

REPORT TO FULL COUNCIL



DATE	15th May 2008
PORTFOLIO	None
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**Local Authorities Joint Committee – Parking and Traffic Regulations
Outside London (PATROL) Adjudication Joint Committee**

PURPOSE

1. To formally establish the Parking and Traffic Regulations Outside London (PATROL) Adjudication Joint Committee, formerly known as the National Parking Adjudication (NPAS) Service Joint Committee, as a Statutory Joint Committee under the Local Government Act 1972.

RECOMMENDATION

2.
 - (1) That approval be given to the formal establishment of the Parking and Traffic Regulations Outside London (PATROL) Adjudication Joint Committee as a statutory joint Committee under the Local Government Act 1972;
 - (2) That the memorandum of participation attached to the report as Appendix 1 be approved as the variation to the Joint Committee arrangement;
 - (3) That Burnley Borough Council's representation on the PATROL Joint Committee for the Municipal Year 2008/09 be approved as the relevant Executive Member, with the substitute being from the largest opposition party;
Councillors:
Representative; Relevant Executive Member
Substitute; largest opposition party Member

REASONS FOR RECOMMENDATION

3. To ensure that the Council complies with its statutory functions in relation to the discharge of its functions.

SUMMARY OF KEY POINTS

4. Burnley Borough Council is an existing participating member of the National Parking Adjudication Service.

In April 2008, the Council was informed of the need for a new Joint Committee Agreement to replace the existing agreement, due to implementation of Part 6 of the Traffic Management Act 2004.

The new Joint Committee is constitutionally and legally a joint committee between Burnley and PATROL according to the Local Government Act 1972 and the constitution and terms of reference are set out in the new agreement, attached as Appendix 1.

The terms of the replacement agreement are very similar to that of the existing 2001 agreement, with minor amendments primarily to take into account the new 2004 legislation and to clarify the functions of PATROL.

A small number of lead Councils will sign the full agreement, and then this Council will be one of many other Councils which will enter into a memorandum of participation which should have been sent out to the Council on 6th May and be effective from 16th May 2008.

5. The Council has representation on the Joint Committee comprising one Member and one substitute Member.

Previously NPAS was treated as an Outside Body and the Member was appointed by qualification being the Executive Member for Environment, with the substitute being any Member.

Political balance requirements are not necessary for the appointments due to the low number of Members being appointed. However following previous custom and practice it is suggested that the representative be the relevant Executive Member and the substitute be from the largest opposition political party.

6. It is therefore necessary for the Council to pass a resolution authorising the variation to the Joint Committee arrangement by establishing the PATROL Adjudication Joint Committee under the Local Government Act 1972, and confirming the membership of and terms of Office of their representatives.

FINANCIAL IMPLICATIONS AND BUDGET PROVISION

7. None.

POLICY IMPLICATIONS

8. None.

DETAILS OF CONSULTATION

9. Head of People and Law - David Wilcock
Head of Chief Executive's Office – Tom Forshaw
Democracy Manager –Ruth Wynn
Director of Environment – David Brown

BACKGROUND PAPERS

10. 2001 Deed of Arrangement.

FURTHER INFORMATION

PLEASE CONTACT:

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ALSO: