



Meeting	AOS Board Action Points
Date	17 th July 2014
Time	10.30 – 4.00
Location	Institution of Highways & Transportation, 119 Britannia Walk, London, N1 7JE D
Chair/Facilitator:	Philip Hammer
Minute Taker:	Vicky Harris
Attendees:	Gary Brierley (GBr), Grahame Rose (GR), Phillip Hammer (PH), Jo Abbott (JA), John McArdle (JMcA), Simon Renshaw-Smith (SRS), Rob Toft (RT), Spencer Palmer (SP), Patrick Troy (PT), Kelvin Reynolds (KR), Jane Hack (JH), Steve Clark (SRC), Dave Smith (DS)
Apologies:	Amanda Brandon, Gary Osner, Graham Brown, Helen Dolphin, Michelle Banks, Paul Necus, Nigel Williams
Absent:	Christopher Snelling, Mike Perkins, Roy Tunstall

MINUTES

Action

	Welcome, Apologies & Declarations of Conflicts of Interest <p>PH noted the apologies that had been received and welcomed all to the meeting, including RT (DVLA observer) and SP (London Councils). It was noted that KR, GR, RT and JA would have to leave at lunchtime to go to the DVLA Consumer Forum, and SP would leave following the POPLA update. As such it was agreed to swap items 3 and 4 on the agenda.</p> <p>No Conflicts of Interest were declared</p> <p><i>Post meeting note: The Board was not quorate so votes on recommendations etc. will be requested offline.</i></p>	
1.	Matters Arising from previous minutes <ul style="list-style-type: none"> Item 2 is on the agenda. Item 3.1 – SRC calculated charge reduction for withdrawn appeal would only be 19%. GBr has provided SRC with requested details on re-hearing cases, and the matter has been dealt with. There is ongoing work in relation to encryption and POPLA are currently awaiting a response from GAO. Item 3.3 – SRC will take responses from ASAP to the Standards Panel. Item 3.4 – this is on the agenda. The BPA is awaiting a response from POPLA – SP was asked to chase this up. Items 4, 5 and 7 – on the agenda. 	SP
2.	Financial Report <p>JMcA stated that the period 2 figures are as anticipated.</p> <p>GBr asked how the BPA is dealing with any impact from the emergence of the IPC. SRC explained that active member retention work is being undertaken. Positive feedback was received from attendees at the recent workshops, and some new members have also joined.</p> <p>There then followed a discussion in relation to GPEOL</p>	

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3.	DVLA Update (RT)	
	<ul style="list-style-type: none"> • A new Minister is now responsible for DVLA. • Data release continues to be a hot topic. • DVLA is working with various organisations on intelligence-led information. • An update on GPEOL will be provided at today's Consumer Forum by the TSI. The appeal against DJ Maloney's judgment is scheduled to be heard in October. TSI have therefore put their work in this area "on hold". • DVLA is seeking views from both ATAs on independent TSI accreditation for their codes of practice. • It is hoped that wording for PCN "health warnings" will be agreed at the Consumer Forum later today. • The BPA's sanctions narrative is still being considered. 	
4.	Update on POPLA	
	<p>SP provided a verbal update on POPLA:</p> <ul style="list-style-type: none"> • Annual Report was released last week and addresses a number of issues including GPEOL. • Overall performance has improved – 600 appeals received per week on average with a 56%/44% refused/allowed ratio. • Back office function contract is due to be re-tendered – potential new contractors were asked to price for a fully computerised service. Bids have been received from all 4 shortlisted contractors. • A number of FOI requests have been received, including a challenge to London Councils' accounts. <p>PT updated on ISB activity:</p> <ul style="list-style-type: none"> • PT attended 9th May ISB meeting (part). • The ISB has published its Terms of Reference (included in the Board papers). • The ISB will play a role in the procurement of the appeals service provider. <p>There then followed a lengthy discussion in relation to the role and remit of the ISB, its funding and how this relates to its independence, and whether the IPC's appeals service will be subject to the same requirements. It was suggested that some of the wording in the TOR (previously agreed by the AOS Board) should be altered to replace "approve" with scrutinise". A vote would need to be taken, and the BPA Board then consulted in order to ask for the wording to be changed. <i>See attached voting document.</i></p> <p>SRC updated on GPEOL Working Party:</p> <ul style="list-style-type: none"> • The Working Party will not meet again until after the Court of Appeal judgment. • The information gathered so far should be made available to the appropriate bodies, but further work suspended. • KR will also raise the matter at his meeting with Dept for Business, Innovation & Skills. • A paper will be written in the next few weeks and the next steps then agreed. <p>SRC introduced an issue of some concern in that a challenge to the London Councils accounts by a third party has resulted in them reviewing how they calculate their Central Recharges. In turn this has led to London Councils advising the BPA that they will face substantially higher charges for both last year and this. A report will be taken to the BPA Board for discussion and decision.</p>	<p>KR</p> <p>PT/SRC</p>

