1 Recommendation to Cabinet

1.1 That Northamptonshire County Council be informed that this Council accepts the inclusion of the Richmond Road Car Park in the forthcoming decriminalised scheme and the introduction of the scheme in South Northamptonshire subject to re-consultation if changes are made which would affect South Northamptonshire.

Reasons for recommendation

2.1 To ensure that Northamptonshire County Council is aware of the Council’s views on Council owned land and other matters with reference to the submission to the Secretary of State for Transport regarding the Northamptonshire Special Parking Area.

Alternative options for consideration (including reasons for rejection)

2.2 Not to make comment on the submission to the Secretary of State but this is rejected as it is important that the Council’s views are taken into account.

4 Links to policy framework

4.1 Performance Plan 2006/7, Council Aims –

Economy:

• Make sure the District’s economic well being is protected and promoted.
• Support for local businesses and the local economy.
• Better local transport

5 Resource Implications

5.1 None.

6 Consultation undertaken (if any)

6.1 Head of Environment Division
7 Relevant Information

7.1 The introduction of decriminalisation into South Northamptonshire has been considered at previous Cabinet meetings (see paragraph 9). The Cabinet meeting of the 12 March 2007 was attended by representatives of the County Council who answered Members' enquiries. Members requested that the assurances they received should be confirmed in a letter from the County. A copy letter, and earlier e-mail, confirming the County Council’s approach to Richmond Road car park and other aspects of the proposed decriminalised scheme is attached at Appendix A.

7.2 The position regarding the Richmond Road car park is as follows:

- The ownership and status of car parks are unchanged when included in the application to be submitted by Northamptonshire County Council to the Department for Transport.

- SNC would make any orders on its land for short stay, long stay, charging regimes or permits if they wished and NCC would have the powers to enforce. NCC would not be able to overrule the SNC parking regime at a later date. Therefore SNC would have total control over their car parks and the levels of enforcement, i.e. frequency of patrols, would be by agreement. Income from enforcement notices on vehicles would go to the County Council to cover enforcement costs.

- Special markets (farmers markets) would require an order or notice made by the District Council which would not affect parking other than losing a few spaces.

- If car parks are sold for redevelopment etc. or new ones created on other land the enforcement powers automatically cease or commence.

7.3 Information received from the County Council indicates that this Council will retain ownership and control of the Richmond Road car park and that other issues concerning the management of the decriminalised scheme, costs to this council, parking management without charging, and residents parking schemes have been resolved satisfactorily.

7.4 If the Council does not participate in the County wide decriminalised scheme the County Council will not have the power to enforce parking regulations in the District leaving it in the present largely unregulated position.

7.5 An extract of the County’s application to the Department of Transport is attached for information, see Appendix B. This was submitted on 8 March 2007 and was drawn up on the assumption that South Northamptonshire would be joining the decriminalised scheme. This can be reversed if the decision is taken to exclude the Richmond Road car park from the parking scheme. However, if it is considered that the reassurances given by the County Council are satisfactory, the application can remain unchanged. As previously advised, Northamptonshire County Council intend to implement the scheme in August 2007. The final submission excluded Wellingborough and Kettering.

7.6 The additional information received from the County Council indicates that the concerns of this Council are being met. It is considered therefore that the County Council is informed that this Council accepts the introduction of decriminalized parking in South Northamptonshire. Acceptance is given on the understanding that this Council is re-consulted if there are any changes which would affect the District.
8 Forward Plan/Urgency (key decisions only)

8.1 Not applicable.

9 Background Papers (if any):

- Decriminalized Parking Report, considered by Cabinet September 2006
- Decriminalized Parking Report, considered by Cabinet January 2007
- Decriminalized Parking Report, considered by Cabinet February 2007
- Decriminalized Parking Report, considered by Cabinet March 2007
- Northamptonshire County Council, Countywide Decriminalisation of Parking Enforcement Application, August 2006. (Draft application to the Secretary of State for Transport)

Richard Fox
Head of Planning and Leisure

Contact Officer(s):
N J Mooymam,
Planning Policy Officer, 01327 322266,
john.mooymam@southnorthants.gov.uk
Dear John

DECRIMINALISED PARKING ENFORCEMENT

Following the Cabinet meeting yesterday I undertook to confirm the County Council’s position on a number of issues that were discussed as follows:

**Partnership Working.** The County Council’s approach is one of co-operation with the Districts and Boroughs in the county and it will not implement measures that are not welcome at local level. A managed approach will be taken reflecting the views of the councillors involved. In the case of South Northamptonshire it is recognised that the decriminalised scheme should not be implemented at a cost to the council and that parking should be free to users, apart from penalty charges, in the district.

