

Local Members Interest
N/A

**Tamworth Local Parking Committee
Wednesday 3rd December 2014**

Civil Parking Enforcement - Review

Recommendations of the Cabinet Member for Economy, Environment and Transport.

- 1 That the Joint Parking Committee notes progress on the review of Civil Parking Enforcement since the last update.
- 2 That the Committee notes the content of the report taken to the Joint Staffordshire Parking Board on 8th July 2014 outlining the draft business case for the preferred method of delivery.
- 3 That the Committee notes the decision taken by the County on 9th September 2014 about the arrangements for on-street civil parking enforcement and associated matters from April 2015.
- 4 That the Committee notes, and is provided with the opportunity to comment on the ongoing work that will take place during the establishment, transition and mobilisation of the Clear Streets Partnership in relation to the required outcomes.

Report of the Deputy Chief Executive and Director for Place

Background

Reasons for recommendations

- 5 Decriminalised Parking Enforcement (DPE) was introduced under the Traffic Management Act 2004 and transferred the responsibility for the enforcement of on-street parking offences that do not result in an endorsement from the police to the local traffic authority. DPE was introduced in Staffordshire in two phases.
- 6 The first, Tranche 1 covering the Districts of East Staffordshire, Newcastle-under-Lyme, Stafford and Staffordshire Moorlands was introduced in 2007. Tranche 2 covered the remaining Districts of Cannock Chase, Lichfield, South Staffordshire and Tamworth was introduced in 2009. The Agreement for the Enforcement of On-Street Parking Controls with each District Council was written with a six year period in mind.
- 7 The primary objective of the adoption of Civil Parking Enforcement within the County of Staffordshire was to:
 - Maintain and, where possible, improve the flow of traffic thereby making the County a more pleasant and environmentally safe place to live and visit.
 - Take into account the needs of local residents, shops and businesses, thereby sustaining the County and District Council's economic growth.

- Actively support the needs of disabled people bearing in mind that, in some cases, they are unable to use public transport and are entirely dependent upon the use of a car. This will ensure that people with disabilities are able to have equal access to all facilities within the County.
- Actively discourage indiscriminate parking that causes obstruction to other motorists, public transport, pedestrians, cyclists and people with disabilities. This will ensure that the Districts remain accessible to all equally and safely.

Engagement during the review

- 8 At the meeting of the Joint Staffordshire Parking Board in July 2012, it was agreed that a Scoping Paper outlining proposals for a review of CPE was produced. The paper was circulated in August 2012 and agreed by the Board in December 2012.
- 9 In March 2013, an additional meeting of the Joint Staffordshire Parking Board considered progress on the initial stages of the review and, an opportunity for Members of the Board to begin discussions on how Civil Parking Enforcement in Staffordshire could be delivered in the future.
- 10 In June 2013, the Joint Staffordshire Parking Board considered an update on the review and, the conclusions of its initial stage. The Chairman of the Board (Staffordshire County Council Cabinet Member for Children, Communities and Localism) confirmed that the County Council would be making a decision on the future of the CPE service before the end of 2013.
- 11 The review identified a number of strengths and opportunities to improve the service in line with the Council's outcomes: "For a Connected Staffordshire where everyone has the opportunity to be healthy, happy and prosperous". These are summarised below.

Strengths

Clear Streets objectives

- Clear Streets has generally achieved its objectives, motorists are now more compliant in the way they park. The total number of penalty charge notices (on-street and off-street i.e. public car parks) has reduced from a peak of over 63,000 in the first full year of operation to less than 46,000 in 2012-13 i.e. 71% of the peak showing that people are now more compliant in the way they park both on and off street albeit only the former contributes to the Clear Streets objectives.¹
- Numbers of penalty charge notices issued on-street have reduced by a similar percentage, i.e. 72% from a peak of over 28,000 to below 21,000 in 2012-13.
- Residents in Staffordshire are more satisfied with measures to tackle illegal on street parking than they were in 2008. In 2012 44% of residents surveyed were satisfied compared to 37% in 2008.²
- Residents in Staffordshire are more satisfied with restrictions of parking on busy roads than they were in 2008. In 2012 49% of residents surveyed were satisfied compared to 43% in 2008.

