
Meeting: Sustainable Communities Overview & Scrutiny Committee
Date: 22nd June 2010
Subject: Civil Parking Enforcement
Report of: Basil Jackson – Assistant Director Highways & Transport
Summary: The report provides Members with an update on the current status of the civil parking enforcement scheme and possible options for future development of this service area.

Contact Officer: David Bowie (0300 300 6206)
Public/Exempt: Public
Wards Affected: All
Function of: Executive

CORPORATE IMPLICATIONS

Council Priorities:

The Council priorities affected by this paper are:

- creating safer communities; and
- managing growth effectively.

Financial:

Any improvements in the civil parking enforcement service should be developed to be, at least, cost neutral.

Legal:

In April 2009, Central Bedfordshire Council (CBC) succeeded Bedfordshire County Council (BCC) as highway and traffic authority for the road network in Central Bedfordshire. An important function of the traffic authority is to manage on and off-street parking. From February 2004, BCC delivered this aspect of its legal responsibilities through a contract with Vinci Park Services. To be legally enforceable, parking services must be compliant with the Traffic Management Act 2004.

Risk Management:

Failure to deliver efficient and effective parking enforcement would be detrimental to the safe and expeditious use of the road network and could be damaging to economic growth. Failure to deliver a cost neutral parking enforcement service could have detrimental financial implications to the authority.

Staffing (including Trades Unions):

TUPE will apply to civil enforcement officers and management personnel currently delivering civil parking enforcement. This will only be of significance if the council decides to deliver services internally.

Equalities/Human Rights:

Creating an attractive and accessible public realm has a part to play in getting people out and about, especially the more vulnerable members of the community who might experience isolation. The Vinci Park contract is specifically set up to utilise customer feedback as an essential part of developing an accessible public realm. Enforcement of disabled parking bays ensures that blue badge holders have fair access to the public realm.

Community Development/Safety:

The Traffic Management Act was introduced in 2004 to tackle congestion and disruption on the road network. The Act places a duty on local traffic authorities to ensure the expeditious movement of traffic on their road network and those networks of surrounding authorities. The Act gives authorities additional tools to better manage parking policies, moving traffic enforcement and the coordination of street works which are all important components of community safety.

Sustainability:

The effective management of parking is a key part of accommodating Central Bedfordshire's growth agenda and ensuring that we are "open for business".

RECOMMENDATION:

Sustainable Communities Overview & Scrutiny Committee is invited to note and comment on the content of the report.

Background**Policy context**

1. Central Bedfordshire inherited responsibility for on and off-street parking from its constituent authorities. Parking plays a key role in the Council's transport policies. It provides the opportunity both to stimulate economic growth, particularly retail growth and, where appropriate, to help control congestion by managing demand. The Council is in the process of developing a new Local Transport Plan for the area and a revised parking policy will form part of this plan.
2. A key element of parking policy is enforcement. Effective parking enforcement ensures that our roads are safe to use and free from unnecessary delays and disruption due to injudicious parking, provides residents with a fair opportunity to be able to park within the street in which they live and supports economic growth by providing safe, affordable and convenient off-street car parking. In summary, the parking service's key objectives are to:-
 - (a) provide a safe and free-flowing road environment by discouraging injudicious on street parking;
 - (b) support economic regeneration and local businesses by providing safe, convenient and competitively priced off-street parking;

- (c) promote sustainable transport; and
- (d) provide residents with a fair opportunity to park within the street in which they live, free from commuters and shoppers.

Current Enforcement Structure

3. The current contract with Vinci Park to undertake civil parking enforcement in Central Bedfordshire has been extended until 31st December 2010. Vinci Park carry out civil parking enforcement activities on behalf of the Council including, patrolling on and off-street car parks and restrictions, issue and process of penalty charge notices (PCNs), cash collection, ticket machine maintenance and the staffing of the Leighton Buzzard multi storey car park.
4. Central Bedfordshire's Parking Enforcement team, based at Dunstable (consisting of 2 parking assistants, Assistant Parking Manager, and Parking Manager (vacant)) are responsible for managing challenges, representations, non-payments, permits, on and off-street traffic regulation orders, management of parking accounts, service provision and development including production of the annual parking report.

Annual Parking Account financial year 2009 - 2010

5. The current financial position is due to be finalised by the end of June 2010 and estimates show that a small surplus of revenue has been generated from the undertaking of civil parking enforcement. Vinci Park was paid a total of £965,647 for enforcement and operational services with an approximate income generated to the authority of £1,050,000 from car park fees and PCN payments. Approximately 73% of the income received comes from car park fees and permits, of which 80% is generated from short stay parking (less than 2 hours). This equates to nearly £635k of the revenue received, illustrating the important role short stay parking fees play in providing a balanced budget.
6. In period, 10765 valid PCNs were issued across the Council area as a result of 15528 hours of civil parking enforcement (see Appendix A – Tracking Report). The current charges for civil parking offences are £50 for a minor offence and £70 for a major offence. If paid within 14 days of issue the PCN charge is reduced by 50% and if not paid within 28 days is increased by 50%.
7. By the end of the financial year 2009/10 the Council had received 2717 appeals of which 2146 (79%) were upheld. This compares to 84% being upheld under Bedfordshire County Council. This demonstrates a fair and even handed approach to appeals by the Council. The types of appeal that are generally accepted are where motorists have been issued with a PCN due to non display of a parking ticket but have later demonstrated that they did purchase a valid parking ticket. In addition to the number of direct appeals, 25 appeals were lodged with the Parking Adjudicator. Of these, the Council decided not to contest 7 of the appeals with Council winning 12 of the remainder.

