

Cabinet Meeting on Wednesday 20 November 2019

Clear Streets Partnership and Car Parking Strategy



Cllr Helen Fisher, Cabinet Member for Highways and Transport said,

The good control of on-street parking is essential to maintain the balance of life in our town centres; maintaining traffic flow and access to shops and businesses for all road users, while improving accessibility and safety for pedestrians.

Effective enforcement of on-street parking regulations, each sensitive to the needs of the local community, is a vital part of this process and the proposed continuation of our current arrangements will maintain both consistent management and flexible implementation on a day-to-day basis.

Report Summary:

The report outlines the current Clear Streets arrangement and makes recommendation to extend the arrangement for a further 5 years. Staffordshire County Council have undertaken a Consultation on the revised Car Parking Strategy, which rationalises a number of historical documents, therefore the Authority are seeking approval of the Strategy by Cabinet.

Recommendations

I recommend that:

- a. Cabinet adopt the Car Parking Strategy; and
- b. The Council makes arrangements for and enters into any documents in order to renew and vary (as agreed with SoTCC) the existing Service Level Agreement with Stoke-on-Trent under s.101 of the Local Government Act 1972 for civil parking enforcement and associated services for a period of five years from 1st April 2020, in accordance with this report.

Local Members Interest
N/A

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Recommendations of the Cabinet Member for Highways and Transport

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Report of the Director of Economy, Infrastructure and Skills

Reasons for Recommendations:

Car Parking Strategy

Background

1. Vehicular travel is and for the foreseeable future will remain an important form of transport in a rural shire county such as Staffordshire. In 2013, Cabinet approved a revised set of outcomes for 'Clear Streets' parking enforcement activity, primarily: to maintain and where possible improve the flow of traffic; make streets safer for all road users; consider the needs of local residents, shops and businesses; and actively support accessibility.
2. Staffordshire's Strategic Plan 2018-2022 sets out a vision for a Connected Staffordshire where everyone has the opportunity to prosper, be healthy and happy. It identifies that the people of Staffordshire will:
 - a. Access more good jobs and feel the benefits of economic growth
 - b. Be healthier and more independent
 - c. Feel safer, happier and more supported in and by their community.
3. The on-street Car Parking Strategy has an important role to play in delivering this vision providing an opportunity to support thriving economies and enhance the quality of life for people living in in our town centres, improve conditions for pedestrians, ease traffic flow, improve short-term accessibility of town centres, support public transport, and support the local community through effective management of parking spaces.

Why do we need a strategy?

4. There are a number of historical documents currently associated with Civil Parking Enforcement within Staffordshire County Council (the 'Council'), it is intended that the Strategy would bring a number of documents under one paper.
5. The core principles that underpin the Car Parking Strategy are:
 - a. A consistent approach to on and off-street parking;
 - b. A well-structured regime for the management (and charging) of on-street parking;
 - c. Parking facilities, arrangements and charging structures that reflect the needs of the individual towns (including free parking); and
 - d. A charging structure that reflects the varying demands of all the users of the services.
6. These core principles will ensure that the parking provided within town centres and elsewhere are appropriate for the situation and support the needs of the local community and local businesses.

Responsibilities

The Council's Responsibilities

7. What do the Clear Streets team enforce?
 - a. limited waiting bays
 - b. double/single yellow lines
 - c. on street pay and display bays
 - d. resident parking zones
 - e. Blue Badge bays
 - f. loading bays
 - g. bus stops
 - h. taxi bays
 - i. school keep clears
 - j. clearways
 - k. dropped kerb access (also police)
 - l. double parking (also police)
 - m. pedestrian crossings (also police)
8. Staffordshire Police retain responsibility for illegal obstructions and dangerous parking and can be contacted on these matters via the non-emergency contact number 101.

