

PATROL Adjudication Joint Committee Executive Sub-Committee

Agenda

Date: Wednesday, 28th January, 2015
Time: 12.00 pm
Venue: Bishop Partridge Hall, Church House Conference Centre,
Dean's Yard, London SW1P 3NZ

1. **Apologies for Absence**

To receive apologies for absence.

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 meeting held on 28 October 2014** (Pages 1 - 10)

To approve the minutes of the PATROL Adjudication Joint Committee Executive Sub-committee held on 28 October 2014, as a correct record.

4. **Chair's Update**

To provide an update on the developments since the meeting in October 2014.

5. **Budget Monitoring 2014/15** (Pages 11 - 16)

To note income, expenditure and reserves at 31 October together with the projected outturn.

6. **Risk Register** (Pages 17 - 26)

To note the latest review of the Risk Register.

Contact: Louise Hutchinson, Head of Service
PATROL Adjudication Joint Committee
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7. **Service Level Agreement between the Joint Committees and Cheshire East Council** (Pages 27 - 42)
To approve the variations to the service level agreement for 2015/16.
8. **Revenue Budgets for 2015/16** (Pages 43 - 48)
To establish the Joint Committee's Revenue Budgets for 2015/16.
9. **Appointments Sub Committee and Working Group** (Pages 49 - 50)
To approve a change of name and areas of work to be undertaken and reported to the June 2015 meeting of the Joint Committee.
10. **Reserves Policy Statement** (Pages 51 - 54)
To approve the reserves policy statement for 2015/16.
11. **Annual Investment Strategy** (Pages 55 - 56)
To approve the annual investment strategy 2015/16.
12. **Defraying the expenses of the Joint Committee 2015/16** (Pages 57 - 60)
To approve the basis for defraying the expenses of the Joint Committee 2015/16.
13. **Chief Adjudicator's Update**
To receive a verbal report from the Chief Adjudicator.
14. **On-Line Appeal Portal** (Pages 61 - 64)
To receive a progress report on the introduction of the new on-line appeal portal.
15. **Wales Update** (Pages 65 - 68)
To receive a report on civil traffic enforcement in Wales.
16. **Road User Charging** (Pages 69 - 72)
To receive an update on the introduction of Road User Charging appeals at the Dartford River Crossing and approve charges for adjudication services.
17. **Pavement Parking**
To receive a report on the pavement parking survey.

18. **General Progress and Service Standards** (Pages 73 - 80)

To provide general information in respect of the tribunal's initiatives and standards.

19. **Joint Committee Research** (Pages 81 - 84)

To provide an update on research which has commenced in respect of parking annual reports and to approve arrangements for commissioning and overseeing further research.

20. **Date of Next Meetings**

Tuesday 30 June 2015 Westminster Suite, LGA

Tuesday 27 October 2015 Westminster Suite, LGA

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Minutes of a meeting of the

PATROL Adjudication Joint Committee Executive Sub Committee

held on Monday, 20th October, 2014 at The Local Government Association,
Local Government House, Smith Square, London SW1P 3HZ

PRESENT

Cllr Jamie Macrae	Cheshire East Council
Cllr Richard Bell	Sunderland City Council
Cllr Stuart Hughes	Devon County Council
Cllr Alistair Black	Maidstone Borough Council
Cllr Derek Burrows	Bolton MBC
Cllr Peter Robinson	Tameside MBC
Cllr John Baverstock	South Hams District Council
Cllr Graham Burgess	Hampshire County Council
Cllr Harvey Siggs	Somerset County Council
Cllr Rachel Lancaster	Coventry City Council
Cllr Stuart Kinch	Lincolnshire County Council
Cllr Tony Page	Reading Borough Council
Cllr Roland Dibbs	Rushmoor Borough Council
Cllr Peter Cooper	Carmarthenshire County Council
Cllr Nigel Knapton	Hambleton District Council
Cllr Elsie Martlew	Carlisle City Council
Cllr Ken Gregory	Thanet District Council
Cllr Geraint Owens	Swansea City and County Council
Cllr Simon Cronin	Worcester City Council
Cllr Rosemary Healy	Nottingham City Council
Cllr Gary Waller	Epping Forest District Council

Also present

Kathryn Eldridge	BATHNES – Chair Advisory Board
Graham Addicott OBE	Vice Chair Advisory Board
Caroline Sheppard	Traffic Penalty Tribunal
Louise Hutchinson	PATROL
Andy Diamond	PATROL
Miles Wallace	PATROL
Erica Maslen	PATROL
Julie North	Cheshire East Council
Caroline Nash	Nottingham City Council
Mohammad Shafie	Coventry City Council
John McEvoy	Carmarthenshire City Council
Marc Samways	Hampshire County Council
Chris Watkins	Devon City Council
Robin Chantrill-Smith	Thanet District Council
Lorna Day	Kent County Council

Apologies

Cllr Andrew Bosmans,	Doncaster Council
Cllr Keith Dollemore,	Adur and Worthing Council
Cllr Terry Douris,	Hertfordshire County Council
Cllr Michael Mordey,	Sunderland City Council (Sub Cllr Richard Bell)
Cllr Harvey Siggs,	Somerset County Council
Cllr Mike Carver,	East Herts District Council
Cllr Ian Ward,	Isle of Wight Council
Cllr Eileen Lintill,	Chichester District Council
Cllr Mike Harrison,	Thanet District Council (Sub Cllr Ken Gregory)
Cllr Jane Urquhart,	Nottingham City Council (Sub Cllr Rosemary Healy)
Cllr Richard Davies,	Lincolnshire County Council (Sub Cllr Stuart Kinch)

22 APPOINTMENT OF CHAIR AND VICE CHAIR OF THE EXECUTIVE SUB COMMITTEE

Consideration was give to the appointment of a Chair and Vice Chair of the Executive Sub Committee.

RESOLVED

That Cllr Jamie Macrae be appointed as Chair and Cllr Mike Carver be appointed as Vice-Chair.

23 DECLARATIONS OF INTEREST

There were no declarations of interest.

24 MINUTES OF THE MEETING HELD ON 28 JANUARY 2014

RESOLVED

That the minutes be approved as a correct record.

25 MINUTES OF THE MEETING HELD ON 25 JUNE 2014

The Head of Service PATROL gave an update in respect of a number of issues.

RESOLVED

That the minutes be noted.

26 CHAIR'S UPDATE

The Chairman:-

1. Reported that, with regard to the new Councils joining the Committee, Knowsley Council was expected to join in January and Salford City Council had joined the Bus Lanes AJC since the last meeting.
2. Reported that a key focus during the summer months has been the development of the BECK on-line portal. There had been the opportunity to view the system in action and PATROL was grateful to Brighton & Hove City Council for being the first Council to use BECK and for their agreement to second their Parking Manager, Iain Worrall, to assist with the roll out of BECK to member Councils.
3. Reported that the Annual Report Award had received coverage in the parking press and congratulated Worcester City Council and Ceredigion County Council, who were examples of where local civil parking enforcement annual reports went beyond the requirements set out recently in the DCLG Transparency Code.
4. Reported that the LGA Conference in Bournemouth had provided an opportunity to engage with Members with regard to initiatives such as Annual Reports, as well as outline the benefits of the new appeal portal.
5. Reported that a further edition of the PATROL newsletter would be published in the New Year.

27 AUDIT COMMISSION SMALL BODIES ANNUAL RETURN FOR THE YEAR ENDED 31 MARCH 2014

Consideration was given to a report in respect of the findings of the external auditors for 2013/14, which sought approval for a 3 year internal audit strategy and bad debt policy.

RESOLVED

1. That the findings of the external audit for 2013/14 in the annual return (Appendix 1) and the management response to the Issues Report (Appendix 2) be noted.
2. That the 3 year internal audit strategy (Appendix 3) and bad debt policy (Appendix 4) be approved.

28 BUDGET MONITORING 2014/15

Consideration was given to a report presenting the income, expenditure and reserves monitoring information for the year 2014/15.

RESOLVED

That the income, expenditure and reserves monitoring information presented in the body of the report be noted.

29 REVIEW OF GOVERNANCE ARRANGEMENTS

At the October 2013 meeting of the Joint Committee, it had been reported that the revised PATROLAJC agreement, including the terms of appointment of the lead authority, had been approved, subject to obtaining written consent from 75% of the participating authorities. It was reported that 75% of the participating authorities had now consented and the new agreement could be taken forward. Thanks were expressed to all the participating authorities for their responses and to Andy Diamond for his assistance in this process.

The remaining piece of work in respect of governance arrangements was the request by the Joint Committee to the host authority, Cheshire East Council, to look at the Scheme of Delegation from the Joint Committee to the Head of Service via the Chief Executive of Cheshire East Council.

30 RISK REGISTER

Consideration was given to a report presenting the latest review of the risk register

RESOLVED

That the latest review of the risk register be noted.

31 APPOINTMENTS TO THE ADVISORY BOARD

Consideration was given to a report relating to setting of the terms of reference for the Advisory Board and recommendations for additional appointments for 2014/15.

At the meeting held on 25 June 2014 the Joint Committee had made appointments for the period ending at the next annual meeting, details of which were reported

The following additional appointments were now proposed:-

George Broughton to replace Kevin Melling from the Lead Authority

Pat Knowles, South Lakeland District Council to fill the English District vacancy.

RESOLVED

That the Joint Committee adopts the composition of the Advisory Board for 2014/15, as set out in the report.

32 HM GOVERNMENT RESPONSE TO CONSULTATION ON LOCAL AUTHORITY PARKING

The Government had launched a consultation paper on local authority parking enforcement on 6 December 2013. The consultation had closed on 14 February 2014 and a report back on the feedback received during the consultation period had now been produced and was submitted. This document also included a breakdown of who had responded to the consultation, together with an analysis of their responses to the consultation questions.

The consultation asked a number of questions and invited views on a number of aspects of local authority parking enforcement, details of which were outlined in the document. A total of 836 responses had been received to the consultation and a detailed analysis was included in the document. The Government had published the document on the day before the June meeting of the Joint Committee and it had not, therefore, been possible to have an informed debate at that time. There were two main issues arising from the document, namely the right to challenge councils' parking policies and a new transparency code.

The Government wanted to make it easier for local residents and firms to challenge unfair, disproportionate or unreasonable parking policies. The DCLG discussion paper, which invited views on the design of the mechanism that would make this possible was submitted .

The Local Government Transparency Code 2014 had been issued by DCLG to meet the Government's desire to place more power into citizens' hands to increase democratic accountability and make it easier for local people to contribute to the local decision making process and help shape public services.

The Joint Committee was requested to note the response to the consultation on local authority parking and any matters arising from it.

It was noted that Devon County Council had lobbied Government concerning the issue of pavement parking and had not received a response. Cllr Hughes, representing Devon County Council, asked whether it would be possible to instigate a survey in respect of this issue, in order to get some best practice guidance. It was suggested that it might be appropriate to use a similar survey methodology as that used for

CCTV, in order to see what Local Authorities were doing in this regard. It was agreed that a survey of Local Authority best practice should be carried out before the next meeting and that this should be circulated, together with current guidance and case law relating to off street parking.

It was suggested that it may be appropriate to ask Government to add obstruction as one of the contraventions and it may also help to have a public information campaign to get the message across concerning pavement parking.

It was agreed that a report in respect of this issue should be included on the agenda for the next meeting.

RESOLVED

1. That the response to the consultation on local authority parking and matters arising from it be noted.
2. That a report concerning issues around pavement parking be included on the agenda for the next meeting, to take place on 28 January 2015.

33 WALES UPDATE

Cllr Peter Cooper,(Camarthenshire County Council) reported, that there was no further update on when Cardiff Council would be granted powers by the Welsh Government to enforce bus lanes and moving traffic regulations. He also stated that it would be useful to hold a regional meeting in Wales to promote the new on line appeal system.

34 DARTFORD RIVER CROSSING

The Chief Adjudicator provided an update in respect of PATROL taking on the road user charging for the Dartford River Crossing. A press release had been produced and it was anticipated that the scheme would go live on 24th November. The Chief Adjudicator explained how it was anticipated the scheme would operate.

35 NEW APPEAL PORTAL

A report was submitted and the Chief Adjudicator provided a progress report on BECK (Best Evidence Cloud Knowledge).

