

## **SCRUTINY PANEL 24 FEBRUARY 2014**

- Present :-* Councillor Beverly Davies (Chairman)  
Councillors Marcus Harrington, Dave Harris, Jo Hayes,  
Peter Higgins and Gerard Oxford
- Substitute Members :-* Councillor Pauline Hazell for Councillor Kevin Bentley  
Councillor Colin Mudie for Councillor Nick Cope  
Councillor Ray Gamble for Councillor Mike Hogg
- Also in Attendance :-* Councillor Martin Hunt

### **52. Minutes**

The minutes of the meeting held on 28 January 2014 were confirmed as a correct record.

### **53. Items requested by members of the Panel and other Members**

The Panel received a report from the Head of Operational Services providing further information on a request made by Councillor Quince to review the Fundamental Service Review of Sport and Leisure.

The following issues were raised by Panel members:

- Councillor Beverly Davies stated that the Panel could look to review the Fundamental Service Review of Sport and Leisure in the next municipal year around September, which would allow for Scrutiny of a full years operation.
- Councillor Harrington stated that since the Sport and Leisure Service is not meeting its income targets then it should be added to the Scrutiny work programme.

*RESOLVED* that the Scrutiny Panel include a review of the Fundamental Review of Sport and Leisure in Autumn 2014 as part of the Work Programme for the next municipal year.

### **54. Work Programme 2013-14**

The Panel considered a report by the Assistant Chief Executive setting out the current Work Programme for the Panel for 2013-14.

Councillor Jo Hayes commented that all councillors are able to recommend items that are affecting Colchester for scrutiny, not just those on the Scrutiny Panel.

*RESOLVED* that for Work Programme for 2013-14 be noted.

## **55. Review of the North Essex Parking Partnership financial position**

The Panel received a report from the Head of Operational Services regarding the North Essex Parking Partnership (NEPP) financial position. This item was requested after the Scrutiny Panel felt that a further review of the North Essex Parking Partnership's finances be required after an original meeting on the 10 December 2013.

Matthew Young, Head of Operational Services, and Richard Walker, Parking Partnership Group Manager and Councillor Martin Hunt, Deputy Chair of the North Essex Parking Partnership Joint Committee introduced the report.

Matthew Young highlighted the main elements the report, which covered the three requests for information from the Scrutiny Panel meeting on the 10 December 2013. These were;

- Details of income generated by the NEPP
- Current extent of the NEPP deficit
- The measures proposed to address the deficit

With regards to the details of income generated by the North Essex Parking Partnership, the On-Street income includes issuing Penalty Charge Notices, resident permits, resident visitor permits as well as work on behalf of the County and Districts. The Off-Street is financed by contributions from the North Essex Parking Partnership authorities who have chosen to take this service and any additional work that is undertaken in those authorities.

Matthew Young stated that the North Essex Parking Partnership currently had a surplus of £52,000 in the On-Street account, which was expected to be £42,000 by the end of the financial year. However, the Off-Street account has a £44,000 deficit, but this is expected to decrease to £10,000 by the end of the financial year.

In the cases where a deficit does occur, Matthew Young stated that the North Essex Parking Partnership has to look at addressing the situation by increasing income or reducing expenditure. As this was the case at the end of the 2012/13 financial year, the North Essex Parking Partnership implemented the following changes;

- The number of CEO was reduced based on a recommendation by officers to the Joint Committee
- Budgets for expenditure were reduced in light of the efficiencies brought about by the introduction of electronic systems and the likely impact of the CCTV car
- The debt/bailiff process was improved to increase the income generated from PCN that reach this stage
- The deployment of enforcement was reviewed in all the three areas across the NEPP leading to an increase in number and quality of PCN issued

It was also mentioned that Essex County Council had been responsible for the deficit for the last two years, meaning that the partnership is now self-financing for 2013-2014.

The Partnership has a formalised committee which consists of 6 authorities for the On-Street services, and 5 authorities for the Off Street. It was recently agreed at this committee that if any surpluses/deficits occurred of £50,000 or less the total would be rolled over into the next financial year.

If, however the level of deficit is above £50,000 then it is shared between the authorities. If there is a surplus over £50,000 then a report will go to the Joint Committee in June regarding what the North Essex Parking Partnership will do with the extra money. However, it must be used for transport schemes.

The following issues were raised by Panel members:

- Councillor Davies – What happens if the deficit is above £50,000 and one of the partner authorities pulls out of the partnership?
- Councillor Davies – In reducing the number of Civil Enforcement Officers, there are potentially fewer Penalty Charge Notices issued. Is it prudent to reduce the number of Civil Enforcement Officers considering that it may reduce the level of income for the North Essex Parking Partnership?
- Councillor Harrington – A balanced budget for the North Essex Parking Partnership is necessary, however there is a perception that there is an underspend on Civil Enforcement Officers. Particular examples of this include Prettygate, especially around the peak schools time, and in Eight Ash Green, where there is not always a Civil Enforcement Officer available when required. Increasing the number of Civil Enforcement Officers could address this, and potentially provide greater income to the North Essex Parking Partnership.
- Councillor Harrington – Is there a possibility that some of the £42,000 On-Street surplus be spent on training for Part-time Civil Enforcement Officers that could assist with the high demand at peak-times?
- Councillor Harris – Asked for further information about the improved debt process.
- Councillor Harris – What would happen to the Parksafe car if partners in the North Essex Parking Partnership drop out?
- Councillor Hayes – Highlighted the situation in Castle Ward, where cars and lorries park on double yellow lines when work is being completed. It is potentially dangerous, and frustrates residents, but no Penalty Charge Notices are being issued.
- Councillor Hayes – With regard to loading and unloading, are there processes in place to differentiate between businesses and normal cars? Is there a record of dispensation and exemptions of Penalty Charge Notices?
- Councillor Hayes – Queried the lack of restrictions in the Town Centre during the evening, as although they exist during the day there are a number of visitors coming causing parking disruption.
- Councillor Hayes – Why is the surplus/deficit divided equally when Colchester is the biggest authority in terms of urban area?
- Councillor Hayes – The North Essex Parking Partnership is carrying out a highways function which potentially benefits Essex County Council as the Highways Authority. However they don't have the financial risk, can the District and Borough Partners be tougher in negotiation to redress this?
- Councillor Oxford – What are the North Essex Parking Partnership going to do to

reduce the level of Blue badge misuse? Some London Boroughs have additional powers which include removal of the vehicle.

- Councillor Oxford – Is the Parksafe car in use in other areas within the North Essex Parking Partnership?
- Councillor Davies – The North Essex Parking Partnership business model could be potentially unsustainable given the requirement to provide an adequate number of Civil Enforcement Officers to deliver the service but for this to be finely balanced with need to cover the cost of the service.
- Councillor Gamble – What happens in the situation where a Civil Enforcement Officer has issued a reduced number of Penalty Charge Notices, as this affects the budget?
- Councillor Hazell – A recent letter in the Gazette stated that the changes to the residents parking will be of a benefit to the Council, whereas it has been stated that this isn't the case. What is the position with regards to bringing in money from the residents parking?
- Councillor Higgins – Reiterated the point that the current arrangement where the deficit, although a small amount, is not shared with Essex County Council is unfair. Councillor Higgins also stated that there had been reports of a high number of Civil Enforcement Officers working together on certain roads. How does this contrast with the current arrangement of Civil Enforcement Officers working in pairs?
- Councillor Hazell – Enquired why parts of Lexden had been selected as a potential residents parking area, and sought clarification that if the majority of residents do not wish to have residents parking that it will not be implemented?

In response to issues raised, the following information was provided jointly by Matthew Young, Richard Walker and Councillor Hunt:

- The provision if a partner wishes to pull out of the organisation is included. The partner must give a years notice by the 31 March if they wish to exit the agreement, and this includes the requirement to pay a share of the total deficit, even if it is below £50,000.
- There is a balance that needs to be struck between the number of officers and income levels. The balance is worked out over the year, as a number of things can affect the number of Penalty Charge Notices issued, such as bad weather which means officers are unable to see the lines. The Parking Partnership are collating more and more statistical information, to help form a balanced budget, realising the impact of the seasonal differences especially in districts like Tendring. This helps to allocate resources more effectively. Civil Enforcement Officers can then meet demand; they also cover back office shortages or high workload levels.
- The Civil Enforcement Officers operate on a shift system, morning, late and off. There are a total of 48 Civil Enforcement Officers across the three enforcement areas (East, Central and West) working in a group of six to cover those shifts in pairs.
- It is very difficult to cover over 300 schools across the North Essex Parking Partnership area at such crucial times in the morning and afternoon. The North Essex Parking Partnership have looked at technology to help this situation e.g. Parksafe Car, which is being used outside schools. It is all about balance using the beat system. If there is evidence of repeated parking infringements then teams

can be deployed, but it is difficult to pull people away on demand. It is just not possible to be everywhere to cope with peaks in demand. The Parksafe car has been warmly welcomed in those areas that it has operated.

