

PATROL ADJUDICATION JOINT COMMITTEE
Executive Sub Committee
Agenda

Date: Tuesday 15th October 2024
Time: 11.00 am
Venue: Westminster Suite, 18 Smith Square, London SW1P 3HZ

1. **Apologies for Absence**
To receive apologies for absence (Pages 3-4, enclosed).
2. **Declarations of Interest**
To provide an opportunity for Members and Officers to declare any disclosable pecuniary and non-pecuniary interests and for Members to declare if they have pre-determined any item on the agenda.
3. **Minutes of the Previous Meeting**
To approve the minutes of the PATROL Adjudication Joint Committee Executive Sub Committee meeting held on 23rd January 2024 as a correct record (Pages 5-12, enclosed).
4. **Chair's Update (Verbal)**
To provide the Executive Sub Committee with a general update since the last meeting.
5. **Chief Adjudicator's Update (General Progress Report)**
To receive an update from the Chief Adjudicator (Pages 13-21, enclosed).
6. **PATROL Annual Return 2023/24**
To consider a report on the findings of the External and Internal Auditors for the year 2023/24 (Pages 22-39, enclosed).

7. **Budget Monitoring Update for Financial Year 2024-25**
To consider a report on the Income and Expenditure position at 31st August 2024 for the year 2024/25 and to consider a report on the Reserves position at 31st August 2024 against the approved Reserves levels in order to comply with the approved Financial Regulations (Pages 40-43, enclosed).
8. **Defraying the Expenses of the Joint Committee**
To review the basis for defraying expenses during the 2024/25 Financial Year (at the Mid-Year point) (Pages 44-48, enclosed).
9. **Expenditure Falling Outside of the Scheme of Delegation**
To note any expenditure falling outside the Scheme of Delegation (Pages 49-51, enclosed).
10. **Risk Management Framework**
To note the latest review of the Risk Register (Pages 52-56, enclosed).
11. **Red Route Appeal Overview**
To consider an overview of red route appeals (Pages 57-61, enclosed).
12. **Public Affairs Report**
To note the Public Affairs report for the period Aug-Oct 2024 (Pages 62-71, enclosed).
13. **Driving Improvement Awards-Announcement of theme for 2025**
14. **Date of next meeting**
To note the date of the next meeting as follows:-
Tuesday 21st January 2025 in Birmingham.

For requests for further information or to submit apologies please contact: Sarah Baxter, Democratic Services and Policy Manager Tel: 01625 445576 E-Mail:

democraticservices@patrol-uk.info

For further information on any of the reports contained within the agenda, please contact Laura Padden, Director of PATROL, email: info@patrol-uk.info

ITEM 1

PATROL Adjudication Joint Committee – Executive Sub Committee- 15th October 2024

Apologies

Councillors

Cllr Colin Hutchinson - Calderdale Council

Cllr Laura Crane - Cheshire East Council

Cllr Jon Andrews - Dorset Council

Cllr Graham Burgess - Hampshire County Council

Cllr Chris Goodwin - Oldham Council

Cllr Henry Nottage - Sheffield City Council

Cllr Andrew Stevens - Swansea Council

Officers

Jason Passfield - Adur and Worthing Councils

Chris Major - Bath and North East Somerset

Council Marc Samways - Hampshire County

Council Emma Barker - Sheffield City Council

ITEM 3

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

held on 23rd January 2024 at The Studio, 7 Cannon Street, Birmingham,
B2 5EP

PRESENT

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

Councillor Paula Burdess - Blackpool Council
Councillor Colin Hutchinson - Calderdale Borough Council
Councillor Andrew McHugh - Cherwell District Council
Councillor Laura Crane - Cheshire East Council
Councillor Graham McAndrew - East Herts Council
Councillor Graham Burgess - Hampshire County Council
Councillor Vanessa Churchman - Isle of Wight Council
Councillor Sam Riches - Lancaster City Council
Councillor Jonathan Pessol - North Kesteven District Council
Councillor Louise Marshall - North Tyneside Council
Councillor Chris Aldred - North Yorkshire Council
Councillor Henry Nottage - Sheffield City Council
Councillor Guy Pannell - South Hams District Council
Councillor Katya Dray - Warwick District Council
Councillor Mike Eyles - Westmorland and Furness Council

OFFICERS IN ATTENDANCE

Sarah Baxter - PATROL
Andy Diamond - PATROL
Laura Padden - PATROL
Iain Worrall - PATROL
Caroline Hamilton - Traffic Penalty Tribunal

ALSO IN ATTENDANCE

Emma Barker - Sheffield City Council

42 APOLOGIES FOR ABSENCE

In addition to the apologies listed within the agenda pack, further apologies were received as follows:-

Councillor Trevor Muten, Brighton & Hove City Council, Councillor Ray Bryan, Dorset Council, Councillor Marilyn Peters, Dartford Council, Councillor Andy Freeman, Newark and Sherwood District Council, Councillor Chris Goodwin, Oldham Council, Councillor Hannah Avery, Reigate & Banstead Borough Council, Councillor Mary Bing Dong, Spelthorne Borough Council, Councillor Margot McArthur, Sevenoaks District Council, Councillor Andrew Stevens, Swansea Council, Councillor Jermaine Atiya-Alla, Torbay Council, Councillor Geoff Driscoll, Uttlesford District Council and Councillor Hugh Jones, Wrexham County Borough Council.

Further apologies were also received from Richard Hibbert, Advisory Board, Paul Nicholls, Advisory Board, Marc Samways, Advisory Board and Richard Waters, Advisory Board and Erica Maslen, PATROL.

43 DECLARATIONS OF INTEREST

There were no declarations of interest.

44 MINUTES OF THE MEETING HELD ON 17TH OCTOBER 2024

Consideration was given to the minutes of the previous meeting of the PATROL Adjudication Joint Committee-Executive Sub Committee held on Tuesday 17th October 2023.

RESOLVED

That the minutes of the meeting of the PATROL Adjudication Joint Committee-Executive Sub Committee held on Tuesday 17th October 2023 be approved as a correct record and signed by the chair.

45 CHAIR'S UPDATE

The chair provided a verbal update which covered the following matters:-

- Department for Transport's '*plan for drivers*';
- PATROL's findings in respect of its research into the levels of civil penalty charges in England and Wales;
- Introduction of a Member Portal;
- Review of the format and the future delivery of the PACER awards

RESOLVED

That the update be noted.

46 CHIEF ADJUDICATOR'S UPDATE (GENERAL PROGRESS REPORT)

The Chief Adjudicator Caroline Hamilton attended the meeting and gave an update in respect of the following matters:-

- **Statistics relating to PCNs appealed and the general trends pre and post pandemic** - Key points were highlighted as follows:-
 - (i) Increase in appeal volumes from six months ago with the largest increase relating to Clean Air Zone appeals;
 - (ii) Overall reduction in appeals to the Traffic Penalty Tribunal due to matters being resolved at Enforcement Authority level;
 - (iii) Number and type of appeals determined;
 - (iv) 75% of appeals determined on papers alone without the requirement for a hearing;
 - (v) Most cases dealt with in under 28 days, however CAZ appeals were taking a longer period of time to be resolved. Officers were looking how those appeals could be dealt with more efficiently;

- **Adjudicator training** - This took place at the end of November and was well attended including the attendance by the Chief Adjudicator of the London Tribunals and Judge Green, President of the First-tier Tribunal for Scotland. In addition, guidance on issues relating to the regulations was provided by the Senior President of the Welsh Tribunals. The training also covered a refresher on data protection regulations alongside CAZ DVLA records. The main focus of the training was to ensure consistency of adjudicator decisions in the appeal decision making process. Positive feedback from all who attended/presented;

- **Adjudicator appraisals** - Adjudicators appointed from London to the Traffic Penalty Tribunal were now in the process of being appraised. Members were advised that the appraisals process helped to maintain judicial standards as well as ensuring consistency of practices and maintaining public confidence in judicial performance. The Chief Adjudicator from the London Tribunals had recently agreed to have one joint appraisal for those adjudicators covering both tribunals;

- **Key cases website** - The site was almost ready for release and it was anticipated that it would go live soon. The aim of the website was to provide a 'go to space' for all users, including motorists and councils, providing an opportunity to review case law and important decisions. By enabling access to cases, users would be able to see which case had created a specific law. It was noted that the majority of appeals were as a consequence of motorists making an error and therefore a further purpose of the website was to act as a tool to educate motorists consequently leading to a reduction in the number of PCNs being issued;

- **Annual report** - Next piece of work the Chief Adjudicator would be focusing on.

Members asked a number of questions including:-

- Whether or not there had been a particular issue with an authority regarding the design and implementation of a Clean Air Zone that could be fed back to councils in the process of implementing a CAZ scheme?
- Whether or not a significant issue had been created by criminals cloning numbers plates, the rules regarding blue badge holders and whether the badge was allocated to either the vehicle or the individual?
- What measures had been put in place for those people with visual impairment issues to be able to access the regulations?
- Did those authorities who had implemented Clean Air Zones provide sufficient signage which provided motorist with enough notice to use an alternative if required, route prior to entering a CAZ?
- Local exemptions and if there would be scope for one exemption, in one area to be recognised in another.

RESOLVED

That the update be noted.

47 BUDGET MONITORING UPDATE FOR FINANCIAL YEAR 2023/24

Consideration was given to a report on the income and expenditure position at 31st October for the year 2023/24 alongside consideration of the reserves position at 31st October 2023 against the approved reserves levels in order to comply with the approved financial regulations.

It was queried as to whether or not there were any proposals for the future to use the free reserves which could help out councils financially.

In response to this the Director advised that the 5 pence reduction in the PCN charge (which was a benefit in itself to councils) meant that officers were forecasting a budget deficit of £80,000 in order to be able to accommodate such a proposal and that the free reserves fund would be used to finance the 5p reduction.

Further to this she advised that PATROL's IT system had not been upgraded since 2015. With an increase in cyber insurance and cyber risks there would be a requirement to consider investing in either system upgrades or an entirely new system in the coming years. Gradually increasing the reserves budget meant that when the time came to carry out the necessary security and functionality upgrades, there would be a sufficient budget available. This course of action would potentially safeguard asking members to look at increasing the PCN charge to cover such an upgrade.

RESOLVED

1. That the Income and Expenditure position at 31st October 2023 for the year 2023/24 be noted.

2. That the Reserves position at 31st October 2023 against the approved Reserves levels be noted.

48 RESERVES POLICY STATEMENT

Consideration was given to the Reserves Policy Statement for 2024/25.

RESOLVED

1. That the proposed Reserves Policy Statement for 2024/25 be approved.
2. That the PATROL reserve level for 2024/25 of £2,222,251 be approved.
3. That approval be given to the balance of any surplus from 2023/24 to be carried forward to 2024/25.
4. That the delegation of authority to the Chair and Vice Chair to authorise the withdrawal of funds from the PATROL Free Reserves to meet budgetary deficits be approved.

49 ANNUAL INVESTMENT STRATEGY

Consideration was given to the Annual Investment Strategy.

RESOLVED

1. That investments would only be made with low-risk institutions with offices in the UK.
2. That the availability of new investments would be reviewed regularly to ensure that the best products are chosen in terms of rate of return and accessibility.
3. That the Director would sign off any proposed deposits in terms of amount, duration and rate.

50 REVENUE BUDGETS FOR 2024/25

Consideration was given to a report on the revenue budget estimates for 2024/25.

Members asked questions in respect of IT/Cloud licences and whether the organisation had felt it necessary to switch providers due to increasing licence costs and whether or not there had been any issues with auditors being slow to sign off the accounts.

In response the Director confirmed that reviews of licence fees were reviewed periodically and that the organisation was reactive in ensuring the most competitively priced contract was obtained. She assured members that the cost of the licences was well covered within the budgets.

There had been no issues with the sign off of the accounts from external audit, most likely due to the fact that the organisation's accounts were less complex than local authority accounts.

RESOLVED

That the revenue budget for 2024/25 as detailed in the report be agreed.

51 DEFRAYING THE EXPENSES OF THE JOINT COMMITTEE

Consideration was given to a report defraying the expenses of the Joint Committee.

RESOLVED

1. That for the Financial Year 2024/25, a continuation in charge of **25 pence per PCN** issued for member authorities be approved and the expected impact on reserves contained within the report be noted.

2. That this charge be reviewed at the October 2024 meeting in the light of actual income and expenditure information for the first half of the year.

3. That the rate of **25 pence per PCN** would apply to penalties issued as follows:

Parking – England and Wales

Bus Lanes and Moving Traffic – England and Wales

Road User Charging – England and Wales (In respect of Clean Air Zones, and the Durham Peninsular)

Littering from Vehicles – England

4. That it be noted separate charging arrangements to be entered into with National Highways and Halton Borough Council who were not members of the Joint Committee but with each of whom the Joint Committee had entered into a Memorandum of Understanding. Ring-fenced balances associated with these schemes would be reported separately to the Executive Sub Committee within budget monitoring reports.

5. That there would be no annual charge, nor cost per case apart from the LFV PIN Generator initiative approved at the October 2022 meeting.

6. That Invoicing would be undertaken based on monthly returns received from enforcement authorities as in 2023/24.

52 RISK MANAGEMENT FRAMEWORK

Consideration was given to a report summarising the most significant threats facing the Joint Committee which could prevent or assist with the achievement of its objectives.

