

London Councils' Transport and Environment Committee

Re-appointment of an Environment & Traffic Adjudicator Item No:

Report by: Caroline Hamilton

Job title: Chief Adjudicator ETA

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Contact

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Summary

This report proposes the re-appointment of one Environment and Traffic Adjudicator.

Recommendation

1. That the following adjudicator be re re-appointed for a period of 5 years from 21st January 2017:

Joanne Oxlade.

Background

2. Under section 81 of the Traffic Management Act 2004 and the accompanying regulations, adjudicators are appointed for a term not exceeding five years, remaining eligible for re-appointment on expiry of that term.

An adjudicator may be removed from office only for misconduct or on the ground that that he is unable or unfit to discharge his function, but otherwise holds and vacates office in accordance with the terms of appointment.

The regulations provide that the relevant enforcement authorities shall appoint such number of adjudicators for the purpose of the 2004 Act on such terms as they may decide. Any decision by the authorities not to appoint shall not have effect without the consent of the Lord Chancellor and of the Lord Chief Justice.

Under the terms and conditions of appointment issued by the Committee, there are five grounds for non-renewal:

1. Misconduct.
2. being unable or unfit to discharge the function of an adjudicator.
3. Persistent failure to comply with the sitting commitment (without good reason).
4. Failure to comply with training requirements.
5. Part of a reduction in numbers because of changes in operational requirements.

A decision not to renew on ground 5 and the extent to which it will be used is taken after consultation with the Chief Adjudicator with the concurrence of the Lord Chief Justice.

The re-appointment will need to be approved by the Lord Chancellor.

3. Financial Implications

There are no financial implications for London Councils directly from this report.

4. Legal Implications

There are no legal implications for London Councils.

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5. Equalities Implications

There are no significant equalities implications from this report.

6. Recommendation

That the following environment and traffic adjudicator be appointed for a period of 5 years from 21st January 2017:

Joanne Oxlade.