

National Parking Adjudication Service Joint Committee

Minutes of a meeting of the Executive Sub-Committee held on 31 January 2006 at the Warwickshire County Cricket Club, Edgbaston, Birmingham.

Present:

Councillor Rev Robert Barker – South Lakeland District Council
Councillor Tony Burns – Manchester City Council
Councillor Roland Dibbs – Rushmoor District Council
Councillor Phrynnette Dickens – Hampshire County Council
Councillor David Gillard – Poole Borough Council
Councillor Ken Gregory – Thanet District Council
Councillor Sir Elgar Jenkins – Bath and North East Somerset Council
Councillor Peter Mellia – Liverpool City Council
Councillor Roy Pennington – Brighton and Hove District Council

Also Present:

Caroline Shepherd, Chief Adjudicator
Bob Tinsley, NPAS Service Director
Roger Fielding, for NPAS Secretary
Graham Addicott OBE – NPAS Advisory Board
Peter Bayless - NPAS Advisory Board
John Satchwell - NPAS Advisory Board
Councillor Zita Wiltshire -Thanet Bourough Council
Andrew Pulham – East Hertfordshire Council
Roy Tatersall – Liverpool City Council

NPAS/EX/06/1 Appointment of Chair and Vice Chair

To appoint Councillor Gregory (Thanet) as Chair, Councillor Burns (Manchester) as Vice Chair and Councillor Dickens (Hampshire) as Assistant Chair until the Annual Meeting of the Joint Committee.

Councillor Gregory – In the Chair

NPAS/EX/06/2 Executive Sub Committee Minutes

Decision

To approve as a correct record the minutes of the meeting held on 24th January 2005.

NPAS/EX/06/3 NPASJC Minutes

The Minutes of the National Parking Adjudication Service Joint Committee held on 30 June 2005 were submitted for information.

Decision

To note the minutes.

NPAS/EX/06/4 New NPASJC Councils

A report of the Lead Officer was submitted requesting the Sub Committee to agree to extend the Chief Parking Adjudicator's appointment to cover the areas of the following Councils who have become party to the NPASJC Agreement :-

Doncaster MBC; Rotherham MBC; Barnsley BC; Hartlepool BC;
Woking BC; Chiltern DC; Stockton-on-Tees BC; Ipswich BC; Suffolk CC;
New Forest District Council; Elmbridge BC; West Sussex CC; Horsham DC;
Mid Sussex DC, and Hertsmere BC.

Decision

1. To note that since the meeting held on 30 June 2005 the above named Councils have become party to the NPASJC Agreement.
2. To confirm the appointment of the Chief Parking Adjudicator and other part time adjudicators (co-terminous to their current appointments) to cover the areas of the authorities referred to above with effect from their various commencement dates appropriate to each authority area.

NPAS/EX/06/5 Revenue Budget 2005/2006

A report of the Lead Authority was considered to enable the Sub Committee to monitor expenditure.

The Service Director updated the income figures indicating that current projections were indicative of a £150k shortfall on that previously predicted, and that the budget was being managed on a 'break even' basis. The shortfall was attributable to a number of Council not starting on the predicted dates, and some Councils issuing fewer PCNs than originally anticipated.

Discussion ensued about the potential implications for the 2006/2007 budget. The Chief Adjudicator indicated that some joining Councils may defer implementation of arrangements pending the introduction of the Traffic Management Act in order to avoid unnecessary expenditure. The Service Director reported that the budget estimate had been prepared on the assumption of 4.2M PCNs being issued compared to the 3.7M actuals, but that a surplus of £58k was still forecast over the year. Reference was made to the reserves of £528,696 and how this should find

proper expression within the budget table. The Service Director reminded members that there were some remaining liabilities to be set against that figure but he remained confident that the resources would be sufficient to meet them.

Decision

1. To note the expenditure monitoring information as presented.
2. To authorise the Lead Officer to incur expenditure against the revenue budget in excess of the £2,209,439 set by the Committee should the need arise, provided such expenditure is within the total income.
3. To agree that any surplus in income in the 2005/2006 revenue account is carried forward to 2006/2007.

NPAS/EX/06/6 General Progress and Service Standards

A report of the Lead Officer was submitted on progress in relation to (a) the take-up of decriminalised parking enforcement powers by councils in England (outside London) and Wales, and (b) service standard performance during 2005.

It was reported that Gwynned should be added to the councils listed in Appendix 1.

The Service Director reported that the case management system was now fully implemented and that training for all adjudicators would be completed before the end of March. It was anticipated that the system would be manifested in significantly improved turnaround times in 2006.

Whilst welcoming the overall performance against targets, members suggested that those areas where performance was already significantly above target should be revisited. It was agreed that this should only be considered when the full benefits of the case management system could be assessed.

Decision

1. To note the information presented regarding the current and future take-up of decriminalised parking enforcement powers.
2. To note the performance attained so far during 2005 against the agreed service standards and to agree that the targets should be reviewed once the full benefits of the case management system can be properly assessed.

NPAS/EX/06/7 Revenue and Capital Budget Estimates 2006/2007

Revenue and Capital Budget Estimates were submitted for approval.

The Service Director indicated that the estimates were based on an income stream from an anticipated 4.2M PCNs being issued (ie 0.5M more than in 2005/2006). The increase in the Audit fee reflected the increase in the budget overall.

Some Members commented on the inequity that those who paid the penalty charge were effectively subsidising those who appealed. The Chair indicated that the alternative would be to apply a fixed charge on each member council which he considered would be more inequitable, or to recharge individual councils the costs of cases that came to appeal which many would find difficult to deal with in budget planning terms. The Service Director stressed the importance of the current calculation formula in terms of permitting member councils to plan their budgets based on a charging policy that reflected the level of locally generated activity.

Decision

1. To adopt the Revenue Budget estimates for 2006/2007 as presented.
2. To adopt the zero capital budget estimate for 2006/2007.

NPAS/EX/06/8 NPASJC Service Charges to user councils 2006/2007

The Sub Committee considered the method of charging and the charges to be levied from local authorities participating in the Joint Committee's adjudication service during 2006/2007, and proposing a new charge for the transcription of audio recordings.

Decision

1. To adopt the following charges in support of the service to be made to participating local authorities during the financial year 2006/2007:-

Element	Charge
Annual Charge (per SPA)	£0
Charge per PCN issued	£0.55
Charge per adjudication case	£0

2. To levy service charges based on a quarterly in advance basis for the PCN charge based on estimated figures and subsequently adjusted.
3. To agree that the incidental cost of making a transcription from the audio recording of proceedings at a personal hearing is charged to the requesting party; this charge to be effective for all requests that are received after 1 March 2006 and have been approved for transcription by

an adjudicator. However, the Sub Committee does not support a charge being levied if the request for transcription is due to a relevant disability, and the Service Director, in consultation with the Chair and the Chief Adjudicator be requested to formulate appropriate wording to give effect to this.

NPAS/EX/06/9 Adjudication for Bus Lane enforcement

A report of the Lead Authority was submitted informing the Sub Committee of future arrangements for bus lane adjudications made under the Transport Act 2000, and highlighting a number of problems that would prevent existing NPAS structures from fulfilling the requirement of this type of adjudication. There would therefore be a need to establish parallel NPAS arrangement and an inaugural meeting of authorities was planned for June in order to sign up to an enabling agreement.

Officers reported that some of the needs of the bus lane enforcement work had been anticipated in commissioning the case management system. 20 councils had so far indicated an intention to take up the powers.

Concerns were expressed that the Department of Transport had yet to designate an approved camera type for use or agree that the camera type in use in London should be designated for the purpose. Delay could affect the extent to which early progress could be made. The Chief Adjudicator indicated that there were also issues in relation to bus lane signage and the legal definition of 12 different bus types that required resolution before enforcement could be meaningfully enforced.