The web site had gone live on 17 September 2014 and the portal opened for appeals against one of the pathfinder councils, Brighton & Hove City Council. The appeal portal removed the requirement for Brighton & Hove City Council to issue tribunal appeal forms with their Notices of Rejection. This reduced administrative effort. Instead, information about appealing through the portal was sent out within the Notice of Rejection. For people who did not have access to the internet, a telephone number was

included. The feedback from Brighton had been very positive and the team were thanked for their hard work.

The Chairman welcomed the work carried to date by Brighton & Hove Council, as pathfinder authority and considered that this would help to maintain the momentum and encourage other authorities to come forward. He noted that a number of workshops were planned and suggested that those Councils not already involved should be invited to attend.

RESOLVED

That the progress with the BECK programme be noted.

36 GENERAL PROGRESS AND SERVICE STANDARDS

Consideration was given to the report on tribunal activity and service standards for the period 2014/15.

It was noted that following the introduction of the new appeal portal in September, it would be necessary to monitor and consider whether the service standards were appropriate.

RESOLVED

That the report on tribunal activity and service standards for the period April to July 2014/15 be noted.

37 PARKING ANNUAL REPORTS

Consideration was given to a report informing the Joint Committee of the latest award winners of the PATROL Annual Report and also providing an update on the research that was approved at the January 2014 meeting.

The PATROL Joint Committee had established the PATROL Annual Report to coincide with the introduction of the Traffic Management Act in 2008. The Statutory Guidance to local authorities stated that reporting was an important part of transparency and accountability and states that authorities should produce an annual report about their enforcement activities. The Joint Committee had established an independent review group, which was multidisciplinary in nature, to provide a comprehensive assessment of reports, resulting in the PATROL Annual Report Award.

The most recent winners of the award, for 2012/13 were Worcester City Council and Ceredigion County Council.

It was reported that the Department for Communities and Local Government had recently published a Transparency Code, which set out a minimum expectation in terms of parking information to be published on council web sites. The Joint Committee remained consistent in its approach to promoting best practice in public information on civil

enforcement. To further underpin the Annual Report Award and provide guidance to local authorities, it was proposed that a short piece of research would be undertaken with Councils to establish the benefits of producing annual reports. This would include a desk top review as well as interviews with Members, Parking and Communications Officers with a view to sharing best practice.

RESOLVED

1. That the latest winners of the PATROL Annual Report Award 2012/13 be noted.
2. That the plans to conduct a short piece of research on the benefits to councils of producing parking reports with a view to sharing best practice be noted.

38 CHIEF ADJUDICATOR'S UPDATE

The Chief Adjudicator referred to the recent press coverage relating to the problems associated with the outsourcing of parking enforcement by Gloucestershire City Council.

She referred to a letter recently received from the Department for Transport to the intention of some authorities to withdraw their off street parking operations from the parking enforcement framework in the Traffic Management Act 2004, so that enforcement would be carried out through contractual terms and conditions as though car parks were privately owned. The letter had stated that local authorities were expected to comply with the relevant legislation and this was, therefore, not appropriate.

She also mentioned that the BBC would be broadcasting a programme in June 2015 to showcase what Local Authorities were doing best in respect of parking enforcement and it would be useful for local authorities to take part and would also be an opportunity to show what was happening with the BECK system.

39 DATES OF NEXT MEETINGS

It was noted that future meeting would take place on:-

Wednesday 28 January 2015	Church House Conference Centre, Westminster
Tuesday 30 June 2015	Westminster Suite, LGA
Tuesday 27 October 2015	Westminster Suite, LGA

The meeting commenced at 12.00 pm and concluded at 1.15 pm

Councillor J Macrae

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PATROL ADJUDICATION JOINT COMMITTEE
Executive Sub Committee

Date of Meeting	28 th January 2015
Report of:	The Head of Service on behalf of the Advisory Board
Subject/Title:	Budget Monitoring 2014/15

1.0 Report Summary

1.1 To present income, expenditure and reserves monitoring information for the year to 31st October 2014 with the projected outturn.

2.0 Recommendation

2.1 To note the income and expenditure and reserves at 31 October 2014 together with the projected outturn.

3.0 Reasons for Recommendations

3.1 Compliance with Financial Regulations

4.0 Financial Implications

4.1 Set out in the report.

5.0 Legal Implications

5.1 None

6.0 Risk Management

6.1 Budget monitoring forms part of the Risk Register.

7.0 Background and Options

7.1 The budget was approved for the year 2014/15 at the meeting of the Executive Sub Committee held 28th January 2014

7.2 This report provides the Committee with the expenditure position at 31st October 2014 and projected outturn. (Appendix 1).

7.3 The Tribunal is operated on a self-financing basis with income obtained from defraying expenses amongst the Joint Committee member authorities.

- 7.4 The revenue budget estimate was established by the Joint Committee for 2014/15 on the basis that this would reflect the councils who were already members of the Joint Committee. Provision was included for the commencement of enforcement at the Dartford River Crossing late 2014. In practice, enforcement commenced on 30 November.
- 7.5 The Joint Committee forecasting model takes account of recent income trends (i.e. within the last 12 months)
- 7.6 The Joint Committee's income is derived from a pre-estimate of the number of PCNs each council will issue. Corrections are applied at the 6 month and 12 month points once the actual number of PCNs issued is known.
- 7.7 Should it be the case that there is a need for greater expenditure than that provided for in the approved budget, then there is a recommendation to authorise the Head of Service to incur additional expenditure, provided such expenditure does not exceed the income for the current year.
- 7.8 Should it be the case that the revenue account falls into deficit then the surplus from previous years is available.
- 7.9 Should there be greater income than expenditure in the year then there is a recommendation that this be transferred into the succeeding year as reserves.

8.0 Expenditure

- 8.1 At 31 October 2014, expenditure has been less than forecast with a favourable variance of £199,343.
- 8.2 Adjudicator expenditure and Service Management Support are largely as forecast.
- 8.3 Staffing expenditure is lower than forecast due to staff vacancies. Premises are lower than expected due to lower than expected rates and office maintenance costs.
- 8.4 Transport expenditure is higher than expected due to timing of the budget against payments made to staff for travel costs.
- 8.5 Supplies and services are underspent against budget by £85,135. This is primarily due to deferring expenditure against the PATROL initiatives budget, although expenditure is forecast before the end of the financial year. In addition there has been lower than expected expenditure on consultancy services and reduced design and print costs.
- 8.6 IT is less than forecast (£84,352 year to date) due to a systems review in light of the Portal development combined with budgeted but not spent development on legacy systems.
- 8.7 Audit appears underspent, but this is due to non-receipt of invoices.

9.0 Income

- 9.1 There has been an overachievement on parking income of £55,489. The recharge for bus lane adjudication service costs shows an unfavourable variance of £13,640 in part reflecting an adjustment to the bus lane recharge. This gives a total favourable variance on income of £36, 264.

10.0 Cash Flow

The Accounts and Audit Regulations require a cash flow statement to be prepared. The invoicing quarterly in advance broadly addresses the balancing of cash flow. At 31 October 2014 there is a net surplus of £21,380 between parking income and expenditure on the balance sheet is reported. This includes income from the Bus Lane account.

11.0 Outturn

The forecast outturn is for an unfavourable variance on income of £103,234 as a result of lower than anticipated income from bus lanes and road user charging. This is mitigated by a favourable variance on expenditure of £251,436 resulting in a forecast overall surplus of £38,838. This overall surplus reflects an anticipated surplus for RUCA of £126,924 with a £88,085 deficit for Parking.

12.0 Reserves

At the meeting on 28th January 2014, the following reserves were approved for 2014/15:

Operating:	£1,281,208
Property:	£ 105,805
Technology:	£ 424,500
Total Approved Reserves 14/15	£1,811,513
Actual Reserves at 31.03.13	£2,183,991
Authorised drawdown (see note 1)	£60,000
Surplus for the year 2013/14	£ 328,740
Actual Reserves at 31.03.14	£2,452,731
Authorised drawdown (see note 1)	£ 147,900
Surplus for 2014/15 to date (31.10.14)	£ 21,380
Reserves at 31.10.14	£ 2,326,211

Note 1: Authorised drawdowns are from the Technology Reserve

Approved reserves balances at 31.10.14

Technology	424,500 – 207,900 drawdown =	£ 216,600
Property		£ 105,805
Operating		£1,281,208

Total **£1,603,613**

Note: post October 2014 there have been subsequent drawdowns on the Technology Reserve of £57,900 leaving a balance on this approved reserve of £158,700.

12.0 Access to Information

The background papers relating to this report can be inspected by contacting the report writer:

Name: Louise Hutchinson
Designation: Head of Service
Tel No: 01625 445566
Email: lhutchinson@patrol-uk.info

Parking Budget Monitoring to Oct 2014							
	To Oct 2014			2014/15 Full Year			Full Year
	Actual	Budget	Var to Budget	Forecast Outurn	Budget	Var to Budget	Budget 13/14
Income:							
Penalty Charge Notice	1,411,697	1,356,208	55,489	2,384,697	2,324,928	59,769	2,494,960
Contribution from Reserves	0	0	0	0	0	0	266,604
Other Income	0	0	0	20	0	20	0
Bank Interest	1,415	7,000	-5,585	2,425	12,000	-9,575	10,000
RUCA income	0	0	0	370,426	500,000	-129,574	0
Recharge for Bus Lane Adjudication Costs	256,749	270,389	-13,640	439,565	463,529	-23,964	320,000
Total Income	1,669,861	1,633,597	36,264	3,197,133	3,300,457	-103,324	3,091,564
Expenditure:							
Adjudicators	679,475	679,912	437	1,222,662	1,275,216	52,554	1,231,105
Staff	497,166	531,513	34,347	861,438	915,767	54,329	865,495
Premises / Accommodation	85,007	95,501	10,494	150,016	163,734	13,718	106,900
Transport	50,166	28,815	-21,351	71,779	69,658	-2,121	58,997
Supplies and Services	205,568	290,703	85,135	435,938	512,199	76,261	345,620
IT	101,778	186,130	84,352	262,461	319,155	56,694	333,449
Services Management and Support	27,844	26,250	-1,594	45,000	45,000	0	40,000
Audit Fees	1,477	9,000	7,523	9,000	9,000	0	10,000
Contingency	0	0	0	100,000	100,001	1	99,998
Total Expenditure	1,648,481	1,847,824	199,343	3,158,294	3,409,730	251,436	3,091,564
Surplus / (Deficit)	21,380	-214,227	235,607	38,838	-109,273	148,111	0
* note: with cost recharge re-stated							
	Parking	21,380		Parking	-88,085		
	RUCA	0		RUCA	126,924		
	Total	21,380		Total	38,838		

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**PATROL ADJUDICATION JOINT COMMITTEE
& BUS LANE ADJUDICATION SERVICE JOINT COMMITTEE
Executive Sub Committees**

Date of Meeting: 28th January 2015
Report of: The Head of Service on behalf of the Advisory Board
Subject/Title: Risk Register

1.0 Report Summary

1.1 To present the latest review of the risk register

2.0 Recommendation

2.1 To note the latest review of the risk register

3.0 Reasons for Recommendations

3.1 Compliance with the Joint Committee's Risk Management Strategy

4.0 Financial Implications

4.1 None at this time

5.0 Legal Implications

5.1 None at this time

6.0 Risk Management

6.1 The risk register forms part of the Risk Management Strategy

7.0 Background and Options

7.1 The Joint Committee is committed to avoiding risks that threaten its ability to undertake its principal objectives in a way which provides quality and value. It will maintain a sufficient level of reserves to support liquidity and absorb short term fluctuations in income and expenditure beyond its control.

7.2 The Joint Committee has established a Risk Management Strategy which includes the review of the risk register.

8.0 Recommendation

The Joint Committee is asked to note the current review of the risk register.

