

# **PATROL Adjudication Joint Committee Executive Sub Committee**

## **Agenda**

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**Date:** Tuesday 30th October 2018  
**Time:** 11.00 am  
**Venue:** Bishop Partridge Hall, Church House, Westminster SW1P 3NZ

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1. **Apologies for Absence**

To receive apologies for absence.

2. **Declarations of Interest**

To provide an opportunity for Members and Officers to declare any disclosable pecuniary and non-pecuniary interests and for Members to declare if they had pre-determined any items on the agenda.

3. **Minutes of the Meeting held on 30 January 2018** (Pages 1 - 12)

To approve the minutes of the PATROL Adjudication Joint Committee Executive Sub Committee held on 30 January 2018.

4. **Minutes of the Meeting held on 10 July 2018** (Pages 13 - 22)

To note the minutes of the PATROL Adjudication Joint Committee held on 10 July 2018.

5. **Chair's Update**

To provide the Joint Committee with a general update since the last meeting.

6. **Chief Adjudicator Update**

To provide the Joint Committee with a general update since the last meeting.

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7. **Adjudicator Appointment Renewals** (Pages 23 - 26)

To note the renewal of adjudicator appointments.

8. **Wales Update**

To note the progress of civil enforcement regulations in Wales.

9. **Audit Commission Small Bodies Annual Return for the Year Ended 31 March 2017** (Pages 27 - 36)

To note the completion of the external audit of accounts for 2017/18.

10. **Budget Monitoring, Review of Reserves and the Basis for Defraying Expenses 2018/19** (Pages 37 - 42)

To note the income, expenditure and reserves position at 30 September 2018 and determine the basis for defraying expenses during 2018/19.

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

11. **PATROL and BLASJC Resources Working Group and Sub Committee** (Pages 43 - 46)

To note the resolutions from the PATROL and BLASJC Resources Working Group and Sub Committee's meeting held on 9 October 2018.

12. **Risk Register** (Pages 47 - 52)

To note the latest assessment of risk.

13. **General Progress Report** (Pages 53 - 64)

To note the general progress report in respect of the Traffic Penalty Tribunal's activities and initiatives for the six-month period to 30 September 2018.

14. **Date of Next Meetings**

Tuesday 29 January 2019

Tuesday 16 July 2019

Minutes of a meeting of the  
**PATROL Adjudication Joint Committee**

held on Tuesday, 30th January, 2018 at Bishop Partridge Hall, Church House,  
Dean's Yard, Westminster, London SW1P 3NZ

**PRESENT**

Councillor Jamie Macrae (Cheshire East Council) in the Chair

**Councillors**

Councillor Graham Burgess - Hampshire County Council  
Councillor Vanessa Churchman - IOW Council  
Councillor Simon Cronin - Worcester City Council  
Councillor Matthew Dickins - Sevenoaks District Council  
Councillor Terry Douris - Dacorum Borough Council  
Councillor John James - Carmarthenshire County Council  
Councillor Stuart Hughes Devon County Council  
Councillor Alan Kerr - South Tyneside Council  
Councillor Martin King - Wychavon District Council  
Councillor Nigel Knapton -Hambleton District Council  
Councillor Sally Longford - Nottingham City Council  
Councillor Tony Page - Reading Borough Council  
Councillor Marje Paling - Gedling Borough Council  
Councillor Steve Pearce - Bristol City Council  
Councillor Chris Turrell - Bracknell Forest Council  
Councillor Stuart Whittingham - Wirral Metropolitan Borough Council

**Officers in attendance**

Louise Hutchinson – Director PATROL  
Caroline Sheppard OBE – Chief Adjudicator  
Andy Diamond – PATROL  
Erica Maslen - PATROL  
Julie North – Cheshire East Council

**36 APOLOGIES FOR ABSENCE**

Apologies for Absence were received from: -

Councillor Keith Anderson, Wigan  
Councillor Derek Burrows, Bolton  
Councillor Ralph Sangster, Hertfordshire  
Councillor Deb Holden, Eden  
Councillor Pat Coleman Dartford  
Councillor Marilyn Peters, Dartford  
Councillor Richard Bell, Sunderland  
Councillor Sally Longford, Nottingham  
Councillor Joe Hale, City and County of Swansea

**37 DECLARATIONS OF INTEREST**

There were no declarations of interest.

**38 MINUTES OF THE MEETING HELD ON 31 OCTOBER 2017**

**RESOLVED**

That minutes of the Meeting held on 31 October 2017 be approved as a correct record.

**39 CHAIR'S UPDATE**

The Chair of the Committee:-

1. Reported that PATROL had been delighted to welcome Esther McVey, the MP for Tatton to its offices in Wilmslow. Esther had been very interested in the accessibility of the online system, FOAM, and the efficiencies that it brought for all users. Esther had kindly offered to sponsor the House of Common Reception on the 10<sup>th</sup> July, however, due to her changing role, efforts were being made to seek transfer of the sponsorship to another MP.
2. Thanked all those members who had raised, with their parliamentary contacts, the subject of Sir Greg Knight's Private Members' Bill for a single code of practice for the private sector parking appeals services. This was extremely helpful, with the second reading of the bill scheduled for 2nd February.
3. Stated that, at the last meeting it had been reported that PATROL and TPT had been approached to be Event Partners for the 2017 Parking World Event. Copies of Parking Review's coverage of the event had been circulated at today's meeting. Feedback from the event had been positive and PATROL had been approached to work on the 2018 event.
4. Reported that the development and roll out of FOAM to 300 plus authorities had been cited as a Digital Collaboration Exemplar by Digital by Default News and copies of the piece have also been tabled at today's meeting.
5. Reported that the Traffic Penalty Tribunal had also been cited as a case study in digital transformation by JUSTICE, which promoted access to justice, human rights and the rule of law through research, education and interventions in the courts. The Traffic Penalty Tribunal was also demonstrating its foresight in its approach to helping appellants who were not online (assisted digital

support). The Chief Adjudicator had been asked to join a JUSTICE working party which would focus on assisting users with the coming digital revolution in the justice system. This project would look in particular at the opportunities and pitfalls of digitalisation and doing justice online and virtually

6. Reported that the Chief Adjudicator, Caroline Sheppard, had attended Buckingham Palace on 12<sup>th</sup> December for her investiture, having been awarded an OBE for Services to Motorists. This award recognised her continuing determination to improve the accessibility of the tribunal for motorists, recognising that for most people this would be the first time that they come into contact with a judicial process. The Chair congratulated Caroline on behalf of the Committee
7. Was sorry to report that one of the members of the Committee, Councillor Gary Waller, had passed away. Councillor Waller, who had represented Epping Forest District Council, had regularly attended meetings over many years. A letter of condolence had been sent to the council.

#### 40 WALES UPDATE

The Director of PATROL reported that the Assistant Chair Wales, Councillor Joe Hale, was unable to attend the meeting, however, Councillor John James from Carmarthenshire County Council was in attendance. A copy of the Wales update had been circulated in advance of the meeting and copies were also available at the meeting.

It was reported that, unlike England, Wales had introduced the remaining powers under Part 6 of the Traffic Management Act 2004. This meant that local authorities in Wales enforced both parking and bus lanes under the Traffic Management Act, whereas in England the latter was enforced under the Transport Act 2000, which gave rise for the need for two Joint Committees. In Wales, Cardiff County Council and City and the County of Swansea Council currently undertook civil bus lane enforcement.

The remaining powers under Part 6 of the Traffic Management Act 2004 also allowed for the enforcement of moving traffic contraventions which included

- Banned right or left turns
- Yellow box junctions
- No entry
- Vehicle prohibitions

It was reported that Cardiff County Council was the only local authority currently enforcing moving traffic contraventions. The City and County of Swansea had consulted on the introduction of moving traffic enforcement. Carmarthenshire County Council were presently consulting on the

introduction of moving traffic enforcement. Both authorities intended to submit their applications to the Welsh Government's Orders Branch, seeking the necessary powers to enforce moving traffic contraventions by mid 2018.

A question was asked as to when moving traffic contraventions might be introduced in England. The Director responded to say that there was no evidence of the government having the appetite to produce powers at the moment, but that parking authorities were being consulted to establish and provide evidence as to whether there was a need to produce the powers.

Cllr Page made reference to what he considered to be a lack of awareness of the lobbying activity undertaken on behalf of PATROL and also suggested that it might be appropriate to provide an update to make new Members aware of what PATROL had done over the past few years.

### **RESOLVED**

That the report be noted

#### **41 PATROL AND BLASJC RESOURCES WORKING GROUP AND SUB COMMITTEE**

Consideration was given to a report on the PATROL and BLASJC Resources Working Group meeting held 9<sup>th</sup> January 2018.

The July 2017 meetings of the Joint Committees had resolved that the Resources Sub Committee and Working Group would oversee a number of initiatives with resource and public affairs implications, on their behalf. The last meeting had taken place on 9 January 2018, where a number of items had been considered, including Mersey Gateway Bridge Crossings; new areas of adjudication for the Traffic Penalty Tribunal, including Clean Air Zones and littering from vehicles; Public Affairs; FOAM (Fast Online Appeals Management); finance matters; and governance.

It was noted that the Director had reported that, following feedback at the October 2017 meeting, the Scheme of Delegation wording would be reviewed to make it clearer. Details of the proposed changes in relation to operation of the Joint Committee's General Ledger for the purposes of the Scheme of Financial Delegation were set out in paragraph 7.2(e) of the report.

In presenting the report, the Director made reference to paragraph c(iv), which related to the response to the section on unauthorised pavement parking in the Department for Transport's Draft Transport Accessibility Action Plan. The government intended to issue a consultation on the traffic regulation order making process and PATROL would draw this to the attention of member authorities, as well as preparing its own response. The Director reported that a meeting was scheduled to take place in the following month with the Department for Transport, so it was not likely that

the response would be prepared before then, however, officers and Members would be kept informed in respect of the consultation.

**RESOLVED**

1. That the matters discussed at the meeting held 9<sup>th</sup> January 2018 be noted.
2. That the Resources Sub Committee and Working Group oversee matters highlighted in the report and report back to the next meeting of the Executive Sub Committees.
3. That the additional note at 7.2 (e) in relation to operation of the Joint Committee's General Ledger for the purposes of the Scheme of Financial Delegation as recommended for approval in October 2017, be approved.

**42 INTERNAL AUDIT INTERIM REPORT**

Consideration was given to a report presenting the Internal Audit Report in relation to their audit visit in December 2017, to undertake a review of actions raised in their report of the audit for the year 2016/17.

In May 2017, Internal Audit had carried out the annual audit for 2016/17 and had subsequently issued a report detailing the findings, recommended actions and the assurance opinion. The opinion awarded had been "Limited Assurance", due to a significant number of the actions raised relating to non-compliance with established controls in its processes and procedures. The report had also referred to resource issues, following a series of staffing changes. It was reported that the finance team was now fully staffed. As a result of the "Limited Assurance" opinion being given, it had been agreed by the Director of PATROL and Internal Audit that a follow-up review of the actions raised would be carried out later in 2017, to provide assurance to the Joint Committee that the identified weaknesses had been addressed. The follow up review had taken place at PATROL on 14<sup>th</sup> December 2017. The Internal Audit report, which was appended to the covering report on the agenda, had concluded that the actions arising from the PATROL 2016/17 audit had been successfully implemented and pointed to the need to ensure that controls were consistently applied throughout the remainder of 2017/18.

**RESOLVED**

That the findings of Internal Audit Report in respect of their follow-up review, as set out in Appendix 1 of the report, be noted.

**43 BUDGET MONITORING 2017/18**

The Chair introduced the report presenting the income, expenditure and reserves monitoring information for the year to 30<sup>th</sup> November 2017.

The Tribunal was operated on a self-financing basis with income obtained from defraying expenses amongst the Joint Committee member authorities. The revenue budget estimate was established by the Joint Committee for 2017/18, on the basis that this would reflect the councils who were already members of the Joint Committee. The Joint Committee forecasting model took account of recent income trends (i.e. within the last 12 months). Additional income was derived from a recharge to the Bus Lane Adjudication Service Joint Committee and the provision of adjudication for appeals arising from road user charging enforcement at the Dartford-Thurrock River Crossing, where the Charging Authority was Highways England. Additional income arose from adjudication for the Mersey Gateway Crossing, the Charging Authority being Halton Borough Council, who were not members of the Joint Committee. The Joint Committee's income was derived from a pre-estimate of the number of penalty charge notices (PCNs) each council and Charging Authority would issue. Corrections were applied at the 6-month and 12-month points, once the actual number of PCNs issued was known.

It was reported that if there was a need for greater expenditure than that provided for in the approved budget, then there was a recommendation to authorise the Director to incur additional expenditure, provided such expenditure did not exceed the income for the current year. Should it be the case that the revenue account fell into deficit, then the surplus from previous years would be available. Should there be greater income than expenditure in the year, then there was a recommendation that this be transferred into the succeeding year as reserves.

The detailed monitoring position was shown on page 41 of the agenda. Eight months into the financial year, the overall surplus was £349,259. Of this, £196,676 was ring-fenced to Highways England and £25,487 to Halton Borough Council. The PATROL surplus at 30<sup>th</sup> November 2017 was £127,096. The total Reserves were forecast to be £3,278,370 at 31<sup>st</sup> March 2018, of which Free Reserves were forecast to be £1,398,825.

In considering the report Members considered that it would be useful to understand the movement in penalty and appeal volumes.

