

PATROL Adjudication Joint Committee Executive Sub Committee

Agenda

Date: Tuesday 31st January 2017
Time: 11.00 am
Venue: The Bishop Partridge Hall, Church House, Dean's Yard,
Westminster, London SW1P 3NZ

1. **Apologies for Absence**

To receive apologies for absence

2. **Declarations of Interest**

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

3. **Minutes of the meeting held on 18 October 2016** (Pages 1 - 8)

To approve the minutes of the PATROL Adjudication Joint Committee Executive Sub Committee held on 18 October 2016

4. **Chair's Update**

To provide an update on developments since the meeting in October 2016

5. **Wales Update**

To receive a verbal report on civil traffic enforcement in Wales

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PATROL Joint Committee
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6. **PATROL AND BLASJC Resources Working Group and Sub Committee**
(Pages 9 - 10)

To report on the PATROL and BLASJC Resources Working Group and Sub Committee's meeting held on 10 January 2017

7. **Budget Monitoring 2016/17** (Pages 11 - 16)

To note income, expenditure and reserves at 30 November 2016 together with the projected outturn at 31 March 2017

8. **Service Level Agreement between the Joint Committees and Cheshire East Council** (Pages 17 - 34)

To approve the variations to the service level agreement with the Host Authority for 2017/18

9. **Revenue Budgets for 2017/18** (Pages 35 - 40)

To establish the Joint Committee's Revenue Budgets for 2017/18

10. **Reserves Policy Statement** (Pages 41 - 44)

To approve the reserves policy statement for 2017/18

11. **Annual Investment Strategy** (Pages 45 - 46)

To approve the annual investment strategy 2017/18

12. **Defraying the expenses of the Joint Committee 2017/18** (Pages 47 - 50)

To approve the basis for defraying the expenses of the Joint Committee 2017/18

13. **Code of Corporate Governance** (Pages 51 - 56)

To approve the Code of Corporate Governance

14. **Risk Register** (Pages 57 - 64)

To note the latest review of the Risk Register

15. **DCLG Consultation on Joint Committees and Video Conferencing**
(Pages 65 - 74)

To note the recent consultation

16. **Dart Charge Report**

To approve arrangements for receiving the Adjudicators' Report in respect of the Dartford River Crossing

17. **General Progress Report** (Pages 75 - 86)

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

18. **Chief Adjudicator's Update**

To receive a verbal report from the Chief Adjudicator

19. **Presentation on the Traffic Signs Regulations and General Directions (TSRGD) 2016 by Simon Morgan of Buchanan Computing**

To present an overview of the new TSRGD

20. **Date of Next Meeting**

11 July 2017 – Church House, Westminster

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Minutes of a meeting of the **PATROL Adjudication Joint Committee**
held on Tuesday, 18th October, 2016 at The Hoare Memorial Hall, Church
House Westminster, Dean's Yard, London SW1P 3NZ

PRESENT

Councillor Jamie Macrae (Cheshire East Council) in the Chair

Councillors

Keith Baldrey	South Hams District Council
Graham Beale	Wychavon District Council
Richard Bell	Sunderland City Council
Graham Burgess	Hampshire County Council
Anthony Clarke	Bath & North East Somerset Council
Nigel Cooke	Stockton Council
Peter Cooper	Carmarthenshire County Council (Assistant Chair Wales)
Simon Cronin	Worcester City Council
Terry Douris	Hertfordshire County Council (Assistant Chair)
DJA Fothergill	Somerset County Council
Ken Gregory	Thanet District Council
Stuart Kinch	Lincolnshire County Council
Geraint Owens	City and County of Swansea
Tony Page	Reading Borough Council
Marje Paling	Gedling Borough Council
Mathew Dickins	Sevenoaks District Council

Officers in attendance

Graham Addicott OBE	Vice Chair Advisory Board
Marc Samways	Advisory Board
Robin Chantrill-Smith	Thanet District Council
John McEvoy	Carmarthenshire County Council
Louise Hutchinson	Director PATROL
Caroline Sheppard	Chief Adjudicator
Stephen Knapp	Deputy Chief Adjudicator
Iain Worrall	Traffic Penalty Tribunal
Andy Diamond	Traffic Penalty Tribunal
Cherry Foreman	Cheshire East Council

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

RESOLVED

That Councillor Jamie Macrae (Cheshire East Council) be appointed Chairman and Councillor Tony Page (Reading Council) be appointed Vice Chairman.

Councillor Macrae took the Chair.

23 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Kevin Anderson (Wigan Council), Steve Clarke (New Forest District Council), Matthew Dickins (Seven Oaks District Council), Jonathan Gambold (Bedford Borough Council), Stuart Hughes (Devon County Council), Gary Jones (East Herts Council), Malcolm Kennedy (Liverpool City Council), Alan Kerr (South Tyneside Council), Nigel Knapton (Hambleton District Council), Eileen Lintill (Chichester District Council), Nick McDonald (Nottingham City Council), Clive Roberts (Adur and Worthing Councils) and Gary Waller (Epping Forest District Council).

24 DECLARATIONS OF INTEREST

There were no declarations of interest.

25 MINUTES OF THE MEETING HELD 27TH JANUARY 2016

RESOLVED

That the minutes of the meeting held on 27 January 2017 be approved as a correct record.

26 MINUTES OF THE MEETING HELD 12TH JULY 2016

RESOLVED

That the minutes of the meeting held on 12 July 2017 be approved as a correct record.

27 CHAIR'S UPDATE

The Chairman welcomed Iain Worrall, the Authority Engagement Manager, who was to give a presentation later in the meeting on the roll out of the on line appeal system FOAM to local authorities across England and Wales. The system had been shortlisted for the North of England Transport Awards under the category 'Excellence in Technology' with the winners due to be announced on 7 December 2016.

He informed the Committee that the closing date for the Annual Report Awards 2015/16 was 31 October and, following the success of the ceremony this year, David Rutley MP had been approached with a view to holding a similar event in the Houses of Parliament on 11 July 2017 to coincide with the meeting of the Joint Committee.

PATROL had recently issued a toolkit to promote consistency in reporting parking and bus lane statistics and financial information with a view to the development of a robust evidence base for outside London; the deadline for these submissions, was also the end of the month.

Finally, a new look e-newsletter had been circulated and Members were asked to feedback their comments to the Director.

RESOLVED

That the update be noted.

28 GREATER LONDON AUTHORITY TENDER FOR THE PROVISION OF APPEALS SERVICES TO CENTRAL LONDON CONGESTION CHARGING AND LOW EMISSION ZONE SCHEMES

The Director reported that Transport for London, on behalf of the Greater London Authority, had launched a tender process for the "Provision of Appeals Services to Central London Congestion Charging and Low Emission Zone Schemes". London Councils currently hold this contract which it delivers through a sub-contracting relationship with Northgate Public Services.

A tender submission had been made which comprised the provision of appropriate accommodation, infrastructure, security and systems as well as an appropriate level of customer service including a website, contact centre, electronic communication, and administration support to all parties to the appeal and meet the legal requirements of the service.

To date no formal response had been received and the Committee was advised that it would be informed of the outcome once it was known.

RESOLVED

That the tender submission be noted.

29 PATROL AND BLASJC RESOURCES WORKING GROUP AND SUB COMMITTEE

Consideration was given to a report of this meeting at which consideration had included other potential areas of adjudication, the use of automatic number plate recognition in local authority car parks, low priority audit recommendations, procurement, review of the risk register and the post of communications manager.

RESOLVED

That approval be given to the Resources Sub-Committee and Working Group overseeing the matters highlighted in the report and that a report be made to the next meeting of the Executive Sub-Committee.

30 AUDIT COMMISSION SMALL BODIES ANNUAL RETURN FOR THE YEAR ENDED 31 MARCH 2016

The Committee was asked to consider the findings of the external auditors for 2015/16. At its meeting on 12 July 2016 the Joint Committee had approved the draft report and also the appointment of BDO LLP to audit its annual return and this was now attached as an appendix to the report. No issues were arising from the audit other than with regard to some points of presentation.

The Financial Scheme of Delegation had been reviewed and updated to take into account recent changes to roles and designations and revised amounts for investment deposits.

RESOLVED

1. That the findings of the external auditor for 2015/16, as shown in Appendix 1 of the report, be noted and that save for recommendations relating to the presentation of Section 2 of the return that there were no issues were arising from the audit.
2. That approval be given to the revised PATROL and Bus Lane Adjudication Service Local Scheme of Financial Delegation, set out in Appendix 2 of the report.

31 BUDGET MONITORING 2016/17

The Director reported that the budget for the year 2016/17 had been approved at the meeting of the Executive Sub-Committee at its meeting on 27 January 2016 and the report now presented the expenditure position at 31 July. The Tribunal operated on a self-financing basis and details were given of its income, expenditure and of the outturn forecast.

Whilst a small deficit was shown at this stage it was as predicted and related to reductions in the charges being made and a clearer picture would be available for the next meeting in January 2017.

RESOLVED

1. That the income, expenditure and reserves at 31 July 2016 be noted.
2. That the 2016/2017 income and expenditure position be considered further at the next meeting of the Joint Committee.

32 REVIEW OF PATROL RESERVES POLICY

Consideration was given to this report on the basis for defraying expenses during 2016/17. Details were given of the General Reserve, Property Reserve and the Technology Reserve along with a summary of the overall position at 31 July 2017.

It had been identified that additional finance was needed for the technology budget in order to support the roll out of FOAM to local authorities and it was proposed that £150,000 be taken from the free reserves. The overall forecast for 31 March 2017 was reported, taking into account the above proposal.

RESOLVED

1. That the current reserves position be noted.
2. That approval given to increasing the technology reserves by £150,000, to £400,000, for 2016/17.

33 RISK REGISTER

The Committee considered the Risk Register which had been reviewed in accordance with the Risk Management Strategy.

RESOLVED

That approval be given to the Risk Register following its latest review.

34 CHIEF ADJUDICATOR UPDATE

The Chief Adjudicator gave an oral update on the continuing roll out of FOAM; some teething troubles had been encountered in respect of some local authority IT systems (dependent on the version in operation) contributing to differing user experiences of FOAM for officers. The Authority Engagement Manager is liaising with authorities and their IT suppliers to assist.

The on-line appeal system had been very highly praised by the Justice and recently put forward to be used as a case study their report "What is a Court?"

The Chief Adjudicator reported that she had been made a member of the Administrative Justice Forum and was finding the exchange of information to be most beneficial.

RESOLVED

That the update be noted.

