

# **PATROL Adjudication Joint Committee**

## **Agenda**

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**Date:** Tuesday, 29th October, 2013  
**Time:** 12.30 pm  
**Venue:** Holiday Inn Kings Cross Bloomsbury, 1 King's Cross Road, Bloomsbury, London, WC1X 9HX.

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**1. Appointment of Chair and Vice Chair of the Executive Sub Committee**

To appoint a Chair and Vice Chair of the Executive Sub Committee until the next meeting of the Joint Committee in June 2014

**2. Apologies for Absence**

To receive apologies for absence

**3. 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

**4. Minutes of the meeting held 29th January 2013 (Pages 1 - 6)**

To approve the minutes of the PATROL Adjudication Joint Committee Executive Sub Committee held 29<sup>th</sup> January 2013

**5. Minutes of the meeting of the PATROL Adjudication Joint Committee meeting held 25th June 2013 (Pages 7 - 16)**

To note the minutes of the meeting of the PATROL Adjudication Joint Committee meeting held 25<sup>th</sup> June 2013

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**Contact:** Louise Hutchinson, Head of Service  
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6. **Report from the Appointments Working Group held 22 August 2013**  
(Pages 17 - 30)  
  
To receive a report and recommendations from the Appointments Working Group
7. **Wales Update**  
  
To note the progress of civil enforcement regulations in Wales
8. **Road User Charging - Dartford River Crossing** (Pages 31 - 34)  
  
To note the progress of the regulations and arrangements for the Joint Committee to facilitate access to independent adjudication
9. **Part-time Adjudicator Appointments** (Pages 35 - 38)  
  
To note the 2013 Adjudicator appointments
10. **General Progress and Service Standards and Tribunal Statistics 2012/13**  
(Pages 39 - 66)  
  
To provide general information in respect of the tribunal's initiatives and standards and tribunal statistics for 2012/13
11. **Audit Commission Small Bodies Annual Return for Year ending 31 March 2013** (Pages 67 - 78)  
  
To note the completion of the Audit of Accounts 2012/13 and the management response to the Issues Report
12. **Budget Monitoring 2013/14** (Pages 79 - 82)  
  
To note income and expenditure to 30 September 2013
13. **Review of Reserves 2014/15** (Pages 83 - 84)  
  
To note the current review of reserve
14. **Risk Register** (Pages 85 - 94)  
  
To note the latest review of the Risk Register
15. **Treasury Management**  
  
To note actions taken in respect of Treasury Management

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16. **Date of Next Meetings**

**Executive Sub Committee:**

Tuesday 28<sup>th</sup> January 2014 - Smith Square Conference Centre, London.

**Joint Committee:**

Wednesday 25<sup>th</sup> June 2014 - Smith Square Conference Centre, London.

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## Patrol Adjudication Joint Committee

Minutes of a meeting of the PATROL Adjudication Joint Committee held on 29<sup>th</sup> January 2013 at Warwickshire County Cricket Club, Edgbaston, Birmingham

### Present:

Councillor Ken Gregory	Thanet District Council (Chair)
Councillor Richard Bell	Sunderland City Council
Councillor Alan Cooper	Carmarthenshire County Council
Councillor John Leather	Cheshire West and Chester Council
Councillor Jamie Macrae	Cheshire East Council
Councillor Ian Davey	Brighton and Hove City Council
Councillor Roland Dibbs	Rushmoor Borough Council
Councillor Mike Carver	East Hertfordshire District Council

### Apologies

Councillor Page	Reading Borough Council
Councillor Dickens	Hampshire County Council
Councillor Rose	Oxfordshire County Council

### Also Present:

Caroline Sheppard	Chief Adjudicator
Louise Hutchinson	Head of Service, PATROL
Andrew Barfoot	Traffic Penalty Tribunal
Miles Wallace	PATROL
Kelly Cornell	PATROL
Andy Diamond	PATROL
Robin Chantrill-Smith	Thanet District Council
John McEvoy	Carmarthenshire County Council
Kevin Melling	Cheshire East Council
Helen Crozier	Oxfordshire County Council
Paul Jones	Cheshire East Council

### PATROL/EXEC DECLARATIONS OF INTEREST

No declarations of any disclosable pecuniary or non-pecuniary interests were made.

### PATROL/EXEC MINUTES OF THE PATROL ADJUDICATION JOINT COMMITTEE EXECUTIVE SUB COMMITTEE

### RESOLVED

That the minutes of the Patrol Adjudication Joint Committee Executive Sub Committee held on 25 September 2012 be approved as a correct record.

**PATROL/EXEC MINUTES OF THE PATROL ADJUDICATION JOINT COMMITTEE**

**RESOLVED**

That the minutes of the Patrol Adjudication Joint Committee held on 21<sup>st</sup> November be approved as a correct record.

**PATROL/EXEC/ TRIBUNAL GENERAL PROGRESS AND SERVICE STANDARDS**

A report was submitted which detailed progress in respect of the take up of civil parking enforcement powers by Councils in England (outside London) and Wales appeals activity and performance against service standards.

The Head of Service and Chief Adjudicator responded to questions on the report.

**RESOLVED**

1. That the information provided in the report in respect of the current take up of civil enforcement of parking powers be noted.
2. That the information in relation to appeals activity be noted.
3. That the information in relation to performance against service standards be noted.

**PATROL/EXEC/ APPEAL STATISTICS 2011/12**

A report was submitted which provided a statistical analysis of Tribunal Appeals for 2011/12.

**RESOLVED**

That the Appeal Statistics for 2011/12 be noted.

**PATROL/EXEC/ PART TIME ADJUDICATOR RECRUITMENT**

The Chief Adjudicator gave an update on the progress to select and recruit between 12-18 new Adjudicators. In excess of 2000 applications were expected and an online application system was being used to help with the assessment process.

**RESOLVED**

That the report be noted.

**PATROL/EXEC/ TRANSFER TO NEW HOST AUTHORITY**

Further to Minute 12/38 of the meeting of the Joint Committee held on 21<sup>st</sup> November 2012 an update was given on the transfer of Lead Authority function to Cheshire East Council.

It was reported that the transfer was on target and that the appointment of a project leader would ensure that key milestones were achieved.

Detailed information was given regarding progress in respect of premises and accommodation, IT, the TUPE of staff and PR and communications.

In order that the various legal and contractual agreements could be completed before the transfer on 1<sup>st</sup> April 2013 Cheshire East had requested indemnities in respect of various commitments it was making on behalf of PATROL in advance of the transfer date.

#### **RESOLVED**

1. That the progress report be noted; and
2. That the Chairman of this Sub Committee be authorised to undertake any urgent actions in order to progress the transfer to Cheshire East and that that the Head of Service in consultation with the Chairman of this Sub Committee be authorised to provide the indemnities required by Cheshire East to enable progression of the legal and contractual agreements and the transfer to be completed by 1<sup>st</sup> April 2013. All actions will be reported to the June 2013 meeting of the PATROL Adjudication Joint Committee.

#### **PATROL/EXEC/ RISK REGISTER**

The Lead Officer submitted a report providing a review of Risk Register. A separate Register for the relocation to Wilmslow was being created.

#### **RESOLVED**

That the report be noted.

#### **PATROL/EXEC/ AUDIT**

The Lead Officer provided an update on the audit arrangements for 2012/13 and the audit plan for 2013/14. Manchester City Council would complete the work required for the current financial year and for 2013/14 BDO would become the external auditor.

#### **RESOLVED**

That the report be noted.

#### **PATROL/EXEC BUDGET MONITORING OF REVENUE ACCOUNT 2012/13**

The Lead Officer presented a report on the Revenue Account for year 2012/13.

In response to a series of questions the Lead Officer and the Finance Manager made statements and give further information in respect of the different matters raised.

**RESOLVED**

1. That the report be noted.
2. The Lead Officer be authorised to incur expenditure against the revenue budget in excess of the £3,072,064 set by the Committee should the need arise, provided such expenditure is within the total income.

**PATROL/EXEC BUDGET REVENUE BUDGET 2013/14**

The Lead Officer presented a report on the Revenue Budget Estimates for 2013/14.

In response to a series of questions the Lead Officer and the Finance Manager made statements and give further information in respect of the different matters raised.

**RESOLVED**

1. That the Revenue Budget Estimates for 2013/14 be approved.

**PATROL/EXEC RESERVES POLICY STATEMENT 2013/14**

The Lead Officer presented a report on the Reserves Policy Statement for 2013/14.

In response to a series of questions the Lead Officer and the Finance Manager made statements and give further information in respect of the different matters raised.

**RESOLVED**

1. That the Reserves Policy Statement be approved.
2. That a reserve level of £1,282,895 for 2013/14 be approved
3. That the balance of £1,811,243 carried forward from 2011/12 be retained pending an evaluation of the scope of the Reserves Policy Statement during 2013/14 be approved
4. That delegated authority be granted to the Lead officer in consultation with the Chairman and Vice Chairman of this Sub Committee to authorise withdrawal of funds from reserves to meet budgetary deficits.

**PATROL/EXEC RESERVES POLICY STATEMENT 2013/14**

The Lead Officer presented a report on investments during 2012/13 and a proposed Annual Investment Strategy for 2013/14.

**RESOLVED**

That the Annual Investment Strategy for 2013/14 be approved.



**PATROL/EXEC DEFRAYING THE EXPENSES OF THE JOINT COMMITTEE 2013/14**

The Lead Officer presented a report to establish the basis for charges during 2013/14 to local authorities who were participating in the Joint Committee arrangements.

The report proposed that for each Penalty Charge Notice issued the charge should be £0.60

**RESOLVED**

1. That the Joint Committee shares its expenses between member authorities in proportion to the number of Penalty Charge Notices issued on the following basis for 2013/14:-

ELEMENT	CHARGE
Annual Charge	Nil
Charge per PCN Issued	£0.60 pence

2. That each local authority is invoiced quarterly in advance based on estimated figures and the charges subsequently adjusted
3. To note that the decision to provide a transcription service from the audio recordings of proceedings rests with the Adjudicator. Where this has been agreed to, the Joint Committee agree that the incidental cost of making a transcript from the audio record of proceedings at a personal hearing is charged to the requesting party except when, in view of the adjudicator a disability of the requesting party would make it desirable for the person to receive such a transcript.

**PATROL/EXEC STREAMLINING THE AGENDA/PAPERS FOR THE PATROL AND BUS LANE ADJUDICATION SERVICE JOINT COMMITTEES.**

The Lead Officer and Secretary outlined proposals for streamlining the agendas and papers for the two Joint Committees with effect from June 2013.

**RESOLVED**

That the report be noted

**PATROL/EXEC DATE OF NEXT MEETING**

**RESOLVED**

That the next meeting be held on Tuesday 25th June 2013

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**PATROL ADJUDICATION JOINT COMMITTEE**

Minutes of a meeting of the **PATROL Adjudication Joint Committee**  
held on Tuesday, 25th June, 2013 at Warwickshire County Cricket Club,  
The County Ground, Edgbaston, Birmingham, B5 7QU

**PRESENT**

Councillor Jamie Macrae  
Councillor John Leather  
Councillor Mike Carver  
Councillor Stuart Hughes  
Councillor David Chadwick  
Councillor Ian Davey  
Councillor Peter Robinson  
Councillor Richard Bell  
Councillor Roland Dibbs  
Councillor John Baverstock  
Councillor Andrew Bosmans  
Councillor Graham Beale  
Councillor John West  
Councillor Rachel Lancaster  
Councillor Alan Mitchell  
Councillor Geraint Owens  
Councillor Sohail Munawar

Cheshire East Council  
Cheshire West and Chester Council  
East Hertfordshire District Council  
Devon County Council  
Bolton MBC  
Brighton & Hove Council  
Tameside MBC  
Sunderland City Council  
Rushmoor Borough Council  
South Hams District Council  
Doncaster MBC  
Wychavon District Council  
Hampshire County Council  
Coventry City Council  
Trafford MBC  
City and County of Swansea  
Slough Borough Council

**Also Present:**

Caroline Sheppard  
Louise Hutchinson  
Councillor Ken Gregory  
Robin Chantrill-Smith  
Miles Wallace  
Victoria Tripper  
Andy Diamond  
Kevin Melling  
Helen Crozier  
Anjna Patel  
Graham Addicott OBE  
Steve Sheriff  
Marc Samways  
Emma Nicholls  
Paul Bowman  
Julie North

Chief Adjudicator  
Head of Service, PATROL  
Thanet District Council  
Thanet District Council  
PATROL  
PATROL  
PATROL  
Cheshire East Council  
Oxfordshire County Council  
Sandwell MBC  
Vice-chairman Advisory Board  
City and County of Swansea  
Hampshire County Council  
South Hams District Council  
Coventry city Council  
Cheshire East Council

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

Consideration was given to the appointment of Chairman, Vice Chairman and Assistant Vice Chairman.

**RESOLVED**

That Cllr WJ Macrae (Cheshire East Council) be appointed as Chairman, that Cllr M Carver (East Hertfordshire District Council) be appointed as Vice-chairman and Cllr S Hughes (Devon County Council), be appointed as Assistant Vice Chairman.

**2 APOLOGIES FOR ABSENCE**

A list of apologies was circulated.

**3 DECLARATIONS OF INTEREST**

There were no declarations of Interest.

**4 MINUTES OF THE MEETING HELD ON 21 NOVEMBER 2012**

An update was provided in respect of various items included in the minutes.

**RESOLVED**

That the minutes be approved as a correct record.

**5 MINUTES OF THE MEETING OF THE PATROL EXECUTIVE SUB COMMITTEE HELD ON 29 JANUARY 2013**

An update was provided in respect of the appointment of adjudicators and it was noted that it was proposed to form a Sub-committee to deal with this matter.

**RESOLVED**

That the minutes be approved as a correct record.

**6 URGENT BUSINESS**

The PATROL Adjudication Joint Committee Standing Orders required that all decisions taken as Urgent Business be reported to the next meeting of the Joint Committee.

Copies of two indemnities relating to decisions taken as urgent business in respect of the lease for Springfield House and the general role of Lead Authority and the Staff Relocation Travel Policy were submitted.

**RESOLVED**

That the decisions taken as urgent business since the last meeting of the Joint Committee be noted.

**7 REVIEW OF GOVERNANCE DOCUMENTATION**

Consideration was given to a report, which presented governance documentation for review and proposed arrangements for undertaking further review of a non-binding Service Level Agreement between the Joint Committee and the Lead Authority.

The PATROL Adjudication Joint Committee agreement including Schedule 6 (The Terms of Appointment of the Lead Authority) dated 1 May 2008 has been reviewed in the light of the appointment of a new Lead/Host Authority from 1 April 2013.

The Committee was requested to approve the revised PATROLAJC agreement, subject to obtaining written consent from 75% of the Participating Authorities, to delegate consideration of the non-binding service level agreement between the Joint Committee and the Lead Authority to the next meeting of the Executive Sub Committee, to adopt the Scheme of Delegation and to note the cycle and location of meetings for 2013/14.

The Joint Committee had traditionally held one annual meeting in June and two Executive Sub committees in September and January. It had originally been thought that the move to the Audit Commission's 'Small Bodies' Annual Return would remove the requirement for a September meeting. However, the Chairman reported that it was now considered that there was a need for a meeting of the Executive Sub-committee in either September or October to review the budget/accounts, including the current level of reserves. A date would be agreed and circulated to Members.