### **RESOLVED**

That the income and expenditure and reserves at 30<sup>th</sup> November 2017 be noted.

#### **44 SERVICE LEVEL AGREEMENT BETWEEN THE JOINT COMMITTEES AND CHESHIRE EAST COUNCIL**

Consideration was given to a report, which had been circulated in advance of the meeting, presenting the five-year Service Level Agreement (SLA) with Cheshire East Council (CEC), the host authority, which represented the second five-year term of the host authority appointment.



It was recommended that the new SLA be approved and that CEC be reimbursed for its services and requested to enter into a five-year lease for the Wilmslow premises. Details of the lease were set out in the report relating to the Revenue Budget for 2018/19, at item 10 of the agenda.

A number of minor changes had been made to the SLA:

- a) Section 1 – the definition of Head of Service referenced the role of Director
- b) 5.1 referenced the formal delegations to the Director
- c) 6.3 made provision for a review of the SLA on an annual basis by 31<sup>st</sup> December.

A review of services had been undertaken in relation to Schedule 2 to the SLA for 2018/19. Details of the proposed charges for 2018/19 compared to 2017/18 were set out in the report.

During consideration of the report, clarification was sought in respect of the additional payments for HR support, listed as “TBC” in Schedule 2 of the SLA and it was queried whether there was an inconsistency, or whether this was to be charged as and when required. The Director responded to say that there would be additional payments as required and undertook to clarify this in the SLA document

## **RESOLVED**

That, subject to the above clarification within the document, the new SLA be approved; CEC be reimbursed for its services and requested to enter into a five-year lease for the Wilmslow premises, (Details of the lease are set out at Item 10 of the agenda - Revenue Budget for 2018/19).

## **45 REVENUE BUDGET FOR 2018/19**

Consideration was given to a report requesting the Committee to adopt the revenue budget estimates for 2018/19.

In accordance with the Joint Committee’s agreement, it was necessary to establish a budget estimate for the forthcoming year. An assessment had been made of the likely service take up during 2018/19 and therefore, the Adjudicators, administrative support and accommodation needed. The adjudication service was operated on a self-financing basis with income obtained from contributions by PATROL member authorities.

A Table providing an income summary from 2010/11 to 2017/18 was included in the report.

The Joint Committee had determined that member authorities would defray the expenses of the Joint Committee by way of a contribution, based on the number of penalty charge notices they issued.

An assessment had been made of the revenue budget that would be needed to meet the demands on the service during 2018/19. Appeals activity for the first eight months of 2017/18 had indicated that there had been an overall decrease in appeals across all appeal streams of 24.3%. The Director reported that, in preparing the budget for 2018/19, account had been taken of a number of objectives, details of which were set out at para 8.3 of the report. A summary of anticipated expenditure in 2018/19 was also provided.

A 1% inflationary increase had been assumed for salary. The Director reported that she had received an e-mail update in respect of a potential 2% increase. The Trade Unions were in the process of consulting on this, so there may be a variation in the figure, however, it was likely that this could be accommodated without changing the budget.

### **RESOLVED**

That the revenue budget for 2018/19, as detailed in the report, be agreed and adopted.

#### **46 RESERVES POLICY STATEMENT**

Consideration was given to a report enabling the Committee to review the Reserves Policy Statement for 2018/19, in order to comply with Financial Regulations.

The Director referred to para 7.3 of the report, noting that the General Reserve aimed to mitigate the risk and to provide a buffer. It was recommended that the General Reserve for 2018/19 be £1,364,142.

It was recommended that the Property Reserve for 2018/19 be £296,57. This compared with £221,340 in 2017/18.

The Joint Committee had made provision for a technology reserve of £350,000 for 2018/19, of which it was anticipated that £194,169 would be utilised by the end of the financial year, as FOAM continued to be refined.

For 2018/19 it was recommended that a reserve of £250,000 be retained to support the final elements of the roll out and enhancements of the new portal.

It was recommended that the total approved reserve level for 2018/19 be £1,910,717.

In considering the report, members of the Committee raised a number of questions and comments. It was noted that the Reserves Policy Statement was reviewed by the Joint Committee at least once a year.

**RESOLVED**

1. That the Reserves Policy Statement for 2018/19 and the total approved reserve level for 2018/19 of £1,910,717 be approved, noting that the equivalent figure for the previous year was £1,879,545.
2. That the balances of any surplus from 2017/18 being carried forward to 2018/19 be approved.
3. That the drawing down of the Technology Reserve to the Director to the value of £250,000, as required during 2018/19, be approved, on the basis that this expenditure will be reported to the Joint Committee's Resources Working Group and Sub Committee.
4. That the delegation of authority to the Chair and the Vice Chair for authorising the withdrawal of funds from general reserves to meet budgetary deficits be approved.

**47 ANNUAL INVESTMENT STRATEGY**

Consideration was given to a report on investments during 2017/18, requesting the Joint Committee to approve the annual investment strategy for 2018/19.

In considering the report, a member of the Committee asked whether there were any benchmarks that Cheshire East Council had to work to. The Director responded to say that the Council was asked what rates it got and that she would be happy to look at some kind of KPI for discussion at the next meeting.

**RESOLVED**

That the Annual Investment Strategy 2018/19 be approved.

**48 DEFRAYING THE EXPENSES OF THE JOINT COMMITTEE 2018/19**

Consideration was given to a report to establish the basis for defraying expenses during 2018/19, in order to comply with Financial Regulations.

The Joint Committee provided the means to appeal to an independent adjudicator in respect of civil traffic enforcement in England (outside London) and Wales and road user charging. The PATROL agreement provided for the adjudication service to be operated on a self-financing basis with expenses defrayed by member authorities. Where authorities were working in partnership, it was practice to charge those enforcement authorities who managed the enforcement income stream. Table 1 of the report provided an overview of the Joint Committee's basis for defraying expenses since inception.

The Chairman referred to page 58 of the agenda, noting that the charges had continued to decrease, particularly since 2014/15 and stated that this reflected the efficiencies achieved, particularly since the introduction of FOAM. The per PCN charge had halved since the inception of the Joint Committee and the annual and per case charges withdrawn. This reduction was a result of economies of scale and efficiencies.

It was recommended that for 2018/19, the Joint Committee maintain the rate of 35 pence per PCN, agreed at its meeting in October 2017 and backdated to 1<sup>st</sup> April 2017. This had been reviewed at the October 2018 meeting, in the light of actual income and expenditure information for the first half of the year being available.

### **RESOLVED**

1. That it is agreed that for 2018/19, the Joint Committee maintain the rate of 35 pence per PCN, agreed at its meeting in October 2017 and backdated to 1<sup>st</sup> April 2017, this to be reviewed at the October 2018 meeting in the light of actual income and expenditure information for the first half of the year being available.
2. That it is agreed that there will be no annual charge, nor cost per case.
3. That it is agreed that Invoicing will be undertaken on a quarterly basis on estimated figures and subsequently adjusted.
4. That it be noted that the decision to provide a transcription from the audio recording of proceedings rests with the Adjudicator. Where this has been agreed to, the Joint Committee agree that the incidental costs of making a transcription from the audio recordings of the proceedings at a hearing be charged to the requesting party except when, in the view of the Adjudicator, a disability of the requesting party would make it desirable for that person to receive such a transcript.

### **49 RISK MANAGEMENT REPORT**

Consideration was given to a report presenting a Risk Management Framework for approval.

The Risk Management Framework report, which was appended at Appendix 1, provided a summary of the most significant threats facing the Joint Committees which may prevent or assist with the achievement of its objectives.

The Director reported that PATROL had worked in collaboration with Cheshire East Council in reviewing the approach to managing and

reporting risks and feedback from officers and members and was grateful to them and also the Member for Wirral Borough Council

**RESOLVED**

That the Risk Management Framework, as set out at Appendix 1 of the report, be approved and the current assessment of risk be noted.

**50 CHIEF ADJUDICATOR'S UPDATE**

The Chief Adjudicator reported that, with regard to witness statements, under the regulations witness statements had to be referred to PATROL and needed to be dealt with quickly. A new system had been created in FOAM to deal with this and authorities were now engaging in this referral system.

Reported that, in limited circumstances, the regulations allowed for appellants to apply for a review and this was now being brought in to the FOAM system. She considered that this would have a significant impact, as the circumstances as to when appellants could apply for a review would now be set out.

Reported that the Stakeholder Manager continued to hold workshops for local authorities and had received good feedback. She referred to the General Progress Report on the agenda, which showed that there had been fewer appeals and she considered that this was due to a common understanding and local authorities sharing best practice and that this was beginning to show and reflect on the number and quality of cases coming before the adjudicators.

Referred to the Parking (Code of Practice) Private Members' Bill, sponsored by Sir Greg MP, Knight, MP and stated that MHCLG were supporting this. She reported that she had met with representatives from the Scottish and Welsh Governments and that the support from PATROL had been highly applauded. She encouraged local authorities to contact Sir Greg Knight with any comments, as she appreciated that it was a matter of concern for local authorities and it was, therefore, important that PATROL was involved.

Referred to the case study in digital transformation, as mentioned by the Chair in his announcements earlier in the meeting. As mentioned, she sat on the JUSTICE Working Group and reported that PATROL was the only organisation that was monitoring this issue, which was being done through the case study.

**51 GENERAL PROGRESS REPORT**

Consideration was given to a report providing a summary of the Traffic Penalty Tribunal appeals activity for the eight-month period to 30

November 2017 and to inform the Joint Committees of appeals activity and tribunal initiatives.

Appendix 1 of the report provided an overview of appeals activity for the eight-month period to 30 November 2017.

A summary of tribunal initiatives was set out in the report including:-

- The tribunal roll out the FOAM system over 300 member authorities during the 12-month period to 31<sup>st</sup> March 2017.
- Additional functionality had been developed to manage the witness statement process which, following a pilot with pathfinder authorities, had now been rolled out across all authorities.
- The tribunal's Assisted Digital Strategy would be enhanced by new functionality to bring "offline" appellants "online", should they wish to transfer following the start of their appeal.
- The next module to be released was the Application for Review procedure. This was the process where either party may apply for a review of an adjudicator's decision in accordance with the regulations and on a limited number of grounds.
- Following the success of the eight local authority user group, workshops had been held across England and Wales in September, repeat workshops were being held in January to accommodate additional attendees. A new series of workshops was planned over the coming months.

### **RESOLVED**

1. That the eight-month summary of appeals be noted.
2. That the progress on other tribunal initiatives be noted.

### **52 DATE OF NEXT MEETINGS**

It was reported that future meetings would take place as follows:-

- |                 |  |
|-----------------|--|
| 10 July 2018    | Church House, Westminster followed by PARC (Parking Annual Reports by Councils) Awards at the House of Commons |
| 30 October 2018 | Church House, Westminster  |

The meeting commenced at 11am and concluded at 12.35pm

Minutes of a meeting of the

**PATROL Adjudication Joint Committee**

held on Tuesday, 10th July, 2018 at Bishop Partridge Hall, Church House,  
Dean's Yard, London SW1P 3NZ

**PRESENT**

Jamie Macrae Cheshire East Council in the Chair

**Councillors**

|                     |                                       |
|---------------------|---------------------------------------|
| Mark Shelford       | BATHNES Council                       |
| Fred Jackson        | Blackpool Council                     |
| Chris Turrell       | Bracknell Forest Council              |
| Carole Thirkhill    | Bradford City Council                 |
| Saoirse Horan       | Brighton & Hove City Council          |
| Steve Pearce        | Bristol City Council                  |
| Margaret Smidowicz  | Charnwood Borough Council             |
| Eileen Lintell      | Chichester District Council           |
| Terry Douris        | Dacorum Borough Council               |
| Marilyn Peters      | Dartford Borough Council              |
| Stuart Hughes       | Devon County Council                  |
| Ian Kettle          | Dudley Metropolitan Borough Council   |
| Jeanette Stephenson | Durham County Council                 |
| Gary Jones          | East Herts District Council           |
| Deb Holden          | Eden District Council                 |
| Nigel Knapton       | Hambleton District Council            |
| Graham Burgess      | Hampshire County Council              |
| Gary Robinson       | Havant Borough Council                |
| Vanessa Churchman   | Isle of Wight Council                 |
| Shelley Powell      | Knowsley Metropolitan Borough Council |
| Mike Brookes        | Lincolnshire County Council           |
| Peter Davis         | Oldham Metropolitan Borough Council   |
| Tony Page           | Reading Borough Council               |
| Matthew Dickins     | Sevenoaks District Council            |
| John Woodman        | Somerset County Council               |
| Lee Wenger          | Stoke on Trent City Council           |
| Vera Waters         | Walsall Metropolitan Borough Council  |
| Jeanette Clifford   | West Berkshire Council                |
| Kevin Anderson      | Wigan Metropolitan Borough Council    |
| Stuart Whittingham  | Wirrall Metropolitan Borough Council  |
| Simon Cronin        | Worcester City Council                |
| Martin King         | Wychavon District Council             |

## **In attendance**

|                       |   |
|-----------------------|---|
| Marc Samways          | Hampshire County Council<br>(Chair of the Advisory Board) |
| Graham Addicott OBE   | Vice Chair PATROL Advisory Board                          |
| Louise Hutchinson     | Director PATROL   |
| Andy Diamond          | PATROL  |
| Caroline Sheppard OBE | Traffic Penalty Tribunal                                  |
| Stephen Knapp         | Traffic Penalty Tribunal                                  |
| Iain Worrall          | Traffic Penalty Tribunal                                  |
| Patrick Duckworth     | Traffic Penalty Tribunal                                  |
| George Broughton      | Cheshire East Council                                     |
| Cherry Foreman        | Cheshire East Council                                     |
| Jose Garcia           | Broxbourne Borough Council                                |
| Rob Shoebridge        | Derby City Council  |
| Leon Buxton           | Derby City Council  |

## **1 APPOINTMENT OF CHAIRMAN, VICE CHAIRMAN AND ASSISTANT VICE CHAIRMAN**

Consideration was given to the appointment of the Chairman, Vice-Chairman, Assistant Vice-Chairman and the Assistant Vice-Chairman (Wales), these appointments to run until the next meeting.

