

**PATROL ADJUDICATION JOINT COMMITTEE**  
**Executive Sub Committee**  
**Agenda**

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**Date:** Tuesday 17<sup>th</sup> October 2023  
**Time:** 11.00 am  
**Venue:** Westminster Suite, 18 Smith Square, London SW1P 3HZ

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1. **Apologies for Absence**  
To receive apologies for absence (Page 3, enclosed).
2. **Declarations of Interest**  
To provide an opportunity for Members and Officers to declare any disclosable pecuniary and non-pecuniary interests and for Members to declare if they have pre-determined any item on the agenda.
3. **Minutes of the Previous Meeting**  
To approve the minutes of the PATROL Adjudication Joint Committee Executive Sub Committee meeting held on 24<sup>th</sup> January 2023 as a correct record (Pages 4-13, enclosed).
4. **Chair's Update (verbal)**  
To provide the Executive Sub Committee with a general update since the last meeting.
5. **Chief Adjudicator's Update (General Progress report)**  
To receive an update from the Chief Adjudicator (Pages 14-19, enclosed).
6. **PATROL Annual Return 2022/23**  
To consider a report on the findings of the External and Internal Auditors for the year 2022/23 (Pages 20-33, enclosed).
7. **Budget Monitoring Update for Financial Year 2023-24**  
To consider a report on the Income and Expenditure position at 31<sup>st</sup> August 2023 (now combined for both PATROL and BLASJC) for the year 2023/24 and

to consider a report on the Reserves position at 31<sup>st</sup> August 2023 (now combined for both PATROL and BLASJC) against the approved Reserves levels in order to comply with the approved Financial Regulations (Pages 34-37, enclosed)

**8. Defraying the Expenses of the Joint Committee**

To review the basis for defraying expenses during the 2023/24 Financial Year (Pages 38-41, enclosed).

**9. Expenditure Falling Outside of the Scheme of Delegation**

To note any expenditure falling outside the Scheme of Delegation (Pages 42-44, enclosed).

**10. Risk Management Framework**

To note the latest review of the Risk Register (Pages 45-50, enclosed).

**11. Public Affairs Report**

To note the Public Affairs report during 2023 (Pages 51-55, enclosed).

**12. Appointments to the Advisory Board**

To note the appointments to the Advisory Board (Pages 56-57, enclosed).

**13. A Brief Overview of Civil Parking and Moving Traffic Enforcement**

To receive a presentation by Marc Samways, of Hampshire County Council and Paul Nicholls, of Brighton and Hove City Council.

**14. Date of next meeting**

To note the date of the next meeting as follows:-

Tuesday 23<sup>rd</sup> January 2024 in Birmingham.

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

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

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

# ITEM 1

## PATROL Adjudication Joint Committee – Executive Sub Committee

### Apologies

#### **Councillors**

Cllr Trevor Muten - Brighton and Hove CC

Cllr Ray Bryan - Dorset Council

Cllr Chris Goodwin - Oldham MBC

Cllr Guy Pannell - South Hams DC

Cllr Jermaine Atiya-Alla - Torbay Council

Cllr Hugh Jones - Wrexham CBC

#### **Officer**

Richard Hibbert - CEC

## ITEM 3

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

held on 24 January 2023 at The Studio, 7 Cannon Street, Birmingham,  
B2 5EP

### **PRESENT**

Councillor Stuart Hughes - Devon County Council in the Chair

Councillor Colin Hutchinson - Calderdale Borough Council  
Councillor Terry Douris - Dacorum Borough Council  
Councillor Ray Field - Folkestone & Hythe DC  
Councillor Abdul Qadir - Liverpool City Council  
Councillor Tony Page - Reading Borough Council  
Councillor Geoff Driscoll - Uttlesford District Council  
Councillor Rob Larden - Walsall Metropolitan Borough Council  
Councillor Simon Cronin - Worcester City Council  
Councillor Martin King - Wychavon District Council

### **OFFICERS IN ATTENDANCE**

Sarah Baxter - PATROL  
Andy Diamond - PATROL  
Laura Padden - Director of PATROL  
Caroline Hamilton - Traffic Penalty Tribunal

### **IN ATTENDANCE**

Graham Addicott OBE - Advisory Board

### **31 APOLOGIES FOR ABSENCE**

Apologies for absence were received from, Councillor Mark Smith, Blackpool Council, Councillor Stuart Haslam Bolton MBC, Councillor Steve Davis Brighton Hove & City Council, Councillor Carol Thirkill, Bradford MBC, Councillor Chris Turrell, Bracknell Forest Council, Councillor Laura Crane, Cheshire East Council, Councillor Eileen Lintill, Chichester DC, Councillor Patricia Hetheron, Coventry CC, Councillor Brian Garden, Dartford BC, Councillor Marilyn Peters, Dartford BC, Councillor Ian Kettle, Dudley MBC, Councillor John Shuttleworth,

Durham CC, Councillor Graham McAndrew, East Hertfordshire DC, Councillor Mike Eyles, Eden BC, Councillor Andrew Leadbetter, Exeter CC, Councillor Marje Pelling, Gedling BC, Councillor Nigel Knapton, Hambleton DC, Councillor Graham Burgess, Hampshire CC, Councillor Phil Bibby, Hertfordshire CC, Councillor Phil Jordan, Isle of Wight Council, Councillor Jonathan Bacon, Isle of Wight Council, Councillor Michael Brooks Lincolnshire CC, Councillor Audra Wynter, Nottingham City Council, Councillor Laura Lacey, Newport CC, Councillor Margot McArthur, Sevenoaks DC, Councillor Mohammed Nazir, Slough BC, Councillor John Cook-Woodman, Somerset CC, Councillor Mike Smith, Stockton BC, Councillor Claire Rowntree, Sunderland CC, Councillor Andrew Stephens, Swansea Council, Councillor Janet Jackson, Tameside MBC, Councillor, Councillor Kevin Anderson, Wigan MBC, Councillor Dave Mitchell, Wirral MBC and Councillor Lesley Rennie, Wirral MBC.

In addition, apologies were received from Erica Maslen, PATROL, Marc Samways, Advisory Board and Iain Worrall, PATROL.

### **31 DECLARATIONS OF INTEREST**

There were no declarations of interest.

### **32 MINUTES OF THE MEETING HELD ON 11<sup>TH</sup> OCTOBER 2022**

#### **RESOLVED**

That the minutes of the meeting of the PATROL Adjudication Joint Committee Executive Sub Committee held on 11<sup>th</sup> October 2022 be approved as a correct record and signed by the Chair.

### **32 CHAIR'S UPDATE**

The Chair gave a verbal update in respect of the following matters:-

- New Parliamentary Under Secretary of State for Roads and Local Transport, Richard Holden MP;
- Moving Traffic Enforcement;
- Dissolution of the BLASJC;
- Clean Air Zones;
- Pavement parking;
- User group workshops;
- Adjudicator training session

In respect of the dissolution the BLASJC, the chair thanked Councillor Tony Page for all of his work over the years as chair of the BLASJC.

#### **RESOLVED**

That the Chair's update be noted.

### **33 CHIEF ADJUDICATOR'S UPDATE**

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

- Role of an adjudicator;
- Adjudicator appraisals;
- Adjudicator training event held on the 8<sup>th</sup> December 2023;
- Halton Judicial Review hearing held on the 7<sup>th</sup> and 8<sup>th</sup> December 2023;
- Summary of the data in relation to parking appeals referred to in the general progress report.

Councillor M King queried why there had been an increase in bus lane appeals. In response the Director of PATROL explained that during the pandemic a number of councils had made the decision to reduce on street parking enforcement and focused their efforts on moving traffic which mainly involved bus lanes. Enforcement was carried out using fixed or mobile cameras, which were unaffected by coronavirus restrictions, hence why the recovery for bus lanes was significantly higher than parking. Councillor King also asked if the tribunal would be sufficiently resourced once Halton's unresolved appeals came through. In response the Chief Adjudicator stated it would depend on the outcome of the review but there would be engagement with Halton Borough Council as to how the backlog of appeals would be dealt with should the court's decision necessitate this.

Councillor T Douris asked if future reports could include the percentage of appeals. It was confirmed that this information was available and would usually be included within the annual report.

In addition, the Director of PATROL confirmed she would take an action to recirculate the tribunal's website link hosted by PATROL, which allowed the public to view individual local authority appeal outcomes and compare the decisions of other local authorities with a similar composition. **ACTION LP**

Councillor S Cronin raised concerns that Newcastle had a lack of signage which meant drivers were being forced to enter a Clean Air Zone and that the tribunal could potentially receive a significant number of appeals if the signage was not improved. He was advised that the council should have clear signage offering motorists an alternative route.

A further question was asked in respect of how Bradford Council's implementation of its Clean Air Zone scheme was going. In response members were informed that it appeared Bradford's transition so far had gone smoothly and the authority had learnt from the challenges faced by those authorities who had gone through the process earlier. Data on how many PCNs Bradford were issuing was limited at this moment in time.

## **RESOLVED**

That the update be noted.

Consideration was given to a report on the Income and Expenditure position at 31<sup>st</sup> October 2022 for the year 2022/23 including the Reserves position at 31<sup>st</sup> October 2022 against the approved Reserves levels in order to comply with the approved Financial Regulations.

## **RESOLVED**

1. That the Income and Expenditure position at 31st October 2022 for the year 2022/23 be noted.

2. That the Reserves position at 31st October 2022 against the approved Reserves levels be noted.

## **35 AMENDMENTS TO THE PATROLAJC DEED AGREEMENT**

Consideration was given to a report outlining the amendments to the PATROLAJC Deed Agreement in line with changes to legislation.

Members agreed that the quorum of 8 should not be further reduced. It was also noted that despite a trial move to hold the meeting in Birmingham attendance was disappointingly low. It was suggested it be made clear to members that whilst membership of the Executive Sub Committee was voluntary, attendance at meetings was strongly encouraged. Furthermore, Councillor T Douris advised the Democratic Service and Policy Manager to contact those councils whose members were persistently failing to attend meetings of the Executive Sub Committee.

The general consensus was that members should be able to commit to attending two Executive Sub Committee meetings a year, however it was suggested that the reason for the low attendance could be attributed to the change in location from London to Birmingham and that members views on their preferred location should be sought.

The possibility of using a doodle poll was put forward in order to ensure the date chosen achieved the best attendance.

In respect of the content of future meetings it was suggested that an item should be included on future agendas which allowed time for a presentation slot. One proposal put forward was for a guest speaker from a tranche one council to be invited to give a presentation on the benefits/challenges of implementing moving traffic powers.

Other suggestions for presentations included the following:

- Role of PATROL in particular its involvement in lobbying government;
- National Persistent Evader Database (NPED);
- Update from an authority on their experiences regarding the roll out of Clean Air Zone enforcement.

## **RESOLVED**

1. That the amendments to the PATROLAJC Deed Agreement including amendments to all associated documents within the agreement as contained in Appendix One of the report be approved.