RESOLVED

That the report be noted.

53 MEMBER PORTAL

Consideration was given to a report on proposals to introduce a member portal.

Members supported the recommendation, however asked a number of questions clarifying the following matters:-

- Would the portal allow for reports to be uploaded as and when ready thus allowing councillors additional time to read reports rather than waiting for the full agenda to be published?
- Would the portal be accessible for use on all council laptops?
- Would the portal be accessible from personal devices?
- Could the portal log in details be shared with officers or would members need to download the information prior to sharing with officers?
- Would it be the same authenticator application used by other councils?
- When would the proposal to introduce a member portal be implemented?
- Would the portal restrict the ability to print off documents?
- Would the portal link be included within the notification email?

RESOLVED

That the introduction of a member portal be approved.

54 PROPOSED EVOLUTION OF ANNUAL AWARDS AND RECEPTION FORMAT

Consideration was given to a report proposing an evolution of the existing annual reports awards programme, the Promoting Awareness of Civil Enforcement through Reporting (PACER) Awards, from 2024.

Members welcomed the changes to the format and asked questions/made comments in respect of the following:-

- Supported the proposal but requested that the title - 'Local Impact Awards' be amended to avoid using words 'local' and 'impact' as it was felt that the current title didn't give any indication as to what the award related to;
- Inclusion of a strapline to attract the attention of councils;
- Would there be extra funding to deliver the proposals if required?
- Smaller councils didn't have the capacity or the resources to compete with larger councils, therefore could the category be divided in half;
- How and by whom would the theme for each year be decided on?
- Who would receive the communication about the availability of the £25,000?

RESOLVED

That the comments and changes to the format of the Promoting Awareness of Civil Enforcement through Reporting (PACER) Awards from 2024 be noted.

55 PUBLIC AFFAIRS REPORT

Consideration was given to a report which provided an overview of current traffic management issues.

Laura Padden, the Director of PATROL also provided an update in relation to the following matters:-

- **Moving Traffic Powers** - Only 15 appeals had been registered with the tribunal to date. Applications for the third tranche had closed in October and it was anticipated that powers would be granted early 2024. As yet there was no news on a fourth tranche.
- **PCN Levels** – PATROL engaged with civil servants prior to a letter being sent to ministers and shadow ministers on the 8th January 2024. PATROL was currently awaiting a response.

RESOLVED

That the update be noted.

Prior to consideration of the following item, Councillor L Marshall asked if it was possible for a discussion to take place with members on how other councils currently dealt with speeding and illegal parking around schools.

In response Councillor P Burgess advised that Blackpool Council had engaged with consultants to analyse parking and transport data around 33 of its schools. The consultants had proposed 3 scenarios and were in the process of providing costings for each proposal. In addition, the council had introduced further measures including a mixture of installing single red lines and double red lines outside schools, refreshing road signage and markings and installing speed restrictions.

In addition other measures put forward included:-

- Blanket 20 mph speed zones (although it was acknowledged some roads were not suitable for 20 mph zones);
- 20 mph advisory zones with flashing lights;
- Police targets action days;
- RAG rating dangers around schools;
- Integration of the Safer Schools' issues with other highways projects;
- Integration of road closures into major highways packages around schools;
- Introduction of building particulate pollution sensors built into school buildings;
- Introduction of zig zags, introduction of double yellow lines around schools and use of alternative parking allocated further away from school for example, a local shopping parade car park;
- Introduction of air quality monitoring mobile air monitors with pupils measuring levels of pollution;
- Provision of 'pick up and drop off' points;
- No parking on double yellow lines;
- Collaboratively working with Sustrans;
- Wig-wag signals;
- Dragons painted on roads;
- Community Speedwatch teams working collaboratively within schools.

56 DATE OF NEXT MEETING OF THE PATROL ADJUDICATION JOINT COMMITTEE

It was noted that the date of the next meeting of the PATROL Adjudication Joint Committee would take place as follows:-

Tuesday 9th July 2024 at the Local Government Association Headquarters, 18 Smith Square, London, SW1P 3HZ. It was noted that the Annual Reception and Awards would take place after the Joint Committee meeting and would be held in Church House, Westminster.

57 DATE OF NEXT MEETING OF THE PATROL ADJUDICATION JOINT COMMITTEE - EXECUTIVE SUB COMMITTEE

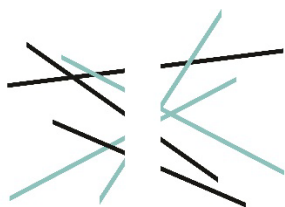
It was noted that the date of the next meeting of the PATROL Adjudication Joint Committee - Executive Sub Committee would take place as follows:-

Tuesday 15th October 2024 at the Local Government Association Headquarters, 18 Smith Square, London, SW1P 3HZ.

The meeting commenced at 11am and concluded at 12.45pm.

Councillor S Hughes

(Chair)



Traffic Penalty Tribunal England and Wales

General Progress Report

To July 2024

1. Appeals summary

1.1 PCNs appealed – General Trends pre and post pandemic

The below table and graph show PCNs appealed to the Tribunal from 1 April 2019 to 31 March 2024 (19/20 being predominantly pre pandemic, 23/24 being post pandemic).

	Totals		Like for Like *		Parking and BL/MT only **		
	number	% change	number	% change	number	% change	
2018/19	30,790		30,790		15,766		
2019/20	35,303	14.7%	35,303	14.7%	15,822	0.4%	full year
2020/21	18,122	-48.7%	18,122	-48.7%	9,844	-37.8%	full year
2021/22	26,337	45.3%	19,682	8.6%	11,809	20.0%	full year
2022/23	29,963	13.8%	21,693	10.2%	12,208	3.4%	full year
2023/24	37,038	23.6%	25,335	16.8%	14,552	19.2%	full year
2023/24 of 2019/20	104.9%		71.8%		92.0%		

* Like for Like excludes CAZ

** excludes CAZ and RUC

	PCNs appealed		
	22/23	23/24	YoY change
Parking - England	6,949	8,933	28.6%
Parking - Wales	612	756	23.5%
Bus Lanes	4,544	4,699	3.4%
Moving Traffic	103	164	59.2%
Dartcharge	8,478	9,567	12.8%
LFV	9	25	177.8%
Mersey Gateway	998	1,185	18.7%
CAZ	8,270	11,703	41.5%
Durham	0	6	0.0%
Total	29,963	37,038	23.6%

compares pre pandemic to now

	PCNs appealed	
	19/20	23/24 v 19/20
Parking - England	9,668	-7.6%
Parking - Wales	770	-1.8%
Bus Lanes	5,229	-10.1%
Moving Traffic	155	5.8%
Dartcharge	8,534	12.1%
LFV	4	525.0%
Mersey Gateway	10,943	-89.2%
CAZ	0	0.0%
Durham	0	0.0%
Total	35,303	4.9%

Throughout this report RUC refers to Dartcharge and Mersey Gateway

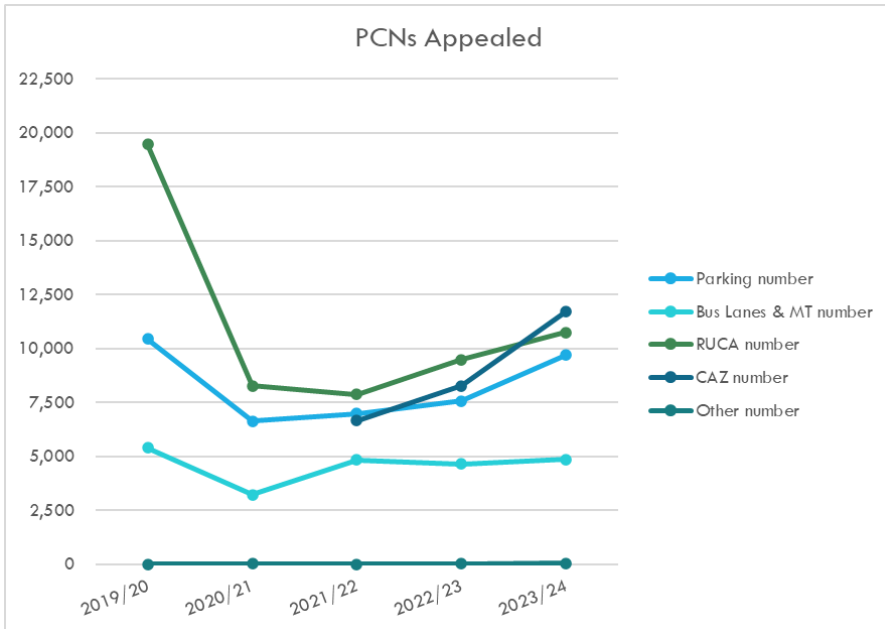
Split between types of appeals.

** subject to final audit

	2019/20		2020/21		2021/22		2022/23		2023/24	
Parking	10,438	29.6%	6,633	36.6%	6,977	26.5%	7,561	25.2%	9,689	26.2%
Bus Lanes & MT	5,384	15.3%	3,211	17.7%	4,832	18.3%	4,647	15.5%	4,863	13.1%
RUCA	19,477	55.2%	8,272	45.6%	7,869	29.9%	9,476	31.6%	10,752	29.0%
CAZ	0	0.0%	0	0.0%	6,655	25.3%	8,270	27.6%	11,703	31.6%
Other	4	0.0%	6	0.0%	4	0.0%	9	0.0%	31	0.1%
	35,303	100.0%	18,122	100.0%	26,337	100.0%	29,963	100.0%	37,038	100.0%

Key points:

- Overall increase in PCNs appealed between 22/23 and 23/24 of 23.6%
- CAZ now make up 31.6% of our appeals activity
- Change by appeal stream appeals between 22/23 and 23/24 as follows:
 - Parking England 28.6%
 - Parking Wales 23.5%
 - Bus Lanes 3.4%
 - Moving Traffic 59.2%
 - Dartcharge 12.8%
 - Mersey Gateway 18.7%
 - CAZ 41.5%
- 23/24 compared 19/20, pre and post pandemic, are as follows:
 - Total is 104.9% of pre pandemic levels
 - Like for Like (exc CAZ) is 71.8% of pre pandemic levels
 - Parking appeals are 90.6% of pre pandemic levels
 - Bus Lane and MT appeals are 95.7% of pre pandemic levels
 - Dartcharge appeals are higher than pre pandemic levels
 - Mersey Gateway appeals are 89.2% lower than pre pandemic levels
- **Overall appeals are 23.6% higher than the previous year**
- **The largest increases relate to CAZ and Moving Traffic – new enforcement**



1.2 2024/25 by month

PCNs appealed

2024/25										
	Parking Eng	Parking Wales	Bus Lanes	Moving Traffic	Nat Highways	Mersey Gateway	Durham	CAZ	LFV	Month TOTAL
April	785	62	389	22	1,231	116	1	690	0	3,296
May	815	55	421	35	1,763	74	0	687	1	3,851
June	748	48	386	35	1,417	58	3	666	1	3,362
July	891	68	421	58	1,819	148	0	657	5	4,067
TOTAL	3,239	233	1,617	150	6,230	396	4	2,700	7	14,576
average	810	58	404	38	1,558	99	1	675	2	3,644

Cases

2024/25										
	Parking Eng	Parking Wales	Bus Lanes	Moving Traffic	Nat Highways	Mersey Gateway	Durham	CAZ	LFV	Month TOTAL
April	738	62	316	13	328	60	1	426	0	1,944
May	744	53	361	27	412	40	0	534	1	2,172
June	683	46	344	27	367	32	3	505	1	2,008
July	827	67	355	51	436	55	0	501	5	2,297
TOTAL	2,992	228	1,376	118	1,543	187	4	1,966	7	8,421
average	748	57	344	30	386	47	1	492	2	2,105
PCN per case	1.1	1.0	1.2	1.3	4.0	2.1	1.0	1.4	1.0	1.7

Key points:

- Appeals and PCNs appealed fluctuate each month for several reasons (varying between appeal types)
- Appellants can submit more than one PCN per appeal – this is helpful where the issues are the same
- RUCA appeals are more likely to contain more than one PCN – this is particularly pronounced for Dartcharge (National Highways)

2. Context of PCNs Issued by Enforcement Authorities

The following tables look at the levels of enforcement and PCN issuance, and their relationship to the numbers of PCNs being appealed, between 2019/20 (pre pandemic) and 23/24 post pandemic.

