

SUNDERLAND CITY COUNCIL

PARKING ENFORCEMENT REVIEW

APPENDICES

October 2008

**(DOCUMENT 2 OF 2)
(Document 1 of 2 is the Main Report)**

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APPENDIX A: PARKING REVIEW RECOMMENDATIONS

1: Priority Recommendation - The Consultant recommends this must be undertaken as a priority to improve fitness for purpose

2: Main Recommendation - The Consultant recommends this should be undertaken to improve the service.

3: Other Recommendation - The Consultant recommends this could be undertaken to enhance the service.

REPORT CHAPTER /REF. NO.	PRIORITY	DESCRIPTION	REASON	COMMENCEMENT/ DECISION DATE	LEAD SERVICE AREA
		Part A: TRO Management			
42	2	i) That the council holds a half-day seminar for everyone involved in managing parking and TROs that underpin that management including Councillors and Senior Officers.	To appraise all members and officers of their responsibilities and input to the process.	November 2008	Office of the Chief Executive
44/49	2	ii) The restructuring of the Traffic and Road Safety section should be completed as soon as possible, and be subject to a review after six months.	To support the formalisation of the interim staffing structure measure as part of the BPR process.	November 2008	Traffic & Road Safety
51	2	iii) A formal system to prioritise service requests is implemented as quickly as possible. This may have two levels, an 'immediate reject' and a 'reject after further investigation' and deletion of the phrase 'promised list'.	To give a more considered response to requests for schemes that are deemed to have merit and to avoid raising expectation that all schemes will happen	December 2008	Traffic & Road Safety
61	2	iv) A joint TRO process procedure is	To ensure more open	November 2008	Traffic &

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		developed by Legal Services and the Traffic and Road Safety section, with issues clearly defined as the responsibility of the appropriate discipline.	communication between the various sections responsible for delivery of parking management. Legal Services already has a process that requires amalgamating with a process from the Traffic and Road Safety section.		Road Safety Legal Services
67/68	2	v) The council converts its TROs to mapped schedules and that a preferred schedule format is agreed and schedules created direct from ParkMap whether maps or text.	To assist in the accuracy of writing, managing and publicising the TROs.	July 2009	Traffic & Road Safety Corporate ICT
		<u>Part B: TRO survey and preambles analysis</u>			
104	3	i) Further work takes place to create a generic set of articles covering all scenarios. The Orders as they stand are legal and robust, this item of work would simply make the Orders easier to understand for everyone in the making, delivering and administering of the Orders if a consistent set of Articles were to be used.	For consistency of approach for all officers and to make the orders easier to understand.	April 2009	Legal Services
93	2	ii) Minor maintenance and drafting	To ensure those TROs	Immediate	Legal

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		issues identified in the sample survey are rectified in respect of the minimal tolerances used for measurement in general.	surveyed are correct on site to the tolerances required.		Services Traffic & Road Safety
		Part C: Parking Admin. Service			
N/A	2	i) A permanent Parking Services Manager is appointed to take the service forward.	To bring more stability to the service.	Immediate	Parking Services
128	2	ii) Work to produce a complete set of standard documents processes and procedures be continued and prioritised.	To give consistency of approach.	Immediate	Parking Services
126	2	iii) Start to plan for the end of the NCP Services contract for IT provision.	To bring the whole IT provision back in house and under council control to reduce costs and improve efficiencies.	January 2009	Parking Services
114	3	iv) Methods of issuing of blue badges be examined with the potential to transfer the service to Parking Services.	The prevalence of Blue Badges nationally is under review. Parking Services would have better control over the number and types of issue.	January 2009	Parking Services Health Housing & Adult Services
113	2	v) That a new PCN flowchart is produced covering the new legislation	This is to replace the previous flowchart used	Immediate	Parking Services

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		under TMA 2004 and this is made available to all administration staff and management.	for the 1991 Road Traffic Act.		
N/A	3	vi) That the current PCN is amended to remove the need to record the colour of a vehicle.	This is not required by legislation and is the subject of challenges when it is not necessary to be part of the process.	Immediate	Parking Services
120	3	vii) Following receipt of a witness statement stating that the original NTO had not been received, the repeat NTO is hand delivered and a photograph of the actual delivery is taken, time and date stamped, as evidence for the future.	To avoid repeated statutory declarations (or witness statements under the new legislation re-occurring on the grounds that the documentation was not received by the appellant.	November 2008	Parking Services
121	2	viii) That the system of taking postal payments is reviewed such that the PO Box number on the PCN is that of the Cashier's office. This will speed up the processing of this type of payment.	This reduces workflow time and the margins for error in processing payments.	Immediate	Parking Services
149/171	1	ix) That the parking website is developed further.	Information on the council's website in relation to parking is minimal at best. This	Immediate	Parking Services Corporate

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			whole aspect should be reviewed and developed. Update terminology used and there should be a better facility to offer on-line PCN payments. To provide clarity on parking matters to the general public. Locations of the parking stock and mapped schedules could be put on the website to assist motorists in where and when they can and cannot park.		ICT
		<u>Part D: Enforcement Service Provision</u>			
132	2	i) The whole enforcement service should be brought back in house as soon as the current contract with NCP Services concludes.	The review has shown that the in-house service since Nov 2007 is working extremely well and should be expanded to cover the whole service provision.	January 2009	Legal Services Corporate Procurement Development & Regeneration
133	2	ii) Deployment beats should start to be	New staff can be	Immediate	Parking

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		worked up in anticipation of the new staffing structure and the potential increase in scooters to cover more weekend working, areas outside of the City Centre and providing more evening deployment.	deployed as soon as they are trained up to give more coverage across the city.		Services
141	1	iii) As a matter of priority the Enforcement Manager should to be given full access to the IT system and extra training in the use of the system.	This is essential so that full monitoring and managing of the enforcement service can be undertaken.	Immediate	Parking Services Corporate ICT
144	3	iv) Review whether the council on street CCTV can be linked to the police control room.	To reduce the fear of crime among staff on site and to assist any lone worker policy.	November 2008	Parking Services Development & Regeneration (Property Services)
144	3	v) That independent compliance surveys are undertaken on several beats.	To catalogue potential PCN issue based on independent analysis, to prove a fair regime of enforcement has been adopted and should alleviate some public concerns over the nature	November 2008	Parking Services