2. That it be noted from March 2023 the Bus Lane Adjudication Service Joint Committee and Bus Lane Adjudication Service Joint Committee Executive Sub Committee would cease to exist and that the PATROL Adjudication Joint Committee and PATROL Adjudication Joint Committee Executive Sub Committee would have responsibility for all matters relating to bus lane enforcement.

**36 AMENDMENTS TO THE TERMS OF REFERENCE OF THE PATROLAJC EXECUTIVE SUB COMMITTEE, THE PATROL AND BUS LANE ADJUDICATION SERVICE JOINT COMMITTEES' RESOURCES WORKING GROUP AND SUB COMMITTEE AND THE ADVISORY BOARD**

Consideration was given to a report outlining minor amendments to the terms of reference of the PATROLAJC Executive Sub Committee, the PATROL and Bus Lane Adjudication Service Joint Committees' Resources Working Group and Sub Committee and the Advisory Board.

**RESOLVED**

1. That the amendments to the terms of reference to the PATROLAJC Executive Sub Committee as contained in Appendix One of the report be approved.

2. That the amendments to the terms of reference to the PATROL and Bus Lane Adjudication Service Joint Committees' Resources Working Group and Sub Committee as contained in Appendix Two of the report be approved.

3. That the amendments to the terms of reference to the Advisory Board as contained in Appendix Three of the report be approved.

**ITEMS COMMON TO PATROL AND THE BUS LANE ADJUDICATION SERVICE JOINT COMMITTEE**

**37 RESERVES POLICY STATEMENT**

Consideration was given to a report reviewing the Reserves Policy Statement for the Joint Committee for 2023/24.

**RESOLVED**

1. That the proposed Reserves Policy Statement for 2023/24 which was combined for BLASJC and for PATROL for the financial year 23/24 onwards be approved.

2. That the total PATROL approved reserve level for 2023/24 of £2,084,765 combined for PATROL and BLASJC as set out at (4) be approved. The equivalent amount for 2022/23 was £2,241,040 (comprising £1,893,699 for PATROL and £347,342 for BLASJC).

3. That the balances of any surplus from 2022/23 being carried forward to 2023/24 be approved.

4. That the delegation of authority to the Chair and the Vice Chair for authorising the withdrawal of funds from PATROL Free Reserves to meet budgetary deficits be approved.

### **38 ANNUAL INVESTMENT STRATEGY 2024**

Consideration was given to a report on the Annual Investment Strategy for 2023/24.

#### **RESOLVED**

1. That investments would only be made with low-risk institutions with offices in the UK.

2. The availability of new investments would be reviewed regularly to ensure that the best products are chosen in terms of rate of return and accessibility.

3. That the Director would sign off any proposed deposits in terms of amount, duration and rate.

### **39 REVENUE BUDGETS FOR 2023-24**

Consideration was given to a report on the revenue budget estimates for 2023/24. It was noted that the inflationary increase for staffing was only at 2% in comparison to the 3% allocated to the adjudicator's fees. Members felt that that the increase should be the same for both staff and adjudicators. It was confirmed that this request could be accommodated within the budget.

#### **RESOLVED**

That the revenue budget for 2023/24 as detailed in the report be agreed subject to an amendment to the inflationary increase for staffing being changed from 2% to 3% in line with the adjudicator's fees.

### **40 DEFRAYING THE EXPENSES OF THE JOINT COMMITTEE**

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

#### **RESOLVED**

1. That for the Financial Year 2023/24, maintenance in charge of **30 pence per PCN** issued for member authorities be approved and the expected impact contained within the report be noted.

2. That this would be reviewed at the October 2023 meeting in the light of actual income and expenditure information for the first half of the year.

3. That the rate of **30 pence per PCN** would apply to penalties issued as follows:

Parking – England and Wales

Bus Lanes and Moving Traffic – England and Wales

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

Littering from Vehicles – England

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

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

6. That Invoicing would be undertaken based on monthly returns received from enforcement authorities as in 22/23.

**41 CROSS-ASSIGNMENT EXERCISE – APPOINTMENT OF ADJUDICATORS CROSS-DEPLOYED FROM LONDON TRIBUNALS**

Consideration was given to a report outlining an urgent decision taken in accordance with Schedule 4, index 16 of the Parking and Traffic Regulations Outside London Adjudication Joint Committee's Standing Orders by the Chairs of the PATROLAJC and BLASJC to agree to the appointment of the listed adjudicators to the Traffic Penalty Tribunal for a period of five years.

**RESOLVED**

That the report be noted.

**42 APPOINTMENTS TO THE ADVISORY BOARD**

Consideration was given to a report on new appointments to the Advisory Board.

**RESOLVED**

1. That the appointment of Richard Hibbert, representing Cheshire East Council. Richard replaced George Broughton who retired be noted. His appointment would run until July 2023 in line with when George Broughton's tenure was scheduled to end.

2. That the appointment of Emma Barker from Sheffield City Council for a period of four years be noted.

3. That the appointment of Jason Passfield, representing Adur & Worthing Councils for a period of four years be noted.

**43 RISK MANAGEMENT FRAMEWORK**

Consideration was given to a report summarising the most significant threats facing the Joint Committees which could prevent or assist with the achievement of its objectives. The only change reported from the previous meeting was in relation to CR2-Lack of Financial Resistance. This rating had been reduced from a risk of 10 to a risk of 8 and reflected the improvement in reserves balances and the easing of the financial pressures caused by the coronavirus pandemic.

#### **RESOLVED**

That the report be noted.

#### **44 REPORT OF THE PATROL AND BLASJC RESOURCES WORKING GROUP**

Consideration was given to a report summarising the matters discussed at the PATROL and BLASJC Resources Working Group meetings held since the Executive Sub Committee Meeting held in December 2022.

Councillor T Page welcomed PATROL's decision in conjunction with the BPA and the LGA to lobby the government in relation to the PCN amount which had remain unchanged since 2008. The Director confirmed a letter had been sent to the Department for Transport setting out the intentions of all three organisations. Hopefully by Spring a report would be ready to be presented to the DfT. It was suggested that response from the DfT should be reported to members at a future meeting of the Executive Sub Committee.

#### **RESOLVED**

That the report be noted.

#### **45 PUBLIC AFFAIRS UPDATE**

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

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

- **Pavement parking in Wales** - The Welsh Government had indicated that there would be a further public consultation on their proposals to tackle pavement parking. PATROL was part of the task group and a meeting was scheduled to take place in February. She hoped by the July meeting she would have a further update;
- **Moving traffic powers** - The deadline for applications for the second tranche of authorities was 14 February 2023 (delayed from 11 November 2022), with resulting powers set to be granted in July 2023. As it stood 24 authorities had applied for powers as part of Tranche 2. A third tranche was set to follow but there has been no formal indication of when that would take place.
- **Clean Air Zones** – Since the previous meeting schemes in Bradford and Bristol had now 'gone live' and two further schemes would be launching

in Newcastle and Sheffield within the coming weeks. There was still no further update on the Greater Manchester scheme.

- **PACER awards** – PATROL will invite Richard Holden, the new Parliamentary Under Secretary of State for Roads and Local Transport to sponsor the event at the House of Commons. Currently awaiting a response from his department. Deadline for authorities to submit their parking annual reports was confirmed as 24 February 2023;
- **User Groups** – Over 300 local authority officers attended the events and feedback from attendees had been extremely positive. In the future sessions would be held once every two years with virtual events taking place throughout the year.

In respect of moving traffic enforcement, Councillor C Hutchinson asked if it was the police's responsibility to carry out enforcement in those areas where councils had not applied to. In response the Director confirmed that if an authority had not applied to the DfT to take powers away from the police then the police would continue to be responsible for enforcing.

In respect of the Single Parking Code of Practice due to come into force next year, Councillor C Hutchinson asked if any preparatory work had been undertaken with the private parking industry.

Members were advised that PATROL had commenced work with the Department for Levelling Up and Communities who had undertaken a consultation on proposals to align private parking PCN rates to public sector parking rates. This resulted in a legal challenge being launched and as a consequence, government had made a further decision to reconsult. At the moment PATROL had no indication as to when this second consultation process would commence.

PATROL, the BPA and the LGA were now working collaboratively to lobby the government to consider increasing local authority PCN amounts because if a decision was made by government to align private parking authorities to the same rates as the current public sector PCN amounts then the potential to successfully increase the PCN rates for the public sector once this alignment had taken place would be challenging.

## **RESOLVED**

That the report be noted.

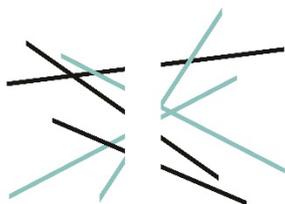
## **46 DATE OF NEXT MEETING**

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

Tuesday 11<sup>th</sup> July 2023 at the Local Government Association Headquarters, 18 Smith Square, London, SW1P 3HZ. To be followed by the PACER awards – venue TBC.

The meeting commenced at 11.00am and concluded at 12.28pm.

Councillor S Hughes  
(Chair)



**Traffic Penalty Tribunal** England and Wales

## General Progress Report

July 2023

### 1. Appeals summary

#### 1.1 PCNs appealed – General Trends pre and post pandemic

The below table and graph show PCNs appealed to the Tribunal from 1 April 2019 – 31 July 2023 (19/20 being predominantly pre pandemic, 22/23 being predominantly post pandemic).

The 23/24 numbers throughout this report refer to 4 months from April to July 2023.