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	<p>SRC updated on POPLA procurement:</p> <ul style="list-style-type: none"> • A Working Party has been established with BWB Solicitors as procurement partner, and good progress was made at the first meeting. • BWB are preparing the first draft of the ITT and pre-qualification questions. • Notional tender deadline: 31 December 2014 • Notional appointment date: April 2015, start date October 2015 • Operators would be assisted with any change in processes etc. if applicable. 	
5.	Reporting of Sanction Points Awarded	
	<p>SRC stated that this should be reviewed annually. POPLA is publishing names in its Annual Report.</p> <p>PT suggested that an explanation should be included on the BPA website as to why the list is anonymised.</p> <p>A vote will be taken offline. See attached voting document.</p>	SRC
6.	Intelligence-led Auditing	
	<p>SRC ran through the report, including use of available information to better target and focus our auditing.</p> <p>GR had left a question with the Chair in relation to encouraging anonymous tip-offs (e.g. signage etc.). A discussion followed but it was felt unnecessary to take the idea further.</p> <p>There was a brief discussion in relation to enforcement of disabled bay parking.</p> <p>A vote will be taken offline. See attached voting document.</p>	
7.	PR Update	
	<p>DS joined the meeting and gave a presentation on the "Know Your Parking Rights" campaign, including its aims, target audience, messages and media activity.</p> <p>The portal is due to go live by 1 September 2014. It was agreed that branding needs to be included in relation to the endorsing organisations, and that members should be encouraged to include a link to the portal on their own websites.</p> <p><i>A link to the beta site is HERE</i></p>	
8.	Feedback from BPA Council and Governance Update	
	<p>JH confirmed that this was to be the last AOS Board meeting, with the new Operational Services Board and Professional Development & Standards Board taking effect from the autumn. Draft Terms of Reference for all new service boards would be submitted to the BPA Board at its August meeting, with elections to follow. JH encouraged all Board members to give consideration to places on the upcoming boards.</p>	
9.	Items from Code Review Group for AOS Board Approval	
	<ul style="list-style-type: none"> • Clause 18.7 – GBr queried the wording in relation to telephone numbers. SRC clarified that the wording had been chosen so as not to refer to premium rate charges. • Clause 19.6 – GBr felt that "cannot" should be changed to read "should not". 	

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	<ul style="list-style-type: none"> Sanctions Document Update – SRC took the decision to approve the update in the absence of a response from DVLA. Parking Practice Notes – work should be completed in August. <p>A vote will be taken offline for all proposed amendments. <i>See attached voting document.</i></p>	
10.	Status Report	
	GBr had a number of points which were addressed earlier in the meeting. No further issues were raised.	
11.	AOB	
	<p>GBr raised a query in relation to deregulation of local authority car parks which are operating under private enforcement contracts. PH stated that he understood some local authorities have taken legal advice on this matter and are pushing forward with the idea. There was then a discussion in relation to civil enforcement area opt-out and ANPR operation, in light of recent comments made by the Chief Adjudicator. PH agreed to look out for any further information as and when it comes to light.</p> <p>SRS expressed concern that a small number of AOS members do not allow appeals to get to POPLA stage, and that this failure subsequently skews appeals statistics and budgets. It was agreed that for some operators this is a business model, however SRC is looking into the matter and will be discussing protocol and procedures with them where necessary, as well as looking again at their membership bandings, in order to address any issues.</p> <p>No further points were raised and the meeting was closed.</p>	SRC