**Residents Parking Schemes.** These are normally requested by householders who have no off street parking and experience difficulty parking close to their homes. A recent survey of the current schemes in Northampton has confirmed that they are working reasonably well but could benefit from some improvement. The County Council’s Cabinet approved the attached policy notes, prepared from the survey results, in December 2006. Future schemes will only be considered following detailed consultation with affected residents, Borough or District, Town or Parish Councils and subject to the policy and available funding. Existing schemes outside of Northampton are the subject of a separate review during spring 2007.

**Publicity.** A comprehensive media strategy will be prepared, commencing in June, for the launch of the scheme in August. During the first week or so, offenders will receive warning fliers rather than Penalty Charge Notices to give motorists a chance to comply with parking restrictions. We will give more details at the Parking Partnership meeting in May.

**Enforcement Plan.** Enforcement will be managed through a monthly enforcement plan, which will detail the patrols, the number of parking attendants and special events that might be taking place. The Enforcement Plan will be agreed with the District and Town Councils prior to implementation and NCP will be expected to adhere to the plan. Some special events, for example the Grand Prix at Silverstone, will continue to be enforced by the Police.

**Richmond Road Car Park.** Revised SNC Cabinet Minute 173 details the status of car parks under the decriminalised parking arrangements. Ownership and full control of
parking management remains with South Northamptonshire Council. If SNC make any Orders the County Council can provide enforcement to the agreed enforcement plan.

**Wheel Clamping and Towing Away.** It is not the intention of the County Council that these forms of enforcement will be introduced in the short term and like other measures will not be implemented against the wishes of the local District or Borough Council.

**Parking Committee.** The current Parking Partnership meetings will be replaced by a more formal Parking Committee for which Terms of Reference were agreed at the last meeting. The committee will be supported by an officer group and make recommendations to the County Council’s Cabinet on various policy and operational issues. The committee is advisory but proposals can be referred back to districts and boroughs before changes are made at the county level.

**Financial Arrangements.** The introduction of decriminalised parking is being funded by the County Council. A centrally administered scheme which covers several districts and boroughs will be more economical to run due to the specialist back office systems required. This will bring benefits to the operational level. The application for a Special Parking Area includes a model which demonstrates that the scheme is financially viable. This will be jointly reviewed, initially at six monthly intervals, together with the monthly enforcement plans. Additional resources, if required, will need to be self funding unless the District or Town Councils decide that they wish to contribute.

I hope this letter clarifies the issues raised at the March Cabinet meeting and that members are reassured and able to give their support to the introduction of the parking scheme in August 2007.

Yours sincerely

Keith Parrott
Traffic Manager

---

E-mail - Keith Parrott NCC to John Mooyman SNC, dated Thu 01/02/2007 11:33

John,
The ownership and status of car parks are unchanged when included (ie not excluded) from the application. SNC would make any orders for short stay, long stay or perhaps charging if they wished and NCC would have the powers to enforce. NCC would not be able to overrule the SNC parking regime at a later date. Therefore SNC would have total control over their car parks and levels of enforcement, ie frequency of patrols, would be by agreement.
Special markets I believe require some kind of order or notice made by the District Council which would not affect parking other than losing a few spaces.
If car parks are sold for redevelopment etc or new ones created the enforcement powers automatically cease or commence.
Hope this is helpful, happy to discuss further. I am on holiday next week and then on a course early the following week. Could Jean advise the Cabinet on this?
Regards

Keith Parrott, Traffic Manager
APPENDIX B

Extract, NCC submission to the Department for Transport.

Appendices omitted.

1. DPE APPLICATION

1.1 This document is an application to the Secretary of State for Transport for the making of orders to permit Decriminalised Parking Enforcement (DPE) in Parts of Northamptonshire County broken down into the following districts and boroughs:

- Borough of Wellingborough
- Corby Borough
- East Northamptonshire District
- South Northamptonshire District

1.2 The application is made by Northamptonshire County Council (NCC) under Section 43 and Schedule 3 to the Road Traffic Act 1991.

1.3 Northampton Borough is already a Special Parking Area under The Road Traffic (Permitted Parking Area and Special Parking Area) (County of Northamptonshire) (Borough of Northampton) Order 2001. This came into force on 1st July 2001, the operation of which will be combined with the above boroughs and districts of the County.

1.4 The application seeks to implement a Permitted Parking Area (PPA), covering on and off street parking places and a Special Parking Area (SPA) covering waiting and loading restrictions within the defined area. (In the remainder of the application references to a SPA should also be taken as reference to a coterminous PPA.)

1.5 The Council is also applying for powers to remove and clamp vehicles, although a definite decision to use the powers at the commencement of operations has not yet been made.

