

REPORT FOR RESOLUTION

SUBJECT: DRAFT ANNUAL RETURN 2011/12

JOINT REPORT OF: THE LEAD OFFICER

PURPOSE OF REPORT

To present to the Committee the draft Annual Return for the year 2010/11.

RECOMMENDATIONS

The Joint Committee is asked to:

- [i] Note the outturn position against the 2010/11 budget as detailed in Appendix 1 (To be tabled).
- [i] Approve the 2010/11 Annual Return (Appendix 2), note the Annual Internal Audit Report (Appendix 3) and Balance Sheet (Appendix 4)
- [iii] Note that the External Auditor's report and final Annual Accounts for 2010/11 will be submitted to the PATROL Adjudication Joint Committee in September.
- [iv] Approve the surplus of income over expenditure of being added to the Joint Committee's General Reserves and to note that the Reserves Level will be reviewed at the September 2011 meeting..
- [v] Approve the Code of Corporate Governance (see Appendix 5)

CONTACT OFFICERS

Louise Hutchinson, PATROL , Barlow House, Minshull Street, Manchester.
Tel: 0161 242 5270

1.0 INTRODUCTION

- 1.1 The adjudication service is operated on a self-financing basis with income obtained from charges made to member authorities.
- 1.2 At the meeting of Executive Sub-Committee held on 26th January 2010 it was agreed to: adopt the Revenue Budget estimates for 2010/11 set out in Table 1.
- 1.3 At the meeting of the Executive Sub-Committee held on 26th January 2010 the Lead Officer was given authorisation in consultation with the Chair, Vice Chair and Assistant Chair to incur expenditure against the revenue budget in excess of the £2,688,739 set by the Committee should the need arise, provided such expenditure is within the total income for the year.
- 1.4 This report provides details of the draft 2010/11 Annual Accounts for approval by the Joint Committee.

2.0 OUTTURN POSITION AT 31ST MARCH 2010

- 2.1 The outturn position is shown at Appendix 1

3.0 ANNUAL RETURN 2010/11 (Appendix 2)

- 3.1 The accounting statement for 2010/11 has been prepared by the Lead Authority in accordance with the requirements of the Small Bodies Annual Return. The completion of the Small Bodies Annual Return removes the requirement for a full set of accounts however a Balance Sheet is provided for information at Appendix 4.

4.0 INCOME AND EXPENDITURE DURING 2010/11

- 4.1 During 2010/11 the service received income as follows:

	£
Parking PCN Income	2,464,288
Non PCN Income	1,164
Internal Recharge to Bus Lanes	165,514
Parking PCN Adjustments (financial year) ¹	87,975
Parking PCN Adjustments ²	34,807
Bank Interest	3,918
Total	2,757,666

Note 1:

This adjustment ensures that the accounts present income for the financial year. This reflects a positive adjustment of £87,975

Note 2:

This adjustment reflects the adjustments arising from comparing councils' returns for 2008/09 and 2009/10 to PATROL with those to the Department for Transport. This results in a positive adjustment of £34,807

4.2 During 2010/11, income to the parking account exceeded budget as follows:

Item	Budget £	Actual £	Variance/ (Improvement) £
Parking Income	2,560,993	2,464,288	96,705
Parking PCN Adjustments Financial Year	0	87,975	(87,975)
Parking DfT Adjustments	0	34,807	(34,807)
Non PCN Income	0	1,164	(1,164)
Bus Lane Recharge	94,746	165,514	(70,768)
Interest	3,000	3,918	(917)
Reserves	30,000	0	30,000
Total	2,688,739	2 757,666	(68,927)

4.3 Income to the parking account can be summarised as follows:

- a) The adverse variance on parking income of £96,705 arises from parking income in the fourth quarter being £44,612 less than forecast coupled with the approved four quarter rebate to councils of £220,462.
- b) Additional income of £87,975 is derived from adjustments to ensure that the accounts reflect income received in the financial year.
- c) Additional income of £34,807 has been received in relation by comparing PATROL statistics with those submitted by councils to the Department for Transport, following a recommendation from External Audit.
- d) The PATROL bank account has attracted £917 over budget.
- e) The bus lane recharge was higher than budgeted due to the introduction of a revised recharge mechanism reflecting the integrated nature of the tribunal. This recharge is based on the number of bus lane appeals. During 2010/11 the number of bus lane appeals increased from 633 to 1071.
- f) The budget included £30,000 provision to draw from reserves to balance the budget. On this occasion, this was not drawn upon.

- g) Overall parking income has dropped by 1.6% since 2009/10 inclusive of the final quarter rebate (£2,757,666 compared to £2,801,631). Parking income from councils has reduced by just over 1%

4.4 Expenditure during 2010/11 was budgeted as £2,688,739. Expenditure was £2,365,723 reflecting a positive variance of £323,016.

Expenditure during 2010/11 can be summarised as follows:

a) Adjudicators

The overall budget for adjudicators was set as £1,016,456. Expenditure of £844,921 was incurred, giving a favourable variance of £171,535. The anticipated rise in parking appeal numbers based on experience in 2009/10 where a 14% rise occurred did not materialise in 2010/11. Parking appeals remained stable whilst bus lanes doubled. Expenditure in relation to training was lower than anticipated and the planned recruitment of adjudicators has been deferred.

b) Employees

The Employee budget of £762,873 was exceeded by £11,786. Additional costs for agency staff arising from three staff on maternity leave were mitigated by a reduction in costs for hearing centre supervisors, in part reflecting the increase in telephone appeals.

c) Premises/Accommodation

There is a favourable variance of £2,513 for premises.

d) Transport

A favourable variance of £8,344 arising from efficiency savings.

e) Supplies and Services

The Supplies and Services budget of £309,165 shows a favourable variance of £40,332 and reflects reduced postage and stationery on account of increased electronic communication. There have also been savings in design and print.

f) Information Technology

The Information Technology budget of £330,700 relates to general IT costs and is accounted for separately from adjudicator IT costs. Expenditure has been contained at £242,393 and the favourable variance of £88,307 reflects lower than anticipated expenditure in part, pending the implementation of plans to separate the domain from the Lead Authority. However the cost of

support for the Case Management System were twice those budgeted arising from work to stabilise the system.

g) Service Management and Support

A favourable variance of £13,405 reflects the services required from the Lead Authority by the Joint Committee in 2010/11.

h) Audit Fees

Under Section 3 of the Audit Commission Act 1998, the Audit Commission appoints external auditors to audit the accounts of all local government authorities. The definition of smaller relevant bodies for whom a limited assurance audit is permitted has been revised for 2010/11 to include those whose gross income or expenditure is less than £6.5 million. This has resulted in a reduction from £12,500 to £4,275 for external audit costs for 2010/11. Internal Audit Costs are approved by the Joint Committee each January for the following year and are included in Supplies and Services. During 2010/11 these charges were £5,460.

i) Summary

Overall 2010/11 saw total expenditure of £2,365,723 which reflects a positive variance of £323,016 against budget

5.0 RESERVES AT 31 MARCH 2011

At their meeting in January 2011, the Joint Committee approved a reserves level of £1,095,793. The reserves level at 31 March 2010 was £729,468. During 2010/11 a surplus of £391,942 has been achieved which takes the reserves at 31 March 2011 to £1,121,410. The reserves level will be reviewed at the September 2011 meeting in the light of finalising a new premises lease and in relation to IT capital expenditure requirements. Any excess in the reserves level will be taken into account in January 2012 in setting the budget for 2012/13.