Decision

To note the position and the issues that have yet to be resolved, and to seek an early meeting of members to give overall direction to the work necessary to have a working agreement in place by June 2006.

**NATIONAL PARKING ADJUDICATION SERVICE JOINT COMMITTEE
MINUTES OF THE MEETING HELD AT THE NATIONAL MOTOCYCLE
MUSEUM, SOLIHULL, BIRMINGHAM, ON 30TH JUNE, 2006.**

PRESENT

Councillor Sir Elgar Jenkins	Bath and North East Somerset Council
Councillor Roy Pennington	Brighton and Hove Council
Councillor Dennis Brown	Bristol City Council
Councillor Hugh Wilson	Buckinghamshire County Council
Councillor Tony Sach	Chelmsford Borough Council
Councillor Malcolm Alexander	East Hertfordshire District Council
Councillor Colin Meredith	Gravesham Borough Council
Councillor Mrs Phrynnette Dickens	Hampshire County Council
Councillor Peter Millea	City of Liverpool
Councillor Derek Butler	Maidstone Borough Council
Councillor Tony Burns	Manchester City Council
Councillor R A Holden	Mid Bedfordshire District Council
Councillor David Robertson	Oxfordshire County Council
Councillor David Gillard	Poole Borough Council
Councillor Roland L G Dibbs	Rushmoor Borough Council
Councillor Terry Fox	Sheffield City Council
Councillor Richard Bell	Sunderland City Council
Councillor Ken Gregory	Thanet District Council
Councillor Ron Wheeler	Welwyn Hatfield Council
Councillor J P Johnson	Wiltshire County Council
Councillor Paul Denham	Worcester City Council

Also in Attendance

Mr Peter Bayless	Chair of NPAS Advisory Board
Mr Andrew Pulham	Parking Manager -East Hertfordshire District Council
Mrs Caren Hindle	Parking Manager – Barrow Borough Council
Ms Dorothy Miley	Parking Team Leader – Bath & N E Somerset Council
Mr Peter Bell	Parking Manager – Blackburn with Darwen Borough Council
Mr Peter O'Brien	Parking Manager – Chelmsford Borough Council
Mr Kash Dhadwar	Parking Manager – Coventry City Council
Mr Roy Turnstall	Parking Manager – City of Liverpool
Mr Graham Marsh	Parking Manager – Manchester City Council
Mrs Helen Crozier	Oxfordshire County Council
Mr Simon Parker	Parking/ Admin Manager – Borough of Poole
Mrs Helen Allen	Parking/ Admin Manager – Reading Borough Council
Mr Paul Allcock	Deputy Parking Manager – Reading Borough Council
Ms Anjna Patel	Sandwell MBC
Mr Martyn Townsend	Parking Manager – Sefton Council

Mr Alan Tyson	Strategy Officer – South Bedfordshire District Council
Mr Steve Deakin	Parking Manager – St Albans City and District Council
Mr Bob Spicer	Thanet District Council
Mr Steve Hurley	Town Service Manager – Torbay Council
Mr Roger Bennett	Warwickshire County Council
Mr Neville Sheldrick	Parking Manager – Worcester City Council
Miss Kelly Thompson	Parking Admin Supervisor – Wychavon DC
Mrs Christine Crisp	For NPAS Secretary
Mr Graham Addecott OBE	Advisory Board
Ms Caroline Sheppard	Chief Adjudicator
Louise Hutchinson	Head of Service, NPAS
Bob Tinsley	NPAS Service Director

By Invitation:

Mr David Wilkinson	Unit Communications
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NPAS/06/01 Appointment of Chair, Vice Chair and Assistant Chair

Nominations were invited.

Decision

To appoint Councillor Gregory (Thanet) as Chair and Councillor Burns (Manchester) as Vice Chair and Councillor Dickens (Hampshire) as Assistant Chair.

Councillor Gregory in the Chair.

NPAS/06/02 NPASJC Minutes

The Minutes of the National Parking Adjudication Service Joint Committee held on 16 July, 2004 were submitted.

Decision

To approve as a correct record the Minutes of the meeting held on 30 June, 2005 subject to the correction of the spelling of Councilor Millea.

NPAS/06/03 Executive Sub-Committee Minutes

Decision

To note the Minutes of the meeting held on 24 January, 2005. (Spelling of Councillor Millea to be corrected)

NPAS/06/04 Final Accounts, 2005/2006

The final accounts for the years 2005/2006 were submitted.

The Service Director circulated an amended Explanatory Forward.

In response to a question relating to a refund to Councils from the reserves, the Service Director stated that it had been considered but because of pensions commitment it had been decided that it should be left for the time being. There would also be potential difficulties in the method of calculating a refund because of the different periods of Councils' membership.

The Service Director reported that an annual certificate of the PCN's issued had now been received from York Council.

Decision

1. To approve the 2005/2006 Accounts as amended for the NPASJC as prepared by the Lead Authority.
2. To agree to carry forward the excess of income over expenditure recorded in the 2005/2006 Revenue Account to the 2006/2007 Revenue Account.
3. To express disappointment and concern that the Councils listed in the body of the report have yet to provide annual certificates of the number of PCN's issued during 2004/05 and request the Head of Service to take this matter up further with the individual Councils.

NPAS/06/05 New Member Councils

A report of the Lead Officer was submitted seeking approval to extend the Chief Parking Adjudicator's appointment to cover the areas of a number of Councils who have become party to the NPASJC Agreement.

Decision

1. To note that since the 31 January, 2006, Bracknell Forest Borough Council and Surrey Heath Borough Council have become a party to the NPASJC Agreement.
2. To confirm the appointment of the Chief Parking Adjudicator and other part-time Adjudicators (coterminous to their appointments) to cover the areas of the Councils referred to above with effect from their various commencement dates appropriate to each authority area.

NPAS/06/06 General Progress and Service Standards

The Lead Officer presented a report on progress in respect of the take up of decriminalised parking enforcement powers by Councils in England (outside London) and Wales and service standard performance during 2005.

Decision

1. To note the expected take up of decriminalised parking enforcement powers.
2. To note the performance attained during 2005 against the agreed service standard indicators.

NPAS/06/07 Integration of Bus Lane Appeals

The Joint Committee considered a report and noted that a separate joint committee arrangement has been established for the appointment of bus lane adjudicators and the associated administrative arrangements for England (outside London) and requested approval to the processing of the appeals being administered alongside parking appeals and also considered the adoption of new name under which the organisation will be known in future.

David Wilkinson, Managing Director, Unit Communications made a presentation to the Joint Committee on work undertaken by them to explore the most suitable opportunities to devise a new name for NPAS that best described the body to the general using public.

The presentation focused on:

- On street interviews in York, West Midlands and Hampshire;
- Respondents being shown three potential new names for NPAS – Traffic Penalty Charge Tribunal, Traffic Penalty Adjudicators and Traffic Penalty Tribunal;
- Respondents being asked what they thought was the function of the organisation when viewing the suggested names, how well the name described what the organisation did;
- The way the respondents were shown each potential name, the length of time of the interview and when they took place.

Mr Wilkinson then informed the Joint Committee of the details of the survey and put forward the suggestion that 'Traffic Penalty Tribunal' should be considered as the new brand name for NPAS.

Members of the Committee then made the following comments in relation to the presentation:

- ~ Was anybody asked if they used the service and if so could this have affected the results of the survey;

- ~ Did any of the respondents ask questions about the service or offer a better suggestion to name the service;
- ~ The proposed name does not reflect what the organisation is about, the word 'service' is key;
- ~ Whatever name is chosen it is very important that there is a strap line;
- ~ The first place that the public are aware of the organisation is the pcn

Mr Wilkinson responded to some of the points raised by members.

