



North Essex Parking Partnership

Joint Working Committee On-Street Parking

Grand Jury Room, Colchester Borough
Council, Colchester Town Hall, High
Street, Colchester, Essex, CO1 1PJ

18 June 2015 at 1.00 pm

The vision and aim of the Joint Committee is to provide a merged parking service that provides a single, flexible enterprise of full parking services for the Partner Authorities.

North Essex Parking Partnership

Joint Committee Meeting – On-Street

Thursday 18 June 2015 at 1.00 pm

Grand Jury Room, Colchester Borough Council, Colchester Town Hall, High Street, Colchester, Essex, CO1 1PJ

Agenda

Attendees

Executive Members:-

Susan Barker (Uttlesford)
Anthony Durcan (Harlow)
Dominic Graham (Colchester)
Eddie Johnson (ECC)
Robert Mitchell (Braintree)
Gary Waller (Epping Forest)
Tendring District Council Representative

Non-Executive Member:-

Ray Howard (ECC)

Officers:-

Lou Belgrove (Parking Partnership)
Jonathan Baker (Colchester)
Trevor Degville (Parking Partnership)
Qasim Durrani (Epping Forest)
Joe McGill (Harlow)
Hayley McGrath (Colchester)
Paul Partridge (Braintree)
Liz Burr (ECC)
Andrew Taylor (Uttlesford)
Shane Taylor (Parking Partnership)
Ian Taylor (Tendring)
Alexandra Tuthill (Colchester)
Richard Walker (Parking Partnership)
Matthew Young (Colchester)

	Introduced by	Page
1. Welcome & Introductions		
2. Election of Chairman To appoint the Chairman for the Joint Working Committee On-Street Parking 2015/16		
3. Election of Deputy Chairman To appoint the Deputy Chairman for the Joint Working Committee On-Street Parking 2015/16		
4. Apologies		
5. Declarations of Interest The Chairman to invite Councillors to declare individually any interests they may have in the items on the agenda.		
6. Have Your Say The Chairman to invite members of the public or attending councillors if they wish to speak either on an item on the agenda or a general matter.		
7. Minutes To approve as a correct record the draft minutes of the 12 March 2015 meeting.		1-20
6. Traffic Regulation Order Update and Schemes for Approval To note the progress of the schemes during 2014 and to approve new schemes.	Trevor Degville	21-27
7. Annual Governance Statement To note and approve the Annual Governance Statement 2014/15.	Hayley McGrath	28-34

8. Annual Review of Risk Management To endorse the Risk Management Strategy for 2015/16	Hayley McGrath	35-48
9. Draft Accounts 2014/15 To approve the pre-audit accounts for 2014/15 and note the changes in the audit requirements from 2015/16	Steve Heath	49-56
10. NEPP – On-street Account – End of Year 2014/15 To consider the financial position of the NEPP at the End of Year 2014/15	Matthew Young	57-60
11. Braintree District Council Task and Finish Report To note the findings of the Braintree District Council Task and Finish Group Review of the NEPP	Richard Walker	61-84
12. Parking Policy Review - Parking Enforcement Policy To approve the updated Parking Enforcement Policy	Richard Walker	85-102
13. Parking Policy Review - Parking Operational Protocol To approve the updated Parking Operational Protocol	Richard Walker	103-136
14. Parking Policy Review - Parking Permit and Cancellation Policy To approve the updated Parking Permit and Cancellation Policy	Richard Walker	137-139
15. Parking Policy Review - Dispensation and Suspension Policy To approve the updated Dispensation and Suspension Policy	Richard Walker	140-142
16. Parking Policy Review - Parking Enforcement and Discretion Policy To approve the updated Parking Enforcement and Discretion Policy	Richard Walker	143-160
17. Parking Policy Review - Parking Cancellation Policy To approve the updated Parking Cancellation Policy	Richard Walker	161-162
18. Parking Policy Review - Dropped Kerb Enforcement Policy To approve the updated Dropped Kerb Enforcement Policy	Richard Walker	163-165
19. Parking Policy Review - Temporary Traffic Cones Policy To note the Temporary Traffic Cones Policy	Richard Walker	166-169
20. Parking Policy Review - Traffic Regulation Orders Policy and Right to Renew Parking Policies To approve the updated the Traffic Regulation Orders Policy and Right to Renew Parking Policies	Richard Walker	170-203
21. Operational Report To consider and note the Operational Report for On-Street Parking	Lou Belgrove	204-211

22. Forward Plan Jonathan Baker 212-214
To note the 2015-16 Forward Plan.

23. Urgent Items
To announce any items not on the agenda which the Chairman has agreed to consider.

Exclusion of the Public

In accordance with Section 100A(4) of the Local Government Act 1972 and in accordance with The Local Authorities (Executive Arrangements)(Access to Information)(England) Regulations 2000 (as amended) to exclude the public, including the press, from the meeting so that any items containing exempt information (for example confidential personal, financial or legal advice), in Part B of this agenda (printed on yellow paper) can be decided.(Exempt information is defined in Section 100I and Schedule 12A of the Local Government Act 1972).

Part B

24. CCTV Vehicle - Options Richard Walker
The following report contains exempt information (financial/business affairs of a particular person, including the authority holding information) as defined in paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972.

NORTH ESSEX PARKING PARTNERSHIP JOINT COMMITTEE FOR ON-STREET PARKING

12 March 2015 at 1.30pm

Committee Room 1, Braintree District Council, Braintree

Executive Members Present:-

Councillor Susan Barker (Uttlesford District Council)
Councillor Martin Hunt (Colchester Borough Council)
Councillor Robert Mitchell (Braintree District Council)
Councillor Nick Turner (Tendring District Council)
Councillor Gary Waller (Epping Forest District Council)

Apologies: -

Councillor Nick Barlow (Colchester Borough Council)
Councillor Anthony Durcan (Harlow District Council)
Councillor Eddie Johnson (Essex County Council)

Also Present: -

Councillor Edna Stevens (Harlow District Council)
Mike Adamson (Parking Partnership)
Jonathan Baker (Colchester Borough Council)
Lou Belgrove (Parking Partnership)
Sarah Sherry (Braintree District Council)
Trevor Degville (Parking Partnership)
Vicky Duff (Essex Highways)
Qasim Durrani (Epping Forest District Council)
Ann Hedges (Colchester Borough Council)
Joe McGill (Harlow District Council)
Hayley McGrath (Colchester Borough Council)
Samir Pandya (Braintree District Council)
Paul Partridge (Braintree District Council)
Ian Taylor (Tendring District Council)
Shane Taylor (Parking Partnership)
Alexandra Tuthill (Colchester Borough Council)
Richard Walker (Parking Partnership)
Matthew Young (Colchester Borough Council)

Apologies:-

Liz Burr (Essex Highways)
Andrew Taylor (Uttlesford District Council)

32. Declarations of Interest

Councillor Barker, in respect of being a Member of Essex County Council, declared a non-pecuniary interest.

33. Have Your Say

Catherine Dean, Stansted Mountfitchet Parish Councillor

Catherine Dean, Stansted Mountfitchet Parish Councillor, and Chairman of the Parish Council's Highways Sub-Committee, attended the North Essex Parking Partnership meeting

to highlight support for the Lower Street Traffic Regulation Order. Catherine Dean noted that there had been objections from residents, however there are frequent occasions when more than twenty spaces are available during the day. Ms Dean stated that this claim had been verified by the North Essex Parking Partnership, and that the local car park on Lower Street was frequently full to capacity. Enabling members of the public to park in the residents parking bays for the hour would benefit the local businesses in the area. As the Parking Review for Uttlesford is not taking place until 2016; implementing this proposal now would prevent business from having to wait until changes are made to the Lower Street car park.

In response to Catherine Dean, Councillor Barker stated that Lower Street will be considered as part of the agenda. Councillor Barker stated that, whilst noting the objections, she would recommend that the area have dual use parking between Monday and Friday, 10-4. In addition Councillor Barker would seek confirmation from Uttlesford District Council Cabinet that any resident displaced by the new parking arrangement would be able to park in the Lower Street car park for free.

Councillor Christina Cant, District and Parish Councillor for Stebbing, Uttlesford

Councillor Cant attended the meeting to see how the North Essex Parking Partnership Joint Committee operates and processes Traffic Regulation Orders. She also highlighted issues outside Stebbing Primary School where parking is causing access problems on the highway. This included a situation where an ambulance was not able to drive down the road due to obstruction from parked cars. Councillor Cant stated that she was aware that the application for a TRO in this location was in progress, and would appreciate updates of when and where this will be considered when brought to the Joint Committee.

In response, Councillor Barker stated that the Uttlesford District Council had processed the Traffic Regulation Order, and that the Parish Council would be kept updated on its progress.

Councillor Mitchell thanked the members of the public from attending the meeting and having their say.

34. Minutes

RESOLVED that the minutes of the meeting of the Joint Committee for On Street Parking of 11 December 2014 be confirmed as a correct record.

The Committee asked that the NEPP Joint Committee dates be circulated to the Cabinet Office at Essex County Council to ensure that a Councillor representative can attend, and that future dates of the Joint Committee do not conflict with South Essex Parking Partnership meetings.

The Committee also heard that the letter to Essex County Council regarding the £160,000 financial contribution to the NEPP had not been successful, and the report on the review of the NEPP agreement by Essex County Council would be distributed to the Chairman for information shortly.

35. Traffic Regulation Order Update and Schemes for Approval

Trevor Degville, Parking Partnership, presented the report covering the Technical Team update, and to receive the schemes for approval from the Partner Authorities.

The Committee welcomed the report and progress from the Technical Team, and put forward the schemes in each District for approval. Please see appendix A for the information on the schemes put forward to approval, deferral and rejection.

Councillor Barker stated that there had been an emergency order placed for White Hart Way, as the parking restrictions were private, and then suddenly withdrawn. In addition Councillor Barker stated that scheme 10050 Newbiggen Street did not conflict with the new highways scheme that had been put in place.

RESOLVED that the Traffic Regulation Order Update be noted, and the decisions on schemes as specified in Appendix A be approved.

36. Traffic Regulation Order – Technical Report

Trevor Degville, Parking Partnership, introduced a report regarding two Traffic Regulation Orders from one from Epping Forest District Council and another from Uttlesford District Council. These particular Traffic Regulation Orders had been to consultation and received a high number of responses. Whilst NEPP Officers are able to use delegated powers to process TRO's, it is not felt appropriate for them to be used when a significant amount of responses are received.

The Committee discussed the issues and the consultation responses received from both businesses and residents near the proposed Traffic Regulation Order in Epping Forest District Council. The Committee heard that MiPermit could be utilised to manage multiple car households, so that a permit could be used on the relevant vehicle that is parked on the street. In addition the Committee noted that a Business Permit would not be a guarantee of a space, and that work would be required to fine tune the time restrictions. It was suggested that the Traffic Regulation Order be progressed as a permanent scheme with both Residents Permits and Business Permits, but that a review of the arrangement takes place after 18 months of operation.

With regard to the Traffic Regulation Order in Stansted Mountfitchet, Councillor Barker suggested that the limited waiting for non-residents should be amended to between 10am and 4pm on Monday to Friday. Councillor Barker would also seek clarification that residents of Lower Street would be able to park in the car park if the residents parking area is full to capacity.

RESOLVED that:

- a) For the Traffic Regulation Order on St Johns/Chapel/Ashlyns Road, Epping Forest District Council:
 - i. A Residents Parking Permit and Business Permit scheme be approved.
 - ii. That the Joint Committee delegate powers to the Parking Partnership Officers to establish the exact time limits on the business permits.
 - iii. The arrangement be reviewed in 18 months.
- b) For the Traffic Regulation Order on Lower Street, Uttlesford District Council:
 - i. Subject to approval from Uttlesford District Council Cabinet that Lower Street Residents be able to park in Lower Street Car Park for free if no parking spaces are available,
 - ii. That dual use be approved, with limited waiting between 10am and 4pm Monday to Friday.

37. Risk Register

Hayley McGrath, Colchester Borough Council, introduced the report on the Interim Risk Register. This report provided a six month update, after the 2014/2015 Risk Management Strategy was agreed at the NEPP meeting in June 2014. Hayley McGrath stated that after consultation with the Partner authorities, risks 1.2 and 1.7 had increased as there is a greater perceived risk than had been included in the original Risk Register. This meant that those two risks became the two highest scoring for the NEPP, placed above the tolerance line.

The Committee discussed the inclusion of an additional risk regarding announcements from central Government and the possible effect on the Partnership and frontline staff members. The Committee also highlighted the impact of the General Election, and that the level of risk in some categories may decrease once the political climate has settled.

RESOLVED that:

- a) The Risk Register includes a risk on Government policy decisions and the impact of the decisions on the North Essex Parking Partnership.
- b) The Interim Risk Register be noted.

38. Internal Audit Report

Hayley McGrath, Colchester Borough Council, introduced the Internal Audit Report for review and comment by the Joint Committee. The report highlights that as Colchester Borough Council are the lead partner for the NEPP, it is responsible for carrying out an annual audit of the partnership activities, covering both on and off street partnership.

Hayley McGrath stated that previously there had been minimal communication between the audit function at Colchester at the other partners. This has now been significantly improved, with the Audit Brief circulated and approved by all partner authorities. The timing of the audit has been slightly altered to allow for the report to come to the March NEPP meeting, which allows the Audit to be included in Partner Authority's Annual Governance Statements. The NEPP Audit has been rated as substantial, and the number of recommendations has decreased from six to four, with none of the recommendations being priority 1.

The Committee discussed the arrangement within the NEPP in both setting its own budget and approving its own audit review. In addition the Committee also agreed with the adjusted timings, so that the Partner Authorities can receive information for the Annual Governance Statements.

RESOLVED that the Internal Audit Report be noted.

39. NEPP – On-Street Account – Budget 2015/16

Matthew Young, Colchester Borough Council, introduced the proposed On-Street Account Budget for 2015/16. The 2014/15 budget at the end of the year is predicted to break even or return a surplus. Final figures on the 2014/15 budget will be provided to the Joint Committee at the Annual General Meeting in June.

With regard to the changes in the 2015/16 budget, it includes the recalculated support costs for the North Essex Parking Partnership. This includes an adjusted total for I.T services after a review, which is now based on the number of users, licences and applications used by the NEPP.

The Committee requested that the South Essex Parking Partnership budget for back office

and support services be compared to the NEPP. The Committee also questioned the confidence level in achieving the £150,000 increase in income generation during the next financial year. Matthew Young stated that filling the current vacancies in the East and West of the Partnership area would increase the PCN rate and make the £150,000 extra income total achievable.

RESOLVED that the On-Street Account Budget for 2015/16 be approved.

40. Discretionary Permits

Richard Walker, Parking Partnership, introduced the report on Discretionary Permits. The report consisted of three parts. This included whether to offer Discretionary Resident Permits, to offer Carer's Permits, and whether to undertake further survey work to help reduce strain on Civil Enforcement Officers when assessing Digital Permits.

Discretionary Resident Permits

The Committee discussed the merits of the Partnership being able to issue further Discretionary Resident Permits over the existing limit of two per household. Councillor Hunt stated that allowing Discretionary Resident Permits could cause issues in more built up areas as the demand will be significantly higher than the space available. The permits would be issued each year, but not be automatically renewed. Councillor Mitchell highlighted a number of cases in Braintree District Council where there are more spaces than properties on the road, which would allow for additional permits to be issued. Councillor Turner proposed that the relevant Partner Authority member be contacted in situations where the officer discretion is challenged by a member of the public.

RESOLVED that:-

- a) Discretionary Residents Permits be offered at the relevant officers discretion in Braintree District Council, Epping Forest District Council, Harlow District Council, Tendring District Council and Uttlesford District Council.
- b) A limit of 3 Discretionary Residents permits per household be implemented in those Partner Authorities offering Discretionary Residents Permits.
- c) If a rejection for a Discretionary Permit be challenged the Partner Authority Member representative be informed and delegated the responsibility to resolve the dispute.
- d) Discretionary Residents Permits would not be offered in Colchester Borough Council due to the size and capacity of the schemes in Colchester.

Harlow Carer's Permits

The Committee discussed the various ways to implement a carer's permit and impacts that it would have on both the carer and the other residents in the area. Members noted the time constraints that using a hard copy visitors permit would present, and also questioned how multiple family carers could attend the same property with one paid for permit. Parking Partnership Officers stated that by using MiPermit, a number of vehicles can be listed online to register as a visitor. For those carers who are part of a larger company, multiple permits can be distributed to the companies for them to manage.

RESOLVED that:-

- a) Subject to a statement from the relevant Doctors Surgery, Carers Permits be approved.
- b) Carers Permits, to be distributed to, and managed by the relevant Carer Company; or if in the case of a single household through a household MiPermit account.

- c) The cost of the Carers Permit be fixed at £30 per permit.

Digital Permits and Survey Vehicles

The Committee discussed the merits of surveying the parking areas to provide additional residents parking information. Members heard, from Parking Partnership Officers, that the software to enable this can be developed and could be used in the current CCTV car that the NEPP uses for Schools and Bus Lanes.

RESOLVED that a future report be brought to the Joint Committee outlining the potential use of the CCTV car as a Survey Vehicle, and the benefits that it would provide.

41. Decisions Taken Under Delegated Powers

Richard Walker, Parking Partnership, introduced the report outlining the decisions taken under delegated authority. In 2013, the NEPP Joint Committee delegated powers to the Group Manager to consider objections of low consequence and to make new Parking Orders for highway schemes. This helped to speed up the process of making Traffic Regulation Orders and remove delays that had occurred as a result of each TRO having to be approved again at the Joint Committee.

RESOLVED that the decisions taken under delegated powers be noted.

42. On-Street Pay by Phone Site – Marks Tey (Colchester Borough)

Trevor Degville, Parking Partnership, introduced the report on the proposal for an On-Street Pay by Phone Site in Marks Tey. The report outlines the introduction of a pay by phone site near Marks Tey Railway Station that is currently underused by motorists.

The Committee welcomed the proposals for the introduction of a pay by phone parking site, which would prevent costs associated with pay and display. Comments were also made as to whether the hours tariff provided reflected the uses of the site for travelling to local towns.

RESOLVED that the proposal for an on-street pay by phone parking area be approved and that Offices publish a Notice of Intention for the proposal.

43. Operational Report

Lou Belgrove, Parking Partnership, introduced the Operational Report for the On-Street operation.

The Committee noted the report, and discussed the comparisons in Penalty Charge Notice figures for those areas that do and do not have vacancies across the partnership. It was agreed that the number of Civil Enforcement Officers are critical to the number of PCN's being issued.

RESOLVED that the Operational Report be noted.

44. Forward Plan

Robert Mitchell, Chairman, Parking Partnership introduced forward plan of meetings for 2014/15, and the confirmed dates for 2015/16.

The Committee were reminded that the Traffic Regulation Orders will come to the June and December meetings of the next municipal year. The next Joint Committee meeting will take

place on 18 June in the Grand Jury Room at Colchester Borough Council.

RESOLVED that the Forward Plan be noted.

45. Urgent Items

Recent Legislative Changes

Richard Walker, Parking Partnership, introduced a report circulated in advance of the meeting and with the consent of the Chairman, regarding the recent legislative changes to allow for ten minute parking grace periods. In addition there are a further six areas that are to be legislated in some form.

Richard Walker stated that the North Essex Parking Partnership already provides for most of the issues raised in the new legislation. The Officer Policy Review Group will look at the legislation impacts to be fed back to the NEPP Joint Committee Annual General Meeting in June 2015. With regard to the ten minute grace period, it is not expected for this to impact the Penalty Charge Notice rate as the majority of PCN's are issued outside of a ten minute period.

The Committee discussed the impact of the new legislation to be introduced. Councillor Waller highlighted a further issue regarding the requirement that Full Council meetings in each authority would need to approve new parking restrictions.

RESOLVED that the report on the Recent Legislative Changes be noted, and that further feedback be provided at the next Joint Committee meeting.

Essex County Council Letter – Financial Information

Councillor Mitchell, raised a letter received two days prior to the meeting date from Essex County Council, as an Urgent Item of Business for consideration. The letter highlighted that the £100,000 that Essex County Council provided to the North Essex Parking Partnership as a contingency fund when the partnership was first set up would not need to be returned to Essex as per the original Partnership Agreement.

The letter stated that the £100,000 of funding, which had been held by Colchester Borough Council could now be spent on completing Traffic Regulation Orders, and would require changes to the original NEPP Agreement.

The Committee questioned what the contingency fund could be spent on and sought confirmation that it would not need to be paid back if the agreement ended. The Committee were also eager to ensure that the offer from Essex could be utilised, particularly as the agreement would have to be amended prior to receiving the funding.

RESOLVED that:

- a) The Joint Committee write to Essex County Council to clarify whether the contingency fund is ring-fenced for Traffic Regulation Orders
- b) The Chairman, in discussion with NEPP Officers, confirm in writing to the members of the Joint Committee what the contingency fund can be used for and any proposals for agreement.
- c) A report comes back to the Joint Committee in June, outlining the detail of proposed agreement.

Appendix A

Uttlesford District Council

Approved Schemes

Ref Number	Name of Scheme	Type of Restriction and brief summary	Decision by Council (Approved/Rejected or Deferred)
10044	Maitland & Manor Road-Stansted	Junction protection for bus route	Approved – 1 12/03/15
10040	Chequers Lane-Gt Dunmow	School based parking	Approved – 2 12/03/15
10048	Knights Way-Randall Close-Gt Dunmow	Waiting restrictions	Approved – 3 12/03/15
10049	Lower Millfield-Gt Dunmow	Residents parking	Approved – 4 12/03/15
10050	Newbiggen Street-Thaxted	Waiting restrictions	Approved – Parish to pay** 12/03/15
10051	Town Street-Thaxted	Waiting restrictions	Approved – Parish to pay** 12/03/15

10052	Bell Lane-Thaxted	Waiting restrictions	Approved – Parish to pay** 12/03/15
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** Thaxted Parish Council have £7000 which they can put towards the three schemes.

Deferred Schemes

Ref Number	Name of Scheme	Type of Restriction and brief summary	Decision by Council (Approved/Rejected or Deferred)
10024	Hawthorne Close - Takely	Waiting Restriction	Deferred 12/03/15
10032	Rowntree Way/Pleasant Valley – Saffron Walden	Waiting restrictions near Tesco entrance	Deferred 12/03/15

Braintree District Council

Approved Schemes

Ref Number	Name of Scheme	Type of Restriction and brief summary	Decision by Council (Approved/Rejected or Deferred)
20063	Tey Rd-Earls Colne	Residents parking	Approved 12/03/15
20115	Brise Close	Include Bank holidays in restrictions – temporary order currently in place	Approved by Chairman Delegated Power 12/03/15

Deferred Schemes

Ref Number	Name of Scheme	Type of Restriction and brief summary	Decision by Council (Approved/Rejected or Deferred)
20087	Forest Road-Witham	Waiting restriction	Deferred 12/03/15
20088	Yew Close-Witham	Waiting restriction	Deferred 12/03/15
20089	Avenue Rd-Witham	Amendments to restrictions- request previously refused	Deferred 12/03/15
20096	Oak Road-Rivenhall	Limited waiting	Deferred 12/03/15
20105	St Peters Road/Close	Intro of 2 hour time restriction	Deferred 12/03/15
20106	Toulmin Road-HP	Residents parking	Deferred 12/03/15
20110	Grenville Road-Braintree	Change to RP scheme	Deferred 12/03/15

Rejected Schemes

Ref Number	Name of Scheme	Type of Restriction and brief summary	Decision by Council (Approved/Rejected or Deferred)
20025	Vicarage Avenue-White Notley	Waiting Restrictions	Rejected 12/03/15
20059	Nicholls Grove	Commuter parking problem	Rejected 12/03/15
20065	Station Road- Sible Hedingham	Waiting Restrictions	Rejected 12/03/15
20075	Rosemary Avenue	Resident Permit Parking	Rejected 12/03/15
20079	Convent Hill/Lane-Braintree	Waiting restrictions	Rejected 12/03/15
20092	Valentine Court-Braintree	School based parking	Rejected 12/03/15
20101	Cressing/Braintree Rd-Witham	Extension to current school restrictions	Rejected 12/03/15
20102	Westergreen Meadow (Mr Watson)	Driveway access issue	Rejected 12/03/15
20103	Hatfield Road(Allectus Way)	Resident Permit Parking – to be reported on	Rejected 12/03/15
20107	Hawthorn Close-Halstead	Waiting restrictions	Rejected 12/03/15
20108	The Street-Hatfield Peverel	Waiting restriction	Rejected 12/03/15
20109	Westergreen Meadow (separate request)	Commuter type restriction	Rejected 12/03/15
20111	Maidment Crescent	Waiting Restrictions	Rejected 12/03/15

To be considered at the next Joint Committee meeting

Ref Number	Name of Scheme	Type of Restriction and brief summary	Decision by Council (Approved/Rejected or Deferred)
20112	Chipping Hill-Witham	Waiting Restrictions	Deferred 12/03/15
20113	High Street-Kelvedon	Waiting restrictions	Deferred 12/03/15
20114	The Street-Feering	Waiting restrictions	Deferred 12/03/15

Harlow District Council

Approved Schemes

Ref Number	Name of Scheme	Type of Restriction and brief summary	Decision by Council (Approved/Rejected or Deferred)
30051	Tendring Road	Permit Zone	Approved 12/03/15
30052	Spencers Croft	Waiting restrictions	Approved 12/03/15
30053	Tunnemeade	Waiting restrictions	Approved 12/03/15

Deferred

Ref Number	Name of Scheme	Type of Restriction and brief summary	Decision by Council (Approved/Rejected or Deferred)
30021	Colt Hatch	Requested parking scheme (lining?)	Deferred 12/03/15
30027	New Hall	Parking near football field	Deferred 12/03/15
30028	Church Langley	Tesco access road and zebra crossing	Deferred 12/03/15
30034	Harlow Mill Station	Viability of on street pay and display, there is a lack of parking spaces at the station	Deferred 12/03/15
30035	College Square	Introduce short term P&D parking	Deferred 12/03/15
30048	The Seeleys	RPZ-Waiting restrictions	Deferred 12/03/15
30054	Kingsmoor	Waiting restrictions and junction protection	Deferred 12/03/15
30055	Kiln Lane	Waiting restriction and roundabout protection	Deferred 12/03/15
30056	Parndon Mill Lane	Waiting restrictions and junction protection	Deferred 12/03/15

Schemes to be removed from TRO list

Ref Number	Name of Scheme	Type of Restriction and brief summary	Decision by Council (Approved/Rejected or Deferred)
30009	Harbuts Road	Waiting Restrictions	To be removed 12/03/15
30012	Traceys Road	Resident Permit Parking	To be removed 12/03/15

30013	Spinning Wheel Mead	Waiting Restrictions	To be removed 12/03/15
30014	Conyers	Waiting/Stopping Restrictions	Currently advertised 12/03/15
30016	Hollyfields	Resident Parking	To be removed 12/03/15
30017	School Lane	Resident Parking	Completed 12/03/15
30018	Netteswell Tower/School Lane	Car parking blocking cycle track (commuters)	To be removed 12/03/15
30019	Roman Vale/Manor Road	Requested permit zone	To be removed 12/03/15
30022	Hammarskjold Road	Local resident requested that the bus parking bays are reduced, these bays have only been in place for 2 years. The local authority do not support this request, the stop over bays were installed to support local bus operators	To be removed 12/03/15
30023	Oxleys	Requested parking control/possibly permits	To be removed 12/03/15
30024	Perry Road -Enterprise House	Blocked entrance, possible lining	To be removed 12/03/15
30036	Tawneys Road (school)	Addition to school restriction-requester has been contacted as current restrictions deemed adequate	To be removed 12/03/15
30037	Priory Avenue	Waiting restrictions	Completed 12/03/15
30038	School Lane	Waiting restrictions-junction protection	Completed 12/03/15
30040	Morningtons	Waiting restrictions to prevent driveway access issues?	To be removed 12/03/15
30047	Millfield	Parking bays	To be removed 12/03/15
30050	The Hill-Cooks Spinney	Waiting restrictions	Out to advert 12/03/15

Colchester Borough Council

Approved Schemes

Ref Number	Name of Scheme	Type of Restriction and brief summary	Decision by Council (Approved/Rejected or Deferred)
40109	Ireton Road	Waiting restrictions	Approved 12/03/15

40110	Church Street (Mercury Theatre)	Loading Bay	Approved 12/03/15
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Deferred Schemes

Ref Number	Name of Scheme	Type of Restriction and brief summary	Decision by Council (Approved/Rejected or Deferred)
40079	St Christopher Road	Additional restrictions close to shops	Deferred 12/03/15
40088	Catchpool Road	Waiting restrictions/residents parking	Deferred 12/03/15
40098	Lexden Rd-The Grange	Waiting restrictions	Deferred 12/03/15
40104	High Street-Station Road-Wivenhoe	Waiting restrictions	Deferred 12/03/15

Rejected Schemes

Ref Number	Name of Scheme	Type of Restriction and brief summary	Decision by Council (Approved/Rejected or Deferred)
40051	Athlestan Road	Resident Parking	Rejected 12/03/15
40069	Mile End Road	Loading Bay	Rejected 12/03/15
40100	Layer Road	Waiting restrictions close to new Tesco's site	Rejected 12/03/15
40105	Harwich/Compton Road	Waiting restrictions	Rejected 12/03/15
40106	Stable Close	Waiting restrictions	Rejected 12/03/15
40107	Creffield Road	Change to current permit scheme	Rejected 12/03/15
40108	Broad Oaks Park	Junction protection	Rejected 12/03/15

Schemes to be considered at the next Joint Committee

Ref Number	Name of Scheme	Type of Restriction and brief summary	Decision by Council (Approved/Rejected or Deferred)
40111	Adelaide Drive	Waiting restrictions	
40112	Friday Wood Green	Waiting restrictions	

Tendring District Council

Approved Schemes

Ref Number	Name of Scheme	Type of Restriction and brief summary	Decision by Council (Approved/Rejected or Deferred)
27	Station Road- Lawford	Station Road Lawford from Riverside Avenue West to Victoria Crescent (commuter parking)	Approved 12/03/15
50052	Carnarvon Road – Clacton	Waiting Restriction	Approved 12/03/15
50067	Victoria Place/High Street- Brightlingsea	Adjustments to limited waiting times	Approved 12/03/15
50090	Dean Hill Avenue	School restriction	Approved 12/03/15
50092	Mill Street St Oysth	Limited waiting – temporary order currently in place	Approved Tendring District Council to pay 12/03/15

Deferred Schemes

Ref Number	Name of Scheme	Type of Restriction and brief summary	Decision by Council (Approved/Rejected or Deferred)
24	Clarkes Road- Dovercourt	Waiting restriction and junction protection as parked vehicles causing line of site issues	Deferred 12/03/15
26	Milton Road- Lawford	Junction protection due to parked vehicles obstructing junction exit	Deferred 12/03/15
28	Trinity Street- Mistley	Waiting Restriction-free flow of traffic and motorist site line (obo Manningtree TC)	Deferred 12/03/15
50004	School Road- Elmstead Market	School Restriction	Deferred 12/03/15
50005	Pathfield Road-Clacton	School Restriction	Deferred 12/03/15
50010	Primrose Road-Holland	School Restriction	Deferred 12/03/15
50013	High Street- Mistley	Waiting Restrictions	Deferred 12/03/15
50015	Main Road-Upper Dovercourt	Intro of limited waiting bays	Deferred 12/03/15
50017	Hordle Street-Harwich	Residents Parking	Deferred 12/03/15
50028	Harwich & Dovercourt	Taxi Parking	Deferred 12/03/15

50032	Promenade Way- Brightlingsea	Waiting Restrictions	Deferred 12/03/15
50034	Herbert/Key Road-Clacton	Residents Parking	Deferred 12/03/15
50042	School Road – Great Oakley	School based parking	Deferred 12/03/15
50049	Chingford Avenue – Clacton	Waiting restrictions to prevent school based parking	Deferred 12/03/15
50057	Garden Road – Jaywick	Limited Waiting	Deferred 12/03/15
50069	Main Road-Harwich	Extension of waiting restrictions following previous ECC scheme change	Deferred 12/03/15
50070	Lawford Dale	Change current TRO to allow bank holiday parking	Deferred 12/03/15
50071	Williamsburg Ave-Harwich	Waiting restrictions close to Lidl	Deferred 12/03/15
50072	Watson Road-Herbert Rd-Clacton	RPZ	See 50034 Deferred 12/03/15
50073	Highfield Avenue-Dovercourt	Residents parking, timed restriction, junction protection	Deferred 12/03/15
50074	Holland Park school	Extension of school restriction times	Deferred 12/03/15
50075	Key Road-Clacton	Residents parking	See 50034 Work to be completed Deferred 12/03/15
50077	High Street-Manningtree	Waiting restrictions	Deferred 12/03/15
50078	Stephenson Road	Waiting restrictions	Deferred 12/03/15
50079	Victoria Street-Walton	Revocation of seasonal restriction	Deferred 12/03/15
50089	Church Rd-Thorrington	School restriction	Deferred 12/03/15
50091	Wellesley Rd-Clacton	Residents parking	Work to be completed Deferred 12/03/15

Epping Forest District Council

Approved Schemes

Ref Number	Name of Scheme	Type of Restriction and brief summary	Decision by Council (Approved/Rejected or Deferred)
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60119	The Green-TB	Waiting restrictions	Approved – 1 12/03/15
60010	Pentlow Way-Loughton	Waiting Restrictions	Approved – 2 12/03/15
60052	Hoe Lane – Abridge	Resident Permit Parking	Approved – 3 12/03/15
60020	Alderwood Drive	Waiting Restrictions	Approved – 4 12/03/15

Deferred Schemes

Ref Number	Name of Scheme	Type of Restriction and brief summary	Decision by Council (Approved/Rejected or Deferred)
60000	Algers Mead- Loughton	Residents Parking	Deferred 12/03/15
60005	Rodings Garden-Loughton	Waiting Restrictions	Deferred 12/03/15
60006	Loughton Station-main entrance	Waiting Restrictions	Deferred 12/03/15
60007	Fairmeads-Loughton	Waiting Restrictions	Deferred 12/03/15
60008	Audley Gardens-Loughton	Waiting Restrictions	Deferred 12/03/15
60011	Norman Close-WA	Waiting Restrictions	Deferred 12/03/15
60014	Marjorams Avenue/Hill Top-Loughton	Waiting Restrictions	Deferred 12/03/15
60015	Beaconfield Road-Epping	Waiting Restrictions	Deferred 12/03/15
60016	Beaconsfield Avenue-Epping	Waiting Restrictions	Deferred 12/03/15
60018	Queens Road-Buckhurst Hill	Change to P&D Machines Times	Deferred 12/03/15
60019	Willow Tree Close-Abridge	Waiting Restrictions	Deferred 12/03/15
60021	Hornbeam Road-Theydon Bois	Waiting Restrictions	Deferred 12/03/15
60022	Green Walk -Ongar	Waiting Restrictions	Deferred 12/03/15
60023	Purlieu Way/Theydon Park	Waiting Restrictions/Residents Parking	Deferred 12/03/15

60025	Pike Way-North Weald	Waiting Restrictions	Deferred 12/03/15
60026	Hillyfields- Debden	Waiting Restrictions	Deferred 12/03/15
60027	Merlin Way-North Weald	Waiting Restrictions	Deferred 12/03/15
60028	Ongar Market	Relocate Market to Highway	Deferred 12/03/15
60029	Taxi Bays (throughout district)	Introduce new sites	Deferred 12/03/15
60030	The Uplands-Loughton	Waiting Restrictions	Deferred 12/03/15
60031	Hartland Road-Epping	Waiting Restrictions	Deferred 12/03/15
60035	Epping New Road(Boleyn Court)-Buckhurst Hill	Waiting Restrictions	Deferred 12/03/15
60037	Brooklyn Parade-Loughton	Limited Waiting	Deferred 12/03/15
60038	Hazelwood-Loughton	Adjust recently implemented restrictions	Deferred 12/03/15
60039	Goldings Road-Loughton	Waiting Restrictions	Deferred 12/03/15
60040	Tycehurst Hill-Loughton	Waiting Restrictions	Deferred 12/03/15
60041	Forest Edge-Buckhurst Hill	Waiting Restrictions	Deferred 12/03/15
60043	High Road – Chigwell (Station)	Commuter Parking	Deferred 12/03/15
60044	Coppice Row – Theydon Bois	Commuter Parking	Deferred 12/03/15
60045	Ivy Chimneys Road-Epping	Resident permit parking	Deferred 12/03/15
60046	Crossing Road-Epping	Resident permit parking	Deferred 12/03/15
60047	Hemnal Street-Epping	Resident permit parking/Limited waiting	Deferred 12/03/15
60049	Lower Swaines-Epping	Restrictions to counter school based parking	Deferred 12/03/15
60050	High Street -Epping	Loading Bay	Deferred 12/03/15
60051	Pancroft – Abridge	Waiting restriction	Deferred 12/03/15

60054	Monkswood Avenue/The Cobbins – Waltham Abbey	Verge Parking	Deferred 12/03/15
60055	Harveyfields – Waltham Abbey	Resident permit parking	Deferred 12/03/15
60056	Stradbroke Grove – Buckhurst Hill	Change in restrictions to combat commuter parking	Deferred 12/03/15
60057	Scotland Road –Buckhurst Hill	Waiting restrictions	Deferred 12/03/15
60058	Crownfield – Lower Nazeing	Commuter restrictions/Resident permit parking	Deferred 12/03/15
60059	Ladywell Prospect – Sheering	Waiting Restriction	Deferred 12/03/15
60060	Church Mead – Roydon	Waiting Restriction	Deferred 12/03/15
60061	Smarts Lane/Forest Road/High Beech Road – Loughton	Resident Parking	Deferred 12/03/15
60062	High Gables – Loughton	Resident permit parking	Deferred 12/03/15
60063	Forest Drive - Theydon Bois	Pavement Parking	Deferred 12/03/15
60064	High Road – Chigwell (School)	School based/Commuter Parking	Deferred 12/03/15
60066	Knighton Lane – Buckhurst Hill	Waiting Restrictions	Deferred 12/03/15
60067	Theydon Park Road –TB	Revocation of waiting restriction	Deferred 12/03/15
60068	Glebe Road – Ongar	Waiting restriction	Deferred 12/03/15
60072	Allnuts Road-Epping	Restrictions to prevent pavement parking	Deferred 12/03/15
60073	The Drive -Loughton	Conversion of SYL to DYL near Morrisons	Deferred 12/03/15
60073	Whitehills Road-Loughton	Waiting restrictions on bend near to school	Deferred 12/03/15
60074	Bridge Hill-Epping	Extension of waiting restrictions	Deferred 12/03/15
60075	Albany Court-Epping	Restrictions to prevent commuter parking	Deferred 12/03/15
60076	Tudor Close -Chigwell	Restrictions to prevent commuter parking	Deferred 12/03/15
60078	Monkswood Avenue	Waiting restrictions	Deferred 12/03/15

60079	Pancroft Abridge	Waiting restrictions to assist bus assist	Deferred 12/03/15
60080	Ladywell Prospect-Lower Sheering	Waiting restrictions to deter commercial vehicle parking	Deferred 12/03/15
60082	Eastbrook Road- Waltham Abbey	Resident parking	Deferred 12/03/15
60083	Borders Lane-St Nicholas Place-Loughton	Waiting restrictions	Deferred 12/03/15
60085	Albion Hill-Loughton	Extension to waiting restrictions	Deferred 12/03/15
60086	Queens Road-Buckhurst Hill (145)	Adjustment to parking bay	Deferred 12/03/15
60087	Queens Road-Buckhurst Hill (102-104)	Adjustment to parking bay	Deferred 12/03/15
60088	Cleland Path-Loughton	Waiting restrictions- junction/pavement parking	Deferred 12/03/15
60089	Blackmore Road-Buckhurst Hill	Waiting restrictions-junction parking	Deferred 12/03/15
60090	High Street-Ongar (St Martins Mews)	Adjustment of parking bay	Deferred 12/03/15
60091	Theydon Grove-Epping	Extension to residents parking bays	Deferred 12/03/15
60092	Lower Park Road-Loughton	Waiting restrictions on bend	Deferred 12/03/15
60093	Englands Lane-Loughton	Waiting restrictions	Deferred 12/03/15
60094	Epping town centre	Inclusion of additional business in permit zone	Deferred 12/03/15
60095	Hanbury Park estate	Waiting restrictions	Deferred 12/03/15
60096	Whealers Farm Gardens- North Weald	Waiting restrictions	Deferred 12/03/15
60097	Courtland Drive- Chigwell	Waiting restrictions	Deferred 12/03/15
60099	Field Close-Abridge	Junction protection	Deferred 12/03/15
60100	Lambourne Road-Chigwell	Junction protection	Deferred 12/03/15
60101	Lower Park Road-Loughton	Res parking-waiting restrictions	Deferred 12/03/15
60102	Green Glade-Theydon	Waiting restrictions	Deferred 12/03/15

60103	Station Road-North Weald	Waiting restrictions	Deferred 12/03/15
60104	Sheering Lower Road	Residents parking	Deferred 12/03/15
60105	Algers Mead-Algers Close-Loughton	Junction protection	Deferred 12/03/15
60106	Riverside Ave-Broxbourne	Junction protection	Deferred 12/03/15
60107	Church Hill-Epping	Change of restriction	Deferred 12/03/15
60108	Raymond Gardens- Chigwell	Junction protection	Deferred 12/03/15
60109	Taxi Ranks-Loughton-Epping	Epping High Street-Loughton High Road	Deferred 12/03/15
60110	Sewardstone Road-WA	Waiting restrictions	Deferred 12/03/15
60111	Sheering Lower Road-Ash Grove	Extension of commuter restriction	Deferred 12/03/15
60112	Woodland Road-Loughton	School based parking	Deferred 12/03/15
60113	Traps Hill-Loughton (doctors surgery)	Junction/entrance protection	Deferred 12/03/15
60114	Gould Close-Moreton	Restriction lines	Deferred 12/03/15
60115	Hillyfields-The Croft	Junction protection	Deferred 12/03/15
60116	Amberley Road-BH	Waiting restrictions	Deferred 12/03/15
60120	Hillcrest Way-Epping	Waiting restrictions	Deferred 12/03/15



North Essex Parking Partnership

18 June 2015

Title: Technical Team Update

Author: Trevor Degville

Presented by: Trevor Degville

The Joint Committee is asked to review the Technical Team activities, Braintree District Council Traffic Regulation Orders and the number of TRO schemes approved each year by the Joint Committee.

1. Decision(s) Required

- 1.1. To approve, accept or defer the listed schemes in the Braintree District.
- 1.2. To note Technical Team activities across the Partnership.
- 1.3. To consider the number Traffic Regulation Order schemes approved per district per year by the Joint Parking Committee

2. Reasons for Decision(s)

- 2.1. At the Joint Parking Committee (JPC) meeting of 12th March it was decided that schemes in Braintree District would be considered at the JPC on the 18th June.

3. List of schemes for consideration

3.1. (Braintree District)

- 3.1.1. Braintree promoted 1 scheme at the last TRO Meeting.
- 3.1.2. Braintree District Council has requested that the following schemes be considered for progression onto the Work Programme for implementation.

Ref Number	Name of Scheme	Type of Restriction and brief summary	Previous Decision by Council with meeting Date
20087/88	Sarcel/Sisted	Waiting restrictions	Deferred 16/10/2014
20087/88	Forest Road/Yew Close	Waiting restrictions	Deferred 16/10/2014
20089	Avenue Road	Waiting restrictions	Deferred - 16/10/2014
20096	Oak Road	Limited waiting	Deferred - 16/10/2014

Ref Number	Name of Scheme	Type of Restriction and brief summary	Previous Decision by Council with meeting Date
20105	St Peters Road/Close	Limited waiting	Deferred-12/03/2015
20106	Toulmin Road	Resident Permit scheme	Deferred – 12/03/2015
20108	The Street, Hatfield Peverel	Waiting restrictions	Deferred – 12/03/2015
20110	Grenville Road	Alteration to Resident Permit scheme	Deferred – 12/03/2015
20112	Chipping Hill-Witham	Waiting restrictions	18/06/2015
20113	High Street-Kelvedon	Waiting restrictions	18/06/2015
20114	The Street-Feering	Waiting restrictions	18/06/2015

4. Technical Team Activities

4.1. Maintenance of signs and lines

4.1.1. The line marking maintenance programme has recommenced and at the time of writing lining works had been undertaken in Braintree, Colchester, Epping Forest, Tendring and Uttlesford Districts

4.2. Harlow District

4.2.1. A temporary order for waiting restrictions in Market Street has been introduced. This became operational on 27th April and will expire 18 months after the sealing date unless made permanent.

4.2.2. The consultation period for the below proposals have now completed. The objections are being considered before any implementation takes place:

Road	Type of Restriction
Bishopsfield	No Waiting & No Loading
Clifton Hatch	Permit Holders
Conyers	No Waiting & No Loading
Pynest Road	No Waiting
The Hill	No Waiting
Waterhouse Moor/Tripton	No Waiting

4.3. Uttlesford District

4.3.1. A Temporary Order **has been made** for waiting restrictions in Weavers Close, Great Dunmow. This will also expire 18 months after the sealing date unless made permanent.

4.3.2. The proposed restrictions shown in the table below **have been advertised**. The objection period finished on 22nd May.

Road	Type of Restriction
Museum Street, Saffron Walden	Permit Parking
New Street, Great Dunmow	Alter Limited Waiting
South Road, Saffron Walden	School Entrance Restrictions
High Street, Stebbing	School Entrance Restrictions

- 4.3.3. The results of the consultation are now being considered before it is decided whether to implement the schemes or not.
- 4.3.4. Scheme 10031 (Peasland/Mount Pleasant Roads and Borough Lane, Saffron Walden) which was previously approved but placed on hold will be the next scheme to be advertised in the Uttlesford District.

4.4. **Tendring District**

- 4.4.1. The proposed restrictions shown in the table below are **currently being advertised**. The objection period for the restrictions finishes on 5th June.

Road	Type of Restriction
Mill Street, St Osyth	Limited Waiting
Waldegrave Way Lawford	No Waiting restrictions
Colchester Road Lawford	No Waiting restrictions
Waldegrave Road Lawford	No Waiting restrictions
Colchester Road Manningtree	No Waiting restrictions
Reckitts Close Clacton on Sea	No Waiting restrictions
Holland Road Clacton on Sea	No Waiting restrictions
West Street Walton on the Naze	No Waiting restrictions
Pathfields Close Clacton on Sea	School Entrance restrictions
Nayland Drive Clacton on Sea	School Entrance restrictions
West Street Walton on the Naze	Permit Holder Parking
Martello Road Clacton on Sea	Permit Holder Parking

4.5. **Colchester Borough**

- 4.5.1. An experimental order has been made for Colchester High Street to facilitate the Colchester Market move to that area. If no objections or alterations are required this will be made permanent after the 6 month objection period has finished. The costs of the experimental order are being met by Colchester Borough Council.
- 4.5.2. A permanent order has been made for waiting restrictions in De Grey Road, Colchester. This was a request by Essex County Council and has been paid for by additional funding from Essex County Council.
- 4.5.3. The Essex County Council (Colchester Borough) (Permitted Parking and Special Parking Area) (Amendment No. 2) Order has been **sealed and became operational** on the 4th May. The details of the restrictions in this are shown below:

Road	Type of Restriction
Boxted Road	No Waiting & No Loading
The Avenue	No Waiting & No Loading
Ambrose Avenue	No Waiting
Rudsdale Way	No Waiting
Millers Lane	No Waiting
New Farm Road	No Waiting
Osier Close	No Waiting

4.6. **Braintree District**

- 4.6.1. The proposed restrictions shown in the table below are **currently being advertised**. The objection period for the proposals finishes on 5th June.

Road	Type of Restriction
Maltings Court, Witham	Waiting Restrictions
Maltings Lane, Witham	Waiting Restrictions

Morley Road, Halstead	No Waiting & Permit Holders
Pretoria Road, Halstead	Waiting Restrictions
Bridge End Lane, Great Notley	Waiting Restrictions
Cuckoo Way Great Notley	Waiting Restrictions
Butler Road Halstead	Permit Holders
Tey Road Earls Colne	Permit Holders
Brise Close Braintree	Waiting Restrictions

4.7. **Epping Forest District**

4.7.1. Consultation on the below proposals has concluded. The **objections are being considered** before any restrictions are introduced. It is anticipated that where appropriate new restrictions will be introduced in July.

Road	Type of Restriction
High Road, Chigwell	No Waiting Restrictions
Loughton Way Buckhurst Hill	No Waiting Restrictions
River Road Buckhurst Hill	No Waiting Restrictions
Castle Street Ongar	No Waiting Restrictions
Park Avenue	No Waiting Restrictions
London Road	No Waiting Restrictions
Sewardstone Road	No Waiting Restrictions
Carrisbrooke Close Epping	No Waiting & Permit Holders

4.7.2. Amendment numbers 39 and 40 have been **sealed and will be operational** on 29th June and 15th June respectively. Details of the restrictions are shown below:

Road	Type of Restriction
Centre Avenue, Epping	No Waiting & Permit Holders
Bower Vale, Epping	Permit Holders
Centre Green, Epping	Permit Holders
Roundhills Waltham Abbey	No Waiting
Rodings Lane Chigwell	No Waiting
Harwater Drive Loughton	No Waiting
Sedley Rise Loughton	No Waiting
Millsmead Way Loughton	No Waiting
Honey Lane Waltham Abbey	No Waiting
Shernbroke Road Waltham Abbey	No Waiting
York Hill Loughton	No Waiting
Forest Way Loughton	No Waiting
Pump Hill Loughton	No Waiting
Queens Road Loughton	No Waiting
Staples Road Loughton	No Waiting & Goods Vehicle Loading

5. **Notices of Variation – Permit Prices**

5.1. The Notices of Variation in all districts that were agreed at the March 2014 Joint Parking Committee have been advertised. The changes to permit prices will come into effect in the second week of June.

