

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

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**Date:** Tuesday 11th October 2022  
**Time:** 11.00 am  
**Venue:** Park Plaza London, Waterloo, SE1 7DP

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1. **Apologies for Absence**  
To receive apologies for absence (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 held 26th January 2022 as a correct record (enclosed).
4. **Chair's Update (Verbal)**  
To provide the Joint 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 (enclosed).
6. **Adjudicator – Cross-Assignment Exercise**  
To note the proposal to undertake a cross-assignment exercise with approximately seven London adjudicators to develop the shared aim of working cost efficiently and collaboratively with London Tribunals and to address the expected imminent increase in moving traffic appeals (enclosed).
7. **Audit Commission Small Bodies Annual Return for the Year Ended 31 March 2022**

To note the completion of the external audit of accounts 2021/2022 (enclosed).

8. **Review of Income and Expenditure and Reserves for 2022/23**

To note income and expenditure, reserves and the basis for defraying expenses in 2022/23 (enclosed).

9. **Littering from Vehicles – Number Generator**

To approve the roll out of a web-based portal allowing the issuing of penalty notice numbers and PINs as an authority subscription mode, in order to enable member authorities to make use of the 2018 Littering from Vehicles regulations (enclosed).

**Items common to PATROL and Bus Lane Adjudication Service Joint Committee**

10. **Risk Management Framework**

To note the latest review of the Risk Register (enclosed).

11. **Report of the PATROL and BLASJC Resources Working Group**

To report on the PATROL and BLASJC Resources Working Group which met on 22 September 2022 (enclosed).

12. **Public Affairs Report**

To note the Public Affairs report during 2021/22 (enclosed).

13. **Date of next meeting**

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

Tuesday 24th January 2023 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: [sbaxter@patrol-uk.info](mailto:sbaxter@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)

## **PATROL AJC Apologies**

Bradford MBC - Cllr Carol Thirkill

Calderdale MBC – Cllr Colin Hutchinson

Carmarthenshire CC - Cllr John James

Chichester DC - Cllr Eileen Lintill

Dudley MBC - Cllr Ian Kettle

Durham CC - Cllr John Shuttleworth

East Herts DC - Cllr Graham McAndrew

Hertfordshire CC - Cllr Phil Bibby

Knowsley MBC - Cllr Tony Brennan

Somerset CC - Cllr John Cook-Woodman

Stockton BC - Cllr Mike Smith

Stratford DC - Cllr Ian Shenton

Sunderland CC - Cllr Claire Rowntree

Wirral MBC - Cllr Dave Mitchell

## **Officers**

Jo Abbott - Advisory Board

Stephen Knapp - TPT

Minutes of a meeting of the

## **PATROL Adjudication Joint Committee**

held on 26 January 2022 at The Park Plaza County Hall, London, SE1 7RY

### **PRESENT**

Councillor Stuart Hughes - (Devon County Council) in the Chair  
Councillor Chris Turrell - Bracknell Forest District Council  
Councillor Laura Crane - Cheshire East Council  
Councillor Marilyn Peters - Dartford Borough Council  
Councillor Mike Eyles - Eden District Council  
Councillor Graham Burgess - Hampshire County Council  
Councillor Phil Bibby - Hertfordshire County Council  
Councillor Tony Page - Reading Borough Council  
Councillor Dan Brown - South Hams District Council  
Councillor Simon Cronin - Worcester City Council  
Councillor Martin King - Wychavon District Council

### **Officers Present**

Sarah Baxter - Cheshire East Council  
Andy Diamond - PATROL  
Laura Padden - Director of PATROL  
Caroline Sheppard OBE - Traffic Penalty Tribunal  
Graham Addicott OBE - Advisory Board

### **1 APOLOGIES FOR ABSENCE**

Apologies for absence were reported as follows:-

BATHNES  
Blackpool Council  
Bradford Council  
Brighton & Hove CC  
Bristol CC  
Carmarthenshire CC  
Calderdale Council  
Charnwood DC  
Chichester DC  
Coventry CC  
Dacorum BC  
Dartford BC  
Durham CC  
Nottingham CC

Nottingham CC  
Sunderland CC  
Swansea CC  
Tameside CC  
Uttlesford DC  
Walsall Council  
Wigan Council  
Wirral Council  
York CC

In addition apologies were received from:-

Michael Clarke - Stoke CC  
Erica Maslen - PATROL  
Marc Samways - Hampshire County Council/Advisory Board  
Iain Worrall – PATROL

## **2 DECLARATIONS OF INTEREST**

There were no declarations of interest.

## **3 MINUTES OF THE MEETING HELD ON 26 OCTOBER 2021**

### **RESOLVED**

That the minutes of the PATROL Adjudication Joint Committee held on 26 October 2021 be approved as a correct record subject to a correction of the spelling of the word recruitment in the title under minute no 35.

## **4 CHAIR'S UPDATE**

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

- Penalty Charge Notice issue rates;
- Clean Air Zones;
- Granting of moving traffic enforcement powers to authorities in England;
- Pavement Parking Enforcement Measures;

In addition on behalf of the Committee he thanked Caroline Sheppard, OBE for all of her hard work with the Joint Committee over the years and wished her a long and happy retirement.

### **RESOLVED**

That the Chair's update be noted.

## **5 CHIEF ADJUDICATOR'S UPDATE**

Caroline Sheppard, OBE attended the meeting and gave an update on the progress made to date with Clean Air Zones and the operational challenges faced by Local Authorities who had introduced Clean Air Zones.

## **RESOLVED**

That the Chief Adjudicator's Update be noted.

## **6 WALES UPDATE**

The Director of PATROL gave a verbal update in respect of Civil Parking Enforcement (CPE), Moving Traffic Enforcement, Paving Parking and Clean Air Zones.

## **RESOLVED**

That the update be noted.

## **7 BUDGET MONITORING 2021/22**

Consideration was given to a report reviewing the income and expenditure and reserves for 2021/22 for PATROL. Members thanked the officers and adjudicators for their hard work in achieving such a positive outcome given the forecast had been for a significant budget deficit.

## **RESOLVED**

That the Reserves position at the end of September 2021 against the budget and the forecast Reserves position for the year 2021/22 at the Executive Sub Committee meeting held on 25 January 2022 be noted.

## **8 REVENUE BUDGET FOR 2022/23**

Consideration was given to a report on the revenue budget estimates for 2022/23.

## **RESOLVED**

That the revenue budget for 2022/23 as detailed in the report be adopted.

## **9 RESERVES POLICY STATEMENT**

Consideration was given to a report on the Reserves Policy Statement.

## **RESOLVED**

1. That the proposed Reserves Policy Statement for 2022/23 be approved.

2. That the total PATROL approved reserved level for 2022/23 of £1,893,892 be approved. This reflected the contribution from BLASJC reserve of £347,330. The equivalent amount for 2021/22 was £1,912,104. This allowed for the proposed

Reserve Allocation to BLASJC of £338,899.

3. That the balances of any surplus from 2021/22 being carried to 2022/23 be approved.

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

## **10 DEFRAYING THE EXPENSES OF THE JOINT COMMITTEE 2021/22**

Consideration was given to a report establishing the basis for defraying expenses during 2022/23.

### **RESOLVED**

1. That for 2022/23, the Joint Committee maintain the rate of 30 pence per PCN for Member Authorities. This would be reviewed at the October 2022 meeting in the light of actual income and expenditure information for the first half of the year. The rate of 30 pence would apply to penalties issued as follows:

Parking-England

Parking-Wales

Bus Lanes and Moving Traffic-Wales

Road User Charging-England and Wales (Please also see recommendation 2.2 and 2.3 of the report)

Littering from Vehicles-England

2. This would include new road user charging penalties arising from the introduction of Charging Clean Air Zones in 2021 (including but not restricted to Bath and North East Somerset Council, (BANES) and Birmingham City Council) as well as the existing Durham Peninsular Charging Zone.

3. That it be noted separate charging arrangements would 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 were reported separately to the joint committee within budget monitoring reports.

4. There would be no annual charge, not cost per case.

5. Invoicing would be undertaken based on monthly returns received from enforcement authorities as in 21/22.

## **Items common to PATROL and Bus Lane Adjudication Service Joint Committees**

### **11 DELAYED DECISIONS REPORT**

Consideration was given on correspondence received from solicitors acting for Halton Borough Council concerning outstanding cases at the Traffic Penalty Tribunal.

#### **RESOLVED**

That the progress of the cases described in the report be noted.

### **12 PATROL and BLASJC RESOURVES WORKING GROUP AND SUB COMMITTEE**

The Committee considered reports of the PATROL and BLASJC Working Group meetings since the Executive Sub Committee held in October 2021.

#### **RESOLVED**

1. That the matters discussed at the meetings since the last Executive Sub Committee be noted.

2. That approval be given to the Resources Sub Committee and Working Group overseeing matters highlighted in the report and reporting back to the next meeting of the Joint Committees or their Executive Sub Committees.