Key elements of car parking strategy

Permit Parking Zones

9. Where residential areas are close to places like town centres and railway stations that generate a lot of visitors and vehicles, residents can often find their streets full of vehicles which prevent them from parking close to their homes.
10. Permits are made available for purchase by those located within a Permit Parking area, residents or otherwise, defined on a scheme by scheme basis. The requirement to display permits on vehicles parked in that area will enable the Council to take action to deter unauthorised parking. This in turn will help to secure the available on-street parking for those authorised to park there.
11. The proposal is that each request from either a member of the public or an elected representative for a new Permit Parking Zone is assessed against a scoring matrix, similar to the parking provision one, that prioritises each location to ensure that the most appropriate or needed are investigated first. The programme is then approved or amended by the Cabinet Member for Highways in consultation with the Director for Economy, Infrastructure and Skills.

Outcomes for parking

12. A combined approach to the provision of parking, for residents, businesses, and their visitors, within town centres.
13. A reduction in vehicle movements in town centres and residential areas contributing to cleaner air and a move towards greener or environmentally friendly sustainable alternatives.
14. These core principles will ensure that the parking provided within town centres and elsewhere are appropriate for the situation and support the needs of the local community.
15. Parking enforcement is carried out against a hierarchy of priorities designed to achieve the outcomes of Clear Streets. As can be appreciated, we receive a range of requests for enforcement and the activity carried out is therefore balanced across a range of locations, days and times of operation of which we are under equal pressure to deliver. Details of our responsibilities can be found on our parking webpage. **The service receives around 6,000 clear streets enquiries each year which includes requests for enforcement, additional traffic management restrictions and requests for permits.**

<http://www.staffordshire.gov.uk/transport/parking/Enforcement.aspx>

16. In 2015, Cabinet approved a set of outcomes for the provision and management of on and off-street parking and for the Cabinet Member for Economy, Environment and Transport to review the current strategy for the introduction of on-street parking charges and develop a new strategy.
17. Cabinet also agreed that the Director of Place (in consultation with the Cabinet Member) be authorised to review, prioritise and implement on-street pay and

display spaces at locations previously prioritised by the Local Parking Committees, and to carry out a programme of further reviews of parking within town, market town and village centres to determine the scope for creating additional on-street parking spaces and how they will be managed.

18. Following a call in and consideration by Corporate Review Committee in July 2015 it was agreed that the Cabinet decision be implemented as set out in the original decision notice with the following additional requirements:
 - a. A list of key stakeholders to be consulted be circulated to the Committee;
 - b. That officers consult directly with relevant town and parish councils (on local reviews) as well as the Staffordshire Parish Council's Association (on the strategy);
 - c. That the implementation of the Car Parking Strategy is scrutinised following consultation by the Prosperous Staffordshire Select Committee and that it is added to their Work Programme; and
 - d. That the views on implementation be sought from the relevant local district/borough council scrutiny committees.
19. In February 2017, Full Council agreed to the provision of additional on-street charging for spaces in busy town centres as part of service cost reduction options.
20. In September 2018, as part of considering the Strategic Plan and Medium-Term Financial Strategy 2019-2024, Cabinet proposed additional savings including the further extension of on-street parking charges across the county. These additional charges can only be implemented in agreement with the Local County Councillor therefore ensuring local democratic input into the decision.
21. Currently the MTFs targets, which were associated with additional on-street parking locations have yet to be implemented following concerns raised from local members relating to the proposed locations.

Clear Streets Partnership

22. Since the decriminalisation of parking enforcement in 2008 enforcement powers had been shared between local authorities and the police. Prior to April 2015 on-street enforcement was carried out on behalf of the County Council by each of the eight district/borough councils.
23. In April 2015 the arrangements changed, and the County Council entered into a single arrangement with Stoke-on-Trent City Council (SoTCC) for enforcement and back office services. The district/borough councils remain responsible for off-street enforcement in their public car parks with four districts using the services of SoTCC for enforcement and all using the back-office services of SoTCC for processing of penalty charge notices.
24. The current agreement with SoTCC is a Service Level Agreement for the provision of civil parking, bus lane enforcement and associated services and is made pursuant to s.101 of the Local Government Act 1972 (Arrangements for the discharge of functions by local authorities). The agreement is dated the 1st March

2016 but with a commencement date of 1st April 2015. The Initial term was for 5 years until 31st March 2020. The agreement already reflects the ability to extend and the Parties can agree to extend beyond 31st March 2020 for two five years periods (up to 10 years).

