

Committee: Scrutiny

Agenda Item

Date: 26 September 2016

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Title: **North Essex Parking Partnership –
Extension of the Joint Committee
Agreement**

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Item for information

Summary

1. The Chairman and Vice Chairman have requested the following information to assist the Committee to consider if it wishes to recommend to Cabinet that Uttlesford District Council signs up to the four year extension of the Joint Committee Agreement offered to the North Essex Parking Partnership (NEPP) by Essex County Council.

Recommendations

2. The information in the report be noted.

Financial Implications

3. Currently UDC pays NEPP £154,000 a year for services in respect of off street car park management. It makes no financial contribution to on street parking enforcement, although there are obviously costs associated with the participation of members and officers in NEPP. Based on advice from NEPP as to the level of resource UDC would require to manage its off street car parks itself, there would be no financial saving in so doing. Indeed, it is likely that such an approach would increase revenue expenditure on this function without achieving any advantage. More information is included in the report below.

Background Papers

4. The following papers were referred to by the author in the preparation of this report and are available for inspection from the author of the report.

None

Impact

- 5.

Communication/Consultation	
Community Safety	
Equalities	

Health and Safety	
Human Rights/Legal Implications	NEPP operates under a Joint Committee Agreement between ECC as the highway authority and the north Essex authorities, with Colchester BC serving as the host authority. This superseded the previous arrangement whereby ECC delegated its on street traffic regulation powers to district and borough councils.
Sustainability	
Ward-specific impacts	
Workforce/Workplace	If UDC took on functions currently provided by Colchester BC as the host for NEPP, TUPE would apply to staff mainly deployed on tasks for Uttlesford

Situation

6. The NEPP was formed in April 2011 and reports to a Joint Committee (JC) of ECC under a seven-year agreement.
7. The six District and Borough Councils in North and West Essex are Members of the JC and are represented by Councillors at the Committee meetings. These Councillors must be 'Executive Members', in other words members of the Cabinet. Essex County Council (ECC) attend the meetings and this is normally the Portfolio Holder responsible for Highways & Transportation.
8. The JC meets four times a year, with its AGM in June. The NEPP JC receives operational, financial and other relevant reports from officers. The officers are employed by Colchester Borough Council which is named in the Joint Committee Agreement (JCA) as 'lead authority'. Each of the District and Borough Councils (the "client authorities" of NEPP) has a client officer with whom the NEPP officers maintain regular contact and an officer from ECC also attends.
9. As a member of the NEPP JC, Uttlesford District Council through its Portfolio holder for Environmental Services has a say on proposals for new On Street TROs and amendments to existing Orders. If it were not a partnership member, NEPP would still make decisions on Uttlesford On Street TROs, but UDC would have no influence on the process other than as a consultee. Member authorities of the NEPP JC have the option of using NEPP to manage their off Street Car parking in accordance with district/ boroughwide Off Street Parking Orders made by the relevant district/ Borough council.

10. A call in of a decision on an On Street Parking Order taken by the JC under powers delegated from ECC as highways authority needs to be referred to the ECC Place Services and Economic Growth Scrutiny Committee for consideration. The Place Services Scrutiny Committee can refer the matter back to the NEPP JC, refer the matter to ECC Full Council for it to consider whether to refer the matter back to the NEPP JC, or to accept the decision be implemented.
11. The current JCA includes an option to extend for a further four years when it terminates in March 2018. ECC have indicated their intention to take up that option and offer both the North and South partnerships an extension to the existing JCA through to March 2022.
12. The JCA will retain the vast majority of its existing clauses. However, the following amendments have been made by ECC in relation to the offer of the four-year extension:
- For the last two years of original seven year agreement:
 - 16/17 - ECC Signs and Lines subsidy at reduced levels (North - £120k and South £30k)
 - 17/18 - No ECC subsidy, but business cases brought forward in 2016/17 for investment consideration
 - change to funding and more innovation/ efficiency/ modernisation with ECC operating as a co-investor providing capital funding, against agreed income generation and innovation business cases
 - The Partnerships to produce a review and report on best value approach for delivering Signs and Lines maintenance and creation of new schemes
 - The Partnerships to consider ways to improve links to Local Highways Panel (LHP) possibly via link to Highways Liaison officers to provide meeting dates and scheme information

In addition the project team that worked on the extension agreement, involving Members and officers from ECC and both parking partnerships, agreed a development plan to be implemented through the life of the extended agreement. This is attached to this report as Appendix One.