5.2. The forward plan for permit prices was agreed as part of the Development Plan.

6. **Car Park Update**

- 6.1. In addition to maintaining and introducing traffic regulation orders, the Technical Team also carries out the maintenance and repair of 189 pay machines in car parks in Uttlesford, Braintree, Epping Forest and Colchester or at on-street locations.
- 6.2. The Technical Team can carry out car park tariff and other changes for partner authorities. Recently work has been carried out for Braintree, Epping Forest and Colchester. Whilst NEPP welcomes the opportunity to carry out this sort of work, there are no additional staff resources and when we are carrying out these works, it is possible that new traffic orders in the same districts may be affected.
- 6.3. Partner authorities should be aware that what may seem a small change to a car park order regarding the times/days that tariffs apply can have a significant effect on the NEPP operations. As with point 6.1, there are no extra Technical Team staff resources to be able to easily accommodate changes.
- 6.4. **Benchmarking**
- 6.5. The response times and repair service offered by the Technical Team's staff generally compares favourably with that offered by the machine manufacturers maintenance contracts. For example, manufacturers contact service centres will often be open between office hours Monday to Friday and will offer a 12 hour (for example) response time, but that is working hours which means that if a fault develops on a Saturday morning there may not be an engineer on site until Tuesday.
- 6.6. If an authority has one machine in a car park any delay can lead to a loss of income. If there are two machines and one has a fault a loss of income can still occur as the other machine will be used more and so is more likely to be filled and go out of service. Maintenance contracts with manufacturers are also unlikely to include some faults which the Technical Team Officers will repair. Examples of some of these errors that are sometimes not covered are shown below and are taken from a quotation for new machines in 2014.
- Repair and replacement of consumable supplies such as, but not limited to, ticket rolls, Replacement of keys, repairing or servicing accessories, attachments, machines or other devices not supplied by manufacturer,
 - Repairing or servicing, including replacement of parts, made necessary as a result of accident, misuse or negligence except where such service and parts are required through Manufacturer negligence or misuse,
 - Clearance of coin or ticket jams not caused by equipment failure, Repairing or servicing, including replacement of parts, made necessary due to causes external to the Equipment, such as but not limited to, Acts of God, floods, lightning strike, fire, earthquake, repairs by third parties, failure or fluctuation of electrical power, casualty, vandalism or by any other causes outside of the control of Manufacturer other than normal usage of the Equipment by the customer,
 - Repairing or servicing, including replacement of parts, made necessary by the fault of the customer including failure to comply with the customer care conditions specified below,
 - Time and expenses for Manufacturer's engineers who in answer to a call for service by the customer are unable to obtain access to the Equipment during normal business hours and who were not notified by the customer that access during these hours might be restricted.

7. TRO Schemes

7.1. Number of agreed schemes per year

7.2. The Joint Parking Committee on the 6th March 2014 was the last occasion that the number of schemes each authority should be allowed to accept was discussed with members.

7.3. At that meeting it was suggested that approval of schemes should take place in March and October meetings (although Councils may request that schemes are considered at other meetings if required) and that six schemes per district per year are approved.

7.4. We will also attempt to introduce resident permit schemes where it appears that there is evidence to suggest general support from the residents, such as a petition or local consultation indicating at least 75% support from affected residents support the scheme. It is generally considered that these schemes will be self-sufficient, although a resident scheme for a small number of properties may not meet the set up and on-going operational costs.

7.5. TRO Scheme In-house Funding

7.6. NEPP does not receive any funding for the introduction of new traffic regulation orders. The basic annual £150,000 that is received from Essex County Council is for the maintenance of current restrictions (lines and signs).

7.7. There are officers within the NEPP and the partner authorities who are able to write traffic regulation orders but it is not their full-time role and has to be fitted into their work schedule.

7.8. In 2014 the Technical Team was restructured. This has had the benefit of allowing more time to carry out additional traffic order maintenance and the new Technical Officers are now helping to introduce new restrictions and improve the maintenance that occurs in all districts.

7.9. Despite the changes that have been made, it does appear that there are times when six schemes per year is not enough to satisfy all the new requirements that some partner authorities have. This will eventually lead to a funding issue if work continues at the same rate.

7.10. In 2014/15 the Technical Team spending was £60,000 over the £150,000. The initial £250,000 that NEPP received from ECC to try to rectify the backlog of maintenance issues has now largely been used. As was explained at the last JPC, there is £100,000 available from ECC for Traffic Regulation Orders and we intend to draw on this. Nonetheless, to continue introducing new schemes and carrying out maintenance at the rate we currently are without further income streams appears to be unsustainable in the long term.

7.11. The options available would appear to be:

- **Call for more funding** either from the County Council, LHPs, or surpluses (if available);
- **Carry out less maintenance** of road signs and markings;
- **Introduce fewer Traffic Regulation Orders** per year or find other income streams to fund them. The ways that traffic orders can be funded is limited and may mean authorities having to spend more on the funding of new traffic orders if they want improvements in their areas; or
- **Give back the traffic order function** to Essex County Council. This may mean that some decision making from local authorities would be lost.

- 7.12. What is seen as a priority or not by the local authority is not always the same as the highway authority. There are traffic orders that NEPP have introduced that would not have been introduced by ECC.
- 7.13. The introduction and maintenance of traffic orders also appears to be one of the more popular aspects of the NEPPs work in the districts. For example, the below is from a school in the Epping Forest district:
- “Lines are all done & shining brightly for all to see. Let’s hope it makes a difference. Thank you for organising it.”*
- 7.14. In view of the above factors it is suggested that in future years, if no additional funding can be sourced, that authorities receive **six schemes per year** as long as there are still sufficient resources (budget and officer time) available. This may mean that less than six proposals are agreed each year or that proposed schemes are only agreed at one meeting a year.
- 7.15. **Additional TRO Schemes**
- 7.16. Additional schemes required by partner authorities could still be approved but the full funding of the scheme would need to be provided by the local authority. The introduction of the proposals (notices/maps) could then be outsourced to a private company who would undertake the notice writing and any maps that are required.
- 7.17. The implementation of any schemes (order sealing/lines/signs/advertising) that are advertised in this way would still be carried out by NEPP officers.
- 7.18. If there is spare capacity amongst NEPP officers to carry out the introduction of new schemes this would be notified to client officers before March and October Joint Committees.
- 7.19. This above is not intended to affect the close working relationship that NEPP officers have with officers at Harlow District Council. It would only for additional schemes where there is not the capacity in the NEPP Technical Team to carry out the works that outsourcing would occur.
- 7.20. At the October JPC a report will be provided showing the total number of TROs that have been introduced by NEPP since its formation.



North Essex Parking Partnership

18 June 2015

Title: Annual Governance Statement

Author: Hayley McGrath, Corporate Governance Manager, Colchester Borough Council

Presented by: Hayley McGrath, Corporate Governance Manager, Colchester Borough Council

This report concerns the 2014/15 Annual Governance Statement for the North Essex Parking Partnership

1. Decision(s) Required

- 1.1 The Joint Committee is requested to:
- 1.2 Note and approve the 2014/15 Annual Governance Statement for the North Essex Parking Partnership, and
- 1.3 Agree the positive completion of Section 2 (the Governance Declaration) of the Annual Return for 2014/15, and
- 1.4 Agree the actions highlighted in the statement, which are required to ensure that the service continues to provide appropriate and cost effective

2. Reasons for Decision(s)

- 2.1 The Joint Committee is required to annually review the service's internal control arrangements by regulation 4 of the Accounts and Audit Regulations 2011. This was outlined in detail in the Annual Governance Statement briefing paper that was presented to this committee on 14 March 2013.

3. Supporting Information

- 3.1 In 2011 the requirement for smaller bodies to complete full statements of account was replaced by the completion of an annual return (attached as an appendix to the Draft Accounts report, which is a separate item on this agenda), which consists of four declarations, one of which relates to the body's governance arrangements.
- 3.2 The declaration requires the Committee to confirm that the service has complied with eight areas of governance. Work has therefore been undertaken to review these areas and the purpose of the Annual Governance Statement is to provide the committee with reassurance of the service's compliance with them. A copy of the Governance declaration is attached at appendix 1.
- 3.3 Whilst smaller bodies have to review their governance arrangements to complete the annual return, there is no requirement to produce or publish a formal Annual Governance Statement. However it is considered good practice to do so.

4. Conclusion and Recommendations

- 4.1 There have been no significant governance issues raised during the year and the internal audit report for 2014/15 achieved a substantial assurance rating.
- 4.2 The review this year, combined with the maintained audit assurance rating, have demonstrated that the governance arrangements for the partnership continue to be effective. However there are some internal controls that could be strengthened and these have been highlighted in the action plan in the Annual Governance Statement that is attached at appendix 2.
- 4.3 Given that there are no significant areas of concern it is recommended that the 'Governance Arrangements' section of the annual return is positively completed to show compliance with the eight areas of governance.

5.0 Standard References

- 5.1 Having considered consultation, equality, diversity and human rights, community safety, health and safety and risk management implications, there are none that are significant to the matters in this report.

Section 2 – Annual governance statement

We acknowledge as the members of:

ENTER NAME OF REPORTING BODY HERE

our responsibility for ensuring that there is a sound system of internal control, including the preparation of the accounting statements. We confirm, to the best of our knowledge and belief, with respect to the accounting statements for the year ended 31 March 2012, that:

	Agreed –		‘Yes’ means that the body:
	Yes	No*	
1 We approved the accounting statements prepared in accordance with the requirements of the Accounts and Audit Regulations and proper practices.	<input type="radio"/>	<input type="radio"/>	prepared its accounting statements in the way prescribed by law.
2 We maintained an adequate system of internal control, including measures designed to prevent and detect fraud and corruption and reviewed its effectiveness.	<input type="radio"/>	<input type="radio"/>	made proper arrangements and accepted responsibility for safeguarding the public money and resources in its charge.
3 We took all reasonable steps to assure ourselves that there are no matters of actual or potential non-compliance with laws, regulations and codes of practice that could have a significant financial effect on the ability of the body to conduct its business or on its finances.	<input type="radio"/>	<input type="radio"/>	has only done things it has the legal power to do and conformed to codes of practice and standards in the way it has done so.
4 We provided proper opportunity during the year for the exercise of electors’ rights in accordance with the requirements of the Accounts and Audit Regulations.	<input type="radio"/>	<input type="radio"/>	during the year gave all persons interested the opportunity to inspect and ask questions about the body’s accounts.
5 We assessed the risks facing the body and taken appropriate steps to manage those risks, including the introduction of internal controls and external insurance cover where required.	<input type="radio"/>	<input type="radio"/>	considered the financial and other risks it faces and dealt with them properly.
6 We maintained throughout the year an adequate and effective system of internal audit of the body’s accounting records and control systems.	<input type="radio"/>	<input type="radio"/>	arranged for a competent person, independent of the financial controls and procedures, to give an objective view on whether internal controls meet the needs of the body.
7 We took appropriate action on all matters raised in reports from internal and external audit.	<input type="radio"/>	<input type="radio"/>	responded to matters brought to its attention by internal and external audit.
8 We considered whether any litigation, liabilities or commitments, events or transactions, occurring either during or after the year-end, have a financial impact on the body and where appropriate included them in the accounting statements.	<input type="radio"/>	<input type="radio"/>	disclosed everything it should have about its business activity during the year including events taking place after the year-end if relevant.

This annual governance statement is approved by the body and recorded as minute reference

MINUTE REFERENCE

dated

Signed by:

Chair

dated

Signed by:

Clerk

dated

*Note: Please provide explanations to the external auditor on a separate sheet for each ‘No’ response. Describe how the body will address the weaknesses identified.

THE NORTH ESSEX PARKING PARTNERSHIP ANNUAL GOVERNANCE STATEMENT FOR THE YEAR ENDED 31 MARCH 2015

Scope of responsibility

Colchester Borough Council, as lead authority for the North Essex Parking Partnership (NEPP), is responsible for ensuring that their business is conducted in accordance with the law and proper standards, and that public money is safeguarded and properly accounted for, and used economically, efficiently and effectively. The Authority also has a duty under the Local Government Act 1999 to make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness.

In discharging this overall responsibility, Colchester Borough Council is responsible for putting in place proper arrangements for the governance of the NEPP affairs, facilitating the effective exercise of its functions, which includes arrangements for the management of risk.

Colchester Borough Council, for itself, has approved and adopted a code of corporate governance, which is consistent with the principles of the CIPFA/SOLACE Framework *Delivering Good Governance in Local Government*. A copy of the code is on the Council website at www.colchester.gov.uk (detailed in the constitution, which can be found in the 'Council and Democracy' area) or can be obtained from Colchester Borough Council, Rowan House, 33 Sheepen Road, Colchester, CO3 3WG.

Colchester Borough Council will apply the principles of its approach to corporate governance when regulating the affairs of the NEPP. This statement explains how the NEPP has complied with the code and also meets the requirements of regulation 4 of the Accounts and Audit Regulations 2011. Due to the size of the service it is not required to formally publish a governance statement but to demonstrate the service's commitment to providing effective services it is felt appropriate to produce the statement.

DELIVERING GOOD GOVERNANCE IN LOCAL GOVERNMENT:

The purpose of the governance framework

The governance framework comprises the systems and processes, and culture and values, by which the NEPP is directed and controlled and its activities through which it accounts to, engages with and leads the community. It enables the NEPP to monitor the achievement of its strategic objectives and to consider whether those objectives have led to the delivery of appropriate, cost effective services.

The system of internal control is a significant part of that framework and is designed to manage risk to a reasonable level. It cannot eliminate all risk of failure to achieve policies, aims and objectives and can therefore only provide reasonable and not absolute assurance of effectiveness. The system of internal control is based on an ongoing process designed to identify and prioritise the risks to the achievement of the NEPP's policies, aims and objectives, to evaluate the likelihood of those risks being realised and the impact should they be realised, and to manage them efficiently, effectively and economically.

The governance framework has been in place at the NEPP for the year ended 31 March 2015 and up to the date of approval of the annual accounts. A detailed description of the comprehensive processes that make up the framework can be found in the 2014/15 Annual Governance Statement for Colchester Borough Council, which is available from the address above.

The Principles of the Governance Framework

The Colchester Borough Council governance framework derives from six core principles identified in a publication entitled The Good Governance Standard for Public Services. This was produced by the Independent Commission on Good Governance in Public Services – a commission set up by the Chartered Institute Of Public Finance and Accountancy (CIPFA), and the Office for Public Management. The commission utilised work done by, amongst others, Cadbury (1992), Nolan (1995) and CIPFA/SOLACE (2001). These principles were adapted for application to local authorities and published by CIPFA in 2007, updated in 2012. The six core principles are:

- Focusing on the purpose of the authority and on outcomes for the community and creating and implementing a vision for the local area;
- Members and officers working together to achieve a common purpose with clearly defined functions and roles;
- Promoting values for the authority and demonstrating the values of good governance through upholding high standards of conduct and behaviour;
- Taking informed and transparent decisions which are subject to effective scrutiny and managing risk;
- Developing the capacity and capability of members and officers to be effective; and
- Engaging with local people and other stakeholders to ensure robust public accountability.

Colchester Borough Council has applied these six principles, where appropriate, in regulating the affairs of the NEPP.

DELIVERING GOOD GOVERNANCE IN LOCAL GOVERNMENT:

Review of effectiveness

Colchester Borough Council has responsibility for conducting, at least annually, a review of the effectiveness of its governance framework including the system of internal control. The review of effectiveness is informed by the work of the senior managers within the authority who have responsibility for the development and maintenance of the governance environment, the Internal Audit annual report and also by comments made by the external auditors and other review agencies and inspectorates.

The NEPP is governed by a joint committee which consists of 7 members, one from the Executive of each partner authority - Braintree, Colchester, Epping Forest, Essex, Harlow, Tendring and Uttlesford. The Joint Committee meets at least four times a year and has the delegated power to govern the service. The governance arrangements of the NEPP are primarily set out in the Joint Committee agreement which came into effect on 1 April 2011. The agreement covers the following key regulatory areas:

- Strategic vision and values
- Specification of specific services for each authority
- Specific Limits and Requirements
- Funding and Accounting / Budget processes
- Governance arrangements
- Constitution of the joint committee
- Decision making process
- Monitoring and Assessment
- Scrutiny
- Conduct of members
- Liability of the authorities and members
- Dissolution arrangements

It is Colchester Borough Council's role as lead authority to ensure that the NEPP's activities comply with the governance framework. The NEPP is subject to internal monitoring by Colchester Borough Council's Internal Auditors and Scrutiny committees.

The Joint Committee is responsible for ensuring that the strategic vision of the service is achieved:

"The vision and aim of the Joint Committee will be to provide a parking service that results in a merging of services to provide a single, flexible enterprise providing full parking services for a large group of Partner Authorities. It will be run from a central office, with outstations providing bases for local operations. There will be a common operating model, adopting best practices and innovation, yet also allowing variation in local policies and decision-making. Progress will be proportional to the level of investment in the Annual Business Plan."

The vision is underpinned by a set of values that incorporate good governance principles including defining the services purpose, customer service, financial management, performance management, staff development, efficiency and innovation.

Officers of the NEPP provide updates to each of the Joint Committee's meetings regarding the progress of the service and its effectiveness.

From the work undertaken in 2014/15, Internal Audit has provided satisfactory assurance that the system of internal control that has been in place at Colchester Borough Council for the year ended 31 March 2015 accords with proper practice. This is excepting any details of significant internal control issues as documented in Colchester Borough Council's Annual Governance Statement, none of which relate to the NEPP. It is also the opinion of Internal Audit that the Council's corporate governance framework complies with the best practice guidance on corporate governance issued by CIPFA/SOLACE.

Significant Governance Issues

The review of the effectiveness of the governance and internal control arrangements for the Parking Partnership has identified some areas where actions are required to ensure that the new North Essex Parking Partnership delivers appropriate and cost effective services. These are detailed in the table below:

No.	Issue	Action
1.	There is no formal process for TRO decisions to be challenged. Each authority decides on their TRO's prior to being reported to the joint committee and the background information is not provided for consideration.	A formal process to enable third parties to challenge the decision of TRO requests should be implemented and publicised.
2.	There is no formal monitoring of Health & Safety incidents involving staff. Violence and aggression incidents make up most of the Health & Safety reports but these are not reported into the joint committee for monitoring and action where necessary.	The joint committee should be provided with a report on Health and Safety matters at least annually, to ensure that there is adequate protection for officers.

We have been advised on the implications of the result of the review of the effectiveness of the governance framework.

Signed:

.....
Chairperson North Essex Parking
Partnership Joint Committee

.....
Parking Partnership Manager

.....
Chief Finance Officer

on behalf of North Essex Parking Partnership



North Essex Parking Partnership

18 June 2015

Title: Annual Review of Risk Management

Author: Hayley McGrath, Corporate Governance Manager, Colchester Borough Council

Presented by: Hayley McGrath, Corporate Governance Manager, Colchester Borough Council

This report concerns the 2015/16 Risk Management Strategy and current strategic risk register for the partnership

1. Decision(s) Required

- 1.1 The Joint Committee is requested to endorse the Risk Management Strategy for 2015/16.
- 1.2 And review and comment on the risk register for the North Essex Parking Partnership.

2. Reasons for Decision(s)

- 2.1 Risk Management is the control of business risks in a manner consistent with the principles of economy, efficiency and effectiveness. It is an essential corporate governance process that ensures that both the long and short term objectives of the organisation are achieved and that opportunities are fully maximised.
- 2.2 It is essential that the service operates an effective risk management process which provides an assurance to all partners that it is being properly managed. As required by each partners own code of corporate governance.

3. Supporting Information

- 3.1 Risk Management is not about eliminating risk, as this would limit the ability of the service to develop and deliver its ambitions. Its purpose is to recognise the issues that could affect the achievement of objectives and develop actions to control or reduce those risks.
- 3.2 An effective risk management process is a continuous cycle of identification, controlling, monitoring and reviewing of potential risk issues.
- 3.3 For the NEPP this is governed by a strategy for managing risk that sets out the roles and responsibilities of the joint committee and officers. It also defines the types of risk, the processes to be followed and the review arrangements.

3.4 The main document is the risk register which captures details relating to both strategic and operational risks and the actions to be undertaken to control those risks. The strategic risks will be reported at least twice a year to the joint committee.

4.0 Review of the Risk Management Strategy

4.1 The strategy should be reviewed annually to ensure that it is still relevant to the service and that it meets the governance objectives. Therefore a review has been carried out and the draft strategy for 2015/16 has been attached at appendix 1 for approval. The review did not highlight the need for any significant amendments.

5.0 Review of the Risk Register

5.1 The register is attached at appendix 2, this sets out the strategic risks, which are scored for impact and probability, enabling the risks to be ranked, so that resources can be directed to the key areas.

5.2 The register was last reported to this committee in March 2015. The register has since been reviewed with the Parking Services Manager and then by the partnership client officers to ensure that it continued to reflect the issues faced by the service.

5.3 The review added two new items - Central Government changes to policy affecting services delivery (1.13) and Media reporting of Government policy changes (1.14). No other amendments were made. The new items are shown on the register in italics.

5.4 Currently the highest ranking strategic risks are:

- Impact of potential future financial challenges, &
- Rate of response to business needs and demands.
- Media reporting of Government policy changes affects the delivery of the service.

The risk matrix is set out at appendix 3.

5.5 The operational risks are managed by the service and currently the highest operational risks relate to the possibility of an officer or member of the public incurring a serious injury and an interruption to the IT that is required to deliver the service.

5.6 It is requested that this committee reviews the strategic risks to ensure that they still reflect the issues faced by the service and that they are appropriately scored.

6.0 Conclusion and Recommendations

6.1 Members are asked to:

- Consider and endorse the Risk Management Strategy for the North Essex Parking Partnership, and
- Agree the strategic risk register, subject to any requested amendments.

7.0 Standard References

7.1 Having considered consultation, equality, diversity and human rights, community safety, health and safety and risk management implications, there are none that are significant to the matters in this report.

RISK MANAGEMENT STRATEGY

This document outlines the Service's commitment to managing risk in an effective and appropriate manner. It is intended to be used as the framework for delivery of the Risk Management function and provides guidance for officers on developing risk management as a routine management process.

INTRODUCTION

The Service undertakes that this strategy will promote and ensure that:

1. The management of risk is linked to performance improvement and the achievement of the Service's strategic objectives.
2. Members of the committee and Senior Management of the Service own, lead and support on risk management.
3. Ownership and accountability are clearly assigned for the management of risks throughout the Service.
4. There is a commitment to embedding risk management into the Service's culture and organisational processes at all levels including strategic, project and operational
5. All members and officers acknowledge the importance of risk management as a process, by which key risks and opportunities are identified, evaluated, managed and contribute towards good corporate governance.
6. Effective monitoring and reporting mechanisms are in place to continuously review the Service's exposure to, and management of, risks and opportunities.
7. Best practice systems for managing risk are used throughout the Service, including mechanisms for monitoring and reviewing effectiveness against agreed standards and targets.
8. Accountability to stakeholders is fully demonstrated through periodic reviews of the Service's risks, which are reported to the committee.
9. The Risk Management Strategy is reviewed and updated annually in line with the Service's developing needs and requirements.

Endorsement by Chairperson of the Committee

“The North Essex Parking Partnership is committed to ensuring that risks to the effective delivery of its services and achievement of its overall objectives are properly and adequately controlled. It is recognised that effective management of risk will enable the Service to maximise its opportunities and enhance the value of services it provides to the community. The North Essex Parking Partnership expects all officers and members to have due regard for risk when carrying out their duties.”

signature required

WHAT IS RISK MANAGEMENT

Risk Management is the control of business risks in a manner consistent with the principles of economy, efficiency and effectiveness. It is an essential performance management process to ensure that both the long and short term objectives of the Service are achieved and that opportunities are fully maximised.

Risk Management is not about eliminating risk, as this would limit the ability of the service to develop and deliver its ambitions. Its purpose is to recognise the issues that could effect the achievement of the objectives and develop actions to control or reduce those risks. Acknowledgement of potential problems and preparing for them is an essential element to successfully delivering any service or project. Good management of risk will enable the Service to rapidly respond to change and develop innovative responses to challenges and opportunities.

‘The Good Governance Standard for Public Services’ issued by The Independent Commission on Good Governance in Public Services states that there are six core principles of good governance including ‘Taking informed, transparent decisions and managing risk’. The document goes on to state ‘Risk management is important to the successful delivery of public services. An effective risk management system identifies and assesses risks, decides on appropriate responses and then provides assurance that the chosen responses are effective’.

Appendix A outlines the risk management process.

OWNERSHIP

The responsibility to manage risk rests with every member and officer of the service however it is essential that there is a clearly defined structure for the co-ordination and review of risk information and ownership of the process.

The following defines the responsibility for the risk management process within the joint parking service:

Joint Committee – Overall ownership of the risk management process and endorsement of the strategic direction of risk management. Responsible for periodically reviewing the effectiveness of the risk management process.

Assistant Chief Executive, Colchester Borough Council – Responsible for co-ordination of the risk management process, co-ordinating and preparing reports and providing advice and support.

North Essex Parking Partnership Manager – Ownership, control and reporting of the service's operational risks. Embed a risk management culture in the service.

All Employees – To understand and to take ownership of the need to identify, assess, and help manage risk in their individual areas of responsibility. Bringing to the management's attention at the earliest opportunity details of any emerging risks that may adversely impact on service delivery.

Internal Audit, External Audit and other Review Bodies – Annual review and report on the Service's arrangements for managing risk, having regard to statutory requirements and best practice. Assurance on the effectiveness of risk management and the controls environment.

THE WAY FORWARD

Aims & Objectives

The aim of the service is to adopt best practices in the identification, evaluation, cost-effective control and monitoring of risks across all processes to ensure that risks are properly considered and reduced as far as practicable.

The risk management objectives of the North Essex Parking Partnership are to:

- Integrate risk management into the culture of the service
- Ensure that there are strong and identifiable links between managing risk and all other management and performance processes.
- Manage risk in accordance with best practice
- Anticipate and respond to changing social, environmental and legislative requirements
- Prevent injury, damage and losses and reduce the cost of risk
- Raise awareness of the need for risk management by all those connected with the delivery of services.
- Ensure that opportunities are properly maximised through the control of risk.
- Reduce duplication between services in managing overlapping risks and promote 'best practise'.

Strategic Risk Management

Strategic risks are essentially those that threaten the long term goals of the service and therefore are mainly based around meeting the objectives of the Service Agreement. They may also represent developing issues that have the potential to fundamentally effect service provision, such as proposals to dramatically change County Council arrangements.

Operational Risk Management

Operational risks are those that threaten the routine service delivery and those that are associated with providing the service. These could include damage to equipment and Health and Safety issues.

Links

It is essential that risk management does not operate in isolation to other management processes. To fully embed a risk management culture it has to be demonstrated that risk is considered and influences all decisions that the service makes. It is essential that there is a defined link between the results of managing risk and the following:

- Service Delivery Plan
- Revenue and Capital Budgets
- Annual Internal Audit Plan

Action Required

The following actions will be implemented to achieve the objectives set out above:

- Development of a risk register that identifies the strategic and operational risks and outline the actions to be taken in respect of those risks.
- Considering risk management as part of the service's strategic planning and corporate governance arrangements
- Ensuring that the responsibility for risk management is clearly and appropriately allocated
- Maintaining documented procedures for managing risk
- Maintaining a corporate approach to identify and prioritise key services and key risks across the service and assess risks on key projects.
- Maintain a corporate mechanism to evaluate these key risks and determine if they are being adequately managed and financed.
- Establish a procedure for ensuring that there is a cohesive approach to linking the risks to other management processes
- Including risk management considerations in all committee reports
- Ensure appropriate risk management awareness training for both members and officers.
- Establishing a reporting system which will provide assurance on how well the service is managing its key risks and ensures that the appropriate Members and officers are fully briefed on risk issues.
- Preparing contingency plans in areas where there is a potential for an occurrence to have a significant effect on the service and its business capability.
- Regularly reviewing the risk process to ensure that it complies with current national Governance Standards and Best Practice.

REPORTING & REVIEW

To ensure that the risk management process is effective it will need to be measured and reported to the Joint Committee at least every six months, with an annual review demonstrating the effectiveness of the risk management programme.

The results of the Joint Committee reviews should be fed into the risk reporting process for each partner to ensure that each Authority has the necessary evidence to provide assurance for their own governance requirements.

Appendix A

The Risk Management Process

Risk Management is a continual process of identifying risks, evaluating their potential consequences and determining the most effective methods of controlling them and / or responding to them. The risks faced by the Service are constantly changing and the continual process of monitoring risks should ensure that we can respond to the new challenges. This process is referred to as the risk management cycle.

Stage 1 – Risk Identification

Identifying and understanding the hazards and risks facing the service is crucial if informed decisions are to be made about policies or service delivery methods. There is detailed guidance available on how to identify risks which includes team sessions and individual knowledge. Once identified a risk should be reported to the Parking Partnership Manager who will consider its inclusion on the relevant risk register. If the risk is identified in between register reviews then it is reported to the Risk & Resilience Manager for information and the Parking Partnership Manager is responsible for managing the risk.

Stage 2 – Risk Analysis

Once risks have been identified they need to be systematically and accurately assessed. If a risk is seen to be unacceptable, then steps need to be taken to control or respond to it.

Stage 3 – Risk Control

Risk control is the process of taking action to minimise the likelihood of the risk event occurring and / or reducing the severity of the consequences should it occur.

Stage 4 – Risk Monitoring

The risk management process does not finish with the risk control procedures in place. Their effectiveness in controlling risk must be monitored and reviewed. It is also important to assess whether the nature of the risk has changed over time.

STRATEGIC RISKS

RISK No.	RISK	CONSEQUENCE	CONTROLS	BY WHOM	REVIEW	SCORE	Workings		Previous Workings	
							P	I	P	I
1.1	A partner is not represented at a meeting as a suitable member from that authority has not attended, or the meeting is not quorate	There is an imbalance in the decision making power of the committee. A decision is taken on a local matter without local representation. Meeting has to be postponed Decision making delayed.	Each authority will consider their arrangements to ensure that they are appropriately represented. Publish dates in good time combine meetings with other commitments where possible. Committee agendas to be printed a minimum of a week in advance of the meeting.	Each member authority/ Cttee Officer	December 2015	2	2	1		
1.2	Due to financial constraints, one of the partners challenges the funding arrangements for the partnership	Decrease in service provision / failure of the partnership. Stranded costs to be covered by the remainder of the partners.	Ensure that member authority representatives fully understand the partnership agreement and are involved in the budget setting of each authority	Chief Finance Officer	December 2015	16	4	4	3	2
1.3	There's a change in political will of a partner that leads to the partner withdrawing from the arrangement	Decrease in service provision. The partnership fails and external funding is lost or needs to be repaid.	Ensure that performance of the partnership is appropriately reported back to each authority and the effects of withdrawing are understood	Parking Partnership Manager	December 2015	8	2	4		

RISK No.	RISK	CONSEQUENCE	CONTROLS	BY WHOM	REVIEW	SCORE	Workings		Previous Workings	
							P	I	P	I
1.4	Preferences of members, or party political directions, dictate the direction of the meeting.	Adverse reputational impact on the partnership. The items for decision on the agenda do not receive equitable debate and more important items may not receive proper consideration. Decisions are not in the best interests of the partnership. Imbalance in services provided to each partner	Strong chairmanship of the meetings. Members should ensure that they are aware of the committee protocols.	Parking Partnership Manager	December 2015	4	2	2		
1.5	Relationship between senior management of the partnership and the committee deteriorates.	Low morale, poor decision making reduced capacity Lack of innovation.	Strong leadership of the partnership Open and honest communication between management and committee	Parking Partnership Manager	December 2015	4	2	2		
1.6	Lack of partnership support for shared targets.	Failure to deliver key targets, missed opportunities, Tarnished reputation.	Ensure that partners are fully briefed on and committed to shared targets.	Parking Partnership Manager	December 2015	3	1	3		

RISK No.	RISK	CONSEQUENCE	CONTROLS	BY WHOM	REVIEW	SCORE	Workings		Previous Workings	
							P	I	P	I
1.7	The Essex County Council three year review of decriminalised parking services across the county results in fundamental changes to the service.	Direct effect on the partnership as any changes could undermine confidence and alter the services that the partnership is required to deliver, possibly resulting in resourcing and delivery issues.	Members of the committee should maintain close liaison with County and ensure that all opportunities to participate in discussions are taken.	Chair of the joint committee	December 2015	16	4	4	2	3
1.8	Removed									
1.9	Potential future financial challenges, of reduced income and increased costs, are greater than expected.	Inability to invest in the future of the service. Missed opportunities Failure of the service.	Financial performance is stringently monitored and deviancies reported to the partnership for action.	Parking Partnership Manager	December 2015	15	3	5		
1.10	The partnership is subject to a major legal challenge relating to policy decision.	High financial impact of defending action. Reputation loss Reduction or withdrawal of services	All policy decisions are made in line with legal powers.	Chair of the joint committee	December 2015	8	2	4		
1.11	Removed									
1.12	Lack of agility responding to business need and demand, based on historical data in cttee reports.	Headline figures sway discussion, masking debate around project and solutions based improvements.	Ensure that committee reports contain relevant and timely data that is balanced with future solutions, which identify critical issues and root cause analysis not just headline performance.	Parking Partnership Manager	December 2015	12	3	4		

1.13	Central Government changes, from minor operational adjustments through to fundamental policy decisions, affect the ability of the partnership to deliver programmed services and meet its published financial and operational targets.	Increased challenge from the public - whose expectations are raised, increased costs of additional working, reduction in performance whilst changes bed in. With impacts as highlighted in 1.10 above.	Ensure all consultation is considered and responded to, ensure policies and procedures are aligned with any changes and future direction.	Chair of the Joint Committee	December 2015	10	5	2		
1.14	Selective media reporting of policy changes affects the ability of the partnership to deliver services.	Increased challenge from the public - whose expectations are raised, increased costs of additional working, reduction in performance whilst changes bed in. Potential financial impact of having to refund PCN's issued in error.	Ensure a consistent understandable response is given and a co-ordinated approach is undertaken to make clear statements about the effect that the changes will (or won't) have on services	Parking Services Manager	December 2015	16	4	4		

IMPACT TABLE

	Very Low	1	Low	2	Medium	3	High	4	Very High	5
PROBABILITY	<10%		10 – 25%		25 – 50%		50 – 75%		>75%	
Impact	Minimal - no interruption to service delivery < £10k		Minor - temporary disruption to service delivery £11k - £25k		Significant - interruption to part of the service £26k - £75k		Severe – full interruption to service delivery £76k - £100k		Catastrophic – complete service failure £100k<	

Minimum Score = 1

Maximum Score = 25

Low risk = 1 – 4 Medium Risk = 5 – 12 High Risk = 13 – 25

Removed Items

No	Risk
1.8	Decisions are taken on a political basis as opposed to being considered on their own merits.
1.11	Income assumptions are based on outdated financial data.

NORTH ESSEX PARKING PARTNERSHIP

RISK MATRIX MARCH 2015
(pre committee consideration)

Low Risks	Medium Risks	High Risks
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Scoring 1-5

Risk Tolerance Line

Probability of Occurrence	5 Very High		13			
	4 High				2 7 14	
	3 Medium				12	9
	2 Low		4 5		3 10	
	1 Very Low		1	6		
		1 Very Low	2 Low	3 Medium	4 High	5 Very high
Severity of Impact						

Risks Removed

- 1.8 Decisions are taken on a political basis as opposed to being considered on their own merits.
- 1.11 Income assumptions are based on outdated financial data.

North Essex Parking Partnership Joint Committee

Item

18 June 2015

Report of	Treasurer to the Parking Joint Committee	Author	Steve Heath ☎ 282389
Title	Draft Accounts 2014/15		

This report presents the draft accounts for 2014/15

1. Decisions Required

- 1.1 To consider this report and supporting information and approve the pre-audit accounts for 2014/15 so that the Annual Return can be submitted for audit by the statutory deadline of 30 June.
- 1.2 To note the changes in the audit requirements from 2015/16, and confirm the preferred course of action.

2. Procedure

- 2.1 The Joint Committee is classified as 'smaller relevant body' under the Accounts and Audit Regulations 2011, as both the gross income and expenditure fall below the threshold of £6.5m. The requirements of the Joint Committee as a 'smaller relevant body' are as follows:
 - Preparation of accounting statements for the year ended 31 March 2015 in the format prescribed by the Annual Return. Sections 1, 2 and 4 of the draft Annual Return for 2014/15 are included as **Appendix A** to this report.
 - To approve the Annual Return and submit the completed document to the auditor by no later than 30 June 2015.
 - To publish or display a notice of the date for the exercise of electors' rights, and provide access to inspect the accounts on reasonable notice.
 - To publish or display the Annual Return, including the external auditor's signed report, by 30 September 2015.
- 2.2 The financial statements are shown in **Appendix B** to this report. The workings have been shared with each partner authority so that they are able to reflect their share of the income and expenditure of the NEPP in their own accounts. The Annual Governance Statement is being reported as a separate item on this agenda.
- 2.3 The in-year surplus of £66k consists of £70k relating to the On-Street account and a deficit of £4k relating to the Off-Street account, and is proposed as a budget carry-forward into 2015/16. The variance against the On-Street account takes into account an amount of £61k transferred from the TRO earmarked reserve during the year.
- 2.4 It is important to note the following assumptions that have been made in the completion of the accounts for the Joint Committee. In some cases this may differ from the reports that the Committee is presented with to detail the financial position of the service during the year.
 - The accounts include both direct and non-direct costs. Direct costs are those that are directly attributable to the running of the service, whilst non-direct costs include management overheads and an allocation of support service costs.
 - Management account recharges within the Service that balance to zero have been removed to avoid distorting the figures. However, this does not have any impact on the results.

- Ownership and stewardship of the car park assets will not be delegated to the Joint Committee. Consequently, the Balance Sheet does not include any fixed assets, and any Capital charges, deferred charges or buildings insurance costs will be borne by Colchester Borough Council and disclosed in Colchester Borough Council's accounts.
- The 'Cash' amount on the Balance Sheet is a balancing figure. The reasons for this are that the methodology for preparing the accounts follows that taken by other Joint Committees, and that the creation of a memorandum bank account would require significant adjustments to Colchester Borough Council's General Ledger system, as well as the introduction of a new cash receipting solution.

3. Audit arrangements from 2015/16

- 3.1 The appointment of PKF Littlejohn LLP to audit the accounts of the joint committee will end with the completion of the audit of the 2014/15 accounts.
- 3.2 With effect from the 2015/16 financial year joint committees will no longer have a statutory obligation to prepare accounts that will be audited by a firm appointed by the Audit Commission. The Audit Commission Act 1998 was repealed with effect from 1 April 2015, and the new Local Audit and Accountability Act 2014 does not apply to joint committees. From 1 April 2015, any expenditure overseen by a joint committee is only subject to statutory audit as part of the main accounts of constituent audited bodies.
- 3.3 The joint committee may voluntarily decide to continue to prepare accounts and arrange for their audit. Any arrangements of this kind would need to be made directly between a joint committee and their chosen auditor. The joint committee is asked to confirm what course of action it wishes to take for 2015/16 onwards.
- 3.4 It is recommended that the joint committee agree to discontinue the submission of separate accounts for external audit from 2015/16. The main reasons for this being that the income and expenditure is already subject to statutory audit as part of the main accounts of Colchester Borough Council, and any new arrangement is likely to result in additional cost to the joint committee. It should be noted that NEPP partners will still be required to adjust their accounts to reflect their share of the income and expenditure of the NEPP.

4. Publicity Considerations

- 4.1 The accounts were open for public inspection from 8 May to 5 June 2015 to meet our legal duties. These dates have been advertised on the Council's website from 24 April, and the details were passed to partners should they wish to do the same. Staff were available to provide information and respond to questions during this period.

5. Financial Implications

- 5.1 The approval of the Annual Return meets a statutory requirement for financial reporting and is an important part of the process to demonstrate accountability in the use of public funds.

Background Papers

None

Section 1 – Accounting statements 2014/15 for:

Enter name of reporting body here:

NORTH ESSEX PARKING PARTNERSHIP JOINT COMMITTEE

	Year ending		Notes and guidance
	31 March 2014 £	31 March 2015 £	
			Please round all figures to nearest £1. Do not leave any boxes blank and report £0 or Nil balances. All figures must agree to underlying financial records.
1 Balances brought forward	270,458	364,495	Total balances and reserves at the beginning of the year as recorded in the body's financial records. Value must agree to Box 7 of previous year.
2 (+) Income from local taxation and/or levy	1,245,161	1,242,269	Total amount of local tax and/or levy received or receivable in the year including funding from a sponsoring body.
3 (+) Total other receipts	2,433,759	2,342,952	Total income or receipts as recorded in the cashbook less the taxation and/or levy (line 2). Include any grants received here.
4 (-) Staff costs	2,387,599	2,248,003	Total expenditure or payments made to and on behalf of all employees. Include salaries and wages, PAYE and NI (employees and employers), pension contributions and employment expenses.
5 (-) Loan interest/capital repayments	0	0	Total expenditure or payments of capital and interest made during the year on the body's borrowings (if any).
6 (-) All other payments	1,197,284	1,384,312	Total expenditure or payments as recorded in the cashbook less staff costs (line 4) and loan interest/capital repayments (line 5).
7 (=) Balances carried forward	364,495	317,401	Total balances and reserves at the end of the year. Must equal (1+2+3) – (4+5+6)
8 Total cash and short term investments	378,178	342,850	The sum of all current and deposit bank accounts, cash holdings and short term investments held as at 31 March – to agree with bank reconciliation.
9 Total fixed assets plus other long term investments and assets	0	0	The original Asset and Investment Register value of all fixed assets, plus other long term assets owned by the body as at 31 March
10 Total borrowings	0	0	The outstanding capital balance as at 31 March of all loans from third parties (including PWLB).

I certify that for the year ended 31 March 2015 the accounting statements in this annual return present fairly the financial position of the body and its income and expenditure, or properly present receipts and payments, as the case may be.

Signed by Responsible Financial Officer:

SHR

Date 09/06/2015

I confirm that these accounting statements were approved by the body on:

DD/MM/YYYY

and recorded as minute reference:

MINUTE REFERENCE

Signed by Chair of meeting approving these accounting statements:

SIGNATURE REQUIRED

Date DD/MM/YYYY

Section 2 – Annual governance statement 2014/15

We acknowledge as the members of **NORTH ESSEX PARKING PARTNERSHIP JOINT COMMITTEE** our responsibility for ensuring that there is a sound system of internal control, including the preparation of the accounting statements. We confirm, to the best of our knowledge and belief, with respect to the accounting statements for the year ended 31 March 2015, that:

	Agreed –		'Yes' means that the body:
	Yes	No*	
1 We approved the accounting statements prepared in accordance with the requirements of the Accounts and Audit Regulations and proper practices.	✓		prepared its accounting statements in the way prescribed by law.
2 We maintained an adequate system of internal control, including measures designed to prevent and detect fraud and corruption and reviewed its effectiveness.	✓		made proper arrangements and accepted responsibility for safeguarding the public money and resources in its charge.
3 We took all reasonable steps to assure ourselves that there are no matters of actual or potential non-compliance with laws, regulations and proper practices that could have a significant financial effect on the ability of the body to conduct its business or on its finances.	✓		has only done what it has the legal power to do and has complied with proper practices in doing so.
4 We provided proper opportunity during the year for the exercise of electors' rights in accordance with the requirements of the Accounts and Audit Regulations.	✓		during the year has given all persons interested the opportunity to inspect and ask questions about the body's accounts.
5 We carried out an assessment of the risks facing the body and took appropriate steps to manage those risks, including the introduction of internal controls and/or external insurance cover where required.	✓		considered the financial and other risks it faces and has dealt with them properly.
6 We maintained throughout the year an adequate and effective system of internal audit of the body's accounting records and control systems.	✓		arranged for a competent person, independent of the financial controls and procedures, to give an objective view on whether internal controls meet the needs of the body.
7 We took appropriate action on all matters raised in reports from internal and external audit.	✓		responded to matters brought to its attention by internal and external audit.
8 We considered whether any litigation, liabilities or commitments, events or transactions, occurring either during or after the year-end, have a financial impact on the body and where appropriate have included them in the accounting statements.	✓		disclosed everything it should have about its business activity during the year including events taking place after the year-end if relevant.

This annual governance statement is approved by the body and recorded as minute reference

MINUTE REFERENCE

dated DD/MM/YYYY

Signed by:

Chair SIGNATURE REQUIRED

dated DD/MM/YYYY

Signed by:

Clerk SIGNATURE REQUIRED

dated DD/MM/YYYY

*Note: Please provide explanations to the external auditor on a separate sheet for each 'No' response. Describe how the council will address the weaknesses identified.

Section 4 – Annual internal audit report 2014/15 to

NORTH ESSEX PARKING PARTNERSHIP JOINT COMMITTEE

The body's internal audit, acting independently and on the basis of an assessment of risk, carried out a selective assessment of compliance with relevant procedures and controls expected to be in operation during the financial year ended 31 March 2015.

Internal audit has been carried out in accordance with the body's needs and planned coverage. On the basis of the findings in the areas examined, the internal audit conclusions are summarised in this table. Set out below are the objectives of internal control and alongside are the internal audit conclusions on whether, in all significant respects, the control objectives were being achieved throughout the financial year to a standard adequate to meet the needs of the body.

Internal control objective	Agreed? Please choose one of the following		
	Yes	No*	Not covered**
A Appropriate accounting records have been kept properly throughout the year.	✓		
B The body's financial regulations have been met, payments were supported by invoices, all expenditure was approved and VAT was appropriately accounted for.	✓		
C The body assessed the significant risks to achieving its objectives and reviewed the adequacy of arrangements to manage these.	✓		
D The annual taxation or levy or funding requirement resulted from an adequate budgetary process; progress against the budget was regularly monitored; and reserves were appropriate.	✓		
E Expected income was fully received, based on correct prices, properly recorded and promptly banked; and VAT was appropriately accounted for.	✓		
F Petty cash payments were properly supported by receipts, all expenditure was approved and VAT appropriately accounted for.			✓
G Salaries to employees and allowances to members were paid in accordance with body approvals, and PAYE and NI requirements were properly applied.	✓		
H Asset and investments registers were complete and accurate and properly maintained.	✓		
I Periodic and year-end bank account reconciliations were properly carried out.	✓		
J Accounting statements prepared during the year were prepared on the correct accounting basis (receipts and payments or income and expenditure), agreed to the cash book, were supported by an adequate audit trail from underlying records, and, where appropriate, debtors and creditors were properly recorded.	✓		

For any other risk areas identified by the body (list any other risk areas below or on separate sheets if needed) adequate controls existed:

F - No petty cash payments are made within the Partnership

Name of person who carried out the internal audit: *HAYLEY MCGRATH*

Signature of person who carried out the internal audit: *[Signature]* Date: *11/05/2015*

*Note: If the response is 'no' please state the implications and action being taken to address any weakness in control identified (add separate sheets if needed).

**Note: If the response is 'not covered' please state when the most recent internal audit work was done in this area and when it is next planned, or, if coverage is not required, internal audit must explain why not (add separate sheets if needed).

The Comprehensive Income and Expenditure Statement shows the income receivable and expenditure incurred in operating the Service for the year. It summarises all of the resources that it has generated, consumed or set aside in providing services during the year.

	2014/15			2013/14		
	On-Street £	Off-Street £	Total £	On-Street £	Off-Street £	Total £
Comprehensive Income & Expenditure Statement						
Gross Expenditure	2,279,372	1,352,943	3,632,315	2,331,567	1,253,315	3,584,883
Gross Income	(2,288,671)	(54,281)	(2,342,952)	(2,416,453)	(17,305)	(2,433,759)
Net Expenditure	(9,299)	1,298,662	1,289,363	(84,886)	1,236,010	1,151,124
Budget Contribution						
Earmarked Reserves	60,974		60,974	(84,886)		(84,886)
Braintree District Council		145,900	145,900		142,000	142,000
Colchester Borough Council		648,869	648,869		626,733	626,733
Epping Forest District Council		279,600	279,600		262,428	262,428
Harlow District Council		67,800	67,800		66,000	66,000
Uttlesford District Council		152,100	152,100		148,000	148,000
(Surplus) / Deficit	(70,273)	4,393	(65,880)	0	(9,151)	(9,151)

The Balance Sheet summarises the Service's financial position as at the end of the financial year. It shows the balances, and current assets and liabilities of the Service.

	2014/15			2013/14		
	On-Street £	Off-Street £	Total £	On-Street £	Off-Street £	Total £
Balance Sheet						
Current Assets						
Debtors	23,142	42,737	65,879	780	8,629	9,409
Cash (balancing figure)	303,088	39,762	342,850	366,344	11,834	378,178
	326,230	82,499	408,729	367,124	20,463	387,587
Less						
Creditors	20,189	71,139	91,328	18,382	4,710	23,092
	20,189	71,139	91,328	18,382	4,710	23,092
Total Net Assets	306,041	11,360	317,401	348,742	15,753	364,495
Funded By						
Surplus from CIES	70,273	(4,393)	65,880	0	9,151	9,151
Surplus B/Fwd	0	15,753	15,753	0	6,602	6,602
Earmarked Reserves (Movement)	(112,974)	0	(112,974)	84,886	0	84,886
Earmarked Reserves (B/fwd)	348,742	0	348,742	263,856	0	263,856
Total Reserves	306,041	11,360	317,401	348,742	15,753	364,495

The Movement in Reserves Statement is a summary of the movements during the year in the different reserves held by the Joint Committee.

	2014/15			2013/14		
	On-Street £	Off-Street £	Total £	On-Street £	Off-Street £	Total £
Movement in Reserves Statement						
Opening Balance						
General Fund	0	15,753	15,753	0	6,602	6,602
Earmarked Reserve	348,742	0	348,742	263,856	0	263,856
	348,742	15,753	364,495	263,856	6,602	270,458
Surplus/(Deficit) on provision of services	70,273	(4,393)	65,880	0	9,151	9,151
Net Increase/ (Decrease) before Reserves	70,273	(4,393)	65,880	0	9,151	9,151
Earmarked Reserve	(112,974)	0	(112,974)	84,886	0	84,886
	(112,974)	0	(112,974)	84,886	0	84,886
Closing Balance	306,041	11,360	317,401	348,742	15,753	364,495

The Cash Flow Statement shows where the Service received cash from during the year and what the cash was spent on. The net increase or decrease in cash agrees with the movement in cash balances shown on the Balance Sheet.

