
REPORT FOR RESOLUTION

SUBJECT: **Defraying the expenses of the Joint Committee 2012/13**

REPORT OF: The Lead Officer on behalf of the Advisory Board

PURPOSE OF REPORT

To establish the basis for local authorities who are participating in the Joint Committee's arrangements to contribute to expenses during 2012/13

RECOMMENDATIONS

It is recommended that the Joint Committee:

- (i) Shares its expenses between member authorities in proportion to the number of PCNs issued on the following basis for 2012/13

ELEMENT	CHARGE
Annual Charge	£nil
Charge per PCN Issued	£0.60 pence

- (ii) Reviews the basis for contribution in September 2012.
- (iii) Reviews the arrangements for defraying expenses once the new case management system and web portal has been introduced.
- (iv) Approves that local authorities are invoiced quarterly in advance based on estimated figures and subsequently adjusted.
- (v) Notes that the decision to provide a transcription from the audio recording of proceedings rests with the Adjudicator. Where this has been agreed to, the Joint Committee agree that the incidental cost of making a transcription from the audio recording of proceedings at a personal hearing is charged to the requesting party except when, in the view of the Adjudicator, a disability of the requesting party would make it desirable for that person to receive such a transcript.

FINANCIAL CONSEQUENCES FOR REVENUE BUDGET

It is intended that service will, in the long term, continue to be self financing as a result of contributions made from participating local authorities. The member authority contributions recommended for 2012/13 are with a view to the service continuing to be self-financing. The reserve (£1,115,411 at 31 March 2011) can be drawn upon in the event of the income not being sufficient to match the budgeted expenditure during 2012/13. No provision has been made in the 2012/13 budget for income arising from the per case charge, however this will be reviewed once the new case management system and web portal has been introduced.

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1.0 INTRODUCTION

- 1.1 An essential element for a local authority when adopting civil parking enforcement powers is the existence of a means to appeal to an independent parking adjudicator. Local authorities are required to make provision for this as part of their powers.
- 1.2 The PATROL Adjudication Joint Committee agreement provides for the Committee to decide the cost sharing arrangements.

2.0 BACKGROUND

- 2.1 The PATROL agreement provides for the adjudication service to be operated on a self-financing basis with revenue obtained from contributions made by participating local authorities. An estimate has been made of the likely service take up during 2012/13. The level of contribution has been based on this predicted service activity. It is practice only to charge those enforcing authorities who manage the enforcement income stream.
- 2.2 An undertaking was given to government in the run up to establishing the service that the service would be made available to all authorities in England [outside London] and Wales. In establishing the contribution and considering the options for recommendation the Advisory Board have been mindful of the need to ensure that the contributions are both equitable and not prohibitive to any particular type or size of local authority. Table 1 provides an overview of the Joint Committee's basis for member authority contributions since inception.

Table 1: Basis for member authority contributions

Year	PCN	Annual	Case
1999/2000	70 pence	£500	£10
2000/01	70 pence	£500	£10
2001/ 02	70 pence	£500	£0
2002/03	70 pence	£500	£0
2003/04	65 pence	£250	£0
2004/05	65 pence	£250	£0
2005/06	60 pence	£0	£0
2006/07	55 pence	£0	£0
2007/08	60 pence	£0	£0
2008/09	60 pence	£0	£0
2009/10	60/65 pence ¹	£0	£0
2010/11	65 pence	£0	£0
2011/12	65 pence	£0	£0

Note 1 – the PATROL Joint Committee approved an increase to 65 pence with effect from 1 July 2009

2.3 There are two options for defraying the expenses of the Joint Committee for 2011/13

- (i) Maintain the basis for contribution at 65 pence per PCN. This would meet the expenditure requirements and result in a substantial contribution to reserves.
- (ii) Reduce the basis for contribution to 60 pence. Should the forecasted income not be achieved, there would be a requirement to draw from reserves.

Given the current level of reserves, the anticipated surplus in 2011/12, the Reserves Policy Statement for 2012/13 and the contingency within the 2012/13 budget, it is recommended that the basis for contribution be reduced to 60 pence. The basis for contribution will be further reviewed in September in the light of the final outturn for 2011/12 and monitoring information in the first half of 2012/13.

- 2.4 The introduction of the new case management system and web portal will provide an opportunity to review the method of defraying expenses.
- 2.5 The Accounts and Audit Regulations 2003 introduced the requirement for a Cash Flow Statement to be produced for each financial year. It is therefore proposed to continue with the practice of the local authorities being invoiced quarterly in advance based on estimated PCN figures and subsequently adjusted when the actual figures become available.
- 2.6 To note that the decision to provide a transcription from the audio recording of proceedings rests with the Adjudicator. Where this has been agreed to, the Joint Committee agree that the incidental cost of making a transcription from the audio recording of proceedings at a personal hearing is charged to the requesting party except when, in the view of the Adjudicator, a disability of the requesting party would make it desirable for that person to receive such a transcript.

3.0 RECOMMENDATION

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