

PATROL Adjudication Joint Committee Executive Sub Committee

Agenda

Date: Tuesday 31st October 2017
Time: 11.00 am
Venue: Bishop Partridge Hall, Church House, Westminster, SW1P 3NZ

1. **Appointment of Chair, Vice Chair and Assistant Chair of the Executive Sub Committee** (Pages 1 - 2)

To appoint a Chair, Vice Chair and Assistant Chair until the next meeting of the Joint Committee in July 2018 in accordance with the Terms of Reference
2. **Confirmation of Assistant Chair (Wales)**

To note the Assistant Chair (Wales) until the next meeting of the Joint Committee in July 2018
3. **Apologies for Absence**

To receive apologies for absence
4. **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 item on the agenda
5. **Minutes of the Meeting held on 31 January 2017** (Pages 3 - 10)

To approve the minutes of the PATROL Adjudication Joint Committee Executive Sub Committee held on 31 January 2017

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6. **Minutes of the Meeting held on 11 July 2017** (Pages 11 - 22)

To note the minutes of the PATROL Adjudication Joint Committee held on 11 July 2017

7. **Chair's Update**

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

8. **PATROL and BLASJC Resources Working Group and Sub Committee**
(Pages 23 - 26)

To report on the resolutions from the PATROL and BLASJC Resources Working Group and Sub Committee's meeting held on 12 October 2017

9. **Audit Commission Small Bodies Annual Return for the Year Ended 31 March 2017** (Pages 27 - 46)

To note the completion of the external audit of accounts for 2016/17 and approve a Scheme of Financial Delegation

10. **Budget Monitoring, Review of Reserves and the Basis for Defraying Expenses 2017/18** (Pages 47 - 52)

To note the income, expenditure and reserves position at 31 August 2017 and review the basis for defraying expenses

11. **Risk Register** (Pages 53 - 60)

To note the latest review of the Risk Register

12. **Wales Update**

To note the progress of the civil enforcement regulations in Wales

13. **Chief Adjudicator Update**

To receive a report from the Chief Adjudicator

14. **General Progress** (Pages 61 - 70)

To provide general information in respect of the Tribunal's activities and initiatives for the six month period to 30 September 2017

15. **Dates of Next Meetings**

30 January 2018

10 July 2018

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**PATROL Adjudication Joint Committee
Terms of Reference for the Executive Sub-Committee**

Delegation of the following functions to the PATROLAJC Executive Sub-Committee:-

1. Financial Matters

- (a) Deciding on the level and proportion PATROLAJC member Councils shall contribute to the costs and expenses of the adjudication service.
- (b) Establishing and adopting not later than 31st January in each year a budget of estimated expenditure for the ensuing year commencing 1st April and approving accounts for the previous financial year by 30th June each year.
- (c) Accepting tenders for the supply of goods, services, materials, equipment, building and civil engineering works in excess of £250,000 per contract.
- (e) All financial matters not delegated to officers under the Joint Committee's Financial Regulations.
- (f) Reviewing the Joint Committee's Reserves Policy Statement and Risk Register.

2. Human Resources

- (a) Approving changes above grade PO6 (SCP49) to the staff assignment, except for Adjudicator appointments.
- (b) Subject to the approval of the Lead Authority to consider applications for early retirement where there would be a financial cost to the PATROLAJC.

3. Advisory Board

Making additional appointments to or amending existing appointments to the Advisory Board.

4. New Council members to the PATROLAJC Agreement

Noting new council members.

5. Ad hoc delegations

The Joint Committee may from time to time make specific delegations to the Executive Sub Committee to progress business. The results of such delegations will be reported to the Joint Committee at its next meeting.

The Executive Sub Committee may from time to time delegate actions to the PATROL Adjudication Joint Committee Resources Working Group and Sub Committee.

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Minutes of a meeting of the **PATROL Adjudication Joint Committee**
held on Tuesday, 31st January, 2017 at The Bishop Partridge Hall, Church
House, Dean's Yard, Westminster, London SW1P 3NZ

PRESENT

Councillor Stuart Hughes (Devon County Council) Vice Chair in the Chair

Councillors

Richard Bell	Sunderland City Council
Graham Burgess	Hampshire County Council
Anthony Clarke	BATHNES
Nigel Cooke	Stockton on Tees Borough Council
Peter Cooper	Carmarthenshire County Council (Assistant Chair Wales)
Simon Cronin	Worcester City Council
Matthew Dickins	Sevenoaks District Council
Terry Douris	Hertfordshire District Council (Assistant Chair)
Gary Jones	East Hertfordshire Council
Stuart Kinch	Lincolnshire County Council
Nigel Knapton	Hambleton District Council
Geraint Owens	City and County of Swansea
Clive Roberts	Worthing Borough Council
Gary Waller	Epping Forest District Council

Officers in attendance

Kathryn Eldridge	Chair of the Advisory Board (BATHNES)
Graham Addicott OBE	Vice-Chair of the Advisory Board
George Broughton	Advisory Board Cheshire East Council
Cherry Foreman	Cheshire East Council
John McEvoy	Carmarthenshire County Council
Simon Morgan	Buchanan Computing
Caroline Sheppard	Chief Adjudicator
Ian Worrall	Traffic Penalty Tribunal
Louise Hutchinson	Director PATROL
Andy Diamond	PATROL

42 APOLOGIES FOR ABSENCE

Apologies for absence were reported.

43 DECLARATIONS OF INTEREST

There were no declarations of interest.

44 MINUTES OF THE MEETING HELD ON 18 OCTOBER 2016

RESOLVED

That the minutes of the meeting held on 18 October 2016 be approved as a correct record.

45 CHAIR'S UPDATE

The Chairman reported that the Traffic Penalty Tribunal (TPT) and PATROL had recently won the 'Excellence in Technology' category at the North of England Transport awards for FOAM (Fast Online Appeal Management); a copy of their booklet was circulated and congratulations were expressed.

In addition, the Chief Adjudicator had given a presentation to the All Party Parliamentary Group on Alternative Dispute Resolution and FOAM. All authorities would be on FOAM by the end of March after which the next major phase of development would be to streamline the witness statement process. A further update on these points would be given later in the meeting. Two new parking councils were due to join up in April, these being North Somerset Council and Wokingham Borough Council, they would be supported in using the online appeal system.

With respect to automatic number plate recognition a number of authorities had attended a TPT/PATROL workshop which explored a number of issues around it, an update on which would be given later in the meeting.

The Spring Issue of the PATROL newsletter covering these matters and many more would be issued in March.

RESOLVED

That the update be noted.

46 WALES UPDATE

An update paper was circulated detailing the Welsh proposals for Joint Committees to plan Welsh transport in the light of the decision by the Welsh Government not to pursue mergers of the 22 authorities. Ten authorities in south east Wales had already committed a Joint Committee and elsewhere consideration was being given to the re-establishment of regional level transport planning as an integral part of regional economic development plans.

It was reported that the City and County of Swansea were consulting on the introduction of moving traffic enforcement and Carmarthenshire County Council had applied to the Welsh Government for bus lane and moving traffic enforcement powers. Unfortunately, Welsh Traffic Authorities were currently unable to register unpaid debts against

motorists for unpaid PCNs issued for moving traffic contraventions and were currently awaiting an adjustment to the relevant procedures, processes and rules.

PATROL and Carmarthenshire County Council were also considering how Automatic Number Plate Recognition (ANPR) could be used to improve the experience of road users in Wales. It was proposed that a paper be prepared on best practice to show how they would benefit and it was requested this be circulated to the remainder of the Joint Committee for information.

RESOLVED

That the update be noted and the paper on ANPR best practice be circulated to all members of Joint Committee.

47 PATROL AND BLASJC RESOURCES WORKING GROUP AND SUB COMMITTEE

Consideration was given to a report of the above meetings held on 10 January and a resume was given of the resolutions made. With reference to the submission to the Transport Select Committee Inquiry into urban congestion the Joint Committee was advised that two hearings had now been held and following the meeting members would be circulated with the electronic link to the details.

With reference to the PATROL Annual Report awards it was confirmed that George Osborne had been invited to act as sponsor and the reception would be held on 11 July 2017 at the House of Commons, after the Joint Committee meetings due to be held earlier that day.

RESOLVED

That the report be noted and approval given to the Resources Sub-Committee and Working Group overseeing the matters set out in the report, and any previously approved, and that a report be made back to the July meetings of the Joint Committee.

48 BUDGET MONITORING 2016/17

Consideration was given to this report on the income, expenditure and reserves monitoring information for the year to November 2016, and on the projected outturn at 31 March for 2016/17.

Expenditure had been less than forecast as a result of adjudicator expenditure supplies and services all being lower than expected. Adverse variances were reported in respect of temporary resource management for the roll out of FOAM, and internal audit fees; parking income was favourable, whilst road user charging appeals income and bus lane

adjudication costs were adverse. Overall a favourable surplus of £334,359 was recorded at 30 November with a forecast surplus of £269,899 for 31 March 2017.

RESOLVED

That the report be noted.

49 SERVICE LEVEL AGREEMENT BETWEEN THE JOINT COMMITTEES AND CHESHIRE EAST COUNCIL

Consideration was given to the Service Level Agreement (SLA) with Cheshire East Council (CEC) for 2017/18. A review of the services had been undertaken by CEC with the assumption of an inflationary increase of 1.2% being applied to all elements of the 2016/17 charge apart from the retainer of £10,000 resulting in a total charge of £50,000.

This being the last year of the existing five year SLA it was agreed that the Resources Working Group oversee a review of the Host Authority SLA, due to terminate on 31 March 2018, and that the results be presented to the next meeting of the Joint Committee this coming July.

RESOLVED

1. That the variations to the SLA for 2017/18 be approved and that CEC be reimbursed for its services.
2. That the Resources Working Group oversee a review of the Host Authority SLA and a report on the outcome be considered at the meeting of the Joint Committee in July 2017.

50 REVENUE BUDGETS FOR 2017/18

Members considered the revenue budget estimates for the forthcoming financial year. An assessment had been made of the likely service take up during 2017/18 and of the adjudicators, administrative support and accommodation needed.

Income trends from the last 12 months were used in forecasting income expected and additional income from a recharge to the Bus Lane Adjudication Service Joint Committee for integrated adjudication services, from the Dartford Crossing, and the Mersey Gateway due to commence in September 2017, were taken into account; key objectives, reserves and contingencies were also factored in.

With reference to the PATROL premises at Wilmslow it was noted that the current five-year lease with Cheshire East Council (CEC) was due to end in August 2017 and that it had indicated that it would support PATROL in the renegotiation of rent and rates.

A correction was made in respect of the table at para 9 of the report to amend the % change for expenditure to read as a 5% **increase**. Members were asked to note that in Appendix 1 the budget figure for 2017/18 of £3,476,480 was 2.4% lower than the equivalent figure for 2016/17.

RESOLVED

That the Revenue Budget for 2017/18 be adopted.

51 RESERVES POLICY STATEMENT

Consideration was given to the general, property and IT reserves, these being the three elements comprising the Reserves Policy Statement for 2017/18. It was noted that with reference to the property reserve provision was being made to take into account the renegotiation of the lease with the host Authority in August 2017, and that the technology reserve was being reduced slightly to support the final elements of the roll out and enhancement of the new portal.