6. AUDITOR'S REPORT

- 6.1 The Joint Committee is required to adopt the accounts before the auditor produces his report. There is a requirement for a public notice for the rights of electors to inspect the accounts after the Joint Committee has approved them.
- 6.2 After consultation with the new auditors, BDO, a programme in respect of accounts for the financial year 2010/11 has been agreed that meets these requirements and is set out below.

2010/11 ACCOUNTS AND AUDIT PROGRAMME

Stage	2010/11
Display Notice	13 th June to 26 th June 2011
Accounts submitted to PATROLAJC for approval	PATROLAJC meeting 28 th June 2011
Make records available	29 th June to 22 July 2011
Submission of Annual Return and Supporting Documents to BDO	29 th July 2011
BDO Report presented to Joint Committee	28 th September 2011
Publication of audited accounts	By 30 th September 2011

7. RECOMMENDATIONS

The Joint Committee is asked to:

- [i] Note the outturn position against the 2010/11 budget as detailed in Appendix 1.
- [i] Approve the 2010/11 Annual Return (Appendix 2), note the Annual Internal Audit Report (Appendix 3) and Balance Sheet (Appendix 4)
- [iii] Note that the External Auditor's report and final Annual Accounts for 2010/11 will be submitted to the PATROL Adjudication Joint Committee in September.
- [iv] Approve the surplus of income over expenditure of £ 391,942 being added to the Joint Committee's General Reserves and to note that the Reserves Level will be reviewed at the September 2011 meeting..
- [v] Approve the Code of Corporate Governance (see Appendix 5)

APPENDIX 1 DRAFT OUTTURN POSITION AT 31 MARCH 2011

To be tabled at meeting

Small Bodies in England

Annual return for the year ended 31 March 2011

Small relevant bodies in England with an annual turnover of £1 million or less must complete an annual return summarising their annual activities at the end of each financial year.

The annual return on the following pages is made up of four sections:

- **Sections 1 and 2** are to be completed by the person nominated by the body.
- **Section 3** will be completed by the external auditor.
- **Section 4** is to be completed by the body's internal audit provider.

Each body must ensure this annual return is approved no later than 30 June 2011.

Completing your annual return

Guidance notes, including a completion checklist, are provided on page 6 and at relevant points in the annual return.

Please complete all sections highlighted in red. Do **not** leave any red box blank. Incomplete or incorrect returns may require additional external audit work and incur additional costs.

Please send the annual return, together with your bank reconciliation as at 31 March 2011, an explanation of any significant year on year variances in the accounting statements and any additional information requested, to your appointed external auditor by the due date.

If required, your auditor will identify and ask for any documents needed for audit. Unless requested, please do **not** send any original financial records to the external auditor.

Audited and certified annual returns will be returned to the body for publication or public display of sections 1, 2 and 3.

It should not be necessary for you to contact the external auditor or the Audit Commission directly for guidance.

More guidance on completing this annual return is available in the Practitioners' Guides for either local councils or internal drainage boards. These publications may be downloaded from the National Association of Local Councils (NALC) or Society of Local Council Clerks (SLCC) websites (www.nalc.gov.uk or www.slcc.co.uk) or from the members area of the Association of Drainage Authorities website (www.ada.org.uk).

Section 1 – Accounting statements for:

PATROL ADJUDICATION JOINT COMMITTEE

	Year ending		Notes and guidance
	31 March 2010 £	31 March 2011 £	
1 Balances brought forward	524,868	723,468	Total balances and reserves at the beginning of the year as recorded in the body's financial records. Value must agree to Box 7 of previous year.
2 (+) Income from local taxation and/or levy	NIL	NIL	Total amount of local tax and/or levy received or receivable in the year including funding from a sponsoring body.
3 (+) Total other receipts	2,788,631	2,757,666	Total income or receipts as recorded in the cashbook less income from taxation and/or levy (line 2). Include any grants received here.
4 (-) Staff costs	1,607,423	1,486,529	Total expenditure or payments made to and on behalf of all body employees. Include salaries and wages, PAYE and NI (employees and employers), pension contributions and employment expenses.
5 (-) Loan interest/capital repayments	NIL	NIL	Total expenditure or payments of capital and interest made during the year on the body's borrowings (if any).
6 (-) All other payments	982,608	879,194 889,444	Total expenditure or payments as recorded in the cashbook less staff costs (line 4) and loan interest/capital repayments (line 5).
7 (=) Balances carried forward	723,468	1,115,411 1,105,161	Total balances and reserves at the end of the year. Must equal (1+2+3) – (4+5+6)
8 Total cash and short term investments	1,291,361	902,665	The sum of all current and deposit bank accounts, cash holdings and short term investments held as at 31 March – to agree with bank reconciliation.
9 Total fixed assets and long term assets	NIL	NIL	The recorded book value at 31 March of all fixed assets owned by the body and any other long term assets e.g. loans to third parties and any long-term investments.
10 Total borrowings	NIL	NIL	The outstanding capital balance as at 31 March of all loans from third parties (including PWLB).

I certify that for the year ended 31 March 2011 the accounting statements in this annual return present fairly the financial position of the body and its income and expenditure, or properly present receipts and payments, as the case may be.

Signed by Responsible Financial Officer:

 SIGNATURE REQUIRED

Date

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

and recorded as minute reference:

Signed by Chair of meeting approving these accounting statements:

Date

Section 2 – Annual governance statement

We acknowledge as the members of **PATROL ADJUDICATION JOINT COMMITTEE** our responsibility for ensuring that there is a sound system of internal control, including the preparation of the accounting statements. We confirm, to the best of our knowledge and belief, with respect to the accounting statements for the year ended 31 March 2011, that:

	Agreed – Yes or No*	'Yes' means that the body:
1 We have approved the accounting statements prepared in accordance with the requirements of the Accounts and Audit Regulations and proper practices.	YES	prepared its accounting statements in the way prescribed by law.
2 We have maintained an adequate system of internal control, including measures designed to prevent and detect fraud and corruption and reviewed its effectiveness.	YES	made proper arrangements and accepted responsibility for safeguarding the public money and resources in its charge.
3 We have taken all reasonable steps to assure ourselves that there are no matters of actual or potential non-compliance with laws, regulations and codes of practice that could have a significant financial effect on the ability of the body to conduct its business or on its finances.	YES	has only done things that it has the legal power to do and has conformed to codes of practice and standards in the way it has done so.
4 We have provided proper opportunity during the year for the exercise of electors' rights in accordance with the requirements of the Accounts and Audit Regulations.	YES	during the year has given all persons interested the opportunity to inspect and ask questions about the body's accounts.
5 We have carried out an assessment of the risks facing the body and taken appropriate steps to manage those risks, including the introduction of internal controls and/or external insurance cover where required.	YES	considered the financial and other risks it faces and has dealt with them properly.
6 We have maintained throughout the year an adequate and effective system of internal audit of the body's accounting records and control systems.	YES	arranged for a competent person, independent of the financial controls and procedures, to give an objective view on whether internal controls meet the needs of the body.
7 We have taken appropriate action on all matters raised in reports from internal and external audit.	YES	responded to matters brought to its attention by internal and external audit.
8 We have considered whether any litigation, liabilities or commitments, events or transactions, occurring either during or after the year-end, have a financial impact on the body and where appropriate have included them in the accounting statements.	YES	disclosed everything it should have about its business activity during the year including events taking place after the year-end if relevant.

This annual governance statement is approved by the body and recorded as minute reference

MINUTE REFERENCE

dated DD/MM/YYYY

Signed by:

Chair SIGNATURE REQUIRED

dated DD/MM/YYYY

Signed by:

Clerk SIGNATURE REQUIRED

dated DD/MM/YYYY

***Note:** Please provide explanations to the external auditor on a **separate sheet** for each 'No' response that has been given; and describe what action is being taken to address the weaknesses identified.

Section 3 – External auditor’s certificate and opinion

Certificate

We certify that we have completed the audit of the annual return for the year ended 31 March 2011 of

ENTER NAME OF REPORTING BODY HERE

Respective responsibilities of the body and the auditor

The body is responsible for ensuring that its financial management is adequate and effective and that it has a sound system of internal control. The body prepares an annual return in accordance with proper practices which:

- summarises the accounting records for the year ended 31 March 2011; and
- confirms and provides assurance on those matters that are important to our audit responsibilities.

Our responsibility is to conduct an audit in accordance with guidance issued by the Audit Commission and, on the basis of our review of the annual return and supporting information, to report whether any matters that come to our attention give cause for concern that relevant legislation and regulatory requirements have not been met.

External auditor’s report

(Except for the matters reported below)* on the basis of our review, in our opinion the information in the annual return is in accordance with proper practices and no matters have come to our attention giving cause for concern that relevant legislation and regulatory requirements have not been met.
(*delete as appropriate).

(continue on a separate sheet if required)

Other matters not affecting our opinion which we draw to the attention of the body:

(continue on a separate sheet if required)

External auditor’s signature

External auditor’s name

Date

Note: The auditor signing this page has been appointed by the Audit Commission and is reporting to you that they have carried out and completed all the work that is required of them by law. For further information please refer to the Audit Commission’s publication entitled *Statement of Responsibilities of Auditors and of Audited Small Bodies*.

Section 4 – Annual internal audit report to

PATROL ADJUDICATION JOINT COMMITTEE

The body's internal audit, acting independently and on the basis of an assessment of risk, carried out a selective assessment of compliance with relevant procedures and controls expected to be in operation during the financial year ended 31 March 2011.

Internal audit has been carried out in accordance with the body's needs and planned coverage. On the basis of the findings in the areas examined, the internal audit conclusions are summarised in this table. Set out below are the objectives of internal control and alongside are the internal audit conclusions on whether, in all significant respects, the control objectives were being achieved throughout the financial year to a standard adequate to meet the needs of the body.

Internal control objective	Agreed? Please choose from one of the following Yes/No*/Not covered**
A Appropriate accounting records have been kept properly throughout the year.	YES
B The body's financial regulations have been met, payments were supported by invoices, expenditure was approved and VAT was appropriately accounted for.	YES
C The body assessed the significant risks to achieving its objectives and reviewed the adequacy of arrangements to manage these.	YES
D The annual taxation or levy or funding requirement resulted from an adequate budgetary process; progress against the budget was regularly monitored; and reserves were appropriate.	YES
E Expected income was fully received, based on correct prices, properly recorded and promptly banked; and VAT was appropriately accounted for.	YES
F Petty cash payments were properly supported by receipts, expenditure was approved and VAT appropriately accounted for.	YES
G Salaries to employees and allowances to members were paid in accordance with body approvals, and PAYE and NI requirements were properly applied.	YES
H Asset and investments registers were complete and accurate and properly maintained.	YES
I Periodic and year-end bank account reconciliations were properly carried out.	YES
J Accounting statements prepared during the year were prepared on the correct accounting basis (receipts and payments or income and expenditure), agreed to the cash book, were supported by an adequate audit trail from underlying records, and, where appropriate, debtors and creditors were properly recorded.	NOT COVERED

For any other risk areas identified by the body (list any other risk areas below or on separate sheets if needed) adequate controls existed:

SEE ATTACHED AUDIT REPORT WHICH EXPLAINS THE AREA 'NOT COVERED' AND AREAS FOR IMPROVEMENT

Name of person who carried out the internal audit: TOM POWELL HEAD OF AUDIT & RISK MANAGEMENT

Signature of person who carried out the internal audit:  Date: 02/06/2011

***Note:** If the response is 'no' please state the implications and action being taken to address any weakness in control identified (add separate sheets if needed).

****Note:** If the response is 'not covered' please state when the most recent internal audit work was done in this area and when it is next planned, or, if coverage is not required, internal audit must explain why not (add separate sheets if needed).

Guidance notes on completing the 2011 annual return

- 1 Proper practices for preparing this annual return are found in the *Practitioners' Guides**. These publications are regularly updated and contain everything you should need to prepare successfully for your financial year-end and the subsequent audit. Both NALC and SLCC have helplines should you wish to talk through any problem you may encounter.
- 2 Please make sure that your annual return is complete (i.e. no empty red boxes), and is properly signed and dated. Avoid making any amendments to the completed return. But, if this is unavoidable, make sure the amendments are approved by the body, properly initialled and an explanation for them is provided to the auditor. Annual returns containing unapproved or unexplained amendments will be returned unaudited and may incur additional costs.
- 3 Use the checklist provided below. Use a second pair of eyes, perhaps a member or the Chair, to review your annual return for completeness before sending it off to the auditor.
- 4 Please do not send the auditor any information not specifically asked for. Doing so is not helpful. However, you must advise the auditor of any change in Clerk, Responsible Financial Officer or Chair.
- 5 Make sure that the copy of the bank reconciliation which you send to your auditor with the annual return covers **all** your bank accounts. If your body holds any short-term investments, please note their value on the bank reconciliation. The auditor should be able to agree your bank reconciliation to Box 8 on the Statement of Accounts. **You must provide an explanation for any difference between Box 7 and Box 8.** More help on bank reconciliation is available in the *Practitioners' Guides**.
- 6 Please **explain fully** significant variances in the accounting statements. Do not just send in a copy of your detailed accounting records instead of this explanation. The auditor wants to know that **you** understand the reasons for all variances. Please include a complete analysis to support your explanation. There are a number of examples provided in the *Practitioners' Guides** to assist you.
- 7 If the auditor has to review unsolicited information, or receives an incomplete bank reconciliation, or you do not fully explain variances, this may incur additional costs for which the auditor will make a charge.
- 8 Please make sure that your accounting statements add up! Also please ensure that the balance carried forward from the previous year (Box 7 of 2010) equals the balance brought forward in the current year (Box 1 of 2011).
- 9 **Do not complete section 3.** The external auditor will complete it at the conclusion of their audit.