### **RESOLVED**

That the approval be given to the following appointments:

- Chairman - Councillor Jamie Macrae (Cheshire East Council)
- Vice-Chairman - Councillor Stuart Hughes (Devon County Council)
- Assistant Vice-Chairman - Terry Douris (Dacorum Borough Council)
- Assistant Vice-Chairman (Wales) - Councillor John James (Carmarthenshire County Council)

## **2 APOLOGIES FOR ABSENCE**

Apologies for absence from the following Councils were reported:

Ashfield, Blaby, Bolton, Canterbury, Carmarthenshire, Chorley, Coventry, Dartford, Gedling, Gloucester, Harlow, Hertfordshire, Luton, Maldon, North East Derbyshire, Nottingham, Slough, Solihull, Southend on Sea, South Hampshire, South Staffordshire, Stockton, Sunderland, Swale, West Lancashire, Weymouth and Portland, Wyre Forest and York.

## **3 INTRODUCTION TO NEW MEMBERS**

The Chairman welcomed new members to the Committee from the Councils for Blackburn, Blackpool, Charnwood, Dudley, Durham, Havant, Oldham, Stoke-on-Trent and Walsall.



**4 DECLARATIONS OF INTEREST**

There were no declarations of interest.

**5 MINUTES OF THE MEETING HELD ON 11 JULY 2017**

**RESOLVED**

That the minutes of the meeting held on 11 July 2017 be approved as a correct record.

**6 MINUTES OF THE MEETING HELD ON 30 JANUARY 2018**

**RESOLVED**

That the minutes of the meeting held on 30 January 2018 be approved as a correct record subject to the addition of Councillor Jeannette Clifford (West Berkshire Council) and Councillor Mike Brooks (Lincolnshire County Council) to those attending.

**7 CHAIRMAN'S REPORT**

The Chairman reported that the High Sheriff of Cheshire had recently visited the PATROL offices in Wilmslow and been very impressed with a demonstration of the Fast Online Appeals Management (FOAM) system which continued to be revised and developed in order to improve the user experience. PATROL and the Traffic Penalty Tribunal had recently been named as Digital Collaborative Exemplar for driving efficiencies in service delivery whilst improving the user experience.

The Parking and Bus Lane Tribunal for Scotland had recently started using the FOAM system on behalf of seventeen councils following training being rolled out to their staff and the Adjudicators. IT support from TPT would be maintained for an initial period of six months.

Other new streams of work for the Tribunal included that for the Mersey Gateway Crossing where the charging authority is Halton Borough Council, appeals against penalties associated with Littering from Vehicles, and also for Clean Air Zones.

The Chairman extended thanks to David Rutley MP for sponsoring the last three years Annual Awards events in the House of Commons. As he was now a Government Whip he was now precluded from taking this role and this year's event had been sponsored by Huw Merriam MP who is also a member of the Transport Select Committee. On behalf of the Joint Committee he also thanked Councillor Richard Bell of Sunderland City Council for having been a member and regular attendee at meetings of the Committee.

**RESOLVED**

That the Chairman's report be noted.

**8 CHIEF ADJUDICATOR'S REPORT**

The Chief Adjudicator gave a very interesting and informative presentation on the work of the Traffic Penalty Tribunal and of the Fast Online Appeals Management (FOAM) System. The presentation included the history of the tribunal and how it had developed since its inception, and of the technical developments which has culminated in the digital system used today.

The continuing development of FOAM to improve the user experience, and to accommodate new appeal streams, was an ongoing priority and as a result the system had received a number of technology awards. The Committee was thanked for its support over this time which had enabled the research and development to take place including the current exploration of uses for the system elsewhere in the judiciary.

**RESOLVED**

That the Chief Adjudicator be thanked for her report, and that the slides used be circulated electronically to Members of the Committee.

**9 REPORT OF THE PATROL AND BLASJC RESOURCES WORKING GROUP**

The Committee considered the report of the PATROL and BLASJC Working Group meetings held on 20 March and 5 June 2018. The majority of the matters considered at those meetings were now reported in more detail elsewhere on this agenda.

**RESOLVED**

That the report be noted.

**10 MEMBERS' EXPENSES POLICY**

The Committee considered a revised policy for meeting Members travel costs. This followed member representation in the light of Local Authorities facing ever increasing budgetary pressures. In order to promote engagement with the Joint Committees it was proposed that PATROL would meet some of the travel costs associated with Members attending meetings outside the Annual Meeting.

The Committee welcomed the proposals and it was agreed that the procedure for making a claim, and how it could be tailored to take into account both road and rail travel costs, would be circulated to Members

and that they could then liaise with PATROL direct should any further clarification be required.

**RESOLVED**

That the revised Travel Expenses Policy be approved and that it be reviewed on an annual basis.

**11 PUBLIC AFFAIRS OVERVIEW**

Consideration was given to a detailed overview of public affairs activity in 2017/18 and on that planned for the coming year. It could be seen that significant steps had been taken in terms of engaging with the relevant bodies, and with involvement and discussions on a wide range of topics including pavement parking, moving traffic powers, littering from vehicles, clean air zones, the parking code of practice, and legislation and enforcement in general.

The report included copies of Patrol's responses to recent consultations such as the DoTs 'Accessibility Action Plan', and that on 'Reducing Litter: Penalties for Environmental Offences'. Statutory Guidance Notes were also included, and copies of published articles concerning PATROL and work with which it was involved.

In considering ongoing work in respect of Moving Traffic Powers it was reported that the next steps would be to identify suitable local authorities to collate the impact of the lack of these on local traffic management. With regard to the problems of pavement parking, and the adverse impact on local communities, it was suggested that consideration be given to the interaction of planning regulations and parking provision for a future workshop session. Also, BATHNES Council was trialling new pavement parking measures and the results would be shared with PATROL when available.

**RESOLVED**

That the report be noted and that the Resources Working Group and Sub-Committee monitor the activity and report to meetings of the Executive Sub-Committee.

**12 DRAFT ANNUAL RETURN 2017/18**

The draft Annual Return and its supporting documents were considered.

**RESOLVED**

1. That the outturn position against the 2017/18 budget, shown at Appendix 1 of the report, be noted.

2. That approval be given to the surplus of income over expenditure of £203,074 (which excludes £190,900 surplus ring-fenced to Highways England in respect of the Dartford-Thurrock River Crossing and £61,452 ring-fenced to Halton Borough Council in respect of the Mersey Gateway Bridge Crossing to be added to the Joint Committee's reserves.
3. That the Executive Sub-Committee review the basis for defraying expenses following budget monitoring at the half-year point at their meeting in October 2018.
4. That approval be given to the 2017/18 draft Annual Return, and that the balance sheet, cash flow and audit timetable, shown as appendices 2, 3 and 4 of the report, be noted.
5. That the Annual Internal Audit Report 2017/18, shown as Appendix 5 of the report, be noted.
6. That approval be given to the revised Financial Regulations for 2018/19, shown as Appendix 6 of the report.
7. That approval be given to the revised Scheme of Financial Delegation, shown as Appendix 7 of the report.
8. That approval be given to the Code of Corporate Governance, shown as Appendix 8 of the report.

### **13 RISK MANAGEMENT AND BUSINESS CONTINUITY**

The Committee considered the current assessment of risk. It was reported that there was one change since previously reported which related to a marginal adjustment to the Financial Resilience (CR2) score in the light of new appeal streams which had not yet had chance to stabilise with resulting fluctuations in income or costs.

#### **RESOLVED**

That the current assessment of risk be noted.

### **14 REVIEW OF GOVERNANCE DOCUMENTATION**

Consideration was given to the governance documentation and arrangements for its review. At its meeting last July, the Committee agreed to carry out a fundamental review of the arrangements with a view to providing greater flexibility for the Joint Committee particularly with regard to expanding the services it could provide, including to the private sector. Once finalised a revised draft agreement would be drawn up and circulated amongst the member authorities with an explanatory briefing note.

Delegations to the Chief Adjudicator and the Director were set out without change.

It was proposed that the cycle of meetings for the coming year be as follows:

30 October 2018  
29 January 2019  
16 July 2019

### **RESOLVED**

1. That the update in relation to the review of the Main Agreement be noted.
2. That the completion of the second term Service Level Agreement with the Host Authority, Cheshire East Council, be noted.
3. That the unchanged Schemes of Delegation to the Chief Adjudicator and the Director, be noted.
  - i) That approval be given to the updated Memorandum of Understanding between the Adjudicators and the Joint Committee, as shown in Appendix 3 of the report and Appoints persons to fulfil the function of the proper officer under the relevant regulations
4. That the proposed cycle of meetings for 2018/19, as reported above, be noted.

### **15 ESTABLISHMENT OF EXECUTIVE SUB COMMITTEE**

This report set out arrangements for each Joint Committee to establish an Executive Sub-Committee, and its Terms of Reference for the coming year. It was reported that a new clause had been inserted that Chairs elected to the Joint Committee today would assume the same positions in the Executive Sub-Committee. All new members were encouraged to join.

### **RESOLVED**

1. That each Joint Committees establish an Executive Sub-Committee to act on behalf of the Committee until the annual meeting in July 2019, in accordance with paragraph 2 and the Appendix to this report, and that members of the Executive Sub-Committee be appointed for the forthcoming year.
2. That the first meeting of the Executive Sub Committees be held on 30 October 2018 in London.

**16 TERMS OF REFERENCE FOR THE RESOURCES WORKING GROUP AND SUB COMMITTEE**

The Committee was asked to approve the Terms of Reference for the Resources Working Group and Sub-Committee.

**RESOLVED**

That the draft Terms of Reference be approved.

**17 APPOINTMENTS TO THE ADVISORY BOARD**

Members considered the Terms of Reference for the Advisory Board. The current local authority shire member, Marc Samways (Hampshire County Council), was due to retire this year and it was proposed that he be re-nominated for a further 4-year period. The Chairman thanked him and also

Graham Addicott OBE, the Vice-Chair of the Advisory Board, for their continuing support.

**RESOLVED**

1. That the Terms of Reference and composition of the Advisory Board, as set out in the Appendix to the report, be approved.
2. That Marc Samways be re-appointed to the Advisory Board for the four- year period to July 2022.

**18 WALES UPDATE**

The Director thanked Councillor John James and Carmarthenshire County Council for agreeing to Councillor James taking up the role of Assistant Chair (Wales). Cardiff remains the only council undertaking moving traffic enforcement with City & County of Swansea enforcing bus lanes. Carmarthenshire County Council has recently applied to Welsh Government for both powers.

**19 GENERAL PROGRESS REPORT**

For the benefit of new members this provided some background to the Traffic Penalty Tribunal and the development of the FOAM system with details of hearing volumes, the velocity of appeal closure and support provided to appellants who chose to use an off line method. The information provided included year on year trends for comparison.

It was reported that a recent satisfaction survey had found 83% of users said they had found the system easy to understand; as part of the continuing development of the system however, and with the approval of local authorities, revised guidance was due to be issued on how to submit an appeal. In addition, a survey was planned of those users not availing

themselves of the online system in order to ascertain their user experience.

### **RESOLVED**

That the progress report be noted.

### **20 PATROL PARKING ANNUAL REPORTS BY COUNCILS (PARC) AWARDS**

This report set out the background to the awards and detailed the shortlist of authorities due to attend the ceremony in the House of Commons later that afternoon to be hosted by Huw Merriman MP for Bexhill and Battle.

The Councils shortlisted were Brighton & Hove City Council, Borough of Broxborne, Cumbria County Council, Derby City Council, Devon County council, Durham City Council, Sunderland City Council and Worcester City Council. The report included links to their reports.

For 2017/19 the deadline for submissions had been set at 31 January 2019.

### **RESOLVED**

That the shortlisted councils, and arrangements for the 2017/18 submissions be noted.

The meeting commenced at 11.00 am and concluded at 12.30 pm

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# PATROL ADJUDICATION JOINT COMMITTEE

## Executive Sub Committee

---

**Date of Meeting:** 30<sup>th</sup> October 2018  
**Report of:** The Chief Adjudicator, Traffic Penalty Tribunal  
**Subject/Title:** Adjudicator Appointment Renewals

---

### 1.0 Report Summary

To note the renewals of the appointments of the adjudicators listed on Appendix 1 to 22<sup>nd</sup> May 2020.

### 2.0 Recommendations

Members are asked to note:

- a) The renewal of the appointment of each Adjudicator named in Appendix 1 as:

Parking Adjudicator for England under the provisions of Regulation 17(1) and (5) of the Civil Enforcement of Parking Contraventions (England) General Regulations 2007. By virtue of this appointment the adjudicators also have jurisdiction to determine appeals under of Regulation 12 of the Road User Charging (Penalty Charges, Adjudication and Enforcement) England Regulations 2013 and Regulation 18 of the Littering from Vehicles outside London (Keepers: Civil Penalties) Regulations 2018.