Reputation and Governance

¹ Staffordshire Parking Board – Annual Reports - <http://moderngov.staffordshire.gov.uk/mgCommitteeDetails.aspx?ID=204>

² National Highways & Transport Public Satisfaction Surveys - <http://nhtsurvey.econtrack.co.uk/Default.aspx>

- The service is in line with statutory requirements³ and best practice⁴ and is generally delivered effectively with a clear commitment to service delivery and good customer service from officers and providers involved.

Weaknesses

Clear Streets

- Whilst 'Clear Streets' has a clear set of objectives, there is generally no overall joint parking strategy that brings together on-street and off-street parking provision and management
- The existence of Local Parking Committees leads to an inconsistent approach to the provision of additional on-street parking spaces that support the local economy, Residents' Parking Zones and charges associated with these areas of activity.

Finance

- The service continues to operate at a net cost (£239k in 2012-13).
- The Districts that regularly operate at a net surplus are those that operate on-street charging.
- There are no indications that the enforcement element of parking will on its own become self-financing under the existing arrangements for enforcement and if levels of compliance with traffic restrictions continue to increase, the level of deficit is likely to rise.
- The County Council has no direct financial control over the cost of the service, even though it underwrites the cost of the service

Community

- There is significant and ongoing demand on the Council to provide additional on-street parking restrictions. Additional resources have been provided for this where set up costs have been paid off and, the service is in surplus.
- There is an increasing demand to tackle unsafe parking in more locations, to further increase the hours that enforcement takes place and, to provide more enforcement outside schools.

12 Following workshops with Members of the Joint Staffordshire Parking Board and, consideration of Civil Parking Enforcement at the meeting of the Prosperous Select Committee on 6th September 2013 the following additional outcomes were recommended for the commissioning of Parking Enforcement services in the future.

- A service that is financially sustainable at a level that supports the required outcomes
- A cohesive and consistent approach to on-street parking and enforcement across the County that supports the local economy and town centres
- A service that is more responsive to the needs of local residents, shops and businesses
- A flexible and adaptable resource to deliver enforcement
- A service that is able to take advantage of opportunities for joint commissioning
- A parking strategy that brings together on-street and off-street parking provision and management.

³ Statutory Guidance - <http://webarchive.nationalarchives.gov.uk/20120904033926/http://www.dft.gov.uk/publications/tma-part-6-cpe-statutory-guidance/>

⁴ Operation Guidance to Local Authorities : parking policy and enforcement <https://www.gov.uk/government/publications/operational-guidance-to-local-authorities-parking-policy-and-enforcement>

- 13 On 25th September 2013, the County Council Cabinet Member for Children, Communities and Localism) wrote to Members of the Joint Staffordshire Parking Board, Chairs of Local Parking Committees and, District Council Nominated Officers advising them of the paper to be taken to the Staffordshire County Council Cabinet.
- 14 On 16th October 2013, the Cabinet of Staffordshire County Council considered a paper on Keeping Staffordshire Moving : Civil Parking Enforcement and resolved that new arrangements should be sought for the delivery of Civil Parking Enforcement in Staffordshire to achieve the outcomes previously summarised in paragraphs 6 and 9.
- 15 A number of broad options were initially identified for further consideration including
 - a. Negotiating new Agreements with the Districts.
 - b. Groups or a consortium of Districts providing on-street services through a reduced number of Agreements.
 - c. Working with Districts on a framework agreement for shared services across Staffordshire for on and off street parking.
 - d. A County Council contract for on-street services with Districts making separate arrangements for their off-street car parks
 - e. Provision of all services through a County Council directly employed team
- 16 On 16th December 2013, following the decisions made by the Staffordshire County Council Cabinet (SCC), the Joint Staffordshire Parking Board considered an update on the review including the required outcomes for the commissioning of the future service and, a timetable for its completion before the end of March 2015.
- 17 In the period January to March 2014, each of the eight district Local Parking Committees (LPC) received a report from the County Councils Cabinet Member for Children, Communities and Localism informing them for the review and inviting each Committee to express its view on the future arrangements against the required outcomes and timetable.
- 18 In general, each of the Committees noted the contents of the report, the report taken to the JSPB and the timetable for the review. The following additional resolutions were taken.
 - a. The East Staffordshire LPC also resolved that Staffordshire County Council note the Borough Council's expression of interest in continuing the service in the Borough of East Staffordshire.
 - b. The Newcastle-under-Lyme LPC also resolved that Staffordshire County Council be informed that the Authority wishes to maintain locally controlled Civil Parking Enforcement
 - c. The Lichfield LPC also resolved that consideration be given to involving Parish Councils in future Civil Parking Enforcement Schemes
- 19 On 5th March 2014 an event was held with around 10 suppliers representing the majority of aspects of the service from back office systems and processing of noticing through to enforcement and equipment suppliers. The key issues arising from the event are summarised below.
 - A recognition that the industry has changed significantly in the last 5 years

