



Environment and Transport Select Committee
19 September 2012

Operation of Civil Parking Enforcement in Surrey

Purpose of the report: To update the Committee on proposed enforcement arrangements and to ensure the Committee's views are reflected in a report to Cabinet in October 2012.

Introduction

1. The County Council is responsible for the management of on-street parking enforcement. Currently, this function is discharged through agency agreements with 9 of the 11 District / Borough Councils. From April 2011, Tandridge and Waverley have been managed by Reigate & Banstead and Guildford Borough Councils respectively.
2. The current agency agreements with our nine partners are due to expire at the end of this calendar year and there is therefore a need to enter into new arrangements. This affords an opportunity to examine the agreements to ensure they offer the best solution for all parties. A report detailing the proposed new arrangements will be presented to Cabinet for decision in October 2012 and the views of this Committee will be reflected.
3. In the event that a new agreement is not reached with a District/Borough, the Cabinet will be asked to ensure there is an option for the County Council to extend the existing agency agreements to ensure continued levels of service.
4. Following extensive discussions with relevant parties over the past two years at both Member and Officer level, a number of parameters for future agency agreements have been developed. These are set out in this report at sections 12-20.

Background

5. Much improvement has been made in the operation, management and financial viability of Civil Parking Enforcement since the County Council first took over responsibility from Surrey Police (on a phased basis between 2004 and 2007). On-street parking is the responsibility of the County Council although the police do retain powers to deal with incidents of dangerous parking or obstruction.
6. Parking enforcement can be a contentious issue with some residents and Members. Residents often demand new restrictions to suit their personal circumstances and there is often a contradiction of views within any one local area. Officers receive frequent complaints that overzealous enforcement can be detrimental to small businesses and the economy as a whole. Conversely, complaints about lack of enforcement are equally commonplace. In general there are three types of enforcement:
 - Safety / traffic critical – essential to protect sight lines or traffic flow
 - Environmental / economic – aids a specific local area (e.g. limited waiting bays) but can be resource hungry
 - Educational – enforcement that can assist with driver behaviour and residents' concerns, such as anti-social parking across drives.

Within Surrey, Local Committees are responsible for introducing or amending any parking restrictions. It should be expected that if the Local Committee agrees they are necessary, all restrictions will be enforced. The frequency of enforcement will vary depending upon need and resources.

7. On-street parking enforcement is not a mechanism for generating income. However, if through good operational management a surplus is generated it is legitimate to use this for the benefit of residents or highway users. The precise definition of how it can be used is prescribed in law, but broadly speaking it is acceptable to use it on the highway or open space / parks to which the public have access.
8. Since April 2011, our enforcement agents have accepted responsibility for any operational deficit. To simplify the arrangements, the historic split between "Civil Parking Enforcement" and "Controlled Parking Zones" has been removed – there is now a single parking account for each District. This is a marked change from previous arrangements where the County Council was responsible for any financial deficits. To reflect this change, the County Council agreed to ring fence any surplus from 2011/12 to assist agents who operated at a deficit. Figures from 2011/12 all indicate that there has been a substantial improvement in operational efficiencies.
9. In 2011, the County Council investigated the possibility of applying more comprehensive on-street charging arrangements. In the right locations

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there is much merit in on-street parking charges as it encourages “churn” of parking places and is easy to enforce. The report to Cabinet will not consider new on-street charges as this function has been explicitly delegated to the Local Committees.

10. In 2010 the County Council looked at the viability of entering into either a single or four area contracts for parking enforcement with the private sector. Formal contract notices were published and expressions of interest received from a number of private sector enforcement companies (the Districts and Boroughs did not express a formal interest in bidding for these contracts). After careful consideration of the benefits and potential drawbacks, the decision was taken to not proceed with this model. There is no intention to revisit this option as the County Council is committed to continue working with the Districts and Boroughs.
11. In late 2011, much work was undertaken by the County Council and the Districts and Boroughs for consortium working. Successes with Guildford operating in Waverley and Reigate & Banstead within Tandridge gave momentum to investigating the options and efficiencies. In the north-west of the County, Officers and Members looked at joint working between Woking, Elmbridge, Runnymede, Spelthorne and Surrey Heath. The exercise was undoubtedly of value, but ultimately discussions failed as there was a reluctance amongst some of the partners to commit. Similar less advanced discussions were held with authorities in the east of the County. Nevertheless, all parties indicated that they would like any new agency agreements to have the flexibility to accommodate this if in future the circumstances are right.