Traffic Adjudicator for Wales under Regulation 16 of the Civil Enforcement of Road Traffic Contraventions (General Provisions) (Wales) Regulations 2013.

### 3.0 Reasons for Recommendations

- a) Adjudicator appointments have previously been made for a period of five years. For administrative ease, a common renewal date is being introduced for all adjudicators. The appointments of the adjudicators named in the Schedule expired on 12 September 2018. There is a presumption of renewal. Accordingly, under the delegated powers from the PATROL Joint Committee to the Chief Adjudicator, she has renewed the appointments of the named adjudicators from to 22<sup>nd</sup> May 2020 or until their 70<sup>th</sup> birthday if sooner.

### 4.0 Financial Implications

None

## 5.0 Legal Implications

None

## 6.0 Risk Management

Resources planning is an element of the Risk Management Framework.

## 7.0 Background and Options

The Memorandum of Understanding between the Joint Committee and the Adjudicators which is reviewed at the annual meeting sets out the arrangements for appointing adjudicators.

## 8.0 Recommendations

Members are asked to note:

- a) The renewal of the appointment of each Adjudicator named in Appendix 1 to 22<sup>nd</sup> May 2020 as:

Parking Adjudicator for England under the provisions of Regulation 17(1) and (5) of the Civil Enforcement of Parking Contraventions (England) General Regulations 2007. By virtue of this appointment the adjudicators also have jurisdiction to determine appeals under of Regulation 12 of the Road User Charging (Penalty Charges, Adjudication and Enforcement) England Regulations 2013 and Regulation 18 of the Littering from Vehicles outside London (Keepers: Civil Penalties) Regulations 2018.

Traffic Adjudicator for Wales under Regulation 16 of the Civil Enforcement of Road Traffic Contraventions (General Provisions) (Wales) Regulations 2013.

## 9.0 Access to Information

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

Name: Caroline Sheppard OBE

Designation: Chief Adjudicator

Tel No: 01625 445555

Email: [csheppard@trafficpenaltytribunal.gov.uk](mailto:csheppard@trafficpenaltytribunal.gov.uk)

## Appendix 1

### Adjudicators due for Renewal in 2018

Andrew Barfoot  
Katherine Cartwright  
Bhopinder Gandham  
Joanne Garbett  
Annie Hockaday  
Anwen Lewis  
George Lubega  
Catriona Murphy  
Paul Pearson  
MacKenzie Robinson  
Edward Solomons  
Sarah Tozzi  
Rhys Williams  
Jill Yates

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# PATROL ADJUDICATION JOINT COMMITTEE

## Executive Sub Committee

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**Date of Meeting:** 30<sup>th</sup> October 2018  
**Report of:** The Director on behalf of the Resources Working Group  
**Subject/Title:** Audit Commission Small Bodies Annual Return for the Year Ended 31 March 2018

---

### 1.0 Report Summary

1.1 To report the findings of the external auditors for 2017/18.

### 2.0 Recommendation

2.1 To note the findings of the external audit for 2017/18 in the enclosed annual return (Appendix 1).

### 3.0 Reasons for Recommendations

3.1 Compliance with PATROL Financial Regulations.

### 4.0 Financial Implications

4.1 Set out in the report

### 5.0 Legal Implications

5.1 None at this time

### 6.0 Risk Management

6.1 Internal and external audit findings provide assurance to the Joint Committee on financial management.

### 7.0 Background and Options

7.1 The Joint Committee approved the draft annual return for 2016/17 at its meeting on 10<sup>th</sup> July 2018.

7.2 The Joint Committee approved the appointment of BDO LLP to audit the annual returns of the Joint Committee for the period 2015/16 to 2017/18 at its meeting in July 2016. The final audited return is shown at Appendix 1. The external auditors have found that there are no issues arising save for a variation of £1 which is due to rounding.

- 7.3 There is no requirement for the Joint Committee to publish accounts from 2015/16 onwards however at the Joint Committee meeting in June 2015, it was determined that this would continue for the purposes of transparency
- 7.4 The appointment of auditors for the period 2018/19 to 2020/21 will be considered at the meeting in January 2019.

### **8.0 Access to Information**

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

Name: Louise Hutchinson

Designation: Director

Tel No: 01625 445566

Email: [lhutchinson@patrol-uk.info](mailto:lhutchinson@patrol-uk.info)

## Joint Committees

### Return for the financial year ended 31 March 2018

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The return on pages 2 to 5 is made up of four sections:

- Sections 1 and 2 are completed by the person nominated by the Joint Committee
- Section 3 is completed by BDO LLP as the reviewer appointed by the Joint Committee.
- Section 4 is completed by the Joint Committee's internal audit provider.

#### Completing your return

Guidance notes, including a completion checklist, are provided on page 6 and at relevant points in the return. Also our extranet contains useful advice for you to refer to, see below.

Complete all sections highlighted in red. Do not leave any red box blank. Incomplete or incorrect returns require additional work and so may incur additional costs.

Send the return, together with your bank reconciliation as at 31 March 2018, an explanation of any significant year on year variances in the accounting statements and any additional information requested, to us, BDO LLP, by the due date.

We will identify and ask for any additional documents needed for our work. Therefore, unless requested, do not send any original financial records.

Once we have completed our work, the completed return will be returned to the Joint Committee.

It should not be necessary for you to contact us for guidance.

Section 1 – Governance statement 2017/18

We acknowledge as the members of

Enter name of reporting body here:

PARKING & TRAFFIC REGULATIONS OUTSIDE LONDON 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 2018, that:

|  | Agreed |     | Yes<br>Means that the body  |
|--|--------|-----|---|
|  | Yes    | No* |   |
| 1 We approved the accounting statements prepared in accordance with the guidance notes within this Return.   | ✓      |     | Prepared its accounting statements and approved them.   |
| 2 We maintained an adequate system of internal control, including measures designed to prevent and detect fraud and corruption and reviewed its effectiveness.   | ✓      |     | Made proper arrangements and accepted responsibility for safeguarding the public money and resources in its charge  |
| 3 We took all reasonable steps to assure ourselves that there are no matters of actual or potential non-compliance with generally accepted good practice that could have a significant financial effect on the ability of the body to conduct its business or on its finances and have reported our financial results to our host authority for inclusion in their accounts. | ✓      |     | Has only done what it has the legal power to do and has complied with general accepted good practice  |
| 4 We carried out an assessment of the risks facing the body and took appropriate steps to manage those risks, including the introduction of internal controls and/or external insurance cover where required.  | ✓      |     | Considered the financial and other risks it faces and has dealt with them properly.   |
| 5 We maintained throughout the year an adequate and effective system of internal audit of the body's accounting records and control systems.   | ✓      |     | 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. |
| 6 We took appropriated action on all matters raised during the year in reports from internal audit and external reviews.   | ✓      |     | Responded to matters brought to its attention by internal and external reviewers  |
| 7 We considered whether any litigation, liabilities or commitments, events or transactions, occurring either during tor after the year-end, have a financial impact on the body and where appropriate have included them in the accounting statements.   | ✓      |     | Disclosed everything it should have about its business activity during the yea including events taking place after the year-end if relevant                               |

The governance statement is approved by the Joint Committee and recorded as minute reference


12 REFERENCE

Date 10/07/2018

Signed by:

Chair 

Signed by:

Clerk 

\*Note: Please provide explanations on a separate sheet for each 'No' response. Describe how the joint committee will address the weaknesses identified.



Section 2 – Accounting Statements 2017/18 for

Enter name of reporting body here:

PARKING & TRAFFIC REGULATIONS OUTSIDE LONDON ADJUDICATION JOINT COMMITTEE

|  | Year ending        |                    | Notes and guidance<br>Please round all figures to nearest £1. Do not leave any boxes blank and reports £0 or Nil balances. All figures must agree to underlying financial records.       |
|--|--------------------|--------------------|--|
|  | 31 March 2017<br>£ | 31 March 2018<br>£ |  |
| 1 Balances brought forward                                       | 3,497,252          | 3,182,460          | 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                     | -                  |                    | Total amount of local tax and/or levy received or receivable in the year including funding from a sponsoring body. Excluding any grants received.  |
| 3 (+) Total other receipts                                       | 3,537,576          | 3,307,838          | Total income or receipts as recorded in the cashbook less the taxation and/or levy (line 2). Include any grants received here.   |
| 4 (-) Staff costs  | 2,081,136          | 1,906,766          | Total expenditure or payments made to and on behalf of all employees. Include salaries and wages, PAYE and NI (employees and employers)), pension contributions and employment expenses. |
| 5 (-) Loan Interest/capital repayments                           | -                  |                    | Total expenditure or payments of capital and Interest made during the year on the body's borrowings (if any).  |
| 6 (-) All other payments   | 1,771,231          | 1,141,392          | 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                                   | 3,182,460          | 3,442,141          | 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                          | 3,285,149          | 3,490,169          | 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 plus other long term investments and assets | -                  | -                  | The original Asset and Investment Register value of all fixed assets, plus other long term assets owned by the body as at 31 March   |
| 10 Total borrowings  | -                  | -                  | 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 2018 the accounting statements in the return present fairly the financial position of the Joint Committee and its income and expenditure, or properly present receipts and payments, as the case may be.

Signed by Responsible Financial Officer:



Date 25/6/18

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

10/01/2018

and recorded as minute reference:

12

Signed by Chair of meeting approving these accounting statements:



### Section 3 – External Report 2017/18 Certificate

We present the findings from our review of the return for the year ended 31 March 2018 in respect of:

Enter name of reporting body here:

PARKING & TRAFFIC REGULATIONS OUTSIDE LONDON ADJUDICATION JOINT COMMITTEE

Respective responsibilities of the Joint Committee and the reviewer

The Joint Committee has taken on the responsibility of ensuring that its financial management is adequate and effective and that it has a sound system of internal control. The Joint Committee prepares a return which:

- summarises the accounting records for the year ended 31 March 2018; and
- confirms and provides assurance on various governance matters in accordance with generally accepted good practice

This report has been produced in accordance with the terms of our engagement letter dated [date] ("the Engagement Letter") and in accordance with the International Standard on Related Services 4400 applicable to agreed-upon-procedures engagements as published by IAASB.

We have performed the following work in respect of the return prepared by the Joint Committee:

- agreed to bank reconciliation to the annual return and the bank statements
- agreed the Annual return figures back to the trial balance
- ensured the trial balance and accounting statements adds up
- agreed the precept to the funding body
- agreed any loans to the PWLB or whoever the loan is with
- checked the comparative figures to the prior year accounts
- undertake an analytical review of the figures and investigated any variances in excess of 10%
- agree that the accounting statements and annual governance statement have been signed and dated as required.
- investigated any NO answers to the Annual Governance Statement
- investigated any NO answers in the Internal auditor report

[No exceptions were found / Apart from the following exceptions, noted below, no exceptions were found.]

The Accounting Statements do not add up by £k

We have not subject the information contained in our report to checking or verification procedures except to the extent expressly stated above and this engagement does not constitute an audit or a review and, as such, no assurance is expressed. Had we performed additional procedures, an audit or a review, other matters might have come to light that would have been reported.

You were responsible for determining whether the agreed upon procedures we performed were sufficient for your purposes and we cannot, and do not, make any representations regarding the sufficiency of these procedures for your purposes.

Our report is prepared solely for the confidential use of the joint committee. Our report must not be used for any purpose other than for which it was prepared or be reproduced or referred to in any other document or made available to any third party without the written permission of BDO LLP.

We accept no liability to any other party who is shown or gains access to this report.

Reviewer signature



BDO LLP

23/9/15

Section 4 – Annual internal audit report 2017/18 to

Enter name of reporting body here:

PARKING & TRAFFIC REGULATION OUTSIDE LONDON ADJUDICATION JOINT COMMITTEE

The Joint Committee's internal audit service provider, 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 2018.

Internal audit has been carried out in accordance with the Joint Committee'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 Joint Committee.

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

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

\*SEE INTERNAL AUDIT REPORT - APPENDIX B FOR MORE DETAILS.