- Increasing capability and use of technology, ICT, handheld devices, SMART cars, agile working, using cars as a base
- Large component of service cost is accommodation
- Suggestion that an 'all in one' solution would be best
- The market will continue to evolve, need for SCC to ensure that we build in flexibility to take advantage
- The market is fairly new to the commissioning approach (outcomes) and is generally used to output based contracts i.e. specification and price
- Many commented that they had not been to this type of event before and welcomed the opportunity for early engagement

- 20 Irrespective of the new delivery method chosen, in order to begin the process of achieving the required outcomes, the first step was for the County Council to serve notice on the district councils. The notice to end the existing on-street civil parking enforcement agreement from 31st March 2015 was therefore given in March 2014.
- 21 In the period January to June a number of meetings were held between officers of the county council, district councils and Stoke on Trent City Council to explore the various options. During these discussions a further option was also identified and considered i.e. the development of a county wide 'Clear Streets partnership' with Stoke-on-Trent City Council including enforcement and back offices activities.
- 22 Discussions with district councils indicated that:
- The preferred option for the majority was either status quo or a variation to the existing arrangement. There was however recognition that there could be some benefits from economies of scale resulting from combined arrangements for the delivery of enforcement and management;
 - Some districts considered a consortia approach to be relevant however only one expressed a clear interest during initial discussions and this was not progressed;
 - One district (Cannock Chase) has advised the County Council that following its Cabinet meeting on 20th March 2014 "the Council ceases to undertake Civil parking Enforcement on behalf of the County Council with effect from 31st March 2015"
 - A further district has expressed an informal view that it does not wish to continue carrying out parking enforcement on street
 - At least one district is looking at using different systems for the management of off-street car parks. This could reduce the future need for off street enforcement and the benefits of retaining a combined on and off-street enforcement service
 - The majority (if not all) are not prepared to consider any financial risk over and above the existing arrangements.
- 23 On 8th July 2014, the Joint Staffordshire Parking Board received a report on the draft business case for the new arrangements. The report identified a partnership with Stoke-on-Trent City Council as the preferred option. The main issues raised by the Joint Staffordshire Parking Board were around TUPE and whether or not the districts would be able to secure an off-street enforcement service through the arrangement if required. A copy of the report is available at <http://moderngov.staffordshire.gov.uk/documents/s51730/CPE%20Proposal%20report%20revised%20final%20version.pdf>
- 24 Reassurance was provided that in relation to the on-street element TUPE would apply and, that the districts would be able to seek off-street enforcement services and back office services from Stoke-on-Trent City Council if required.

Delivering the required outcomes

Clear Streets

- 25 The review of the existing service carried out in 2012-13 showed that the objectives of Clear Streets (paragraph 6) were being achieved, people park more considerately, satisfaction with the way that illegal on-street parking is being tackled has improved but, there is an increasing local demand for enforcement and parking restrictions.
- 26 The new arrangements will continue to deploy resources against a clear set of enforcement priorities established to support the Clear Streets. Civil Enforcement Officers will however be dedicated to on-street enforcement.