The Service Director stated that it had always been envisaged that other types of traffic contraventions would eventually be covered e.g. box junctions, no right turns, etc., so a reference to parking in the organisation title would not be sufficient. He outlined the changes required by the Traffic Management Act and said that Local Authorities could at the same time rename the organisation so that there would be no extra financial burden on them.

Members agreed that the name needed to be meaningful to the general public and easily identifiable on the internet. Some members felt that it was unnecessary to completely change the name but acknowledged that reference to parking would need changing. It was also agreed that any change of name should be followed by a press release so the public could be clear about the functions of the organisation.

The recommendation that NPAS be changed to Traffic Penalty Tribunal was moved and seconded. Following a vote, members agreed to the change of name.

Decision

1. To agree that the service should as far as possible be provided in an integrated manner for both bus lane and parking appeals.
2. To agree that the operation of the parking and bus lane tribunals be merged under the new name 'Traffic Penalty Tribunal'

NPAS/05/08 Annual Report of the Parking Adjudicators.

The Annual report of the Adjudicators for the calendar year 2005 was submitted.

Decision

1. To note the Annual Report and forward it to the Secretary of State for Transport, and the First Minister of the National Assembly for Wales.

2. To approve the translation of the report into the Welsh language for the purpose of forwarding it to the First Minister.
3. To agree that the report is published and circulated free of charge.

NPAS/05/09 Establishment of Executive Sub-Committee

A report was submitted on the appointment of an Executive Sub-Committee for the forthcoming year.

DECISION/-

1. To approve the establishment of an Executive Sub-Committee to act on behalf of the Joint Committee until the annual meeting in 2007, comprising Councillors Malcolm Alexander (East Hertfordshire D.C.), Tony Burns (Manchester C.C.), Roland Dibbs (Rushmoor B.C.), Phrynnette Dickens (Hampshire C. C.), David Gillard (Poole B.C.), Ken Gregory (Thanet D.C.), Sir Elgar Jenkins (Bath and North East Somerset), Peter Millea (Liverpool CC), Roy Pennington (Brighton and Hove), Terry Fox, (Sheffield C.C), Hugh Wilson, (Buckinghamshire County Council), Barry Lipscomb, (Winchester City Council), Richard Bell (Sunderland City Council) and a representative from Wales Councillor Elwyn Williams (Carmarthenshire).
2. To agree the terms of reference contained in the body of the report.

NPAS/03/10 Appointments to the Advisory Board

A report was submitted on the appointment of representatives to the Advisory Board and detailing changes to the current composition.

DECISION/-

1. To appoint representatives to serve on the Advisory Board as follows:-

The Lead Officer plus up to 11 people viz:

At least one representing an English Authority

Bournemouth Unitary Council – John Satchwell

At least one representing a Welsh Authority

Carmarthenshire County Council – Trevor Sage

At least one representing a District Council

Winchester City Council – Andy Hickman

At least one representing a County Council

Hampshire County Council – Peter Bayless

Hertfordshire County Council – Deborah Davis

At least one representing a Unitary or Metropolitan Council

Manchester City Council – Andrew Scallan

At least one representing a bus lane enforcement Council

Brighton and Hove Council – Carolyn Dwyer

A representative each from the DfT and NafW (Ex-Officio) – *Marilyn Waldron (DfT) and Michael Burnell (NAfW)*

A representative from a Motoring Association

Paul Watters – AA Motoring Trust

An independent person with knowledge of judicial or tribunal systems (Ex-Officio)

Graham Addicott OBE

2. To record the thanks of the Joint Committee to Alan Jowsey and Kevin Delaney for the significant contribution they have each made to the Advisory Board and the Joint Committee.

NPAS/03/11 Retirement of Service Director

A report from the Lead Officer was submitted informing the Joint Committee of the retirement of Bob Tinsley, Service Director and of the need to appoint the new Head of Service as the Proper Officer to the parking adjudicator regulations.

Peter Bayless introduced the report and led the appreciation of members for the time and dedication put into the service by Bob Tinsley. Members were informed of his involvement since its set up in 1999 and of the successful and efficient operation of the service largely due to Bob's effective management and planning during this period.

On behalf of the Adjudicators, Caroline Shepherd expressed gratitude and thanks to Bob for his help and support and of the hard work undertaken by him on their behalf.

The Chair, Councillor Gregory offered his personal thanks to Bob and Councillor Burns, Vice Chair and Manchester representative recalled the

midnight meetings which were held prior to the set up of NPAS and of the excellent and valuable contribution and effort put in by Bob at that time. He offered Bob best wishes for the future.

Mr Tinsley then responded and thanked all concerned for their best wishes and support to him over the years.

Decision

1. To note that the Service Director will be retiring on 31 July 2006.
2. To note that Louise Hutchinson has been appointed as Head of Service.
3. To appoint the Head of Service as the Proper Officer to the parking adjudicators regulations.
4. To unanimously express thanks to Bob Tinsley and appreciation of his fundamental role in helping to establish NPAS, advising the Joint Committee and managing the service as it has developed over the last seven years of rapid expansion.

**NATIONAL PARKING ADJUDICATION SERVICE JOINT COMMITTEE
EXECUTIVE SUB-COMMITTEE**

REPORT FOR RESOLUTION

DATE: 29th January 2007
AGENDA ITEM: Number 6
SUBJECT: New NPASJC Councils
REPORT OF: The Lead Officer,
On behalf of the Advisory Board

PURPOSE OF REPORT

To request the Committee to confirm the extension of the Chief Parking Adjudicator's appointment to cover the areas of a number of Councils who have become party to the NPASJC Agreement.

RECOMMENDATIONS

It is recommended that the Joint Committee:

- (i) Note that since the meeting held on 30 June 2006 the Councils listed in Table 1 have become a party to the NPASJC Agreement; and
- (ii) Confirm the appointment of the Chief Parking Adjudicator and other part-time Adjudicators (coterminous to their current appointments) to cover the areas of the authorities detailed in Table 1 with effect from their various commencement dates appropriate to each authority area.

FINANCIAL CONSEQUENCES FOR THE REVENUE AND CAPITAL BUDGETS

There are no immediate consequences to either the Revenue or Capital budgets. However, authorities taking up decriminalised parking enforcement powers will help to assist in future economies of scale.

CONTACT OFFICER

Louise Hutchinson, NPAS Headquarters, Barlow House, Minshull Street, Manchester. Tel: 0161 242 5252

BACKGROUND DOCUMENTS

- Minutes of the NPAS Joint Committee held on 30 June 2006
- National Parking Adjudication Service Joint Committee Agreement
- Files containing associated correspondence
- Road Traffic Act 1991
- The associated Special Parking Area / Permitted Parking Area Designation Order Statutory Instruments set out in Table 1

1.0 BACKGROUND

- 1.1 Table 1 indicates those local authorities who have become party to the agreement since the Joint Committee meeting on 30 June 2006.
- 1.2 Surrey County Council and Wiltshire County Council are already a party to the agreement and therefore do not need to rejoin in respect of the Tandridge, North Wiltshire and Kennet areas. It is however necessary to extend the appointment of the Chief Parking Adjudicator to cover the on-street areas of the districts in these county councils' areas.
- 1.3 In order to avoid the need for the Joint Committee to meet on each occasion that a Council wishes to join NPASJC it was delegated to the Lead Officer to extend the appointment of the Chief Parking Adjudicator to cover such areas. Similarly, the authority to appoint part-time Parking Adjudicators to the areas of joining Councils was delegated to the Chief Parking Adjudicator.
- 1.4 Leading Counsel previously advised that as soon as possible after such delegation has been exercised it is prudent for the Joint Committee to resolve to confirm the appointment of the Chief Parking Adjudicator to cover these areas. Accordingly, the Committee is requested to confirm the action of the Lead Officer as detailed in the recommendations of this report.