	2014/15			2013/14		
	On-Street £	Off-Street £	Total £	On-Street £	Off-Street £	Total £
Cash Flow Statement						
Cash Outflows						
To and behalf of employees	1,401,761	844,982	2,246,743	1,434,525	951,634	2,386,159
Other operating costs	875,804	441,532	1,317,336	905,989	290,190	1,196,179
	2,277,565	1,286,514	3,564,079	2,340,514	1,241,824	3,582,338
Cash Inflows						
Other Grants	(150,660)	(20,005)	(170,665)	(391,496)	(34,150)	(425,646)
Cash for Goods & Services	(2,115,649)	(168)	(2,115,817)	(2,248,520)	(16)	(2,248,537)
Partner Contributions	52,000	(1,294,269)	(1,242,269)	0	(1,245,161)	(1,245,161)
	(2,214,309)	(1,314,442)	(3,528,751)	(2,640,016)	(1,279,328)	(3,919,344)
Net Cash (Inflow)/Outflow	63,256	(27,928)	35,328	(299,502)	(37,504)	(337,006)
Cash Flow Reconciliation to surplus for the year						
(Surplus)/Deficit for the year	42,701	4,393	47,094	(84,886)	(9,151)	(94,037)
Items on an accruals basis:			0			0
- Creditors	(1,807)	(66,429)	(68,236)	8,106	(15)	8,091
- Debtors	22,362	34,108	56,470	(222,722)	(28,338)	(251,060)
Net Cash (Inflow)/Outflow	63,256	(27,928)	35,328	(299,502)	(37,504)	(337,006)

The following table shows how the information from the above accounting statements is shown in Section 1 of the electronic annual return for smaller relevant bodies.

		31-Mar-15	31-Mar-14
1	Balances brought forward	364,495	270,458
2	Income from local taxation and/or levy	1,242,269	1,245,161
3	Total other receipts	2,342,952	2,433,759
4	Staff Costs	2,248,003	2,387,599
5	Loan interest / capital repayments	0	0
6	All other payments	1,384,312	1,197,284
7	Balances carried forward	317,401	364,495
8	Total cash and short term investments	342,850	378,178
9	Total fixed assets and long term assets	0	0
10	Total borrowings	0	0
Reconciliation between Box 7 and Box 8			
7	Balances carried forward	317,401	364,495
Less	Debtors	(65,879)	(9,409)
	Payments in advance	0	0
	Stock	0	0
Add	Creditors	91,328	23,092
	Receipts in advance	0	0
8	Total cash and ST investments	342,850	378,178



North Essex Parking Partnership

18 June 2015

Title: NEPP On-Street financial position at year end 2014/2015
Author: Matthew Young, Head of Operational Services
Presented by: Matthew Young, Head of Operational Services

This report sets out the end of year financial position on the North Essex Parking Partnership (NEPP) On-street budget

1. Decision(s) Required

- 1.1. The Joint Committee are asked to consider the position on the NEPP on-street account at the end of the financial year and note the £71,000 surplus. It was agreed at the Joint Committee meeting in January 2014 that surpluses of £50,000 would be retained to offset any deficits in subsequent years and this will be held in a ring-fenced account by the lead authority.
- 1.2. That the remaining £21,000 be used for the following essential items that are required by the partnership to maintain the on-street operation, particularly improved handhelds for the Civil Enforcement Officers (CEOs) that can contend with the expansion of Mi-permit. These were requested in the carry forward from last year's surplus, but the new generation machines have not been available for purchase until now.
- 1.3. The Joint Committee are also asked to consider the position on the balances held in a ring-fenced account by the lead authority, which includes the funding for Traffic Regulation Orders (TROs).

2. Reasons for Decision(s)

- 2.1. This decision reflects the Joint Committee policy on surpluses and deficits agreed at the Joint Committee meeting held in January 2014.
- 2.2. It also enables Joint Committee Members to monitor the financial position of the partnership.

3. Alternative Options

- 3.1. The £21k surplus could be used for other means, or retained in the ring-fenced account.

4. Supporting Information

- 4.1. The detailed budget figures are set out in the Appendix to this report and comment on these are in the following paragraphs.

4.2. Expenditure

The savings on staffing have mainly come from the vacancies carried in the enforcement teams throughout the year that are in the process of either being advertised or have now been filled. This underspend does also take into account the adjustment in Enforcement staffing costs as a result of the review of the off-street account undertaken during the financial year that reflects the actual amount of time spent on on-street enforcement.

The overspend of £11k in the Premises budget relates to fixtures and fittings required in the Harlow and Braintree bases to make the office and rest rooms more habitable and the underspend in Supplies and Services of £17k is a result of the underspend on new handhelds as detailed in paragraph 1.2.

In relation to non-direct costs the main reasons for the variances are due to the comprehensive review of support service charges that was undertaken by the lead authority during the financial year. This has meant the NEPP is now paying less for the accommodation it occupies within the lead authority's main administrative office. However, there is a significant increase in IT support costs which reflects the increased dependence on automated processes in the NEPP's operation. These figures have been thoroughly scrutinised by the senior officers of the NEPP and justification has been provided by the management of the IT support service. There are minor changes in the other non-direct costs as shown in the Appendix to this report. These changes have been reflected when setting the 2015/16 on-street budget.

4.3. Income

There is a slight under recovery of income on Penalty Charge Notices (PCNs), but considering the overall estimated budget this final figure is a notable achievement. This is despite the vacancies being carried by all the Enforcement Teams so is a testament to the hard work of all the CEOs and the diligence of the NEPP back office staff in pursuing payment of PCNs. This slight deficit is significantly offset by the sale of permits and season tickets which has exceeded the predicted income figure by £61k. The pay and display income from on-street machines, mainly in Epping, is slightly under predicted levels.

5. NEPP Reserves

5.1 The lead authority maintains a ring-fenced account to hold the balances of the NEPP either through surpluses earned on either the on or off street accounts or the money paid by Essex County Council (ECC) for maintenance of signs and lines or introducing new TROs. The high level summary of this account is as follows and the figures in brackets are credit amounts:

	Brought forward at 1.4.13	Drawn-down in year	Carried forward at 31.3.14	Brought forward at 1.4.14	Drawn-down in year	Carried forward at 31.3.15
Cashflow	(100,000.00)		(100,000.00)	(100,000.00)		(100,000.00)
Transitional funding	0.00		0.00	0.00		0.00
TRO's	(163,857.27)	67,105.01	(96,752.26)	(96,752.26)	60,973.95	(35,778.31)
On-Street surplus	0.00	(151,991.08)	(151,991.08)	(151,991.08)	(19,355.93)	(171,347.01)
	<u>(263,857.27)</u>	<u>(84,886.07)</u>	<u>(348,743.34)</u>	<u>(348,743.34)</u>	<u>41,618.02</u>	<u>(307,125.32)</u>

5.2 To assist Members understanding the following definitions may be helpful:

- **Cashflow:** This was the amount that was given to the partnership by ECC for cashflow assistance when setting up the Partnership. It is due to be paid back to the County Council at the end of the joint agreement period, but recent correspondence has indicated that it could be used to support the TRO function. The Chairman has made that request to the ECC Portfolio Holder and permission has now been given.
- **Transitional Funding:** This was to cover the set-up costs of the Partnership and was mainly used for payments to staff made redundant as part of the transfer to the new arrangements. It was all used within the first two years of the NEPP operation
- **TROs:** This is where any unspent amounts from the £150,000 annual allowance are placed. In the last two years this amount has been fully spent so money has been drawn down to meet the demand from the agreed schemes
- **On-street surplus:** These are the surpluses from the on-street account and any expenditure agreed by the Joint Committee would be shown as a draw-down.

5.3 As Members will see the spending on TROs has increased substantially as schemes have been agreed by the Joint Committee and implemented. The options for the future of this part of the NEPP operation are set out in the Technical Team report elsewhere on the agenda for this meeting.

6. Proposals

6.1. For the Joint Committee to confirm the decisions as set out in the Decisions section of this report.

Background Papers

No background papers

NEPP: Outturn 2014/2015 & Budget 2015/16					Appendix A	
On-street Account	2013/14 Actual	2014/2015 Actual out-turn	2014/2015 Budget to out-turn	2014/2015 Variance	2015/16 Budget	Note
Expenditure						
Direct costs						
Employee costs:						
Management	58	63	73	(10)	58	Parking Services Mgt Team staff costs
CEOs & Supervision	1,031	992	1,069	(78)	1,129	CEOs & Supervisor staff costs
Back Office	266	265	257	8	274	Back Office staff costs
TRO's	80	83	84	(1)	78	TRO team staff costs
Premises costs	10	19	8	11	13	R&M budget (small expenditure anticipated)
Transport costs (running costs)	29	36	36	-	38	Fuel, public transport etc
Supplies & Services	195	178	195	(17)	161	General expenditure
Third Party Payments	41	39	35	4	35	Chipside and TEC bureau costs
	1,711	1,674	1,758	(83)	1,785	
Non-direct costs						
Accommodation	62	33	58	(25)	39	Accommodation
Other Support Services	133	156	148	8	171	Accountancy, HR, insurance, HoS, etc
Cash Office & Receipting & Postage	45	29	32	(3)	24	Cash Office & postage
Communications	14	14	18	(5)	18	Communications
Fleet contract hire	54	41	45	(3)	55	Fleet costs
IT	73	115	66	49	109	IT costs
	382	387	367	21	415	
Total Expenditure	2,093	2,062	2,124	(62)	2,200	
Income						
Penalty Charges (PCNs)	(1,649)	(1,512)	(1,531)	19	(1,603)	PCNs
Parking Permits/Season Tickets	(431)	(462)	(401)	(61)	(417)	Visitor Permits / Season tickets
Parking Charges (P&D etc)	(158)	(157)	(168)	11	(180)	Pay & Display charges
Other income	(6)	(1)	-	(1)	-	Misc reimbursements from partners
Total Income	(2,245)	(2,133)	(2,100)	(32)	(2,200)	
Deficit / (Surplus)	(152)	(71)	24	(94)	-	
transfer to reserve						



North Essex Parking Partnership

18 June 2015

Title: Braintree District Council Task and Finish Group Review of the North Essex Parking Partnership

Author: Richard Walker

Presented by: Richard Walker

This report concerns the findings from the Braintree District Council Task and Finish Group Review of the North Essex Parking Partnership

1. Decision(s) Required

- 1.1 To note the findings of the Braintree District Council Task and Finish Group Review of the North Essex Parking Partnership (NEPP).
- 1.2 To provide any comments that can be reported to the Braintree District Council Cabinet meeting on 18th July 2015.

2. Reasons for Decision(s)

- 2.1 The Braintree District Council (BDC) Overview and Scrutiny Committee approved a review of the North Essex Parking Partnership in June 2014. The review focused on the partnership with the NEPP in relation to the policy, strategy and finances, parking enforcement and the process for creating Traffic Regulation Orders (TROs).
- 2.2 As part of the review conducted by the Task and Finish Group, a number of recommendations were made for the NEPP to consider and these are summarised in the appendices to this report.
- 2.3 Cllr. Lynette Bowers-Flint the lead councillor on the Task and Finish Group will be attending to present the findings from the review.

3. Supporting Information

- 3.1 Attached to this report as Appendix One is the final version of the Braintree District Council Task & Finish report.
- 3.2 The North Essex Parking Partnership (NEPP) was generally very pleased with the results of the Braintree District Council review of its service.
- 3.2 The results of this in-depth Task & Finish Review show the distance that the Partnership has travelled in resolving the issues with which it was presented on its formation in 2011.

- 3.3 The results are promising for the established Enforcement and Business Unit Teams and also shows the progress being made in the far more recently-established new Technical Team, especially in dealing with Traffic Regulation Orders (TRO):
- Openness and Transparency in decision-making and schemes being progressed, which has have improved over the previous arrangements.
 - The recent Duty Guidance is being built into a new TRO Policy which is to be presented to the next Joint Committee.
 - The NEPP Blog is an innovative and accessible way of connecting with the main issues of parking enforcement and TROs.
- 3.4 Attached as Appendix Two is a document summarising the recommendations from the Scrutiny report and NEPP officer responses. This will be included when the report is presented to BDC's Cabinet meeting on 18th July. It is worth noting that a number of the recommendations have been addressed within the policy reviews included within this agenda.



Overview & Scrutiny Task & Finish Group

Review of the North Essex Parking Partnership



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1. INTRODUCTION

- 1.1 At its meeting on 4 June 2014, the Overview & Scrutiny Committee approved a programme of work for 2014/15 which included a review of the North Essex Parking Partnership (NEPP). The Terms of Reference were agreed at that meeting and they specifically excluded the management and operation of the Council's car parks as that was reviewed in depth the previous year. The composition of the review group was approved at the Committee's meeting on 16 July 2014.
- 1.2 The review focused on the Council's partnership and its relationship with the NEPP specifically in relation to policy, strategy and finances, parking enforcement, and the process for creating Traffic Regulation Orders (TROs) insofar as it affects the Braintree District.
- 1.3 The Task & Finish Group (NEPP), led by Cllr. Mrs. Bowers-Flint, met for the first time on 6 October 2014 and has met 5 times in total, supplemented by informal meetings with work stream leads and officers to update and monitor progress. A schedule of meetings is attached at Appendix 1.

2. BACKGROUND

- 2.1 Following the decriminalisation of parking in Essex in 2002/4, **on-street** parking enforcement was carried out by the Essex Districts/Boroughs under an agency arrangement with Essex County Council (ECC), the cost of which was fully met by ECC on a deficit support basis. Districts/Boroughs continued to fund and manage their own off-street parking functions.
- 2.2 In April 2009, whilst still operating under the agency agreement with ECC, Braintree, Colchester and Uttlesford Councils formed a Parking Partnership, with Colchester as the lead authority, aimed at achieving efficiencies and ensuring that the parking services in the three authorities were effective and financially viable. This focused primarily on parking enforcement (on and off-street) and cash collection, with responsibility for TROs, lines and signs remaining with ECC.
- 2.3 In 2009/10, ECC took the decision to terminate the agency agreements on the basis that the deficit support was unsustainable. A review group was established to find a way of delivering a more efficient service and this resulted in the creation of two Parking Partnerships in April 2011– one in North Essex (NEPP) and one in South Essex (SEPP) – each overseen by a Joint Committee comprising a nominated Member and client officer from each partner authority and led by a single Authority (Colchester in the North and Chelmsford in the South).
- 2.4 The NEPP undertakes on-street parking enforcement, Traffic Order making responsibilities, sign and line maintenance and the business unit processes relating to permit applications, the enforcement of issued Penalty Charge Notices and other legal documentation. It also offers an optional off-street parking enforcement service (including car park ticket machine maintenance and cash collection) which it currently provides for all of its partners except Tendring.

The map below shows the composition of each Partnership, with ECC being the common link.



3. TERMS OF REFERENCE AND MEMBERSHIP OF THE REVIEW GROUP

3.1 Terms of Reference:

- To review the relationship between the Council and the North Essex Parking Partnership.
- To consider and understand the services provided and the service standards set within the arrangement and the standard of delivery.
- To consider the overall budget, cost benefit to the Council and the efficiency of the service provided.
- To understand the process for Traffic Regulation Orders and the service standards for their implementation.
- To consider customer service standards and customer feedback.
- To make appropriate recommendations for improvements to the Parking Partnership.

3.2 Membership of the Group

Members:

Cllr. Lynette Bowers-Flint (Chairman)
 Cllr. Bill Rose (Vice-Chairman)
 Cllr. Phil Barlow
 Cllr. Hylton Johnson
 Cllr. Celia Shute
 Cllr. Patrick Horner
 Cllr. Tom Cunningham

Officers:

Paul Partridge, Head of Operations
 Samir Pandya, Customer & Business Support Mgr
 Carol Clayman, PA to Head of Operations
 Sarah Sherry, Administrative Officer

4. KEY ROLES AND RESPONSIBILITIES

It was agreed that Members would organise their own research, consultations and visits and produce the report and that officers would arrange the Group's meetings, distribute the agendas and minutes and offer guidance and support as and when required.

5. PROCESS OF THE REVIEW

5.1 The review was separated into three work streams, with two members appointed to each and the Chairman dividing her time between them, as follows:-

- (1) Policy, Strategy & Finances (Cllrs. P. Horner & T. Cunningham)
- (2) Enforcement (Cllrs. Ms C. Shute and H. Johnson)
- (3) Traffic Regulation Orders (Cllrs. W. Rose and P. Barlow)

5.2 A programme of work was developed listing sources of information, consultees and issues for consideration (see Appendix 2).

5.3 Each work stream undertook their own research and consultation and then reported back to the main group at scheduled meetings.

5.4 Progress updates were reported to Overview & Scrutiny Committee on a regular basis.

6. RESEARCH AND CONSULTATION

6.1 Policy, Strategy and Finances

- Meetings were held with Vicky Duff, (Network Management Manager) Essex County Council, David Moss, BDC Accountant and Nick Binder, (Parking Manager) SEPP.
- SEPP Business Plan and NEPP Accounts were reviewed.

6.2 Enforcement

- Meetings were held with Lisa Hinman, Enforcement Area Manager and Christine Belgrove, Parking Manager, NEPP; and Brenda Baker, Chairman of Chamber of Commerce and George Yard Centre Manager.
- Two Civil Enforcement Officers were accompanied on their patrols for a day to see how enforcement works on the ground.
- A range of documents were reviewed including the NEPP Annual Report 2013/14 and the Service Level Agreement between the NEPP and its constituent authorities.

6.3 Traffic Regulation Orders

- Consultation took place with Shane Taylor from the NEPP, representatives of The Grove Residents' Association, Witham, and residents of Halstead and Cressing who had applied to the NEPP for parking restrictions to be implemented on local roads.
- Documents were reviewed including 4 case studies relating to TRO applications, the Policy for TROs, Department of Transport's New Procedures for TROs (2012) and NEPP's prioritisation methodology.

6.4 Guest Speakers

A presentation was given to the Group by Matthew Young, Head of Operational Services, Colchester Borough Council and Richard Walker, Group Manager, NEPP, on the background/history to the NEPP and its management and operation.

The Group also invited Cllr. Robert Mitchell, Chairman of the NEPP Joint Committee, and Cllr. Susan Barker, District & County Councillor for Uttlesford District, to attend group meetings to give an overview of the NEPP from their perspectives.

7. KEY FINDINGS

7.1 Policy, Strategy & Finances

- The strategic aims and objectives of the NEPP are clearly defined and it operates on the core principles of fairness, transparency and consistency. Enforcement is focused on dangerous, careless and negligent parking.
- The policies/protocols and procedures are robust and well-structured and comply with current legislation.
- The NEPP has a tendency to be Colchester-centric e.g. the telephone message played whilst callers are on hold relates specifically to Colchester when it should be promoting NEPP's services on behalf of the whole Partnership.
- The **on-street** income is variable from year to year and dependent primarily on the number of Penalty Charge Notices (PCNs) issued and Residents-Only parking schemes. This poses a significant risk as the more drivers are compliant, the less income will be received. This is recognised by the NEPP who maintain reserves in the event that a deficit occurs in any one year.
- The budgets for the **on-street** account are set by the NEPP, with the aim of reaching and maintaining a position where the service is self-financing. Any operating deficit by the NEPP has to be shared equally by the constituent partners and so it is in the interests of all partners to ensure that the NEPP achieves break-even point. At the end of 2013/14 there was a small operating surplus and this is also expected to be the case in the current financial year.
- The NEPP's budget setting process runs parallel with that of the local authorities and needs to be brought forward so that Districts/Boroughs can consider NEPP's budgetary issues alongside their own budget setting process. It should be more open and transparent which could be achieved by involving finance officers from partner authorities.
- When the two Partnerships were established, the SEPP received a higher subsidy than the NEPP from ECC to undertake TROs. This was inequitable and has enabled the SEPP to deliver more TRO schemes than the NEPP.
- The published year end accounts are extremely brief and it is difficult for customers to make any judgement about value for money.
- BDC's base contribution (£145k p.a.) for the off-street function has not changed since the *original* Parking Partnership was disbanded, despite several operational changes over the past 4 years. The existing budget contribution is based on the cost of the service that BDC previously undertook in-house. An increase of 3% has been applied each year and there is concern that this will continue to rise.
- The NEPP is open and transparent and has a wide range of specialist skills, knowledge and experience from which all partner authorities benefit. There is good partnership working and a clear understanding of local priorities and pressures faced by Districts/Boroughs in relation to both on and off-street parking.
- The relationship between officers and Members within the NEPP is very good and they work well together. However, concern was expressed about the lack of attendance by ECC Members at partnership meetings. Cllr. Mitchell has proved an excellent Chairman – a view endorsed by ECC.

- Economies of scale have been achieved throughout the Partnership and there is greater flexibility in terms of service provision and business continuity, common pricing and a consistent approach across North Essex. For Braintree's off-street function, it offers greater expertise, flexibility and service resilience. However, as the NEPP continues to deliver efficiencies, BDC would expect the savings to be reflected in its annual contribution.
- The NEPP provides a democratic forum which allows for engagement with residents. However, residents do not fully understand the NEPP's role and some see it as a means of preventing parking outside their homes. Clarifying their role would improve customer understanding.

7.2 Enforcement

- The NEPP has 3 enforcement hubs based in the East, Central and West of the County, with one administrative hub at Colchester. Having an area based approach ensures that Civil Enforcement Officers (CEOs) have a good working knowledge of their areas and the service is more efficient operationally. In Braintree's case, it gives us direct access to staff at the central hub which is based at our George Yard Multi-storey car park.
- The demographic of the partner authorities i.e. mix of rural and urban, means that greater emphasis is placed on the urban areas where most of the restrictions are in place. There appears to be some disparity between the number of CEOs in each hub in relation to the size of the areas that they enforce. However, the number of CEOs in the Central hub comprise the original number of CEOs employed by BDC & UDC pre-NEPP and if this were increased, there would be a corresponding cost to both Authorities.
- The split between on-street and off-street patrols is 70:30 respectively. It was difficult to evidence that this was being achieved and there is a general view across the Partnership that off-street is not routinely receiving 30% of the CEOs' time.
- From April to October 2014, the number of PCNs issued in the Council's car parks was 1,261 – an average of 180 per month. This compares with 1,704 PCNs issued in the same period the previous year – an average of 243 per month.
- The PCN appeals process is explained on the reverse of the PCN. It was not possible to speak to any recipients of PCNs to gauge customer satisfaction, but the process appears to be clear and easy to understand. The NEPP does not undertake Customer Surveys for enforcement as they consider it too sensitive an area for meaningful feedback; nevertheless, they will reconsider their position.
- The CEOs adopt a sensible and pragmatic approach to parking enforcement and despite popular belief are not set targets based on the number of PCNs issued.
- Customers have the option of appealing to an independent body – the Traffic Penalty Tribunal (TPT) - if they feel that a PCN has been issued incorrectly. The TPT's decision is binding on both the appellant and the NEPP.
- Whilst on patrol with the CEOs in Braintree, Members noted that the signs in car parks are very good and the yellow lines quite clear in the town. However, in some cases where utility companies dig up the road, the lines are not always reinstated on completion of works.

- The mobile CCTV works well and has helped to control parking outside schools, on clearways and in other areas. However, the software is limited to operating within one district/borough at a time i.e. cross border working is not possible, and so the system is not as effective as it could be.
- MiPermit was introduced in the Braintree District in May 2014 and this is a more effective and efficient way of paying for parking and actively encourages people to stay longer in our car parks and town centres. Over the longer term, it will reduce back office costs in relation to residents' parking permits as this will become a paperless system ('virtual' permits).
- In terms of customer service generally, Members of the Group have had personal experience of trying to contact the NEPP by telephone and have met with lengthy delays in getting through on several occasions with the quality of the responses from NEPP staff not always to a consistent standard. There have also been unacceptable delays in receiving permits/ season tickets renewals. The latter will soon become available via MiPermit and Members would like an assurance from the NEPP that the system is sufficiently robust and will deliver the expected improvements.
- When first formed, accessing the NEPP systems and operations was mostly via postal application to the Colchester office, but the NEPP is modernising its operations and is now very much geared towards electronic transactions and payments. It has already moved more recently towards issuing 'virtual' tickets/ permits for parking, although at the time of gathering evidence, these virtual permits were not available in every locality. When complete this should simplify and speed up service delivery for the majority of customers, although there will be some who prefer a more traditional approach.
- Service standards are not easily identifiable [and therefore measurable] and should be more accessible to customers.

7.3 Traffic Regulation Orders

- TROs are implemented for a variety of reasons including assisting with traffic flow, controlling or directing traffic, improving safety of road users, preserving or improving the character or amenity of an area, and preventing serious damage to roads and bridges. Prior to NEPP, these criteria may not have been adhered to on a consistent basis across local authorities.
- The TRO process (Appendix 3) is lengthy and time consuming and is cost regulated meaning that the number of TROs that can be approved is restricted and each local authority is competing for the available funding. Historically, it has been agreed that 4 schemes per Authority per TRO Committee Meeting can be considered.
- Considerable errors are found on application forms requiring additional work by NEPP to correct. Better guidance to applicants would avoid this.
- The NEPP receive a large number of requests relating to access to/from people's driveways, for which TROs are not an appropriate resolution. Better information about the type of requests that can be considered would significantly reduce workloads and manage customer expectation.
- There was evidence cited that one complex TRO needed to be revised due to the applicant not being involved in the details of the restrictions in the first Order. Better liaison between the applicant and NEPP officers would clearly have prevented this from happening.

- Parking enforcement across driveways does not require a TRO, but can be enforced at the specific request of the householder/occupier. This works well in urban areas where CEOs regularly patrol, but less so in rural areas where the vehicle may have moved by the time a CEO arrives. This is not well-communicated and would improve customer understanding if made clear.
- There is a requirement for applicants to seek consent/agreement to their proposal(s) from other residents in their road, but this is rather ambiguous in the application form. It would shorten the process and eliminate abortive work if it were made clear to applicants that local support needed to be obtained at the outset.
- There is no requirement for applicants to obtain support for their proposal from their County/District/Town/Parish Council. If that were done, by making clear to applicants that they involve their local councillors, it would help filter out any unreasonable/inappropriate requests prior to being seen by the NEPP, saving a considerable amount of time and effort (NEPP and applicant) with requests that do not meet the criteria.
- There is a common scoring matrix (Appendix 4) used by the NEPP, however, it is felt that this could be refined to more accurately reflect the true value of some of the criteria e.g. if a scheme is self-funded, it should score more highly than one that requires funding.
- The scoring matrix is not made known to applicants, but would help them understand how cases are determined. They are also not made aware of anticipated timescales for decisions, kept informed about progress of their request or dates of committee meetings. Better guidance would improve the customer experience.
- Schemes that are self-financing e.g. residents-only parking, are considered alongside those that require funding and are included in the max.4 schemes that can be put forward at each meeting. Some of these could be done *in addition* to non-funded schemes which would avoid unnecessary delays.
- It is not possible at present for authorities to access any common database and so some schemes that are generated through the Local Highway Panels (ECC-led) may also attract requests via the TRO process, resulting in duplication.
- ECC has a policy that prevents any new development being considered for TROs within 5 years of it becoming adopted highway. This results in valid requests being received that ordinarily may be supported, but are rejected on the basis of this rule. This may be something that could be improved through the planning application process whereby TROs could be considered as a condition of the planning approval.

8. CONCLUSIONS AND RECOMMENDATIONS

8.1 Policy, Strategy & Finance

Despite the obvious challenges of six different authorities working in partnership with different corporate and political priorities, the NEPP works well, with good strategic direction. It has robust policies and procedures in place and offers a wealth of experience and knowledge relating to parking issues. The partnership would perhaps be strengthened by regular attendance of the ECC portfolio holder at its meetings and greater involvement of partner authorities' accountants in budgetary issues generally.

The NEPP relies heavily on income from PCNs and residents-only parking and this can leave it financially vulnerable.

The off-street parking service generally offers good value for money for BDC and should continue to be provided by the NEPP. However, there are some concerns around the timing of the budget setting process, staff (CEO) vacancies, the annual fixed increase on the off-street account and the anomaly relating to TRO funding from ECC.

It is RECOMMENDED that the NEPP:

1. Reviews the SLA for off-street parking, undertaking a zero based budget as part of that exercise; brings forward its annual budget setting process for off-street parking; and involves partner authorities in this process and in the preparation of accounts
2. Considers other income-generating opportunities to reduce reliance on PCN income by expanding its customer base; and avoids unnecessary expenditure by ensuring that utility companies reinstate lines/signs following any road-works they carry out or pay for works in default.
3. Fills vacant CEO posts promptly to ensure that there is a full complement of staff (using agency staff if necessary).
4. Encourages ECC Members to attend partnership meetings to reinforce the concept of partnership working.
5. Has further discussions with ECC about the disparity in funding received for TROs between the NEPP and the SEPP.

8.2 Enforcement

The process, practices and procedures for parking enforcement are clear and robust. CEOs are well trained and have good local knowledge of the areas that they patrol. Priority is given to enforcement in urban areas (town centres) and we believe that the NEPP has the balance between urban and rural enforcement about right.

However, there is a perception by some Parish Councils within the Braintree District that TROs in their areas are not being enforced adequately. There is also some question as to whether the 30% allocation of CEO time to off-street parking enforcement is being fully delivered.

It is RECOMMENDED that:

6. The NEPP reviews the CEO patrol schedules to ensure that it is delivering the required level of off-street enforcement in the Braintree District.
7. The mobile CCTV car becomes a permanent fixture (subject to changes in legislation) and the NEPP is asked to provide a schedule of planned visits within the Braintree District, as well as clarifying service standards for parking enforcement in rural parishes.
8. The NEPP ensures that the virtual permit system (MiPermit) is sufficiently robust to deliver expected improvements in customer service in terms of access and timeliness.

8.3 Traffic Regulation Orders

The TRO process is complicated, time-consuming and cost regulated, with NEPP partners being restricted to putting forward a max. of 8 schemes each per year to the Joint Committee for approval. Schemes that are funded or self-financing (residents-only parking) are more likely to receive approval and could be considered *in addition* to the current limit of 8 p.a., subject to back office resource implications.

The timescale for processing TRO applications is overly long and there is a need to develop a smarter working process to reduce the timescale from submission to outcome. The TRO application form is not user-friendly and should be simplified to ease completion.

From a customer perspective, the process may be seen as being overly bureaucratic and the rationale for introducing TROs is not well understood, which can result in disappointment and expectation not being met. Clarifying the eligibility criteria and requiring applicants to undertake some preliminary consultation would help reduce waiting times and filter out requests that would automatically be rejected based on the assessment criteria (scoring matrix).

The ability to enforce across driveways without a TRO is not widely known and should be better advertised. However, whilst it can be effective in urban areas where CEOs regularly patrol, it is less so in rural areas where a vehicle may have moved by the time a CEO arrives. This could be perceived by some as a two-tier system.

The lack of communication between LHPs and the NEPP can result in duplicity of effort which could be avoided if information were shared.

It is RECOMMENDED that:

9. The NEPP improves customer experience by:-
 - (a) Issuing a comprehensive TRO user guide in consultation with partner authorities to clarify the TRO process including eligibility criteria, expected timescales, the scoring matrix and the date of committee meetings;
 - (b) Publishing a quarterly or six-monthly newsletter on its website to update customers on new initiatives and issues that may be of interest;
 - (c) Simplifying the TRO application form to ease completion;
 - (d) Explaining enforcement relating to dropped kerbs;
 - (e) Ensuring good liaison with applicants, particularly with regard to extensive or complex TROs;
 - (f) Publishing its service standards; and
 - (g) Seeking customer feedback and using this to deliver service improvements.
10. The TRO process be amended to require applicants to clearly demonstrate majority support for their proposal from other local residents, as well as support from their local County/ District/Parish/Town Council *before* they submit an application. (This is the approach adopted by the Local Highways Panels for highway schemes.)
11. The NEPP considers reinstating white advisory H-bars across drives *in rural areas only* on request and at residents' expense, to discourage inconsiderate parking.
12. Consideration be given to creating a common/shared database for use by ECC and NEPP to avoid duplication of TROs. Customers could be given (restricted) access to enable them to track progress with their requests.

13. The NEPP reviews staffing levels to reduce Call Centre waiting times, lets the caller know where they are in the queue and includes information that is helpful and more generic to the whole partnership (rather than just Colchester) e.g. availability of MiPermit.
 14. The NEPP challenges ECC's 5-yr rule relating to the installation of TROs following the adoption of new roads and that consideration of TROs is included as part of the planning application process where appropriate.
 15. That the NEPP undertakes benchmarking with the SEPP and other local authorities who have formed a similar partnership for parking services (e.g. Bromley and Bexley) to demonstrate that it provides value for money.
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Acknowledgements

The Chairman and Members of the Task and Finish Group would like to thank all those who assisted them with research, consultation, advice and guidance, enabling them to complete their review.

APPENDICES

Appendix 1 – Draft Programme for Task & Finish Group

Appendix 2 – Schedule of Meetings

Appendix 3 – TRO procedure flow chart

Appendix 4 – TRO Scoring Matrix

DOCUMENTS RESEARCHED

Policy, Strategy & Finance (Work stream 1)

- SEPP Partnership Business Plan
- NEPP Parking Partnership account document

Enforcement (Work stream 2)

- Parking Partnership, Guidance for Members
- Notices of Non-Payment of Fines 1.4.2013/14 and 2014/15.
- E-mails from David Moss, BDC Accountant, giving income figures for car parks and related services.
- Parking Partnership Annual Report 2013/14
- Overview of NEPP
- Service Level Agreement dated December 2012
- Parking Partnership Organisation Diagram
- Colchester Borough Council - Core Goals for Employees (given to NEPP staff)

Traffic Regulation Orders (Work stream 3)

- NEPP TRO Procedure Flow Chart
- NEPP Officer Responsibility Flow Chart.
- NEPP Prioritisation Methodology.
- Dept. of Transport - New Procedures for TROs (2012)
- 3 x TRO Applications
- NEPP – TRO General Policy

GLOSSARY

BDC Braintree District Council

CEO Civil Enforcement Officer

DOT Department of Transport

ECC Essex County Council

LHP Local Highway Panel

NEPP North Essex Parking Partnership

SEPP South Essex Parking Partnership

TPT Traffic Penalty Tribunal

TRO Traffic Regulation Order

SCHEDULE OF MEETINGS

Type of Meeting	Attendees	Date	Time	Meeting Room	Key Milestones
Main Group Meeting	All	13 November 2014	6pm	Cm Rm 3	26th November 2014: High-level progress update to Governance Team. (Report deadline 7/11/14)
Interim Group Meeting	Work Stream Leads	27 November 2014	6pm	Main Training Rm	
Main Group Meeting	All	9 December 2014	6pm	Cm Rm 3	
Interim Group Meeting	Work Stream Leads	7 January 2015 Cancelled	6pm	Cm Rm 3	
Main Group Meeting	All	14 January 2015	6pm	Cm Rm 3	28th January 2015: High-level progress update to Governance Team. (Report deadline 9/1/15)
Interim Group Meeting	Work Stream Leads	29 January 2015	6pm	Cm Rm 3	
Main Group Meeting	All	11 February 2015	6pm	Cm Rm 3	11th February 2015: Review of draft report to Overview and Scrutiny. 20th February 2015: Report deadline for final report to Overview and Scrutiny Committee. 11 March 2015: Meeting of Overview & Scrutiny Committee. 13 April 2015: Meeting of Full Council.

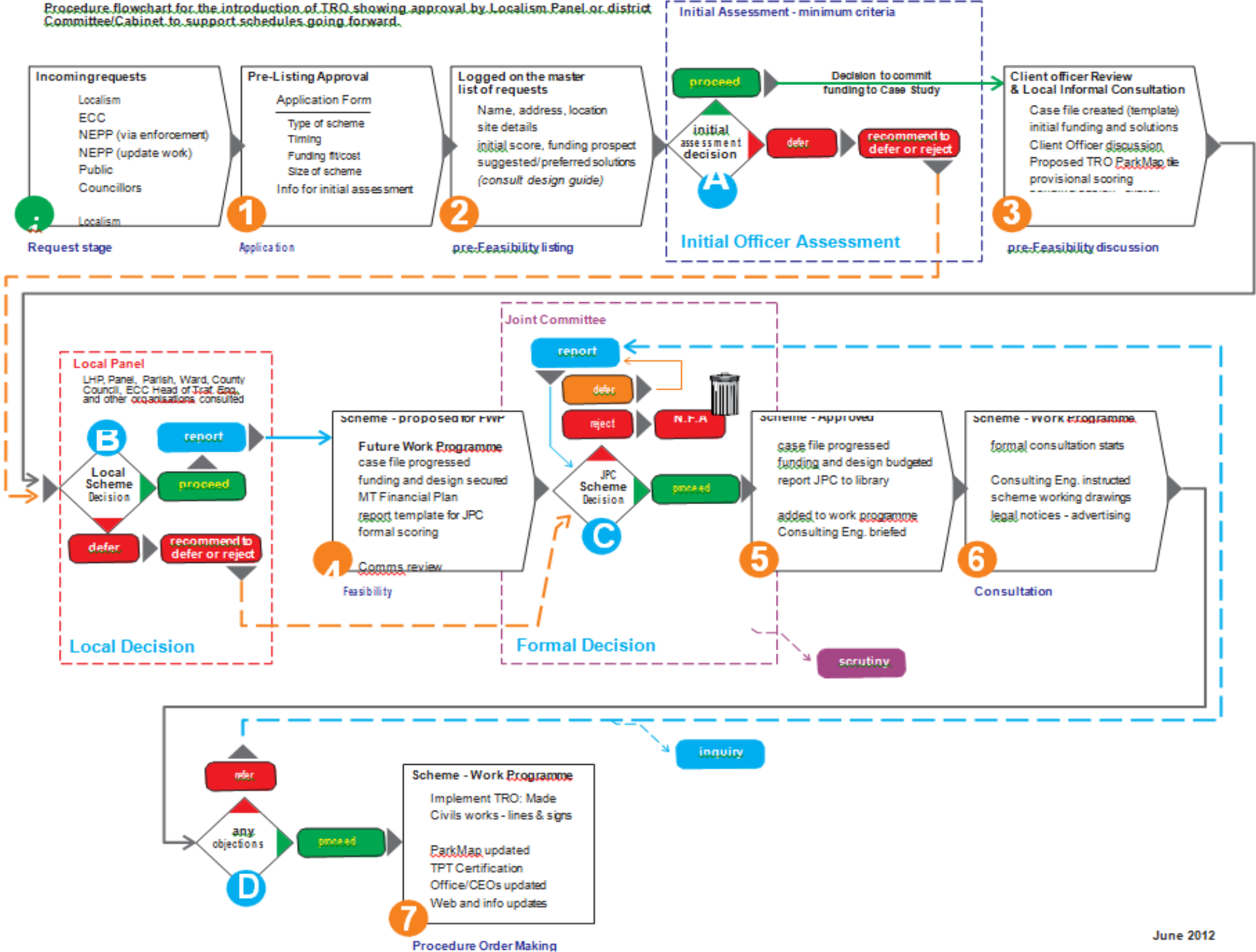
MAIN GROUP MEETINGS: To bring together the work progressed by all work streams.

INTERIM GROUP MEETINGS: To check progress of each work stream.

<p>Policy, Strategy & Finances CLrs. Tom Cunningham and Patrick Horner</p>	<p>Enforcement CLrs Ms Celia Shute and Hylton Johnson</p>	<p>Traffic Regulation Orders CLrs Bill Rose and Phil Barlow</p>
<p><u>Documentation</u></p> <p>Joint Governance Agreement Parking Partnership Enforcement Policy Parking Partnership Operational Protocol Partnership Dispensation – Suspension Policy Partnership Enforcement & Discretion Policy Agenda & Minutes of NEPP Joint Cttee Mtg - 26 June 2014 Annual Report Service Level Agreement between NEPP & BDC for off-street parking enforcement (attached) Parking Partnership – Guidance for Members NEPP presentation to Task & Finish Group 6 Oct 2014</p>	<p><u>Documentation</u></p> <p>Parking Partnership Enforcement Policy Parking Partnership Operational Protocol Partnership Dispensation – Suspension Policy Partnership Enforcement & Discretion Policy Penalty Charge Notice Service Level Agreement between NEPP & BDC for off-street parking enforcement (attached) Parking Partnership – Guidance for Members NEPP presentation to Task & Finish Group 6 Oct 2014</p>	<p><u>Documentation</u></p> <p>Policy for Traffic Regulation Orders TRO process flow chart TRO Application Form Criteria/Scoring Sheet Agenda & Minutes of NEPP Joint Cttee Meeting - 16 October 2014 Parking Partnership – Guidance for Members Service Level Agreement between NEPP & BDC for off-street parking enforcement (attached)</p> <p><u>Case Studies</u></p> <p>The Grove, Witham (residents-only) (to Cttee 8 Aug 2013) (tranche 4) APPROVED Century Drive, Braintree (tranche 4) APPROVED High Street, Kelvedon (Tranche 5) REJECTED Kings Road, Halstead (1007_04_57) REJECTED</p>
<p><u>Consultation</u></p> <p>Richard Walker, NEPP Group Manager Christine (Lou) Belgrove, Partnership Business Manager & Deputy Group Manager Vicky Duff, ECC (relationship between ECC, NEPP & BDC) David Moss, BDC Accountant (parking income and other budgetary info) Cllr. Robert Mitchell, Chairman of the NEPP Joint Cttee TBC – Another Member who is part of the NEPP Joint Cttee.</p>	<p><u>Consultation</u></p> <p>Lisa Hinman, NEPP (Area Enforcement Manager) <i>(You are welcome to accompany one of the CEOs on patrol if wished)</i> Emma Day, Back Office Team Leader (Penalty Charge Notice appeals process – Challenge, Representation, Appeal) Customer consultation:</p> <ul style="list-style-type: none"> • Town Centre Strategy Groups/Chambers of Commerce (from business perspective) • BDC Focus Group (for non-business perspective); exit poll at say George Yard? • Results of any customer surveys undertaken by NEPP. 	<p><u>Consultation</u></p> <p>Alan Waight, Grove Residents Association Trevor Degville, Technical Services Mgr, NEPP Shane Taylor, Technical Team Leader, NEPP Cllr Robert Mitchell, Chairman of NEPP Joint Cttee Cllrs James Abbott & Lady Newton (ECC ward members) and Cllrs Mike Banthorpe (local ward member) and John Clark (BALC) representing Braintree on the Local Highways Panel. District Members and Parish/Town Councils who have had involvement with TRO requests. Individuals /Groups who have applied for a TRO.</p>

Policy, Strategy & Finances CLlrs. Tom Cunningham and Patrick Horner	Enforcement CLlrs Ms Celia Shute and Hylton Johnson	Traffic Regulation Orders CLlrs Bill Rose and Phil Barlow
<p><u>Issues for consideration</u></p> <p>Income generated from on-street parking enforcement.</p> <p>Income derived from off-street penalty charge notices -v- cost of enforcement – are we getting value for money?</p> <p>The process involved in setting money aside to offset the County’s deficit in relation to parking enforcement.</p> <p>The cost of reclaiming unpaid Penalty Charge Notices.</p> <p>The subsidy given to the NEPP in comparison to what the South Essex Parking Partnership received (was there an imbalance?)</p> <p>The content of the Joint Governance Agreement.</p> <p>The fine balance to be drawn between securing income from parking fees and enforcement and not adversely affecting the local economy or the public.</p> <p>The need to consider other options for generating income e.g. <i>should BDC consider allowing the installation of parking meters in some roads to generate more income?</i></p> <p>£150k budget for maintenance of lines and signs – is this adequate? How does it compare to what ECC spend in SEPP’s area?</p>	<p><u>Issues for consideration</u></p> <p>Use of mobile CCTV for outside schools - is it working?</p> <p>Number of CEOs patrolling the Braintree District and how they do this.</p> <p>What is the level of cover in towns and rural areas?</p> <p>Average number of PCNs issued.</p> <p>Is enforcement proportionate and measured? (Spend time out with CEOs observing the process.)</p> <p>How does on-street enforcement compare with off-street in terms of level of enforcement carried out? Is there a good balance?</p> <p>Review the customer experience for paying or challenging an off-street PCN. (In-depth look at PCN appeals process – is it clear/ easy to understand? Speak to recipients of PCNs.)</p> <p>What percentage of PCNs issued are appealed and subsequently rescinded?</p> <p>What % of appeals to the Traffic Penalty Tribunal are upheld? Does this suggest any failing on NEPPs part to ensure that PCNs are issued correctly?</p> <p>What is the overall condition of lines and signs throughout the Braintree District? Is there a programme for renewal or is it dealt with on an ad-hoc basis? Does this ensure satisfactory maintenance of lines and signs?</p>	<p><u>Issues for consideration</u></p> <p>Review the process for creating/introducing Traffic Regulation Orders (TROs)</p> <ul style="list-style-type: none"> • Is the governance process sufficiently robust? • Do the scoring criteria adequately reflect the main considerations for Braintree? • Improve understanding about how TROs are used and in what circumstances (to avoid unrealistic expectations). How do we get this message across to customers? <p>Review the overall customer experience in terms of applying for a TRO and the decision making process.</p> <ul style="list-style-type: none"> • Is the TRO application form clear and easy to understand/user friendly? • Is the decision making process clearly communicated and understood? • Consult with applicants to seek their views. • Should there be advisory literature explaining in what circumstances a TRO would be considered – to help manage expectations? <p>Residents-only parking schemes – how does the scheme work, who can participate, what is the cost, is it valued? (Consult with Shane Taylor, NEPP, and residents who have been through the process of obtaining a residents-only parking scheme.)</p>

Procedure flowchart for the introduction of TRO showing approval by Localism Panel or district Committee/Cabinet to support schedules going forward.



TRAFFIC REGULATION ORDERS – PRIORITISATION METHODOLOGY (July 2012)

Scheme:	Available Points	Initial Score	Final Score
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Viability

Contribution to economic development	6		
Sustainability – does NOT contribute to displacement	6		
Sub-total	12		

Finance

Support from NEPP budget	4		
Support from LOCAL budget	3		
Supports the hierarchy of routes (TRO Policy)	3		
Sub-total	10		

Impact

Parking regularly occurs within 10-15 metres of site	4		
Personal injury / collision recorded	7		
Parking has been contributory factor in personal injury	12		
Conservation Area or parking is significantly visually intrusive; OR Scheme significantly contributes to noise quality improvement or air quality improvement.	5		
Sub-total	28		

Accessibility

Parking inhibiting emergency services etc.	7		
Parking close to school, hospital, etc.	5		
Parking conflict residents / non-residents etc.	3		
Long-term parking restricts short-term parking etc.	3		
Sub-total	18		

Localised congestion

Parking causes localised congestion	5		
Parking causes congestion in peak periods etc.	7		
Parking in a traffic sensitive street	3		
Parking occurs on a bus route etc.	5		
Sub-total	20		

Enforcement

Parking occurs during day	3		
Parking of a long duration	4		
Parking close to existing restrictions	5		
Sub-total	12		

TOTAL SCORE	100		
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Overview and Scrutiny Committee – 11 March 2015

Recommendations arising from the Task & Finish Group’s Review of the North Essex Parking Partnership



Recommendation	Comments	Actions
<p>1. That the NEPP reviews the SLA for off-street parking, undertaking a zero based budget as part of that exercise; and brings forward its annual budget setting process for off-street parking so that it informs its partners’ own budgetary processes.</p>	<p>a) Zero based budget exercise completed.</p>	<p>This will be raised with CBC’s finance service and will suggest a meeting of finance officers from Districts/ Boroughs in advance of budget setting processes. CBC lead Finance Officer will contact other authorities’ finance officers requesting a meeting to discuss off-street parking budgets.</p>
	<p>b) Issue re budget setting agreed.</p>	<p>As above</p>
	<p>c) PP queried how the outturn for off-street 2014/15 compares with 2013/14. Has it improved? If so, would be good to let Cabinet know. There may be a need for a budget top-up to take account of District growth.</p>	<p>See report to 18th June Off-Street committee and note that £48k savings following cash collection procurement exercise.</p>
<p>2. That the NEPP considers other income-generating opportunities to reduce reliance on PCN income by expanding its customer base; and avoids unnecessary expenditure by ensuring that utility companies reinstate lines/signs following any road-works they carry out or pay for works in default.</p>	<p>a) May be opportunity for a more generic role for the CEOs which some partner authorities may wish to buy into e.g. pay for an enhanced service. However, this presupposes that savings could be achieved in other service areas.</p>	<p>This will be borne in mind should PCN income drop off as a result of increased compliance. There also may be a better income opportunity from selling the technical expertise provided by the NEPP Back Office team</p>
	<p>b) Reinstating road lines is part of the Highway Inspector’s role (not NEPP).</p>	<p>This will be pursued with ECC Highways.</p>
<p>3. That the NEPP fills vacant CEO posts promptly to ensure that there is a full complement of staff (using agency staff if necessary).</p>	<p>3 of the 4 vacant posts in the Central Hub have been filled.</p>	<p>NEPP is continuing its recruitment process</p>

Recommendation	Comments	Actions
4. That the NEPP encourages County Council Members to attend partnership meetings to reinforce the concept of partnership working.	Agreed. NEPP Chairman has spoken to Cllr David Finch and we can expect improved attendance as a result.	N/A
5. That the NEPP has further discussions with ECC about the disparity in funding received by the NEPP and SEPP for TROs.	There is no scope for NEPP to claim additional funding from ECC in lieu of what SEPP received. However, the annual funding for TROs has been withdrawn from SEPP with effect from 2015/16.	NFA
6. That the NEPP reviews the CEO patrol schedules to ensure that it is delivering the required level of off-street enforcement in the Braintree District i.e. 70:30 ratio of CEO time on-street to off-street respectively.	NEPP believes that this is being delivered.	Ratios have been reviewed as part of the Off-street review
		BDC to explore the value of off-street enforcement to see if it covers its costs
7. That the mobile CCTV car becomes a permanent fixture (subject to changes in legislation) and the NEPP is asked to provide a schedule of planned visits within the Braintree District, as well as clarifying service standards for parking enforcement in rural parishes.	Recent changes in legislation have limited where mobile CCTV can be used. Need to look at other uses as it would be more cost effective if could use vehicle to enforce rather than use pedestrian patrols in some areas. It would help CEOs to target enforcement.	NEPP will provide a schedule showing when the vehicle is likely to be in the Braintree District
	Need to make clear to Parish Councils that parking enforcement in parishes will be by exception, as it is not cost effective or viable to routinely patrol all areas. This is the approach endorsed by the Joint Committee	NEPP to explore other options for using mobile CCTV vehicle.
8. That the NEPP ensures that the virtual permit system (MiPermit) is sufficiently robust to deliver expected improvements in customer service in terms of access and timeliness.	NEPP believes it is a robust system. There will be a link to a video on the website showing how to use MiPermit.	NEPP to advertise/promote the use of MiPermit. Consider utilising the reverse of parking tickets.