Name of person who carried out the internal audit:

JOSIE GRIFFITHS

Signature of person who carried out the internal audit:



Date:

25/06/18

\*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 2017/2018 return

1. Make sure that your 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 drawn to the attention of and approved by the body, properly initialled and an explanation provided to us. Returns containing unapproved or unexplained amendments will be returned and may incur additional costs.
2. Use the checklist provided below. Use a second pair of eyes, perhaps a member of the committee or the Chair, to review your return for completeness before sending it to us.
3. Do not send us any information not specifically asked for. Doing so is not helpful. However, you must notify us of any change of Clerk, Responsible Financial Officer or Chair.
4. Make sure that the copy of the bank reconciliation or letter confirming the balance held on your behalf which you send with the return covers all your bank balances. If the joint committee holds any short-term investments, note their value on the bank reconciliation. We must be able to agree your bank reconciliation to Box 8 on the Accounting statements. You must provide an explanation for any difference between Box 7 and Box 8.
5. Explain fully significant variances in the accounting statements on page 3. Do not just send in a copy of your detailed accounting records instead of this explanation. We want to know that you understand the reasons for all variances. Include a complete analysis to support your explanation.
6. If we have to review unsolicited information, or receive an incomplete bank reconciliation, or you do not fully explain variances, this may incur additional costs for which we will make a charge.
7. Make sure that your accounting statements add up the balance carried forward from the previous year (Box 7 of 2017) equals the balance brought forward in the current year (Box 1 of 2018).
8. Do not complete section 3. We will complete it at the conclusion of our work.

| Completion checklist – 'No' answers mean you may not have met requirements |   | Done? |
|--|---|-------|
| All sections   | All red boxed have been completed?  | ✓     |
|  | All information has been sent with this return?   | ✓     |
| Section 1  | For any statement to which the response is 'no', an explanation is provided?                            | ✓     |
| Section 2  | Approval by the body confirmed by the signature of Chair of meeting approving the accounting standards? | ✓     |
|  | An explanation of significant variations from last year to this year is provided?                       | ✓     |
|  | Bank reconciliation as at 31 March 2018 agrees to Box 8?  | ✓     |
| Section 4  | An explanation of any difference between Box 7 and Box 8 is provided?                                   | ✓     |
|  | All red boxed completed by internal audit and explanations provided?                                    | ✓     |



## PATROL ADJUDICATION JOINT COMMITTEE

### Executive Sub Committee

---

|                        |   |
|------------------------|---|
| <b>Date of Meeting</b> | 30 <sup>th</sup> October 2018   |
| <b>Report of:</b>      | The Director on behalf of the Resources Working Group and Sub Committee         |
| <b>Subject/Title:</b>  | Budget monitoring, reviewing reserves and the basis for defraying costs 2018/19 |

---

#### **1.0 Report Summary**

- 1.1 To present income, expenditure and reserves monitoring information for the year to 30<sup>th</sup> September 2018.

#### **2.0 Recommendation**

- 2.1 To note the income and expenditure position at 30<sup>th</sup> September 2018.
- 2.2 To note the information the current and forecast reserves position.
- 2.3 To review the options and determine the basis for defraying expenses for the year 2018/19. The Resources Working Group and Sub Committee reviewed these options at their meeting on 9<sup>th</sup> October and recommend Option 3 with a further review at the January 2019 meeting.

#### **3.0 Reasons for Recommendations**

- 3.1 Compliance with Financial Regulations

#### **4.0 Financial Implications**

- 4.1 Set out in the report.

#### **5.0 Legal Implications**

- 5.1 None

#### **6.0 Risk Management**

- 6.1 Budget monitoring forms part of the Risk Register.

## **7.0 Background and Options**

- 7.1 The budget was approved for the year 2018/19 at the meeting of the Executive Sub Committee held 30th January 2018.
- 7.2 This report provides the Committee with the expenditure position at 30<sup>th</sup> September 2018.
- 7.3 The Tribunal is operated on a self-financing basis with income obtained from defraying expenses amongst the Joint Committee member authorities.
- 7.4 The revenue budget estimate was established by the Joint Committee for 2018/19 on the basis that this would reflect the councils who were already members of the Joint Committee.
- 7.5 The Joint Committee forecasting model takes account of recent income trends (i.e. within the last 12 months).
- 7.6 Additional income is derived from a recharge to the Bus Lane Adjudication Service Joint Committee and the provision of adjudication for appeals arising from road user charging enforcement at the Dartford-Thurrock River Crossing and the Mersey Gateway Crossing. The enforcement authorities are the Secretary of State for Transport and Halton Borough Council respectively who are not members of the Joint Committee.
- 7.7 The Joint Committee's income is derived from a pre-estimate of the number of penalty charge notices (PCNs) each council will issue. Corrections are applied at the 6-month and 12-month points once the actual number of PCNs issued is known.
- 7.8 Should it be the case that there is a need for greater expenditure than that provided for in the approved budget, then there is a recommendation to authorise the Director to incur additional expenditure, provided such expenditure does not exceed the income for the current year.
- 7.9 Should it be the case that the revenue account falls into deficit then the surplus from previous years is available.
- 7.10 Should there be greater income than expenditure in the year then there is a recommendation that this be transferred into the succeeding year as reserves.

## **8.0 Expenditure**

- 8.1 Expenditure was lower than budgeted by £87,006 (5.6%).
- 8.2 Adjudicator costs were favourable to budget by £42,434 (8.4%) in line with lower than budgeted appeals.
- 8.3 Supplies and Services were £40,004 (16.8%) lower than budgeted. Most of this expenditure is planned to be incurred later in the year.



8.4 Staffing costs were favourable to budget by £9,263 (1.8%). This relates to unfilled vacancies within the appeals team due to efficiencies of working

8.5 Premises costs are also favourable to budget by £18,027 (16.6%). The majority of this relates refurbishment and maintenance costs not yet incurred.

## **9.0 Income**

9.1 Overall income was £303,234 (17.9%) favourable to budget. Income from the Dartford-Thurrock River Crossing and the Mersey Gateways Crossing were both higher than expected due to higher than anticipated PCNs issued.

The recharge for bus lane adjudication service costs is adverse to budget by £15,049 (6.4%). Parking income was favourable to budget by £187,019 (22.8%).

Interest continues to perform above expectations due to higher balances being invested for longer terms.

## **10.0 Overall Result**

10.1 Six months into the financial year, PATROL has produced a surplus of £529,566. Of this, £105,502 is ring-fenced to Highways England, and £146,508 for Halton Borough Council. Excluding these authorities, the balance is £277,556.

## **11.0 Reserves**

11.1 Total Reserves are £3,558,152 at 30<sup>th</sup> September 2018, of which Free Reserves are £1,901,463.

Of the total Reserves figure, £105,502 is ring-fenced to Highways England and £171,218 to Halton Borough Council.

| <u>Reserves</u>   | TOTAL            | PATROL           | Dartcharge      | Mersey Gateway |
|---|------------------|------------------|-----------------|----------------|
| <b>Reserves Brought Forward 01.04.17</b>                        | <b>3,182,460</b> | <b>3,116,338</b> | <b>66,122</b>   | <b>0</b>       |
| <i>Reserves for 2017/18</i>                                     | <b>455,426</b>   | 203,074          | 190,900         | 61,452         |
| <i>Drawdown from Reserves 2017/18</i>                           | <b>-195,745</b>  | <b>-195,745</b>  |                 |                |
| <i>Adjustment</i>   | <b>0</b>         | <b>-4,474</b>    |                 | 4,474          |
| <b>Closing Reserves 2017/18 and Opening Reserves of 2018/19</b> | <b>3,442,141</b> | <b>3,119,193</b> | <b>257,022</b>  | <b>65,926</b>  |
| <i>Of which are:</i>  |                  |                  |                 |                |
| <i>General Approved Reserve</i>                                 | 1,364,142        | 1,364,142        |                 |                |
| <i>Approved Property Reserve</i>                                | 296,575          | 296,575          |                 |                |
| <i>Approved Technology Reserve</i>                              | 250,000          | 250,000          |                 |                |
| <i>Allocated to Bus Lanes (proposed)</i>                        | <b>-254,028</b>  | <b>-254,028</b>  |                 |                |
| <i>TOTAL Approved Reserve</i>                                   | <b>1,656,689</b> | <b>1,656,689</b> | <b>0</b>        | <b>0</b>       |
| <b>Free Reserves at 01.04.18</b>                                | <b>1,785,452</b> | <b>1,462,504</b> | <b>257,022</b>  | <b>65,926</b>  |
| <i>Drawdown of Reserves 2018/19</i>                             | <b>-413,555</b>  | <b>-115,317</b>  | <b>-257,022</b> | <b>-41,216</b> |
| <i>Reserves for 2018/19 to date</i>                             | 529,566          | 277,556          | 105,502         | 146,508        |
| <b>TOTAL Reserves to 30th September 2018</b>                    | <b>3,558,152</b> | <b>3,281,432</b> | <b>105,502</b>  | <b>171,218</b> |
| <i>of which Free Reserves</i>                                   | <b>1,901,463</b> | <b>1,624,743</b> | <b>105,502</b>  | <b>171,218</b> |
| <i>* of which retained by agreement</i>                         |                  |                  | <b>50,000</b>   | <b>25,000</b>  |

## 12.0 Options for Defraying Expenses of the PATROL Joint Committee 2018/19

The table below provides the history to PATROL's charging

| Year    | Per PCN     |
|---------|-------------|
| 2009/10 | 60/65 pence |
| 2010/11 | 65 pence    |
| 2011/12 | 65 pence    |
| 2012/13 | 60 pence    |
| 2013/14 | 60 pence    |
| 2014/15 | 55 pence    |
| 2015/16 | 50/45 pence |
| 2016/17 | 45/40 pence |
| 2017/18 | 35 pence    |
| 2018/19 | 35 pence    |

Reviewing the basis for defraying expenses in 2018/19 in light of the six-month Income and Expenditure experience, the following options were considered:

### **Option 1:**

**Maintain the current contribution based upon 35 pence per PCN.** This would not incur any additional costs and, based on income and expenditure to

30 September 2018, the full-year forecast is a surplus of £212,223 which would be added to the surpluses from previous years resulting in closing reserves of £3,654,364. If an approved reserve is agreed as proposed for BLASJC this would result in a Total Approved Reserve of £1,656,689 and forecast Free Reserves of £1,997,675 at March 2019.

### ***Option 2:***

**Reduce the contribution to 30 pence per PCN and backdate it to April 2018.** This would cost £261,624. The resulting forecast for the year would then be a contribution **from** reserves of £49,400 with closing reserves of £3,392,741. If an approved reserve is agreed as proposed for BLASJC this would result in a Total Approved Reserve of £1,656,689 and forecast Free Reserves of £1,736,052 at March 2019.

### ***Option 3:***

**Reduce the contribution to 30 pence per PCN and backdate to 1<sup>st</sup> October 2018.** This would cost £130,812 which is forecast to result in a contribution of £81,412 **to** reserves, resulting in a closing reserve of £3,523,552 at the end of the financial year. If an approved reserve is agreed as proposed for BLASJC this would result in a Total Approved Reserve of £1,656,689 and forecast Free Reserves of £1,866,863 at March 2019.

## **13. Recommendations**

- 13.1 To note the income and expenditure and reserves at 30<sup>th</sup> September 2018
- 13.2 To note the information the current and forecast reserve position.
- 13.3 To review the options for defraying expenses and determine the preferred basis for 2018/19. The Resources Working Group and Sub Committee reviewed these options at their meeting on 9<sup>th</sup> October 2018 and recommend Option 3 with a further review at the January 2019 meeting.

## **14.0 Access to Information**

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

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Designation: Director

Tel No: 01625 445566

Email: [lhutchinson@patrol-uk.info](mailto:lhutchinson@patrol-uk.info)

APPENDIX 1: PATROL Outturn to 30/09/2018

|  | Year to Date     |                  |                |               | Full Year            |                  |                 |                   |
|--|------------------|------------------|----------------|---------------|----------------------|------------------|-----------------|-------------------|
|  | 30/09/2018       | 30/09/2018       | 30/09/2018     | 30/09/2018    | 2018/19              | 2018/19          | 2018/19         | 2017/18           |
|  | Year to Date     | Budget           | Var to Budget  | Var to Budget | Forecast Outturn 6+6 | Full Year Budget | Var to Budget   | Prior Year Result |
| <b>Income</b>                            |                  |                  |                |               |                      |                  |                 |                   |
| Parking                                  | 1,007,769        | 820,750          | 187,019        | 22.8%         | 1,923,451            | 1,641,500        | 281,951         | 1,744,815         |
| RUCA (Dartcharge)                        | 496,199          | 395,500          | 100,699        | 25.5%         | 992,398              | 791,000          | 201,398         | 915,417           |
| RUCA (Mersey Gateway)                    | 266,118          | 240,900          | 25,218         | 10.5%         | 530,045              | 481,800          | 48,245          | 209,141           |
| Recharge for Bus Lane Adjudication Costs | 221,416          | 236,465          | (15,049)       | -6.4%         | 439,260              | 472,930          | (33,670)        | 426,443           |
| Bank Interest                            | 9,847            | 4,500            | 5,347          | 118.8%        | 19,447               | 9,000            | 10,447          | 12,023            |
| Contribution (to) / from Reserves        | 0                | 0                | 0              | 0.0%          |                      |                  | 0               | 0                 |
| <b>Total Income</b>                      | <b>2,001,349</b> | <b>1,698,115</b> | <b>303,234</b> | <b>17.9%</b>  | <b>3,904,600</b>     | <b>3,396,230</b> | <b>508,370</b>  | <b>3,307,838</b>  |
| <b>Expenditure:</b>                      |                  |                  |                |               |                      |                  |                 |                   |
| Adjudicators                             | 460,477          | 502,910          | 42,434         | 8.4%          | 976,114              | 1,005,819        | 29,705          | 911,826           |
| Staff                                    | 500,147          | 509,410          | 9,263          | 1.8%          | 995,198              | 1,017,588        | 22,390          | 995,882           |
| Premises / Accommodation                 | 90,464           | 108,491          | 18,027         | 16.6%         | 189,639              | 216,982          | 27,343          | 174,528           |
| Transport                                | 41,809           | 39,720           | (2,089)        | -5.3%         | 82,774               | 79,440           | (3,334)         | 81,685            |
| Supplies and Services                    | 197,892          | 237,896          | 40,004         | 16.8%         | 559,602              | 474,392          | (85,210)        | 350,219           |
| IT                                       | 155,044          | 133,312          | (21,732)       | -16.3%        | 298,752              | 266,624          | (32,129)        | 284,621           |
| Services Management and Support          | 25,000           | 25,000           | (0)            | 0.0%          | 50,000               | 50,000           | (0)             | 48,902            |
| Audit Fees                               | 950              | 2,050            | 1,100          | 53.7%         | 2,630                | 4,100            | 1,470           | 4,750             |
| Contingency                              | 0                | 0                | 0              | 0.0%          | 0                    | 0                | 0               | 0                 |
| <b>Total Expenditure</b>                 | <b>1,471,783</b> | <b>1,558,789</b> | <b>87,006</b>  | <b>5.6%</b>   | <b>3,154,710</b>     | <b>3,114,945</b> | <b>(39,765)</b> | <b>2,852,412</b>  |
| <b>Surplus / (Deficit)</b>               | <b>529,566</b>   | <b>139,326</b>   | <b>390,240</b> |               | <b>749,890</b>       | <b>281,285</b>   | <b>468,606</b>  | <b>455,426</b>    |

0 -0

|                             |         |         |  |         |         |         |
|-----------------------------|---------|---------|--|---------|---------|---------|
| <b>Breakdown of Surplus</b> | 529,566 | 139,326 |  | 749,890 | 0       | 455,426 |
| <b>PATROL</b>               | 277,556 | 27,749  |  | 212,982 | 57,218  | 203,074 |
| <b>Mersey Gateway</b>       | 146,508 | 97,539  |  | 279,276 | 195,335 | 61,452  |
| <b>Highways England</b>     | 105,502 | 14,038  |  | 257,632 | 28,733  | 190,900 |

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

### **Executive Sub Committees**

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|                         |  |
|-------------------------|--|
| <b>Date of Meeting:</b> | 30 <sup>th</sup> October 2018  |
| <b>Report of:</b>       | The Director on behalf of the PATROL and BLASJC Resources Working Group.                           |
| <b>Subject/Title:</b>   | Report of the PATROL and BLASJC Resources Working Group meeting held 9 <sup>th</sup> October 2018. |

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#### **1.0 Report Summary**

- 1.1 To report on the PATROL and BLASJC Resources Working Group meeting held 9<sup>th</sup> October 2018.

