen, the Central Services Manager advised she could include a table outlining what the situation would be if the status quo remained.

Further to this the RWG felt the report should also include information as to what the financial savings would be if the PCN amount was reduced to 28p for each authority depending on the number of PCNs issued.

b) Reports relating to a number of governance matters including:-

- Amendments to the PATROLAJC and BLASJC Deed Agreements;
- Amendments to the terms of reference for the PATROLAJC ESC, RWG and Advisory Board;
- The urgent decision taken in relation to the appointment of adjudicators from the London Tribunal and noting appointments to the Advisory Board;
- Appointments to the Advisory Board;
- Risk Management Framework

**5.4** The Chief Adjudicator gave a verbal update in which she summarised the work she had undertaken so far in her new post, including:-

- Appraising all adjudicators;
- Organising the adjudicator training session which had taken place in December and covered tribunal skills and the independent and impartial role of adjudicators;
- Update on the ongoing Halton Judicial Review

- 5.5** In terms of the general progress report regarding appeal volumes Caroline highlighted matters relating to general appeal trends pre and post pandemic, PCNs appealed (Year to Date) for the current year, against the same point last year, PCNs appealed in England and Wales, levels of enforcement and their relationship to the numbers of PCNs being appealed, between 2019/20 (pre pandemic) and 21/22 post pandemic, first 7 months Trends – PCNs issued and appealed.
- 5.6** In addition, she summarised statistical information relating to the hearings, including numbers of hearings held face to face, held by telephone, video or decided electronically and the numbers of proxy cases and case closures and case status.
- 5.7** The RWG also received a public affairs update which provided an update on pavement parking including a letter drafted on behalf of the ESC to the DfT as requested at the previous ESC meeting held in October, update on pavement parking in Wales, moving traffic powers, the user group sessions, and the PACER awards.
- 5.8** One common issue raised by those in attendance was the PCN amount which many felt needed to be increased. Laura informed the group she had been in consultation with the British Parking Association (BPA). Both her and colleagues at the BPA were in the process of establishing a joint working group in order to lobby government on this matter with the working group looking to provide evidence that councils may not break even in the next financial year.
- 5.9** In respect of moving traffic powers, the chair of the RWG raised concerns that his authority would not be able to complete the six-week consultation process by the February deadline. He advised officers from Devon County Council were in the process of writing to the DfT to request an extension to the consultation process given the uncertainty of when tranche 3 might go ahead. He asked if there was a possibility of PATROL supporting the council and also writing to the DfT echoing Devon's request for an extension.
- 5.10** It was proposed that the Resources Working Group and Sub Committee continue to oversee the above matters and report to the next meeting of the Joint Committees or their Executive Sub Committees.

## **6. Implications**

### **6.1. Finance**

- 6.1.1.** The Resources Working Group considered financial matters reported to this meeting.

# PATROL

## Public Affairs Update: Sep – Dec 2022

### 1. Current traffic management issues

#### a. Pavement Parking

- **Wales:** The Welsh Government announced in July 2021 that pavement parking was set to be banned in Wales 'wherever possible'. The policy was to form part of the Government's legislative programme that year, also including plans for a new 20mph default speed limit in residential areas. While the 20mph limit is set to be introduced from September 2023, there has been no further update on pavement parking.
- **England (outside London):** PATROL continues to await an update from the Department for Transport (DfT) following its autumn 2020 consultation.

In the years since the consultation ran, a succession of ministers have answered written questions indicating that the options are being actively considered and a formal response would be published 'soon' or 'as soon as possible'. As recently as 13 October 2022, the then Secretary of State answered a question in the House of Commons indicating that work was continuing at pace, and that legislation would be brought forward 'as soon as parliamentary time allows'.

**PATROL wrote to the new Secretary of State for Transport, Mark Harper MP, before Christmas 2022, asking for further clarity on the Government's expected timeline.**

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

- **New regulations giving effect to moving traffic enforcement powers for local authorities in England (outside London) – under Part 6 of the *Traffic Management Act 2004* (TMA) came into force on Tuesday 31 May 2022.**
  - The Regulations and accompanying Statutory Guidance bring bus lane enforcement under the *TMA* together with parking for the first time, meaning there is no longer a need for a separate PATROL Bus Lane Adjudication Service Joint Committee.

- **The first tranche of local authorities granted moving traffic enforcement powers – through a *Designations and Miscellaneous Amendments Order* that came into force on 31 July – are:**
  - Bath and North East Somerset Council
  - Bedford Borough Council
  - Buckinghamshire Council
  - Derby City Council
  - Durham County Council
  - Hampshire County Council
  - Kent County Council
  - Luton Borough Council
  - Norfolk County Council
  - Oxfordshire County Council
  - Reading Borough Council
  - Surrey County Council
  
- **The deadline for applications for the second tranche of authorities is 13 January 2023 (delayed from 11 November 2022), with resulting powers set to be granted in July 2023. A third tranche is set to follow.**
  
- PATROL continues to engage with authorities that have indicated they wish to commence moving traffic enforcement, in order to assist them with preparations.
  - No English moving traffic appeals have been received at the Traffic Penalty Tribunal to date.