1.6 The DPE application will apply to the offences included in paragraph 1(4) and paragraph 2(4) of Schedule 3 (as amended) to the Road Traffic Act 1991 (RTA 1991), which cover:

- Orders prohibiting or restricting waiting, loading and unloading of vehicles (Orders made under sections 1, 9, 14, 16A and 53(1) with offences created under sections 5, 11, 16, 16C and 53(5+6), respectively of the Road Traffic Regulation Act 1984 – (RTRA 1984))
- Parking of heavy vehicles on verges, central reservations and footpaths (Section 19 of the Road Traffic Act 1988 - (RTA 1988))
- Off-street parking and free places on roads (Orders made under section 35(1) with offences created under section 35A(1) of the RTRA 1984)
- Designated or free parking places (Orders made under sections 32(1)(b) and 45 with offences created under sections 35A(1) and 47(1) respectively of the RTRA 1984).
- Parking a motor vehicle on a cycle track (Section 21 of the Road Traffic Act 1988 - (RTA 1988))

3.4 The County Council and the Borough of Wellingborough wish to exclude the following car parks from the SPA application (see also figure 3.2, Appendix 1)

<table>
<thead>
<tr>
<th>Car Park Name</th>
<th>Location</th>
<th>Owner</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sharman Road</td>
<td>Oxford Street via Sharman Road</td>
<td>Wellingborough Borough Council</td>
</tr>
<tr>
<td>Swimming Pool</td>
<td>Thomas Street</td>
<td>Wellingborough Borough Council</td>
</tr>
<tr>
<td>Castle (Castle Theatre)</td>
<td>Castle Way</td>
<td>Wellingborough Borough Council</td>
</tr>
</tbody>
</table>

Table 3.1 – Borough of Wellingborough, Excluded Car Parks
3.5 Wellingborough’s full Council on 30th January 2007, while wishing to fully support the SPA application and the principle of Local Parking Control, ratified the decision to exclude these car parks from the SPA application. The Sharman Road Car Park, although owned by the Borough Council, is under a long-term lease by Wm Morrison Supermarkets PLC and is managed by them. The Swimming Pool Car Park, while subject to a 24 hour maximum stay order which is under review, is primarily for the use of the swimming pool customers and the Castle Car Park is not subject to an off street parking places order and serves only the Castle Theatre.

4. REVIEW EXISTING PARKING CONTROLS:
4.1 The control of parking in Northamptonshire is a key part of the Council’s Local Transport Plan which also seeks to reduce the need to travel and the length of journeys, and to discourage the use of private motorised vehicles in favour of other modes. Parking control has been a central feature in the development of measures to achieve this policy in Northampton and this is being expanded to include the other main towns and villages within the County. Northamptonshire’s parking policy integrates all aspects of parking with its overall transport objectives – this includes on and off-street parking and proposals for Park and Ride. The introduction of DPE also forms part of the Local Transport Plan.

4.2 A summary of the key features of existing parking control in Northampton Borough is:
   - Residential parking controlled schemes surrounding the central area of Northampton have been introduced with now more than 8000 permits being issued per annum
   - There are also more than 300 short stay on-street parking bays with pay and display controls
   - Within the remainder of the central Northampton area, there are extensive ‘no waiting’ controls
   - Northampton Borough Council owns and manages 23 off-street car parks with nearly 5,500 paid bays which the County Council enforce

4.3 Elsewhere in Northamptonshire there are extensive free limited waiting bays on street, ‘no waiting’ controls and numerous car parks which have been the subject of lengthy discussions with the Borough and District councils as well as consultations with the public.

4.4 The hours of control at the different types of designated parking place, waiting and loading restrictions and off-street car parks are generally as follows:
   - The residential parking control scheme operates, between the hours of 0830 and 2100 hours Monday to Sunday;
   - Metered (Pay and Display) parking places operates between the hours of 0830 and 1800 hours Monday to Sunday;
   - Designated free parking places operate between the hours of 0800 and 1800 hours Monday to Saturday;
   - Double yellow lines (no waiting restrictions)
   - Single yellow lines (no waiting restrictions) generally operate between the hours of 0800 to 1800 hours Monday to Saturday;
   - Off-street car park controls operate between the hours of 0830 and 1800 hours Monday to Sundays (multi-storey car parks are not open on Sundays except for special events or Christmas).

4.5 In addition to the above urban areas, restrictions are in force in a number of other locations, such as on the main radial route corridors.

EXISTING PARKING ENFORCEMENT
4.6 Northampton Borough Council originally enforced all designated parking places (onstreet and off-street) and other restrictions under the powers conferred by The Road Traffic (Permitted Parking Area and Special Parking Area) (County of Northamptonshire) (Borough of Northampton) Order 2001, which came into force on 1st July 2001. This was done under an agency arrangement that transferred back to County Council
control in October 2006 under a full-time Parking Manager recruited to oversee and manage the enforcement regime.

4.7 The Northamptonshire Police employ a small number of Traffic Wardens to control waiting restrictions in Northamptonshire who issue around 600 parking related FPNs per annum. The police have been involved in the development of the DPE proposals and are fully supportive of these.

POLICY REVIEW
4.8 At a meeting of Northamptonshire County Council’s executive in January 2002, councillors agreed the principle of taking over the enforcement of parking controls across the county. An officer working group which included representatives from all borough and district councils as well as from the county council was formed.