TABLE 1

Local Authority	SI Number	County (where applicable)	Date of Agreement
Derby City Council	1445		03.07.06
Kingston Upon Hull	1515		10.07.06
Kirklees	1446		03.07.06
Conwy	1791		01.09.06
Kennet	2134	Wiltshire	01.09.06
North Wiltshire	2134	Wiltshire	01.09.06
Tandridge	2319	Surrey	04.09.06
Rugby	2356		02.10.06
Calderdale Council	2631		01.11.06
Shrewsbury & Atcham	2819	Shropshire	27.11.06
Bridgnorth	2819	Shropshire	27.11.06
North Shropshire	2819	Shropshire	27.11.06
Oswestry	2819	Shropshire	27.11.06
South Shropshire	2819	Shropshire	27.11.06
Leicester City	3211		02.01.07

**NATIONAL PARKING ADJUDICATION SERVICE JOINT COMMITTEE
EXECUTIVE SUB COMMITTEE**

REPORT FOR RESOLUTION

DATE: 29th January 2007

AGENDA ITEM Number 7

SUBJECT: Audit of Accounts 2005/06 Accounts

REPORT OF: The Lead Authority
On behalf of the Advisory Board

PURPOSE OF REPORT

To draw the Committee's attention to changes in the accounts as a result of audit.

RECOMMENDATIONS

It is recommended that the Joint Committee:

- [i] Note the changes made to the 2005/06 accounts as a result of audit.
- [ii] Note the response to the Annual Governance Report (previously circulated).

CONTACT OFFICER

Louise Hutchinson, NPAS Headquarters, Barlow House, Minshull Street, Manchester,
Tel: 0161 242 5270

BACKGROUND DOCUMENTS

Road Traffic Act 1991.

The various Special and Permitted Parking Areas orders.

The NPASJC agreement.

Account and Audit Regulations 2003 Regulation 18 (4)

1.0 INTRODUCTION

1.1 Accounts and Audit Regulations 2003 Regulation 18 (1) requires the Joint Committee to be informed of any material amendment to the statement of accounts that they approved in June 2006. The Annual Governance Report for 2005/06 previously circulated included an Action Plan

2.0 BACKGROUND

2.1 There were no material amendments to the Statement of Accounts 2005/06 previously approved however they do reflect a change in presentation to disclose the effects of depreciation.

2.2. The response to the Audit Commission's Annual Governance Report is shown in the table below.

Annual Governance Report Action Plan

Page No	Recommendation	Priority	Agreed	Comments	Date
8	R1 Introduce a fixed asset register and ensure it contains details of all the fixed assets held by the Joint Committee.	Med	Yes	Details of assets are recorded however need to be collated into a register.	31 March 2007
9	R2 The Joint Committee should take steps to ensure that there is an adequate level of internal audit coverage in future years.	Med	Yes	Previous recommendations have been followed and NPAS welcome the opportunity to review this with the Internal Audit Team as part of their programme,	Internal Audit Team Programme
12	R3 Introduce a corporate risk register that captures all of the Joint Committee's significant business risks. Ensure that the risk register is subject to scrutiny by members.	Med	Yes	A risk register which covers business contingency plans is already in place. A wider risk register will be developed and presented to the Joint Committee at their annual meeting.	Present to June 2007 Joint Committee
12	R4 Take steps to ensure that there is an improvement in detailed budget monitoring and control of costs.	Med	Yes	Regular meetings are now held with financial representatives from the Lead Authority. There have been some initial monitoring difficulties associated with the transfer to a new financial accounting system at the Lead Authority but it is expected that the situation should be improve during the course of the financial year. The Advisory Board and Joint Committee are informed of budgetary performance.	Ongoing

**NATIONAL PARKING ADJUDICATION SERVICE JOINT COMMITTEE
EXECUTIVE SUB COMMITTEE**

REPORT FOR RESOLUTION

DATE: 29th January 2007
AGENDA ITEM Number 8
SUBJECT: Monitoring of Revenue Account 2006/07
REPORT OF: The Lead Authority

PURPOSE OF REPORT

To present to the Committee expenditure monitoring information in respect of the Revenue Account for year 2006/07.

RECOMMENDATIONS

It is recommended that the Joint Committee:

- [i] Note the expenditure monitoring information presented in the body of the report.
- [ii] Authorise the Lead Officer to incur expenditure against the revenue budget in excess of the income figure with the deficit being taken from reserves.

FINANCIAL CONSEQUENCES FOR THE REVENUE BUDGET

These are detailed in the report.

CONTACT OFFICER

Louise Hutchinson, NPAS Headquarters, Barlow House, Minshull Street, Manchester.Tel:
0161 242 5252

BACKGROUND DOCUMENTS

Minutes of the NPAS Executive Sub-Committee held on 31 January 2006
Accounts and Audit Regulations, S.I.2003 No. 533

1.0 INTRODUCTION

- 1.1 At the meeting of the Executive Sub-Committee held on 31st January 2006 the revenue budget estimate was approved for the year 2006/7. This budget was restated in the light of introducing improvements to budget monitoring, taking into account feedback from the 2005/06 audit.
- 1.2 This report provides the Committee with the expenditure position for the first half of the year April to September 2006.
- 1.3 The adjudication service is operated on a self-financing basis with income obtained from charges made to the NPASJC member authorities. There is no capital budget for the year 2006/07.

2.0 BACKGROUND

- 2.1 The revenue budget estimate was established by the Committee for 2006/2007 on the basis that this would reflect the Councils who are already members of the NPASJC agreement and those wishing to join during the year. The budgeted income for the whole year to 31 March 2007 was £2,315,226.
- 2.2 It is anticipated that there will be an under achievement of income, with income being projected at £1,964,711, representing a shortfall of £350,515. Reasons for the underachievement of income include fewer councils joining the scheme than anticipated and existing councils issuing fewer PCNs.
- 2.3 The recently issued NPAS Annual Report for 2005 demonstrated that in at least 50% of councils, PCN issue went down but the budget for 2006/07 was based on the assumption that PCN issue would increase across the board. This reduction in PCN issue can be explained since the purpose of Decriminalised Parking Enforcement (DPE) is compliance and therefore a reduction in the numbers of PCNs issued in councils that have been involved in the scheme for some years is a healthy indicator. Had this positive trend been identified, caution may have been exercised before reducing the 2006/07 NPAS PCN levy from 60p to 55p. The system of invoicing councils in advance based on estimates and adjusting on a quarterly basis means that it is not possible at this stage to give a completely accurate outturn until the year end.
- 2.4 The Head of Service in consultation with the Advisory Board is managing the revenue finances of the service with a view to minimising the deficit. The outturn position regarding expenditure is currently an underspend of £250,729 reducing the potential deficit from £350,515 to £99,786. This includes deferring recruitment to vacant posts, development activity and non-essential expenditure. Savings to variable costs have resulted from reduced personal hearings associated with the Barnet decision.
- 2.5 The current level of reserves is £564,844. The use of reserves to the value of the final outturn figure is recommended.

- 2.6 The service has a short history to call upon that would inform the profiling of income and expenditure for future years when setting the budget estimates. Furthermore, the imminent implementation of the Traffic Management Act 2004 represents a further factor in councils determining commencement dates.

3. Revenue 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 the half year stage there is a net surplus of about £105,861. Forecasted cashflow for the year will be negative, in the region of £99,786 with work continuing to address this.

4. Capital expenditure

There is no capital budget for the current year and with the current level of reserves it is not expected that there will be a requirement for a capital budget estimate for year 2007/08.