RESOLVED

1. That approval be given to the Reserves Policy Statement for 2017/18 and the total approved reserve level for 2017/18 of £1,879,545.
2. That the balances of any surplus from 2016/17 be carried forward to 2017/18.
3. That approval be given for the Chair and the Vice Chair to authorise the withdrawal of funds from reserves to meet budgetary deficits.

52 ANNUAL INVESTMENT STRATEGY

The report set out the Investment Strategy for 2016/17 and included details of the interest generated in the year to date. It was reported that discussions with the Host Authority would explore whether the Joint Committee could benefit from its economies of scale whilst still retaining the integrity of its own resources.

RESOLVED

That the annual Investment Strategy for 2017/18 be approved.

53 DEFRAYING THE EXPENSES OF THE JOINT COMMITTEE 2017/18

The Executive Sub-Committee was asked to consider the basis for defraying expenses in 2016/17. The PATROL Agreement provided for the adjudication service to be operated on a self-financing basis with expenses defrayed by member authorities.

A table showed the history of the defrayed expenses since 1991 and set out the three options that had been considered by the Resources Working Group and Sub-Committee of which Option 3, to retain the current rate of 40 pence per parking penalty notice (PCN) with no annual charge or cost per case, was the preferred option, with a review at the half year point in July.

It was reported that charges for adjudication for notices issued under Road User Charging regulations at the Dartford Crossing were subject to separate arrangements agreed with Dart Charge and these were currently set at 45 pence per PCN.

RESOLVED

1. Having reviewed the options set out in the report approval be given to the recommendation of the Resources Working Group and Sub-Committee and that Option 3 be adopted.
2. That there be no annual charge, nor cost per case.
3. That invoicing be undertaken on a quarterly basis on estimated figures and subsequently adjusted.
4. It be noted that the decision to provide a transcription from the audio recording of proceedings rests with the Adjudicator. Where this has been agreed to, the Joint Committee agree that the incidental costs of making a transcription from the audio recordings of the proceedings at a hearing be charged to the requesting party except when, in the view of the Adjudicator, a disability of the requesting party would make it desirable for that person to receive such a transcript.

54 CODE OF CORPORATE GOVERNANCE

Consideration was given to a revised Code of Corporate Governance, updated to be consistent with the principles of the CIPFA/SOLACE Framework 'Delivering Good Governance in Local Government 2016'. This brought together an underlying set of legislative requirements, governance principles and management processes. It was proposed the Code be reviewed annually at the Joint Committee in July.

RESOLVED

That the revised Code of Corporate Governance be approved.

55 RISK REGISTER

Members were asked to consider the latest review of the risk register which had been reviewed in accordance with the Risk Management Strategy, and the further actions to be taken as set out in the appendix.

RESOLVED

That the risk register be noted

56 DCLG CONSULTATION ON JOINT COMMITTEES AND VIDEO CONFERENCING

Members had been circulated with a consultation paper from the Department of Communities and Local Government entitled 'Connecting Town Halls' on allowing joint committees and combined authorities to hold meetings by video conference. Members were advised that PATROL has responded that it would be useful emergency facility in the event of a meeting being inquorate.

RESOLVED

That the report be noted.

57 DART CHARGE REPORT

The Executive Sub-Committee was asked to delegate to the Resources Sub-Committee the receipt of this report and its onward transmission to the Secretary of State.

RESOLVED

That approval be given for the Resources Sub-Committee to receive this report prior to it being forwarded to the Secretary of State.

58 GENERAL PROGRESS REPORT

Consideration was given to the general progress report and appeals summary for the period 1 April 2016 to 30 November 2016. Comparison with the same period last year showed that bus lane appeals had increased by 6.8% whilst parking appeals had decreased by 5.4%. Overall the total number of appeals had increased by 48% as a result of road user charging appeals at the Dartford Crossing.

With regard to hearing types there was a continuing increase in the use of the online hearings rather than telephone or face to face. An update was given on FOAM and its roll out, which was nearing completion, and on the ongoing training and support being provided. Examples of the positive feedback received on the assistance being given by way of training, mentoring and Freephone guidance were included in the report.

RESOLVED

That the report be received.

59 CHIEF ADJUDICATOR'S UPDATE

It was agreed that this had been covered during discussion of various items earlier on the agenda.

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

Simon Morgan of Buchanan Computing, and Chair of the Institute of Highway Engineers' Traffic Signs Panel, gave a presentation on the Traffic Signs Regulations and General Directions (TSRGD) 2016 which came into effect on 22 April with amendment regulations due to become effective in February 2017.

Members were informed the new TSRGD would provide more flexibility, reduce the number of signs, facilitate future changes and updates and help meet the 'red tape' challenge by combining several statutory instruments into one. Also Authorities would be able to make more of their own decisions. It was stressed it was to prescribe traffic signs and was not a design guide.

Existing signs and markings would be able to remain in place with the exception of a small number relating to pelican crossings, certain height and width/pedestrian zones/bus signs and bay markings.

The benefits of the changes included there being fewer signs, resulting in reduced costs and energy requirements. Schemes would be able to be implemented more quickly and with less work. Some concerns remained that motorists may not understand what is required of them and that authorities might be tempted to go for a minimum cost option that might not be adequate, and there was the possibility of regional variations.

RESOLVED

That Simon Morgan be thanked for his presentation and that a copy of it be circulated to members direct.

61 DATE OF NEXT MEETING

RESOLVED

That the next meeting of the PATROL Joint Committee be held on 11 July 2017 at Church House, Westminster, London.

PATROL Adjudication Joint Committee

Minutes of a meeting held on Tuesday, 11th July, 2017 at The Hoare Memorial Hall, Church House, Dean's Yard, London SW1P 3NZ

PRESENT

Stuart Hughes, Devon County Council (in the Chair)

Councillors

Keith Baldry, South Hams District Council
Vanessa Churchman, Isle of Wight Council
Simon Cronin, Worcester City Council
Mathew Dickins, Sevenoaks District Council
Saoirse Horan, Brighton & Hove City Council
Alan Kerr, South Tyneside District Council
Martin King, Wychavon District Council
John Nock, Scarborough Borough Council
Marilyn Peters, Dartford Council
Tony Page, Reading Borough Council
Marje Paling, Gedling Borough Council
Steve Pearce, Bristol City Council
Clio Perraton-Williams, Lincolnshire County Council
Chris Turrell, Bracknell Forest District Council
Gary Waller, Epping Forest District Council

IN ATTENDANCE

Marc Samways, Chair Advisory Board (Hampshire County Council)
Graham Addicott OBE, Vice Chair PATROL Advisory Board
Louise Hutchinson, PATROL
Caroline Sheppard OBE, Traffic Penalty Tribunal
Stephen Knapp, Traffic Penalty Tribunal
Iain Worrall, Traffic Penalty Tribunal
Tom Flanagan, Traffic Penalty Tribunal
Andy Diamond, PATROL
Paul Nicholls, Brighton & Hove City Council
George Broughton, Cheshire East Council

1 APPOINTMENT OF CHAIRMAN, VICE CHAIRMAN AND ASSISTANT VICE CHAIRMAN

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

RESOLVED

That Councillor Jamie Macrae (Cheshire East Council) be appointed Chairman, Councillor, Stuart Hughes (Devon County Council) be appointed Vice-Chairman and Councillor Terry Douris be appointed Assistant Chairman. The Director reported that the nomination for the role of Assistant Chairman (Wales) will be confirmed at the October meeting following the departure of Councillor Peter Cooper.

2 APOLOGIES FOR ABSENCE

The Director reported that there had been a significant incident on the railways which had resulted in a number of people who were travelling to the meeting being forced to turn back. Apologies for absence were reported as follows:

Bolton, Barnsley, Bury, Cheshire East, Chichester, Coventry, Ceredigion, Chelmsford, Dacorum, Darlington, East Herts, Eden Exeter, Guildford, Hambleton, Hampshire, Hertfordshire, Maldon, New Forest, North East Derbyshire, North Tyneside, Nottingham, Oldham, Rutland, Somerset, Swansea, Suffolk, Swale, Tameside, Walsall, Weymouth, Wirral, York

3 DECLARATION OF INTEREST

There were no declarations of interest.

4 MINUTES OF THE MEETING HELD ON 12 JULY 2016

RESOLVED

That the minutes of the meeting held on 12 July 2016 be approved as a correct record.

5 MINUTES OF THE MEETING HELD ON 31 JANUARY 2017

RESOLVED

That the minutes of the Executive Sub Committee meeting held on 31 January 2017 be noted.

6 CHAIRMAN'S UPDATE

Councillor Hughes welcomed councillors and officers who had not attended previously and reported:

- a) Since the last meeting there have been two new parking councils: North Somerset Council and South Bucks District Council bringing the total number of parking councils across England and Wales to 309.
- b) When the Joint Committee met in July last year, the forecast for rolling out the online case management FOAM (Fast Online Appeal Management) to all local authorities was by March 2017. I am pleased to say that this target was achieved and we will be hearing more about the roll out, benefits of and continuing development of FOAM later in the meeting.
- c) After being used as a case study in the JUSTICE report “What is a Court?”, FOAM and the new ways of working of the Traffic Penalty Tribunal have been of interest to the judiciary as it seeks to transform HM Courts and Tribunals Service with a large number of visits organised to the tribunal’s offices in Wilmslow.
- d) In addition, a number of awards have been gained including the North of England Transport Awards (Excellence in Technology) Awards, the British Parking Award’s Intelligent Parking Award and being shortlisted for the Exceptional Customer Service Award.
- e) The PATROL Annual report initiative and House of Commons reception goes from strength to strength and we will hear about this later in the meeting.
- f) PATROL comprises local authorities in England (outside London) and Wales. I would like on behalf of the Joint Committee to pass on our best wishes to Peter Cooper of Carmarthenshire County Council and Geraint Owens of the City and County of Swansea Dibbs who have served for many years and provided an update on Welsh matters but whose nominations have come to an end. A new Assistant Chair Wales will be appointed in consultation with Members in Wales.
- g) In addition to being awarded the Lifetime Achievement Awards at the British Parking Awards, I would like to take this opportunity to congratulate Caroline Sheppard on being recognised with an OBE in the Queen’s Birthday Honours List for services to motorists – I am sure you would like to join me in saying this is truly well deserved.
- h) A question was raised about the use of the old and new one pound coins in pay and display machines. There were no issues to report at the current time.

7 REPORT OF THE PATROL AND BLASJC RESOURCES WORKING GROUP

Consideration was given to a report of the Resources Working Group and Sub-Committee meetings held on 21 March and 6 June 2017 respectively. The report gave a resume of their discussions and of actions agreed at that time.

An update was given on progress since then and it was proposed that the Resources Working Group and Sub-Committee continue to oversee matters as appropriate, and report back to the Executive Sub-Committee and to the Annual meeting in July 2018.

Attention was drawn to the Terms of Reference of the Working Group and Sub-Committee which had been reviewed.