The proposed dates and location for meetings in 2013/2014 were:

September/October, London - Date to be agreed

Tuesday 28<sup>th</sup> January 2014, London

Tuesday 24<sup>th</sup> June 2014, London

**RESOLVED**

1. That the revised PATROLAJC agreement be approved, subject to obtaining written consent from 75% of the Participating Authorities.
2. That consideration of the non-binding Service Level Agreement between the Joint Committee and the Lead Authority be delegated to the next meeting of the Executive Sub Committee.
3. That the Scheme of Delegation be adopted.

4. That the cycle and location of meetings for 2013/14 be noted, subject to agreement of a date for the September/October meeting.

## 8 ESTABLISHMENT OF EXECUTIVE SUB COMMITTEE

It was noted that, as the number of Councils joining the Joint Committee increased, one way of avoiding the need for large numbers of Members attending all the committee meetings would be to establish an Executive Sub-Committee. PATROLAJC Standing Order 9 enabled the Joint Committee to appoint such a Sub-Committee. Any Terms of Reference for such Sub-Committees needed to be agreed by the Joint Committee as and when each Sub-Committee was established.

Consideration was given to a report, which set out arrangements for establishing an Executive Sub-Committee and its Terms of Reference for the forthcoming year.

The size of the Executive Sub-Committee was recommended by officers to comprise a minimum of twelve in number, including the Chair of the Joint-Committee and at least one each representing District, County, Unitary, Metropolitan councils and at least one from an English authority and one from a Welsh authority.

Draft terms of reference were also circulated for an Adjudicator Appointment Sub-committee, to review and approve the recommendations of the Adjudicator Appointments Working Group in relation to the appointment of adjudicators, as referred to at minute 5 of the minutes.

### RESOLVED

1. That an Executive Sub-Committee be established to act on behalf of the Committee until the annual meeting in June 2014, in accordance with paragraph 2 and the Appendix to the report and that the following Members be appointed to the Executive Sub-Committee for the forthcoming year:

Councillor Jamie Macrae  
Councillor John Leather  
Councillor Mike Carver  
Councillor Stuart Hughes  
Councillor David Chadwick  
Councillor Ian Davey  
Councillor Peter Robinson  
Councillor Richard Bell  
Councillor Roland Dibbs  
Councillor John Baverstock  
Councillor Andrew Bosmans  
Councillor Graham Beale  
Councillor John West

Cheshire East Council  
Cheshire West and Chester Council  
East Hertfordshire District Council  
Devon County Council  
Bolton MBC  
Brighton & Hove Council  
Tameside MBC  
Sunderland City Council  
Rushmoor Borough Council  
South Hams District Council  
Doncaster MBC  
Wychavon District Council  
Hampshire County Council

Councillor Rachel Lancaster  
Councillor Alan Mitchell  
Councillor Geraint Owens  
Councillor Sohail Munawar  
Councillor Tony Page  
Councillor Jane Urquhart  
Councillor Peter Cooper

Coventry City Council  
Trafford MBC  
City and County of Swansea  
Slough Borough Council  
Reading Council  
Nottingham City Council  
Camarthenshire County Council

2. That an Adjudicator Appointment Sub-committee be established, to review and approve the recommendations of the Adjudicator Appointments Working Group in relation to the appointment of adjudicators, with the Terms of Reference as submitted with the following membership agreed:

Cllr WJ Macrae – Cheshire East Council  
Cllr M Carver - East Hertfordshire District Council  
Cllr T Page – Reading Council  
Cllr J Urquhart – Nottingham City Council  
Cllr A Bosmans – Doncaster MBC  
Cllr D Chadwick – Bolton MBC  
Cllr J Leather – Cheshire West and Chester Council  
Cllr P Robinson – Tameside MBC

## 9 APPOINTMENTS TO THE ADVISORY BOARD

Consideration was given to a report relating to appointments to the Advisory Board. It was noted that the Standing Orders provided for the Joint Committee to establish and appoint an Advisory Board comprising the Lead Officer and other such officers and persons appointed by the Joint Committee to advise it on its functions. The Terms of Reference were attached to the report and these would enable an effective and efficient arrangement for matters relating to the PATROLAJC and the Bus Lane Adjudication Service Joint Committee BLASJC.

At its meeting on 26 June 2012, the Joint Committee had made appointments for the period ending at the next annual meeting and these were detailed in the Terms of Reference, which were appended to the report.

### RESOLVED

That the terms of reference be adopted and the appointments recommended in the appendix to the report be approved as follows:-

- John Satchwell be re-appointed for a four year period
- Graham Addicott OBE be re-appointed for a four year period

## 10 REPORT OF THE TRAFFIC PENALTY TRIBUNAL ADJUDICATORS

Under Regulation 17 (6) of the Civil Enforcement of Parking Contraventions (England) General Regulations 2007 and Regulations 9 (6) and 9 (7) of The Civil Enforcement of Parking Contraventions (Penalty Charge Notices,

Enforcement and Adjudication) (Wales) Regulations 2008, the Adjudicators were required to make an Annual Report to the Joint Committee on the discharge of their functions.

The Chief Adjudicator presented the report of the Traffic Penalty Tribunal Adjudicators. The presentation would be circulated by e-mail.

**RESOLVED**

1. That the report of the Adjudicators be received.
2. That the final report be forwarded to the Secretary of State and First Minister.
3. That it be noted that the final report would be translated into the Welsh language for the purposes of forwarding it to the First Minister.
4. That it be agreed that the final report is published and circulated free of charge.

**11 TRANSPORT SELECT COMMITTEE**

Consideration was given to a report informing Members of the current Transport Select Committee Inquiry into Local Authority Parking enforcement.

**RESOLVED**

That the report be noted.

**12 WELSH REGULATIONS**

A verbal update was provided in respect of the progress of the civil enforcement regulations in Wales.

**RESOLVED**

That the update be noted.

**13 GENERAL PROGRESS AND SERVICE STANDARDS**

Consideration was given to a report on progress in respect of the take up of civil parking enforcement powers by Councils in England (outside London) and Wales and information in relation to general progress and service standards.

**RESOLVED**

1. That the information provided in respect of take up of civil enforcement of parking powers be noted.
2. That the information in relation to service standards be noted.



**14 PATROL ANNUAL REPORT AWARD 2011/12**

The PATROL Annual Report Award had been launched to promote and share best practice amongst Councils in the production of parking annual reports. The award was now in its fourth year.

It was noted that whilst Local Authorities were not required to produce an Annual Report, they were encouraged to do so. A short list including Carlisle Council, Brighton & Hove City Council, Stockton Council, Durham Council, Torbay Council and Scarborough Council had been drawn up from the fifty Councils who had produced a report for 2013 and the winner would be announced at the Enforcement Summit, to take place in London on 9 July.

**15 RISK MANAGEMENT AND BUSINESS CONTINUITY**

Consideration was given to a report relating to Risk Management and Business Continuity.

As part of the Joint Committee's oversight of risk management and business continuity, the Joint Committee was required to review the Risk Management Strategy and Business Continuity Management Policy on an annual basis and review the updated Risk Register at each meeting. The documents were appended to the report.

**RESOLVED**

1. That the Risk Management Strategy, as set out at appendix 1 of the Report, be approved.
2. That the updated Risk Register, as set out at appendix 2 of the Report, be noted.
3. That the Business Continuity Management Policy, as set out at Appendix 3 of the report, be approved.

**16 PATROL ADJUDICATION JOINT COMMITTEE FINANCIAL REGULATIONS AND PROCUREMENT**

It was reported that the Joint Committee had last approved its Financial Regulations at its annual meeting in June 2012. The Joint Committee was asked to review these Financial Regulations in the light of a number of changes.

It was noted that the Financial Regulations included provision for procuring goods and services. The Regulations (1.6) stated that the Head of Service could allow exceptions to these regulations if it was believed that the best interests of the PATROL Joint Committee would be served if the regulations were not applied.

A report was submitted which presented the Financial Regulations for 2013/14 and in accordance with section 1.6 of the regulations, provided details of those services which had been procured outside the Financial Regulations during 2012/13.

**RESOLVED**

1. That the Financial Regulations for 2013/14 be approved.
2. That the information in relation to procurement falling outside those regulations during 2012/13, as set out in paragraph 7.3 of the report, be noted.

**17 DRAFT ANNUAL RETURN 2012/13**

Consideration was given to a report presenting the draft annual return for the year 2012/13.

It was noted that the adjudication service was operated on a self-financing basis with income obtained by defraying expenses amongst member authorities. At the meeting of Executive Sub-Committee held on 31 January 2012 it had been agreed to adopt the revenue budget estimates for 2012/13, as set out in Appendix 1 of the report. At the meeting of the Executive Sub-Committee held on 31st January 2012 the Lead Officer was given authorisation, in consultation with the Chair, Vice Chair and Assistant Chair to incur expenditure against the revenue budget in excess of the £3,072,065 set by the Committee, should the need arise, provided such expenditure was within the total income for the year.

The report provided details of the draft 2012/13 Annual Accounts for approval by the Joint Committee. The outturn position was shown at Appendix 1 of the report and the draft Annual Return for 2012/13 was shown at Appendix 2. The accounting statement for 2012/13 had been prepared in accordance with the requirements of the Audit Commission's Small Bodies Annual Return. The completion of the return removed the requirement for a full set of accounts, however, a Balance Sheet was provided for information at Appendix 4. Details of income received and expenditure during 2012/13 was also reported.

It was agreed that the word "draft" should be included when making reference to the Annual Return document.

**RESOLVED**

1. That the outturn position against the 2012/13 budget, as set out at Appendix 1 of the report, be noted.
2. That the 2012/13 draft Annual Return, as set out at Appendix 2, as circulated at the meeting, be approved.

3. That the Annual Internal Audit Report, as set out at Appendix 3 of the report, be noted.
4. That the audit timetable be noted.
5. That the Balance Sheet, as set out Appendix 4, as circulated at the meeting, be noted.
6. That the surplus of income over expenditure of £308,928 being added to the Joint Committee's reserves be approved and that it be noted that the level of reserves would be reviewed at the January 2014 meeting.
7. That the Code of Corporate Governance, as set out at Appendix 5 of the report, be approved.

#### **18 THANKS TO PREVIOUS CHAIRMAN**

The new Chairman, Cllr Jamie Macrae, thanked the previous Chairman Cllr Ken Gregory, on behalf of all the Joint Committee, for his contribution to the work of the Committee during his term of office since 2003.

Cllr Gregory was presented with gifts from the Committee and officers.

Cllr Gregory returned his thanks to the Committee and also paid tribute to the officers concerned for their hard work and support to the Committee during his term of office.

The meeting commenced at 11.30 am and concluded at 12.55 pm

**CHAIRMAN Councillor WJ Macrae**

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**PATROL ADJUDICATION JOINT COMMITTEE**

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**Date of Meeting:** 29<sup>th</sup> October 2013  
**Report of:** Report of the Appointments Working Group  
**Subject/Title:** Recommendations from meeting held 22 August 2013

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**1.0 Report Summary**

- 1.1 To present the recommendations of the Appointments Working Group meeting held 22 August 2013

**2.0 Recommendation**

- 2.1 The Chief Adjudicator recommends that the new adjudicators are appointed on the same terms and conditions as the existing ones as set out in the report.
- 2.2 The Head of Service to review staffing requirements in the light of these appointments.
- 2.3 Members note the Counsel advice in relation to the Joint Committee as a legal entity and that the draft service level agreement with the host authority to be reviewed in the light of this.
- 2.4 The 2013/14 budget should make provision for commissioning research to strengthen understanding of civil traffic enforcement outside London and share best practice amongst councils.

**3.0 Reasons for Recommendations**

- 3.1 These matters were discussed by the Appointments Working Group.

**4.0 Financial Implications**

- 4.1 There are no budgetary implications at this stage. The budget for 2013/14 will be presented to the January 2014 meeting of the Executive Sub Committee.

**5.0 Legal Implications**

- 5.1 The Joint Committee is an independent legal entity and this will be taken into account in agreeing the initial service level agreement with the Host Authority.

**6.0 Risk Management**

- 6.1 The recruitment of new adjudicators was planned to ensure sufficient adjudicators were in place to meet anticipated demand following the loss of adjudicators due to progression, retirement and ill health.

**7.0 Background and Options**

- 7.1 At the June 2013 meeting of the Joint Committee it was agreed to re-convene the Appointments Sub Committee and Working Group. The remit of the Appointments Sub Committee and Working Group is: the appointment of new adjudicators; the terms and conditions of employment for adjudicators and any matters arising from the adjudicator recruitment exercise. Where time allows, recommendations will be made to the Joint Committee or its Executive Sub Committee which is the purpose of this report.
- 7.2 The meeting in August 2013 focused particularly on the recruitment of the 14 new adjudicators and it was recommended that they would be appointed on the same terms and conditions as the existing adjudicators which were set out at the Joint Committee meeting in November 2012 (see Appendix 1). Fees will continue to be aligned to Grade 7 of the Ministry of Justice Judicial Salaries.
- 7.3 Andrew Barfoot who has performed the role of Tribunal Registrar has been appointed as an Adjudicator. The role of Tribunal Registrar will be disestablished. Andrew has kindly agreed to continue in this role until the end of the year. The Head of Service will review the staffing requirements in the light of this.
- 7.4 The Joint Committee at its meeting in November 2013 approved the review of governance arrangements to increase the arms-length nature of the Tribunal. Members are asked to note the Advice received in relation to the Joint Committee as an entity which provides clarity in respect of the Joint Committee/Host Authority relationship.
- 7.5 The recent Transport Select Committee has highlighted the importance of research to understand the nature of enforcement and appeals activity outside of London. It is recommended that provision be made in 2014/15 for commissioning research from academic bodies. An initial focus for this would be to report on those councils with low levels of appeals with a view to sharing good practice.

**8.0 Access to Information**

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

Name: Louise Hutchinson

Designation: Head of Service

Tel No: 01625 445566

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

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**REPORT FOR INFORMATION**

**SUBJECT:** TERMS AND CONDITIONS – PART TIME ADJUDICATORS

**REPORT OF:** The Chief Adjudicator

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**PURPOSE OF REPORT**

To inform the Joint Committee of a revision of the terms and conditions of the part-time adjudicator ahead of the impending recruitment exercise.

**RECOMMENDATIONS**

1. To note and approve the review of terms and conditions for part time adjudicators.

**FINANCIAL CONSEQUENCES**

Provision has been made for the forthcoming recruitment exercise

**CONTACT:**

Caroline Sheppard, Chief Adjudicator, Traffic Penalty Tribunal, Barlow House,  
Minshull Street, Manchester, M1 3DZ Tel: 0161 242 5252

**1. BACKGROUND**

- 1.1 One of the functions delegated by the Joint Committee to the Chief Adjudicators is:

The determination of the terms and conditions applying to adjudicators having regard to principles established for such judicial appointments and conduct by the Lord Chief Justice and Lord Chancellor.

