

## **FINANCE & ENTERPRISE SCRUTINY COMMITTEE**

### **Minutes of a meeting of the Finance & Enterprise Scrutiny Committee held on Thursday, 29 June 2017 at 6.00pm in Meeting Rooms G3/4, Addenbrooke House, Ironmasters Way, Telford**

**Present:** Councillors N A M England (Chair), S Bentley, N A Dugmore, C F Smith and D G Wright

Co-optees: Mrs C Mason-Morris and Mr R Williams

#### **Also Present:**

Councillor A D McClements (Cabinet Member Transport, Infrastructure & Broadband)

Customer, Community & Partnership Scrutiny Committee:- Councillors K R Guy, G C W Reynolds, P J Scott and Co-Optee: Mr D Johnson

**In Attendance:** A Astley (Assistant Director: Neighbourhood & Customer Services), D Moseley (Democratic & Scrutiny Services Team Leader), and M Powell (Network Management Group Manager).

#### **FESC-1 Apologies for Absence**

Councillors R Mehta and R J Sloan

Councillor J M Seymour and co-optee Paula Doherty (Customer, Community & Partnership Scrutiny Committee)

#### **FESC-2 Declarations of Interest**

None.

#### **FESC-3 Minutes**

**Resolved** – that the minutes of the meetings of the Finance & Enterprise Scrutiny Committee held on 18 January, 26 January and 1 February 2017 be confirmed and signed by the Chair.

#### **FESC-4 Civil Parking Enforcement**

The Chair welcomed Members of Customer, Community & Partnership Scrutiny Committee to the Committee to work on scrutiny of Civil Parking Enforcement (CPE). The Chair also welcomed the Cabinet Member for Transport, Infrastructure & Broadband and noted the presence of Councillors E J Carter and N C Lowery in the public gallery.

The Chair invited the Assistant Director: Neighbourhood & Customer Services and the Network Management Group Manager to present information which had been requested at the previous meeting.

The Assistant Director: Neighbourhood & Customer Services provided a reminder of what CPE was (the transfer of enforcement for parking, from a criminal matter to a civil matter) and that CPE only related to on street parking and was only enforceable through the installation of double yellow lines, parking bays, disabled bays etc. She explained the process for applying for the powers and the main types of restriction that the Council would become responsible for enforcing if CPE powers were adopted.

### Results of the Parish and Town Council Survey

An online survey had run for seven weeks (15 December 2016 to 3 February 2017) and responses were received from 12 of the 29 Parish & Town Councils.

The survey asked Parishes how many complaints they had received about car parking in the last 2 years, either recorded or estimated. Nine of the 12 parishes which responded made estimates but three did not provide an overall figure. For those instances where more than one response was received for the same parish, figures were combined creating a potential margin of error from duplication or gaps. The number of estimated complaints ran from 250 (Little Wenlock) to 5 (Church Aston) with hot spots being outside schools (37%), the local centres of Dawley, Ironbridge, Newport and Wellington (15%), on estates in Hollinswood and Randlay, Brookside and Newport (15%), over residential/through roads and across the parishes (29%). The Wrekin presented as a key hot spot. Over 58% of the complaints encompassed restrictions which could be enforced if the Council operated CPE and a further 21% (obstructive footway parking) could be enforced only by subsequently applying for additional powers.

Seven respondents to the survey had explicitly supported CPE and two had opposed it due to concern regarding income generation becoming the main objective. A number of parishes expected the situation to get worse and some willingness had been shown from Wellington and Newport Town Councils to invest in CPE to allow local tasking. Opportunities to train multi-disciplinary enforcement officers to enforce parking, littering, dog fouling etc were noted.

### Police Data related to CPE

Limited information was available from West Mercia Police. The levels and locations of enforcement detail were summarised as 841 tickets being issued over the period December 2014 to November 2016 with the highest proportion being issued in Newport (46%) and Wellington (42%) and low percentages (1 or 2%) being recorded in each of Donnington, Edgmond, Hadley, Ketley, Ketley Bank, Oakengates and Trench.

### Council Data on complaints

In 2016, there were 231 enquiries where parking could have been a contributory factor, although on further inspection of the records, the majority were general traffic enquiries and this had resulted in low confidence in the data.

Levels of complaints ranged from 29 in Lawley and Overdale to 1 in Church Aston.