RESOLVED

1. That the revised Terms of Reference for the Resources Working Group and Sub Committee be approved.
2. That the matters taken forward by the Resources Working Group and Sub-Committee at its meetings on 21 March and 6 June 2017 be noted.
3. That approval be given for the Resources Working Group and Sub-Committee to oversee matters highlighted in the report, and any previously approved, reports on which to be made to the Executive Sub-Committee and the Joint Committee in July 2018.

8 DRAFT ANNUAL REPORT RETURN 2016/17

Consideration was given to the draft annual return. Whilst the requirement to publish externally audited accounts had been removed the decision had been taken to continue to do so for the purposes of transparency. The report detailed the outturn position against the 2016/17 budget along with expenditure, income and reserves. It also included a copy of the Code of Corporate Governance.

It was reported that at the meeting of the Resources Working Group and Sub-Committee consideration had been given to the basis for defraying expenses and it had been agreed that this be considered by the Executive Sub Committee at its meeting in October when the six-month income and expenditure figures would be known.

A question was raised about the possibility of setting a cap on the level of reserves. The Director will present a report at the October meeting.

The Director was asked to review the procedure for reporting credit card expenditure.

A question was raised about staff numbers and the impact of operating three systems. The Director reported that the anticipation was that a single system would be operated by the end of the calendar year and it was not anticipated at this stage that the required staffing resources would result in a deficit. The Chief Adjudicator stated that the new online appeal system had resulted in efficiencies allowing increased focus on customer service.

A question was raised about the internal audit report finding in relation to bank reconciliations. The Director referred Members to the internal audit report which outlined resource issues at the beginning of the financial year. A mid-year interim audit has been commissioned to provide additional assurance, the findings of which will be reported to the January 2018 meeting of the Executive Sub Committee.

With regard to the internal audit report, a question was raised about the value of the gift highlighted in the findings. The Director confirmed that the value was £39 and that the approval procedure had been followed.

The Director reported that it was anticipated that the external report would be available for review at the October 2017 meeting.

RESOLVED

1. That the outturn position against the 2016/17 budget be noted.
2. That approval be given for the surplus of income over expenditure of £409,250 (excluding £16,121 Road User Charging Reserves) to be added to the joint Committee's reserves.
3. That the Executive Committee review the basis for defraying expenses following budget monitoring at the half-year point at their meeting in October 2017. The accompanying report will also present options in respect of a potential cap on reserves.
4. That approval be given to the 2016/17 Annual Return and that the balance sheet and cash flow and audit timetable be noted.
5. That the Annual Internal Audit Report 2016/17 be noted.
6. That approval be given to the Code of Corporate Governance.

9 RISK MANAGEMENT STRATEGY, RISK REGISTER AND BUSINESS CONTINUITY STRATEGY

Members considered the updated risk register and were asked to consider delegating the approval of revised Risk Management and Continuity Strategies to the Executive Sub-Committee; the Joint Committee was required to review these on an annual basis and also to review the updated risk register at each meeting. The Director drew the Joint Committee's attention to work being undertaken in preparation for the introduction of the General Data Protection Regulations in 2018.

RESOLVED

1. That the updated risk register, shown at Appendix 1 of the report, be noted.
2. That approval of the revised Risk Management Strategy be delegated to the Executive Sub-Committee.

10 REVIEW OF GOVERNANCE DOCUMENTATION

Consideration was given to the governance documentation and arrangements for its review. Members were advised that since 2014 an annual review had been carried out of the Joint Agreement but this year it was proposed that this be a more fundamental review to facilitate the widening jurisdictions requiring adjudication. A tabled paper reported on the need to provide the Joint Committee with greater flexibility to respond to a variety of appeals opportunities, provision of support and digital services. The Chief Adjudicator stated that adjudicators were supportive of this proposal.

Consideration was also given to copy of the SLA between the Joint Committee and the lead authority, Cheshire East Council, and it was noted that this was in the process of review prior to its anticipated lease renewal in February 2018. Clarification will be sought as to the nature of an SLA which is classed as "non-binding".

The Schemes of Delegation to the Chief Adjudicator and to the Director, which were both unchanged, were attached. It was reported that the Memorandum of Understanding between the Adjudicators and the Joint Committee had been updated to include for road user charging at the Mersey Gateway due to come on line in the early autumn.

A question was raised about adjudicator recruitment. The Chief Adjudicator outlined the last process in 2014 which had been carried out in close association with the Judicial Appointments Commission (JAC). The process had included a digital assessment process where the results were anonymised prior to the selection of 54 candidates for interview. The interview panel had been chaired by a representative of the JAC with lay

representation from Professor John Raine of the University of Birmingham. The Deputy Chief Adjudicator, Stephen Knapp, had coordinated the recruitment process and sat on the panel.

RESOLVED

1. That the intention to review the PATROL Adjudication Joint Committee Agreement of 2014 be noted and considered further at a future meeting.
2. That it be noted that the Service Level Agreement between the Joint Committee and the Host/Lead Authority is currently under review in anticipation of the renewing the lease premises in Wilmslow in 2018, and it be agreed that this be taken forward by the Resources Working Group and Sub-Committee.
3. That the Schemes of Delegation to the Chief Adjudicator and to the Director be noted.
4. That approval be given to the Memorandum of Understanding between the Adjudicators and the Joint Committee.
5. That the Chief Adjudicator be requested to appoint to the proper officer function.
6. That approval be given to the Financial Regulations.
7. That the proposed dates for the following meetings be noted: -
 - Executive Sub-Committee – 31 October 2017 and 30 January 2018
 - Annual General Meeting – 10 July 2018

11 ESTABLISHMENT OF EXECUTIVE SUB COMMITTEE

Arrangements for establishing an Executive Sub-Committee, and its Terms of Reference for the coming year, were considered. As the number of Councils joining the Sub-Committee increased this would avoid the need for large numbers of members having to attend all the meetings. PATROLAJC Standing Orders enabled the Joint Committee to appoint such sub-Committees as it saw fit. The Chair invited all new representatives to put themselves forward.

RESOLVED

That the Joint Committee establishes an Executive Sub-Committee to act on behalf of the Committee until the Annual Meeting in 2017 and that it appoints members of the Executive Sub-Committee for the forthcoming year. That the proposal to hold the first meeting of the Executive Sub-Committee in London on 31 October 2017 be noted.

12 APPOINTMENTS TO THE ADVISORY BOARD

Consideration was given to the Terms of Reference for the Advisory Board and to appointments for 2017/18.

RESOLVED

1. That approval be given to the Terms of Reference and composition of the Advisory Board, as set out in the appendix to the report.
2. It be noted that Marc Samways of Hampshire County Council had been elected Chair of the Advisory Board.
3. That thanks be extended to the outgoing Chair, Kathryn Eldridge, formerly of Bath and North East Somerset Council, and that she be wished every success in her new position with the Highways England.
4. That the re-nomination of the independent member Graham Addicott OBE for a further period of 4 years, to July 2021, be noted.
5. That approval be given to the nomination of Michael Clarke of Stoke City Council to take up the role as bus lane representative on the Advisory Board.

13 WALES UPDATE

The Director reported that a replacement Assistant Chair (Wales) was currently being sought and an update would be provided to the next meeting in October.

RESOLVED

That the report be noted and the thanks of the Joint Committee be extended to Ex Councillors Peter Cooper, previously the Assistant Chair Wales, and Geraint Owens for their involvement over a number of years.

14 GENERAL PROGRESS REPORT

An update was given on appeals activity and tribunal initiatives. The figures were presented in a new format which it was proposed would be used as the basis for future reporting; the figures had been separated into English and Welsh Authorities and Road User Charging at Dartford, as well as showing them combined. Information was provided on the frequency of hearings, case closure times and support provided for off-line appellants. The Chief Adjudicator and Director gave a presentation was also given on the continuing development of FOAM over the last year. Members asked that the presentation be circulated.

A question was raised about the availability of appeals figures at a local level. The Director reported that these figure are reported annually. A further question was raised about Dart Charge. The Chief Adjudicator summarised some of the issues arising from these road user charging appeals.

RESOLVED

That the report be noted.

15 CHIEF ADJUDICATOR'S UPDATE

The Chief Adjudicator updated Members on the recent forum for adjudicators from appeals services in Scotland, Northern Ireland and London that she had convened in Wilmslow. The forum had discussed subjects of common interest including signs; cameras and data protection with a view to promoting consistency. There had also been representation from the private appeal scheme, Popla. The forum had been well received and provides a foundation for future collaboration on matters of mutual interest.

A question was raised on ANPR (Automatic Number Plate Recognition). The Chief Adjudicator responded by whilst this is used at the Dartford Thurrock River Crossing, there appeared to be no political appetite to extend its use in local authority car parks.

16 ROAD USER CHARGING SCHEME - MERSEYFLOW

Consideration was given to a report on the forthcoming enforcement and adjudication services due to arise from the introduction of Road User Charging at the Mersey Gateway and Jubilee Bridges between Runcorn and Widnes, known as Merseyflow.

As Halton Borough Council was not a member of the PATROL Joint Committee the provision of these services would be underpinned by a Memorandum of Understanding; this would set out the operating arrangements, development costs, and ongoing charges.

RESOLVED

That the update on the introduction of appeals and adjudication for Merseyflow, in autumn 2017, be noted.

17 CLEAN AIR ZONES

Consideration was given to the Draft Air Quality Plan, and to the proposed response to the Government Consultation on Tackling Nitrogen Dioxide in our Towns and Cities.

Members were advised that PATROL would be working with Authorities involved with clean air zones to share common issues such as public information and signage should charging clean air zones be introduced. Appeals arising from charging clean air zones would be considered by TPT in FOAM. The Government was expected to publish a summary of responses by 31 July 2017.

RESOLVED

That the Draft Air Quality Plan, and the response by PATROL to the Governments consultation on Tacking Nitrogen Dioxide in our Towns and Cities, be noted.

18 DRAFT LITTERING STRATEGY FOR ENGLAND 2017

A report giving a summary of this was considered and Members were asked to note the strategy and PATROL's response. The Litter Strategy for England 2017 suggested that enforcement was necessary to change behaviour, as well as education and awareness; it was proposed that littering from vehicles would move to civil jurisdiction but littering by pedestrians would remain under the court system. Experience in London suggested this would be a low level area of enforcement.

RESOLVED

1. That the Litter Strategy for England 2017 be noted
2. That PATROL's response to the Review of Fixed Penalties for Environmental Officers and the Introduction of Civil Penalties for Littering from Vehicles Outside London be noted.

19 PATROL PARKING ANNUAL REPORT BY COUNCILS (PARC) AWARDS

An update was given on the annual awards due to be presented later that afternoon at a reception at the House of Commons. The Councils shortlisted for the Parking Annual Reports Awards were:

Ashford Borough Council
Brighton and Hove City Council
Chichester District Council
Devon County Council
Durham County council
Mid Sussex District Council
South Lakeland District Council
South Tyneside
Worcester City Council

Awards for Best Overall Report and for Best Concise Report would be given, and also for best practice regarding innovation and new service, customer service, and presentation of finance and statistics.

it was proposed that a new award be introduced for the next year to recognise authorities who have harnessed the power of digital formats for annual reporting and engaging with the community. The deadline for submissions for 2016/17 would be 31 January 2018 with the shortlist being announced in May.