Recommendation	Comments	Actions
<p>9. That the NEPP improves the customer experience by:-</p> <p>(a) Issuing a comprehensive TRO user guide in consultation with partner authorities to clarify the TRO process including eligibility criteria, expected timescales, the scoring matrix and the date of committee meetings;</p>	<p>Agreed</p>	<p>NEPP to review the whole TRO process to see how the customer experience can be improved.</p> <p>Constitution to be reviewed and amended to strengthen the governance process. In addition, an Appeals process is to be introduced. The Appeals Panel to comprise the Chairman + local ward member, or if in the Chairman's District, the Deputy Chairman + local ward member.</p> <p>Call-in process to be clarified.</p>
<p>(b) Simplifying the TRO application form to ease completion;</p>	<p>New TRO Policy addresses this point</p>	<p>NEPP to include on website.</p>
<p>(c) Ensuring good liaison with applicants, particularly with regard to extensive or complex TROs;</p>	<p>New TRO Policy addresses this point</p>	<p>NEPP to include on website. NEPP to consider an on-line survey?</p>
<p>(d) Publishing a quarterly or six-monthly newsletter on its website to update customers on new initiatives and issues that may be of interest;</p>	<p>The NEPP Blog is tackling these issues</p>	<p>NFA</p>
<p>(e) Explaining enforcement relating to dropped kerbs;</p>	<p>New TRO Policy addresses this point</p>	<p>NEPP to include on website.</p>
<p>(f) Publishing its service standards; and</p>	<p>New TRO Policy addresses this point</p>	<p>NEPP to include on website.</p>
<p>(g) Seeking customer feedback and using this to deliver service improvements.</p>	<p>The NEPP Blog is tackling these issues</p>	
<p>10. That the TRO process be amended to require applicants to clearly demonstrate majority support for their proposal from other local residents, as well as support from their local County/ District/Parish/Town Council before they submit an application. (This is the approach adopted by the Local Highways Panels for highway schemes.)</p>	<p>Agreed. Should require evidence of support from local residents as well as from either the Town Council + District or County Ward Member; or the Parish Council + District or County Ward Member.</p> <p>New TRO Policy addresses this point</p>	<p>NEPP to include in TRO user guide.</p>

Recommendation	Comments	Actions
11. That the NEPP considers reinstating white advisory H-bars across drives in rural areas only on request and at residents' expense, to discourage inconsiderate parking.	Whilst enforcement across dropped kerbs can be effective in towns where CEOs routinely patrol, it is less so in rural areas, where visits can prove abortive owing to travelling time needed.	NEPP to lobby County Highways to permit the use of advisory H-bars (as a deterrent) in rural areas on request and at residents' expense.
12. That consideration be given to creating a common/shared database for use by ECC and NEPP to avoid duplication of TROs. Customers could be given (restricted) access to enable them to track progress with their requests.	Database is being progressed with partner authority, Harlow DC.	Database to be included on web site when completed.
13. That the NEPP reviews staffing levels to reduce Call Centre waiting times, lets the caller know where they are in the queue and includes information that is helpful and more generic to the whole partnership (rather than just Colchester) e.g. availability of MiPermit.	<p>A different message can be played on the phone when the offices are closed, but not sure about during the day.</p> <p>NEPP is trying to encourage on-line transactions, but acknowledges that there is still a need for human contact. 4 staff take calls; the average wait time is 4-5 minutes.</p>	NEPP to investigate options for messages and also check that the message tells callers where they are in the queue. Need to make full use of facilities on offer with the lead authority's telephone system.
14. That the NEPP challenges ECC's 5-yr policy relating to the introduction of TROs following the adoption of new roads and that consideration of TROs is included as part of the planning application process where appropriate.	<p>At present NEPP cannot get involved with new developments.</p> <p>Agree it should be considered as part of the planning process – not just off-road parking, but impact of additional cars likely to be parked on-street.</p>	This to be suggested Parking Partnerships' Officers' meeting with Vicky Duff.
15. That the NEPP undertakes benchmarking with the SEPP and other local authorities who have formed a similar partnership for parking services (e.g. Bromley and Bexley) to demonstrate that it provides value for money.		RW will explore opportunities for benchmarking with the East Anglian Parking Forum.



North Essex Parking Partnership

18 June 2015

Title: Parking Policy Review – 1. Parking Enforcement Policy
Author: NEPP Policy Review Group, Richard Walker, Group Manager
Presented by: Richard Walker

This report concerns making amendments to the strategic Parking Enforcement Policy Document

1. Decision Required

- 1.1. To debate, and approve for use if appropriate, the revised and updated Parking Enforcement Policy (PEP) for the Parking Partnership.

2. Reasons for Decision

- 2.1. Legislative changes have taken place, including: The Deregulation Bill 2015; Secretary of State's statutory guidance to local authorities on the civil enforcement of parking contraventions, Operational guidance to local authorities: parking policy and enforcement; The Civil Enforcement of Parking Contraventions Regulations (England) General (Use of Approved Devices Amendment) Regulations 2015; SI 561 "The Civil Enforcement of Parking Contraventions (England) General (Amendment) Regulations 2015, and these have been implemented.
- 2.2. The Policy Document has been updated to include a number of additional areas of clarification in Part 2, in order to remain consistent with Essex County Council and South Essex Parking Partnership Policies.

3. Supporting Information

- 3.1. The 2015 Parking Enforcement Policy is attached as an Appendix.

4. Proposals

- 4.1. That the revised and updated Parking Enforcement Policy (PEP) for the Parking Partnership is approved for use and be published on the Parking Partnership's Website, in accordance with revised legislation.

Background Papers

None.



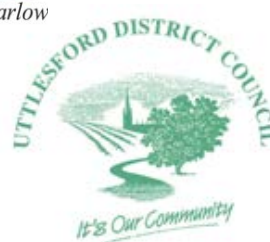
Parking Partnership Enforcement Policy (PEP)

*Showing the Partnership Enforcement
Policy and links to Regional and National Policy,*

V1.0 April 2009

v2.0 March & v2.1 July 2011

Updated Draft – v3.0 May 2015



Introduction

The Parking Enforcement Policy (PEP) is a policy tool, which helps to manage parking by providing a clear framework for effective parking management activities across the Parking Partnership. The Parking Policy Framework has two elements to it.

Part One is a County level statement of joint ambition and the strategic outcomes sought for Essex County Council and the South Essex Parking Partnership.

Part Two is at district and borough level setting out how the joint ambition and county wide strategic outcomes are reflected in the setting of local priorities, enforcement and on street pricing policies.

The PEP is required because the County Council's agreement with the Partnerships requires the Partnership, in association with the County Council, to have a Policy Framework and because Operational Guidance[§] issued by the Department for Transport requires authorities to publicise both the policies and the enforcement regime to ensure that the public is aware of the legislation and how it is to be applied.

This document was updated in May 2015 to include the requirements of latest legislation.

Note [§]

“Operational Guidance to Local Authorities: Parking Policy and Enforcement
Traffic Management Act 2004”

Available at:

<https://www.gov.uk/government/publications/operational-guidance-to-local-authorities-parking-policy-and-enforcement>

Policy Framework – Part 1

This outlines the principles and objectives of Essex County Council with regard to the management of on-street parking in Essex. These are designed to ensure that a consistent approach is taken to on-street parking across Essex, which will deliver benefits to the public, the borough and district councils in the two Parking Partnerships and the County Council.

Through its Local Transport Plan, the County Council has the aims of: tackling congestion; improving accessibility; improving safety; and reducing air pollution. As Essex County Council remains the Highway Authority and has a responsibility under the Traffic Management Act as Traffic Manager, it is important that the Parking Partnerships share the same aims for the service.

Essex County Council's Local Transport Plan (LTP) currently in its third edition states:

The County Council, working jointly with these partnerships, will develop an Essex Parking Strategy in order to ensure the management of parking across Essex is consistent with the aims of the Essex Transport Strategy.

Through the *development of an Essex Parking Strategy*

This PEP aims to support the LTP Traffic Management Objective of *Congestion and Network Resilience: The County Council will facilitate the improved reliability of journeys*

The LTP Traffic Management Strategy also includes for:

- *Working in partnership with the Essex district councils to improve the management of parking within urban areas, including the possible development of Park & Ride facilities to remove traffic from congested corridors;*
- *Stronger parking enforcement, particularly where illegally parked vehicles impede traffic flows or block access by public transport; and*
- *Working with partners to improve the management of goods deliveries, ensuring that appropriate vehicles are used and that delivery and loading does not inhibit traffic flows.*

Tackling Congestion

Through its functional road hierarchy, the County Council has defined those routes where the focus should be predominantly to facilitate the movement of through traffic. The Parking Partnerships should ensure that each route is treated as required through that hierarchy.

In general terms the management of parking charges and availability of parking spaces can have a positive impact on the levels of congestion in town centres, encouraging drivers to use alternative forms of transport.

On key routes and junctions, parking restrictions should be used to allow the free-flow of traffic on through routes and radial routes, particularly where these form part of a passenger transport corridor.

In narrow streets, restrictions should also be used to facilitate the safe passage of passenger transport and emergency vehicles.

Improving accessibility

The implementation of parking policy can improve accessibility in a number of ways: limited availability of parking at the workplace can encourage modal shift in employees, encouraging the use of passenger transport, car sharing schemes or walking and cycling; managing parking on key passenger transport corridors can improve reliability of services and journey times, thus encouraging greater levels of passenger usage.

Improving safety

Parking restrictions should be used to enhance the safety of road users, for example, protecting visibility at junctions or at bends; protecting visibility at crossing points or in areas with high numbers of pedestrian movements where pedestrians could be masked by parked cars; preserving road space required for large vehicles such as buses to make manoeuvres safely and without delay. Alternately, the presence of parked vehicles can also enhance safety, acting as a form of “traffic calming” slowing vehicles in low speed residential roads.

Reducing air pollution

Overall, management of congestion and delays, as well as the encouragement of modal shift to forms of transport other than the private car, have benefits in terms of reducing carbon, emissions and improving air quality.

Policy Framework – Part 2

The North Essex Parking Partnership's Parking Enforcement Policy (PEP) is a policy tool, developed to help the Partnership to manage on-street parking.

The PEP provides a clear framework for effective parking management activities, and seeks to put the county policy and strategic aims into a local context to meet the needs of all road users by clearly prioritising the different parking enforcement needs across the Partnership area. The aim is to manage parking in the Partnership area on a fair and consistent basis.

The PEP identifies the overall policy basis which will guide the Parking Partnership's parking enforcement. The Parking Operational Protocols document (POP) explains how the Parking Partnership will implement these policies. Together they will ensure that a clear parking enforcement strategy is developed and that it is reflected within the Civil Parking Enforcement regime combining parking enforcement functions to support efficient and effective overall parking enforcement.

The PEP is based upon prioritising clearly identified needs, such as the needs of people with disabilities, residents, visitors and businesses and will help to manage parking in the Partnership's council areas. The Partnership's Policy encompasses the core principles of fairness, transparency and consistency.

The PEP helps create a better and safer environment and aims to provide effective on-street parking management across the Partnership area by supporting the following six County wide Parking Policy strategic outcomes:

Reducing congestion and number of and severity of traffic accidents;

Suitable parking restrictions implemented in town centre areas will ensure free flow of traffic and will encourage visitors to the town to park in the designated parking areas available, thus preventing unnecessary congestion and obstruction and the potential for road traffic accidents.

Restrictions around junctions will also allow traffic to flow more freely, further reducing the potential for congestion;

Analysis of Road Traffic Collisions has shown that improperly or inappropriately parked vehicles can be a common causal or contributory factor; Parking restrictions can help to reduce the occurrence of this type of parking;

The positioning of parking bays can also be a major contributor to reduction in traffic speeds in what should be low speed residential or retail areas.

Reducing the effect of transport on the environment;

Traffic is a major contributor to reduced air quality levels, particularly traffic which is queuing in areas of limited capacity or obstructed by parked vehicles;

As well as reducing the wasted engine running time, simply reducing the number of vehicles will have positive effects.

Maintain the highway assets of the county;

Reducing the number of vehicles using each road should increase the intervals between major maintenance of the highway. However this benefit is

only slight as the predominant reduction is in private cars whilst the majority of damage is caused by heavy goods vehicles.

Improve access to jobs and services;

In this sense access is predominantly about public transport availability for those without their own transport or who choose not to use it because of the parking restrictions.

Former car drivers will create an increased demand for public transport which if acted upon will increase the viability of public transport services generally, with benefits for all users.

Encourage healthier travel choices and employer travel plans;

Some drivers will switch to alternative travel methods such as walking and cycling, either for recreational or commuting purposes.

Depending on the availability of parking facilities at the place of work, parking restrictions may encourage companies to take a look at their employees travel habits.

Companies may assist in reducing the overall level of dependence on the private car by assisting in car sharing arrangements or they might provide facilities such as cycle parking, changing rooms and showers.

Operate with Financial sustainability

Raising revenue is not the objective of the Parking Partnership, nor are targets set for Civil Enforcement Officers to issue a set number of PCNs. The purpose of issuing PCN's is not to generate revenue but rather to enforce against dangerous, careless and negligent parking, to deter motorists from breaking the parking regulations and promote greater compliance.

Ideally parking enforcement should be self-financing through running Civil Parking Enforcement effectively and economically when practicable. CPE need not be self-financing providing a Local Authority can meet the cost from existing funding.

The following sections are covered within the Parking Enforcement Policy:

1. Parking Management
2. Civil Parking Enforcement
3. Enforcement Priorities
4. Methods of Enforcement
5. Parking Controls
6. Fees and Charges

1. Parking Management

Parking management includes the enforcement of on- and off-street parking regulations.

Illegal parking is inconsiderate; it can be dangerous. Under Civil Parking Enforcement, the Partnership of the area is directly responsible for parking enforcement in its Special Parking Area under an agreement with the County Council. The County council has delegated the powers in North Essex via a Joint Committee to the Parking Partnership to the lead authority of Colchester Borough Council.

Illegal parking on double yellow lines and footways can cause a serious road safety hazard. The PEP supports effective parking management by:

- Coordinating on- and off-street parking enforcement management to ensure a comprehensive and complementary approach;
- Allocating parking permits/waivers with clear conditions of use based on transparent and consistent principles, which give priority in accordance with the defined hierarchy of parking enforcement; and
- Maximising the potential of information technology (IT) to support an effective and efficient parking management operation.

2. Civil Parking Enforcement

The aim of enforcement is to maximise compliance with regulations to make our streets safer for all road users, particularly vulnerable road users; to prevent obstruction and delays (especially for buses and emergency vehicles); to ensure that parking bays are available for their intended use and to improve the general street scene.

The purpose of Civil Parking Enforcement can be summarised as follows:

- **It will be safer for drivers and pedestrians** since the new focus on enforcement means clearer roads and pavements;
- **It will be better for local businesses** since areas of short term parking such as those outside local shops will receive more attention, increasing the potential for local trade;
- **It will support town centre needs** by encouraging commuters and other drivers to use long stay car parks where appropriate thereby freeing up short stay car park spaces for drivers who need them;
- **It will increase parking for residents** by discouraging commuters from parking in permit only areas;
- **It will increase Blue Badge benefits** since the increased enforcement of existing parking spaces for disabled drivers will improve availability for Blue Badge holders.

In addition Civil Parking Enforcement will have the following benefits:

- **With fewer illegally parked cars there will be fewer accidents, better traffic flow and accessibility**, because the focus of enforcement will be on lessening inconsiderate and dangerous illegal parking in order to improve safety and minimise congestion;

- **Emergency and service vehicles will be able to operate more effectively** along roads and **low floor buses will be able to reach the kerb at bus stops** since fewer inconsiderately parked vehicles will be in their way;
- **The general environment will improve** by providing a more environmentally efficient transport system in terms of reducing congestion, energy conservation; use of other modes of transport will be encouraged such as walking and cycling (healthy options);
- **Sensible and safe parking within the Partnership area will be encouraged** – as will greater compliance with Traffic Regulations. The regulations will not change but will have greater significance;
- **Parking provision will become more responsive to the public's needs** because the local Council will control both provision and management of parking;
- **Single responsibility for parking means greater clarity to the public.** The Council's integrated transport strategy can be linked to local issues in enforcement. Since income will come to the Council, any surpluses after reasonable running costs can be spent on transport projects in the local area;

The basis for this is fair, consistent, transparent, policy-driven and quality-led operational enforcement.

Enforcement will be targeted to tackle problem areas. The PEP specification provides a schedule and prescribes the hierarchy of patrol visits (high priority, medium or low), dependent upon the location type. This will ensure a good parking enforcement regime that is both consistent and transparent.

The PEP focuses on Customer needs by:

- Ensuring an efficient, robust and customer-friendly parking system.
- Effective tackling of parking fraud, and abuse of the Blue Badge Scheme.
- Ensuring an effective, fair and consistent enforcement operation to maximise compliance with the Partnership's parking regulations and the Traffic Management Act 2004.
- Consulting and communicating with both internal and external stakeholders to inform parking management issues.

3. Enforcement Priority

As competing parking demands intensify and conflict, the need for skilled and effective on-street parking management based on clearly defined priorities increases.

The parking enforcement priorities shall be generally as follows:

Highway Safety

Preventing dangers due to parking:

- Near Accident locations such as junctions
- Near Pedestrian Crossings
- Dangerously or double parking

- On Pedestrian Footways

Aid to Movement

Preventing obstruction and congestion on:

- Main access roads into major urban centres (Principal Roads)
- Town Centre shopping streets
- Public Transport routes
- Main traffic routes (Non-principal Road)
- Other busy streets (Access Roads to Residential Areas/Local Shopping Parades)

Obstruction & Nuisance

Preventing hindrance to road users at:

- Bus stops
- Vehicle accesses
- Pedestrian access routes
- Taxi Ranks
- Grass verges / walkways
- Special entertainment events

Deliveries & Servicing

Control and enable the conveyance of goods at:

- Service yards
- Permitted loading areas

Parking Bays

Control effective use of permitted parking areas in:

- Borough/District Council Car parks
- Disabled Badge Holder Bays
- On-street Pay & Display
- Residents parking
- Limited waiting

The parking enforcement priorities are set out in greater detail in **Appendix B**.

Other enforcement requirements that follow will be balanced and prioritised on an as required basis depending upon resources available.

- the needs of disabled people and effective enforcement of parking regulations to enable easy access to activities and facilities.
- road safety initiatives (especially for pedestrians, cyclists and other vulnerable road users), and emergency access requirements.
- managing local parking problem areas, e.g. for child safety near schools caused by the school run (including Safer Routes to School initiatives) and associated short-stay on-street parking activity.
- legitimate parking and loading requirements of businesses, taking into account commercial needs for delivery and servicing movements and the opportunity for changing delivery schedules and vehicle sizes.
- supporting the safe and efficient operation of the public transport network, especially on low-floor bus corridors.

- enforcement against observed parking patterns of demand to allow targeting of known problem areas.

Inconsiderate parking contravenes the Highway Code, which requires drivers to show consideration for all road users. Certain parking contraventions remain the responsibility of the Police (zig-zag pedestrian crossings, obstruction and restriction of access where there are no yellow lines), and the Parking Partnership will work together with Essex Constabulary in order to communicate relevant information between both stakeholders.

In parts of the Partnership area, footway parking currently takes place. In these areas parked vehicles dominate the street scene and can cause dangerous obstruction to other road users, such as parents with pushchairs and visually/mobility impaired people and wheelchair users.

Footway parking also results in higher maintenance costs for local Councils since footways are not designed to take the weight of motor vehicles and, as such, damage to the pavement can occur. The Parking Partnership will seek to minimise inappropriate footway parking in the Partnership area where enforceable, (i.e. where there are parking restrictions or at places where dropped kerbs can be enforced, or other regulations introduced) to ensure that local pedestrian access and amenity is not adversely affected.

Abandoned vehicles are an environmental nuisance and can be associated with anti-social behaviour. Abandoned vehicles not only cause an unnecessary hazard wherever they are dumped, they also have a serious impact on residents' quality of life and fear of crime in the local area; Civil Enforcement Officers will report potential abandoned and untaxed vehicles on the street.

Residents Parking permits are issued to compliant applications by the Parking Partnership for the use of designated parking places in resident parking zones.

The Essex County Council's Social Services administers parking permits for disabled people under the Blue Badge Scheme, which allows disabled badge holders considerable flexibility in where they can park on street. Badge holders can park free of charge without time limit in many areas, provided a valid Blue Badge is displayed, the bay has not been suspended and the vehicle is being used to transport the Blue Badge holder. Blue Badge holders are also allowed to park for a maximum of 3 hours on single and double yellow lines, except where there is a loading ban or where a bus or cycle lane is in operation.

The Parking Partnership will consider requests for parking dispensation and suspension from contractors to ensure necessary development works can progress. Each application will be considered on merit and will take into account location, safety, traffic flow and alternative parking provision.

The scope of general hours of operation will generally be between 07.30 to 20.00 Mondays to Sundays with additional hours as and when required from early morning to late evening on occasion – in order to satisfy enforcement of “at any time” restrictions. The Partnership will regularly review operation hours and enforcement provision.

4. Methods of enforcement

The Traffic Management Act 2004 provides local authorities options for issuing a Penalty Charge Notice (PCN). The preferred options of the Parking Partnership are;

- A CEO in person, issuing a PCN via a handheld device and printer
- Issuing a PCN via post (in instances where a CEO was prevented from serving a PCN or the vehicle drove away)
- Enforcement using an approved device, operating within the requirements of the Deregulation Act 2015. The Partnership utilises a CCTV vehicle to effectively enforce Clearways at bus stops and school keep clear markings.

The TMA 2004 enables local authorities to make use of Immobilisation and Removal Powers, principally to remove obstructions on the highway or at special events. In some circumstances, the North Essex Parking Partnership will carry out these activities. In doing so, the Statutory Guidance and all relevant legislation will be followed.

5. Parking Controls

Effective traffic management relies on suitable implementation of parking controls. There are many different forms of parking control and careful consideration must be given when designing new schemes. The partnership will review existing and new parking restrictions to ensure the schemes are necessary and suitable for purpose.

The preferred Partnership option for residents who experience commuter parking problems is to introduce a resident parking scheme. The cost of the annual permit to park in these designated areas will help fund the implementation of the scheme and the continued daily enforcement patrols of the area.

In areas where limited waiting parking is available, serving local businesses and shops, the preferred option to provide effective and efficient enforcement is to introduce short stay on-street pay and display. This method ensures greater compliance of the parking control and ensures the spaces are available for the intended use. A by-product of this type of control is pay and display income which will help fund the implementation of the scheme and the continued daily enforcement patrols of the area.

Any proposals for resident parking and on street pay and display will only be determined by consultation with affected persons with the decision to go ahead with a scheme being based on a simple majority of those responding and being agreed by the Joint Committee.

Requests for new schemes will be processed through the North Essex Parking Partnership using the Policy and forms for Traffic Regulation Orders.

6. Fees and charges

Within the North Essex Parking Partnership a single financial account is maintained for on-street parking, including resident permits or parking bays (cashless or pay-and-display). Charging levels for residents parking and on-

street pay-and-display will be determined at a local level, through the Joint Committee, in order to achieve the aim of a balanced budget, and in line with legislation.

A County wide parking policy strategic outcome is to operate the service with financial sustainability. Future charging levels will also need to take account of the cost of delivering a robust efficient enforcement operation considering future investments for new equipment, vehicles, and technology.

Appendix A – Glossary

- CPE Civil Parking Enforcement
- CEO Civil Enforcement Officer
- PEP Parking Enforcement Policy
- POP Parking Service Operational Protocols
- PCN Penalty Charge Notice
- RTA1991 Road Traffic Act 1991 – superseded by TMA2004
- TMA2004 Traffic Management Act 2004

Appendix B – Hierarchy of Parking Enforcement

Highway Safety			
Preventing dangers due to parking:	Near Accident locations such as junctions.	PRIORITY HIGH	Mainly enforcement of single and double yellow line restrictions and loading restrictions at or close to junctions and bends particularly where visibility is poor to minimise dangers to moving traffic, pedestrians and other road users.
	Near Pedestrian Crossings	PRIORITY HIGH	Mainly preventing danger to pedestrians at crossing places. (This does not include the offence of stopping on white zigzag markings, where police enforcement action takes precedence).
	Dangerous or double parking	PRIORITY HIGH	Mainly where drivers are parked on the carriageway but in a manner that is likely to cause a hazard to other drivers and road users.
	On Pedestrian Footways	PRIORITY MEDIUM	Mainly enforcement of single and double yellow line restrictions and loading restrictions where drivers are using the footway causing obstruction and hazard to pedestrians, wheelchair and pushchair users. This also applies where there are no yellow line restrictions in the Traffic Regulation Orders.
Aid to Movement			
Preventing obstruction and congestion on:	Main access roads into towns (Principal Roads).	PRIORITY HIGH	Mainly enforcement of single and double yellow line restrictions and loading restrictions to enable traffic to flow freely and not be hindered by parked vehicles.

	Town Centre shopping streets	PRIORITY HIGH	Mainly enforcement of double yellow line restrictions and loading restrictions to enable essential traffic to access the town centre and not be hindered by illegally parked vehicles.
	Public Transport routes	PRIORITY MEDIUM	Mainly enforcement of single and double yellow line restrictions and loading restrictions to enable bus traffic to flow freely and not be hindered by illegally parked vehicles.
	Main traffic routes within towns (Non-principal Road)	PRIORITY MEDIUM	Mainly enforcement of single and double yellow line restrictions and loading restrictions to enable traffic to flow freely and not be hindered by illegally parked vehicles.
	Other busy streets (Access Roads to Residential Areas/Local Shopping Parades)	PRIORITY LOW	Mainly enforcement of single and double yellow line restrictions to enable traffic to flow freely and not be hindered by illegally parked vehicles.
Obstruction & Nuisance			
Preventing hindrance to road users at:	Bus stops	PRIORITY HIGH	Enforcement of No Stopping Except Buses restriction in marked Bus Stop locations (where there is a wide yellow line marking) to prevent obstruction of bus stops.

	Vehicle accesses	PRIORITY HIGH	Mainly prevention of obstruction to private driveways that have yellow line restrictions. This is particularly important where residents are in the process of trying to enter or exit their premises. Dealing with obstruction of dropped kerbs. Other footway obstruction without yellow line or other restrictions is a police function.*
	Pedestrian access routes	PRIORITY MEDIUM	Mainly enforcement of single and double yellow line restrictions where numbers of pedestrians are walking, such as shopping areas and pedestrian prioritised streets.
	Taxi Ranks	PRIORITY MEDIUM	Mainly enforcement of single and double yellow line restrictions at Taxi Ranks to prevent obstruction.
	Grass verges	PRIORITY LOW	Mainly enforcement of single and double yellow line restrictions where drivers are using the grass verge and causing damage. This does not apply where there are no yellow lines.

	Special entertainment events	PRIORITY LOW	<p>This is primarily where large organised events such as shows or firework displays cause short term visitors to park vehicles in side/residential streets contravention of waiting restrictions, where covered under temporary restrictions and No Waiting Cones are placed.</p> <p>This excludes Police No Waiting temporary cones which may also be placed at events; where there is no temporary restriction, the enforcement of which remains a police function.*</p> <p>For main traffic routes see <i>AID TO MOVEMENT</i></p>
Deliveries & Servicing			
Control and enable the conveyance of goods at:	Servicing yards	PRIORITY MEDIUM	Enforcement of single and double yellow line restrictions to enable effective use and access to service yards.
	Permitted loading areas	PRIORITY MEDIUM	Enforcement of single and double yellow line restrictions to enable effective use and access to loading bays.
Parking Bays			
Control effective use of permitted parking areas in:	Borough/District Council Car parks	PRIORITY MEDIUM	Issue PCN for infringement of car park Orders
	On-street Pay & Display	PRIORITY MEDIUM	Issue PCN for infringement of on street parking Orders
	Disabled Badge Holder Bays	PRIORITY MEDIUM	Enforce infringement of on street disabled only parking places where there is time a restriction and where vehicle is not displaying a blue Disabled Driver Badge

	Residents parking	PRIORITY MEDIUM	Enforce infringement of on street residents parking places where a vehicle is not displaying a current residents parking or visitor badge for the appropriate Zone.
	Limited waiting	PRIORITY LOW	Enforce infringement of on street parking Orders where there is no fee but parking is time restricted.

Note: * indicates that this is a function of Police authority unless other parking regulations are in force.



North Essex Parking Partnership

18 June 2015

Title: Parking Policy Review – 2. Parking Operational Protocol
Author: NEPP Policy Review Group, Richard Walker, Group Manager
Presented by: Richard Walker

This report concerns making amendments to the Partnership's Policy Documents

1. Decision Required

- 1.1. To debate, and approve for use if appropriate, the revised and updated Parking Operational Protocol (POP) for the Parking Partnership.

2. Reasons for Decision

- 2.1. Legislative changes have taken place, including: The Deregulation Bill 2015; Secretary of State's statutory guidance to local authorities on the civil enforcement of parking contraventions, Operational guidance to local authorities: parking policy and enforcement; The Civil Enforcement of Parking Contraventions Regulations (England) General (Use of Approved Devices Amendment) Regulations 2015; SI 561 "The Civil Enforcement of Parking Contraventions (England) General (Amendment) Regulations 2015, and these have been implemented.
- 2.2. In addition to the required legislative changes, the Protocol Document has been updated to include the practice of removing vehicles causing an obstruction on the highway, a practice that will only be used in certain circumstances.

3. Supporting Information

- 3.1. The 2015 Parking Operational Protocol is attached as an Appendix.

4. Proposals

- 4.1. That the revised and updated Parking Operational Protocol (POP) for the Parking Partnership is approved for use and be published on the Parking Partnership's Website, in accordance with revised legislation.

Background Papers

None.



Parking Partnership Operational Protocols (POP)

*Showing the Partnership Operational, Discretion,
Cancellation and Dispensation Policies,*

Initial Issue – April 2009

Draft Revised – April 2011, Final July 2011

Revised Draft – May 2015



About this Document

This document is divided into five main parts:

- An introduction;
- The parking policy of the Parking Partnership;
- A list of definitions explaining terms commonly used in parking enforcement;
- Specific examples of how the policy is applied;

The contents of the policy are derived from: Current Colchester Borough Council and Essex County Council policies and practices, accepted best practice, Traffic Penalty Tribunal recommendations with regard to mitigation and common practice among Essex local authorities.

In formulating this policy due regard was paid to The Client Councils' Equality Policies, Community Plans and The Human Rights Act.

This information can be obtained in different formats.

Contact Details:

Parking Partnership
PO Box 5575
Colchester
CO1 9LT

telephone01206 282316
fax01206 282716
email parking @colchester.gov.uk
internet ... www.Colchester.gov.uk/parking

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PART 1: Introduction

Operations Introduction:

This protocol is primarily concerned with:

- Parking Enforcement in the north Essex Area including Braintree, Colchester, Epping, Harlow, Tendring & Uttlesford Special Parking Areas (the partnership area).
- How challenges, representations and dispensations are dealt with including, how the Partnership will endeavour to treat people fairly, equally and with respect taking full account of their personal circumstances.
- The conduct of the Partnership's staff and the manner in which it carries out enforcement.
- Service standards that will be adopted by the Parking Partnership in carrying out the duties of parking enforcement under agreement with Essex County Council.

It is impossible for this POP to deal with every case. Statutory Guidance requires that when either the Civil Enforcement Officer (CEO) or the back-office team considers a case, it is on its individual merits and the decision may be made to waive the PCN or subsequent stage using discretion at any point.

It is also important to refer to the separate Cancellation and Discretion Policy and Mitigating Circumstances documents in association with this document.

This document will be subject to regular Review and will reflect current best practice.

PART 2: Operational Protocols

Civil Parking Enforcement Operations

The Parking Partnership is committed to making sure that it provides Equality of Opportunity in how its services are delivered. This commitment has been translated into its client councils principles by ensuring that different groups and individual needs are reflected in the delivery of service.

The staff of the Parking Partnership will ensure that they will offer all necessary assistance to any person to ensure that they are aware and can avail themselves of all services and rights due to them.

Civil Parking Enforcement Objectives

The purpose of Civil Parking Enforcement can be summarised as:

- **It will be safer for drivers and pedestrians** since the new focus on enforcement means clearer roads and pavements;
- **It will be better for local businesses** since areas of short term parking such as those outside local shops will receive more attention, increasing the potential for local trade;
- **It will support town centre needs** by encouraging commuters and other drivers to use long stay car parks where appropriate thereby freeing up short stay car park spaces for drivers who need them;
- **It will increase parking for residents** by discouraging commuters from parking in permit only areas;
- **It will increase Blue Badge benefits** since the increased enforcement of existing parking spaces for disabled drivers will improve availability for Blue Badge holders.

In addition Civil Parking Enforcement will have the following benefits:

- **With fewer illegally parked cars there will be fewer accidents, better traffic flow and accessibility**, because the focus of enforcement will be on lessening inconsiderate and dangerous illegal parking in order to improve safety and minimise congestion;
- **Emergency and service vehicles will be able to operate more effectively** along roads and **low floor buses will be able to reach the kerb at bus stops** since fewer inconsiderately parked vehicles will be in their way;
- **The general environment will improve** by providing a more environmentally efficient transport system in terms of reducing congestion, energy conservation; use of other modes of transport will be encouraged such as walking and cycling (healthy options);
- **Sensible and safe parking within the area will be encouraged** – as will greater compliance with Traffic Regulations. The regulations will not change but will have greater significance;
- **Parking provision will become more responsive to the public's needs** because local councils will control both provision and management of parking;
- **Single responsibility for parking means greater clarity to the public.** The councils' integrated transport strategy can be linked to local issues in enforcement. Since income will come to the client councils, any surpluses after reasonable running costs can be spent on transport projects in the local area;
- Police resources able to concentrate on other priorities.

This document shall be regularly reviewed and will take into account:

1. Existing and predicted levels of demand for parking.
2. The availability and/or pricing of both on and off-street parking.
3. The nature and extent of on-street parking restrictions.
4. The accuracy and quality of existing signs and plates.
5. The levels of compliance that the client councils consider to be acceptable and the level of enforcement necessary to achieve them.
6. The views of the public who shall be actively consulted on all matters relating to the extension of parking restrictions.
7. The views of Essex County Council, and the Joint Committee members, and the Police.
8. The provision of suitable parking facilities for disabled people.
9. The provision of suitable parking facilities for cyclists and motorcyclists.
10. Consideration of the client councils' overall aims with regard to the environment, fear of crime and the sustained economic growth of the area.

This document applied from 1 October 2002. It was updated for new legislation 31 March 2008 and reviewed and updated again for the Parking Partnership from 31 March 2009 and reviewed again from April 2011 when the new Parking Partnerships were formed.

About the Parking Partnership

The Parking Partnership functions are delegated through the Joint Parking Committee to Colchester Borough Council as lead authority, which provides these functions on behalf of Braintree, Colchester, Epping, Harlow, Tendring and Uttlesford Councils. This includes the functions provided under agreements with Essex County Council for on street places in each client authority's areas.

PART 3: Definitions

The following are definitions of terms commonly used in conjunction with parking enforcement.

Charge Certificate:

A Charge Certificate is issued:

1. 31 days (the legal minimum is 28 days) after a Notice to Owner (NtO) is issued and no Formal Representation received.
2. 31 days (the legal minimum is 28 days) after a Notice of Rejection to a Formal Representation is sent where no appeal has been made to TPT.
3. 18 days (legal minimum is 14 days) after any appeal to TPT is withdrawn (i.e. withdrawn before hearing)
4. 31 days (legal minimum being the date on which the Adjudicator's decision is served on the appellant) after rejection of appeal by TPT.

When a Charge Certificate is issued the amount of the penalty is increased by 50% .

The Charge Certificate is sent to the debtor (owner) requiring payment within 28 days, of the full increased amount.

Debt Registration:

This is done at Traffic Enforcement Centre electronically on or after 18 days (legal minimum is 14 days) from the issue of a Charge Certificate. The Local Authority must confirm issue of the Charge Certificate to the court and there is a fee, from the court, (presently £7) for each registration. This is added to the amount owed to the Partnership.

Debt Registration – Notice of:

Once the debt has been registered at Traffic Enforcement Centre an Order for Recovery and Statement of Truth Form is sent to the debtor advising him/her that he/she will have 21 days (21 days is the legal minimum) in which to pay the amount owed or swear a Statement of Truth.

Failure to do either will lead to a Warrant of Execution being applied for by the Partnership at TEC.

Once issued this will enable the Partnership to instruct Bailiffs to collect the debt on their behalf.

Once transferred to the bailiff, all correspondence is to be with the bailiff.

The only exception is “gone away” where a new resident receives a call for a previous occupant. A form of proof (and any evidence of where the person might have gone) is required before bailiffs will be “called off”.

Dispensation:

Formal permission given by a Local Authority for a vehicle to park in contravention of a waiting or loading restriction – e.g. to allow maintenance to be carried out to adjacent property. A separate procedure exists for this, the issue of which is at the discretion of the Partnership, and according to the Regulations in force.

Driver & Vehicle Licensing Agency (DVLA)

The Government Centre responsible for maintaining records of all vehicles, their registered keepers and Driving Licences. The DVLA is the executive authority which carries out those functions.

DVLA Enquiry & Response (VQ4 & VQ5):

When a PCN remains unpaid for 28 days, the Partnership (on behalf of the Joint Committee) will make a non-fee paying enquiry to DVLA (VQ4) to ascertain the identity of the keeper of the vehicle. This enquiry is made electronically via the Partnership's parking enforcement System.

The response (VQ5) from DVLA is also electronic and is automatically fed into the Partnership's system. Responses are usually received within 3 days of enquiry.

DVLA will confirm the response by forwarding a paper copy of the relevant VQ5 where the current keeper was not the keeper at the time of issue of the PCN.

Loading / Unloading:

For the purposes of issuing and considering a PCN, in claims of loading / unloading, permitted 'goods' are deemed to be any that are of sufficient bulk and/or weight that requires the vehicle to be parked adjacent to the point of collection or delivery. If a delivery is being carried out to a trade or business premises by a commercial vehicle this will be seen as compliant with the above.

The delivery / collection of small portable items, such as shopping, to or from a private vehicle will not constitute loading / unloading (although discretion will always be used in every case where it is obvious to a CEO – such as an elderly, disabled or infirm person or where children are involved), or where enforcement of the restriction would cause unnecessary difficulty, unless it is not obvious the nature of an unattended vehicle when a PCN was issued.

“Loading a Grand Piano to the eleventh floor” is the often stated non-adjacent loading example. There only a delivery note would prove that loading was taking place. The reasonable test of “was it necessary or simply convenient” to load from there – or should a car park have been used? is carried out.

In all cases the vehicle should never be parked for longer than is necessary but allowance should be made for delivery notes etc., to be signed. This includes checking items, but not packing away or moving into place, or storing them, once delivered. Ancillary duties such as moving items out of the way to facilitate delivery or collection do not constitute loading or unloading and time is not allowed to wait whilst this is carried out.

Mandatory and Advisory Parking Bays:

Where restrictions apply to a particular bay (e.g. Disabled bay, doctor's bay etc.), which is covered by a Traffic Regulation Order, it is said to be mandatory (obligatory). In this case there must be a time plate above the bay displaying the restrictions.

When the bay is not covered by an order then it is deemed to be 'advisory' and, therefore, unenforceable.

If in doubt the relevant Traffic Regulation Order should be checked.

Traffic Penalty Tribunal (TPT) (formerly National Parking Adjudication Service, NPAS):

An independent body supported by subscriptions from Local Authorities.

Once a formal representation against a PCN has been rejected the keeper of the vehicle is given the opportunity to appeal to TPT within 28 days (28 days is the legal minimum) of the Notice of Rejection.

TPT will review the case and make an independent decision as to the validity of the PCN based purely on its legality. TPT will not take mitigating circumstances and discretion into account but will, realistically, expect a Local Authority to do this prior to the matter being sent to them. If they feel that mitigating circumstances do apply they will not uphold the appeal but will make their view known to the Local Authority.

TPT decision is final and binding on both parties.

Notice to Owner:

If a PCN remains unpaid for 28 days (28 days is the legal minimum), the Partnership will make an enquiry with DVLA to ascertain the identity of the registered keeper. Once this is done a legal Notice to Owner will be sent to the keeper advising him / her that the relevant PCN remains unpaid.

The notice will contain full details of the PCN issued and requests payment within 28 days of receipt, or it gives the keeper the opportunity to make a Formal Representation against the issue of the PCN, which also must be done within 28 days of receipt.

A Notice to Owner can also be sent under Regulation 10 (see “PCN”, below) which is a combined PCN/NtO.

Penalty Charge Notice (PCN)

There are two types of PCN: Most PCNs are issued at the time of the alleged contravention and will be either affixed to the vehicle within a sealed plastic carrier or handed to the driver; otherwise a PCN may be sent in the post where the CEO was prevented from issuing the PCN (by aggressive behaviour or by driving away).

The PCN will identify:

1. The issuing Authority's name
2. Powers under which the Penalty Charge Notice is issued (TMA2004 and Regulations made there under)
3. The Vehicle Registration Mark.
4. The Make of the vehicle.
5. Detailed Location of vehicle.
6. Details of Alleged Contravention (contravention code and description).
7. The Time of the alleged contravention.
8. The Date of the alleged contravention.
9. The time of issue (the service) of the Penalty Charge Notice.
10. The date that the Penalty Charge Notice was issued.
11. The Penalty Charge Notice number.
12. Civil Enforcement Officer number.
13. Details of Penalty payable.
14. Details and terms of any discount for prompt payment.
15. Instruction on how and where to pay.
16. Methods of payment.
17. Addresses (and telephone numbers) for payment.
18. Period during which payment should be made (i.e. 28 days from date of issue).
19. Instructions on how the procedure for correspondence against the issue of the penalty is handled.

The Operational Guidance and the Regulations (both General Regulations and Adjudication Regulations) set out what needs to be included in a PCN.

A PCN may otherwise be sent to the keeper of a contravening vehicle by post, under Regulation 10. "Postal PCN" includes both PCNs that a CEO was unable to serve on-street and PCNs issued by using CCTV equipment.

Registered Keeper:

The Person(s) or organisation who are registered at DVLA as being legally responsible for the vehicle – The Registered Keeper is not necessarily the Owner or the Driver. We need to find the person responsible to pay the Penalty Charge Notice.

Suspension of Parking Bay:

Suspension of parking within a designated parking bay(s). Notified by display of adjacent signs.

A waiver would also be required for parking of vehicles in suspended bays for the desired reason – e.g. if the bay is suspended to enable removals to be carried out, the removal van needs to apply for a waiver; (see "Waivers").

There is legal foundation to stop people parking in contravention of Suspended Bays (either in or adjacent to them) where there is a proper road sign (i.e. as specified in TSRGD).

Traffic Enforcement Centre (TEC):

The TEC is located in Northampton and is a branch of the County Court, which specifically deals with motoring offences.

All communication with TEC from the Partnership is carried out electronically either by fax or online modem link via a Parking Enforcement computer system.

PART 4: Specific Operational Procedures

See also the TPT website which gives examples from real cases at Appeal.

Abandoned Vehicles:

Where a vehicle remains parked, in a restricted area, for a period during which multiple PCNs are issued (multiple is at least three max of 5) for the same contravention. The Civil Enforcement Officer will decide whether the vehicle is potentially abandoned, by using the following criteria:

- Untaxed or showing out of date tax disc.
- General poor condition.
- No evidence of movement.
- Multiple PCNs attached to vehicle.

If the Civil Enforcement Officer considers the vehicle is abandoned, it will be reported to and dealt with by the Partner Client Council's Abandoned Vehicle (ABV) officer under the provisions of Refuse Disposal (Amenity) Act 1978.

Until such time as the ABV officer considers the vehicle should be dealt with as potentially abandoned, further PCNs will continue to be issued.

Issued PCNs will be enforced against the person responsible (see "Registered Keeper") of the vehicle in the normal way.

Bailiffs (Enforcement Agents) :

Bailiffs, as agents of the court, are court officers. Of the many functions they perform, executing warrants is one that is likely to concern us most. These are court orders for the collection of money and/or goods of sufficient value to produce the required amount. For this purpose the bailiff will always have an appropriate vehicle nearby.

For their other activities they do not need a vehicle nearby, e.g. If they are serving a summons or warrant (not enforcing it). In such circumstances they would be expected to comply with parking restrictions. The vehicle must be necessary for loading, not simply convenient.

Bank Holidays and Public holidays – Restrictions Applicable:

Waiting and loading restrictions, as indicated by yellow lines / markings on the carriageway and/or kerbs may be in force throughout the year.

It is only in designated parking bays (limited waiting, loading, shared use bays, pay & display etc.), that restrictions *may* be lifted on Bank Holidays.

Motorists cannot assume that restrictions do not apply on Bank Holidays unless this is specifically stated in the relevant signage. Reference should be made to the relevant Traffic Regulation Order.

Bank Visits:

Claims from individuals or companies that because money is being taken to or from a bank PCNs should not be issued will not be accepted as a reason to cancel. If restrictions are in place adjacent to a bank these must be complied with by all motorists. Motorists should be advised to contact the bank about future security arrangements. See "goods" and "loading"; money is not considered goods, although the CEO may apply discretion in the same way as loading.

It is appreciated that difficulty may be experienced when visiting banks but the exemption that may apply is in relation to bullion vehicles whilst loading/unloading large quantities of coin and cash boxes.

Again, necessary vs. convenient is the measure. It is not necessary to nip to the cashpoint, from a vehicle, but convenient, so parking is not allowed.

Blocked Access:

Drivers who claim that they were unable to gain access to their private or commercial property are not entitled to park in contravention of any parking restriction. The exception to this is when a driver has to

collect a key to unlock a barrier that prevents access. This, however, should take no longer than 5 minutes.

Where access to a property is being blocked and no parking restriction is in place a PCN may be issued regardless of the absence of a restriction, signage or markings, at the request of a resident. See also "Dropped Kerbs".

Broken Down Vehicles

(see also "vandalised vehicles and abandoned vehicles").

Vehicle breakdowns would only be considered to be for *unavoidable and unforeseeable malfunctions*. Instances such as running out of petrol would be considered to be avoidable.

Claims of alleged breakdown should be accepted if they appear to be unavoidable and, if supporting evidence in the form of one or more of the following is produced:

1. Garage Receipt, on headed paper, properly completed and indicating repair of the alleged fault within a reasonable time of the contravention.
2. Till receipt for purchase of seemingly relevant spare parts purchased on or soon after the date of contravention.
3. Confirmatory letter or relevant correspondence from the RAC, AA or other similar motoring organisation.

Where the CEO considers that the vehicle was *obviously* broken down, the CEO will use discretion. A note left in the windscreen, stating that "the vehicle has broken down", will *not* be accepted, by the CEO, as a reason for not issuing a PCN; handwritten notes are not generally accepted.

If breakdown is reported to Business Unit via telephone – a CEO may be sent to the location to review the situation and a PCN may be issued. If PCN is issued it may be challenged and appropriate evidence will need to be produced as above.

NB. If it is apparent from previous records that the same driver is continuously trying to avoid liability for PCNs by claiming that his/her vehicle is broken down, this should be considered when deciding on whether or not to accept their representations.

Where representations are accepted on the second or subsequent occasion the keeper should be informed, in writing, that due consideration to previous incidents will be taken into account should another contravention be committed for the same reason.

Builders / Tradesmen

1. **Residential Parking Zones:** Builders should use a visitor permit (which may be obtained from the Partnership by the resident) to park within a residents-only zone provided they are being used in connection with genuine work within that particular zone, otherwise they may be liable for a PCN.

In the case of a vacant property a dispensation would need to be obtained from the Partnership's Business Unit.

Commercial properties within a zone – a dispensation would need to be obtained from the Partnership's Business Unit.

2. **Yellow Line restrictions:** Parking will only be allowed whilst loading / unloading of tools and materials is taking place, unless prohibited by loading restrictions (when it is never permitted). At all other times the vehicle must be moved to a permitted parking area. Dispensation may be available from the Partnership, but only under sufficient advanced notice. If a Penalty Charge Notice is issued before such dispensation is approved, then evidence of loading will be required.

The measure is necessity rather than convenience. See Loading below

Bus Stops:

A restricted bus stop will show a "wide" yellow line, a yellow marked bay and a time plate showing the hours of operation.

Bus stop restrictions are not covered by Traffic Regulation Orders, but instead under separate legislation, which allows them to be introduced independently. A bus stop restriction cannot be transferred to a temporary bus stop unless a Temporary Traffic Management Order has been issued.

PCNs issued to vehicles, other than buses, waiting in a restricted bus stop should be enforced.

Care Organisations (see also 'Emergencies'):

Parking in Residential Parking Zones: Numerous care organisations are now operating within the Partnership as a result of sub contracting by Social Services and the Local Health Authority as well as privately arranged care.

1. **By prior arrangement**, badges issued by various organisations may be recognised as valid authorities to park but only in resident parking zones **whilst on duty and in connection with residents care (but never on yellow lines)** and the permit must include the vehicle registration number and an expiry date, and be made available for checking by a CEO on request.
2. **Those issued by NHS Trusts** to District Nurses, Midwives, Health Visitors & Macmillan Nurses, will be honoured but only in resident parking zones (never on yellow lines) and the permit must include the vehicle registration number and an expiry date, and be made available for checking by a CEO on request.

Parking in Council Car Parks: It is not felt that there is a need for carers to park within Council car parks free of charge. Consequently permits are not issued for this purpose.

Parking on Yellow Lines: Carers are not generally exempt from yellow line restrictions and must not contravene them. No dispensation will be issued to carers to enable them to park on a yellow line except in an extreme medical emergency. In cases where a PCN is issued, flexibility and discretion will be applied to any challenge made against a PCN although the scheme will not be open to abuse.

Challenge Against Issue of PCN:

Within 14 days of issue of a PCN the keeper of the vehicle (or other parties with a direct interest) may make a written challenge against the issue of the PCN. Within this challenge (s)he can mention any mitigating circumstances as well as challenging the validity of the PCN. (Day 1 of 14 is the date of issue).