9.0 Access to Information

The background papers relating to this report can be inspected by contacting the report writer:

Name: Louise Hutchinson
Designation: Head of Service
Tel No: 01625 445566
Email: lhutchinson@patrol-uk.info

RISK REGISTER
JANUARY 2015

Rank	Risk Description	Consequence Description	Risk Impact	Likelihood	Score	Key Controls In Place	Assurances	Response	Previously Reported Status	Current Status	Further Actions to be taken to Manage Risk Better	Lead
1.	Unforeseen significant fluctuations in income and assurance on service charge income	Inability to meet financial obligations	5	2	10	Audit figures on which to base forecasts. Historical data on which to base forecasts. Reserve policy in place	Internal & External Audit Reports Committee Reports	Treat			Continued forecasting, budget monitoring and cashflow analysis. Monitor new jurisdictions.	HOS
2.	Inability of IT to support needs of organisation and technology users (including data protection)	Reduced effectiveness and efficiency for tribunal, councils and appellants.	3	3	9	Robust third party hosting and support arrangements in place. In-house IT team providing first line support. Registered with the Information Commissioner.	Performance Reports IT replacement programme completed. Technology Reserves in place. On line appeal portal in development. The tribunal web site and portal explains to the parties how information will be shared. Legacy system will be in place for 2015/16.	Treat			On line appeal portal introduced to first four councils and Dartcharge. Positive feedback from appellants and authorities. Feedback will continue to be collated. Refinements and developments continue A programme to roll out the portal will be implemented.	HOS

RISK REGISTER
JANUARY 2015

3.	Loss of key members of management and staff	Disruption to operations Management of vacancies Project and operational targets affected	3	3	9	Clearly defined roles with flexibility to provide cover. Documented procedures Arrangements for temporary cover Arrangements in place to extend cover. Appointment Sub Committee & Working Group established.	Committee Reports	Treat			Review in the light of vacant posts underway. Staffing levels to be monitored in the light of the introduction of Dartcharge appeals.	HOS
4	Insufficient adjudicator/staff resources to meet demand	Inability to meet targets Pressure to reach decisions may result in increased number of judicial reviews	3	2	6	Monitoring of demand and performance Staff recruitment, induction, training and appraisal. Contingency Planning	Committee Reports Regional Adjudicator structure in place. Training for new adjudicators complete. Development of the portal will increase efficiency of the appeals process	Treat			Phased roll out of on line appeals to adjudicators and staff.	CA
5	Achievement of Key Objectives	Failure to achieve key objectives	3	3	9	Performance Management Strategy and Reporting	Internal & External Audit Reports Committee Reports	Treat			Finance Manager role backfilled to provide project management support. Secondment to support the	HOS

RISK REGISTER
JANUARY 2015

Risks that have been downgraded in accordance with the Risk Management Strategy following the report to September 2011 Joint Committee

	Effective Financial and Resource Management including spending within agreed budgets	Financial instability	2	2	4	Historical data on which to base forecasts. Specified role for budget holders in budget monitoring. Recommendations from Internal Audit	Internal & External Audit Reports Committee Reports	Treat			Impact of revisions to budget management Internal Audit Annual Plan for 2011/12.
	Change in government policy	Change in direction for traffic regulations/adjudication	5	1	5	Establishing and maintaining dialogue with relevant government departments, responding to consultation, participation in working groups	Committee Reports	Tolerate			None at this time
	Health and Safety Breach	Risk to welfare of adjudicators, appellant, staff Disruption to tribunal operation	3	1	3	Health and Safety policy in place. Procedures in place for monitoring risk/handling incidents which may be a threat to health and security. Business Continuity Plan in place.	Reporting requirements for Health and Safety Matters	Treat			None at this time

Risk Impact Details

Name		Description
1	Immaterial	Loss of up to £10k; examples include little effect on service delivery; no health and safety impact; no damage to reputation.
2	Minor	Loss of £10k to £50k; examples include minor disruption to effective service delivery i.e. staff in unplanned absence for up to one week; minor injury; no requirement for professional medical treatment; slight damage to reputation.
3	Moderate	Loss of £50k to £250k; examples include delays in effective service delivery i.e. adjustments to work programmes in up to one week or staff long term absence; injury to an individual(s) requiring professional medical treatments; reputation damage is localised and minor.
4	Significant	Loss of £250k to £500k; examples include effective service delivery is disrupted in specific areas of the business; multiple serious injuries requiring professional medical treatment; reputation damage occurs with key stakeholders.
5	Major	Loss of £500k +; examples include effective service delivery is no longer achievable, fatality of staff, visitor or public; reputation damage is irrecoverable i.e. regulatory body intervention.

Likelihood

RISK REGISTER
JANUARY 2015

Description	Probability	Indicators
5. Highly Probable	> 80%	<input type="checkbox"/> Is expected to occur in most circumstances <input type="checkbox"/> Circumstances frequently encountered – daily/weekly/monthly/annually <input type="checkbox"/> Imminent/near miss
4. Probable/ Likely	60% - 80%	<input type="checkbox"/> Will probably occur in many circumstances <input type="checkbox"/> Circumstances occasionally encountered but not a persistent issue (e.g. once every couple/few years) <input type="checkbox"/> Has happened in the past or elsewhere
3. Possible	40% - 60%	<input type="checkbox"/> Not expected to happen, but is possible (once in 3 or more years) <input type="checkbox"/> Not known in this activity
2. Unlikely	20% - 40%	<input type="checkbox"/> May occur only in exceptional circumstances <input type="checkbox"/> Has rarely / never happened before <input type="checkbox"/> Force majeure
1. Remote	20%	<input type="checkbox"/> The risk will not emerge in any foreseeable circumstance

The evaluation process will highlight the key risks that require urgent attention. However, all the risks need to be considered and action agreed, even if this is to take no action at the current time. The options are either to: Tolerate, Treat, Terminate or Transfer each risk.

RISK REGISTER
JANUARY 2015

- Tolerate the risk (accept it)** – some low scoring risks may be considered as acceptable, but these need to be reviewed on a regular basis to confirm that the circumstances have not changed.
- Treat the risk (reduce by control procedures)** – the risk can be considered acceptable provided the control mechanisms work.
- Terminate the risk (cease or modify the method of delivery)** – where risks are unacceptable and control mechanisms will not provide adequate security, the activity or the method of delivery must be modified.
- Transfer the risk** – through insurance or financial contingency provision.

MEASUREMENT OF RISK AND REPORTING

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

Legend:
 Score of 25 equates to **Extreme Risk**: Immediate escalation to Head of Service for urgent consideration by Joint Committee.
 Scores of 20-15 **High Risk**: Risk to be escalated to the Joint Committee/Executive Sub Committee with mitigating action plan. Risk to be actively managed by Head of Service and Advisory Board.

Scores of 12-6 **Medium Risk**: Risk to be captured on Risk Register and progress with mitigation to be tracked by Head of Service and Advisory Board/Joint Committee/Executive Sub Committee.

Scores of 5 and below **Low Risk**: Risk to be removed from register and managed within appropriate services.

**PATROL ADJUDICATION JOINT COMMITTEE
& BUS LANE ADJUDICATION SERVICE JOINT COMMITTEE
Executive Sub Committees**

Date of Meeting: 28th January 2015
Report of: The Head of Service on behalf of the Advisory Board
Subject/Title: Service Level Agreement with Cheshire East Council
2015/16

1.0 Report Summary

- 1.1 To present variations to the Service Level Agreement (SLA) with Cheshire East Council (CEC) (The Host Authority)

2.0 Recommendations

- 2.1 It is recommended that the variations to the SLA for 2015/16 are approved and CEC is reimbursed for its services.
- 2.2 To note the timescale for completing the delegation framework from the Chief Executive of CEC to the Head of Service. This will be overseen by the Resources Sub Committee and a report will be presented to the Annual Meeting of the Joint Committee as part of its review of governance documentation.

3.0 Reasons for Recommendations

- 3.1 To comply with the SLA.
- 3.2 To put in place governance arrangements requested by the Joint Committee at their meeting in November 2012.

4.0 Financial Implications

- 4.1 Set out in the report

5.0 Legal Implications

- 5.1 The SLA has been prepared by the parties in accordance with the provisions of paragraph 3 of Schedule 6 of the PATROLAJC Agreement and paragraph 3 of Schedule 6 of the BLASJC Agreement. The SLA is not intended to be legally binding.

6.0 Risk Management

- 6.1 Contributes to an appropriate governance framework.

7.0 Background and Options

- 7.1 Schedule 6 of the PATROL and Bus Lane Adjudication Service agreement makes reference to the development of a non-binding service level agreement (SLA) between the Joint Committee and the Lead Authority for the provision of services. The SLA (Appendix 1) was presented for approval at the June 2014 meeting and formally adopted on 27 August 2014.
- 7.2 Schedule 7 of the SLA makes provision for annual service reviews and variations over the five year period. Any proposed variations to this SLA will be presented to the PATROLAJC in the January preceding the financial year to which the SLA applies.
- 7.3 A review of services has been undertaken in relation to Schedule 2 to the SLA for 2015/16. Variations for 2015/16 include:
- Finance charges have been reduced to reflect the transfer of insurance costs from CEC to PATROLAJC.
 - PATROL hosting costs have been reviewed to reflect routine support activities following the intense activities at the time of transfer to CEC.

The overall charges have reduced from £52,750 in 2014/15 to £47,880 in 2015/16. Additional services from CEC Democratic Services in relation to printing and postage of Joint Committee papers fall outside the scope of this SLA.

8.0 Recommendations

- 8.1 It is recommended that the variations to the SLA for 2015/16 are approved and CEC is reimbursed for its services.
- 8.2 To note the timescale for completing the delegation framework from the Chief Executive of CEC to the Head of Service. This will be overseen by the Resources Sub Committee and a report will be presented to the Annual Meeting of the Joint Committee as part of its review of governance documentation.

9.0 Access to Information

The background papers relating to this report can be inspected by contacting the report writer:

Name: Louise Hutchinson
Designation: Head of Service
Tel No: 01625 445566
Email: lhutchinson@patrol-uk.info

DATED 3rd December 2014

PARKING AND TRAFFIC REGULATIONS OUTSIDE
LONDON ADJUDICATION JOINT COMMITTEE

and

CHESHIRE EAST COUNCIL

and

BUS LANE ADJUDICATION SERVICE JOINT
COMMITTEE

SERVICE LEVEL AGREEMENT

relating to services to be provided to the Parking and
Traffic Regulations Outside London Adjudication Joint Committee
and the Bus Lane Adjudication Service Joint Committee



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SERVICE LEVEL AGREEMENT

DATE

PARTIES

- (1) PARKING AND TRAFFIC REGULATIONS OUTSIDE LONDON ADJUDICATION JOINT COMMITTEE of Springfield House, Water Lane, Wilmslow, Cheshire, SK9 5BG ("PATROLAJC");
- (2) BUS LANE ADJUDICATION SERVICE JOINT COMMITTEE of Springfield House, Water Lane, Wilmslow, Cheshire, SK9 5BG ("BLASJC"); and
- (3) CHESHIRE EAST COUNCIL of Westfields, Middlewich Road, Sandbach, CW11 1HZ (the "Lead Authority").

RECITALS

- (A) Local authorities who are enforcement authorities for the purposes of Part 6 of the Traffic Management Act 2004 (the "**2004 Act**") in relation to road traffic contraventions have entered into arrangements for the discharge of functions relating to adjudication and adjudicators conferred on them under section 81 of the 2004 Act and regulations made under the 2004 Act through a joint committee known as PATROLAJC by an agreement dated 3 December 2014 (the "**PATROLAJC Agreement**").
- (B) Local authorities who are approved local authorities for the purposes of section 144 of the Transport Act 2000 (the "**2000 Act**") in relation to bus lane contraventions have entered into arrangements for the discharge of functions relating to adjudication and adjudicators conferred on them under the 2000 Act and regulations made under the 2000 Act through a joint committee known as the Bus Lane Adjudication Service Joint Committee (the "**BLASJC**") by an agreement dated 3 December 2014 (the "**BLASJC Agreement**").
- (C) The functions of the PATROLAJC are as set out in Schedule 3 of the PATROLAJC Agreement and the functions of the BLASJC are as set out in Schedule 3 of the BLASJC Agreement.
- (D) Pursuant to the PATROLAJC Agreement, Cheshire East Council is with effect from 1 April 2013 appointed as the Lead Authority of the PATROLAJC to provide such goods and services as may from time to time be required and pursuant to the BLASJC Agreement, Cheshire East Council is with effect from 1 April 2013 appointed as the Lead Authority of the BLASJC to provide such goods and services as may from time to time be required.
- (E) The PATROLAJC wishes to receive goods and services from Cheshire East Council. The BLASJC wishes the PATROLAJC to procure goods and services from Cheshire East Council on its behalf as from time to time may be required. Cheshire East Council has agreed to provide goods and services to the PATROLAJC and the BLASJC in accordance with the PATROLAJC Agreement and the BLASJC Agreement.

