

**National Parking Adjudication Service**

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**National Parking Adjudication Service**

*R D Tinsley, MSc C Eng MICE MIHT  
Service Director*

17<sup>th</sup> September 2003

Dear Member,

**Meeting of the NPAS Joint Committee  
30<sup>th</sup> September 2003**

Please find enclosed a copy of the agenda for the above meeting. On the eve of circulating the papers the National Motor Cycle Museum unfortunately burnt down. At the last minute I have therefore made alternative arrangements with Warwickshire CCC. The meeting is arranged for their Pavilion Suite Dining Room. Please see the enclosed map and public transport details. Parking is available at the ground or the Midlands Art Centre opposite.

Copies of the Agenda have been sent separately to the officers.

It would be most helpful if you could let me know by Monday 22<sup>nd</sup> September 2003, if you are intending to come to the meeting so that I may ensure that sufficient catering arrangements are in place. Tea and coffee will be available from 11.30 a.m.

As lunch will be provided after the meeting, could you also please let me know if you have any special dietary requirements.

I anticipate lunch to be served towards 1.30 p.m.

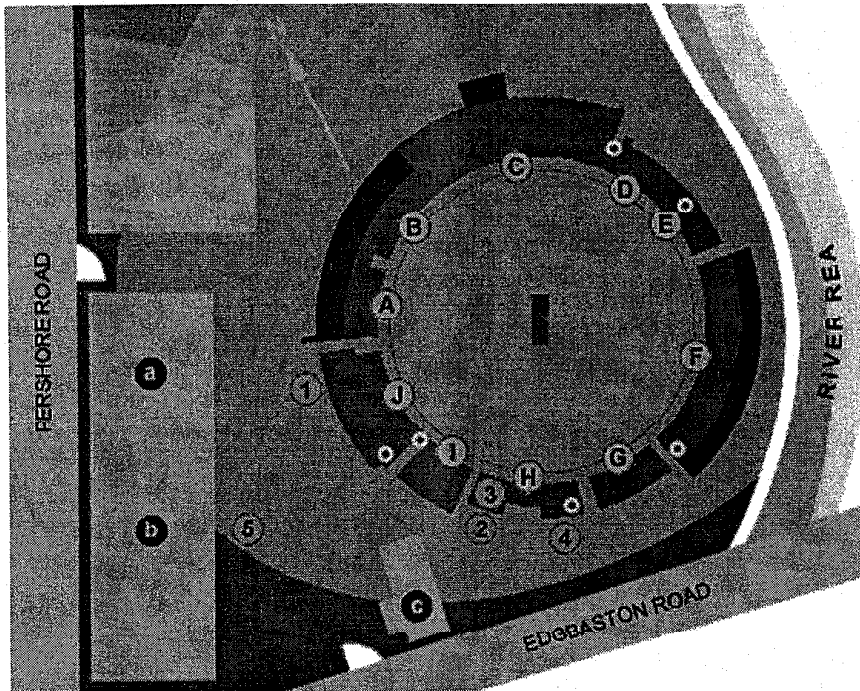
In addition to the Agenda, I have taken the opportunity to provide a number of enclosures that I hope you will find helpful for the day. These include: Extracts from the NPASJC agreement; How NPASJC was established – new Members may find these last two items helpful for background purposes; and finally a copy of our first quarterly bulletin for council officers, "Clearway".

Yours sincerely,

R D Tinsley  
Service Director

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# CLUB - amenities



- Edgbaston Cricket Centre **a**
- Warwickshire Cricket Board **b**
- Old Indoor School **c**
- Priory Stand **A**
- Raglan Stand **B**
- RES Wyatt Stand **C**
- Press Box Stand **D**
- Stanley Barnes Stand **E**
- Eric Hollies Stand **F**
- RV Ryder Stand **G**
- Pavilion Stand **H**
- Leslie Deakins Stand **I**
- William Ansell Stand **J**
- Shop **1**
- Ticket Office **2**
- Museum **3**
- Dressing Rooms **4**
- Car Park **5**
- WC **Ⓞ**

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 officers currently nominated by the Councils of Bournemouth, Hampshire, Winchester, Neath Port Talbot, Manchester and Kent. 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 who is a member of the Lord Chancellor's judiciary appointments panel, and a representative from the motoring organisations, currently from the RAC Foundation.

Because the Joint Committee has 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 Committee. Initially Manchester has been appointed the Lead Authority.

The form of the NPASJC Agreement has been the subject of detailed negotiations between the initial parties, its 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 Agreement.

Whilst the Agreement provides for the terms on which the Joint Committee is to operate, including making provision for the joining of new members and for the appointment of a Lead Authority, it does not set out in detail the amount of contributions required from member councils. These contributions were decided by the Joint Committee at its first meeting and were 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 Committee at their January meeting.