The Partnership will respond, in writing, as soon as possible the challenge and must either give notification of acceptance of the challenge and cancellation of the PCN or rejection of the challenge.

If a challenge is rejected the written notification from the Partnership must give precise reasons why this decision has been reached. Providing the written challenge was received within 14 days of the PCN being issued the discounted rate will be restarted and last for 14 days from the date of the rejection notice.

If a challenge is received later than 14 days from the date of the PCN issue it will be dealt with in the same way but if rejected the discounted period will not be restarted and the full amount will be payable. This fact should be included within the notice of rejection.

The making of a challenge in no way detracts from the ability of the keeper to make a subsequent formal representation against the issue of the PCN to the Partnership or to TPT.

Challenges / Representations Accompanied by Payment:

To avoid the loss of the discount period or to avoid County Court action keepers may opt to enclose settlement of the PCN with a challenge or formal representation. In such circumstances the Partnership must act in good faith and deal with the challenge/representation in a fair and equitable manner. At the same time the Partnership must comply with its own financial regulation regarding the banking of cheques.

Where a payment is received with a challenge, the normal procedure is to return the payment immediately (accompanied by a letter of acknowledgement); the challenge or representation will then be dealt with in the normal manner.

It is recommended that the recipient of the PCN either pays or challenges it, not both.

Clamping (Immobilisation) & Removal:

In some circumstances, the North Essex Parking Partnership will make use of Immobilisation and Removal Powers. In carrying out these activities, the Statutory Guidance will be followed.

Where a vehicle is causing a hazard or obstruction the enforcement authority should remove rather than immobilise. If the vehicle is parked where parking is prohibited (such as on double yellow lines or in a restricted zone or suspended parking area), then the vehicle can be removed as soon as a Penalty Charge Notice has been served. Vehicles will usually be removed to a nearby place, rather than a pound.

Complaints against Civil Enforcement Officers:

Allegations that a CEO has made an error whilst issuing a PCN will be investigated under the normal Representations or Challenge procedures and a formal written notice of acceptance or rejection will be sent.

Any allegation of misconduct or rudeness made against a member of the enforcement staff will be investigated and dealt with by the relevant manager separately from the issue of the PCN.

Complaints are treated in accordance the complaints procedure and findings of the investigation will be communicated to the complainant, in writing, within the stipulated timescale. The findings of such investigations will be separate to the facts of the case and will not affect the findings of any alleged Contravention of Regulations (in other words, the recipient of a PCN cannot simply use as a defence that 'the CEO was rude').

Cones – Temporary No Waiting:

Advisory Cones: In cases where a small number of cones is required for a special event, it is often possible to receive these on loan from the borough/district council in whose area you reside. The Parking Partnership may be approached for the loan of a small number of cones if these are not available for loan locally.

Formal Schemes: In exceptional circumstances the Parking Partnership may consider the setting out of no-waiting cones for larger scale events. In most cases these will be enforceable, and chargeable, and they mean "no waiting / no loading". Details of any vehicles pre-parked within any area to be coned off will be taken (normally by way of photograph) and these vehicles only will be exempt from the cones within the balance of any other restrictions already in force (if any).

The setting out of cones will be carried out by approved operators, and there will be a cost for providing this service (which may be reduced for charitable organisations), payable on application. The Partnership keeps a list of approved operators.

All vehicles should be moved as soon as the driver/owner realises the cones are in place. The full extent of the area coned will be recorded, and for any other vehicles encroaching or otherwise waiting or loading within the area, a PCN may be issued for contravening the restrictions.

See also the Policy Document on Temporary No-Waiting Cones.

Council Officers & Councillors on Duty:

All council officers and Councillors on duty are expected to fully comply with parking regulations:

- 1. Parking in Council car parks:** Staff or Councillors using their own cars to carry out their official council duties must display a staff parking permit whilst parked in a car park (or have it available at the barrier in a barrier controlled car park). At all other times staff and Councillors must comply with the restrictions by purchasing a pay & display ticket. Failure to comply with any of the foregoing will result in a PCN being issued. Council officers do not have the benefit of free parking.
- 2. Parking in Residential Parking Zones:** Permits are only valid during periods when official duties are being carried out. Permits used at other times will be withdrawn and a PCN issued. At all other times staff and Councillors must comply with the restrictions by displaying a valid resident's or visitor's permit. Failure to comply with any of the foregoing will result in a PCN being issued.

3. **Parking on Yellow Lines:** No dispensation will be given to allow staff or Councillors to park on yellow lines. In such cases PCNs will be issued and pursued under the legal enforcement process. A Waiver may be applicable in cases where it is necessary to carry out certain statutory functions (e.g. highway maintenance), but will be decided on the balance of necessity versus convenience.
4. **Request for Cancellation of PCN:** This will only be considered in cases of dire emergency and must be supported by written confirmation from the relevant senior line manager or Head of Service.

Court Attendance – Defendants:

The conditions applying to Jury members and Witnesses equally apply to defendants. However, there have been instances when a defendant has been given a custodial sentence and, as a direct result, is unable to remove his/her vehicle from a Partnership car park. In such instances the Partnership will expect that the vehicle will be removed, as soon as is reasonably possible (normally within 24 hours), by the defendant's family, friends or legal representatives. Any PCN issued will not be enforced providing supporting evidence is supplied by the defendant's legal representative.

Court Attendance – Jury Service or Witness:

The length or timing of any court hearing or trial cannot be guaranteed and often Jury members and/or witnesses find that they are unable to leave court to purchase further pay & display time in a car park. This can lead to an overstay where PCNs are issued. To counter this, Courts issue clear instructions to all Jury members and witnesses advising them as to how and where they should park. They do not recommend the use of short stay pay & display car parks.

The courts will not pay any PCN issued to a witness or Jury member whilst carrying out their legal duties even if they are delayed by the court.

In such circumstances the Partnership will enforce PCNs against the keeper unless evidence is produced to support the fact that they were delayed to an extent that could not have been *reasonably foreseen*. e.g. Moved to an hotel overnight.

Dental / Doctors Appointments:

If the claim is made that, due to a delay in the appointment time or that treatment took longer than anticipated and this resulted in a PCN being issued for overstaying the parking time purchased on arrival, consideration should be given to the validity of the claim.

Such claims should be supported by written confirmation from the dentist or doctor that the delay was caused for reasons outside of the driver's control. However, the Partnership must be satisfied that the parking time purchased was reasonably sufficient to allow for normal delays experienced whilst attending such appointments.

Description of Vehicle – on PCN:

When issuing a Penalty Charge Notice, the Civil Enforcement Officer will note the make and registration number of the vehicle, which will appear on the PCN. It is also recommended that he/she where relevant to the contravention will also note other details such as colour, tax disc serial number, tax disc expiry and positions of tyre valves, which will form part of the supporting records.

1. **Incorrect make:** Although many manufacturers produce different models that look very similar it would be very difficult to enforce a PCN issued to a Vauxhall which turned out to be a Ford. In such cases serious consideration will be given to cancelling the PCN. Only if the error is clearly genuine, then the case would be written off. Where it is not directly obvious to the CEO at the time of the PCN being issued then "Unknown" should be used.
2. **Tax Disc Serial Number:** (where visible/recordable): The one thing that is unique to the vehicle is the tax disc number, which is recorded by the Civil Enforcement Officer at the time of the PCN issue. If these match then the Partnership has good grounds to pursue the PCN irrespective of any other error. There has been no requirement to display a tax disc since October 2014.

Diplomatic Vehicles:

These fall into two categories: those with 'D' plates, which indicate that the driver has full diplomatic immunity, and those with 'X' plates, which indicate limited immunity.

- **'D' PLATES:** PCNs issued to 'D' plate vehicles should automatically be cancelled upon input to the processing system although, should the driver subsequently decide to make payment, it will be accepted. Details of these PCNs will be taken up with the Foreign & Commonwealth Office and payment may be obtained later.
- **'X' PLATES:** In effect these PCNs should be cancelled upon input. If correspondence is received from the driver and enforcement seems appropriate a request for payment would be made.

Disabled Drivers / Passengers:

Blue badges are issued to either a disabled driver or a disabled passenger. They can only be used when the vehicle is being used to transport the disabled person. It is not permitted to use the badge for *any other purpose* at all e.g., shopping for the disabled person when they, themselves, are not being transported in the vehicle. The person to whom the badge is issued must be present.

Blue badges must be clearly and properly displayed (with the serial number and expiry date clearly visible) at all times, whilst the vehicle is parked. Failure to do so will result in a PCN being issued for the contravention of the relevant parking restriction. When considering the matter the Partnership will take into account previous contraventions by the same vehicle and/or badge holder for failure to display a disabled badge (although it is accepted that no one particular Penalty Charge Notice is binding on any other, education as to the matter of correct display of a Blue Badge is taken to be required to be given only once).

Where the badge and/or clock (where required) was not visible to the enforcement officer at the time a PCN was issued, then it is unlikely that these would be grounds by themselves for cancellation of the PCN.

If the badge was in some way partially visible (face down with serial number and expiry date not showing, for instance) but where no previous contravention has occurred, the representation would normally be allowed, provided that proof of a badge valid (and displayed) at the time of contravention was supplied.

In such circumstances the letter sent to the person making the representation should make it clear that this contravention will be taken into account when considering any future contravention and that this may lead to future representations being rejected.

Providing the Disabled Badge is clearly and properly displayed the Badge Holder can park in:

- **Limited Waiting parking places:** For an unlimited time.
- **Yellow Lines (without loading restrictions):** For a period not exceeding 3 hours.
- **Council Car Parks:** As displayed on the tariff board in each borough/district's car parks.

Disabled Badge Holders are not allowed to park in:

- ❖ Any area where there is a loading restriction.
- ❖ Any location where it is unsafe to park.
- ❖ Bus stops, taxi ranks, goods vehicle bays.

Note – in other sorts of bays e.g. resident parking bays, further clarification should be sought.

Parking must always be in accordance with the Blue Badge Scheme (booklet available from Essex County Council).

Note that the Blue Badge scheme is for highway parking. It is a concession to access. In Partnership car parks, only sometimes are bays free to blue badge holders. The rules are different in different areas, so you must always check a car park tariff board for details.

Dispensations & Suspensions

Dispensations:

Reference should be made to the parking order for the borough/district council area: The following vehicles (which are generally liveried and identifiable) will receive automatic dispensation from waiting restrictions:

1. Police, Fire Brigade or Ambulances whilst attending emergency situations.
2. Liveried, identifiable vehicles involved in contracted Highway Maintenance where there is a need for them to be parked adjacent to the work site.
3. Statutory undertakers' vehicles and their successors (gas, water) and postal/telecommunications equipment on the highway (not in adjacent buildings).
4. Liveried Council vehicles **carrying out** statutory duties such as Refuse Collection, Street Cleansing and verge maintenance (but only whilst necessary).
5. Vehicles displaying valid disabled badges (see relevant section of the Blue Badge Book).

Dispensations may be granted for the following:

1. Funerals – For the hearse and cortege vehicles.
2. Weddings – Bridal Vehicles.
3. Maintenance to adjacent buildings.
4. Furniture Removals.
5. Any other reason accepted by the Partnership.

Applications for dispensations must be received a reasonable amount of time in advance such that the necessary administration and signage can be prepared, prior to the required date and must be made to the Partnership on the appropriate form. The Partnership's decision is final.

If granted, dispensations will be issued to the applicant by way of written authority, from the Partnership which may only be granted as appropriate. Any document issued by the Partnership in connection with the dispensation must be clearly and continuously displayed on the vehicle whilst parked. A copy will be available to the patrolling Civil Enforcement Officers and a further copy kept, with the application, by the Partnership for reference.

A charge, per vehicle per day, may be made except in the cases of wedding cars and funeral cortege vehicles. It is always of assistance if reasonable notice can be given so that CEOs working different shifts can be made aware.

Suspensions:

Designated parking bays, on or off-street, may be suspended for the following reasons:

1. To allow maintenance of adjacent property where highway access is required for deliveries, essential vehicles, skips etc. (Cars will not be considered as "essential vehicles" and will be expected to park in accordance with parking restrictions).
2. Maintenance to highway trees.
3. At the request of the Police.
4. For security reasons.
5. Any other reason accepted by the Partnership or Highway Authority.

Applications for suspensions must be received at least 10 working days prior to the required date and must be made to the Partnership. Their decision is final. Liveried vehicles of Emergency Services on call and Statutory Undertakers at work (i.e. most utility companies) will be exempt, as will certain other classes (e.g. Royal Mail carrying out collections) etc.

If granted, suspensions of parking bays / spaces will be clearly signposted by means of Notices, temporary signs or traffic cones, which will indicate exact location and extent of the suspension with the start and finish dates and times. Notices will be displayed for a reasonable time before the suspension comes into operation. In this way all interested parties and adjacent properties will normally receive advanced notice of the suspension.

Vehicles parked in contravention of a suspension will receive PCNs (unless displaying a valid Waiver or Dispensation). A charge, per bay / space, may be made and is payable upon application.

Waivers or Dispensations may be issued by the Partnership to allow vehicles to park in Suspended bays (e.g. removals vans); there is an administration charge, and an accompanying fee for this.

“Drink-Driving” or Other Arrest:

If the driver of a vehicle has been arrested and, as a direct result, has been forced to leave the vehicle in contravention of a parking restriction any resultant PCN would not be enforced unless the driver has had ample time to arrange for its safe removal or to safely remove the vehicle him/herself after his/her release from custody. (In the case of drink-driving this is an action which could reasonably have been foreseen, and the above principles are not necessarily automatic; in any event a period of around 12 hours should be allowed for safe removal of the vehicle).

In all cases of arrest claims the driver should be asked to provide date, time and evidence of arrest including custody or incident number, PC collar number and Police Station involved.

Where written evidence of the arrest cannot be supplied, confirmation should be obtained from the relevant Police Station, by the Partnership, before the PCN would be considered for cancellation. Failure to supply or obtain supporting evidence of the arrest will lead to the PCN being enforced.

Dropped Kerbs

The Partnership has the power to enforce against motorists who block dropped kerb accesses.

Driveways to Residential Premises: The Partnership will respond and may issue a PCN to a vehicle parked outside a driveway blocked more than 50% of its width in instances where a report is received from the occupier of the affected premises. In such instances the Partnership requires the complainant to provide name, address and contact details and confirm that they are the occupier.

Some parking bays are marked continuously across dropped kerbs of driveways but obstructing a dropped kerb is not permitted (although it is implied that a vehicle parked in front of its own driveway would not be reported and therefore not issued a PCN).

Pedestrian Dropped Kerbs: Pedestrian dropped kerbs help people with pushchairs, the mobility impaired, wheelchair users and people using mobility vehicles to cross the road. Inconsiderate parking across these crossings makes it potentially dangerous for people. A PCN may be issued to a vehicle parked blocking these crossings.

Please note, there are no requirements for there to be any markings on the road to indicate a ‘no parking’ area in front of pedestrian dropped kerb crossing.

See also *Blocked Access*.

See separate policy - ***Enforcement policy for dropped kerbs***

Dropping Off - Picking up Passengers.

Except on designated clearways and certain zig-zag (schools and pedestrian crossing) restrictions any vehicle will be allowed a reasonable amount of time (only as long as is reasonably necessary) to drop-off alighting passengers or pick up boarding passengers irrespective of any waiting or loading restriction in force.

It is commonly thought that two minutes is sufficient allowance for this unless the activity involves the elderly, disabled persons, young children or large amounts of luggage, etc., where up to ten minutes is commonly deemed reasonable.

However, where or because such an event may cause safety, associated traffic congestion or other problems, then the time allowed “only as long as is absolutely necessary” will be permissible. Special consideration will be given to Hackney Carriages or Private Hire Vehicles who will need additional time to announce their arrival and accept payment. The CEO will exercise reasonable discretion in such circumstances, but mere convenience is not to be used as an excuse.

Emergency Duties:

Doctors, nurses and midwives engaged on emergency duties are, wherever possible, expected to park legally in accordance with local restrictions. Should a PCN be issued it may be cancelled only

upon evidence of the emergency being provided. Paramedics are also exempt in Resident Parking bays.

Necessity vs convenience.

Regular or programmed visits will not be considered an emergency.

(For the future - see 'Health Emergency Badge Scheme' below).

Estate Agents:

Estate agents visiting a client's property within a residential parking zone may display a valid visitor permit of the Resident (issued out to the property in question). Estate agents are **not** exempt from parking restrictions. (Tradesmen's permits are available).

Exempt Vehicles:

See also Dispensations section. The following vehicles are considered to be exempt from parking restrictions:

1. Fire Brigade Vehicles
2. Marked Police Vehicles
3. Ambulances.

The following vehicles are generally exempt in the circumstances described (the standard test is "where it is necessary that the vehicle is in attendance", opposed to simply being convenient) – although individual circumstances may vary between areas:

1. Local Authority Vehicles (or those of their contractual agents), whilst being used to carry out statutory duties (i.e. Refuse Collection, Street Cleansing, Highway Maintenance), or whilst carrying out duties that require the vehicle to be in close proximity (i.e. Verge Grass Cutting), including Civil Enforcement Officer Vehicles.
2. Post Office and other vehicles engaged in the delivery of postal packets (i.e. Courier companies such as UPS). – This does not include private vehicles used by postmen/women whilst carrying out letter deliveries. The Partnership will expect such vehicles to be parked in compliance with any parking restriction.
3. Electricity Board, Gas Board, Water Authority, British Telecom or other telecommunications (and/or their appointed contractors), whilst actively laying or undertaking repairs to pipes, cables or other apparatus.
4. Furniture vans whilst moving furniture to and from a dwelling, office or depository. Wherever possible these vehicles should not be parked in contravention of a loading restriction. If necessary, dispensations (from restrictions) or suspensions (of parking bays) should be sought in advance of such a requirement to enable them to park.
5. Public Service Vehicles (Passenger Carrying Vehicles – i.e. buses/coaches) and other company vehicles whilst waiting at an authorised stopping place, terminus or turning point.
6. Vehicles involved in building, excavating and demolition work whilst lawfully and actively engaged on those duties (where the vehicle is "necessary").

All exempt vehicles should be liveried, not private cars or unmarked vans and the exemption does not generally apply to sub contractor's vehicles (but the parking order should be referred to).

Footway Parking:

Unlike Greater London (sect 15 GLA.1974), it is not generally a contravention for a vehicle to be parked on a footway unless there is some form of restriction.

There are exceptions, such as:

1. HGV's (Sect.19, RTA 1988).
2. Cycle Tracks (Sect.21, RTA 1988).
3. By Local Act of Parliament. In Essex there is a local Bylaw, which may apply to grass verges where signed.
4. Where a Traffic Regulation Order (TRO) exists.

Most waiting and loading restrictions cover the whole highway – boundary to boundary and this includes all footways and verges. A PCN can only be issued to a vehicle parked in such a manner if the restriction is specifically incorporated in the relevant TRO or the road is subject to a waiting / loading restriction, in which case the PCN should be issued for contravention of the restriction.

Formal Representation Against Issue of PCN:

The keeper of a vehicle is given the opportunity to make a Formal Representation against a PCN once the Notice to Owner (NtO) is sent to him/her by the Parking Partnership. This representation must be made within 28 days of receipt of the NtO.

Formal Representation can only be made on the following grounds:

1. The Contravention did not occur
2. The Penalty exceeded the relevant amount.
3. The Traffic Order was invalid
4. I was not the owner/keeper of the vehicle at the time.
5. The vehicle had been taken without my consent
6. We are a hire firm and have supplied the name of the hirer.
7. A procedural impropriety has occurred.
8. Some other reason (must be stated) not given above.

NB. Different rules (in timescales allowed by the legislation) **apply for what are known as “Regulation 10 PCNs” or “Postal PCNs”** – which is a combined PCN/NtO, and a further 14 days is allowed for payment at the discount amount, including when rejected.

Funerals / Weddings:

Vehicles actively involved in a funeral or a wedding will be given due reasonable consideration and respect and PCNs will not be issued.

Vehicles belonging to wedding guests, or mourners that are not actively involved in the funeral, will not be able to park in contravention of any restriction, however any PCN issued to vehicles associated with a funeral or wedding should be considered with due respect and PCNs would only be enforced when blatant disregard to restrictions has been confirmed.

Garages – Vehicles Left Unattended:

When a garage employee parks a vehicle on a highway, in contravention of a parking restriction, whilst maintenance of the vehicle is being carried out (i.e. to facilitate vehicle movement within the workshop) any PCN issued should be paid by the driver responsible. However, the ultimate responsibility for the PCN rests with the registered keeper of the vehicle.

Garages have no right to use the highway in such a manner and PCNs should always be enforced in such cases.

Glaziers:

Claims from glazing companies that a vehicle needed to be parked close to the location of an emergency repair should be treated leniently providing it is confirmed, from the CEO's notes, that such activity was taking place at the time of the issue of the PCN.

PCNs will not be cancelled when issued to vehicles that are not actively involved in the work.

Government Department Vehicles:

Unless the reason for parking the vehicle was under exceptional circumstances PCNs issued to vehicles owned or operated by Government Departments should be enforced. They are not exempt purely by virtue of the fact that they are operated by a Government Department.

If the vehicles are involved in exceptional activities such as surveillance by Customs & Excise or the Benefits Agency evidence to support this, in the form of a written statement from a senior manager on headed notepaper must be supplied.

Wherever possible Government Agencies involved in such activities should be encouraged to give the Partnership advance notice and details if the vehicle(s) involved.

Hackney Carriages / Private Hire Vehicles:

1. Hackney Carriages and Private Hire Vehicles operating within Partnership area are licensed by local Councils and carry a numbered licence plate that must be displayed on the rear of the vehicle.
2. There is a distinct difference between Hackney Carriages and Private Hire Vehicles (PHV). PHVs are not allowed to ply for hire on the street or display a "TAXI" sign.
3. Hackney Carriages licensed by other local authorities are not allowed to ply for hire within the borough/district. The converse is also true.
4. Hackney Carriages and PHVs, like all vehicles, may stop to allow passengers to board or alight for as long as is reasonably necessary for the purpose (defined as 2 minutes in a recent judgement). It is not an exempted activity to assist passengers into premises and to leave the carriage unattended. If a licensed Hackney Carriage or PHV is left unattended it is liable to receive a PCN.
5. Each case, especially those involving elderly, infirm or disabled passengers should be treated on its merits and due allowance should be made in such incidences.
6. It should be borne in mind that when a Hackney Carriage or PHV is called to an address to pick up passengers the driver must be allowed time to announce his/her arrival.

Hazardous Chemicals / Substances:

Claims by companies that toxic or dangerous substances were being delivered or collected from a premises and, as a result, a PCN was incorrectly issued to the vehicle being used should be given careful consideration.

If the PCN was issued for contravention of a no waiting restriction it can be established from the CEO's notes whether the activity of loading was taking place. If so the PCN should be cancelled. If no loading activity was taking place the PCN should be enforced. There is no reason, in this case, to differentiate between toxic and non-toxic deliveries as it is the driver's responsibility to ensure that the vehicle is moved immediately the loading / unloading activity is complete. (See definition of Loading / Unloading).

If the PCN was issued for contravention of a no loading restriction then, once again, the CEO's notes will be viewed to establish whether the loading activity was taking place. If so then serious consideration should be given to the cancellation of the PCN in view of the Health & Safety of the public.

Any such representation should be accompanied by documentary evidence showing the nature of the goods being delivered.

Health Emergency Badge Scheme:

The Partnership does not, at the moment, operate a formal Health Emergency Badge (HEB) scheme however NEPP has agreed to recognise some permits issued by other organisations, as if they had been issued by NEPP themselves. See “Care Organisations” above.

Hiring Agreement:

It is within the legislation that, in the case of a hired vehicle, responsibility for a PCN is that of the hirer of the vehicle at the time.

Consequently, in this case, the responsibility does not rest with the registered keeper, the Hire company, providing they make formal representation to the Partnership once the Notice to Owner is received. This representation must be accompanied by a copy of the relevant hire agreement.

In all cases this agreement must clearly state: The name and address of the hirer, the start and finish dates for the hire period and the hirer's signature. It must also include a statement regarding the hirer's liability for any PCNs incurred during the hire period. Should any of the foregoing be unclear, absent or in contradiction of the date / time of issue of the PCN then the PCN will be enforced against the Hire Company and a notice of rejection of the representation sent to them with the reasons clearly stated therein.

Holidays:

Vehicles are often left parked in one place whilst the keeper is away on holiday. In such cases a PCN could be issued for being parked in a suspended parking place or for failing to display a valid permit in a Residents Parking zone:

1. Suspended Bay:
 - a. The Partnership has the power to suspend parking within a designated parking bay to allow access by a specific vehicle or highway / bay maintenance to be carried out. In such cases advance notice is placed alongside the bay and is distributed to nearby properties giving the date, times and length of the suspension.
 - b. If these notices are posted and distributed after the keeper departed on holiday then any PCN issued should be cancelled. Evidence must be provided showing departure date and time (i.e. Flight tickets etc.). This should be compared with records relevant to the display and distribution of the notices. In essence the Suspension cannot operate retrospectively.
 - c. Visitors' permits are designed for genuine visitors to a resident's property and are valid for one day only. Display of permits completed in advance is considered to be invalid and PCNs will be issued for this reason.

Hospital Car Service:

The display of a “Hospital Car Service” badge does not automatically exempt the holder from parking restrictions. However all representations or challenges against the issue of a PCN should given due consideration bearing in mind that this is a voluntary service provided for the elderly and sick so that they can be transported to and from hospitals.

Generally such consideration should extend to:

1. Allowing sufficient time to enable the driver to make his/her presence known to the passenger(s).
2. Allow sufficient time to assist the passenger(s) between the vehicle and their home(s), bearing in mind that they may be elderly, infirm, disabled or unwell. This may well involve sufficient time to ensure that the passenger is comfortably settled within his or her own home prior to departure by the driver.

Representations / challenges should be accompanied by documentary evidence giving the date, time, the pick-up and drop-off locations for the trip and, wherever possible, a description of the passenger (i.e. Elderly, Disabled, Post-Operative etc.).

Intervention in Challenge & Representation Processes by Councillors and Other Officers:

The process of dealing with challenges and representations against the issue of PCNs is well documented and will be carried out in a fair, unbiased and equal manner. These procedures include the ultimate right of all appellants to refer the matter to an independent arbitrator (by Appeal to an Adjudicator of the Traffic Penalty Tribunal).

To preserve the integrity of these procedures they will be managed and carried out by the Management of Parking Operations and no undue external pressure shall be brought, by either Councillors of the Council or other senior officers, designed to unduly influence the decisions by virtue of their position alone.

The Parking Partnership's host authority (at the central office), having had the appropriate powers devolved to it from the host authorities, via the Joint Committee, shall be the proper place to decide challenges and representations.

Legislation:

The statutory Acts governing parking enforcement are: The Traffic Management Act 2004 and The Road Traffic Regulation Act (1984). Regulations made under the 2004 Act replaced the Road Traffic Act 1991, on 31 March 2008.

If a driver is querying the legislation it should be explained to him/her in simple terms. There is no need to supply specific reference unless especially requested.

When such a request is made the Partnership will make reference to specific, relevant paragraphs and will quote them verbatim within any correspondence. The Partnership will not supply full copies of the relevant Acts, which can be obtained from HMSO or accessed via the Internet.

If the keeper is specifically querying the authority behind a specific restriction then reference should be made to the relevant Traffic Regulation Order. Prior to any correspondence with the keeper this Order should be checked to ensure the validity of the PCN. If any doubt exists then the PCN should be cancelled and the decision communicated to the keeper.

Requests for copying the TROs (hundreds of pages, plus schedules) involves a reasonable charge for the copying.

Loading / Unloading:

Vehicles will be permitted to park in contravention of waiting restrictions, including Resident Parking Zones, whilst carrying out the legitimate activity of Loading or Unloading provided:

1. Activity, involving the vehicle, is observed by the Civil Enforcement Officer whilst the vehicle is parked. The observation period shall be for at least five minutes and a PCN shall only be issued if no activity is seen during this period.
2. Generally a maximum of 5 minutes will be allowed to enable loading / unloading to take place. Exceptions will be made when the nature of the goods being loaded / unloaded require more time, i.e. House moving or very heavy goods being handled.
3. Due consideration will be given to elderly or disabled people.
4. Due allowance will be given to allow the driver to complete delivery paperwork.
5. Where a PCN is issued a challenge will be considered if supported by evidence (e.g a delivery note confirming the time and evidence that the driver was delayed or was involved in moving heavy goods).

Location – incorrect:

When a PCN is issued the location of the vehicle is stated on the PCN itself. If this is recorded incorrectly then this is deemed to be a material error and the PCN should be cancelled.

Lost Keys:

Where it is claimed that car keys have been lost, stolen or locked in a car thus preventing removal of the car from a parking area which in turn resulted in the issue of a PCN, then due consideration should be given to its cancellation. When considering the representation, this should be accompanied by supporting evidence from the police, motoring organisations, etc.

The following should also be considered: If the vehicle was parked in a pay & display car park, did the loss of the keys prevent purchase of additional parking time? If the vehicle was parked on a yellow line, should it have been parked there in the first place?

Meter / Pay & Display Machines

1. **Did not realise there was one there.** Claims from keepers that they did not see or realise that they had to use a pay & display machine should be dismissed as they are always clearly sign posted.
2. **Not working.** Where it is claimed that a machine is not working then reference must be made to both the maintenance records, the CEO's notes and machine test records (machines are tested before every patrol). If it is confirmed that the machine was not working at the time then consideration should be given to cancelling the Penalty Charge Notice.

If there were an alternative machine in working order and in close vicinity, or alternative method of payment such as MiPermit, then it is reasonable to expect that the drivers would use this alternative (except where there is only one machine or no alternative means of payment).

Misspelling of Keeper's Name:

The misspelling of the keeper's name and/or address on the Notice to Owner does not invalidate it or discharge the liability of the person receiving it. The onus is still on the genuine keeper to deal with the matter.

Such names and addresses are, in most cases, obtained from the DVLA and are supplied by the keepers themselves. It is also incumbent upon the keeper to ensure that these are correct.

If any misspelling is discovered then alterations must be made immediately to ensure that future notices are sent out correctly.

When the misspelling is severe and is *radically* different from the correct spelling consideration should be given to the cancellation of the PCN.

Mitigating Circumstances:

Each case will be treated on its individual merits and particular circumstances are referred to elsewhere within this document. However, the following are few guidelines:

1. **DELAYS:** Delays due to queues at shops, banks etc., meetings taking longer than expected, caught up in crowds etc., are not considered as valid reasons to cancel a PCN. Allowance should be made for such delays when purchasing parking time as they are a regular occurrence and part of normal life. (See also the section on "Emergencies").
2. **CHILDREN / ELDERLY PEOPLE:**
 - a. Claims are often made by people, accompanied by young children or elderly people, that they were delayed because of them. Again this should not be considered as a reason to cancel a PCN because allowance should be made for this when purchasing parking time. (see emergencies below).
 - b. Claims that PCNs issued whilst children were being dropped-off or collected from schools etc., should not be cancelled unless a reasonable amount of time was not allowed by the CEO. The normal 5-minute observation period should be enough time in such circumstances (except where the time allowed has expired, when an additional 10 minutes will be allowed and added to the end of the expiry time). Where a 'No Stopping Order' exists no leniency will be considered. '
3. **EMERGENCIES:** An emergency is an unforeseen situation that prevented the driver from moving his/her vehicle. They are usually of a medical nature and leniency should be

exercised where it can be seen that the driver could not have foreseen the situation. Wherever possible such claims should be supported by independent evidence.

Motorcycle Bays:

These are not mandatory bays but are exemptions to the normal restrictions either on street or in car parks. Consequently any vehicle, other than a motorcycle, parked in such a bay is parked in contravention of the surrounding restriction, not for being parked in a motorcycle bay.

Notice of Rejection or Acceptance of Formal Representation:

Usually, within 28 working days of receipt of a formal representation from the keeper of the vehicle a written Notice of Acceptance or Rejection will be sent by the Partnership:

1. **Notice of Acceptance:** This will confirm that the representation has been accepted and that the person's liability for the PCN has been cancelled.
2. **Notice of Rejection:** This formally rejects the representation and gives detailed reasons why the Partnership has come to this conclusion. The rejection is also accompanied with the necessary forms and instruction on how a further representation can be made to the independent Traffic Penalty Tribunal (TPT). – This representation must be made within 28 days of receipt of the notice of rejection.

Observation Period – Prior to Issue of PCN:

Except where loading restrictions or clearway restrictions are in force, prior to the issue of a PCN the CEOs will allow a period of at least five minutes to elapse between first observing the contravention and the issue of the PCN.

The details of the vehicle will be entered into the CEO's Hand Held Computer (HHC) when first seen. The PCN will not normally be issued until loading can be refuted (generally after 5 minutes).

The CEOs will be able to continue with their patrols and then return to the contravening vehicle. The observation time and the PCN issue time will appear on the face of the PCN itself and will be recorded by the enforcement software system.

The exception to this is where the time allowed has expired, when an additional 10 minutes will be allowed and added to the end of the expiry time.

Civil Enforcement Officers' Pocket Book / Notebook / Digital Notes:

The Civil Enforcement Officers shall maintain a separate pocket book in which they shall note daily details of their patrols, and any incidents encountered.

These books shall be kept in addition to any details of PCNs entered into their handheld computers. Where possible all evidence will be recorded on the computer system directly. Information recorded on the officer's handheld computer will also be used in the adjudication process.

Pocket Books will be made available to the adjudicators in the event of a PCN being challenged, where any information therein is relevant, through the independent adjudication process and will assist the investigation of any challenge or representation received by the Partnership.

When used, each Pocket Book will be numbered and when issued to the CEO the number of the previous book used by that CEO entered on its cover. Similarly when a pocket book is completed the serial number of the new book issued will be entered on the cover.

All completed pocket books will be retained in the office in numerical order. Each completed pocket book should have the serial number of the previous book and the serial number of the next book written on the front cover.

Pay & Display Tickets.

Pay & Display requires the purchase of time (either a ticket or an electronic or virtual ticket) at the time of parking for the amount of time required. All tickets display the expiry date and time on them along with the fee paid and car park identification code. The car park fee tariff is clearly displayed adjacent to each machine.

Pay & Display Tickets must be:

1. Clearly and continuously displayed whilst the vehicle is parked. (Certain tickets are designed to adhere to the windscreen of the car using a peel off, adhesive backing).
2. For the date shown.
3. Un-expired.
4. For the car park indicated.
5. For the correct class of vehicle
6. As permitted

PCNs will be issued for:

1. Failing to display a valid ticket.
2. Displaying a ticket that has expired (a grace period of 10 minutes at the end of a stay will be allowed).
3. Not parked within the boundaries of a marked bay.
4. For the wrong class of vehicle for the bay (i.e. in a disabled bay without a disabled badge/clock).

Representations made because the driver failed to correctly display a valid ticket even though one was held will not be allowed as it is incumbent upon the driver to ensure that the ticket is clearly displayed throughout the time that the vehicle is parked.

Parking tickets produced after the event (even if valid then) do not prove conclusively that they were originally purchased for the vehicle in question that originally attracted the PCN.

Representations made because the driver did not have change will not be upheld.

Representations made because of delays returning to the car park will be dealt with in accordance with 'mitigating circumstances' above.

Penalty Charge Notice – Discount Period.

The PCN rate is set at the higher band in the Regulations, and may be for either a lesser or greater penalty level, depending upon the contravention in question. PCN penalties are subject to review nationally. If the PCN is paid within 14 days of issue a discounted amount of 50% will be accepted in full settlement of the matter.

Day 1 of the 14 days is the date of service of the PCN.

If a challenge is received from the keeper within 14 days of service of the PCN the discounted period will be frozen pending the Partnership's decision. Should the challenge be rejected the discount period will restart from the date of the notice of rejection. This fact should be included within the notice itself.

If the challenge is received more than 14 days from service of the PCN the discount period will not be frozen and the full amount will be payable in the event of the challenge being rejected.

If a Notice to Owner (NtO) is sent to the keeper who subsequently states that the PCN was not received at the time of the contravention the discounted amount will be accepted if paid within 14 days. This should be communicated in writing to the keeper with the restarted discount period starting from the date of service of the letter (taken to be two days after the date of posting).

Note: When it is claimed that the PCN was "not received", the computer system will be checked to ensure that previous such claims have not been made by the same person. If there is any history of such claims the discounted period should not be restarted and the full amount paid.

Penalty Charge Notice, Early Issue of:

Claims that a PCN was issued before the time that a contravention is deemed to have occurred require careful investigation.

The issue of PCNs is controlled by Handheld Computers carried by each CEO. These computers have in built clocks, which are calibrated each morning prior to commencement of the patrols. Except where the circumstances allow for an immediate issue, they will always impose an observation period prior to allowing a PCN to be issued, and in any event will always record a log of the Officer's time in the location. These times will appear on the PCN itself as "Time First Seen" and "Time Served". The computer system will prevent any subsequent alteration to these times.

The normal procedure is for an Civil Enforcement Officer to enter the observation details into the computer, then to continue with his/her patrol before returning to the vehicle to complete the issue of the PCN.

Penalty Charge Notices – Time to Pay / Instalment Payments:

The Partnership will neither offer extended time in which to pay PCNs nor will it enter into instalment payment arrangements.

Permits:

1. RESIDENT'S PERMITS:

- a. A Resident's Permit is issued to a vehicle that is "kept" (registered to an address) within the parking zone and is accompanied by a holder and full instructions that it must be clearly displayed on the windscreen of the vehicle. Permits are only valid in the zone, for the registration number and until the expiry date officially indicated on its face.
- b. Failure to display a permit is a contravention and will result in a PCN being issued which should not be cancelled unless there are mitigating reasons why the permit was not displayed.
- c. Use of a permit within another zone, on another vehicle or after its expiry date is also a contravention for which a PCN will be issued. Again the PCN should not be cancelled unless there are mitigating circumstances that account fully for the contravention.

2. VISITOR PERMITS:

- a. Visitor Permits are obtained by residents and issued to genuine visitors to their homes. Full instructions on how to use and display them are printed on the permits. An electronic 'virtual permit' equivalent may be provided.
- b. Failure to display a visitor permit is a contravention and will result in a PCN being issued, which should not be cancelled unless there are mitigating reasons why the permit was not displayed.
- c. Use of a permit on a vehicle other than that indicated on the permit and on a date other than that indicated on the permit is also a contravention for which a PCN will be issued. Again the PCN should not be cancelled unless there are mitigating circumstances that account fully for the contravention.
- d. Use of a permit on which details, e.g. the date or time at which the vehicle was parked, have been subsequently altered is a contravention for which a PCN will be issued.

3. CAR PARK SEASON TICKETS:

- a. These are issued in the same manner as Resident's Permits and are valid only in the car park, for the vehicle and before the expiry date officially noted on the face of the season ticket.
- b. Failure to display a season ticket is a contravention and will result in a PCN being issued which should not be cancelled unless there are mitigating reasons why the ticket was not displayed.

- c. Use of a season ticket within a car park for which it is not valid, on another vehicle or after its expiry date is also a contravention for which a PCN will be issued. Again the PCN should not be cancelled unless there are mitigating circumstances that account fully for the contravention.

4. CAR PARK PERMITS:

- a. These are issued in the same manner as Resident's Permits and are valid within specific numbered bays in specified permit-holder only car parks.
- b. Failure to display a permit is a contravention and will result in a PCN being issued which should not be cancelled unless there are mitigating reasons why the ticket was not displayed.
- c. Use of permit anywhere other than the specific space for which it is valid or after its expiry date is also a contravention for which a PCN will be issued. Again the PCN should not be cancelled unless there are mitigating circumstances that account fully for the contravention.

Plumbers, Electricians, Gas Fitters:

Emergency call out:

An emergency is considered to last as long as it takes to make the premises safe i.e. turn off the main supply. After which any vehicle should be moved to a permitted parking place before any subsequent repairs are undertaken.

See also "builders".

Police Officers on Duty:

PCNs should not be issued to marked police vehicles when on official duty.

Requests for cancellation of any PCN issued to police vehicles, being used solely for police purposes (including unmarked cars) must be made by the officer's Superintendent or equivalent. They should contain confirmation that the officer was on official business and that it was inappropriate for the vehicle to be parked elsewhere.

Police officers' own cars regularly parked outside a police station should not automatically be cancelled as this can be deemed to be parking at a place of work and therefore, no different from any other employed person.

Police Officer or Civil Enforcement Officer Gave Permission to Park:

Where details of the officer concerned are given, confirmation should be sought prior to cancellation of the PCN. Evidence such as the collar number of the Constable should be provided.

Where these details are not given then the PCN should be enforced unless the details are supplied subsequently.

Pre-debt Registration Letter:

There is no requirement for a Local Authority to send a further reminder once a Charge Certificate has been issued. Unless the matter is settled within 14 days of the issue of the Charge Certificate, the debt will be formally registered at the Traffic Enforcement Centre (TEC) and the matter placed into the hands of the Partnership's bailiffs who will have the right to recover the debt by seizing goods to the value thereof. No pre-debt letter is sent.

Pregnancy- Mothers with Young Children:

Generally pregnancy is not considered to be a disability and delays caused by young children should not normally lead to the cancellation of a PCN.

However, this is a sensitive area and each case should be treated on its merits.

If the delay was caused by the mother not allowing additional time enough to deal with young children or her own condition, both of which she is fully aware of, then the PCN should be enforced.

Private Property:

Parking restrictions placed on private property may or may not be supported by a TRO; check with the TRO map schedules before proceeding onto "private" yellow lines.

Registered Keeper's Liability:

Under the Traffic Management Act 2004 the responsibility for any PCN rests with the Registered Keeper of the vehicle as recorded at the Driver & Vehicle Licensing Agency (DVLA).

If the keeper was not the driver at the time of the contravention it remains his / her responsibility to pay the PCN and any recompense from the driver should be obtained by the Keeper.

(see 'Notice to Owner').

Restricted Hours:

The hours during which restrictions are in force may vary and, if there is any doubt, the relevant Traffic Regulation Order should be consulted. Generally, restrictions are as follows:

1. **Permitted Parking Bays:** As per signage.
2. **Yellow Lines:**
 - a. Single: No waiting during times shown on adjacent sign.
 - b. Double: No waiting at any time except where adjacent signs indicate otherwise.
3. **Loading Restrictions – Yellow Kerb Markings:**
 - a. Two Lines: No loading at any time (loading restrictions must be signed).
 - b. One Line: During the working day or as specified by adjacent signs.
4. **Designated Loading Bays:** Indicated on adjacent sign.
5. **Disabled Bays – Mandatory:** Indicated on adjacent sign.
6. **Bus Stop Clearways** – Usually 7.00am to 7.00pm any day but can vary – bus stops must be signed and the restrictions will be on an adjacent sign.

Road Signs / Markings – missing, obscured or broken.

1. **YELLOW LINES:**
 - a. Where there is a system of yellow lines in place, a small gap will not invalidate the restriction (a de-Minimis issue). Where it is claimed that a large amount of yellow line(s) is worn away or has been covered by a highway repair the area should be immediately inspected by the Technical Team.

PCNs will not normally be issued where lines are broken or faded to the point where they are felt to be unenforceable.
 - b. Where weather conditions (e.g. snow) have obscured the lines then it is still the responsibility of the motorist to check whether a restriction is present.
 - c. If it is confirmed that a claim is valid the PCN should be cancelled. Where the lines can be clearly seen, even though they may be partially worn, the PCN should be enforced but remedial action to renew the lines should be undertaken.
2. **KERB MARKINGS: (LOADING RESTRICTIONS).**
 - a. As per yellow lines above.
3. **OBSCURED SIGNS:**
 - a. Information signs accompanying waiting and loading restrictions must be clearly visible at all times. If it is claimed that a sign was obscured and could not be read (graffiti, weather or overhanging trees etc.) the sign should be immediately inspected and remedial action taken. If the claim is proved to be correct the PCN should be cancelled.

- b. If the sign can be easily read then the PCN should be enforced but the sign should be returned to pristine condition immediately if required.

4. **MISSING SIGNS:**

- a. If a sign is claimed to be missing it should be inspected immediately and, if confirmed, arrangements made for its immediate replacement. Where a sign is missing the PCN should be cancelled.

Royal Mail Vehicles:

Royal Mail vehicles being used for the collection or delivery of postal packets are exempt from the regulations as long as they can be seen to be actively involved in such. See "Loading" above.

Royal Mail vehicles parked for long periods with no activity observed are subject to the same restrictions as ordinary motorists and a PCN should be issued.

Cancellation of a PCN will only be considered if written confirmation is received from the area manager that the vehicle was actively involved in the collection / delivery of mail.

School Bays:

Zigzag markings outside schools can be either restricted or unrestricted (advisory markings) and are installed for the protection of the children. Any markings that are restricted are governed by the relevant Traffic Regulation Order and will have yellow lines **and** a time plate showing hours of operation. (An unrestricted/advisory area will not have a time plate but will show advisory road markings only, or even just "H"-bars in white).

Any vehicle parked in a restricted bay, during the times shown on the plate, will be issued with a PCN which will not be cancelled under any circumstances including the claim that the driver was picking-up or dropping-off children, since the markings are there for obvious safety reasons.

Security:

A Police Officer in uniform can, at any time, give notice to suspend the use of a parking space for up to 28 days where he/she considers such suspension as necessary for maintaining security in adjacent premises. PCNs issued for contravention of such suspensions should always be enforced.

Security Vans (Bullion Vehicles):

Secure cash vans are occasionally required to park in close proximity to premises in order to effect safe delivery or collection of cash. They should always park without causing obstruction to the highway, and should, wherever possible, use any layby or bay which may be available. PCNs issued under such circumstances should be cancelled upon receipt of a representation from the Security company confirming such an activity at the time, unless it can be clearly shown that the vehicle was parked for longer than was necessary.

Security vans involved in the delivery of mail or other such low value items are expected to comply with parking restrictions.

Skips

Highway licences, including skip licences are administered by the traffic authority – and in most cases this means the County Council. In Off-Street (public) car parks this is the Parking Partnership.

Suspended Bays:

PARKING BAYS – RESIDENTS, WAITING, CAR PARK BAY ETC:

Where a representation is received claiming that a vehicle was parked at the location without having received notice of the suspension being received and, upon investigation the claim is found to be valid, the PCN should be cancelled, providing that a valid permit was displayed.

It is normally the case that the responsibility for ensuring a vehicle is parked in accordance with any possible suspension rests with the driver. However, when a vehicle is parked legally within a designated bay, which is subsequently suspended, it is deemed to be legally parked as it cannot be made illegal retrospectively by the suspension.

The keeper will have to demonstrate however that, if the vehicle remains parked in contravention of the suspension for a considerable time, (s)he remained unaware of the suspension (i.e. on holiday etc.).

Taxi Ranks:

The Partnership operates a number of stands for Hackney Carriages. A notice is displayed at each rank showing its limits, how many Hackney Carriages may stand on it and any special regulations applicable.

Vehicles, other than Hackney Carriages, (including Private Hire Vehicles) parked in such ranks will be issued with a PCN. Any vehicle, including a Hackney Carriage, parked outside of the rank and in contravention of a parking restriction will be issued with a PCN.

Time/Date Calibration of Handheld Computers and Pay & Display Machines.

Prior to commencement of each shift the CEOs shall calibrate their hand held computers to ensure that they reflect the correct time and date. The time will be checked against a master clock, which is calibrated weekly against the RDS radio signal.

Pay & Display machines are tested at the outset of each patrol to ensure that they are showing the correct time and date. This is done by obtaining a “test” ticket from the machines, which are kept as part of a weekly report function.

Unauthorised Movement of a Vehicle:

Movement of any vehicle by the police is considered to be authorised.

Unless there is clear evidence that a vehicle has been moved by an unauthorised person then all PCNs should be enforced.

1. Stolen Vehicle: Confirmation from the police that the vehicle was reported stolen including the relevant crime report number.
2. Unauthorised use of a vehicle by another family member or a friend is difficult to substantiate and under these circumstances the PCN should be enforced unless it can be demonstrated that the matter was reported to the police prior to or just after the issue of the PCN. Subsequent report will not lead to the cancellation of the PCN.

Uniforms – Civil Enforcement Officers:

The Traffic Management Act 2004 Part 6, Section 76, states that “Civil Enforcement Officers, when exercising specified functions, must wear such uniform as may be determined by the enforcement authority in accordance with guidelines issued by the appropriate national authority and must not exercise any of those functions when not in uniform.”

The Secretary of State has determined that: Civil Enforcement Officers’ uniforms must be readily distinguishable from those worn by the police and Traffic Warden Services and must include the following:

1. Clear identification that the wearer is a Civil Enforcement Officer
2. Clear identification of the Local Authority on whose behalf the CEO is acting
3. A Personalised number to identify the Civil Enforcement Officer which may contain letters as well as numbers.

It is for the Enforcement Authority to prescribe the uniform to be worn, which *may* include a hat. The North Essex Parking Partnership Uniform does not include a compulsory hat or cap, but one may be worn if the officer desires. It does *not* follow that non-wearing of the hat makes a PCN unenforceable.

Vandalised Vehicle

When a vehicle has been vandalised to an extent that prevents it from being safely moved any PCN issued will be cancelled providing acceptable supporting evidence is provided.

See “Abandoned Vehicles”

Vehicles Left Unattended to Gain Access:

When a driver has to collect a key to gain access to a property this should take no longer than 5 minutes and will be covered by the 5 minutes CEOs observation time.

In such circumstances vehicles should not be left for longer periods or in contravention of a total 'no waiting' or loading restriction. However, each case should be considered on its merits and extenuating circumstances taken into account.

Vehicle Not at Scene:

Where a keeper receives a Notice to Owner and claims that his/her vehicle was not parked in the area at the time a written request should be made to the keeper to confirm the make, colour and tax disc serial number relevant to the vehicle.

If these match the records of the Partnership the PCN should be enforced. If they do not then the PCN should be cancelled. The key element is the tax disc number, which is unique to the vehicle.

Should the keeper refuse to supply the required information written application should be made to DVLA to supply the number of the last tax disc issued to the vehicle. A reference for this can be obtained from the VQ5 document received when they supplied the keeper's details.