- (F) This SLA is not intended to be legally binding. This SLA has been prepared by the parties in accordance with the provisions of paragraph 3 of Schedule 6 of the PATROLAJC Agreement and paragraph 3 of Schedule 6 of the BLASJC Agreement.

1. DEFINITIONS

For the purpose of this SLA, the following terms and expressions shall have the following meanings:

"Adjudicators"

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

"Advisory Board"

means the advisory board established pursuant to the PATROLAJC Standing Orders and/or the advisory board established pursuant to the BLASJC Standing Orders;

"BLASJC Standing Orders"

means the standing orders of the BLASJC provided for pursuant to the BLASJC Agreement.

"PATROLAJC Standing Orders"

means the standing orders of the PATROLAJC provided for pursuant to the PATROLAJC Agreement; and

"Delegations"

has the meaning set out in **clause 5.1**;

"Financial Regulations"

means the financial regulations provided for pursuant to the PATROLAJC Agreement and the financial regulations provided for pursuant to the BLASJC Agreement;

"Head of Service"

means the person appointed by the PATROLAJC as the head of service;

"Liaison Officer"

means an officer of the Lead Authority and the person appointed as the representative of the Lead Authority pursuant to **clause 3.2**;

"Memorandum of Understanding"

means the memorandum of understanding entered into between the Adjudicators and the PATROLAJC and the BLASJC dated 21 November 2012, as may be updated from time to time;

"PATROLAJC's Representative"

means the person appointed as the representative of the PATROLAJC pursuant to **clause 3.1**;

"SLA"

means this service level agreement.

2. TERM

This SLA will commence on 1 April 2013 and will expire on 31 March 2018, unless terminated earlier in accordance with **clause 11**. This SLA shall be reviewed on an annual basis in accordance with **clause 7**.

3. REPRESENTATIVES

- 3.1 PATROLAJC's representative for the purpose of this SLA shall be the Head of Service or such other person as may be notified from time to time to the Lead Authority.
- 3.2 The Lead Authority's representative for the purpose of this SLA shall be the Liaison Officer, for whom the name and contact details shall be notified from time to time to the PATROLAJC.
- 3.3 The PATROLAJC and the Lead Authority shall ensure that their respective representatives are authorised to take all necessary actions pursuant to this SLA.
- 3.4 The Lead Authority's representative for the purpose of this SLA shall be invited to the meetings of the PATROLAJC and to the meetings of the Advisory Board.

4. SERVICES

- 4.1 Without prejudice to the right of the PATROLAJC and the BLASJC from time to time to perform or procure any of the services otherwise than in accordance with this SLA, the Lead Authority will provide the services set out in **Schedule 1** as from time to time may be required by the PATROLAJC and/or the BLASJC in order to support Adjudicators on behalf of the PATROLAJC and the BLASJC and to enable the PATROLAJC and the BLASJC to fulfil its functions.
- 4.2 The Lead Authority acknowledges that the PATROLAJC, the BLASJC and the Adjudicators have entered into the Memorandum of Understanding and that the services provided by the Lead Authority are intended to reflect and strengthen these arrangements.

5. DELEGATION OF FUNCTIONS

- 5.1 The parties to this SLA shall work together, acting reasonably, to agree in writing the functions that shall be delegated by the Lead Authority to the Head of Service and the extent to which those functions shall be delegated (the "**Delegations**") before 31 March 2015.

- 5.2 Following the agreement in writing of the Delegations, the PATROLAJC and the BLASJC authorise the Lead Authority to delegate to the Head of Service in accordance with the Delegations.
- 5.3 From the date of this SLA until the Delegations are agreed in writing between the parties, the PATROLAJC and the BLASJC authorise the Lead Authority to delegate to the Head of Service in accordance with any current and approved scheme of delegation and any delegations arising from the Financial Regulations, unless otherwise agreed by the parties.

6. COSTS

- 6.1 Pursuant to the PATROLAJC Agreement and the BLASJC Agreement, the Lead Authority is entitled to reimbursement by the participating authorities of costs and expenses properly incurred by it in undertaking its role as Lead Authority.
- 6.2 The estimated cost of providing services pursuant to this SLA in the year from 1 April 2014 to 31 March 2015 is £52,750.00. A breakdown of such total estimated cost is set out in **Schedule 2**. The Lead Authority shall notify the PATROLAJC of the estimated cost of providing services pursuant to this SLA for subsequent years on or before 1 December in the preceding year.
- 6.3 The estimated cost of providing services pursuant to this SLA (as notified in accordance with **clause 6.2**) will be reviewed by the PATROLAJC's Representative and the Liaison Officer as follows:
- 6.3.1 every six months from 1 April 2014 to 31 March 2015; and
- 6.3.2 annually thereafter,
- and adjustments to the estimated cost will be agreed at those review meetings.
- 6.4 Costs payable pursuant to this **clause 7** shall be paid by the PATROLAJC (in respect of services provided to the PATROLAJC and to the BLASJC) to the Lead Authority within 30 days of receipt of an invoice from the Lead Authority to the PATROLAJC.
- 6.5 On or before 1 April in each year, the PATROLAJC and the Lead Authority will agree the frequency of submission of invoices and method of payment of costs for the coming year.
- 6.6 Payments of costs to the Lead Authority by the PATROLAJC is subject to audit of the services provided and costs incurred.

7. SERVICE REVIEWS AND SERVICE VARIATIONS

- 7.1 The PATROLAJC's Representative and the Liaison Officer (and such other representatives from the PATROLAJC, the BLASJC and the Lead Authority as they may invite) shall attend regular service review meetings at such frequency and times to be agreed between them to review the scope and nature of services provided pursuant to this SLA, the provision of service by the Lead Authority and working arrangements.
- 7.2 On or before 31 October in each year, the Lead Authority will provide to the PATROLAJC a report summarising the services provided in the previous year in a format to be agreed between the PATROLAJC's Representative and the Liaison Officer.

- 7.3 On or before 31 October in each year, the Lead Authority and the PATROLAJC will undertake an annual review of services to consider whether any variations are required to this SLA (including the services to be provided pursuant to it).
- 7.4 Any proposed variations to this SLA will be presented to the PATROLAJC in the January preceding the financial year to which the SLA applies and will be discussed between the PATROLAJC and the Lead Authority and, if agreed (both parties acting reasonably), implemented in accordance with **clause 9**.

8. DISPUTES

- 8.1 Any dispute relating to this SLA and/or the services provided by the Lead Authority pursuant to this SLA will be dealt with as swiftly as possible and initially between the PATROLAJC's Representative and the Liaison Officer.
- 8.2 If a dispute is not resolved satisfactorily between the PATROLAJC's Representative and the Liaison Officer within 14 days of receipt, it will be escalated to the chair of the Joint Committees' Advisory Board who will make recommendations to the PATROLAJC.

9. VARIATIONS

Any variations to this SLA can only be made with agreement of both the PATROLAJC and the Lead Authority and must be signed by both parties.

10. NOT USED

11. TERMINATION

- 11.1 This SLA will terminate on the earlier of:
- 11.1.1 the date on which the resignation of the Lead Authority takes effect pursuant to the PATROLAJC Agreement; and
- 11.1.2 the date specified in a notice issued by the PATROLAJC to the Lead Authority to terminate this SLA, provided that the PATROLAJC shall provide at least 6 months' notice of termination.

Signed for and on behalf of the PATROLAJC

✓
(Signature)

.....
(Date)

Signed for and on behalf of the BLASJC

✓
(Signature)

.....
(Date)

Signed for and on behalf of Cheshire East Council:

.....
(Signature)

.....
(Date)

Schedule 1

Services

	Service
1. LEGAL AND DEMOCRATIC	
1.1	Where required and instructed by the PATROLAJC negotiate and enter into lease(s) on behalf of the PATROLAJC and/or the BLASJC.
1.2	As required, provide legal advice on contract / procurement issues and employment tribunal proceedings.
1.3	On receipt of instructions from the Head of Service, issue engrossed Memorandums of Participation to local authorities who wish to join the PATROLAJC and/or the BLASJC.
1.4	Take minutes for up to four PATROLAJC meetings and up to four BLASJC meetings per annum and provide meeting administration as required.
1.5	Provide meeting administration services for meetings of up to four executive sub-committees of the PATROLAJC and of up to four executive sub-committees of the BLASJC.
1.6	Provide advice on the Freedom of Information Act 2000, the Environmental Information Regulations 2004, the Data Protection Act 1998, the Equality Act 2010 and such other legislation as may be relevant to the PATROLAJC and/or the BLASJC.
2. FINANCE	
2.1	Undertake the role of PATROLAJC Treasurer and the BLASJC Treasurer including but not limited to review:
2.1.1	final accounts prepared by the PATROLAJC Finance Team and the BLASJC Finance Team in June each year and sign the BDO Small Bodies External Audit Annual Return;
2.1.2	the Financial Regulations each year;
2.1.3	the Treasury Management statement each year,
	and to provide ad hoc financial advice where so instructed by the PATROLAJC.
2.2	As required, provide procurement advice.
2.3	As required, provide an internal audit service to provide assurance to BDO Small Bodies External Audit.
2.4	Advise on, provide and maintain appropriate insurance as agreed from time to time between the parties to the SLA.

	Service
3. HUMAN RESOURCES	
3.1	Where required, enter into contracts of employment on behalf of the PATROLAJC.
3.2	Provide ad hoc human resources advice and support where required.
3.3	Provide payroll services for salaried staff.
3.4	Provide access to the Lead Authority's IT systems as required by the PATROLAJC for HR purposes.
4. LIAISON OFFICER	
4.1	Identify an officer to act as the Liaison Officer.
4.2	The Liaison Officer will be invited to attend PATROLAJC meetings and meetings of the Advisory Board.
5. SPECIFIC PROJECT WORK	
5.1	Contribute to review of the PATROLAJC Scheme of Delegation and the BLASJC Scheme of Delegation.
5.2	Contribute to review of the PATROLAJC Standing Orders and the BLASJC Standing Orders.
5.3	Contribute to review of governance arrangements to support arm's length nature of the PATROLAJC, the BLASJC and Traffic Penalty Tribunal with a view to supporting business growth.
5.4	Such other projects as may be agreed between the Lead Authority and the PATROLAJC.

Schedule 2

Schedule of estimated charges for support services provided by the Lead Authority to PATROL for the year from 1 April 2014 to 31 March 2015

