

CABINET MEETING – 5th November 2008

EXECUTIVE SUMMARY SHEET – PART I

Title of Report:

Sunderland Parking Enforcement Consultancy Review

Author(s):

Chief Executive (Acting)

Purpose of Report:

To outline to Cabinet details of RTA Associates Ltd's Review Report in respect of parking enforcement in Sunderland.

Description of Decision:

Cabinet is recommended to note the contents of the report.

Is the decision consistent with the Budget/Policy Framework? Yes

Suggested reason(s) for Decision:

The completion of the Sunderland Parking Enforcement Consultancy Review by RTA Associates Ltd is an important step in ensuring the fitness for purpose of parking enforcement arrangements in Sunderland.

Alternative options to be considered and recommended to be rejected:

There are no alternative options.

Is this a "Key Decision" as defined in the Constitution?

Yes/No

Is it included in the Forward Plan?

Yes/No

Relevant Review Committee:

Environmental and Planning

SUNDERLAND PARKING ENFORCEMENT CONSULTANCY REVIEW

Report by: The Chief Executive (Acting)

1.0 Purpose

- 1.1 To outline to Cabinet details of RTA Associates Ltd's (RTA) Review Report in respect of parking enforcement in Sunderland.

2.0 Description of Decision

- 2.1 Cabinet is recommended to note the contents of the report.

3.0 Background

- 3.1 Decriminalised Parking Enforcement (DPE) was introduced in Sunderland in February 2003. Decriminalised parking legislation enabled the council to take over from Northumbria Police the enforcement of on-street waiting, loading and parking restrictions. From 31 March 2008 DPE has been known as Civil Parking Enforcement (CPE) which introduced additional enforcement powers available to the council.
- 3.2 The council entered into a seven-year contract with National Car Parks (NCP) Ltd in February 2003. The contract covered the enforcement of all on street regulations within Sunderland and the management of the council's off street car parks.
- 3.3 In mid August 2005 the council received an enquiry related to Penalty Charge Notices (PCNs) and concerns were expressed by members of the public that PCNs had been wrongfully issue to people who had parked in Taxi Ranks.
- 3.4 On 24 August 2005 the Director of Development and Regeneration commissioned a Post Implementation Review (undertaken by the Council's Internal Audit Service) of the parking enforcement arrangements to assess:
- The arrangements that were put in place to implement the parking enforcement scheme, and
 - The subsequent management and operational arrangements within the council and with NCP.
- 3.5 The Post Implementation Review concluded that the implementation and operational management of parking enforcement in Sunderland had not been as systematic and comprehensive as they should have been, which resulted in anomalies and inconsistencies in the day-to-day operational management of the arrangements. The Review made a number of specific recommendations and an Action Plan was developed to address these recommendations.
- 3.6 Counsel's advice relating to a number of aspects of the arrangements in place at the time confirmed some problems with the parking enforcement

arrangements but emphasised that there was no basis for claims that the overall arrangements were unlawful. The advice led to remedial works in relation to the operational aspects of the scheme, including Traffic Regulation Orders, lines and signs and making refunds in relation to a number of PCNs.

3.7 In addition to the Post Implementation Review much work was undertaken after August 2005 to resolve issues that had been identified in connection with the parking enforcement arrangements in respect of:

- Inconsistencies between what was provided in Traffic Regulation Orders (TROs) and what was signed on site
- Signing, and
- The introduction of new TROs.

Refunds were made where there was a doubt over effectiveness of or omission of a provision in a TRO. Those motorists claiming to have been misled by signing had the option of using the appeal process.

3.8 Following consideration of how the council may best assure itself as to future service delivery Cabinet agreed at its meeting in November 2006 that on street parking services and surface level car parks should be brought in house with the remaining off street responsibilities being retained by NCP. The service transferred to the council on 1 December 2007.

4.0 Sunderland Parking Enforcement Consultancy Review

4.1 DPE/CPE was introduced in Sunderland to promote the most efficient use of the road network and public parking space in the city, optimising the use of kerbside space and providing access for all road users, increasing the vitality of the City Centre and other locations in the city.

4.2 At its meeting in December 2005 Cabinet agreed that an independent review of parking enforcement should be commissioned as soon as all of the action identified as deemed necessary following the Post Implementation Review had been satisfactorily addressed.