Visitor to Britain:

If a PCN is issued to a vehicle displaying foreign registration plates it should automatically be recognised by the processing system as the registration number will not be in DVLA format. Consideration should be given to cancellation of the PCN but, should payment be made then it should be accepted in the normal way. Equally all correspondence and representations should be dealt with in the normal way.

If a PCN is issued to a UK registered vehicle, which has been borrowed or driven by a foreign resident, the PCN should be enforced against the registered keeper(s) as they remain liable for it.

Weddings

See Funerals/Weddings above.



North Essex Parking Partnership

18 June 2015

Title: Parking Policy Review – 3. Parking Permit and Cancellation Policy
Author: NEPP Policy Review Group, Richard Walker, Group Manager
Presented by: Richard Walker

This report concerns making amendments to the Partnership's Policy Documents

1. Decision Required

- 1.1. To debate, and approve for use if appropriate, the revised and updated Parking Permit and Cancellation Policy for the Parking Partnership.

2. Reasons for Decision

- 2.1. Legislative changes have taken place, including: The Deregulation Bill 2015; Secretary of State's statutory guidance to local authorities on the civil enforcement of parking contraventions, Operational guidance to local authorities: parking policy and enforcement; The Civil Enforcement of Parking Contraventions Regulations (England) General (Use of Approved Devices Amendment) Regulations 2015; SI 561 "The Civil Enforcement of Parking Contraventions (England) General (Amendment) Regulations 2015, and these have been implemented.
- 2.2. This policy has been published previously, and is now updated to take into account the latest legislation.
- 2.3. The Customer Care section has been updated with the complaints procedure being added, with links to the website added for Charges and Permit prices.

3. Supporting Information

- 3.1. The 2015 Parking Permit and Cancellation Policy is attached as an Appendix.

4. Proposals

- 4.1. That the revised and updated Parking Permit and Cancellation Policy for the Parking Partnership is approved for use and be published on the Parking Partnership's Website, in accordance with revised legislation.

Background Papers

None.

March 2009. Updated March 2011. Updated May 2015.

Permit issue

A Permit is an official authorisation document, giving standard exemption rights from restrictive regulations which apply to other vehicles. Permits are only ever issued in permissive bays.

A Permit may take the form of a paper copy or digital authorisation sent to a handheld computer (HHCT).

A permit authorises a vehicle (or vehicles) to park in permissive parking bays in accordance within the permitted exemptions (and usually with some restrictions) within the Traffic Regulation Order (TRO) where non permit-holders are excluded. It allows exemption for a range of groups such as:

- Residential Parking Schemes – enabling parking for residents in the local defined zones only;
- Doctors, nurses and in some circumstances, carers;
- Visitors to residents under certain circumstances;
- Season ticket holders in car parks;
- Special or extenuating circumstances in a small number of cases (which must be authorised by the manager with sufficient documentation and reason and is only given in extreme or extraordinary cases).

A permit does not authorise 'general' parking and it does not allow a vehicle to remain in a restricted/prohibited area unless the precise permitted purpose is being fulfilled. At times when the permissions do not apply, the vehicle must be moved and be parked elsewhere lawfully.

Permits will not be issued for temporary convenience or where dispensations are more appropriate:-

- Furniture Removals
- Building/maintenance/repair works where close proximity to the site is essential
- Goods deliveries where it is reasonable to allow longer than is normally permitted by the regulations.
- The hearse and chief mourners at funerals.
- The bridal and attendant's vehicles at weddings.
- Vehicles essential to approved/licensed filming operations
- Other circumstances where the Council (that is, the highway authority, or its agent) is satisfied that the alternative arrangements cannot be found and a dispensation may be regarded as essential.

Except in extenuating circumstances permits will not be valid for periods of more than one year and in some cases will be shorter (or in accordance with periodicity in the TRO schedules). The permit will not authorise anything other than the identified vehicle(s).

Permits of any type will **not** be issued for:-

- Where other parking is more appropriate.
- Applications where parking may adversely affect on or off street disabled, doctors or business parking bays together with taxi ranks, bus stops, and bus lanes during restricted times.
- Applications where loading restrictions are in place if the dispensation is requested during the restricted periods.
- At locations within 50 metres of a signal controlled junction, the entry/exit of a pedestrian crossing markings, on a footway and/or other locations where parking

may cause danger to pedestrians and other road users or where serious obstruction or traffic flow impediment may result.

- Where the validity of an application cannot be confirmed.
- Generally for applications in respect of vehicles where dispensations have been issued more than twice within the four weeks before the date of the application under consideration. Issuing officers will have the discretion to vary this in confirmed extenuating circumstances.

Applications must be made by completing a declaration either in writing (an application form is available) or by digital means and be received before the required date to enable necessary before approval is given. Issuing officers will have the discretion to deal with more urgent applications if it is deemed reasonable to do so.

Permits will be issued in either digital form or in writing and will be in a standard format. The details will be given to the parking attendant patrolling the area concerned via the handheld computer and a record of the permit will be logged on the database.

An administrative charge will always be payable per permit, per period, according to the schedule in the TRO or Order applicable.

Charges for Permits

The applicable fees and charges will apply for replacements and administrative changes, and fees and charges are payable in advance. Fees and charges will be applied where required and there will be no general exemptions.

The charges payable are determined from time to time by the Joint Parking Committee, advertised in the local area at the time of change, and the most recent charges can be found at www.parkingpartnership.org

Administrative Policy

The general policy will apply at all times as set out in the appropriate Orders, Acts and Regulations and Operational Guidance will be applied.

The Parking Partnership prefers to operate cashless and paperless systems wherever possible. Reference can be made to www.parkingpartnership.org

Applications will only be received in the standard forms and in appropriate timescales.

Exemptions to any policy would only ever be made in exceptional circumstances after due consideration by a senior officer and will never be made as a reaction to immediate circumstances.

Customer Care & Complaints Policy

Customer care requirements are given high priority and may include the offer of refunds or offers of parking in some cases, if appropriate, which will be documented in accordance with audit requirements.

For further information on our complaints procedure please refer to the following page on our website, which includes the full policy. www.colchester.gov.uk/complaints

Alternatively if you require a copy to be sent to you please contact us.



North Essex Parking Partnership

18 June 2015

Title: Parking Policy Review – 4. Dispensation & Suspension Policy
Author: NEPP Policy Review Group, Richard Walker, Group Manager
Presented by: Richard Walker

This report concerns making amendments to the Partnership's Policy Documents

1. Decision(s) Required

1.1. The revised and updated Dispensation & Suspension Policy is approved for use.

2. Reasons for Decision(s)

- 2.1. Legislative changes have taken place, including: The Deregulation Bill 2015; Secretary of State's statutory guidance to local authorities on the civil enforcement of parking contraventions, Operational guidance to local authorities: parking policy and enforcement; The Civil Enforcement of Parking Contraventions Regulations (England) General (Use of Approved Devices Amendment) Regulations 2015; SI 561 "The Civil Enforcement of Parking Contraventions (England) General (Amendment) Regulations 2015, and these have been implemented.
- 2.2. This policy has been published previously, and is now updated to take into account the latest legislation.
- 2.3. The details for charges payable now refer to the website.

3. Supporting Information

3.1. The 2015 Dispensation & Suspension Policy is attached as an Appendix.

4. Proposals

4.1. That the revised and updated Dispensation & Suspension Policy for the Parking Partnership is approved for use and be published on the Parking Partnership's Website, in accordance with revised legislation.

Background Papers

None.

March 2009. Updated March 2011. Updated May 2015.

Temporary Dispensations from Parking Restrictions

A Dispensation authorises a vehicle (or vehicles) to park in contravention of the Traffic Regulation Order (TRO) where it is safe to do so. It allows parking where alternative arrangements cannot be made for the following principal reasons:

- Loading/unloading where this activity is either normally prohibited or the permitted parking period is insufficient; or
- Situations where alternative arrangements would be unsatisfactory. (See below).

A dispensation does not permit 'general' parking and it does not allow a vehicle to remain in a restricted/prohibited area once the dispensation purpose has been fulfilled. At that time the vehicle must be moved and be parked elsewhere lawfully.

It is proposed that dispensations may be issued for:-

- Furniture Removals
- Building/maintenance/repair works where close proximity to the site is essential
- Goods deliveries where it is reasonable to allow longer than is normally permitted by the regulations.
- The hearse and chief mourners at funerals.
- The bridal and attendant's vehicles at weddings.
- Vehicles essential to approved/licensed filming operations
- Other circumstances where the Council (that is, the highway authority, or its agent) is satisfied that the alternative arrangements cannot be found and a dispensation may be regarded as essential.

Dispensations will **not** be issued for:-

- Applications where parking may adversely affect on or off street disabled, doctors or business parking bays together with taxi ranks, bus stops, and bus lanes during restricted times.
- Applications where loading restrictions are in place if the dispensation is requested during the restricted periods.
- At locations within 50 metres of a signal controlled junction, the entry/exit of a pedestrian crossing markings, on a footway and/or other locations where parking may cause danger to pedestrians and other road users or where serious obstruction or traffic flow impediment may result.
- Where the validity of an application cannot be confirmed.
- Generally for applications in respect of vehicles where dispensations have been issued more than twice within the four weeks before the date of the application under consideration. Issuing officers will have the discretion to vary this in confirmed extenuating circumstances.

Applications must be made in writing (an application form is available) and be received 2 working days before the required date to enable the proposed parking site to be inspected if necessary before approval is given. Issuing officers will have the discretion to deal with more urgent applications if it is deemed reasonable to do so.

Except in extenuating circumstances dispensations will not be issued for periods of more than five days and will not authorise more than two vehicles at any one location unless the issuing officer is satisfied that under all the prevailing circumstances at the preferred location it is safe to do so.

Dispensations will be issued in writing. The details will be given to the parking attendant patrolling the area concerned and a record of the dispensation will be logged.

Temporary Suspensions of Parking Restrictions/Provision,

It may be necessary from time to time to suspend parking places including permit parking bays. The authority to do this is provided under Section 14 and 46 of the Road Traffic Act 1984 (as amended). The suspension does not permanently remove the (underlying) legal status of the parking place. Its effect is only to remove it (or designated part of it) from use, during the suspension period. The suspension may be in concert with the reservation of parking places in connection with the activities listed below.

The Council may suspend a parking place when it is considered necessary for:

- Traffic movement and safety
- Essential Building/maintenance works
- Furniture removals
- Approved/licensed filming operations
- Approved special events
- Weddings and funerals
- In other circumstances where the Council is satisfied that a suspension may be regarded as essential.

Applications for suspension must be made in writing (an application form will be available) and be received 10 working days before the required date in the case of designated parking places and 5 days in the case of car parks. This is to enable the site of the proposed suspension to be inspected before approval is given, to notify those affected and provide opportunity for alternative parking arrangements to be made if necessary and erect advanced warning notices of the suspension. Issuing officers will have the discretion to deal with more urgent applications sooner if it is deemed reasonable and practical in all the circumstances to do so.

Applications are not necessary in the case of emergencies relating to the fire, police or ambulance services or in respect of statutory undertakings under Section 14 of the Road Traffic Act 1984 although in the normal course of events the latter will be notified in advance.

Emergencies may embrace action taken by the police to suspend parking places immediately and without notice, for matters of security and public safety. A contravention of a police suspension would be dealt with by the police as a criminal matter.

The Council may approve the extension of a suspension period provided at least one working days notice has been given, they are satisfied that the extension is necessary and the appropriate fee paid in advance. Users of designated spaces will then be notified accordingly.

A suspension may be lifted earlier than the approved period provided one working days notice of the new end date is given. A refund of the daily rate will be made less an administration charge.

Suspension approvals will be confirmed in writing. The details of the suspension will be given to the parking attendant patrolling the area concerned and a record of the suspension will be logged. Where unauthorised vehicles are found parked in parking places subject to suspension and the appropriate suspension notices are clearly visible then penalty charge notices will be issued.

Charges for Dispensations and Suspensions

An administrative charge will need to be made and is payable in advance. There will be no charge for funerals or requests from the emergency services dealing with emergency situations.

The charges payable are determined from time to time by the Joint Parking Committee, advertised in the local area at the time of change, and the most recent charges can be found at www.parkingpartnership.org



North Essex Parking Partnership

18 June 2015

Title: Parking Policy Review – 5. Parking Enforcement & Discretion Policy
Author: NEPP Policy Review Group, Richard Walker, Group Manager
Presented by: Richard Walker

This report concerns making amendments to the Partnership's Policy Documents

1. Decision Required

- 1.1. To debate, and approve for use if appropriate, the revised and updated Parking Enforcement & Discretion Policy for the Parking Partnership.

2. Reasons for Decision

- 2.1. Legislative changes have taken place, including: The Deregulation Bill 2015; Secretary of State's statutory guidance to local authorities on the civil enforcement of parking contraventions, Operational guidance to local authorities: parking policy and enforcement; The Civil Enforcement of Parking Contraventions Regulations (England) General (Use of Approved Devices Amendment) Regulations 2015; SI 561 "The Civil Enforcement of Parking Contraventions (England) General (Amendment) Regulations 2015, and these have been implemented.
- 2.2. This policy has been published previously, and is now updated to take into account the latest legislation.
- 2.3. Mitigating circumstance MC19 has been updated with the new 10-minute grace period rule which applies to paid-for parking and time-limited parking.

3. Supporting Information

- 3.1. The 2015 Parking Enforcement & Discretion Policy is attached as an Appendix.
- 3.2. The revised Operational Guidance (March 2015) recommends that:

"Elected members may wish to review their parking representations policies, particularly in the area of discretion, to ensure consistency with published policies. However, elected members and unauthorised staff should not, under any circumstances, play a part in deciding the outcome of individual challenges or representations. This is to ensure that only fully trained staff make decisions on the facts presented. The authority's standing orders should be specific as to which officers have the authority to cancel PCNs. There should also be a clear audit trail of decisions taken with reasons for those decisions".

4. Proposals

- 4.1. That the revised and updated Parking Enforcement & Discretion Policy for the Parking Partnership is approved for use and be published on the Parking Partnership's Website, in accordance with revised legislation.

Background Papers

None.

March 2009. Updated March 2011, July 2011. Updated May 2015.

Guidance for the Enforcement of Penalty Charge Notices

Introduction

Parking Managers have prepared the following policy guidance in respect of Civil Parking Enforcement.

The policies in this document are intended to inform the public and provide guidance to council employees working in the enforcement of parking regulations; this is consistent with current best practice and aims to provide clarity, consistency and transparency within the enforcement process and compliance with the aspirations of the Traffic Penalty Tribunal and the Local Government Ombudsman.

What is important about these policies is that they represent a foundation upon which fairness and discretion can be applied. The importance of flexibility in these matters has been recognised by the courts and, as a consequence, decisions made by councils must not be fettered by being unduly formulaic.

The policies address the following:

- *Observation times for enforcement staff*
- *The statutory grounds upon which representations may be made*
- *Mitigating circumstances*
- *The acceptance or rejection of representations*

It is important to recognise that each case will be considered on its own merits, matters of proportionality, objectivity, fairness and reasonableness should be paramount.

The following is therefore a guide for information.

These policies will be subject to ongoing review.

Important note:

The following are in addition to the Statutory Grounds to make representation. In accordance with a directive issued by the Local Government Ombudsman, full consideration will be given and account taken of all representations received, whether or not they fall within the description of "Statutory Grounds". Any other information the motorist or owner/keeper would like the Council to consider, has been included.

Mitigating Circumstances

The circumstances contained in the following table highlight exemplar cases where discretion might be applied. Discretion could be cited as a ground for challenge by motorists. This is a discretion guidance policy – the full facts of the case would be taken into consideration as it is an underlying principle of CPE that no case is binding on any other and each case shall be considered on the balance of its own merits. This is to be read in conjunction with the Operational Guidance issued by the Department for Transport.

	MAY ACCEPT REPRESENTATIONS	MAY REJECT REPRESENTATIONS	Other evidence or notes
MC01 where the motorist claims to have become unwell while driving	<p>If the motorist provides proof of a medical condition, temporary or permanent, that is consistent with the conditions described.</p> <p>When the notes made by the Civil Enforcement Officer support the motorist's representations.</p> <p>Medical conditions which affect a person's ability to drive must be reported to DVLA.</p>	<p>If the motorist cannot provide some proof of a medical condition, temporary or permanent, consistent with the conditions described.</p> <p>Or</p> <p>Where other evidence contradicts the motorist's claims</p>	<p>Written medical evidence: The keeper should provide a letter from his/ her doctor or the passenger's doctor either confirming that he/ she has a medical condition that can result in the need for urgent stops or that such an incident is known to have occurred on the time & date in question</p>
MC02 where the motorist claims to be a doctor, nurse, health visitor attending a patient in an emergency	<p>If the motorist concerned possesses a Medical Dispensation badge (BMA, HEBS) that the Council concerned recognises and approves and/or is exempt under the relevant Order.</p> <p>Or</p> <p>If the motorist produces evidence that they were responding to an emergency and there was no nearby legal parking place.</p>	<p>If the motorist was not attending a patient in urgent circumstances or if there was legal parking spaces nearby.</p> <p>If motorist was parked outside their practice or other place of work for any reason other than to collect supplies for an urgent call</p> <p>If motorist was parked in an area which does not correspond with claims made in representations, i.e. far from patients property, say, in a car park</p>	

	MAY ACCEPT REPRESENTATIONS	MAY REJECT REPRESENTATIONS	Other evidence or notes
MC03 where the motorist stopped to use the toilet	On production of medical evidence confirming a relevant medical condition and in support of the circumstances described in a representation.	In all other circumstances	The keeper should provide a letter from his/ her or the passenger's doctor either confirming that he/ she has a medical condition that can result in the need for urgent stops or that such an incident is known to have occurred on the time & date in question.
MC04 where the motorist stopped to collect (prescribed) medication from a chemist	Only in the most grave, urgent and exceptional of circumstances and the use of a 'legal' parking place would have caused an unacceptable delay.	In any lesser circumstances.	The keeper should provide a letter from his/ her or the passenger's doctor either confirming that he/ she has a medical condition that can result in the need for urgent stops or that such an incident is known to have occurred on the time & date in question.
MC05 where the motorist was a patient visiting a doctor's surgery	If the motorist can provide a letter from a doctor to confirm that the visit was of an emergency nature and was unable to walk from the nearest legal parking space.	If the motorist was not the patient but only driving the vehicle carrying the patient If the motorist was attending a pre-arranged, non-urgent appointment. If the motorist could reasonably have been expected to parked legally elsewhere.	The keeper should provide a letter from his/ her or the passenger's doctor either confirming that he/ she has a medical condition and could not reasonably have walked from a legal parking place.
MC06 where the motorist claims to have been recently bereaved	Only in exceptional circumstances.	Only if there is a significant reason to doubt the sincerity of representations, i.e. the Civil Enforcement Officer's notes	A copy of the Certificate would prove beyond doubt.

	MAY ACCEPT REPRESENTATIONS	MAY REJECT REPRESENTATIONS	Other evidence or notes
		indicating that the motorist was going about a normal day, say, shopping or working, or the bereavement considered to be a long time ago	
MC07 where the motorist was delayed in returning to their vehicle and parking time purchased had expired	Only in exceptional circumstances such as a medical emergency	If the delay described by the motorist was entirely avoidable, e.g. queuing in a shop. If the motorist simply underestimated the time needed and could have reasonably purchased more time, i.e. when conducting business, shopping or commuting. If the motorist was unable to drive since parking due to excess alcohol in the body or had been detained and charged by the police.	
MC08 where the motorist “fed” a meter or pay & display machine by buying subsequent time to park in the same place or returned to the same place within a specified and prohibited time period	In no circumstances	If the motorist overstays initial period of time purchased or returns within a period of ‘No return’	
MC09 where the motorist left the vehicle	If the motorist returns to the vehicle with a valid Pay and	If the Civil Enforcement Officer’s notes indicate that the motorist returned to	

	MAY ACCEPT REPRESENTATIONS	MAY REJECT REPRESENTATIONS	Other evidence or notes
parked without a valid ticket on display to obtain change	Display ticket and the Civil Enforcement Officer is still at the vehicle.	their vehicle, having completed their purpose for parking, while the PCN was being issued, i.e. carrying shopping, or had left vehicle in car park, or on-street pay and display area, while obtaining change	
MC10 where the motorist claims to have been unaware of charges or restriction in the car park relating to vehicle's class or weight	If reference to restrictions on tariff board(s) are incorrect.	In all other circumstances	
MC11 where the motorist claims to have been unaware of recent rise in tariff	If statutory notices were not erected in accordance with procedural regulations.	If statutory notices were erected in accordance with procedural regulations and tariff board(s) were correct	
MC12 where the motorist had parked with one or more wheels outside of a marked bay in a car park	Only in the most exceptional of circumstances that were outside the motorists control. Otherwise in no circumstances	When clear and incontrovertible supporting evidence (authentic photographs/Sketch plan of the actual parking event, and not a later pose) is available. Note that civil Enforcement Officers generally take photographs of the actual position of the vehicle.	
MC13 where the motorist is a Blue Badge holder/transporting a Blue Badge holder and	Only in exceptional circumstances.	If the motorist has previously had a PCN cancelled for the same contravention and has been warned to display a valid badge /time clock correctly in the future	

	MAY ACCEPT REPRESENTATIONS	MAY REJECT REPRESENTATIONS	Other evidence or notes
they did not have their Blue Badge and/or clock on display or could not be read or had expired		(prior warning). If the motorist was parked on a waiting restriction beyond the 3 hour time limit permitted by the Blue Badge Scheme, or on another restriction for which the Blue Badge does not provide an exemption. If the Blue Badge holder was not present in the vehicle at the time it was parked. If the badge was not authentic, was out of date, or otherwise invalid.	
MC14 where the motorist claims to have been unaware of the existence of a controlled parking zone	If it can be established that the signing and marking of the CPZ is at fault.	In all other circumstances	
MC15 where the motorist was displaying an expired authorisation to park, i.e. waiver, parking place suspension, season ticket, resident's permit, business permit or visitor's permit	If the renewal of the authorisation was delayed by the Council's administrative processes If it can be established that other reasonably unforeseen circumstances delayed the renewal of an authorisation to park, e.g. sickness on the part of the applicant or a postal	In all other circumstances In the event of more than one vehicle registration included on season ticket or permit, subsequent production of the season ticket will not necessarily cause automatic cancellation of the PCN as the season ticket or permit may have been used on some other vehicle	

	MAY ACCEPT REPRESENTATIONS	MAY REJECT REPRESENTATIONS	Other evidence or notes
	dispute/delays (supported by appropriate evidence) In the case of season tickets and resident's / business parking permits only, if the authorisation had expired by less than 7 days		
MC16 where the motorist is parked in contravention of a waiting/parking prohibition whilst displaying a resident's visitor permit	In no circumstances.	On all occasions	
MC17 where the motorist is a new resident within a controlled parking zone and had parked in a resident's bay without displaying a valid resident's permit	In no circumstances.	On all occasions	
MC18 where the motorist had parked incorrectly in a controlled bay on-street	In no circumstances.	On all occasions	
MC19 where the	In no circumstances.	In all circumstances.	

	MAY ACCEPT REPRESENTATIONS	MAY REJECT REPRESENTATIONS	Other evidence or notes
motorist assumed that they were entitled to “a period of grace” before the PCN was issued	The only grace period is in a paid for or limited waiting bay when 10 minutes additional time is to be given.		
MC20 where the motorist claims they were attending a funeral	Where there is no reason to doubt the sincerity of the representations.	In all other circumstances.	
MC21 where the motorist claims that snow, foliage, fallen leaves or flooding covered the signs or markings	If it can be established that such conditions prevailed and it is likely that signs and markings were obscured as claimed (at the time of the alleged contravention, and not some later time) and there was no alternative indication of the restriction.	If it can be established that such conditions did not cause lines and signs to be obscured as claimed. If the Civil Enforcement Officer’s notes, photographic evidence etc. directly contradict the motorist’s version of events. If any reasonable alternative indication of the restriction was available to the motorist. If the location of the contravention was unlikely to be subject to the natural conditions described by the motorist, i.e. it was under cover	
MC22 where the motorist claims that their vehicle had broken down	If the motorist is able to provide evidence of a breakdown, i.e. proof of vehicle recovery (e.g. VAT receipt from a garage or recovery note	If the motorist is unable to provide evidence of any kind that their vehicle had broken down If the cause of the vehicle “breaking down” was due to negligence on the	

	MAY ACCEPT REPRESENTATIONS	MAY REJECT REPRESENTATIONS	Other evidence or notes
	from a recognised roadside assistance service) or a bill of sale for repair or parts (e.g. VAT receipt for appropriate parts).	part of the motorist, i.e. the vehicle had not been properly maintained, had run out of petrol or water or a similar reason If the Civil Enforcement Officer's notes contradict the motorist's version of events.	
MC23 where the motorist claims that they were attending an emergency or another vehicle that had broken down	If the motorist is able to provide reasonable proof of the emergency, i.e. a credible report of an accident or incident, or that they were attending to another vehicle that had broken down.	If the motorist is unable to provide evidence of any kind that they were attending an emergency or another vehicle which had broken down. If the Civil Enforcement Officer's notes photographic evidence etc. contradict the motorist's version of events, i.e. the motorist was not seen attending an emergency or another vehicle which was broken down	
MC24 where the motorist claims to have put money into the wrong ticket machine	If it is agreed that the position of the ticket machine used by the motorist is likely to cause confusion.	If the ticket machine used by the motorist is positioned in such a place that confusion is not likely. If the motorist has had representations accepted for a similar contravention previously.	
MC25 where the vehicle in question was on police, fire brigade or ambulance duties	If a senior officer of the service concerned supports the representations and there is no reason to doubt that the vehicle was engaged on	In all other circumstances	

	MAY ACCEPT REPRESENTATIONS	MAY REJECT REPRESENTATIONS	Other evidence or notes
	operational activities.		
MC26 where the motorist claims to have been collecting or depositing monies at a bank	In no circumstances.	On all occasions.	
MC27 where the motorist claims to have been unaware of a temporary parking restriction or special event restriction	If the motorist claims that there was no indication of the restriction, and the Civil Enforcement Officer's notes, photographic evidence etc. do not confirm that appropriate signing was in place. If the process followed to make the temporary order was defective in some way.	If the Civil Enforcement Officer's notes, photographic evidence etc. confirm that the vehicle was parked in an area restricted by the Temporary Order or Notice, and that appropriate signing was in place and clearly visible.	
MC28 where the registered keeper liable for payment of the PCN is expected to be absent for a long period of time, e.g. is living abroad or is in prison	In no circumstances	On all occasions	
MC29 where the registered keeper liable for payment of the PCN is said to have died	Where a copy of the death certificate is provided.	Where no supporting evidence is provided.	

	MAY ACCEPT REPRESENTATIONS	MAY REJECT REPRESENTATIONS	Other evidence or notes
MC30 where the vehicle driven by the motorist is diplomatically registered	In all circumstances. A Notice to Owner should never be sent to the keeper of a diplomatically registered vehicle. Essex CC should be informed of all penalty charges un-recovered from keepers of diplomatically registered vehicles. They will pass information concerning these debts onto the Foreign and Commonwealth Office[Source – Secretary of State’s Traffic Management and Parking Guidance, Vienna Convention on Diplomatic Relations, Diplomatic Privileges Act 1964 and Government Report on Review of Vienna Convention...]	In no circumstances	
MC31 where the motorist received a Fixed Penalty Notice (FPN) from a police officer when parked in the same location	To prevent ‘double jeopardy’, if confirmation provided by the police that proceedings for a criminal offence in connection with the same parking/waiting incident have been instituted.	In all other circumstances	
MC32 where a Council	If the officer was carrying out	In all other circumstances.	

	MAY ACCEPT REPRESENTATIONS	MAY REJECT REPRESENTATIONS	Other evidence or notes
officer or Member parked in contravention and claims to have been on Council business	emergency or other statutory work.		
MC33 where the motorist stopped to drop off someone	If the circumstances are seen by the Civil Enforcement Officer. If, in exceptional circumstances and subject to observations times, the motorist had to escort a passenger (child, elderly or disabled person) to home, or school.	If motorist was parked/stopped on school keep clear markings, pedestrian crossing, bus stop clearway	
MC34 where motorist was unaware of the Overnight Waiting Ban/Commercial Vehicle waiting restriction	If motorist was instructed / authorised to park in contravention of the restriction by the police.	In all other circumstances	
MC35 where motorist states they were in police custody when PCN issued	If proof (from the Police) has been provided that the police had instructed the motorist to leave the vehicle. If the time of arrest (proof required from the Police) provides confirmation that	If no proof provided. If vehicle could have been legally parked before arrest	

	MAY ACCEPT REPRESENTATIONS	MAY REJECT REPRESENTATIONS	Other evidence or notes
	motorist was legally parked and was unable to move vehicle before the restriction started		
MC36 where motorist states they were visiting a friend or relative in urgent circumstances	If due to an emergency the parking contravention could not be avoided due to the exceptional nature of the incident.	If motorist has already received a PCN, which has been cancelled for the same reason. If the Civil Enforcement Officer's Pocket Book notes provides significant reason to doubt sincerity of representation	
MC37 where the motorist claims there was no legal place to park	Only in the most exceptional of circumstances	In the absence of exceptional circumstances	
MC38 where the motorist claims they were parked on private property	If land search maps confirm location is private property & not subject of the relevant Traffic Regulation Order. If there is insufficient evidence to establish location of vehicle	In all other circumstances	
MC39 where the motorist was delayed in returning to their vehicle parked in a limited waiting parking place	If supported by appropriate evidence, the motorist's representations claim that the delay in returning to the vehicle was caused by circumstances that were entirely unforeseen, unavoidable and exceptional. If	If the delay described by the motorist was not exceptional, i.e. queuing in a shop. If the motorist simply underestimated the time needed and could have reasonably purchased more time. If the motorist was unable to drive since parking due to excess alcohol in	

	MAY ACCEPT REPRESENTATIONS	MAY REJECT REPRESENTATIONS	Other evidence or notes
	the motorist's vehicle had broken down, subject to concurrence with policy MC25, above).If the motorist was unable to drive, since parking the vehicle.	the body or had been were detained by the police for any reason, unless subsequently released without charge or proven innocent	
MC40 where motorist had parked while asking directions / opening gates to private property	If evidence provided by the Civil Enforcement Officer does not contradict representations.	In all other circumstances	
MC41 where the motorist stopped to answer mobile phone	In no circumstances	On all occasions	
MC42 where the motorist states that the details on the PCN are incorrect, e.g. location	If there is reason to doubt that the PCN was issued correctly, taking into account evidence provided by the Civil Enforcement Officer.	If the Penalty Charge Notice was fully and correctly completed.	
MC43 where the motorist states they were unaware of enforcement on Bank/Public holidays	In no circumstances	On all occasions	
MC44 where the motorist states that restriction was marked after the vehicle had	If records confirm that signing/lining/placement of cones or suspension notices was likely to have taken place	If there is evidence to show that markings were already in place at the time of parking.	

	MAY ACCEPT REPRESENTATIONS	MAY REJECT REPRESENTATIONS	Other evidence or notes
been parked	after the vehicle parked.		

Other events

Circumstance	Evidence	Notes
MC80 - Representation accepted – keeper not owner at time new keeper not known	Written proof of disposal &, if possible, new keeper's details	The alleged keeper should provide evidence that he/ she was not the keeper at the time; e.g. bill of sale, DVLA confirmation or insurance confirmation. If there is no such evidence (e.g. the named keeper was never in fact the keeper) officers should ask him/her to swear an affidavit to this effect.
MC81 - Emergency services vehicle	Written statement from the relevant organisation	Officers should seek written confirmation from a senior officer of the service in question that the vehicle was on duty on the date & time in question.
MC82 - Police vehicle on duty	Written statement from the relevant organisation	Officers should seek written confirmation from a senior officer of the service in question that the vehicle was on duty on the date & time in question.
MC83 - Foreign vehicle	Self evident	DVLA records do not include foreign vehicles. Whilst it is possible to make an enquiry to the national agency concerned (if known) this is unlikely to be pursued unless there are, for example, a large number of PCNs involved.
MC84 - DVLA information incorrect	DVLA confirmation	The information supplied by DVLA is that held on their databases at the time of the enquiry & may not be up to date. It is sensible to close the case (or to pursue a 'new' keeper) if the alleged keeper subsequently provides DVLA written confirmation that the information provided was incorrect as to his/ her ownership.
MC85 - DVLA information – keeper not known	DVLA confirmation	If the response to a DVLA enquiry provides such information the case should be closed since enforcement is clearly impossible if a keeper cannot be identified.
MC86 - DVLA information – vehicle scrapped	DVLA confirmation	Not applicable
MC90 - Keeper moved no trace	Notices returned by Royal Mail;	Name/ address databases checked; Electoral Register checked. Officers need to exercise care before relying on this information since it is known

Circumstance	Evidence	Notes
		for keepers to instigate the return. It is better perhaps to either check the information through proprietary address databases or to allow the case to progress through for bailiffs to visit the address, particularly if there are several PCNs for a specific keeper.
MC91 - CEO error – Other	Depends on circumstances	Examples are missing or wrong information; e.g. CEO has omitted to specify a contravention.
MC92 - CEO error – PCN defaced/ altered/illegible	Sight of original PCN	Depends on circumstances. Alterations may mean that the downloaded details do not tally with the document the motorist received. If the PCN is defaced & illegible the motorist may not have been aware of important details (e.g. the alleged contravention).



North Essex Parking Partnership

18 June 2015

Title: Parking Policy Review – 6. Parking Cancellation Policy
Author: NEPP Policy Review Group, Richard Walker, Group Manager
Presented by: Richard Walker

This report concerns making amendments to the Partnership's Policy Documents

1. Decision Required

- 1.1. To debate, and approve for use if appropriate, the revised and updated Cancellation Policy for the Parking Partnership.

2. Reasons for Decision

- 2.1. Legislative changes have taken place, including: The Deregulation Bill 2015; Secretary of State's statutory guidance to local authorities on the civil enforcement of parking contraventions, Operational guidance to local authorities: parking policy and enforcement; The Civil Enforcement of Parking Contraventions Regulations (England) General (Use of Approved Devices Amendment) Regulations 2015; SI 561 "The Civil Enforcement of Parking Contraventions (England) General (Amendment) Regulations 2015, and these have been implemented.
- 2.2. This policy has been published previously, and is now updated to take into account the latest legislation.

3. Supporting Information

- 3.1. The 2015 Cancellation Policy is attached as an Appendix.

4. Proposals

- 4.1. That the revised and updated Parking Cancellation Policy for the Parking Partnership is approved for use and be published on the Parking Partnership's Website, in accordance with revised legislation.

Background Papers

None.

March 2009. Updated March 2011.

Introduction

The Council acknowledges that most people who park in residents' parking schemes and in its car parks do so in accordance with their obligations to purchase the correct ticket or permit and to display it clearly. However, some users do not always comply with the schemes and in those circumstances where the Council is aware of this the Council will issue a Penalty Charge Notice (PCN).

The Council will ensure that the administration of PCNs is operated consistently and fairly in the interests of the wider community as well as those using particular schemes or car parks.

This means that the Council will aim to collect monies owed to it, bearing in mind that administering the schemes involves public money and that in residents' parking areas we aim for costs and revenue to balance (neutral).

This Policy should be read in conjunction with the "Enforcement & Discretion Policy" document.

Cancellation Policy

PCNs will not be cancelled other than in the exceptional circumstances (set out under the general guidance of the Discretion Policy) or where the ticket has been incorrectly completed by the Council's enforcement staff and may be invalid.

Exceptional circumstances would **not** include

- failing to display a valid permit or ticket where it was claimed the ticket had fallen down or forgotten to be displayed or where the ticket had expired but only by a limited period e.g. 1 day in case of residents permit.
- tickets/permits produced after a penalty charge ticket has been issued for "failing to display" are not acceptable.
- unexpectedly overstaying a business/social event or a routine medical appointment.
- exceptional circumstances would include a medical emergency that caused a delay in returning to the vehicle and/or moving it. The "appellant" would need to produce some corroborative evidence of the emergency from the medical service involved.

The policy will be kept under review and updated periodically.

Officer responsible for cancellation

Where a cancellation is to be made in accordance with the agreed policy, that decision will be made by the Case Manager. The decision will be final as far as the Council is concerned in respect of upholding or cancelling a PCN where the circumstances are clearly in accordance with the agreed policy. The decision will be explained in writing to the person who has contested the ticket and aim to do so within 10 working days.

Discount for prompt payment

The Council currently allow people to pay a lower penalty charge if they pay within 14 days. The Case Manager will exercise discretion to accept the lower charge when it is clear that the intention was for the Council to receive the cheque/cash/credit card payment within the 14 days (e.g. the 14 days expired on the Saturday or Sunday and the cheque was received through the post on the following Monday).

Blue Badge Holders

Blue badge holders have no general right to free use of spaces in residents' parking areas. If resident in the area, they can apply for a permit free of charge and display it. If visiting, they should display a valid visitors' permit.



North Essex Parking Partnership

18 June 2015

Title: Parking Policy Review – 7. Dropped Kerb Enforcement Policy
Author: NEPP Policy Review Group, Richard Walker, Group Manager
Presented by: Richard Walker

This report concerns making amendments to the Partnership's Policy Documents

1. Decision Required

- 1.1. To debate, and approve for use if appropriate, the Dropped Kerb Enforcement Policy for the Parking Partnership.

2. Reasons for Decision

- 2.1. In July 2008 the government published a consultation on sections 85 and 86 of the Traffic Management Act – which give local authorities the power to issue penalty charge notices (PCNs) to motorists who park alongside dropped kerbs, or more than 50 cm from the kerb, respectively – without the use of traffic signs and road markings.
- 2.2. In May 2009 the Government confirmed its intention to proceed with these powers for local authorities. It was brought into force by the Local Authorities' Traffic Orders (Procedure) (England and Wales) (Amendment) (England) Regulations 2009 (SI 2009/1116) from 1 June 2009.
- 2.3. Used only internally as a guide to date, this policy has not been published previously. The policy sets out how the Partnership will deal with enforcing dropped kerbs, being only briefly covered only within the Protocol document previously.

3. Supporting Information

- 3.1. The 2015 Dropped Kerb Enforcement Policy is attached as an Appendix.

4. Proposals

- 4.1. That the revised and updated Parking Dropped Kerb Enforcement Policy for the Parking Partnership is approved for use and be published on the Parking Partnership's Website, in accordance with revised legislation.

Background Papers

None.

Published May 2015.

Enforcement Policy for Parking at Dropped Kerbs

The contravention of parking adjacent to a dropped kerb applies where a vehicle parks on the carriageway next to a place where the footway, cycle track or verge has been lowered to the level of the carriageway (or where the carriageway has been raised to the level of the footway, cycle track or verge) to assist:

- pedestrians crossing the carriageway;
- cyclists entering or leaving the carriageway; or
- vehicles entering or leaving the carriageway across the footway, cycle track or verge (e.g. property driveways).

Parking alongside a dropped kerb can cause considerable inconvenience and put vulnerable road users at severe risk. Parking adjacent to a dropped kerb at an access to premises can cause considerable nuisance to drivers trying to enter or leave the premises.

The Highway Code advises drivers “do not stop or park....where the kerb has been lowered to help wheelchair users and powered mobility vehicles, or where it would obstruct cyclists’ use of cycle facilities... except when forced to do so by stationary traffic”.

In instances where a vehicle parks alongside or partially obstructs a dropped kerb the Council’s policy is to issue a Penalty Charge Notice (PCN) to the contravening vehicle, subject to the exemptions listed below. Civil Enforcement Officers will normally enforce when patrolling their daily patrol route.

Where a complaint is received by the council regarding a single incident, the enforcement response will be subject to best efforts if there are staff available nearby.

Where there is a complaint (or series of complaints) regarding persistent and repeated offences, a patrol route may be modified on a temporary basis, again on a best efforts basis. In determining allocation of resources, particular attention will be paid to offences that impede the passage of those with disabilities.

Enforcement action against vehicles parked across a private driveway is only to be undertaken if the occupier of the premises has asked the Council to do so. Name, contact details and confirmation of residency are to be obtained before attendance or the issue of a PCN. The measure of a blocked driveway is where more than 50% of the access is blocked.

If picking up/setting down of passengers is observed, this will be allowed for so long as is necessary for the activity to take place.

No Signage for Dropped Kerbs

The provisions in the Act mean that an authority can introduce such a prohibition without a TRO, therefore traffic signs and road markings are not required.

As a result Regulations were amended to allow enforcement authorities to enforce prohibitions of parking dropped kerbs with out the need for Traffic Regulation Orders, traffic signs and road markings. Amended Regulations came into force on 1 June 2009, together with revisions to Operational Guidance, allowing enforcement authorities to enforce these parking restrictions from this date.

Exemptions to the Contravention of Parking at Dropped Kerbs

The exemptions to the contravention of parking at a dropped kerb (subject to legislation) are:

- alighting from a vehicle;
- vehicles used by the fire, ambulance or police services;
- where loading or unloading is taking place;
- vehicles used for waste collection, building works or road works;
- vehicles parked outside a driveway to residential premises with the occupier's consent (but see note below); and
- vehicles parked outside a shared driveway to residential premises by or with the consent of residents at those premises.

Note: it is illegal for the owner of a driveway to 'rent out' space on the public highway across the driveway entrance. Where there is evidence that the owner's consent to park across a driveway entrance is based on payment, the vehicle remains liable to the issue of a penalty notice.

Dropped Kerb Driveway Access to Residential Premises

The Council can only respond to a complaint of a vehicle parked outside a single driveway in instances where the complaint has been received from the occupier of the effected premises. In such instances the Council requires the complainant to provide relevant requested information (name, address, contact details) and confirm that they are the occupier.

Some parking bays are marked continuously across a dropped kerb of driveways but remember obstructing a dropped kerb is not permitted (unless a vehicle is parked in front of its own driveway)

Pedestrian Dropped Kerbs

Pedestrian dropped kerbs help wheelchair users and people using mobility vehicles to cross the road. If you park across these crossings you will make it more difficult, and potentially dangerous, for people to cross the road.

There are no requirements for there to be any markings on the road to indicate a 'no parking' area in front of pedestrian dropped kerb crossing.

A pedestrian dropped kerb crossing is defined as -

"...the area of a pedestrian dropped kerb crossing is set by the tactile paving stones or by the portion of pavement that has been dropped to the level of the highway or by the portion of highway that has been raised the level of the pavement, but does not included the sloped areas of pavement or highway that form the transition from one level to the next."

Blue Badge Holders

It should be noted that although valid Blue Badge holders may park for up to 3 hours on yellow line restrictions, where it is safe to do so and providing they are not causing an obstruction, Blue Badge holders are not exempt from the prohibition parking at dropped kerbs.



North Essex Parking Partnership

18 June 2015

Title: Parking Policy Review – 8. Temporary Traffic Cones Policy
Author: NEPP Policy Review Group, Richard Walker, Group Manager
Presented by: Richard Walker

This report concerns making amendments to the Partnership's Policy Documents

1. Decision Required

1.1. To note the Temporary Traffic Cones Policy for the Parking Partnership.

2. Reasons for Decision

2.1. No amendments have been required and the policy is included for completeness.

3. Supporting Information

3.1. The 2015 Temporary Traffic Cones Policy is attached as an Appendix.

4. Proposals

4.1. That the Temporary Traffic Cones Policy for the Parking Partnership is published on the Parking Partnership's Website, in accordance with revised legislation.

Background Papers

None.

Policy for “No Waiting” Traffic Cones for Events

Policy 8

April 2011. Updated May 2015.

The Parking Partnership can provide and set out supplies of ‘No Waiting’ Cones for the majority of special or planned events. These will be supplied by the lead authority in each Partnership area. There is a cost for supplying cones and making regulations to back them up.

Event organisers who require road closures to stage an event, or the suspension of waiting and parking restrictions in the neighbouring roads as a part of the traffic management plan for an event, should contact the Parking Partnership and complete an application form at least 3 months prior to the event for cones.

A planned restriction to back up the cones can also be made for up to seven days and will be subject to sufficient notice and advertising. For fetes and other similar events, a short-notice up-to-three-day Parking Order will may be made to back up any cones and make them enforceable. There will be an administrative charge to carry this out. Please note that there are no exceptions for charitable events as this is an administration function relating to traffic management (see TRO Policy).

The charges that apply for processing applications will vary, subject to the size and the nature of the event. Setting out of cones will be chargeable against the current tariff and will vary according to number and location required.

Informal Traffic Cone Requests

In cases where a small number of cones is required for a special event, it is often possible to receive these on loan from the district council in whose area you reside.

If it is not possible to arrange informal cones with your local council, local parking teams from the Parking Partnership will provide up to 5 cones for short term informal use to private individuals, or small businesses to help with house/business removals, weddings or funerals, provided stocks allow.

Small events (e.g. charity events wanting “free” cones) may request loan of up to 50 cones provided that these are collected, (or a delivery and collection charge will apply). Traffic cones must be booked at least 24 hours in advance. Where shorter notice is given, it may not be possible to arrange collection.

Although the cones will be provided free of charge, these must be set out by a competent individual who will be required to sign a waiver and non-returns will be at cost (£10 each). If delivery/collection is required, this may be arranged at cost provided sufficient notice is given.

Freely distributed cones will not be backed by any traffic order and as a result they are merely advisory, or to back up other restrictions.

Using no waiting cones for road-works

If you want to place no waiting cones on a highway for works you need permission (which may not be granted) from the traffic authority – an enquiry may be made through the Parking Partnership. A highway includes not only the road but also footways and verges. Contractors who require road closures or temporary suspensions of parking to allow for road-works, should also contact the Parking Partnership Office for advice.

You will need to complete the Permission Form to use no waiting cones.

Please apply for the cones well before you need them (3 weeks notice is preferred). If you need them urgently please contact us by telephone.

Temporary Cones for	Power under which cones placed	Enforcement by virtue of	Notes
Unforeseen Emergency	Under RTRA1984 c.27 s.67, signage may be placed in emergency and for temporary obstructions Town Police Clauses Act 1847 (which likewise makes similar provision for areas to which that Act is applied) (relates to prevention of obstruction on public occasions or in the neighbourhood of public buildings)	Police have powers under s.36 of RTA1988 to enforce traffic sign.	7 days or fewer from the time placed, but no longer
s.14 Temp Orders/Notices	RTRA1984 c. 27 Part V General Provisions s.66-7 Signage may be placed giving effect to Orders etc. RTRA1984 s68 ...place and maintain... such traffic signs as the authority may consider necessary in connection with ... any order made or notice issued ...	This is an offence under RTRA1984 s.16 (relating to Orders under s.14); 16C (1). ...A person who contravenes, or who uses or permits the use of a vehicle in contravention of, a restriction or prohibition imposed under section [14 (16)]/[16A (16C)] of this Act shall be guilty of an offence ... CPE contravention by virtue of TMA 2004. Sched 7 Part I (2) (b) ...there is a parking contravention in relation to a vehicle if it is stationary in circumstances in which any of the offences listed below is committed... ... an offence under section 5, 11, 16(1) or 16C of the Road Traffic Regulation Act 1984 (c. 27) (contravention of certain traffic orders) of contravening a prohibition or restriction on waiting, or loading or unloading, of vehicles	such as s.14 (temp restrictions to prevent danger to public or at works)... ...up to 18 months in most circumstances. s.16 (Street Fairs etc) by Notice. Maximum 3 days or fewer as per Notice under s16A ...and only once per road per calendar year (s16C)
s.16A Temp Restriction for Street Fairs etc			
Other setting out of cones	Under RTRA1984 c.27 s.67, signage may be placed in emergency and for temporary obstructions	Advisory – non-enforceable if not backed by regulations.	To reserve bays for instance at funerals or to make space for removals

References – [RTRA1984 c.27](#); [RTA1988 s.36](#); [RTA1991 s.66](#) (superseded) ; [1992 Procedure Regs](#); [SI2002 2186](#); [TMA2004 Part 6 Sched 7](#)



North Essex Parking Partnership

18 June 2015

Title: Parking Policy Review – 9. Traffic Regulation Orders Policy & Right to Review Parking Policies

Author: NEPP Policy Review Group, Richard Walker, Group Manager

Presented by: Richard Walker

This report concerns making amendments to the Partnership's Policy Documents

1. Decision Required

- 1.1. To debate, and approve for use if appropriate, the revised and updated Policy for Traffic Regulation Orders and Reviewing Parking Policies for the Parking Partnership.

2. Reasons for Decision

- 2.1. In addition to legislative changes which have taken place, the Department for Communities and Local Government has issued the *Right to challenge parking policies Traffic Management Act 2004: Network Management Duty Guidance*, the details of which have been incorporated into the Policy (Part 1), the new Right to Review parking policies.
- 2.2. This policy has been published in part before, and is now amplified (Part 2) to describe in more detail the Traffic Regulation Application Process, Traffic Regulation Order suitability and guidance details.

3. Supporting Information

- 3.1. The 2015 Policy for Traffic Regulation Orders and Reviewing Parking Policies document is attached as an Appendix.

4. Proposals

- 4.1. That the new Policy for Traffic Regulation Orders and Reviewing Parking Policies document for the Parking Partnership is approved for use and be published on the Parking Partnership's Website, in accordance with revised legislation.

Background Papers

None.

Parking Partnership Traffic Regulation Orders – General Policy

Introduction & Background

Traffic Regulation Orders (or “TROs”) are legal documents developed by the traffic authority, or its agents such as the Parking Partnership, allowing the police and / or local authorities (e.g. Civil Enforcement Officers) to enforce various matters to do with the speed, movement, parking and other restrictions of pedestrians and vehicles, by law.

Legislation was changed in March 2015 to enable greater transparency and understanding of the purpose of parking policies, the reasons for putting in place TROs and an avenue to challenge whether existing TROs are required – by setting up a process for considering anything from minor to area-wide reviews.

A Review can be called where there is enough weight of support for doing so and the system for calling for a Review is described in Part 1 of this document, with the process for making a change described in Part 2.

The North Essex Parking Partnership Policy

As a part of the Network Management Duty, The North Essex Parking Partnership has developed and published its parking Strategy covering on- and off-street parking.

The Strategy is set out in four levels, the Parking Enforcement Policy, Parking Operational Protocols, Discretionary, Cancellation and Permits Policy.

The Parking Partnership operates these through Local Enforcement Plans. The Local Enforcement Plans are linked to local objectives and circumstances.