Support Service	(£)CHARGE
<p>HR Support</p> <p>7,650.00</p> <p>1) Ongoing / ad-hoc support on the following areas to be provided to the Head of Service and PATROL management team – primarily provided by telephone/email:</p> <ul style="list-style-type: none"> • Staffing Reductions, Redundancy and Redeployment • Restructuring, including telephone advice and guidance on reviewing organisational structures, design of jobs and job descriptions, job evaluation and gradings • Local advice on national issues • Pay Policies (advice as required) • Advice on Conditions of Service • Advice on Disciplinary, Capability (Performance) and Grievance cases • Dignity at Work (harassment/bullying) cases • Attendance Management • Ill Health Capability • Statutory transfers (TUPE) • Trade union networks. Links/support with trade union representatives at regional and local levels • Provision of model letters and documentation on casework and other HR issues and advice as required via the HR Intranet / toolkits. • Advice and Guidance on recruitment and retention • Interpretation of MCC & CEC policies, processes and practices • Advice on ACAS/CIPD best practice • OHU & EAP Services – linked to CEC Shared Services • Quarterly meeting with HR Business Partner to review resource/business plans. • Access to online training modules and corporate training delivery programme (inc 1 employment law update pa) • Up to 6 scheduled meetings on site with the Senior HR Officer p.a. <p>2) <u>Additional Payments (prices TBC):</u></p> <ul style="list-style-type: none"> • Job Analysis / Evaluation • Mediation • Investigations (appointing Investigating Officers) • Complex case management (disciplinary, grievance, dignity at work cases) • Direct restructuring support • Employment Tribunal claims/cases 	
<p>Audit Support</p> <p>£4,500.00</p> <p>As a minimum, CEC Internal Audit will undertake the necessary work required to complete the Small Bodies Annual Return (SMAR), plus an additional 5 days worth of non-allocated work to be used for consultancy and advice, and/or specific areas of work which may arise during the year, for example, via the SMAR work, External Audit, or at the request of the PATROL committees.</p> <p>An additional three year plan of audit/assurance work would be separate from the</p>	

above and would be subject to discussion with PATROL.	
<p>Democratic Services Support</p> <ul style="list-style-type: none"> On behalf of the Lead Officer act as Secretary to PATROL Committees Sub-committees and working groups, assuring that these bodies operate at maximum effectiveness. Assume up to 4 meetings per year half a day preparation full day travelling and attendance and half day follow up. Total of 10 hours per meeting. Production of Agendas and Minutes. Advertising of Meetings. Assist the Lead Officer in the development of modern technology enabled and efficient processes regarding the formal decision making structures of PATROL. 	£7,650.00
<p>Legal</p> <p>Charge for day-to-day Legal Services support to PATROL.</p> <p>Legal Services will also charge on an ad hoc basis for any contract/corporate and employment work, for example, advising on contract/procurement matters and employment tribunal proceeding.</p>	£7,650.00
<p>Finance</p> <p>Ongoing / ad-hoc support on the following areas to be provided to the Head of Service and PATROL management team – primarily provided by telephone/email:</p> <ul style="list-style-type: none"> Advice on Investment Strategy & General Banking Arrangements; Advice on Reserves Policy Statement Ad-hoc advice on general financial management <p>VAT Administration</p> <ul style="list-style-type: none"> Quarterly VAT claim VAT advice, and Resolution of issues <p>Insurance Charges covering the following:-</p> <ul style="list-style-type: none"> Employers' Liability Public Liability Officials Indemnity Fidelity Guarantee 	£7,650.00
<p>Strategic Commissioning – Hosting of PATROL</p> <p>Service charge for the Strategic Commissioning service hosting PATROL. The charge is based on support being provided by a combination of the following Officers:</p> <ul style="list-style-type: none"> George Broughton – Strategic Commissioning Manager; and The Strategic Commissioning Team. 	£7,650.00
TOTAL	£42,750.00

In addition, a retainer of £10,000 is to be included to cover support and advice provided by the following services. This support/advice is expected to be on an ad-hoc basis:
Support Service provided on ad-hoc basis:
<p>Assets</p> <p>Support to be provided to PATROL on an ad-hoc basis.</p>
<p>FOI</p> <p>PATROL to handle requests and would only be seeking advice from CEC on an ad hoc basis. Resource requirements expected to be no more than a couple of phone calls and the reviewing of a response letters a month, if not bi-monthly.</p>
<p>Procurement</p> <p>Advice to be provided to PATROL on an ad-hoc basis.</p>
<p>IT Support</p> <p>No routine service support to be provided. Technical support to be provided on an ad-hoc basis</p>
<p>Health & Safety Support</p> <p>Support to be provided on an ad-hoc basis.</p>
TOTAL CHARGE £52,750.00

The above charges relate to the Lead Authority's financial year 2014/15. Annual charges will increase in line with the December CPI figure.

PATROL ADJUDICATION JOINT COMMITTEE
Executive Sub Committee

Date of Meeting: 28th January 2015
Report of: The Head of Service on behalf of the Advisory Board
Subject/Title: Budget 2015/16

1.0 Report Summary

1.1 To request the Committee to adopt the revenue budget estimates for 2015/16

2.0 Recommendation

2.1 To agree to adopt the Revenue Budget for 2015/16 as detailed in the report and at Appendix 1.

3.0 Reasons for Recommendations

3.1 Joint Committee Financial Regulations

4.0 Financial Implications

4.1 Set out in the report

5.0 Legal Implications

5.1 Requirement to approve budget before 31 January 2015

6.0 Risk Management

6.1 Budget setting contributes to the Risk Management Strategy.

7.0 Background and Options

7.1 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 2015/16 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.

7.2 Income assumptions

Table 2 provides an income summary since 2005/06

Year	Budgeted Income	Achieved Income	Variance
2005/06	2,209,439	2,059,439	(150,000)
2006/07	2,315,226	1,994,832	(320,394)
2007/08	2,428,502	2,360,402	(68,100)
2008/09	2,439,499	2,344,568	(94,931)
2009/10	2,441,432	2,712,373	270,941
2010/11	2,560,993	2,464,288	(96,705)
2011/12	2,782,500	2,831,333	48,833
2012/13	2,576,410	2,624,178	47,768
2013/14	3,091,564	3,260,847	169,283
2014/15	3,409,729		

- 7.3 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.
- 7.4 For 2014/15, the forecasting model focuses on trends from the past 12 month's income and assumes a drop of approximately 10% in PCNs issued.
- 7.5 Additional income to the PATROL budget arises from the transfer of income from the Bus Lane Adjudication Service Joint Committee for the purposes of integrated adjudication services. It is assumed that the level of income will follow the most recent estimates from councils operating civil enforcement of bus lanes during 2014/15. Income from the Bus Lane Adjudication Service Joint Committee assumes a reduction of approximately 7%. No assumptions are made about bus lane councils joining the scheme in 2015/16
- 7.6 During 2015/16, additional income is included from charges to the Secretary of State for Transport in respect of road user charging at the Dartford River Crossing. This is currently based on estimates provided.
- 7.7 A modest amount of bank interest has been included in the income projection based on the Annual Investment Strategy reported elsewhere.
- 7.8 The Joint Committee approves a Reserves Policy Statement each January and for 2015/16, a contribution to reserves of £19,477 has been included.

8.0 Expenditure

- 8.1 An assessment has been made of the revenue budget that will be needed to meet the demands on the service during 2015/16. The assessment has taken into account spending that will be needed to sustain the adjudication service to those enforcement authorities in the scheme.

Appeals activity for the first eight months of 2014/15 has indicated that appeal numbers have reduced by approximately 10% compared to 2013/14 whilst bus lane appeal numbers have remained static during the same period. The rate of appeal differs between parking and bus lanes (0.3% compared to 0.6%). In addition, provision has been for estimates of road user charging appeals.

8.2 The key objectives for 2015/16 are to:

- Continue to develop and obtain feedback in order to enhance the new web based portal for appellants and councils and review the supporting IT infrastructure.
- To raise awareness of its benefits for appellants and responding authorities.
- Bring all 305 councils into the on line portal during 2015/16.
- Deliver adjudication for road user charging appeals.
- To build upon the Annual Report Award research and undertake a research programme to increase understanding of civil enforcement outside London.
- Introduce a new management structure in the light of current vacancies and operational requirements.

8.3 Adjudicators

The adjudication budget includes provision for an estimated additional 8000 road user charging appeals and a 2 per cent inflationary remuneration increase has been assumed.

8.4 Staffing

A 2 per cent inflationary increase has been assumed. The staffing budget includes the seconded post of Authority Engagement Manager, together with additional staffing to support the introduction of road user charging appeals. Provision has been made for implementing the review of management posts in the light of current vacancies and operational requirements as outlined at the October 2013 meeting. The implementation plan will be overseen by the Resources Sub Committee (see separate item).

8.5 Premises

2015/16 will be the 3rd year of a 5 year lease and includes the break clause. The intention is to remain at Springfield House. It is not anticipated at this stage that any additional accommodation will be required.

8.6 Transport

Transport costs have reduced slightly, mainly as a result of leavers who had been entitled to the annual travel allowance following the relocation from Manchester. Expenditure associated with the third (of four) year of support for relocation expenses is included.

8.7 Supplies and Services

Supplies and Services costs have reduced, largely as a result of last year's budget making provision for professional support around the delivery of the portal. There is additional movement arising from transferring the new portal support and hosting costs to the IT budget.

8.8 IT Costs

IT costs have shown a small increase on 2014/15 due to the running costs of the new portal being included, and the reallocation of budget lines from Supplies and Service. The plan is to transfer all councils on to the new portal by March 2016 which will then allow some of the supporting infrastructure associated with the legacy casement management system to be decommissioned.

8.9 Service Management & Support

Service management and support relates to services from the Host Authority, Cheshire East Council. For 2015/16, no insurance services will be purchased through the Host Authority. The Joint Committee has taken out public liability, employer liability, fidelity and property and contents insurance. The Cheshire East Council costs are reported separately

8.10 Audit

Audit Fees have been assumed to remain the same for external and internal audit as for 2014/15.

8.11 Contingency

A contribution from reserves has been included at £100,000 in the event of unforeseen circumstances.

9.0 Access to Information

The background papers relating to this report can be inspected by contacting the report writer:

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PATROL ADJUDICATION JOINT COMMITTEE
Executive Sub Committee

Date of Meeting: 28th January 2015

Report of: Head of Service on behalf of the Advisory Board

Subject/Title: Appointments Sub Committee and Working Group

1.0 Report Summary

1.1 To recommend a change of name for the Appointments Sub Committee and Working Group and set out the areas of work to be undertaken.

2.0 Recommendations

2.1 The Appointments Sub Committee and Working Group to be renamed the Resources Sub Committee and Working Group.

2.2 The areas of work to be undertaken include: the review of the management structure in the light of management vacancies; the introduction of a scheme of delegation from the Chief Executive of Cheshire East Council to the Head of Service and overseeing research projects undertaken by PATROL.

2.3 To note that the Sub Committee and Working Group will report to the following Joint Committee or Executive Sub Committee.

3.0 Reasons for Recommendations

3.1 To progress areas of work between Joint Committee meetings.

4.0 Financial Implications

4.1 None at this stage.

5.0 Legal Implications

5.1 None

6.0 Risk Management

6.1 These proposals will support the Risk Register

7.0 Background and Options

7.1 In October 2013, the Appointments Working Group recommended to the Executive Sub Committee that:

- a) The Head of Service review management requirements in the light of the resulting management vacancies following the adjudicator recruitment exercise in 2013.
- b) The 2013/14 budget includes provision for commissioning of research to strengthen understanding of civil traffic enforcement outside London.

It is recommended that the Sub Committee and Working Group are re-convened to take these pieces of work forward.

7.2 In November 2012, the Joint Committee requested a Scheme of Delegation from the Chief Executive of Cheshire East Council to the Head of Service. The Service Level Agreement states that this will be in place by the end of March 2015. It is proposed that the Appointment Sub Committee oversees this Scheme of Delegation.

7.3 In the light of the work programme set out above, it is proposed that the Sub Committee and Working Group are renamed to reflect the wider remit. The title of Resources Sub Committee and Working Group is proposed.

8.0 Recommendations

8.1 The Appointments Sub Committee and Working Group to be renamed the Resources Sub Committee and Working Group.

8.2 The areas of work to be undertaken include: the review of the management structure in the light of management vacancies; the introduction of a scheme of delegation from the Chief Executive of Cheshire East Council to the Head of Service and overseeing research projects undertaken by PATROL.

8.3 To note that the Sub Committee and Working Group will report to the following Joint Committee or Executive Sub Committee.

9.0 Access to Information

9.1 The background papers relating to this report can be inspected by contacting the report writer:

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PATROL ADJUDICATION JOINT COMMITTEE
Executive Sub-Committee

Date of Meeting: 28th January 2015
Report of: The Head of Service on behalf of the Advisory Board
Subject/Title: Reserves Policy Statement

1.0 Report Summary

1.1 To review the Reserves Policy Statement for the Joint Committee for 2015/16

2.0 Recommendation

2.1 To approve the Reserves Policy Statement for 2015/16

2.2 To approve the balances of any surplus from 2014/15 being carried forward to 2015/16.

2.3 To approve the delegation of authority to the Chair and the Vice Chair for authorising the withdrawal of funds from reserves to meet budgetary deficits.

3.0 Reasons for Recommendations

3.1 Compliance with Financial Regulations

4.0 Financial Implications

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

5.0 Legal Implications

5.1 The Reserves Policy Statement will enable contractual obligations to be met

6.0 Risk Management

6.1 The Reserves Policy Statement forms part of the Risk Management Strategy

7.0 Background and Options

7.1 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 contributions from member authorities mid-year. At 31st March 2014, the level of reserves was £2,452,731.

- 7.2 For 2015/16, it is recommended that the Reserves Policy Statement will be made up of three elements:

General Reserves
Property Reserves
IT Reserve

- 7.3 The General Reserve aims to mitigate the risk arising from:

- a) Reduction in income as a result of individual enforcement authority issues.
- b) Reduction in income as a result of issues affecting civil enforcement across all or a majority of enforcement authorities
- c) Unanticipated costs associated with legal action
- d) Unanticipated expenditure due to unforeseen circumstances
- e) Overrun on expenditure
- f) Meeting contractual obligations in the event of closure.