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			of the service.		
133	3	vi) When the resource is fully staffed it would be prudent to obtain up to three more scooters to allow quicker access to areas on the periphery of the city and to outlying districts.	A more mobile team will assist in deploying beyond the 6pm threshold and to allow easier access to weekend deployment when the bus services are not as frequent.	November 2008	Parking Services
74/75/138/139	2	vii) Develop a process to cover how required remedial work is best reported by the enforcement team to the Traffic and Road Safety section, through to confirmation back to the enforcement team that works have been completed. A priority listing/scoring mechanism should be worked up for the remedial requests so that areas in greater need are dealt with first.	To ensure essential work is carried out in priority order in terms of the parking service provision. This will allow budgets to be spent on mainstream repairs.	December 2008	Parking Services
76/77	2	viii) That internal agreement is reached for a process and responsibilities for signs and lines erection and maintenance that affect the parking service provision. That the contracts with Aurora and CCS are renegotiated to include signs and	To reduce or avoid delays in replacing defective or missing signs and lines when identified on site.	December 2008	Traffic and Road Safety Development & Regeneration (Highways)

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		lines repair and erection for the parking service provision. That a set of procedures are written which includes standards, checking processes and defined rectification for signs and line remedial work for Parking Services.			Maintenance) Parking Services CCS
132	3	ix) Parking section to take over the inputting of the NCP services manual tickets from the radio controller, or amalgamate this post in to the in-house service.	To prepare for the whole service going in-house.	April 2009	Parking Services
144	2	x) Introduce a unique numbering system on the pay and display machines.	Allows easier referencing in terms of reporting machine faults.	Immediate	Parking Services
144	3	xi) Engage DVLA in discussions as to how best to improve the response by DVLA as a result of the council reporting of out of date tax discs.	To develop a quicker response from DVLA to move illegal vehicles off the street.	January 2009	Parking Services
144	3	xii) Amend the appeals card to move the phone number to the front of the card and out of the appeals section.	To remove any misunderstanding that the general enquiries number is not a method of appealing.	April 2009	Parking Services
		<u>Part E: Cash Receipting and Call Centre</u>			

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148	2	i) Use of the Contact Centre should be better integrated into the Parking strategy and Introduce CRM software to the call centre and create specific links to the parking section IT system.	The service is inefficient at present, with limited access to parking related information, and a lack of awareness on the part of Contact Centre management of their role and how parking as a service is changing.	December 2008	Parking Services Customer Services Corporate ICT
155	2	ii) Parking back office procedures for payment handling could be streamlined.	To provide a more efficient internal system; currently there is double handling of information.	November 2008	Parking Services
154	2	iii) The requirements of the Parking section should be built into the specification for the new council payment processing system. Dialogue with Corporate Procurement is required.	To ensure that the new payment system covers the needs of Parking Services.	Immediate	Parking services City Treasurers (Financial Services) Corporate Procurement
121	2	iv) Introduce workflow processing techniques within the PCN processing software.	To create a more efficient internal operation from the use of automatic workflow	January 2009 (subject to iii) above)	Parking Services

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			processes.		
150	2	v) The Contact Centre, payment processing and Parking Services should be provided with access to the PCN database.	To have the ability to respond to enquiries giving full details rather than taking blind payments or having to transfer calls around the sections.	December 2008	Parking Services Customer Services Corporate ICT
		Part F: IT review			
157	1	i) Preparations commence to bring the IT system in-house at the end of the current contract with NCP Services and that the council look to procure an entirely new IT system coincident with bringing the service in house..	This could reduce costs by an estimated £100,000 over 5 years and also provide a bespoke system for the council which will also allow for the scanning of all documents giving a more efficient service and make it easier in matching up case details and to provide better data access. The new system could also be purchased that will allow automatic production and mailing	December 2008	Parking Services Corporate Procurement Corporate ICT

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			of post to supplement the current manual methods in use.		
159	1	ii) Planning for the replacement of the IT service should commence. A procurement process should occur, starting no later than the end of 2008, with an implementation date of about a year later. A decision is required on the future of the contracting strategy for the council parking IT provision.	The contract for the provision of this service ends in February 2010.	December 2008	Parking Services Corporate Procurement Corporate ICT
		Part G: Finance			
173	1	i) Consideration be given to increasing the overall signs and lines maintenance funding allocation or identify adequate funding in a separate maintenance account.	To cover parking related repair work as an invest to save measure as the current allocation is under funded.	Immediate	Traffic and Road Safety
177	3	ii) Adopt the Band 2 level for PCNs at the earliest opportunity.	To introduce a further deterrent to illegal parking and to align with national policy, which would be subject to a council policy decision.	December 2008	Parking Services
176	3	iii) Review the cash collection service with a view to preparing to bring the whole service back in house at the	To introduce efficiencies in the system with more internal audit control and to allow the current	November 2008	Parking Services Property

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		end of the current contract.	property lease to expire and save costs.		Services (Security & Emergency section)
		<u>Part H: Legal Processes</u>			
68	2	i) Consider adopting plans as schedules to the Orders.	Covered in section A.	July 2009	Traffic & Road Safety Corporate ICT
61	2	ii) That Legal Services agree a workflow chart with the Traffic and Road Safety section that sets out the responsibilities for the process of implementing new and amended Orders.	Covered in section A.	November 2008	Legal Services Traffic & Road Safety
		<u>Part I: Review of Action Plan and comments on the BPR</u>			
193	2	i) Undertake a further review of the May 2008 action plan.	Ongoing internal work has progressed numerous issues and other work already undertaken as a result of this report. A review of the action plan will show this progress.	Refer to Appendix C ongoing work	Traffic & Road Safety
	2	ii) Act upon those elements of the action	To ensure progress is	Immediate	Traffic &

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		plan that depend upon the BPR without waiting for completion of the BPR wherever possible.	made as soon as possible and to avoid any delays. In particular the BPR project will deliver an improved prioritisation system for those schemes with merit. It is necessary to identify whether the BPR process will be ready in time to deliver the 2008/2009 programme. Work on prioritisation should not be delayed as a result.		Road Safety
N/A	2	iii) That the BPR process is given council funding and backing and is prioritised for completion.	To ensure continuous improvement of the service.	December 2008	Traffic & Road Safety.
193	3	iv) That the Consultant meets with the BPR officers in six months time to discuss these review findings and to review overall progress.	To monitor the parking service and to assess the progress made.	April 2008	Office of the Chief Executive

ANNEX: COMPLETED ACTIONS

REPORT CHAPTER /REF. NO.	PRIORITY	DESCRIPTION	REASON	COMMENCEMENT/ DECISION DATE	LEAD SERVICE AREA
		<u>Part A: TRO Management</u>			
89	1	vi) Restriction descriptions are written to a tolerance of +/- one metre.	To provide a basis for the TROs that is more manageable and flexible.	Complete	Traffic & Road Safety Legal Services
54	2	vii) That the council develop a set of guidelines for what type of parking or waiting restrictions to consider when designing a scheme.	To give consistency of approach.	Complete	Traffic & Road Safety
		<u>Part C: Parking Administration Service</u>			
108	1	x) The Parking Charter is updated.	To coincide with the new legislation introduced within the TMA 2004, to include correct contact details and to include any amendments to car park usage information which includes tariff changes.	Complete	Parking Services
106	2	xi) That following the amalgamation of the two administration offices, additional training is undertaken by the administration staff members so	Current set up is that officers either undertake pre or post notice to owner work but not both.	Complete	Parking Services