In addition, the Parking Development Plan (the main Strategy document) takes account of planning policies and transport powers as well as considering the needs of all road users in the area, the appropriate scale and type of provision, the balance between short and long term provision and the level of charges.

The parking strategy is not just about restricting parking. It covers all aspects of parking management in the best interests of road users, communities and businesses.

The parking rules set out clear, fair and transparent enforcement rules and the levels of parking charges which will encourage the best use of the available parking space to support town centres, taking into consideration the cost of living, vibrancy of local shops and make it practical for people to park responsibly and go about their everyday lives.

Context

Making the best use of our current road network is important for both the local economy and society. Potential conflicts will need to be carefully handled. The new system recognises the responsibility of Councils to put in place parking strategies that reflect the needs of all road users. This includes pedestrians, cyclists and people with disabilities, and the needs of residents, shops and businesses.

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Part 1 – Right to Challenge Parking Policies

Traffic Management Act 2004: Network Management Duty Guidance

March 2015

Introduction & Background

Councils in England have a duty to manage the road network in order to reduce congestion and disruption, and the Traffic Management Act provides additional powers to do with parking.

When using these Network Management Duties in relation to parking, Councils that manage traffic must have regard to statutory guidance issued under the Traffic Management Act.

Reviewing Parking Policy and Restrictions

In the past, the processes for considering and implementing parking strategies were not easily understood and were difficult to access by local people and organisations.

In order to have more of a say in the way parking management policy is developed and implemented, and to enable the Council to make parking respond to changes in local circumstances, the Government has introduced a new power to challenge decisions on parking policy.

A new system makes it easier for local residents and firms to challenge any unfair, disproportionate or unreasonable parking arrangements. This could include the provision of parking, parking charges or the use of yellow lines.

National guidance describes in more detail how the system should work, and advises Councils on best practice. The new system proposes to use petitions to give local residents, community groups and businesses the ability to ask for changes to local parking arrangements.

Broad Principles

Parking Bays and Yellow lines are backed up by legal regulations called Traffic Regulation Orders (TRO). Combinations of these yellow lines and parking bays are often part of much wider schemes. Councils often review these schemes on a planned basis, and these reviews may amend or revoke orders that are no longer suitable for local conditions. When making any changes Councils consult as widely as is necessary to ensure that all of those affected by the orders have the opportunity to comment.

It is important that the local community can raise issues to tackle changed circumstances or unintended consequences at other times. It is of course the right of any individual or business to contact their local authority about any aspect of parking in their area. To enable this, there is a new petition scheme that allows people and businesses to raise petitions to see if the parking restrictions in place for a specified location can be changed.

The purpose of a petition scheme is to make it easy for local residents, businesses and other groups within the community to engage with local government and raise issues, confident that their voice will be heard. To achieve this the North Essex Parking Partnership has a scheme which is designed to be accessible.

The scheme has some particular requirements:

- **The minimum requirements for a valid petition.** The minimum number of signatures and the information that must be provided, both about the issue being raised, and about the signatories.
- **The circumstances where a petition will not be considered.** Vexatious petitions will not be accepted, and there is also a minimum period after the introduction or review of a traffic regulation order before a further review will be carried out.
- **How the local authority will manage petitions** received, how petitioners will be kept up to date, how the Council will manage the review and consider and report the outcomes. Elected Councillors have the final role in considering any reviews triggered by a petition.

NEPP has used the National Guidance in developing the scheme.

Minimum Threshold for the Number of Signatures for a Valid Petition

All petitions need to demonstrate that their challenge is supported by:

- other local residents,
- businesses and/or
- others affected by the parking policy.

The number of signatures required for the local authority to take action depends upon the location. The threshold in most cases is:

- for Stage 1, a minimum of 50 signatures where the issue relates to a facility or specific location, or at least 26% support in an area*, where this relates to residential area, or businesses in an area; the location or area to be identified on the application.
- Residence addresses, rather than number of residents, will be the measure to be considered.
- In extreme cases, the council will dis-apply the threshold if the number proves impossible to comply with, or on other grounds, for example (but not exclusively) where it is necessary to review a wider area due to displacement of parking which may occur.

The Council may also use its discretion in relation to petitions which directly affect a particularly small number of people – for example residents on a particular street.

The Council will take this into account when considering such petitions. This means that where the issues raised are of concern to a minority, those affected are able to engage.

** - a scheme will require at least 50% support in the application, and at least 50% of those responses must be in favour – hence 50% x 50% + 1%.*

This percentage applies to the initial application; different thresholds apply to the wider informal consultation process in Stage 2.

Minimum Requirements for a Valid Petition – Information

Petitioners can fill in an application form in order to provide all the information for the Council. This will accurately identify the area addressed by the petition, and the issue they would like the Council to review. Petitioners should also provide contact details, so that the local authority can liaise on further information and on progress.

The application also allows petitioners to state what aspects of the Traffic Regulation Orders in place they feel need to be reviewed, if it is possible to provide this information (failure to provide some or all of this information will not be treated as a reason for ruling that a petition is invalid).

If the location or point for review is not clear to the Council, it will ask petitioners to clarify; the Council realises that many petitioners will not be experts on the legal regulations relating to parking.

In cases where the information is not clear, the Council will assist petitioners to accurately define their challenge and ensure that the Council and petitioners have an agreed understanding of what aspects are being challenged.

The Council gives clear guidance in the Application Form as to the information that should be provided by anyone signing the petition, in order to satisfy the Council that the signatures are valid, and that they demonstrate relevant and sufficient support for the challenge. This includes name, address and contact details.

Management of Petitions – Inappropriate Reviews

Councils have a responsibility to manage their resources to the best effect in performing all aspects of their duties, and to do this they must balance the resources necessary to review policies with their ongoing responsibilities.

Repeated or inappropriate petitions from vexatious individuals or groups can impact negatively on this and will therefore be disallowed.

The Council has indicated the grounds upon which a petition will be considered as vexatious. For example, petitions calling for a review of many Traffic Regulation Orders over a wide area, or a series of petitions from a small or non-resident group addressing a particular aspect of the parking policies over a number of areas would be considered vexatious.

In some cases it would be inappropriate to review a policy, most usually because it has recently been reviewed or consulted on. The Council will provide details to petitioners as soon as possible where their petition is refused on such grounds (and where applicable, will advise on when a petition could be validly submitted).

The Council will be flexible, particularly where a policy may have been substantially affected by an external change since the last review (for instance, major housing or commercial developments or population shifts).

Management of Petitions – Review of Parking Policies in Response to a Petition

Once it has accepted a petition, the Council will ensure that the petitioner has a clear understanding of what aspects of its parking policies will be reviewed,

and what that review will involve, including any requirement for public consultation.

Large or complex reviews could take a considerable time, and the Council will only be able to manage and progress schemes within available resources. The Council will ensure that petitioners have a clear understanding of the timescale, provide regular progress updates and in particular provide details on the timing and nature of any public consultation.

As in all aspects of their services, the Council has a basic responsibility to ensure that their community understands what they are doing and why, even if some members of the community do not agree with their decisions.

Following a review of a parking policy, the local authority will provide a clear report, with plain English reasons for all the changes. **The petitioner will be provided with a copy of their report, and have an opportunity to consider and respond before a final decision is made.**

The Council will use the arrangements in place for exercising executive functions, which will include consideration of the outcome of a review of a parking policy, arrangements that are transparent and accessible.

Wherever possible, the Council will ensure that:

- decisions on the local authority's response to a petition will be made by Councillors who are accountable to the local electorate. Decisions will not normally be delegated to officers or a single executive member.
- where the governance arrangements mean that the initial decision is not made by councillors, petitioners will be able to escalate decisions. Clear guidance sets out how long petitioners have to escalate a decision with which they disagree, and how they can do so.
- decisions will normally be made in a publicly accessible forum, the Joint Committee, where the petitioner will have the opportunity to witness the discussion, have their say, and defend their challenge if necessary.

In all cases, the Council will ensure that reports and decisions are published, so that the community can see what areas of parking policy have been challenged, scrutinise the decisions of their local authority, and hold them to account.

Decisions will be published on the website, **www.parkingpartnership.org**

Part 2 – New Parking Restrictions Policy

1: Introduction

This Policy sets out how the North Essex Parking Partnership will deal with requests for parking restrictions requiring TROs.

Essex County Council (ECC) has an Agreement with the North Essex Parking Partnership (NEPP) which gives NEPP the power to carry out on street parking enforcement and charging, maintaining relevant signs and lines and to make relevant traffic regulation orders (TRO) in accordance with the Traffic Management Act 2004 and the Road Traffic Regulation Act 1984.

This document sets out how the arrangements work and outlines the ECC and NEPP policies which will determine the implementation of future TRO schemes across the Partnership area.

Our aim is to demonstrate a fair, consistent and transparent approach throughout the Partnership areas when considering requests for new parking schemes and to ensure the Partnership's traffic management objectives are achieved.

It is acknowledged that all requests for a parking restriction will carry some form of merit and may be beneficial to the particular area. Requests may be submitted for a variety of reasons and depending on the circumstance will be considered under a scheme of priority to the Partnership.

The amount of funding available for new schemes is limited and this Policy provides the criteria, which if met, will be enable a particular scheme to be considered to be progressed to the Partnership Joint Committee and therefore stand a chance of receiving adoption onto the forward programme of works, subject to statutory consultation.

Schemes that do not meet all the criteria can still be progressed and considered by the Joint Committee, but schemes with a higher priority will take precedence. All schemes will be subject to available funding.

2: The requirement for waiting restrictions

Waiting restrictions requiring a Traffic Regulation Order (TRO) may be required for a variety of reasons and generally these will fall into four categories:

- Safety - required in identified areas to reduce known personal injury collisions involving vehicles and pedestrians
- Congestion – required in situations where the flow of traffic on key routes is impaired by parked vehicles
- New development/improvement schemes – where restrictions are required to complement other measures such as traffic calming schemes or to assist with new developments such as new roads

Local concerns where restrictions are required to manage commuter, shopper or residents parking

There is an increasing demand across the Partnership area for parking restrictions to be implemented. As more vehicles are introduced onto the road network there is an ever increasing demand for kerb space parking and members of the public and organisations may experience what they consider

a parking problem and will seek to have some form of parking restriction implemented.

The aim is to avoid introducing unnecessary parking restrictions and to concentrate the limited funds available to the NEPP on essential schemes where major parking issues exist.

NEPP will only commence the process of introducing a parking restriction if the request is considered to be absolutely necessary and where it meets the criteria set out in this document.

3. Arrangements for dealing with waiting restriction (TRO) requests

The implementation of permanent TROs is subject to the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996. These impose various legal requirements prior to making an order. From receiving an initial request to full completion of the TRO process can take between 12 to 18 months to complete.

The TRO process flow chart (see Appendix 1) details the arrangements.

All new requests for parking restrictions must be submitted on the required application form which can be found on-line at www.parkingpartnership.org/north or **on page 17** of this document. Details of where to send the form are included on the form.

Note: When requesting a new parking restriction it is advisable to gain as much local support from people affected by the perceived parking problem before submitting the request. Gaining support from local Councillors and the parish council is also advisable. Requests received from individuals will be considered as the view of only one person and not a view shared with a wider group.

The NEPP Technical Service will initially review and considered the application on the grounds of safety and congestion in accordance with the ECC policy criteria.

If the request meets the ECC safety and congestion policy criteria, ECC will take the necessary action to implement a parking scheme (subject to available funding).

Essex County Council has a commitment to identify and fund any TROs required for safety reasons, in line with its implementation criteria (detailed in **on page 11** of this document).

The County Council will fund (subject to budget availability) the cost of any TRO required to address a congestion issue on the PR1 and PR2 network or bus route (detailed **on page 11** of this document).

ECC will also fund waiting restrictions required as part of a new development (via the Section 106 process) or as part of an improvement scheme (in consultation with NEPP).

If the request for a parking restriction has no safety or congestion implications, NEPP will consider the scheme.

Once the NEPP TRO team receives the request the first stage is pre-feasibility work.

One of the Team's Technicians will gather information related to the Application Request for a New Restriction. This may include site visits or, where appropriate, informal consultation with Local Interest Groups such as residents, traders and community groups to gauge opinion on whether or not there is considered to be a parking issue that needs to be regulated.

For stage 2, for the purpose of the consultations with Local Interest Groups, a process is in place whereby a 50% response rate to all consultation letters sent will be required. Of the responses received, 50% must be in favour of the change. If the response rates meet these criteria a scheme will be costed and a report will be submitted to the NEPP Joint Committee for consideration to provide the necessary funding to proceed with a proposed Traffic Regulation Order. If a response rate of lower than 50% is received by either criterion, this will be reflected as a lack of support for the scheme and will be considered a low priority and may result in no further action being taken.

The outcome of a consultation may result in different levels of support in any individual road dependent on the location of the property to the initial parking problem. In this case it may be necessary for the Partnership to implement a scheme in part of the road and monitor the effects of any vehicle displacement.

The NEPP, regardless of the outcome of informal consultation, reserves the right to implement a scheme when it is deemed essential. For example to address concerns of the emergency services specific traffic management needs or on a temporary basis.

The Partnership may also be approached by local Town and Parish Councils who wish to fund schemes and request the Partnership to implement TROs on their behalf. In all cases this would be a decision of the Joint Committee in full consultation with the relevant Lead Officer and Member representative.

The NEPP Technical Team will produce a report for each request received with a recommendation to accept or decline the proposal. The report will also include full details of any site visits and the outcome of any informal consultations, if conducted as part of the assessment. These reports contain a formal quantitative score (see Error! Bookmark not defined.) and qualitative details relating to social need. These reports will then be discussed with the relevant Parking Partnership lead officers and elected Member representative for a local decision on whether to proceed with the scheme.

All Schemes agreed locally to progress will then be presented to the Joint Committee to decide to commit the necessary funding to proceed with a proposed Traffic Regulation Order, subject to formal consultation.

A report will be created for the Joint Committee to consider and either Agree, Defer or Reject the scheme. Funding options for the implementation of new parking restrictions are outlined **on page 15** onwards in this document

If funding is agreed a TRO will be drafted and statutory consultation must be undertaken. This involves obtaining the views of local stakeholders such as:

- Local City/Borough/District Council, Parish Councils and County Councillors
- The Highway Authority
- The Emergency Services
- Freight Transportation Association and Road Haulage Association
- Local public transport operators.

If NEPP agrees to proceed with the TRO, the scheme must be advertised (including on site and at least one notice in the local press). NEPP will usually display notices in any roads that are affected and, if it is deemed appropriate, may deliver notices to key premises likely to be affected.

For at least 21 days from the start of the notice, the proposal and a statement of reasons for making the TRO can be viewed at a nominated council office during normal office hours, in appropriate libraries, or on the NEPP website.

Objections to the proposals and comments of support must be made, in writing, to the address specified in the Notice, or submitted online during this period.

Any person may object to a proposed TRO. Objections must be in writing and an email can be sent to techteam@colchester.gov.uk to the North Essex Parking Partnership, PO Box 5575, Colchester CO1 9LT, stating the reasons for the objection.

If there are unresolved objections, which cannot be resolved by a senior officer, a report will be submitted to the Joint Committee. An Order may be made in part while other objections are being considered.

For the purpose of considering representations, a report may be made to the Joint Committee which will Approve or Reject the objections, or may ask for an order to be Modified. Modifications to the proposals resulting from objections could require further consultation.

This procedure can take many months to complete and the advertising and legal fees can be substantial. For this reason schemes requiring a TRO normally need to be included in the Annual Programme and cannot be carried out on an ad-hoc basis.

Following Committee approval the TRO will be formally sealed and published in a local newspaper with an operational date. The signs and lines are then installed by our contractors, following which, the restrictions become enforceable.

4. Implementing TROs once the Order is made

For TROs agreed by and funded by ECC for restrictions to address issues of safety, congestion or new development ECC will either:

- approach NEPP with a fully designed scheme ready for implementation; or
- approach NEPP with a known issue to discuss and reach an agreed solution for design and implementation, including sufficient funding for a scheme to be developed and implemented. The NEPP TRO Team will then either:

- implement the scheme (including design (as necessary); draft TRO; consult/advertise TRO; consider objections/seal TRO; install signs and lines); or
- decline to undertake the work on the scheme, in which case ECC will commission this from elsewhere.

For TROs Agreed by and funded by the NEPP (or funded by an individual authority or other local panel) to address local concerns, social need, or strategic matters, the NEPP Technical Team may implement the scheme (or commission from other service providers).

TROs will only be progressed after approval of the Joint Committee or a relevant Sub-Committee.

5: Types of TROs

TROs can be introduced onto any road to which the public has access. The status of the route is immaterial and can include footpaths, bridleways and byways open to all traffic, as well as other highways (such as main carriageways). The road does not have to be a highway or maintained by the highway authority; but if it is not, then the consent of the owner of the land will be required.

A TRO can include restrictions on the type of user, extent of road affected, and the period during which the TRO is effective. The different types of TROs (Permanent, Temporary, Experimental and Urgent) are explained Error! Bookmark not defined. onwards.

6. ECC criteria for determining requests for new Parking Restrictions

This section details the ECC criteria for considering requests for parking restrictions on safety and congestion grounds.

Essex County Council safety and collision intervention criteria

When considering the need for a restriction on safety grounds, ECC identifies 'Single Sites' or 'Clusters' where there have been five or more Personal Injury Collisions (PICs) within a 50m radius of the requested area over a three year period.

Safety Engineers study the collisions and identify any treatable patterns. Where a safety need is identified, the sites are prioritised for funding through the relevant Local Highways Panel.

Essex County Council congestion criteria

ECC has adopted a functional route hierarchy. This splits the road network into three classifications. Priority one (PR1) County Routes, priority two (PR2) County Routes (PR1 and PR2) and local roads.

PR1 roads have been identified as high volume traffic routes which are essential to the economy of Essex. PR2 routes perform an essential traffic management distributor function between the local network and the PR1 routes.

Delays to the movement of traffic on the PR1 and PR2 network will be minimised and restrictions considered if required to achieve this aim.

Further detail on the functional route hierarchy is explained Error! Bookmark not defined. onwards.

7. NEPP criteria for determining requests for new Parking Restrictions

The NEPP will receive all parking restriction requests that do not meet the criteria of ECC safety and congestion policies, detailed above. Although these schemes do not meet the ECC criteria the Partnership may decide to implement parking restrictions to improve safety and sight lines, if the Partnership consider that the restriction will be beneficial to the area.

The NEPP is likely to receive requests for restrictions to deal with the following issues:

- Commuter parking in a residential street (preferred parking).
- Short term invasion parking (outside schools, organisations, etc.).
- Provision of customer on street parking for local shops and businesses.
- Obstruction of driveway (difficulty getting vehicle on and of driveway).
- Parking around industrial areas
- Parking on verges, pavements and green areas.

Historically many parking restrictions have been introduced with the aim of resolving particular local issues. However it should be remembered that the highway is intended for the purposes of passing and re-passing and that no right of parking exists.

Parking provision is therefore a concession and, however desirable, should not be at the expense of the purpose of the highway. Where it is safe and desirable parking can be allowed.

The NEPP will avoid introducing unnecessary parking restrictions to combat minor short stay invasion parking problems or to address a preferred parking situation. The allocated funds will be concentrated on essential schemes where major parking issues exist.

Commuter parking in a residential street (preferred parking)

The majority of residential estates were not designed for the level of car ownership or the volume of traffic using them today. Requests for parking restrictions to tackle a parking problem are sent to the Partnership in many forms. It is necessary to investigate and prioritise each request so that those areas in most need are given greater priority. The criteria set out below provides the basis for priority.

The preferred traffic management solution for parking issues in residential areas is the introduction of a residents parking scheme. This type of scheme will only allow residents and their visitors to park within a designated area throughout the period of the restriction and exclude all other vehicles.

The criteria for prioritising requests for restrictions in residential areas is as follows:

- The parking by non-residents must be sufficiently severe to cause serious inconvenience to residents.
- Vehicles parked for the whole length of the road taking all available space for long periods of the day will be considered sufficiently severe.
- Any parking which is deemed as short term invasion (school drop off / pick up etc.) will not necessarily be considered.
- The majority of residents have no off-street parking facilities available to them.

If the majority of properties have no off-street parking then clearly any amount of parking by non-residents will have an impact on the available space for residents of the area.

If the majority of properties have off street parking, any parking on the highway will not impact on the available off street parking for residents. If the resident with off-street parking finds they are in a position where they request to have a parking restriction implemented to prevent vehicles parking in the street, but are happy for relatives of visitors to park in the area this will be considered as preferred parking and therefore a recommendation to decline the requested scheme.

- The majority of residents are in favour of such a scheme.
- Any proposed parking scheme will require a consultation with all parties involved including residents of the street or streets affected. If there is no overall majority in support of the scheme it is highly unlikely that the scheme will progress. See paragraph 3.8.
- The introduction of a scheme would not cause unacceptable problems in adjacent roads.
- When surveying an area it is essential that the displacement of vehicles does not cause unacceptable problems in adjacent roads. The restriction of vehicles from one location will not necessarily make the perceived problem go away but do no more than move the problem.
- The Partnership is satisfied that a reasonable level of enforcement can be maintained.

For every new restriction that is introduced a level of enforcement will be required.

This can have an effect on the amount of resource available and the cost of the overall enforcement account. Therefore the future price structure of resident permits will need to reflect the overall operation.

Short term invasion parking (outside schools, organisations, etc).

Short term invasion parking is parking for the purpose of dropping of and picking up passengers or goods at a known organisation such as a school, convenience store etc. and will only be for short periods of time.

If this type of parking restriction request does not meet ECC's safety or congestion criteria it is highly unlikely that NEPP will propose the introduction of parking restrictions. This is classed overall as very low priority.

The enforcement of any restriction that is introduced to tackle a short term parking issue requires a concentrated enforcement presence and is therefore not practical and cost effective.

Provision of customer on street parking for local shops and businesses.

Designated areas of on street parking can be created to serve the needs of local businesses and the retail sector. To ensure these areas are not subjected to all day commuter parking NEPP would consider introducing a limited waiting scheme or an on-street pay and display scheme.

The Partnership's preferred method of traffic management for this type of request is a pay and display scheme. Enforcement of a pay and display scheme is more effective and ensures the necessary turn over of parking space for customer availability. The by product of a pay and display scheme is income which can help financially support the daily enforcement operation.

An important of the criteria for assessing such a request would include the capital cost of implementing a pay and display scheme including revenue costs including cash collection and daily maintenance. Consultation with local traders and other local interest groups would also form part of the pre-feasibility work.

Obstruction of driveway (difficulty getting vehicle on and of driveway)

If a vehicle is parked across an approved dropped kerb and obstructing the driveway a Civil Enforcement Officer (CEO) can issue a Penalty Charge Notice (PCN) for obstruction of a dropped kerb, provided the vehicle is not parked in a designated parking place. Enforcement of this type will only take place if the resident of the property reports the obstruction to NEPP.

A white H bar marking can be placed on the highway indicating the access to the driveway. This type of marking is advisory only. NEPP will offer this option to residents – it is optional and is chargeable to the customer.

In all cases Essex Police is the responsible authority to deal with obstructions of the highway and have the necessary powers to remove vehicles that are considered to cause an obstruction.

Parking around industrial areas

There are areas within industrial sites where the workforce rely on long stay parking on the highway. Provided ECC confirm that the parking in these areas does not cause concerns on safety or congestion grounds then NEPP will consider this type of parking as acceptable. This will be a very low priority for any restrictions.

Cars parked in these types of area can act as a natural speed calming measure. Any introduction of parking restrictions in these types of areas will do no more than to potentially displace parking to an alternative location.

Parking on verges, pavements and green areas

There are many variations of this type of parking issue and each case will have to be taken on its individual merit.

Enforcement of verges, pavements and green areas can only be enforceable under the Traffic Management Act 2004 if the area is confirmed as public highway and is supported by a relevant TRO.

It is impractical to provide a TRO and the relevant signage for every instance of verge or pavement parking. This would result in unnecessary street furniture clutter and unacceptable administration costs.

Until such time legislation permits a blanket order for this type of issue then NEPP advice will be for alternative solutions to be pursued as follows;

- If the parking is causing damage to the surface / green area and the area is public highway ECC to be approached to consider the introduction of a waiting restriction.
- Once it is determined who is responsible for the land in question preventative measures may be installed to prevent vehicles accessing the area (wooden posts, bollards etc.). ECC will be responsible for this decision and confirmation of ownership of land.
- If it is deemed obstruction of a footpath / pavement Essex Police can issue a Fixed Penalty Notice and remove the vehicle if necessary.
- If the land is being maintained by a local authority, and area is ornamental or is a mown area maintained to a high standard, the relevant licenses are in place, Notices installed under the Essex Act may be a practical alternative.

Taxi Ranks

Requests for taxi rank provision will be considered on their individual merits and will need to complement the wider aims and interests of:

- Local transport development plans.
- Planning criteria and new development (s106 funding).
- Maintain the safe free flow of traffic.
- Taxi associations.

Overall NEPP will prioritise the requests according to need and will rely highly on local input from Lead Officers and Member representatives.

Loading and unloading provision

To ensure the vitality of local business and retail, NEPP has a commitment to ensure that delivery and goods vehicles have the opportunity to deliver goods in suitable locations.

The introduction of loading and unloading provision will be considered on its individual merit but overall will have a high to medium priority to match the NEPP's objectives. Each request will need to complement the wider aims and interests of:

- Planning criteria and new development (s106 funding)
- Maintain the safe free flow of traffic.
- Local transport development plans.
- Local business and retail organisations

8. Funding for TRO Schemes

ECC has a commitment to fund any schemes that meet the criteria of the ECC safety and congestion criteria and this is likely to be through the new Local Highways Panels.

ECC will not provide funding for all other parking related schemes and will therefore need to be either funded by the Parking Partnership account or from other avenues.

Funding can potentially be sourced from the following areas;

- The Parking Partnership account. (Allocated by the Joint Committee or relevant Sub Committee – schemes will need to meet the criteria of NEPP to receive funding and this will be subject to the availability of funds).
- The Local Highway Panels. (Will have funding available for highway improvements. Any schemes would have to be presented to the local panel and funding for the scheme would have to be agreed by them and the ECC Cabinet Member. Limited scope within tight budgets).
- The borough / district and parish councils. (Local councils can contribute to any schemes that are considered beneficial to the local area that do not receive funding from NEPP)
- Pump / Prime fund (for self financing schemes demonstrated by a business case).
- Section 106 funding for new developments. (Funding will be agreed at the planning development stage following consultation with NEPP)

The aim is for the Parking Partnership account to create sufficient surplus to be able to invest back into the TRO function. An annual business case will determine the amount of available funding.

As mentioned on page 8 the NEPP Technical Team will produce a report for each request received with a recommendation to accept or decline the proposal. The report will include full details of site visits and informal consultation outcomes. These reports will then be discussed with the relevant Parking Partnership lead officers and elected Member representative for a local decision. A copy of the assessment form to be used is shown at Error! Bookmark not defined. onwards.

9. Types of parking restriction and the responsible authority

NEPP will be responsible for the implementation and ongoing maintenance of the following type of parking restriction:

- No waiting
- No Loading and unloading
- School Keep Clear
- Limited waiting
- On-street pay and display
- Resident Parking Schemes
- Taxi ranks
- Loading and goods vehicle bays

ECC will continue to be responsible for the implementation and ongoing maintenance of the following type of parking restriction:

- On-street blue badge spaces
- Bus stops
- Pedestrian crossings

10. Contact Details

Address:

North Essex Parking Partnership
Technical Team

TRO enquiries
North Essex Parking Partnership
Technical Team
PO Box 5575
Colchester
CO1 9LT

Email:

techteam@colchester.gov.uk

Appendix 1

TRO flow chart – process

See separate document.

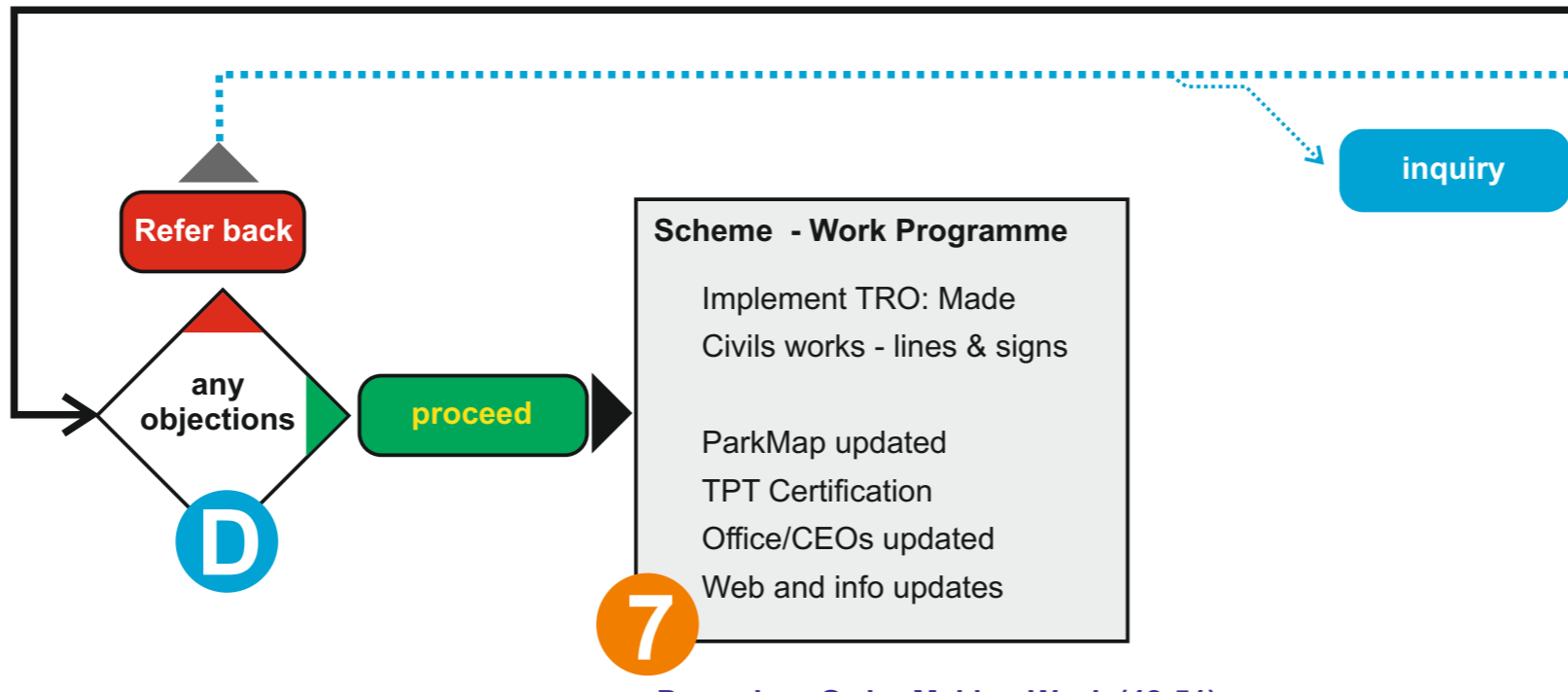
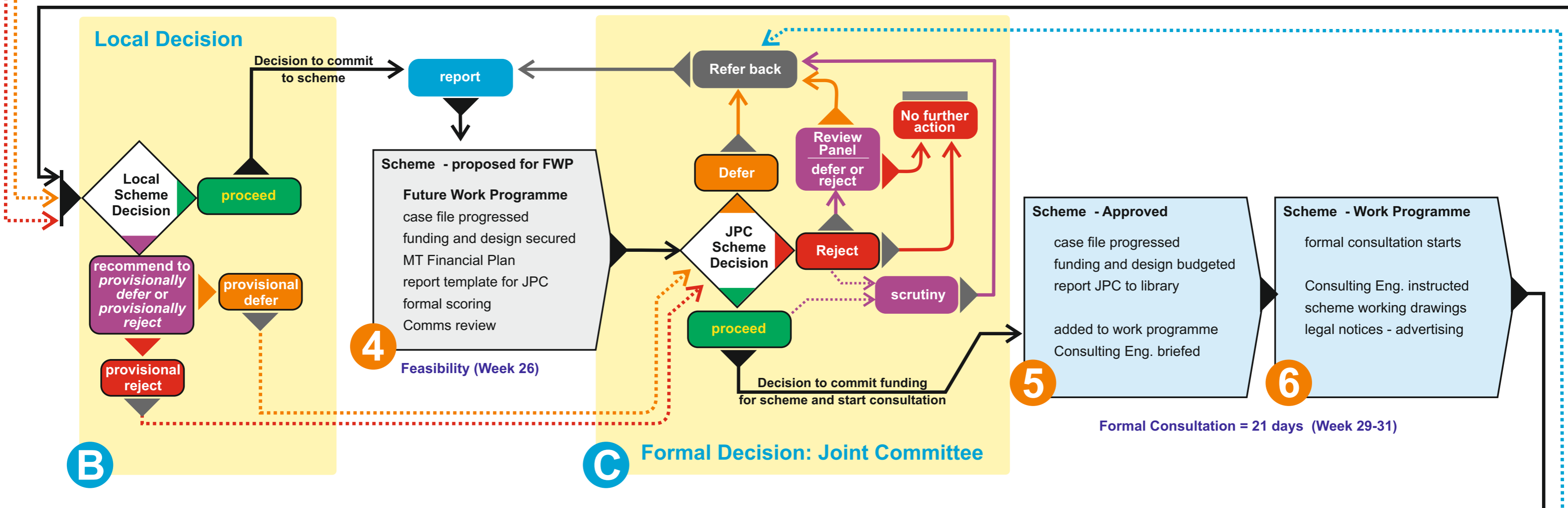
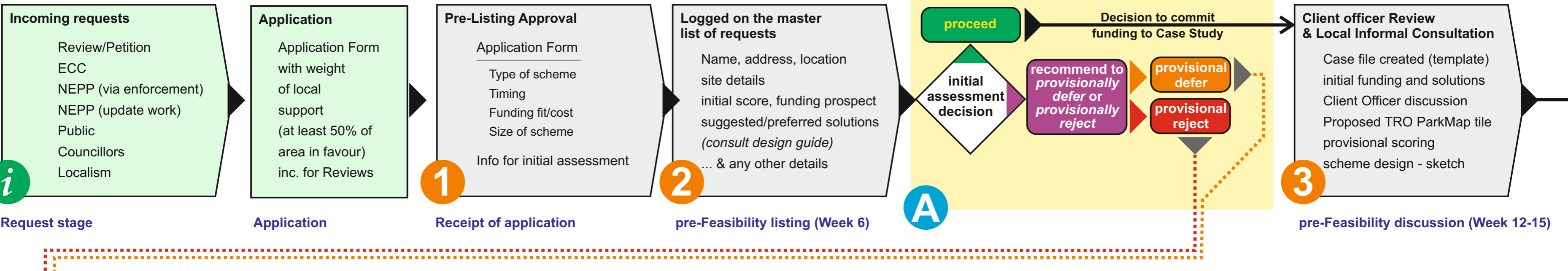
Appendix 2

Request for parking restriction information form

A form is available to complete.

See separate document.

Procedure flowchart for the introduction of TRO showing approval by Localism Panel or district Committee/Cabinet to support schedules going forward.



Procedure Order Making Week (42-51)



New TRO Requests

Essex Highways is using arrangements for the delivery of a range of local highway services as part of the localism agenda. Under these new arrangements the Parking Partnership has been established and is the formal mechanism through which recommendations and priorities regarding some of Essex Highways works programmes are made. The Parking Partnership is made up of a cross-section of local cabinet members representing Borough and District Councils.

The North Essex Parking Partnership receives a large number of requests for items such as the one you are making. If we can identify that there is a genuine proven parking safety, congestion or social need issue your request will undergo some local consultation, may be referred to a local Panel, and if considered viable will be presented to the North Essex Parking Partnership Committee, which funds these types of works, for support and a decision on whether to move to full consultation.

New requests often need prioritising against other similar schemes. If you can demonstrate a strength of local support for the scheme then it is more likely to comply with the requirements of the Policy.

If we can identify that there is a genuine proven parking safety, congestion or social need issue your request will undergo some local consultation and be referred to the Local Highway Panel (LHP) and if considered viable will be presented to the North Essex Parking Partnership Committee which funds these types of works.

In addition, legislation requires the council to undertake a review of parking where there is sufficient demand. Such reviews will be conducted based on the weight of evidence available. Depending upon the size of the review, the timescale may be from 18 months up to a few years in order to consider all views and actions.

In order for an assessment to be made on your request, there are a number of questions to be answered, which are outlined in the attached form. If you are able to offer any additional information or evidence, this would be most appreciated – the more information you can supply, the better.





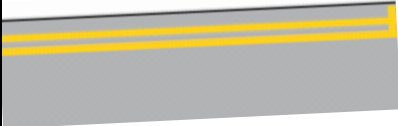








Some examples of types of scheme are shown on the following pages for guidance.

Reference should be made, at this point, to the Parking Enforcement Policy to check if the proposed scheme will support one or more policy objectives:

Highway Safety; Aid to Movement and/or Free Flow of Traffic, Preventing Hindrance and/or Nuisance to other Road Users and/or Supporting Public Transport; Supporting Business, Deliveries and Servicing; Parking Bays.

The Policy and minimum requirements can be viewed online at www.parkingpartnership.org (under the Policy, Procedure & Joint Committee Meetings link).

Once an assessment has been made, the decision on whether the scheme will be put forward to the Panels will be reported to you.

<p>Outside Schools</p> <p>Safety Visibility Safe Crossing</p>    <p>Outside or near schools</p>	<p>Main Roads, busy roads</p> <p>Socially necessary Supporting public transport Road Safety Supports Conservation Area For the majority of the working day</p>   <p>Restricting long-stay parking May include restrictions on loading</p>
<p>Near shops and in town centres</p> <p>Socially Necessary Supports business Manages Kerbside for fair access</p>   <p>Parking to go Shopping</p>	<p>Residential Areas</p> <p>Resident Parking Commuter parking issues</p>   <p>Residential areas Resident Permit Schemes</p>
<p>Busy Roads, arterial routes</p> <p>Peak hours or part of the working day Restrictions including time-limited waiting, zones and limited waiting parking bays</p>   <p>Supports improved traffic flow tackles congestion and enhances public transport</p>	<p>Access and other parking needs</p> <p>Disabled Access Advisory bays Other bays and schemes Other restrictions</p>   <p>Supports access Assisting business</p>

External

PART 1: APPLICATION

Person or organisation making the request

Please include your full details so that we can contact you with progress of the scheme, or in case we have any questions.

Date:

Full Name of the person making the application:

Full Postal Address of the person making the application:

Email address of the person making the application:

Telephone Contact Number of the person making the application:

Location

Please provide a sketch diagram of the entire area to be considered, and include any additional roads in the immediate area. Please include an Ordnance Survey map reference for the site.

6-fig OS Map Grid Reference

Site plan (sketch)

Details

Please provide as much information as possible.

Brief written description and details/outline of the scheme

What is the problem which has resulted in this request?

(Describe the issues being faced and the causes of the problems)

What is the suggested solution to the problem?

(Write full details of your project.

You could include a detailed sketch or map of the project together with a full explanation of what is needed.)

What is to be achieved by the suggested solution?

(Describe how this project will alleviate the issues described above and what the result that you wish to achieve is.)

What evidence is there of the need for this solution?

(This can be provided through either a Parish Plan, survey, questionnaire, copy of letters received, level of local support, etc.)

Is/could funding be available for the scheme? Y/N

Source of funding?

Internal
PART 2: SCORING

Suggested/preferred solution

Initial score

DECISION A: INITIAL OFFICER ASSESSMENT

Officer recommendation Proceed (y/n)?

Reasons

Support: Proceed, Defer, Reject?

NB: The decision being made here is to commit funding to proceed.

Other information from site survey:

- Is visibility obscured?
- Near a railway level crossing?
- Near a signal controlled junction or crossing?
- Near a zebra crossing?
- Any other pedestrian facilities nearby (refuge, crossing point)?
- Any bus stops or facilities nearby or affected?
- Any special arrangements (e.g. surface, treatments)?
- Any other hazards which are foreseen (describe below & any mitigation in TM)?

- Traffic sensitive street?
- Carriageway: Rural, urban?
- Frontages: Residential, commercial, mixed, rural?

Road speed:

(for TM):

Underground utility information scans required
(where posts need to be installed)

- Scans undertaken (supply/contractor)

PART 3: CLIENT REVIEW

Result of local informal consultation and scoring with client officer.

ParkMap tile produced: Number/version/*link to print*

Scheme design produced: *link to text details*

DECISION B: LOCAL DECISION at LOCAL PANEL

Support: Proceed, Defer, Reject?

Reasons

NB: The decision being made here is to progress with support to JPC

PART 4: FEASIBILITY

Result of local formal consultation and any funding approvals

Decision to approve, reject or defer

Details of decision (copy text and reasons from Minutes)

(defer until date, date logged?)

(further information, how, date logged?)

Finance:

Added to MT Financial Plan

Report Template for JPC completed

Comms Review

NEPP PR Officer informed (date)

Details of area, scheme and consultation(s)

District:

Client Officer:

PR Officer of district:

DECISION C: DECISION at JOINT COMMITTEE

Description of decision and debate at JPC:

Support: Proceed, Defer, Reject?

Reasons

NB: The decision being made here is to progress to formal consultation

Decision sent for Review? Y/N

PART 5: Consulting Engineer

I
Date advised(date/initial): _____
Working Drawings (date/initial): _____

PART 6: Progress of Scheme

Dates for Legals: Publication date to go on Notice: _____
I Newspaper Ad Notice Placed (date/initial): _____
I Street Notices Placed (date/initial): _____
I Local copies delivered/posted (date/initial): _____
I Working Drawings to Eng. (date/initial): _____

DECISION D: OBJECTIONS (if applicable)

Chief Officer Action: Proceed, Change, Reject?

Reasons

NB: The decision being made here is to progress with scheme on the highway
(insert pages here if re-advertising due to changed scheme)

PART 7: IMPLEMENTATION

Dates for Implementation: Live date for enforcement: _____

| P arkMap updated (date/initial): _____

| Civ il Engineer ordered (date/initial): _____

| S igns/Lines implemented (date/initial): _____

| S ite Check: Enforceable (date/initial): _____

| S taff advised (CEO/Office) (date/initial): _____

| Web info updated. (date/initial): _____

Appendix 3 Types of TROs

Permanent TROs

A TRO can be permanent. There may be formal objections to Permanent TROs which must be addressed (and may ultimately be resolved at a Public Inquiry).

A Permanent TRO stays in place unless it is revoked or a new Order is introduced to replace/amend it.

Temporary and Experimental TROs

Occasionally temporary orders or experimental orders are introduced which require a slightly different process which still gives people an opportunity to put forward their views.

The requirements for consultation on temporary and experimental Orders are somewhat different from Permanent TROs.

A Temporary Traffic Order is made under Section 14 (1) of the Road Traffic Regulation Act 1984.

Temporary Orders: –

- may be used when works affecting the highway require short-term traffic restrictions;
- are usually short-term but may last up to a maximum of 18 months; and
- are generally used to allow for works, protect the public from danger, to conserve, or allow the public to better enjoy a route.

A Temporary Order under s16A can be made for special events such as cycle races, carnivals etc. These can introduce, suspend or change parking restrictions both on the road on which the event is taking place and/or other roads which are affected by the event. These Orders may be for up to three days but are limited to one occurrence in any calendar year for any length of road.

An Order made under s.14/16A is required to be advertised (for 14 days in the local press) as given in s.16(2)/16C(2) – to notify the public of such regulations by virtue of Part II of The Road Traffic (Temporary Restrictions) procedure Regulations 1992, unless intention is given by Notice only, under Part III

An **Experimental Order** is like a Permanent TRO in that it is a legal document which imposes traffic and parking restrictions such as road closures, controlled parking and other parking regulations indicated by double or single yellow lines etc. The Experimental Traffic Order can also be used to change the way existing restrictions function.

Experimental orders can be introduced quickly and are used to test the success of a scheme before deciding whether to make it permanent.

Experimental Orders: –

- are used in situations that need monitoring and reviewing.
- usually last no more than eighteen months before they are either abandoned, amended or made permanent.
- may be made for any purpose to which permanent TROs can be made as such experimental orders cannot be made for speed or parking places.

An Experimental Traffic Order is made under Sections 9 and 10 of the Road Traffic Regulation Act 1984.

Changes can be made during the first six months of the experimental period to any of the restrictions (except charges) if necessary, before the Council decides whether or not to continue with the changes brought in by the Experimental Order on a permanent basis.

It is not possible to lodge a formal objection to an Experimental TRO until it is in force. Once it is in force, objections may be made to the TRO being made permanent and these must be made within six months of the day that the Experimental Order comes into force.

If feedback or an objection is received during the period that suggests an immediate change to the experiment that change can be made and the experiment can then proceed.

If the Experimental TRO is changed, then objections may be made within six months of the day that it is changed.

Temporary and Experimental Orders may be made either by NEPP or ECC (Contact Essex 0845 743 0430).

There is another type of Order called an Urgency Order, a type of temporary order which may be carried out when urgent work requiring restrictions must be carried out immediately.

Appendix 4

Functional Route Hierarchy

The Traffic Management Strategy adopted by the County Council in 2005 identified and defined a Functional Route Hierarchy divided into County Routes and Local Roads.

The County Routes provide the main traffic distribution function in any area and give priority to motorised road users. The Traffic Management Strategy splits County Routes into Priority 1 and Priority 2.

Priority 1 County Routes may be inter-urban or connecting routes, radial feeder or town centre access routes. What is important is the need to maintain free flowing traffic movement on them due to the function they perform within the network. Priority 2 County Routes are all those County Routes which do not fall into the Priority 1 category.

The Traffic Management Strategy defines Local Roads as being all non-County Routes, further subdividing into developed (generally residential) roads and rural (unclassified routes linking developed areas) roads.

Local roads support a different balance of motorised and non-motorised road users. Account must be taken of the differences in form and function of local urban roads and local rural roads.

The following web site link provides access to a map of the Essex County road network which details the road network forming the Functional Route Hierarchy

<http://www.essexworkstraffweb.org.uk/>

Appendix 5

Assessment System & Scoring Methodology

See separate document.

Prioritisation Methodology – Appendix 5

Viability 12 points

Contribution to economic development (e.g Residents parking).....	6 points
Sustainability –no displacement to other nearby roads	6 points

Finance 13 points

Funded externally and not from NEPP budget	10 points
Supports the hierarchy of routes, TRO Policy document.....	3 points

Impact 20 points

Parking regularly occurs within 10-15 metres of site request.....	5 points
Personal injury collision recorded and attributed to parking.....	10 points
Scheme/restriction is supported by relevant parties affected.....	5 points
(e.g residents & businesses-petitions available to evidence this)	

Accessibility 18 points

Parking inhibiting emergency services etc & is evidenced	7 points
Parking close to school, hospital, railway station etc	5 points
Parking conflicts with residents / non-residents needs	3 points
Long-term parking restricts short-term parking	3 points

Localised congestion 20 points

Parking causes localised congestion	5 points
(congestion score not applicable at school site requests)	
Parking causes congestion in peak periods (rush hours)	5 points
Parking request relates to an A or B routed classified road	5 points
Parking occurs on a bus route	5 points

Enforcement 17 points

Parking occurs during day (8am-6pm).....	3 points
Parking of a long duration (In excess of 4 hours).....	4 points
Parking close to existing restrictions	5 points
No other remedial action available.....	5 points
(e.g verge parking-land owner intervention required like erecting bollards)	

Maximum Score 100 points

Note: The engagement and consultation issues have been withdrawn from the revised scoring methodology as these occur at the decision points in the process. In a similar way, consultation is a part of the wider process.



North Essex Parking Partnership

18 June 2015

Title: North Essex Parking Partnership Operational Report
Author: Lou Belgrove, NE Parking Partnership
Presented by: Lou Belgrove, Business Manager, NE Parking Partnership

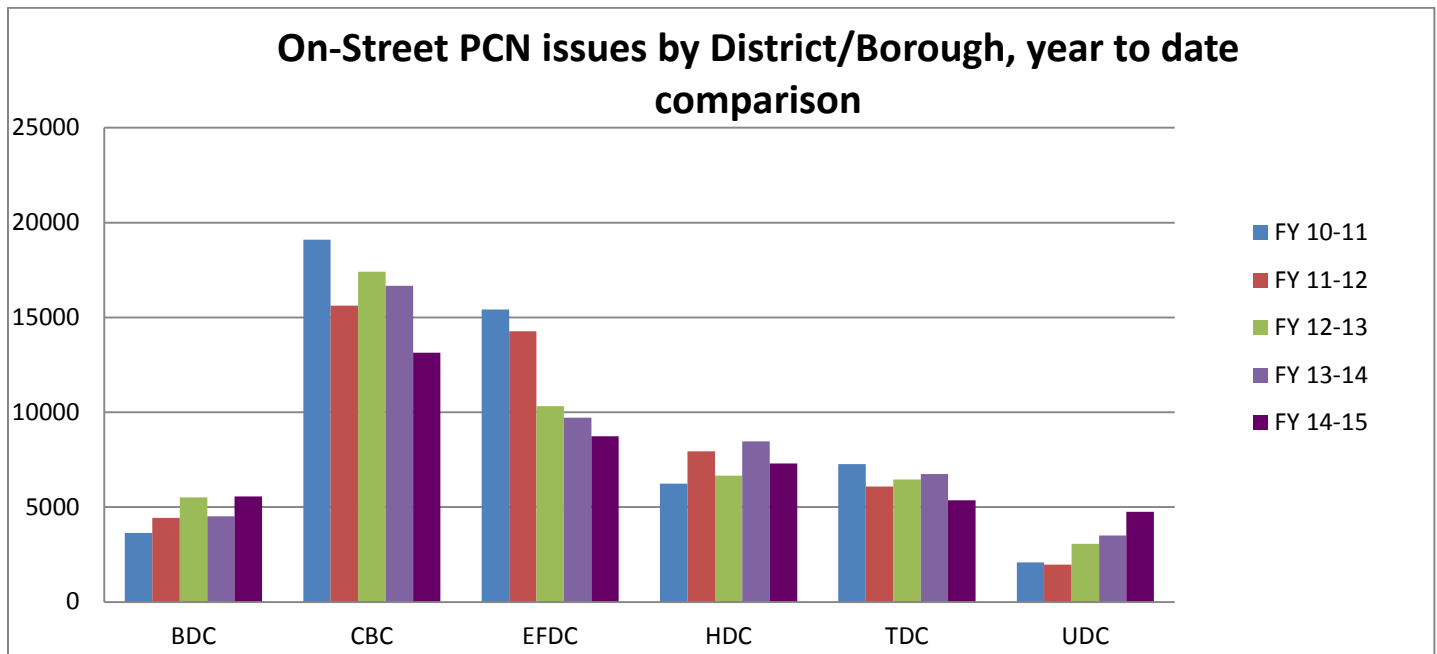
The report gives Members an overview of operational progress since March 2015.