4.9 This group considered the implications of a countywide parking scheme and the need to review existing parking restrictions, policies, consultation processes and an implementation programme. Initially the scheme was identified as operating on two levels, known as baseline level and enhanced level. Baseline level would be adopted across the county and would include restrictions relating to safety, capacity and management. The Enhanced level would include more elaborate improvements such as resident’s parking schemes and town centre controls. Criteria were set to decide how and where parking controls need to be changed or update.

4.10 In 2005 the County Council made a further commitment to the district and borough councils to move away from the two levels towards a more ‘managed’ system encompassing the criteria of both levels. Throughout the review process local views of all key stake holders were taken into account, including both officer and council members groups, from all of the district and boroughs, and representatives’ from the emergency services.

EFFECT OF INCREASED ENFORCEMENT
4.11 The area within Northampton Borough has been decriminalised for over 5 years and enhancement of the level of enforcement would be the only way to make any real change at this stage.

4.12 However in the remainder of Northamptonshire, and in particular the four Borough and District councils in this application, any enforcement is going to produce significant enhancements and is likely to:

- reduce the total number of parking contraventions (illegal acts) and the duration of these acts
- increase legal parking acts and the paid-for time at public parking bays by opening up spaces to legitimate users and transferring previous illegal parkers to the legal parking locations.
- increase the use of off-street car parks (including the use of Park and Ride facilities as and when they are introduced) by transferring longer stay or illegal parking motorists away from the town centres.

Other specific goals which will be directly furthered by better parking enforcement in these areas are:

- making the best use of existing roads for all users
- reducing the number of accidents and improving road safety
- restraining the demand for commuting by private cars
- encouraging responsible car usage and promoting public transport, walking and cycling
- ensuring that the general fabric of roads, footpaths and cycleways is kept in a safe condition
- assisting safe and efficient movement of freight traffic
- improving the network to assist public transport services
- improving the environment
- providing for the needs of the mobility impaired.

Protecting the needs of priority categories of motorists – residents, local businesses and those providing services to them.

4.13 The organisational structure for parking management services in Northamptonshire, as a County (including Northampton Borough), will comprises of:
A large multipurpose contract, providing:
- Enforcement services,
- Pay and Display machine management,
- IT system provision and management
- Postal payment management and document scanning
- Printing
- Web and Telephone payment
- Accommodation
- Public Counter and Permit issue services

An in-house team to answer correspondence at all stages – ie pre-NtO challenges, representations, appeals and court related items as well as dealing with complaints.

POSSIBLE DISPLACEMENT TO ADJACENT AREAS
4.14 There are no major centres immediately on the Northamptonshire boundary and so displacement to other centres in other authorities is extremely unlikely.

4.15 Centres within Daventry District, one of the non-included areas in this application, is also well separated from any other centres within Northamptonshire and unlikely to lead to displacement.

4.16 However, centres within Kettering Borough, the other non-included area, are close to centres within the Borough of Wellingborough, Corby and East Northamptonshire Districts. In addition to the introduction of a greater level of enforcement in Wellingborough and East Northants, it is likely that some Pay and Display charges will be introduced in these areas, whilst it is likely that Kettering will keep their car park charges unchanged. In all these circumstances there may be some displacement of vehicles into Kettering, though this is expected to localised.

5. TRO AMENDMENTS AND SIGNING
5.1 The County Council has reviewed all areas of the County with a view to creating a balanced parking and traffic management system that is appropriate to the specific circumstances of each of its towns and villages and to rectify any inconsistency between the existing traffic regulation orders (TRO) and the road markings/signing,

5.2 All existing TROs, not requiring amendment, will be consolidated into seven district orders. An Amendment Order will also be processed to correct the discrepancies found. Formal public consultation will take place in April 2007 and objections considered before implementing any changes in August 2007.

5.3 As part of the above the County Council have revised all parking related TROs within its boundaries and these have been digitised using a GIS system (the Buchanan Computer Limited ParkMap Program).

5.4 The Council will ensure that before the commencement date of the Designation Order, references to Police and Police Officers/Traffic Wardens in the TROs will be replaced or added to by references to the Council and Parking Attendants.

5.5 Provisions in the TROs relating to the ability of a Police Constable in uniform to give directions contrary to the order will be retained where this is necessary.

5.6 In conjunction with the digitising work and review of restrictions, the Council is checking all signs and road markings on-street against the relevant TROs and the future restrictions. There is a rolling programme of renovation of the signs and road markings, which will be complete by the time of the commencement of DPE operations.

6. PENALTY CHARGE NOTICE (PCN) - PENALTY CHARGE NOTICE LEVEL
6.1 The current maximum level of PCN value outside of London is £60 (section 4.20 of LA Circular 1/95 as amended on 11 May 2001). This level of PCN is consistent with the existing PCNs issued in Northampton Borough which will be subsumed into the Countywide Parking Scheme. The Council believes that setting the level at £60 will be entirely consistent with other penalty charges, financial self-sufficiency and of ensuring a high level of compliance.