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File 6/4/47

Meeting	AOS Board Meeting
Date	17 th July 2014
Time	10.30 – 4.00 – Lunch will be served
Location	Institute of Highways and Transportation
Hyperlink to venue location map	http://www.ciht.org.uk/en/about-us/find-us.cfm
Chair/Facilitator:	Philip Hammer (PH)
Minute Taker/Timekeeper:	Vicky Harris (VH)
Apologies:	Gary Osner (GAO)
Confirmed Attendees	Patrick Troy (PT), Steve Clark (SRC), Jane Hack (JH), Spencer Palmer (SP), Kelvin Reynolds (KR), Rob Toft – DVLA Observer (RT), Dave Smith (DS), Mike Perkins (MP)

AGENDA

10.30	Welcome, Apologies for Absence and Declarations of Interest	PH
10.40	1. Matters Arising from Minutes of Last Meeting <ul style="list-style-type: none"> AOS legal support Ability to withdraw appeals from POPLA Report from ISB concerning equality 	PH KR SRC SRC
10.45	2. Financial Report <ul style="list-style-type: none"> Key variances to Period 2 Accounts for the AOS and the IAS 	SRC
11.00	3. Update on POPLA <ul style="list-style-type: none"> Update from Spencer Palmer of POPLA Verbal report on ISB activity ISB Terms of Reference Update on GPEOL Working Party Update on POPLA Procurement 	SP PT PT SRC SRC
12.00	4. DVLA Update <ul style="list-style-type: none"> Verbal Update on DVLA-related matters 	RT
12.30	5. Reporting of Sanctions Points Awarded <ul style="list-style-type: none"> Discussion on whether these should continue to be anonymised 	SRC
12.45	Lunch	
13.30	6. Intelligence-led Auditing <ul style="list-style-type: none"> Discussion on the points raised in the report provided 	SRC
14.00	7. PR Update <ul style="list-style-type: none"> Update on PR matters Update on 'Know Your Rights' campaign 	DS DS
14.20	8. Feedback from BPA Council and Governance Update <ul style="list-style-type: none"> Governance Update 	JH
14.40	9. Items from Code Review Group for AOS Board Approval <ul style="list-style-type: none"> Items for decision 	SRC

15.10	10. Status Report <ul style="list-style-type: none"> AOS Status Report <i>(Questions for SRC about the Status Report should be notified to him in advance please)</i> 	SRC
15.30	11. Any Other Business <ul style="list-style-type: none"> Items for AOB that require a detailed response should be communicated ahead of the meeting please 	PH
16.00	Date of Next Meeting & Close <ul style="list-style-type: none"> Arrangements for the Operational Services Board will be communicated in due course 	PH

Attendance at Board Meetings

A minimum attendance of 75% is required of Board Members to ensure that best practice in Board governance is reached and maintained. Those members that fail to attend three consecutive meetings of the Board or who do not achieve at least 50% attendance in a rolling year, without showing good cause, (e.g. a long term illness, etc), may be automatically removed from the Board and will not be eligible to stand for re-election for one year.

Members are reminded that the attached document(s) may contain sensitive information and therefore should be treated as confidential and not shared or discussed with colleagues outside of the Board. These papers are sent to you in your role as a Representative of the British Parking Association and not as a representative of your employing organisation. They should not, therefore, be subject to FOI requests.