PCNs Issued

	PCNs Issued					
	2024/25 to date	2023/24 **	2022/23	2021/22	2020/21	2019/20
Parking - England	482,577	5,432,055	5,031,516	4,968,158	3,085,501	4,932,070
Parking - Wales	31,689	351,246	310,351	259,239	136,336	267,861
Bus Lanes	161,497	1,984,040	1,994,230	2,163,455	1,230,691	1,913,024
Moving Traffic	18,626	213,414	82,619	73,809	47,470	73,924
Dartcharge	512,854	2,107,430	2,547,684	2,198,857	1,671,267	2,332,501
LFV	37	1,922	231	437	159	75
Mersey Gateway	49,388	652,923	597,736	588,500	375,841	630,004
CAZ	71,610	1,366,108	895,027	838,047	0	0
Durham	0	0	0	0	0	0
Total	1,328,278	12,109,138	11,459,394	11,090,502	6,547,265	10,149,459

0

* CAZ = 11m

** subject to final audit

Rate of Appeal

** subject to final audit

	2019/20			2022/23			2023/24		
	PCNs Issued	PCNs Appealed	Appeal Rate %	PCNs Issued	PCNs Appealed	Appeal Rate %	PCNs Issued	PCNs Appealed	Appeal Rate %
Bus Lanes - England	1,913,024	5,229	0.27%	1,994,230	4,544	0.23%	1,984,040	4,699	0.24%
Bus Lanes & MT	73,924	155	0.21%	82,619	103	0.12%	213,414	164	0.08%
Parking - England	4,932,070	9,668	0.20%	5,031,516	6,949	0.14%	5,432,055	8,933	0.16%
Parking - Wales	267,861	770	0.29%	310,351	612	0.20%	351,246	756	0.22%
Dartcharge	2,332,501	8,534	0.37%	2,547,684	8,478	0.33%	2,107,430	9,567	0.45%
Mersey Gateway	630,004	10,943	1.74%	597,736	998	0.17%	652,923	1,185	0.18%
CAZ	0	0	0.00%	895,027	8,270	0.92%	1,366,108	11,703	0.86%
LFV + Durham	75	4	5.33%	231	9	3.90%	1,922	31	1.61%
Total	10,149,459	35,303	0.35%	11,459,394	29,963	0.26%	12,109,138	37,038	0.31%
	0	0		0	0		0	0	

Exc CAZ	10,149,459	35,303	0.35%	10,564,367	21,693	0.21%	10,743,030	25,335	0.24%
Exc CAZ and MG	9,519,455	24,360	0.26%	9,966,631	20,695	0.21%	10,090,107	24,150	0.24%

	23/24 to 19/20 Appeal Rate %
Bus Lanes - England	-0.04%
Bus Lanes & MT	-0.13%
Parking - England	-0.03%
Parking - Wales	-0.07%
Dartcharge	0.09%
Mersey Gateway	-1.56%
CAZ	0.86%
LFV + Durham	-3.72%
Total	-0.04%

	19/20 to 23/24	
	Change in number of PCNs Issued	Change in number of PCNs Appealed
Bus Lanes - England	3.7%	-10.1%
Bus Lanes & MT - Wales	188.7%	5.8%
Parking - England	10.1%	-7.6%
Parking - Wales	31.1%	-1.8%
Dartcharge	-9.6%	12.1%
Mersey Gateway	3.6%	-89.2%
CAZ		
LFV + Durham	2462.7%	675.0%
Total	19.3%	4.9%

Key Points:

- The rate of appeal remains relatively static year on year
- However there are appeal types where the trend in PCN issuance is not matched by the trend in the appeals received, An example is Parking Wales where an increase of 31.1% in PCNs issued compares with a 1.8% drop in appeals received.
- The reduction in rates of appeal would seem to indicate that appeals for PCNs are being resolved at an Enforcement Authority level and therefore not coming to the tribunal.

Please note:

The figures within this section include all PCNs dealt with by the Tribunal. This includes Witness Statements referred to the Adjudicators following debt registration at the Traffic Enforcement Centre at Northampton County Court. The PCN figures will also include a small number of duplicated PCNs and those PCNs not registered by the Adjudicator.

3. Hearings

The tables below show a breakdown of the decision methods over the last few years.

Cases requiring a Decision					
	TOTAL	F2F	Video + Tel	E-decision	
2024/25	5,110	0	972	4,138	<i>part year</i>
2023/24	14,656	0	3,372	11,284	<i>full year</i>
2022/23	11,167	0	2,348	8,819	<i>full year</i>
2021/22	9,258	0	1,919	7,339	<i>full year</i>
2020/21	7,405	0	1,210	6,195	<i>full year</i>
2019/20	15,365	6	3,706	11,653	<i>full year</i>
2018/19	13,818	14	3,099	10,705	<i>full year</i>
2017/18	11,134	596	1,924	8,614	<i>full year</i>

Cases requiring a Decision					
	TOTAL	F2F	Video + Tel	E-decision	
2024/25	100.0%	0.0%	19.0%	81.0%	<i>part year</i>
2022/23	100.0%	0.0%	21.0%	79.0%	<i>full year</i>
2021/22	100.0%	0.0%	20.7%	79.3%	<i>full year</i>
2020/21	100.0%	0.0%	16.3%	83.7%	<i>full year</i>
2019/20	100.0%	0.0%	24.1%	75.8%	<i>full year</i>
2018/19	100.0%	0.1%	22.4%	77.5%	<i>full year</i>
2017/18	100.0%	5.4%	17.3%	77.4%	<i>full year</i>

4. Proxy cases

For the small percentage of people who do find it initially difficult to go online, the TPT provides 'Assisted Digital' support. Assisted Digital is an active form of engagement with appellants to 'walk through' the online appeal submission process and / or complete it on their behalf (by 'proxy'). Contact with the TPT team remains available throughout the process should it be required.

The average number of cases dealt with by proxy per month is currently just **4.13% for the 12 months 2023/24**.

4. Case closure and Status

Appealing to the Traffic Penalty Tribunal is a judicial process, and while it is not appropriate to set rigid timescales, the TPT's objective is to provide a Tribunal service that is user focused, efficient, timely, helpful and readily accessible. Case resolution times provide a window on the efficiency and usability of the online appeals system, as well as the associated improved business processes.

At 4th September 2024 there were 2,500 cases that were awaiting a decision.

Authority	Number PCNs
Dartcharge	1,004
Birmingham CAZ	231
Bradford CAZ	112
Sheffield CAZ	73
Bristol CAZ	66
Brighton & Hove Parkin	54
Manchester Parking	47
Birmingham Bus Lanes	35
Liverpool Parking	27
Bradford Parking	26
Bristol Bus Lanes	25
Newcastle CAZ	25
< 25 PCNs per LA	775

2,500

The data below shows appeal case closure times for cases closed between April 2024 and September 2024.

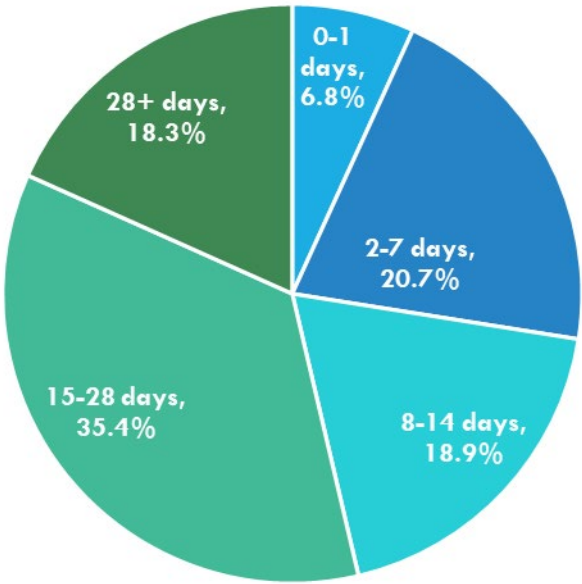
To Sept 2024 - current year only (from April 24)

Case Closure	
0-1 days	6.8%
2-7 days	20.7%
8-14 days	18.9%
15-28 days	35.4%
28+ days	18.3%

100%

Case Closure	
6.8%	0-1 day
27.6%	Less than 7 days
46.4%	Less than 14 days
81.8%	Less than 28 days
18.3%	More than 29 days

Days to Closure - current year



■ 0-1 days ■ 2-7 days ■ 8-14 days ■ 15-28 days ■ 28+ days

PATROLAJC Executive Sub Committee

Date of Meeting:	15 th October 2024
Report Title:	PATROL Annual Return 2023-24
Report of:	Laura Padden, Director, PATROL

1.0 Report Summary

1.1 To report the findings of the External and Internal Auditors for the year 2023-24.

2.0 Recommendations

2.1 To note the findings of the External Audit Reports for 2023-24 in the enclosed reports (**Appendix 1**)

2.2 To note the findings of the Internal Audit Report for 2023-24 as reported to the PATROL Adjudication Joint Committee at their meeting on 9th July 2024 (**Appendix 2**)

3.0 Reasons for Recommendations

3.1 To comply with the Financial Regulations.

4.0 Background and Options

4.1 The PATROL Adjudication Joint Committee approved the Draft Annual Returns for 2023-24 at its meeting on 9th July 2024.

4.2 The Joint Committee approved the appointment of BDO LLP to audit the annual returns for the period 2021-22 to 2023-24 (3 years) at its meeting in January 2022. BDO LLP have provided the external audit function in accordance with the Small Bodies Annual Return which is utilised for bodies with an annual turnover of less than £6.5 million.

4.3 The final audited return is shown at **Appendix 1**. The external auditors have found no issues.

4.4 The Internal Audit Report is shown at **Appendix 2**. The Internal Auditors gave a GOOD assurance on controls within the organisation reporting no issues.

4.5 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 and assurance.

5.0 Implications

5.1 Finance

5.1.1 Detailed in the report.

5.2 Legal Implications

5.2.1 In accordance with the PATROL Adjudication Joint Committee Agreement.

6.0 Risk Management

6.1.1 Financial resilience is monitored within the Risk Management Strategy.

Appendix 1 – External Audit Reports



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Maritime Walk
Ocean Village
Southampton
SO14 3TL

Private and Confidential

The Directors
Parking & Traffic Regulations Outside London Adjudication Joint
Committee
PO BOX 471
Merlin House
8 Grove Avenue
WILMSLOW
Cheshire
SK9 0HJ

Date: 15 September 2024

JE/OR/0319495

Dear Sirs

Reporting on agreed upon procedures in respect of Parking & Traffic Regulations Outside London Adjudication Joint Committee

Purpose of this Agreed-Up Procedures Report

This report has been produced in accordance with the terms of our engagement letter dated 16 August 2024 (“the Engagement Letter”) for the purpose of allowing Parking & Traffic Regulations Outside London Adjudication Joint Committee (“the body”) to assess reasonability of the annual return.

Responsibilities of the Engaging Party and the Responsible Party

The Directors have acknowledged that the agreed-upon procedures are appropriate for the purpose of the engagement.

Management, as identified by the Directors, is responsible for the subject matter on which the agreed-upon procedures are performed.

Accountant’s Responsibilities

We have conducted the agreed-upon procedures in accordance with the International Standard on Related Services (ISRS) 4400 (Revised), *Agreed-Up Procedures Engagements*. An agreed-upon procedures engagement involves us performing the procedures that have been agreed with the Directors, and reporting the findings, which are the factual results of the agreed-upon procedures performed. We make no representation regarding the appropriateness of the agreed-upon procedures.

We have not subjected the information contained in this 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.

Professional Ethics and Quality Control

Our firm applies International Standard on Quality Management (ISQM) 1, *Quality management for firms that perform audits or reviews of financial statements, or other assurance or related services engagements*, and accordingly, maintains a comprehensive system of quality control

including documented policies and procedures regarding compliance with ethical requirements, professional standards and applicable legal and regulatory requirements.

Procedures and Findings

We have performed the following work, which were agreed upon with the Directors on 16 August 2024.

- agreed the bank reconciliation to the annual return and the bank statements as at 31 March 2024 and obtained an explanation for any reconciling items noted
- agreed the accounting statements section of the Annual return figures to the trial balance as at 31 March 2024
- Checked the mathematical accuracy of the trial balance and the accounting statements section per the annual return
- Obtained a confirmation of the levy from the funding body and agreed it to the annual return
- Obtained a confirmation of the loan balance from Public Works Loan Board (PWLB) and for any other loans, obtain a 3rd party confirmation and agreed it to the annual return
- agreed the comparative figures to the prior year accounts
- Performed an analytical review by comparing the current year figures to the prior year comparative and obtain an explanation for any variances in excess of 10%
- For any NO answers within the Annual Governance Statement, we obtain an explanation from management and reported on it
- For any NO answers within the Internal auditor report, we obtained an explanation from management and reported on it

No exceptions were found.

Use of our report

Our report is prepared solely for the confidential use of the Directors of Parking & Traffic Regulations Outside London Adjudication 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 except a copy of our report may be provided, for information purposes only, to the local authority represented to whom we have no liability and owe no duty of care.

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

Yours faithfully

DocuSigned by:

467DFB746A8A428...
BDO LLP
Southampton

BDO LLP is a Limited Liability Partnership registered in England and Wales (with registered number OC305127)

Joint Committees

Return for the financial year ended 31 March 2024

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 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.

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 2024, an explanation of any significant year on year variances in the accounting statements and any additional information requested, to us, BDO LLP, by the due date.

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

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

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

Section 1 – Governance statement 2023/24

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 2024, that:

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

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

Minute No.11

Date 09/07/2024

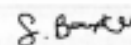
Signed by:

Chair



Signed by:

Clerk



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

Section 2 – Accounting Statements 2023/24 for

Enter name of reporting body here:

PARKING & TRAFFIC REGULATIONS OUTSIDE
LONDON ADJUDICATION JOINT COMMITTEE

	Year ending		Notes and guidance Please round all figures to nearest £1. Do not leave any boxes blank and reports £0 or Nil balances. All figures must agree to underlying financial records.
	31 March 2023 £	31 March 2024 £	
1 Balances brought forward	2,861,823	3,232,555	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	3,564,970	4,145,008	Total income or receipts as recorded in the cashbook less the taxation and/or levy (line 2). Include any grants received here.
4 (-) Staff costs	2,058,792	2,136,056	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	1,135,266	838,970	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	3,232,555	4,402,537	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	2,444,111	3,645,176	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 2024 the accounting statements in the return present fairly the financial position of the Joint Committee and its income and expenditure, or properly present receipts and payments, as the case may be.