25. The agreement with SoTCC details the services provided by SoTCC, and the Council will discuss varying the agreement with SoTCC to more clearly reflect the functions delegated which form part of the services under the agreement pursuant to s.101 of the Local Government Act 1972.
26. The current arrangement has had a number of achievements during the 5-year period, these include the implementation of Body-worn Cameras for all Civil Enforcement Officers (CEOs) following a Health & Safety review. The introduction of the cameras has brought increased personal safety, has reduced allegations from members of the public relating to inappropriate behaviour by the CEOs and complaints, as all footage is recorded and can easily be reviewed if required by SoTCC officers.
27. With the current arrangement, compared to the previous one, there are less management overheads, previously there were eight managers overseeing the on-street parking enforcement function, currently there is one manager, TMA Assurance Manager, who has a proportion of their time charged against the agreement overheads.
28. Since the current arrangement went live in 2015, year on year, Penalty Charge Notice issuance has increased, with consistent payment levels, this can be related back to there being a consistent enforcement presence across the county, leading to CEOs knowing where parking issues regularly taking place and also providing flexibility across the county when there are resource issues.
29. The current arrangement has also provided more flexibility in relation to enforcement, with more out of hours observations taking place, in response to parking issues taking place outside of the typical Monday to Friday, 8am-5pm. This has resulted in more effective observations and better responses to resident's concerns.
30. Since April 2015 there has been the introduction of Bus Lane enforcement by camera, in May 2015, camera enforcement commenced on Innovation Drive, Pendeford and in November 2018, the South Walls, Stafford site went live. There are also proposed sites in Lower Outwoods Road, Burton-upon-Trent and High Street, Burton-upon-Trent, which are due to go live this current financial year. There are two further sites in Beacon Rise, Stone and Gainsborough Drive Buslink, Perton, which are proposed for 2020/21 as part of a maintenance scheme to replace rising bollards.
31. There have been recent improvements in the customer facing webpages, these have included providing clear routes to the correct answer, first time for the member of public, thus providing a better customer experience and reducing delay and workload for the relevant Council teams.

Finance

32. It has always been the intention that Civil Parking Enforcement and on-street Parking should break even, but this has never been achieved, with a deficit of £0.083m reported for the 2018-19 financial year. Deficits have been funded from underspending elsewhere in the wider budgets for Highways and the Built County.
33. Costs have reduced with the introduction of the arrangements with Stoke City Council and the total costs for 2018-19 were £1.122m, of which £1.048m related to the functions undertaken by Stoke.
34. Income is variable and to a degree is difficult to predict given the service is provided largely with the intention of moderating and changing behaviours. There are a range of charges for Penalty Charge Notices (PCN) depending on the contravention, but these have not changed since 2009, when the national guidelines were changed, and are set at the maximum amount permitted by Central Government (discounts are available for early payment). Consequently, the increase in PCN income results purely from an increase in identified contraventions. Pay and Display income continues to fluctuate but should now be on the increase as more suitable parking opportunities are provided on-street, and it is anticipated that this will go some way towards bridging the deficit within this area.

	2014-15 Outturn £000s	2015-16 Outturn £000s	2016-17 Outturn £000s	2017-18 Outturn £000s	2018-19 Outturn £000s
District Authorities	1,169				
Stoke City Council		977	852	1,022	1,048
SCC Charges (Staffing, Contact Centre, Legal)		32	40	40	38
Other external costs (TEC, Patrol, Equipment etc.)		25	54	46	36
Total Costs	1,169	1,034	946	1,108	1,122
Penalty Charge Notices	843	584	765	728	854
P&D Parking	147	123	112	75	151
Permits & Other income	12	19	39	38	34
Total Income	1,002	726	916	841	1,039
Net Cost	167	308	30	267	83

35. The on-going cost of Bus Lane Enforcement is currently around £0.130m, of which £0.066m relates to the work undertaken by Stoke City council. In 2017-18 and 2018-19 there has been additional expenditure to fund costs relating to the setting up of the new Bus lanes. Again, the income fluctuates with the number of identified contraventions, but this has consistently been in excess of £0.2m and in

2018-19 PCN income amounted to £0.24m. In accordance with *The Bus Lane Contraventions (Penalty Charges, Adjudication and Enforcement) (England) Regulations 2005* the surplus is carried forward and is being used to supplement Highway Maintenance work.

