

REPORT TO THE EXECUTIVE		Report No. 14
Date of Meeting	24 th April 2008	
Title of Report	Membership of the Adjudication Joint Committee	
Portfolio	Built Environment	
Link to Corporate Priorities	All	
Key Decision	No	
Executive Workplan Ref	N/A	
Public Report	Yes	

Summary of Report

To seek authorisation for the continued membership of the Adjudication Joint Committee.

Officer Recommendations

That the Council enter into a new agreement for continued membership of the Adjudication Joint Committee.

Other than those implications agreed with the relevant Officers and referred to below, there are no other implications associated with this report.

Financial Implications	Legal Implications	Community & Environmental Implications	Human Resources Implications	Equality & Diversity Implications
None	Yes	None	None	None

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1. Options

- 1.1 Opting out of these arrangements is not a practicable course of action given the statutory need to provide an adjudication service to support the enforcement of car parking restrictions.

2. Background

- 2.1 This report relates to car parking enforcement. The enforcement regime operates through the issue of penalty notices. Anyone receiving a penalty notice may appeal to the Council, and, if unsuccessful may make a further appeal to a parking adjudicator. It is the function of the local authorities themselves to appoint parking adjudicators and to provide them with accommodation and administrative staff. The legislation prescribes that this function shall be discharged by a Joint Committee of all the participating authorities. A formal legal agreement giving effect to these arrangements has been entered into by all the participating authorities including North Wiltshire District Council. The adjudication service is based in Manchester and is administered by Manchester City Council.
- 2.2 The existing arrangements were entered into under the Road Traffic Act 1991 and regulations made thereunder. This legislation has been repealed and replaced by Part VI of the Traffic Management Act 2004 and a new set of regulations as from 31st March 2008. In order to be able to continue to use the adjudication service the Council needs to enter into a new formal agreement with the other participating authorities. This report is to seek authority to do so. This is more a change of form than substance as the provisions of the new agreement will be very similar to the provisions of the old agreement.

3. Legal Implications

- 3.1 The Council has a statutory obligation to provide an adjudication service and the Joint Committee is the only practicable way both operationally and financially of providing this service.

4. Risk Assessment

- 4.1 Failure to enter into a new arrangement will prejudice the Council's ability to enforce car parking penalty notices.

Appendices:	<ul style="list-style-type: none">• None
Background Documents Used in the Preparation of this Report:	<ul style="list-style-type: none">• Correspondence with Lead Authority on the Joint Committee

Previous Decisions Connected with this Report

Report	Committee & Date	Minute Reference
<ul style="list-style-type: none">• None		