#### PCNs appealed

taken from Annual Stats

	Totals		Like for Like *		Parking and BL/MT only **		
	number	% change	number	% change	number	% change	
2018/19	30,790		30,790		15,766		
2019/20	35,303	14.7%	35,303	14.7%	15,822	0.4%	full year
2020/21	18,122	-48.7%	18,122	-48.7%	9,844	-37.8%	full year
2021/22	26,337	45.3%	19,682	8.6%	11,809	20.0%	full year
2022/23	29,963	13.8%	21,693	10.2%	12,208	3.4%	full year
2023/24	12,112	-59.6%	8,217	-62.1%	4,482	-63.3%	part year
2022/23 of 2019/20	84.9%		61.4%		77.2%		

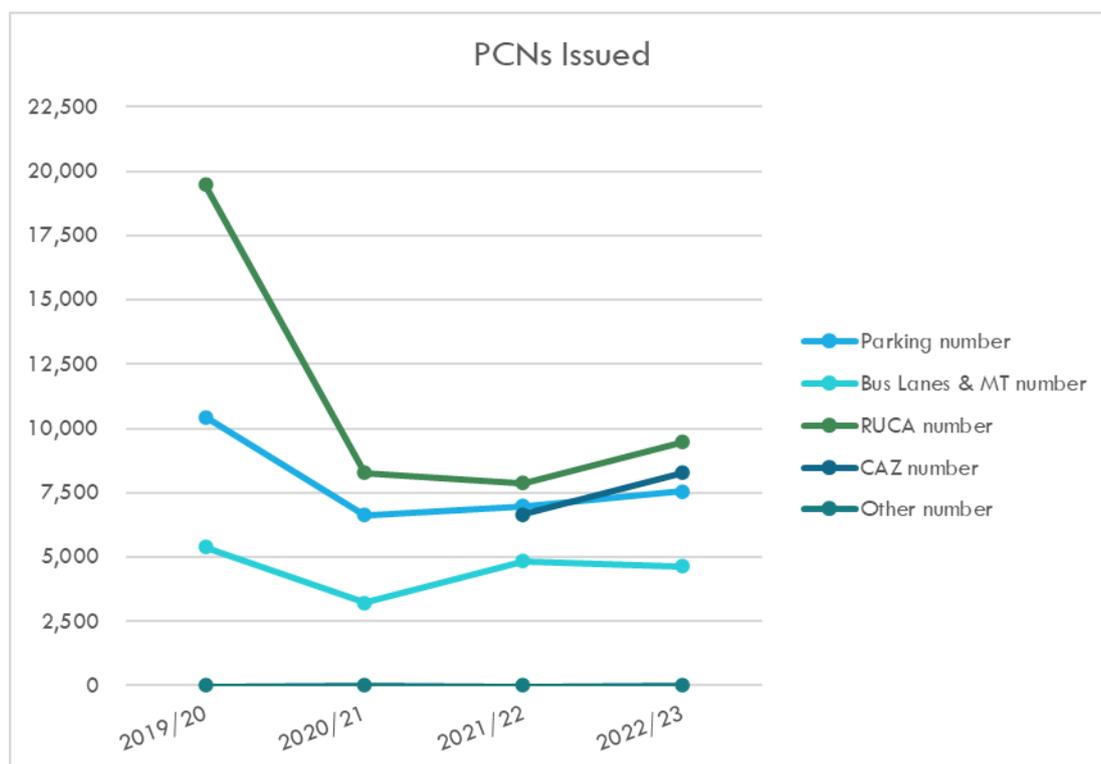
\* Like for Like excludes CAZ

\*\* excludes CAZ and RUC

	Parking		Bus Lanes & MT		RUCA		CAZ	
	number	% change	number	% change	number	% change	number	% change
2019/20	10,438		5,384		19,477			
2020/21	6,633	-36.5%	3,211	-40.4%	8,272	-57.5%		
2021/22	6,977	5.2%	4,832	50.5%	7,869	-4.9%	6,655	
2022/23	7,561	8.4%	4,647	-3.8%	9,476	20.4%	8,270	24.3%
2023/24	2,963	-60.8%	1,519	-67.3%	3,728	-60.7%	3,895	-52.9%
2022/23 to 2019/20	72.4%		86.3%		48.7%			

**Key points:**

- Overall increase in PCNs appealed between 21/22 and 22/23 of 12.5%
- Change by appeal stream between 21/22 and 22/23 as follows:
  - Parking 5.2%
  - Bus Lanes and MT -4.6%
  - RUC 20.2%
  - CAZ 25.5%
- 22/23 compared 19/20, pre and post pandemic, are as follows:
  - Total is only 83.0% of pre pandemic levels
  - Like for Like (exc CAZ) is 60.8% of pre pandemic levels
  - Parking appeals are 69.4% of pre pandemic levels
  - Bus Lane and MT appeals are 82.7% of pre pandemic levels
  - RUCA appeals are 48.6% of pre pandemic levels



**2. Context of PCNs Issued by Enforcement Authorities**

The following two tables look at the levels of enforcement and their relationship to the numbers of PCNs being appealed, between 2019/20 (pre pandemic) and 21/22 post pandemic.

**2022/23 numbers are not yet fully verified and hence not published.**

## Rate of Appeal

	2020/21			2021/22		
	PCNs Issued	PCNs Appealed	Appeal Rate %	PCNs Issued	PCNs Appealed	Appeal Rate %
<b>Bus Lanes - England</b>	1,209,432	3,007	0.2%	2,129,652	4,667	0.2%
<b>Bus Lanes &amp; MT - Wales</b>	68,729	204	0.3%	107,612	165	0.2%
<b>Parking - England</b>	3,085,501	6,194	0.2%	4,968,158	6,438	0.1%
<b>Parking - Wales</b>	136,336	439	0.3%	259,239	539	0.2%
<b>Dartcharge</b>	1,671,267	6,083	0.4%	2,198,857	5,967	0.3%
<b>Mersey Gateway</b>	375,841	2,189	0.6%	588,500	1,902	0.3%
<b>CAZ</b>	0	0	0.0%	838,047	6,655	0.8%
<b>LFV</b>	159	6	3.8%	437	4	0.9%
<b>Total</b>	<b>6,547,265</b>	<b>18,122</b>	<b>0.3%</b>	<b>11,090,502</b>	<b>26,337</b>	<b>0.2%</b>
	0	0		0	0	

	19/20 to 21/22	
	Change in number of PCNs Issued	Change in number of PCNs Appealed
<b>Bus Lanes - England</b>	15.9%	-7.8%
<b>Bus Lanes &amp; MT - Wales</b>	-28.2%	-48.6%
<b>Parking - England</b>	0.7%	-33.4%
<b>Parking - Wales</b>	-3.2%	-30.0%
<b>Dartcharge</b>	-5.7%	-30.1%
<b>Mersey Gateway</b>	-6.6%	-82.6%
<b>CAZ</b>	-	-
<b>Total</b>	<b>9.3%</b>	<b>-25.4%</b>

### Key Points:

- The rate of appeal has dropped across all appeal streams except CAZ which is a new stream in this time
- This means that where the number of PCNs issued has dropped, the number of Appeals received has dropped by a greater amount
- The reduction in rates of appeal would indicate that appeals for PCNs are being resolved at an Enforcement Authority level and therefore not coming to the tribunal.
- The trend is particularly marked in the Bus Lane (England) numbers whereby the number of PCNs issued has increased by 15.9% between 19/20 and 21/22 but the number of PCNs appealed has reduced by -7.8%.

*Please note:*

*The figures within this section include all PCNs dealt with by the Tribunal. This includes Witness Statements referred to the Adjudicators following debt registration at the Traffic Enforcement*

Centre at Northampton County Court. The PCN figures will also include a small number of duplicated PCNs and those PCNs not registered by the Adjudicator.

### 3. Hearings

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

Cases requiring a Decision						
	TOTAL	F2F	Tel	Video	E-decision	
2023/24	4,009	0	703	287	3,019	part year
2022/23	11,146	0	1,620	718	8,808	full year
2021/22	10,130	0	1,509	586	8,035	full year
2020/21	8,189	0	1,343	46	6,800	full year
2019/20	15,395	6	3,706	30	11,653	full year
2018/19	13,838	14	3,099	20	10,705	full year
2017/18	11,134	596	1,922	2	8,614	full year

Cases requiring a Decision						
	TOTAL	F2F	Tel	Video	E-decision	
2023/24	100.0%	0.0%	17.5%	7.2%	75.3%	part year
2022/23	100.0%	0.0%	14.5%	6.4%	79.0%	full year
2021/22	100.0%	0.0%	14.9%	5.8%	79.3%	full year
2020/21	100.0%	0.0%	16.4%	0.6%	83.0%	full year
2019/20	100.0%	0.0%	24.1%	0.2%	75.7%	full year
2018/19	100.0%	0.1%	22.4%	0.1%	77.4%	full year
2017/18	100.0%	5.4%	17.3%	0.0%	77.4%	full year

### 4. Proxy cases

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

The average number of cases dealt with by proxy per month is currently just **3.75%**.

## 4. Case closure and Status

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

At 6<sup>th</sup> September 2023 there are 2,095 PCNs that are ready for and awaiting a decision. 514 of these relate to Dartcharge. 602 relate to all other Enforcement Authorities but where there are less than 25 PCNs awaiting decision for any one authority.

Decisions Outstanding as at 06/09/23

Authority	Number PCNs
Dartcharge	514
Sheffield CAZ	389
Birmingham CAZ	204
Bristol CAZ	176
Bradford CAZ	75
Brighton and Hove	29
Manchester Bus Lanes	27
Manchester Parking	27
Worthing Parking	27
Bristol Bus Lanes	25
< 25 PCNs per LA	602

**2,095**

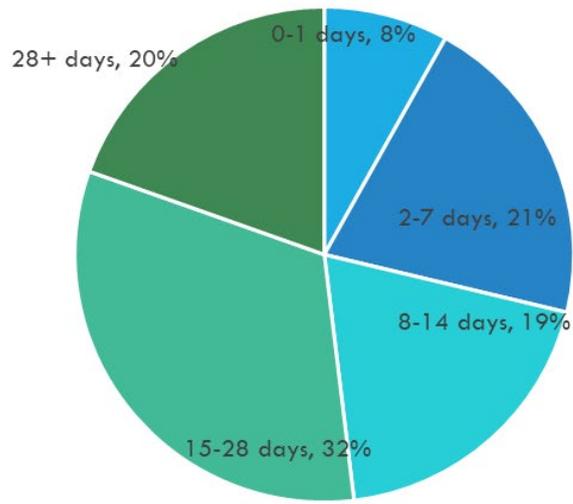
The data below shows appeal case closure times for cases received between 1 April 2023 and 9<sup>th</sup> September 2023.

Case Closure	
0-1 days	8%
2-7 days	21%
8-14 days	19%
15-28 days	32%
28+ days	20%

100%

8%	0-1 day
29%	Less than 7 days
48%	Less than 14 days
81%	Less than 28 days
20%	More than 29 days

### Days to Closure - current year



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

## PATROLAJC Executive Sub Committee

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<b>Date of Meeting:</b>	17 <sup>th</sup> October 2023
<b>Report Title:</b>	PATROL Annual Return 2022/23
<b>Report of:</b>	Laura Padden - Director, PATROL

---

### 1.0 Purpose of the Report

1.1 To report the findings of the External and Internal Auditors for the year 2022/23.

### 2.0 Recommendations

2.1 To note the findings of the External Audit Reports for 2022/23 in the enclosed reports (**Appendix 1**).

2.2 To note the findings of the Internal Audit Report for 2022/23 as reported to the PATROL Adjudication Joint Committee at their meeting on 11th July 2023 (**Appendix 2**).

### 3.0 Reasons for Recommendations

3.1 To comply with the Financial Regulations.

### 4.0 Background and Options

4.1 The PATROL Adjudication Joint Committee approved the Draft Annual Returns for 2022/23 at its meeting on 11<sup>th</sup> July 2023.

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

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

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

**4.5** There is no requirement for the Joint Committee to publish accounts from 2015/16 onwards however at the Joint Committee meeting in June 2015, it was determined that this would continue for the purposes of transparency.