6.2 The proposed £60 PCN value will be discounted to £30 for payment within 14 days, and this will apply to all on-street and off-street contraventions. Should the motorist challenge a PCN within the discount payment period and this pre-NtO challenge is subsequently refuted then a further 14 day discounted period will be allowed.
6.3 The initial level of PCN issue has been estimated at some 71,000 per annum. This compares to an average PCN issue level of 60,000 in Northampton Borough and the parking ticket issue level of 600 by the Northamptonshire Police over the last five years. The level of PCN issue has been derived from an analysis of existing and future enforcement resources and estimates of current illegality.

6.4 If the Council introduce vehicle immobilisation (clamping) or vehicle removal operations they will apply the applicable national level fees currently £105 per removal, £12 per day of storage and £40 per clamping.

6.5 It is estimated that, were the County Council to introduce clamping and removal operations, there could be some 60 vehicle removals per month (750 per year) and the same number of clampings.

6.6 In line with the Guidance (4.29) the Council intend to publicise the level of charges for PCNs (and the introduction of clamping and removal) before operation of the new system.

7.1 A summary of the estimated costs of operating the DPE system, in the first full financial year, is shown in Table 7.1 below and more detailed figures are shown in Appendix 2.

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount (£)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Income</strong></td>
<td></td>
</tr>
<tr>
<td>PCN Income</td>
<td>1,846,000</td>
</tr>
<tr>
<td>Permit Income</td>
<td>200,000</td>
</tr>
<tr>
<td>Bay income</td>
<td>731,555</td>
</tr>
<tr>
<td>Other</td>
<td>5,000</td>
</tr>
<tr>
<td><strong>Total Income</strong></td>
<td>2,782,555</td>
</tr>
<tr>
<td><strong>Expenditure</strong></td>
<td></td>
</tr>
<tr>
<td>In-House team (representations, appeals, management etc)</td>
<td>692,000</td>
</tr>
<tr>
<td>Contract costs</td>
<td>1,908,176</td>
</tr>
<tr>
<td><strong>Total Expenditure</strong></td>
<td>2,600,176</td>
</tr>
<tr>
<td>Operating Surplus available (year 1)</td>
<td>182,378</td>
</tr>
<tr>
<td>Operating Surplus available (subsequent years)</td>
<td>280,587</td>
</tr>
</tbody>
</table>

Table 7.1 – Operating Revenue and Costs 2008/9

7.2 The above estimates are for the first full financial year of DPE operation (i.e. 2008/9 financial year). During 2007/8 of operation, start-up costs of some £375,000 will be incurred and funded from capital allocations.

7.3 There is the potential that income will increase in on-street paid bays and Council owned off-street car parks as a result of increased enforcement. Surveys elsewhere following DPE also indicate that while compliance in on-street parking bays improves, overall occupancy can decrease, which may reduce income in some types of bays. Due to these uncertainties, the present evaluation assumes no changes in the income level of paid parking.

7.4 There is a large number and variety of Special Events in the County of Northamptonshire, including The British Grand Prix and the Northampton Balloon Festival, and it is difficult at this stage to estimate precisely the manpower requirements for these. Consequently the current estimate for enforcement activity will need to be reviewed during the first year of operation, and financial estimates may be affected.
7.5 The estimates of the DPE costs are based on a series of assumptions, and Table 7.1 gives an indication of the “best estimate” available. This estimate is dependent on a number of key factors which are difficult to estimate accurately, including:

- Motorist response to increased enforcement
- PCN payment rates
- The exact requirements for special events.

7.6 The Council is confident that the enforcement operation will be financially self-sufficient.

PERFORMANCE INDICATORS
7.7 The County Council will employ a large number of performance indicators to ensure both the Contractor and the Council are performing sufficiently well to meet the objectives and the finances of the scheme. These indicators include:

- PCN issues by PA, location, time of day, contravention code
- PCN errors by PA, reason
- PCN cancellations by reason, location, contravention code, PA
- PA deployment by type of day and geographical areas
- PA application to duties (an observation exercise carried out by monitoring officers to ensure PAs are operating according to policy, instructions and procedure)
- Patrol compliance (streets are being visited as planned)
- Payment rates
- PCN error rates
- Parking compliance (to what extent are regulations being obeyed)
- Appeals allowed by reason, location, contravention code, PA
- Complaints by reason, validity
- Correspondence reply timescales and outstanding levels
- Income and Expenditure levels against budget
- Correct use and management of IT systems

FINANCIAL IMPLICATIONS OF CLAMPING AND REMOVAL
7.8 While no detailed analysis of a clamping and removal operation has been undertaken and the final decision to implement these services has not been taken, experience elsewhere indicates that the likely revenues and costs in a typical year might be approximately:

<table>
<thead>
<tr>
<th>Clamping Services</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Revenue</strong></td>
</tr>
<tr>
<td>750 clamps @ £40 per release</td>
</tr>
<tr>
<td>(90% recovery)</td>
</tr>
<tr>
<td><strong>Costs</strong></td>
</tr>
<tr>
<td>Typical costs of clamping Service @ £35 per clamp</td>
</tr>
<tr>
<td><strong>Net Surplus</strong></td>
</tr>
<tr>
<td></td>
</tr>
</tbody>
</table>

Table 7.2 – Financial Assessment – Clamping Services
7.9 This is a preliminary estimate that will be influenced by final Council policy in respect of clamping and actual costs achieved. It is envisaged that the mobile patrol units will carry clamping equipment and documentation and will carry out clamping activities as part of their normal duties.

Removal Services

<table>
<thead>
<tr>
<th>Revenue</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>750 removals @ £105 per release</td>
<td>£74,812.50</td>
</tr>
<tr>
<td>(95% recovery)</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Costs</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Typical costs of removal @ £100 per removal</td>
<td>£75,000</td>
</tr>
<tr>
<td>Net Surplus</td>
<td>£ -187.50</td>
</tr>
</tbody>
</table>

Table 7.3 - Financial Assessment – Removal Services

7.10 The County Council envisages removals being carried out by the multipurpose contractor, who has vehicles available on a planned ad-hoc basis, using a Pound located just outside the County boundary. These facilities would be drawn upon for major safety cases, unclaimed clamped vehicles, special events and persistent evaders/offenders.

8. EXEMPTIONS AND DISPENSATIONS
8.1 The existing parking exemptions, waivers and dispensations have been reviewed and are summarised below:

DIPLOMATIC REGISTERED VEHICLES
8.2 Special arrangements will be used for enforcement relating to diplomatic registered vehicles, ie D, X or personalised VRMs. Parking Attendants will be able to issue PCNs in respect of vehicles carrying diplomatic plates, but removals or clamping of such vehicles is only allowed as a last resort to relieve obstruction or danger. There will be liaison with the Foreign and Commonwealth Office regarding contraventions by diplomats.

OTHER EXEMPTIONS/EXCEPTIONS
8.3 There are a number of other exemptions/exceptions to the provisions of the TROs. Although the exact exemption/exception differs in respect of different regulations, they generally include:

- Vehicles being loaded or unloaded
- Vehicles being used for the collection and removal of furniture
- Emergency vehicles
- Vehicles stopping or waiting in circumstances beyond driver’s control
- Vehicles being used for the removal of an obstruction to traffic
- Vehicles stopping or waiting as required by law
- Vehicles stopping or waiting to prevent an accident
- Vehicles being used by a local authority or statutory undertaker in the exercise of statutory powers or duties
vehicles being used for works purposes
vehicles collecting or delivering mail and/or postal packets as defined in the 'Postal Services Act 2000'
vehicles being used for medical requirements
vehicles being used for weddings or funerals at adjacent premises
vehicles displaying certain permits or security vehicles in the pedestrian streets area

8.4 The Council will also offer a waiver scheme for limited periods, primarily for building works/emergency repairs where there is no legal parking in the vicinity.

9. CONSULTATION
9.1 Northamptonshire Police have been consulted on the TRO review process and have been consulted on the principle and practice of DPE. A copy of a letter of support from the Northamptonshire Police is included in Appendix 5.
9.2 Although no transfer of parking problems to adjacent authority areas are expected, the Council has written to all neighbouring authorities informing them of the DPE application. Copies of the responses from the neighbouring authorities are included in Appendix 4.

10. ENFORCEMENT OPERATION
10.1 The Council will undertake all aspects of the on and off-street parking enforcement by means of a contract with an experienced and reputable company.

10.2 Northampton Borough Council enforced all designated parking places (on-street and off-street) and other restrictions under the powers conferred by The Road Traffic (Permitted Parking Area and Special Parking Area) (County of Northamptonshire) (Borough of Northampton) Order 2001, which came into force on 1st July 2001. This was done under an agency arrangement that transferred back to County Council control in October 2006 under a full-time Parking Manager recruited to oversee and manage the enforcement regime. This operation will be subsumed into the countywide operation and some staff will be transferred under TUPE regulations to the enforcement contractor who will then expand the workforce as a result of the wider decriminalised parking area to include up to around 40 Parking Attendants.

10.3 The Contractor is required to train all the parking attendants and have arrangements in place for them to obtain the NVQ in parking (level 2) qualification, or similar approved. Attendants will also undergo an intensive programme of induction, enforcement and local knowledge training before commencement of operation.

10.4 Parking Attendants will not be paid any specific performance bonus/reward with regard to the number of PCN’s issued or vehicles clamped/removed. Northampton Borough Council rates of pay will apply initially as staff are being transferred under TUPE regulations.