- 1.2 The last competition for appointment of new adjudicators was in 2003.
- 1.3 In preparation for the impending competition for the appointment new adjudicators the Chief Adjudicator has reviewed the terms and conditions of part-time adjudicators. This has been done having regard to the requirements that apply, either by statute, or Ministry of Justice policy, to similar tribunal appointments. Member are asked to note and approve in particular the following:

**2. RELEVANT QUALIFICATION**

- 2.1 The TMA provides that adjudicators must hold a relevant legal qualification which means holding a qualification as a solicitor or barrister or a Fellow of the Chartered Institute of Legal Executives for a period of at least five years a barrister,
- 2.2 Adjudicators appointed by the Joint Committees are not subject to the Tribunals, Courts and Enforcement Act (TCE) 2007, which has introduced the 'judicial-appointment eligibility condition'. This means that in order to be eligible for appointment as an adjudicator, an adjudicator must not only be in possession of the relevant qualification, but must also have been engaged in 'law related activity' whilst holding that qualification. It is therefore expedient to adopt as a matter of policy the condition that the candidates for appointment, in addition to the relevant legal qualification for the requisite period that whilst holding that qualification the candidate has been gaining legal experience.

**3. NATIONALITY**

- 3.1 In accordance with statutory requirements that apply to other tribunal appointment applicants for an appointment must be a citizen of:
- the United Kingdom; or
  - another Commonwealth country; or
  - the Republic of Ireland.

#### **4 DISQUALIFICATION**

4.1 While there are no statutory disqualifications for appointment as an adjudicator and in particular the House of Commons Disqualification Act 1975 does expressly apply to this office, the following are not be suitable for appointment:

- An elected MP
- A Councillor of any Local Authority in England (including London) and Wales
- A lawyer in the service of any local authority in England (including London) and Wales, or who has within the period of two years immediately prior to the request for the Lord Chancellor's consent to that candidate's appointment, whether or not the lawyer has been engaged in legal activity associated with parking or traffic enforcement services;
- A lawyer who employed by, acts for or advises any company or organisation engaged in TMA enforcement services to or on behalf of a local authority in England (including London) and Wales may be considered ineligible for appointment as an adjudicator depending on the nature to the work undertaken for the company and its client local authority.

#### **5. UPPER AGE LIMIT**

5.1 The current condition relating that an appointment will not continue beyond the age of 70 will continue. The government reasons for this policy are set out in Appendix 1. Precisely the same operational reasons apply to the Traffic Penalty Tribunal adjudicators. In particular the arguments set out in paragraphs 7- 9 of the appendix apply to adjudicators as to other jurisdictions.

5.2 Paragraph 10 of the appendix may, in exceptional circumstances, and for business operational reasons may apply.

5.3 Members are requested in particular to note and approve that the existing upper age limit in existing adjudicators' terms and conditions continues to apply and is applied to future appointments to reflect the age limit that is applied by the Lord Chancellor to other tribunal appointments, either as a consequence of statutory provisions or as a matter of policy.

#### **6. RECOMMENDATIONS**

1. To note and approve the review of terms and conditions for part time adjudicators.

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Item 6 Appendix 2

**EXTRACT FROM OPINION BY JOHN HOWELL QC AND  
PAUL GILROY QC OCTOBER 2013**

1. Although regulations must provide for adjudicators to be appointed by the relevant enforcement authorities<sup>1</sup> and the relevant regulations provide for them to do so on such terms and conditions as they decide<sup>2</sup>, those functions of any relevant enforcement authority are required to be discharged by a joint committee under arrangements made under s.101(5) of the Local Government Act 1972<sup>3</sup>. When such arrangements are in force (as they are in this case by virtue of the 2008 Agreement), any enactment relating to those functions or the authorities by whom they are to be discharged has effect (by virtue of s.101(5)(b) of the 1972 Act<sup>4</sup>) subject to all necessary modifications in relation to those functions and the authorities by whom they are to be discharged. It follows that, whilst the arrangements are in force, adjudicators fall to be appointed by the joint committee established under them by the relevant enforcement authorities rather than by those authorities: the relevant enactments are to be treated as having that effect.
  
2. In doing so, the joint committee is thus discharging functions vested by enactment in the committee themselves whilst the arrangements are in force. The Committee are not doing so, therefore, as an agent on behalf of the relevant enforcement authorities who are participating in the arrangements at the time of any appointment.

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<sup>1</sup>See s.81(3)(a) of the 2004 Act (quoted at paragraph 19 above).

<sup>2</sup>See regulation 17(1) of the 2007 Regulations.

<sup>3</sup>See regulation 16(1) of the 2007 Regulations.

<sup>4</sup>Quoted at paragraph 22 above.

3. The result that the joint committee was acting in their own name and on behalf of themselves, not others, (a result which would be common to anything done by any joint committee established by arrangements under s.101(5) of the 1972 Act and which is supported by other legislative provisions referred to below) is one which accords with the necessary practical reality under this particular legislative scheme. The primary legislation envisages that adjudicators will be appointed for a fixed term specified in the term of appointment (in order to help secure the apparent independence of any adjudicator from those appointing him who would be interested in the outcome of decisions by the person appointed). The relevant enactments (and the arrangements for the joint committee which were in fact made) also envisage, however, that the authorities participating in any arrangements for a joint committee may change over time: authorities may join, and authorities may cease to participate in, the arrangements. An adjudicator appointed by the joint committee in respect of the areas of those authorities participating in the arrangements for the time being will be unaffected by such changes. An adjudicator appointed by the joint committee as the agent for those authorities participating in the arrangements at the date of any appointment, however, would be. Effectively each adjudicator would have to be appointed again by the joint committee in respect of different areas on each occasion on which an authority joined, or ceased participating in, the arrangements<sup>5</sup>. This

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<sup>5</sup>It might be thought that an adjudicator could continue to act as an adjudicator for an authority ceasing to participate in the arrangements for the Joint Committee. But that would not be workable in practice. An authority leaving these arrangements for a joint committee would have to participate in the arrangements for another joint committee (given that that is a requirement of the 2007 Regulations and that, in accordance with regulation 16 of the 2007 Regulations, there may be more than one joint committee to discharge the functions of the non-London enforcement authorities). Even if it could be assumed that the joint committee which the authority joined did not have to appoint the adjudicator, it

would be incompatible with any appointment for a term, unless that term was expressed to expire not only at the end of any period (say 5 years) but also on any change in the composition of the participating authorities if earlier. But, perhaps more significantly, it would obviously be an unnecessarily cumbersome requirement which it is unlikely Parliament could have intended to be imposed.

4. There is no reason why any contractual relationship that an adjudicator may have with the persons appointing him may not be with the joint committee as such. It is of course the case that a joint committee is not made a body corporate by statute. But it does not follow from that that a joint committee cannot have legal personality in respect of the functions which are entrusted to them to discharge nor that they cannot sue and be sued in respect of their discharge of them. A joint committee is an entity recognised by the law as one distinct from its members<sup>6</sup>. It is recognised in law by vesting the relevant functions of constituent authorities in the committee for them to discharge and the necessary modifications of any relevant enactments in consequence of such an arrangement. Doing so may involve a joint committee themselves entering into contracts to facilitate the discharge of the functions vested in them by virtue of s.101(5) of the 1972 Act and the arrangements made. Parliament has thus recognised, for example, that joint committees themselves may enter into contracts in their own

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is impossible to see how the joint committee it has left could remain liable for the adjudicator's fees in respect of his activities as an adjudicator in relation to that authority's area after it has left the arrangements or how the joint committee which it has joined would become liable for them (if it has not appointed him).

<sup>6</sup> See in respect of so-called "quasi corporations": Halsbury's Laws of England Vol 24 (5<sup>th</sup> ed) *Corporations* at [301] and [304]; *the Conservators of the River Tone v Ash* (1829) 10 B&C 349; *the Taff Vale Ry Co v Amalgamated Society of Railway Servants* [1901] AC 426; *Amalgamated Society of Railway Servants v Osborne* [1910] AC 87; *IRC v Betv* [1956] 1 Ch 407; *Bonsor v Musicians Union* [1956] AC 104; *Knight & Searle v Dove* [1964] 2 QB 631.

right. Thus a joint committee (as a public body) may enter into an agreement with a local authority under which that authority may supply the committee with any goods or materials, with any administrative, professional or technical services and with the use of its vehicle plant or apparatus, for the purpose of the committee's functions and for carrying out by that authority of works and maintenance in connection with land or buildings for the maintenance of which the joint committee responsible<sup>7</sup>. Moreover joint committees are also required by Parliament to exercise their functions with respect to the public supply and works contracts with them which they may award without reference to certain "non-commercial" matters<sup>8</sup>. Just as a joint committee may need to enter into contracts for such matters to enable it to discharge the functions conferred on it by any arrangements, so equally it may need to employ individuals to assist it to do so. S.101 recognises that a joint committee may arrange for any of its functions to be discharged by one of its own officers<sup>9</sup>. Thus individuals who are employed by a joint committee of which all the constituent authorities are English or Welsh local authorities may be members of the Local Authority Pension Scheme<sup>10</sup>. In addition a joint committee may enter into an agreement with a public body for the supply by it to that body of any goods or materials; for the provision by it to that body of any administrative, professional or technical services; for the use by that body of its vehicle plant or apparatus, and

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<sup>7</sup>See s.1(1), (2) and (4) (definitions of local authority, including a joint committee, and a public body, thereby also including a joint committee) of the Local Government (Goods and Services) Act 1970.

<sup>8</sup>See s.17 of, and Schedule 2 to, the Local Government Act 1988.

<sup>9</sup>See s.101(5)(a), applying s.101(2) of the Local Government Act 1972 (quoted at paragraph 22 above). The power to appoint them stems from s.101(12) of the Local Government Act 1972 and ss.111 and 112 of that Act as applied to the joint committee with the necessary modifications by virtue of s.105(b) of the 1972 Act.

<sup>10</sup>See regulation 4 of, and paragraph 4 of Schedule 2 to, the Local Government Pension Scheme (Administration) Regulations 2008.



for carrying out for that body of works and maintenance in connection with land or buildings for the maintenance of which that body is responsible<sup>11</sup>. That legislation necessarily assumes that a joint committee may have the resources to discharge any such agreement it enters into. A joint committee must accordingly keep separate accounts that fall to be audited under the Audit Commission Act 1998<sup>12</sup> and it may be made the defendant to any claim that an item of account is contrary to law brought by an auditor or local government elector<sup>13</sup> and to a claim for judicial review by its auditor with respect to any decision, or any failure to act, by it which it is reasonable to believe would have an effect on its accounts<sup>14</sup>. Nor is there any reason why such a committee may not be the subject of a claim for judicial review brought by others.

5. Accordingly, in this case, when the Claimant's appointment for three years was made on behalf of the Joint Committee on May 21<sup>st</sup> 2010, his appointment was made on behalf of the Joint Committee, not on behalf of the constituent authorities which were participating in the arrangements constituting that Committee at the date of his appointment.

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<sup>11</sup>See section 1(1) and 1(4) (definition of local authority includes a joint committee) of the Local Authorities (Goods and Services) Act 1970.

<sup>12</sup>See section 2 of, and paragraph 1(d) of Schedule 2 to, the Audit Commission Act 1998.

<sup>13</sup>See section 17 of the Audit Commission Act 1998.

<sup>14</sup>See section 24 of the Audit Commission Act 1998.

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**PATROL ADJUDICATION JOINT COMMITTEE**

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**Date of Meeting:** 29 October 2013  
**Report of:** The Lead Officer on behalf of the Advisory Board  
**Subject/Title:** The Road User Charging Schemes (Penalty Charges, Adjudication and Enforcement) (England) Regulations 2013

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**1.0 Report Summary**

- 1.1 To inform Members of the progress of the regulations and arrangements for the Joint Committee to facilitate access to independent adjudication.

**2.0 Recommendation**

- 2.1 To note The Road User Charging Schemes (Penalty Charges, Adjudication and Enforcement) (England) Regulations 2013 and the A282 Trunk Road (Dartford-Thurrock Crossing Charging Scheme) Order 2013
- 2.2 To note the development of a Memorandum of Understanding between the Joint Committee and the Secretary of State for Transport to facilitate access to independent adjudication.
- 2.3 To approve the appointment of a Department for Transport Representative to the Advisory Board.

**3.0 Reasons for Recommendations**

- 3.1 To update members

**4.0 Financial Implications**

- 4.1 The Memorandum of Understanding includes provision to cover the costs of Road User Charging Adjudication (RUCA).

**5.0 Legal Implications**

- 5.1 Set out within the report

**6.0 Risk Management**

- 6.1 The Tribunal is working within the Highways Agency and their consultants to prepare for the introduction of RUCA.

**7.0 Background and Options**

- 7.1 The Road User Charging Schemes (Penalty Charges, Adjudication and Enforcement) (England) Regulations 2013 came into force on 2 September 2013.
- 7.2 These regulations provide that adjudicators appointed by the joint committee under regulation 17 of the Civil Enforcement of Parking Contraventions (England) General Regulations 2007 are to be treated as appointed as road user charging scheme adjudicators.
- 7.3 Each adjudicator is to make an annual report to the joint committee on their functions under road user charging scheme
- 7.4 The joint committee is to make and publish an annual report in writing to the Secretary of State on the discharge by road user charging adjudicators of their functions.
- 7.5 The first order to come into force under the new regulations is the A282 Trunk Road (Dartford-Thurrock Crossing Charging Scheme) Order 2013 which came into force on 1<sup>st</sup> October 2013. Enforcement is due to commence in October 2014
- 7.6 The 2013 regulations provide that road user charging authorities are to make arrangements with the joint committee for the provision of accommodation, administrative staff and facilities for the adjudicators. They also provide that the road user charging authorities are to meet the expenses of the joint committee in making such arrangements and in remunerating the adjudicators.
- 7.7 This will be addressed through the development of a Memorandum of Understanding between the PATROL Adjudication Joint Committee and the Secretary of State for Transport for the Dartford-Thurrock Crossing. The Department of Transport will also be appointed to the Advisory Board.
- 7.8 The Tribunal is working closely with the Department for Transport, The Highways Agency and their consultants to plan for this new stream of adjudication which will be underpinned by the introduction of the new Tribunal portal in 2014 to facilitate a digital by default appeals management system. The Tribunal will work closely with the Highways Agency Contractor, Sanef, to facilitate a digital end to end process.

## 8.0 Access to Information

The background papers relating to this report can be inspected by contacting the report writer. The regulations and order referred to within the report may be found at:

[http://www.legislation.gov.uk/uksi/2013/1783/pdfs/uksi\\_20131783\\_en.pdf](http://www.legislation.gov.uk/uksi/2013/1783/pdfs/uksi_20131783_en.pdf)

<http://www.legislation.gov.uk/uksi/2013/2249/introduction/made>

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**PATROL ADJUDICATION JOINT COMMITTEE**

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**Date of Meeting:** 29<sup>th</sup> October 2013  
**Report of:** The Chief Adjudicator  
**Subject/Title:** Part-time Adjudicator Appointments

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**1.0 Report Summary**

1.1 To inform the Joint Committee about Adjudicator appointments.

**2.0 Recommendation**

2.1 It is recommended that the Joint Committee confirm the appointment for five years from 12 September 2013 of the Adjudicators named in this report.

2.2 It is recommended that the Joint Committee note retirements and deaths in service set out in the report.

**3.0 Reasons for Recommendations**

3.1 To report on a function delegated to the Chief Adjudicator

**4.0 Financial Implications**

4.1 Provision has been made for the appointment of adjudicators within the 2013/14 budget.

**5.0 Legal Implications**

5.1 Set out in the report

**6.0 Risk Management**

6.1 The appointments have been reflected in the current review of the Risk Register

**7.0 Background and Options**

7.1 Members have delegated to the Chief Adjudicator the appointment of part-time adjudicators to meet the needs of the Tribunal, as appropriate. The Joint Committee included within this delegation a requirement for the Chief Adjudicator to keep the Joint Committee informed of such appointments.