RESOLVED

1. That the shortlisted Councils be noted.
2. Those arrangements for 2016/17 reports and the introduction of new awards, be noted.

20 PATROL WEBSITE

A preview was shown to members of the new website and improvements to make it more user friendly. It was suggested that the use of the word "ticket" rather than PCN was preferable.

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PATROL AND BUS LANE ADJUDICATION SERVICE JOINT COMMITTEES

Executive Sub Committees

Date of Meeting:	31 st October 2017
Report of:	The Director on behalf of the PATROL and BLASJC Resources Working Group.
Subject/Title:	Report of the PATROL and BLASJC Resources Working Group meeting held 12 th October 2017.

1.0 Report Summary

- 1.1 To report on the PATROL and BLASJC Resources Working Group meeting held 12th October 2017.

2.0 Recommendations

- 2.1 To note the matters discussed at the meeting held 12th October 2017.
- 2.2 To approve the Resources Sub Committee and Working Group overseeing matters highlighted in the report and reporting back to the next meeting of the Executive Sub Committees.

3.0 Reasons for Recommendations

- 3.1 To update the Joint Committees' Executive Sub Committees

4.0 Financial Implications

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

5.0 Legal Implications

- 5.1 None

6.0 Risk Management

- 6.1 None

7.0 Background and Options

- 7.1 The July 2017 meetings of the Joint Committees resolved that the Resources Sub Committee and Working Group would oversee a number of initiatives with resources implications on its behalf.

7.2 The last meeting took place on 12th October 2017 chaired by Councillor Macrae and considered the following:

a) Mersey Gateway Bridge Crossings

Noted the arrangements put in place for appeals arising from penalties issued for failure to pay a charge at the Mersey Gateway Bridge between Runcorn and Widnes which opened on 14th October 2017

b) New areas of adjudication

Noted that PATROL and the Traffic Penalty Tribunal are liaising with DEFRA concerning the introduction of Clean Air Zones and plans for introduce powers to enforce littering from vehicles.

c) Public Affairs

- Noted the progress since the beginning of 2016 in raising PATROL's profile including appointed as event partner for Parking World 2017 which takes place at The Oval on 9th November.
- Esther McVey MP has agreed to sponsor the PATROL Annual Report Awards Reception at the House of Commons on 10th July 2018. The Local Authority Engagement Manager has conducted a series of workshops in September 2017 with parking staff which included the production of annual reports, the collation of statistics and finance to development the evidence base for enforcement and appeals outside London and introducing a digital element to annual reporting.
- Noted the Department for Transport's Draft Transport Accessibility Action Plan – A Transport System that is open to everyone". <https://www.gov.uk/government/consultations/draft-transport-accessibility-action-plan>. The draft includes a section on unauthorised pavement parking and points to a survey being launched in Autumn 2017 on the wider Traffic Regulation Order (TRO) and seeks feedback on the process in terms of the current situation, the costs and timescales for processing TROs and information about other areas that should be considered. The consultation has been circulated to all Parking Managers. PATROL and the Traffic Penalty Tribunal will make a submission. The closing date is 15th November 2017.
- Noted the Local Government Associations' recent publication "A country in a jam: tackling congestion in our towns and cities. How councils are dealing with congestion and how they could do more." <https://www.local.gov.uk/tackling-congestion>. The report includes a range of case studies from member authorities and highlights the problems facing local authorities including the absence of legislative powers including moving traffic powers. PATROL recently undertook a survey of bus lane councils in connection with the absence of moving traffic powers and will be extending this to include parking authorities.

- Noted the Private Member's Bill – Parking (Code of Practice) Bill Sir Greg Knight is sponsoring this Private Member's Bill which aims to make provision for a single code of practice containing guidance about the operation and management of private parking facilities. Sir Greg Knight is calling for a "fairer, more transparent and consistent enforcement system". In the past year over four million enquiries have been made to the DVLA by private parking operators for details to send parking charges. The bill which has cross-party support was presented to Parliament on 19th July 2017 and is expected to have its second reading on 2nd

d) FOAM (Fast Online Appeals Management)

- Noted the progress of FOAM (Fast Online Appeal Management) development with the introduction of new functionality to manage witness statements.

e) Finance and HR matters

- Noted the details of the internal audit findings and management response in relation to "low priority" audit recommendations.
- Noted procurement falling outside the Joint Committees' Financial Regulations
- Reviewed the financial papers being presented to the Committees' Executive Sub Committees on 31st October 2017
- Reviewed the risk register being presented to the Joint Committee's Executive Sub Committees.
- Noted proposals in relation to the staff management structure.

f) Governance

Noted progress with the review of the PATROL and BLASJC Agreements and that the Director is working with the Host Authority Cheshire East Council (CEC) to review the second five-year agreement (2018 – 2023) with CEC entering into a new coterminous lease for the offices in Wilmslow.

7.3 It is proposed that the Resources Working Group and Sub Committee oversee the above matters and report back to the January 2018 meetings of the Joint Committee Executive Sub Committees.

8.0 Recommendation

8.1 To note the matters discussed at the meeting held 12th October 2017.

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

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

Email: lhutchinson@patrol-uk.info

PATROL ADJUDICATION JOINT COMMITTEE

Executive Sub Committee

Date of Meeting: 31st October 2017
Report of: The Director on behalf of the Resources Working Group
Subject/Title: Audit Commission Small Bodies Annual Return for the Year Ended 31 March 2017

1.0 Report Summary

- 1.1 To report the findings of the external auditors for 2016/17 and to seek approval of the review of the Scheme of Financial Delegation first approved at the meeting in October 2015.

2.0 Recommendation

- 2.1 To note the findings of the external audit for 2016/17 in the enclosed Annual Return (Appendix 1).
- 2.2 To approve the PATROL and Bus Lane Adjudication Service Local Scheme of Financial Delegation (Appendix 2)

3.0 Reasons for Recommendations

- 3.1 Compliance with PATROL Financial Regulations and response to an internal audit recommendation.

4.0 Financial Implications

- 4.1 Set out in the report

5.0 Legal Implications

- 5.1 None at this time

6.0 Risk Management

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

7.0 Background and Options

- 7.1 The Joint Committee approved the draft annual return for 2016/17 at its meeting on 11th July 2017.
- 7.2 The Joint Committee approved the appointment of BDO LLP to audit the annual returns of the Joint Committee for the period 2015/16 to 2017/18 at its meeting in July 2016. The final audited return is shown at Appendix 1.
- 7.3 There are no issues arising save for a variation of £1.
- 7.4 There is no requirement for the Joint Committee to publish accounts from 2015/16 onwards however at the Joint Committee meeting in June 2015, it was determined that this would continue for the purposes of transparency
- 7.5 A local Scheme of Financial Delegation was first approved at the Joint Committee's October 2015 meeting with a view to being reviewed annually. This has been reviewed and is presented at Appendix 2.

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

Joint Committees

Return for the financial year ended 31 March 2017

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

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

Completing your return

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

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

Send the return, together with your bank reconciliation as at 31 March 2017, an explanation of any significant year on year variances in the accounting statements and any additional information requested, to us, BDO LLP, by the due date.

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

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

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

Additional information can be found on our extranet
(<https://bdoextranet.bdo.co.uk/sites/councils/pages/default.aspx>.)

Section 1 – Governance statement 2016/17

We acknowledge as the members of

Enter name of reporting body here: PARKING & TRAFFIC REGULATIONS OUTSIDE LONDON
ADJUDICATION JOINT COMMITTEE


Our responsibility for ensuring that there is a sound system of internal control, including the preparation of the accounting statements. We confirm, to the best of our knowledge and belief, with respect to the accounting statements for the year ended 31 March 2017, that:

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


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

MINUTE 8/17 REFERENCE

Date 11 07 2017

Signed by: 

Chair

Signed by: 

Clerk

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

Section 3 – External Report 2016/17 Certificate

We present the findings from our review of the return for the year ended 31 March 2017 in respect of:

Enter name of reporting body here:

PARKING & TRAFFIC REGULATIONS OUTSIDE LONDON ADJUDICATION JOINT COMMITTEE

Respective responsibilities of the Joint Committee and the reviewer

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

- summarises the accounting records for the year ended 31 March 2017; and
- confirms and provides assurance on various governance matters in accordance with generally accepted good practice

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

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

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

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

The Accounting statements do not add up by £1.

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

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

Section 2 – Accounting Statements 2016/17 for

Enter name of reporting body here:

PARKING & TRAFFIC REGULATIONS OUTSIDE LONDON
ADJUDICATION JOINT COMMITTEE

	Year ending		Notes and guidance
	31 March 2016 £	31 March 2017 £	
1 Balances brought forward	2,430,906	3,447,252	Total balances and reserves at the beginning of the year as recorded in the body's financial records. Value must agree to Box 7 of previous year.
2 (+) Income from local taxation and/or levy	-	-	Total amount of local tax and/or levy received or receivable in the year including funding from a sponsoring body. Excluding any grants received.
3 (+) Total other receipts	3,951,284	3,537,576	Total income or receipts as recorded in the cashbook less the taxation and/or levy (line 2). Include any grants received here.
4 (-) Staff costs	1,818,374	2,081,136	Total expenditure or payments made to and on behalf of all employees. Include salaries and wages, PAYE and NI (employees and employers)), pension contributions and employment expenses.
5 (-) Loan Interest/capital repayments	-	-	Total expenditure or payments of capital and Interest made during the year on the body's borrowings (if any).
6 (-) All other payments	1,066,564	1,771,231	Total expenditure or payments as recorded in the cashbook less staff costs (line 4) and loan Interest/capital repayments (line 5).
7 (=) Balances carried forward	3,447,252	3,182,460	Total balances and reserves at the end of the year. Must equal (1+2+3) – (4+5+6)
8 Total cash and short term investments	3,674,980	3,285,149	The sum of all current and deposit bank accounts, cash holdings and short term investments held as at 31 March – to agree with bank reconciliation.
9 Total fixed assets plus other long term investments and assets	-	-	The original Asset and Investment Register value of all fixed assets, plus other long term assets owned by the body as at 31 March
10 Total borrowings	-	-	The outstanding capital balance as at 31 March of all loans from third parties (including PWLB)

I certify that for the year ended 31 March 2017 the accounting statements in the return present fairly the financial position of the Joint Committee and its income and expenditure, or properly present receipts and payments, as the case may be.

Signed by Responsible Financial Officer:

 REQUIRED

Date

26/6/2017

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

11 07 2017

and recorded as minute reference:

M 8/17 REFERENCE

Signed by Chair of meeting approving these accounting statements:



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

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

Reviewer signature

[Handwritten signature]

BDO LLP

8/9/17

Section 4 – Annual internal audit report 2016/17 to

Enter name of reporting body here:

PARKING & TRAFFIC REGULATIONS OUTSIDE LONDON ADJUDICATION JOINT COMMITTEE

The Joint Committee's internal audit service provider, acting independently and on the basis of an assessment of risk, carried out a selective assessment of compliance with relevant procedures and controls expected to be in operation during the financial year ended 31 March 2017.

Internal audit has been carried out in accordance with the Joint Committee's needs and planned coverage.