### **c. Responding to the challenge of Electric Vehicles (EVs) and Autonomous Vehicles**

- **13 December: STATISTICS – Office for Zero Emission Vehicles' latest statistics on EV charging infrastructure:**  
<https://www.gov.uk/government/collections/electric-vehicle-charging-infrastructure-statistics>

### **d. News on other traffic management issues of interest**

- **2 January 2023: Funding to create network of walking and cycling experts**  
<https://www.gov.uk/government/news/329-million-to-create-a-national-network-of-walking-and-cycling-experts>
  - Millions of people will be encouraged to walk and cycle more this year through an additional £32.9 million of government funding to local authorities to accelerate schemes across the country.
  - Funding will support local authorities to maximise active travel investment by enhancing their technical skills. Activities set to be funded include network planning, public engagement exercises and bespoke training for councillors and staff. The fund could also see hundreds of new green jobs created.

- **14 December: STATISTICS:**  
**Provisional road traffic estimates, Great Britain: Oct 2021 – Sep 2022**  
<https://www.gov.uk/government/statistics/provisional-road-traffic-estimates-great-britain-october-2021-to-september-2022>
  - Provisional estimates show motor vehicles travelled 321.9 billion vehicle miles for the year ending September 2022. This is a 12.6% increase compared to the year ending September 2021.
  
- **15 November: CONSULTATION RESPONSE:**  
**Key Route Networks: Devolving more powers and responsibilities for locally important roads to mayors and their combined authorities.**  
<https://www.gov.uk/government/consultations/key-route-networks-devolving-more-powers-and-responsibilities-for-locally-important-roads-to-metro-mayors-and-their-combined-authorities>
  - As part of its new 'Levelling Up' agenda, the Government is seeking to provide local mayors with the powers to direct their local authorities to take forward measures on the Key Route Network (KRN) – locally important strategic routes intended to integrate highways across a city region.
  - Local authorities will remain the highway authority for both KRN roads and local roads. This will allow continued collaboration between mayoral combined authorities and local authorities, while providing mayors with powers to progress schemes on the KRN.
  
- **18 October: 'Noise camera' trials to detect rowdy drivers coming to Bradford, Bristol, Great Yarmouth and Birmingham.**  
<https://www.gov.uk/government/news/noise-camera-trials-to-detect-rowdy-drivers-coming-to-bradford-bristol-great-yarmouth-and-birmingham>
  - New noise-detecting traffic cameras deployed in the four trial areas to crack down on revving engines and the use of illegal exhausts.
  - The trials are backed by £300,000 government investment, in the face of the annual social cost of road noise pollution estimated to be £10 billion.

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

Overview of confirmed local authority CAZ / Zero Emission Zone (ZEZ) plans (as of 3 January 2023)

Location	Current status
<b>Bath</b>	<ul style="list-style-type: none"> <li>Zone launched 15 March 2021.</li> </ul>
<b>Birmingham</b>	<ul style="list-style-type: none"> <li>Zone launched 1 June 2021.</li> </ul>
<b>Portsmouth</b>	<ul style="list-style-type: none"> <li>Zone launched 29 November 2021.</li> </ul>
<b>Oxford (ZEZ)</b>	<ul style="list-style-type: none"> <li>Pilot zone launched 28 February 2022.</li> <li>Public consultation on wider zone currently ongoing until 3 October 2022.</li> </ul>
<b>Bradford</b>	<ul style="list-style-type: none"> <li>Zone launched 26 September 2022.</li> </ul>
<b>Bristol</b>	<ul style="list-style-type: none"> <li>Zone launched 28 November 2022.</li> </ul>
<b>Newcastle, Gateshead and North Tyneside</b>	<ul style="list-style-type: none"> <li>Launch expected 30 January 2023.</li> </ul>
<b>Sheffield</b>	<ul style="list-style-type: none"> <li>Launch expected 27 February 2023.</li> </ul>
<b>Greater Manchester</b> (Greater Manchester Combined Authority)	<ul style="list-style-type: none"> <li>Launch postponed – public consultation on new plans (signed off by the council) to run in early 2023, pending Government sign-off.</li> </ul>

A more detailed status update on live and upcoming schemes can be found on the PATROL website at:

<https://www.patrol-uk.info/charging-clean-air-zones-local-authority-plans>.

In addition, PATROL has created a CAZ Implementation Forum to encourage local authorities at different stages of implementing CAZ or ZEZ schemes to share their experiences and learnings with each other in a dedicated meeting.

Other Clean Air policy news of interest:

- 6 October: Updated Clean Air Zone Framework documentation**  
<https://www.gov.uk/government/publications/air-quality-clean-air-zone-framework-for-england/clean-air-zone-framework>

The document sets out the principles for the implementation and operation of CAZs by local authorities, with links to further guidance and information.

### 3. Improving public information on civil enforcement and the PACER Awards\*

# PATROL

## PACER Awards

Promoting Awareness of  
Civil Enforcement through Reporting

- **The 2023 PACER Awards Reception is provisionally booked for the afternoon of Tuesday 11 July, with the event currently in the planning stages.**
  - Long-standing sponsor of the event, Huw Merriman MP, is unfortunately now unable to host due to his recent promotion to Minister of State at the DfT (his new portfolio covers railways and HS2).
  - A new sponsor is being considered and any impact on the date / venue of the event will be assessed.
- The event will recognise Annual Reports produced by local authorities for the 2021/22 year. **Reports should be submitted for consideration to [info@patrol-uk.info](mailto:info@patrol-uk.info) by Friday 24 February.**

#### About the PACER Awards

Producing an Annual Report on parking and other traffic management makes authorities eligible to enter the PACER Awards (formerly the PARC Awards), with those receiving an award invited to a reception at the House of Commons.

- More information on producing a report, as well as examples from previous winners, can be found on **PATROL's Digital Annual Report Toolkit:** <https://annualreporttoolkit.patrol-uk.info/>