35 PRESENTATION ON THE TRAFFIC SIGNS REGULATIONS AND GENERAL DIRECTIONS (TSRGD) 2016 BY SIMON MORGAN OF BUCHANAN COMPUTING

This item was deferred to the next meeting of the Committee as unfortunately the presenter was indisposed.

36 "A PROTOCOL FOR LOCAL AUTHORITIES DELIVERING WAITING AND LOADING RESTRICTIONS REQUIRED FOR DEVELOPMENT."

Consideration was given to this DfT consultation paper on a draft protocol to promote effective working practices between developers and local authorities to make or revise waiting and loading restrictions on the highway required for new development. It was, however, appreciated that major highway works were required for development which would take longer and views were also requested on the need for undertaking further work to develop the protocol for these purposes.

The consultation period was set to run until 28 October. PATROL would be submitting a response and it was confirmed this would be circulated to all members for comment. It was noted that some authorities would also be making their own individual responses.

RESOLVED

That the proposals for responding to this consultation be noted.

37 WALES UPDATE

The Director introduced this item a paper on which had been circulated at the meeting. Particular interest was shown in the item in respect of automatic number plate recognition (ANPR) technology in car parks as a means of improving enforcement. The Committee was advised that the DCLG had started looking at a code of practice for ANPR approximately two years ago and hopefully a conclusion would be reached before too long.

RESOLVED

That the update be noted.

38 PRESENTATION ON THE ROLL OUT OF FOAM (FAST ONLINE APPEAL MANAGEMENT) BY IAIN WORRALL, AUTHORITY ENGAGEMENT MANAGER

Iain Worrall the Authority Engagement Manager, gave a presentation on the continuing roll out of the Fast Online Appeal Management System (FOAM). This was an intensive programme which involved training staff at 308 authorities and at the DART Crossing. Since April 2016 workshops had been held at thirty-one locations and approximately ten authorities per week were being moved across to the new system with the intention that all would be live by 31 March 2017. In addition, networks were being put in place to facilitate the exchange of knowledge between users and also for on-line and on-going training. A video explaining the process for appellants had been made and the Committee welcomed it for being short, clear and succinct.

To date feedback had been extremely positive with few unfavourable comments; a comment box had been incorporated into the system which fed comments back to the development stream and any common problems were therefore picked up and dealt with rapidly.

The Chairman commended the huge effort being put into developing and rolling out the systems, and ensuring the compatibility of the many and varied level of IT infrastructure involved.

Members were invited to attend any of the remaining workshops.

RESOLVED

That thanks be extended to Iain Worrall and his team, and all those involved in the roll out of FOAM and that a further update be given to the Committee at its next meeting.

39 GENERAL PROGRESS REPORT

The Director presented this report giving an appeals summary for the first three months of this financial year and giving year on year comparisons. The number of PCNs appealed showed a steady growth and 64% of cases were being dealt

with in less than three weeks. The report included examples of feedback from local authorities which continued to be very positive.

RESOLVED

That the update be noted.

40 APPOINTMENT TO THE ADVISORY BOARD

Consideration was given to the appointment of a Unitary Council representative to the Advisory Board; a copy of the Terms of Reference setting out the make up of the Board was attached.

RESOLVED

That approval be given to the appointment of Paul Nicholls of Brighton & Hove City Council as the Unitary Council Representative on the Advisory Board.

41 DATES OF NEXT MEETINGS

RESOLVED

That the next two meetings be held on 31 January 2017 and 11 July 2017.

The meeting commenced at 11.00 am and concluded at 12.25 pm

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PATROL AND BUS LANE ADJUDICATION JOINT COMMITTEE EXECUTIVE SUB COMMITTEE

Date of Meeting: 31st January 2017
Report of: The Director
Subject/Title: Report of the PATROL and BLASJC Resources Working Group and Sub Committee meeting held 10th January 2017.

1.0 Report Summary

- 1.1 To report on the Resources Sub Committee and Working Group meeting held 10th January 2017.

2.0 Recommendations

- 2.1 To note the resolutions of the Resources Sub Committee and Working Group meeting on 10th January 2017
- 2.2 To approve the Resources Sub Committee and Working Group overseeing matters highlighted in the report and any previously approved and report back to the July 2017 meetings of the Joint Committee.

3.0 Reasons for Recommendations

- 3.1 To update the Joint Committee Executive Sub Committee

4.0 Financial Implications

- 4.1 The Resources Sub Committee and Working Group considers financial papers before they are presented to the Joint Committee or its Executive Sub Committee.

5.0 Legal Implications

- 5.1 None

6.0 Risk Management

- 6.1 The Resources Sub Committee and Working Group considers risk management papers before they are presented to the Joint Committee or its Executive Sub Committee.

7.0 Background and Options

- 7.1 The June 2016 meeting of the Joint Committee and the October 2016 meeting of its Executive Sub Committee resolved that the Resources Sub Committee and Working Group would oversee a number of initiatives with resources implications.

7.2 The meeting took place on 10th January 2017. The Resources Sub Committee:

- Noted the recommendation from the University of Birmingham User Survey to introduce a standardised Notice of Rejection of Representations following the FOAM roll out.
- Noted that a written submission had been made to the Transport Select Committee Inquiry into Urban Congestion.
- Recommended that a PATROL position paper on the introduction of the remaining powers of Part 6 of the Traffic Management Act (Moving Traffic Powers) will be circulated amongst the Executive Sub Committee and other interested authorities.
- Noted that the Chief Adjudicator had been invited to present FOAM (Fast Online Appeal Management) to the All Party Parliamentary Group on Alternative Dispute Resolution (ADR)
- Noted that to date 70 authorities have returned annual statistics as part of a drive to develop an evidence base of enforcement and appeals outside London.
- Noted that the next PATROL Annual Report Awards reception at the House of Commons reception is scheduled for 11th July 2017.
- Noted that the Department for Transport is in the process of reviewing Statutory Guidance in the light of the removal of Operational Guidance
- Noted the FOAM roll out (reported elsewhere on this agenda)
- Recommended the financial papers reported elsewhere in this agenda.
- Noted a report of purchases falling outside the Financial Regulations.

7.3 It is proposed that the Resources Working Group and Sub Committee continue to oversee the above matters and any previously approved and report back to the July 2017 meetings of the Joint Committee.

8.0 Recommendation

8.1 To note the resolutions of the Resources Sub Committee and Working Group meeting on 10th January 2017

8.2 To approve the Resources Sub Committee and Working Group overseeing matters highlighted in the report and any previously approved and report back to the July 2017 meetings of the Joint Committee.

9.0 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 ADJUDICATION JOINT COMMITTEE
Executive Sub Committee

Date of Meeting 31st January 2017
Report of: The Director in consultation with the PATROL and BLASJC
Resources Working Group and Sub Committee.
Subject/Title: Budget Monitoring 2016/17

1.0 Report Summary

1.1 To present income, expenditure and reserves monitoring information for the year to 30th November 2016 with the projected outturn for 2016/17 at 31st March 2017.

2.0 Recommendation

2.1 To note the income and expenditure and reserves at 30th November 2016 together with the projected outturn for 2016/17 at 31st March 2017.

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 2016/17 at the meeting of the Executive Sub Committee held 27th January 2016.

7.2 This report provides the Committee with the expenditure position at 30th November 2016 and projected outturn.

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 2016/17 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 River Crossing.
- 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 At 30 November 2016, expenditure has been less than forecast with a favourable variance of £234,225. This is the result of adjudicator expenditure being lower than forecast as well as supplies and services being lower than expected.
- 8.2 This favourable variance is partially offset by staffing which is adverse to budget by £74,844, due to the need for temporary resource for the management of three case management systems as the tribunal transitions to FOAM by the end of March 2017. The host authority service charge is adverse to budget by £2,293 due to internal audit fees, charged by the host authority but budgeted for separately.

9.0 Income

- 9.1 Parking income is favourable to budget by £81,194 due to higher than budgeted PCNs issued combined with lower than budgeted charge per PCN (the charge per PCN is 40 pence, against a budget of 45 pence).
- 9.2 Road User Charging Appeal (RUCA) income is adverse to budget by £83,898 as PCNs issued are 9% / 186,440 lower than forecast.

9.3 The recharge for bus lane adjudication costs is adverse by £27,582 due to an increased proportion of bus lane appeals impacting on the recharge.

10.0 Outturn

10.1 The forecast outturn for 2016/17 at 31st March 2017 is for an overall surplus of £269,899, which is £160,435 favourable to budget. Of this total forecasted surplus, £17,203 is ring-fenced to RUCA.

10.2 Income is forecasted to be behind budget by £96,414, predominantly due to lower than forecast RUCA PCNs (7% / 200,388 PCNs lower than forecast).

10.3 Expenditure is forecasted to be favourable to budget by £256,849 in line with the current year to date variances in adjudicator costs, staffing and supplies and services.

12.0 Reserves

12.1 The reserves position at 31.11.16 is set out below. Since the start of the year, total reserves have reduced by £346,260 following the drawdown of the RUCA reserve to fund income in the current year, and also the drawdown of the technology reserve to meet current FOAM project requirements.