2.4 Half Year monitoring of approved revenue budget for 2006-7

Expenditure	Approved Estimate Year 2006/7	Restated Budget	Profiled Budget to date at 30/09/06	Actuals to Date at 30/09/06	Projected Outturn at 2006/07	Annual Variance (- Underspend) Overspend
	£	£	£		£	£
Adjudicators	747,438	833,089	416,545	353,393	797,776	-35,313
Staff	694,337	654,637	327,318	293,798	589,942	-64,695
Premises / Accommodation	267,600	81,760	40,880	53,938	86,136	4,376
Transport		42,700	21,350	13,992	30,000	-12,700
Supplies and services	251,000	315,765	157,883	99,118	255,068	-60,697
ICT	287,067	316,042	158,021	79,398	235,042	-81,000
Service Management and Support	48,000	48,000	24,000	0.00	48,000	0
Audit Fee	4,550	8,000	4,000	0.00	7,800	-200
Capital Finance Charges	15,233	15,233	7,616	0.00	14,733	-500
Contingency	0	0	0	0	0	0
Total Expenditure	2,315,225	2,315,226	1,157,613	893,637	2,064,497	-250,729
Income						
Annual contribution	0	0	0	0	0	0
Penalty Charge Notices	-2,315,225	-2,315,226	-1,157,613	-999,498	-1,964,711	350,515
Adjudication case charge	0	0	0	0	0	0
Contribution from Reserves	0	0	0	0	0	0
Total Income	-2,315,225	-2,315,226	-1,157,613	-999,498	-1,964,711	350,515
Net Expenditure/Income	0	0	0	-105,861	99,786	99,786

**NATIONAL PARKING ADJUDICATION SERVICE JOINT COMMITTEE
EXECUTIVE SUB COMMITTEE**

REPORT FOR RESOLUTION

DATE: 29th January 2007

AGENDA ITEM Number 9

SUBJECT: General Progress and Service Standards

JOINT REPORT OF: The Lead Officer
On behalf of the Advisory Board

PURPOSE OF REPORT

To report to the Committee on progress in respect of: (a) the take up of decriminalised parking enforcement powers by Councils in England (outside London) and Wales; (b) service standard performance during 2006.

RECOMMENDATIONS

It is recommended that the Committee:

- [i] Note the information provided in the report in respect of the current and future take up of decriminalised parking enforcement (DPE) powers.
- [ii] Note the performance attained so far during 2006 against the agreed service standard indicators.
- [iii] Maintain existing performance standards pending a thorough review of the reporting capacity of the Appeals Information Management System (AIMS).

CONTACT OFFICER

Louise Hutchinson, NPAS Headquarters, Barlow House, Minshull Street, Manchester,
Tel: 0161 242 5252

BACKGROUND DOCUMENTS

Report to NPASJC Committee Meeting held on 18th September 2002.
Report to NPASJC Committee Meeting held on 30th September 2003.
Report to NPASJC Committee Meeting held on 16th July 2004
Report to Executive Sub-Committee held on 24th January 2005
Report to NPASJC Committee Meeting held on 30th June 2005
Report to Executive Sub-Committee Meeting held on 31st January 2006
Report to NPASJC Committee Meeting held on 30th June 2006

BACKGROUND

1.0 INTRODUCTION

- 1.1 Reports have been submitted to previous meetings of the Joint Committee that provided information in respect of the likely take up of DPE powers by local authorities in future years; this report provides the latest picture.
- 1.2 The service standard performance indicators are reported and figures are provided for the first three quarters of year 2006.

2.0 TAKE UP OF DECRIMINALISED PARKING ENFORCEMENT POWERS

- 2.1 The latest information regarding the current and expected take up of the Road Traffic Act 1991 powers is given in Appendix 1.
- 2.2 As predicted there has been a further take up of DPE powers by councils since the Joint Committee last met.
- 2.3 At the time of writing there are now 184 councils that are a party to the NPASJC agreement. Dates for commencement beyond April 2007 are not known at this stage. Councils who have applied for DPE powers to commence from April 2007 onwards under the Road Traffic Act 1991, have been advised by the Department for Transport to defer their application until after the implementation Civil Parking Enforcement under the Traffic Management Act 2005. The latest indication from the Department for Transport is that this is planned to take place in Autumn 2007. Further information in this respect is expected at the end of January 2007.

3.0 SERVICE STANDARDS - PERFORMANCE INDICATORS

- 3.1 Two performance indicators (Table 1) are used that measure how swiftly appeals are being processed between the appeal being received and the adjudicators' decision being issued. The two indicators are 80% of postal appeals to be processed within 42 days, and 80% of personal appeals to be processed within 56 days. There are an additional two administrative targets which are set out in Table 2.

TABLE 1

PERIOD	% OF POSTAL APPEALS DECIDED WITHIN 42 DAYS	TARGET	% OF PERSONAL APPEALS DECIDED WITHIN 56 DAYS	TARGET
Year 2000/1	57% (1,477 Appeals)	80%	59% (713 Appeals)	80%
Year 2001/2	80% (3,178 Appeals)	80%	82% (1,339 Appeals)	80%
Year 2002/3	78% (5,726 Appeals)	80%	89% (2,811 Appeals)	80%
Year 2003	77% (6,180 Appeals)	80%	91% (3,033 Appeals)	80%
Year 2004	79% (6,568 Appeals)	80%	88% (3,873 Appeals)	80%
Year 2005	73% (4,486 Appeals)	80%	93% (2,714 Appeals)	80%
Year 2006 Jan – Sept	78% (4322 Appeals)	80%	44% (1162 Appeals)	80%

Notes:

In relation to decisions, the Service Charter refers to:

Postal Hearings: We aim to decide at least 80% of postal appeals within 42 days of receiving a Notice of Appeal.

Personal Hearings: We aim to offer a hearing date no more than 56 days after receiving a Notice of Appeal and aim to send decisions within 10 working days of the hearing. The AIMS reporting mechanism (and the figure in Table 1) reports the number of days from receipt of an appeal to sending a decision, not the number of days from receipt of an appeal to the hearing date.

It should be noted that data reported in Table1 includes those appeals received and decided during the period but appeals that were not decided, for example because the appellant has requested their personal hearing to be rescheduled, have been excluded from the figures as have adjournments.

TABLE 2

PERIOD	%of phone calls answered within 15 seconds	TARGET	% of appeals acknowledged within 2 working days	TARGET
2002/3	96% (24,375 calls)	80%	99% (8,537 appeals)	80%
Year 2003	96% (24,327 calls)	80%	99% (9,213 appeals)	80%
Year 2004	97% (29,764 calls)	80%	99% (10,441 appeals)	80%
Year 2005	97% (20,462 calls) (up to Aug 05, later figures awaited)	90%	99% (9,479 appeals)	95%
Year 2006 Jan-Sept	TBC ¹	90%	92% (6929 appeals)	95%

Note 1: The availability of telephone monitoring information has been affected by a change in systems within the Lead Authority Information Technology section. New equipment is being equipped with the capacity to capture this information.

3.2 NPAS introduced a new case management system (AIMS) in January 2006. With data from three quarters of 2006, it is clear that the reports suggest a downward trend in terms of performance for personal hearings. However, manual sampling has confirmed that there has been no reduction in service standards between 2005 and 2006.

3.3 The differences between the two case management reporting systems mean that it is difficult to draw real comparisons in performance pre and post 2006. The introduction of the new system has indicated that there were flaws in performance measurement in earlier years. The priority now is to review the reporting capacity of the new case management system and bring proposals for more appropriate performance reporting to the June 2007 Joint Committee Meeting.