- 7.2 The appointment of Andrew Keenan OBE was extended for one year pending the appointment of the new adjudicators in 2013. He will retire in November 2013.
- 7.3 The appointment of Clifton Barker was also extended for one year however regrettably he died on 4<sup>th</sup> February 2013.
- 7.4 We also sadly lost Sarah Breach and Richard Charles CB who died on 9<sup>th</sup> February and 21 July 2013 respectively.
- 7.5 Thirteen adjudicators were appointed from 12 September as set out in Appendix 1. The Tribunal Registrar, Andrew Barfoot, was successful in his application to be appointed as an Adjudicator. This will take effect in January 2014 to facilitate the transfer of responsibilities associated with his current role.
- 7.6 The list of adjudicators appointed from 12 September is set out in Appendix 1. The appointments are for a period of five years as required by the legislation, but will be renewable thereafter in accordance with the Courts and Tribunals Judicial Appointments Team policy for judicial appointments.
- 7.7 On behalf of the PATROL Joint Committee, these adjudicators are appointed as:
- 1) Parking Adjudicator for England under the provisions of Regulation 17 of the Civil Enforcement of Parking Contraventions (England) General Regulations 2007; and
  - 2) Traffic Adjudicator for Wales under the provisions of Regulation 16 of the Civil Enforcement of Road Traffic Contraventions (General Provisions) (Wales) Regulations 2013
- 7.8 The requirement for additional appointments will be assessed in 2017. From the current caseload projections, it appears that the current complement of adjudicators should be able to cover any increase in the caseload.



**Appendix 1**

List of Traffic Penalty Tribunal Adjudicators appointed 12 September 2013

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

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**PATROL ADJUDICATION JOINT COMMITTEE**

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<b>Date of Meeting:</b>	29 <sup>th</sup> October 2013
<b>Report of:</b>	The Lead Officer on behalf of the Advisory Board
<b>Subject/Title:</b>	General Progress and Service Standards

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**1.0 Report Summary**

- 1.1 This reports on progress in respect of the take up of civil parking enforcement powers by Councils in England (outside London) and Wales and information in relation to general progress and service standards.

**2.0 Recommendation**

That the Joint Committee:

- (i) Notes the information provided in respect of take up of civil enforcement of parking powers
- (ii) Notes the information in relation to service standards.
- (iii) Approves the measure for telephone responsiveness.
- (iv) Notes the annual statistical summary for 2012/13

**3.0 Reasons for Recommendations**

To update the Joint Committee on general progress and service standards

**4.0 Financial Implications**

- 4.1 None

**5.0 Legal Implications**

- 5.1 None

**6.0 Risk Management**

- 6.1 Reporting of performance is referenced in the Risk Register.

**7.0 Background and Options**

- 7.1 Since the June 2013 meeting of the Joint Committee, a number of new councils have joined the scheme.  
Parking: Malvern Hills District Council, Flintshire County Council  
Bus Lanes: Kent County Council, City of York Council

**7.2 Acknowledging Appeals**

The Joint Committee has established an administrative target in relation to the acknowledgement of appeals, that 95% of appeals will be acknowledged within 2 working

days. During April to September 2013, this has been achieved in 99.35% of cases compared to 95.07% reported for the year 2012/13.

April 12 to March 13	April to Sept 2013	Target
95.07%	99.35%	95%

### 7.3 Telephone Responsiveness

All appellants and councils are given a direct dial number to their Appeal Coordinator. Where these direct dials are not utilised, a telephone system has been introduced which directs other callers according to their enquiry using an automated attendant. It is recommended that the Tribunal reports on all calls answered within three rings, both direct and through the automated switchboard.

### 7.4 Case Closure

Appealing to the Traffic Penalty Tribunal is a judicial process and, as such, it is not appropriate to set out rigid timescales for deciding appeals, however the tribunal's objective is to "To provide a tribunal service which is user-focused, efficient timely, helpful and readily accessible". In June 2007 the Joint Committee approved the following targets:

<p><b>Face to face hearings</b></p> <p>60% of cases to be offered a face to face hearing date within 8 weeks of receipt of the Notice of Appeal. 90% of cases to be offered a face to face hearing date within 12 weeks of receipt of the Notice of Appeal</p> <p><b>Decisions without a hearing</b></p> <p>80% of decisions without a hearing to be made within 7 weeks of receipt of the Notice of Appeal.</p>
--

The reports on case closure include all cases which were registered during April to September 2013 and have been decided (the number of cases included in the calculation is noted below each table). This data will include cases that have been delayed for the following reasons.

#### a) Requests from parties to the appeal:

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

#### b) Adjudicators may require:

- Adjournments for additional evidence or submissions

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

7.5 The following tables provide case closure times in respect of: Parking (England), Parking (Wales) and Bus Lanes (England). The average number of weeks between registration and decision has reduced in all types of hearing. The proportion of cases falling within the stated targets has increased.

### c) Parking Appeals (England)

#### Cases decided without a hearing

Measure	April 2011 to March 2012	April 2012 to March 2013	April to September 2013
Average number of weeks between registration of appeal and decision issued	5.17weeks	5.35 weeks	4.34 weeks
Cases with less than 7 weeks between registration and decision (postal target)	85.19%	80.81%	89.55%
Cases with less than 12 weeks between registration and decision	96.29%	96.03%	98.75%

Total cases used in calculation: 4066

#### Cases decided through a telephone hearing

Measure	April 2011 to March 2012	April 2012 to March 2013	April to September 2013
Average number of weeks between registration of appeal and decision issued	7.19 weeks	9.08 weeks	6.97 weeks
Cases with less than 8 weeks between registration and decision (personal target)	77.39%	58.33%	78.48%
Cases with less than 12 weeks between registration and decision (personal target)	91.33%	83.79%	91.88%

Total cases used in calculation: 711

#### Cases decided through a face to face hearing

Measure	April 2011 to March 2012	April 2012 to March 2013	April to September 2013
Average number of weeks between registration of appeal and decision issued	12.50weeks	13.79 weeks	7.86 weeks
Cases with less than 8 weeks between registration and decision (personal target)	23.69%	18.06%	57.14%
Cases with less than 12 weeks between registration and decision (personal target)	61.52%	53.69%	85.14%

Total cases used calculation: 382

d) **Parking Appeals (Wales)****Cases decided without a hearing**

Measure	April 2011 to March 2012	April 2012 to March 2013	April to September 2013
Average number of weeks between registration of appeal and decision issued	5.40 weeks	5.50 weeks	4.07 weeks
Cases with less than 7 weeks between registration and decision (postal target)	84.06%	82.82%	93.10%
Cases with less than 12 weeks between registration and decision	93.11%	92.84%	98.03%

Total cases used in calculation: 203

**Cases decided through a telephone hearing**

Measure	April 2011 to March 2012	April 2012 to March 2013	April to September 2013
Average number of weeks between registration of appeal and decision issued	7.24weeks	8.41 weeks	6.78 weeks
Cases with less than 8 weeks between registration and decision (personal target)	74.47%	65.33%	86.11%
Cases with less than 12 weeks between registration and decision (personal target)	91.49%	86.67%	97.22%

Total cases used in calculation: 36

**Cases decided through a face to face hearing**

Measure	April 2011 to March 2012	April 2012 to March 2013	April to September 2013
Average number of weeks between registration of appeal and decision issued	13.83weeks	13.23 weeks	10.79 weeks
Cases with less than 8 weeks between registration and decision (personal target)	12.50%	30.19%	31.41%
Cases with less than 12 weeks between registration and decision (personal target)	45.83%	56.60%	72.15%

Total cases used in calculation: 7

**e) BUS LANES (England)**

**Cases decided without a hearing**

Measure	April 2011 to March 2012	April 2012 to March 2013	April to September 2013
Average number of weeks between registration of appeal and decision issued	6.40 weeks	5.81 weeks	4.36
Cases with less than 7 weeks between registration and decision (postal target)	70.62%	76.17%	87.84
Cases with less than 12 weeks between registration and decision	82.30%	94.26%	97.75

Total cases used in calculation: 666

**Cases decided through a telephone hearing**

Measure	April 2011 to March 2012	April 2012 to March 2013	April to September 2013
Average number of weeks between registration of appeal and decision issued	8.68 weeks	10.01 weeks	6.65 weeks
Cases with less than 8 weeks between registration and decision (personal target)	65.56%	48.18%	85.71%
Cases with less than 12 weeks between registration and decision (personal target)	82.22%	79.87%	94.44%

Total cases used in calculation: 126

**Cases decided through a face to face hearing**

Measure	April 2011 to March 2012	April to September 2012	April to September 2013
Average number of weeks between registration of appeal and decision issued	13.80 weeks	14.15 weeks	10.39 weeks
Cases with less than 8 weeks between registration and decision (personal target)	17.24%	11.68%	32.81%
Cases with less than 12 weeks between registration and decision (personal target)	53.10%	47.20%	73.44%

Total cases used in calculation: 64

**8.0 Annual Statistical Summary**

The summary of PCN and appeal statistics council by council for England (outside London) and Wales is enclosed at Appendix 1.

**9.0 Access to Information**

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

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Appendix 1

**Traffic Penalty Tribunal**

**2012-13 Appeals Summary Overview**

**Parking PCNs (England and Wales)**

PCNs issued – 4,297,643 (provisional) (reduction of 0.5% on 2011/12)

PCNs appealed: – 16,225 (2.7% decrease on 2011/12)

Allowed – 49% (50% in 2011/12)

Refused – 43% (43% in 2011/12)

**Bus Lane PCNs**

PCNs Issued – 554,773 (5% increase on 2011/12)

PCNs appealed – 2740 (\*18% decrease)

Allowed – 44% (64% in 2011/12)

Dismissed – 47% (32% in 2011/12)

\*Decrease can be attributed to Hertfordshire

**Wales**

PCNs issued 187,009 (increase of 1.3% on 2011/12)

PCNs appealed 647 (decrease of 15% on 2011/12)

Allowed 43% (42% in 2011/12)

Refused 49% (48% in 2011/12)

**Hearings**

Without a hearing – 60 %

Telephone hearing – 22%

Face to face hearing – 18%

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Details of Appeals Received for All Councils April 2012 to March 2013

Council	PCNs Appealed	PCNs issued	Rate of appeal per PCN	Not Contested by council	Allowed by Adjudicator	Total allowed including not contested by council	Refused by Adjudicator incl. out of time and withdrawn by appellant	Consent order	Witness Statement - No Appeal	Awaiting decision incl. other decided
Barnsley	17	7,039	0.24%	3 18%	6 35%	9 53%	7 41%	0 0%	0 0%	1 6%
Bath and North East Somerset	72	29,282	0.25%	8 11%	15 21%	23 32%	36 50%	0 0%	13 18%	0 0%
Bedford	92	29,940	0.31%	29 32%	17 18%	46 50%	46 50%	0 0%	0 0%	0 0%
Birmingham	832	129,865	0.64%	306 37%	101 12%	407 48%	345 41%	4 1%	67 8%	9 1%
Blackburn with Darwen	73	6,912	0.82%	26 38%	11 15%	37 51%	21 29%	0 0%	16 21%	0 0%
Blackpool	28	18,793	0.07%	1 4%	11 39%	12 43%	15 54%	0 0%	0 0%	1 4%
Bolton	149	26,108	0.57%	31 21%	24 15%	55 37%	76 51%	0 0%	13 9%	5 3%
Bournemouth	168	27,725	0.61%	47 28%	37 22%	84 50%	64 38%	2 1%	13 8%	5 3%
Bracknell Forest	14	3,664	0.38%	4 29%	4 29%	8 57%	6 43%	0 0%	0 0%	0 0%
Bradford	333	42,128	0.79%	53 16%	71 21%	124 37%	164 49%	0 0%	39 12%	6 2%
Brighton & Hove	538	114,332	0.47%	105 20%	196 25%	261 48%	284 49%	1 0%	0 0%	12 2%
Bristol	400	92,635	0.43%	161 40%	59 15%	220 65%	142 35%	0 0%	38 9%	0 0%
Buckinghamshire County Council	90	28,957	0.33%	18 20%	27 30%	45 50%	41 48%	1 1%	0 0%	3 3%
Aylesbury Vale	33	6,505	0.38%	3 9%	11 33%	14 42%	17 52%	0 0%	0 0%	2 6%
Chiltern	2	5,401	0.04%	0 0%	2 100%	2 100%	0 0%	0 0%	0 0%	0 0%
Wycombe	22	9,785	0.23%	5 23%	4 18%	9 41%	13 59%	0 0%	0 0%	0 0%
Bury	78	18,294	0.42%	9 12%	27 36%	36 47%	34 45%	2 3%	0 0%	4 5%

Caerddale	41	16,604	0.25%	13 32%	7 17%	20 49%	0 0%	0 0%	1 2%
Cambridgeshire County Council									
Cambridge	32	43,002	0.07%	15 47%	6 19%	21 66%	0 0%	0 0%	0 0%
Central Bedfordshire	79	15,056	0.62%	62 78%	10 13%	72 91%	0 0%	0 0%	0 0%
Cheshire East	95	22,576	0.42%	12 13%	34 36%	46 48%	0 0%	2 2%	3 3%
Cheshire West	65	26,010	0.25%	34 52%	12 18%	46 71%	0 0%	0 0%	2 3%
Cornwall County	179	40,223	0.45%	12 7%	73 41%	85 47%	3 2%	0 0%	7 4%
Coventry	133	32,791	0.41%	63 47%	35 28%	98 74%	0 0%	3 2%	1 1%
Cumbria County Council									
Allerdale	6	7,507	0.08%	1 17%	1 17%	2 33%	0 0%	0 0%	0 0%
Barrow-in-Furness	20	5,820	0.36%	4 20%	7 35%	11 55%	0 0%	0 0%	0 0%
Carlisle	8	10,828	0.08%	0 0%	1 12%	1 12%	0 0%	0 0%	3 37%
Copeland	2	343	0.58%	2 100%	0 0%	2 100%	0 0%	0 0%	0 0%
Eden	23	4,059	0.57%	4 17%	13 57%	17 74%	0 0%	0 0%	1 4%
South Lakeland	20	7,190	0.28%	0 0%	6 30%	6 30%	0 0%	0 0%	2 10%
Darlington									
	25	17,668	0.14%	5 20%	8 32%	13 52%	0 0%	0 0%	1 4%
Derby	83	30,721	0.27%	17 20%	18 19%	33 40%	1 1%	6 7%	4 5%