## **5.0 Implications**

### **5.1 Finance**

**5.1.1** Detailed in the report.

### **6.1 Legal Implications**

**6.1.1** In accordance with the PATROL Adjudication Joint Committee Agreement.

### **7.1 Risk Management**

**7.1.1** Financial resilience is monitored within the Risk Management Strategy.

## Appendix 1 – External Audit Reports



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Private and Confidential

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

29 August 2023

MBT/ST/00286652

Dear Sirs

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

### Purpose of this Agreed-Up Procedures Report

This report has been produced in accordance with the terms of our engagement letter dated 03 May 2023 ("the Engagement Letter") for the purpose of allowing Parking & Traffic Regulations Outside London Adjudication Joint Committee ("the body") to assess reasonability of the annual return.

### Responsibilities of the Engaging Party and the Responsible Party

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

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

### Accountant's Responsibilities

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

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

### Professional Ethics and Quality Control

Our firm applies International Standard on Quality Management (ISQM) 1, *Quality management for firms that perform audits or reviews of financial statements, or other assurance or related services engagements*, and accordingly, maintains a comprehensive system of quality control including documented policies and procedures regarding compliance with ethical requirements, professional standards and applicable legal and regulatory requirements.

BDO LLP, a UK limited liability partnership registered in England and Wales under number OC305127, is a member of BDO International Limited, a UK company limited by guarantee, and forms part of the International BDO network of independent member firms. A list of members' names is open to inspection at our registered office, 35 Baker Street, London W1U 7EU. BDO LLP is authorised and regulated by the Financial Conduct Authority to conduct investment business.

## Procedures and Findings

We have performed the following work, which were agreed upon with the Directors on 03 May 2023.

- agreed the bank reconciliation to the annual return and the bank statements as at 31 March 2023 and obtained an explanation for any reconciling items noted
- agreed the accounting statements section of the Annual return figures to the trial balance as at 31 March 2023
- Checked the mathematical accuracy of the trial balance and the accounting statements section per the annual return
- Obtained a confirmation of the levy from the funding body and agreed it to the annual return
- Obtained a confirmation of the loan balance from Public Works Loan Board (PWLB) and for any other loans, obtain a 3<sup>rd</sup> party confirmation and agreed it to the annual return
- agreed the comparative figures to the prior year accounts
- Performed an analytical review by comparing the current year figures to the prior year comparative and obtain an explanation for any variances in excess of 10%
- For any NO answers within the Annual Governance Statement, we obtain an explanation from management and reported on it
- For any NO answers within the Internal auditor report, we obtained an explanation from management and reported on it

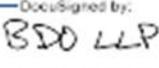
No exceptions were found.

## Use of our report

Our report is prepared solely for the confidential use of the Directors of Parking & Traffic Regulations Outside London Adjudication Joint Committee. Our report must not be used for any purpose other than for which it was prepared or be reproduced or referred to in any other document or made available to any third party without the written permission of BDO LLP except a copy of our report may be provided, for information purposes only, to the local authority represented to whom we have no liability and owe no duty of care.

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

Yours faithfully

DocuSigned by:  
  
BDO LLP  
3083744D60974E4  
Southampton

29 August 2023

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## Private and Confidential

The Directors  
Bus Lane Adjudication Service Joint Committee  
PO Box 471  
Merlin House  
8 Grove Avenue  
WILMSLOW  
Cheshire  
SK9 0HJ

25 August 2023

MBT/ST/00286664

Dear Sirs

**Reporting on agreed upon procedures in respect of Bus Lane Adjudication Service Joint Committee**

### **Purpose of this Agreed-Upon Procedures Report**

This report has been produced in accordance with the terms of our engagement letter dated 03 May 2023 ("the Engagement Letter") for the purpose of allowing Bus Lane Adjudication Service Joint Committee ("the body") to assess reasonability of the annual return.

### **Responsibilities of the Engaging Party and the Responsible Party**

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

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

### **Accountant's Responsibilities**

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

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

### **Professional Ethics and Quality Control**

Our firm applies International Standard on Quality Management (ISQM) 1, *Quality management for firms that perform audits or reviews of financial statements, or other assurance or related services engagements*, and accordingly, maintains a comprehensive system of quality control including documented policies and procedures regarding compliance with ethical requirements, professional standards and applicable legal and regulatory requirements.

### **Procedures and Findings**

BDO LLP, a UK limited liability partnership registered in England and Wales under number OC305127, is a member of BDO International Limited, a UK company limited by guarantee, and forms part of the international BDO network of independent member firms. A list of members' names is open to inspection at our registered office, 55 Baker Street, London W1U 7EU. BDO LLP is authorised and regulated by the Financial Conduct Authority to conduct investment business

We have performed the following work, which were agreed upon with the Directors on 03 May 2023.

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- agreed the comparative figures to the prior year accounts
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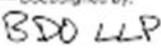
No exceptions were found.

#### Use of our report

Our report is prepared solely for the confidential use of the Directors of Bus Lane Adjudication Service Joint Committee. Our report must not be used for any purpose other than for which it was prepared or be reproduced or referred to in any other document or made available to any third party without the written permission of BDO LLP except a copy of our report may be provided, for information purposes only, to the local authority represented to whom we have no liability and owe no duty of care.

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

Yours faithfully

DocuSigned by:  
  
BDO LLP  
0959716000974E4

Southampton  
28 August 2023

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

Appendix 2 – Annual Internal Audit Report:

# Internal Audit – Assurance Report PATROL (Parking and Traffic Regulations Outside London) 2022/23

Report Status: Final  
Report Date: 13<sup>th</sup> June 2023  
Prepared by: Lucy Nelson

Working for a *brighter future* together



OFFICIAL

## Executive Summary

### 1. Background

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

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

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

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

1.4 These functions are exercised through BLASJC in accordance with Regulation 12 of the Bus Lane Regulations.

1.5 Under the above legislation and regulations, councils operating civil traffic enforcement functions are responsible for funding the provision of adjudication. The councils carry out this function through a Joint Committee. The PATROL and Bus Lanes Adjudication Joint Committees perform this function in accordance with legislation and regulations and the constituent authorities of each Joint Committee defray expenses in such a proportion as the Joint Committees decide.

1.6 The Traffic Penalty Tribunal also provides adjudication in respect of penalties issued for failure to pay the road user charge at the Dartford-Thurrock River Crossing, the Mersey Gateway Bridge and the Durham Road User Charge Zone and in relation to Clean Air Zones, Moving Traffic offences and Littering from Vehicles penalty notices.

1.7 PATROL is classed as a small relevant body in accordance with the Accounts and Audit Regulations 2015, and prior to 2015/16 had to complete a Small Bodies Annual Return

## Executive Summary

(SBAR) summarising their annual activities at the end of each financial year. This requirement was removed in 2015/16 by the Accounts and Audit Regulations 2015; however, the Body has decided to still complete the SBAR on an annual basis as good practice and in the spirit of openness and transparency.

- 1.8 Cheshire East Council was appointed as the Host Authority to the PATROL Adjudication Joint Committee and Bus Lane Adjudication Joint Committee on 1st January 2013. As part of this role, the Council has delivered the Body's Internal Audit service.
- 1.9 Where reference is made to policies and procedures in this report, these are PATROL's, not Cheshire East Council's unless specified otherwise.

### 2. Scope of Review and Risks Covered

- 2.1. Due to the Covid-19 pandemic and following a period of consultation, PATROL staff have moved to Home Based contracts with staff operating under home working agreements. As such, Internal Audit has followed the programme of testing and carried out physical testing where required but has also placed reliance on information being supplied electronically.
- 2.2. In order to complete Section 4 of the 2022/23 SBAR, we had to determine whether the ten stated internal control objectives have been achieved throughout the 2022/23 financial year to a standard adequate to meet the needs of the Body. The control objectives are:

- A. Appropriate accounting records have been kept properly throughout the year.
- B. The Joint Committee's financial regulations have been met, payments were approved and VAT appropriately accounted for.
- C. The Joint Committee assessed the significant risks to achieving its objectives and reviewed the adequacy of arrangements to manage these.
- D. The annual taxation or levy or funding requirements resulted from an adequate budgetary process; progress against the budget was regularly monitored; and reserves were appropriate.
- E. Expected income was fully received, based on correct prices, properly recorded and promptly banked; and VAT was appropriately accounted for.
- F. Petty cash payments were properly supported by receipts, expenditure was approved and VAT appropriately accounted for.
- G. Salaries to employees and allowances to members were paid in accordance with body approvals, and PAYE and NI requirements were properly applied.
- H. Asset and investment registers were complete and accurate and properly maintained.
- I. Periodic and year-end bank account reconciliations were properly carried out.
- J. Accounting statements prepared during the year were prepared on the correct accounting basis, agreed to the cash book, were supported by an adequate audit trail from underlying records, and where appropriate, debtors and creditors properly recorded.

## Executive Summary

2.3. In order to satisfy the above control objectives, we carried out a programme of audit testing on the following areas:

- Assets
- Banking and Cheques
- Budgetary Control
- Income
- Payroll
- Procurement
- Purchase Cards
- Petty Cash
- Risk Management

2.4 PATROL did not operate a petty cash/imprest system during 2022/23 (Control F on the SBAR). However, they do have six purchase cards linked to their bank account. As such, and as per the testing carried out in previous years, a review of processes and controls in operation in relation to the cards was undertaken.

2.5 The separate Joint Committees for PATROL Adjudication Service and Bus Lanes Adjudication Service share the same systems and processes. Therefore, where appropriate, audit work focussed on PATROL and assurance can be drawn from this for Bus Lanes.

2.6 Where sample testing was undertaken, sampling was proportionate to the volume of transactions in relation to the PATROL, Bus Lanes, RUCA, Clean Air Zones, moving traffic and littering. Furthermore, the samples selected included transactions completed throughout the whole of 2022/23 to ensure that the findings are as comprehensive

and reliable as possible and capture an accurate reflection of the practices in place. Although reasonable assurance can be drawn from these findings it is never possible to give complete assurance that all issues have been uncovered, as we are unable to test every transaction.

2.4. We have previously issued a draft report to present our key findings and actions, (reported on an exception basis), to confirm the factual accuracy of the findings and to agree recommended actions. This final report is issued now that the recommended actions, along with responsibilities and timescales have been agreed.

### 3. Key Findings and Recommended Actions

3.1. A total of 77 controls have been tested covering all areas detailed in the control objectives on the SBAR. This draft report is intended to highlight the areas where improvements are required, either in the control itself or to improve compliance with the controls.

3.2. As a result of the testing, no issues were identified during the review and as such, no recommended actions have been raised in this report.

### 4. Conclusion and Opinion

4.1. The audit concluded that the 10 control objectives detailed on the 2022/23 SBAR are effectively managed for both PATROL and Bus Lane Adjudication Joint Committees. Appendix A confirms the results of the audit work as it will be entered on the SBAR.

## Executive Summary

- 4.2. Internal Audit use a formal opinion system, details of which are given in **Appendix B**. Based upon the findings and actions raised, a "Good Assurance" opinion has been given.

### Good Assurance

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

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

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

\* PATROL did not operate a petty cash system during 2022/23, however there are six purchase cards linked to the bank account, therefore, a review of processes and controls in operation in relation to the cards was undertaken.

