

ALG Transport & Environment Committee

TEC Report to the Secretary of State on the Parking and Traffic Appeals Service 2005/2006

Item
No12

Report by:	Nick Lester	Job title:	Director ALG TEP
Date:	17 October 2006		
Contact Officer:	Nick Lester		
Telephone:	020 7934 9905	Email:	Nick.lester@alg.gov.uk

Summary:	The Committee has a statutory obligation to report to the Secretary of State on the work of the Parking and Traffic Adjudicators. This report forms the draft for the period 1 April 2005 to 31 March 2006.
Recommendations:	That Members agree the report, as appended, subject to any amendments they may wish to make, as the Committee's report to the Secretary of State on the work of the Parking and Traffic Adjudicators for 2005-2006.

Report

Under the terms of the 1991 Road Traffic Act, the Parking Adjudicators are required to produce an annual report for the Committee on the discharge of their functions. In turn, the Committee is required to produce a report for the Secretary of State on the performance by the Adjudicators of their functions.

Appendix 1 constitutes a draft report for the Committee to agree, with any amendments they wish to make, to form the Committee's report. This complements the Adjudicators' report, covered separately on the Committee agenda.

Appendix 2 shows the workload statistics for the period covered.

Financial Implications

There are no financial implications to this report.

Legal Implications

The Committee is obliged, under s 73 of the Road Traffic Act 1991, to make an annual report on the work of the Parking Adjudicators.

Equalities Implications

There are no specific equalities implications from this report.

Appendix

1. **Parking and Traffic Appeals Service – Report 2005-2006**

ALG TEC, as a committee of London local authorities enforcing decriminalised parking and traffic restrictions, has a statutory duty to provide an administrative and hearing centre service for the Parking Adjudicators. The Parking Adjudicators constitute an independent tribunal established by the 1991 Road Traffic Act to consider appeals against liability for penalty charge notices issued by the enforcing authorities. ALG TEC fulfils its statutory function via the Parking and Traffic Appeals Service (PATAS)

ALG TEC also provides, via PATAS and on behalf of the Greater London Authority, an Adjudication service for motorists appealing to the Road User Charging Adjudicators against congestion charge penalties issued in central London. Parking and Road User Charging Adjudicators form separate tribunals with separate jurisdictions. Whilst PATAS endeavours to provide a seamless service to all tribunal users, due regard is paid to their separate entities and their separate sitting and case management requirements.

2. **Report for the year 1 April 2005 – 31 March 2006.**

The main issue for PATAS over the reporting year has been the strategic development of systems and procedures to deliver support in the most efficient and cost effective way to the Parking Adjudicators and the Road User Charging Adjudicators. When PATAS was first established, it handled only appeals to the Parking Adjudicators against parking Penalty Charge Notices (PCNs) and clamp /removal. As decriminalised traffic enforcement by local authorities has developed, so has the work of PATAS. It now also deals with appeals concerning PCNs issued for bus lane and other moving traffic contraventions as well as lorry control and congestion charging. The workload has therefore increased significantly, although the number of cases lodged fluctuates from year to year. It is clear that PATAS procedures, systems and resources need to be dynamic to handle a developing and fluctuating workload efficiently and cost effectively.

3. **Case volumes**

Although the Parking Adjudicators' case load has dropped slightly from the high levels of last year, case volumes are still significantly greater than the year before and, at the time of writing this report, seem to be growing again as more authorities enforce moving traffic.

The number of Congestion Charging appeals being handled for the Road User Charging Adjudicators has dropped dramatically from 34,252 in 2004-2005 to 12,134 in 2005-2006. It seems that the drop has occurred partly because of increased familiarity and compliance with the Congestion Charging scheme, but is also due in large part to fundamental changes introduced by Transport for London in Autumn 2005 for the handling of challenges, representations and appeals against penalty charges. Increased resources invested by Transport for London in the earlier stages of the challenge process have meant that fewer people have appealed to the independent Adjudicators.