Derbyshire County Council	91	16,745	0.54%	20	23%	21	41	39	0	9	2
Amber Valley	27	2,741	0.99%	13	8	21	4	43%	0	10%	2%
Chesterfield	12	3,560	0.34%	9	75%	2	11	15%	0	7%	0%
Derbyshire Dales	14	3,808	0.37%	6	43%	17%	92%	8%	0	0	0
Erewash	14	1,598	0.88%	4	29%	9	13	7%	0	7%	0%
High Peak	22	2,896	0.82%	10	64%	10	93%	7%	0	0	0
North East Derbyshire	2	421	0.48%	0	45%	0	91%	5%	0	0%	5%
South Derbyshire	4	423	0.95%	1	0%	2	0	100%	0	0	0
Devon County Council	23	6,764	0.28%	3	22%	5	8	15	0	0	0
East Devon	54	20,361	0.26%	9	17%	10	19	65%	1	0	0%
Mid Devon	0	3,635	0.00%	0	0%	0	0	61%	2%	0%	2%
North Devon	42	11,884	0.38%	1	38%	14	15	0%	0	0	0
South Hams	20	11,284	0.18%	2	2%	5	7	52%	2	3	0
Tenbridge	175	12,883	1.36%	15	9%	31	46	7%	0	1	0
Torrifge	15	6,730	0.22%	8	40%	1	7	72%	1%	0	1%
West Devon	5	2,787	0.18%	4	80%	1	5	53%	0	0	0%
Dorset (East Dorset, North Dorset, Purbeck, Wareham, and West Dorset)	25	13,187	0.19%	0	0%	5	5	0%	0	1	1
Christchurch	6	8,501	0.07%	2	33%	2	4	72%	0%	4%	4%
Weymouth & Portland	17	6,049	0.21%	2	12%	1	3	2%	0	0	0
Dorchester	63	16,793	0.38%	14	22%	12	26	48%	0	8	0
Dudley	29	10,043	0.29%	0	0%	7	7	41%	0	13%	0%
Durham	37	15,796	0.23%	2	5%	6	8	21%	0	4	1

East Riding of Yorkshire**	131	18,937	0.69%	10 8%	39 30%	49 37%	76 58%	2 2%	0 0%	4 3%
East Sussex County Council (Eastbourne)	21	11,439	0.18%	2	3	5	16	0	0	0
East Sussex County Council (Lewes)	35	10,972	0.32%	10%	14	20	76%	0	0	1
Hastings	23	17,760	0.13%	17%	5	6	40%	0	5	3%
				4%	22%	26%	52%	0%	22%	0%
South Essex Parking Partnership (Basildon on street, Brentwood on street, Castle Point on + off street, Chelmsford on/off street, Maldon on street, Rochford on street)	114	42,653	0.27%	47	35	82	25	1	6	0
Basildon (off street)	7	2,140	0.33%	41%	31%	72%	22%	1%	5%	0%
Brentwood (off street)	1	1,416	0.07%	0%	0	0	1	0	0	0
Maldon (Off Street)	5	491	1.02%	0%	0	0	5	0	0	0
Rochford (off street)	5	3,516	0.14%	0%	3	3	2	0	0	0
North Essex Parking Partnership	5	6,439	0.05%	1	2	3	1	0	0	1
Braintree	9	23,880	0.04%	22%	11%	33%	56%	11%	0%	0%
Epping Forest	12	15,407	0.08%	5	2	7	5	0	0	0
Harlow	6	8,691	0.07%	42%	17%	56%	42%	0%	0%	0%
Tendring	6	6,456	0.09%	50%	17%	67%	33%	0%	0%	0%
Uttlesford	4	5,394	0.07%	67%	33%	100%	0%	0%	0%	0%
				3	1	4	0	0	0	0
				75%	25%	100%	0%	0%	0%	0%

Galeshead	42	14,842	0.28%	6	14%	10	24%	16	38%	24	57%	0	0%	0	0%	2	5%
<b>Gloucestershire County Council</b>																	
Cheltenham	30	13,063	0.23%	11	37%	5	17%	16	53%	12	40%	0	0%	0	0%	2	7%
Cotswold	31	9,778	0.32%	6	19%	6	19%	12	38%	19	61%	0	0%	0	0%	0	0%
Forest of Dean	3	887	0.34%	1	33%	1	33%	2	67%	1	33%	0	0%	0	0%	0	0%
Gloucester	22	12,548	0.18%	3	14%	10	45%	13	59%	8	36%	0	0%	0	0%	1	5%
Stroud	10	3,950	0.27%	4	40%	3	30%	7	70%	3	30%	0	0%	0	0%	0	0%
Tewkesbury	9	5,709	0.16%	1	11%	3	33%	4	44%	4	44%	0	0%	0	0%	1	11%
<b>Hampshire County Council</b>																	
Basingstoke and Deane	4	7,651	0.05%	0	0%	2	50%	2	50%	2	50%	0	0%	0	0%	0	0%
Eastleigh	21	13,385	0.16%	3	14%	6	29%	9	43%	11	52%	0	0%	1	5%	0	0%
Fareham	24	8,055	0.30%	12	50%	5	21%	17	71%	6	25%	1	4%	0	0%	0	0%
Hart	7	4,117	0.17%	2	29%	0	0%	2	29%	5	71%	0	0%	0	0%	0	0%
Harant	30	7,011	0.43%	3	10%	9	30%	12	40%	14	47%	0	0%	0	0%	4	13%
New Forest	3	8,463	0.04%	2	67%	0	0%	2	67%	1	33%	0	0%	0	0%	0	0%
Rushmoor	20	17,064	0.12%	4	20%	3	15%	7	35%	13	65%	0	0%	0	0%	0	0%
Test Valley	8	9,093	0.09%	0	0%	4	50%	4	50%	4	50%	0	0%	0	0%	0	0%
Winchester	21	12,801	0.18%	1	5%	5	24%	6	29%	14	67%	0	0%	1	5%	0	0%
<b>Herefordshire County Council</b>																	
Hereford	40	7,050	0.57%	12	30%	13	33%	25	62%	15	37%	0	0%	0	0%	0	0%
Leominster	22	19,334	0.11%	7	32%	2	9%	9	41%	12	55%	0	0%	0	0%	1	5%



Herfordshire County Council												
Broxbourne	30	13,209	0.23%	5	17%	9	30%	14	15	0	0	1
Decorum	26	14,499	0.18%	4	15%	6	23%	10	7	0	0	3%
East Hertfordshire	38	24,173	0.16%	7	18%	10	26%	17	21	0	0	4%
Hertsmere	45	8,259	0.72%	19	42%	6	13%	25	20	0	0	0%
North Hertfordshire	30	9,071	0.33%	7	23%	2	7%	9	14	0	7	0%
St Albans	67	17,709	0.38%	31	46%	11	16%	42	11	0	11	3
Stovense	18	6,144	0.22%	2	11%	6	33%	8	9	1	0	4%
Three Rivers	5	3,784	0.13%	0	0%	0	0%	0	5	0	0	0%
Watford	100	20,301	0.49%	7	7%	12	12%	19	61	0	16	4
Welwyn Hatfield	14	7,227	0.18%	2	14%	7	50%	9	4	1	0	0%
Ipswich	14	13,801	0.10%	4	29%	2	14%	6	7	0	0	1
Isle of Wight	69	27,877	0.25%	27	39%	1	1%	28	31	3	6	1%
Kent County Council												
Ashford	31	11,804	0.27%	3	10%	7	23%	10	15	0	3	3
Canterbury	23	23,074	0.10%	4	17%	6	26%	10	12	0	1	10%
Dartford	30	9,248	0.32%	12	40%	7	23%	19	11	0	0	0%
Dover	25	13,364	0.18%	5	20%	7	28%	12	13	0	0	0%
Gravesend	41	19,585	0.21%	20	49%	12	29%	32	8	0	0	1
Malden	75	32,038	0.23%	21	28%	19	25%	40	30	0	3	2%
Sevenoaks	17	9,429	0.18%	5	29%	3	18%	8	7	0	2	3%
Shepway	61	16,195	0.38%	5	8%	22	36%	27	27	1	3	0%
Swale	40	20,823	0.19%	2	5%	14	35%	16	21	0	0	5%
Thanet	29	10,566	0.27%	12	41%	7	24%	19	10	0	0	7%
Tonbridge & Malling	21	7,951	0.26%	4	19%	5	24%	8	11	0	1	0%
Tunbridge Wells	38	21,543	0.17%	4	11%	10	28%	14	18	0	3	1

Kingston-upon-Hull	119	21,697	0.55%	39	33%	14	12%	53	45%	65	55%	1	1%	0	0%	0	0%
Kirklees	132	27,168	0.49%	27	20%	35	27%	62	47%	65	49%	0	0%	0	0%	5	4%
Lancashire CC	275	46,420	0.59%	113	41%	41	15%	154	56%	86	31%	2	1%	20	7%	13	5%
Burnley	10	2,741	0.36%	2	20%	1	10%	3	30%	5	50%	0	0%	2	20%	0	0%
Chorley	26	3,072	0.85%	8	31%	8	31%	16	62%	9	35%	0	0%	1	4%	0	0%
Fylde	6	1,935	0.31%	1	17%	1	17%	2	33%	4	67%	0	0%	0	0%	0	0%
Hyndburn	0	48	0.00%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
Lancaster	11	5,724	0.19%	7	64%	0	0%	7	64%	3	27%	0	0%	1	9%	0	0%
Pendle	3	1,392	0.22%	1	33%	1	33%	2	67%	1	33%	0	0%	0	0%	0	0%
Preston	10	3,354	0.30%	1	10%	3	30%	4	40%	4	40%	0	0%	2	20%	0	0%
Ribble Valley	6	1,116	0.54%	0	0%	3	50%	3	50%	3	50%	0	0%	0	0%	0	0%
South Ribble	4	972	0.41%	0	0%	2	50%	2	50%	2	50%	0	0%	0	0%	0	0%
West Lancashire	10	4,363	0.23%	3	30%	3	30%	6	60%	2	20%	0	0%	1	10%	1	10%
Wyre	11	3,330	0.33%	3	27%	3	27%	6	55%	5	45%	0	0%	0	0%	0	0%
Leeds	252	106,715	0.24%	68	27%	84	25%	132	52%	66	34%	0	0%	28	11%	6	2%
Leicestershire County Council	4	1,389	0.28%	2	50%	0	0%	2	50%	2	50%	0	0%	0	0%	0	0%
Blaby	43	14,531	0.30%	13	30%	9	21%	22	51%	18	42%	1	2%	2	5%	0	0%
Charnwood	10	3,482	0.29%	7	70%	0	0%	7	70%	3	30%	0	0%	0	0%	0	0%
Harborough	31	6,066	0.51%	12	39%	4	13%	16	52%	14	45%	0	0%	1	1%	0	0%
Hinckley & Bosworth	12	2,376	0.51%	6	50%	1	8%	7	58%	5	42%	0	0%	0	0%	0	0%
Milton	25	6,340	0.39%	15	60%	1	4%	16	64%	7	28%	0	0%	1	4%	1	4%
NW Leicestershire	14	3,369	0.42%	7	50%	3	21%	10	71%	2	14%	2	14%	0	0%	0	0%
Quadbys & Wigston	138	34,756	0.40%	59	43%	21	15%	60	58%	39	28%	0	0%	14	10%	5	4%

Lincs	14	3336	0.42%	3	21%	4	29%	7	50%	5	36%	0	0%	0	0%	2	14%
North Kebleton	0	142	0.00%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
South Kebleton	3	498	0.60%	2	67%	1	33%	3	100%	0	0%	0	0%	0	0%	0	0%
West Lindsey	0	207	0.00%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
Lincoln	3	1,088	0	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
Liverpool	282	86,988	0.42%	47	17%	60	21%	107	38%	151	54%	16	5%	16	5%	8	3%
Luton	188	38,525	0.44%	51	30%	41	24%	82	55%	64	38%	6	4%	6	4%	6	4%
Manchester	1009	139,652	0.72%	123	12%	425	42%	548	54%	387	38%	4	0%	24	2%	36	4%
Medway	139	37,219	0.37%	44	32%	30	22%	74	53%	62	45%	3	2%	3	2%	0	0%
Middlesbrough	52	7,931	0.68%	14	27%	10	19%	24	46%	21	40%	7	13%	7	13%	0	0%
Milton Keynes	91	32,005	0.28%	48	53%	14	15%	62	68%	27	30%	0	0%	0	0%	2	2%
Newcastle upon Tyne	261	61,937	0.42%	38	15%	43	16%	81	31%	180	57%	2	1%	22	8%	6	2%
Norfolk County Council	3	2239	0.13%	2	67%	1	33%	3	100%	0	0%	0	0%	0	0%	0	0%
Breckland District Council	0	157	0.00%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
Broadland District Council	2	9,225	0.02%	1	50%	1	50%	2	100%	0	0%	0	0%	0	0%	0	0%
Great Yarmouth	19	26,103	0.07%	5	26%	2	11%	7	37%	10	53%	0	0%	0	0%	2	11%
Kings Lynn and West Norfolk	12	10,722	0.11%	2	17%	4	33%	6	50%	5	42%	0	0%	0	0%	1	8%
North Norfolk District Council	0	1,419	0.00%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
South Norfolk District Council	0	1,419	0.00%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
Norwich	54	22,209	0.24%	30	56%	7	13%	37	69%	16	30%	0	0%	0	0%	1	2%
North East Lincolnshire	56	11,929	0.47%	3	5%	26	46%	29	52%	22	39%	5	9%	5	9%	0	0%

North Lincolnshire	51	10,750	0.47%	13 25%	13 25%	26 51%	20 39%	0 0%	5 10%	0 0%
North Tyneside	92	13,771	0.57%	26 28%	16 17%	42 46%	34 37%	0 0%	13 14%	3 3%
North Yorkshire County Council	23	19,022	0.12%	2 9%	2 9%	4 17%	19 83%	0 0%	0 0%	0 0%
Scarborough	63	18,066	0.35%	16 25%	18 29%	34 54%	20 32%	0 0%	9 14%	0 0%
Northamptonshire County Council	76	38,228	0.20%	17 22%	28 37%	45 59%	25 33%	1 1%	0 0%	5 7%
Northumberland	43	20,209	0.21%	11 25%	9 21%	20 47%	19 44%	0 0%	0 0%	4 9%
Nottingham	422	55,483	0.76%	91 22%	67 16%	158 37%	201 48%	1 0%	60 14%	2 0%
Nottinghamshire County Council	235	30,983	0.78%	48 20%	73 31%	121 51%	98 42%	1 0%	11 5%	4 2%
Ashfield	11	1,850	0.59%	6 55%	5 45%	11 100%	0 0%	0 0%	0 0%	0 0%
Bassetlaw	56	4,421	1.27%	36 64%	14 25%	50 88%	4 7%	0 0%	1 2%	1 2%
Broxtowe	9	2,700	0.33%	4 44%	4 44%	8 89%	1 11%	0 0%	0 0%	0 0%
Gedling	28	5,394	0.48%	12 46%	10 38%	22 85%	4 15%	0 0%	0 0%	0 0%
Manusfield	20	4,102	0.49%	11 69%	4 38%	15 85%	5 15%	0 0%	0 0%	0 0%
Newark & Sherwood	16	3,599	0.44%	11 68%	2 12%	13 81%	3 19%	0 0%	0 0%	0 0%
Rushcliffe	19	4,375	0.43%	11 58%	4 21%	15 79%	0 21%	0 0%	0 0%	0 0%
Oldham	73	21,724	0.34%	5 7%	38 52%	43 59%	29 40%	0 0%	0 0%	1 1%
Oxfordshire County Council (Oxford)	142	39,341	0.36%	28 20%	27 19%	55 39%	52 37%	11 8%	13 9%	11 8%
West Oxfordshire	11	7,849	0.14%	4 36%	4 36%	8 73%	3 27%	0 0%	0 0%	0 0%
Peterborough**	52	20,550	0.25%	20 38%	12 23%	32 62%	19 37%	1 2%	0 0%	0 0%
Plymouth	234	34,945	0.67%	92 39%	51 22%	143 61%	85 28%	1 0%	25 11%	0 0%