### **13 RISK MANAGEMENT FRAMEWORK**

Consideration was given to a report on the Risk Register.

#### **RESOLVED**

That the current assessment of risk be noted.

### **14 ANNUAL INVESTMENT STRATEGY**

Consideration was given to a report outlining the investments during 2021/22.

#### **RESOLVED**

That the Annual Investment Strategy be approved.

### **15 APPOINTMENT OF EXTERNAL AUDITOR**

Consideration was given to a report on the appointment of External Auditors for the periods 2021/22 to 2023/24.

#### **RESOLVED**

That BDO LLP be approved as External Auditors for the periods 2021/22 to 2023/24.

## **16 TRAFFIC PENALTY TRIBUNAL GENERAL PROGRES REPORT**

Consideration was given to the General Progress report for the period up to 1 December 2021.

### **RESOLVED**

That the progress report be noted.

## **17 PUBLIC AFFAIRS OVERVIEW**

Consideration was given to the Public Affairs Overview.

### **RESOLVED**

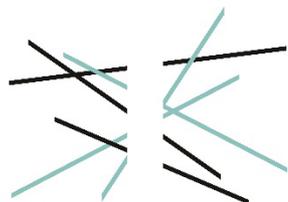
That the report be noted.

## **18 DATE OF NEXT MEETING**

It was noted that the date of the next meeting would be Tuesday 12 July 2022.

The meeting commenced at 10am and concluded at 11.30am.

Councillor Stuart Hughes (Chair)



**Traffic Penalty Tribunal** England and Wales

## General Progress Report

September 2022

### 1. Appeals summary

#### 1.1 PCNs appealed – General Trends

The below table and graph show PCNs appealed to the Tribunal from 1 April 2018 – 31 March 2022.

Full Year	Totals		Like for Like *		Parking and BL/MT only **	
	number	% change	number	% change	number	% change
2018/19	34,646		34,646		18,806	
2019/20	37,837	9.2%	37,837	9.2%	18,356	-2.4%
2020/21	19,718	-47.9%	19,718	-47.9%	11,433	-37.7%
2021/22	27,892	41.5%	21,195	7.5%	13,319	16.5%
2021/22 of 2019/20	73.7%		56.0%		72.6%	

\* Like for Like excludes CAZ

\*\* excludes CAZ and RUC

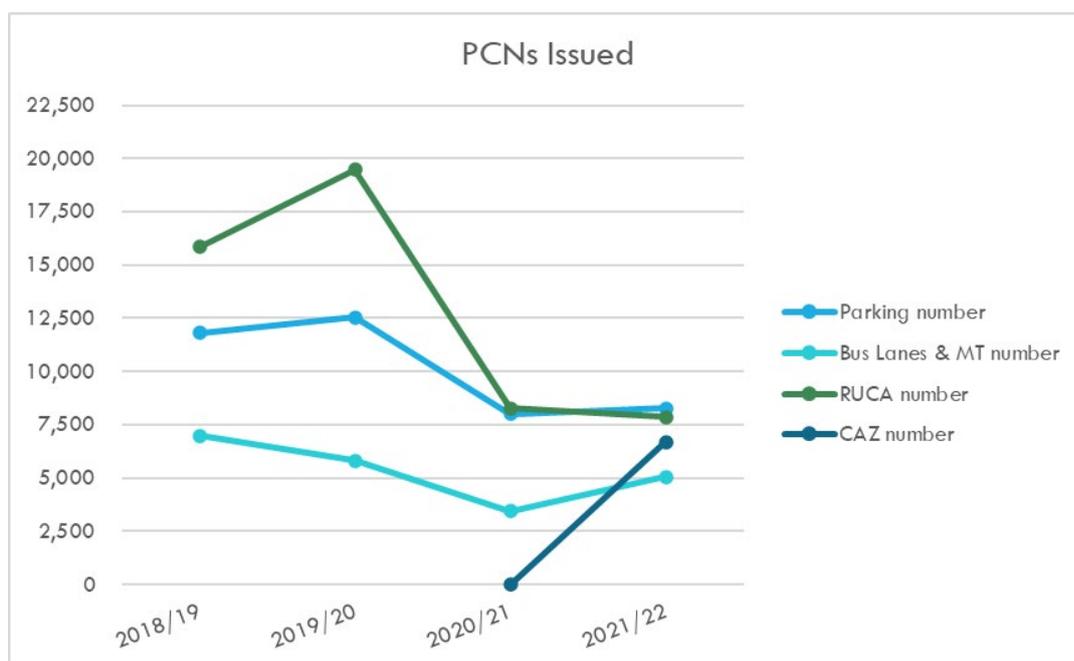
Full Year	Parking		Bus Lanes & MT		RUCA	
	number	% change	number	% change	number	% change
2018/19	11,820		6,986		15,840	
2019/20	12,529	6.0%	5,827	-16.6%	19,477	23.0%
2020/21	7,994	-36.2%	3,439	-41.0%	8,279	-57.5%
2021/22	8,269	3.4%	5,050	46.8%	7,872	-4.9%
2021/22 to 2019/20	66.0%		86.7%		40.4%	

#### Key points:

- Overall increase in PCNs appealed between 20/21 and 21/22 of 41.5%
- Excluding CAZ which was introduced in 21/22, the increase is 7.5%

- Parking, Bus Lanes and MT show a combined increase Year on Year of 16.5%
- 21/22 compared 19/20, pre and post pandemic, are as follows:
- Total is only 73.7% of pre pandemic levels
- Like for Like (exc CAZ) is 56.0% of pre pandemic levels
- Parking appeals are 66.0% of pre pandemic levels
- Bus Lane and MT appeals are 86.7% of pre pandemic levels
- RUCA appeals are 40.4% of pre pandemic levels

Bus Lanes and Moving Traffic have shown the strongest recovery with a Year-on-Year increase of 46.8% (compared to 3.4% for Parking)



This can likely be attributed to the onset of COVID-19 restrictions in early 2020 and the subsequent changes in driver behaviour as a result of the pandemic. With moving traffic restrictions set to be enforced by local authorities in England (outside London) from Spring 2022, a further increase in appeal numbers is expected into 2022/23.

Enforcement started at the first CAZs from March 2021. While further CAZs were expected to launch in 2022 (including Bradford, Greater Manchester, Newcastle, Gateshead and North Tyneside, and Bristol), there is current uncertainty regarding some of the proposed schemes which has resulted in them being delayed or reviewed.

### 1.1 PCNs appealed – Current Year (2022/23)

The table below compares PCNs appealed Year to Date for the current year, against the same point last year.

## Key Points:

- Parking (both England and Wales) PCNs appealed are higher than last year (1.9% and 8.8% respectively)
- Bus Lanes and Moving Traffic PCNs appealed are lower than the same point last year for both England and Wales
- Dartcharge PCNs appealed are 43.9% higher in the current year, this may be due to Easter holidays' being later
- Appeals for PCNs relating to Mersey Gateway are substantially lower (55.6%)
- Excluding CAZ and RUCA, PCNs appealed are broadly comparable to last year (3.1% higher)

All PCN types appealed are lower than pre-Pandemic levels (2019/20) 36.5% in total and 55.4% when comparing Like for Like (excluding CAZ)

	PCNs appealed year to date - 4m			PCNs appealed year to date - 4m	
	21/22	22/23	YoY change	19/20	YoY change
<b>Parking - England</b>	2,470	2,517	1.9%	3,962	-36.5%
<b>Parking - Wales</b>	170	185	8.8%	289	-36.0%
<b>Bus Lanes - England</b>	1,499	1,411	-5.9%	1,818	-22.4%
<b>Bus Lanes - Wales</b>	23	18	-21.7%	95	-81.1%
<b>Moving Traffic</b>	53	31	-41.5%	72	-56.9%
<b>Dartcharge</b>	1,557	2,241	43.9%	3,341	-32.9%
<b>LFV</b>	1	2	0.0%	1	100.0%
<b>Mersey Gateway</b>	777	345	-55.6%	5,573	-93.8%
<b>CAZ</b>	19	2,870	0.0%	0	0.0%
<b>Durham</b>	0	0	0.0%	0	0.0%
<b>Total</b>	<b>6,569</b>	<b>9,620</b>	<b>46.4%</b>	<b>15,151</b>	<b>-36.5%</b>
	0	0			
<i>like for like - exc CAZ</i>	6,550	6,750	3.1%	15,151	-55.4%
<i>exc CAZ and RUCA</i>	4,216	4,164	-1.2%	6,237	-33.2%

### 1.3 PCNS appealed: England and Wales

The below table provides a breakdown of PCNs appealed to the Tribunal from 1 April 2019 – 31 March 2022, issued from English Parking and Bus Lane schemes, and Welsh Parking Bus Lane and Moving Traffic schemes.

	2019/20	2020/21	2021/22	21/22 compared to 19/20
England Parking	11,669	7,499	7,676	65.8%
England Bus Lanes	5,392	3,201	4,847	89.9%
<b>England Total</b>	<b>17,061</b>	<b>10,700</b>	<b>12,523</b>	<b>73.4%</b>
Wales Parking	860	495	593	69.0%
Wales Bus Lanes	240	84	69	28.8%
Wales MT	195	154	134	68.7%
<b>Wales Total</b>	<b>1,295</b>	<b>733</b>	<b>796</b>	<b>61.5%</b>
<b>GRAND TOTAL</b>	<b>18,356</b>	<b>11,433</b>	<b>13,319</b>	<b>72.6%</b>

### Key Points:

- The number of PCNs appealed for Parking and Bus Lanes for England and Wales is still only at 72.6% of pre pandemic levels – at the end of 2021/22
- Trends vary across the various streams of activity

## 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.

### Rate of Appeal

	2019/20 Appeal Rate %	2020/21 Appeal Rate %	2021/22 Appeal Rate %	19/20 to 21/22 Appeal Rate %	2022/23 YTD - 4M Appeal Rate %
Bus Lanes - England	0.3%	0.3%	0.2%	-0.06%	0.2%
Bus Lanes & MT - Wales	0.6%	0.5%	0.2%	-0.40%	0.1%
Parking - England	0.2%	0.2%	0.2%	-0.08%	0.2%
Parking - Wales	0.3%	0.5%	0.2%	-0.09%	0.2%
Dartcharge	0.4%	0.4%	0.3%	-0.09%	0.3%
Mersey Gateway	1.7%	0.6%	0.3%	-1.41%	0.2%
CAZ	0.0%	0.0%	0.8%	0.80%	1.4%
LFV	5.3%	3.8%	0.9%	-4.42%	1.4%
<b>Total</b>	<b>0.4%</b>	<b>0.3%</b>	<b>0.3%</b>	<b>-0.12%</b>	<b>0.3%</b>

\* excludes LFV and Durham

Exc CAZ	▼	0.4%	▼	0.3%	0.2%	-0.17%
Exc CAZ and MG	▼	0.3%	▼	0.3%	0.2%	-0.08%



## First 4 months Trends – PCNs Issued & Appealed

	2019/20 - 4m	2020/21 - 4m	2021/22 - 4m	2022/23 - 4m	2022/23 to 21/22 - % change	2022/23 to 19/20 - % change	PCNs appealed 22/23 to 19/20 % change
Bus Lanes - England	612,366	402,544	691,520	747,649	8.1%	22.1%	-22.4%
Bus Lanes & MT - Wales	24,641	15,823	35,830	36,891	3.0%	49.7%	-24.3%
Parking - England	1,644,023	1,024,891	1,626,302	1,662,432	2.2%	1.1%	-36.5%
Parking - Wales	89,287	35,043	86,661	115,715	33.5%	29.6%	-36.0%
Dartcharge	811,884	496,812	694,239	778,861	12.2%	-4.1%	-32.9%
Mersey Gateway	229,823	99,364	175,577	183,104	4.3%	-20.3%	-93.8%
CAZ	0	0	279,349	206,837	-26.0%	0.0%	0.0%
LFV	25	53	146	146	0.0%	482.7%	100.0%
<b>Total</b>	<b>3,412,049</b>	<b>2,074,530</b>	<b>3,589,624</b>	<b>3,731,635</b>	<b>4.0%</b>	<b>9.4%</b>	<b>-36.5%</b>
<i>exc CAZ</i>	<i>3,412,049</i>	<i>2,074,530</i>	<i>3,310,275</i>	<i>3,524,798</i>	<i>6.5%</i>	<i>3.3%</i>	

### Key Points:

- PCN issuance is 4% higher for the first 4 months of 22/23 compared to the same period in 21/22
- When comparing pre and post Pandemic PCNs issued 22/23 is 9.4% higher than 19/20 – this includes CAZ
- Excluding CAZ 21/23 is 3.3% higher than 19/20

## 2. Hearings

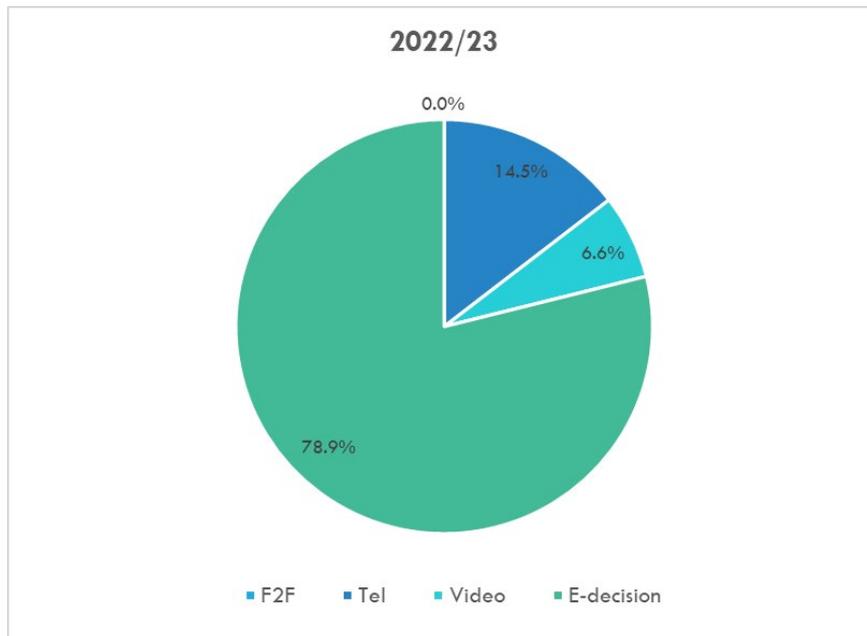
The tables below show a breakdown of the decision methods over the last few years.

	Cases requiring a Decision					
	TOTAL	F2F	Tel	Video	E-decision	
2022/23	3,451	0	501	227	2,723	<i>part year</i>
2021/22	10,124	0	1,505	585	8,034	<i>full year</i>
2020/21	8,189	0	1,343	46	6,800	<i>full year</i>
2019/20	15,395	6	3,706	30	11,653	<i>full year</i>
2018/19	13,838	14	3,099	20	10,705	<i>full year</i>
2017/18	11,134	596	1,922	2	8,614	<i>full year</i>

	Cases requiring a Decision					
	TOTAL	F2F	Tel	Video	E-decision	
2022/23	100.0%	0.0%	14.5%	6.6%	78.9%	<i>part year</i>
2021/22	100.0%	0.0%	14.9%	5.8%	79.4%	<i>full year</i>
2020/21	100.0%	0.0%	16.4%	0.6%	83.0%	<i>full year</i>
2019/20	100.0%	0.0%	24.1%	0.2%	75.7%	<i>full year</i>
2018/19	100.0%	0.1%	22.4%	0.1%	77.4%	<i>full year</i>
2017/18	100.0%	5.4%	17.3%	0.0%	77.4%	<i>full year</i>

The increase in Video Hearings as a proportion of the different decision methods reflects the initiative of 2021/22 to allow those Appellants and Authorities who are able and wish to connect themselves to hearings to do so using the Microsoft Teams platform.

The current proportions for 22/23 (4 months) are shown below:



### 3. Proxy cases

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

The average number of cases dealt with by proxy per month is currently just **4.88%**.

### 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 18<sup>th</sup> August there are 2,331 PCNs that are ready for and awaiting a decision. 1050 of these relate to Mersey Gateway.

630 relate to all other Las but where there are less than 25 PCNs awaiting decision for any one authority.

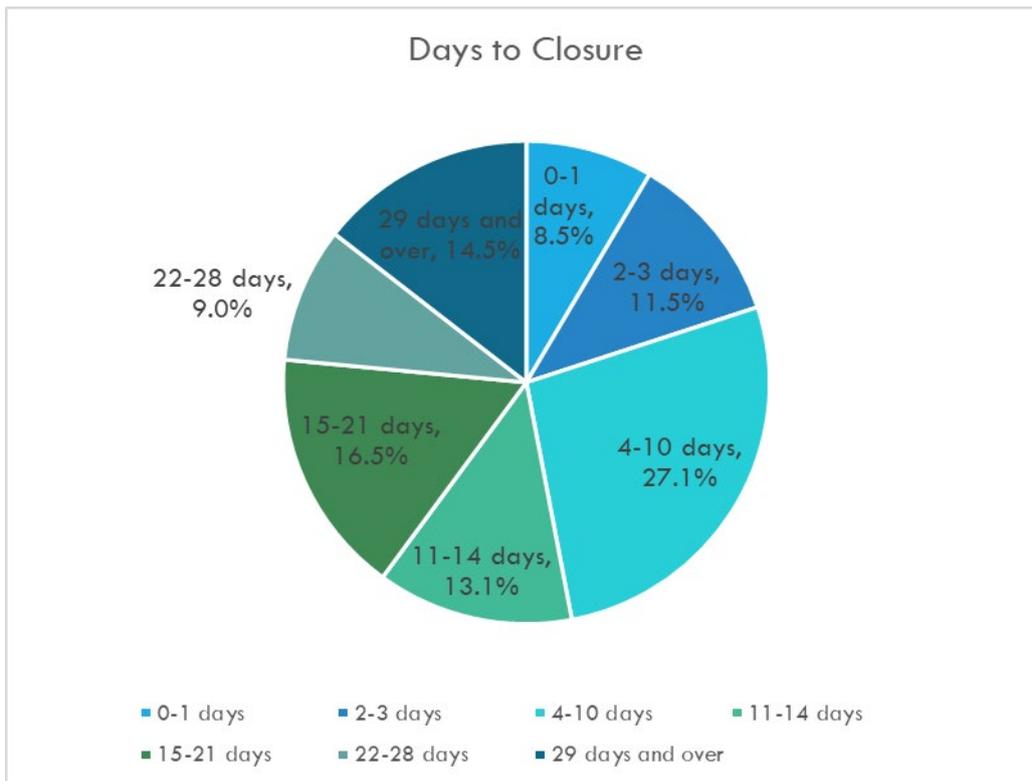
Authority	Number PCNs
Dartcharge	395
Halton BC	1050
Birmingham CAZ	256
< 25 PCNs per LA	630