4.3 Following the seeking of quotations, RTA were engaged in May 2008 to undertake a review of parking enforcement in the city to “advise on the fitness for purpose of the council’s systems and processes for the delivery of its responsibilities regarding CPE.”

4.4 RTA’s review included:

- A comprehensive full systems and procedures check including paper and computer records
- Review and advice on the management and enforcement of parking (including the creation and maintenance of necessary TROs from February 2003 onwards) including the identification of appropriate best practice operated by other local authorities
- An evaluation and assessment of the effective implementation of the revisions to arrangements identified as part of the Post Implementation review, and

- A definitive assessment of the fitness for purpose of the current parking enforcement arrangements in Sunderland to deliver the council's responsibilities regarding the operation of appropriate (legally compliant) and effective parking enforcement arrangements and the identification of any recommended improvement actions to achieve fitness for purpose (including the preparation, in conjunction with the client group, of new systems improvement actions and procedures manuals in respect of those areas of activity where, based on the comprehensive full systems and procedures check, they are considered necessary).
- 4.5 In addressing the above, RTA's Review Report focuses on:
- All aspects of the creation, management and quality control of TROs, and
 - A review of the whole activity of enforcement and its support processes.
- 4.6 The aim of RTA's Review Report is to advise Members by:
- Providing an assessment of the overall parking service
 - Assessing and reporting on the operation of CPE
 - Assessing and reporting on the robustness of the TROs in Sunderland
 - Providing a comparison of current processes and procedures to the council's Action Plan, and
 - Reporting on the 'fitness for purpose' of the whole service for the future.
- 4.7 RTA's Review Report and its Appendices are attached to this report as Appendices A and B. In addition, to update Cabinet on progress, Appendix C (Annex to RTA's Appendices) reports council progress in respect of actions identified in Appendices B and F(ii) of the Review Report.
- 4.8 Key findings of the Review Report include:
- The parking service provision is fit for purpose and the council is commended for its efforts in providing a quality service that in RTA's view is in the upper quartile nationally
 - The council has achieved very high standards of parking service provision while also recognising that continuous improvements are needed to make the system more efficient and cost effective, and ensuring it remains legal and fair
 - The rapport between Civil Enforcement Officers and the public is excellent and the professional manner in which queries are dealt with is commended
 - Of 11,603 PCNs issued in 2007/2008 only 16 were lost when appeals were made to the independent adjudication service. RTA is of the view that this is an excellent indicator that quality notices are being issued as opposed to quantity, and that this is an indicator that TROs are robust as challenges are not proving to be successful against the legal validity of the Orders
 - The Parking Services section is striving to bring about improvements to the service as fast as possible. The service is highly motivated and morale among the staff is high
 - The council has achieved a high standard of parking service provision and has worked hard towards completion of the tasks listed in the Action Plan. Completion of these and taking action on the main recommendations of the review and the Business Process Re-engineering report in respect of the Traffic and Road Safety Service will help make the Parking Service stronger

and more robust although it has to be said that the service is already well above average in comparison to other authorities.

4.9 The Review Report identifies 7 Priority Recommendations which should be undertaken promptly to improve fitness for purpose, 29 Main Recommendations (which should be undertaken to improve the service) and 14 Recommendations (which could be undertaken to achieve further improvements).

4.10 Following Cabinet's consideration of the Review Report, relevant officers led by the Chief Executive (Acting) will monitor progress on the implementation of the Consultant's recommendations with further input, where necessary, from RTA regarding specific recommendations, as provided for in the Study Brief.

4.11 A further report on progress will be presented to Cabinet and the Environmental and Planning Review Committee in due course.

5.0 Reasons for Decision

5.1 The completion of the Sunderland Parking Enforcement Consultancy Review by RTA is an important step in ensuring the fitness for purpose of parking enforcement arrangements in Sunderland.

6.0 Alternative Options

6.1 There are no alternative options.

7.0 Consultations

7.1 The review has been procured and undertaken in full consultation and cooperation with all relevant council directorates.

8.0 Financial Implications

8.1 The costs implications of all recommendations from the Sunderland Parking Enforcement Consultancy Review that are adopted by the council will be met within existing budgets.

9.0 Background Papers

- Sunderland Parking Enforcement Review Report October 2008
- Sunderland Parking Enforcement Review Report Appendices October 2008