PATROL Reserves (based on the achieved result at 31st November 2016)

Financial year 2015/16		PATROL	RUCA
Reserves brought forward	£2,430,906	£2,414,466	£16,440
Achieved surplus	£1,138,846	£614,835	£524,010
Draw down from technology reserve	(£72,500)	(£72,500)	-
Total Reserve at 31.03.16	£3,497,252	£2,956,801	£540,450
Financial Year 2016/17			
Reserves brought forward	£3,497,252	£2,956,801	£540,450
Approved General Reserve	£1,101,042	£1,101,042	-
Approved Property Reserve	£107,119	£107,119	-
Technology Reserve	£400,000	£400,000	-
Total Approved Reserve	£1,608,161	£1,608,161	-
Total Free Reserve	£1,889,091	£1,348,640	£540,450
Draw down of technology reserve	(£190,169)	(£190,169)	-
Draw down of RUCA reserve	(£490,450)	-	(£490,450)
Achieved surplus	£334,359	£316,194	£18,165
Total Reserves at 30.11.16	£3,150,992	£3,082,826	£68,165
Of which are free reserves	£1,542,831	£1,474,665	£68,165
Movement in Reserves 30.11.16	(£346,260)	£126,025	(£472,285)

12.2 The forecasted reserves position at 31st March 2017 is set out below.

PATROL Forecasted Reserves at 31.03.17

		PATROL	RUCA
Reserves brought forward	£3,497,252	£2,956,801	£540,450
Draw down of technology reserve	(£400,000)	(£400,000)	-
Draw down of RUCA reserve	(£490,450)	-	(£490,450)
Anticipated Surplus for 16/17	£269,899	£252,696	£17,203
Forecast Reserves 31.03.17	£2,876,701	£2,809,497	£67,203
Of which are free reserves	£1,268,540	£1,201,336	£67,203
Annual Movement in Reserves	(£620,551)	(£147,304)	(£473,247)

12.3 The utilisation of these reserves in 2017/18 will be subject to a reserve policy statement reported separately.

13.0 Access to Information

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

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Appendix A: PATROL Budget Monitoring (30.11.16) and Outturn to 31.03.17

	Year to Date				Full Year			
	30.11.16	30.11.16	30.11.16	30.11.16	2016/17	2016/17	2016/17	2015/16
	Actual	Budget	Var to Budget	Var to Budget	Forecast Outurn	Full Year Budget	Var to Budget	Prior Year Result
Income								
Parking Income	1,336,474	1,255,280	81,194	6.5%	1,840,000	1,882,923	(42,923)	2,117,054
Other Income	25,084		25,084	0.0%	49,284		49,284	20
Bank Interest	8,895	8,000	895	11.2%	11,966	12,000	(34)	12,085
RUCA Income	816,102	900,000	(83,898)	-9.3%	1,259,825	1,350,000	(90,176)	1,473,141
Recharge for Bus Lane Adjudication Costs	256,026	283,608	(27,582)	-9.7%	412,855	425,421	(12,566)	348,984
Total Income	2,442,581	2,446,888	(4,307)	-0.2%	3,573,930	3,670,344	(96,414)	3,951,284
Expenditure:								
Adjudicators	732,747	972,872	240,125	24.7%	1,100,889	1,429,419	328,530	996,056
Staff	723,177	648,333	(74,844)	-11.5%	1,077,404	959,480	(117,924)	890,917
Premises / Accommodation	108,659	117,624	8,965	7.6%	165,049	176,450	11,401	160,093
Transport	23,232	34,776	11,544	33.2%	41,206	52,180	10,974	50,871
Supplies and Services	295,312	354,442	59,130	16.7%	432,623	521,665	89,042	341,811
IT	189,634	181,000	(8,634)	-4.8%	328,096	271,586	(56,510)	325,683
Services Management and Support	32,293	30,000	(2,293)	-7.6%	54,515	45,000	(9,515)	49,544
Audit Fees	3,167	3,400	233	6.9%	4,250	5,100	850	2,660
Contingency	0	0	0	0.0%	100,000	100,000	0	(5,198)
Total Expenditure	2,108,222	2,342,447	234,225	10.0%	3,304,031	3,560,880	256,849	2,812,438
Surplus / (Deficit)	334,359	104,441	229,918	220.1%	269,899	109,464	160,435	1,138,846
Breakdown of Surplus	334,359				269,899			
PARKING	316,194				252,696			
RUCA	18,165				17,203			

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

Date of Meeting: 31st January 2017
Report of: The Director
Subject/Title: Service Level Agreement with Cheshire East Council
2017/18

1.0 Report Summary

- 1.1 To present the Service Level Agreement (SLA) with Cheshire East Council (CEC) (The Host Authority) for 2017/18 which represents the fifth of the five-year term of the host authority appointment.

2.0 Recommendations

- 2.1 It is recommended that the variations to the SLA for 2017/18 are approved and CEC is reimbursed for its services.
- 2.2 The Resources Working Group will be asked to oversee a review of the Host Authority SLA (which terminates on 31 March 2018) to be presented at the July 2017 Joint Committee meeting.

3.0 Reasons for Recommendations

- 3.1 To comply with the SLA.

4.0 Financial Implications

- 4.1 Set out in the report

5.0 Legal Implications

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

6.0 Risk Management

- 6.1 Contributes to an appropriate governance framework.

7.0 Background and Options

- 7.1 Schedule 6 of the PATROL and Bus Lane Adjudication Service agreement makes reference to the development of a non-binding service level agreement (SLA) between the Joint Committee and the Lead Authority for the provision of services. The SLA (Appendix 1) was presented for approval at the June 2014 meeting and formally adopted on 27 August 2014.
- 7.2 Schedule 7 of the SLA makes provision for annual service reviews and variations over the five-year period. Any proposed variations to this SLA will be presented to the PATROLAJC in the January preceding the financial year to which the SLA applies.
- 7.3 The charge for 2016/17 was £48,440.

The Host Authority charges to date have been:

2013/14	£44,500
2014/15	£45,250
2015/16	£47,880
2016/17	£48,440

A review of services has been undertaken in relation to Schedule 2 to the SLA for 2017/18. The host authority is assuming an inflationary increase of 1.2% (current CPI rate) to all elements of the 2016/17 charge apart from the retainer of £10,000.

- 7.4 The budget for the 2017/18 host authority costs of £50,000 is broken down as follows.

£48,902.00	Host Authority Charge
£ 950.00	Payroll Charge
£ 148.72	Contingency
£50,000.00	Total Budgeted Host Authority Charges 17/18

8.0 Recommendations

- 8.1 It is recommended that the variations to the SLA for 2017/18 are approved and CEC is reimbursed for its services.
- 8.2 The Resources Working Group will be asked to oversee a review of the Host Authority SLA (which terminates on 31 March 2018) and the results to be presented to the July 2017 Joint Committee meeting.

9.0 Access to Information

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

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Designation: Director
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DATED 3rd December 2014

PARKING AND TRAFFIC REGULATIONS OUTSIDE
LONDON ADJUDICATION JOINT COMMITTEE

and

CHESHIRE EAST COUNCIL

and

BUS LANE ADJUDICATION SERVICE JOINT
COMMITTEE

SERVICE LEVEL AGREEMENT

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



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SERVICE LEVEL AGREEMENT

DATE

PARTIES

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

RECITALS

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

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

1. DEFINITIONS

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

"Adjudicators"

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

"Advisory Board"

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

"BLASJC Standing Orders"

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

"PATROLAJC Standing Orders"

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

"Delegations"

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

"Financial Regulations"

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

"Head of Service"

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

"Liaison Officer"

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

"Memorandum of Understanding"

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

"PATROLAJC's Representative"

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

"SLA"

means this service level agreement.

2. TERM

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

3. REPRESENTATIVES

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

4. SERVICES

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

5. DELEGATION OF FUNCTIONS

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

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

6. COSTS

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

7. SERVICE REVIEWS AND SERVICE VARIATIONS

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

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

8. DISPUTES

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

9. VARIATIONS

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

10. NOT USED

11. TERMINATION

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

Signed for and on behalf of the PATROLAJC

✓
(Signature)

.....
(Date)

Signed for and on behalf of the BLASJC

✓
(Signature)

.....
(Date)

Signed for and on behalf of Cheshire East Council:

.....
(Signature)

.....
(Date)

Schedule 1

Services

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

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

Schedule 2

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

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

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

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

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

PATROL ADJUDICATION JOINT COMMITTEE
Executive Sub Committee

Date of Meeting: 31st January 2017
Report of: The Director in consultation with the PATROL and BLASJC
Resources Working Group and Sub Committee
Subject/Title: Budget 2017/18

1.0 Report Summary

1.1 To request the Committee to adopt the revenue budget estimates for 2017/18

2.0 Recommendation

2.1 To agree to adopt the Revenue Budget for 2017/18 as detailed in the report.

3.0 Reasons for Recommendations

3.1 Joint Committee Financial Regulations

4.0 Financial Implications

4.1 Set out in the report

5.0 Legal Implications

5.1 Requirement to approve budget before 31 January 2017

6.0 Risk Management

6.1 Budget setting contributes to the Risk Management Strategy.

7.0 Background and Options

7.1 In accordance with the Joint Committee's agreement, it is necessary to establish a budget estimate for the forthcoming year. An assessment has been made of the likely service take up during 2017/18 and therefore the Adjudicators, administrative support and accommodation needed. The adjudication service is operated on a self-financing basis with income obtained from contributions by PATROL member authorities.

7.2 Income assumptions

Table 1 provides an income summary since 2005/06

Year	Budgeted Income	Achieved Income	Variance
2005/06	2,209,439	2,059,439	(150,000)
2006/07	2,315,226	1,994,832	(320,394)
2007/08	2,428,502	2,360,402	(68,100)
2008/09	2,439,499	2,344,568	(94,931)
2009/10	2,441,432	2,712,373	270,941
2010/11	2,560,993	2,464,288	(96,705)
2011/12	2,782,500	2,831,333	48,833
2012/13	2,576,410	2,624,178	47,768
2013/14	3,091,564	3,260,847	169,283
2014/15	3,300,457 ¹	3,085,885	(214,572)
2015/16	3,664,745 ¹	3,951,284	286,539
2016/17	3,670,344 ¹		

Note¹ excludes contribution from reserves

- 7.3 The Joint Committee has determined that member authorities will defray the expenses of the Joint Committee by way of a contribution based on the number of penalty charge notices they issue.
- 7.4 For 2017/18, the forecasting model focuses on trends from the past 12 month's income.
- 7.5 Additional income to the PATROL budget arises from a recharge to the Bus Lane Adjudication Service Joint Committee for the purposes of integrated adjudication services.
- 7.6 During 2017/18, additional income derives from charges to the Secretary of State for Transport in respect of adjudication of appeals arising from the enforcement of road user charging (RUCA) at the Dartford River Crossing.
- 7.7 In 2017/18 additional income is expected to be generated from charges to Runcorn Council in respect of adjudication of appeals arising from the enforcement of road user charging at Mersey Gateway, opening in September 17. No formal estimates have been provided by the enforcement authority at this stage.
- 7.8 A modest amount of bank interest has been included in the income projection based on the Annual Investment Strategy reported elsewhere.
- 7.9 The Joint Committee approves a Reserves Policy Statement each January and for 2017/18, the level of reserves contributing to the budget for 2017/18 will depend on the basis for charging.

8.0 Expenditure

8.1 An assessment has been made of the revenue budget that will be needed to meet the demands on the service during 2017/18.

8.2 Appeals activity for the first seven months of 2016/17 has indicated that parking appeals have reduced by 5% compared to the same period 2015/16. Bus lane appeal numbers have increased by 7% following the introduction of new councils. Appeals for road user charging in 2016/17 been higher than forecast resulting in an overall appeals increase between 2016/17 over 2015/16 (seven-month period) of 48%.