Proposed agreements

12. The Districts and Boroughs are responsible for managing and enforcing their own off-street car parks. There are advantages and efficiencies in Districts and Boroughs also having responsibility for on-street enforcement and it removes ambiguity for the travelling public. By entering into agreements with Districts / Boroughs, Civil Enforcement Officers (formerly known as parking attendants and renamed through the Traffic Management Act 2004) are able to work seamlessly both on and off street. In Surrey, parking enforcement is a good example of two tier local government working together.
13. Over the last two years, discussions have been held between all parties at Officer and Member level, with various options being considered. In early 2011 the Environment & Transport Select Committee established a Member on-street parking task group. Many of the recommendations within this report are based on its conclusions and discussions held between authorities.
14. Earlier this summer the Cabinet Member for Environment and Transport wrote to Leaders of the Districts and Boroughs. His e-mail contained the following points as the basis for any future agreements

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- Minimum five year agency agreement, with a presumption for rolling extensions.
- Flexibility in any agreement to facilitate cross boundary working, if and when proposals are agreed between Districts and Boroughs.
- Local Committees to be responsible for setting levels of charge, subject to minimum fees (such as resident permits, suspensions and dispensations etc.) set County wide.
- A limited number of performance indicators, agreed by all parties.
- Local Committees to be responsible for approving new parking schemes.
- Scrutiny by the Joint Local Committee of the District / Borough and County.
- Operational management will remain the responsibility of the enforcement District / Districts or forms of consortia.
- Operational deficits remain with the enforcement provider.
- Operational surpluses will be subject to an agreed split between all three partners*

** during discussions at Surrey Leaders a split of 60/20/20 between the Local Committee, Enforcement Agent and County Council was proposed*

Below are the parameters of the future arrangements upon which Members' comments are sought.

15. *Duration of agreements* – there is a need to offer some certainty to all parties so investment and staffing levels can be properly planned. It is therefore proposed that all agreements are for a minimum of five years, with rolling two year extensions agreed a minimum of one year prior to the current end date of any agreement) subject to all parties being in agreement. The expectation is that a formal review will be undertaken by all parties after the second complete year of operation to enable any agreed service improvements / agency changes. The agreements will have the normal break clauses of 12 months notice (by either party) or 6 months if there is an agency breach.
16. *Flexibility of agreements* – any agreement will be with the enforcing agent. As earlier stated, there is a desire for collaborative working. The agency agreement will facilitate this by enabling agents to work together and revised agreements (subject to scrutiny and cost clauses to be maintained) will be issued as required.
17. *Finance* – no matter who undertakes enforcement, on-street parking remains a County Council function. The agents will be expected to provide final accounts by the end of June for the preceding financial year. Any operational deficits (i.e. expenditure is more than income) will remain the responsibility of the agent. Any operational surplus will be distributed as explained in section 14, subject to minor local variations as agreed by the Cabinet Member. Transfer of any surpluses (if they exist) will take place at the end of June.

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A standard financial spreadsheet is being developed by Surrey Treasurers. All agents will use this as a template so there is consistent reporting. If an agent enforces more than one district, there will be separate accounts for each area.

It is reasonable to expect enforcement to be targeted where there is the likelihood of it being financially sustainable or safety critical. If extra enforcement is required (say for a specific event or due to local Member concerns that are non safety critical) additional funding can be agreed by the Local Committee.

A share of any operational surplus will be returned to the enforcement agent to help drive efficiencies, with the bulk of the funding being allocated to the Local Committees. All Local Committees have representations from both County and Borough Members with equal voting rights for highway matters. This will enable the Local Committee to allocate any surplus as it deems appropriate to suit local needs or priorities.

18. *Governance* – it is expected that our agents will report operational performance and current parking trends to the Local Committee. It will be for the Local Committee to determine the terms of reference which best suits its particular local circumstances although there will be standard performance reporting (see section 19) which can be used as a consistent benchmark. It is anticipated that the Local Committee will wish to establish steering groups to advise the agent of issues or policy concerns in its area. Responsibility for the actual day to day management and operation of the parking enforcement service will rest with the enforcement agent, not the Local Committee.
19. *Performance* – A range of Key Performance Indicators (KPIs) for on-street enforcement have been developed in collaboration between the County Council and Districts and Boroughs. These have been developed to be:
 - Robust
 - Meaningful
 - Measurable

Key to KPI development was that they should reflect not just cost and financial information, but also take into account level of service and customer and Member satisfaction with the on-street parking operation.