10.5 The Council will ensure that all Parking Attendants are properly identified, with uniforms giving a clear indication that the wearer is a Parking Attendant, that he/she is acting on behalf of the Council and displaying a personalised number identifying the Attendant. The general specification of uniform requirements set out in Guidance will be used as a guide.

10.6 While at this stage the definition of additional duties for parking attendants has not been finalised, it is likely that they will be asked to:
- check/report on condition of roadmarkings, signs and pay and display machines
- advise police of criminal parking activity
- report suspected abandoned vehicles
- general information duties in respect of advice to tourists, motorists, warning notices etc.
- report Blue Badge abuse
- check that skips, scaffolding, advertising hoardings etc are licensed
- Any other issues on street or within car parks which may have negative Health and Safety implications

10.7 It is intended to utilise technology as much as possible to ensure that these activities do not have a deleterious effect on their main function of patrolling and enforcing against parking contraventions.
LIAISON WITH NORTHAMPTONSHIRE POLICE
10.8 The Council will continue to liaise closely with Northamptonshire Police in the period leading up to and following implementation. Issues such as changes to TRO's, and the enforcement of Special Events will be discussed at a regular forum.

10.9 Whilst the introduction of DPE will see the transfer of powers from the Police to the County Council certain enforcement activities, including the illegal parking within the limits of a zebra, pelican or puffin crossing, will remain the sole responsibility on the Northamptonshire Police and continual close liaison will be required.

ENFORCEMENT POLICY
10.10 Total numbers of enforcement staff are likely to increase with the DPE operation and are aimed at improving efficiency. The main element of the enforcement package will be:

- A high level of visits in the existing central area. Within town centres particular attention will be paid to bus routes.
- Mobile patrols on bus routes and in outlying areas. Parking Attendants will use small cars/vans, MPVs and public bus services to patrol the bus routes and outlying areas, with a particular emphasis on peak periods. Outside the peak periods the mobile enforcement attendants will patrol the more isolated areas of waiting and loading restrictions.
- Evening/weekend and Special Events: Enforcement may be undertaken 24 hours a day, 7 days a week at certain times if required (though this is considered unlikely at this time), although the level of resources outside the CPZ control hours will be low.

10.11 The Council will continually review the levels of enforcement and compliance to ensure that these are acceptable in respect of its policies.

10.12 Within the most highly controlled borough (Northampton) there is already a relatively high level of enforcement and the public are aware of the regulations and consequences of contraventions. Elsewhere enforcement has been more sporadic, and a higher level of initial warning and/or publicity will be considered.

10.13 A publicity campaign is programmed to run during the summer leading up to the implementation, and will include:

- briefings or press releases to local and national press
- briefings for councillors and important local interest groups
- general publicity material outlining the key issues.

11. DOCUMENTATION
11.1 The Council will ensure that suitable documentation will be used to convey the required information to motorists. The main documents required will be:

- Warning Notices
- Penalty Charge Notice (PCN) with unique numbering and weatherproof envelope,
- Notice to Owner
- Charge Certificate
- Clamp/Removals documentation (if and when introduced)
- Notice of Debt Registration
- Statutory Declaration form
- Various items of correspondence eg Notice of Rejection

11.2 Documentation will be based on examples from existing operations, will comply with the documentation specimens contained within Local Authority Circular 1/95 subject to subsequent advice and case precedents from the National (and where applicable London) Adjudicators.

12. CONTRAVENTION DESCRIPTIONS/CODES
12.1 The standard contravention descriptions and codes as set out in Guidance as modified from time to time by the National Parking Adjudication Service will be adopted by the Council and its enforcement operation. Minor amendments may be required for specific contraventions.

12.2 PCN numbering will also be undertaken as required by the Guidance’s Annex 12.2 and as notified by the Northamptonshire County Council Bulk Processing Centre.

13. PAYMENT FACILITIES
13.1 A parking shop/counter facility will be made available. It will offer payment facilities for payment by cheque, cash or credit card in person. At this stage it is the Council’s intention to operate the counter facility from 0830 to 1730 hours Monday to Friday, and 09.00 to 13.30 on Saturdays.

13.2 Remote payment facilities will be available by means of:-
- payment by cheque, postal orders or credit card by post (PCN’s will have a preaddressed envelope) – this is part of the contract.
- payment by credit or debit card, by means of automated telephone payment facilities and by means of a website over the Internet - this is part of the contract.

13.3 Foreign visitors will be able to use any of the above-mentioned means of payment, and in certain circumstances travellers’ cheques may also be accepted. The extent of foreign drivers contravening regulations who do not have available local currency or acceptable debit/credit cards is not expected to be high. Experience elsewhere is that no problems have been experienced with foreign visitors using these arrangements.

14. STATUTORY PROCEDURES
14.1 Following the issue of a PCN, further action will be taken by the contractor and the Council’s in-house parking operation.