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		that generic working by all the team can be undertaken on all aspects of the appeals process.	Generic working will help the workflow in covering absences.		
119	3	xii) Introduce a pre debt registration letter before going to county court for debt registration.	To reduce the number of debts registered and to give recipients of PCNs a last chance to pay This will give a further ten days to pay the outstanding amount prior to involving bailiffs.	Complete	Parking Services
		<u>Part D: Enforcement Service Provision</u>			
143	2	xiii) Purchase a Dictaphone or recording system for use by the radio controller.	To record incidents when urgent matters on site need a record of the event such as a Code Red.	Complete	Parking Services

Note:

N/A – Recommendation that is not included in the main report (except for the Executive Summary) but has been transferred to this appendix

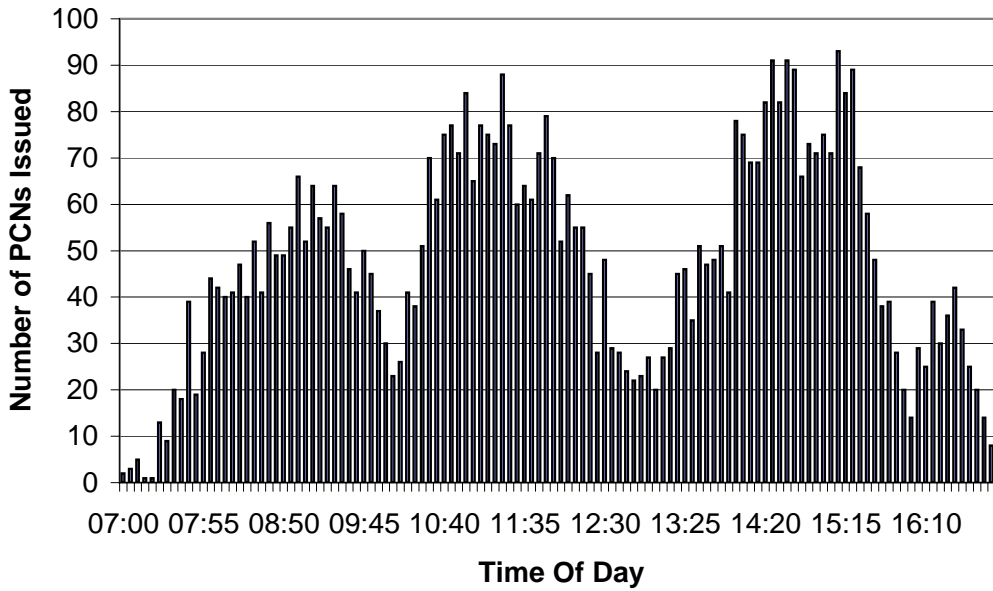
APPENDIX B: SURVEY TO TRO COMPARISON (See Annex to Appendices)

APPENDIX C: ACTIONS FROM RTAA'S INITIAL WORKING PAPER – ACTION PLAN

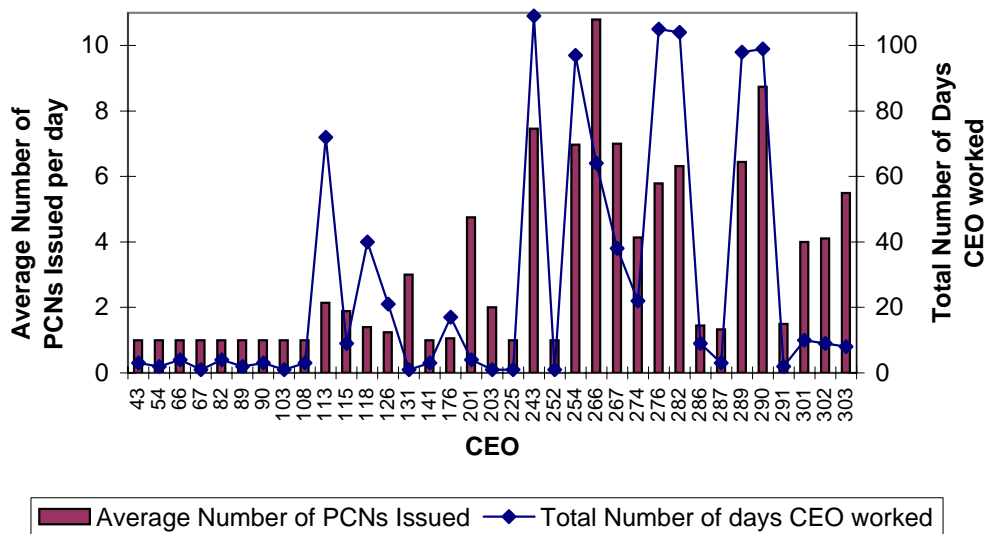
Item	Comment	Anticipated Implementation Date/Actions
1. TRO maintenance and repairs	Fault reporting –not all faults are acted on immediately and need to be more responsive	Completed - weekly updates introduced. Electronic version was introduced in August. Now need to review system to implement necessary repairs
2. Enforcement service	Widening of evening enforcement	Recording problem sites to undertake programme of enforcement when team up to full complement. In the meantime periodic evening enforcement to continue in conjunction with the Police.
	Replacement of expired Laura Street permits	Completed. New permits will be issued as part of Sunderland South Consolidation Order.
3. Notice Processing Administration/Call Centre	Need to combine pre and post NTO staff	Completed. All staff now located in Civic Centre
	Langdale system can only produce large reports on CD	New system planned from Feb 2010
4. IT Process Review	New cash receipting system	Planned for Dec 08/Jan 09
	Offer payment online	Available. System to be improved as part of the new cash receipting system.
	Bring IT system platform in-house	Planned for February 2010
5. Other Issues	Introduce pre-bailiff action letter	Completed.
	Take cash collection in-house	Planned for February 2010 as part of the new management arrangements
	Need to determine intended action at end of NCP's contract	Report prepared for Cabinet in November 2008