8.3 In preparing the budget for 2017/18, account has been taken of the key objectives:

- To withdraw from legacy IT systems and manage all appeals and witness statements in FOAM
- To further refine FOAM to provide improved functionality and user experience for all users.
- To undertake such developments as required facilitating new appeal streams.
- To build upon the transformation of FOAM by increasing the capacity for data analytics to support future service improvements.
- To introduce a standardised Notice of Rejection as recommended by the University of Birmingham.
- To continue to promote best practice in enforcement, appeals and information through a programme of local authority user groups
- To continue to promote best practice in public information on civil enforcement and develop the evidence base of enforcement and appeals on behalf of local authorities outside London.

8.4 The following provides a summary of anticipated expenditure in 2017/18.

8.5 Adjudicators

The budget assumes a 1% inflationary increase in fees

8.6 Staffing

A 1% inflationary increase has also been assumed as well as an increase in the pensionable rate, from 28.7% to 30.5% as required by the local government pension scheme. The impact per head of the increase in the pensionable rate is £468 on the average salary at PATROL. This is a total impact of approximately £11,000 for the current PATROL resource. The Appeals Team will continue the transition to the new online appeals system, FOAM, which was released earlier on in the year as a phased approach. Whilst all councils are expected to be using FOAM by the start of the financial year, there will be residual appeals to manage and further software developments to reduce the number of workarounds that the team need to

carry out. Therefore, temporary resource will continue to be required at least for part of the year.

8.7 Premises

August 2017 will see the end of the five-year lease of the PATROL premises at Springfield House, Wilmslow. The plan is to remain in the current premises although the increase in 17/18 budget reflects a worse case estimate for an increase in rents and rate, alongside an amount to reconfigure the office space, should this be required. Note that best efforts will be made with the renegotiation process and Cheshire East Council will be supporting PATROL with this.

8.8 Travel

The budget for travel is lower than the 16/17 budget by £22,105 / 20%. This reflects the conclusion of the relocation allowances given to the staff who were based in Manchester city centre at the time of the move to Wilmslow in 2013.

8.9 Supplies and Services

Supplies and services see a reduction of approximately 30% on the 16/17 budget and a 6% reduction in the forecasted full year forecasted outturn for 16/17. Efficiencies will be made on printing, postage and telephones following the move to a digital platform.

8.10 IT Costs

In 2017/18 the IT budget is expected to reduce on the prior year's budget and on the 2016/17 forecasted outturn. In 16/17 it is anticipated that IT costs will be adverse to budget by approximately £38,000 / 13% as a result of incurring unbudgeted but necessary costs to support the introduction of FOAM. Costs incurred on legacy appeals systems are expected to cease in the first six months of the financial year.

8.11 Service Management & Support

For 2017/18, it is anticipated that the Service Level Agreement charges with Cheshire East Council as Host Authority will remain broadly in line with those for 2016/17.

8.12 Audit

Audit fees are broadly in line with those for 16/17.

8.13 Contingency

A contingency of £100,000 has been included for use in the event of unforeseen circumstances.

9.0 Summary of movement in income and expenditure

	Budget 2017/18	Forecast Outturn 2016/17	Variance	% Change
Income ¹	£3,529,490	£3,573,930	£44,440	1% decrease
Expenditure	£3,476,480	£3,304,031	£172,449	5% decrease

Note ¹ This excludes the contribution to reserves of £53,009 (see below).

10.0 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

Appendix 1: PATROL Budget 2017/18

	Budget 2017/18	Budget 2016/17	Outturn 2016/17
Income			
PATROL Income	1,876,000	1,882,923	1,889,284
RUCA Income (Dart)	1,147,500	1,350,000	1,259,825
RUCA Income (Mersey Gateway)	4,000	0	0
Waste	0	0	0
Bank Interest	9,000	12,000	11,966
Recharge for Bus Lane Adjudication Costs	492,990	425,421	412,855
Contribution to reserves	(53,009)	(109,464)	
Total Income	3,476,480	3,560,880	3,573,930
Expenditure:			
Adjudicators	1,240,718	1,348,937	1,071,936
Staff	1,159,493	937,330	1,077,404
Premises / Accommodation	205,602	176,450	165,049
Transport	84,075	106,180	103,329
Supplies and Services	376,356	551,268	399,452
IT	255,487	290,615	328,096
Services Management and Support	50,000	45,000	54,515
Audit Fees	4,750	5,100	4,250
Contingency	100,000	100,000	100,000
Total Expenditure	3,476,480	3,560,880	3,304,031
Surplus / (Deficit)	0	0	269,899

Note: The surplus / contribution to reserves of £53,009 includes an amount relating to RUCA of £11,558.

PATROL ADJUDICATION JOINT COMMITTEE

Executive Sub-Committee

Date of Meeting: 31st January 2017
Report of: The Lead Officer in consultation with the PATROL and BLASJC Resources Working Group and Sub Committee.
Subject/Title: Reserves Policy Statement

1.0 Report Summary

1.1 To review the Reserves Policy Statement for the Joint Committee for 2017/18

2.0 Recommendation

2.1 To approve the Reserves Policy Statement for 2017/18 and the total approved reserve level for 2017/18 of £1,879,545.

2.2 To approve the balances of any surplus from 2016/17 being carried forward to 2017/18.

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

3.0 Reasons for Recommendations

3.1 Compliance with Financial Regulations

4.0 Financial Implications

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

5.0 Legal Implications

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

6.0 Risk Management

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

7.0 Background and Options

7.1 PATROL has built up a body of reserves which ensures the continuation of service should there be an unexpected downturn of income or unforeseen expenditure. The availability of reserves is central to maintaining its ability to self-finance and reduce the likelihood of having to call on additional resources

mid-year. At 31st March 2016, the level of reserves was £3,497,252 of which £1,608,161 was approved reserves for 2016/17 and £1,889,091 was free reserves and £540,450 was ring fenced to Road User Charging Appeals (RUCA).

- 7.2 For 2016/17, it is recommended that the Reserves Policy Statement will be made up of three elements:

General Reserves
Property Reserves
IT Reserve

7.3 The General Reserve

The General Reserve aims to mitigate the risk arising from:

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

It is recommended that the General Reserve for 2017/18 is £1,308,205.

7.4 The Property Reserve

This provides an indemnity to the Host Authority in relation to any outstanding rent associated with the lease that they have entered into on behalf of the Joint Committee. In August 2017 the lease is due for renewal. Provision is therefore made for rent for two years beyond that budgeted for in 17/18. It is assumed that the renewal contract will include a break clause after the first three years.

It is recommended that the Property Reserve for 2017/18 is £221,340.

This compares to £107,119 in 2016/17 which allowed for the final year of the lease.

7.5 Technology Reserve

The Joint Committee made provision for a technology reserve of £400,000 for 2016/17 of which £190,169 has been utilised to date.

For 2017/18 it is recommended that a reserve of £350,000 is retained to support the final elements of the roll out and enhancements of the new portal.

- 7.6 **It is recommended that the total approved reserve level for 2017/18 is £1,879,545.**

7.7 The Joint Committee will monitor income and expenditure during 2017/18 to keep the Reserves Policy Statement under review. Any additional balances will be taken into account in setting the budgets and approving the basis for defraying expenses.

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

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**PATROL ADJUDICATION JOINT COMMITTEE
Executive Sub Committee**

Date of Meeting:	31 st January 2017
Report of:	The Director in consultation with the PATROL and BLASJC Resources Working Group and Sub Committee
Subject/Title:	Annual Investment Strategy

1.0 Report Summary

- 1.1 To report on investments during 2016/17 and request the Joint Committee to approve the annual investment strategy for 2017/18.

2.0 Recommendation

- 2.1 To approve the Annual Investment Strategy 2017/18

3.0 Reasons for Recommendations

- 3.1 Joint Committee Financial Regulations

4.0 Financial Implications

- 4.1 Set out in the report

5.0 Legal Implications

- 5.1 None

6.0 Risk Management

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

7.0 Background and Options

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

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

- 7.4 In the year to date the interest generated has been on average £3,700 per quarter. This average however is set to reduce to approx. £2,250 following the announcement of the fall in interest rates in August 2016 and the approved funding of the FOAM (Fast Online Appeal Management) project expenditure from reserves.
- 7.5 Deposits utilised in the year include three months, one month and the transfer of overnight balances from the current account, leaving a residual balance of £30,000.

8.0 Annual Investment Strategy 2017/18

- 8.1 Investments will only be made with low risk institutions with offices in the UK, in the form of placing in fixed term deposit accounts Deposits will be spread over at least two banks to reduce risk. The banks are currently Santander, Lloyds and HSBC.
- 8.2 The availability of new investments will be reviewed regularly to ensure that the best products are chosen.

9.0 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
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PATROL ADJUDICATION JOINT COMMITTEE
Executive Sub Committee

Date of Meeting: 31st January 2017
Report of: Director in consultation with the PATROL and BLASJC
Resources Working Group and Sub Committee
Subject/Title: Defraying the expenses of the Joint Committee 2017/18

1.0 Report Summary

1.1 To establish the basis for defraying expenses during 2017/18

2.0 Recommendation

2.1 The Joint Committee reviews the options set out in the report for defraying its expenses in proportion to the number of penalty charge notices (PCNs) issued in 2017/18 and notes the recommendation of the Resources Working Group and Sub Committee.

2.2 There will be no annual charge, nor cost per case.

2.3 Invoicing will be undertaken on a quarterly basis on estimated figures and subsequently adjusted.

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

3.0 Reasons for Recommendations

3.1 Compliance with Financial Regulations

4.0 Financial Implications

4.1 Detailed in the report

5.0 Legal Implications

5.1 In accordance with the PATROL Adjudication Joint Committee Agreement

6.0 Risk Management

6.1 Identified within the Risk Register

7.0 Background and Options

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

Table 1 History of defraying the expenses of the Joint Committee

Year	Per PCN	Annual	Case
1991/2001	70 pence	£500	£10
2001/2003	70 pence	£500	£0
2003/2005	65 pence	£250	£0
2005/06	60 pence	£0	£0
2006/07	55 pence	£0	£0
2007/08	55 pence	£0	£0
2008/09	60 pence	£0	£0
2009/10	60/65 pence	£0	£0
2010/11	65 pence	£0	£0
2011/12	65 pence	£0	£0
2012/13	60 pence	£0	£0
2013/14	60 pence	£0	£0
2014/15	55 pence	£0	£0
2015/16	50/45 pence	£0	£0
2016/17	45/40 pence	£0	£0

- 7.3 In considering establishing the basis for defraying expenses in 2016/17, the following options are presented. The recommendation of the Resources Working Group and Sub Committee is Option 3.