## Appendix B – Audit Opinion and Priority Rating for Individual Findings

### Audit Opinion

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

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

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

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

## Appendix B – Audit Opinion and Priority Rating for Individual Findings

### Priority Rating for Individual Findings

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

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

**PATROLAJC Executive Sub Committee**

---

**Date of Meeting:** 17<sup>th</sup> October 2023

**Report Title:** Budget Monitoring Update for Financial Year 2023-24

**Report of:** Laura Padden - Director, PATROL

---

**1. Purpose of Report**

- 1.1. To report the Income and Expenditure position at 31<sup>st</sup> August 2023 (now combined for both PATROL and BLASJC) for the year 2023/24 in order to comply with the approved Financial Regulations.
- 1.2. To report the Reserves position at 31<sup>st</sup> August 2023 (now combined for both PATROL and BLASJC) against the approved Reserves levels in order to comply with the approved Financial Regulations.

**2. Recommendations**

- 2.1. To note the Income and Expenditure position at 31<sup>st</sup> August 2023 for the year 2023/24
- 2.2. To note the Reserves position at 31<sup>st</sup> August 2023 against the approved Reserves levels.

**3. Reasons for recommendations**

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

**4. Background**

- 4.1. At 31<sup>st</sup> August 2023 Income is £84,321 over budget (positive variance).  
Expenditure is under budget by £212,152 (positive variance).

This results in a surplus to date of £455,704 against a budgeted surplus of £159,232 (a positive variance of £296,473).

Of this £296,473, £265,491 relates to PATROL with the balance being ring-fenced to National Highways (£13,369) and Halton Borough Council (£17,613).

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

<b>SUMMARY TO DATE</b>				
	31/08/2023	31/08/2023	31/08/2023	31/08/2023
	Year to Date	Budget	Var to Budget	Var to Budget
Income	1,532,283	1,447,962	84,321	5.8%
Expenditure	1,076,579	1,288,731	212,152	16.5%
<b>Surplus / (Deficit)</b>	<b>455,704</b>	<b>159,232</b>	<b>296,473</b>	

#### **Breakdown of Surplus**

PATROL	353,179	87,688	265,491
Halton Borough Council	35,143	17,530	17,613
National Highways	67,383	54,014	13,369
	<b>455,704</b>	<b>159,232</b>	<b>296,473</b>

#### **The savings in expenditure are explained by:**

- Savings in Staff Costs due to unfilled vacancies. This totals £75,679.
- Savings in Supplies and Services due to review of overheads and unspent provisions for Legal Costs and Initiatives. This totals £85,563.
- The realisation of Bad Debts Provision of £17,743 for Debts which have subsequently been paid.

#### **4.2. Reserves to date are summarised as follows:**

	To Date	Budget	Var to Budget
Reserves b/f from 22/23	3,946,353	3,946,353	0
Surplus / (Deficit) for year 23/24 - YTD	455,704	159,232	296,473
<b>Closing Balance</b>	<b>4,402,058</b>	<b>4,105,585</b>	<b>296,473</b>
<i>Approved Reserves</i>	2,095,228	2,095,228	0
<b>FREE Reserves to Date</b>	<b>2,306,830</b>	<b>2,010,357</b>	<b>296,473</b>
less:			
NH balance to date	260,665	247,296	13,369
MG balance to date	64,158	46,545	17,613
<b>PATROL FREE Reserves to date</b>	<b>1,982,007</b>	<b>1,716,516</b>	<b>265,491</b>

At 31st August 2023 there is a Reserves balance of £4,402,058 giving a Free Reserves balance of £2,306,830 (against a budgeted balance of £2,010,357).

Of this FREE Reserves Balance of £2,306,830, £260,665 is ring-fenced to National Highways and £64,158 ring-fenced to Halton Borough Council. This leaves a balance of FREE Reserves to PATROL of £1,982,007.

**4.3** Free Reserves (PATROL excluding ring-fenced amounts) were £834,167 at the end of 2019/20 (pre-Pandemic), and £242,353 for BLASJC. These combined gave a FREE Reserves balance of £1,076,520.

This combined balance is now £1,982,007 and shows that the losses suffered by the Pandemic effect on enforcement have been fully recovered.

## **5. Implications**

### **5.1. Finance**

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

### **6.1 Risk Management**

**6.1.1** Assurance of financial health and therefore limited financial risk.

### **7.1 Legal**

**7.1.1** None.

## Appendix 1:

	Year to Date				Full Year				
	31/08/2023	31/08/2023	31/08/2023	31/08/2023	31/03/2024	31/03/2024	31/03/2024	31/03/2023	
	Year to Date	Budget	Var to Budget	Var to Budget	Forecast Outturn	Full Year Budget	Var to Budget	Prior Year Result	Var to Prior Yr
<b>Income:</b>									
PATROL *	714,016	691,562	22,455	3.2%	1,659,748	1,659,748	0	1,740,945	-81,197
Bus Lane Income	249,135	259,767	-10,631	-4.1%	623,440	623,440	0	522,233	101,207
<b>Road User Charging:</b>									
RUCA (Dartcharge) - National Highways	239,864	304,635	-64,771	-21.3%	731,123	731,123	0	764,305	-33,182
RUCA (Mersey Gateway) - Halton Borough Council	84,328	75,492	8,836	11.7%	181,181	181,181	0	209,208	-28,027
Clean Air Zones	201,380	110,982	90,398	81.5%	266,357	266,357	0	268,508	-2,151
LFV	4	25	-21	-85.6%	60	60	0	1,569	-1,509
Bank Interest	28,445	5,500	22,945	417.2%	13,200	13,200	0	19,765	-6,565
Sale of Assets	0	0	0	0.0%	0	0	0	180	-180
Other Income	15,111	0	15,111	0.0%	0	0	0	38,276	-38,276
<b>Total Income</b>	<b>1,532,283</b>	<b>1,447,962</b>	<b>84,321</b>	<b>5.8%</b>	<b>3,475,109</b>	<b>3,475,109</b>	<b>0</b>	<b>3,564,989</b>	<b>-89,880</b>
<b>Expenditure:</b>									
Adjudicators	315,914	316,595	681	0.2%	799,833	799,833	0	809,459	9,626
Staff	514,484	590,163	75,679	12.8%	1,425,143	1,425,143	0	1,244,551	-180,592
Premises / Accommodation	31,634	33,000	1,366	4.1%	79,200	79,200	0	67,184	-12,016
Transport	6,664	21,875	15,211	69.5%	52,500	52,500	0	28,164	-24,336
Supplies and Services	55,827	141,390	85,563	60.5%	342,340	342,340	0	335,158	-7,182
IT	145,575	161,433	15,858	9.8%	387,438	387,438	0	351,694	-35,744
Services Management and Support	22,225	22,225	0	0.0%	53,340	53,340	0	53,340	0
Audit Fees	1,999	2,050	51	2.5%	4,920	4,920	0	4,100	-820
Bad Debts - movement on provision	-17,743	0	17,743	0.0%	0	0	0	5,180	5,180
<b>Total Expenditure</b>	<b>1,076,579</b>	<b>1,288,731</b>	<b>212,152</b>	<b>16.5%</b>	<b>3,144,714</b>	<b>3,144,714</b>	<b>0</b>	<b>2,898,830</b>	<b>-245,884</b>
<b>Surplus / (Deficit)</b>	<b>455,704</b>	<b>159,232</b>	<b>296,473</b>		<b>330,395</b>	<b>330,395</b>	<b>0</b>	<b>666,159</b>	<b>-335,764</b>
	0	-0			0	0	0	0	0
<b>Breakdown of Surplus</b>	455,704	159,232	296,473	186.2%	330,395	330,395	0	666,159	-335,764
PATROL *	353,179	87,688	265,491	302.8%	169,441	169,441	0	403,982	-234,541
Halton Borough Council	35,143	17,530	17,613	100.5%	40,356	40,356	0	79,061	-38,705
National Highways	67,383	54,014	13,369	24.8%	120,598	120,598	0	183,116	-62,518

\* PATROL = Parking England and Wales, and Bus Lanes and Moving Traffic Wales, RUC Durham and Littering from Vehicles (England)

## **PATROLAJC Executive Sub Committee**

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<b>Date of Meeting:</b>	17 <sup>th</sup> October 2023
<b>Report Title:</b>	Defraying the Expenses of the Joint Committee
<b>Report of:</b>	Laura Padden - Director, PATROL

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### **1.0 Purpose of Report**

1.1 To review the basis for defraying expenses during the 2023/24 Financial Year.

### **2.0 Recommendations**

2.1 That for the Financial Year 2023/24, the Executive Sub Committee approves a reduction in charge from **30 pence per PCN issued to 25 pence per PCN issued effective from 1<sup>st</sup> October 2023** for member authorities, and notes the expected impact on reserves at 4.6 below.

2.2 That this will be reviewed at the January 2024 meeting in the light of actual income and expenditure information as part of the budget approval process for the year 2024-25.

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

Parking – England and Wales

Bus Lanes and Moving Traffic – England and Wales

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

Littering from Vehicles - England

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

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

2.6 Invoicing will be undertaken based on monthly returns received from enforcement authorities as in 22/23.

### 3.0 Reasons for Recommendations

3.1 To comply with the Joint Committee's Financial Regulations

### 4.0 Background and Options

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

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

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

**Table 1**

<b>Year</b>	<b>Per PCN</b>	<b>Annual</b>	<b>Per Case</b>
1991/01	70 pence	£500	£10
2001/03	70 pence	£500	£0
2003/05	65 pence	£250	£0
2005/06	60 pence	£0	£0
2006/07	55 pence	£0	£0
2007/08	55 pence	£0	£0
2008/09	60 pence	£0	£0
2009/10	60/65 pence	£0	£0
2010/11	65 pence	£0	£0
2011/12	65 pence	£0	£0
2012/13	60 pence	£0	£0
2013/14	60 pence	£0	£0
2014/15	55 pence	£0	£0
2015/16	50/45 pence	£0	£0
2016/17	45/40 pence	£0	£0
2017/18	35 pence	£0	£0
2018/19	30 pence	£0	£0
2019/20	30 pence	£0	£0
2020/21	30 pence	£0	£0
2021/22	30 pence	£0	£0
2022/23	30 pence	£0	£0
2023/24	30 pence	£0	£0
<b>2023/24 second 6 months</b>	<b>25 pence - proposed</b>	<b>£0</b>	<b>£0</b>

- 4.3** The per PCN charge has more than halved since the inception of the Joint Committee and the annual and per case charges withdrawn entirely. Whilst the largest historical reductions were achieved through the introduction of a new appeals processing system, since then further reductions have been achieved through economies of scale and improving efficiencies which have resulted in financial savings despite reduced PCN activity since the Coronavirus pandemic.
- 4.4** It is recommended that for 2023/24, the Executive Sub Committee approves a rate of **25 pence per PCN for the second 6 months of the financial year** and that this is reviewed at the January 2024 meeting as part of the budget approval process for 2024/25.
- 4.5** The Executive Sub Committee is asked to note that the PATROL Joint Committee provides access to independent adjudication through the Traffic Penalty Tribunal for appeals arising from penalty charge notices issued under Road User Charging regulations at the Dartford-Thurrock River Crossing (Highways England) and at the Mersey Gateway Bridge Crossing (Halton Borough Council).