On the basis of the findings in the areas examined, the internal audit conclusions are summarised in this table. Set out below are the objectives of internal control and alongside are the internal audit conclusions on whether, in all significant respects, the control objectives were being achieved throughout the financial year to a standard adequate to meet the needs of the Joint Committee.

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

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

*SEE INTERNAL AUDIT REPORT.
THESE ARE AGREED - ADDITIONAL NOTES PER APPENDIX B OF REPORT.

Name of person who carried out the internal audit: JOSIE GRIFFITHS

Signature of person who carried out the internal audit:  Date: 26/06/17

*Note: If the response is 'no' please state the implications and action being taken to address any weakness in control identified (add separate sheets if needed).
**Note: If the response is 'not covered' please state when the most recent internal audit work was done in this area and when it is next planned, or, if coverage is not required, internal audit must explain why not (add separate sheets if needed).

Guidance notes on completing the 2016/2017 return

1. Make sure that your return is complete (i.e. no empty red boxes), and is properly signed and dated. Avoid making any amendments to the completed return. But, if this is unavoidable, make sure the amendments are drawn to the attention of and approved by the body, properly initialled and an explanation provided to us. Returns containing unapproved or unexplained amendments will be returned and may incur additional costs.
2. Use the checklist provided below. Use a second pair of eyes, perhaps a member of the committee or the Chair, to review your return for completeness before sending it to us.
3. Do not send us any information not specifically asked for. Doing so is not helpful. However, you must notify us of any change of Clerk, Responsible Financial Officer or Chair.
4. Make sure that the copy of the bank reconciliation or letter confirming the balance held on your behalf which you send with the return covers all your bank balances. If the joint committee holds any short-term investments, note their value on the bank reconciliation. We must be able to agree your bank reconciliation to Box 8 on the Accounting statements. You must provide an explanation for any difference between Box 7 and Box 8.
5. Explain fully significant variances in the accounting statements on page 3. Do not just send in a copy of your detailed accounting records instead of this explanation. We want to know that you understand the reasons for all variances. Include a complete analysis to support your explanation.
6. If we have to review unsolicited information, or receive an incomplete bank reconciliation, or you do not fully explain variances, this may incur additional costs for which we will make a charge.
7. Make sure that your accounting statements add up the balance carried forward from the previous year (Box 7 of 2016) equals the balance brought forward in the current year (Box 1 of 2017).
8. Do not complete section 3. We will complete it at the conclusion of our work.

Completion checklist – 'No' answers mean you may not have met requirements		Done?
All sections	All red boxed have been completed?	✓
	All information has been sent with this return?	✓
Section 1	For any statement to which the response is 'no', an explanation is provided?	✓
Section 2	Approval by the body confirmed by the signature of Chair of meeting approving the accounting standards?	✓
	An explanation of significant variations from last year to this year is provided?	✓
	Bank reconciliation as at 31 March 2017 agrees to Box 8?	✓
	An explanation of any difference between Box 7 and Box 8 is provided?	✓
Section 4	All red boxed completed by internal audit and explanations provided?	✓



PATROL and Bus Lane Adjudication Service Scheme of Financial Delegation

Contact Details: Louise Hutchinson

Version / Date: October 2017

Introduction

This Scheme of Delegation should be read in conjunction with the current PATROL and Bus Lane Adjudication Service Joint Committee's Financial Regulations and the Scheme of Delegation to the Director

1 Budget Management

i) In year budget management

The table below sets out which managers have been delegated the task of managing capital and revenue budgets.

Manager	Budget area	Name
Deputy Chief Adjudicator	Adjudicator fees and expenses	Stephen Knapp
Central Services Manager	Central Services functions including departmental staffing, premises, staff recruitment, training and Human Resources	Erica Maslen
Stakeholder Engagement Manager	Stakeholder departmental staffing and associated engagement expenditure IT departmental staffing, technology provision and development (software, hardware and infrastructure)	Iain Worrall
Director	Senior salaries, Case Management staffing budget Joint Committee initiatives, expenditure from approved reserves, consultancy and legal advice. PR, Communications and other	Louise Hutchinson

	expenditure not falling within the above delegations.	
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ii) Changing the Service budget in year

Manager	Budget Area	Approval Limit
Director	All	£25,000

iii) Planning future years budgets

Responsibility:	Director and Central Services Manager in conjunction with budget managers set out above
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2 Authorisations

i) Procurement – Purchasing Goods and Services, Contracts & Tenders, Requisitions and Orders

The following limits apply to the approval of submission of tenders; acceptance of tenders; post contract negotiations; agreeing variations and lease, hire or rental agreements.

Up to £2,000	a written quotation submitted by the requisitioner and authorised by the Budget Manager
Between £2,000 and £30,000	three written quotations submitted against an outline specification by the Budget Manager
£30,000 to £172,514 (EU threshold)	formal tender process to at least three candidates authorised by the Director

EU threshold to £250,000	follow EU tender rules initiated by the Director
--------------------------	--

The primary budget holders may have authorised approvers within their teams who can approve up to £500 expenditure without budget holder approval on agreed budget areas.

Role / Position of approver	Department
Business Manager	Central Services
Technology Manager	Stakeholder Engagement Manager
Appeals Manager	Director
Communications Officer	Communications and Public Affairs

ii) Purchase Cards

Card Holder (Role)	Transaction & Monthly Limit	Approver (Role)
Central Services Manager	£10,000	Director
Office and Facilities Manager	£10,000	Central Services Manager or Director
Technology Manager	£5,000	Stakeholder Engagement Manager or Cent Serv Mgr
Projects Officer	£10,000	Stakeholder Engagement Manager or Cent Serv Mgr

Scheme of Financial Delegation
Service Name: PATROL and BLASJC

Contact Details: Louise Hutchinson
Version and date: V1 October 2017

Appeals Manager	£5,000	Director or Cent Serv Mgr
Executive Assistant	£10,000	Central Services Manager or Director
Stakeholder Engagement Manager	£5,000	Director

iii) Imprest Accounts

The Joint Committee does not currently operate an imprest account. Where cash is required, only the Central Services Manager is authorised to draw cash from the Joint Committee’s current account in accordance with the Joint Committee’s approved Cash Policy.

3 Human Resources

Area of Delegation	Limit (Grade / £)	Designated Authorising Officers	Notes
Authorising that a post within the establishment is to be filled	Grade 10	Senior Manager for their department	The Business Manager will be notified to update the HR system.
Authorising: <ul style="list-style-type: none"> • Staff appointments* • Promotions 	Grade 10 *Up to two increments depending upon qualifications and experience	Senior Manager for their department	As above
Authorise Changes to Employment Contracts	Grade 10	Senior Manager for their department	As above
Approval for overtime to be worked	Where allowed within contract	Senior Manager for their department	As above

Scheme of Financial Delegation
Service Name: PATROL and BLASJC

Contact Details: Louise Hutchinson
Version and date: V1 October 2017

Area of Delegation	Limit (Grade / £)	Designated Authorising Officers	Notes
Authorise Redundancies/Early Retirements	Applies across all grades	Director in conjunction with Joint Committee and CEC	As above
Authorise Payments: <ul style="list-style-type: none"> • Staff Overtime Claims • Staff Expense Claims 	Where allowed within contract	Senior Manager for their department Senior Manager/Business Manager	As above
Authorise contractor/agency worker timesheets (or equivalent claims)	Grade 7	Senior Manager/Business Manager	As above

4 Management of Assets

Area of Delegation	Limit (£)	Designated Authorising Officers
Maintenance of Asset Inventory		Central Services Manager and Operations Manager (technology)
Authorising disposal of equipment or materials	≤ £5,000	Director
	> £5,000	Chair of Joint Committee
Authorising write off and / or disposal of IT hardware & software	≤ £5,000	Director

5 Banking and Income

No bank accounts may be opened or arrangements made with any other bank except by agreement with the Director.
 New investment deposits with current banking institutions will be authorised by the director.

Area of Delegation	Designated Accounting Officers	Notes
Authority to raise an external/internal invoice	Finance Officer	
Authority to cancel debt (e.g. credit notes).	Central Services Manager	
Authority to write off debt	Director	.

6 General Ledger

Area of Delegation	Limit (£)	Designated Authorising Officers	Notes
Journals	£350,000 in respect of income adjustments	Finance Officer	
Additions, Changes and Deletions to Accounting Codes	£ 5,000 £25,000	Finance Officer Central Services Manager	
Amendments to budgeted amounts	All	Central Services Manager Director	

7 Performance Management

Responsibility for maintaining Performance Management System:	Director & Central Services Manager
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8 Risk Management

Responsibility for maintaining Risk Management System:	Director & Central Services Manager
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9 Insurance

Area of Delegation	Designated Authorising Officers
Obtain and maintain appropriate insurance cover	Central Services Manager
Dealing with claims (e.g. Statement of Disclosure, Defence etc.)	Central Services Manager

10 Information Management

Area of Delegation	Designated Authorising Officers
Responsibility for Document Retention/Information Management arrangements	Central Services Manager
Responsibility for Freedom of Information/Data Protection Act requests	Central Services Manager

11 Building/Security

Area of Delegation	Officer/Building
Building Specific Responsible Officers as required by Health and Safety Policy	Central Services Manager/Office and Facilities Manager
Key holders/Secure Access	Central Services Manager/Office and Facilities Manager

12 Other

Business/Service owner of relevant policies/procedures (e.g. regular maintenance/update)	Central Services Manager
Service/Area specific Instructions/Regulations	Adjudicators/Operations Manager
Contracts Register	Central Services Manager

13 Approval

Scheme of Delegation – Approved by	
---	--

Scheme of Financial Delegation
Service Name: PATROL and BLASJC

Contact Details: Louise Hutchinson
Version and date: V1 October 2017

Date of approval	
Evidence of approval held by	

14. Review

This scheme will be reviewed on an annual basis.

PATROL ADJUDICATION JOINT COMMITTEE

Executive Sub Committee

Date of Meeting	31 st October 2017
Report of:	The Director on behalf of the Resources Working Group and Sub Committee
Subject/Title:	Budget Monitoring Reviewing Reserves and the Basis for Defraying Costs 2017/18

1.0 Report Summary

- 1.1 To present income, expenditure and reserves monitoring information for the year to 31st August 2017 and to review the basis for defraying expenses.

2.0 Recommendation

- 2.1 To note the income and expenditure and reserves at 31st August 2017.
- 2.2 To review the options for defraying expenses for 2017/18.

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 2017/18 at the meeting of the Executive Sub Committee held 31st January 2017.
- 7.2 This report provides the Committee with the expenditure position at 31st August 2017.