#### **2.0 Recommendations**

- 2.1 To note the matters discussed at the meeting held 9<sup>th</sup> October 2018.
- 2.2 To approve the Resources Sub Committee and Working Group overseeing matters highlighted in the report and reporting back to the next meeting of the Executive Sub Committees.

#### **3.0 Reasons for Recommendations**

- 3.1 To update the Joint Committees' Executive Sub Committees

#### **4.0 Financial Implications**

- 4.1 The Resources Working Group considered financial issues reported to this meeting.

#### **5.0 Legal Implications**

- 5.1 None

#### **6.0 Risk Management**

- 6.1 The Resources Working Group considered the risk management report presented to this meeting.

#### **7.0 Background and Options**

- 7.1 The July 2018 meetings of the Joint Committees resolved that the Resources Sub Committee and Working Group would oversee a number of initiatives and report to the Joint Committees and their Executive Sub Committees.

7.2 The last meeting took place on 9<sup>th</sup> October 2018, was chaired by Councillor Macrae and considered the following items:

a) Public Affairs

Further to the report presented to the Joint Committee meetings in July 2018 the following provides a summary of the current position:

(i) Pavement Parking

PATROL has responded to the Department for Transport's consultation on pavement parking and is continuing to work with government and stakeholders to put forward practical solutions. A further update will be presented at the meeting on 30<sup>th</sup> October 2018.

(ii) The Private Member's Bill – Parking (Code of Practice) Bill

The Bill aims to make provision for a single code of practice containing guidance for the operation and management of private parking facilities. The Chief Adjudicator was invited to join a MHCLG (Ministry of Housing, Communities and Local Government) Advisory Group tasked with producing an advisory Code of Practice for the private parking industry. The Group is chaired by the Director of the RAC. The Bill which is sponsored by Sir Greg Knight (Conservative Member of Parliament for East Yorkshire) reached the committee stage in July where it was reported without amendment. The remaining stages of the Bill will be read on Friday 23 November 2018. PATROL is supportive of this bill as the public do not always make the distinction between public and private parking enforcement.

(iii) Moving traffic powers

The focus is on identifying relevant measures to assess the impact of not having such powers in England (outside London).

(iv) Littering from vehicles

New powers under the "Littering from Vehicles Outside London (Keepers: Civil Penalties) Regulations 2018 came into force on 1<sup>st</sup> April 2018. Appeals will be handled by the Traffic Penalty Tribunal. Of the 50 plus local authorities who have expressed an interest in enforcing these powers, a small number are actively considering. No appeals have been received to date.

(v) Clean Air Zones

Some 60 authorities are considering Clean Air Zones. It is not yet known how many of these will be introducing charging zones. Of the five original authorities, Leeds and Birmingham are potentially early adopters. DEFRA has announced that there will be a common payment portal across all charging authorities. Initial presentations have been made on the requirements of the

Traffic Penalty Tribunal which will be considering appeals and this will continue as local authority plans are finalised.

(vi) House of Commons PARC (Parking Annual Reports by Councils) Awards

Following a successful reception on 10<sup>th</sup> July hosted by Huw Merriman MP, local authorities are being encouraged to produce annual reports and a copy of the annual report toolkit has been issued to all Councillor representatives and Parking Managers. The deadline for entries is 31<sup>st</sup> January 2019.

(vii) Simplifying the Civil Enforcement of Parking Contraventions (Guidelines on Levels of Charges) (England) Order 2007

The Government has published its response to the consultation. The lower band of penalty charges will be retained to give local authorities the discretion to reduce their parking penalties, if elected councillors wish to adopt such a policy. The Government has indicated that it will adopt the Welsh model of listing higher level contravention types in an Order whilst publishing the specific contraventions in Guidance to be more responsive to changing requirements. PATROL has indicated its interest in formally engaging in the review of contravention codes as they affect authorities outside London

(viii) Traffic and Parking World 2019

Following the successful Parking World 2017, PATROL has again agreed to be Event Partner for this event which will take place in Manchester on 22<sup>nd</sup> January 2019.

b) Financial Reports

The meeting considered:

- Outcome of external audit 2017/18 – reported separately
- Budget monitoring and reserves at 30<sup>th</sup> September 2018- reported separately
- Options for defraying expenses – reported separately
- A proposal for a bus lane reserve statement – reported separately
- Review of risk management report – reported separately
- Procurement report

c) Other

The meeting also considered proposals for Members being able to choose on an individual basis to receive agendas and papers in hard copy and electronically (as currently) or just to receive electronically.

### 8.0 Recommendation

8.1 To note the matters discussed at the meeting held 9<sup>th</sup> October 2018.

8.2 To approve the Resources Sub Committee and Working Group overseeing matters highlighted in the report and reporting back to the next meeting of the Executive Sub Committees in January 2019.

**9.0 Access to Information**

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

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## PATROL AND BUS LANE ADJUDICATION SERVICE JOINT COMMITTEES

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**Date of Meeting:** 30<sup>th</sup> October 2018

**Report of:** The Director in consultation with the Resources Working Group  
and Sub Committee

**Subject/Title:** Risk Management Framework

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**1. Report Summary**

The report presents the current assessment of risk.

**2. Recommendation**

To note the current assessment of risk. (Appendix 1)

**3. Reasons for Recommendations**

To report on arrangements for identifying, managing and reporting risk

**4. Financial Implications**

None at this time

**5. Legal Implications**

None

**6. Risk Management**

Provides a framework for risk management.

**7. Background and Options**

The Risk Register is set out at Appendix 1.

**8. Access to Information**

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

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Designation: Director  
Tel No: 01625 445566  
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## Appendix 1

# Risk Management Framework

## 1. Introduction

This report provides a summary of the most significant threats facing the Joint Committees which may prevent or assist with the achievement of its objectives. We are grateful to input from Cheshire East Council in reviewing our approach to managing and reporting risks and feedback from officers and members.

It is the role of the Joint Committee's Resources Working Group and Sub Committee to review the report prior to consideration by the Joint Committees or their Executive Sub Committees. This review aims to provide assurance on the adequacy of the risk management framework and internal control environment. Risk management is not about being risk averse, it is about effectively managing risks that could affect the achievement of objectives and ensuring that an appropriate risk culture is in place.

A risk is concerned with a threat, or a possible future event, which will adversely or beneficially affect the council's ability to achieve its objectives. Risk management is central to good governance and is all about people making the best decision at all levels within the organisation.

A strong risk framework:

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

## 2. Corporate Risks

The Joint Committee summarises its risk appetite as follow:

*"We will avoid risks that threaten our ability to undertake our principal objectives in a way that provides quality and value. We will maintain a sufficient level of reserves to support liquidity and absorb short-term fluctuations in income and expenditure beyond our control."*

There are presently five threats on the Corporate Risk Register. These are currently measured as being "low" or "medium" scale risks. The classification of risk is set out below.

**Risk Matrix**

|            |   | Consequence |    |    |    |   |
|------------|---|-------------|----|----|----|---|
|            |   | 5           | 4  | 3  | 2  | 1 |
| Likelihood | 5 | 25          | 20 | 15 | 10 | 5 |
|            | 4 | 20          | 16 | 12 | 8  | 4 |
|            | 3 | 15          | 12 | 9  | 6  | 3 |
|            | 2 | 10          | 8  | 6  | 4  | 2 |
|            | 1 | 5           | 4  | 3  | 2  | 1 |

**3. Background to Corporate Risks:**

Local authorities who undertake civil parking and bus lane enforcement are required by statute to make provision for independent adjudication. The relationship between the adjudicators and the Joint Committee is derived from and governed by the Traffic Management Act 2004 and, in the case of the Bus Lane Adjudication Service Joint Committee, the Transport Act 2000.

The main function of the Joint Committee is to provide resources to support independent adjudicators and their staff who together comprise the Traffic Penalty Tribunal. The tribunal's appeal streams include:

- Parking
- Bus Lanes
- Moving Traffic (Wales only)
- Road User Charging
- Littering from vehicles

The objectives of PATROL include:

- a) A fair adjudication service for Appellants including visible independence of adjudicators from the authorities in whose areas they are working.
- b) Consistency in access to adjudication.
- c) A cost effective and equitable adjudication service for all Parking Authorities and Bus Lane authorities in England and Wales.
- d) Flexibility to deal with a wide range of local authorities with varying levels of demand for adjudication.

The relationship between the adjudicators and the PATROL and Bus Lane Adjudication Service Joint Committees is underpinned by a Memorandum of Understanding. The overriding principle of this memorandum is that the adjudicators are independent judicial office holders exercising a judicial function.

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

A core principle for the tribunal has been providing an accessible tribunal which is proportionate to the jurisdiction. It is recognised that for most appellants, appealing to the tribunal will be the only time they come into contact with the judiciary. For this reason, the tribunal seeks to provide access to adjudication which is simple to use and timely for appellants in England and Wales.

The focus for the delivery of adjudication is:

***“a tribunal service that is user-focused,  
efficient, timely, helpful and readily accessible”***

The Traffic Penalty Tribunal is committed to the principles of Digital by Design and the provision of Assisted Digital Support to support people who are unable to or need assistance to appeal online. The tribunal’s online appeal system has received national and regional awards and its levels of customer service has also been commended. The FOAM (Fast Online Appeal Management) initiative and the collaboration between more than 300 local authorities has been cited as a digital exemplar.

#### 4. Review

The Director is responsible for coordinating the review of the Risk Management Framework and reporting to the Joint Committee’s Officer Advisory Board and the Resources Working Group and Sub Committee whose terms of reference include the review of risk. Following this scrutiny, the Risk Management Framework is report to the PATROL and Bus Lane Adjudication Service Joint Committees or their Executive Sub Committees.