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

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

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

- 4.6** The formal recommendation for defraying expenses for Member Authorities for 2022/23 and its impact on reserves is as follows:
- To adopt a charge per PCN of **25 pence per PCN issued for the second 6 months of the financial year 2023/24** (shown as 6m and 6m in the table below)
  - This would result in a forecast surplus for year for PATROL of £265,913
  - Forecast FREE Reserves at 31<sup>st</sup> March 2024 of £1,781,920
  - These balances exclude National Highways and Mersey Gateway ringfenced balances
  - To maintain the current charge of 30 pence per PCN issued for the whole of 2023/24 would result in a forecast surplus for the year for PATROL of £481,891 and forecast FREE Reserves of £1,997,898.

<b>Effect on Reserves - PATROL ONLY:</b>	<b>£0.30</b>	<b>6m &amp; 6m</b>
<b>PATROL Opening Reserves of 2023/24</b>	<b>3,686,235</b>	<b>3,686,235</b>
<i>Of which are:</i>		
<i>General Approved Reserve</i>	1,572,357	1,572,357
<i>Approved Property Reserve</i>	158,400	158,400
<i>Approved Technology Reserve</i>	314,471	314,471
<i>Innovation &amp; Research</i>	50,000	50,000
<b>TOTAL Approved Reserve</b>	<b>2,095,228</b>	<b>2,095,228</b>
<b>Free Reserves at 01.04.23</b>	<b>1,591,007</b>	<b>1,591,007</b>
Surplus / (Deficit) ytd to March 2024	481,891	265,913
Drawdown of Reserves 2023/24 - approved	-75,000	-75,000
<b>FREE Reserves to end March 2024</b>	<b>1,997,898</b>	<b>1,781,920</b>

**4.7** The two options would result in the following forecast surpluses compared to approved budget for 2023/24.

	<b>£0.30</b>	<b>6m &amp; 6m*</b>	
	<b>Surplus</b>	<b>Surplus</b>	<b>BUDGET</b>
<b>PATROL</b>	481,891	265,913	169,443
<b>National Highways</b>	106,177	54,277	120,598
<b>Mersey`Halton Borough Council</b>	30,472	17,572	40,356
	<b>618,540</b>	<b>337,762</b>	<b>330,397</b>

## **5.0 Implications**

### **5.1 Finance**

**5.1.1** Detailed in the report.

### **6.1 Legal Implications**

**6.1.1** In accordance with the PATROL Adjudication Joint Committee Agreement.

### **7.1 Risk Management**

**7.1.1** Financial resilience is monitored within the Risk Management Strategy.

**PATROLAJC Executive Sub Committee**

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**Date of Meeting:** 17<sup>th</sup> October 2023

**Report Title:** Expenditure Falling outside of the Financial Regulations

**Report of:** Laura Padden - Director, PATROL

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**1.0 Report Summary**

1.1 To report any expenditure falling outside of the Financial Regulations 2023/24.

**2.0 Recommendations**

2.1 To note the report at Appendix 1.

**3.0 Reasons for Recommendations**

3.1 To comply with the Financial Regulations.

**4.0 Background and Options**

4.1 The PATROL Adjudication Joint Committee approved the Financial Regulations and the Scheme of Financial Delegations 2023/24 at its meeting on 11<sup>th</sup> July 2023.

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

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

<i>Up to £2,000</i>	<i>a written quotation submitted by the requisitioner and authorised by the Budget Manager</i>
<i>Between £2,000 and £30,000</i>	<i>three written quotations submitted against an outline specification by the Budget Manager</i>

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

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

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

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

## **5.0 Implications**

### **5.1. Finance**

**5.1.1** Compliance with approved procedures and controls.

### **6.1 Legal Implications**

**6.1.1** None.

### **7.1 Risk Management**

**7.1.1** Financial resilience is monitored within the Risk Management Strategy.

## Appendix 1:

### Expenditure Falling Outside the Financial Regulations - Financial Year 23/24:

Supplier	To Sept 23		Comment
Supplier 1	106,119.45		Knowledge Base - System development
Supplier 2	23,681.45		Specialist communications consultancy.
Supplier 3	18,224.50		Ongoing commitment - server hosting (IT). Previously known as Melbourne Hosting
Supplier 4	16,457.00		Knowledge Base (IT Support)
Supplier 5	12,216.00		Ongoing Commitment - PC Phone System
Supplier 6	7,371.77		Temp Resource and Recruitment. Best candidates.
Supplier 7	5,715.99		On Line Customer Service Tool
Supplier 8	4,898.00		Network provision and Support - ongoing
Supplier 9	4,342.00		Ongoing contract. To seek comparable quotes in 23/24
Supplier 10	4,305.00		External Audit - Allocated
Supplier 11	3,708.00		Knowledge Base (IT support)
Supplier 12	3,657.44		Mobile Comms - all staff
Supplier 13	3,089.08		Data Storage - ongoing commitment
Supplier 14	2,942.99		Preferred Trainer
Supplier 15	2,523.12		IT Support - ongoing
Supplier 16	2,305.13		Outward postage
Supplier 17	2,282.08		MS TEAMS - Hearings and Meetings
Supplier 18	2,109.20		IT ticket management and workload planning
Supplier 19	2,090.23		Preferred Venue

*\* Supplier names are hidden due to commercial sensitivity*

## **PATROLAJC Executive Sub Committee**

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<b>Date of Meeting:</b>	17 <sup>th</sup> October 2023
<b>Report Title:</b>	Risk Management Framework
<b>Report of:</b>	Laura Padden, Director, PATROL

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### **1.0 Purpose of Report**

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

### **2.0 Executive Summary**

- 2.1 The report presents the current assessment of risk.

### **3.0 Recommendations**

- 3.1. To note the current assessment of risk.

### **4.0 Reasons for Recommendations**

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

### **5.0 Background**

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

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

- 5.3** A strong risk framework:
- Strengthens governance effectiveness
  - Provides a focusing mechanism
  - Balances the scale of risk and reward
  - Enables better decision making

**5.4** The Joint Committee summarises its risk appetite as follows:

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

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

**Risk Matrix**

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

**5.5** Background to Corporate Risks:

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

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

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

**5.8** The objectives of PATROL include:

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

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

**5.9** The adjudicators and the Joint Committee is committed to a fair adjudication service for appellants including visible independence of adjudicators from the authorities in whose area they are working.

**6.0** The Director is responsible for coordinating the review of the Risk Management Framework and reporting to the Joint Committee's Officer Advisory Board whose terms of reference include the review of risk.

Following this scrutiny, the Risk Management Framework is reported to the PATROL Committee or its Executive Sub Committee.

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

**7.0 Implications**

**7.1. Finance**

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

**8.1 Risk Management**

**8.1.1** Provides a framework for risk management.

**Risk Register 2023/2024**

**ITEM 10 (i)**

Date Last Reviewed: Jul-23

Risk No.	Risk	Risk Description including impact	Risk Owner	Rating	Direction	Comments
CR1	<b>Inability to meet demand for service</b>	(Cause) The tribunal provides a statutory function which is available to all vehicle owners who receive a Notice of Rejection of Representations in respect of specified penalties. (Threat) the tribunal is unable to meet its statutory obligations (impact) appellants are unable to appeal penalties	Chief Adjudicator and Stakeholder Manager	4		The net risk rating is 4 (low). The tribunal has a fully scalable online system and a flexible adjudicator and staffing model. The online process is complimented by assisted digital support for appellants who are unable to make their appeal on line. The tribunal continues to refine and develop the online system in response to user feedback. The tribunal has demonstrated a seamless transition to homeworking for staff in response to Covid-19 which has also seen a reduction in appeals. A further assessment of adjudicator requirements is currently ongoing, however this risk is being mitigated bringing in cross-assigned adjudicators from London.
CR2	<b>Lack of Financial Resilience</b>	(Cause)The basis for defraying Joint Committee expenses is based on variable rather than fixed charges. This means that the Joint Committee must manage unforeseen significant fluctuations in either Income or Costs such that (threat) Reserves are significantly eroded and (impact) financial obligations cannot be met.	Director and Central Services Manager	5		This rating reduced from 8 to 5. The reserves levels have now been restored to their minimum threshold. Whilst the number of PCNs issued is still lower than prepandemic levels, the addition of CAZ and moving traffic schemes is having a positive impact on overall volumes and income. We continue to strictly monitor income and expenditure and are now in the position to reduce the PCN charge without a negative impact on our operations, we have therefore reduced this risk but will continue to keep our monitoring and controls in place and being reactive to any fluctuations.

CR3	<b>Loss of Data Integrity</b>	<p>(Cause) The Tribunal operates an on-line appeal system to improve the quality and flexibility for tribunal users. Support systems are also underpinned by a range of technologies. With this deployment of technologies, the risk of security breaches increases. This could result in the inability of IT to support the needs of the organization and users such that (threat) the statutory service is not accessible to all and (impact) appeals cannot be adjudicated online.</p> <p>Potential breach of General Data Protection Regulations 2016 and Data Protection Act</p>	Director and Stakeholder Manager	9		<p>This rating remains unchanged - medium.</p> <p>A range of security monitoring features, data management procedures and training are being reviewed/deployed in the light of GDPR and DPA 2018. These measures have been reviewed in light of homeworking.</p> <p>The data impact of the UK leaving the EU is being kept under review and hosting of the appeal system has transferred from the EU to UK.</p>
CR4	<b>Lack of Resource Planning</b>	<p>(Cause) Insufficient adjudicator or staff resources to support the needs of the organisation such that (threat) the organisation is unable to meet its statutory obligations and (impact) the quality or timeliness of the adjudication process, administrative standards or the achievement of development objectives compromised.</p>	Chief Adjudicator & Director	4		<p>This rating remains at 4 in the light of reduced appeals during 2020/21.</p> <p>A further assessment of adjudicator and staff requirements is ongoing in the light of Clean Air Zones. Scalability modelling is also currently underway based on current forecasting data. Current information shows that appeals are not increasing at a significant rate where additional resources would be required. There are vacancies within the team and these could be filled as and when required. Short term indications imply that the situation is unlikely to change in the near future. Further to this proposals to work collaboratively with other tribunals are being investigated which means there is potential to call on additional resources if required should circumstances change.</p>

CR5	<p><b>Lack of preparation for business continuity</b></p>	<p>(Cause) that an internal or external incident occurs which renders the organisation unable to utilise part or all of its infrastructure such that (impact) the organisation is unable to deliver some or all of its services resulting in (impact) reduced accessibility to our service.</p>	<p>Central Services Manager &amp; Stakeholder Engagement Manager</p>	<p>5</p>		<p>This rating remains at 5 and reflects the flexibility demonstrated in moving from an office based to remote workforce with no unplanned loss of service. Planned technology upgrades have taken place to further support business continuity.</p> <p>A detailed DR plan to mitigate risk is held and reviewed each quarter. This is accessible to all managers and has clearly defined responsibilities. This plan is regularly reviewed.</p>
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# PATROL