Completion checklist – 'No' answers mean you may not have met requirements		Done?
All sections	All red boxes have been completed?	
	All information requested by the external auditor has been sent with this annual return? Please refer to your notice of audit.	
Section 1	Approval by the body confirmed by signature of Chair of meeting approving the accounting statements?	
	An explanation of significant variations from last year to this year is provided?	
	Bank reconciliation as at 31 March 2011 agreed to Box 8?	
	An explanation of any difference between Box 7 and Box 8 is provided?	
Section 2	For any statement to which the response is 'no', an explanation is provided?	
Section 4	All red boxes completed by internal audit and explanations provided?	

***Note:** *Governance and Accountability for Local Councils in England – A Practitioners' Guides*, is available from NALC and SLCC representatives or *Governance and Accountability for Internal Drainage Boards in England – A Practitioners' Guides*, is available from the ADA at The Association of Drainage Authorities, 12 Cranes Drive, Surbiton, Surrey, KT5 8AL or from the NALC, SLCC or ADA websites - see page 1 for addresses.

PATROL ADJUDICATION JOINT COMMITTEE

Executive Sub Committee

Item 12 Appendix 3

Internal Audit Report

**PATROL - Annual Returns
(Parking & Bus Lanes)**

**Tom Powell
Corporate Services**

Circulation List

Business Owner:
Louise Hutchinson, Head of Service (Patrol)
Additional Report Distribution:
Jason Dobson, Finance Manager (Patrol)
Justin Edwards, Technology Manager (Patrol)
Sir Howard Bernstein, Chief Executive
Richard Paver, City Treasurer
Caroline Shephard, Chief Adjudicator
Louise Nyland, BDO Stoy Hayward

Audit Team

Name	Contact Details
Peter Gallagher, Senior Auditor	814 5247
Helen Smith, Lead Auditor	814 5238
Kathryn Fyfe, Principal Audit Manager	814 5271
Tom Powell, Head of Internal Audit and Risk Management	814 5273

Report Status

Activity	Date
Fieldwork Commenced	10 May 2011
Draft Report Issued	3 June 2011
Management Responses Requested by	13 June 2011
Management Responses Received	14 June 2011
Final Report Issued	14 June 2011

1 Introduction

- 1.1 This report summarises the findings and conclusions from our review of the adequacy of internal controls and procedures in operation within the Parking and Traffic Regulations Outside London Adjudication Joint Committee (PATROL AJC) and Bus Lane AJC. The purpose of this work was to inform Section 4 of the Audit Commission Small Bodies in England Annual Returns for the year ended 31 March 2011.

2 Background

- 2.1 The Traffic Penalty Tribunal is an independent tribunal where impartial lawyers consider appeals by motorists and vehicle owners whose vehicles have been issued with:
- Penalty Charge Notices (or have been removed or clamped) by councils in England and Wales enforcing parking under the Road Traffic Act 1991 and the Traffic Management Act 2004.
 - Penalty Charge Notices by councils in England undertaking civil bus lane enforcement under the Bus Lane Contraventions (Penalty Charges, Adjudication and Enforcement) (England) Regulations (2005 SI No 2757).
- 2.2 Under the above legislation and regulations, Councils operating civil parking and bus lane enforcement functions are responsible for defraying expenses in relation to the remunerations of the Adjudicators of the Traffic Penalty Tribunal. The Enforcement Authorities are required to carry out this function through a Joint Committee which they are required to set up for this and related purposes. The PATROL AJC and Bus Lane AJC perform this function. In accordance with legislation and regulations, the constituent authorities of each Committee defray expenses in such a proportion as they may decide.
- 2.3 Under established reporting requirements separate annual returns were to be submitted for to both Parking and Bus Lanes.

3 Scope and Approach

- 3.1 We reviewed the adequacy and effectiveness of the financial controls, risk management arrangements and management information in respect of 9 of the 10 internal control objectives detailed within Section 4 of the Audit Commission Annual Return document for 2010/11.
- 3.2 Our work did not include a review of the accounting statements and related records supporting the final accounts under control objective J. We did not consider this to be a key risk or indeed a function that should be discharged through Internal Audit. An opinion on the year end accounts is provided by the appointed auditor to PATROL AJC and we consider that any detailed testing of the accounts to support this opinion remains their responsibility.
- 3.3 Whilst there is a separate Joint Committee for the Bus Lane Adjudication Service it does share a number of systems and processes with PATROL. As a consequence we considered Internal Audit work relating to PATROL could be used as a reasonable source of assurance. This work was designed to address the control

objectives within the Annual Return and therefore provides some assurance in respect of the overall operation of financial and business systems.

- 3.4 Where independent systems and processes were in operation for Bus Lanes a review of relevant documents together with sample testing of transactions was completed.

4 Findings

- 4.1 We identified some positive areas of good practice in relation to the control and assurance mechanisms. These have been categorised into the areas in which they relate:

- All payments had been clearly supported by Invoices, retained in well structured files for easy identification. (*Parking and Bus Lanes*)
- A recent procurement practice clearly demonstrated the tender evaluation and basis for decision to appoint the successful bid. (*Parking*)
- Based on a sample of constituent authorities we confirmed that income was calculated, invoiced and received correctly. (*Bus Lanes*)
- Detailed working papers were maintained to enable the projection and monitoring of income. (*Parking and Bus Lanes*)
- The use of Payment cards has meant that PATROL AJC does not use Petty cash removing the need for additional controls over cash handling. (*Parking and Bus Lanes*)
- A joint risk register had been produced and approved. (*Parking and Bus Lanes*)
- The joint asset register contained comprehensive notes including any known faults, previous problems and previous users of IT equipment. (*Parking and Bus Lanes*)

- 4.2 In addition to these findings we identified a number of areas where practices could be strengthened, either through improving existing or implementing revised arrangements, as follows:

- Clearer segregation of duties in respect of procurement. (*Bus Lanes*)
- Reporting to Committee for the exclusive use of strategic and long term suppliers, particularly in relation to information technology. (*Parking*)
- Ongoing review of contracts, to ensure existing suppliers continue to provide value for money. (*Parking*)
- Better identification of the location of IT assets on the asset Register. (*Parking and Bus Lanes*)
- Timely disposal of faulty IT assets. (*Parking and Bus Lanes*)
- Timely bank reconciliations. (*Bus Lane*)
- Annual analytical review of the PAYE and NI calculations undertaken by the external payroll function. (*Parking*)

5 Conclusions

- 5.1 In our opinion both the PATROL and Bus Lane Joint Committees have achieved a satisfactory standard with regard to all nine control objectives examined. However, the standard in respect of financial regulations (B) was considered satisfactory subject to Joint Committee approval of a strategic supplier list for which standard tendering processes were not applied. We have also identified a number of other areas where internal controls were assessed as requiring further development and improvement but these were not considered sufficient to prevent the achievement of a satisfactory standard of control overall.
- 5.2 A detailed action plan of recommendations to improve the system of internal control is attached. (Appendix 1)

Appendix 1. Detailed Findings Recommendations and Action Plan

	Matters Arising	Potential Risk Implications	Recommendations	Risk	Management Response and agreed actions
Section B: The body's financial regulations have been met, payments were supported by invoices, expenditure was approved and VAT was appropriately accounted for.					
1	<p>Based on our sample of 20 purchases, consisting of 18 from Parking and 2 from Bus Lanes (representing 66% Bus Lane purchases in year) we identified the following:</p> <ul style="list-style-type: none"> 8/20 invoices reviewed related to long-term or strategic partners where the value of either individual invoices or an aggregated value would indicate a level of competitive procurement was necessary. The Financial Regulations (for both Parking and Bus Lanes) allows for the Head of Service to waive the requirement for tendering when it is in the interests of the Service, and maintain a record of such decisions to be reported to the Joint Committee. The Head of service has a list of the 	<p>Without clear evidence of purchasing decisions being submitted to the Joint Committee there is an increased risk of members remaining unaware of the strategic partnering arrangements in place.</p> <p>Without appropriate procurement arrangements expenditure may be incurred without correct authorisation, budgetary provision or maintenance of proper records, increasing the risk of budget overspend, inappropriate use of funds, misappropriation or error, and failure to obtain value for money.</p>	<p>The Head of Service should report to the Joint Committee a list of strategic partners currently in use, along with an explanation of why the usual procurement process being waived.</p> <p>Where it is decided that this waiver is no longer required the Head of Service should arrange for an appropriate procurement exercise to take place to identify a replacement supplier.</p> <p>In order to demonstrate value for money the Head of Service should ensure that there is an ongoing review of contracts to ensure that best value is achieved.</p>	<p style="text-align: center;">●</p> <p>Significant (Compliance)</p>	<p>Agreed: Yes</p> <p>Action to be taken: Details of strategic partners along with the services and arrangements for market testing are to be submitted to the Joint Committee in June 2011. A pro-forma documents will be presented to the Joint Committee which will be used as part of the periodic review of contracts.</p> <p>Additional Resources Required for implementation: No</p> <p>Responsible Officer: Head of Service</p> <p>Target Date: June 2011</p>

	Matters Arising	Potential Risk Implications	Recommendations	Risk	Management Response and agreed actions
	<p>strategic ICT partners, but this has not been reported to the Joint Committee. There was no list of other long-term suppliers such as Egan Reid or Uniglobe at the time of our review nor had they been reported to the Joint Committee.</p>				
2	<p>In both Bus Lane invoices reviewed (relating to Manchester and Sheffield City Councils) there was insufficient separation of duties as the same person approved the order, the invoice for payment and the payment run. Whilst the payment run also required another person this was not considered sufficient.</p>	<p>The current arrangements are not sufficient to enforce and demonstrate a clear segregation of duties in order to reduce the risk of theft, loss or misappropriation of funds and exposes staff to the risk of allegations of misconduct.</p>	<p>The Head of Service should review the financial regulations to ensure that a clear separation of duties is required in respect of purchasing.</p> <p>The Head of Service in conjunction with the Finance Manager should undertake periodic sample checking to identify where staff are failing to comply with these requirements.</p>	<p>● Moderate (Compliance)</p>	<p>Agreed: Yes Action to be taken: The financial regulations will be updated and sample checks undertaken. Additional Resources Required for implementation: No Responsible Officer: Head of Service Target Date: September 2011</p>

	Matters Arising	Potential Risk Implications	Recommendations	Risk	Management Response and agreed actions
Section G: Salaries to employees and allowances were paid in accordance with body approvals, and PAYE and NI requirements were properly applied.					
3	The PAYE & NI calculations are undertaken by Manchester City Council as the external payroll provider. These calculations have not been checked or verified by Patrol for reasonableness.	The absence of any periodic checks in relation to payroll costs, including on costs, increases the risk of any errors remaining undetected which may result in financial loss.	The Finance Manager should undertake an annual analytical review of the PAYE & NI calculations to ensure reasonableness.	 Minor (Control)	Agreed: Yes Action to be taken: An annual review of payroll calculations and information will be undertaken as part of year end preparation. Additional Resources Required for implementation: No Responsible Officer: Finance Manager Target Date: April 2012
Section H: Assets and Investment registers were complete, accurate and properly maintained.					
4	Although generally well maintained the asset register (used jointly by Parking and Bus Lanes) did not sufficiently distinguish the location of assets. In a significant number of cases the assets were listed as 'Unassigned Office' which included items both in the general office and those locked away in the IT storage cupboard.	If an up to date and comprehensive asset register is not maintained, there is an increased risk of loss or misappropriation, as well as increased risk of misuse.	The Technology Manager should ensure the location of all items is clearly recorded within the asset register to allow for easy identification, e.g. items held in storage should be separately recorded from those in active use. We suggest as best practice, the location of specific Items should be	 Moderate (Compliance)	Agreed: Yes Action to be taken: The presentation of the asset register will be reviewed to ensure that location is clearly identified. Additional Resources Required for implementation: No Responsible Officer: Technical Manager in conjunction with the

	Matters Arising	Potential Risk Implications	Recommendations	Risk	Management Response and agreed actions
	It should also be noted that with the support of the Technology Manager we were able to locate all the items tested, however this detailed information needs to be retained on the register.		linked to a desk plan to provide a clear detailed location for items in general offices.		Finance Manager Target Date: September 2011
5	A number of laptops and computers were listed along with known faults. In discussion it was confirmed by the IT Manager that a number of these items were no longer usable and could not be repaired but may be used for parts. Whilst we acknowledge that there may be some call for a limited stock of spare parts (subject to having fully qualified staff to undertake repair) the majority of these broken items should have been formally disposed.	Failure to dispose of items that are no longer usable increases the storage needs for equipment and increases the likelihood of someone trying to use the faulty item with both time and health and safety implications. Increased levels of equipment that is not in use increases the risk of loss, damage and theft.	<p>The Technology Manager should undertake periodic reviews of items with known faults to determine if they should be formally disposed.</p> <p>If electronic equipment is to be repaired, the Technology Manager should maintain a list of staff who are qualified and registered to applicable standards to repair electronic equipment.</p>	 Moderate (Compliance)	Agreed: Yes Action to be taken: A formal recorded disposal of broken items will be undertaken together with a report of residual equipment retained with details of their faults. A review of the policy for repairing laptops in light of the audit report will be undertaken. A twice yearly documented review of faulty items will be undertaken to determine what should be formally disposed of and ensure that there is a report on the faults associated with any residual equipment.