4. PATAS developments

One of the main areas of development has been the inclusion of moving traffic appeals into the computerised case management and adjudication system. When this area of work was introduced, volumes were small and the issues were new. As the caseload grew, with more authorities taking on enforcement, it became clear that it was no longer efficient or cost effective to handle these appeals manually: they were therefore included in the automated case management and adjudication system during this reporting year

Authorities have stated in the past that they would like to be able to submit and receive information from PATAS electronically. In November 2005, after an intensive period of development with Transport for London and their contractor, Capita, an application enabling Transport for London's Congestion Charging Department to submit and receive appeal documentation electronically was introduced. Transport for London's Appeals Manager demonstrated, in a presentation given at a PATAS seminar for local authority staff, that the development has brought increased efficiency and costs savings to their operations, and has therefore enabled them to devote more resource to quality issues in their representations and appeals section. Unfortunately, none of the other local authorities has yet been in a position to implement this development. However, work is continuing with groups of authorities and their software suppliers for them to be able to incorporate the application into their systems.

As the number of statutory declaration referrals received across the two tribunals has increased (now counted separately in the statistics attached), it was decided to develop the Adjudication system to enable Adjudicators to handle these more expeditiously and with the least possible administrative input.

The opportunity has been taken at the same time to enhance the system by which applications and enquiries regarding existing appeals are dealt with. Although these developments present no changes to external users of the service, it is hoped that the efficiencies they bring will be demonstrated to users over the next year.

5. Contract re-let

As has been stated in previous annual reports, ALG TEC fulfils its statutory function to provide administrative staff to the Adjudicators via PATAS. However, IT, processing and basic enquiries are carried out by SunGard Vivista under contract to ALG TEC. The current contract comes to an end in July 2007.

Therefore a major element of work this year had been in the letting of the new contract. There has been extensive consultation with Adjudicators and other users of the service: the procurement is being managed by two specialist staff employed on a fixed term contract by ALG TEC.

At the time of writing this report the procurement is running well and to the agreed schedule.

6. Communication Strategy

Last year's annual report showed that, partly in response to auditors' recommendations, work was being done to develop the PATAS communications strategy. That work has continued during this reporting year. PATAS newsletters, incorporating service updates, statistics and key cases, were published in May, October and December 2005. In addition, two seminars were held for local authority parking staff dealing with appeals – one on Communications with PATAS in November 2005 and one on the PATAS Electronic Data Interface in March 2006.

The other main areas of communications work this year have been:

- Revising scripts and information given by call centre and processing staff
- Work on PATAS information leaflets. There is now a consistent portfolio of information: leaflets are issued with the appeal application form, with the hearing schedule letter (prepared during the reporting year, implemented at the time of writing this report), and with the Adjudicator's decision.
- There has been a significant amount of development to the PATAS web site. The development work was completed during the reporting year and the new site was launched in summer 2006. The web site now incorporates all types of appeals, much more detailed but easily accessible information, key Adjudicator decisions, reports, newsletters and links to other sites which may be of use to users. When this development work was done, a new e-mail address for users to contact the PATAS team (PATAS.team@tcfl.gov.uk) was also introduced.
- The Parking Adjudicators also began to issue Practice Directions to authorities on various judicial matters. It is hoped that using this more formal method of communicating judicial issues to authorities will help to define the boundaries between the Adjudicators as the independent tribunal, PATAS as its administrative staff and the authority as a party to the appeal.

7. Adjudicators annual reports

The Parking Adjudicators' report for the year 2005-2006 is presented separately to this committee. The Road User Charging Adjudicators' report will be submitted to the Secretary of State shortly. Both reports will be published on the PATAS web site in the near future.

The Road User Charging Adjudicators have made three recommendations to Transport for London regarding their discretion policy and future development work on Low Emission zones – however, these have no bearing on the work of PATAS.

The Parking Adjudicators have made no recommendations this year.