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

## 5. Corporate Risks

| Ref & Type    | Risk Description<br>(Including Cause, threat and impact upon outcomes)   | Risk Owners                                | Rating and Direction | Comments   |
|---------------|--|--|----------------------|--|
| CR1           | <p><b>Inability to meet demand for service</b><br/>(Cause) The tribunal provides a statutory function which is available to all vehicle owners who receive a Notice of Rejection of Representations in respect of specified penalties.<br/>(Threat) the tribunal is unable to meet its statutory obligations (impact) appellants are unable to appeal penalties</p>  | Chief Adjudicator and Stakeholder Manager. | 4<br>↔               | The net risk rating is 4 low. The tribunal has a fully scalable online system and a flexible adjudicator and staffing model. This is complimented by assisted digital support for appellants who are unable to make their appeal on line. The tribunal continues to refine and develop the online system in response to user feedback. |
| CR2<br>Threat | <p><b>Financial Resilience</b><br/>(Cause)The basis for defraying Joint Committee expenses is based on variable rather than fixed charges. This means that the Joint Committee must manage unforeseen significant fluctuations in either Income or Costs such that (threat) Reserves are significantly eroded and (impact) financial obligations cannot be met.</p>  | Director and Central Services Manager      | 9<br>↓               | This rating has reduced from 12 as reported in July 2018 to 9 to reflect the financial reporting at the October 2018 meeting. Continued budgeting and forecasting and cash flow analysis combined with Internal and External audit, Financial Delegations and Reserves Policy act to mitigate the impact of this risk.                 |
| CR3<br>Threat | <p><b>Information Security and data management</b><br/>(Cause) The Tribunal operates an on-line appeal system to improve the quality and flexibility for tribunal users. Support systems are also underpinned by a range of technologies. With this deployment of technologies, the risk of security breaches increases. This could result in the inability of IT to support the needs of the organisation and users</p> | Director and Stakeholder Manager           | 9<br>↔               | This rating remains unchanged - medium. A range of security monitoring features, data management procedures and training are being reviewed/deployed in the light of the General Data Protection Regulations 2016 and Data Protection Act 2018.  |

|               |  |   |        |  |
|---------------|--|---|--------|--|
|               | such that (threat) the statutory service is not accessible to all and (impact) appeals cannot be adjudicated online.<br>Potential breach of General Data Protection Regulations 2016 and Data Protection Act 2018.   |   |        |  |
| CR4<br>Threat | <b>Resource Planning</b><br>(Cause) Insufficient adjudicator or staff resources to support the needs of the organisation such that (threat) the organisation is unable to meet its statutory obligations and (impact) the quality or timeliness of the adjudication process, administrative standards or the achievement of development objectives compromised | Chief Adjudicator & Director                              | 6<br>↔ | This rating remains unchanged - medium. Continued monitoring of workload and capacity, training and appraisals combined with documentation of processes and procedures and the delegations to the Resources Sub Committee act to mitigate this risk.                 |
| CR5<br>Threat | <b>Business Continuity</b><br>(Cause) that an internal or external incident occurs which renders the organisation unable to utilise part or all of its infrastructure such that (impact) the organisation is unable to deliver some or all of its services resulting in (impact) reduced accessibility to our service.   | Central Services Manager & Stakeholder Engagement Manager | 6<br>↔ | This rating is medium<br>A detailed DR plan is held and reviewed each quarter. This is accessible to all managers and has clearly defined responsibilities. This plan acts to mitigate this risk. This plan is due to be reviewed and as such is on the 'watch' list |

# PATROL AND BUS LANE ADJUDICATION SERVICE JOINT COMMITTEES

## Executive Sub Committees

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**Date of Meeting:** 30<sup>th</sup> October 2018  
**Report of:** The Director  
**Subject/Title:** General Progress Report

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### 1.0 Report Summary

1.1 To provide a General Progress Report for the period April to September 2018.

### 2.0 Recommendations

2.1 To note the matters reported.

### 3.0 Reasons for Recommendations

3.1 To update the Joint Committees' Executive Sub Committees.

### 4.0 Financial Implications

4.1 This information will be reviewed in preparing budgets for 2019/20 in January 2019.

### 5.0 Legal Implications

5.1 None

### 6.0 Risk Management

6.1 Appeals activity is reflected in the Risk Management Framework reported separately.

### 7.0 Background and Options

7.1 A report is presented at Appendix 1

### 8.0 Access to Information

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

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Designation: Director

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

### **Executive Sub Committees**

**30<sup>th</sup> October 2018**

### **General Progress Report 1 April 2017 to 30<sup>th</sup> September 2018**

#### **1. Introduction**

The Traffic Penalty Tribunal was established in 1999. It comprises the Chief Adjudicator, Caroline Sheppard OBE and Deputy Chief Adjudicator Stephen Knapp and 27 part-time adjudicators working remotely in England and Wales. The adjudicators are supported by fourteen administrative staff. Adjudication is provided to over 300 member authorities, Highways England and Halton Borough Council.

The adjudicators of the Traffic Penalty Tribunal decide appeals against penalties issued by local authorities in England (outside London) and Wales who undertake civil enforcement of parking, bus lanes and, in Wales, moving traffic contraventions. The tribunal also decides appeals arising from road user charging enforcement at the Dartford-Thurrock River and Mersey Bridge Crossings. In the case of the former, the Charging Authority is the Secretary of State for Transport and for the latter Halton Borough Council. Road User Charging enforcement is also undertaken by Durham County Council. The tribunal also decides appeals against penalties issued by local authorities in England (outside London) for littering from vehicles.

The following report provides details of:

2. FOAM
3. Appeals summary April to September 2018
4. Hearings
5. Case closure
6. Assisted digital support
7. Appellant feedback
8. Local authority workshops conducted during the year.

#### **2. FOAM (Fast Online Appeals Management)**

The Traffic Penalty Tribunal has always harnessed technology to provide an accessible and efficient tribunal. In 2013/14, supported by investment from the PATROL Joint Committee, the tribunal committed to introducing a new system which would be “digital by design”; and be developed with a user-focused approach. The tribunal also committed to retaining the “human touch” with the staff adopting new customer service role to provide “Assisted Digital” support to people who require help in appealing online. The intention was also to introduce efficiencies in delivery costs both for the tribunal and the member authorities.

The new approach was not simply the development of a new system but a complete overhaul of existing tribunal processes and a root and branch review of communications to ensure that the system was intuitive for all users.

The principles behind what came to be known as FOAM (Fast Online Appeals Management) are accessibility (for online and offline), transparency (all parties can see the appeal, the evidence and the decision), proportionality (to the nature of the penalty), velocity (the review of business processes and the system has streamlined the appeal journey) and finality (the visibility of the appeal process and decision can help to draw the matter to a close).

The starting point for the appeal process sits in the authority's Notice of Rejection of Representations. Appellants are provided with a URL link to the FOAM system. A helpline number is also provided for people who do not wish to or cannot appeal online.

There are four actors in FOAM: the appellant, the respondent authority, the adjudicator and the tribunal staff. Part of the intuitive design of FOAM lies in the colour coding which means that each actor knows when it is their turn to act.

The tribunal appointed a Local Authority Engagement Manager and the system was rolled out through 38 local authority workshops in a 12-month period 2016/17. Local authority workshops continue on a regular basis and include a range of tribunal and PATROL topics.

The features of FOAM include:

- Appeals submitted and processed fully online
- Authorities see appeals and respond in real-time
- Bespoke dashboard for authorities to manage cases
- Evidence submitted and reviewed online by both appellant and authority
- Accessible on all smartphones, tablets and laptops

### **The impact of FOAM**

The impact of FOAM has been significant. Requests for hearings have reduced and now hearings take place bringing the parties together on the telephone and, more recently, video hearings can be arranged. Some cases are closed on the same day as they are submitted by the appellant when the authority decides not to contest the case.

Feedback from local authorities has been positive:

***“The speed and ease of communication has enabled all parties to clarify and comment on all aspects of the case”***

Cornwall County Council

***“Reviewing of case is all in one place from start to finish; makes all the difference – instant messaging saves time in calls”***

Bristol City Council

***“We now save 85% on postage and we no longer hold the record for most printing”.***

Manchester City Council

Local authorities have pointed to an average saving per case of £150 when staff time, postage and printing is taken into account.

### **Recognition of the Traffic Penalty Tribunal's digital transformation**

The tribunal received a number of awards for its online appeal system including:

- The North of England Transport Awards - Winner (Excellence in Technology) 2016

- The British Parking Awards Winner Intelligent Parking Awards 2017
- The Society of IT Managers in the Public Sector (SOCITM) 2017 Shortlisted for the Collaboration Award in recognition of the scale of the deployment of the system across over 300 local authorities
- The National Transport Awards (Shortlisted) (Excellence in Technology) 2017

The tribunal has also been recognised as being at the forefront of judicial digital transformation and has been referenced as a judicial digital case study in JUSTICE reports: “What is a court?” (2016) and “Preventing Digital Exclusion from Online Justice” (2018).

The Traffic Penalty Tribunal’s digital transformation is being presented as a case study in simplified online judicial procedures to the European Conference of Supreme Administrative Judges.

### **FOAM in Scotland**

The Traffic Penalty Tribunal has always retained good communications with other similar jurisdictions and the Chief Adjudicator has in recent years convened seminars for those involved in Scotland, London and Northern Ireland tribunals. This has been an opportunity to demonstrate the impact that reviewing business processes, content and introducing an intuitive digital platform can have on the appeal process and user experience.

The tribunal has explained its approach to business processes to process and content and provided a copy of FOAM to the Parking and Bus Lane Tribunal for Scotland. Earlier this year our Authority Engagement Manager coordinated training for adjudicators, staff and local authorities for their version of FOAM adapted to the local regulations. Our tribunal staff were on site when FOAM went live in Scotland with Aberdeen, Angus, Argyll and Bute, Dundee, East Ayrshire, East Dumbartonshire, East Lothian, East Renfrewshire, Edinburgh, Fife, Glasgow, Highland, Inverclyde, Perth, Renfrewshire, South Ayrshire, South Lanarkshire and Stirling responding to appeals digitally. Initial feedback is that the tribunal process has been transformed.

### 3. Appeals summary April to September 2018

The following table compares case volumes across all appeal streams in the first six months of 2018/19 with the previous two years.

| Month        | 18/19         | 17/18        | 16/17         |
|--------------|---------------|--------------|---------------|
| April        | 1,713         | 1,585        | 2,205         |
| May          | 1,930         | 1,759        | 2,038         |
| June         | 1,757         | 1,717        | 2,089         |
| July         | 2,009         | 1,689        | 2,145         |
| Aug          | 2,046         | 1,700        | 2,238         |
| Sept         | 1,975         | 1,455        | 2,302         |
| <b>TOTAL</b> | <b>11,430</b> | <b>9,905</b> | <b>13,017</b> |

There has been a 15% increase in cases for the period April to September 2018 when compared with the same period in 2017. This is mainly the result of increases in bus lane (England) cases.

#### ALL APPEAL STREAMS

The following sets out the case volumes by appeal stream.

|              | Parking | Bus Lanes | Moving Traffic | DC  | MG  | Durham | Month Total | Running Total |
|--------------|---------|-----------|----------------|-----|-----|--------|-------------|---------------|
| <b>April</b> | 886     | 360       | 13             | 382 | 72  | 0      | 1,713       | <b>1,713</b>  |
| <b>May</b>   | 914     | 432       | 20             | 484 | 80  | 0      | 1,930       | <b>3,643</b>  |
| <b>June</b>  | 808     | 440       | 17             | 457 | 35  | 0      | 1,757       | <b>5,400</b>  |
| <b>July</b>  | 874     | 513       | 19             | 562 | 41  | 0      | 2,009       | <b>7,409</b>  |
| <b>Aug</b>   | 929     | 436       | 16             | 535 | 130 | 0      | 2,046       | <b>9,455</b>  |
| <b>Sept</b>  | 848     | 435       | 11             | 550 | 131 | 0      | 1,975       | <b>11,430</b> |

Table 1: Case volumes by appeal stream

The following provides further detail on case volumes for individual appeal streams:

## ENGLAND

Case volumes for the period April to Sept 2018 (figures in brackets relate to the same period for 2017)

|              | Parking England      | Bus Lanes England    |
|--------------|----------------------|----------------------|
| April        | 855 (778)            | 355 (245)            |
| May          | 868 (799)            | 411 (303)            |
| June         | 766 (867)            | 419 (271)            |
| July         | 839 (854)            | 498 (274)            |
| Aug          | 887 (898)            | 414 (267)            |
| Sept         | 809 (758)            | 414 (251)            |
| <b>Total</b> | <b>5,024 (4,954)</b> | <b>2,511 (1,611)</b> |

Table 2: Case volumes comparing April to Sept 2018 against the same period in 2017

**Parking:** The volume of parking appeals has increased by 1.4%.

**Bus Lane:** The volume of bus lane appeals has increased by 56%.

## WALES

The following shows case volumes in relation to Wales for the period April to Sept 2018. The figure in brackets relates to the same period in 2017.

|              | Bus Lanes        | Parking          | Moving Traffic | Month Total      | Running Total    |
|--------------|------------------|------------------|----------------|------------------|------------------|
| April        | 5 ( 8)           | 31 (53)          | 13 (6)         | 49 (67)          | <b>49 (67)</b>   |
| May          | 21 (14)          | 46 (41)          | 20 (5)         | 87 (60)          | <b>136 (127)</b> |
| June         | 21 (37)          | 42 (33)          | 17 (7)         | 80 (77)          | <b>216 (204)</b> |
| July         | 15 (31)          | 35 (50)          | 19 (6)         | 69 (87)          | <b>285 (291)</b> |
| Aug          | 22 (21)          | 42 (34)          | 16 (7)         | 80 (62)          | <b>365 (353)</b> |
| Sept         | 21 (8)           | 39 (30)          | 11 (2)         | 71 (40)          | <b>436 (393)</b> |
| <b>Total</b> | <b>105 (119)</b> | <b>235 (241)</b> | <b>96 (33)</b> | <b>436 (393)</b> |                  |

Table 3: Case volumes by appeal stream in Wales for April to Sept 2018

**Bus Lanes:** The volume of bus lanes appeals has reduced by 12%.

**Parking:** The volume of parking appeals has reduced by 2.5%.

**Moving Traffic:** Moving traffic appeals have increased by 191%.

**Total Wales:** There has been an overall increase in cases of 11%

**DART CHARGE (Highways England)**

|              | Dart Charge 2018 | Dart Charge 2017 | Running Total 2018 |
|--------------|------------------|------------------|--------------------|
| April        | 382              | 495              | 382                |
| May          | 484              | 597              | 866                |
| June         | 457              | 502              | 1,323              |
| July         | 562              | 474              | 1,885              |
| Aug          | 535              | 473              | 2,420              |
| Sept         | 550              | 406              | 2,970              |
| <b>Total</b> | <b>2,970</b>     | <b>2,947</b>     |                    |

Table 4: Case volumes Dart Charge comparing April to Sept 2018 and 2017

There has been a very slight increase in Dart Charge cases of 0.8% when comparing the period April to September 2018 with the same period last year. Comparing the same periods, there has been a 22% increase in penalty charge notices issued.