	Matters Arising	Potential Risk Implications	Recommendations	Risk	Management Response and agreed actions
					Additional Resources Required for implementation: No Responsible Officer: Technology Manager Target Date: November 2011
Section I: Periodic and year-end bank account reconciliations were properly carried out.					
6	<p>Although periodic bank reconciliations were undertaken these were not completed monthly in line with the Financial Regulations.</p> <p>We acknowledge that reconciliations for Bus Lanes had not been undertaken each month due to the absence of transactions on a number of statements.</p>	<p>If the bank reconciliation process is not completed in a timely manner there is an increased risk that errors, loss, or inappropriate use of funds would not be identified.</p>	<p>The Finance Manager should ensure monthly reconciliations are completed in line with financial regulations. Where there are no transactions appearing on a statement and no reconciliation undertaken as a result, the bank statement should be signed as evidence of review.</p> <p>The Head of Service should periodically check that bank reconciliations have been completed within the allotted timescale.</p>	<p style="text-align: center;">● Moderate (Compliance)</p>	<p>Agreed: Yes Action to be taken: Monthly reconciliations are to be undertaken in line with financial regulations and periodic checks in year are to be established. Additional Resources Required for implementation: No Responsible Officer: Finance Manager and Head of Service Target Date: July 2011</p>

	Matters Arising	Potential Risk Implications	Recommendations	Risk	Management Response and agreed actions
7	Although there was space for both the preparer and the reviewer to print their name on the bank reconciliation form, there was only a space for the reviewer to sign it.	The absence of formal signature results in a failure to demonstrate a clear separation of duties in respect of Bank reconciliation, increasing the risk that errors, loss, or inappropriate use would not be identified.	The Finance Manager should amend the bank reconciliation form to allow the preparer as well as the review to sign.	 Minor (Control)	Agreed: Yes Action to be taken: The forms are to be amended to incorporate the additional signature. Additional Resources Required for implementation: No Responsible Officer: Finance Manager Target Date: July 2011

Appendix 2. Basis of our opinion and level of assurance

Risk Type	Description
Control	There are areas for development and improvement in the design of the system of internal control.
Compliance	There is need to improve compliance with the existing system of internal control, processes or procedures

Risk	Assessment rationale
 E. Critical	Life threatening / multiple serious injuries or prolonged work place stress. Severe impact on morale and service performance. Intense political and media scrutiny i.e. national media coverage / prolonged local media coverage. Possible criminal, or high profile, civil action. Cessation of core activities, Strategies not consistent with government's agenda, trends show service is degraded. Failure of major Projects. Large increase on project budget/cost: (more than 15 to 30% of the service budget). Statutory intervention triggered.
 D. Major	Serious injuries or stress requiring medical treatment with many workdays lost. Major impact on morale and performance. Scrutiny required by external agencies, external audit etc. Unfavourable national or prolonged local external media coverage. Noticeable impact on public opinion. Major impact on the effectiveness of governance for Patrol. Significant disruption of core activities / performance. Key targets missed, some services compromised. Senior Management action required. Major increase on project budget/cost: (more than 6 to 15% of the service budget).
 C. Significant	Injuries or stress requiring some medical treatment with workdays lost. Some impact on morale and performance. Scrutiny likely to be exercised by external agencies, internal committees or internal audit to prevent escalation. Probable limited unfavourable local media coverage. Significant short-term disruption of service performance. Financial Regulations not complied with. Impact on the effectiveness of governance at the Service level. Significant increase on project budget/cost: (more than 3 to 6% of the departmental budget). Handled within the team.
 B. Moderate	Injuries / stress requiring some medical treatment, potentially some workdays lost. Some impact on morale and performance. Additional scrutiny required by management and internal committees to prevent escalation. Possible limited unfavourable local media coverage. Short-term disruption of service performance. Financial Regulations occasionally not complied with. Minor impact on the effectiveness of governance or moderate impact at service level. Small increase on project budget/cost: (up to 3% of the departmental budget). Handled within the team.
 A. Minor	Minor injuries or stress with no workdays lost or minimal medical treatment. No impact on staff morale Internal Review, unlikely to have impact on the corporate image. Minor errors in systems/operations or processes requiring action or minor delay without impact on overall schedule. Handled within normal day to day routines. Some impact on the effectiveness of governance at service level. Minimal financial loss – Minimal effect on project budget/cost: Negligible effect on total Budget or departmental budget).

**PATROL ADJUDICATION JOINT COMMITTEE
 BALANCE SHEET**

31 March 2010		31 March 2011	
£		£	£
	Current Assets		
204,227	Debtors and Payments in Advance	529,798	
1,291,361	Cash in Hand	902,665	
1,495,588	Total Current Assets	1,432,464	
1,495,588	TOTAL ASSETS		1,432,464
	Current Liabilities		
- 766,120	Creditors and Receipts in Advance	- 317,053	
- 766,120	Total Current Assets		- 317,053
729,468	TOTAL ASSETS LESS TOTAL LIABILITIES		1,115,410
	Long Term Liabilities		
- 736,000	(Liability) Relating to Defined Benefit Pension Scheme		-
- 6,532	TOTAL ASSETS LESS LIABILITIES		1,115,410
	Financed By:		
- 736,000	Pensions Reserve		-
729,468	General Fund Reserve		1,115,410
- 6,532	TOTAL NET WORTH		1,115,410

**PATROL ADJUDICATION JOINT COMMITTEE
CODE OF CORPORATE GOVERNANCE**

JUNE 2011

Background

The PATROL Adjudication Joint Committee, formerly the National Parking Adjudication Service Joint Committee, has been established to enable Councils having Civil Enforcement Area Orders to exercise their functions under Section 81 of the Traffic Management Act 2004 and Regulations 17 and 18 of the Civil Enforcement of Parking Contraventions (England) General Regulations 2007. These functions are exercised jointly with the other councils in accordance with the requirements of Regulation 16 of the Civil Enforcement of Parking Contraventions (England) General Regulations 2007.