2331

The data below shows appeal case closure times for cases received between 1 April 2022 and 18 August 2022.

Case Closure	
0-1 days	8.5%
2-3 days	11.5%
4-10 days	27.1%
11-14 days	13.1%
15-21 days	16.5%
22-28 days	9.0%
29 days and o	14.5%

100.0%



- **8.5%** of cases were closed within 1 day
- **47%** within 10 days
- **86%** within 28 days



## PATROL Executive Sub Committee

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<b>Date of Meeting:</b>	11 October 2022
<b>Report Title:</b>	Cross-Assignment Exercise
<b>Report of:</b>	The Chief Adjudicator, Caroline Hamilton Adjudicator

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### 1. Purpose of Report

- 1.1. To inform the PATROL Executive Sub Committee of the intention to undertake a cross-assignment exercise with approximately seven London adjudicators to develop the shared aim of working cost efficiently and collaboratively with London Tribunals and to address the expected imminent increase in moving traffic appeals.

### 2. Recommendations

- 2.1. To note the report.

### 3. Reasons for Recommendations

- 3.1 To ensure that the tribunal has a sufficient number of adjudicators to undertake increasing volumes of appeals with the ability to address all hearing types.

### 4. Background

- 4.1 In 2021, the committee approved the allocation of resources to fund an adjudicator recruitment exercise, due to take place within the 2022/2023 financial year.
- 4.2 Such recruitment exercises can be costly, and as a result, the Director and the then Chief Adjudicator agreed to monitor anticipated and rising appeals volumes to ensure that the tribunal was able to meet the demand for appeals when the numbers began to rise.
- 4.3 The volume of appeals has not yet reached those experienced prior to the pandemic; however, in the past 12 months, the cohort of adjudicators has reduced by seven.

- 4.4 Whilst a full recruitment could still be undertaken, it was deemed more efficient to explore the cross-deployment of adjudicators appointed to similar tribunals, who have the necessary legal expertise and time available, to be cross-assigned to TPT.
- 4.5 This will address the reduced number of adjudicators in the short term, whilst retaining the option of recruiting additional adjudicators through a more complete recruitment competition as and when the need arises.

## 5. Implications

### 5.1. Finance

- 5.1.1 The proposed number of adjudicators being cross-deployed, will replace adjudicators who are no longer in post and will join the December 2022 training programme already planned for current adjudicators.
- 5.1.2 Plans for a competition for new adjudicators and succession planning will remain in place and due to be taken to the Five-Year Review Group and the Resources Sub Executive Committee during the planning of the budget for the 2023/2024 financial year.
- 5.1.3 **Associated costs will be limited as the necessary equipment is already stocked by PATROL's information technology team and can be reissued to cross-assigned adjudicators.**

## PATROL Executive Sub Committee

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<b>Date of Meeting:</b>	11 October 2022
<b>Report Title:</b>	Audit Commission Small Bodies Annual Return for the Year ended 31 March 2022
<b>Report of:</b>	The Director on behalf of the Resources Working Group

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### 1. Purpose of Report

- 1.1. To report the findings of the External and Internal Auditors for the year 2021/22.

### 2. Recommendations

- 2.1. That the findings of the External Audit Report for 2021/22 in the enclosed report (Appendix 1) be noted.
- 2.2. That the findings of the Internal Audit Report for 2021/22 as reported to PATROL and BLASJC Sub Committee at their meetings on 12 July 2022 (appendix 2) be noted.

### 3. Reasons for Recommendations

- 3.1 Compliance with financial regulations.

### 4. Background

- 4.1 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.
- 4.2 The final audited return is shown at Appendix 1. The external audits have found no issues.
- 4.3 The Internal Audit Report is shown at Appendix 2. The Internal Auditors gave a GOOD assurance on controls within the organisation reporting two LOW issues which have already been addressed.

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

**5. Implications**

**5.1. Finance**

**5.1.1** As set out in the report.

**6.1 Risk Management**

**6.1.1** Internal and External Audit findings provide assurance to the Joint Committee on Financial Management.

APPENDIX 1:



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Arcadia House  
Maritime Walk  
Ocean Village  
Southampton  
SO14 3TL

**Private and Confidential**

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

28 September 2022

Our ref: 2022//PARK01/LC

Direct line: 023 8088 621911  
E-mail: councilaudits@bdo.co.uk

Dear Ms Hutchinson

**Annual Review of the return for the year ended 31 March 2022**

We are pleased to advise that we have now completed the review of the return for the year ended 31 March 2022 based on agreed upon procedures.

Please find enclosed the following documents:

- Fee Note to follow in due course
- Return for the financial year ended 31 March 2022

The enclosed return should be presented to the committee now that the work is complete and a minute should be made to show that the return including our certificate has been approved and accepted by the smaller authority.

If you have any questions please contact Louise Caplen in the first instance.

Yours sincerely

Martin Angel  
For and on behalf of BDO LLP

Enc.

# Joint Committees

## Return for the financial year ended 31 March 2022

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

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

### Completing your return

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

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

Send the return, together with your bank reconciliation as at 31 March 2022, an explanation of any significant year on year variances in the accounting statements and any additional information requested, to us, BDO LLP, by the due date.

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

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

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

## Section 1 – Governance statement 2021/22

We acknowledge as the members of

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

Our responsibility for ensuring that there is a sound system of internal control, including the preparation of the accounting statements. We confirm, to the best of our knowledge and belief, with respect to the accounting statements for the year ended 31 March 2022, that:

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

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

10

Date

12/07/2022

Signed by:

Chair



Signed by:

Clerk



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

## Section 2 – Accounting Statements 2021/22 for

Enter name of reporting body here:

**PARKING & TRAFFIC REGULATIONS OUTSIDE LONDON ADJUDICATION JOINT COMMITTEE**

	Year ending		Notes and guidance
	31 March 2021 £	31 March 2022 £	
1 Balances brought forward	3,177,712	2,385,957	Total balances and reserves at the beginning of the year as recorded in the body's financial records. Value must agree to Box 7 of previous year.
2 (+) Income from local taxation and/or levy	-	-	Total amount of local tax and/or levy received or receivable in the year including funding from a sponsoring body. Excluding any grants received.
3 (+) Total other receipts	2,132,523	3,227,703	Total income or receipts as recorded in the cashbook less the taxation and/or levy (line 2). Include any grants received here.
4 (-) Staff costs	1,889,304	1,879,435	Total expenditure or payments made to and on behalf of all employees. Include salaries and wages, PAYE and NI (employees and employers)), pension contributions and employment expenses.
5 (-) Loan Interest/capital repayments	-	-	Total expenditure or payments of capital and interest made during the year on the body's borrowings (if any).
6 (-) All other payments	1,035,034	872,402	Total expenditure or payments as recorded in the cashbook less staff costs (line 4) and loan Interest/capital repayments (line 5).
7 (=) Balances carried forward	2,385,957	2,861,823	Total balances and reserves at the end of the year. Must equal (1+2+3) – (4+5+6)
8 Total cash and short term investments	2,144,525	2,207,009	The sum of all current and deposit bank accounts, cash holdings and short term investments held as at 31 March – to agree with bank reconciliation.
9 Total fixed assets plus other long term investments and assets	-	-	The original Asset and Investment Register value of all fixed assets, plus other long term assets owned by the body as at 31 March
10 Total borrowings	-	-	The outstanding capital balance as at 31 March of all loans from third parties (including PWLB)

I certify that for the year ended 31 March 2022 the accounting statements in the return present fairly the financial position of the Joint Committee and its income and expenditure, or properly present receipts and payments, as the case may be.