The charges for year 2003/4 have been fixed at:  
£0.65 per Penalty Charge Notice  
£250.00 Annual Fee  
£nil Case Charge

If you have a query which is of a general nature please contact:

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### **COMPOSITION OF MEMBERSHIP OF NPASJC**

1. The NPASJC shall comprise one representative of each of the Parking Authorities appointed in accordance with law and with their own constitutional arrangements
2. Each Parking Authority shall as soon as practicable after becoming party to these arrangements notify the Lead Officer of the identity of the representative appointed by it to be a representative of the NPASJC and the identity of any substitute representative
3. The term of office of a representative of the NPASJC or any substitute representative shall be from the date of the first meeting of the NPASJC held after the notification by the appointing Parking Authority of the appointment to the Lead Officer until the date of the next annual meeting of the NPASJC ; or until his appointment is terminated by the appointing Parking Authority which may be done at any time or until he ceases to be entitled to be a representative of that Parking Authority on a Joint Committee under the constitutional arrangements applicable to the appointing Parking Authority whichever occurs first.
4. The appointing Parking Authority shall as soon as practicable thereafter notify the Lead Officer of the termination of an appointment by it or if its former appointee ceases to be entitled to be a representative of that Parking Authority on a Joint Committee under the constitutional arrangements applicable to that appointing Parking Authority

**THE NATIONAL PARKING ADJUDICATION SERVICE JOINT  
COMMITTEE'S STANDING ORDERS**

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#### 4 Meetings and Agenda

(i) A meeting of the NPASJC may be called at such date, time and place

- (a) at the instance of the Chairman; or
- (b) as may be determined by the NPASJC; or
- (c) by a requisition, signed by not less than one half of the representatives of the NPASJC delivered to the Lead Officer at least ten working days before the date of the meeting.

Provided that the NPASJC shall meet at least once every year (the Annual Meeting). The summons to any meeting shall set out the business to be transacted thereat, and no business other than that set out in the summons shall be considered at the meeting unless by reason of special circumstances, which shall be specified in the minutes, the Chairman of the meeting is of the opinion that the item should be considered at the meeting as a matter of urgency.

- (ii) At every meeting of the NPASJC the Chairman, if present, shall preside. If the Chairman is absent the Vice-Chairman, if present, shall preside. If both the Chairman and the Vice-Chairman are absent the meeting shall elect a Chairman from one of its representatives. For the purposes of these Standing Orders references to the Chairman, in the context of the conduct of business at meetings, shall mean the person presiding under this Standing Order.
- (iii) Any Parking Authority acting through its representative on the Joint Committee or through an Advisory Board Representative may give written notice of an item to be placed on the Agenda of the NPASJC. All notices of items for agendas and reports for circulation with agendas must be received by the Lead Officer not less than fifteen working days prior to the meeting to which the agenda relates

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

6. Attendance Record

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

7. Order of Business

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

8. Minutes

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

9. Sub-committees

- (i) A motion or amendment shall not be discussed unless it has been proposed and seconded.
- (ii) A representative shall address the Chairman and direct any speech to the question under discussion. If two or more representatives indicate they wish to speak the Chairman shall call on one to speak first.
- (iii) An amendment shall be
  - (a) to leave out words
  - (b) to leave out words and insert or add others
  - (c) to insert or add wordsbut any such amendment must not have the effect of introducing a new proposal into or of negating the original motion.
- (iv) A representative shall not speak for longer than 5 minutes on any matter without the consent of the NPASJC.
- (v) No representative shall address the NPASJC more than once on any issue, but the mover of an original motion may reply, in which reply no new matter shall be introduced, but the reply shall be confined strictly to answering the previous observations.
- (vi) A representative may claim to speak on a point of order or in personal explanation and shall be entitled to be heard forthwith. A point of order shall relate only to an alleged breach of a specified statutory provision or a specified standing order and the way in which the representative raising it considers that it has been broken. A personal explanation shall be confined to some material part of a former speech by him in the current debate which may appear to have been misunderstood. The ruling of the Chairman on a point of order or on the admissibility of a personal explanation shall not be open to discussion
- (vii) If an amendment is rejected other amendments may be moved on the original motion. If an amendment is carried, the motion as amended shall take the place of the original motion and shall become the motion upon which any other amendment may be moved.



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

14. Disorderly Conduct

- (i) If the Chairman is of the opinion that a representative has misconducted, or is misconducting himself by persistently disregarding the ruling of the Chairman or by behaving irregularly, improperly or offensively or by wilfully obstructing the business of the NPASJC he may notify the meeting of that opinion and may take any of the following action either separately or in sequence:
  - (a) he may direct the representative to refrain from speaking during all or part of the remainder of the meeting
  - (b) he may direct the representative to withdraw from all or part of the remainder of the meeting
  - (c) he may order the representative to be removed from the
  - (d) he may adjourn the meeting for such period as shall seem expedient to him
- (ii) In the event of general disturbance which in the opinion of the Chairman renders the due and orderly dispatch of business impossible, the Chairman, in addition to any other power invested in the Chairman, may without question, adjourn the meeting of the NPASJC for such periods as in the Chairman's discretion shall be considered expedient.