**MERSEYFLOW (Halton Borough Council)**

Road user charging was newly introduced at the Mersey Gateway Bridge Crossing in October 2017. The first appeal was received at the tribunal on 7<sup>th</sup> November 2017. A total of 2,316 have been submitted to the tribunal during the period to 30<sup>th</sup> September 2018.

**4. Hearings**

The online appeals portal FOAM has transformed the way that the tribunal handles appeals and this is particularly evident in hearings. The ability to message, comment on evidence and request extra evidence be uploaded has meant that most cases can be resolved without a hearing i.e. through an E-Decision. In addition, the appellant only requests a hearing once all the evidence is available to the parties and the Adjudicators are able to review cases in advance to see whether a hearing is actually required. The demand for face to face hearings reduced significantly. E-decisions and telephone hearings have become the most prevalent and the tribunal has also begun to trial video hearings in 2018.

Feedback in relation to video hearings has included:

***“Video hearings humanise the situation – you get more of a human connection when you can see who you are talking to, even if the appeal didn’t go your way, you feel that you have been listened to”***

|                      | TOTAL  | E-<br>decision | F2F   | Telephone | Video |
|----------------------|--------|----------------|-------|-----------|-------|
| 2018/19 <sup>1</sup> | 11,220 | 9,592          | 6     | 1,611     | 11    |
| 2017/18              | 18,164 | 15,873         | 596   | 1,695     | 2     |
| 2016/18              | 21,008 | 17,400         | 1,333 | 2,275     | 0     |

Note <sup>1</sup> – April to Sept2018

Table 5: Breakdown of hearings during the period April 2016 to Sept 2018.

5. Case Closure

The online system has resulted in a new way of handling appeals with the facility for messaging and all parties having access to the same information and evidence in the same place. This allows the adjudicator to adopt a more inquisitorial approach to ascertain details of the case.

Appealing to the Traffic Penalty Tribunal is a judicial process and whilst it is not appropriate to set rigid timescales, the tribunal’s objective is to provide:

***“a tribunal service that is user-focused, efficient, timely, helpful and readily accessible”***

Figure 1 provides a breakdown of case closure times across all appeal streams.

### Number of Days Cases are Open

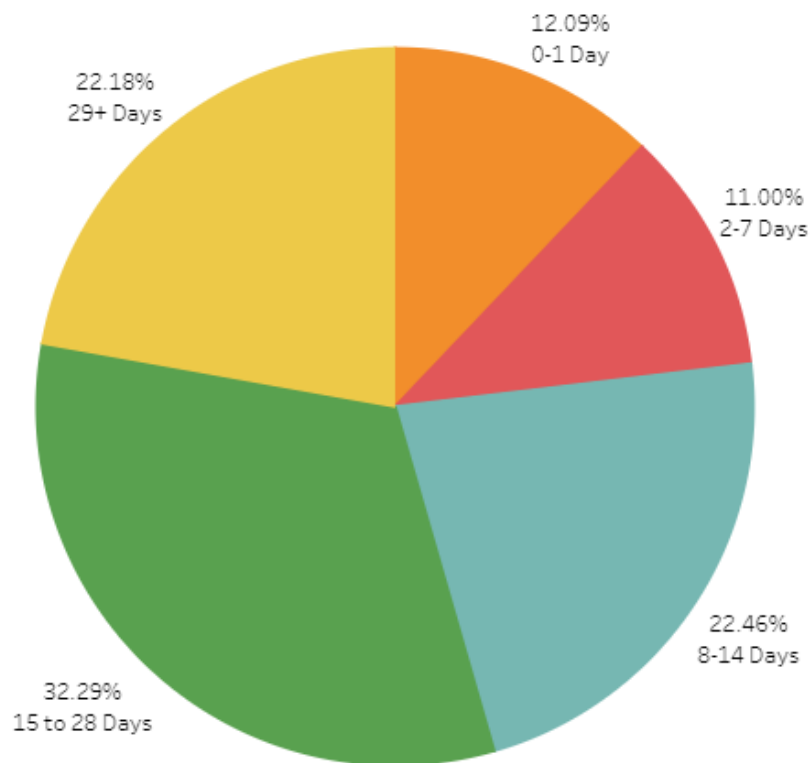


Figure 1: Case closure all appeal types.

During the period April to Sept 2018, cases were closed as follows (the figure in brackets relates to the previous 12-month period for comparison).

|              |                 |
|--------------|-----------------|
| 0-1 day      | 12.09% (10.22%) |
| 2-7 days     | 11% (11.84%)    |
| 8-14 days    | 22.46% (20.20%) |
| 15-28 days   | 32.29% (26.15%) |
| 29 days plus | 22.18% (31.61%) |

During this period over three quarters of cases were closed within 28 days.

**6. Assisted Digital & Helping Offline Appellants**

The Tribunal has long recognised the importance of complimenting the online system with an experienced customer service team to provide support to appellants in making an appeal. For most appellants it will be their first and perhaps their only experience of engaging with a judicial process.

For the small percentage of people who do find it initially difficult to go online, TPT provides Assisted Digital Support. Contact with the customer service team is also available for all appellants throughout the process should they need it. A ‘Live Chat’ facility has recently been introduced which further complements the online support that is available and is a further channel of support that the Tribunal offers.

The tribunal’s customer service team proactively engages with appellants to promote, explain and support the online appeal process, both with appellants who wish to go online but need assistance and those who require an alternative way of appealing.

However, the tribunal recognises that there will be appellants who, because of their ability, confidence or preference, choose to request a form be posted to them

The percentage of offline (proxy) cases has continued to reduce. In July 2018, this reached a new low of 6.48%. It is recognised that there will be fluctuations and at September 2018, the figure was 8.33%.

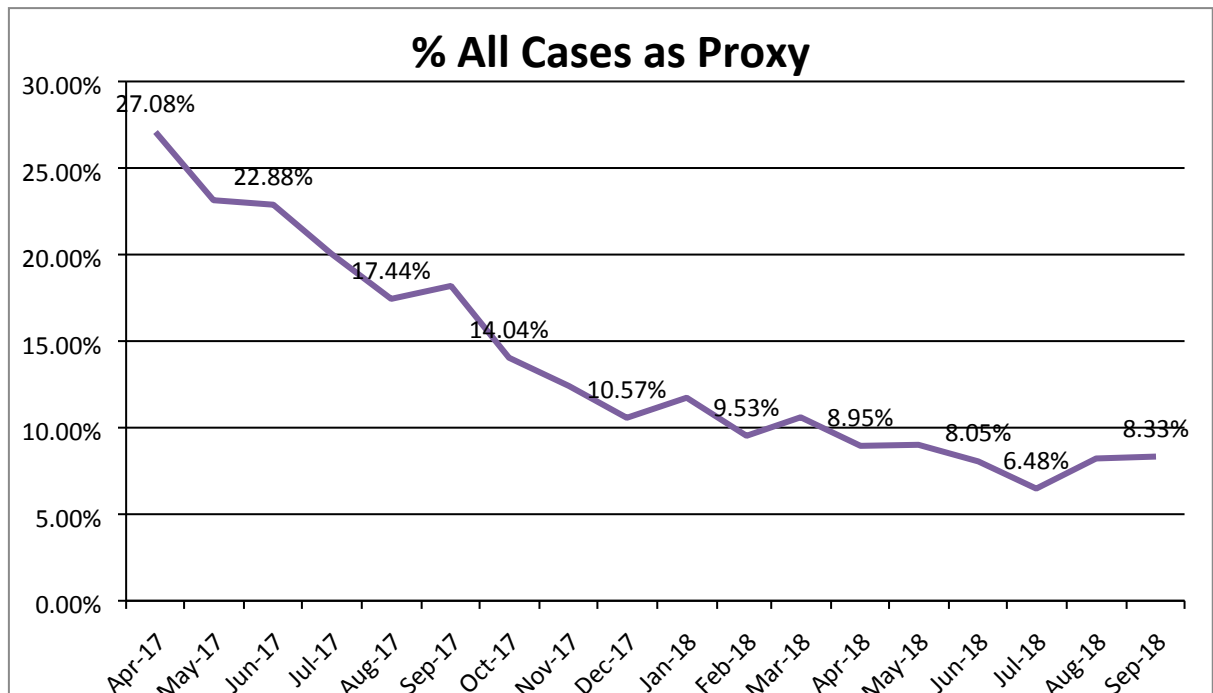


Figure 2: Proportion of tribunal appeals that are off-line (April 2017 to September 2018)



**7. Appellant Feedback**

The tribunal continues to review feedback from all users in respect of its online system, processes and information to provide an optimal user experience.

In July 2018 the tribunal conducted an online appellant survey, which saw almost all respondents rank the online appeals process as nearly 90 out of a hundred in terms of satisfaction, with 95% of all respondents either “very likely” or “highly likely” to recommend FOAM to others. A survey to ascertain the experiences of offline (proxy) appellants will be issued in the coming months.

Appellants are routinely surveyed on their telephone hearing experience and we use their comments and feedback to refine the service that we offer and address any technical issues. The overwhelming response to the telephone hearings survey is positive:

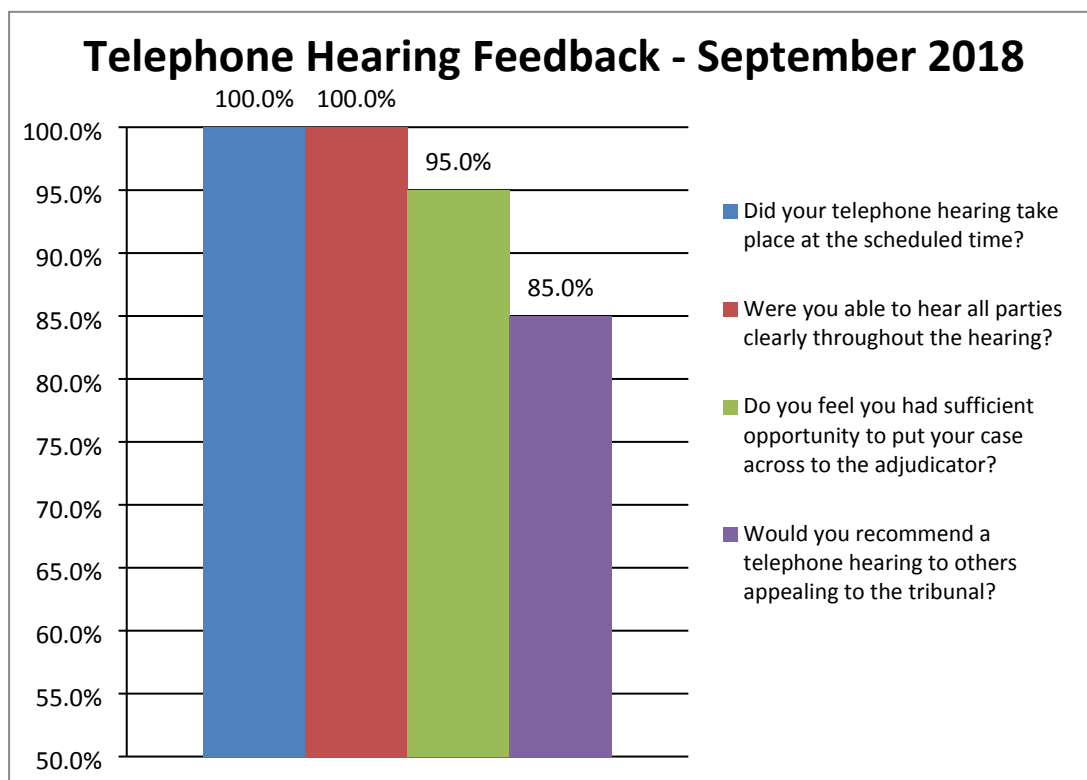


Figure 3: Snapshot of our positive feedback on telephone hearings from September 2018

**8. Local Authority Workshops**

The Authority Engagement Manager conducted a series of 10 workshops over the summer in: Durham; Manchester; Burton upon Trent; Birmingham; Cambridge; London; Bristol; Swansea; Winchester and Totnes covering a range of topics including:

- Today’s TPT & Patrol
- New Innovation in your area
- The Judicial Process
- Decide some recent cases
- The new Review Application tool
- FOAM Evidence Provision – Best Practice
- Pavement Parking
- Service by 1<sup>st</sup> Class Post
- Zoom Hearings

- Littering from vehicles

Following consultation with member authorities at earlier workshops, a standardised notice of rejection has been rolled out to all authorities. Following a recommendation in the University of Birmingham research report on online appeals, this will promote a consistent approach which makes it clear to the recipient of the Notice of Rejection that there is the right to appeal to the independent adjudicator.

Feedback on the workshops continues to be very positive and PATROL recognises the importance of opportunities for officers to share experiences and best practice and reimburses travel expenses to assist attendance.

***“Very satisfied with the workshop. It was carried out in an informative way but with the correct blend of informality which made it easier to follow” Carmarthenshire County Council***

***“Well organized and informative. Well delivered” Cardiff Council***

***“Great trainer. Very informative day – thank you” North Somerset Council***

***“A good session, adequate timings, good content which was well delivered” Derby City Council***

***“Good interactive workshop” Sandwell MBC***

***“Thank you for a very interesting and informative day. Lots to take away and implement” Torbay Council***

***“Iain was excellent – clear and practical explanations, humorous too! Variation of subjects/processes was good” Test Valley BC***

***“Iain was a great host and kept the session up beat and was quick to get the group back on track” Eastleigh Borough Council***

***“Very informative – relaxed environment – good workshop” New Forest District Council***

***“Great workshop yesterday and amazing venue” Teignbridge District Council***