Signed by Responsible Financial Officer:

Date

24/06/2022

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

12/07/2022

and recorded as minute reference:

10

Signed by Chair of meeting approving these accounting statements:



## Section 3 – External Report 2021/22 Certificate

We present the findings from our review of the return for the year ended 31 March 2022 in respect of:

Enter name of reporting body here:

PARKING & TRAFFIC REGULATIONS OUTSIDE  
LONDON ADJUDICATION JOINT COMMITTEE

Respective responsibilities of the Joint Committee and the reviewer

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

- summarises the accounting records for the year ended 31 March 2022; and
- confirms and provides assurance on various governance matters in accordance with generally accepted good practice

This report has been produced in accordance with the terms of our engagement letter dated 12/07/2016 ("the Engagement Letter") and in accordance with the International Standard on Related Services 4400 applicable to agreed-upon-procedures engagements as published by IAASB.

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

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

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

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

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

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

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

Reviewer signature

DocuSigned by:  
BDO LLP  
2BEB056D80974E4...

BDO LLP

## Section 4 – Annual internal audit report 2021/22 to

Enter name of reporting body here:

**PARKING & TRAFFIC REGULATIONS OUTSIDE LONDON ADJUDICATION JOINT COMMITTEE**

The Joint Committee's internal audit service provider, acting independently and on the basis of an assessment of risk, carried out a selective assessment of compliance with relevant procedures and controls expected to be in operation during the financial year ended 31 March 2022.

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

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

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

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

Name of person who carried out the internal audit: **Josie Griffiths**

Signature of person who carried out the internal audit:  Date: **24/06/2022**

\*Note: If the response is 'no' please state the implications and action being taken to address any weakness in control identified (add separate sheets if needed).

\*\*Note: If the response is 'not covered' please state when the most recent internal audit work was done in this area and when it is next planned, or, if coverage is not required, internal audit must explain why not (add separate sheets if needed).

## Guidance notes on completing the 2021/2022 return

1. Make sure that your return is complete (i.e. no empty red boxes), and is properly signed and dated. Avoid making any amendments to the completed return. But, if this is unavoidable, make sure the amendments are drawn to the attention of and approved by the body, properly initialled and an explanation provided to us. Returns containing unapproved or unexplained amendments will be returned and may incur additional costs.
2. Use the checklist provided below. Use a second pair of eyes, perhaps a member of the committee or the Chair, to review your return for completeness before sending it to us.
3. Do not send us any information not specifically asked for. Doing so is not helpful. However, you must notify us of any change of Clerk, Responsible Financial Officer or Chair.
4. Make sure that the copy of the bank reconciliation or letter confirming the balance held on your behalf which you send with the return covers all your bank balances. If the joint committee holds any short-term investments, note their value on the bank reconciliation. We must be able to agree your bank reconciliation to Box 8 on the Accounting statements. You must provide an explanation for any difference between Box 7 and Box 8.
5. Explain fully significant variances in the accounting statements on page 3. Do not just send in a copy of your detailed accounting records instead of this explanation. We want to know that you understand the reasons for all variances. Include a complete analysis to support your explanation.
6. If we have to review unsolicited information, or receive an incomplete bank reconciliation, or you do not fully explain variances, this may incur additional costs for which we will make a charge.
7. Make sure that your accounting statements add up the balance carried forward from the previous year (Box 7 of 2021) equals the balance brought forward in the current year (Box 1 of 2022).
8. Do not complete section 3. We will complete it at the conclusion of our work.

Completion checklist – No answers mean you may not have met requirements		Done?
All sections	All red boxed have been completed?	✓
Section 1	All information has been sent with this return?	✓
Section 1	For any statement to which the response is 'no', an explanation is provided?	✓
Section 2	Approval by the body confirmed by the signature of Chair of meeting approving the accounting standards?	✓
Section 2	An explanation of significant variations from last year to this year is provided?	✓
Section 2	Bank reconciliation as at 31 March 2022 agrees to Box 8?	✓
Section 4	An explanation of any difference between Box 7 and Box 8 is provided?	✓
Section 4	All red boxed completed by internal audit and explanations provided?	✓

**Appendix 2:**

# **Internal Audit – Assurance Report PATROL (Parking and Traffic Regulations Outside London) 2021/22**

Report Status: Final  
Report Date: 16<sup>th</sup> June 2022  
Prepared by: Lucy Nelson

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

### **Distribution List – Draft Report:**

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

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

### **Distribution List – Final Report:**

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

### **Final Report Owner:**

- Laura Padden – PATROL, Director

### **Version Control**

<b>Version Number</b>	<b>Date</b>	<b>Changes</b>
1.0	07/06/22	Draft report prepared
1.1	14/06/22	Draft report reviewed and approved for issue
1.2	15/06/22	Draft report comments received from PATROL and amendments noted.
1.3	16/06/22	Final Report agreed and issued

<b>Galileo Reference</b>	EXT001.0008
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## 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 for 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 2021/22 SBAR, we had to determine whether the ten stated internal control objectives have been achieved throughout the 2021/22 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 body's financial regulations have been met, payments were supported by invoices, expenditure was approved and VAT appropriately accounted for.
- C. The body assessed the significant risks to achieving its objectives and reviewed the adequacy of arrangements to manage this.
- 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 (receipts and payments or income and expenditure), agreed to the cash book, were supported by an adequate audit trail from underlying records, and where appropriate, debtors and creditors 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 introduced a petty cash system during 2019/20 with a balance limit of £50 and there are also six purchase cards linked to the bank account. As such, and as per testing carried out in previous years, a review of processes and controls in operation in relation to the cards was also 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 moving traffic and littering. Furthermore, the samples selected included transactions completed throughout the whole of 2021/22 in order to ensure that the findings are as comprehensive and reliable

as possible and also 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.

2.7. 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 88 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, 2 recommended actions have been raised in this report and can be found at **Appendix A**. The actions raised relate to non-compliance with the controls the Body has established in its processes and procedures.

3.3. The areas identified for improvement are as follows:

### Control Objective F

- There were no transactions recorded through Petty Cash during 2020/21 and 2021/22 with the minor

## Executive Summary

items of expenditure that the system was intended for being purchased using other methods.

### Control Objective H

- Although other checks have been in place, the IT Asset Register has not been fully independently reviewed in line with PATROL's Financial Regulations.

## 4. Conclusion and Opinion

- 4.1. The audit concluded that on the whole the 10 control objectives detailed on the 2021/22 SBAR are effectively managed for both PATROL and Bus Lane Adjudication Joint Committees. **Appendix B** confirms the results of the audit work as it will be entered on the SBAR.
- 4.2. The review concluded that the steps taken to address compliance with the controls the Body has established in its processes and procedures are operating satisfactorily.
- 4.3. Internal Audit use a formal opinion system, details of which are given in **Appendix C**. 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.

- 4.4. In line with our Audit Charter, the agreed action plan will be subject to a follow up review to provide assurance that recommended actions have been implemented.

## Appendix A – Action Plan

F - Petty cash payments were properly supported by receipts, expenditure was approved and VAT appropriately accounted for				
	Finding	Implication	Recommended Action	Priority
1	<p>A petty cash system was introduced in 2019/20, with a balance limit of £50.</p> <p>A review of the records and physical cash held confirmed a current balance on 19<sup>th</sup> May 2022 of £21.92, with no transactions during 2021-22 and 2020-21. Petty cash was introduced to purchase minor items, for example, stamps and refreshments for meetings, however these items are reimbursed through staff expenses or purchased using a staff purchase card.</p>	Petty cash facilities are not effectively managed and at an increased risk of misappropriation.	PATROL should review the requirement for a petty cash system and consider closing the fund if there is no longer a business need.	Low
<b>Management Response</b>				
<p><b>Agreed:</b> Petty cash is kept in the safe with restricted access, however there is no longer a requirement for this facility. Facility has been removed</p> <p><b>Responsibility:</b> Central Services Manager</p> <p><b>Target Date:</b> Completed</p>				

H – Asset and investment registers were complete and accurate and properly maintained				
	Finding	Implication	Recommended Action	Priority
2	<p>Financial Regulations 21-22 sets out that IT equipment will be physically verified annually by the Finance and Central Services Manager.</p> <p>Although PATROL maintain an IT Asset Register there is no evidence to support when the IT Asset Register was last subject to an annual independent review.</p> <p>Previous audit records confirmed that a review took place in April / May 2019 and the review for</p>	An increased risk that assets are not safeguarded against theft or identified for insurance purposes in the event of a claim.	<p>The asset register should be formally reviewed on an annual basis and evidenced as such in line with the Financial Regulations 21-22.</p> <p>This should be in addition to the other controls in place.</p>	Low

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## Appendix A – Action Plan

20/21 did not take place due to remote working through the Covid-19 outbreak.			
<b>Management Response</b>			
<p><b>Agreed:</b> To return to a full check each year. However, there have been checks completed but not as a single exercise:</p> <ul style="list-style-type: none"><li>• A full check was completed in March 2022 by the Central Services Manager of equipment held by Adjudicators.</li><li>• All equipment issued to staff is signed for. When replacement equipment is issued the form is updated and resigned. This form shows all equipment held and the control here is that any irregularities would be raised at this point.</li><li>• All equipment in the office was recorded at the point of the move – Feb 2021.</li></ul> <p><b>Responsibility:</b> Central Services Manager <b>Target Date:</b> March 2023</p>			

## Appendix B – 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 body's financial regulations have been met, payments were supported by invoices, expenditure was approved and VAT appropriately accounted for	✓		
C	The body assessed the significant risks to achieving its objectives and reviewed the adequacy of arrangements to manage this	✓		
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 (receipts and payments or income and expenditure), agreed to the cash book, were supported by an adequate audit trail from underlying records, and where appropriate, debtors and creditors properly recorded	✓		

\* 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 also undertaken.