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

The following code of conduct in relation to the interests of representatives in Contracts and Other Matters shall apply save that if any Parking Authority adopts a Code of Conduct pursuant to the provisions of section 51 of the Local Government Act 2000 then that Code shall apply with respect to the representative of that Parking Authority.

- (i) Where any Parking Authority representative has given a general notice of a pecuniary interest of his or of his spouse, and is thereby relieved of the statutory duty to declare that interest at a meeting at which a contract or other matter affecting that interest is to be considered, he shall nevertheless orally remind the meeting of that interest. Any such reminder shall be recorded in the minutes of the meeting.
- (ii) Where any Parking Authority representative has declared a pecuniary interest in a contract, grant, proposed contract or other matter, whether by giving a general notice or by making an oral declaration at a meeting, he shall withdraw from the room in which the meeting is being held while the matter is under consideration unless:
  - (a) the disability to discuss, or vote upon any matter arising from the contract or other matter has been removed by the Secretary of State under Section 97 of the Local Government Act 1972; or
  - (b) the contract, grant, proposed contract or other matter is under consideration by the meeting as part of the report or minutes of a subcommittee (in the case of a meeting of the NPASJC) and is not itself the subject of debate
- (iii) Any person, other than an officer of the NPASJC, who is appointed to do anything in connection with the NPASJC or subcommittee which enables him to speak at meetings of the NPASJC or subcommittee shall make the same disclosures of pecuniary interests, and shall withdraw from the room in which

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

22. Access to Documents, Information and Land

- (i) In addition to the rights of representatives of the NPASJC under Section 100F of the Local Government Act 1972, but subject to paragraph (ii) below, any member of the Parking Authorities shall be entitled on application to the Lead Officer to inspect any document or recorded information in the possession, or under the control, of the NPASJC access to which is necessary for the proper discharge of his functions as a member of that Parking Authority;

provided that:

- (a) no person shall be entitled to inspect any document or have access to any information relating to a matter in which he has a pecuniary interest;
- (b) access to information not in the form of a document need not be given where the cost of providing the access is unreasonably high, or during such period as the giving of access would unreasonably disrupt the work of the NPASJC

- (ii) in the case of any document other than a document to which the rights under Section 100F of the Local Government Act 1972 apply, and in any case of information which is not in the form of a document, if the Lead Officer considers that access to any document or other information is not necessary for the proper discharge of the functions (as a member of the Parking Authority or as a representative of the NPASJC, as the case may be) of the person requesting such access, and there is good reason why access should be refused, he may refuse the person concerned access to the document or information in question

- (iii) Where a person inspects a document under the rights conferred by Section 100F of the Local Government Act 1972 or this standing order, and the NPASJC may lawfully make a copy of

- (b) to exercise any power of the NPASJC to enter or inspect other land or buildings, except where specifically authorised to do so by the NPASJC;
  - (c) to exercise any other power of the NPASJC;
  - (d) to issue any order with respect to any works which are being carried out by, or on behalf of, the NPASJC, or with respect to any goods or services which are being, or might be, purchased by the NPASJC
- (vii) The Proper Officer for the purposes of Section 100F(2) of the Local Government Act 1972 and for the purposes of this standing order is the Lead Officer
- (viii) For the purposes of this standing order a person has a pecuniary interest in a matter if, on the assumptions that he were a representative on the NPASJC, and that the matter were to be considered by the NPASJC, he would have to declare the interest under Section 94 of the Local Government Act 1972
- (ix) Where any information is given to any person (including a member of the Parking Authorities, or any representative on the NPASJC) by the NPASJC or by one of the employees of the Lead Authority in the course of transacting any business of the NPASJC, and it is made clear (in whatever way) that the information is given in confidence, that person is not entitled to make that information public without the consent of the NPASJC

23. Suspension of Standing Orders

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

24. Interpretation and Definitions

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

4. The NPASJC shall cause proper books of account to be kept and audited such as are necessary to give a true and fair view of the state of the affairs of the NPASJC and to explain its transactions
5. The books of account will be kept at the office of the Lead Authority or at such other place as the NPASJC thinks fit and they shall during normal office hours be open to inspection and copying by a Parking Authority
6. The Treasurer of the Lead Authority shall provide an annual statement by 30th day of November each year to the NPASJC identifying the proposed budget for the next financial year which shall be submitted to the NPASJC by no later than 31st day of January for ratification and approval. The NPASJC will also provide timely statements monitoring expenditure against the budget and details of any subsequent variations to the budget and identifying where appropriate the basis and level of charges to the Parking Authorities
7. The Accounts of the NPASJC shall be prepared to the CIPFA Accounting Standards or similar best practice
8. The Annual Accounts for the preceding year shall be submitted to NPASJC for approval not later than 30th September in each year together with a copy of the Report of the NPASJC auditor.