The proposed KPIs are:

1. Total cost to administer the on-street parking service – the overall net cost of operating the on-street enforcement element of the parking service.
2. Civil Enforcement Officer (CEO) deployment efficiency - this measures the number of hours of deployed CEO time spent on-street or travelling to sites as a ratio of the total cost of the enforcement operation

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3. Penalty Charge Notices (PCNs) issued per deployed hour - the total number of PCNs issued as a ratio of the total number of CEO hours on-street.
4. PCN cancellation rate - the total number of PCNs cancelled as a ratio of the total number of PCNs issued.
5. PCN appeal rate – the total number of PCNs successfully appealed, as a ratio of the total number of PCNs issued.
6. Reliability and management of Pay and Display (P&D) machines - measuring the provision of information for all completed tasks, as well as maintaining accurate and comprehensive records for all tasks.
7. Time taken to issue parking permits / dispensations / suspensions – measuring the average number of days taken to deal with general customer requests for service (excluding PCN appeal or comments on parking restrictions).
8. Customer / Member satisfaction – a measurement of Member satisfaction through an online survey, which importantly measures perception as well as results.

The complete KPI spreadsheet can be found at Appendix A. It is expected that performance levels will be agreed with agents and evolve with operational experience.

20. *Standards of enforcement* – all agents will provide a minimum level of enforcement for all restrictions, but it is not possible to enforce all roads all of the time and it is expected that agents will use their resources to target safety concerns / disruption. Working with the County Council agents will prepare enforcement models stipulating the minimum level of typical enforcement for various types of restrictions / roads. This will be subject to scrutiny by the Local Committee. Local Committees will be able to “top up” levels of non cost effective enforcement (such as non-pay and display limited waiting bays), from local budgets under their control if this is a priority.

Provisional views from Surrey Districts and Boroughs

21. Overall there has been a positive response to the proposals from the nine Districts and Boroughs which currently act as our agents. Both Tandridge and Waverley have confirmed that they do not wish to become involved and are happy for others to undertake on-street enforcement within their Districts. Negotiations are ongoing but it is expected that the following will accept these arrangements

Elmbridge
Epsom & Ewell
Guildford / Waverley
Mole Valley
Runnymede
Spelthorne

Woking

Discussions are ongoing with Surrey Heath and Reigate & Banstead for their area and for enforcement in Tandridge. It is expected that issues will be resolved although if this is not possible alternative arrangements will need to be established.

Temporary provision in the event of no agreement

22. There is a need to ensure continued parking enforcement in the event that one of our current agents declines to enter into a new agency agreement. Therefore it is recommend that the Assistant Director, in consultation with the Cabinet Member, has the authority to:
- a) authorise other Districts to undertake enforcement where the principal District no longer wishes to be involved and enable transitional arrangements to cover any risk / cost
 - b) temporarily extend existing agreements while negotiations are concluded

Finance and value for money

23. As stated in paragraph 5, on-street parking enforcement is not a mechanism for generating revenue but neither should it operate in a manner which causes a financial loss. The responsibility for managing the service in a cost effect manner will rest with our enforcement agents. For information the provisional outturn figures for 2011/12 are detailed in the table below.

District	Expenditure	Income	Net cost
Elmbridge	£521,575	£560,550	-£38,975
Epsom & Ewell	£210,117	£227,747	-£17,630
Guildford	£834,704	£1,367,822	-£533,118
Mole Valley	£156,914	£85,476	£71,438
Reigate & Banstead	TBC	TBC	TBC
Runnymede	£139,170	£80,358	£58,812
Spelthorne	£99,347	£99,347	£0
Surrey Heath	£286,260	£151,000	£135,260
Tandridge	TBC	TBC	TBC
Waverley	£168,818	£176,317	-£7,499
Woking	£735,227	£982,895	-£247,668
TOTAL	TBC	TBC	TBC

Development of new restrictions and parking schemes in Surrey
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24. At this time, any new restrictions or requests for parking schemes are considered and approved by the relevant Local Committee. The Parking Team leads on these requests for all Districts, except Guildford. Historically Guildford Borough Council has promoted its own schemes, although the approval mechanism is still through the Local Committee.

25. Decisions on all parking schemes will continue to go through the Local Committee process with Officer support from the parking team / Guildford Borough Council.
26. If there is a desire and capacity with our enforcement agents, there is scope to enable them to locally lead on future reviews. There are resource implications, but this can be considered as part of future reviews. Agency agreements will be designed to enable this flexibility.