Option 1

Retain the current rate of 40 pence per PCN – this would result in a forecast surplus of £41,889

Option 2

Reduce from 40 pence to 35 pence per PCN - this would result in a forecast deficit of £192,611

Option 3

Retain the current rate of 40 pence per PCN and review at the half year point at the meeting in July 2017.

Note: the forecast free reserve for PATROL at 31 March 2017 is £1,201,336

- 7.4 The PATROL Joint Committee provides access to independent adjudication through the Traffic Penalty Tribunal for appeals arising from penalty charge notices issues under Road User Charging regulations at the Dartford River Crossing. This arrangement is underpinned by a Memorandum of Understanding between the Joint Committee and the Secretary of State for Transport.
- 7.5 Charges for adjudication in respect of Road User Charging Appeals (RUCA) at the Dartford Crossing are subject to the separate arrangements agreed with Dart Charge. These are currently set at 45 pence per PCN. It is proposed to retain the £50,000 ring fenced RUCA level.

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
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PATROL ADJUDICATION JOINT COMMITTEE
Executive Sub Committee

Date of Meeting:	31 st January 2017
Report of:	The Director in consultation with the Resources Working Group and Sub Committee
Subject/Title:	Code of Corporate Governance

1.0 Report Summary

1.1 The paper proposes a revised Code of Corporate Governance.

2.0 Recommendation

2.1 Members are asked to approve the updated Code of Corporate Governance.

3.0 Reasons for Recommendations

3.1 To bring the Code up to date in the light of the CIPFA/SOLACE Framework *Delivering Good Governance in Local Government 2016*

4.0 Financial Implications

4.1 None

5.0 Legal Implications

5.1 None

6.0 Risk Management

6.1 The management of risk, performance and financial control forms part of the Code.

7.0 Background and Options

7.1 PATROL has a Code of Corporate Governance which has been reviewed in the light of the CIPFA/SOLACE Framework "Delivering Good Governance in Local Government 2016".

7.2 The PATROLAJC approach to governance, in so far as it is applicable, is consistent with the principles of the CIPFA/SOLACE Framework *Delivering Good Governance in Local Government 2016* in developing its Code of Corporate Governance. The CIPFA/SOLACE governance framework 'Delivering Good Governance in Local Government' brings together an

underlying set of legislative requirements, governance principles and management processes.

- A) Behaving with integrity, demonstrating strong commitment to ethical values, and respecting the rule of law.
- B) Ensuring openness and comprehensive stakeholder engagement
- C) Developing the entity's capacity, including the capability of its leadership and the individuals within it.
- D) Managing risks and performance through robust internal control and strong public financial management
- E) Implementing good practices in transparency, reporting, and audit to deliver effective accountability.

7.3 The enclosed Code of Corporate Governance will be reviewed annually at the Joint Committee meeting in July.

8.0 Recommendation

Members are asked to approve the updated Code of Corporate Governance.

9.0 Access to Information

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

Name: Louise Hutchinson
Designation: Director
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Email: lhutchinson@patrol-uk.info

PATROL ADJUDICATION AND BUS LANE ADJUDICATION SERVICE JOINT COMMITTEES CODE OF CORPORATE GOVERNANCE

January 2017

1. Background

PATROL been established to enable councils undertaking civil parking enforcement in England and Wales and civil bus lane and moving traffic enforcement in Wales to exercise their functions under:

- a) section 81 of the Traffic Management Act 2004 (TMA) and Regulations 17 and 18 of The Civil Enforcement of Parking Contraventions (England) General Regulations 2007 (the English General Regulations);
- b) section 81 of the TMA and Regulations 16 and 17 of the Civil Enforcement of Road Traffic Contraventions (General Provisions) Wales Regulations 2013 (the Welsh General Provisions Regulations);
- c) Regulations 12 and 13 of The Road User Charging Schemes (Penalty Charges, Adjudication and Enforcement) (England) Regulations 2013 (the Road User Charging Regulations). These functions are exercised through PATROL in accordance with Regulation 16 of the English General Regulations and Regulation 15 of the Welsh General Provisions Regulations.

The Bus Lane Adjudication Service (BLAS) Joint Committee enables councils undertaking civil bus lane enforcement to exercise their functions under Regulation 12 of the Bus Lane Contraventions (Penalty Charges, Adjudication and Enforcement) (England) Regulations 2005

2. Primary objectives

The agreed primary objectives of the joint committee are the provision of:

- (i) a fair adjudication service for appellants including visible independence of adjudicators from the Local Authorities in whose areas they are working;
- (ii) consistency of adjudication across the service;
- (iii) a cost effective and equitable adjudication service for all Local Authorities party to the arrangements established pursuant to this deed;
- (iv) flexibility to deal with a wide range of Local Authorities with varying levels of demand for adjudication; and
- (v) such other functions as may be conferred on the joint committee by statute from time to time (which include, at the date of this deed, the arrangements made under the Memorandum of Understanding regarding the Provision of Adjudication Services between the PATROL Joint Committee and the Secretary of State.

Functions of the PATROLAJC

The functions of the PATROLAJC are:

1. to appoint (re-appoint and dismiss) subject to the Lord Chancellor's consent (and that of the Lord Chief Justice as required) Adjudicators for the purposes of Part 6 of the 2004 Act;
2. to appoint a proper officer and deputy of PATROLAJC;
3. pursuant to the terms of this deed to appoint (and terminate and accept the resignation Of a Lead Authority for the purpose of the arrangements established by this deed;
4. to provide or make arrangements for the provision of accommodation and administrative staff and facilities for the Adjudicators;
5. to determine after consultation with the relevant Participating Authority where the Adjudicators are to sit;
6. to commission and receive an annual report upon the Adjudication Service from the Adjudicators;
7. to make and publish an annual report to the Appropriate National Authority as appropriate on the discharge by the Adjudicators of their functions;
8. to defray all the expenses of the adjudication process and in particular expenses in relation to the remuneration of Adjudicators;
9. to establish and approve annual budgets and receive annual accounts and regular monitoring reports on associated expenditure;
10. to undertake such other functions as are reasonably incidental to the efficient operation of the adjudication process;
11. such other associated functions as Participating Authorities may lawfully arrange for the PATROLAJC to perform as they from time to time consider appropriate, provided that the PATROLAJC agrees to such associated functions .

In summary, the functions exercised by the PATROL Adjudication and Bus Lane Adjudication Service Joint Committees on behalf of their constituent councils are appointing independent adjudicators to the Traffic Penalty Tribunal, providing these adjudicators with administrative staff and accommodation. Its remit in relation to the Traffic Penalty Tribunal as an independent tribunal is limited to these matters. The relationship between the Adjudicators and the Joint Committees is underpinned by a Memorandum of Understanding to this effect.

The Joint Committees also undertake such other associated functions as the participating Authorities may lawfully arrange the Joint Committees to perform as they from time to time consider appropriate.

Corporate Governance

The PATROL Adjudication Joint Committee (PATROLAJC) is responsible for ensuring that its business is conducted in accordance with the law and proper standards, and that public money is safeguarded and properly accounted for, and used economically, efficiently and effectively. In discharging this overall responsibility, the PATROLAJC is responsible for putting in place proper arrangements for the governance of its affairs, facilitating the effective exercise of its functions, which includes arrangements for the management of risk.

Members and officers are given the opportunity at each meeting to declare pecuniary and non-pecuniary interests

Principles of good governance

The Joint Committees are classed as small bodies for audit purposes without the requirement to produce a comprehensive annual governance statement however the Joint Committee is committed to proportionate governance and has taken steps to promote transparency through the publishing of externally audited accounts.

The PATROLAJC approach to governance, in so far as it is applicable, is consistent with the principles of the CIPFA/SOLACE Framework *Delivering Good Governance in Local Government 2016* in developing its Code of Corporate Governance. The CIPFA/SOLACE governance framework 'Delivering Good Governance in Local Government' brings together an underlying set of legislative requirements, governance principles and management processes.

- A) Behaving with integrity, demonstrating strong commitment to ethical values, and respecting the rule of law.
- B) Ensuring openness and comprehensive stakeholder engagement
- C) Developing the entity's capacity, including the capability of its leadership and the individuals within it.
- D) Managing risks and performance through robust internal control and strong public financial management
- E) Implementing good practices in transparency, reporting, and audit to deliver effective accountability.

The Joint Committees have put in place the following measures to support its governance:

- Joint Committee Agreement
- Membership through Memorandum of Participation
- Service Level Agreement with Host Authority reviewed annually over five-year term.
- Memorandum of Understanding between adjudicators and the Joint Committees
- Standing Orders
- Executive Sub Committees and Working Groups underpinned by Terms of Reference
- Resources Working Group undertakes audit scrutiny role.
- Officer Advisory Board.
- Formal framework of delegation
- Financial Regulations

- Registers of interest and hospitality
- Risk Management Strategy
- Reserve Policy Statement
- Investment Strategy
- Voluntary external audit and publication of accounts
- Publication of agendas, papers and newsletter
- Freedom of Information publication scheme

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

- i) Keep its governance arrangements under review.
- ii) Annually monitor effectiveness

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

Recommendations

To approve the revised Code of Corporate Governance in order that it can be presented to the annual meeting as part of the review of governance documentation.