It is recommended that the General Reserve for 2015/16 is £1,707,027

- 7.4 The Property Reserve

This provides an indemnity to the Host Authority in relation to any outstanding rent associated with the current lease that they have entered into on behalf of the Joint Committee. For 2015/16 there remains one year of lease costs prior to the break clause. For this reason, no provision is made in reserves as the one year cost is included in the budget for 2015/16. The Property Reserve will become active again in 2016/17.

It is recommended that the Property Reserve for 2015/16 is £0.00.

- 7.5 IT Reserve

The Joint Committee made provision for 2014/15 an IT reserve of £424,500. This supported the introduction of the Tribunal case management portal and to support the engagement of councils in this process.

To date, £265,800 has been drawn down leaving £158,700 within the Technology Reserve. As work continues on developing the portal, it is proposed that £250,000 is retained within the Technology Reserve for 2015/16. This will support the further enhancement and roll out of the portal to member councils over the period.

- 7.6. It is recommended that the total approved reserve for 2015/16 is £1,957,027.

- 7.7 The Joint Committee will monitor income and expenditure during 2015/16 to keep the Reserves Policy Statement under review. Any additional balances will be taken into account in setting the budget and the basis for defraying expenses in January 2016.

8.0 Access to Information

The background papers relating to this report can be inspected by contacting the report writer:

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PATROL ADJUDICATION JOINT COMMITTEE

Date of Meeting: 28th January 2015
Report of: The Lead Officer on behalf of the Advisory Board
Subject/Title: Annual Investment Strategy

1.0 Report Summary

- 1.1 To report on investments during 2014/15 and request the Joint Committee to approve the annual investment strategy for 2015/16

2.0 Recommendation

- 2.1 To approve the Annual Investment Strategy 2015/16

3.0 Reasons for Recommendations

- 3.1 Joint Committee Financial Regulations

4.0 Financial Implications

- 4.1 Set out in the report

5.0 Legal Implications

- 5.1 None

6.0 Risk Management

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

7.0 Background and Options

- 7.1 The Joint Committee or its Executive Sub Committee is responsible for approving the Joint Committee's Annual Investment Strategy.
- 7.2 The Head of Service will prepare an Annual Investment Strategy in consultation with the Joint Committee's Treasurer (the Host Authority's Section 151 Officer)
- 7.3 The Annual Investment Strategy will be informed by the Joint Committee's Risk Management Strategy. 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

7.5 Review of 2014/15

The 2014/15 Reserves Policy Statement identified three specific elements of reserves:

The General Reserve of £ 1,280,660
The Property Reserve of £ 105,805
The IT Reserve of £ 424,500

7.6 During the year to date an average of £894,000 has been placed on deposit each month, earning in the region of £170 per quarter in interest.

7.7 Amounts are invested so that there is an investment maturing each month. Therefore, if required, cash flow issues can be addressed.

7.8 During this period, the approved reserves and additional cash reserves have been placed within the fixed rate deposit accounts.

7.9 Consideration is also being given to automatically placing overnight balances on deposit.

8.0 Annual Investment Strategy 2015/16

8.1 Investments will only be made with UK, low risk banks in the form of placing in fixed term deposit accounts and will be spread over at least two banks to reduce risk. Deposits will be moved to HSBC, Lloyds and Santander. These arrangements will continue on a rolling basis.

9.0 Access to Information

The background papers relating to this report can be inspected by contacting the report writer:

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PATROL ADJUDICATION JOINT COMMITTEE
Executive Sub Committee

Date of Meeting: 28th January 2015
Report of: Head of Service on behalf of the Advisory Board
Subject/Title: Defraying the expenses of the Joint Committee 2015/16

1.0 Report Summary

- 1.1 To establish the basis for those participating in the Joint Committee to contribute to its expenses during 2015/16.

2.0 Recommendation

- 2.1 The Joint Committee shares its expenses amongst member authority in proportion to the number of PCNs issued on the following basis for 2015/16.

ELEMENT	CHARGE
Annual Charge	Nil
Charge per PCN issued	£0.50
Cost per case	(See recommendation 2.3)

Note 1: This charge to be in line with the charge approved by the Bus Lane Adjudication Service Joint Committee.

- 2.2 To align the contribution for Welsh councils enforcing bus lanes and moving traffic (within PATROL) with the contribution for English councils enforcing bus lanes within BLASJC.
- 2.3 In addition the Joint Committee is asked to approve the principle of introducing a cost per case charge in-year for paper evidence files once the portal is available to councils. This would be preceded by a report to the Joint Committee or its Executive Sub Committee.
- 2.4 Invoicing will be undertaken on a quarterly basis on estimated figures and subsequently adjusted.
- 2.5 To note that the decision to provide a transcription from the audio recording of proceedings rests with the Adjudicator. Where this has been agreed to, the Joint Committee agree that the incidental costs of making a transcription from the audio recordings of the proceedings at a hearing is charged to the requesting party except when, in the view of the Adjudicator, a disability of the requesting party would make it desirable for that person to receive such a transcript.

3.0 Reasons for Recommendations

3.1 Compliance with Financial Regulations

4.0 Financial Implications

4.1 Detailed in the report

5.0 Legal Implications

5.1 In accordance with the PATROL Adjudication Joint Committee Agreement

6.0 Risk Management

6.1 Identified within the Risk Register

7.0 Background and Options

7.1 The Joint Committee provides the means to appeal to an independent adjudicator in respect of civil traffic enforcement in England (outside London) and Wales.

7.2 The PATROL agreement provides for the adjudication service to be operated on a self-financing basis with expenses shared by participating authorities and other organisations underpinned by the Memorandum of Participation. Where authorities are working in partnership, it is practice on to charge those enforcement authorities who manage the enforcement income stream. Table 1 provides an overview of the Joint Committee's basis for member authority contributions since inception.

7.3 The current level of appeals is on average 0.3% of the number of PCNs issued. For 2015/16, estimates have been based upon this appeal rate and this is reflected in the proposed contribution.

Year	Per PCN	Annual	Case
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

7.4 In considering establishing the basis for defraying expense in 2015/16, the following options were considered.

- (i) Maintain the current contribution based upon 55 pence per PCN which is forecast to result in a contribution to reserves of £215,000
- (ii) Introduce a contribution of 50 pence per PCN which is forecast to require a contribution from reserves of £ 10,253
- (iii) Introduce a contribution of 45 pence which is forecast to require a contribution from reserves of £176,000.

It is forecast that there will be £167,000 of “free” reserves (i.e. falling outside the Reserves Policy Statement) at 31st March 2016.

8.0 Recommendation

8.1 Taking into account the forecast for income, and reserves for 2015/16, the recommendation is to reduce the basis for the contribution for 2015/16 to 50 per PCN.

8.2 To align the contribution for Welsh councils enforcing bus lanes and moving traffic (within PATROL) with the contribution for English councils enforcing bus lanes within BLASJC.

8.3 The note that the Joint Committee has approved the principles of introducing a cost per case charge in-year for paper evidence files once the portal is available to councils. This will be preceded by a report to the Joint Committee or its Executive Sub Committee.

8.4 Local authorities are invoiced quarterly in advance based on the estimated figures and subsequently adjusted.

9.0 Transcription Costs

To note that the decision to provide a transcription from the audio recording of proceedings rests with the Adjudicator. Where this has been agreed to, the Joint Committee agree that the incidental costs of making a transcription from the audio recordings of the proceedings at a hearing is charged to the requesting party except when, in the view of the Adjudicator, a disability of the requesting party would make it desirable for that person to receive such a transcript.

10.0 Access to Information

The background papers relating to this report can be inspected by contacting the report writer:

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PATROL ADJUDICATION JOINT COMMITTEE
Executive Sub Committee

Date of Meeting: 28th January 2015
Report of: The Head of Service on behalf of the Advisory Board
Subject/Title: On-line appeal portal

1.0 Report Summary

- 1.1 To provide an update on the introduction of the new on-line portal and case management system BECK (Best Evidence Cloud Knowledge)

2.0 Recommendations

- 2.1 To note the progress of the new on-line portal and case management system.
- 2.2 To note that six regional meetings will be held commencing in summer 2014 to share the experiences of the pathfinder councils with the wider council group.

3.0 Reasons for Recommendations

- 3.1 For information

4.0 Financial Implications

- 4.1 The Joint Committee has set aside a specific reserve to support the roll out.

5.0 Legal Implications

- 5.1 None

6.0 Risk Management

- 6.1 Contributes to the effectiveness and efficiency of the tribunal and authorities.

7.0 Background and Options

- 7.1 The new on-line appeal portal and case management system BECK, Best Evidence Cloud Knowledge went live on 17th September with Brighton & Hove City Council. The system was developed using an “agile” approach and continues to be reviewed and enhanced in the light of live experience.
- 7.2 As reported previously, the appellant receiving a Notice of Rejection from the authority, is provided with tribunal information including the URL of the portal and a TPT telephone number to request an appeal form directly from the tribunal. This removes the requirement for the authority to issue an appeal form with every Notice of Rejection.

7.3 The new system is currently being used by Brighton & Hove, Luton, Cardiff, Sandwell and for Dartford appeals.

7.4 As at 8th January 2015 there have been 139 cases registered of which 87 are closed. Of these:

- 54 have been decided
- 33 were not contested by councils

Authority	Go-Live Date	Number of cases	Number closed
Brighton & Hove	17.09.14	94	65
Luton	04.11.14	23	16
Cardiff	24.11.14	14	5
Dartford	30.11.14	0	0
Sandwell	01.12.14	8	1

Note: These figures exclude void appeals and appeals “in the process of being submitted by appellants”

7.5 To date, 17 appellants have requested a paper form rather than use the on line system of which 9 have been returned. Three of these appellants, with support from the tribunal’s customer service staff have also gone on to make their appeal on line to enable them to track its progress.

7.6 In terms of hearing types. Of the 54 decisions:

E decisions	51 cases
Telephone	2 cases
Face To Face	1 case

7.7 By introducing BECK the tribunal has not only considered the technology but has also reviewed its own and the authorities’ processes to make them more efficient. For instance:

a) Reduced costs associated with posting letters. It is estimated that a council letter costs in the region of £15. The new portal reduces the need for the following letters:

- Evidence to appellant (except where the appellant is off-line)
- Additional evidence to the appellant
- No contest letter
- Some councils send out a copy of the adjudicator’s decision to the appellant as well as it being sent by the tribunal.
- where dismissed, councils write to the appellant to chase payment.

b) Simplified the no contest process

c) Reduced the amount of information required in council evidence and hence the time for compiling evidence.

d) Provided a dashboard with which councils can monitor their appeal

7.8 Whilst it is the early stages of the roll out, authorities have been positive about the benefits of the portal

“The user friendly web portal has been a great success in reducing time taken to process appeals and improving appeals management overall. The improved communication that this system delivers is a big leap forward in appeals administration.”

Paul Nicholls, Policy & Development Manager at Brighton

“Since going live with the portal the team in Luton has seen an immediate increase in efficiency. The time taken to prepare a case file has dramatically improved. The average time for a case, from preparation of documents to their upload onto the portal, is no more than 30 minutes. Traditionally the job of preparing a cases often left staff having to clear their work loads ahead in order to concentrate on collating files, listing these files chronologically, numbering the bundle and preparing a detailed case summary. This entire process is now condensed, streamlined and managed from a single screen desktop PC.

Arshad Baksh, Parking and Blue Badge Team Leader, Luton

7.9 The tribunal’s BECK team are focused on delivering customer service and supporting parties to utilise BECK. Staff are proactively helping appellants to access the system and answering questions as well as seeking feedback on the portal.

Feedback has been obtained from thirty appellants, two thirds of whom specifically referenced the on line process being quick to use. Only four appellants referred to difficulties which in part were connected with their own computer. This feedback is key to refining the system. Comments have included:

“I like getting the email prompts to log on”

“This is a positive step forward. As a large company I would always look to appeal on line as it saves time and paper”

“Could do with more explanation of grounds of appeal”

“Found the system self-explanatory and thought the whole process was very easy”

“Even for someone not too computer literate was relatively easy”

“Once I got to grips with where everything is I can see the merits of the system”.