APPENDIX 1
Councils Party to the NPAS Agreement to January 2007
(Councils joining since June 2006 shown in italics)

Allerdale	Harlow	Rotherham
Ashford	Harrogate	<i>Rugby</i>
Aylesbury Vale	Hart	Runnymede
Barnsley	Hartlepool	Rushmoor
Barrow	Hastings	Salford
Basildon	Havant	Salisbury
Basingstoke and Deane	Herefordshire	Sandwell
Bath and North East Somerset	Hertfordshire	Sefton
Bedford	Hertsmere	Sevenoaks
Bedfordshire	Horsham	Sheffield
Birmingham	Hyndburn	Shepway
Blackburn with Darwen	Ipswich	<i>Shrewsbury & Atcham</i>
Blackpool	<i>Kenet</i>	<i>Shropshire</i>
Bolton	Kent	Slough
Bournemouth	<i>Kirklees</i>	Somerset
Bracknell Forest	<i>Kingston Upon Hull</i>	South Bedfordshire
Braintree	Lancashire	South Lakeland
Brentwood	Lancaster	South Ribble
<i>Bridgnorth</i>	Leeds	<i>South Shropshire</i>
Brighton & Hove	<i>Leicester City</i>	Southampton
Bristol	Lewes	Southend-on-Sea
Broxbourne	Liverpool	Spelthorne
Buckinghamshire	Luton	St Albans
Burnley	Maidstone	Stevenage
Bury	Maldon	Stockport
<i>Calderdale</i>	Manchester	Stockton on Tees
Cambridge	Medway	Stoke-on-Trent
Cambridgeshire	Mid Bedfordshire	Stratford
Canterbury	Mid Sussex	Suffolk
Carlisle	Middlesbrough	Sunderland
Carmarthenshire	Milton Keynes	Surrey
Castle Point	Mole Valley	Surrey Heath
Chelmsford	Neath Port Talbot	Swale
Chiltern	New Forest	Swindon
Chorley	Norfolk	<i>Tandridge</i>
Christchurch	North Dorset	Taunton Deane
Colchester	North Hertfordshire	Tendring
<i>Conwy</i>	<i>North Shropshire</i>	Test Valley
Copeland	<i>North Wiltshire</i>	Thanet
Coventry	North Yorkshire	Three Rivers
Cumbria	Northampton	Thurrock
Dacorum	Northamptonshire	Tonbridge & Malling
Dartford	Norwich	Torbay
Denbighshire	Nottingham	Trafford
<i>Derby City</i>	Oldham	Tunbridge Wells
Doncaster	<i>Oswestry</i>	Uttlesford
Dorset	Oxfordshire	Wareham Town
Dover	Pendle	Warwickshire
East Hertfordshire	Peterborough	Watford
East Sussex	Plymouth	Welwyn Hatfield
Eastleigh	Poole	West Lancashire
Eden	Portsmouth	West Sussex
Elmbridge	Preston	Weymouth and Portland
Epping Forest	Purbeck	Wigan
Epsom and Ewell	Reading	Wiltshire

Essex	Redcar and Cleveland	Winchester
Fylde	Reigate and Banstead	Wirral
Gravesham	Ribble Valley	Woking
Guildford	Rochdale	Worcester
Hampshire	Rochford	Worcestershire
	Rossendale	Wychavon
		Wyre
		York

**NATIONAL PARKING ADJUDICATION SERVICE JOINT COMMITTEE
EXECUTIVE SUB COMMITTEE**

REPORT FOR RESOLUTION

DATE: 29th January 2007

AGENDA ITEM Number 10

SUBJECT: Revenue and Capital Budget Estimates 2007/08

REPORT OF: The Lead Authority
On behalf of the Advisory Board

PURPOSE OF REPORT

To request the Committee to approve the Revenue and Capital Budget Estimates for 2007/08.

RECOMMENDATIONS

It is recommended that the Joint Committee:

- [i] Agree to adopt the Revenue Budget estimates for 2007/2008 as detailed in the report.
- [ii] Agree to adopt a zero capital budget estimate for 2007/2008.

FINANCIAL CONSEQUENCES FOR THE REVENUE AND CAPITAL BUDGETS

It is intended that, in the long term, the service will be self-financing as a result of charges made to participating local authorities.

These charges are the subject of a separate report on the agenda and are recommended with a view to the service continuing to be self-financing.

CONTACT OFFICER

Louise Hutchinson, NPAS Headquarters, Barlow House, Minshull Street, Manchester, Tel: 0161 242 5252

BACKGROUND DOCUMENTS

Road Traffic Act 1991.
The various Special and Permitted Parking Areas orders.
The NPASJC agreement.

1.0 INTRODUCTION

- 1.1 In accordance with the NPASJC 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 2007/8 and therefore the Adjudicators, administrative support and accommodation needed. This report deals with the consequential establishment of budgets to meet this level of demand.
- 1.2 The adjudication service is operated on a self-financing basis with income obtained from charges made to NPASJC member authorities.

2.0 BACKGROUND

Revenue Budget Estimates

2.1 Income

Experience from 2006/07 underlines the fact that across the board increases in PCN issue rates cannot be assumed and the following assumptions have been made in relation to income for 2007/08:

- a) Councils who were in the scheme in 2005/06
The audited PCN issue figure for that year has been used as the basis of the income estimate.
- b) Councils joining April 2006 to March 2007
Their annual estimate has been used. The assumption is that all councils who have indicated a start date prior to the end of the financial year 2006/07 will join.
- c) Councils for 2007/08
The Minister has announced her intention of implementing the parking provisions of Part 6 of the Traffic Management Act 2004 (TMA) in the autumn of 2007. This will require existing councils in DPE to make changes to their systems, documentation, processes and training. Therefore for the purposes of the NPAS budget, an assumption has been made that new councils will not join the scheme in the run up to TMA implementation, but will wait for a Civil Enforcement Order as soon as possible after the change over date. We have therefore assumed that some councils will join from October 2007 onwards. It is recognised that there is nevertheless uncertainty about the implementation date for the TMA.

Additional income to the NPAS budget arises from the transfer of income from the Bus Lane Adjudication Service budget for the purposes of integrated adjudication services.

2.2. Expenditure

The overall increase in expenditure from 2006/07 to 2007/08 is from £2,315,226 to £2,452,276 representing an increase of £137,050 £ (5.91%) however this includes a

contingency of £100,000 set aside with the purpose of replenishing reserves . In arriving at this budget figure expenditure has been budgeted to meet the anticipated additional demands made upon the service in the light of the anticipated implementation of the TMA in autumn 2007 and the requirements associated with the transition to the new legislation. This embraces amongst other things: changes to the case management system; web site; appeal forms, public information, literature and the training of adjudicators and staff.

Staffing

The reorganisation of administrative posts and a number of vacant posts being retained with a view to reviewing requirements later in the financial year has enabled staffing costs to be contained. The Head of Service is working with the Lead Authority's Personnel Department to implement these changes.

Developmental Expenditure

NPAS has adopted a three year strategic approach to developments. Phase 1 (2006/07) saw the successful introduction of AIMS, the case management system into the back office in January 2006, and brought the adjudicators on-line by remote access.

In addition to commissioning and delivering the new website to comply with TMA, the next ICT objective phased over 2007/8 and 2008/9 is to enable the tribunal parties to the appeal to track their cases through the web. In particular, the councils will benefit by being able to track, not only individual cases, but their entire case load, past and present, to monitor the throughput of all their cases at NPAS (TPT) thus plotting trends as well as individual outcomes.

This two year phase will also embrace communicating with councils, and many appellants, by email. This will enable both parties to an appeal to deliver their evidence electronically so that it will automatically be attached to the case file. They can then check that the evidence they have sent is present, and look at the evidence sent by the other party. This will include appropriate and robust security systems to safeguard the case management system and protect the data.