### 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
<b>Good Assurance</b>	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.
<b>Satisfactory Assurance</b>	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.
<b>Limited Assurance</b>	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.
<b>No Assurance</b>	There is an absence of controls to mitigate against the risks identified in the terms of reference. The majority of recommendations made are high priority, and key risks are not being properly managed. Urgent attention is required by management to improve the control environment. This area may be considered for inclusion in the organisation's Annual Governance Statement. It may also be appropriate for this area to be included in the sections/directorate Risk Register, and for the action plan to address these fundamental weaknesses to become part of the Service Delivery Plan.

**Priority Rating for Individual Findings**

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

Priority	Explanation		
	Risk	Controls and Testing	Timescale
<b>High</b>	<p>Action is required to mitigate against a risk which is assessed as likely to arise, and having a high impact should it do so. A fundamental risk may involve failure to:</p> <ul style="list-style-type: none"> <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>
<b>Medium</b>	<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>
<b>Low</b>	<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>



## **PATROL Executive Sub Committee**

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<b>Date of Meeting:</b>	11 October 2022
<b>Report Title:</b>	Review of Income and Expenditure and Reserves for 2022/23
<b>Report of:</b>	Laura Padden, Director

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### **1. Purpose of Report**

- 1.1. To report the Income and Expenditure position at 31<sup>st</sup> July 2022 for the year 2022/23 in order to comply with the approved Financial Regulations.
- 1.2. To report the Reserves position at 31<sup>st</sup> July 2022 against the approved Reserves levels in order to comply with the approved Financial Regulations.
- 1.3. To approve the recommended basis for Defraying Expenses remains at 30p per PCN for the remainder of 22/23.

### **2. Recommendations**

- 2.1. To note the Income and Expenditure position at 31<sup>st</sup> July 2022 for the year 2022/23.
- 2.2. To note the Reserves position at 31<sup>st</sup> July 2022 against the approved Reserves levels.
- 2.3. To approve the recommended charge of 30 pence per PCN issued for the remainder of 2022/23.

### **3. Reasons for Recommendations**

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

### **4. Background**

- 4.1. Income and Expenditure

<b>SUMMARY TO DATE</b>				
	31/07/2022	31/07/2022	31/07/2022	31/07/2022
	Year to Date	Budget	Var to Budget	Var to Budget
Income	1,063,821	1,141,062	-77,241	-6.8%
Expenditure	794,154	1,141,767	347,613	30.4%
Surplus / (Deficit)	<b>269,667</b>	<b>-705</b>	<b>270,372</b>	

**Breakdown of Surplus**

PATROL	165,208	-5,161	170,369
Halton Borough Council	20,727	-3,429	24,156
National Highways	83,732	7,885	75,847
	<b>269,667</b>	<b>-705</b>	<b>270,372</b>

- 4.2.** Total Income to 31<sup>st</sup> July 2022 is £1063,821 against a budget of £1,141,062 – a negative variance of £77,241. Of this £49,202 relates to CAZ PCN income achieved and £75,024 to the Recharge of Costs to BLASJC (due to lower than anticipated actual costs incurred, and subsequently recharged). These are offset by improved Parking PCN Income.
- 4.3.** Costs to the end of July 2022 are £347,613 underspent against budget (30.0%). This is partly due to the timings of budgets. However, it should also be noted that release of Bad Debt Provision no longer required accounts for £145,426 of the £347,613. £83,203 relates to staffing costs due to recruitment timing and the effect of the delay in some CAZ schemes. A further £150,991 relates to a savings on Adjudicator Costs where Recruitment and other non-case work related costs are yet to be incurred.
- 4.4.** The overall position at end July for PATROL is therefore a surplus of £165,208 against a budgeted deficit of £5,161, a positive variance of £170,369 (including the Bad Debt Provision release). This is after allowing for the ringfenced amounts to Halton BC and National Highways
- 4.5.** Reserves to date are summarised as follows:

	Reserves	Approved	Free Reserves	Movement	TOTAL	PATROL	National Highways	Halton Borough Council
<b>Opening Reserves 2020/21</b>	<b>3,089,798</b>	<b>2,255,631</b>	<b>834,167</b>		<b>3,177,774</b>	<b>3,089,798</b>	<b>73,912</b>	<b>14,064</b>
Reserves for year 2020/21	-636,717				-553,542	-636,717	78,520	4,655
Drawdown in Year 2020/21	-214,362				-238,274	-214,362	-23,912	0
<b>Opening Reserves 2021/22</b>	<b>2,238,719</b>	<b>1,912,104</b>	<b>326,615</b>	<b>-507,552</b>	<b>2,385,958</b>	<b>2,238,719</b>	<b>128,520</b>	<b>18,719</b>
Reserves for year 2021/22	329,736				0	329,736	184,379	70,020
Drawdown in Year 2021/22	0				-108,269	0	-108,269	0
<b>Opening Reserves 2022/23</b>	<b>2,568,455</b>	<b>1,893,880</b>	<b>674,575</b>	<b>347,960</b>	<b>2,861,824</b>	<b>2,568,455</b>	<b>204,630</b>	<b>88,739</b>
Reserves for year 2022/23	165,208				269,667	165,208	83,732	20,727
Drawdown in Year 2022/23	0				0	0	0	0
<b>RESERVES TO END JULY 2022</b>	<b>2,733,663</b>	<b>1,893,880</b>	<b>839,783</b>	<b>165,208</b>	<b>3,131,491</b>	<b>2,733,663</b>	<b>288,362</b>	<b>109,466</b>
<b>From start 2020/21 to date</b>	<b>-356,135</b>	<b>-361,751</b>	<b>5,616</b>	<b>5,616</b>				

Total Cash Reserves are £3,131,491 (of which £2,733,491 relates to PATROL).

PATROL Free Reserves are £839,783.

**4.6** The table above demonstrates that PATROL Cash Reserves have decreased by £365,135 from pre-Pandemic to date. This is offset by a decrease in Approved Reserves of £361,751 combining to give an increase in Free Reserves of £5,616. This shows that the losses suffered by the Pandemic effect on enforcement have been recovered to date.

**4.7** The PATROL budget and the resulting basis for defraying expenses was approved for the year 2022/23 at the meeting of the Executive Sub Committee held on 25<sup>th</sup> January 2022. This was approved at a rate of 30 pence per PCN issued, with a review part way through the year.

Based on the financial position at July 2022 and the continued improvements in financial stability it is recommended that this rate remains unchanged but that a fuller review is made as part of the budget setting process for 2023/24 to be approved at the January 2023 Executive Sub Committee.

## 5. Implications

### 5.1. Finance

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



## PATROL Executive Sub Committee

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<b>Date of Meeting:</b>	11 October 2022
<b>Report Title:</b>	Littering from vehicles – Number Generator
<b>Report of:</b>	Iain Worrall, Stakeholder Engagement & Systems Manager

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### 1. Purpose of Report

- 1.1. To seek approval for the roll out of a web-based portal that allows the issuing of penalty notice numbers and PINs as an authority subscription mode, to enable member authorities to make use of the 2018 Littering from Vehicles regulations, overcoming the barriers of high software development costs.

### 2. Recommendations

- 2.1. To approve the immediate roll out of a subscription-based portal.

### 3. Reasons for Recommendations

- 3.1. Approval is recommended to allow those authorities who wish to make use of the 2018 regulations without the disproportionate set up costs offered by existing software suppliers.

### 4. Background

- 4.1 In 2018 DEFRA introduced legislation that allowed local authorities outside London to issue penalties to registered keepers of vehicles where a littering offence is observed.
- 4.2 <https://www.legislation.gov.uk/ukdsi/2018/9780111163818/contents>
- 4.3 The penalties can be challenged with the authority and there is also an option to appeal to the Traffic Penalty Tribunal (TPT) should any challenge be unsuccessful.
- 4.4 When introducing the regulations and implementation advice, DEFRA recommended that authorities make use of PCN processing systems that already exist in Parking and Traffic teams, as the process for managing the

penalties is very similar and would produce the necessary penalty number format, rejection.