- 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 2017/18 on the basis that this would reflect the councils who were already members of the Joint Committee
- 7.5 The Joint Committee forecasting model takes account of recent income trends (i.e. within the last 12 months).
- 7.6 Additional income is derived from a recharge to the Bus Lane Adjudication Service Joint Committee and the provision of adjudication for appeals arising from road user charging enforcement at the Dartford-Thurrock River Crossing. It is anticipated that additional income will arise from the provision of adjudication for appeals against road user charging penalties at the Mersey Gateway Bridge Crossings. The enforcement authority is Halton Borough Council who are not members of the Joint Committee.
- 7.7 The Joint Committee's income is derived from a pre-estimate of the number of penalty charge notices (PCNs) each council will issue. Corrections are applied at the 6-month and 12-month points once the actual number of PCNs issued is known.
- 7.8 Should it be the case that there is a need for greater expenditure than that provided for in the approved budget, then there is a recommendation to authorise the Director to incur additional expenditure, provided such expenditure does not exceed the income for the current year.
- 7.9 Should it be the case that the revenue account falls into deficit then the surplus from previous years is available.
- 7.10 Should there be greater income than expenditure in the year then there is a recommendation that this be transferred into the succeeding year as reserves.

8.0 Expenditure

- 8.1 Expenditure was lower than budgeted by £277,894 (18.9%).
- 8.2 Adjudicator costs were favourable to budget by £136,126 (26.3%) in line with lower than budgeted appeals.
- 8.3 Supplies and Services were £39,074 (24.5%) lower than budgeted. Some of this expenditure is set to be incurred later on in the year.
- 8.4 Staffing costs were favourable to budget by £49,766 (10.3%). This was due in part to the use of consultancy services for communications activity, where the budget assumed that staff would be taken on. Also, savings have been made on unfilled vacancies within the appeals team due to efficiencies of working

8.5 Premises costs are also favourable to budget by £23,827 (26.3%). The budget assumed that the lease of Springfield House was to be renewed in August 2017. It has been confirmed that the lease renews in February and so these costs are likely to be borne later in the financial year.

9.0 Income

9.1 Overall income was £49,864 (3.4%) adverse to budget. Income from the Dartford-Thurrock River Crossing was adverse to budget by £43,465 (9.1%), due to lower than forecast PCNs issued. The recharge for bus lane adjudication service costs is adverse to budget by £19,722 (9.6%). Parking income was in line with budget.

10.0 Overall Result

10.1 Five months into the financial year, PATROL has produced a surplus of £225,806. Of this, £106,084 is ring-fenced to Highways England.

11.0 Reserves

11.1 As at 31st August 2017 total reserves were £3,348,822 as set out below.

	TOTAL	PATROL	RUCA
Reserves Brought Forward 01.04.17	3,182,460	3,116,338	66,122
<i>Of which are:</i>			
General Approved Reserve		1,308,205	
Approved Property Reserve		221,340	
Approved Technology Reserve		350,000	
TOTAL Approved Reserve	1,879,545	1,879,545	
Free Reserves 01.04.17	1,302,915	1,236,793	66,122
Drawdown of Technology Reserves 2017/18	-59,455	-59,455	
Surplus to date for 2017/18	225,806	119,722	106,084
Forecast Closing Reserves at 31.03.18	3,348,811	3,176,605	172,206
<i>Of which are:</i>			
TOTAL Approved Reserve	1,879,545	1,879,545	
Free Reserves	1,469,266	1,297,060	

11.2 A question was raised at the Joint Committee in July 2017 concerning the question of placing a cap on the level of free reserve. This was considered by the Resources Working Group and Sub Committee at their meeting on 12th October 2017. The introduction of a cap was deemed unnecessary as any

surpluses beyond the approved reserve could potentially be used to reduce charges to member authorities.

12.0 Defraying Expenses

12.1 In considering establishing the basis for defraying expenses, the following options were considered.

- (i) Maintain the current contribution based upon 40 pence per PCN. Based on income and expenditure reported at 31 August 2017, this would lead to a full-year forecast surplus of £411,000. This would result in PATROL's forecast free reserves being £1,648,000 at the end of the financial year.
- (ii) Reduce the contribution to 35 pence per PCN for the remainder of 2017/18 backdated to 1st October 2017. This would cost £230,000 which is forecast to result in a contribution of £181,000 to PATROL's free reserves, resulting in closing free reserves of £1,418,000 at the end of the financial year.
- (iii) Reduce the contribution to 35 pence for the remainder of the year and backdate it to April 2017. This would cost £460,000 and is forecast to require a contribution from reserves of £49,000, giving closing free reserves of £1,188,000.

12.2 Arrangements for defraying expenses in respect of road user charging appeals will be agreed separately with Highways England (Dartford-Thurrock River Crossing) and Halton Borough Council (Mersey Gateway Bridge Crossings).

13. Recommendations

13.1 To note the income and expenditure and reserves at 31st August 2017.

13.2 To review the options for defraying expenses set out in section 12 above and to adopt option (iii) i.e. to reduce the contribution to 35 pence per PCN backdated to 1st April 2017. As previously, there is no annual charge or charge per case.

14.0 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

PATROL Outturn to 31/08/2017

	Year to Date				Full Year			
	31/08/2017	31/08/2017	31/08/2017	31/08/2017	2017/18	2017/18	2017/18	2016/17
	Actual	Budget	Var to Budget	Var to Budget	Forecast Outurn	Full Year Budget	Var to Budget	Prior Year Result
Income								
Parking Income	771,978	766,667	5,311	0.7%	1,610,000	1,840,000	(230,000)	1,935,869
Other Income	716	0	716	0.0%		0	0	54,649
Bank Interest	3,547	3,750	(203)	-5.4%	9,019	9,000	19	13,144
Dart Income	434,660	478,125	(43,465)	-9.1%	791,000	1,147,500	(356,500)	1,113,818
Mersey Gateway Income	0	0	0	0.0%	240,900	4,000		
Recharge for Bus Lane Adjudication Costs	185,690	205,412	(19,722)	-9.6%	475,941	492,990	(17,049)	420,095
Moving Traffic	22,500	15,000	7,500	50.0%	31,500	36,000	(4,500)	420,095
Total Income	1,419,090	1,468,954	(49,864)	-3.4%	3,158,360	3,529,490	(608,029)	3,957,672
Expenditure:								
Adjudicators	380,840	516,966	136,126	26.3%	1,051,578	1,240,718	189,140	994,404
Staff	433,356	483,122	49,766	10.3%	1,044,803	1,159,493	114,690	1,062,749
Premises / Accommodation	66,599	90,425	23,827	26.3%	195,920	205,602	9,682	165,691
Transport	30,608	35,031	4,423	12.6%	76,917	84,075	7,158	81,112
Supplies and Services	120,308	159,382	39,074	24.5%	420,022	376,356	(43,666)	371,876
IT	138,748	121,776	(16,972)	-13.9%	263,704	255,487	(8,217)	382,534
Services Management and Support	20,835	20,833	(2)	0.0%	50,001	50,000	(1)	48,440
Audit Fees	1,979	1,975	(4)	-0.2%	4,752	4,750	(2)	5,400
Contingency	11	41,667	41,655	100.0%	100,000	100,000	(0)	
Total Expenditure	1,193,283	1,471,177	277,894	18.9%	3,207,696	3,476,480	268,784	3,112,205
Surplus / (Deficit)	225,806	-2,223	228,029	-10257.6%	-49,336	53,009	-339,245	425,371
Breakdown of Surplus	225,806				-49,336			425,371.36
PARKING	119,722				-21,766			409,249.97
RUCA	106,084				-27,570			16,121.39

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PATROL ADJUDICATION JOINT COMMITTEE & BUS LANE ADJUDICATION SERVICE JOINT COMMITTEE

Executive Sub Committees

Date of Meeting:	31 st October 2017
Report of:	The Director on behalf of the Resources Sub Committee and Working Group
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

2.2 To note that a review of Risk Management is being undertaken and the presentation of the risk register will change with effect from January 2018

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

8.1 To note the latest review of the risk register

8.2 To note that a review of Risk Management is being undertaken and the presentation of the risk register will change with effect from January 2018

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

Email: lhutchinson@patrol-uk.info

Appendix 2: RISK REGISTER OCTOBER 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. Privacy Impact Assessment in Place 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 including mobile optimisation. Continued project management of development priorities and addressing defects. Review systems in the light of the general Data Protection Regulation (GDPR) which comes into force in 2018.	D
3.	Loss of key members of management and staff	Disruption to operations Management of vacancies	3	3	9	Clearly defined roles with flexibility to provide cover.	Committee Reports	Treat			Temporary resource to support the closure of the legacy system and transition to all appeals and witness statements	D

Appendix 2: RISK REGISTER OCTOBER 2017

		Project and operational targets affected				Documented procedures Arrangements for temporary cover Arrangements in place to extend cover. Resources Sub Committee and Working Group established.				handled through FOAM (Fast Online Appeal Management)	
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 Planning	Resources Sub Committee and Working Group in place Committee Reports Development of the portal will increase efficiency of the appeals process	Treat		Continually review capacity and training needs of adjudicators and staff	CA/D
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	Treat		Following the successful roll out of FOAM, the focus is now on rolling out the new witness statement process and introducing the reviews and cost module. A series of TPT engagement workshops have provided the basis for this roll out.	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

Appendix 2: RISK REGISTER OCTOBER 2017

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/adjudication	5	1	5	Establishing and maintaining dialogue with relevant government departments, responding to consultation, participation in working groups	Committee Reports	Tolerate			None at this time
	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 OCTOBER 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

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.

Appendix 2: RISK REGISTER OCTOBER 2017

- **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 or 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.

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PATROL ADJUDICATION JOINT COMMITTEE & BUS LANE ADJUDICATION SERVICE JOINT COMMITTEE

Executive Sub Committee Meetings

Date of Meeting: 31st October 2017
Report of: The Director on behalf of the Resources Working Group and
Sub Committee
Subject/Title: General Progress Report

1.0 Report Summary

1.1 To provide a summary of the Traffic Penalty Tribunal appeals activity for the six-month period to 30 September 2017

2.0 Recommendations

2.1 To note the six-month summary of appeals

2.2 Note progress on other tribunal initiatives

3.0 Reasons for Recommendations

3.1 To inform the Joint Committees of appeals activity and tribunal initiatives

4.0 Financial Implications

4.1 The volumes of appeals have been reflected in the budget monitoring to 31st August 2017.

5.0 Legal Implications

5.1 None

6.0 Risk Management

6.1 None

7.0 Background and Options

7.1 The enclosed report (appendix 1) provides an overview of appeals activity for the six months to 30 September 2017

7.2 A summary of tribunal initiatives is set out below.

8.0 Tribunal Initiatives

- 8.1 The tribunal rolled out the FOAM (Fast Online Appeal Management) system to all member authorities during the 12-month period to 31st March 2017. The final cases within the legacy system are being run out.
- 8.2 Additional functionality has been developed to manage the witness statement process which following a pilot with pathfinder authorities is being rolled out across all authorities.
- 8.3 The next area for FOAM development is the Reviews procedure. Whilst applications for review of the Adjudicator's decision from either appellants or local authorities are rare, it is more efficient to have all case actions handled within the online system.
- 8.4 Following on from the success of the local authority regional workshops to roll out FOAM, the Authority Engagement Manager held a series of eight workshops around England and Wales (Llandrindod Wells, Newcastle upon Tyne, Manchester, Birmingham, Nottingham, Bath and London. 127 delegates from 74 authorities attended. Demand for places was high and further workshops are planned. Feedback from authorities was extremely positive both for the topics discussed and the opportunity to network with other officers. Workshop subjects included: an overview of the Traffic Penalty Tribunal and PATROL; feedback on using FOAM; the four "e's" of enforcement: engineering, education, enforcement and empathy; the representations process; witness statements in FOAM; Applications for Review; the new PATROL web site; the Parking Annual Reports and collating statistics for the PATROL Annual Report Toolkit.