APPENDIX D: ENFORCEMENT STATISTICS

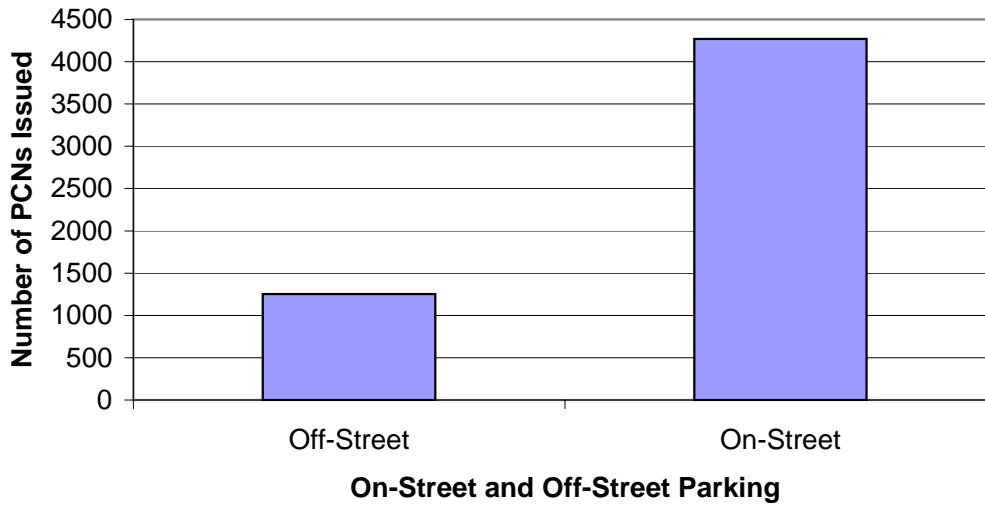
Sunderland City Council
 Analysis of PCN Issuing throughout the average day
 January - June 2008



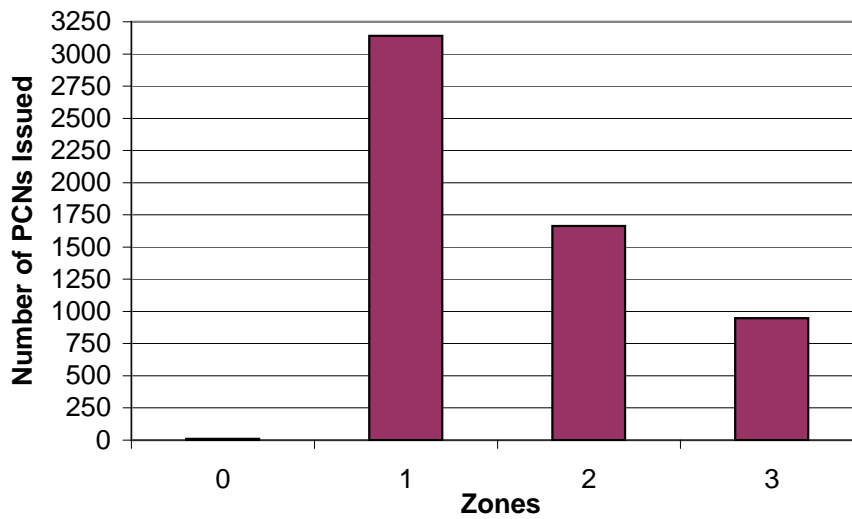
Sunderland City Council
 Average Number of PCNs Issued per Day
 against the Total Number of Days worked
 January - June 2008



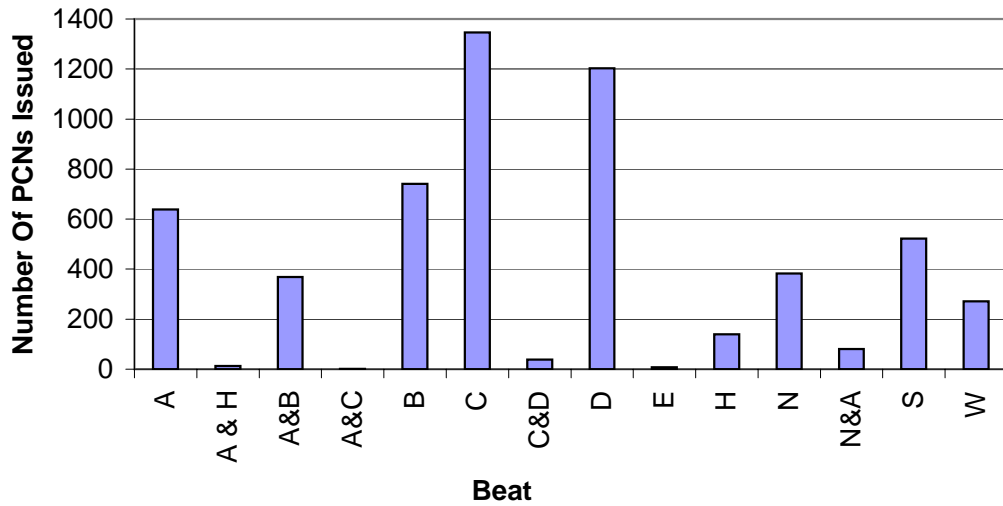
Sunderland City Council
Amount of On-street and Off-street PCNs Issued
January - June 2008



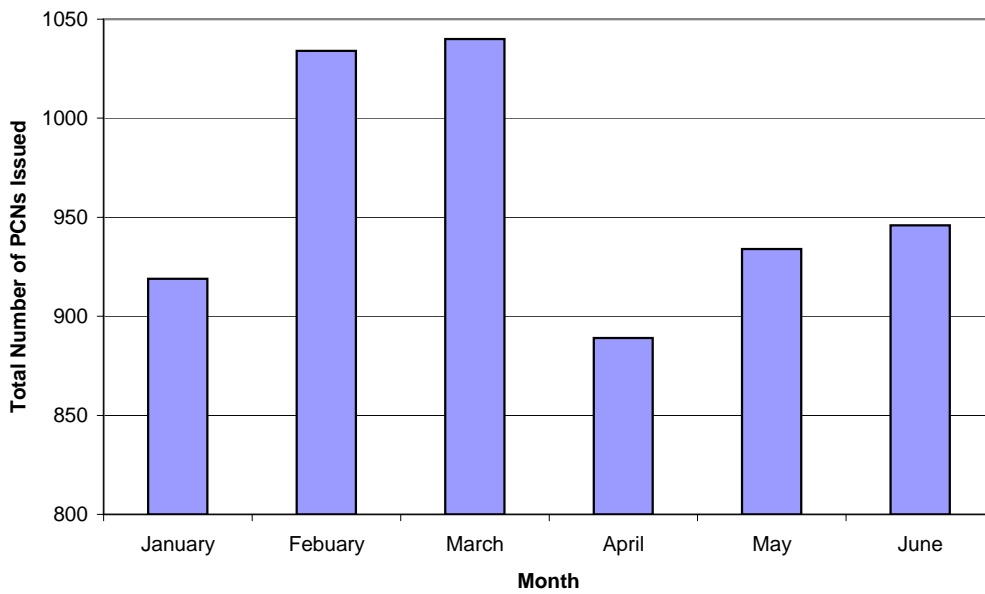
Sunderland City Council
Number of PCNs Issued in each Zone
January - June 2008