	2015-16 Outturn £000s	2016-17 Outturn £000s	2017-18 Outturn £000s	2018-19 Outturn £000s
Stoke City Council	92	78	68	66
SCC Charges (Staffing, Contact Centre, Legal)	34	37	37	34
Other external costs (TEC, Patrol, Equipment etc.)	8	4	20	53
Total Costs	134	119	125	153
Penalty Charge Notices	253	270	227	240
Total Income	253	270	227	240
Net Cost	-119	-151	-102	-87

Options

36. The Council has considered the following options in respect of civil parking, bus lane enforcement and associated services:

- a. Extend the current agreement with SoTCC for a period of 5 years in accordance with its terms.
- b. Go out to the market to procure the services which form part of the delegated functions to SoTCC, this would require a tender process, this would take a period of time, impact on a number of teams, such as legal, procurement and a project team to draw the tender document up and to then review the bids. There would also be the TUPE implications of staff from SoTCC being offered the option to transfer to the new service provider, additionally, it is likely that due to the size of the contract being delivered, there would be a minimum of two Contract Managers ensuring that the provider is meeting the contractual expectations. Whilst this is possible, the cost-only model employed by SoTCC would be more commercially viable than approaching private providers. The cost of change and TUPE implications would also ensure a challenge to the change
- c. Another option would be for the previous pre-2015 arrangement to be reinstated, this would be where the Boroughs and District authorities would manage the on-street enforcement function. As previously stated, this would result in additional management costs across the arrangement and lead in a fracturing of the on-street enforcement, meaning flexibility across areas and county-wide is lost.

37. In light of the above, the recommendation is that the arrangement with SoTCC is extended in line with its terms. Additionally, the County is moving from a Street works Noticing system to a Street works Permit system, this will enable greater control of what takes place on the Highway network from a Highway Authority and

Statutory Utility perspective, therefore it is considered that a greater holistic perspective of the elements of activity in the highway is required.

Future Developments

37. Following an Audit of the Civil Parking Enforcement arrangement in Summer 2018, recommendations were made by the Auditor that there should be an escalation process in place, if there are issues within the arrangement. Therefore it is considered that should the arrangement with SoTCC continue after April 2020, that the new agreement will have an escalation in place, to meet the Audit recommendations and it is proposed the agreement with SoTCC will be varied to include such a process from 1st April 2020.
38. It is also considered that Cabinet may consider that there be more ownership at a local level in relation to the overseeing of the implementation of parking restrictions, similar to the previous Staffordshire Parking Boards. This could help implement local schemes faster than they currently are and greater linkage with the Community Highways team could be facilitated.
39. Further improvements that are proposed are the switch from existing “Dolphin” handhelds that the Civil Enforcement Officers use, to the use of Android phones, this would mean cheaper equipment costs, including replacement handhelds, but would also mean if any handhelds were damaged, they could be quickly replaced, meaning continuity of service is maintained.
40. Another improvement that could be implemented is a web-portal for members of the public to examine the photographic evidence that accompanies a Penalty Charge Notice that they may have received, this would provide a faster access to evidence for the public to view and may also reduce the number of spurious appeals that could be submitted, it may also result in a faster receipt of payment of PCNs.
41. The developments detailed in paragraphs 38 to 40 (inclusive) will be considered further by the Council and Cabinet will be kept updated.

List of Background Documents/Appendices:

Appendix 1 – SCC On-Street Parking Policy Strategy

Community Impact Assessment – Summary Document

Contact Details

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