9.0 Recommendations

To note the update on tribunal initiatives and annual summary of appeals activity at Appendix 1

10.1 Reasons for Recommendations

To inform the Joint Committees of Traffic Penalty Tribunal activity and initiatives.

11.0 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

TRAFFIC PENALTY TRIBUNAL
Appeals Summary 1 April – 30 September 2017

Summary

The tables below show the volume of PCNs appealed to the Traffic Penalty Tribunal for the period 1st April 2017 to 30th September 2017 by type of appeal. This is compared to the same period last year i.e. 1st April 2016 to 30th September 2016.

English authorities (outside London)

The volume of parking appeals has reduced by 13.2% (5,710 to 4,955)
The volume of bus lane appeals has increased by 0.2% (1,607 to 1,610).
Total movement in England is a decrease of 10.3% (7,317 to 6,565)

The volume of parking PCNs issued remains relatively static. Figures for 2015/16 and 2016/17 point to a 2% increase. These figures will be reviewed when 2017/18 PCN statistics are available.

Welsh Authorities

The volume of parking appeals has reduced by 8% (263 to 242)
The volume of bus lanes appeals has increased by 41.7% (84 to 119)
Moving traffic appeals have increased by 357.1% (7 to 32)
Total movement in Wales is an increase of 11% (354 to 393)

The volume of PCNs (parking, bus lanes and moving traffic) issued in Wales is relatively static with a 1% increase between 2015/16 and 2016/17. These figures will be reviewed when 2017/18 PCN statistics are available.

Combined figures England and Wales (parking, bus lanes, moving traffic)

There has been a decrease of 9.3% appeals across parking, bus lane & moving traffic appeal streams (i.e. excluding Dartcharge) (7,671 to 6,958)

Dart Charge

Road user charging (Dart Charge) was introduced at the Dartford-Thurrock River Crossing in November 2014. There has been a decrease of 44.9% (5,346 to 2,947) in appeals when comparing 1st April 2017 – 30th September 2017 with the same period last year.

The volume of PCNs issued at the Dartford-Thurrock River Crossing reduced by 7.6% when comparing 2015/16 and 2016/17. These figures will be reviewed when 2017/18 PCN statistics are available.

Total across all appeal streams

Comparing 1st April 2017 – 30th September 2017 against the same period for 2016/17, there has been a decrease of 23.9% in appeals across all streams (13,017 to 9,905). The highest proportion of this decrease relates to Road User Charging at the Dartford River Crossing which is 44.9% (5,346 to 2,947).

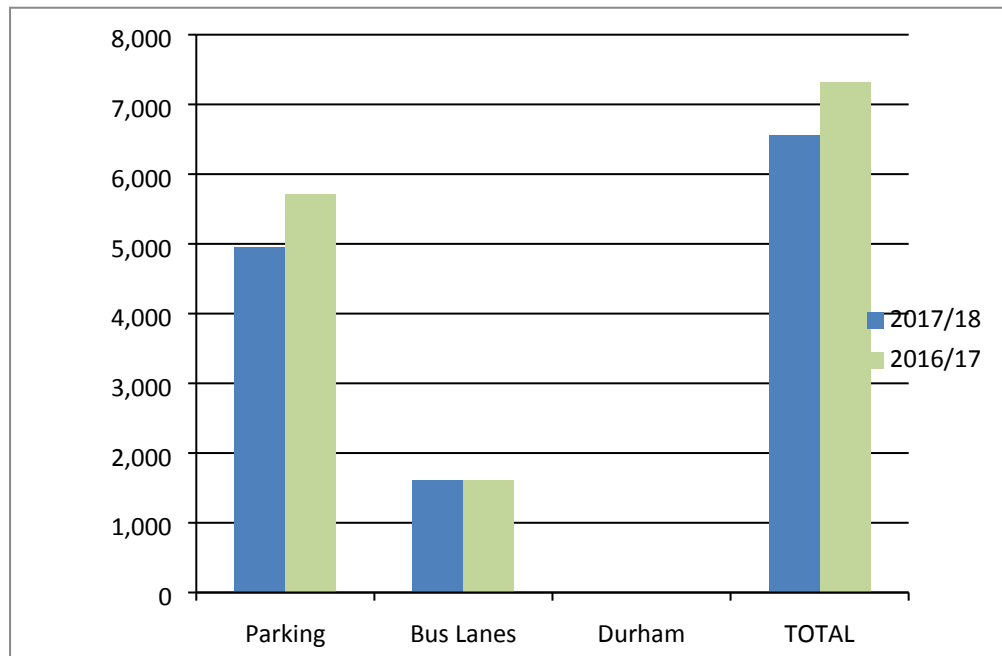
The overall volume of PCNs issued including Dart Charge showed a reduction of 3.75% between 2015/16 and 2016/17, mainly as a result of the reduction Dart Charge PCNs. These figures will be reviewed when the 2017/18 statistics are available.

Detail

English Local Authorities (exc Dartcharge)

The volume of parking appeals has reduced by 13.2% (5,710 to 4,955)
 The volume of bus lane appeals has increased by 0.2% (1,607 to 1,610)
 Total movement in England is a decrease of 10.3% (7,317 to 6,565)

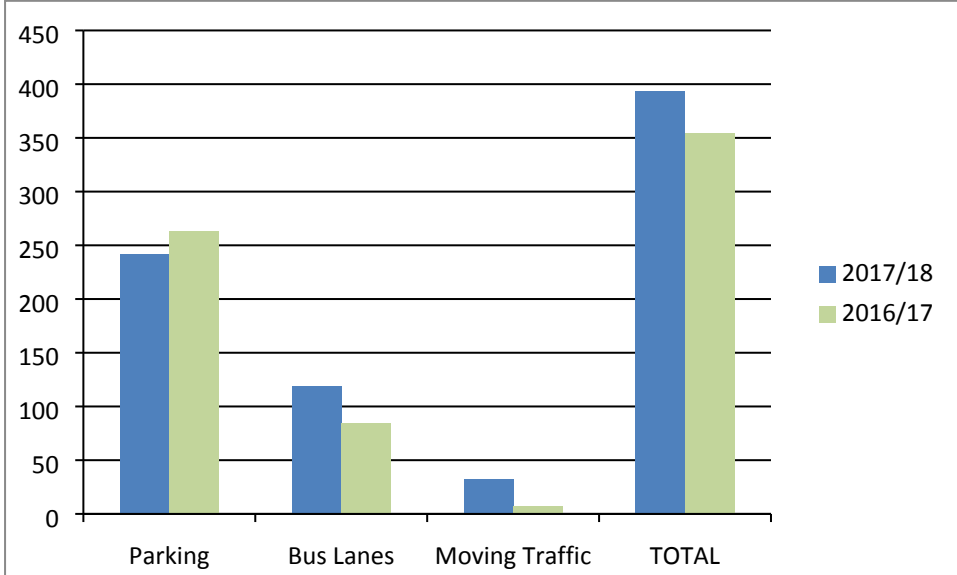
	Parking	Bus Lanes	Durham	TOTAL
2017/18	4,955	1,610	0	6,565
2016/17	5,710	1,607	0	7,317



Welsh Local Authorities

The volume of parking appeals has reduced by 8% (263 to 242)
 The volume of bus lanes appeals has increased by 41.7% (84 to 119)
 Moving traffic appeals have increased by 357.1% (7 to 32)
 Total movement in Wales is an increase of 11% (354 to 393)

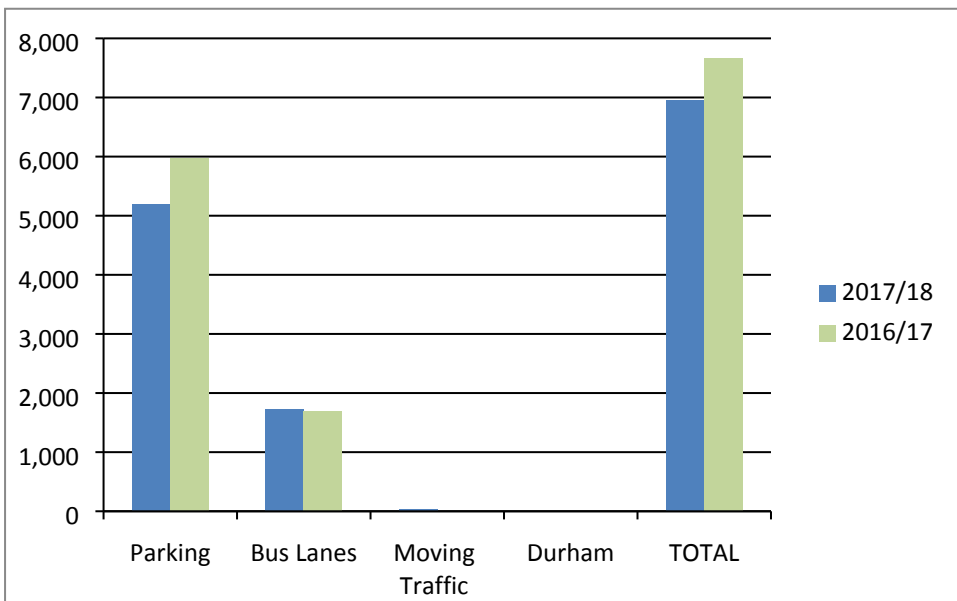
	Parking	Bus Lanes	Moving Traffic	TOTAL
2017/18	242	119	32	393
2016/17	263	84	7	354



England and Wales combined (excl Dartcharge)

There has been a decrease of 9.3% appeals across parking, bus lane & moving traffic appeal streams (i.e. excl Dartcharge) (7,671 to 6,958)

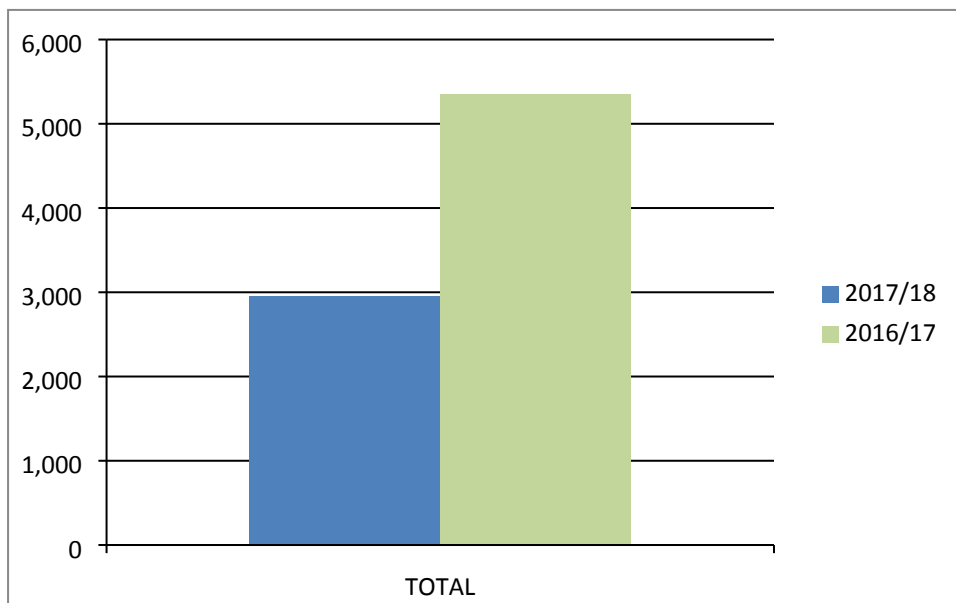
	Parking	Bus Lanes	Moving Traffic	Durham	TOTAL
2017/18	5,197	1,729	32	0	6,958
2016/17	5,973	1,691	7	0	7,671



Dart Charge

Road user charging was introduced at the Dartford-Thurrock crossing in November 2014. There has been a decrease of 44.9% (5,346 to 2947) in appeals when comparing 1st April 2017 – 30th September 2017 with the same period last year.