14.2 The following basic operations will be undertaken by the administrative sections:
- initial processing and on-going data management (upload from HHC, case progression etc) of PCNs and PA information - Contractor
- receipt and scanning of correspondence and queries - Contractor
- reply to correspondence – pre-NtO challenges - Council
- receipt of payments - Contractor
- communication with DVLA - Contractor
- issue of NtO’s –Contractor
- consideration and reply to representations - Council
- communication and liaison with adjudicators - Council
- issue of charge certificate – Contractor
- communication with County Court - Contractor
- instructions to the bailiffs – Council

14.3 The grounds for which the recipient of an NtO can make statutory representations to a local authority are set out in paragraph 2 (4) of Schedule 6 to the Road Traffic Act 1991, and will be used as the basis for consideration of representations. In practice there will be a number of circumstances in which representations will be considered within these guidelines, e.g. machine proven faulty, police vehicle on official duties, stolen vehicle, valid permit held, etc. The County Council will also consider genuine cases of mitigating circumstances.

15. APPEALS/COURT ACTION
15.1 The Council has communicated with the National Parking Adjudication Service (NPAS) in Manchester and the Bulk Processing section of the Traffic Enforcement Centre at Northampton County Court, the Court designated to deal with Parking/Traffic related debt registrations for all authorities in England and Wales. Both have accepted that Northamptonshire County Council will be operating across the County.

16. STATISTICS
16.1 As required by the Chapter 11 and paragraphs 11.26 and 11.29 (pages 81 to 83) of ‘Guidance on Decriminalised Parking Enforcement Outside London’ (Local Authority Circular 1/95 issued April 1995), the Council will collate statistics with regard to the on-street DPE operation and forward these on an annual basis to the DfT and the Home Office. This will take the form of an annual return showing the number of Penalty Charge Notices (PCNs) issued for on-street contraventions only in the calendar year (January to December) and the subsequent action taken.
16.2 In accordance with Guidance, the County Council will report annually to the Secretary of State on the financial results of the on-street DPE operation and any action which the County Council will take in respect of any deficit or surplus on the on-street parking account of each individual district or borough area.

17. WHEELCLAMPING AND REMOVALS

WHEELCLAMPING

17.1 In line with current guidance (para. 8.6), the Council requests the legal powers to wheelclamp with this application. However it is not the intention of the Council to introduce a clamping operation in the short-term. The Council confirms that it will comply with the Secretary of State’s recommendations for wheelclamping operations if it does introduce such an operation in the future (Chapter 17 of the Guidance). Suitable payment facilities to ensure the prompt release of vehicles that have been clamped will be provided. Draft guidelines on clamping policy are given in Appendix 3.

17.2 Vehicles that have been clamped (or removed) may be released without payment in special circumstances. This is likely to include (but not be limited to) the following circumstances:

- diplomatic immunity
- disabled driver/passenger (proven need)
- good medical reason (proven)
- significant personal safety implications

15. APPEALS/COURT ACTION

15.1 The Council has communicated with the National Parking Adjudication Service (NPAS) in Manchester and the Bulk Processing section of the Traffic Enforcement Centre at Northampton County Court, the Court designated to deal with Parking/Traffic related debt registrations for all authorities in England and Wales. Both have accepted that Northamptonshire County Council will be operating across the County.

16. STATISTICS

16.1 As required by the Chapter 11 and paragraphs 11.26 and 11.29 (pages 81 to 83) of ‘Guidance on Decriminalised Parking Enforcement Outside London’ (Local Authority Circular 1/95 issued April 1995), the Council will collate statistics with regard to the on-street DPE operation and forward these on an annual basis to the DfT and the Home Office. This will take the form of an annual return showing the number of Penalty Charge Notices (PCNs) issued for on-street contraventions only in the calendar year (January to December) and the subsequent action taken.

16.2 In accordance with Guidance, the County Council will report annually to the Secretary of State on the financial results of the on-street DPE operation and any action which the County Council will take in respect of any deficit or surplus on the on-street parking account of each individual district or borough area.

17. WHEELCLAMPING AND REMOVALS

WHEELCLAMPING

17.1 In line with current guidance (para. 8.6), the Council requests the legal powers to wheelclamp with this application. However it is not the intention of the Council to introduce a clamping operation in the short-term. The Council confirms that it will comply with the Secretary of State’s recommendations for wheelclamping operations if it does introduce such an operation in the future (Chapter 17 of the Guidance). Suitable payment facilities to ensure the prompt release of vehicles that have been clamped will be provided. Draft guidelines on clamping policy are given in Appendix 3.

17.2 Vehicles that have been clamped (or removed) may be released without payment in special circumstances. This is likely to include (but not be limited to) the following circumstances:

- diplomatic immunity
- disabled driver/passenger (proven need)
- good medical reason (proven)
- significant personal safety implications