The functions exercised by the PATROL Adjudication Joint Committee on behalf of its constituent councils are appointing independent adjudicators to the Traffic Penalty Tribunal, providing these adjudicators with administrative staff and accommodation and providing hearing venues. Its remit in relation to the Tribunal is limited to these matters. The Joint Committee also undertakes such other associated functions as the participating Authorities may lawfully arrange Joint Committee to perform as they from time to time consider appropriate.

The PATROL Adjudication Joint Committee (PATROLAJC) is responsible for ensuring that its business is conducted in accordance with the law and proper standards, and that public money is safeguarded and properly accounted for, and used economically, efficiently and effectively. The PATROLAJC also has a duty under the Local Government Act 1999 to make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness.

In discharging this overall responsibility, the PATROLAJC is responsible for putting in place proper arrangements for the governance of its affairs, facilitating the effective exercise of its functions, which includes arrangements for the management of risk.

The PATROLAJC, in so far as it is applicable, is consistent with the principles of the CIPFA/SOLACE Framework *Delivering Good Governance in Local Government* in developing its Code of Corporate Governance. The CIPFA/SOLACE governance framework 'Delivering Good Governance in Local Government' brings together an underlying set of legislative requirements, governance principles and management processes.

The Code of Corporate Governance

The PATROL Adjudication Joint Committee's Code of Corporate Governance chimes with the overall aim of the CIPFA/SOLACE framework (CIPFA/SOLACE Framework "Delivering Good Governance in Local Government" 2007 to promote effective governance i.e. "doing the right things, in the right way, for the right people, in a timely, inclusive, open, honest and accountable manner" However, the PATROL Adjudication Joint Committee is mindful of its specific remit, role and responsibilities in adopting the core principles of the CIPFA/SOLACE framework to promote effective governance.

To clarify this, Appendix 2i provides an overview of the Traffic Penalty Tribunal and PATROL Adjudication Joint Committee and their respective roles and it is recognised that clarity in this respect is paramount to promote the continued integrity and independence of the Adjudicators.

- a) Focusing on the purpose of the Joint Committee, its objectives and outcomes.
 - Exercising strategic leadership and clearly communicating its purpose and vision and intended outcomes.
 - Ensuring that users receive a high quality of service.
 - Ensuring that best use is made of resources to achieve value for money.
- b) Members and officers working together to achieve a common purpose with clearly defined functions and roles.
 - Effective leadership and clarity about executive and non-executive functions.
 - Ensuring a constructive working relationship exists between authority members and officers with responsibilities carried out to a high standard.
- c) Promoting values for the Joint Committee and demonstrating the values of good governance through upholding high standards of conduct and behaviour.
 - Ensuring authority members and officers exercise leadership by behaving in ways that exemplify high standards of conduct and effective governance.
 - Ensuring values are put into place and are effective.
- d) Taking informed and transparent decisions which are subject to effective scrutiny and managing risk.
 - Being rigorous and transparent about how decisions are taken.
 - Having good quality information, advice and support to ensure that services are delivered effectively.
 - Ensuring that an effective risk management system is in place.
- e) Developing the capability of members and officers to be effective
 - Making sure that members and officers have the skills, knowledge, experience and resources they need to perform well in their roles.

- Developing the capability of people with governance responsibilities
- f) Stakeholders are engaged with to ensure robust accountability
- Effectively engaging with stakeholders
 - Taking an active and planned approach to dialogue

By adopting the spirit of these six principles, the PATROL Adjudication Joint Committee will:

- i) Structure its governance arrangements.
- ii) Annually monitor effectiveness
- iii) Demonstrate how core principles will be applied and compliance tested.

The Code of Conduct will be reviewed on an annual basis.

APPENDIX 5i

**PATROL (PARKING AND TRAFFIC REGULATIONS OUTSIDE
LONDON) ADJUDICATION JOINT COMMITTEE
&
BUS LANE ADJUDICATION SERVICE JOINT COMMITTEE**

Briefing Note for New Council Representatives

1. Introduction to the Traffic Penalty Tribunal

The Traffic Penalty Tribunal is an independent tribunal where impartial lawyers consider appeals by motorists and vehicle owners whose vehicles have been issued with:

- Penalty Charge Notices (or have been removed or clamped) by councils in England and Wales enforcing parking under the Road Traffic Act 1991 and the Traffic Management Act 2004.
- Penalty Charge Notices by councils in England undertaking civil bus lane enforcement under The Bus Lane Contraventions (Penalty Charges, Adjudication and Enforcement) (England) Regulations (2005 SI No 2757).

The principal objective of the Traffic Penalty Tribunal is to provide independent, impartial and well considered decisions based on fact and law in a way that is user-focused, efficient, timely, helpful and readily accessible.

The Traffic Penalty Tribunal has its headquarters in Manchester but operates across England (outside London) and Wales with its Adjudicators and Hearing Centre Supervisors working remotely and from hearing venues in over 60 locations. The Traffic Penalty Tribunal deals with some 15,000 plus appeals per annum and has 26 Adjudicators including a Chief Adjudicator, nearly 20 Hearing Centre Supervisors and twenty-one staff. Appellants and Councils are given a named Appeals Coordinator who will handle the administration of their appeal from the Notice of Appeal through to the Decision being issued.

It is the Adjudicator's function to independently decide the appeals and issue any directions required for the management of appeals.

The Traffic Penalty Tribunal comes under the supervision of the Administrative Justice and Tribunals Council which has established a Framework of Standards for Tribunals which states that tribunals should:

- Be independent
- Provide open, fair and impartial hearings
- Be accessible to users

- Focus on the needs of users
- Offer cost effective procedures
- Be properly resourced and organised
- Work with first tier decision makers to improve the “end to end” experience for the user.

Both parties, Councils and Appellants, have a right to a personal hearing, but alternatively may agree to have a telephone or postal hearing.

Technology is central to the whole operation with adjudicators accessing the tribunal’s case management system remotely. The Tribunal actively encourages parties to correspond with the tribunal electronically and is also actively encouraging councils to provide the facility for appellants to appeal on line.

For more information

For more information about The Traffic Penalty Tribunal, members are requested to:

- Visit the tribunal's web site at www.trafficpenaltytribunal.gov.uk.
- Refer to the Adjudicators Annual Report – available through the web site.
- Contact the Head of Service who will be pleased to provide additional information or arrange a visit to the Manchester offices.
- Members are welcome to participate in any tribunal events e.g. council induction events or council user groups.

2. Background to the Joint Committees

The PATROL Adjudication Joint Committee, formerly the National Parking Adjudication Service Joint Committee, has been established to enable Councils having Civil Enforcement Area Orders to exercise their functions under Section 81 of the Traffic Management Act 2004 and Regulations 17 and 18 of the Civil Enforcement of Parking Contraventions (England) General Regulations 2007. These functions are exercised jointly with the other councils in accordance with the requirements of Regulation 16 of the Civil Enforcement of Parking Contraventions (England) General Regulations 2007.