Sunderland City Council
Number of PCNs Issued in each Beat
January - June 2008



Sunderland City Council
Total Number of PCNs Issued
January - June 2008



APPENDIX E: ESTIMATED IT COST FOR NEW SYSTEM

SUNDERLAND CITY COUNCIL - IT PROCUREMENT ESTIMATED SAMPLE COSTS

ITEM NO	ITEM DESCRIPTION	NO. REQ'D	UNIT COST	LINE TOTAL	NOTES	First year	Second and subsequent years
1	Processing system (PCNs and Permits)	6	£1,250	£7,500	5+ year licence cost	£7,500	
2	Post code software (PAF)	3	£85	£255	Annual cost	£255	£255
3	Hand held software licence	20	£250	£5,000	5+ year licence cost	£5,000	
4	Training	10	£250	£2,500		£2,500	
5	Installation	8	£250	£2,000		£2,000	
6	Implementation	6	£250	£1,500		£1,500	
7	Project management	8	£250	£2,000		£2,000	
8	Hand held software support	10%		£500	Annual cost	£500	£500
9	Processing system support	20%		£1,500	Annual cost, year 2 onwards	£0	£1,500
10	DVLA enquiries, say	10000	£0.05	£500	Annual service	£500	£500
11	Hand helds	20	£650.00	£13,000	3 year life on average??	£13,000	
12	Mobile printers	20	£450.00	£9,000	3 year life on average??	£9,000	
13	docking equipment	2	£210.00	£420		£420	
14	Digital cameras	20	£120.00	£2,400	Assume annual renewal	£2,400	£2,400
						<u>£46,575</u>	<u>£5,155</u>
					Total 5 year cost		<u>£67,195</u>

Excludes server capacity, communication, operating systems, database systems, office systems etc

APPENDIX F (i): COMMENTS ON BPR REPORT

Appendix F (i)

Review of Business Process Re-engineering

Project brief

a) These comments relate to the version 1.0 of the Project Brief, dated 23rd January 2008, using the same paragraph headings as that brief.

Purpose

b) The Consultant believes that the project brief identifies the main issues which are considered to be:

- high profile negative publicity
- lack of standardisation
- service expectations out-stripping ability to deliver
- fire-fighting rather than proactive operations
- difficulties with recruitment, retention and morale

c) The Consultant believes these to be the correct issues. A lot of work is happening to change the operation, but inevitably this will take time.

Objectives

d) The project brief says the main objective is to reduce the number of road traffic accidents, reduce the number of complaints and improve the response rate of members' queries. Whilst these issues are important in delivering a good service, the Consultant believes this does not directly suit the purpose of the review. The Consultants opinion is that the BPR should be to deliver processes that allow the section to deliver the councils priorities whatever they are as they can change with time.

e) Whilst important, the accidents objective is one of many requirements of the section. Similarly, the number of complaints and the response rate to members should be a natural outcome of an efficient process, not a process designed to meet these specific objectives.

Scope, exclusions and relationships

f) The tasks of the team, within the context of their whole operation, are accurately identified, but perhaps would be better by prioritisation.

Outline deliverables

g) The Consultant agrees with the outline deliverables.

Constraints, opportunities and assumptions

h) The Consultant agrees with the constraints, opportunities and assumptions.

BPR flow charts

i) There are various parts of the review that have had considerable work on them. These have been presented in the form of flow charts. The Consultant has taken each of these and made comments on their progress to date.

Review of requests and prioritisation for service

j) The Consultant has no specific comments on details. The process needs to be rationalised to allow requests to be dealt with efficiently. This is important throughout the whole lifecycle of a request. It may be just one letter or telephone call that completes the request. However, it is more likely to be a continued process, where a request is received, prioritised, reviewed and implemented. It is important that a set of policies manages that whole life-cycle.

k) It is essential that there is a set of policies on how to prioritise requests. This seems very vague at present.

Investigation

l) This area is outside the remit of the parking review and the Consultant has no specific comments.

Detailed design

m) This area is outside the remit of the parking review. However, the Consultant has one comment that may be useful. At the point where it is decided that a TRO is needed, it is commented that drawings are produced in AutoCAD. These are presumably consultation drawings. For the TROs, it would be better to produce these in ParkMap, as a separate layer, a proposed order. These will need to be drawn into ParkMap anyway, and doing it at this stage reduces the need for transcription later, double-handling the work with the risk of errors. The Consultant was told that this happened, but it appears not to be reflected in the process.

Consultation

n) The various stages of consultation are not yet clear. The Consultant is aware that there are differences of opinion about how consultation should take place. Depending on the size of the project, good practice would be to carry out one round of consultation about the whole scheme, including the parking restrictions, and to have a further round if the scheme changes significantly. From a statutory point of view, the only legal requirement is to publish details of the intention to make a TRO and invite objections. The Consultant recommends that for most schemes it would be appropriate to have one round of informal consultation followed by one statutory consultation.

o) Also the amount of detailed design for consultation is overly prescriptive. For example, it is not necessary for a consultation drawing to have the exact locations of signs and drawing numbers. Types of sign and their spacing are defined in the Traffic Signs Regulations and General Directions (2002) (TSRGD 2002). They may be supplemented with Council policies.

p) For example, this might be a policy on whether it is better to create a CPZ and sign at its entrances, or whether an area should be signed throughout. Therefore this sort of information does not need to go to consultation as it should not be altered anyway.

TRO preparation and making

q) As stated elsewhere in this report, the Consultant agrees with the Council's decision to have a separate team dealing with TROs. The process for formally consulting upon a TRO appears to correct and appropriate. It would be appropriate for the check list for the TRO to reflect all of these, together with responsibilities (Legal services and Traffic and Road Safety) and target dates. This is particularly useful towards the end of the process where there should be close co-ordination between Traffic and Road Safety section installing the orders on the ground, Legal services making and sealing the order and Parking services being able to enforce.

r) Traffic and Road Safety section has produced a separate flow chart of the TRO preparation and making process. It would be useful for the BPR review to revisit that spreadsheet and check that it is doing what all the Council wishes it to, and that the BPR proposed flowchart covers all the processes.

Contracting

s) The process of ensuring the signs and lines are put on the ground is covered under "contracting". It appears to be appropriate and it is good to see that some work has been done to set target dates for this. Again, this process is covered in more detail in section 4 of the main report.