1. Decision(s) Required:

1.1. To note the content of the report.

2. On - Street Performance measures

2.1. The following graph (supported by data in Appendix 1) shows the issue rate of all Penalty Charges for the on-street function, with a year to date comparison.



2.2. It would seem that across the Eastern and Western Districts the level of PCNs issued remains below that of previous years, however, the Central team continue to show an increase in both districts.

- 2.3. Overall, the number of PCNs issued on-street has declined over the last 4 financial years – this can be linked to general operational issues such as a decline in the number of staff available but could also be associated to fairer enforcement and driver compliance with fewer vehicles being parked in contravention across the Partnership districts.
- 2.4. The number of PCNs being issued continues to be effected by the depleted number of staff available to deploy. Whilst every effort is being made by the Enforcement Management team to ensure the teams are fully recruited to, sickness absence and secondments to cover absences in other districts continues to have had a negative impact across the board.

3. Enforcement News

3.1. Recruitment

- 3.1.1. In the Eastern Team - Since the last meeting, the team have welcomed two new Civil Enforcement Officers and currently still have one vacant post to recruit to.
- 3.1.2. In the Central Team – No further recruits have been appointed during the last two rounds of recruitment leaving 3 vacancies to still recruit to.
- 3.1.3. In the Western Team – One vacancy has been filled following the most recent recruitment drive, however, this still leaves 6 vacancies to fill.
- 3.1.4. Recruitment is on-going for all vacancies and adverts are currently out across the Partnership in all relevant job centres.

3.2. Projects

- 3.2.1. Following positive feedback from the officers within the team and from colleagues at the SEPP, a formal trial of the body worn cameras recently tested by the Central Team will now be undertaken.
- 3.2.2. These cameras will be used for monitoring and recording aggressive behaviour experienced during the course of a CEOs daily patrol. Statistics have suggested such use could play an important role in reducing the number of assaults against CEOs.
- 3.2.3. Work will now be undertaken by the Enforcement Area Managers and the suppliers to allow the formal trial to begin in the near future.

3.3. Partnership Working

- 3.3.1. Joint working with Tendring has now been operating for approximately 4 months with TDC officers focusing their attention on the enforcement of parking and waiting restrictions around specific schools in the district.
- 3.3.2. It was hoped with an increased officer presence at school start and finish times that parent parkers would be educated into parking in a more careful and safe way when attending the school.
- 3.3.3. Initial feedback is as suspected in that drivers tend to park as they should when officers are present but revert to dangerous and careless parking as soon as enforcement is focused elsewhere.

- 3.3.4. A “partnership review meeting” has been scheduled to allow NEPP officers to meet with TDC officers to discuss if any impact has been made and to review the future of the arrangement.
- 3.3.5. A further 6 month arrangement has been agreed with Felsted Parish Council for increased funded patrols following a successful initial trial.

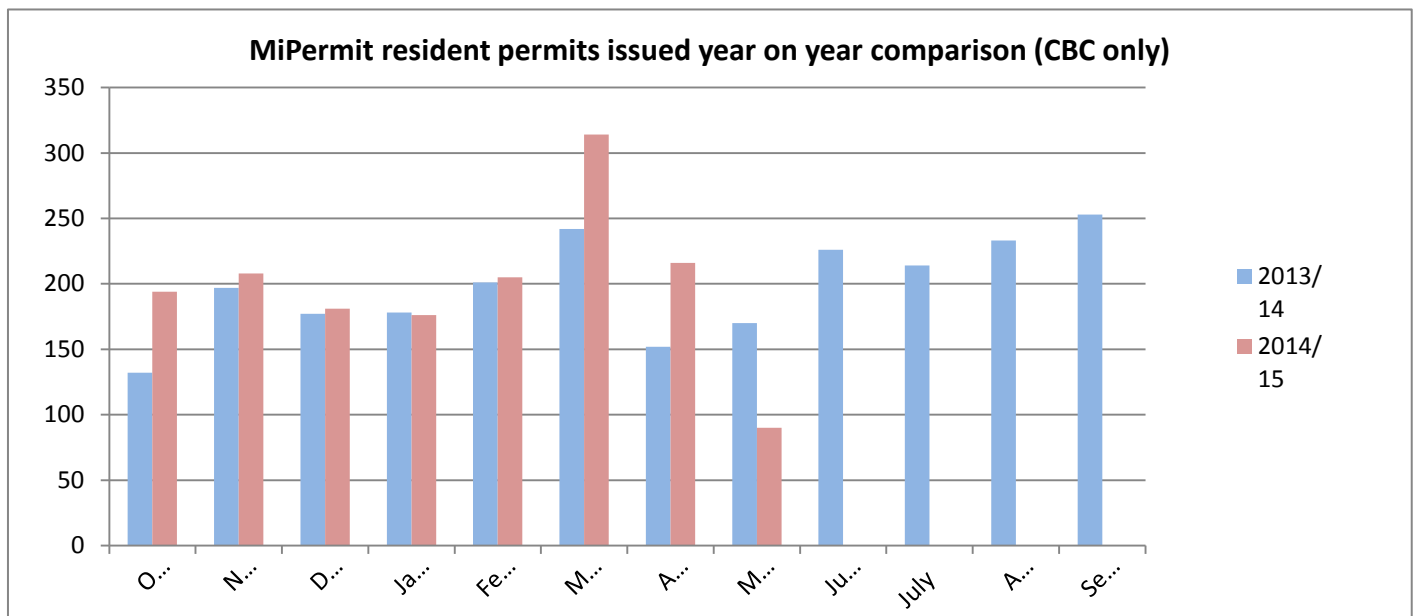
4. Back Office/Business Unit

4.1. CCTV vehicle

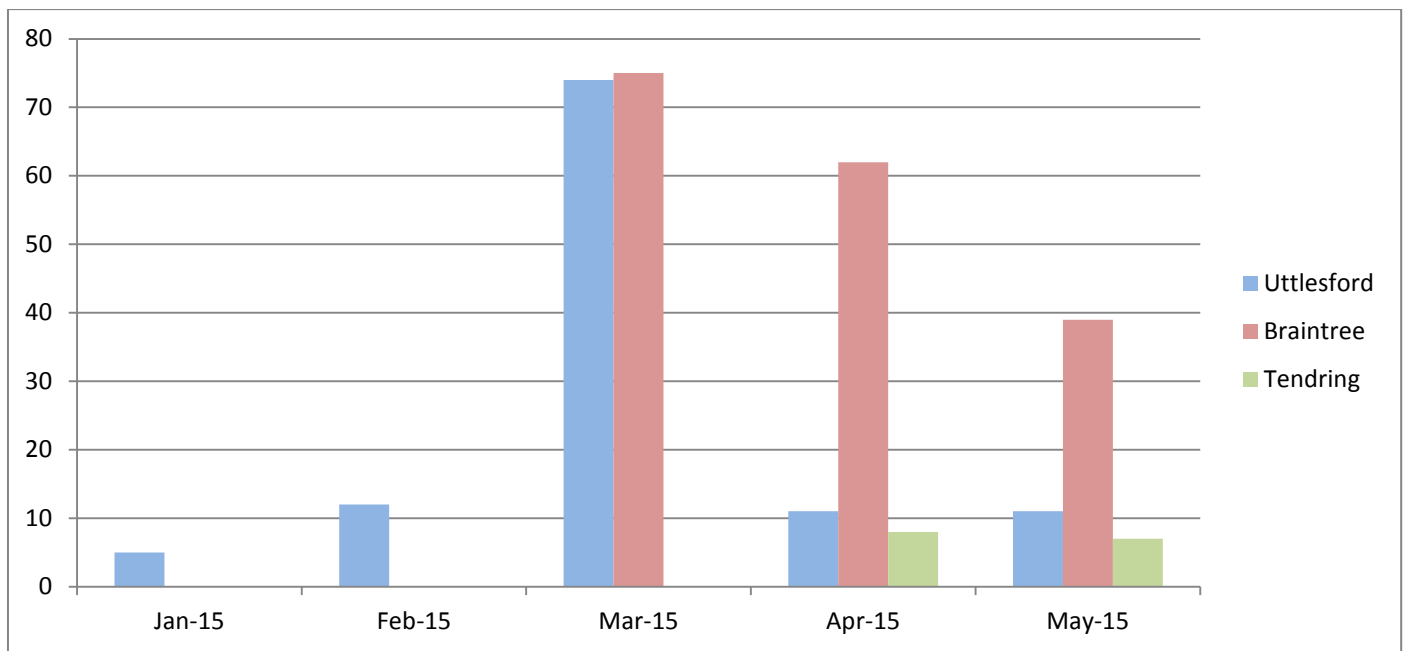
- 4.1.1. Testing by the supplier and software provider has now been completed and the vehicle is now able to “cross boundaries”, allowing for a more effective and efficient enforcement schedule.
- 4.1.2. Following recent changes in legislation governing the use of CCTV vehicles, we are now working with the supplier to ensure that the vehicle is used in such a way that it both complies with the legislation but is also used to its maximum advantage.
- 4.1.3. The supplier has been asked by NEPP to consider allowing the vehicle to be used as a “survey” vehicle during times that enforcement activity cannot be carried out and any outcomes will be reported at a future meeting.

4.2. MiPermit

- 4.2.1. Work on the roll out of the on–street resident element of the system continues. The system has recently been rolled out in Epping (from 2nd June 2015) following successful implementation in Colchester, Braintree, Tendring and Uttlesford. Implementation in Harlow will follow with quick succession.
- 4.2.2. The following chart shows the number of residents in Colchester who have converted from the paper permit system to the virtual system over the last two financial years.



- 4.2.3. Due to the gradual introduction of the virtual system and the varying nature of renewal timings, data relating to other districts is currently limited, however, the table below does give a pictorial indication of the initial sign up to the virtual system in the current “live” districts.



4.3. Training

- 4.3.1. Business Unit officers recently sat a 6 day City and Guilds level one Notice Processing course, with all but one officer gaining the qualification. Whilst the qualification is not essential to the role it is believed that officers would benefit from sitting the course and will help establish a level of professionalism within the industry.

4.4. Blog

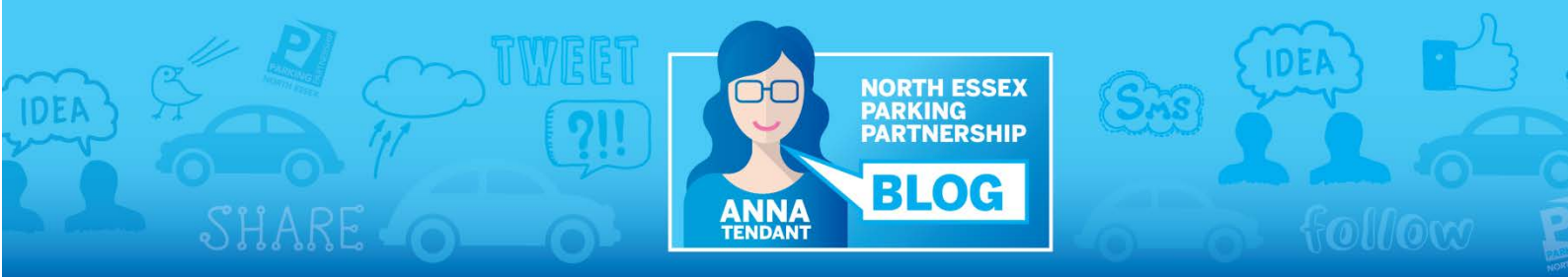
- 4.4.1. Since the North Essex Parking Partnership's (NEPP's) public blog was launched on 19 January 2015, it has proved to be popular and a very effective tool for sharing and communicating information with the public.
- 4.4.2. The statistics shown in Appendix 2 highlight the activity and growing readership and interest in the blog during its first three months (from 19 January 2015 to 31 March 2015).
- 4.4.3. To officially launch the blog, a press release was issued on 21 April 2015 which resulted in multiple mentions in the local media.
- 4.4.4. The blog has also been linked to the NEPP's website and posts relating to the weekly updates on the blog are shared on social media increasing the NEPP's presence and use of digital communications. Each of the partner authorities have also been asked to link to the blog from their website and share its social media messages.
- 4.4.5. To increase its appeal and improve its content further, the NEPP's Communications Business Partner is currently working on several future blog content ideas which include the use of video and will be continuing to ask partner authorities Communications Teams to help with its promotion.

5. Future work

- 5.1.1. The issues outlined at the last meeting, and discussed with Client Officers recently, make up the future work of the NEPP. The focus will remain on generating further efficiency in office systems and patrol deployment through "smarter enforcement" in order to reduce costs.

Appendix 1 – On-street Operational Report 18-06-2015

On Street PCNs by month, per District/Borough															
	BDC	CBC	EFDC	HDC	TDC	UDC			BDC	CBC	EFDC	HDC	TDC	UDC	
Apr-10	369	1605	1142	446	424	159		Apr-12	434	1195	1074	362	566	194	
May-10	359	1555	1437	391	767	177		May-12	379	1388	1200	422	484	202	
Jun-10	301	1471	1271	347	789	142		Jun-12	389	1171	940	540	525	236	
Jul-10	289	1293	1380	397	1108	172		Jul-12	474	1225	1091	509	596	275	
Aug-10	262	1758	1143	380	734	199		Aug-12	525	1249	1076	449	667	308	
Sep-10	321	1596	1283	386	607	207		Sep-12	504	1375	723	369	361	261	
Oct-10	323	1981	1284	473	738	249		Oct-12	448	1491	749	603	376	294	
Nov-10	339	2057	1554	897	617	293		Nov-12	431	1631	656	818	432	312	
Dec-10	235	1151	1105	490	314	94		Dec-12	459	1515	603	760	539	209	
Jan-11	286	1803	1448	692	506	132		Jan-13	467	1565	576	535	470	258	
Feb-11	263	1464	1151	795	453	149		Feb-13	570	1799	723	545	575	262	
Mar-11	290	1360	1222	543	216	118		Mar-13	437	1804	905	744	865	256	
FY 10-11	3637	19094	15420	6237	7273	2091	53752	FY 12-13	5517	17408	10316	6656	6456	3067	49420
Apr-11	298	1441	1081	700	593	139		Apr-13	444	1790	857	685	921	265	
May-11	383	1483	1079	837	464	146		May-13	373	2132	947	781	1002	263	
Jun-11	321	1449	1058	900	497	139		Jun-13	385	1519	802	858	736	324	
Jul-11	344	1556	1154	853	747	149		Jul-13	446	1782	748	880	727	322	
Aug-11	484	1340	1059	543	667	196		Aug-13	337	1331	741	892	461	278	
Sep-11	483	1257	1223	567	489	195		Sep-13	382	1154	661	610	372	274	
Oct-11	467	1620	1250	670	588	214		Oct-13	351	1234	858	566	523	212	
Nov-11	364	1214	1319	751	437	186		Nov-13	359	1250	940	783	549	333	
Dec-11	314	1123	1404	703	364	163		Dec-13	360	1078	884	682	326	273	
Jan-12	403	1141	1287	679	445	164		Jan-14	423	984	854	583	338	423	
Feb-12	246	843	1099	451	302	126		Feb-14	345	1191	659	522	301	250	
Mar-12	321	1157	1260	295	487	147		Mar-14	310	1224	768	630	484	283	
FY 11-12	4428	15624	14273	7949	6080	1964	50318	FY 13-14	4515	16669	9719	8472	6740	3500	49615
								Apr-14	368	910	729	453	367	307	
								May-14	486	1021	746	633	500	362	
								Jun-14	479	926	538	461	357	369	
								Jul-14	339	927	747	671	434	345	
								Aug-14	472	1285	624	565	612	402	
								Sep-14	472	950	691	630	443	395	
								Oct-14	491	1052	740	662	352	436	
								Nov-14	479	1262	837	741	465	318	
								Dec-14	426	1241	820	683	408	327	
								Jan-15	447	1190	773	649	535	478	
								Feb-15	556	1171	740	618	442	449	
								Mar-15	545	1208	745	540	451	559	
								FY 14-15	5560	13143	8730	7306	5366	4747	44852
								Apr-15	360	1258	781	694	279	391	

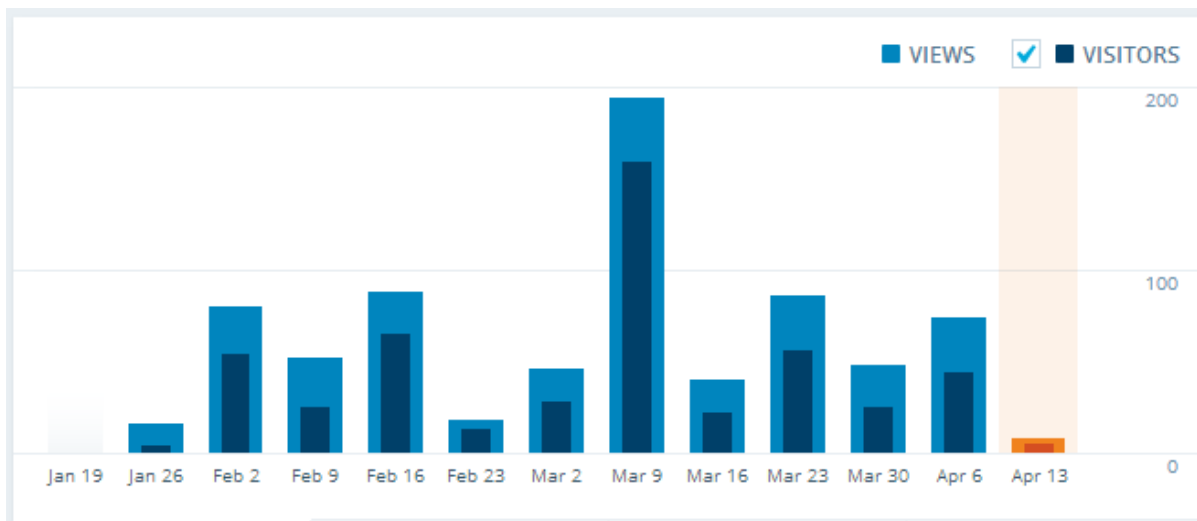


Blog Evaluation

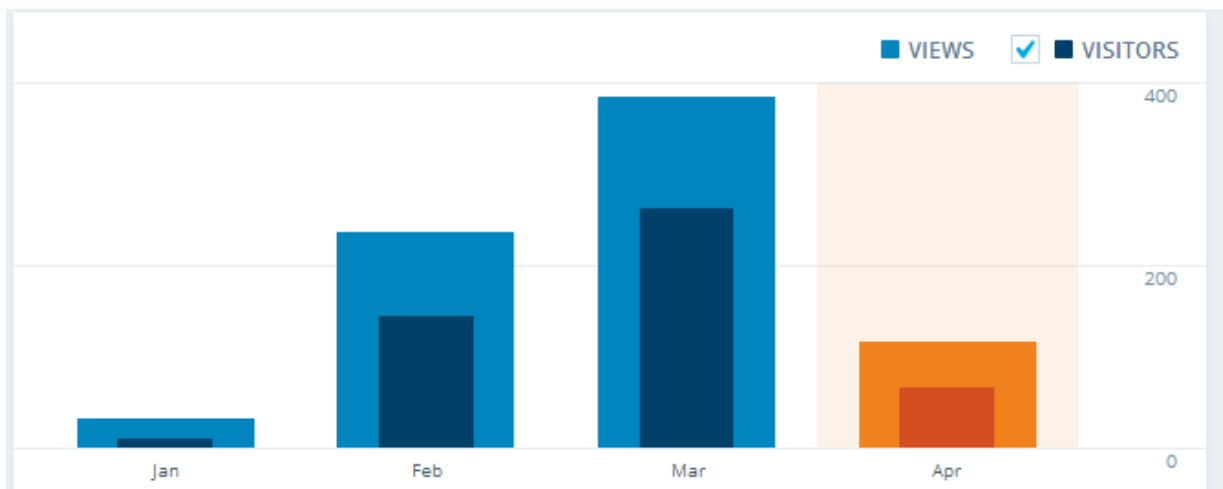
January – March 2015

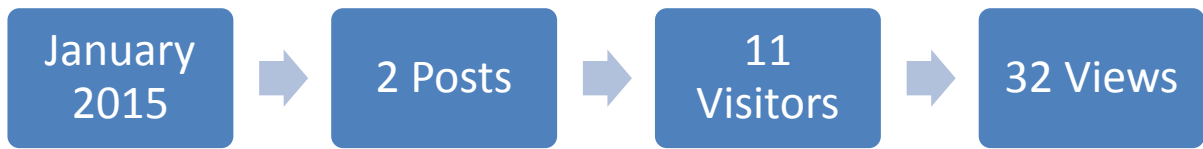
The North Essex Parking Partnership blog was created on 19 January 2015.

Weekly Statistics (Jan – Mar 2015)



Monthly Statistics (Jan – Mar 2015)





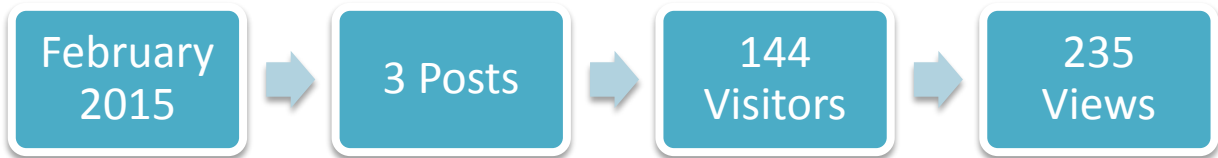
Top Referrers

1	Braintree.gov.uk	2
2	Google Search	2

Top Posts/Pages

1	Homepage Views	30
2	About	2

The Homepage lists the most recent posts at the top and is the address being promoted for the blog hence why the views are so high for it.



Top 5 Referrers

1	Twitter	66
2	colchester.gov.uk	32
3	parkingpartnership.org	28
4	Harlow.gov.uk	1
5	Google Search	1

Top Posts/Pages

1	Homepage Views	199
2	Access Restricted	25
3	Getting Out There	9
4	Going Digital	2

The Homepage lists the most recent posts at the top and is the address being promoted for the blog hence why the views are so high for it.



Top 5 Referrers

1	Facebook	90
2	parkingpartnership.org	63
3	Twitter	52
4	colchester.gov.uk	34
5	braintree.gov.uk	13

Top Posts/Pages

1	Homepage Views	247
2	The 10 Minute Rule	126
3	Going Virtual in Braintree	4
4	Hello!	2
5	Temporary Car Park Closures in Colchester	1

The Homepage lists the most recent posts at the top and is the address being promoted for the blog hence why the views are so high for it.

Topics Covered: Welcome, about the NEPP, Bank Holiday Parking, Seasonal Restrictions, Parking in Bus Stops (Contravention Code 47), parking on dropped kerbs, parking on pavements, changes in legislation (including the 10 minute grace period), job vacancies, car park closures, role of a CEO and MiPermit resident and visitor permit introduction in Uttlesford, Braintree and Tendring.

Brief Blog Summary Jan – Mar 2015

Positives

- Audience and reach is growing with increasing visitors and views each month.
- In March alone, there were nearly 400 views!
- NEPP now has a regular presence on social media utilising Facebook, Twitter and the blog which is also all integrated.
- Referrals are happening from the blog to parking partnership.org and vice versa
- Tweet about the 10 minute rule got 92 clicks – the second most popular tweet on @yourcolchester in past 18 months!
- Other authorities within the NEPP (particularly Harlow and Braintree) are bringing traffic to blog and helping to promote the blog online.

Future Enhancements

- Will link to specific posts on the blog rather than its homepage on social media to help with analysis and to help better identify most popular posts.
- Inclusion of videos in blog to make content more variable and interesting (starting with MiPermit App)
- Hard launch of blog e.g. press release to increase awareness and followers.
- Continue to encourage all NEPP authorities to promote the blog.

NORTH ESSEX PARKING PARTNERSHIP (NEPP)

FORWARD PLAN OF WORKING GROUP AND JOINT COMMITTEE MEETINGS AND REPORTS 2015-16

COMMITTEE / WORKING GROUP	DRAFT REPORT DUE DATE	CLIENT OFFICER MEETING	JOINT COMMITTEE MEETING	MAIN AGENDA REPORTS	AUTHOR
Joint Committee for On/Off Street Parking (AGM)	14 May 2015	21 May 2015 10-12pm Grand Jury Room, Town Hall Colchester	18 June 2015 1.00 pm Grand Jury Room, Town Hall, COLCHESTER	Scheme Updates	Trevor Degville/Shane Taylor (PP)
				TRO Schemes for approval	Trevor Degville/Shane Taylor (PP)
				Draft Accounts 2014/15	Steve Heath (CBC) 01206 282389
				Annual Governance Statement/ Risk Register	Hayley McGrath (CBC) 01206 508902
				NEPP On and Off Street Financial Position 2014/15	Matthew Young (CBC) /Richard Walker (PP)
				Braintree DC Task and Finish Review Recommendations	Richard Walker (PP)
				Parking Policy Review	Richard Walker (PP)
				Annual Report	Richard Walker (PP)
				Operational Report	Richard Walker / Lou Belgrove (PP)
CCTV Vehicle - Options	Richard Walker (PP)				
Joint Committee for On/Off Street Parking	01 October 2015	08 October 2015 10-12pm G3, Rowan House Colchester	29 October 2015 Tendring	Budget Update: 6 month position	Richard Walker/
				Price Review	Richard Walker (PP)
				Operational Report	Richard Walker / Lou Belgrove (PP)

COMMITTEE / WORKING GROUP	DRAFT REPORT DUE DATE	CLIENT OFFICER MEETING	JOINT COMMITTEE MEETING	MAIN AGENDA REPORTS	AUTHOR
				Annual Report Scheme Updates TRO Schemes for approval	Richard Walker (PP) Trevor Degville/Shane Taylor (PP) Trevor Degville/Shane Taylor (PP)
Joint Committee for On/Off Street Parking	19 November 2015	26 November 2015 10-12pm Grand Jury Room, Town Hall, Colchester	17 December 2015 Harlow	Budget Update Scheme Updates Forward Plan 16/17	Richard Walker Trevor Degville/Shane Taylor (PP) Jonathan Baker (CBC)
Joint Committee for On/Off Street Parking	11 February 2016	18 February 2016 10-12pm G3, Rowan House Colchester	10 March 2016 Uttlesford	Policy Review Operational Report TRO Schemes for approval	Richard Walker (PP) Lou Belgrove (PP) Trevor Degville/Shane Taylor (PP)
Joint Committee for On/Off Street Parking	19 May 2016	26 May 2016 10-12pm G3, Rowan House	23 June 2016 G3, Rowan House Colchester	Statement of Accounts Annual Governance Statement/ (schedule high up the agenda) Operational Report Scheme Updates Annual Report	Steve Heath (CBC) 01206 282389 Hayley McGrath (CBC) 01206 508902 Richard Walker / Lou Belgrove (PP) Trevor Degville/Shane Taylor (PP) Richard Walker

CBC / Parking Partnership Contacts

Parking Partnership Group Manager, Richard Walker
 Parking Manager, Lou Belgrove
 Technical Services, Trevor Degville
 Technical / TROs, Shane Taylor
 Service Accountant, Louise Richards

richard.walker@colchester.gov.uk
Christine.Belgrove@colchester.gov.uk
trevor.degville@colchester.gov.uk
shane.taylor@colchester.gov.uk
louise.richards@colchester.gov.uk

01206 282708
 01206 282627
 01206 507158
 01206 507860
 01206 282519

Governance, Jonathan Baker
Media, Alexandra Tuthill

jonathan.baker@colchester.gov.uk
Alexandra.Tuthill@colchester.gov.uk

01206 282207
01206 506167



North Essex Parking Partnership

Joint Working Committee Off-Street Parking

Grand Jury Room, Colchester Borough
Council, Colchester Town Hall, High
Street, Colchester, Essex, CO1 1PJ

18 June 2015 at 1.00 pm

The vision and aim of the Joint Committee is to provide a merged parking service that provides a single, flexible enterprise of full parking services for the Partner Authorities.

North Essex Parking Partnership

Joint Committee Meeting – Off-Street

Thursday 18 June 2015 at 1.00 pm

Grand Jury Room, Colchester Borough Council, Colchester Town Hall, High Street, Colchester, Essex, CO1 1PJ

Agenda

Attendees

Executive Members:-

Susan Barker (Uttlesford)
Anthony Durcan (Harlow)
Dominic Graham (Colchester)
Eddie Johnson (ECC)
Robert Mitchell (Braintree)
Gary Waller (Epping Forest)

Non-Executive Members:

Ray Howard (ECC)

Officers:-

Lou Belgrove (Parking Partnership)
Jonathan Baker (Colchester)
Trevor Degville (Parking Partnership)
Qasim Durrani (Epping Forest)
Joe McGill (Harlow)
Paul Partridge (Braintree)
Liz Burr (ECC)
Andrew Taylor (Uttlesford)
Shane Taylor (Parking Partnership)
Alexandra Tuthill (Colchester)
Richard Walker (Parking Partnership)
Matthew Young (Colchester)

	Introduced by	Page
1. Welcome & Introductions		
2. Election of Chairman To appoint the Chairman for the Joint Working Committee Off-Street Parking 2015/16		
3. Election of Deputy Chairman To appoint the Deputy Chairman for the Joint Working Committee Off-Street Parking 2015/16		
4. Apologies		
5. Declarations of Interest The Chairman to invite Councillors to declare individually any interests they may have in the items on the agenda.		
6. Have Your Say The Chairman to invite members of the public or attending councillors if they wish to speak either on an item on the agenda or a general matter.		
7. Minutes To approve as a correct record the Minutes of the 12 March 2015 meeting.		1-2
8. NEPP Off-Street financial position at year end 2014/2015 To note the financial position at year end 2014/15	Matthew Young/Richard Walker	3-5
9. Operational Report To consider and note the Operational Report for Off-Street Parking.	Lou Belgrove	6-8

NORTH ESSEX PARKING PARTNERSHIP JOINT COMMITTEE FOR OFF-STREET PARKING

12 March 2015 at 1.30pm

Committee Room 1, Braintree District Council, Braintree

Executive Members Present:-

Councillor Susan Barker (Uttlesford District Council)
Councillor Martin Hunt (Colchester Borough Council)
Councillor Robert Mitchell (Braintree District Council)
Councillor Gary Waller (Epping Forest District Council)

Apologies: -

Councillor Nick Barlow (Colchester Borough Council)
Councillor Anthony Durcan (Harlow District Council)
Councillor Eddie Johnson (Essex County Council)

Also Present: -

Councillor Edna Stevens (Harlow District Council)
Mike Adamson (Parking Partnership)
Jonathan Baker (Colchester Borough Council)
Lou Belgrove (Parking Partnership)
Sarah Sherry (Braintree District Council)
Trevor Degville (Parking Partnership)
Vicky Duff (Essex Highways)
Qasim Durrani (Epping Forest District Council)
Ann Hedges (Colchester Borough Council)
Joe McGill (Harlow District Council)
Hayley McGrath (Colchester Borough Council)
Samir Pandya (Braintree District Council)
Paul Partridge (Braintree District Council)
Shane Taylor (Parking Partnership)
Alexandra Tuthill (Colchester Borough Council)
Richard Walker (Parking Partnership)
Matthew Young (Colchester Borough Council)

Apologies:-

Liz Burr (Essex Highways)
Andrew Taylor (Uttlesford District Council)

16. Declaration of Interests

Councillor Barker, in respect of being a Member of Essex County Council, declared a non-pecuniary interest.

17. Minutes

RESOLVED that the minutes of the meeting of the Joint Committee for Off-Street Parking of 11 December 2014 be confirmed as a correct record.

It was noted that as Essex County Council had indicated to the Chairman that it was not willing to meet the financial pressure caused by the redundancy costs that resulted from the review of

the Off-street service that the deficit amount of £165k would need to be claimed from the partner authorities. A calculation would be made by NEPP officers and invoices would be issued to partner authorities in line with the amounts indicated in the report to the 11th December meeting.

18. Off-Street Budget Review and Budget 2015/16

Matthew Young, Colchester Borough Council, introduced the Off-Street Budget Review and Budget for 2015/16. At the previous Joint Committee meeting it was agreed that the Off-Street Budget be reviewed with a report brought back to this meeting, proposing budget options for the Off-Street account.

The Committee heard that the On-Street and Off-Street service had provided a number of benefits over the years, and that the aim is to balance the Off-Street budget by the end of the year. The recent G4S contract for cash collection provided a £48,000 saving, and further work will continue to manage down costs.

Matthew Young provided two options for the Joint Committee on the 2015/16 budget; the first is based on the level of work in each Authority being reflected in the allocated budget costs. The second option was for Colchester Borough Council to continue to contribute 50% of the Off-Street costs, due to the complexity of the Off-Street arrangements, and for a 1% increase from all the Partner Authorities.

Councillor Waller stated that an increase in contribution for Epping Forest District Council would be difficult to accept given the existing high contribution level. The Parking Partnership highlighted that the level of income in Epping would increase once the vacancies had reduced, which would offset the increase. Ann Hedges, Colchester Borough Council, stated that the level of increase is modest compared to the contribution offered by Colchester Borough Council for the Off-Street Budget next year.

The Committee agreed that further work be undertaken with Essex to try and achieve a greater level of funding.

The vote for the Off-Street Budget Review was as follows:

3 FOR (CBC, BDC, UDC)
1 AGAINST (EFDC)

RESOLVED that the Off-Street Budget for 2015/16 be agreed based on 50% contribution from CBC and a 1% increase for all other Partner Authorities.

19. Operational Report

Lou Belgrove, Parking Partnership, introduced the Off-Street Operational Report, stating that with the exception of Harlow District Council, there has been a continuing growth in popularity of MiPermit. There has also been a reduction in the number of PCN's being issued, which is as a result of Civil Enforcement Officers available.

The Committee requested that details of the datashare database be brought to the next Joint Committee meeting.

RESOLVED that the Operational Report be noted, and that information on the datashare database be brought to the next Joint Committee meeting.



North Essex Parking Partnership

18 June 2015

Title: NEPP Off-Street financial position at year end 2014/2015

Author: Matthew Young, Head of Operational Services

Presented by: Matthew Young, Head of Operational Services

This report sets out the end of year financial position on the North Essex Parking Partnership (NEPP) Off-street budget

1. Decision(s) Required

- 1.1. The Joint Committee are asked to consider the position at the end of the financial year and note the £4,000 deficit. As this amount falls within the £50,000 surplus/deficit limit agreed at the January 2014 meeting this will be held in a ring-fenced account by the lead authority and be offset against any surpluses from previous or future financial years.

2. Reasons for Decision(s)

- 2.1. This decision reflects the Joint Committee policy on surpluses and deficits agreed at the Joint Committee meeting held in January 2014.

3. Alternative Options

- 3.1. The deficit could be requested from each of the contributing partnership authorities in proportion to the percentages calculated for cash collection, but this would be in conflict with agreed Joint Committee policy.

4. Supporting Information

- 4.1. The detailed budget figures are set out in the Appendix to this report and comment on these are in the following paragraphs.

4.2. Expenditure

The savings on staffing have come from the vacancies carried in the enforcement teams throughout the year that are in the process of either being advertised or have now been filled. There is also an underspend relating to the adjustment in Enforcement staffing costs allocated to the off-street budget following the review of the off-street account undertaken during the financial year that reflects the actual amount of time spent on off-street enforcement.

The overspend in the Supplies and Services' budget mainly relates to the payment to G4S for cash collection services amounting to £105,000 under the contract that commenced seven months into the financial year and £52,000 that relates to expenditure on equipment and services for the extra work carried out for partner authorities on top of that covered by the annual contribution. Details of this are in the 'Income' paragraph below.

4.3. Income

The income received on the off-street account is fixed as it is mainly the contributions agreed with the participating authorities when the budgets are set. The increase by £5,000 for Colchester Borough Council relates to the management fee for administering the West Mersea and Dedham Partnerships which is then offset from the car parking income earned in these areas. The increase in the Epping Forest District Council (EFDC) contribution related to a quarterly payment of £2,500 to fund TRO works in addition to that delivered under the Off-street Service Level Agreement (SLA).

In addition income has been earned by carrying out work for partner authorities that was in addition to that paid for in the annex to the Joint Committee agreement. This has included:

- Amending the Parking Order for EFDC
- Support to introducing the changes for Blue Badge holders in Braintree
- Repairing machines in car parks across the Partnership
- Lining works in car parks across the Partnership
- New machines for Braintree DC purchased under the CBC Framework

5. Proposals

- 5.1. For the Joint Committee to confirm the decision as set out in the Decisions section of this report.

Background Papers

No background papers

NEPP: Outturn 2014/2015 & Budget 2015/16					Appendix A	
Off-street Account	2013/14 Actual	2014/2015 Actual out-turn	2014/2015 Budget to out-turn	2014/2015 Variance	2015/16 Budget	
Expenditure						
Direct costs						
Employee costs:						
Management	15	17	18	(1)	14	Parking Services Mgt Team staff costs
CEOs & Supervision	442	280	458	(178)	484	(15) CEOs & Supervisor staff costs (In-Year savings)
Back Office	114	113	110	3	117	Back Office staff costs
Off-street Account	381	435	432	3	182	(22) Off-street car park workers / cash collectors (In-Year savings)
Premises costs	2	8	2	6	3	Premises work to be recharged to partners
Transport costs (running costs)	7	7	9	(2)	20	Fuel, public transport etc
Supplies & Services	132	296	136	160	303	General expenditure
Third Party Payments	18	17	15	2	15	Chipside and TEC bureau costs
	1,111	1,174	1,181	(7)	1,139	
Non-direct costs						
Accommodation	12	9	14	(6)	10	Accommodation
Other Support Services	39	59	43	16	59	Accountancy, HR, insurance, HoS, etc
Cash Office & Receipting & Postage	30	8	30	(22)	6	Cash Office & postage
Communications	3	4	5	(1)	5	Communications
Fleet contract hire	47	41	32	9	43	Fleet costs
IT	10	59	17	43	56	IT costs
	143	179	141	39	179	
Total Expenditure	1,253	1,353	1,322	32	1,318	
Funded by:						
Braintree District Council	(142)	(146)	(146)	-	(147)	BDC contribution
Colchester Borough Council	(626)	(649)	(644)	(5)	(640)	CBC contribution
Epping Forest District Council	(262)	(280)	(270)	(10)	(272)	EFDC contribution; TRO contribution
Harlow District Council	(66)	(68)	(68)	-	(68)	HDC contribution
Uttlesford District Council	(148)	(152)	(152)	-	(154)	UDC contribution
Other income	(17)	(54)	(2)	(52)		Work for partners outside of normal duties (TROs)
Total Income	(1,262)	(1,349)	(1,281)	(67)	(1,281)	
Deficit / (Surplus)	(9)	4	41	(35)	37	



North Essex Parking Partnership

18 June 2015

Title: Off-Street Operational Report
Author: Lou Belgrove, NE Parking Partnership
Presented by: Lou Belgrove, Business Manager, NE Parking Partnership

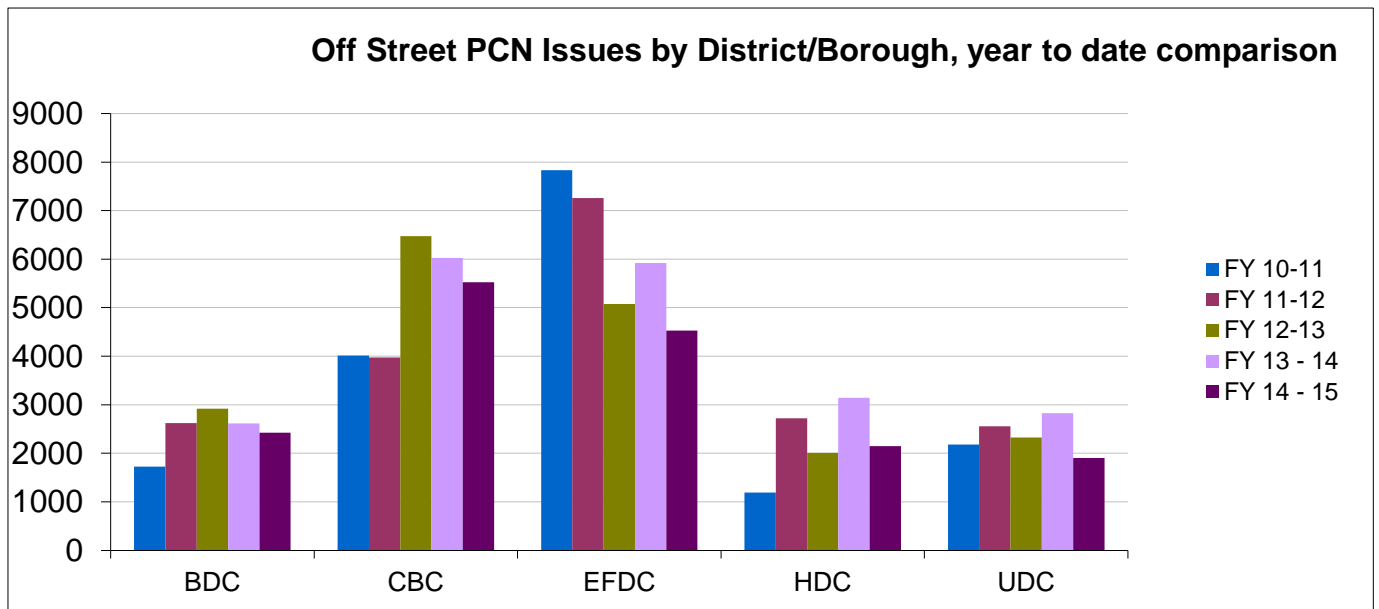
Updates Members of operational progress since the last meeting in March 2015.

1. Decision(s) Required

1.1. To note the content of the report.

2. Off-Street performance measure

2.1. The following graph (supported by data in Appendix 1) shows the issue rate of all Penalty Charges for the off-street function, with a year to date comparison.

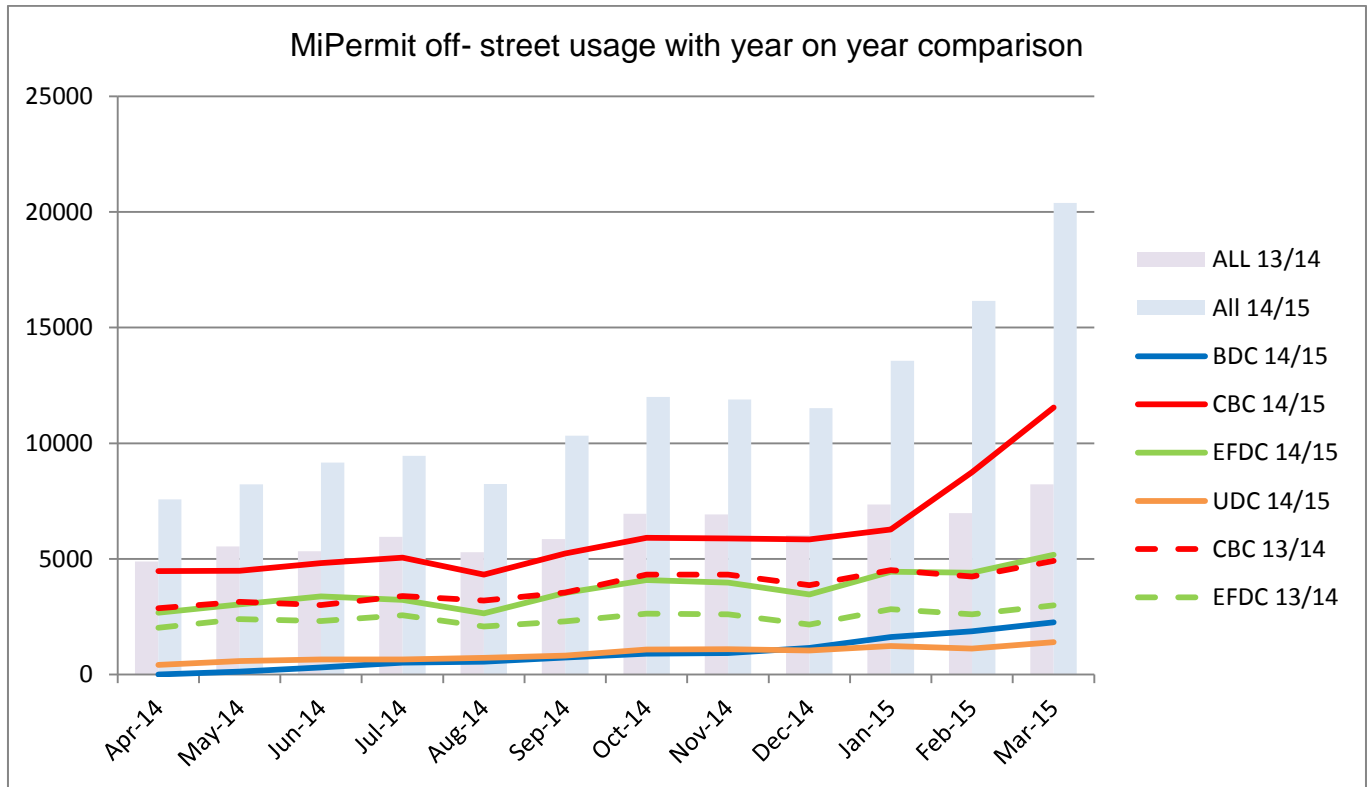


2.2. Across all districts there has been a decline in the number of PCNs issued off-street. As with on-street enforcement, this is linked to a decline in actual CEOs available to enforce and should be addressed following the further recruitment of staff.

3. MiPermit

3.1. Cashless parking continues to operate in all NEPP operated car parks (with the exception of Harlow).

3.2. The chart below shows the continuing growth in popularity of MiPermit as a payment option across the Partnership. NB – data not available in 2013/14 for BDC and UDC as system not active in these areas at this time.



3.3. MiPermit continues to prove to be a popular way to pay in Colchester’s biggest MSCP which can be seen in the significant spike in usage. Due to the long-stay nature of this car park during the working week, parkers are choosing to use MiPermit as opposed to finding change to pay at the machine each day with an average of 4000 MiPermit stays being booked per month in this car park alone.

4. Cash Collection

4.1. The new contract continues to operate across all relevant districts. Following a number of issues in regard to the collection schedule and reconciliation process, it has been requested that the Contract Manager has a weekly update telephone meeting with the NEPP Group Manager to ensure the issues do not continue.

5. Future Work

5.1. The issues outlined at the last meeting, and discussed with Client Officers recently, make up the future work of the NEPP. The focus will remain on generating further efficiency in office systems and patrol deployment through “smarter enforcement” in order to reduce costs.

Appendix 1 – Off-Street Operational Report – 18-06-2015

Off Street PCNs by month, per District/Borough														
	BDC	CBC	EFDC	HDC	TDC	UDC			BDC	CBC	EFDC	HDC	TDC	UDC
Apr-10	178	382	757	131	0	182		Apr-12	167	535	414	100	0	134
May-10	152	477	690	103	0	155		May-12	191	767	563	174	0	123
Jun-10	146	338	650	78	0	204		Jun-12	195	578	532	188	0	194
Jul-10	157	306	782	89	0	231		Jul-12	266	557	489	172	0	201
Aug-10	156	321	685	81	0	189		Aug-12	281	627	506	187	0	199
Sep-10	158	232	653	81	0	229		Sep-12	233	535	342	170	0	198
Oct-10	150	287	700	67	0	213		Oct-12	255	541	293	161	0	210
Nov-10	147	339	631	139	0	209		Nov-12	263	516	297	176	0	191
Dec-10	110	227	400	95	0	155		Dec-12	260	527	269	180	0	187
Jan-11	118	319	587	110	0	131		Jan-13	250	372	383	131	0	231
Feb-11	131	376	632	116	0	136		Feb-13	266	403	485	148	0	264
Mar-11	124	410	662	103	0	145		Mar-13	295	516	505	222	0	196
FY 10-11	1727	4014	7829	1193	0	2179		FY 12-13	2922	6474	5078	2009	0	2328
Apr-11	144	355	599	202	0	135		Apr-13	246	596	507	280	0	233
May-11	228	406	581	275	0	203		May-13	206	770	466	360	0	331
Jun-11	265	332	586	302	0	195		Jun-13	239	626	592	299	0	268
Jul-11	279	363	629	342	0	250		Jul-13	281	696	427	367	0	315
Aug-11	345	367	607	259	0	301		Aug-13	250	528	493	361	0	220
Sep-11	276	281	623	223	0	285		Sep-13	240	439	456	196	0	294
Oct-11	262	332	667	294	0	285		Oct-13	242	400	599	231	0	322
Nov-11	218	239	771	217	0	266		Nov-13	266	423	588	222	0	294
Dec-11	156	194	561	181	0	153		Dec-13	193	317	378	173	0	136
Jan-12	185	456	653	164	0	210		Jan-14	163	348	511	192	0	186
Feb-12	129	172	436	108	0	122		Feb-14	145	413	444	203	0	104
Mar-12	133	477	546	151	0	154		Mar-14	143	468	459	258	0	124
FY 11-12	2620	3974	7259	2718	0	2559		FY 13 - 14	2614	6024	5920	3142	0	2827
								Apr-14	164	520	319	220	0	109
								May-14	227	499	495	219	0	145
								Jun-14	229	385	387	210	0	179
								Jul-14	178	476	416	225	0	180
								Aug-14	149	518	361	253	0	153
								Sep-14	131	444	324	171	0	158
								Oct-14	183	463	396	159	0	162
								Nov-14	181	493	376	156	0	127
								Dec-14	187	309	413	148	0	114
								Jan-15	230	417	362	143	0	167
								Feb-15	265	513	349	137	0	184
								Mar-15	297	484	332	105	0	223
								FY 14 - 15	2421	5521	4530	2146	0	1901
								Apr-15	212	477	317	180	0	162