The functions exercised by the PATROL Adjudication Joint Committee on behalf of its constituent councils are appointing independent adjudicators to the Traffic Penalty Tribunal (subject to the consent of the Lord Chancellor), providing these adjudicators with administrative staff and accommodation and providing hearing venues. **Its remit in relation to the Tribunal is limited to these matters.** The Joint Committee also undertakes such other associated functions as the Participating Authorities may lawfully arrange Joint Committee to perform as they from time to time consider appropriate.

The Agreement that regulates the setting up of the Joint Committee provides for one Representative for each constituent Council. Members of the Joint Committee need not be an “Executive Member” of their Council, but this is a matter for each Council to decide. If the nominated Representative cannot attend the meeting, provision is made for a named substitute to attend in his/her place.

In 2006 with the introduction of civil bus lane enforcement, it was agreed that there would be an integrated tribunal for parking and bus lane enforcement. However, there must be a separate Joint Committee, the Bus Lane Adjudication Service Joint Committee until such time as both areas of enforcement are governed by the same legislation i.e. the Traffic Management Act 2004. Where councils enforce bus lanes, they are required to become a member of the Bus Lane Adjudication Service Joint Committee.

3. Role of Joint Committee Members

The role of Members of the Joint Committee is to oversee the functions of The Traffic Penalty Tribunal as an Independent Tribunal.

There is not a role as such in respect of the parking/bus lane enforcement activities of the Local Authority they represent on the Joint Committee nor do members have the remit to discuss or influence Adjudicator decisions. The independence and integrity of the tribunal is paramount.

Typically agenda items will include:

- Appointment of adjudicators
- New member councils
- Budgets
- Budget monitoring
- Governance Matters
- Service Charges to user councils
- General progress and service standards
- Establishment of Sub Committees and Advisory Board.
- Other relevant items of interest to the Joint Committee in exercising its duties

Members elect a Chair, Vice Chair and in the case of the PATROL Adjudication Joint Committee, an Assistant Chair. Meetings are attended by the Chair of the Advisory Board, the Chief Adjudicator and Head of Service.

The Head of Service presents reports to the Joint Committee meetings on behalf of the Lead Officer in relation to administrative matters and the Chief Adjudicator presents on judicial matters, administrative responsibilities delegated to her within the scheme of delegation and the Annual Report of the Adjudicators.

4. Joint Committee Primary Objectives

The agreed primary objectives of the Joint Committees are the provision of:

- a) A fair adjudication service for Appellants including visible independence of adjudicators from the authorities in whose areas they are working.
- b) Consistency in access to adjudication.

- c) A cost effective and equitable adjudication service for all Parking Authorities and Bus Lane authorities in England and Wales.
- d) Flexibility to deal with a wide range of local authorities with varying levels of demand for adjudication.

In addition, the Joint Committee oversees any agreed PATROL initiatives e.g. commissioning Independent Reviews and the provision of public information.

5. Joint Committee Meetings

The annual meeting of the PATROL Adjudication Joint Committee takes place in September each year in the Birmingham area.

In addition the Joint Committee has established an Executive Sub Committee which meets twice a year in January and June, again in the Birmingham area. Where possible, Bus Lane Adjudication Joint Committee meeting are scheduled to coincide with the January, June and September meetings.

The PATROL Adjudication Joint Committee has also established an Executive Sub Committee (Wales) with specific reference to matters arising from the separate regulations for the civil enforcement of parking in England and Wales.

Members are encouraged to attend in order to broaden their appreciation of the functions of the Joint Committee. In addition to local authority councillors and officers, the Joint Committee meetings are attended by the Chief Adjudicator, Chair of the Advisory Board and Head of Service. Local authority officers are also welcome to attend.

Notices and papers in respect of Joint Committee meetings are issued by the Lead Authority. Please note that, in the interests of efficiency, papers will only be issued to councillors who have confirmed that they wish to attend.

In addition, prior to each meeting Democratic Services Departments within each member authority will be notified of the publication of papers and provided with a link to a web version for reference purposes. Papers for the meetings are posted on the Manchester City Council's web site under Council Meetings and Minutes or through the following link.

http://www.manchester.gov.uk/meetings/meeting/1291/bus_lanes_adjudication_joint_committee

http://www.manchester.gov.uk/meetings/meeting/1289/civil_enforcement_of_parking_and_traffic_regulations_outside_london_patrol_formerly_npas

Any queries in relation to meetings can be addressed to the Head of Service.

6. Lead Authority and Lead Officer Role

Because the Joint Committees have no corporate status and cannot therefore contract, one of the constituent Councils has been appointed Lead Authority to enable goods and

services to be provided on behalf of the Joint Committees. The responsibilities of the Lead Authority are set out in the Joint Committee's agreement and within the Scheme of Delegation. Initially Manchester has been appointed the Lead Authority.

The Joint Committees have delegated decision making in relation to the majority of day to day matters to a "Lead Officer" (initially the Lead Officer is the Chief Executive of Manchester) or to the Chief Parking Adjudicator/Bus Lane Adjudicator, depending on the subject matter. For the most part the Head of Service of Joint Committee Services acts on behalf of the "Lead Officer".

Except in the case of urgent business, the Lead Officer, in exercising the functions delegated to him, is required to consult with an officer working party (the Advisory Board) comprising the Lead Officer plus up to eleven people, including: seven representatives of local authorities with at least one representing: an English Authority; a Welsh Authority; a District Council; a County Council; a Unitary or Metropolitan Council and a bus lane enforcement council. Representatives of the Department for Transport and National Assembly for Wales have been appointed members of the Advisory Board. There are also two other representatives, a lay member with tribunal experience, and a representative from a motoring organisation. The Advisory Board will have considered all papers being recommended to the Joint Committee.

7. Joint Committee Agreement

The form of the PATROL Adjudication Joint Committee and Bus Lane Adjudication Service Joint Committee Agreements, the articles by which local authorities becomes a member of the Joint Committee, has been the subject of detailed negotiations between the initial parties. Their final form has been approved by leading Counsel. For this reason it is requested that joining councils do not seek to make changes to the terms of the Agreements.

Whilst the Agreements provide for the terms on which the Joint Committees are to operate, including making provision for the joining of new members and for the appointment of a Lead Authority, they do not set out in detail the amount of contributions required from member councils. These contributions are decided by the Joint Committee and are set at a level which should not be prohibitive to any council wishing to join the Joint Committee. These charges will be reviewed annually by the Joint Committees at their January meetings.

8. Public Information

The Joint Committee has approved the provision of common public information on civil enforcement on behalf of local authorities. A public information web site is in operation at www.patrol-uk.info. Information about the web site can be sought from Miles Wallace on 0161 242 5290 or mwallace@patrol-uk.info.

9. Feedback

I trust that this briefing note has been useful. If you have any comments on how this might be improved, please do not hesitate to contact me.

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