Signed by Responsible Financial Officer:



Date

24/06/2024

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

09/07/2024

and recorded as minute reference:

Minute No.11

Signed by Chair of meeting approving these accounting statements:



Section 3 – Annual internal audit report 2023/24 to

Enter name of reporting body here:

PARKING & TRAFFIC REGULATIONS OUTSIDE LONDON APPLICATION 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 2024.

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:

Name of person who carried out the internal audit:

Josie Griffiths

Signature of person who carried out the internal audit:



Date: 21/06/2024

*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 2023/2024 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 2023) equals the balance brought forward in the current year (Box 1 of 2024).

Completion checklist – 'No' answers mean you may not have met requirements		Done?
All sections	All red boxes have been completed?	<input checked="" type="checkbox"/>
	All information has been sent with this return?	<input checked="" type="checkbox"/>
Section 1	For any statement to which the response is 'no', an explanation is provided?	<input checked="" type="checkbox"/>
Section 2	Approval by the body confirmed by the signature of Chair of meeting approving the accounting standards?	<input checked="" type="checkbox"/>
	An explanation of significant variations from last year to this year is provided?	<input checked="" type="checkbox"/>
	Bank reconciliation as at 31 March 2024 agrees to Box 8?	<input checked="" type="checkbox"/>
Section 4	An explanation of any difference between Box 7 and Box 8 is provided?	<input checked="" type="checkbox"/>
	All red boxed completed by internal audit and explanations provided?	<input checked="" type="checkbox"/>

Internal Audit – Assurance Report PATROL (Parking and Traffic Regulations Outside London) 2023/24

Report Status: Final Report Date:
5 June 2024 Prepared by: Lucy
Nelson

Working for a **brighter future** together



OFFICIAL

Distribution List and Version Control

Draft reports should not be shared with anyone outside of the distribution list below without prior approval from the Audit Manager.

Distribution List – Draft Report:

- Laura Padden – PATROL, Director
- Erica Maslen – PATROL, Central Services Manager

Final reports should not be shared with anyone outside of the distribution list without prior approval from the Audit Manager and Final Report Owner.

Distribution List – Final Report:

- Laura Padden – PATROL, Director
- Erica Maslen – PATROL, Central Services Manager

Final Report Owner:

- Laura Padden – PATROL, Director

Version Control

Version Number	Date	Changes
1.0	24.05.24	Draft report prepared
1.1	28.05.24	Draft report reviewed by Principal Auditor
1.1	28.05.24	Draft report cleared by Audit Manager
1.2	05.06.24	Draft report approved for issue by Head of Audit & Risk

Executive Summary

1. Background

1.1 PATROL (Parking and Traffic Regulations Outside London) has been established to enable councils undertaking civil parking enforcement in England and Wales and civil bus lane and moving traffic enforcement in Wales to exercise their functions under:

- Section 81 of the Traffic Management Act 2004 (TMA) and Regulations 17 and 18 of The Civil Enforcement of Parking Contraventions (England) General Regulations 2007 (the English General Regulations).
- Section 81 of the TMA and Regulations 16 and 17 of the Civil Enforcement of Road Traffic Contraventions (General Provisions) Wales Regulations 2013 (the Welsh General Provisions Regulations).
- Regulations 12 and 13 of The Road User Charging (RUCA) Schemes (Penalty Charges, Adjudication and Enforcement) (England) Regulations 2013 (the Road User Charging Regulations).
- Regulation 18 of The Littering from Vehicles Outside London (Keepers: Civil Penalties) Regulations 2018.

1.2 These functions are exercised through PATROL in accordance with Regulation 16 of the English General Regulations and Regulation 15 of the Welsh General Provisions Regulations.

1.3 The Bus Lane Adjudication Service Joint Committee (BLASJC) was established to enable councils in England undertaking civil enforcement of bus lanes to exercise their functions under Regulation 11 of The Bus Lane Contraventions (Penalty Charges, Adjudication and Enforcement) (England) Regulations 2005 (the Bus Lane Regulations).

1.4 Until March 2023, these functions were exercised through BLASJC in accordance with Regulation 12 of the Bus Lane Regulations. However, legislation was introduced to transfer the bus lane enforcement regime outside London from the Transport Act 2000 to the bus lane enforcement provisions in the Part 2 of Schedule 8 of the 2004 Act. Meaning there was no longer a requirement for a separate Bus Lane Adjudication Service Joint Committee or Bus Lane Adjudication Service Joint Committee Executive Sub Committee.

1.5 Under the above legislation and regulations, councils operating civil traffic enforcement functions are responsible for funding the provision of adjudication. The councils carry out this duty through a Joint Committee.

1.6 The PATROL Adjudication Joint Committee performs this function in accordance with legislation and regulations and the constituent authorities of the Joint Committee defray expenses in such a proportion as the Joint Committee decides.

1.7 The Traffic Penalty Tribunal also provides adjudication in respect of penalties issued for failure to pay the road user

Executive Summary

charge at the Dartford-Thurrock River Crossing, the Mersey Gateway Bridge and the Durham Road User Charge Zone and in relation to Clean Air Zones, Moving Traffic offences and Littering from Vehicles penalty notices.

- 1.8 PATROL is classed as a small relevant body in accordance with the Accounts and Audit Regulations 2015, and prior to 2015/16 had to complete a Small Bodies Annual Return (SBAR) summarising their annual activities at the end of each financial year. This requirement was removed in 2015/16 by the Accounts and Audit Regulations 2015; however, the Body has decided to still complete the SBAR on an annual basis as good practice and in the spirit of openness and transparency.
- 1.9 Cheshire East Council was appointed as the Host Authority to the PATROL Adjudication Joint Committee and Bus Lane Adjudication Joint Committee on 1 January 2013. As part of this role, the Council has delivered the Body's Internal Audit service.
- 1.10 Where reference is made to policies and procedures in this report, these are PATROL's, not Cheshire East Council's unless specified otherwise.

2. Scope of Review and Risks Covered

- 2.1. As a result of the COVID pandemic and following a period of consultation, PATROL staff moved to Home Based contracts with staff operating under home working agreements. As such, Internal Audit has followed the programme of testing and carried out physical testing

where required but has also placed reliance on information being supplied electronically.

- 2.2. In order to complete Section 4 of the 2023/24 SBAR, we had to determine whether the ten stated internal control objectives have been achieved throughout the 2023/24 financial year to a standard adequate to meet the needs of the Body. The control objectives are:
 - 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 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, expenditure was approved and VAT appropriately accounted for.
 - G. Salaries to employees and allowances to members were paid in accordance with body approvals, and PAYE and NI requirements were properly applied.
 - H. Asset and investment registers were complete and accurate and properly maintained.

Executive Summary

- 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 properly recorded.
- 2.3. To satisfy the above control objectives, we carried out a programme of audit testing on the following areas:
- Assets
 - Banking and Cheques
 - Budgetary Control
 - Income
 - Payroll
 - Procurement
 - Purchase Cards
 - Risk Management
- 2.4 PATROL did not operate a petty cash/imprest system during 2023/24 (Control F on the SBAR). However, they do have seven purchase cards linked to their bank account. As such, and as per the testing carried out in previous years, a review of processes and controls in operation in relation to the cards was undertaken. PATROL are about to undertake a review of cards with the aim of reducing the requirement and number of cards, and centralising the payments made via card into the Finance function (this will come under a newly created Business Support officer role).
- 2.5 Where sample testing was undertaken, sampling was proportionate to the volume of transactions in relation to the PATROL, Bus Lanes, RUCA, Clean Air Zones, moving traffic and littering. Furthermore, the samples selected included transactions completed throughout the whole of 2023/24 to ensure that the findings are as comprehensive and reliable as possible and capture an accurate reflection of the practices in place. Although reasonable assurance can be drawn from these findings it is never possible to give complete assurance that all issues have been uncovered, as we are unable to test every transaction.
- 2.6 We have previously issued a draft report to present our key findings and actions (reported on an exception basis), to confirm the factual accuracy of the findings and agree recommended actions where appropriate. This final report is issued now as agreed.

3. Key Findings and Recommended Actions

- 3.1. A total of 77 controls have been tested covering all areas detailed in the control objectives on the SBAR. This draft report is intended to highlight the areas where improvements are required, either in the control itself or to improve compliance with the controls.
- 3.2. As a result of the testing, no issues were identified during the review and as such, no recommended actions have been raised in this report.

4. Conclusion and Opinion

Executive Summary

- 4.1. The audit concluded that the 10 control objectives detailed on the 2023/24 SBAR are effectively managed for the PATROL Adjudication Joint Committee. **Appendix A** confirms the results of the audit work as it will be entered on the SBAR.
- 4.2. Internal Audit use a formal opinion system, details of which are given in **Appendix B**. Based upon the findings and actions raised, a “Good Assurance” opinion has been given.

Good Assurance

Controls are in place to mitigate against the risks identified in the Terms of Reference. Testing has shown that controls are working effectively and consistently to ensure that key risks are well managed.

Appendix A – Summary of Results for the Small Bodies Annual Return

Section	Objective	Agreed		
		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 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 requirement 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, expenditure was approved and VAT appropriately accounted for	✓ *		
G	Salaries to employees and allowances to members were paid in accordance with body approvals, and PAYE and NI requirements were properly applied	✓		
H	Asset and investment 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 properly recorded	✓		

* PATROL did not operate a petty cash system during 2023/24, however there are seven purchase cards linked to the bank account, therefore, a review of processes and controls in operation in relation to the cards was undertaken.

Appendix B – Audit Opinion and Priority Rating for Individual Findings

Audit Opinion

An overall opinion on the control environment will be given on completion of the audit work. This opinion relates **only** to those risks identified or systems tested. Where the audit opinion given is either limited or no assurance, consideration will be given to including those areas in the Annual Governance Statement.

There are four possible opinions: good assurance, satisfactory assurance, limited assurance, and no assurance.

The following table explains the various assurance levels in terms of the controls in place and how testing has shown them to be operating. It also gives an indication as to the priority rating of recommendations you might expect at each assurance level, although please note this is for guidance only as the final opinion lies at the discretion of the Auditor.

Assurance Level	Explanation
Good Assurance	Controls are in place to mitigate against the risks identified in the terms of Reference. Testing has shown that controls are working effectively and consistently to ensure that key risks are well managed. No high level recommendations have been made although there may be a small number at medium level. Some changes in the control environment may be beneficial to enhance performance and realise best practice.
Satisfactory Assurance	Controls are adequate to address the risks identified in the terms of reference. Testing has shown that there are some inconsistencies in the application of the controls, and attention is needed to improve the effectiveness of these controls. Recommendations will normally be no higher than medium level.
Limited Assurance	Controls are either not designed to mitigate the risks identified in the terms of reference, or testing has shown there to be significant non-application of controls. There are likely to be a number of high priority recommendations and/or a large number at the medium level. Attention is needed to improve the quality and effectiveness of the control environment in order to ensure key risks can be managed well.
No Assurance	There is an absence of controls to mitigate against the risks identified in the terms of reference. The majority of recommendations made are high priority, and key risks are not being properly managed. Urgent attention is required by management to improve the control environment. This area may be considered for inclusion in the organisation's Annual Governance Statement. It may also be appropriate for this area to be included in the sections/directorate Risk Register, and for the action plan to address these fundamental weaknesses to become part of the Service Delivery Plan.

Priority Rating for Individual Findings

Every audit finding and supporting recommendation will be rated in line with the criteria shown below. Timescales for necessary actions will be discussed with service managers, but the broad expectations for consideration and implementation are outlined below.

Priority	Explanation		
	Risk	Controls and Testing	Timescale
High	<p>Action is required to mitigate against a risk which is assessed as likely to arise, and having a high impact should it do so. A fundamental risk may involve failure to:</p> <ul style="list-style-type: none"> • Meet key business objectives • Meet statutory objectives • Adhere to Cheshire East policies • Prevent fraud or material error 	<p>Controls to mitigate risks identified in the terms of reference are either absent or poorly designed.</p> <p>Testing has shown that controls are significantly failing to work as intended.</p>	<p>This action needs immediate consideration by management.</p> <p>Implementation of necessary actions may take longer, but an action plan to address the issues should be developed immediately.</p>
Medium	<p>Action is required to mitigate against a risk which is assessed as being likely to arise OR having a significant impact if it should arise.</p>	<p>Controls to mitigate risks identified in the terms of reference are in place.</p> <p>Testing has shown that controls are working as intended, with some minor inconsistency.</p>	<p>This action needs to be considered by management within 3 months.</p> <p>Implementation of necessary actions may take longer, but an action plan to address the issues should be developed within 3 months.</p>
Low	<p>Action is required to mitigate against a risk which is assessed as having a low impact or being unlikely to arise.</p> <p>Implementation of these actions will further strengthen internal control and improve potential for achieving best practice.</p>	<p>Controls to mitigate risks identified in the terms of reference are in place.</p> <p>Testing has shown that the controls are being applied consistently and effectively.</p>	<p>This action needs to be considered by management within 6 months.</p> <p>Implementation of necessary actions may take longer, but an action plan to address the issues should be developed within 6 months.</p>

PATROLAJC Executive Sub Committee

Date of Meeting:	15 th October 2024
Report Title:	Budget Monitoring Update for 2024-25
Report of:	Laura Padden, Director, PATROL

1. Purpose of Report

- 1.1. To report the Income and Expenditure position at 31st July 2024 for the year 2024/25 in order to comply with the approved Financial Regulations.
- 1.2. To report the Reserves position at 31st July 2024 against the approved Reserves levels in order to comply with the approved Financial Regulations.