## Public Affairs Update: To 25 September 2023

### 1. Current traffic management issues

#### a. Moving Traffic Powers in England (outside London)

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

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

Authority	Detail on active / proposed restrictions
Bath & North East Somerset Council	<a href="https://beta.bathnes.gov.uk/moving-traffic-enforcement-powers-consultation">https://beta.bathnes.gov.uk/moving-traffic-enforcement-powers-consultation</a>
Bedford Borough Council	<a href="https://www.bedford.gov.uk/your-council/have-your-say/consultations/moving-traffic-offences-consultation">https://www.bedford.gov.uk/your-council/have-your-say/consultations/moving-traffic-offences-consultation</a>
Birmingham City Council	<a href="https://www.birminghambeheard.org.uk/economy/mteconsultation/">https://www.birminghambeheard.org.uk/economy/mteconsultation/</a>
Bournemouth, Christchurch and Poole Council	<a href="https://democracy.bcpcouncil.gov.uk/ieDecisionDetails.aspx?ID=614">https://democracy.bcpcouncil.gov.uk/ieDecisionDetails.aspx?ID=614</a>
Bradford Council	<a href="https://www.bradford.gov.uk/consultations/current-consultations/consultation-and-engagement/">https://www.bradford.gov.uk/consultations/current-consultations/consultation-and-engagement/</a>
Bristol City Council	<a href="https://www.ask.bristol.gov.uk/moving-traffic-enforcement-powers-consultation">https://www.ask.bristol.gov.uk/moving-traffic-enforcement-powers-consultation</a>
Buckinghamshire Council	<a href="https://www.buckinghamshire.gov.uk/parking-roads-and-transport/moving-traffic-offences/">https://www.buckinghamshire.gov.uk/parking-roads-and-transport/moving-traffic-offences/</a>
Cambridgeshire County Council	<a href="https://www.cambridgeshire.gov.uk/residents/travel-roads-and-parking/roads-and-pathways/moving-traffic-offences-consultation">https://www.cambridgeshire.gov.uk/residents/travel-roads-and-parking/roads-and-pathways/moving-traffic-offences-consultation</a>
Central Bedfordshire Council	<a href="https://www.centralbedfordshire.gov.uk/info/38/consultations/1189/consultation-on-new-powers-to-improve-road-safety/3">https://www.centralbedfordshire.gov.uk/info/38/consultations/1189/consultation-on-new-powers-to-improve-road-safety/3</a>
Cheshire West and Chester Borough Council	<a href="https://www.cheshirewestandchester.gov.uk/your-council/consultations-and-petitions/consultations/closed-council-consultations/seeking-views-regarding-the-future-enforcement-of-moving-traffic-restrictions-in-cheshire-west-and-chester">https://www.cheshirewestandchester.gov.uk/your-council/consultations-and-petitions/consultations/closed-council-consultations/seeking-views-regarding-the-future-enforcement-of-moving-traffic-restrictions-in-cheshire-west-and-chester</a>
Coventry City Council	<a href="https://www.coventry.gov.uk/news/article/4396/council-to-apply-for-moving-traffic-enforcement-powers">https://www.coventry.gov.uk/news/article/4396/council-to-apply-for-moving-traffic-enforcement-powers</a>
Derby City Council	<a href="https://www.derby.gov.uk/transport-and-streets/parking-in-derby/moving-traffic-enforcement/#page-2">https://www.derby.gov.uk/transport-and-streets/parking-in-derby/moving-traffic-enforcement/#page-2</a>

<b>Durham County Council</b>	<a href="https://www.durham.gov.uk/article/28419/Council-enforcement-goes-live-with-new-cameras">https://www.durham.gov.uk/article/28419/Council-enforcement-goes-live-with-new-cameras</a>
<b>Gloucestershire County Council</b>	<a href="https://www.gloucestershire.gov.uk/highways/parking/moving-traffic-enforcement-information/">https://www.gloucestershire.gov.uk/highways/parking/moving-traffic-enforcement-information/</a>
<b>Hampshire County Council</b>	<a href="https://www.hants.gov.uk/transport/transport schemes/traffic-enforcement-consultation">https://www.hants.gov.uk/transport/transport schemes/traffic-enforcement-consultation</a>
<b>Herefordshire Council</b>	<a href="https://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?ID=8953">https://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?ID=8953</a>
<b>Hertfordshire County Council</b>	<a href="https://bidstats.uk/tenders/2023/W11/794689740">https://bidstats.uk/tenders/2023/W11/794689740</a>
<b>Kent County Council</b>	<a href="https://www.kent.gov.uk/roads-and-travel/travelling-around-kent/enforcing-traffic-offences">https://www.kent.gov.uk/roads-and-travel/travelling-around-kent/enforcing-traffic-offences</a>
<b>Lancashire County Council</b>	<a href="https://www.lancashire.gov.uk/roads-parking-and-travel/roads/moving-traffic-offences/">https://www.lancashire.gov.uk/roads-parking-and-travel/roads/moving-traffic-offences/</a>
<b>Leeds City Council</b>	<a href="https://democracy.leeds.gov.uk/ieDecisionDetails.aspx?Id=56023">https://democracy.leeds.gov.uk/ieDecisionDetails.aspx?Id=56023</a>
<b>Leicester City Council</b>	<a href="https://www.leicestershire.gov.uk/have-your-say/current-engagement/moving-traffic-enforcement">https://www.leicestershire.gov.uk/have-your-say/current-engagement/moving-traffic-enforcement</a>
<b>Liverpool City Council</b>	<a href="https://liverpool.gov.uk/council/consultation-and-engagement/consultation-results/moving-traffic-enforcement-survey-results/">https://liverpool.gov.uk/council/consultation-and-engagement/consultation-results/moving-traffic-enforcement-survey-results/</a>
<b>Luton Borough Council</b>	<a href="https://m.luton.gov.uk/Page/Show/Transport and streets/Parking/Pages/Moving-traffic-enforcement.aspx#:~:text=Moving%20traffic%20enforcement%20is%20where,are%20subject%20to%20traffic%20enforcement.">https://m.luton.gov.uk/Page/Show/Transport and streets/Parking/Pages/Moving-traffic-enforcement.aspx#:~:text=Moving%20traffic%20enforcement%20is%20where,are%20subject%20to%20traffic%20enforcement.</a>
<b>Manchester City Council</b>	<a href="https://www.manchester.gov.uk/info/200024/consultations and surveys/8436/moving traffic offences consultation">https://www.manchester.gov.uk/info/200024/consultations and surveys/8436/moving traffic offences consultation</a>
<b>Medway Council</b>	<a href="https://www.medway.gov.uk/info/200160/roads and pavements/1602/moving traffic offences">https://www.medway.gov.uk/info/200160/roads and pavements/1602/moving traffic offences</a>
<b>Newcastle City Council</b>	<a href="https://www.newcastle.gov.uk/citylife-news/transport/council-apply-new-traffic-enforcement-powers-following-consultation">https://www.newcastle.gov.uk/citylife-news/transport/council-apply-new-traffic-enforcement-powers-following-consultation</a>
<b>Norfolk County Council</b>	<a href="https://www.norfolk.gov.uk/news/2022/03/chance-to-have-your-say-on-enforcement-of-traffic-offences">https://www.norfolk.gov.uk/news/2022/03/chance-to-have-your-say-on-enforcement-of-traffic-offences</a>
<b>North Northamptonshire Council</b>	<a href="https://northnorthants.citizenspace.com/highways/moving-traffic-offences/">https://northnorthants.citizenspace.com/highways/moving-traffic-offences/</a>
<b>Nottingham City Council</b>	<a href="https://www.transportnottingham.com/consultation-on-new-powers-to-improve-safety-on-nottingham-roads/">https://www.transportnottingham.com/consultation-on-new-powers-to-improve-safety-on-nottingham-roads/</a>
<b>Oldham Council</b>	<a href="https://pclengagement-hub.co.uk/en-GB/projects/oldhammteplans">https://pclengagement-hub.co.uk/en-GB/projects/oldhammteplans</a>
<b>Peterborough City Council</b>	<a href="https://www.peterborough.gov.uk/news/peterborough-looking-to-enforce-moving-traffic-offences#:~:text=Peterborough%20City%20Council%20has%20launched,safety%2C%20and%20encourage%20sustainable%20travel.">https://www.peterborough.gov.uk/news/peterborough-looking-to-enforce-moving-traffic-offences#:~:text=Peterborough%20City%20Council%20has%20launched,safety%2C%20and%20encourage%20sustainable%20travel.</a>
<b>Oxfordshire County Council</b>	<a href="https://www.oxfordshire.gov.uk/residents/roads-and-transport/parking/moving-traffic-offences">https://www.oxfordshire.gov.uk/residents/roads-and-transport/parking/moving-traffic-offences</a>
<b>Reading Borough Council</b>	<a href="https://www.reading.gov.uk/vehicles-roads-and-transport/moving-traffic-enforcement/">https://www.reading.gov.uk/vehicles-roads-and-transport/moving-traffic-enforcement/</a>
<b>Rochdale Council</b>	<a href="https://pclengagement-hub.co.uk/folders/rochdalemte">https://pclengagement-hub.co.uk/folders/rochdalemte</a>
<b>Rotherham Metropolitan Borough Council</b>	<a href="https://www.rotherham.gov.uk/news/article/700/have-your-say-on-enforcing-moving-traffic-offences#:~:text=Rotherham%20Council%20is%20asking%20for,congestion%20at%20known%20problem%20sites.">https://www.rotherham.gov.uk/news/article/700/have-your-say-on-enforcing-moving-traffic-offences#:~:text=Rotherham%20Council%20is%20asking%20for,congestion%20at%20known%20problem%20sites.</a>
<b>Salford City Council</b>	<a href="https://www.salford.gov.uk/your-council/news/news-archive/news-from-january-2023/public-back-move-to-act-on-box-blocking/">https://www.salford.gov.uk/your-council/news/news-archive/news-from-january-2023/public-back-move-to-act-on-box-blocking/</a>