Poole	81	18,733	0.43%	19	23%	9	11%	28	35%	48	59%	0	0%	3	4%	2	2%
Portsmouth	85	34,428	0.25%	6	7%	26	31%	32	38%	35	41%	0	0%	13	15%	5	6%
Reading	406	45,216	0.90%	181	45%	68	16%	247	61%	134	33%	3	1%	20	5%	2	0%
Redcar & Cleveland	63	8,255	0.76%	26	41%	17	27%	43	68%	19	30%	0	0%	1	2%	0	0%
Rochdale	62	12,444	0.50%	8	13%	14	23%	22	35%	33	53%	0	0%	5	8%	2	3%
Royal Borough of Windsor and Maidenhead	176	29,888	0.59%	59	34%	35	20%	93	53%	75	43%	1	1%	0	0%	6	3%
Rotherham	21	7,565	0.28%	3	14%	3	14%	6	29%	8	38%	0	0%	4	19%	3	14%
Rutland	0	3,150	0.00%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
Salford	111	34,784	0.32%	44	40%	13	12%	57	51%	38	34%	0	0%	15	14%	1	1%
Sandwell	163	32,300	0.50%	30	18%	18	10%	46	28%	96	59%	2	1%	15	9%	4	2%
Sefton	79	33,896	0.23%	4	5%	10	13%	14	18%	41	52%	0	0%	24	30%	0	0%
Sheffield	348	58,176	0.80%	120	34%	70	20%	180	55%	124	36%	3	1%	23	7%	6	2%
Shropshire	33	11,915	0.28%	3	9%	6	18%	8	27%	15	45%	0	0%	7	21%	2	6%
Slough	156	37,323	0.42%	52	33%	32	21%	84	54%	56	38%	0	0%	12	8%	4	3%
Somerset County Council	93	36,409	0.26%	62	67%	3	3%	65	70%	24	26%	1	1%	0	0%	3	3%
Stroud	17	3,868	0.44%	14	82%	0	0%	14	82%	2	12%	0	0%	0	0%	1	6%
Sedgemoor	8	1,885	0.42%	8	100%	0	0%	8	100%	0	0%	0	0%	0	0%	0	0%
South Somerset	4	3,048	0.13%	0	0%	2	50%	2	50%	1	25%	0	0%	0	0%	1	25%
Taunton Deane	16	4,659	0.34%	10	63%	0	0%	10	63%	6	38%	0	0%	0	0%	0	0%
West Somerset	1	333	0.30%	0	0%	0	0%	0	0%	1	100%	0	0%	0	0%	0	0%

Solihull	11	13,077	0.08%	0	5	5	6	0	0	0	0	0	0
				0%	45%	45%	55%	0%	0%	0%	0%	0%	0%
South Gloucestershire	21	6,774	0.31%	4	2	6	14	1	0	0	0	0	0
				19%	10%	29%	67%	5%	0%	0%	0%	0%	0%
South Tyneside	10	9,258	0.11%	1	3	4	5	0	0	0	0	1	10%
				10%	30%	40%	50%	0%	0%	0%	0%	10%	10%
Southampton	148	35,435	0.42%	11	21	32	73	3	32	32	22%	8	5%
				7%	14%	22%	49%	2%	22%	22%	22%	5%	5%
Southend-on-Sea	325	42,642	0.76%	177	48	225	95	0	0	0	0	5	2%
				54%	15%	69%	29%	0%	0%	0%	0%	2%	2%
St Helens	19	6,290	0.30%	0	7	7	12	0	0	0	0	0	0%
				0%	37%	37%	63%	0%	0%	0%	0%	0%	0%
Staffordshire County Council													
Cannock Chase	3	5,689	0.05%	0	0	0	3	0	0	0	0	0	0
				0%	0%	0%	100%	0%	0%	0%	0%	0%	0%
East Staffordshire	11	6,453	0.17%	0	2	2	9	0	0	0	0	0	0
				0%	18%	18%	82%	0%	0%	0%	0%	0%	0%
Lichfield	13	5,453	0.24%	1	8	9	3	0	0	0	0	1	8%
				8%	62%	69%	23%	0%	0%	0%	0%	8%	8%
Newcastle under Lyme	6	5,315	0.11%	0	1	1	5	0	0	0	0	0	0
				0%	17%	17%	83%	0%	0%	0%	0%	0%	0%
South Staffordshire	1	1,539	0.05%	0	0	0	1	0	0	0	0	0	0
				0%	0%	0%	100%	0%	0%	0%	0%	0%	0%
Stafford	12	11,633	0.10%	0	3	3	9	0	0	0	0	0	0
				0%	25%	25%	75%	0%	0%	0%	0%	0%	0%
Staffordshire Moorlands	8	4,185	0.19%	4	3	7	1	0	0	0	0	0	0
				50%	37%	87%	12%	0%	0%	0%	0%	0%	0%
Tamworth	6	5,444	0.11%	0	1	1	5	0	0	0	0	0	0
				0%	17%	17%	83%	0%	0%	0%	0%	0%	0%
Stokeport	35	18,612	0.19%	9	5	14	21	0	0	0	0	0	0
				28%	14%	40%	60%	0%	0%	0%	0%	0%	0%
Stoke-on-Tees	20	4,794	0.42%	5	7	12	8	0	0	0	0	0	0
				25%	35%	60%	40%	0%	0%	0%	0%	0%	0%
Stoke-on-Trent	21	21,389	0.10%	1	2	3	15	0	0	0	0	3	14%
				5%	10%	14%	71%	0%	0%	0%	0%	14%	14%
Sunderland	57	12,157	0.47%	14	13	27	26	0	0	0	3	1	2%
				25%	23%	47%	48%	0%	0%	0%	5%	2%	2%

Surrey County Council												
Elmbridge	59	19,620	0.30%	5	18	23	28	0	0	6	2	
				8%	31%	39%	47%	0%	0%	10%	3%	
Epsom and Ewell	64	12,208	0.52%	21	18	39	24	1	0	0	0	
				33%	28%	61%	37%	2%	0%	0%	0%	
Guildford	18	30,522	0.06%	2	3	5	9	0	0	4	0	
				11%	17%	28%	50%	0%	0%	22%	0%	
Mole Valley	3	8,732	0.03%	0	2	2	0	0	0	0	1	
				0%	67%	67%	0%	0%	0%	0%	33%	
Reigate & Banstead	34	13,272	0.26%	15	8	23	9	0	0	1	1	
				44%	24%	68%	26%	0%	0%	3%	3%	
Runnymede	7	4,930	0.14%	0	0	0	6	0	0	0	1	
				0%	0%	0%	86%	0%	0%	0%	14%	
Spelthorne	25	12,426	0.20%	9	8	17	8	0	0	0	0	
				38%	32%	68%	32%	0%	0%	0%	0%	
Surrey Heath	10	10,250	0.10%	8	0	8	2	0	0	0	0	
				80%	0%	80%	26%	0%	0%	0%	0%	
Tandridge	7	4,856	0.16%	2	2	4	3	0	0	0	0	
				29%	29%	57%	43%	0%	0%	0%	0%	
Waverley	20	13,105	0.15%	0	2	2	16	0	0	1	1	
				0%	10%	10%	80%	0%	0%	5%	5%	
Woking	16	11,429	0.14%	7	7	14	2	0	0	0	0	
				44%	44%	87%	12%	0%	0%	0%	0%	
Swindon	58	23,572	0.25%	20	12	32	25	1	0	0	1	
				34%	20%	54%	42%	2%	0%	0%	2%	
Tameside	50	21,586	0.23%	13	12	25	18	0	0	7	0	
				28%	24%	50%	38%	0%	0%	14%	0%	
Thurrock	27	10,756	0.25%	4	10	14	13	0	0	0	0	
				15%	37%	52%	48%	0%	0%	0%	0%	
Torbay	297	36,358	0.82%	45	77	122	149	3	3	11	12	
				15%	28%	41%	50%	1%	1%	4%	4%	
Traford	143	27,574	0.51%	58	32	88	46	0	0	8	3	
				39%	22%	62%	32%	0%	0%	4%	2%	
Walsall	60	17,463	0.34%	24	3	27	23	0	0	10	0	
				40%	5%	45%	38%	0%	0%	17%	0%	
Warrington	43	13,082	0.33%	19	7	28	15	0	0	0	2	
				44%	16%	80%	35%	0%	0%	0%	5%	





York	20	14,010	0.14%	1	5%	8	45%	10	50%	7	35%	1	5%	2	10%	0	0%
Wales																	
Cardiff	10	8,452	0.12%	0	0%	3	30%	3	30%	7	70%	0	0%	0	0%	0	0%
Cardiff	204	59,217	0.34%	43	21%	33	17%	76	37%	175	56%	0	0%	3	1%	10	5%
Ceredigion	13	7,240	0.18%	3	23%	0	0%	3	23%	0	0%	1	8%	0	0%	1	8%
Conwy	11	9,378	0.12%	2	18%	2	18%	4	38%	7	64%	0	0%	0	0%	0	0%
Denbighshire	22	8,327	0.26%	5	23%	2	9%	7	32%	12	55%	0	0%	2	9%	1	5%
Gwynedd	38	11,941	0.32%	13	34%	12	32%	25	66%	10	28%	0	0%	1	3%	2	5%
Isle of Anglesey	2	920	0.22%	0	0%	0	0%	0	0%	2	100%	0	0%	0	0%	0	0%
Merthyr Tydfil	26	7,052	0.37%	6	23%	14	54%	20	77%	6	23%	0	0%	0	0%	0	0%
Neath Port Talbot	37	10,714	0.35%	12	32%	9	24%	21	57%	14	38%	0	0%	0	0%	2	5%
Pembrokeshire	35	10,882	0.33%	5	14%	7	19%	12	33%	20	58%	0	0%	1	3%	3	8%
Powys	14	6,281	0.22%	3	21%	4	29%	7	50%	7	50%	0	0%	0	0%	0	0%
Rhondda	22	9,039	0.24%	14	64%	0	0%	14	64%	6	27%	0	0%	0	0%	2	9%
Swansea	198	34,054	0.58%	54	27%	28	14%	82	41%	101	51%	2	1%	9	5%	4	2%
Wrexham	14	3,512	0.60%	4	29%	2	14%	6	43%	5	36%	0	0%	2	14%	1	7%
All Councils	16,225	4,297,643	0.38%	4249	26%	3693	23%	7942	49%	6898	43%	84	1%	514	5%	387	2%
--Provisional PCN figures																	

Bus Lane appeals - Year on Year Comparison

	PCNs Appealed	PCNs Issued	Rate of appeal per PCN	Not Contested by council	Allowed by Adjudicator	Total allowed Including not contested by council	Refused by Adjudicator Incl. out of time and withdrawn by appellant	Consent Order	Stat Dec - No Appeal	Awaiting decision Incl. other decided
Apr 12 - Mar 13	2,740	554,773	0.49%	651 24%	551 20%	1202 44%	1300 47%	37 1%	92 3%	109 4%
Apr 11 - Mar 12	3,334	527,027	0.63%	1304 39%	825 25%	2129 64%	1060 32%	20 1%	15 0%	110 3%
Apr 10 - Mar 11	1,410	357,799	0.39%	586 42%	256 18%	842 60%	484 34%	28 2%	12 1%	44 3%
Apr 09 - Mar 10	634	172,390	0.37%	237 37%	175 28%	412 65%	187 29%	na na	na na	35 6%
Apr 08 - Mar 09	464	132,170	0.35%	189 41%	119 26%	308 66%	141 30%	na na	na na	15 3%
Apr 07 - Mar 08	310	117,265	0.26%	120 39%	103 33%	223 72%	64 21%	na na	na na	23 7%

Details of Bus Lane Appeals Received between April 2012 and March 2013

Council	PCNs Appealed	PCNs Issued	Rate of appeal per PCN	Not Contested by council	Allowed by Adjudicator	Total allowed including not contested by council	Refused by Adjudicator incl. out of time and withdrawn by appellant	Consent Order	Stat Dec - No Appeal	Awaiting decision incl. other decided
Bath and NE Somerset	95	27,949	0.34%	20 21%	30 32%	50 53%	43 45%	1 1%	1 1%	0 0%
Bedford	14	6,091	0.23%	4 29%	3 21%	7 50%	7 50%	0 0%	0 0%	0 0%
Bournemouth	0	476	0.00%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%
Bradford	181	34,882	0.52%	50 28%	31 17%	81 45%	67 48%	1 1%	8 4%	4 2%
Brighton & Hove	12	2,892	0.41%	1 8%	7 58%	8 67%	3 25%	1 8%	0 0%	0 0%
Bristol	106	23,884	0.44%	34 32%	14 13%	48 45%	53 50%	0 0%	5 5%	0 0%
Bury	42	8,295	0.57%	0 0%	29 69%	29 69%	12 28%	0 0%	0 0%	1 2%
Coventry	53	15,227	0.35%	15 28%	19 36%	34 64%	19 36%	0 0%	0 0%	0 0%
Essex	25	4,967	0.50%	15 60%	4 16%	16 64%	1 4%	0 0%	0 0%	0 0%
Gloucester	31	6,925	0.45%	6 19%	7 23%	13 42%	17 55%	1 3%	0 0%	0 0%
Herefordshire	19	2	0%	5 26%	13 88%	10 95%	1 5%	0 0%	0 0%	0 0%
Lincs	236	44,217	0.53%	30 13%	43 18%	73 31%	59 42%	18 8%	4 2%	42 18%
Leicester	139	32,355	0.43%	32 23%	30 39%	62 59%	39 28%	7 7%	1 1%	7 5%
Liverpool	165	37,940	0.43%	31 19%	25 15%	56 36%	101 61%	1 1%	0 0%	7 4%
Luton	47	12,844	0.37%	10 21%	6 13%	16 34%	30 64%	0 0%	1 2%	0 0%
Manchester	280	48,482	0.58%	40 14%	78 28%	118 42%	152 54%	0 0%	4 1%	5 2%
Medway	59	24,641	0.24%	21 36%	16 27%	37 63%	22 37%	0 0%	0 0%	0 0%
North Tyneside	0	427	0.00%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%
Nottingham	245	36,779	0.67%	31 13%	28 11%	59 24%	159 85%	1 8%	19 8%	7 3%
Orkeshire	121	35,771	0.34%	26 21%	15 12%	41 34%	35 28%	0 0%	41 34%	4 3%
Plymouth	165	36,851	0.42%	18 12%	46 30%	64 41%	84 54%	0 0%	1 1%	6 4%
Reading	468	72,178	0.65%	137 29%	60 13%	197 42%	252 54%	3 1%	7 2%	7 2%
Sheffield	177	24,460	0.72%	73 41%	22 12%	95 54%	76 43%	0 0%	0 0%	6 3%
Somerset	56	8,041	0.70%	44 79%	4 7%	48 66%	3 7%	0 0%	0 0%	4 7%

Stochton-On-Tees	2	1,653	0.12%	0	0%	2	100%	2	100%	0	0%	0	0%	0	0%
Stoika	4	3,593	0.11%	0	0%	1	25%	1	25%	3	75%	0	0%	0	0%
West Berkhara	10	4,161	0.24%	8	80%	1	10%	9	90%	1	10%	0	0%	0	0%
All Councils	2,740	554,773	0.49%	651	24%	551	20%	1,202	44%	1,300	47%	37	1%	52	2%
														109	4%