- 4.5 Uptake and use of the regulations, while continuing to be a hot topic and high on Member's agendas, remains low.
- 4.6 The main barrier authorities face is being able to produce the penalty number (PN) in the required format.
- 4.7 For these civil penalties to be processed correctly at the TPT and the Traffic Enforcement Centre (TEC) where eventually an unpaid penalty can be registered as a debt for further enforcement and collection, the required PN format is alpha numeric - for example: OX44526689
- 4.8 The two letters, which are issued by TEC, identify the authority that has issued the penalty.
- 4.9 The 8 numbers are a unique number with a check digit algorithm calculation that is recognised by the systems in place to verify that the penalty number is valid.
- 4.10 In addition to the PN number, any rejection of a challenge sent by the authority to an appellant must contain a PIN number, which allows the appellant, should they wish, to submit an appeal to the TPT using the online portal.
- 4.11 Development costs to add the ability to produce the required penalty and PIN numbers, to existing council systems, is quoted by existing 3rd party suppliers.

## **5. Implications**

### **5.1. Finance**

- 5.1.1. We seek approval for a per authority set up charge of £500.00 in addition to a yearly subscription of £250.00.
- 5.1.2 The set-up fee will be billed at commencement and will run to the end of the financial year. The annual subscription will be billed annually at the start of the accounting year in April.
- 5.1.3 These charges will accommodate the maintenance and set up costs of enabling authorities to access this service, without impacting authorities that do not intend to enforce littering from vehicles.

### **6.1 Human Resources**

- 6.1.1 We will be looking to utilise an existing internal system, making access available through two factor authentication. Administration of the site, including set up of authority users, will be carried out by our internal IT team. Invoicing will be undertaken by PATROL's accounting team. There are no additional internal costs or HR requirements.



## PATROL and BLASJC Executive Sub Committees

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<b>Date of Meeting:</b>	11 October 2022
<b>Report Title:</b>	Risk Management Framework
<b>Report of:</b>	Laura Padden, Director PATROL

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### 1. Purpose of Report

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

### 2. Executive Summary

- 2.1 The report presents the current assessment of risk.

### 3. Recommendations

- 3.1. To note the current assessment of risk.

### 4. Reasons for Recommendations

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

### 5. Background

- 5.1 It is the role of the Joint Committee's Resources Working Group and Sub Committee to review the report prior to consideration by the Joint Committees or their Executive Sub Committees. 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 and, in the case of the Bus Lane Adjudication Service Joint Committee, the Transport Act 2000.

**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 and Bus Lane Adjudication Service Joint Committees 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 joint committees are 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 and the Resources Working Group and Sub Committee whose terms of reference include the review of risk.

Following this scrutiny, the Risk Management Framework is reported to the PATROL and Bus Lane Adjudication Service Joint Committees or their Executive Sub Committees.

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

**7. 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 2022/2023

Date Last Reviewed:

26th September 2022

Risk No.	Risk	Risk Description including impact	Risk Owner	Rating	Direction	Comments
CR1	Inability to meet demand for service	(Cause) The tribunal provides a statutory function which is available to all vehicle owners who receive a Notice of Rejection of Representations in respect of specified penalties. (Threat) the tribunal is unable to meet its statutory obligations (impact) appellants are unable to appeal penalties	Chief Adjudicator and Stakeholder 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	Lack of Financial Resilience	(Cause)The basis for defraying Joint Committee expenses is based on variable rather than fixed charges. This means that the Joint Committee must manage unforeseen significant fluctuations in either Income or Costs such that (threat) Reserves are significantly eroded and (impact) financial obligations cannot be met.	Director and Central Services Manager	10		This rating reduced from 15 to 10. This reflects increased experience of the impact of the pandemic on enforcement, the preservation of approved reserves during 2021/22 and the planned introduction of new appeal streams. Whilst a degree of uncertainty remains, expenditure and use of free and approved reserves will be strictly monitored. Current volumes of appeals show that whilst there has been an increase in appeals post pandemic, without CAZ appeals the increase would only be 7.5%. Some CAZ schemes are under review/delayed thus impacting on anticipated revenue streams. This will need to be carefully monitored. Important to note however that the losses suffered by the pandemic's effect on enforcement has to date been recovered. Whilst reserves are back to pre pandemic levels there is a reliance on CAZ to mitigate risk which needs to be taken into account.

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	<b>Lack of preparation for business continuity</b>	<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>	Central Services Manager & Stakeholder Engagement Manager	5		<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>



## PATROL and BLASJC Executive Sub Committees

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<b>Date of Meeting:</b>	11 October 2022
<b>Report Title:</b>	Report of the PATROL and BLASJC Resources Working Group meetings held since the meeting of the Executive Sub Committees in January 2022
<b>Report of:</b>	Sarah Baxter, Democratic Services and Policy Manager

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### 1. Purpose of Report

- 1.1. To report on the PATROL and BLASJC Resources Working Group meetings held since the Executive Sub Committee Meeting held in January 2022.

### 2. Executive Summary

- 2.1. To provide a summary of the matters discussed at the 26<sup>th</sup> May 2022 and 22<sup>nd</sup> September 2022 PATROL and BLASJC Resources Working Group meetings.

### 3. Recommendations

- 3.1. To note the matters discussed at the meetings since the last Executive Sub Committee.
- 3.2. To approve the Resources Working Group and Sub Committee overseeing matters highlighted in the report and reporting back to the next meeting of the Joint Committees or their Executive Sub Committees.

### 4. Reasons for Recommendations

- 4.1. To update the Joint Committees.

### 5. Background

The July 2019 meetings of the Joint Committees resolved that the Resources Sub Committee and Working Group would oversee a number of initiatives on its behalf.

**5.2** The Resources Working Group comprises the Chairs of the Joint Committee and representatives from the Joint Committees' Advisory Board. The Resources Sub Committee comprises the Members.

**5.3** At its meeting on 26<sup>th</sup> May 2022, the Resources Working Group were updated on the following:-

- Caroline Hamilton had been appointed as the next Chief Adjudicator and would take up the role in July 2022;
- The recruitment process had been completed for the Democratic Services and Policy Manager and the appointed person would be announced once all the necessary paperwork had been completed.

**5.4** The Resources Working Group reviewed the financial recommendations being made to this meeting together with:

- a) The reporting of the Traffic Penalty Tribunal's statistics for the number of appeals submitted between April 2021 and March 2022 and a comparison against the same period in 2020/21. In addition, information was included providing a breakdown of the decision decisions selected by appellants which showed an increase in video hearings and which reflected the review undertaken by the Traffic Penalty Tribunal into its processes around hearings.
- b) Received draft financial and governance reports for the Joint Committee meetings including reviewing the risk register. No changes were reported in terms of governance arrangements however in respect of the Risk Register it was reported that there had been one change which related to Risk CR2 – Lack of Financial Resilience.
- c) Received a Public Affairs Update which provided an update on moving traffic powers, pavement parking, private parking, reform of Traffic Regulations Orders (TROs) and promotion of Active Travel.
- d) Received the draft agenda for PATROL Joint Committee meeting 12 July 2022 and the draft agenda for BLASJC meeting 12 July 2022.

**5.5** At its meeting on the 22<sup>nd</sup> September 2022 the Resources Working Group were updated on the following:-

- a) Received a report for the Joint Committee meetings reviewing the income & expenditure & reserves for 2022/23 for PATROL and BLASJC;
- b) Received a verbal update from the Chief Adjudicator in which she summarised the work she had undertaken so far including appraising 18 out of the 20 adjudicators alongside further exploration of the potential to work collaboratively with other tribunals including the London tribunal. Further to this she gave an update in respect of ongoing Judicial Reviews, appeal volumes, case progression delays and statistical data in relation to average case closure times for cases received between 1 April 2022 and 18 August 2022.

- c) Received a Public Affairs Update which provided an update on CAZ, moving traffic powers, pavement parking and private parking code of practice;
- d) Received a draft report on Littering from Vehicles (LFV) seeking approval for the roll out of a web-based portal that would allow the issuing of penalty notice numbers and PINs as an authority subscription mode, in order to enable member authorities to make use of the 2018 Littering from Vehicles regulations. The Resources Working Group resolved to recommend to the Joint Committees endorsement of the recommendation contained within the report.

**5.6** It was proposed that the Resources Working Group and Sub Committee continue to oversee the above matters and report to the next meeting of the Joint Committees or their Executive Sub Committees.

## **6. Implications**

### **6.1. Finance**

**6.1.1.** The Resources Working Group considered financial matters reported to this meeting.

# PATROL

## Public Affairs Update: To 31 August 2022

### 1. Current traffic management issues

#### a. Pavement Parking

- **Wales:** The Welsh Government announced in July 2021 that pavement parking was set to be banned in Wales 'wherever possible'. The policy was to form part of the Government's legislative programme for the year, which also included plans for a new 20mph default speed limit in residential areas. While the 20mph limit has been piloted in Cardiff and other areas, there has been no further update on pavement parking.
- **England (outside London):** PATROL continues to await an update from the Department for Transport (DfT) following its October 2020 consultation. The DfT has confirmed that analysis of submissions is complete and a ministerial decision is pending, with the latest responses to Departmental questions indicating that a response to the consultation and next steps will be published 'as soon as possible'.