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

Date of Meeting: 31st January 2017
Report of: The Director on behalf of the Resources Working Group and
Sub Committee
Subject/Title: Risk Register

1.0 Report Summary

1.1 To present the latest review of the risk register

2.0 Recommendation

2.1 To note the latest review of the risk register

3.0 Reasons for Recommendations

3.1 Compliance with the Joint Committee's Risk Management Strategy

4.0 Financial Implications

4.1 None at this time

5.0 Legal Implications

5.1 None at this time

6.0 Risk Management

6.1 The risk register forms part of the Risk Management Strategy

7.0 Background and Options

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

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

8.0 Recommendation

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

9.0 Access to Information

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

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Designation: Director

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Appendix 2: RISK REGISTER JANUARY 2017

Rank	Risk Description	Consequence Description	Risk Impact	Likelihood	Score	Key Controls In Place	Assurances	Response	Previously Reported Status	Current Status	Further Actions to be taken to Manage Risk Better	Lead
1.	Unforeseen significant fluctuations in income and assurance on service charge income	Inability to meet financial obligations	4	2	8	Audit figures and history on which to base forecasts. Reserve policy in place Bad debt policy	Internal & External Audit Reports Committee Reports	Treat			Continued forecasting, budget monitoring and cashflow analysis. Monitor new jurisdictions.	D
2.	Inability of IT to support needs of organisation and technology users (including data protection)	Reduced effectiveness and efficiency for tribunal, councils and appellants.	3	3	9	Robust hosting and support arrangements in place. In-house IT team providing first line support. Registered with the Information Commissioner Data Sharing Agreements implemented with respondent authorities... Frequent reporting of appeal portal development and progress.	Performance Reports IT hardware replacement programme. Technology Reserves in place Feedback from appellants and authorities to inform future development. The tribunal web site and portal explains to the parties how information will be shared.	Treat			Build upon the University of Birmingham research to obtain feedback to enhance the user experience. Refinements and developments continue to the system Privacy impact assessment being undertaken – local authorities sign up to a data sharing agreement as part of their onboarding process... A programme to roll out the portal is due to complete in March 2017.	D

Appendix 2: RISK REGISTER JANUARY 2017

3.	Loss of key members of management and staff	Disruption to operations Management of vacancies Project and operational targets affected	3	3	9	Clearly defined roles with flexibility to provide cover. Documented procedures Arrangements for temporary cover Arrangements in place to extend cover. Resources Sub Committee and Working Group established.	Committee Reports	Treat			Temporary resource to support the closure of the legacy system and transition to all appeals and witness statements handled through FOAM (Fast Online Appeal Management) Review communication requirements with external specialist agency. 2017/18 budget includes a policy role.	D
4	Insufficient adjudicator/ staff resources to meet demand	Inability to meet targets Pressure to reach decisions may result in increased number of judicial reviews	3	2	6	Monitoring of demand and performance Staff recruitment, induction, training and appraisal. Established operating model with proven systems for training and managing new staff. Contingency	Resources Sub Committee and Working Group in place Committee Reports Development of the portal will increase efficiency of the appeals process	Treat			Review capacity and training needs of adjudicators and staff in the light of the roll out of the new appeal portal and case management system...	CA/D

Appendix 2: RISK REGISTER JANUARY 2017

						Planning						
5	Achievement of Key Objectives	Failure to achieve key objectives	3	3	9	Leadership team established focussing on key objectives.	Internal & External Audit Reports Committee Reports Secondment to fill Authority Engagement Manager roll to support the take up of the portal by local authorities.	Treat			2016/17 has been a transformational and transition year where resources have been focused on the roll out to achieve results. Lessons from this exercise to be applied to other projects.	CA/D

CA = Chief Adjudicator D - Director

Note 1 The Risk Register is underpinned by the Risk Management Strategy and should be read in conjunction with business continuity planning arrangement

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

	Effective Financial and Resource Management including spending within agreed budgets	Financial instability	2	2	4	Historical data on which to base forecasts. Specified role for budget holders in budget monitoring. Recommendations from Internal Audit	Internal & External Audit Reports Committee Reports	Treat			Impact of revisions to budget management Internal Audit Annual Plan for 2011/12.
	Change in government policy	Change in direction for traffic regulations/adj	5	1	5	Establishing and maintaining dialogue with relevant government	Committee Reports	Tolerate			None at this time

Appendix 2: RISK REGISTER JANUARY 2017

		udication				departments, responding to consultation, participation in working groups				
	Health and Safety Breach	Risk to welfare of adjudicators, appellant, staff Disruption to tribunal operation	3	1	3	Health and Safety policy in place. Procedures in place for monitoring risk/handling incidents which may be a threat to health and security. Business Continuity Plan in place.	Reporting requirements for Health and Safety Matters	Treat		None at this time

Appendix 2: RISK REGISTER JANUARY 2017

Risk Impact Details

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

Likelihood

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

Appendix 2: RISK REGISTER JANUARY 2017

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

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

MEASUREMENT OF RISK AND REPORTING

Risk Matrix

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

Legend:

Score of 25 equates to **Extreme Risk**: Immediate escalation to Director for urgent consideration by Joint Committee.

Scores of 20-15 **High Risk**: Risk to be escalated to the Joint Committee/Executive Sub Committee with mitigating action plan. Risk to be actively managed by Director and Advisory Board.

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

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



Department for
Communities and
Local Government

Connecting Town Halls

Consultation on allowing joint committees and combined authorities to hold meetings by video conference



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1. Scope of the consultation

A consultation paper issued by the Department for Communities and Local Government on behalf of the Secretary of State

Topic of this consultation:	This consultation paper sets out the Government's proposals for giving local authorities operating joint committees, and combined authorities, the ability to hold meetings by video conference.
Scope of this consultation:	<p>The Department for Communities and Local Government is consulting on proposals to give local authorities operating joint committees, and combined authorities, but not councils as a whole, the ability to hold formal meetings using video conferencing facilities.</p> <p>Making any change to the rules on how these meetings are held in England will require changes to the Local Government Act 1972.</p>
Geographical scope:	The proposals in this consultation paper apply to local authorities operating joint committees, and combined authorities, in England only.
Impact Assessment:	No impact assessment has been produced for this consultation. The proposals would give local authorities and combined authorities the ability to hold these meetings by video conference should they so wish, rather than placing any requirement upon them to do so.

Basic Information

To:	This consultation is open to everyone. We particularly seek the views of individual members of the public, of local authorities that operate joint committees, of combined authorities, of those bodies that represent the interests of local authorities, and of the local media who report on these types of specific meeting.
Body responsible for the consultation:	The Conduct and Council Constitutions Team in the Department for Communities and Local Government is responsible for conducting the consultation.
Duration:	The consultation will begin on 9 November 2016. The consultation will run for 9 weeks and will close on 11 January 2017. All responses should be received by no later than 11 January 2017.

<p>Enquiries:</p>	<p>During the consultation, if you have any enquiries, please contact:</p> <p>Stuart Young email: stuart.young@communities.gsi.gov.uk TEL: 0303 44 42005</p> <p>How to respond: Please respond by email to:</p> <p>videoconferencingconsultation@communities.gsi.gov.uk</p> <p>Alternatively, please send postal responses to:</p> <p>Stuart Young Department for Communities and Local Government 2nd Floor, NE, Fry Building 2 Marsham Street London SW1P 4DF</p> <p>Responses should be received by close on 11 January 2017.</p>
<p>How to respond:</p>	<p>You can respond by email or by post.</p> <p>When responding, please make it clear which questions you are responding to.</p> <p>When you reply it would be very useful if you could confirm whether you are replying as an individual or submitting an official response on behalf of an organisation and include:</p> <ul style="list-style-type: none"> - your name - your position (if applicable) - the name and address of your organisation (if applicable) - an address, and - an e mail address (if you have one)

2. Introduction

1. The Department for Communities and Local Government is consulting on proposals to give local authorities operating joint committees, and combined authorities, but not councils as a whole, the ability to hold formal meetings using video conferencing facilities.

The Rules about Council Meetings

2. Schedule 12 of the Local Government Act 1972 sets out the rules for holding council meetings. The legislation is clear that all those taking part in a council meeting should be physically present in the place where the meeting is taking place. The Government considers that these rules still remain appropriate for council meetings that do not involve the meetings of a joint committee, or a combined authority. However, given the quality of video conferencing facilities available today it is right that local authorities operating joint committees, and combined authorities, be given the ability to hold meetings on multiple sites.

3. Making any change to the rules on how council meetings are held in England will require changes to the Local Government Act 1972.

Joint Committees and Combined Authorities

4. Joint committees and combined authorities present particular geographical challenges when holding meetings.

5. Joint committees are committees formed by two or more local authorities to discharge certain functions of those local authorities jointly. They allow strategic decisions to be taken over a greater area than a single local authority. Each constituent local authority is represented on the joint committee by a councillor from that constituent local authority.

6. A combined authority is a legal structure that can be established by the Secretary of State at the request of two or more county councils or district councils. Combined authorities can discharge statutory functions, such as transport and economic development functions, for the area of the combined authority, which comprises the area of the constituent local authorities of the combined authority. Combined authority members can be members of constituent councils as well as representatives from other organisations.

7. The Government's proposals to give local authorities operating joint committees, and combined authorities, the ability to hold meetings by video conference maintain the town hall transparency that the Government considers essential to help ensure that the public can hold their authority to account.

3. Proposals on allowing joint committees and combined authorities to hold meetings by video conference

Video Conferencing

8. The Government considers that, with appropriate safeguards to maintain town hall transparency, there could be benefits to giving local authorities operating joint committees, and combined authorities, the ability to hold formal meetings by video conference in certain circumstances.

9. For the purposes of these proposals, a meeting is any meeting of a joint committee, or any meeting of a combined authority, including a meeting where a vote might be called to decide a matter.

10. The Government understands that where a joint committee has been established or where a combined authority exists, the area covered by the joint committee or the combined authority can be considerable. As a result, meeting venues for joint committees or combined authorities may be an inconvenient distance away from the homes of some councillors taking part in the meeting and the public who wish to attend the meeting. Such councillors were not directly elected to combined authorities or joint committees, and therefore, travelling such a geographic distance was not a reasonable expectation when standing for election as a councillor.

11. The use of video conferencing to hold meetings could remove those barriers of time and distance that might arise where a meeting of a joint committee or combined authority is held at a location far from the home of a councillor or member of the public. Not only could this lead to a potential saving in travel expenses, but it could help ensure that people are not discouraged from participating in these types of pan-local authority meeting, and would encourage more joint-working in local government.

12. The Government is committed to continuing to ensure that authorities are provided with the tools and freedoms they need to make the best use of taxpayers' money and public resources. These proposals will enable local authorities operating joint committees, and combined authorities, to use video conferencing facilities to hold their meetings, making it easier for those who are participating in those meetings to attend the meetings, and making it easier for the public who wish to attend or observe meetings to do so.

13. Video conferencing enables people at different sites to both see and hear one another. Video conferencing of meetings must mean that not only can the participants of the meeting see and hear one another, but members of the public can see and hear all the participants, just as if the meeting were taking place in a single meeting room with a public gallery.

14. To ensure that participants and the public can take part in and observe a meeting happening in more than one location, we propose that the access to video conferencing facilities to hold council meetings be available at local authority or combined authority sites that are suitable for holding a meeting with public access.

15. This would include, for instance, a local town hall of a constituent council of a combined authority or of a local authority operating a joint committee with other local authorities. A constituent council or local authority member would **not** be able to participate in a meeting held by video conference from their home, or from a private premises.