Over the years NPAS has developed an electronic library of council Traffic Regulation Orders (TROs). Whilst these are currently available to adjudicators, the Council on Tribunals has expressed concern that they are not available to the appellant. They have requested that NPAS makes the library available to appellants. Over the next 12 months, work will be undertaken to scope this project.

The overall aim of these development objectives over the next two years is to achieve greater efficiency and cost savings for councils as well as NPAS in terms of time and resources.

General expenditure

Based on the experience so far, an assessment has been made of the revenue budget that will be needed to meet the demands on the service during 2007/8. The assessment has taken into account current and additional spending that will be needed to sustain the adjudication service to councils already in the scheme and those it is anticipated will join in 2007/08.

- In terms of fixed costs, various efficiencies have been identified, where necessary combining roles and striving for greater productivity within the organisation.
- Projections are based on experience in the current year and efficiency savings have been made including adopting a stationary rather than inflationary position. Where inflationary costs have been included, these are of the order of between 2 and 3%.
- Variable costs including part-time adjudicators, hearing centre supervisors and venues and associated costs will be managed with regard to quality of service and value for money.
- Plans made in previous years to take on a further floor of Barlow House have been abandoned.
- Planned ICT developments associated with the introduction of the Traffic Management Act are being phased over two years.
- A contingency of £100,000 has been established with a view to replenishing reserves. Experience in 2006/07 has underlined the importance of maintaining reserves. The additional uncertainties surrounding the implementation of the Traffic Management Act 2004 are further evidence of the need to maintain reserves for the future.

3. Capital Budget Estimates

- 3.1 With the benefit of Capital Approvals in previous years it has been possible to help establish and expand NPAS. These approvals helped the Joint Committee to achieve the developments necessary to establish the service.
- 3.2 It is therefore recommended that the Committee adopt a zero capital budget estimate for 2007/2008.

RECOMMENDED REVENUE ACCOUNT ESTIMATE for 2007/08

Expenditure	Year 2006/7	Year 2006/7 Restated	Budget 2007/8
	£		
Adjudicators	747,438	833,089	850,636
Staff	694,337	654,637	668,203
Premises / Accommodation	267,600	81,760	120,096
Transport		42,700	48,659
Supplies and services	251,000	315,765	327,570
ICT	287,067	316,042	278,862
Service Management and Support	48,000	48,000	50,000
Audit Fee	4,550	8,000	8,250
Capital Finance Charges	15,233	15,233	0
Contingency	0	0	100,000
Total Expenditure	2,315,225	2,315,226	2,452,276
Income			
Annual contribution	0	0	0
Penalty Charge Notices	2,315,225	2,315,226	2,428,502
Adjudication case charge	0	0	0
Contribution from Reserves	0	0	0
Recharge for Bus Lane Adjudication Costs			23,774
Total Income	2,315,225	2,315,226	2,452,276
Net Surplus/Deficit	0	0	0

**NATIONAL PARKING ADJUDICATION SERVICE JOINT COMMITTEE
EXECUTIVE SUB COMMITTEE**

REPORT FOR RESOLUTION

DATE: 29th January 2007

AGENDA ITEM: Number 11

SUBJECT: To establish the NPASJC Service Charges to user councils for 2007/2008

REPORT OF: The Lead Authority
On behalf of the Advisory Board

PURPOSE OF REPORT

To establish the method of charging and the charges to be levied from local authorities participating in the Joint Committee's adjudication service during 2007/2008.

RECOMMENDATIONS

It is recommended that:

- (i) The Joint Committee adopt the following charges in support of the service to be made to participating local authorities during the financial year 2007/2008, as detailed below.

ELEMENT	CHARGE
Annual Charge [per SPA]	£nil
Charge per PCN Issued	0.60 pence
Charge per Adjudication Case	nil.

- (ii) Service Charges are levied on a quarterly in advance basis for the PCN charge based on estimated figures and subsequently adjusted.
- (iii) The incidental cost of making a transcription, subject to the agreement of the Adjudicator, from the audio recording of proceedings at a personal hearing is charged at cost from the requesting party.

FINANCIAL CONSEQUENCES FOR THE REVENUE AND CAPITAL BUDGETS

It is intended that service will, in the long term, continue to be self financing as a result of contributions made from participating local authorities. The charges recommended for 2007/8 are with a view to the service continuing to be self-financing. The reserve (£546,844 at 31 March 2006) can be drawn upon in the event of the income not being sufficient to match the expenditure during 2007/08

CONTACT OFFICER

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Tel: 0161 242 5252

BACKGROUND DOCUMENTS

Road Traffic Act 1991

The NPASJC agreement.

Accounts and Audit Regulations 2003, S.I. 2003 No 533

1.0 INTRODUCTION

- 1.1 An essential element for a local authority when adopting decriminalised parking enforcement powers is the existence of a means to appeal to an independent parking adjudicator. The Special Parking Area / Permitted Parking Area authorities are required to fund adjudication as part of their powers.
- 1.2 The NPASJC agreement provides for the Committee to decide the cost sharing arrangements.
- 1.3 The service has previously benefited from Capital Approvals from government that have resulted in there not being a need to make a 'joining fee' charge for new councils taking up the decriminalised parking enforcement powers.

2.0 BACKGROUND

- 2.1 The NPASJC agreement provides for the adjudication service to be operated on a self-financing basis with revenue obtained from charges made to participating [SPA/PPA] local authorities. An estimate has been made of the likely service take up during 2007/08. The level of charging has been based on this predicted service activity. It is the practice only to levy charges from those enforcing authorities who manage the enforcement income stream.
- 2.2 The current level of appeals are on average at about the 0.3% level of the number of PCNs issued. For 2007/08 estimates have been based on this appeal rate and this has been reflected in the proposed charge per PCN.
- 2.3 Each year since 2001/2 the case charge has been set at nil. Whilst councils are required to properly consider representations from vehicle owners who consider there is a ground for cancellation of the Penalty Charge, by setting the case charge at nil there was concern that there may be an increase in the number of cases that come to appeal. At this stage it appears that there has not been an effect on the number of cases. It is therefore proposed to keep the case charge as nil for the present and continue to monitor for this possible effect.
- 2.4 An undertaking was given to government in the run up to establishing the service that the service would be made available to all SPA/PPA authorities in England [outside London] and Wales. In establishing the charges and considering the options for recommendation the Advisory Board have been mindful of the need to ensure that the charges are both equitable and not prohibitive to any particular type or size of local authority. Until year

2.5 2002/3 an annual charge of £500 was agreed, this reduced to £250 in 2003/4 and 2004/5, then to nil in 2005/6 and 2006/07. With the number of SPA/PPA authorities continuing to grow the annual charge has a reducing significance to the overall income. It is therefore recommended to continue to set the annual charge at nil during 2007/8. Table 1 provides an overview of NPAS's charging policies since inception.

Table 1: NPAS Charging policies

Year	PCN Levy	Annual Fee	Fee per case
1999/2000	70 pence	£500	£10
2000/01	70 pence	£500	£10
2001/ 02	70 pence	£500	£0
2002/03	70 pence	£500	£0
2003/04	65 pence	£250	£0
2004/05	65 pence	£250	£0
2005/06	60 pence	£0	£0
2006/07	55 pence	£0	£0

2.6 The recently issued NPAS Annual Report for 2005 demonstrated that in at least 50% of councils PCN issue went down in 2005/06 but the budget for 2006/07 was based on the assumption that PCN issue would increase across the board. This has shown that the projections for PCN issue for 2006/07 were overambitious. This downturn can be explained, since the purpose of Decriminalised Parking Enforcement (DPE) is compliance and therefore a reduction in the numbers of PCNs issued in councils that have been involved in the scheme for some years is a healthy indicator. Had this positive trend been identified, caution may have been exercised before reducing the NPAS PCN levy for 2006/07 from 60p to 55p.