2. Recommendations

- 2.1. To note the Income and Expenditure position at 31st July 2024 for the year 2024/25.
- 2.2. To note the Reserves position at 31st July 2024 against the approved Reserves levels.

3. Reasons for recommendations

- 3.1. To comply with the approved Financial Regulations.
- 3.2. To inform the Risk Register.

4. Background

- 4.1. At 31st July 2024 Income is £166,408 over budget (positive variance). This is primarily due to a large increase in PCN issuance by National Highways in respect of the Dartford River Crossing. We understand that this increase is temporary and due to a backlog caused by a change in systems.

Expenditure is under budget by £252,770 (positive variance).

This results in a surplus to date of £369,947 against a budgeted deficit of £49,232 (a positive variance of £419,178).

Of this £369,947, £218,061 relates to PATROL with the balance being ring-fenced to National Highways (£131,444) and Halton Borough Council (£20,441).

The detail is provided at **Appendix 1**.

SUMMARY TO DATE			
	31/07/2024	31/07/2024	31/07/2024
	Year to Date	Budget	Var to Budget
Income	1,233,427	1,067,019	166,408
Expenditure	863,481	1,116,251	252,770
Surplus / (Deficit)	369,947	-49,232	419,178
Breakdown of Surplus			
PATROL	218,061	-27,206	245,267
Halton Borough Council	20,441	11,486	8,956
National Highways	131,444	-33,511	164,955
	369,947	-49,232	419,178

The savings in expenditure are explained by:

- Savings in Staff Costs due to unfilled vacancies, plus a large Employers Pension Contribution refund due to an error by CEC payroll. This totals around £113k. Most staff vacancies have now been filled.
- Savings in Supplies and Services due to review of overheads and unspent provisions for Legal Costs and Initiatives. This totals around £40k.
- The realisation of Bad Debts Provision of £16k for Debts which have subsequently been paid.
- Savings on Adjudicator Fees of around £69k due to lower than anticipated activity and therefore fee claims.

4.2. Reserves to date are summarised as follows:

	To Date	Budget	Var to Budget
Reserves b/f from 23/24	4,432,550	4,432,550	0
Surplus / (Deficit) for the year 24/25 - YTD	369,947	-49,232	419,178
	-329,310	0	-329,310
Budgeted Reserves to Date	4,473,186	4,383,318	89,868
<i>Approved reserves</i>	2,222,251	2,222,251	0
FREE Reserves to Date	2,250,935	2,161,067	89,868
<i>less:</i>			
<i>National Highways Balance to date</i>	69,768	210,956	141,188
<i>Mersey Gateway Balance to date</i>	48,958	63,169	14,212
PATROL FREE Reserves to date	2,132,210	1,886,942	245,267

At 31st July 2024 there is a Reserves balance of £4,473,186 giving a Free Reserves balance of £2,250,935 (against a budgeted balance of £2,161,067).

Of this FREE Reserves Balance of £2,250,935, £69,768 is ring-fenced to National Highways and £48,958 ring-fenced to Halton Borough Council. This leaves a balance of FREE Reserves to PATROL of £2,132,210.

5. Implications

5.1. Finance

5.1.1 Assurance of financial health and therefore limited financial risk..

6.1 Risk Management

6.1.1 Assurance of financial health and therefore limited financial risk

Appendix 1:

PATROL Outturn to 31/07/2024

	Year to Date					
	31/07/2024	31/07/2024	31/07/2024	31/07/2024	31/07/2023	Var to Current Yr
	Year to Date	Budget	Var to Budget	Var to Budget	Prior Year **	
Income:						
PATROL *	506,280	482,060	24,220	5.0%	553,554	-47,274
Bus Lane Income	139,711	172,225	-32,514	-18.9%	199,193	-59,482
Moving Traffic Income	24,227	15,793	8,435	53.4%	17,180	7,047
RoAE User Charging:						
RUCA (Dartcharge) - National Highways	365,419	170,000	195,419	115.0%	232,868	132,551
RUCA (Mersey Gateway) - Halton Borough Council	53,388	58,424	-5,036	-8.6%	66,621	-13,233
Clean Air Zones	87,076	134,992	-47,915	-35.5%	171,091	-84,015
LFV	910	125	784	625.7%	2	908
Bank Interest	44,726	22,000	22,726	103.3%	21,265	23,461
Sale of Assets	290	0	290	0.0%	0	290
Other Income	11,400	11,400	0	0.0%	12,261	-861
Total Income	1,233,427	1,067,019	166,408	15.6%	1,274,035	-40,608
Expenditure:						
Adjudicators	270,968	340,030	69,061	20.3%	256,155	-14,813
Staff	393,062	506,271	113,209	22.4%	413,286	20,224
Premises / Accommodation	26,433	27,167	734	2.7%	25,196	-1,237
Transport	8,701	5,667	-3,035	-53.6%	5,053	-3,648
Supplies and Services	39,731	79,647	39,916	50.1%	32,147	-7,584
IT	121,251	137,067	15,816	11.5%	118,825	-2,426
Services Management and Support	20,347	18,669	-1,678	-9.0%	17,780	-2,567
Audit Fees	-385	1,733	2,118	122.2%	1,367	1,752
Bad Debts - movement on provision	-16,628	0	16,628	0.0%	-19,037	-2,409
Total Expenditure	863,481	1,116,251	252,770	22.6%	850,772	-12,709
Surplus / (Deficit)	369,947	-49,232	419,178		423,263	-53,316
		0			0	0
Breakdown of Surplus	369,947	-49,232	419,178	-851.4%	423,263	-53,316
PATROL *	218,061	-27,206	245,267	-901.5%	314,890	-96,829
Halton Borough Council	20,441	11,486	8,956	78.0%	29,450	-9,009
National Highways	131,444	-33,511	164,955	-492.2%	78,925	52,519

PATROLAJC Executive Sub Committee

Date of Meeting:	15 th October 2024
Report Title:	Defraying the Expenses of the Joint Committee
Report of:	Laura Padden, Director, PATROL

1.0 Purpose of Report

1.1 To review the basis for defraying expenses during the 2024-25 Financial Year.

2.0 Recommendations

2.1 That for the Financial Year 2024-25, the Executive Sub Committee approves that the charge of **25 pence per PCN issued (effective from 1st October 2023) remains unchanged for the remaining 6 months of the financial year** for member authorities and notes the expected impact on reserves at 4.6 below.

2.2 That this will be reviewed at the January 2025 meeting in the light of actual income and expenditure information as part of the budget approval process for the year 2025-26.

2.3 That the rate of **25 pence per PCN** will apply to penalties issued as follows:

Parking – England and Wales

Bus Lanes and Moving Traffic – England and Wales

Road User Charging – England and Wales (In respect of Clean Air Zones, and the Durham Peninsular)

Littering from Vehicles - England

2.4 To note that separate charging arrangements are entered into with National Highways and Halton Borough Council who are not members of the Joint Committee but with each of whom the Joint Committee has entered into a Memorandum of Understanding. Ring-fenced balances associated with these schemes are reported separately to the Joint Committee within budget monitoring reports.

2.5 That there will be no annual charge, nor cost per case apart from the LFV PIN Generator initiative approved at the October 22 meeting.

2.6 Invoicing will be undertaken based on monthly returns received from enforcement authorities as in previous years.

3.0 Reasons for Recommendations

3.1 To comply with the Joint Committee’s Financial Regulations.

4.0 Background and Options

4.1 The Joint Committee provides the means to appeal to an independent adjudicator in respect of civil traffic enforcement in England (outside London) and Wales, road user charging and littering from vehicles.

4.2 The PATROL agreement provides for the adjudication service to be operated on a self-financing basis with expenses defrayed by member authorities. Where authorities are working in partnership, it is practice to charge those enforcement authorities who manage the enforcement income stream.

Table 1 provides an overview of the Joint Committee’s basis for defraying expenses since inception.

Table 1

Year	Per PCN	Annual	Per Case
1991/01	70 pence	£500	£10
2001/03	70 pence	£500	£0
2003/05	65 pence	£250	£0
2005/06	60 pence	£0	£0
2006/07	55 pence	£0	£0
2007/08	55 pence	£0	£0
2008/09	60 pence	£0	£0
2009/10	60/65 pence	£0	£0
2010/11	65 pence	£0	£0
2011/12	65 pence	£0	£0
2012/13	60 pence	£0	£0
2013/14	60 pence	£0	£0
2014/15	55 pence	£0	£0
2015/16	50/45 pence	£0	£0
2016/17	45/40 pence	£0	£0
2017/18	35 pence	£0	£0
2018/19	30 pence	£0	£0
2019/20	30 pence	£0	£0
2020/21	30 pence	£0	£0
2021/22	30 pence	£0	£0
2022/23	30 pence	£0	£0
2023/24	30 pence	£0	£0

2023/24 – 2 nd 6m	25 pence	£0	£0
2024/25	25 pence - proposed	£0	£0

- 4.3** The per PCN charge has more than halved since the inception of the Joint Committee and the annual and per case charges withdrawn entirely. Whilst the largest historical reductions were achieved through the introduction of a new appeals processing system, since then further reductions have been achieved through economies of scale and improving efficiencies which have resulted in financial savings despite reduced PCN activity since the Coronavirus pandemic.
- 4.4** It is recommended that for 2024-25, the Executive Sub Committee approves a rate of **25 pence per PCN for the second 6 months of the financial year** and that this is reviewed at the January 2025 meeting as part of the budget approval process for 2025-26.
- 4.5** The Executive Sub Committee is asked to note that the PATROL Joint Committee provides access to independent adjudication through the Traffic Penalty Tribunal for appeals arising from penalty charge notices issued under Road User Charging regulations at the Dartford-Thurrock River Crossing (Highways England) and at the Mersey Gateway Bridge Crossing (Halton Borough Council).

These arrangements are each underpinned by a Memorandum of Understanding as the Charging Authorities are not members of the PATROL Joint Committee.

The charges and agreed reserve levels for these are subject to separate arrangements agreed with the Charging Authority.

Balances associated with these schemes are reported separately to the Joint Committee within budget monitoring reports.

- 4.6** The recommendations are made with the following context and background:
- Changes in the charge per PCN issued have little impact on each individual authority but when combined, results in a larger impact on Reserves for PATROL.
 - There are several uncertainties surrounding PATROL activity currently. These include:
 - Change in central government and potential policy changes
 - Proposed changes to PCN amount and any impact that may have on issuance and appeal rates
 - Take up of Moving Traffic powers and the commencement of active enforcement
 - CAZ schemes
 - PATROL - unknown costs with seeking legal advice and defending possible claims
 - The appeals system support contract is due for renewal and the cost of this is expected to increase – we will also consider our options in terms of system development, longevity and/or replacement.

These issues all pose some potential risk / cost to PATROL. We therefore recommend prudence and maintaining Reserves at their current level.

4.7 The formal recommendation for defraying expenses for Member Authorities for 2024-25 and its impact on reserves is as follows:

- To maintain a charge per PCN of **25 pence per PCN issued for the second 6 months of the financial year 2024-25 (no change)**
- This would result in a forecast surplus for year for PATROL of £312,275
- Forecast FREE Reserves at 31st March 2025 of £2,226,423
- These balances exclude National Highways and Mersey Gateway ringfenced balances
- To reduce the charge of 25 pence per PCN issued to 20 pence per PCN issued for the last 6 months of the financial year 2024-25 would result in a forecast surplus for the year for PATROL of £88,442 and forecast FREE Reserves of £2,002,590.
- Backdating the same reduction for the whole year would result in a **deficit** for the year of £135,534

Effect on Reserves - PATROL ONLY:	£0.25	£0.20	6m & 6m*
PATROL Opening Reserves of 2024/25	4,136,399	4,136,399	4,136,399
<i>Of which are:</i>			
<i>General Approved Reserve</i>	1,674,376	1,674,376	1,674,376
<i>Approved Property Reserve</i>	334,875	334,875	334,875
<i>Approved Technology Reserve</i>	163,000	163,000	163,000
<i>Innovation & Research</i>	50,000	50,000	50,000
TOTAL Approved Reserve	2,222,251	2,222,251	2,222,251
Free Reserves at 01.04.24	1,914,148	1,914,148	1,914,148
Surplus / (Deficit) ytd to March 2025	312,275	-135,534	88,442
FREE Reserves to end March 2025	2,226,423	1,778,614	2,002,590

4.8 The three options would result in the following forecast surpluses compared to approved budget for 2024/25.

	£0.25 Surplus	£0.20 Surplus	6m & 6m* Surplus	BUDGET
PATROL	312,275	-135,534	88,442	-81,618
HE	64,583	-88,501	-28,501	-100,534
MG	15,792	-14,886	114	34,457
	392,649	-238,920	60,055	-147,695

5.0 Implications

5.1 Finance

5.1.1 Detailed in the report.

6.1 Legal Implications

6.1.1 In accordance with the PATROL Adjudication Joint Committee Agreement.

7.1 Risk Management

7.1.1 Financial resilience is monitored within the Risk Management Strategy.



PATROLAJC Executive Sub Committee

Date of Meeting: 15th October 2024

Report Title: Expenditure Falling outside of the Financial Regulations

Report of: Laura Padden, Director, PATROL

1.0 Report Summary

1.1 To report any expenditure falling outside of the Financial Regulations 2024/25.

2.0 Recommendations

2.1 To note the report at **Appendix 1**.

3.0 Reasons for Recommendations

3.1 To comply with the Financial Regulations.

4.0 Background and Options

4.1 The PATROL Adjudication Joint Committee approved the Financial Regulations and the Scheme of Financial Delegations 2023/24 at its meeting on 9th July 2024.