APPENDIX F (ii): COMMENTS ON ACTION PLAN (See Annex to Appendices)

APPENDIX G: SUNDERLAND PARKING ENFORCEMENT - CONSULTANTS' BRIEF

1.0 Introduction

Sunderland City Council is seeking to employ consultants to undertake an independent external review of the parking enforcement arrangements in Sunderland and advise on the fitness for purpose of the council's systems and processes for the delivery of its responsibilities regarding Civil Parking Enforcement.

2.0 Background

Decriminalised Parking Enforcement (DPE) was introduced in Sunderland in February 2003. Decriminalised Parking legislation enabled Sunderland City Council to take over from Northumbria Police the enforcement of on-street waiting, loading and parking restrictions. From 31 March 2008 DPE is now known as Civil Parking Enforcement (CPE) and there are additional enforcement powers available to the council.

The council entered into a seven-year contract with National Car Parks Ltd on 3 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. NCP also provided the following services:

- Emptying and maintaining Pay and Display machines
- Cleaning multi-storey and off street car parks
- Management of initial correspondence
- Issuing notice to owner letters, and
- Receiving payments.

In mid August 2005 the council received an enquiry related to Penalty Charge Notices (PCNs) and an allegation from members of the public that these had been wrongfully issue to people who had parked in Taxi Ranks. Whilst preliminary enquiries were undertaken, a potential issue was highlighted in relation to on street parking charges and it was decided to take Counsel's advice on the matter concerned.

On 24 August 2005 the council commissioned a Post Implementation Review 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.

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 by the council to address these recommendations.

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 arrangements were unlawful. The advice did lead to extensive overhauling of the operational (lines, signs and orders) aspects of the scheme. It also necessitated undertaking to make refunds where PCNs were inappropriately issued.

In addition to the Post Implementation Review and actions in respect of Counsel's advice, much work was undertaken after August 2005 to resolve irregularities 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
- Roads/Streets in respect of which no TRO existed to support existing signing
- Signing which did not comply with the requirements of the Traffic Signs Regulations and General Directions Order 2002

- Steps taken to address these issues including the introduction of new TROs and rectification signing.

In October 2006, an edition of the BBC's documentary series "Inside Out" looked at aspects of the operation of parking enforcement arrangements in Sunderland using covert filming. The programme identified a number of serious issues over the operation of the parking enforcement scheme in the city.

Following consideration of how the council may best assure itself as to future service delivery and seek to restore its reputation and that of the city, it was decided that on street parking services should be brought in house with off street responsibilities being retained by NCP. The service transferred to the council on 1 December 2007.

3.0 Scope

DPE 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.

The independent external review of the parking enforcement/CPE arrangements in Sunderland will:

- 3.1 Include a comprehensive full systems and procedures check including paper and computer records
- 3.2 Review and advise upon 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
- 3.3 Evaluate and assess the effective implementation of the revisions to arrangements identified as part of the internal review undertaken in August 2005, and
- 3.4 Provide a definitive assessment of the fitness for purpose of the current parking enforcement/CPE arrangements in Sunderland to deliver the council's responsibilities regarding the operation of an appropriate (legally compliant) and effective parking enforcement/CPE arrangements and the identification of any recommended improvement actions to achieve fitness for purpose (as described above) (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).

4.0 Existing Information

The documentation listed in Appendix B has been forwarded electronically to all consultants invited to submit quotations for the review and should be taken into account in submitting quotations.

All information and documents held by the council and made available for inspection during the quotation period will be assumed to have been read and understood by the consultant at the time of tender. The consultant will be deemed to have taken account of the information contained therein.

5.0 Other Considerations

Confidentiality will need to be maintained and the client is to be advised before any external bodies are consulted.

6.0 Project Management

The Client and Contracting Body for the Review is Sunderland City Council. The council's Primary Point of Contact is J. Beaney, Policy Manager (Tel. No.: (0191) 561 1132, email: jon.beaney@sunderland.gov.uk) who will provide support and information as required by the appointed consultants to facilitate the completion of the Review.

The Deputy Chief Executive of the City Council will lead a client group comprising the council's City Solicitor, Director of Development and Regeneration and Assistant City Treasurer (Audit and Procurement). The client group will be supported by J. Beaney.

7.0 Programme

It is anticipated that an appointment will be made at the earliest opportunity, with the review commencing and completing as soon as practicably possible thereafter (with the latest possible date for completion of 30 June 2008).

A detailed programme for the review will be prepared by the consultants and agreed by the client group.

8.0 Deliverables

The consultant will be required to produce five copies of a Final Report. The format of the Final Report is indicated in Appendix C. All information shall be prepared in electronic format.

Production of the Final Report will be preceded by the production and submission to the client group of 5 copies each of a First Draft and Second Draft Report. The client group will aim to provide written comments on the First Draft Report and Second Draft Reports within 2 weeks of their receipt from the consultant.

The Final Report must be accompanied by the production of Procedures Manuals (as agreed as necessary between the consultants and the client group and in a format agreed by the client group) in respect of those areas of the council's parking enforcement activities where they are considered necessary.

The Draft Reports will be preceded by an Interim Report by the consultants at the mid-point of the study. The Interim Report should highlight key issues and present preliminary conclusions based on evidence collected up to that point. The findings should generate further lines of enquiry and frame the direction of the second half of the study. The Interim Report should not jump to hasty conclusions and should be presented in such a way that it identifies what the consultant considers, at that stage of the study, to be the core themes and issues (within the requirements of the Study Brief) to be pursued through the remainder of the Study.

9.0 Terms of Appointment

The appointment shall be based on the Association for Consultancy and Engineering Short Form Agreement 2002 (revised 2004) as modified by the client (See Appendix).

9.0 Fees

Fees are to be time based as detailed on Schedule 1.

Target fees for time charge work will need to be established and agreed before work commences. Such targets shall not be exceeded without the prior approval of the client's representative.

10.0 Meeting and Reporting

The consultant shall allow for reporting and attendance at meetings. As a minimum these will include:

- Initial briefing meeting with client group
- Interim progress meetings with client group on a 2 weekly basis
- Brief progress reports to be submitted to the client's Primary Point of Contact on a weekly basis (these may be submitted by email).

Informal liaison will be required throughout.

11.0 Proposal

Submissions will be assessed on the basis of 70%/30% quality and price split.