16. This will ensure that a constituent council or local authority member, or a member of the public attending a meeting at any site where a local authority member is attending the meeting, would also be able to see and hear simultaneously the activities of the local authority members attending the meeting at the other sites in use.

17. If the meeting is also being streamed on the internet then it may, of course, be observed by anyone, anywhere, with an internet connection and the facility to stream video.

Preserving Town Hall Transparency

18. Transparency is the foundation of local accountability, the key that gives people the tools they need to hold their authorities to account. Since 2010, town hall transparency has improved greatly, including changes to the rules about attending council meetings to allow the public to tweet, blog and film the proceedings of council meetings.

19. The Government's proposals preserve town hall transparency and, further, provide the opportunity for enhanced scrutiny of decision making by enabling local authorities to take advantage of, for instance, live streaming meetings held by video conference.

20. The proposals will not change the rules on local authorities or combined authorities publicising meetings, other than that the meeting will now take place on two or more sites. There will also still be limited defined circumstances where the national rules require or allow the meeting to be closed to the public, meaning that only those members participating in the meeting will have access to the video conferencing facilities.

21. Whilst the Government is aware that "remote attendance" was floated by then (Labour) Government in 2008, this Government does **not** support councillors being able to take part in their own council's meetings from their own home, or from some other private premises; the Government believes that such changes would undermine visible democracy scrutiny and public debate. Other than for joint committees and combined authorities which cover more than one local authority area, all council meetings should continue to take place, in person, in the public premises designated for that council meeting.

Questions

Q1: Do you agree that local authorities operating joint committees should have the ability to hold meetings by video conference?

Q2: Do you agree that combined authorities should have the ability to hold meetings by video conference?

Q3: Do you agree that the safeguards outlined in paragraphs 14 to 20 above are sufficient to preserve town hall transparency when these meetings are held by video conference?

About this consultation

This consultation document and consultation process have been planned to adhere to the Consultation Principles issued by the Cabinet Office.

Representative groups are asked to give a summary of the people and organisations they represent, and where relevant who else they have consulted in reaching their conclusions when they respond.

Information provided in response to this consultation, including personal information, may be published or disclosed in accordance with the access to information regimes (these are primarily the Freedom of Information Act 2000 (FOIA), the Data Protection Act 1998 (DPA) and the Environmental Information Regulations 2004.

If you want the information that you provide to be treated as confidential, please be aware that, under the FOIA, there is a statutory Code of Practice with which public authorities must comply and which deals, amongst other things, with obligations of confidence. In view of this it would be helpful if you could explain to us why you regard the information you have provided as confidential. If we receive a request for disclosure of the information we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the Department.

The Department for Communities and Local Government will process your personal data in accordance with DPA and in the majority of circumstances this will mean that your personal data will not be disclosed to third parties.
Individual responses will not be acknowledged unless specifically requested.

Your opinions are valuable to us. Thank you for taking the time to read this document and respond.

Are you satisfied that this consultation has followed the Consultation Principles? If not or you have any other observations about how we can improve the process please contact DCLG Consultation Co-ordinator.

Department for Communities and Local Government
2 Marsham Street
London
SW1P 4DF

or by email to: consultationcoordinator@communities.gsi.gov.uk

**PATROL ADJUDICATION JOINT COMMITTEE &
BUS LANE ADJUDICATION SERVICE JOINT COMMITTEE
EXECUTIVE SUB COMMITTEE MEETINGS**

31ST JANUARY 2017

**General Progress Report and Appeals Summary
1 April 2016 – 30 November 2016**

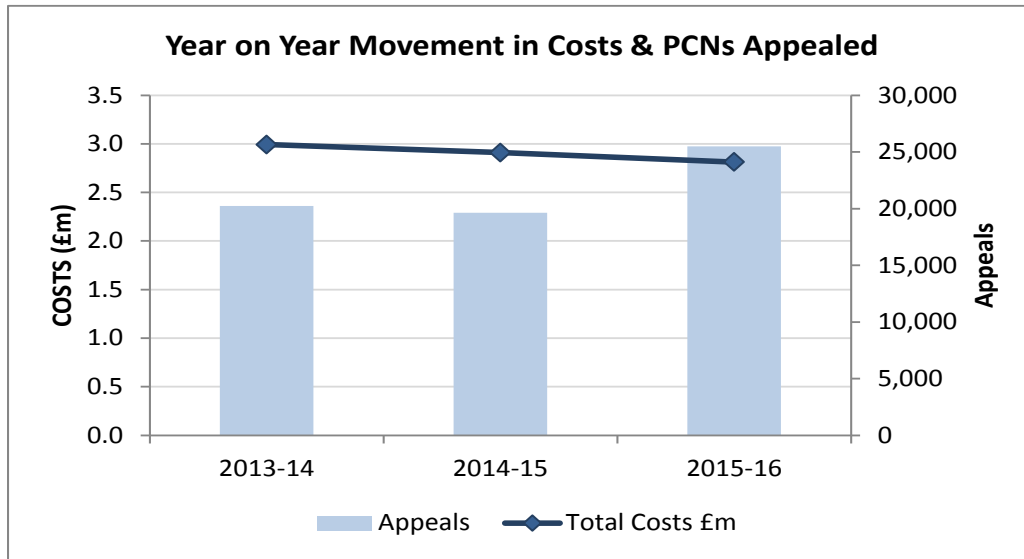
1. Background

The table below shows the year on year full year comparisons for PCNs appealed (including witness statements) for the years 2013/14 to 2015/16.

	Parking England and Wales	Bus Lane (England)	Bus Lanes and Moving Traffic Wales	Dart Charge	Durham	Total
Apr 2013 – Mar 2014	15,578	4,648	0	n/a	n/a	20,226
Apr 2014 – Mar 2015	14,490	4,209	45	880	n/a	19,624
Apr 2015 – Mar 2016	13,619 ¹	3,690	219	9,174	1	26,703

Note 1 Parking England (12,976) Parking Wales (643)

The graph below shows the increase in PCNs appealed whilst year on year Joint Committee expenditure has reduced.



2. Comparing April to October 2016 with same period in 2015

The table below compares the 7-month period April to October 2015 across the two-year period.

	Bus Lanes	Parking	Other	Total
April 15 – October 15	1,781	7,341	1,266	10,388
April 16 – October 16	1,902	6,964	6,510	15,376

- Bus Lane appeals show an increase of 6.8%
- Parking appeals show an increase of 5.4%
- Other appeals show a marked increase but include 6,403 appeals for penalties issued at the Dartford River Crossing (7 months to October 2016) against 1,164 Dart Charge appeals for the same period last year.
- Total appeals (including Witness Statements) have increased by 48%.

3. Handling of appeals

The table below measures the speed of acknowledging appeals in the legacy system. This is automated in FOAM (Fast Online Appeal Management)

Period	Actual	Target
2013/14	99%	95% within 2 working days
2014/15	99%	95% within 2 working days
2015/16	99%	95% within 2 working days
2016/17	99%	95% within 2 working days

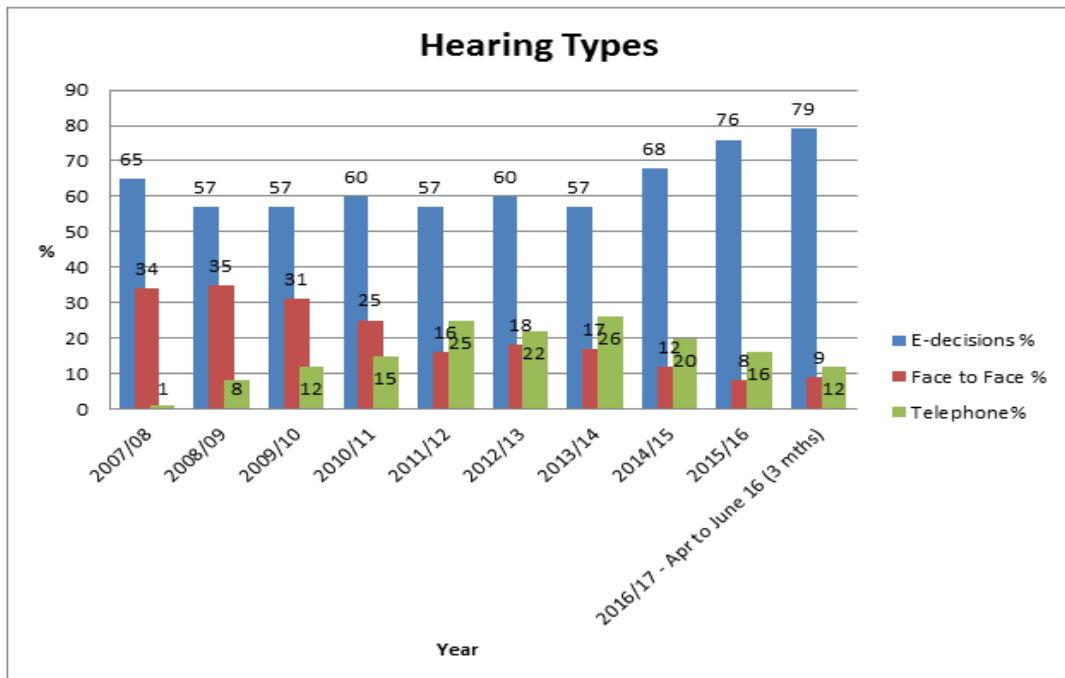
4. Hearing Types

Adjudicators may decide cases simply on the evidence presented. These are known as edecisions. Alternatively, cases may be decided by telephone or face to face hearing. Telephone hearings are telephone conference calls between the adjudicator and the parties and face to face hearings are conducted across England and Wales, usually in hotel meeting rooms. The table below shows the movement in hearing types across 2014/15 and 2015/16.

All case types including Dartcharge:

Type	7m to Oct 16	12m 2015/16
E Decision	82%	76%
Telephone Hearing	11%	16%
Face to Face Hearing	8%	8%

The following graph demonstrates the changes in hearing types over the years 2007/08 to 2016/17:



5. Rollout of FOAM

The process of transferring authorities from the legacy and prototype systems to FOAM is continuing at pace,

We have held 41 workshops since March 2016, the furthest north in Sunderland and the furthest south in Cornwall.

230 authorities are now live and using FOAM which represents around 82% of the volume of appeals received. All other authorities have either been trained and given a Go Live date, or have been access to our OnLine Training Resource with an agreed go Live date.

All authorities will be given access to our Online Training Resource to enable them to refresh their training, and train new staff. A number smaller authorities are using this facility for their initial training.

We expect to have all authorities on FOAM by end March 2017.