Way forward

27. A report setting out the suggested parameters for future agreements will be presented to the Cabinet in October and will reflect the views of this Committee.
28. Legal Services will work with the Districts and Boroughs to confirm agency agreements
29. The Parking team will take the lead working with relevant Districts / Boroughs to establish formal scrutiny procedures for the Local Committee

Equalities Implications

30. Appropriate parking enforcement can assist those with visual or mobility impairment.

Risk Management Implications

31. There is a risk that parking enforcement will cease if suitable arrangements are not in place. Experience elsewhere has shown that this would have serious implications for traffic flow, parking congestion and road safety.

Implications for the Council's Priorities or Community Strategy/Local Area Agreement Targets

32. Parking enforcement contributes to the objectives of the County Council's Surrey Transport Plan.

Recommendations:

That the Committee supports:

- a) The introduction of new agency agreements in line with the terms specified within this report.
- b) The ability for the Local Committees to have a formal scrutiny role for on-street parking enforcement within their area.

- c) The Assistant Director, in consultation with the Cabinet Member, be authorised to enter into suitable alternative short term arrangements to ensure continuation of on-street parking enforcement.

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Sources/background papers: Operation of Civil Parking Enforcement report to Select Committee Feb 2010, May 2010 and Nov 2011. Operation of Civil Parking reports to Cabinet March 2010, June 2010 and Feb 2012.

Annex A

KPI Ref	Operational KPI's	Green Level Performance	Amber Level Performance	Red Level Performance	Definition	Management Information Inputs	Means of Calculation	Data Sources	Means of Validation	Frequency	Comments
COST											
1	Total cost to administer parking services	TBC	TBC	TBC	The overall net cost of operating the parking service	Total staffing costs, plant, IT, accommodation, all overheads, all income	Overall cost charged to parking account/total income paid into parking account	Finance	Validation by district - county audit	Quarterly	This KPI needs to be district specific as any on street charging will significantly impact this
2	CEO deployment efficiency	TBC	TBC	TBC	This measure the number of hours of deployed CEO time spent on-street or travelling to sites as a ratio of the total cost of the enforcement service	Number of CEO on-street hours, all costs	Total number of deployed hours/total cost of enforcement service	Parking manager and finance	Daily works sheets and finance out turns	Quarterly	This reflects the amount of time spent on the ground providing a front line service as a ratio of cost to provide the service
Performance											
3	PCN per deployed hour	TBC	TBC	TBC	The total number of PCNs issued as a ratio of the total number of CEO hours on-street	Totals of PCNs issued and CEO on street hours worked	Total PCNs issued / total CEO on-street hours worked	Parking manager and IT system	Daily worksheets and IT system	Quarterly	This will identify the efficiency of PCN issue and trends in contraventions
4	PCNs cancelled by district	TBC	TBC	TBC	The total number of PCNs cancelled (for whatever reason) as a ratio of the total number of PCNs issued	Total numbers of PCNs issued and total numbers cancelled	Total PCNs cancelled/total PCNs issued	IT System	Audit	Quarterly	This will identify accordance of CEO operation quality of enforcement plan and debit collection arrangements. NOTE - this may need to be revised
5	Proportion of PCNs successfully appealed	TBC	TBC	TBC	This will measure the provision of information supplied on a weekly basis	Total number of cases successfully appealed and total number of PCNs issued	The total number of PCNs successfully appealed / total number of PCNs issued	Parking manager and IT system	Audit	6 monthly	Will identify the quality of PCNs issued and the systems in place within the district

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6	Reliability and management of P&D machines	TBC	TBC	TBC	This will measure the provision of information for all completed tasks. Maintaining accurate and comprehensive records for all tasks	Report showing all data collected during the month with all populated and unpopulated fields	The total number of hours each P&D machine recorded out of order / total number of known machine hours.	TBC	Audit	Quarterly	Identify if there are problems in machine management which will have an impact on income
7	Time taken to issue parking permits/dispensations/suspensions	TBC	TBC	TBC	The average number of days taken to deal with general customer requests for service (excluding PCN appeal or comments on parking restrictions etc)	Reports	Days per enquiry*enquiries/number of enquiries	Parking manager and IT system	Audit	Quarterly	To monitor turnaround of requests
8	Customer/Member satisfaction	TBC	TBC	TBC	Measurement of member satisfaction through an online survey - measures perception as well as results	Survey results - online if possible		TBC		6 monthly	