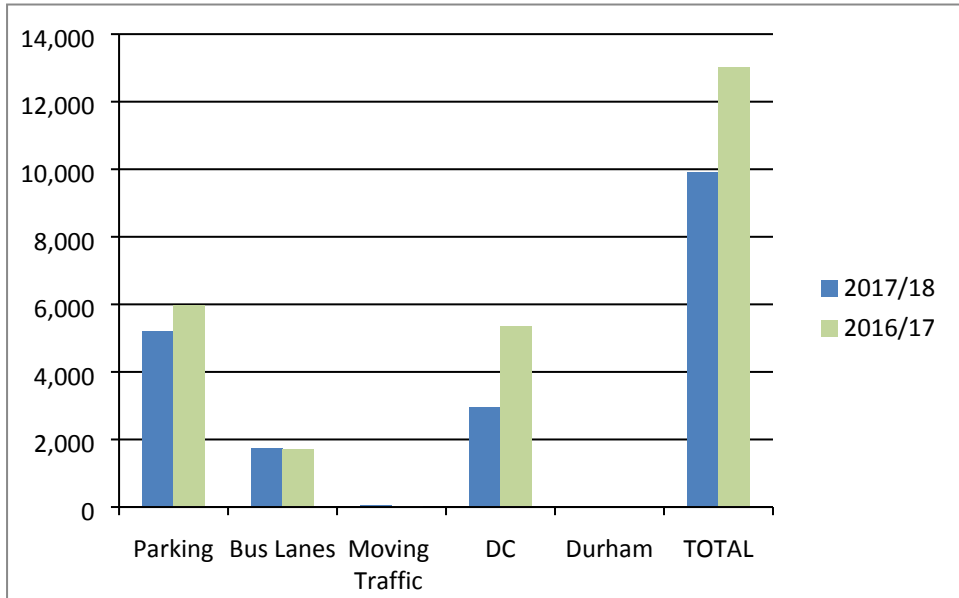
	TOTAL
2017/18	2,947
2016/17	5,346



Total across all appeal streams.

Comparing 1st April 2017 – 30th September 2017 against the same period for 2016/17, there has been a decrease of 23.9% in appeals across all streams (13,017 to 9,905). The highest proportion of this decrease relates to Road User Charging at the Dartford River Crossing which is 44.9% (5,346 to 2,947).

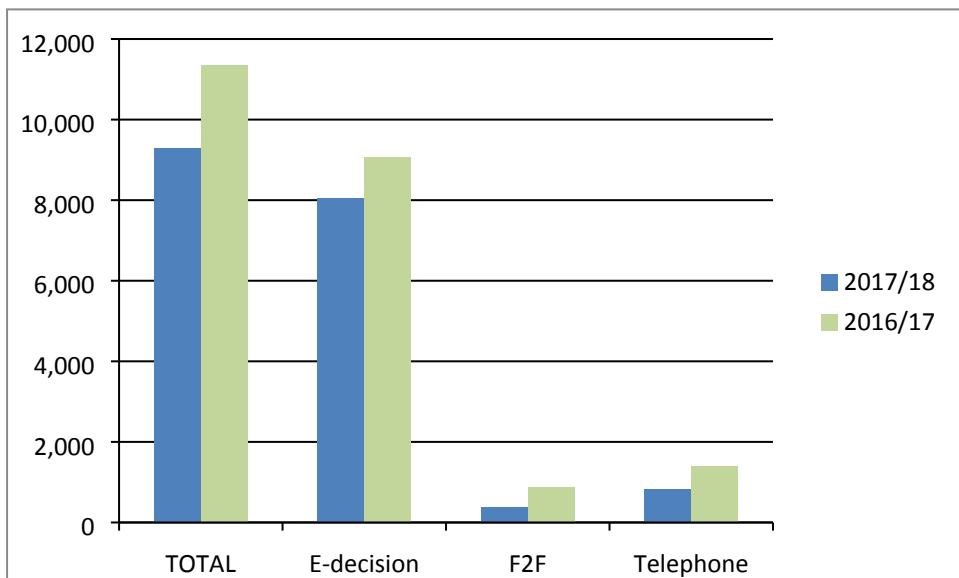
	Parking	Bus Lanes	Moving Traffic	DC	Durham	TOTAL
2017/18	5,197	1,729	32	2,947	0	9,905
2016/17	5,973	1,691	7	5,346	0	13,017



Frequency of hearings

The volume of hearings by type is shown below. E-decisions and telephone hearings are becoming the most prevalent.

	TOTAL	E- decision	F2F	Telephone
2017/18	9,283	8,059 86.8%	383 4.1%	841 9.1%
2016/17	11,350	9,072 79.9%	879 7.7%	1,399 12.3%



Case Closure

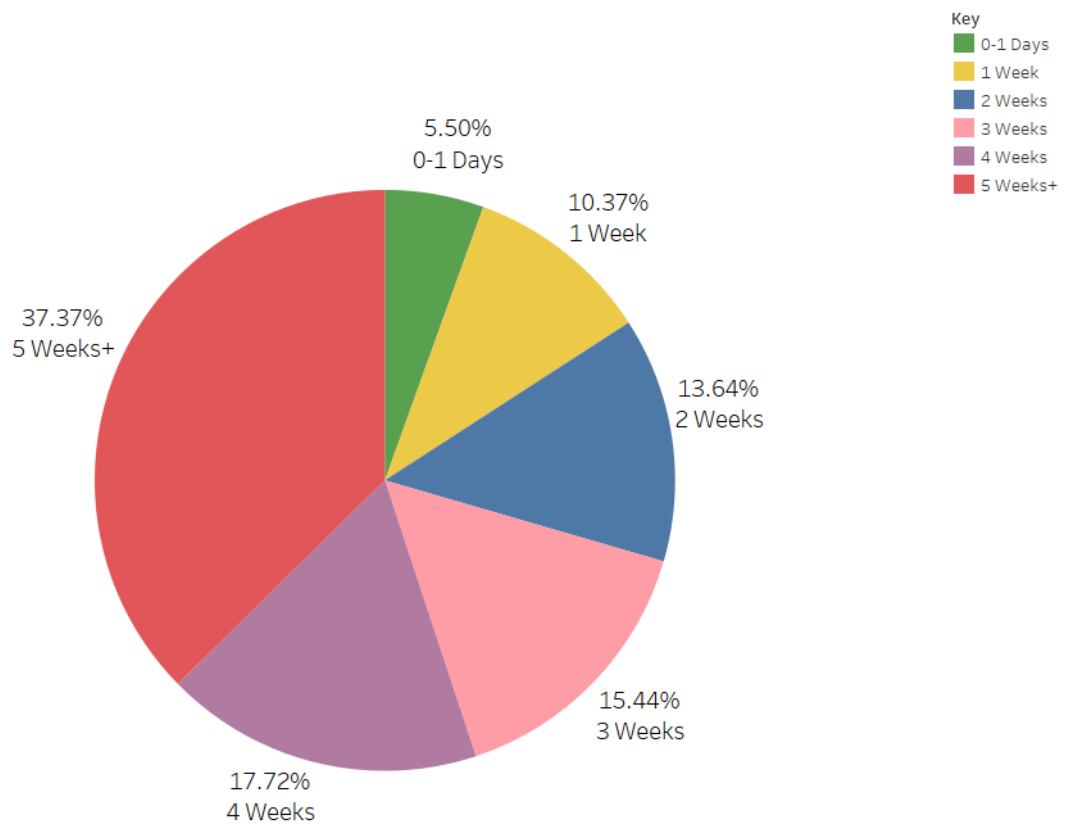
By the end of March 2017, all local authorities and their appellants had been provided with access to FOAM (Fast Online Appeal Management). The online system has resulted in a new way of handling appeals with the facility for messaging and all parties having access to the same information and evidence in the same place. This allows the adjudicator to adopt a more inquisitorial approach to ascertain details of the case.

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

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

The following graph provides a breakdown of case closure times across all appeal streams FOAM (excluding Dart Charge).

- 5% case of closed within a day of them being submitted
- Approx. 17% of case are closed in a week or less
- Almost one third of cases are closed within 2 weeks
- Almost half of cases closed within 3 weeks
- Almost two thirds of cases are closed within 4 weeks



Case Closure Time

Assisted Digital Support

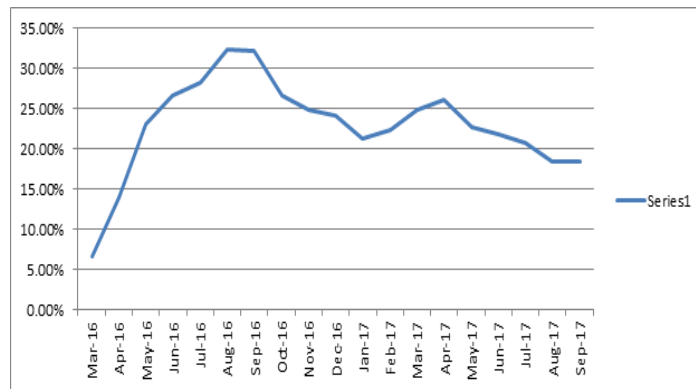
Assisted digital support is help for people who can't use or need help using digital services.

The tribunal recognises the importance of complimenting the online system with an experienced customer service team to provide support to appellants in making an appeal. For most appellants this will be their first experience of engaging with a judicial process.

The tribunal's customer service team proactively engages with appellants to promote, explain and support the online appeal process both with appellants who wish to go online but need assistance and those who require an alternative way of appealing. During this period 970 paper appeal forms were issued and 10% of the se appellants were supported to appeal online.

Where appellants cannot engage digitally, the case is uploaded by tribunal staff (proxy cases). This means that the authority can engage with the case digitally save for posting evidence to the appellant, the adjudicator can decide the case online and the appellant receives communications and the adjudicator's decision by post.

The graph below shows a decreasing trend in off-line or proxy cases since all authorities joined FOAM with latest available figures showing 18% of cases fall into this category.



Percentage of proxy (off-line cases)

The tribunal continues to explore other areas of assisted digital support to improve the appellant user experience and promote on-line take up of services.

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