The Independent Scrutiny Board for Parking Appeals on Private Land

Terms of Reference

1. **Name** – The Independent Scrutiny Board for Parking Appeals on Private Land
2. **Host Organisation/Funding**
 - The British Parking Association (BPA) to provide a legal framework for the Board and Funding via the Approved Operator Scheme board (AOS Board) until it becomes a legal entity in its own right.
 - Once established as a separate legal entity the Board to operate under a published funding formulae agreed with the BPA and the AOS board
3. **Objective** – To oversee the governance, performance and effectiveness of the Independent Appeal Service in respect of parking on private land, so as to provide public reassurance as to the independence of Parking on Private Land Appeals (POPLA) and the fairness of its decisions.
4. **Role, Duties and Responsibilities** – to
 - Make recommendations aimed at ensuring that the Service meets the requirements of an independent appeals process and commands the confidence of Ministers and Parliament
 - Contribute to the scrutiny and effectiveness of POPLA and the service generally in both a reactive and proactive way
 - Agree budgets of the Independent Scrutiny Board for parking Appeals on Private Land (the board) with the BPA
 - Approve any future procurement processes
 - Approve the appointment of future Service Providers
 - Approve the appointment of the lead adjudicator
 - Publish reports as appropriate and in particular an Annual Report (including the Chief Adjudicators Report), with the Chair certifying that the Service and Board were provided with adequate resources
 - Approve the rules and procedures for the operation of the Service and set the performance framework of the Service
 - Have regard to the Better Regulation Principles, the Principles of Good Governance (British and Irish Ombudsman Association) and the Nolan Principles of Public Life

- Develop a clear process to address concerns and complaints about the Service (but not individual cases)
- Work closely with a wide range of stakeholder groups to improve the Service and ensure that the Service is independent and seen to be independent.

5. Operational Approach

- Establish objective criteria to indicate how it can be demonstrated that the service operates fairly and independently and agree these with stakeholders
- Undertake a formal work plan to assess the procurement process, the appointment of key personnel, the defined operating process and the specific operation of the appeals service and measure it against the objective criteria.
- Commission reports and other evidential input from stakeholders, expert or legal advisors to support the board in fulfilling its remit.
- Undertake surveys of opinion among key stakeholders and statistically significant samples of the public on relevant issues being considered by the board.
- Assess and respond to complaints from stakeholders about any aspect of the service.
- Make recommendations to POPLA or any other relevant body in regard to matters arising from the formal work plan or specific complaints.
- Publicise the work, policies and decisions of the board to ensure transparency of operation and engender confidence in its performance. This to be undertaken through a dedicated website and the publication of the board's annual report.

6. Chair of the Board

- The first and future Chairs to be appointed, following open competition, by a selection panel comprising representatives of Government, consumers, motorists and the BPA, representing the parking Industry.
- The Chair to be independent and not have any direct links with any sector involved in parking on private land
- The Chair to agree the process for the appointment of members of the Board and to approve the actual appointments to ensure an appropriate mix of skills
- The term of office to be for 2 years with an additional term of 2 years by agreement of the Board
- The Board to have the power to terminate the appointment of a Chair following a vote of no confidence

7. The Board – composition. The Board to consist of the following:-

- **Chair** - independent individual with the gravitas to gain the support of the consumer, media and Industry as defined above.
- **Board members** – four members appointed with a mix of skills but not representing any specific interest. Includes expertise from the operator and consumer side. Staggered terms of office. Normal term of office is 3 years.
- **Director (Non Voting)**
- **Government** to be invited to send an observer to meetings (Non- voting)
- **BPA Chief Executive and Representatives from POPLA** to attend as required (Non- voting)

It is important that the membership of the Board provides a balance of skills within it. Board Members to be funded through the board budget by BPA

Notes

1. The term of office for members of the Board would normally be 3 years plus one additional term. Staggering of representatives' appointments would be sensible to ensure continuity of operation as appropriate
2. A Vice Chairman to be elected from those appointed.
3. A quorum to be 3 members
3. The Administration of the Board to be undertaken by a part-time dedicated Director who is ultimately responsible to the Chair of the Board who would appoint, appraise and if necessary terminate the appointment in consultation with other members of the Board. The post to be funded through the board budget, by BPA.