Financials

13. Under the original JCA, ECC provides some financial support to NEPP. This is to supplement the income from on street parking charges and PCNs so that NEPP balances its on street parking budget. It is intended as a contribution towards the costs of providing and maintaining signs and lines. Apart from over heads in running the partnership, the cost of enforcement of on street regulations, the costs of maintaining road markings and signs required for a TRO, implementing new TROS and amendments, and ticket machines where used, need to be covered. District and Borough Councils do not contribute to the costs of managing on street parking. ECC

14. The cost of off street car park management is recharged to each council which exercises its option to use NEPP. Currently five do so. Tendring is the exception. But Epping Forest has given the requisite notice that it will taking back its car parks from April 2017. It will be using a private contractor and is currently in the procurement process.
15. Car parking income is collected by NEPP's contractor, currently G4S, and credited directly to each council. Penalty Charge Notice income is similarly passed to each council, as is income from season tickets. Currently, UDC's share of off street parking management costs is £154,000. NEPP will undertake the processes of amending a district wide off street parking order, but these are recharged separately on an at cost basis. Apart from some agreed retention to maintain a reserve (£50,000 in 2015/16), any surplus from the total of council contributions over operating costs is redistributed to the councils currently in proportion to their respective contributions. In 2015/16 UDC received a 12% share, which was £10,098.
16. UDC income from its car parking charges totalled £975,856 in 2014/15. PCN income totalled £48,124. For 2015/16 the figures were £913,340 and £41,392, although there were exceptional circumstances because of the redevelopment of the Faircroft Road car park.
17. Should the council have to take on management of off street parking itself because no extension of the NEPP JCA is agreed, or like Epping and Tendring it chooses to take this responsibility back, it would either need to contract this out, or put in place the necessary in house resources. NEPP advises these would need to comprise:

Staff	4.25 FTE (incl 1 FTE manager)	£113,360
Contracts	Cash collection Machine maintenance Processing PCNs and permits Cashless and virtual payments (eg MiPermit)	Contract costs would need to be established through procurement. NEPP benefits from economies of scale that would not be available to UDC
Corporate recharges	Corporate management Payroll Office space	A significant increase in recharges would be expected if the function had to be directly managed
Capital investment	Replacement ticket	

	machines, machine updates and related equipment	
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18. Responsibility for maintaining , street car parks is for the most part a district/ borough responsibility so UDC maintains the lighting, parking surface, marking of car parking spaces, and any landscaping, with NEPP only responsible for ticket machines. UDC has separate budget heads for maintenance expenses.
19. In addition to the car parks it owns, NEPP manages a number of other car parks in the district on behalf of UDC and the owner. These are:
- Crafton Green, Stansted (Stansted Moutfitchet Parish Council)
 - Fairycroft Road, Saffron Walden (John Lewis Partnership in part, part Pig Market Charity, part UDC)
 - Rose and Crown, Common Hill, Saffron Walden.
20. To the above, there is potential to add Catons Lane, which is owned by Saffron Walden Town Council, and is currently free to users.
21. Management agreements are in place between UDC and the owners. The terms reflect the different circumstances in each car park, and the extent to which the owner wishes to control charging and maximum stay to meet their own objectives.

Penalty Charge Notices

22. NEPP is required to publish an annual statement setting out relevant information for transparency purposes. This is on the basis of the enforcement authority area, and therefore is for the whole North Essex area The Annual Report data for 2015/16 was presented to the JC in June. The PCN information starts on page 97 of the On Street JC agenda pack. A full draft report will be prepared for the JC to be held in October. Full information for 2014/15 is available from page 14 in that Annual Report. Information about off and on street PCNs for the YTD by month by district, with comparative information for every month back before the establishment of NEPP to April 2010 is presented to each quarterly JC meeting. The information presented at the end of June is to be found in the On Street Operational Report on pages 108-110 and in the Off Street Operational Report on pages 129-131 of the Joint Committee papers.

Risk Analysis

23.

Risk	Likelihood	Impact	Mitigating actions
Separating the enforcement of on and off street parking could increase the total cost to residents.	3 There is potential for duplication in travelling costs of enforcement officers and management costs and procurement	2 Costs would need to be established	
Limited resilience within Uttlesford off street parking service	3 The team would be small and vulnerable to covering sickness absence. Team would lack the expertise and specialist knowledge of NEPP and its ability to share with SEPP.	2/3 Would depend on nature of absence.	Look at outsourcing

1 = Little or no risk or impact

2 = Some risk or impact – action may be necessary.

3 = Significant risk or impact – action required

4 = Near certainty of risk occurring, catastrophic effect or failure of project.