## Parking Appeals - Year on Year comparison - Wales

All Welsh Councils	Appeals Rec'd	PCNs issued	Rate of appeal per PCN	Not Contested by council	Allowed by Adjudicator	Total allowed including not contested by council	Refused by Adjudicator incl. out of time and withdrawn by appellant	Consent Order	Stats Dec - No Appeal	Awaiting decision incl. other decided
Apr 12 - Mar 13	647	187,009	0.35%	164 25%	116 18%	280 43%	320 49%	3 1%	18 3%	26 4%
Apr 11 - Mar 12	763	184,600	0.28%	217 28%	104 14%	321 42%	369 48%	16 2%	34 4%	23 3%
Apr 10 - Mar 11	409	147,253	0.28%	131 32%	56 14%	187 46%	191 47%	1 0%	15 4%	10 2%
Apr 09 - Mar 10	228	105,368	0.22%	68 30%	54 24%	122 54%	101 44%	na na	na na	5 2%
Apr 08 - Mar 09	145	75,838	0.19%	50 34%	36 25%	86 59%	51 35%	na na	na na	8 6%
Apr 07 - Mar 08	223	73,833	0.30%	66 30%	54 24%	120 54%	98 44%	na na	na na	5 2%
2006	146	55,206	0.26%	59 40%	41 28%	100 68%	42 29%	na na	na na	4 3%
2005	124	48,455	0.26%	22 18%	43 35%	65 52%	58 47%	na na	na na	1 1%
2004	107	34,113	0.31%	45 43%	37 35%	83 78%	24 22%	na na	na na	0 0%
2003	84	16,448	0.51%	39 46%	24 29%	63 75%	19 23%	na na	na na	2 2%
2002-2003	110	17,028	0.65%	49 45%	26 24%	75 68%	34 31%	na na	na na	1 1%
2001-2002	76	19,644	0.39%	30 39%	23 30%	53 70%	16 21%	na na	na na	7 9%
2000-2001	117	20,496	0.57%	49 42%	48 41%	97 83%	19 16%	na na	na na	1 1%
(part) 1999-2000	31	13,688	0.23%	11 35%	11 35%	22 70%	9 30%	na na	na na	0 0%

Details of Appeals Received in relation to Welsh Councils between April 2012 and March 2013

Council	PCNs Appealed	PCNs Issued	Rate of appeal per PCN	Not Contested by council	Allowed by Adjudicator	Total allowed including not contested by council	Refused by Adjudicator incl. out of time and withdrawn by appellant	Consent order	Witness Statement - No Appeal	Awaiting decision incl. other decided
Carmarthenshire	10	8,452	0.12%	0	3	3	7	0	0	0
Cardiff	204	59,217	0.34%	43	33	76	115	0	3	10
Ceredigion	13	7,240	0.18%	3	0	3	8	1	0	1
Conwy	11	9,378	0.12%	2	2	4	7	0	0	0
Denbighshire	22	8,327	0.26%	5	2	7	12	0	2	1
Gwynedd	38	11,941	0.32%	13	12	25	10	0	1	2
Isle of Anglesey	2	920	0.22%	0	0	0	2	0	0	0
Merthyr Tydfil	26	7,052	0.37%	6	14	20	6	0	0	0
Neath Port Talbot	37	10,714	0.35%	12	9	21	14	0	0	2
Pembrokeshire	36	10,882	0.33%	6	7	12	20	0	1	3
Powys	14	6,281	0.22%	3	4	7	56%	0	3	8%
Rhondda	22	9,039	0.24%	14	0	14	6	0	0	2
Swansea	198	34,054	0.58%	54	28	82	101	2	9	4
Wrexham	14	3,512	0.40%	4	2	6	5	0	2	1
<b>Total</b>	<b>647</b>	<b>187,009</b>	<b>0.35%</b>	<b>164</b>	<b>116</b>	<b>280</b>	<b>320</b>	<b>3</b>	<b>18</b>	<b>26</b>
				<b>25%</b>	<b>18%</b>	<b>43%</b>	<b>48%</b>	<b>1%</b>	<b>3%</b>	<b>4%</b>

**PATROL ADJUDICATION JOINT COMMITTEE**

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**Date of Meeting:** 29<sup>th</sup> October 2013  
**Report of:** The Lead Officer on behalf of the Advisory Board  
**Subject/Title:** Audit Commission Small Bodies Annual Return for the Year Ended 31 March 2013

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**1.0 Report Summary**

1.1 To report the findings of the external auditors for 2012/13.

**2.0 Recommendation**

2.1 To note the findings of the external audit for 2012/13 in the enclosed annual return and the management response to the Issues Report.

**3.0 Reasons for Recommendations**

3.1 Compliance with Financial Regulations

**4.0 Financial Implications**

4.1 Set out in the report

**5.0 Legal Implications**

5.1 None at this time

**6.0 Risk Management**

6.1 External Audit findings provide assurance to the Joint Committee which is included the Risk Register.

**7.0 Background and Options**

7.1 Small relevant bodies with an annual turnover of £6.5 million or less must complete annual return in accordance with proper practices summarising their annual activities at the end of each financial year.

7.2 The Joint Committee approved the draft annual return for 2012/13 at its meeting on 25<sup>th</sup> June 2013.

7.3 The Audit Commission has appointed BDO LLP to audit the annual return of the Joint Committee. The final return (Appendix 1) and Issues Report (Appendix 2) is enclosed.

7.4 The Issues Report refers to two matters and the management response is set out below:

a) Assets

A report will be presented to the January 2014 meeting of the Executive Sub Committee in relation to IT resources and their treatment as assets.

b) Fidelity Guarantee Cover

Recommendations in respect of insurance cover for 2013/14 will be presented to the January 2014 meeting of the Executive Sub Committee as part of the budget setting process.

**8.0 Access to Information**

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

Name: Louise Hutchinson

Designation: Head of Service

Tel No: 01625 445566

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



# Small Bodies in England

## Annual return for the year ended 31 March 2013

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**Small relevant bodies in England with an annual turnover of £6.5 million or less must complete an annual return in accordance with proper practices summarising their annual activities at the end of each financial year.**

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

- Sections 1 and 2 are completed by the person nominated by the body.
- Section 3 is completed by the external auditor appointed by the Audit Commission.
- Section 4 is completed by the body's internal audit provider.

**Each body must approve this annual return no later than 30 June 2013.**

### Completing your annual return

Guidance notes, including a completion checklist, are provided on page 6 and at relevant points in the annual return.

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

Send the annual return, together with your bank reconciliation as at 31 March 2013, an explanation of any significant year on year variances in the accounting statements and any additional information requested, to your external auditor by the due date.

Your auditor will identify and ask for any additional documents needed for audit. Therefore, unless requested, do **not** send any original financial records to the external auditor.

Audited and certified annual returns will be returned to the body for publication or public display of sections 1, 2 and 3. You must publish or display the audited annual return by 30 September 2013.

It should not be necessary for you to contact the external auditor or the Audit Commission directly for guidance.

More guidance on completing this annual return is available in the Practitioners' Guides for either local councils or internal drainage boards. These publications may be downloaded from the National Association of Local Councils (NALC) or Society of Local Council Clerks (SLCC) websites ([www.nalc.gov.uk](http://www.nalc.gov.uk) or [www.slcc.co.uk](http://www.slcc.co.uk)) or from the members area of the Association of Drainage Authorities website ([www.ada.org.uk](http://www.ada.org.uk)).

## Section 1 – Accounting statements 2012/13 for:

Enter name of reporting body here: **Parking & Traffic Regulations Outside London Adjudication Joint Committee**

	Year ending		Notes and guidance
	31 March 2012 £	31 March 2013 £	
			<b>Please round all figures to nearest £1. Do not leave any boxes blank and report £0 or Nil balances. All figures must agree to underlying financial records.</b>
1 Balances brought forward	1,119,275 1,115,411 <i>24</i>	1,867,581 1,863,717 <i>24</i>	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	0	0	Total amount of local tax and/or levy received or receivable in the year including funding from a sponsoring body
3 (+) Total other receipts	3,158,649	2,940,665 2,939,181 <i>24</i>	Total income or receipts as recorded in the cashbook less income from taxation and/or levy (line 2). Include any grants received here
4 (-) Staff costs	1,576,267	1,575,808	Total expenditure or payments made to and on behalf of all body employees. Include salaries and wages, PAYE and NI (employees and employers), pension contributions and employment expenses
5 (-) Loan interest/capital repayments	0	0	Total expenditure or payments of capital and interest made during the year on the body's borrowings (if any)
6 (-) All other payments	834,076	1,048,445	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	1,867,581 1,863,717 <i>24</i>	2,183,991 2,172,045 <i>24</i>	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	1,811,243 1,117,013 <i>24</i>	2,128,790	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	0	0	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	0	0	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 2013 the accounting statements in this annual return present fairly the financial position of the body and its income and expenditure, or properly present receipts and payments, as the case may be.

Signed by Responsible Financial Officer:

*Richard -*

Date

*21/6/13*

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

*25/06/2013*

and recorded as minute reference:

Signed by Chair of meeting approving these accounting statements:

*M. Long...*

Date

*25/06/2013*

**Section 2 – Annual governance statement 2012/13**

We acknowledge as the members of Parking & Traffic Regulations Outside London Adjudication Joint 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 2013, that:

	Agreed –		'Yes' means that the body:
	Yes	No*	
1 We approved the accounting statements prepared in accordance with the requirements of the Accounts and Audit Regulations and proper practices.	✓		prepared its accounting statements in the way prescribed by law.
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 taken all reasonable steps to assure ourselves that there are no matters of actual or potential non-compliance with laws, regulations and codes of practice that could have a significant financial effect on the ability of the body to conduct its business or on its finances.	✓		has only done things that it has the legal power to do and has conformed to codes of practice and standards in the way it has done so.
4 We provided proper opportunity during the year for the exercise of electors' rights in accordance with the requirements of the Accounts and Audit Regulations	✓		during the year has given all persons interested the opportunity to inspect and ask questions about the body's accounts.
5 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
6 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.
7 We took appropriate action on all matters raised in reports from internal and external audit.	✓		responded to matters brought to its attention by internal and external audit.
8 We considered whether any litigation, liabilities or commitments, events or transactions, occurring either during or 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 year including events taking place after the year end if relevant.

This annual governance statement is approved by the body and recorded as minute reference

PARLO-ARC 25 JUNE 2013

dated 25/06/2013

Signed by:

Chair

dated

*M. Wallace*  
25/06/13

Signed by:

Clerk

dated

*A. Walker*  
25/06/2013

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

### Section 3 – External auditor certificate and opinion 2012/13

#### Certificate

We certify that we have completed the audit of the annual return for the year ended 31 March 2013 of:

Parking & Traffic Regulations Outside London Adjudication Joint Committee

#### Respective responsibilities of the body and the auditor

The body is responsible for ensuring that its financial management is adequate and effective and that it has a sound system of internal control. The body prepares an annual return in accordance with proper practices which:

- summarises the accounting records for the year ended 31 March 2013; and
- confirms and provides assurance on those matters that are important to our audit responsibilities.

our responsibility is to conduct an audit in accordance with guidance issued by the Audit Commission and, on the basis of our review of the annual return and supporting information, to report whether any matters that come to our attention give cause for concern that relevant legislation and regulatory requirements have not been met.

#### External auditor report

~~(Except for the matters reported below)~~\* on the basis of our review, in our opinion the information in the annual return is in accordance with proper practices and no matters have come to our attention giving cause for concern that relevant legislation and regulatory requirements have not been met. (\*delete as appropriate).

(continue on a separate sheet if required)

Other matters not affecting our opinion which we draw to the attention of the body:

Please see enclosed report

(continue on a separate sheet if required)

External auditor signature

External auditor name

**BDO LLP Southampton  
United Kingdom**

Date

25/2/13

**Note:** The auditor signing this page has been appointed by the Audit Commission and is reporting to you that they have carried out and completed all the work that is required of them by law. For further information please refer to the Audit Commission's publication entitled *Statement of Responsibilities of Auditors and of Audited Small Bodies*.

**Section 4 – Annual internal audit report 2012/13 to**

Parking & Traffic Regulations Outside London Adjudication Joint Committee

The body's internal audit, 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 2013.

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

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 body's financial regulations have been met, payments were supported by invoices, all expenditure was approved and VAT was appropriately accounted for.	✓		
C The body 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, all 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 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 (receipts and payments or income and expenditure), 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 body (list any other risk areas below or on separate sheets if needed) adequate controls existed:

*See Attached audit report which examines the areas 'Not covered' and areas for improvement*

Name of person who carried out the internal audit: *TOM POWELL, HEAD OF AUDIT AND RISK*

Signature of person who carried out the internal audit: *[Signature]* Date: *19/06/2013*

\*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 2012/13 annual return

- 1 You must apply proper practices for preparing this annual return. Proper practices are found in the *Practitioners' Guides\** which are updated from time to time and contain everything you should need to prepare successfully for your financial year-end and the subsequent audit. Both NALC and SLCC have helplines if you want to talk through any problem you may encounter.
- 2 Make sure that your annual 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 is provided to the external auditor. Annual returns containing unapproved or unexplained amendments will be returned unaudited and may incur additional costs.
- 3 Use the checklist provided below. Use a second pair of eyes, perhaps a member or the Chair, to review your annual return for completeness before sending it to the external auditor.
- 4 Do not send the external auditor any information not specifically asked for. Doing so is not helpful. However, you must notify the external auditor of any change of Clerk, Responsible Financial Officer or Chair.
- 5 Make sure that the copy of the bank reconciliation which you send to your external auditor with the annual return covers **all** your bank accounts. If your body holds any short-term investments, note their value on the bank reconciliation. The external auditor 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.** More help on bank reconciliation is available in the *Practitioners' Guides\**.
- 6 **Explain fully** significant variances in the accounting statements on page 2. Do not just send in a copy of your detailed accounting records instead of this explanation. The external auditor wants to know that **you** understand the reasons for all variances. Include a complete analysis to support your explanation. There are a number of examples provided in the *Practitioners' Guides\** to assist you.
- 7 If the external auditor has to review unsolicited information, or receives an incomplete bank reconciliation, or you do not fully explain variances, this may incur additional costs for which the auditor will make a charge.
- 8 Make sure that your accounting statements add up and the balance carried forward from the previous year (Box 7 of 2012) equals the balance brought forward in the current year (Box 1 of 2013).
- 9 **Do not complete section 3.** The external auditor will complete it at the conclusion of their audit.

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 requested by the external auditor has been sent with this annual return? Please refer to your notice of audit	<input checked="" type="checkbox"/>
Section 1	Approval by the body confirmed by signature of Chair of meeting approving the accounting statements?	<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 2013 agreed to Box 8?	<input checked="" type="checkbox"/>
Section 2	An explanation of any difference between Box 7 and Box 8 is provided?	<input checked="" type="checkbox"/>
	For any statement to which the response is 'no', an explanation is provided?	<input checked="" type="checkbox"/>
Section 4	All red boxes completed by internal audit and explanations provided?	<input checked="" type="checkbox"/>

**\*Note: Governance and Accountability for Local Councils in England – A Practitioners' Guides**, is available from NALC and SLCC representatives or *Governance and Accountability for Internal Drainage Boards in England – A Practitioners' Guides*, is available from the ADA at The Association of Drainage Authorities, 12 Cranes Drive, Surbiton, Surrey, KT5 8AL or from the NALC, SLCC or ADA websites - see page 1 for addresses.