8. Conduct

The Board will need to agree its own procedures and processes and establish its own governance approach.

9. Even though the Board will not be a public body it is important that it demonstrates high standards of corporate and personal conduct and subscribes to the Code of Conduct for Board members of Public Bodies or Nolan Principles.
10. Members of the Board will be required to declare any actual or perceived conflict of interest

Memorandum of Agreement/Understanding

11. The new Board and BPA to enter into a Memorandum of Agreement or Understanding to highlight the way in which the Independent Scrutiny Board will operate, to clarify the

roles and relationship between each party and how the BPA will 'host' the new body, to promote mutual understanding and overall to ensure the independence of the board.

12. Relationships

The Board to establish and maintain a good working relationship with stakeholders and partners both within and outside the sector, with the media and bodies representing the consumer, in order to improve public trust in the Service.

13. Fees and Expenses

Members will be paid a fee for each meeting and expenses will be paid according to a policy established by the board and reviewed from time to time.

14. Insurances

No Director or Officer of the Body should act outside their authority, or commit the organization to any financial transaction outside their responsibility or place themselves in any situation where their personal interests conflict with those of the body. Subject to these caveats the Board will take out Directors and Officers Liability and Professional Indemnity Insurance to protect Board members against possible claims against them.

AOS Board	Agenda Item 6
17 th July 2014	Intelligence-led Auditing



Report to:	AOS Board
Title	Intelligence-led Auditing
Author	Steve Clark
Date of Meeting	17th July 2014

SUMMARY

This report explains the concept of 'intelligence-led auditing', gives some examples of how this is already being utilised and seeks AOS Board support to progress the initiative.

RECOMMENDATIONS:

I recommend the Board to:

1. Note the contents of this Report and offer ideas for enhancement.
2. Support the proposal to progress the concept.

1. BACKGROUND

1.1 For the last 4-5 years AOS Audits have been refined to the stage where we contend that they have reached maturity. The majority of the AOS operators are largely compliant in most things that they do. However there are those operators who we need to spend more time with and focus on their non-compliance in certain areas.

1.2 Just under a year ago we brought responsibility for the delivery of our Audits in-house via our team of Area Managers. This move has given us the degree of flexibility and direct control that we did not have when we out-sourced.

1.3 We have been developing our use of the CRM system which we launched in January 2013 and are able to review a number of bespoke reports that tell us a great deal about the behaviours of our operators. We can add this intelligence to reports compiled with data from other sources.

1.4 We contend that the time is now right to identify areas of non-compliance with both individual operators and groups of operators, and to focus on these through more targeted audits.

1.5 Where there have been no potential areas non-compliance identified, audits will still be conducted and we would expect them to be as thorough as possible – not having a specific objective following review of intelligence data, does not mean a 'soft' audit.

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17th July 2014	Intelligence-led Auditing

1.6 The DVLA support the concept of intelligence-led auditing and we aim to work with them to share intelligence and to pool resources where appropriate seeking to utilise the auditing option from either party which is best placed to do the work.

2. AVAILABLE INFORMATION

2.1 The list of data sources that we have includes but is not restricted to the following;

- Most complaints received by AOS/DVLA
- Types of complaints received
- Previous Sanction Points awarded
- Results of 'mystery shopping' – signage
- Progress with Entrance Signage Project
- Results of previous audits
- Most POPLA cases
- No cases at POPLA list
- Win/lose ratio at POPLA

2.2 We will be looking closely at other reports that can be generated via our CRM system and how they can add to our intelligence gathering.

2.3 As we explore this concept in more depth, we will undoubtedly discover areas where it would be helpful to have more data on – we plan to focus on adding to the list in point 2.1.

3. EXAMPLES OF INTELLIGENCE-LED AUDITING IN ACTION

3.1 An operator moved from being outside the Top 20 most-complained about operator in 2012 to being third in 2013. We met with this operator and we were better able to understand the reasons for this, and to offer some advice/guidance to assist them in the months ahead.