<b>Sheffield City Council</b>	<a href="https://connectingsheffield.commonplace.is/en-GB/proposals/enforcing-moving-traffic-offences-traffic-management-act-2004-part-6/step1">https://connectingsheffield.commonplace.is/en-GB/proposals/enforcing-moving-traffic-offences-traffic-management-act-2004-part-6/step1</a>
<b>Shropshire Council</b>	<a href="https://newsroom.shropshire.gov.uk/2023/05/council-moving-traffic-powers-school-streets/">https://newsroom.shropshire.gov.uk/2023/05/council-moving-traffic-powers-school-streets/</a>
<b>South Gloucestershire Council</b>	<a href="https://consultations.southglos.gov.uk/gf2.ti/f/1470306/154603941.1/PDF/-/Frequently%20Asked%20Questions%20Moving%20Traffic%20Enforcement.pdf">https://consultations.southglos.gov.uk/gf2.ti/f/1470306/154603941.1/PDF/-/Frequently%20Asked%20Questions%20Moving%20Traffic%20Enforcement.pdf</a>
<b>Southampton City Council</b>	<a href="https://transport.southampton.gov.uk/tro-consultations/closed-consultations/moving-traffic-restrictions-order-2022/">https://transport.southampton.gov.uk/tro-consultations/closed-consultations/moving-traffic-restrictions-order-2022/</a>
<b>City of Stoke-on-Trent Council</b>	<a href="https://www.stoke.gov.uk/info/20008/roads_parking_and_travel/568/moving_traffic">https://www.stoke.gov.uk/info/20008/roads_parking_and_travel/568/moving_traffic</a>
<b>Surrey County Council</b>	<a href="https://www.surreycc.gov.uk/roads-and-transport/moving-traffic-offences">https://www.surreycc.gov.uk/roads-and-transport/moving-traffic-offences</a>
<b>Thurrock Borough Council</b>	<a href="https://consult.thurrock.gov.uk/enforcing-mto">https://consult.thurrock.gov.uk/enforcing-mto</a>
<b>Trafford Council</b>	<a href="https://trafford.citizenspace.com/place/moving-traffic-offences-consultation/">https://trafford.citizenspace.com/place/moving-traffic-offences-consultation/</a>
<b>Walsall Council</b>	<a href="https://go.walsall.gov.uk/newsroom/moving-traffic-contraventions-enforcement-survey">https://go.walsall.gov.uk/newsroom/moving-traffic-contraventions-enforcement-survey</a>
<b>West Berkshire District Council</b>	<a href="https://decisionmaking.westberks.gov.uk/documents/s108690/ID%204290%20MTO%20-v1.pdf">https://decisionmaking.westberks.gov.uk/documents/s108690/ID%204290%20MTO%20-v1.pdf</a>
<b>West Northamptonshire Council</b>	<a href="https://www.westnorthants.gov.uk/news/west-northants-invited-have-its-say-new-traffic-powers">https://www.westnorthants.gov.uk/news/west-northants-invited-have-its-say-new-traffic-powers</a>
<b>West Sussex County Council</b>	<a href="https://yourvoice.westsussex.gov.uk/enforcing-moving-traffic-offences-in-west-sussex-consultation">https://yourvoice.westsussex.gov.uk/enforcing-moving-traffic-offences-in-west-sussex-consultation</a>
<b>Wigan Council</b>	<a href="https://www.wigan.gov.uk/Council/Consultations/Current/Moving-traffic-offences.aspx">https://www.wigan.gov.uk/Council/Consultations/Current/Moving-traffic-offences.aspx</a>
<b>Royal Borough of Windsor and Maidenhead</b>	<a href="https://rbwmtogether.rbwm.gov.uk/mtcepilot">https://rbwmtogether.rbwm.gov.uk/mtcepilot</a>
<b>Wirral Council</b>	<a href="https://haveyoursay.wirral.gov.uk/moving-traffic-enforcement">https://haveyoursay.wirral.gov.uk/moving-traffic-enforcement</a>
<b>Wokingham Borough Council</b>	<a href="https://www.wokingham.gov.uk/parking-and-transport/moving-traffic-offences#:~:text=We%20will%20be%20issuing%20tickets%20for%20moving%20traffic%20offences&amp;text=Previously%2C%20Thames%20Valley%20Police%20only,commit%20a%20moving%20traffic%20offence.">https://www.wokingham.gov.uk/parking-and-transport/moving-traffic-offences#:~:text=We%20will%20be%20issuing%20tickets%20for%20moving%20traffic%20offences&amp;text=Previously%2C%20Thames%20Valley%20Police%20only,commit%20a%20moving%20traffic%20offence.</a>

- The Traffic Penalty Tribunal decides appeals relating to the enforcement of moving traffic contraventions, with the first of these appeals received in June.
- A third tranche of authorities is set to follow and PATROL continues to engage with its members that have indicated they wish to commence moving traffic enforcement, in order to assist them with preparations. Applications for the third tranche are open until October 2023.

## **b. Level of civil parking penalty charges in England**

- PATROL, with support from the British Parking Association and the backing of the Local Government Association, is conducting research into how the current levels of parking penalty charges are impacting and possibly impeding local authority members in managing and enforcing their road networks. There has been no formal review of civil parking penalty charges in England and Wales since 2008, with the exception of in London.
- A survey went out to parking managers across member authorities in May / June,

with responses and data currently being collated. PATROL will publish a report and share with the Roads Minister Richard Holden this Autumn.

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

- The Department for Levelling Up, Housing & Communities is currently consulting on the level of penalty charges that private parking operators can charge, as well as the associated debt recovery fees. The consultation is part of the Government's efforts to reform the industry in accordance with the Parking (Code of Practice) Act 2019.
- PATROL is preparing a response to the consultation, which closes on 8 October.

### d. Pavement Parking

- **Wales:** The Welsh Government's plans to give councils powers to enforce against pavement parking are currently delayed.

The decision was made due to the pressure on authorities to implement enforcement alongside the planned default 20mph speed limit and reforms to the bus network this year. Consultation and introduction of the new pavement parking powers was due to be finalised this year, but will now not start until 2024.

- **England (outside London):** PATROL continues to await an update from the Department for Transport (DfT) following its October 2020 consultation on when policy changes will be announced.

On 13 March, a debate on pavement parking was held in the House of Commons (<https://hansard.parliament.uk/Commons/2023-03-13/debates/4479BB2C-49BD-47FD-9C76-5149A8A12DF7/PavementParking?highlight=pavement%20parking#contribution-1B8A7090-2D90-44A5-B070-B8138980AC82>)

During the debate, Richard Holden Parliamentary Under-Secretary of State (Roads and Local Transport) at the DfT, provided an update on the consultation response, discussing the pros and cons of the three possible solutions (an outright ban, enforcing 'obstruction' as a new contravention and reforming the TRO-making process) and stated that pavement parking was '...a very real and complex problem that we are looking to address at the earliest opportunity', adding that he and the Department were actively working on the issue.

On 24 May, Afzal Khan, MP for Manchester, Gorton (Labour), presented a petition from his constituents asking for the government to respond to the 2020 consultation. A response is pending. On 11 July, Minister Holden confirmed at the PATROL Promoting Awareness of Civil Enforcement Through Reporting (PACER) Awards in the House of Commons that the issue was being looked at and a response would be provided in the 'coming months'.

On 20 September, the Department confirmed the consultation response would be published 'in due course', responding to a campaign for action by charity, Guide Dogs.

## e. Other items of interest

- **25 July: NEWS – Government launches review of DVLA to strengthen agency for the future**

The government has launched an independent review of the Driver and Vehicle Licensing Agency (DVLA) so that it can ‘...continue to provide excellent customer-focused digital services to keep drivers and vehicles on the road simply, safely and efficiently’.

<https://www.gov.uk/government/news/government-launches-review-of-dvla-to-strengthen-agency-for-the-future>

- **18 July: GUIDANCE – Transport user personas: understanding different users and their needs**

To capture the diversity of transport users’ needs, preferences and behaviour traits, the DfT has developed 12 different personas to reflect groups of people. Each group is represented by a fictional character, providing an illustration of the people that belong to that persona.

<https://www.gov.uk/guidance/transport-user-personas-understanding-different-users-and-their-needs>

## 2. Roll-out of Clean Air Zones (CAZs) in England (outside London)

### Overview of confirmed local authority CAZ / Zero Emission Zone (ZEZ) plans

Location	Current status
<b>Bath</b>	<ul style="list-style-type: none"> <li>• Zone launched 15 March 2021.</li> </ul>
<b>Birmingham</b>	<ul style="list-style-type: none"> <li>• Zone launched 1 June 2021.</li> </ul>
<b>Portsmouth</b>	<ul style="list-style-type: none"> <li>• Zone launched 29 November 2021.</li> </ul>
<b>Oxford (ZEZ)</b>	<ul style="list-style-type: none"> <li>• Pilot zone launched 28 February 2022.</li> <li>• Public consultation on wider zone currently ongoing until 3 October 2022.</li> </ul>
<b>Bradford</b>	<ul style="list-style-type: none"> <li>• Zone launched 26 September 2022.</li> </ul>
<b>Bristol</b>	<ul style="list-style-type: none"> <li>• Launch launched 28 November 2022.</li> </ul>
<b>Newcastle, Gateshead and North Tyneside</b>	<ul style="list-style-type: none"> <li>• Launch launched 30 January 2023.</li> </ul>
<b>Sheffield</b>	<ul style="list-style-type: none"> <li>• Launch launched 27 February 2023.</li> </ul>
<b>Greater Manchester (Greater Manchester Combined Authority)</b>	<ul style="list-style-type: none"> <li>• Combined Authority has signed off new Clean Air Plan, based on an investment-led, non-charging scheme (still pending Government approval).</li> </ul>

## PATROLAJC Executive Sub Committee

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<b>Date of Meeting:</b>	17 <sup>th</sup> October 2023
<b>Report Title:</b>	Appointments to the Advisory Board
<b>Report of:</b>	Laura Padden, Director, PATROL

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### 1.0 Purpose of Report

- 1.1. To note appointments to the Advisory Board prior to formal approval at the PATROL Adjudication Joint Committee meeting on the 9<sup>th</sup> July 2024.

### 2.0 Recommendations

- 2.1. To note the appointment of Matt Jones representing Lincolnshire County Council and Robert Shoebridge representing Derby City Council. In line with changes to the Advisory Board's terms of reference to be formally approved at the Joint Committee meeting on the 9<sup>th</sup> July 2024, these appointments will be for an indefinite period.
- 2.2 To note that Mark Fletcher from National Highways has replaced Dana Bourne who recently left the organisation.

### 3.0 Reasons for Recommendations

- 3.1 To increase the membership of the Advisory Board.

### 4.0 Background

- 4.1 In order to ensure that Advisory Board meetings are well attended, it was felt necessary to appointment additional officers who might be interested in participating in Advisory Board meetings. Both Matt Jones and Robert Shoebridge were approached by the Democratic Services and Policy Manager on advice from the chair of the Advisory Board, Marc Samways. Both attended the meeting of the Board on the 13<sup>th</sup> September 2023 and confirmed that going forward they would be able to commit to attending meetings and were happy to be formally appointed to the Board.

**4.2** Dana Bourne who represented National Highways on the Board had recently left the organisation. PATROL were informed that Mark Fletcher would be her replacement in accordance with the terms of reference.

## **5.0 Implications**

### **5.1. Finance**

**5.1.1** The budget makes provision for the Advisory Board.

### **6.1 Risk Management**

**6.1.1** The Advisory Board scrutinises the Joint Committee's Governance and Finance progress and associated documentation.

### **7.1 Legal**

**7.1.1** The Joint Committee's governance arrangements make provision for the appointment of an Advisory Board.