**ISSUES ARISING REPORT FOR  
Parking & Traffic Regulations Outside London  
Adjudication Joint Committee  
Audit for the year ended 31 March 2013**

### Introduction

The following matters have been raised to draw items to the attention of Parking & Traffic Regulations Outside London Adjudication Joint Committee. These matters came to the attention of BDO LLP during the audit of the annual return for the year ended 31 March 2013.

The audit of the annual return may not disclose all shortcomings of the systems as some matters may not have come to the attention of the auditor. For this reason, the matters raised may not be the only ones that exist.

The matters listed below are explained in further detail on the page(s) that follow;

- o Fidelity guarantee cover
  - o Assets
-



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The following issue(s) have been raised to assist the body in improving its internal controls or working practices. The body is recommended to consider these but is under no statutory obligation to act upon them.

**Assets**

*What is the issue?*

During the year the body spent considerable amounts on IT, yet none of this has been reflected as assets on the Annual Return.

*Why has this issue been raised?*

The assets of the body maybe understated.

*What do we recommend you do?*

We recommend that the body review the amounts spent on IT to ensure that if any assets, which are items of long term benefit to the body, are recognised on the annual return.

Further guidance on this matter can be obtained from the following source(s):

The Practitioners Guide

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The following issue(s) have been raised to assist the body. The body is recommended to take action on the following issue(s) to ensure that the body acts within its statutory and regulatory framework.

**Fidelity guarantee cover**

*What is the issue?*

The body appears to have no fidelity guarantee cover within its insurance policy held as at 31 March 2013.

*Why has this issue been raised?*

A body, under S114 of the Local Government Act 1972, must take security as it considers sufficient in the case of any of its officers likely to handle its money. The body may decide that insurance is not 'sufficient' for them, but in order to come to this opinion it must have reviewed the requirement annually and have objective grounds for such a conclusion.

*What do we recommend you do?*

The body should consider the level of insurance cover and set it to a level that will protect the body against potential loss. The body should review the level of cover at least annually as circumstances may change throughout the year.

The amount should be sufficient to cover the maximum amount of money the body holds at any one time during the year. A body does not have to have fidelity guarantee insurance if it considers that no security is 'sufficient' but there must be objective grounds for such a conclusion.

Further guidance on this matter can be obtained from the following source(s):

Local Council Administration, 8th Edition, Charles Arnold-Baker, Chapter 9.8  
Governance and Accountability in Local Councils in England - A Practitioners Guide, NALC/SLCC

No other matters came to our attention.

For and on behalf of  
BDO LLP

Date: 30 September 2013

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**PATROL ADJUDICATION JOINT COMMITTEE**

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<b>Date of Meeting</b>	29 <sup>th</sup> October 2013
<b>Report of:</b>	The Lead Officer on behalf of the Advisory Board
<b>Subject/Title:</b>	Budget Monitoring 2013/14

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**1.0 Report Summary**

- 1.1 To present income and expenditure monitoring information for the year 2013/14.

**2.0 Recommendation**

- 2.1 To note the income and expenditure monitoring information presented in the body of the report.

To authorise the Lead Officer to incur expenditure against the revenue budget in excess of the £3,091,564 should the need arise, provided such expenditure is within the total income.

**3.0 Reasons for Recommendations**

- 3.1 Compliance with Financial Regulations

**4.0 Financial Implications**

- 4.1 Set out in the report.

**5.0 Legal Implications**

- 5.1 None

**6.0 Risk Management**

- 6.1 Budget monitoring forms part of the Risk Register.

**7.0 Background and Options**

- 7.1 The budget was approved for the year 2013/14 at the meeting of the Executive Sub Committee held 29<sup>th</sup> January 2013

- 7.2 This report provides the Committee with the expenditure position at 30<sup>th</sup> September 2013 (Appendix 1).

- 7.3 The Tribunal is operated on a self-financing basis with income obtained from defraying expenses amongst the Joint Committee member authorities.
- 7.4 The revenue budget estimate was established by the Joint Committee for 2013/14 on the basis that this would reflect the councils who were already members of the Joint Committee. No account was taken of new councils.
- 7.5 The Joint Committee forecasting model takes account of recent income trends (i.e. within the last 12 months)
- 7.6 The Joint Committee's income is derived from a pre-estimate of the number of PCNs each council will issue. Corrections are applied in subsequent quarters once the actual number of PCNs issued is actually known.
- 7.7 Should it be the case that there is a need for greater expenditure than that provided for in the approved budget, then there is a recommendation to authorise the Head of Service to incur additional expenditure, provided such expenditure does not exceed the income for the current year.
- 7.8 Should it be the case that the revenue account falls into deficit then the surplus from previous years is available.
- 7.9 Should there be greater income than expenditure in the year then there is a recommendation that this be transferred into the succeeding year as reserves.

## **8.0 Expenditure**

- 8.1 At 30 September 2013, expenditure has been less than forecast with a favourable variance of £95,116.
- 8.2 Adjudicator, staff, IT expenditure is within budget. Premises/Accommodation costs include three months of rent, rates and service charges at the Manchester premises (£50,000), dilapidations for those premises of £31,000 together with service charge expenditure for Springfield House. The remainder (£143,000) includes the IT and connectivity costs for the new premises, premises refurbishment, removal and transfer charges and furniture. The service management and support expenditure includes a £31,000 charge from Manchester City Council for IT services during the period when their domain was being used by the Joint Committee.

## **9.0 Income**

- 9.1 There has been an overachievement of parking income (£76,331). The recharge for bus lane adjudication service parking costs shows a favourable variance of £60,727. This together with bank interest provides an overall favourable variance of £2,164.

## 10.0 Cash Flow

The Accounts and Audit Regulations require a cash flow statement to be prepared. The invoicing quarterly in advance broadly addresses the balancing of cash flow. At the second quarter point a net surplus of £105,759 between parking income and expenditure on the balance sheet is reported. This includes income from the Bus Lane account.

## 11.0 Access to Information

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

Name: Louise Hutchinson  
Designation: Head of Service  
Tel No: 01625 445566  
Email: [lhutchinson@patrol-uk.info](mailto:lhutchinson@patrol-uk.info)

## Appendix 1

Parking Q1 and Q2 to 30.09.13

	Q2 YTD Actual	Q2 YTD Budget	Q2 YTD Var to Budget	Q2 YTD Var to Budget	Full Year Budget 13/14	2012/13 OUTTURN
<b>Income</b>						
Penalty Charge Notice	1,323,811	1,247,480	76,331	6.1%	2,494,960	2,579,945
Contribution from Reserves		133,302	-133,302	-100.0%	266,604	0
Other Income			0	0.0%	0	0
Bank Interest	3,407	5,000	-1,593	-31.9%	10,000	9,157
Recharge for Bus Lane Adjudication Costs	220,728	160,000	60,728	38.0%	320,000	344,079
<b>Total Income</b>	<b>1,547,946</b>	<b>1,545,782</b>	<b>2,164</b>	<b>0.1%</b>	<b>3,091,564</b>	<b>2,933,181</b>
<b>Expenditure:</b>						
Adjudicators	445,881	615,508	169,627	27.6%	1,231,105	942,475
Staff	414,290	432,747	18,458	4.3%	865,495	726,015
Premises / Accommodation	224,060	53,450	-170,610	-319.2%	106,900	225,655
Transport	17,632	13,913	-3,719	-26.7%	58,997	50,650
Supplies and Services	185,727	172,797	-12,931	-7.5%	345,620	261,263
IT	122,845	166,725	43,879	26.3%	333,449	394,919
Services Management and Support	31,801	20,000	-11,801	-59.0%	40,000	14,825
Audit Fees	-50	10,000	10,050	100.5%	10,000	8,450
Contingency	0	50,000	50,000	100.0%	99,998	0
<b>Total Expenditure</b>	<b>1,442,186</b>	<b>1,535,139</b>	<b>92,953</b>	<b>6.1%</b>	<b>3,091,564</b>	<b>2,624,253</b>
<b>Profit / (Loss)</b>	<b>105,760</b>	<b>10,643</b>	<b>95,117</b>	<b>893.7%</b>	<b>0</b>	<b>308,928</b>

## PATROL ADJUDICATION JOINT COMMITTEE

---

**Date of Meeting:** 29<sup>th</sup> October 2013  
**Report of:** The Lead Officer on behalf of the Advisory Board  
**Subject/Title:** Review of Reserves 2014/15

---

**1.0 Report Summary**

1.1 To update the Joint Committee on the review of the Reserves Policy Statement

**2.0 Recommendation**

2.1 To review the progress of the review prior to formal approval being sought in January 2014.

**3.0 Reasons for Recommendations**

3.1 To update the Joint Committee

**4.0 Financial Implications**

4.1 Set out in the report

**5.0 Legal Implications**

5.1 None

**6.0 Risk Management**

6.1 The Reserves Policy Statement forms part of the Risk Register

**7.0 Background and Options**

7.1 The Executive Sub Committee approved the Reserves Policy Statement for 2013/14 in January 2013 and set aside £1,282,895 in reserves. The accounts for 2012/13 show a balance of £2,183,991 being carried forward from 2012/13

7.2 The reserves of £1,282,895 are made up of three elements:

Operating reserves	£433,049
Property reserves	£425,346
IT Reserve	£424,500

7.3 The Reserves Policy Statement for 2014/15 will be approved by the Executive Sub Committee in January 2014. This will take into account the anticipated outturn for 2013/14 and the estimated income and expenditure for 2014/15.

**7.4 Operating Reserve**

This will be replaced with a General Reserve which will encompass the operational risks set out in the Reserves Policy Statement approved in January 2013 i.e.

- a) Reduction in income as a result of individual local authority issues.
- b) Reduction in income as a result of issues affecting civil parking across all or a majority of local authorities.
- c) Unanticipated costs associated with legal action
- d) Unanticipated expenditure due to unforeseen circumstances
- e) Overrun on expenditure
- f) Reliance upon a single source of income.

**7.5 Property Reserve**

This basically provides an indemnity to the Host Authority in relation to any outstanding rent associated with the current lease that they have entered into on behalf of the Joint Committee. For 2014/15, this will be based on two years until the break clause at year 3 which will result in a reduced property reserve.

**7.6 IT Reserve**

The Joint Committee has made provision for an IT Reserve of £424,500 in anticipation the introduction of the Tribunal case management portal. Procurement will be concluded by the end of the calendar year. This will result in a digital portal for the management of appeals which will contribute to greater efficiency and effectiveness for both the Tribunal and the local authorities. Key to the success of the initiative will be the engagement of councils and following the procurement process, a recommendation will be made to the Joint Committee on how the councils may be supported in this process.

**7.7 Additional balances**

Any additional available balances will be taken into account in setting the budget and basis for defraying expenses in January 2014.

**8.0 Access to Information**

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

Name: Louise Hutchinson  
Designation: Head of Service  
Tel No: 01625 445566  
Email: [lhutchinson@patrol-uk.info](mailto:lhutchinson@patrol-uk.info)



**PATROL ADJUDICATION JOINT COMMITTEE**

---

**Date of Meeting:** 29<sup>th</sup> October 2013  
**Report of:** The Lead Officer on behalf of the Advisory Board  
**Subject/Title:** Risk Register

---

**1.0 Report Summary**

1.1 To note the current review of the Risk Register

**2.0 Recommendation**

2.1 To note the current status of the Risk Register

**3.0 Reasons for Recommendations**

3.1 Compliance with the Risk Management Strategy approved in June 2013

**4.0 Financial Implications**

4.1 Set out within the report

**5.0 Legal Implications**

5.1 None at this time

**6.0 Risk Management**

6.1 Set out within the report

**7.0 Background and Options**

7.1 The regular review of the Risk Register is a requirement of the Joint Committee's Risk Management Strategy. The latest review of the Risk Register is enclosed at Appendix 1

7.2 The Joint Committee is recommended to note the current status of the risk register.

**8.0 Access to Information**

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

Name: Louise Hutchinson

Designation: Head of Service

Tel No: 01625 445566

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

APPENDIX 1 RISK REGISTER  
OCTOBER 2013

Rank	Risk Description	Consequence Description	Risk Impact	Likelihood	Score	Key Controls In Place	Assurances	Response	Previously Reported Status	Current Status	Further Actions to be taken to Manage Risk Better	Lead
1.	Unforeseen significant fluctuations in income and assurance on service charge income	Inability to meet financial obligations	5	2	10	Audit figures on which to base forecasts. Historical data on which to base forecasts. Reserve policy in place	Internal & External Audit Reports Committee Reports	Treat			Continued forecasting, budget monitoring and cashflow analysis.	HOS
2.	Inability of IT to support needs of organisation and technology users	Reduced effectiveness and efficiency for tribunal, councils and appellants.	3	3	9	Separation of domain has resulted in greater stability.	Performance Reports Upgrade from Windows XP to Windows 7 in the process of being rolled out remotely. IT replacement programme in progress. Technology Reserves in place.	Treat			Disaster Recovery Exercise to take place during 2013/14 Development of Tribunal Portal to facilitate Council and Highways Agency Appeals. Review of IT policies and procedures in the light of the separate domain .	HOS
3.	Loss of key members of management and staff	Disruption to operations Management of vacancies Project and operational targets	3	3	9	Clearly defined roles with flexibility to provide cover. Documented procedures Arrangements	Committee Reports	Treat			Review of existing vacancies and risk based approach to planning for future vacancies.	HOS

APPENDIX 1 RISK REGISTER  
OCTOBER 2013

4	Insufficient adjudicator/staff resources to meet demand	3	Inability to meet targets Pressure to reach decisions may result in increased number of judicial reviews	2	6	for temporary cover Arrangements in place to extend cover. Appointment Sub Committee & Working Group	Committee Reports 14 new adjudicators recruited 2013	Treat	Chief Adjudicator has agreed to work flexibly during this period.  Development of the portal will increase efficiency of the appeals process.	CA
5	Achievement of Key Objectives	3	Failure to achieve key objectives	3	9	Monitoring of demand and performance Staff recruitment, induction, training and appraisal. Contingency Planning Performance Management Strategy and Reporting	Internal & External Audit Reports Committee Reports	Treat	Increased development capacity included in the 2013/14 budget.	HOS

CA = Chief Adjudicator HOS = Head of Service

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

Note 2: A separate Risk Register is being prepared in respect of the Move to new premises and new host authority.

APPENDIX 1 RISK REGISTER  
OCTOBER 2013

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

	Effective Financial and Resource Management including spending within agreed budgets	Financial instability	2	2	4	Historical data on which to base forecasts. Specified role for budget holders in budget monitoring. Recommendations from Internal Audit	Internal & External Audit Reports Committee Reports	Treat	Impact of revisions to budget management Internal Audit Annual Plan for 2011/12.
	Change in government policy	Change in direction for traffic regulations/adjudication	5	1	5	Establishing and maintaining dialogue with relevant government departments, responding to consultation, participation in working groups	Committee Reports	Tolerate	None at this time
	Health and Safety Breach	Risk to welfare of adjudicators, appellant, staff Disruption to tribunal operation	3	1	3	Health and Safety policy in place. Procedures in place for monitoring risk/handling incidents which may be a threat to health and security. Business Continuity Plan in place.	Reporting requirements for Health and Safety Matters	Treat	None at this time

APPENDIX 1 RISK REGISTER  
OCTOBER 2013

Risk Impact Details

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

Likelihood

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

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

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

**MEASUREMENT OF RISK AND REPORTING**

**Risk Matrix**

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

Legend:



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

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

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

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

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