3.2 We know how many appeals each Operator has had registered at POPLA and consequently we know which operators have yet to have an appeal registered. We have 'targeted' these operators and will be seeking to determine the reasons for this, as well as specifically spot-checking their appeals processes during audits.

3.3 An operator had Sanction Points awarded for issues regarding his Landowner Contracts. His next Audit is planned for August and the Area Manager responsible for it has been specifically briefed to focus on this operator's Contracts.

4. POTENTIAL ISSUES IDENTIFIED

4.1 As we will be working more closely with the DVLA on this project, we are mindful of the FOI and DPA implications of this shared project.

4.2 While we will be focusing on the actions and behaviours of those operators who are 'less compliant' with the Code than we would like, we appreciate that we might be open to criticism if we

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allow the robustness or the comprehensiveness of the 'standard audit' to decline – this will not happen.

FINANCIAL IMPLICATIONS

No increase in costs are envisaged, existing Budgets would be better spent.

RESOURCES IMPLICATIONS

No increase in resources would be required, those that we have, would be better utilised.

EQUALITIES IMPLICATIONS

NONE

BUSINESS PLAN IMPLICATIONS

NONE

Steve Clark
Head of Operational Services

AOS Board 17 th July 2014	Agenda Item 9 Report and Recommendations from the AOS Standards Advisory Panel
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Report to:	AOS Board
Title	Report and Recommendations from the AOS Standards Advisory Panel
Author	Steve Clark
Director	Director of Policy and Public Affairs
Date of Report	10th July 2014

SUMMARY

This report details amendments to the Code of Practice that the AOS Board are asked to support.

RECOMMENDATION

The AOS Board are recommended to approve the following:

- Proposed revisions to the AOS Code of Practice as detailed and for implementation in August 2014.

ITEMS APPROVED BY ASAP

1.1 Inclusion of Clause 26.3, which appears in the Scotland & Northern Ireland section of the Code and which relates to the requirement to do a thorough visual check of the vehicle before issuing a PCN, in the England & Wales section of the Code.

1.2 Clauses 21.6 – 21.10 – this is the part of the Code which refers to 'Not making use of Keeper Liability provisions'. It should be made clear that Notices should not reference POFA or state that the keeper is liable.

1.3 Appendix B – this part of the Code deals with Entrance Signs. Amendment of the requirements of use of the AOS logo to read *'Ideally the AOS logo should be incorporated on the entrance sign as it will show motorists that the site is managed by an organisation who have signed up to a recognised Code of Practice. However exemptions will be considered by the BPA Compliance Team if a legitimate reason is given.'*

1.4 Clause 18.7 – this Clause relates to premium-rate telephone numbers. The Clause to be amended to read *"If you provide a telephone line to respond to complaints, challenges and appeals from motorists relating to the terms and conditions of parking they have entered into, these calls must not be charged above the basic rate."*

1.5 An additional Clause that would cover the wording on PCN plastic envelopes along the lines of *"You should not use wording on your plastic PCN envelopes which implies that you are acting under statutory authority. For example phrases such as 'It is an offence to remove', should be avoided"*

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1.6 POPLA Witness Statements – we need to insert a Clause which confirms that Witness Statements were introduced as an alternative to the provision of a full/redacted landowner contract within a POPLA Evidence Pack and as such these Statements should be signed by a representative of the landowner or his agent.

1.7 POPLA Evidence Submissions – we are coming across an increasing number of situations where the operator is failing to provide the appellant with a copy of the Evidence Pack when submitting it to POPLA. This is a clear breach of protocol and we need to emphasise the importance by inserting a specific Clause in the Code. Recommend the following:

It is a clear requirement of POPLA that evidence packs are sent to the appellant at the same time as they are sent to POPLA. Failure to do this will be considered a Sanctionable Breach of the Code.