Feedback received from authorities regarding FOAM continues to very positive:

“FOAM has enabled the efficient processing of TPT cases for our busy Parking Office. Although TPT cases are relatively rare, the efficiency provided by FOAM has enabled our team to process appeals in the same time it takes to review a Formal Representation (approx. 20 minutes per case). The old method of case preparation required 3 copies of a case bundle to be produced in paper form taking anywhere between a few hours to a full day to complete. In terms of officer hours, it could be argued that the saving have been substantial given that Parking Services Officers are paid at an hourly rate of approx. £8.89 per hour. As an extreme example, a case that would take one day to complete would cost £71.12 in staff time, is now likely to cost £4.50 per case.” - Luton

“We have also found the appellant to be more responsive to the evidence, as this is uploaded online, they have opportunity to comment on each item. This has allowed swifter resolution to most cases and has no doubt aided the adjudicators in decision making. Cases are now typically resolved within 28 days of the appeal being made, subject to any hearing requests and additional evidence required.” - Luton

“Foam has allowed for the service to continue efficiently whilst the council have had to make staff cuts. It has bridges the gap enabling the council to continue with its business whilst maintaining high standards.

Foam has also complemented and supported the council’s flexible and agile workforce enabling for the work to be carried out from anywhere in the country as well as Europe.

Foam has provided a real technical solution to today's work life balance and the bonus is not only improving the quality of work place atmosphere but also contributing to savings by management of the service with fewer staff" - Sandwell

"Significantly reduced the printing costs, one officer was in the top 20 for printing costs, since the introduction of the portal/FOAM this has changed and is no longer on this list.

This also helps with the fact there are not paper documents being passed from Officer to Manager and being stored for reference, everything is easily accessible on the system.

The time to complete each case has increased from completing 2-3 per day to 5-6.

Easier to communicate with TPT and the appellant by being able to send messages" - Manchester

***"Time and resources** - Previously we had to prepare a case summary and then print all documentation relating to the case. This was then put into numerical order and the case was printed 3 times – 1 for the appellant, 1 for the tribunal and a copy for the Council. The old process could have taken a number of days but on the portal an appeal can be uploaded within an hour or 2, approved and submitted.*

***Staff** - are confidently and happily working with the new system – initially there were a few grumbles but now all staff agree this way of working is so much easier.*

***Faster and more efficient** – once an appeal is uploaded we are able to monitor the progress of the case. Further information and decisions are uploaded quickly and is accessible to all. We are also able to view when and who reads a decision which is a great tool for when an appellant states they didn't receive a decision!*

Also, instead of taking hard copies of case summaries and TRO's to appeal hearings we only need to take a laptop now - Oxford

"The speed and ease of communication allows all parties to clarify and comment on aspects of the case leading to a quicker resolution. A particular benefit is for cases where the appellant has provided information or evidence that the Council has previously requested. If this is provided as part of the appeal we can quickly inform all parties that we are not contesting the case.

Prior to BECK/FOAM, around 50% of appeals were dealt with as personal or telephone hearings. The number of appeals dealt with in this way is now minimal leading to cost and time savings for all involved.

FOAM allows us to put packs together more easily and quickly. Prior to managing cases online, it could take half a day or more to complete a pack, now a straightforward case can be completed in less than an hour. Managing cases online also reduces printing costs. We currently have 2 representations officers where

previously we have had 3. FOAM allows us to manage our workloads effectively to keep within SLAs.” - Cornwall

6. Customer Service

The Customer Service Team can monitor the creation of appeals and in the event of appeals not being submitted, make contact with the appellant to offer assistance. In addition where an appellant has requested a paper form by which to appeal, the Customer Liaison staff contact the appellant to advise them regarding the on-line process and the benefits it offers. This contact successfully results in around 25% conversion from off-line to on-line appeals.

Similarly, the team and Authority Engagement Manager are in regular contact with the authorities who are live on FOAM. Feedback from authorities is very positive and also used to inform development where suggestions for improvement are made.

The tribunal has also implemented a Freephone number which appears on all correspondence. This is aimed at ensuring that the cost of making a call is not a barrier to appealing.

7. Case Closure – comparing legacy system to online system

Appealing to the Traffic Penalty Tribunal is a judicial process and, as such, it is not appropriate to set out rigid timescales for deciding appeals, however the tribunal’s objective is to “To provide a tribunal service which is user-focused, efficient timely, helpful and readily accessible”

The online system has resulted in a new way of handling appeals with instant messaging and all parties having access to the same information and evidence at once. The adjudicator is able to adopt a more inquisitorial approach to ascertain the details of the case.

Taking into account all appeal streams for the period 1st April 2016 to 30th June 2016, the velocity of the online system results in a significant proportion of cases be dealt with in under a week, particularly where authorities choose not to contest a case, and over 60 per cent of cases dealt with within three weeks.

Case Closure	% of cases	Cumulative %
up to 7 days	21.4%	21.4%
7 to 14 days	23.7%	45.1%
14 to 21 days	21.9%	67.0%
Over 21 days	33.0%	100%

The average number of weeks between registration of an appeal and a decision being issued in the legacy system, taking England appeals 2015/16 as an example and the final six months of 2015/16 for online appeals:

Decision Type	Legacy Average Number of weeks	Online system average Number of weeks
E decision	4.92	3.32
Telephone	6.69	5.32
Face to Face	12.50	10.94

The saving of 1.6 weeks for edecisions is significant as section 3 above highlights the move to edecisions. The tribunal has always adopted a fast track approach to telephone hearings because of their flexibility and this will be maintained. As fewer people opt for face to face hearings, the tribunal are responding flexibly to these to enable smaller lists to take place in a wider range of locations.

The following tables set out case closure across the various appeal streams in the legacy system in detail.

During 2016/17, the tribunal is operating three systems: legacy, prototype and FOAM. . All authorities are expected to be brought into FOAM by end March 2017. Reporting will be consolidated in 2017/18

5. Case Closure (Legacy System)

In June 2007 the Joint Committee approved the following targets which currently apply to the legacy system:

<p>Face to face hearings</p> <p>60% of cases to be offered a face to face hearing date within 8 weeks of receipt of the Notice of Appeal. 90% of cases to be offered a face to face hearing date within 12 weeks of receipt of the Notice of Appeal</p> <p>E-decision Decisions</p> <p>80% of decisions without a hearing to be made within 7 weeks of receipt of the Notice of Appeal.</p>
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The reports on case closure include all cases which were registered in the period and have been decided, including cases which have not been contested. This data will include cases that have been delayed for the following reasons.

a) Requests from parties to the appeal:

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

b) Adjudicators may require:

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

a) Parking Appeals (England):**Cases decided by e-decision:**

Measure	April 2014 to March 2015	April 2015 to March 2016	April 2016 to end Nov 2016
Average number of weeks between registration of appeal and decision issued	4.85 weeks	4.92 weeks	4.46 weeks
Cases with less than 7 weeks between registration and decision (e-decision target)	84.18%	83.75%	91.04%
Cases with less than 12 weeks between registration and decision	96.99%	96.23%	98.55%

Cases decided through a telephone hearing:

Measure	April 2014 to March 2015	April 2015 to March 2016	April 2016 to end Nov 2016
Average number of weeks between registration of appeal and decision issued	6.74 weeks	6.69 weeks	5.94 weeks
Cases with less than 8 weeks between registration and decision (telephone target)	81.18%	82.01%	86.45%
Cases with less than 12 weeks between registration and decision (telephone target)	95.77%	94.65%	96.42%

Cases decided through a face to face hearing:

Measure	April 2014 to March 2015	April 2015 to March 2016	April 2016 to end Nov 2016
Average number of weeks between registration of appeal and decision issued	11.40 weeks	12.50 weeks	10.44 weeks
Cases with less than 8 weeks between registration and decision (face to face target)	25.22%	22.02%	30.15%
Cases with less than 12 weeks between registration and decision (face to face target)	68.59%	59.73%	76.63%

b) Parking Appeals (Wales)**Cases decided by e-decision:**

Measure	April 2014 to March 2015	April 2015 to March 2016	April 2016 to end Nov 2016
Average number of weeks between registration of appeal and decision issued	3.89 weeks	4.62 weeks	3.45 weeks
Cases with less than 7 weeks between registration and decision (e-decision target)	91.25%	83.55%	96.72%
Cases with less than 12 weeks between registration and decision	99.47%	94.78%	100.00%

Cases decided through a telephone hearing:

Measure	April 2014 to March 2015	April 2015 to March 2016	April 2016 to end Nov 2016
Average number of weeks between registration of appeal and decision issued	7.85 weeks	7.09 weeks	5.33
Cases with less than 8 weeks between registration and decision (telephone target)	64.56%	80.26%	90.20%
Cases with less than 12 weeks between registration and decision (telephone target)	94.94%	92.11%	100.00%

Cases decided through a face to face hearing:

Measure	April 2014 to March 2015	April 2015 to March 2016	April 2016 to end Nov 2016
Average number of weeks between registration of appeal and decision issued	12.66 weeks	12.33 weeks	11.15 weeks
Cases with less than 8 weeks between registration and decision (face to face target)	24.59%	27.91%	38.46%
Cases with less than 12 weeks between registration and decision (face to face target)	63.93%	60.47%	61.54%

c) Bus lane appeals (England):**Cases decided by e-decision:**

Measure	April 2014 to March 2015	April 2015 to March 2016	April 2016 to end Nov 2016
Average number of weeks between registration of appeal and decision issued	5.05 weeks	5.02 weeks	4.54 weeks
Cases with less than 7 weeks between registration and decision (e-decision target)	80.65%	82.35%	87.97%
Cases with less than 12 weeks between registration and decision	96.43%	95.89%	98.26%

Cases decided through a telephone hearing:

Measure	April 2014 to March 2015	April 2015 to March 2016	April 2016 to end Nov 2016
Average number of weeks between registration of appeal and decision issued	7.49 weeks	7.04 weeks	5.96 weeks
Cases with less than 8 weeks between registration and decision	72.04%	77.24%	88.20%
Cases with less than 12 weeks between registration and decision	91.03%	92.74%	98.31%

Cases decided through a face to face hearing:

Measure	April 2014 to March 2015	April 2015 to March 2016	April 2016 to end Nov 2016
Average number of weeks between registration of appeal and decision issued	11.44 weeks	12.45 weeks	9.71 weeks
Cases with less than 8 weeks between registration and decision (face to face target)	27.16%	13.87%	39.73%
Cases with less than 12 weeks between registration and decision (face to face target)	66.26%	56.65%	82.19%

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