4.2 The Scheme of Financial Delegations sets out (under section 2) that:

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.

<i>Up to £2,000</i>	<i>a written quotation submitted by the requisitioner and authorised by the Budget Manager</i>
<i>Between</i>	<i>three written quotations submitted against an outline specification</i>

<i>£2,000 and £30,000</i>	<i>by the Budget Manager</i>
<i>£30,000 to £172,514 (EU threshold)</i>	<i>formal tender process to at least three candidates authorised by the Director</i>
<i>EU threshold to £250,000</i>	<i>Follow EU tender rules initiated by the Director</i>

4.3 There may be occasions when it is not practical, or in the best interest of the Joint Committee, to obtain 3 quotes for expenditure for between £2,000 and £30,000.

4.4 The Financial Regulations (section 1.7) allow that 3 quotes need not be obtained, but that the Director will report this to the Joint Committee as follows:

The Director can allow exceptions to these Regulations if it is believed that the best interests of the Joint Committee would be served if the Regulations were not applied. A written record of these decisions must be kept and reported to the Joint Committee at the next available meeting.

5.0 Implications

5.1 Finance

5.1.1 Compliance with approved procedures and controls.

6.1 Legal Implications

6.1.1 None.

7.1 Risk Management

7.1.1 Financial resilience is monitored within the Risk Management Strategy.

Appendix 1:

Expenditure Falling Outside the Financial Regulations - Financial Year 24/25:

Supplier	Financial Year 24-25	Comment
1	90,663.94	Knowledge Base (IT Support)
2	77,804.58	Knowledge Base - System development
3	27,837.63	Specialist communications consultancy.
4	15,621.00	Ongoing commitment - server hosting (IT). Previously known as Melbourne Hosting
5	13,612.24	Temp Resource and Recruitment. Best candidates.
6	8,363.62	On Line Customer Service Tool
7	6,600.00	Ongoing Commitment - PC Phone System
8	5,604.08	Network provision and Support - ongoing
9	5,070.05	Data Storage - ongoing commitment
10	4,767.60	Ongoing contract. To seek comparable quotes in 23/24
11	3,925.38	IT ticket management and workload planning
12	3,378.19	Outward postage
13	2,736.00	Knowledge Base (IT support)
14	2,367.59	Mobile Comms - all staff
15	2,224.95	Reporting Tool

** supplier names are hidden due to commercial sensitivity*

PATROLAJC Executive Sub Committee

Date of Meeting:	15 th October 2024
Report Title:	Risk Management Framework
Report of:	Laura Padden, Director, PATROL

1.0 Purpose of Report

- 1.1. To provide the Executive Sub Committee with a summary of the most significant threats facing the Joint Committee which may prevent or assist with the achievement of its objectives.

2.0 Recommendation

- 2.1. To note the current assessment of risk as attached to appendix one of the report.

3.0 Reasons for Recommendation

- 3.1 To report on arrangements for identifying, managing and reporting risk.

4.0 Background

- 4.1 It is the role of the Advisory Board to review the report prior to consideration by the Joint Committee or its Executive Sub Committee. This review aims to provide assurance on the adequacy of the risk management framework and internal control environment. Risk management is not about being risk averse, it is about effectively managing risks that could affect the achievement of objectives and ensuring that an appropriate risk culture is in place.
- 4.2 A risk is concerned with a threat, or a possible future event, which will adversely or beneficially affect the Joint Committee's ability to achieve its objectives. Risk management is central to good governance and is all about people making the best decision at all levels within the organisation.
- 4.3 A strong risk framework:
- Strengthens governance effectiveness

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

4.4 The Joint Committee summarises its risk appetite as follows:

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

There are presently 5 threats on the Corporate Risk Register. These are currently measured as being “low” or “medium” scale risks. The classification of risk is set out below.

Risk Matrix

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

4.5 Background to Corporate Risks:

4.6 Local authorities who undertake civil parking and bus lane enforcement are required by statute to make provision for independent adjudication. The relationship between the adjudicators and the Joint Committee is derived from and governed by the Traffic Management Act 2004.

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

- Parking
- Bus Lanes
- Moving Traffic
- Road User Charging (Dartford-Thurrock River Crossing, Mersey Gateway Bridge Crossing and Charging Clean Air Zones)
- Littering from vehicles

4.8 The objectives of PATROL include:

- a) A fair adjudication service for Appellants including visible independence of adjudicators from the authorities in whose areas they are working.

- b) Consistency in access to adjudication.
- c) A cost effective and equitable adjudication service for all Parking Authorities and Bus Lane authorities in England and Wales.
- d) Flexibility to deal with a wide range of local authorities with varying levels of demand for adjudication.

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

- 4.9** The adjudicators and the Joint Committee is committed to a fair adjudication service for appellants including visible independence of adjudicators from the authorities in whose area they are working.
- 4.10** The Director is responsible for coordinating the review of the Risk Management Framework with input from the Senior Management Team.
- 4.11** Following this scrutiny, the Risk Management Framework is reported to the PATROL Committee or its Executive Sub Committee. The framework has been reviewed and there are no changes to the document since it was last considered at a meeting of the July Joint Committee.
- 4.12** Additional assurance is provided by Internal and External Audit. PATROL is not required to prepare and publish audited accounts but does so to promote transparency.

5.0 Implications

5.1. Finance

- 5.1.1** As reported within this report and financial reports on the agenda.

6.1 Risk Management

- 6.1.1** Provides a framework for risk management.

Risk Register 2024/2025 - Reviewed April 2024										APPENDIX ONE			
Risk No.	Risk	Risk Description including impact	Risk Owner(s)	Inherent Likelihood	Inherent Impact	Inherent Rating	Risk Accepted	Direction	Controls	Inherent Likelihood	Inherent Impact	Residual Rating	Comments
CR1	Inability to meet demand for service	(Cause) The tribunal provides a statutory function which is available to all vehicle owners who receive a Notice of Rejection of Representations in respect of specified penalties. (Threat) the tribunal is unable to meet its statutory obligations (impact) appellants are unable to appeal penalties	Chief Adjudicator and Stakeholder Engagement & Systems Manager	1	3	3	Yes	↓	This rating has reduced from 4 to 3 (low). The tribunal has a fully scalable online system and a flexible adjudicator and staffing model. The online process is complemented by assisted digital support for appellants who are unable to make their appeal online. The tribunal continues to refine and develop the online system in response to user feedback. The tribunal has demonstrated a seamless transition to homeworking for staff in response to the pandemic which has also seen a reduction in appeals. In addition to this a further assessment of adjudicator requirements was undertaken and a number of adjudicators from London were assigned to work with the Traffic Penalty Tribunal. These appointments will assist with the hearing process should	1	3	3	No further action
CR2	Lack of Financial Resilience	(Cause) The basis for defraying Joint Committee expenses is based on variable rather than fixed charges. This means that the Joint Committee must manage unforeseen significant fluctuations in either Income or Costs such that (threat) Reserves are significantly eroded and (impact) financial obligations cannot be met.	Director and Central Services Manager	1	5	5	Yes	→	This rating remains unchanged. The Reserves levels have now been restored to their minimum threshold. Whilst the number of FQNs issued is still lower than pre-pandemic levels, the addition of Q&Z and moving traffic schemes is having a positive impact on overall volumes and income. We continue to strictly monitor income and expenditure and are now in the position to reduce the FQN charge without a negative impact on our operations, we have therefore reduced this risk but will continue to keep our monitoring and controls in place and being reactive to any fluctuations.	1	5	5	No further action
CR3	Loss of Data Confidentiality, Integrity & Availability (C.I.A)	(Cause) The Tribunal operates an on-line appeal system to improve the quality and flexibility for tribunal users. Support systems are also underpinned by a range of technologies. With this deployment of technologies, the risk of security breaches increases. This could result in the inability of IT to support the needs of the organization and users such that (threat) the (Cause) insufficient adjudicator or staff resources to support the needs of the organization such that (threat) the organization is unable to meet its statutory obligations and (impact) the quality or timeliness of the adjudication process, administrative standards or the achievement of development objectives compromised.	Director and Stakeholder Engagement & Systems Manager	3	3	9	Yes	→	This rating remains unchanged. A range of security monitoring features, data management procedures and training are being reviewed and deployed in the light of GDPR and DPA 2018. These measures have been reviewed in light of homeworking. The data impact of the UK leaving the EU is being kept under review and hosting of the appeal system has transferred from the EU to UK.	3	3	9	No further action
CR4	Lack of Resource Planning	(Cause) insufficient adjudicator or staff resources to support the needs of the organization such that (threat) the organization is unable to meet its statutory obligations and (impact) the quality or timeliness of the adjudication process, administrative standards or the achievement of development objectives compromised.	Chief Adjudicator and Director	2	2	4	Yes	→	This rating remains at 4 in the light of reduced appeals since the pandemic. Current information shows that appeals are not increasing at a significant rate where additional resources would be required. There are vacancies within the team and these could be filled as and when required. Short term indicators imply that the situation is unlikely to change in the near future. The appointment of a number of adjudicators from the London Tribunal means there is now the ability to call on additional resources if required should circumstances change.	2	2	4	No further action
CR5	Lack of preparation for business continuity	(Cause) that an internal or external incident occurs which renders the organisation unable to utilise part or all of its infrastructure such that (impact) the organisation is unable to deliver some or all of its services resulting in (impact) reduced accessibility to our service.	Central Services Manager and Stakeholder Engagement & Systems Manager	1	4	4	Yes	↓	This rating has reduced from 5 to 4 and reflects the flexibility demonstrated in moving from an office based to remote workforce with no unplanned loss of service. Planned technology upgrades have taken place to further support business continuity. A detailed DRP plan to mitigate risk is held and reviewed each year. This is accessible to all managers and has clearly defined responsibilities.	1	4	4	No further action

Impact Levels	Impact	Definition
0	There is no impact on the organisation	Loss of service for > 30 Minutes
1	There is a minimal impact on the organisation	Loss of service for > 2 Hours
2	There is a minor impact on the organisation	Loss of service for > 8 Hours
3	There is a moderate impact on the organisation	Loss of service for > 1 Day
4	There is a serious impact on the organisation	Loss of service for > 3 Days
5	There is a severe impact on the organisation	Loss of service for > 7 Days
Likelihood Levels		Definition
0	Never	0% chance of successful exercise of threat during a one-year period
1	Rare	1% chance of successful exercise of threat during a one-year period
2	Unlikely	2% - 5% chance of successful exercise of threat during a one-year period
3	Possible	5% - 10% chance of successful exercise of threat during a one-year period
4	Likely	10% - 25% chance of successful exercise of threat during a one-year period
5	Very Likely	> 25% chance of successful exercise of threat during a one-year period
Risk Levels = Impact Level x Likelihood Level		Definition
0		No risk
1 - 4		Very low risk
5 - 9		Low risk
10 - 14		Medium risk
15 - 20		High risk
21 - 25		Critical risk



Red Routes

Regulations and appeals overview

October 2024



1. The Regulations

England

The Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022 (2022 English Regs)

Regulation 10 (2)(a)(i)

Under this regulation, red route enforcement may be carried out by CCTV cameras (“an approved device”) with a notification of the penalty (“a regulation 10 penalty charge notice”) served to the Driver and Vehicle License Agency (DVLA) registered keeper of the vehicle by post. The vehicle must be stationary on the red route (covered by Regulation 11).