1.8 Clause 19.5, 19.6 and 34.6 – these clauses refer to the amount of the parking charge and how it should be calculated. Recommend the following:

19.5 If the parking charge that the driver is being asked to pay is for a breach of contract or act of trespass, this charge must be proportionate and commercially justifiable. We would not expect this amount to be more than £100. If the charge is more than this, operators must be able to justify the amount in advance.

19.6 If your parking charge is based upon a contractually agreed sum, that charge cannot be punitive or unreasonable. If it is more than the amount in Clause 19.5 and is not justified in advance, it could lead to an investigation by Trading Standards or another appropriate authority.

34.6 If the parking charge that the driver is being asked to pay is for a breach of contract or act of trespass, this charge must be proportionate and commercially justifiable. We would not expect this amount to be more than £100. If the charge is more than this, operators must be able to justify the amount in advance.

If your parking charge is based upon a contractually agreed sum, that charge cannot be punitive or unreasonable. If it is more than £100 and is not justified in advance, it could lead to an investigation by Trading Standards or another appropriate authority.

If prompt payment is made (defined as 14 days from the issue of the Parking Charge Notice) you must offer a reduced payment to reflect your reduced costs in collecting the charge. This reduction in cost must be by at least 40% of the full charge.

Sanctions Document Update

2.1 The Sanctions Document approved at the last AOS Board Meeting was introduced on July 1st 2014. This has been communicated to the AOS Membership

Parking Practice Notes

3.1 The ASAP Group reviewed the first draft of the Parking Practice Notes and a number of changes were made. This work is scheduled to be completed in August and we hope to introduce some or all of the PPN's relating to parking on private land during September.

FINANCIAL IMPLICATIONS - NONE
RESOURCES IMPLICATIONS - NONE
EQUALITIES IMPLICATIONS - NONE
BUSINESS PLAN IMPLICATIONS - NONE

Steve Clark
Head of Operational Services

AOS Board	Agenda Item 10
17 th July 2014	Status Report



Title	AOS Board Status Report
Author	Dave Metcalf – Operations Manager
Director	Chief Operating Officer
Date	03 July 2014
This report provides an overview of the present activities of the BPA Staff Executive and describes the present status of current AOS Programmes and Initiatives. <u>It is for Information Only.</u>	

Scheme Status	Apr 2014	May 2014	Jun 2014
No of Members	158	161	160
No Members Leaving Scheme	4	0	2
No new member Enquiries	65 cumulative	65 cumulative	65 cumulative
No of Investigation requests	94	100	148
No of enquiry requests	237	279	252
No of Sanctions given	8	6	16
No of Suspended Sanctions	0	0	0

Membership Numbers

At the time of writing this report there are 160 members of the Scheme which equates to a decrease of 11 (6.4%) when compared to the same period last year.

The IPC now has 22 members; this has only increased by 2 over the past quarter. It should be noted that the IPC now has full ATA status with the DVLA and we can expect them to recommence a membership recruitment drive. Work is being planned to counter this.

Investigation Requests

This is the first full quarter that we have been measuring investigations and enquiries separately. The number of enquiries and investigations worked on totals exactly 1100 and can be seen above as being on an increasing trend. The totals being April 321, May 379

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and June 400. The increase in June on investigations anecdotally may be to do with the highlighting of private parking via Watchdog.

Sanctions Scheme

In the last quarter 30 Sanction Points have been issued to 14 AOS Operators.

Currently there are 22 Operators with a total of 57 Sanction Points on their license and 1 operator with 3 suspended Sanction Points.

External Auditing

Since inception on 1st August 2013 we have completed 121 audits. Of these 93 have been resolved, with 28 still active awaiting completion, and the Compliance Manager is following up on these.

Of the 39 outstanding, 6 are probation operators with their audits due in Sept / Oct. Of the remainder, 26 audits are due for completion during July and the remaining 7 are due to be done after the 1st August 2014.

Very good progress has been made in the first year with Area Managers gaining experience in auditing. The standard of audits has also been excellent and we are also constantly reviewing the documentation we use as more experience is gained.

The National Security Inspectorate (NSI) have a contract with us to validate audits by accompanying the Area managers (3 audits each in the first year) and giving us guidance on how they are progressing.