7.10 The next authorities to be brought into BECK will be Bournemouth, Oxfordshire and Bristol. Authorities are supported in the on-boarding process by Iain Worrall, the Authority Engagement Manager, and the BECK case management team.

7.11 All Parking Managers are being kept abreast of BECK and a number have councils have started to express interest. The pathfinder group experience and the use of

BECK in Dartford appeals will form a strong basis for rolling out. Six workshops are being planned for summer 2014: Wales, NE, NW, Midlands, SE, SW. Members will be welcome to attend.

8.0 Recommendation

- 8.1 To note the progress of the new on-line portal and case management system.
- 8.2 To note that six regional meetings will be held commencing in summer 2014 to share the experiences of the pathfinder councils with the wider council group.

9.0 Access to Information

The background papers relating to this report can be inspected by contacting the report writer:

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PATROL ADJUDICATION JOINT COMMITTEE
Executive Sub Committee

Date of Meeting: 28th January 2015
Report of: Head of Service on behalf of the Advisory Board
Subject/Title: Traffic Enforcement in Wales

1.0 Report Summary

1.1 To provide an update on traffic enforcement in Wales

2.0 Recommendation

2.1 To note the progress of traffic enforcement in Wales

2.2 To receive further updates in the light of experience.

3.0 Reasons for Recommendations

3.1 For information

4.0 Financial Implications

4.1 None

5.0 Legal Implications

5.1 The provisions set out in this report only apply to councils in Wales.

6.0 Risk Management

6.1 None

7.0 Background and Options

7.1 The Civil Enforcement of Road Traffic Contraventions (General Provisions) (Wales) Regulations 2013 came into force on 25th March 2013. The 2013 Regulations enable councils in Wales to assume responsibility for enforcement of road traffic contraventions pursuant to Part 6 of the Traffic Management Act 2004.

7.2 Cardiff Council made an application to the Welsh Government to designate Cardiff a civil enforcement area for bus lane and moving traffic contraventions resulting in The Civil Enforcement of Bus Lane and Moving Traffic Contraventions (City and County of Cardiff) Designation Order 2014.

7.3 Cardiff Council is the first council outside London to enforcement moving traffic which commenced on 1st December 2014.

7.4 The Traffic Management Act 2004 indicates the range of road signs which may be enforced including:

- Vehicles turning against banned turns
- Vehicles unnecessarily blocking a yellow box junction
- One way traffic
- Vehicles driving in pedestrian zone

Cardiff has indicated that it will initially be focusing on enforcement of bus lanes and yellow box junctions.

7.5 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);

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.

7.6 This has the effect of Welsh Councils having the powers to enforce parking, bus lanes and moving traffic contraventions under the Traffic Management Act 2004 and hence through the PATROL Adjudication Joint Committee. In England, civil bus lane enforcement is undertaken under the Transport Act 2000 and through the Bus Lane Adjudication Service Joint Committee. There are currently no powers for councils in England outside London to enforce moving traffic contraventions.

7.7 There are currently 17 councils in Wales undertaking civil parking enforcement out of a total of 22 Welsh authorities.

Bridgend County Borough Council
Carmarthenshire County Council
Cardiff City Council
Ceredigion County Council
Conwy County Borough Council
Denbighshire County Council
Flintshire County Council
Gwynedd Council
Isle of Anglesey County Council
Merthyr Tydfil Council
Neath Port Talbot County Borough Council
Pembrokeshire County Council
Powys County Council
Rhondda Cynon Taf Council
City and County of Swansea

Vale of Glamorgan Council
Wrexham County Borough Council

- 7.8 No indications have been received at this stage from other councils in Wales with immediate plans to adopt moving traffic enforcement powers.
- 7.9 From an adjudication perspective, Cardiff is a pathfinder council on the new on-line portal. No bus lane or moving traffic appeals have been received to date.

8.0 Recommendation

- 8.1 To note the progress of traffic enforcement in Wales.
- 8.2 To receive further updates in the light of experience.

9.0 Access to Information

- 9.1 The background papers relating to this report can be inspected by contacting the report writer:

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PATROL ADJUDICATION JOINT COMMITTEE
Executive Sub Committee

Date of Meeting	28 th January 2015
Report of:	The Head of Service on behalf of the Advisory Board
Subject/Title:	Road User Charging

1.0 Report Summary

- 1.1 To provide an update on the introduction of Road User Charging Appeals at the A282 Dartford-Thurrock Crossing

2.0 Recommendations

- 2.1 To note the arrangements for a Memorandum of Understanding between the PATROL Joint Committee and the Secretary of State for Transport in respect of the Trunk Road User Charging Scheme for the A282 Dartford-Thurrock Crossing.
- 2.2 To receive an update on activity since the introduction of enforcement on 30 November 2014.
- 2.3 To approve the proposed payment to the Joint Committee of £0.55 for each PCN issued by the Secretary of State for the period 1 April 2015 to 31 March 2016.

3.0 Reasons for Recommendations

- 3.1 To report on activity to date and arrangements for charging for adjudication 2015/16.

4.0 Financial Implications

- 4.1 The implications on the budget are set out within the PATROL budget report.

5.0 Legal Implications

- 5.1 None

6.0 Risk Management

- 6.1 This is a new jurisdiction for the Tribunal. Reporting over 2015/16 will provide a basis for future forecasting of activity.

7.0 Background and Options

- 7.1 The Road User Charging Schemes (Penalty Charges, Adjudication and Enforcement) (England) Regulations 2013 came into force on 2 September 2013.
- 7.2 These regulations provide that adjudicators appointed by the joint committee under regulation 17 of the Civil Enforcement of Parking Contraventions (England) General Regulations 2007 are to be treated as appointed as road user charging scheme adjudicators.
- 7.3 The first order to come into force under the new regulations is the A282 Trunk Road (Dartford-Thurrock Crossing Charging Scheme) Order 2013 which came into force on 1st October 2013.
- 7.4 The 2013 Regulations provide that road user charging authorities are to make arrangements with the Joint Committee for the provision of accommodation, administrative staff and facilities for the adjudicators. They also provide that the road user charging authorities are to meet the expenses of the joint committee in making such arrangements and in remunerating the adjudicators.
- 7.5 The Joint Committee entered into a “blanket” Memorandum of Understanding with the Secretary of State regarding the provision of adjudication services in connection with road user charging schemes operated by or on behalf of the Department for Transport. This was reported to the June 2014 meeting of the Joint Committee
- 7.3 A specific Memorandum of Understanding applies to the Dartford-Thurrock Crossing Charging Scheme. Enforcement commenced on 30th November with penalty charge notices being accompanied by warning notices.
- 7.4 As a result of this, the tribunal through its on-line portal has to date only received appeal submissions from a handful of Dartford-Thurrock crossing motorists. It is therefore too soon to report in detail on this aspect.
- 7.5 The Dartford Specific MOU sets out a payment of 55 pence per PCN based on initial estimates of enforcement and appeal levels. In the absence of actual data at the point of setting the budget, it is proposed to continue to charge the Secretary of State 55 pence per PCN for 2015/16.

8.0 Recommendations

- 8.1 To note the arrangements for a Memorandum of Understanding between the PATROL Joint Committee and the Secretary of State for Transport in respect of the Trunk Road User Charging Scheme for the A282 Dartford-Thurrock Crossing.

- 8.2 To receive an update on activity since the introduction of enforcement on 30 November 2014.
- 8.3 To approve the proposed payment to the Joint Committee of £0.55 for each PCN issued by the Secretary of State for the period 1 April 2015 to 31 March 2016.

9.0 Access to Information

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**PATROL ADJUDICATION JOINT COMMITTEE
& BUS LANE ADJUDICATION SERVICE JOINT COMMITTEE
Executive Sub Committees**

Date of Meeting: 28th January 2015
Report of: The Head of Service on behalf of the Advisory Board
Subject/Title: General Progress and Service Standards

1.0 Report Summary

1.1 To report on tribunal activity and service standards for the period 2014/15.

2.0 Recommendations

2.1 Members are asked to note the report on tribunal activity and service standards for the period April to November 2014.

2.2 To note that a report will be presented to the June 2015 meeting in relation to reporting in the light of the new appeal streams and on-line portal.

3.0 Reasons for Recommendations

3.1 To update Members on the tribunal's activity during 2014/15

4.0 Financial Implications

4.1 None

5.0 Legal Implications

5.1 None

6.0 Risk Management

6.1 Tribunal capacity to handle appeals is reviewed through the Risk Register.

7.0 Background and Options

7.1 The following provides a summary of tribunal activity with particular focus on the tribunal's objective of "providing a tribunal service which is user-focused, efficient, timely, helpful and readily accessible."

7.2 Telephone Response Times

All appellants and councils are given a direct dial number to their Appeal Coordinator. Where these direct dials are not utilised, for instance when a member of the public is not at the correct stage to appeal, a telephone system has been introduced which directs these callers according to their enquiry using an automated attendant. To measure responsiveness, the assumption has been made that callers on average will listen to half the automated attendance (15 seconds), followed by up to three rings to be put through to a member of staff (10 seconds). Responsiveness can be measured in calls answered within 25 seconds.

We have set a target of 70% of calls to be answered within 25 seconds. For the period ending 30 November 2014 80% of calls were answered within this period. This compares with 79% for the 5 months previous.