2.7 The number of new councils joining the scheme in 2007/08 will be affected by the implementation of the Traffic Management Act in Autumn 2007. The number of new councils succeeding in their applications under the TMA will impact on our ability to maintain the levy in future years in the face of inflationary pressures. Assumptions have been made about councils joining during the second half of 2007/08 although these cannot be an informed estimate at this stage.

2.8 2006/07 has presented a challenging year financially due to the underachievement of income by £350,515 associated with the reducing PCN issue and compounded by the reduction in the PCN levy in 2006/07 from 60 pence to 55 pence. Current projections point to a need to take approximately £99,786 from reserves to meet the cost of the budget deficit for 2006/07. Adopting a static position in relation to charging for 2007/08 could potentially require a further drain on reserves in 2007/08. Therefore, for 2007/08, three options in respect of the PCN levy were considered:

- (i) To increase the levy to 65 pence in order to replenish the reserves, provide a substantial cushion against the uncertainties surrounding the take up of the scheme associated with the implementation of the Traffic Management Act 2004 and facilitate the fast-tracking of development work required as a result of the changing legislation including public information, web based information and communication with councils and appellants.

- (ii) To increase to the levy of 60 pence in order to replenish reserves, provide a moderate cushion against uncertainties associated with the implementation of the Traffic Management Act 2004 and facilitate a phased approach to development work required as a result of the changing legislation
- (iii) To increase the levy to 58 pence in order to replenish reserves and provide a limited cushion against under achievement of income in 2007/08 and unanticipated expenditure. Development work associated with the changing legislation would prioritise the infrastructure of the web site.

The recommendation is to return to the level at 60 pence for 2007/08 in order to maintain the current level of reserves which: underpins the service through unanticipated events; allows the service to respond pro-actively to the requirements of the Traffic Management Act and represents a charge which is equitable and not prohibitive to any particular type or size of local authority. Appendix 1 shows the estimated costs by council associated with the rates of 58, 60 and 65 pence against the baseline of 55 pence.

2.9 It is therefore, recommended that the following service charges be adopted by the Joint Committee for 2007/08.

ELEMENT	CHARGE
Annual Charge	nil
Charge per PCN Issued	£0.60
Charge per Adjudication Case	nil

3.0 METHOD OF CHARGING

The Accounts and Audit Regulations 2003 introduced the requirement for a Cash Flow Statement to be produced for each financial year. It is therefore proposed to continue with the practice of the service charges being levied quarterly in advance based on estimated PCN figures and subsequently adjusted when the actual figures become available.

4.0 TRANSCRIPTION COSTS

The incidental cost of making a transcription, subject to the agreement of the Adjudicator, from the audio recording of proceedings at a personal hearing is charged at cost from the requesting party.

**NATIONAL PARKING ADJUDICATION SERVICE JOINT COMMITTEE
EXECUTIVE SUB-COMMITTEE**

REPORT FOR RESOLUTION

DATE: 29th January 2007
AGENDA ITEM: Number 12
SUBJECT: Part-time Parking Adjudicator Appointments
REPORT OF: The Chief Adjudicator

PURPOSE OF REPORT

To inform the Joint Committee about Parking Adjudicator appointments

RECOMMENDATIONS

It is recommended that the Joint Committee confirm the renewal for five years from 23 January 2007 of the appointment of those part-time Parking Adjudicators who were initially appointed on 23 January 2002 and whose names are set out in the Appendix to the report.

CONTACT OFFICERS

Caroline Sheppard, Chief Adjudicator, NPAS Headquarters, Barlow House,
Minshull Street, Manchester,

Tel: 0161 242 5252

BACKGROUND DOCUMENTS

Scheme of delegated powers to officers of the NPASJC.

1.0 INTRODUCTION

- 1.1 Members have delegated to the Chief Parking Adjudicator the appointment of part-time parking adjudicators to meet the needs of the service, as appropriate. The Joint Committee included within this delegation a requirement for the Chief Parking Adjudicator to keep the NPASJC informed of such appointments.

- 1.2 The adjudicators on the list in the Appendix were appointed by the Joint Committee with the consent of the Lord Chancellor on 23 January 2002 for a period of five years. Therefore under her powers of delegation the Chief Adjudicator, on behalf of the Joint Committee renewed each of their appointments for a further five years. The Joint Committee are requested to confirm those appointments.

- 1.3 The Joint Committee are also requested to note that all the part-time parking adjudicators appointed by this Joint Committee were, on 23 January 2007 appointed by the BLASJC to act as bus lane adjudicators, those appointments to run concurrently with their parking adjudication appointments.

APPENDIX

List of NPAS Adjudicators appointed 23rd January 2002 for five years.

Appointments renewed for a further five years from 23 January 2007.

Sarah Breach	John O'Higgins
Richard Charles CB	John Parker
Gillian Ekins	Richard Phelan
Toby Halliwell	Joanne Richards
Martin Hoare	James Richardson
Margaret Kennedy	Stewart Sandbrook-Hughes
Terence McNeill	Hilary Tilby
Christopher Nicholls	

**NATIONAL PARKING ADJUDICATION SERVICE JOINT COMMITTEE
EXECUTIVE SUB COMMITTEE**

REPORT FOR RESOLUTION

DATE: 29th January 2007

AGENDA ITEM: Number 13

SUBJECT: Traffic Management Act 2004 (Part 6 Consultation)

REPORT OF: The Lead Officer

PURPOSE OF REPORT

To inform the Joint Committee of issues raised on its behalf in relation to the consultation on Part 6 of the Traffic Management Act 2004 and to provide, for information, the Chief Adjudicator's full response to the consultation exercise.

RECOMMENDATIONS

It is recommended that the Joint Committee:

- [i] Notes the contents of the Chief Adjudicator's submission to the Department for Transport in response to their consultation document.
- [ii] Receives a further report once further information is received on the implementation of the new legislation.

CONTACT OFFICERS

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BACKGROUND DOCUMENTS

Consultation on Part 6 of the Traffic Management Act (TMA) 2004.
Minutes of the NPAS Joint Committee meeting held 30 June 2006

1.0 Background

- 1.1 Part 6 of the Traffic Management Act 2004 (TMA) provides a single framework in England for the civil enforcement of parking.
- 1.2 The Department for Transport consulted on Part 6 of the Traffic Management Act over the summer months. Local authorities operating DPE were given an opportunity to make responses.
- 1.3 At the NPASJC meeting on 30 June 2006, The Chief Adjudicator briefed members on the likely impact that Part 6 the Traffic Management Act 2004 would have on the Joint Committee and the increasing jurisdiction of the adjudication service to include moving traffic contraventions. This was the basis for the change of name from NPAS to Traffic Penalty Tribunal.
- 1.4 The Chief Adjudicator also confirmed that she would be formally responding to the Department for Transport's consultation document. A copy of that response on behalf of the Joint Committee is included at Appendix 1 and a copy of the Chief Adjudicator's full response is enclosed at Appendix 2.
- 1.5 The response points to a number of issues which are significant for the Joint Committee:
 - a) The position of Welsh councils
 - b) The Adjudicators' annual report to the Committee
 - c) The concept of more than one Joint Committee
 - d) New function for Joint Committee in determining the form of representations.
 - e) Guidance for councils embarking on Decriminalised Parking Enforcement (DPE) in the light of the transfer from Road Traffic Act (RTA) to TMA.

In addition, responding to transitional arrangements may require an extraordinary Joint Committee meeting.

- 1.6 The timing of the introduction of the TMA has not yet been finalised and once firmer details are available, an update report will be presented to the Joint Committee.