Entrance Signage Project

This project is progressing well, with Operators being communicated with on a regular basis asking for updated schedule of works and general progress. The following listing gives an indication of where the project is with regard to number of Operators logged against progress as follows:-

No Response At All	0
Roll out Schedule Received	42
E-mail Received saying Entrance Signs completed	19
All will be done but no schedule received	14
All done - Sufficient Proof Received	42
Area Manager visit * and Approved	3
Not Eligible - Debt Collector / Service Provider	27
New Members Since June 2013	6

We are also requesting a list of the sites that operators manage for our records.

We are then engaging the Area managers to visit * a selection of sites to confirm signage is compliant.

Legislation changes

We are working with the Trading Standards Institute on how the amount of a parking charge should be calculated and whether, following the Moloney Judgment, it should include a Genuine Pre-estimate of Loss calculation/justification.

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We continue to lobby for legislation to introduce Keeper Liability and an Independent Appeals Service in Scotland and Northern Ireland. We fear that the EU requirements on ADR might force us to introduce POPLA into these nations without Keeper Liability.

POPLA – The Independent Appeals Service

At the point of writing some 36998 appeals have been received by POPLA with 32213 adjudications having been concluded and communicated to operators. Of these 46% have been found in favour of the motorist and 54% have been found in favour of the operator. This has been broadly the case for the best part of a year now and can be taken as indicative of the long term proportionality of POPLA decisions.

The contract between the BPA and London Councils for the provision of POPLA ends on 30th September 2015. A plan to procure a new service will be presented to the Meeting.

PR and Public Affairs update:

Know Your Parking Rights (KYPR)

The campaign aims to provide motorists with a dedicated online resource incorporating comprehensive and clear information on parking rights and responsibilities as well as information packs for MPs and media.

Campaign development commenced in April with a workshop to agree key messages and campaign activity. A logo has been designed and a brief for the online resource drafted.



Key messages

- AOS members are required to act fairly and responsibly
- KYPR is the most comprehensive & trusted resource on parking rights and responsibilities for motorists
- KYPR enables better public knowledge on parking rights & responsibilities leading to improved perception of Approved Operator Scheme

An omnibus survey was launched in June to ask the public their views on parking rules and regulations. Amongst other stats, the results showed that:

- Half (50%) of motorists are unaware of their rights
- Two-thirds (64%) will always appeal a parking ticket
- A third (37%) say the most annoying parking habit is drivers taking up more than one parking space
- 1 in 10 (13%) don't know difference between rules for parking in council or private car park.

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The campaign was mentioned at the President's Reception on July 2nd and branded pull-up banners were on display. Press kits, information packs and the online resource will now be developed throughout the summer with an estimated launch date of early September. An event in Westminster is also planned for November, such as an open day or surgery where MPs can drop in and collect info packs, and media activity involving AOS Operators is also planned.

Press and Media

The BPA continue to respond to regional and national media enquiries and issue statements where appropriate. We were recently asked to respond to a number of cases highlighted by BBC Watchdog and accepted the request for a live studio interview. Patrick Troy appeared but the feature was considered poor, both in terms presentation style and balance of information. A strongly worded response letter has been sent to producers and, at time of writing, we await a response.

As part of the PR and Public Affairs contract terms, the PR Office and Insight PA continue to provide support to the Policy and Public Affairs Team on an ongoing basis with both media and political intelligence and monitoring.

The PR Office liaised with journalists to set-up press meetings with Patrick Troy at Parkex conference. Patrick met with Dominic Tobin, automotive reporter, The Sunday Times, and appeared on BBC radio 4 daily consumer programme 'You and Yours'.

AOS Standards Advisory Panel (ASAP)

There was an ASAP Meeting in June at which 14 suggestions for potential code changes were made, of which 9 were agreed to be put to the board. The Sanctions document that was reviewed at the March ASAP meeting and ratified at the last Board Meeting, was introduced on 1st July.