A service that is financially sustainable at a level that supports the required outcomes

- 27 Under current arrangements, the enforcement service is provided and managed by each district with the county council underwriting any deficit. On-street enforcement activity continues to operate at a net cost to the county council (£239k in 2013-14). A combined service provides increased opportunity to reduce overheads through shared back office and management, a reduction of the number of organisations involved from twelve to two, and greater purchasing power particularly with a single brand.
- 28 A qualitative analysis has been carried out against each of the options against the required outcomes. Two options emerged; a county wide framework for shared services on and off street; a 'Clear Streets' partnership with Stoke-on-Trent City Council. A summary of the analysis is provided in Appendix 1.
- 29 As the majority of contract costs will be staffing and TUPE is likely to apply, the extent of any cost savings are not fully determined at this stage but are more likely to arise through the combination of the service into a single delivery arrangement with a suitable partner. Engagement with the market has also confirmed that an end to end arrangement is likely to be the most efficient way of delivering the service.
- 30 A shared service arrangement should incur reduced start-up costs, a shortened time to establish the arrangement, improved performance, reduced duplication and lower costs. The volume of work commissioned through the joint arrangement will also be greater with flexibility to adapt to changing circumstances.
- 31 The finances for the current service are managed separately in an individual district account. Where the account remains in surplus at the end of the agreement (after taking into account any decommissioning costs and, set up costs within that district) any surplus will be ear-marked for highway improvements within the district in which the surplus was generated.

Future governance

- 32 The Joint Staffordshire Parking Board and, Local Parking Committees form part of the existing agreement. New governance arrangements to take over responsibility for the current terms of reference for these bodies will be developed as part of the establishment of the 'Clear Streets Partnership' and will be in place by April 2015.
- 33 The County Council already has a local network of Community Highway Liaison teams who coordinate Members "Divisional Highway Programmes". From April 2015 it is anticipated that the prioritisation of parking related restrictions will form part of this process. This will ensure that the way these requests are considered remains democratically accountable through liaison with parish and other local bodies enabling local concerns to be identified and actions prioritised.

- 34 Requests for Residents Parking Zones will continue to be technically assessed in a similar way to the existing process. A new arrangement will be required across the county for their prioritisation and the detail of this is under consideration as part of the transition. This will take into account the need to engage with key stakeholders sufficiently early in the process to ensure that legislative processes can subsequently be followed in an efficient and effective manner. A key part of the process will be the development of the role of the 'Local Champion' to ensure that the benefits, disadvantages and costs of any such scheme are understood and the scheme has the required level of support from the local community.
- 35 In developing the new arrangements there will be appropriate engagement with key stakeholders that will be part of any governance arrangements.

Communications

- 36 A communications plan for the transition is being developed and will look to take advantage of different forms of communication including for example district council and county council publications.

Operational Delivery

- 37 Enforcement activity will be focussed on achieving the agreed outcomes including a more flexible and adaptable approach to on-street enforcement which will see resources deployed across district boundaries.
- 38 The new delivery model will take advantage of 'agile' methods of working. Staff could for example be deployed from a variety of locations including but not limited to highway depots, touchdown centres and other county (and non-county) council premises.

Reasons for recommendations

- 39 This is the first opportunity to advise the Local Parking Committee of the decision taken by the County Council in relation to the future delivery of on-street parking enforcement and associated services.

Background Papers

1. Staffordshire County Council - decision 9th September 2014
2. Joint Staffordshire Parking Board 8th July 2014 Civil Parking Enforcement – Review
3. Staffordshire County Council Cabinet 16th October 2013 – Keeping Staffordshire Moving – Civil Parking Enforcement (Item 37)
4. Joint Staffordshire Parking Board 21st June 2013
5. Joint Staffordshire Parking Board 26th March 2013
6. Joint Staffordshire Parking Board 18th December 2012

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Appendix 1 : Analysis of options against outcomes

	(a) District	(b) District consortia	(c) Single framework on & off street	(d) City on-street (external provider)	(e) City on-street (Inhouse)	(f) Clear Streets Partnership with SoT
Maintain and, where possible, improve the flow of traffic	M	M	M	H	H	H
Take into account the needs of local residents, shops and businesses to support economic growth.	H	H	H	H	H	H
Actively support the needs of disabled people in terms of accessibility.	H	H	H	H	H	H
Actively discourage indiscriminate parking that causes obstruction	H	H	H	H	H	H
A service that is financially sustainable at a level that supports the required outcomes						
Efficiency from operating both on and off street enforcement	H	H	M	L	L	M
County Council financial control/risk on-street	L	L	M	H	H	H
District Council financial control/risk off-street	H	H	M			
Reduced overheads through shared back office and management		L	M	L	L	H
Efficiency from greater purchasing power		L	H	M	L	H
A cohesive and consistent approach to on-street parking and enforcement across the County that supports the local economy and town centres						
Consistency of approach to on-street enforcement	L	M	H	H	H	H
Single brand	L	L	M	H	H	H
Single point of contact	L	L	M	H	H	H
Consistency of approach to on-street parking	L	L	M	H	H	H
A service that is more responsive to the needs of local residents, shops and businesses						