Wales

The Civil Enforcement of Road Traffic Contraventions (General Provisions) (Wales) Regulations 2013 (2013 Welsh Regs)

Regulation 10.—(1)

‘An enforcement authority may serve a penalty charge notice by post where—

(a) on the basis of a record produced by an approved device, the authority has reason to believe that a penalty charge is payable with respect to a road traffic contravention committed in relation to a vehicle in a civil enforcement area;’

2. Signs and Lines

2022 England Regs, Regulation 11(2)

“red route” means a road marked in accordance with—

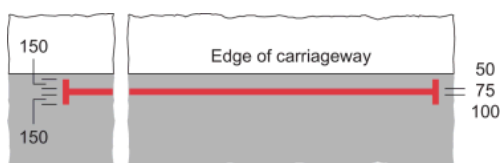
(a) diagram 1018.2 at item 11 or diagram 1017.1 at item 12 in Part 4 of Schedule 7 to the Traffic Signs Regulations

and

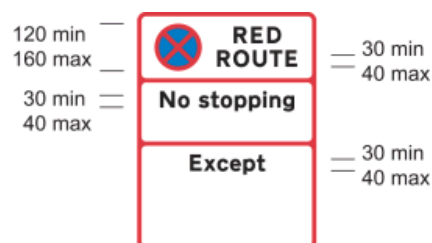
(b) the upright sign at Part 1 of Schedule 6 to those Regulations;



Stopping of vehicles prohibited at all times



Stopping of vehicles prohibited for a time that is not continuous throughout the year



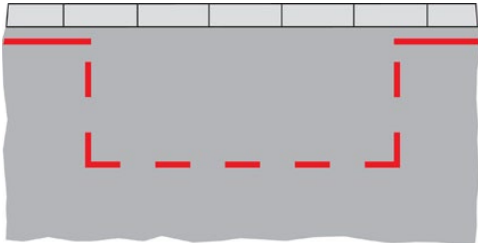
Overall dimensions of sign will vary to accommodate elements

“the Traffic Signs Regulations” means the Traffic Signs Regulations and General Directions 2016(1).’

3. Judicial Review

CCTV enforcement includes red route bays:

R (Transport for London) v London Environment and Traffic Adjudicators [2023] EWHC 2889 (Admin) confirms bays are part of the red route and enforceable by CCTV observation (see reference images below).



4. Appeals

Appeals received at Traffic Penalty Tribunal under contravention code 46* (reporting period 1 Sep 2023 – 30 Sep 2024).

	England	Wales
Allowed	32	2
Refused	90	0
Not contested	61	1
Consent order	4	0
TOTAL	214	3

'Other' outcomes make up appeals not accounted for above, inc. witness statements and appeals withdrawn / not registered.

* **Parking England and Wales Contravention Code 46 (On Street, Higher Level):** Stopped where prohibited (on a red route or clearway)

4.1 Sample of appeal issues

– Stopped only briefly:

From an adjudicator decision: *“A ‘red route’ restriction is a ‘stopping’ restriction and so even if a vehicle is only stationary for a few seconds the contravention can occur and here the footage shows the vehicle was stationary and I find there was a contravention.*

“The double red line on the carriageway means that stopping is not permitted at all, even momentarily. The restriction does not require the engine to be stopped or that the vehicle is left unattended. This is a stopping not a parking restriction so stopping the vehicle at the location, even for a very short space of time is not allowed.”

– Penalty has been paid

– Lawfully loading: Late invoice provided, not contested.

– Late mitigation accepted: Not contested (illness).

– Vehicle was not stationary

Reversing into parking bay.

– Discretion applied by council: Blue badge.

– Loading bay: No loading driver, returns with small item (sandwich).

– Boarding/alighting: Not an exempt activity.

– No ticket found on vehicle:

Reg 9 2022 English Regs enforcement.

– Vehicle breakdown:

Found not to be outside driver’s control, i.e. no petrol/water.

– Mitigation that the adjudicator cannot take into account:

i.e. receiving a telephone call.

– On footway adjacent to red route

– Location photographs not accepted:

Bollard observed in fact pedestrian.

– Evidence of A&E visit provided:

Medical emergency.

– Incorrect Notice of Rejection issued (failure to offer discount as per 2013 Welsh Regs):

From an adjudicator decision: *“The law in Wales says that when a PCN based on video evidence is served by post, a Notice of Rejection must offer a 50% discount for another 21 days, beginning with the date on which the Notice of Rejection is served. I refer to regulation 10(1)(a) of The Civil Enforcement of Road Traffic Contraventions (General Provisions) (Wales) Regulations 2013 and to regulation 6(3) of The Civil Enforcement of Road Traffic Contraventions (Representations and Appeals) (Wales) Regulations 2013.*

“The Notice of Rejection failed to comply with regulation 6(3) because it claimed £70 and failed to offer a 50% discount. This is a material procedural error (regulation 4(4)(f) and 4(5)). For this reason, I find that there is a statutory ground to allow this appeal. There is nothing to pay.”

4.2 Enforcing authorities

Appeals relating to penalties issued for red route contraventions have been received from the below local authorities:

England (outside London)

Bedford, Birmingham, Blackburn, Bradford, Brighton, Coventry, Dorset, Essex, Leeds, Leicester, Lincolnshire, Luton, Medway, North Yorkshire (Scarborough), Newcastle, Nottingham, Reading, Salford, Sandwell, Sheffield, Solihull, Somerset, Stoke-on-Trent, Thurrock, Trafford, Walsall, Windsor & Maidenhead.

Wales

Merthyr Tydfil, Swansea (in reporting period). Neath Port Talbot and Vale of Glamorgan also now enforce.



5. Conclusion

The same types of grounds of appeal are raised – mitigation / unaware of stopping contravention – but CCTV provides better evidence – full observation, allowing the adjudicator to assess the contemporaneous recording against the motorist’s submissions.

Caroline Hamilton

Chief Adjudicator
2 October 2024



**Traffic Penalty
Tribunal**
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PATROL

Public Affairs Update: To 4 September 2024

1. Commencement of and engagement with new Government

On 5 July 2024, Labour won the General Election and Sir Keir Starmer announced his new Cabinet. Louise Haigh, MP for Sheffield Heeley, was appointed Secretary of State for Transport and later announced her ministerial team, which includes Future of Roads Minister, Lilian Greenwood, MP for Nottingham South, and Local Transport Minister, Simon Lightwood, MP for Wakefield and Rothwell.

Secretary of State Haigh quickly established a new motto for the Department for Transport (DfT) to 'move fast and fix things', also promising the Department would 'think about infrastructure and services together at every turn.' She has set out five strategic priorities, including:

- improving performance on the railways and driving forward rail reform
- improving bus services and growing usage across the country
- transforming infrastructure to work for the whole country, promoting social mobility and tackling regional inequality
- delivering greener transport
- better integrating transport networks.

More recently, Haigh has laid out plans to support local authorities to introduce 20 mile-per-hour limits, cycle lanes and Low Traffic Neighbourhoods in a notable departure from the previous Government's stance on such issues. She has also announced a new road safety strategy.

PATROL has already engaged with the new government through its established contacts in the DfT, sharing a joint letter from Chair Councillor Stuart Hughes and Director Laura Padden. The letter sets out PATROL and the Traffic Penalty Tribunal's unique insight into the traffic management and enforcement landscape and the organisation's key priorities for action:

- **Pavement parking:** Seeking a timely response to the Department's 2020 consultation, reiterating the call from our members and other interest groups, as well as the fact the previous administration had promised action imminently.
- **Moving traffic:** Calling for an end to the delay on the latest tranche of authorities being approved for the powers, as well as the wider roll-out to be put back on track.
- **The level of civil traffic penalty charges in England (outside London) and Wales:** Highlighting and resharing the research PATROL conducted in 2023 with the British Parking Association (BPA) and the support of the Local Government Association (LGA), as well as seeking a formal response to the recommendations made.

With the summer recess now over, PATROL anticipates a response soon and has established a regular diary appointment with the key DfT policy personnel.

2. Current traffic management issues

a. Pavement Parking

- **England (outside London):** PATROL continues to await a formal response from the DfT – following its October 2020 consultation – on when policy changes will be announced. As referenced in 1, PATROL has set out the issue as a policy priority for the new government in recent engagement with the new Secretary of State for Transport.
- PATROL is encouraged by the tone of the new Secretary on local transport matters, as well as by her appointment of Lilian Greenwood as Future of Roads Minister.
 - Minister Greenwood has engaged positively with our organisation’s work around the problem of pavement parking in recent years and has been vocal on the issue during House of Commons debating this year.
 - The Minister responded to a written question as recently as 3 September from Greg Smith, Conservative MP for Mid Buckinghamshire, who asked when the DfT’s 2020 consultation response would be published. Minister Greenwood said:

‘In 2020, the Department undertook a public consultation on options for changing the way pavement parking is managed outside London. We are considering the views received to inform the Government’s next steps for pavement parking policy.’

PATROL will update members on the response it receives from the DfT as soon as possible and appropriate.

- **Wales:** The Welsh Government’s plans to give councils powers to enforce against pavement parking are currently on hold. The decision was made last year due to the pressure on authorities to implement enforcement alongside the planned default 20mph speed limit and reforms to the bus network. Consultation and introduction of the new pavement parking powers are still expected in 2024.
- **Scotland:** The *Transport (Scotland) Act 2019* bans pavement parking, double parking and parking at dropped kerbs, with certain exemptions designated by local authorities; for example, to ensure safe access for emergency vehicles.
 - Authorities currently enforcing or planning to enforce pavement parking include: Aberdeenshire, East Lothian, Edinburgh, Fife, Glasgow, Highland, North Ayrshire and South Ayrshire.

b. Moving Traffic Powers in England (outside London)

- A list of local authorities approved to enforce moving traffic restrictions and links to details of those restrictions can be found in the table below.

These authorities were included under Designation Orders that came into force in July 2022 (<https://www.legislation.gov.uk/ukxi/2022/686/contents/made>) and July 2023 (<https://www.legislation.gov.uk/ukxi/2023/698/contents/made>).

- A third tranche of authorities was set to be granted powers this year, but this is currently on hold pending an update from the DfT.
- The Traffic Penalty Tribunal decides appeals relating to the enforcement of moving traffic contraventions, with the first of these appeals received relating to England (outside London) authorities in June 2023. 141 appeals have been registered at the Tribunal to date.
- **PATROL has asked the DfT to update on the status of Tranche 3 and the onward roll-out of powers to other authorities as soon as possible, and continues to engage with members indicating they wish to commence enforcement.**

Authority	Detail on active / proposed restrictions
Bath & North East Somerset Council	https://beta.bathnes.gov.uk/moving-traffic-enforcement-powers-consultation/scheme-overview
Bedford Borough Council	https://www.bedford.gov.uk/parking-roads-and-travel/roads-and-pavements/traffic-regulation-orders/implemented-traffic
Birmingham City Council	https://www.birminghambeheard.org.uk/economy/mteconsultation/
Bournemouth, Christchurch and Poole Council	https://haveyoursay.bcpccouncil.gov.uk/21069/widgets/59914/documents/35609
Bradford Council	https://www.bradford.gov.uk/transport-and-travel/highways/traffic-regulation-order/
Bristol City Council	https://www.bristol.gov.uk/residents/streets-travel/transport-plans-and-projects/moving-traffic-enforcement
Buckinghamshire Council	https://www.buckinghamshire.gov.uk/parking-roads-and-transport/moving-traffic-offences/
Cambridgeshire County Council	<i>Information no longer live online</i>
Central Bedfordshire Council	https://www.centralbedfordshire.gov.uk/info/38/consultations/1189/consultation_on_new_powers_to_improve_road_safety/8
Cheshire West and Chester Borough Council	https://www.cheshirewestandchester.gov.uk/residents/transport-and-roads/parking-and-permits/bus-lane-enforcement/moving-traffic-enforcement
Coventry City Council	https://www.coventry.gov.uk/roads-highways-pavements/school-streets/4
Derby City Council	https://www.derby.gov.uk/transport-and-streets/parking-in-derby/moving-traffic-enforcement/#page-1
Durham County Council	https://www.durham.gov.uk/article/28419/Council-enforcement-goes-live-with-new-cameras
Gloucestershire County Council	https://www.gloucestershire.gov.uk/parking/moving-traffic-enforcement-information/update-moving-traffic-enforcement-commencing-20th-may-2024/

Hampshire County Council	https://www.hants.gov.uk/transport/parking/anpr-locations
Herefordshire Council	https://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?ID=8953
Hertfordshire County Council	https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/speed-awareness-and-driver-training/enforcement-cameras/unattended-camera-enforcement.aspx
Kent County Council	https://www.kent.gov.uk/roads-and-travel/travelling-around-kent/driving/enforcing-traffic-offences
Lancashire County Council	https://www.lancashire.gov.uk/roads-parking-and-travel/roads/moving-traffic-offences/
Leeds City Council	https://democracy.leeds.gov.uk/ieDecisionDetails.aspx?Id=56023
Leicester City Council	https://www.leicester.gov.uk/transport-and-streets/parking-and-bus-lane-enforcement/bus-lane-fines-and-enforcement/
Liverpool City Council	https://liverpool.gov.uk/parking-roads-and-travel/parking-fines-and-challenges/moving-traffic-offences/
Luton Borough Council	https://m.luton.gov.uk/Page/Show/Transport_and_streets/Parking/Pages/Moving-traffic-enforcement.aspx
Manchester City Council	https://www.manchester.gov.uk/info/500344/roads_and_transport/8642/moving-traffic-contraventions
Medway Council	https://www.medway.gov.uk/info/200160/roads_and_pavements/1602/moving-traffic-offences
Newcastle City Council	https://www.newcastle.gov.uk/citylife-news/transport/council-apply-new-traffic-enforcement-powers-following-consultation
Norfolk County Council	https://www.norfolk.gov.uk/roads-and-transport/moving-traffic-and-bus-lane-enforcement/moving-traffic-enforcement
North Northamptonshire Council	https://www.northnorthants.gov.uk/parking/parking-and-bus-lane-penalty-charge-notices/pay-moving-traffic-enforcement-penalty-charge
Nottingham City Council	https://committee.nottinghamcity.gov.uk/documents/s162193/Moving%20Traffic%20Enforcement%20Guidelines%20and%20Practice%20Final%20Draft.pdf
Oldham Council	https://pplengagement-hub.co.uk/en-GB/projects/oldhammteplans
Peterborough City Council	https://www.peterborough.gov.uk/residents/transport-and-streets/moving-traffic-enforcement
Oxfordshire County Council	https://www.oxfordshire.gov.uk/residents/roads-and-transport/parking/parking-and-bus-gate-fines/moving-traffic-enforcement
Reading Borough Council	https://www.reading.gov.uk/vehicles-roads-and-transport/moving-traffic-enforcement/information-about-moving-traffic-enforcement/
Rochdale Council	https://www.rochdale.gov.uk/roadworks-repairs-restrictions/proposed-permanent-restrictions-highways-traffic-regulation-orders
Rotherham Metropolitan Borough Council	https://www.rotherham.gov.uk/news/article/1048/new-traffic-cameras-will-improve-road-safety#:~:text=Enforcement%20powers%20from%20the%20Traffic,Performing%20banned%20turns
Salford City Council	https://sccmovingtrafficoffences.commonplace.is/en-GB/proposals/overview/step1
Sheffield City Council	https://www.sheffield.gov.uk/sites/default/files/2024-05/civil_parking_bus_lane_and_moving_traffic_enforcement_policy.pdf
Shropshire Council	https://www.shropshire.gov.uk/traffic-management/permanent-traffic-regulation-orders/
South Gloucestershire Council	https://consultations.southglos.gov.uk/gf2.tiff/1470306/157014149.1/PDF/-/Statement%20of%20Reasons%20V7.pdf
Southampton City Council	https://www.southampton.gov.uk/travel-transport/apply-pay/moving-traffic-area/