The consultant is required to submit the following as part of the project proposal:

- Methodology and approach statement including any proposed collaborative working arrangements (19% of 70%)
- Details of key staff in respect of each aspect of work and the consultants project leader (19% of 70%)
- Brief details of all staff who may be involved in the project and their status in relation to the time based fee categories (19% of 70%)
- Details of the consultant's experience in delivering projects of a similar nature (including contact details for two referees, one in respect of the undertaking of work of an identical or similar nature the other regarding the consultancy's professional capability) (19% of 70%)
- A preliminary programme to confirm ability to meet key dates and understanding of the project requirements (19% of 70%)
- Interview (5% of 70%)
- Priced schedule 1 (30%)
- Health and Safety Method Statement
- Confirmation from insurers of Professional Indemnity Insurance of £2,000,000

Appendix A

ACE Short Form Agreement 2002 (revised 2004)

See separate attachment

Additional Clauses

The following additional clauses are to be included in the Agreement.

In the event of any conflict with the standard Agreement the additional clauses shall be deemed to apply.

1 COMPLAINTS IN RESPECT OF SERVICE PROVISION

1.1 The Consultant shall deal with any complaints received from whatever source in a prompt, courteous and efficient manner. The Consultant shall keep a written record of all complaints received and of the action taken in relation to such complaints. Such records shall be kept available for inspection by the Client's Representative at all reasonable times. The Consultant shall notify the Client's Representative forthwith in writing of all complaints received and of all steps taken in response thereto.

2 CONFIDENTIALITY

2.1 The Consultant shall not without the written consent of the Client's Representative during the Contract Period or at any time thereafter make use for its own purposes of, or disclose to any person (except as may be required by law), the Contract Documents or any information contained therein or in any material provided to the Consultant by the Council pursuant to the Contract or prepared by the Consultant pursuant to the Contract, all of which information shall be deemed to be confidential.

2.2 The Consultant shall neither dispose nor part with possession of any material provided to the Consultant by the Council pursuant to the Contract or prepared by the Consultant pursuant to the Contract, other than in accordance with the express written instructions of the Client's Representative.

2.3 The Consultant shall not and shall ensure that its employees do not divulge to any third party any information which comes into its or their possession in the course of providing the Service.

2.4 The Consultant shall indemnify and keep indemnified the Council against all actions, claims, demands, costs, charges and expenses whatsoever in respect of any breach by the Consultant of this Condition.

2.5 This Condition will continue in force notwithstanding the termination of the Contract for any reason.

3 AGENCY

3.1 Neither the Consultant nor its employees shall in any circumstances hold itself or themselves out as being the servant or agent of the Council, otherwise than in circumstances expressly permitted by these Conditions.

3.2 Neither the Consultant nor its employees shall in any circumstances hold itself or themselves out as being authorised to enter into any contract on behalf of the Council, or in any other way to bind the Council to the performance, variation, release or discharge of any obligation.

3.3 Neither the Consultant nor its employees shall in any circumstances hold itself or themselves out as having the power to make, vary, discharge or waive any byelaw or regulation of any kind.

4 LEGAL COSTS OF CONTRACT

4.1 Both the Council and the Consultant shall bear its own costs in connection with the preparation and execution of the Contract.

5 OBSERVANCE OF STATUTORY REQUIREMENTS

- 5.1 The Consultant shall comply with all statutory and other provisions to be observed and performed in connection with the Service and shall indemnify the Council against all actions, claims, demands, proceedings, damages, costs, charges and expenses whatsoever in respect of any breach by the Consultant of this Condition.

6 GRATUITIES

- 6.1 The Consultant or any employee of the Consultant shall not solicit nor accept any gratuity, tip or other form of money, taking or reward, collection or charge for the provision of any part of the Service other than bona fide charges approved by the Council in accordance with the provisions of the Contract.

7 VALUE ADDED TAX (VAT)

- 7.1 For the purposes of this Condition "tax" means the Value Added Tax introduced by the Finance Act 1972, which is under the care and management of the Commissioners of Customs and Excise hereinafter called 'the Commissioners'.

7.1.1 Prices Contained in Schedules of Prices

Any reference in the Conditions to Rates or Prices shall be regarded as being exclusive of any tax and recovery by the Consultant from the Council of tax properly chargeable by the Commissioners on the Consultant under or by virtue of the Finance Act 1972, or any amendment or re-enactment thereof.

7.1.2 Interim Payments - Addition of VAT

The Council shall pay to the Consultant in the manner hereinafter set out any tax properly chargeable by the Commissioners on the Contract. Supplies of goods and services under this Contract are supplies and services under a contract providing for periodical payment for such supplies and services within the meaning of Regulation 21(1) of the Value Added Tax (General) Regulations 1972, or any amendment or re-enactment thereof.

7.1.3 Written Statement by Consultant

In accordance with Condition 1.29.4 the Consultant shall give to the Client's Representative a written statement of the respective values of those supplies of goods and services for which the Certificate is to be issued and which will be chargeable at the relevant time under Regulation 21(1)(a) of the Value Added Tax (General) Regulations 1972, on the Consultant at:-

- (a) A zero rate of tax (Category (i));
- (b) Any rate or rates of tax other than zero (Category (ii)), specifying the rate or rates of tax which are chargeable on those supplies or services included in Category (ii) stating the grounds on which he considers such supplies or services are so chargeable.

The statement shall detail those supplies or services which are exempt from tax.

7.1.4 Calculation of Tax Due

Upon receipt of such written statement the Client's Representative, unless the Client's Representative has reasonable grounds for objection to that statement, shall calculate the amount of tax due by applying the rate or rates of tax specified by the Consultant to the amount of the value of those supplies included in Category (ii) of such statement and remit the calculated amount of such tax.

7.1.5 Issue of Authorised Receipt/Tax Invoice

Upon receipt of any amount paid under statements and any tax properly paid the Consultant shall issue to the Council a receipt of the kind referred to in Regulation 21(2) of the Value Added Tax (General) Regulations 1972, containing the particulars required under Regulation 9(1) of the aforesaid Regulations or any amendment or re-enactment thereof to be contained in a tax invoice.

7.1.6 Council's Rights to Challenge Tax

- .1 If the Client's Representative disagrees with the statement issued by the Consultant under Condition 1.33.3 the Client's Representative may request the Consultant to obtain the decision of the Commissioners on the tax properly chargeable on the Consultant for all supplies and services under this Contract and the Consultant shall forthwith request the Commissioners for such decision. If the Client's Representative disagrees with such decision then, provided the Client's Representative indemnifies and at the option of the Consultant secures the Consultant against all costs and other expenses, the Consultant shall in accordance with the instructions of the Client's Representative make all such appeals against the decision of the Commissioners as the Client's Representative shall request.
- .2 The Consultant shall account for any costs awarded in its favour in any appeals to which this Condition applies. Where, before any appeal from the decision of the Commissioners can proceed, the full amount of tax alleged to be chargeable on the Consultant on the supply of goods and services under the Conditions must be paid or accounted for by the Consultant, the Council shall pay to the Consultant the full amount of tax needed to comply with any such obligation.
- .3 Within 28 days of the final adjudication of an appeal (or the date of the decision of the Commissioners if the Client's Representative does not request the Consultant to refer such decision to appeal) the Council or the Consultant, as the case may be, shall pay or refund to the other in accordance with such final adjudication any tax underpaid or overpaid, as the case may be.
- .4 Any excess to be refunded to the Council by the Consultant shall be accompanied by a receipt under Condition 1.30.5 showing the correction of the amounts for which a receipt or receipts have previously been issued by the Consultant.