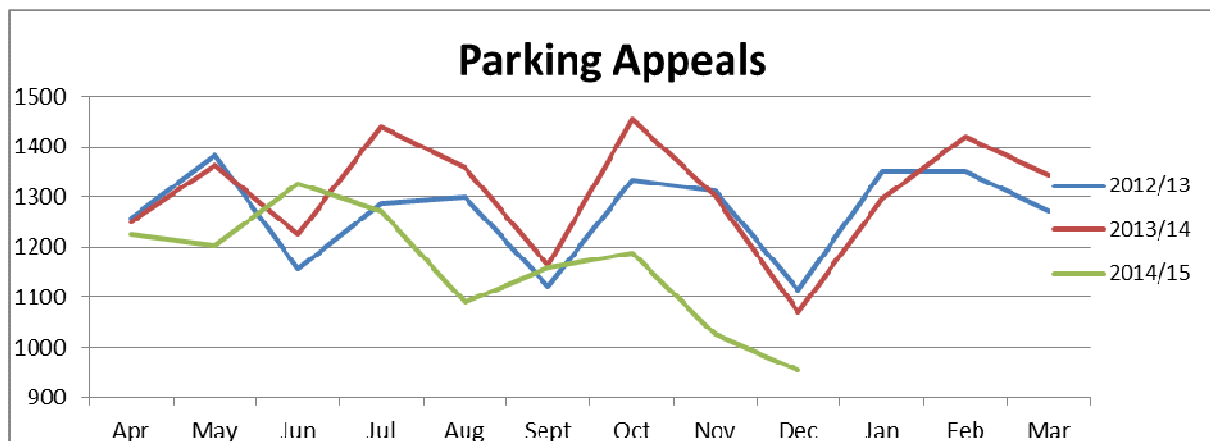
7.2 New Councils

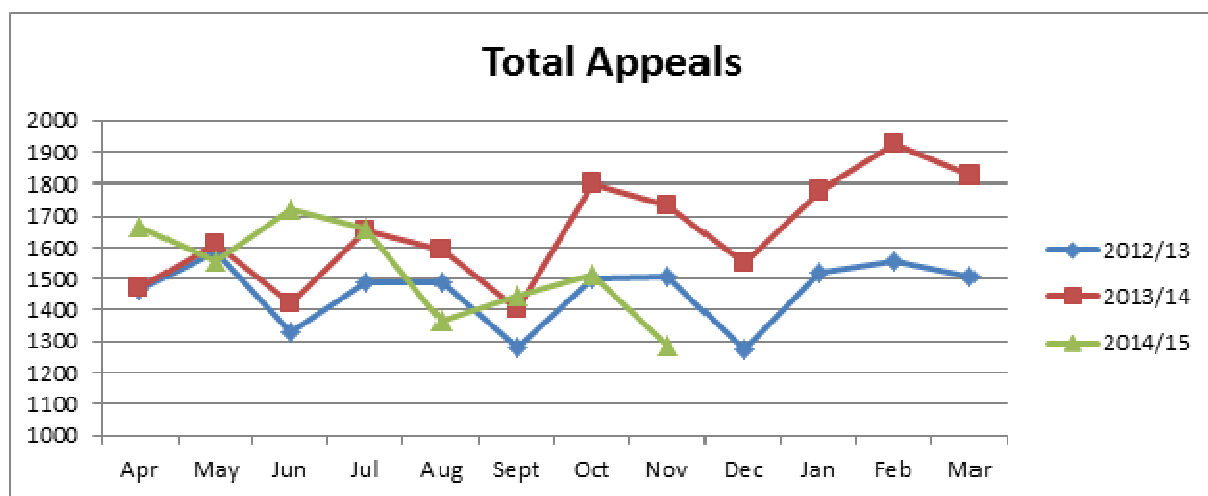
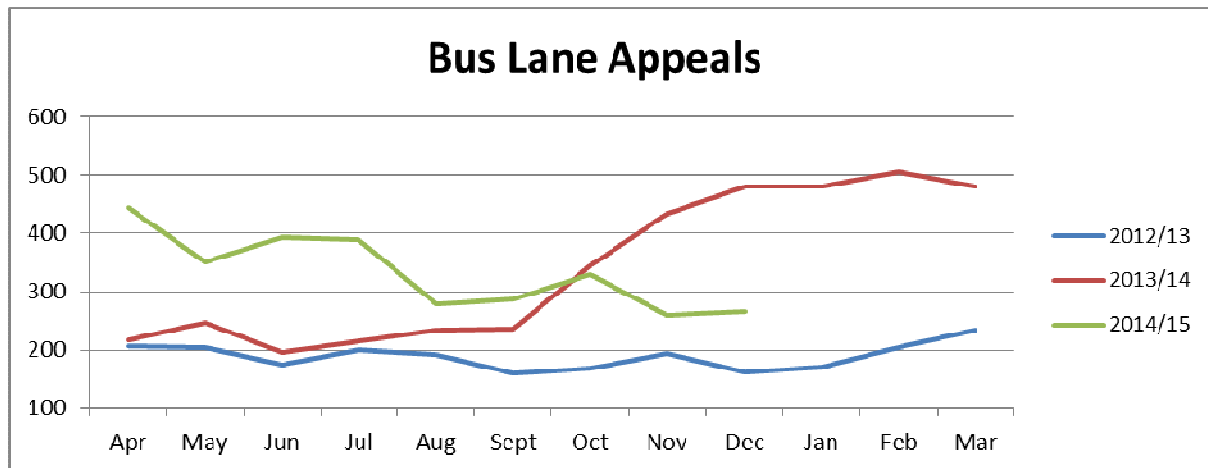
There have been no additional councils undertaking civil parking enforcement since the last meeting in October 2014. There have been an additional six bus lane councils: Cardiff Council (with powers to undertake bus lane and moving traffic enforcement) Salford City Council; Cambridgeshire County Council; Tameside Metropolitan Borough Council, Derby City Council and Staffordshire County Council.

7.3 Parking and Bus Lane Appeals

The table below shows the total number of appeals and witness statements received by the Tribunal.

	Parking	Bus Lane	Total
Apr 2012 – Mar 2013	15,168	2,342	17,510
Apr 2013 – Mar 2014	15,631	4,139	19,770
Apr 2014 – Nov 2014	9,472	2,748	12,220





The tables and graphs above indicate that comparing parking appeals April to November 2014 (pro-rata 12 months) to 2013/14; there has been a 10% reduction whilst bus lane appeals have remained static. There is an overall reduction in appeals of 7.3%. The report to the June 2015 committee will capture appeals activity following the commencement of the new councils identified in 7.2.

7.4 Acknowledgement of Appeals

Acknowledgement of appeals has remained extremely high at 99% for the first nine months of 2014/15.

Period	Actual	Target
2011/12	99%	95% within 2 working days
2012/13	95%	95% within 2 working days
2013/14	99%	95% within 2 working days
2014/15 (Apr to Nov)	99%	95% within 2 working days

7.5. Hearing Types

From April 2014 to November 2014, 50% of cases were determined by without a hearing, 30% by telephone hearing and 20% with a face to face hearing. This excludes cases not contested by council or withdrawn.

7.6 Case Closure

Appealing to the Traffic Penalty Tribunal is a judicial process and, as such, it is not appropriate to set out rigid timescales for deciding appeals, however the tribunal's objective is to "To provide a tribunal service which is user-focused, efficient timely, helpful and readily accessible". In June 2007 the Joint Committee approved the following targets:

Face to face hearings

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

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

Postal Decisions

80% of decisions without a hearing to be made within 7 weeks of receipt of the Notice of Appeal.

The reports on case closure include all cases which were registered during April to November 2014 and have been decided. This data will include cases that have been delayed for the following reasons.

a) Requests from parties to the appeal:

- Additional time to submit evidence
- Requests for adjournment of hearings
- Inconvenience of hearing time/venue
- Availability of witnesses

b) Adjudicators may require:

- Adjournments for additional evidence or submissions
- A face to face hearing supplemented by a later telephone hearing to consider additional evidence.
- Consolidation of cases which relate to a common issue.
- Holding cases pending a particular Decision of the Traffic Penalty Tribunal or High Court

For the period April to November 2014, in summary the average number of weeks between registration of appeal and decision has reduced across all appeal and hearing types and the proportion of cases dealt with within 8 and 12 weeks respectively has increased.

The following tables provide case closure times in respect of: Parking (England), Parking (Wales) and Bus Lanes (England). This excludes appeals activity within the new portal and case management system introduced on 17 September 2014 which will be reported separately on this agenda. A report will be presented to the Joint Committee in June 2015 with recommendations for reporting on appeals activity in the light of the new appeal streams and on-line portal.

c) Parking Appeals (England)

Cases decided without a hearing

Measure	April 2012 to March 2013	April 2013 to March 2014	April to Nov 2014
Average number of weeks between registration of appeal and decision issued	5.35 weeks	5.03 weeks	4.57 weeks
Cases with less than 7 weeks between registration and decision (postal target)	80.81%	83.84%	86.29%
Cases with less than 12 weeks between registration and decision	96.03%	96.43%	97.40%

Cases decided through a telephone hearing

Measure	April 2012 to March 2013	April 2013 to March 2014	April to Nov 2014
Average number of weeks between registration of appeal and decision issued	9.08 weeks	8.51 weeks	6.38
Cases with less than 8 weeks between registration and decision (personal target)	58.33%	61.47%	83.04%
Cases with less than 12 weeks between registration and decision (personal target)	83.79%	89.16%	96.28%

Cases decided through a face to face hearing

Measure	April 2012 to March 2013	April 2013 to March 2014	April to Nov 2014
Average number of weeks between registration of appeal and decision issued	13.79 weeks	12.75 weeks	10.68 weeks
Cases with less than 8 weeks between registration and decision (personal target)	18.06%	25.40%	29.47%
Cases with less than 12 weeks between registration and decision (personal target)	53.69%	60.02%	73.73%

d) **Parking Appeals (Wales)****Cases decided without a hearing**

Measure	April to March 2012/13	April to March 2013/14	April to Nov 2014/15
Average number of weeks between registration of appeal and decision issued	5.50 weeks	4.63 weeks	3.45 weeks
Cases with less than 7 weeks between registration and decision (postal target)	82.82%	86.80%	95.42%
Cases with less than 12 weeks between registration and decision	92.84%	96.89%	99.62%

Cases decided through a telephone hearing

Measure	April 2012 to March 2013	April 2013 to March 2014	April to Nov 2014/15
Average number of weeks between registration of appeal and decision issued	8.41 weeks	9.04 weeks	7.32 weeks
Cases with less than 8 weeks between registration and decision (personal target)	65.33%	57.78%	69.64%
Cases with less than 12 weeks between registration and decision (personal target)	86.67%	91.11%	96.43%

Cases decided through a face to face hearing

Measure	April 2012 to March 2013	April 2013 to March 2014	April to Nov 2014/15
Average number of weeks between registration of appeal and decision issued	13.23 weeks	14.85 weeks	11.16 weeks
Cases with less than 8 weeks between registration and decision (personal target)	30.19%	13.70%	26.53%
Cases with less than 12 weeks between registration and decision (personal target)	56.60%	45.21%	71.43%

e) **BUS LANES (England)****Cases decided without a hearing**

Measure	April 2012 to March 2013	April 2013 to March 2014	April to Nov 2014
Average number of weeks between registration of appeal and decision issued	5.81 weeks	5.97 weeks	4.96 weeks
Cases with less than 7 weeks between registration and decision (postal target)	76.17%	72.61%	81.40%
Cases with less than 12 weeks between registration and decision	94.26%	92.11%	97.08%

Cases decided through a telephone hearing

Measure	April 2012 to March 2013	April 2013 to March 2014	April to Nov 2014
Average number of weeks between registration of appeal and decision issued	10.01 weeks	9.48 weeks	7.19 weeks
Cases with less than 8 weeks between registration and decision	48.18%	53.70%	75.31%
Cases with less than 12 weeks between registration and decision	79.87%	82.58%	91.69%

Cases decided through a face to face hearing

Measure	April 2012 to March 2013	April 2013 to March 2014	April to Nov 2014
Average number of weeks between registration of appeal and decision issued	14.15 weeks	12.45 weeks	10.56 weeks
Cases with less than 8 weeks between registration and decision (personal target)	11.68%	23.96%	32.54%
Cases with less than 12 weeks between registration and decision (personal target)	47.20%	59.45%	76.92%

9.0 Access to Information

The background papers relating to this report can be inspected by contacting the report writer:

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PATROL ADJUDICATION JOINT COMMITTEE
Executive Sub Committee

Date of Meeting: 28th January 2015
Report of: The Head of Service on behalf of the Advisory Board
Subject/Title: Research

1.0 Report Summary

- 1.1 To report progress on the Annual Report Research and set out arrangements for undertaking further research on civil parking enforcement.

2.0 Recommendations

- 2.1 To note the progress of the Annual Report Research.
- 2.2 To note the deadline for submissions for the PATROL Annual Report Award 2013/14 of Friday 27th February 2015.
- 2.3 To delegate oversight of the commissioning and implementation of further Joint Committee research to the Resources Sub Committee and Advisory Board

3.0 Reasons for Recommendations

- 3.1 To update the Joint Committee on matters discussed at previous meetings.

4.0 Financial Implications

- 4.1 These are set out within the report.

5.0 Legal Implications

- 5.1 None

6.0 Risk Management

- 6.1 None

7.0 Background and Options

PATROL Annual Report Awards Research and Toolkit

- 7.1 The Joint Committee was updated at their October meeting on plans to conduct a short piece of work on the benefits to councils of producing parking annual reports with a view to sharing best practice.
- 7.2 The first phase of work involved a telephone survey by representatives from Four Colman Getty Public Policy Department of Parking Managers, Legal Officers, Cabinet Members and Press Officers in a sample of local authorities. This piece of work commenced before Christmas and it is anticipated the findings will be available in early February. This in-depth survey of a sample of authorities will be supplemented with an electronic survey of all councils with results anticipated early February.
- 7.3 The next phase of work in February of this year will be to develop an Annual Report toolkit to be launched in summer 2015.
- 7.4 Meanwhile the deadline for annual report entries for 2013/14 is **Friday 27th February 2015**. The award in 2014 will provide the opportunity to launch the toolkit.

8.0 Further Research

- 8.1 Whilst civil parking enforcement attracts considerable interest from all quarters, there is no significant evidence base about its operation and impact in England (Outside London) and Wales
- 8.2 The production of annual reports helps to communicate parking objectives, provision and activity in local areas however there is little in-depth study of civil parking enforcement generally.
- 8.3 The Joint Committee has made provision for further research during 2015/16 to increase understanding of civil parking enforcement and promote best practice.
- 8.4 Initial enquiries have been made regarding potential research areas and discussed with the Advisory Board which is well placed from a multi-disciplinary perspective to act as a steering group with the Resources Sub Committee having oversight of the research.

9.0 Recommendations

- 9.1 To note the progress of the Annual Report Research.
- 9.2 To note the deadline for submissions for the PATROL Annual Report Award 2013/14 of Friday 27th February 2015.
- 9.3 To delegate oversight of the commissioning and implementation of further Joint Committee research to the Resources Sub Committee and Advisory Board

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