8. Whilst a small surplus of revenue income is welcome, it should be noted there are currently in excess of 100 notified defects to signs and lines on the Central Bedfordshire road network, which currently render affected sections unenforceable. Bedfordshire Highways has been issued with a defects list and a purchase order for £25,000 to rectify these defects within the financial year 2010 – 11. In addition, repairs will soon be required to the multi-storey car park in Leighton Buzzard and several of the existing pay and display machines are in need of replacement as they are coming to the end of their serviceable lives. Assessments are currently being undertaken to determine the extent of the capital funding required for these and when it will be necessary to undertake the work.
9. The current parking enforcement scheme has been operational for over six years and has not changed substantially during that time except for the mandatory changes imposed by the Traffic Management Act 2004 brought into effect at the end of March 2008. The current parking enforcement scheme is compliant with the requirements of the Traffic Management Act 2004 part 6.
10. Understanding the current status of parking enforcement, and recognising that the Vinci Park contract is due to cease at the end of December 2010, gives the Authority the opportunity to consider how it can improve the service it provides to its customers. In addition, the service could be considered in the wider context of a Central Bedfordshire 'Uniformed on-street presence' dealing with a wider range of public services (including fly-tipping, graffiti, dog fouling etc).

Options for Future Civil Parking Enforcement

11. Parking enforcement can be delivered in one of two ways; either as an externalised service (as with the current provision) or internally by officers employed directly by the Council. The two approaches have different risks and benefits. For example, the current externalised contract is restricted insofar as all civil enforcement officers are all employed from Dunstable and therefore areas outside of Dunstable have travel time included in their enforcement time. This means that a day's worth of civil enforcement in Sandy / Potton may actually only equate to 4 ½ to 5hrs worth of on-street enforcement presence.
12. A draft parking enforcement contract has been developed to re-tender the current parking enforcement service. Within that contract each element of the parking service has been itemised within a menu system allowing the client to pick and choose the services it requires the external contractor to provide. For example, the Authority could undertake notice processing internally and, based on the current contract rates, could save in the region of £35,000. Unfortunately, the current contract does not allow the Council to undertake this operation itself without penalty. It should be noted that the re-tendering process may reduce current costs of this service provision by a similar amount. In addition, options within the contract can provide mobile camera parking enforcement to give a rapid area wide response and provide more expedient and efficient enforcement on traffic sensitive roads. Nevertheless, the form of contract to be tendered will give the Authority the option to deliver services internally where it considers it can provide that activity on a more cost effective or efficient basis than that tendered by the contractor.

13. In addition to continuing with externalised provision, officers will obtain estimates of cost in providing the total service in-house and also part externalisation of services with the provision of civil enforcement officers from the Council's existing arrangements within the Highways Managing Agent Contractor contract.

Parking Strategy

14. In dealing with how the parking enforcement service is delivered, elected members will need to consider how parking can be utilised to deliver corporate objectives. As part of the LTP3 process the Authority will need to develop a strategy for dealing with parking which will cover residential, commuter, shopper, leisure user and employee parking in our towns and villages. The strategy will consider pricing structure and the development of the off-street parking offering with an emphasis on aiding regeneration of our town centres and facilitating future growth in Central Bedfordshire.
15. The appointed consultants will be considering how best to utilise the current resource and to consider the benefit of moving over to a self managed car park system (i.e. pay on foot / automatic number plate recognition) highlighting where such a "spend to save" proposal would benefit both customers and the Council. Whilst such options may be viable in town areas, it is recognised that village and rural areas will require other bespoke solutions. The role of town and parish councils in this process is key to the successful delivery of our strategy, so there will be options for them to buy-in extra resources for parking enforcement.
16. Officers will shortly be inviting traffic and transport consultants to bid for the development work for the future Central Bedfordshire Parking strategy. It is expected that a consultant will be appointed in September / October with a first draft for member consideration being available in January/February 2011. This does not preclude the Council from the re-tendering, or otherwise, of its existing civil enforcement contract as the day-to-day enforcement of restrictions falls outside of the wider strategy for the development of parking provision within the Authority.
17. Members should note that the current expiration date for the Vinci Park contract (December 2010) does not allow sufficient time to develop a new strategy and carry out any associated procurement processes. Members are therefore advised that it will be necessary to further extend the current enforcement contract. Project milestones for delivering the strategy and enforcement service are as follows:

Action	Date
Develop consultant brief for Parking Strategy	Completed
Issue tender documents for Strategy	July 2010
Appoint Strategy consultant	September 2010
Arrangements made to extend the existing Vinci Park contract	September 2010
Develop parking strategy covering residential, commuter, shopper, leisure user and employee parking	Sept 2010 – March 2011
Member consultation on Strategy options	Jan / Feb 2011

Preparation of Enforcement tender documentation/in-house delivery process	To be completed by August 2010
Expressions of Interest for Enforcement Contract Advertise in OJEU	September 2010
Tender Process	Nov 2010 – Jan 2011
Tender assessment	Feb 2011
Member endorsement	March 2011
Implementation	April 2011

Appendices:

Appendix A – CEO Tracking Report