	(a) District	(b) District consortia	(c) Single framework on & off street	(d) City on-street (external provider)	(e) City on-street (Inhouse)	(f) Clear Streets Partnership with SoT
Local knowledge	H	H	H	H	H	H
Local Parking Committee	H	M	L			
Local delivery	H	H	H	H	H	H
A flexible and adaptable resource to deliver enforcement						
Cross District boundary working		L	M	H	H	H
Ability to meet rising demand for enforcement		L	M	M	M	M
Greater opportunity for county wide intelligence lead enforcement		L	H	H	H	H
Ability to share costs to upskill management/workforce		L	M	H	H	H
Ability to take advantage of new technology/methods of working		L	M	H	H	H
A service that is able to take advantage of opportunities for joint commissioning						
Joint on and off street enforcement by the same team	H	H	M			
Opportunity to combine parking, environment & highway enforcement	M	M	H	M	M	M
Opportunity to combine with other Police enforcement	M	M	M	H	H	H
Long term agency agreement	H	H	H			H
A parking strategy that brings together on-street and off-street parking provision and management.						
A holistic approach to on and off street parking at a local level	H	M	M			M
Ability to meet rising demand for additional restrictions	L	L	M	H	H	H
High	11	9	10	17	17	20
Medium	3	6	16	3	2	4
Low	6	12	1	2	3	0
Total (H=3, M=2, L=1)	45	51	63	59	58	66

Appendix 2: Community Impact Assessment for “Keeping Staffordshire Moving : Civil Parking Enforcement

	Impact Assessment	
	+ve/neutral/ -ve	Further information [Degree of impact and signpost to where implications reflected within the report/main Assessment]
Assessment next to Outcomes and impact areas		
Prosperity, knowledge, skills, aspirations	+ve	The proposed scheme will ensure that Clear Streets are provided in order that the county remains attractive to businesses and visitors alike supporting the drive for inward investment.
Living safely	+ve	Attractive, well maintained highways help develop a sense of community, helping residents access services, reducing social isolation, crime, the fear of crime and anti-social behaviour.
Supporting vulnerable people	Neutral	N/A
Supporting healthier living	+ve	Ensuring that a high quality, functional built environment is available can increase transport choice, positively influencing health by connecting people to jobs and services; encouraging walking and cycling.
Highways and transport networks	+ve	The highway network is fundamental to Staffordshire’s economy and to the wellbeing of its population, carrying large numbers of people by public and private transport and delivering goods and services every day of the year. The highway also serves as a network that enables the provision of essential supplies of water, power and communications.
Learning, education and culture	+ve	Appropriate provision and management of parking can enhance the quality of life for people living in town centres, supporting the local economy and cultural offer.
Children and young people	Neutral	N/A
Citizens & decision making/improved community involvement	+ve	The proposed scheme would ensure that local communities are able to contribute to the sensitive management of parking on the highway and the local priorities for additional/amended parking restrictions and enforcement.
Physical environment including climate change	+ve	A reduction in the amount of activity of the network and, reduced levels of congestion associated with essential highway and utility company activity will reduce the level of CO2 emissions.
Maximisation of use of	Neutral	N/A

community property portfolio		
Equalities impact		
Age	Neutral	N/A
Disability	Neutral	N/A
Ethnicity	Neutral	N/A
Gender	Neutral	N/A
Religion/Belief	Neutral	N/A
Sexuality	Neutral	N/A
	Impact/implications	
Resource and Value for money In consultation with finance representative	The resource and value for money implications have been raised in the main body of the report and will continue to be addressed throughout the review.	
Risks identified and mitigation offered From corporate risk register categorisation	...	
Legal imperative to change In consultation with legal representative	...	

Health Impact Assessment screening:

- In summary no significant negative impacts on public health have been identified in respect to the outcomes of this report.

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