City of Stoke-on-Trent Council	https://www.stoke.gov.uk/info/20008/roads_parking_and_travel/568/moving_traffic
Surrey County Council	https://www.surreycc.gov.uk/roads-and-transport/moving-traffic-offences
Thurrock Borough Council	https://www.thurrock.gov.uk/traffic-management/enforcement-of-traffic-offences
Trafford Council	https://www.trafford.gov.uk/residents/transport-and-streets/roads-highways-and-pavements/Traffic-Regulation-Orders.aspx
Walsall Council	https://go.walsall.gov.uk/newsroom/walsall-council-gain-powers-civil-enforcement-moving-traffic-contraventions
West Berkshire District Council	https://www.westberks.gov.uk/MTOpowers#Results
West Northamptonshire Council	https://www.westnorthants.gov.uk/parking/moving-traffic-enforcement
West Sussex County Council	https://www.westsussex.gov.uk/roads-and-travel/parking/moving-traffic-enforcement/
Wigan Council	https://www.wigan.gov.uk/Council/Consultations/Current/Moving-traffic-offences.aspx
Royal Borough of Windsor and Maidenhead	https://www.rbwm.gov.uk/home/transport-and-streets/parking/moving-traffic-enforcement-frequently-asked-questions
Wirral Council	https://haveyoursay.wirral.gov.uk/moving-traffic-enforcement
Wokingham Borough Council	https://www.wokingham.gov.uk/parking-and-transport/moving-traffic-offences

c. Level of civil parking penalty charges in England

- PATROL has conducted research into how the current civil parking penalty charge levels are impacting its authorities. The research – carried out with the BPA and the support of the LGA between May and August last year – produced stark findings relating to the financial position of authorities and the impact on enforcement.
- The main findings of the research, based on data from participating PATROL authorities, are as follows:
 1. Over a third of authorities' (34%) parking services no longer pay for themselves (operating costs have increased 29% on average).
 2. More than half of authorities (54%) believe the current levels of parking penalty charges are ineffective as a deterrent.
 3. Over two thirds of authorities (70%) reported individual motorists regularly receiving and paying PCNs in their area.
- Respondent authorities are increasingly concerned about the adequacy of income generated to maintain enforcement services at a sufficient level. Additionally, they are worried about the diminishing financial deterrent effect of the penalty levels, which have not kept pace with inflation. These concerns are further exacerbated by a significant rise in the number of vehicles on roads in recent years, which has stretched enforcement resources still further.
- In response, PATROL, the BPA and the LGA made the following recommendations to the DfT and then Department for Levelling Up, Housing and Communities (DLUHC) in January:
 1. The levels of civil penalty charges in England and Wales enforced under the *Traffic Management Act 2004* should be increased to £100 (lower-level contraventions) and £130 (higher level), as appropriate.
 2. The PATROL Joint Committee should be given the ability to regularly consult on and review civil penalties (for parking and other traffic schemes) as part of PATROL's statutory function, bringing powers in line with the London model.
 3. Automatic Number Plate Recognition (ANPR) powers should be granted to authorities enforcing off-street car parks.
 4. Statutory enforcement documents (post-PCN) should be issued digitally, rather than by first-class post, where motorists have engaged with the digital route.
- A copy of the research report is available at:
https://www.patrol-uk.info/docs/PATROL-PCN-Research-Docs/PATROL_BPA_LGA_Research_report_Civil_parking_penalty_levels_RELEASE_1004_24.pdf
 - PATROL received an initial response earlier this year from then Parliamentary Under-Secretary of State for Roads and Local Transport at the DfT, Guy Opperman, who thanked the organisations for such a thorough and detailed body of evidence.

PATROL has subsequently reshared the report and findings with the new Secretary of State for Transport in its recent engagement. An update is awaited and will be communicated when appropriate.

d. Restricting the generation of surplus funds from traffic contraventions

- The DfT (under the previous government) gathered evidence on councils' abilities to generate and / or retain a surplus from traffic enforcement, the practices that may lead to such surpluses being generated and what the impact may be if the revenue was surrendered to HM Treasury, rather than being used to fund local transport projects.
 - View the consultation at: <https://www.gov.uk/government/calls-for-evidence/restricting-the-generation-of-surplus-funds-from-traffic-contraventions/restricting-the-generation-of-surplus-funds-from-traffic-contraventions>
- The consultation followed the publication of the then government's *Plan for drivers* earlier in October last year, which targeted to improve the experience of driving and services provided for motorists.
 - The latest information on the Plan, set out by the former Secretary of State for Transport Mark Harper in March, is available at: <https://www.gov.uk/government/speeches/plan-for-drivers-ensuring-traffic-measures-have-local-support>

Of most relevance to PATROL authorities is the *Plan's* stated aim to 'crack down' on 'unfair enforcement' and 'improve drivers' lives, reduce congestion and make journeys smoother'. Measures in the plan include:

- New guidance on Low Traffic Neighbourhoods <https://www.gov.uk/government/publications/implementing-low-traffic-neighbourhoods/implementing-low-traffic-neighbourhoods>.
 - The call for evidence on restricting surpluses.
 - Updated bus lane guidance <https://www.gov.uk/government/publications/bus-user-priority-ltn-124>.
 - Delivering the National Parking Platform ending the need to use multiple parking apps (over 200 local authorities have signed up to the scheme to date).
 - Development of new sector-led guidance on moving traffic enforcement powers, including the strengthening of statutory guidance (this appears to have been shelved for now).
- In light of PATROL's research referenced at Item '2c', which conversely found councils are facing financial shortfalls and that any surpluses were generally small or non-existent, PATROL responded to the call for evidence, making reference to its findings and subsequent recommendations.
 - PATROL's response is available to view or download at: https://www.patrol-uk.info/wp-content/uploads/2024/05/DfT-Call-for-Evidence_Restricting-surpluses_PATROL-Response_090524.pdf

A response from the new government is awaited, with PATROL anticipating this consultation may be shelved together with the *Plan for drivers* itself.

e. Level of private parking penalty charges and debt recovery fees in England

- The then DLUHC (under the previous government) consulted last year on the level of penalty charges that private parking operators can charge, as well as the associated debt recovery fees.
 - The consultation (<https://www.gov.uk/government/calls-for-evidence/private-parking-code-of-practice-call-for-evidence/private-parking-charges-and-debt-recovery-fees-call-for-evidence>) was part of the Government's industry reform efforts through the *Parking (Code of Practice) Act 2019*. The Government's proposed new Code of Practice was published in February 2022, but then withdrawn pending further consultation.
- PATROL prepared a response to the consultation calling for greater consistency and parity between the private and civil schemes from the perspective of the motorist user experience. This included the recommendation that penalty charges be set at the same levels, the discount period for paying being the same (50%) and, at least in time, ANPR powers being granted for civil parking enforcement (echoing the findings of the research on civil penalty charge levels).
 - PATROL's response is available to view or download at: https://www.patrol-uk.info/wp-content/uploads/2024/05/PATROL-response-to-Private-Parking-CfE_FINAL_061023.pdf
- Separately to DLUHC (now the Ministry of Housing Communities and Local Government) and work on its new Code of Practice, the BPA and International Parking Community released their own version of a Code of Practice in June 2024.
 - The organisations state their Code (<https://www.britishparking.co.uk/write/Documents/AOS/NEW%20Redesigned%20Documents/sectorsingleCodeofPractice.pdf>) is based on the Government's, but with a series of amendments, and that their members should be required to meet the new standards by December 2026.

A response from the new government is awaited and PATROL will respond or provide further information and evidence accordingly.

f. Other items of interest since last report

- **16 July: TRANSPARENCY DATA – New DfT and transport non-departmental public bodies organisational charts**
<https://www.gov.uk/government/publications/department-for-transport-and-ndpb-structure-charts-organisational-and-salary-disclosure-data#full-publication-update-history>
- **11 July: PRESS RELEASE – Transport Secretary kickstarts 'bus revolution' as she promises to support local leaders to deliver better buses up and down the country**
 Transport Secretary, Louise Haigh, begins the government's 'bus revolution', as she pledges to support every community to take back control of buses through franchising or public ownership.
<https://www.gov.uk/government/news/transport-secretary-kickstarts-bus-revolution-as-she-promises-to-support-local-leaders-to-deliver-better-buses-up-and-down-the-country>
- **9 July: NEWS – 'Levelling Up' name dropped in DLUHC department name reverted to 'Ministry of Housing Communities and Local Government'**

3. Roll-out of Clean Air Zones (CAZs) and similar schemes in England (outside London) and Wales

Overview of confirmed local authority plans

Location	Current status
Bath	<ul style="list-style-type: none"> • Zone launched 15 March 2021.
Birmingham	<ul style="list-style-type: none"> • Zone launched 1 June 2021.
Portsmouth	<ul style="list-style-type: none"> • Zone launched 29 November 2021.
Oxford (ZEZ)	<ul style="list-style-type: none"> • Pilot zone launched 28 February 2022. • Public consultation on wider zone currently ongoing until 3 October 2022.
Bradford	<ul style="list-style-type: none"> • Zone launched 26 September 2022.
Bristol	<ul style="list-style-type: none"> • Launch launched 28 November 2022.
Newcastle, Gateshead and North Tyneside	<ul style="list-style-type: none"> • Launch launched 30 January 2023.
Sheffield	<ul style="list-style-type: none"> • Launch launched 27 February 2023.
Greater Manchester (Greater Manchester Combined Authority)	<ul style="list-style-type: none"> • Mayor Andy Burnham confirmed on 13 December 2023 that a non-charging plan and investment in cleaner transport (buses and taxis) had replaced the CAZ plans. Government sign-off is pending.
Cardiff	<ul style="list-style-type: none"> • Council investigating possibility of a Congestion Charge.

4. Launch of the Driving Improvement Awards



- **PATROL has launched the Driving Improvement Awards – a new programme to fund and develop public awareness and engagement campaigns that focus on important or long-standing issues faced by authority enforcement teams.**

The Driving Improvement Awards replace the Promoting Awareness of Civil Enforcement through Reporting (PACER) Awards from 2024 onwards, shifting the focus to celebrate authorities' customer service, innovation, improvement and engagement more broadly.

- Authorities have the chance to submit a bid for funding for up to £25K to develop a communication campaign or activity to effect change, both in the local area and replicable nationally. This could include, for example, new public information, social media, marketing, branding or PR. Bids will be encouraged around a specific theme each year, based on current or pressing events, issues and trends in the parking and traffic enforcement landscape.
 - In its inaugural guise this year, the Driving Improvement Awards is focused on the issue of **abuse experienced by local authority enforcement staff**, both on the front line and in the back office, which speaks to an intensity of negative public sentiment towards parking and traffic enforcement, generally.
- PATROL's aim is for the programme and its funding package to help create engaging content that drives improvement in either the delivery of services or engagement with the public around the key issues. More importantly, the content or campaign produced by the winning authority will be made available to all councils to use, helping to ensure the campaign(s) receive national exposure and have a greater impact.
- **Brighton & Hove City Council and North Essex Parking Partnership (NEPP) were announced as joint 2024 winners at PATROL's Annual Reception on 9 July. Other councils shortlisted were: Arun District Council, Halton Borough Council and Telford & Wrekin Council. Find out more about the winning bids at: <https://www.patrol-uk.info/patrol-launches-new-driving-improvement-awards/>.**
- **Both Brighton and NEPP are now actively working with the PATROL team on their plans for the joint campaign, with the roll-out expected in early 2025. Associated materials and a report will be presented in time for PATROL's 2025 Annual Reception.**
 - **The theme and entry information for the 2025 Driving Improvement Awards will be announced to PATROL member authorities in November.**