- There will always be an overhead with regard to employing further Civil Enforcement Officers, even when part-time, as they need to be trained. The North Essex Parking Partnership has looked into the possibility of seasonal Civil Enforcement Officers, and can also authorise overtime for existing staff when necessary.
- Once a Civil Enforcement Officer is put on site they have to be visible, as it is not legal to run a covert operation. This visibility will deter the problem in the area, but no one will receive a Penalty Charge Notice.
- The process behind enforcement follow-up and debt registration is very structured from end to end. Colchester's operations were very good, but some of those other merged operations needed improvement. This enables the North Essex Parking Partnership looks at the whole process fairly, with £7 added to the total charge for debt registration.
- With regards to the Parksafe car, no fee has been paid for the car, instead a fee is paid each time the car produces a successful evidence pack. The process of creating an evidence pack is fully automated as areas where parking restrictions exist are known by the car. The created evidence packs are then checked before being submitted. For each of the submitted evidence packs, which become a Penalty Charge Notice, a fee of £14 is paid to the car contractor.
- In response to Councillor Hayes, there are a number of different types of road signage that depict different rules for parking.
  - Designated clearways - No vehicles are permitted to stop (including Blue Badge Holders)
  - No loading – Where dropping off (boarding/alighting) of people is allowable, but no parking (including Blue Badge Holders).
  - Yellow Line – Loading and dropping off is permitted, no parking, but can be used by Blue Badge holders.
- In cases where vehicles are parking on yellow lines the Civil Enforcement Officer is required to observe whether the vehicle is in fact loading. If the Officer is seen and the vehicle departs the job has been completed. If there is no movement then a Penalty Charge Notice will be given. This however can be appealed, and if they company provides a delivery note the case will be dropped. Civil Enforcement Officers are able to stop on yellow lines in order to carry out their duties.
- In terms of the parking restrictions there are exemptions for those that need to be close to building sites, using visitors passes. It is sometimes difficult to identify whether those parked are on business, as some companies use normal cars. If there is building work taking place the North Essex Parking Partnership will speak to those businesses involved and discuss how they can comply with the parking regulations. With regard to the dispensations and exemptions generally traders have to display something in their window, but it is a balance between identifying whether the businesses are parked their due to necessity or just convenience. Details are kept, with the MiPermit system, which will soon be rolled out to a property level allowing the partnership to search for unusual parking patterns.
- In response to Councillor Hayes point about the night time economy and parking infringement, the officers responded that, Civil Enforcement Officers do work very

early shifts and very late shifts. If there is a particular problem at a particular time then it will be looked in to.

- All of the Districts in the Partnership are equal. Essex County Council are a non-voting partner in the North Essex Parking Partnership so only the six districts will decide what happens if there is more than £50,000 surplus or deficit.
- Noted the question from Councillor Hayes about the possibility of improving the negotiation position of the North Essex Parking Partnership from Essex County Council. In 2018 the contract for the North Essex Parking Partnership will require renegotiation and this could be something to discuss at that time. It is a balance as prior to the Partnership, Essex County Council were running the scheme at close to a £1m deficit. At that time they were exploring a number of options including outsourcing, instead the Districts opted to retain the services.
- With regard to the Blue Badge abuse, it used to be the case that all Civil Enforcement Officers could do was to ask to look at the badge and report it to the County Council. Now the Officer can seize the Blue Badge without the requirement of a Police Officer. This is an issue which is of regional importance and discussions taking place about further powers. With regard to the situation in London Boroughs, a lot of investigation takes place before they take that level of action.
- The Parksafe car is operating in other districts, and has been launched successfully in Epping. The car is able to do 4-5 schools at each time. If the car is a measured success then it may be feasible to get another.
- The same performance system for Colchester Borough Council staff is used for the Civil Enforcement Officers. Managers are aware of where they have been attending, and performance is monitored on an annual basis with conversations held every quarter. It may well be the case that although the number of Penalty Charge Notices is not high it is because the officer is doing their job and getting those offending motorists to move on. It's about being seen in the community not about issuing Penalty Charge Notices. It is also the case the staff would not be able to issue tickets when mobile, so if they are travelling to other districts they will not be issuing tickets.
- Councillor Hunt stated that the service by applying its policy could be seen to undermine its own income targets. Members of staff do not immediately ticket those offenders; they wait, observe, and then issue the ticket.
- The residents' parking aims to have a balanced budget, each parking price is set dependent on the area, in which a number of different factors are involved. The Council are not allowed to make a profit from the residents' parking, and can only budget for it covering its own costs. Money from Penalty Charges Notices cannot be used as it is ring-fenced.
- The point by Councillor Higgins regarding the deficit not being shared by Essex County Council was noted.
- With regard to the number of staff out on the street point from Councillor Higgins, all shift patterns are in pairs, however there are times when more than two are patrolling when training is being delivered.
- Councillor Hunt responded to Councillor Hazell by stating that if the majority do not want residents parking, then it won't happen.

*RESOLVED* that:-

(a) The Panel thanked the officers and Deputy Chairman of the NEPP for attending the meeting and presenting the report.

(b) The financial position of the North Essex Parking Partnership be noted.