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

- **New regulations giving effect to moving traffic enforcement powers for local authorities in England (outside London) – under Part 6 of the *Traffic Management Act 2004 (TMA)* came into force on Tuesday 31 May 2022.**
  - The new Regulations can be accessed at the links below:
    - [\*The Civil Enforcement of Road Traffic Contraventions \(Approved Devices, Charging Guidelines and General Provisions\) \(England\) Regulations 2022\*](#)
    - [\*The Civil Enforcement of Road Traffic Contraventions \(Representations and Appeals\) \(England\) Regulations 2022\*](#)
  - The Regulations bring bus lane enforcement under the *TMA* for the first time and introduce two new 'grounds' (reasons) that motorists may cite when making representations or appealing against PCNs issued in relation to bus lane contraventions (in line with the existing grounds for parking and forthcoming grounds for moving traffic). The two new grounds relate to procedural impropriety by the authority and an appellant's compelling reasons within the circumstances of the case.

- Accompanying the 2022 Regulations is new Statutory Guidance for local authorities on the civil enforcement of bus lane and moving traffic contraventions, as well as updated guidance on enforcing parking restrictions.

Access the new Statutory Guidance at the links below:

- **Bus lane and moving traffic (Published 31 May)**  
<https://www.gov.uk/government/publications/bus-lane-and-moving-traffic-enforcement-outside-london>
- **Parking (Published 26 August)**  
<https://www.gov.uk/government/publications/civil-enforcement-of-parking-contraventions/guidance-for-local-authorities-on-enforcing-parking-restrictions>

*This updated document includes specific higher-level contravention codes (on-street and off-street). The inclusion of the contravention codes in the guidance – rather than in the Schedule to the Civil Enforcement of Parking Contraventions (Guidelines on Levels of Charges) (England) Order 2007 – means they can be reviewed and updated as necessary, without the need to amend legislation.*

- In addition, the DfT has released updated technical guidance for local authorities in England on obtaining approval of equipment used to capture evidence of traffic contraventions:

- **Civil Enforcement of Road Traffic Contraventions: Certification of Approved Devices (Published 8 August)**  
[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1098125/civil-enforcement-of-road-traffic-contraventions-certification-of-approved-devices.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1098125/civil-enforcement-of-road-traffic-contraventions-certification-of-approved-devices.pdf)

- **The first tranche of local authorities granted moving traffic enforcement powers – through a *Designations and Miscellaneous Amendments Order* that came into force on 31 July – are:**

- |  |                              |
|--|------------------------------|
| ○ Bath and North East Somerset Council | ○ Kent County Council        |
| ○ Bedford Borough Council              | ○ Luton Borough Council      |
| ○ Buckinghamshire Council              | ○ Norfolk County Council     |
| ○ Derby City Council                   | ○ Oxfordshire County Council |
| ○ Durham County Council                | ○ Reading Borough Council    |
| ○ Hampshire County Council             | ○ Surrey County Council      |

- PATROL continues to engage with authorities that have indicated they wish to commence moving traffic enforcement, in order to assist them with preparations.

Additionally, information on the PATROL website, as well as the Traffic Penalty Tribunal website and Online Appeals Management System has been updated to reflect the new Regulations' impact on bus lane appeals, with Adjudicators briefed on dealing with cases concerning contraventions that fall either side of the 31 May legislation date.

### c. The Parking (Code of Practice) Act 2019: Private Parking

- The Department for Levelling Up, Housing and Communities (DLUHC) has temporarily withdrawn its new private parking Code of Practice in Parliament, pending review of the levels of charges and additional fees. This follows legal challenges from some private parking operators.
- The new code is aimed at improving the standards and consistency of private parking operators, generally, as well as to provide greater clarity and protections for the motorist against so called 'rogue' operators, unfair and confusing enforcement practices.
  - The new code is still available at:  
<https://www.gov.uk/government/publications/private-parking-code-of-practice/private-parking-code-of-practice>
- PATROL will continue to engage with DLUHC on the adoption of the new code and will assist, as required.

### d. Responding to the challenge of Electric Vehicles (EVs) and Autonomous Vehicles

- **24 August: NEWS – Government and industry funding for EV charge points**  
Over 1000 new EV charge points are set to be rolled-out across England through a new pilot scheme backed by Government and industry funding. The charge points will be installed across nine local authority areas that were successful in applying for funding through the pilot phase of a new Local EV Infrastructure (LEVI) scheme (<https://www.gov.uk/government/news/drivers-to-benefit-from-20-million-ev-chargepoint-boost>).

The LEVI scheme supports the Government's EV infrastructure strategy (<https://www.gov.uk/government/publications/uk-electric-vehicle-infrastructure-strategy>), which has committed £450 million to support local authorities in rolling out charging infrastructure for EVs.

- **19 August: NEWS – Government unveils plans to roll-out self-driving vehicles on UK roads, including funding**  
<https://www.gov.uk/government/news/self-driving-revolution-to-boost-economy-and-improve-road-safety>
- **18 August: STATISTICS – Office for Zero Emission Vehicles' latest statistics on EV charging infrastructure:**  
<https://www.gov.uk/government/collections/electric-vehicle-charging-infrastructure-statistics>

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

Overview of confirmed local authority CAZ / Zero Emission Zone (ZEZ) plans (as of 31 August 2022)

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>Launch expected Monday 26 September 2022.</li> </ul>
<b>Bristol</b>	<ul style="list-style-type: none"> <li>Launch expected Monday 28 November 2022.</li> </ul>
<b>Newcastle, Gateshead and North Tyneside</b>	<ul style="list-style-type: none"> <li>Launch expected 30 January 2023.</li> </ul>
<b>Sheffield</b>	<ul style="list-style-type: none"> <li>Launch expected early 2023.</li> </ul>
<b>Greater Manchester</b> (Greater Manchester Combined Authority)	<ul style="list-style-type: none"> <li>Launch postponed – public consultation on new plans (signed off by the council) to run in early 2023, pending Government sign-off after new prime minister announced.</li> </ul>

A more detailed status update on live and upcoming schemes can be found on the PATROL website at:

<https://www.patrol-uk.info/charging-clean-air-zones-local-authority-plans>.

In addition, PATROL has created a CAZ Implementation Forum to encourage local authorities at different stages of implementing CAZ or ZEZ schemes to share their experiences and learnings with each other in a dedicated meeting.

Other Clean Air policy news of interest:

- 18 August: CONSULTATION OUTCOME – Local Air Quality Management (LAQM) statutory guidance**  
 Defra’s response to a public consultation on the Local Air Quality Management (LAQM) statutory guidance, which presented proposals to strengthen the LAQM framework to enable local authorities to take more effective, coordinated actions to achieve their air quality objectives and deliver improvements to public health.

The review also proposed the introduction of new areas for local authority consideration, which reflect new research, policies and priorities in the field of local air quality.

Consultation response: <https://www.gov.uk/government/consultations/local-air-quality-management-policy-guidance/outcome/summary-of-responses-and-government-response>

Updated guidance: <https://laqm.defra.gov.uk/guidance/>

### 3. Improving public information on civil enforcement and the PACER Awards\*

# PATROL

## PACER Awards

Promoting Awareness of  
Civil Enforcement through Reporting

- **North East Lincolnshire Council was awarded Overall Winner in the 2022 PATROL PACER Awards**

PATROL is delighted to announce that North East Lincolnshire Council was the Overall Winner of this year's PACER Awards, which recognised 2020/21 parking and traffic management Annual Reports. The other award winners were as follows:

- **Best for Customer Service**, Dacorum Borough Council.
  - **Best for Finance and Statistics**, Hampshire County Council.
  - **Best for Innovation and New Services**, Gloucestershire County Council.
  - **Best Concise Report**, Devon County Council.
  - **Best use of Design**, North Essex Parking Partnership.
  - **Best use of Digital Channels**, East Sussex County Council.
- The team from North East Lincolnshire were presented with their award together with the other winners during a reception at the House of Commons on Tuesday 12 July, hosted by Huw Merriman, MP for Bexhill and Battle and Chair of the Transport Committee. The event was also attended by other Transport Committee members Simon Jupp, MP for East Devon, and Ruth Cadbury, MP for Brentford and Isleworth.
  - Read an article on the awards reception and find out more about the winning reports at: <https://www.patrol-uk.info/north-east-lincolnshire-council-produces-best-2020-21-annual-report/>

#### About the PACER Awards

Producing an Annual Report on parking and other traffic management makes authorities eligible to enter the PACER Awards (formerly the PARC Awards), with those receiving an award invited to a reception at the House of Commons.

- More information on producing a report, as well as examples from previous winners, can be found on **PATROL's Digital Annual Report Toolkit**: <https://annualreporttoolkit.patrol-uk.info/>