8 FREEDOM OF INFORMATION

- 8.1 The Consultant recognises that the Council will become or is subject to legal duties which may require the release of information under the Freedom of Information Act 2000 or the Environmental Information Regulations 1992 or any other applicable legislation or codes governing access to information. Such information may include matters relating to, arising out of or under this Agreement in any way.
- 8.2 In the event that the Council receives a request for information under the Freedom of Information Act 2000, the Council shall be entitled to disclose all information and documentation (in whatever form) reasonably necessary to respond to that request in accordance with the Freedom of Information Act 2000. In relation to any such information that is Exempted Information, the Council shall immediately consult with the Consultant and shall not confirm or deny that the information in question is held by the Council; or disclose the information requested, unless or until the Consultant gives its consent to the disclosure.

9 FREEDOM OF INFORMATION ACT 2000 EXEMPTION

- 9.1 Means any applicable exemption to the Freedom of Information Act 2000 including, but not limited to, confidentiality (section 41 Freedom of Information Act 2000), trade secrets (section 43

Freedom of Information Act 2000) and prejudice to commercial interests (section 43 Freedom of Information Act 2000).

10 BREACH OF CONTRACT

10.1 Without prejudice to any accrued rights or remedies of the Council under this Contract, the employment of the Consultant under this Contract shall be forthwith automatically determined in the event of the following: -

If the Consultant shall have offered, or given, or agreed to give to any person any gift, or consideration of any kind as an inducement or reward for doing, or forbearing to do, or having done or forborne to do any action in relation to the obtaining or execution of the Contract, or any other Contract with the Council, or showing or forbearing to show favour, or disfavour, to any person in relation to the Contract, or any other Contract with the Council, or if the like acts shall have been done by any person employed by the Consultant, or acting on the Consultant's behalf (whether with or without the knowledge of the Consultant) or if in relation to the Contract, or any other Contract with the Council, the Consultant or any person employed by the Consultant, or acting on the Consultant's behalf, shall have committed any offence under the Prevention of Corruption Acts 1889 to 1916 or shall have given any fee or reward to any member or officer of the Council, which shall have been exacted or accepted by such member or officer by virtue of office or of employment and is otherwise than such member or officer's proper remuneration.

11 ASSIGNMENT AND SUB-CONTRACTING

11.1 The Council shall be entitled to assign the benefit of the Contract or any part thereof and shall give written notice of any assignment to the Consultant.

11.2 The Consultant shall not assign the Contract or any part thereof or the benefit or advantage of the Contract or any part thereof.

11.3 The Consultant shall identify as part of its Method Statement each part of the Service that it intends to sub-contract and the proposed sub-Consultant for each item so identified. The tender shall be accompanied by a completed Questionnaire in respect of each sub-Consultant so identified.

11.4 Change of sub-Consultant must be requested one month in advance and be accompanied by a completed Questionnaire and details of consequential changes to the Method Statement.

11.5 Notwithstanding Condition 1.32.3 the Consultant shall not sub-contract the provision of the Service or any part thereof to any person without the prior written consent of the Client's Representative, which consent shall be in the discretion of the Client's Representative and if given, shall not relieve the Consultant from any liability or obligation under the Contract and the Consultant shall be responsible for the acts, defaults or neglect of any sub-Consultant, its employees or agents in all respects as if they were the acts, defaults or neglect of the Consultant.

Schedule 1 – Fee Proposal

Activity	Grade	Hourly Rate	No. of Hours	Expenses	Total Cost	Total Cost for Activity
3.1 Comprehensive full systems and procedures check	Director/Partner	£		£	£	£
	Principal Professional	£		£	£	
	Senior Professional	£		£	£	
	Professional	£		£	£	
	Graduate	£		£	£	
	Senior Technician	£		£	£	
	Technician	£		£	£	
	Clerical/Admin	£		£	£	
3.2 Review and advise upon the management and enforcement of parking	Director/Partner	£		£	£	£
	Principal Professional	£		£	£	
	Senior Professional	£		£	£	
	Professional	£		£	£	
	Graduate	£		£	£	
	Senior Technician	£		£	£	
	Technician	£		£	£	
	Clerical/Admin	£		£	£	
3.3 Evaluate and assess the effective implementation of the revisions to arrangements	Director/Partner	£		£	£	£
	Principal Professional	£		£	£	
	Senior Professional	£		£	£	
	Professional	£		£	£	
	Graduate	£		£	£	
	Senior Technician	£		£	£	
	Technician	£		£	£	
	Clerical/Admin	£		£	£	
3.4 Definitive assessment of the fitness for purpose of the current parking enforcement/CPE arrangements	Director/Partner	£		£	£	£
	Principal Professional	£		£	£	
	Senior Professional	£		£	£	
	Professional	£		£	£	
	Graduate	£		£	£	
	Senior Technician	£		£	£	
	Technician	£		£	£	
	Clerical/Admin	£		£	£	
Grand Total						£

Consultant:

Signed:

Position:

Date:

Appendix B

Existing Information

- List of Schedules
- Schedule No. 1 – Prohibition of Waiting
- Schedule No. 2 – Prohibition of Loading
- Schedule No. 3 – Disabled Bays
- Schedule No. 4 – Parking Bays
- Schedule No. 5 – Loading Bays
- Project Initiation Document–BIP-CS-009 – Decriminalised Parking Enforcement: Restructuring of Service
- Service Enhancement Template – Decriminalised Parking Enforcement
- Decriminalised Parking Enforcement Transfer Project Plan
- Civil Parking Enforcement Project Plan
- Decriminalised Parking Enforcement Action Plan November 2007
- Review of On-Street Waiting Restrictions

Appendix C

Final Report Format

- Title Page
- Abstract
- Acknowledgements
- Table of Contents
- Executive Summary
- Introduction
- Study Scope (Client requirements)
- Study Details (Process and findings)
- Analysis of Findings
- Discussion
- Conclusions
- Recommendations
- Action Plan in table format with column headings as follows:
 - Action
 - Implementation date
 - Person Responsible for Implementation
 - Implementation Measure
- References
- Appendices (including procedures manuals)