#### Information from other Local Authorities who don't operate CPE

Based on information recorded on the Department for Transport website, 21 Local Authorities did not operate CPE as at June 2016. Three of these were unitary authorities (Telford & Wrekin, North Somerset and Workingham Borough Council), and 18 were District Councils within 7 County Councils (Cambridgeshire, East Sussex, Hampshire, Oxfordshire, Northamptonshire, Suffolk and Warwickshire). Of the unitary councils which did not currently have powers, North Somerset had submitted an application and Wokingham were preparing their submission.

The reasons for progressing CPE were given as lower policing priority and a reduction in police resources for enforcement, and the number of complaints received by the Council. Reasons for not progressing CPE were cited as insufficient evidence to justify need, financial burden on taxpayers, and cost to the Council.

#### Data and Approach from those Local Authority who do operate CPE

Initial data had been collected from 16 other authorities operating CPE which had been reviewed to give average figures of 15.61 Penalty Charge Notices per km of road, leading to an average length of road per enforcement officer of 197km.

Other authorities operated CPE using a variety of models:

- Fully internal system including notice processing – 5
- Council employed enforcement officers, with external back office – 1
- Fully externalised model to a specialised company – 4
- Enforcement partnership between County Council and its districts/boroughs, with Notice processing retained by the Borough – 1
- Partnership with another local authority for back office, with directly employed enforcement officers - 1

#### Revised Cost Example

Based on the findings above, further modelling had taken place to include five enforcement officers in order to cover the volume of road in the borough and just under 4000 tickets being issued per annum together with a lower recovery rate due to non payment of fines:-

	<b>Year 1</b>	<b>Year 2</b>	<b>Year 3</b>
<b>Total Cost</b>	210574.54	165715.39	169797.38
<b>Potential Recovery</b>	102666.59	108199.52	108199.52
<b>Balance (assuming 20% of tickets were unpaid in line with the experience of other local authorities)</b>	-107907.95	-57515.87	-61597.86

It was clear from the information provided that a CPE model with five enforcement officers purely funded by ticket income would operate at a loss, especially when a safety factor/bias was applied to the income projections to allow for lower than expected income.

Partnership funding would, therefore, be required in the set-up and ongoing costs of the scheme to avoid it being subsidised by the Council. Potential partners included the Police and Parish & Town Councils (as supported by some in their survey comments). Such investment would not only ensure that the scheme was not subsidised by the Council but would also ensure the culture was such that enforcement officers would not be chasing income targets and would focus only on those who consistently disregarded yellow lines.

### Members' Questions and Comments

*If adopted, would CPE be carried out on a borough wide basis or only within the towns? Some problem areas were not located within the district centres but could be, for example related to yellow lines on bus routes. Would additional powers be sought to enforce obstruction of the footway? It was important that the model adopted was cost effective and provided a borough-wide benefit.*

Enforcement powers would have to be adopted borough-wide. The model illustrated that based on the kilometres of road within the borough, five enforcement officers would be required. Pavement parking enforcement required a second business case subsequent to adoption of initial powers. Members would need to come to their own view on the cost-effectiveness involved.

*Five enforcement officers did not seem sufficient – could powers be devolved to the Parish Councils and could the Parishes fund additional enforcement officers?*

If adopted, the Council could devolve powers to the Parishes but, if powers were not devolved to all the Parishes, the Council would still have to enforce across the borough. Other Councils provided for the model of "Neighbourhood Warden" which provided more opportunities for investment due to the wider range of enforcement powers involved (eg dog fouling, fly tipping) but to be viable, financial support from outside the Council would still be required. Under such a model, it would be possible for Parish Councils to fund more enforcement officers.

*Did the set up costs detailed include any extra lineage?*

The model was based on the number of existing yellow lines. Consultation on additional lining would be required so this had not been included.

*Confirmation that Telford & Wrekin would be the only authority where CPE powers had not been adopted was sought.*

The only Unitary Authority.

*How intense was the process to put together a business case? Had time for putting together the case been costed?*

A robust Business Case would be required – it was a significantly weighty document and there were be a cost attached to compiling the content but this would be dependent on whether it was prepared internally or externally commissioned.

*Were Officers working towards an application date of March 2018?*

Officers were not working to a timescale as this Scrutiny Committee had to make a recommendation to Cabinet as to whether or not to commit resources to developing a business case.

Members also made a number of comments:-

- Cost was a key concern and Members felt they needed to be mindful of risk comparison (eg in areas where higher levels of ticketing were seen, these may be in authority areas where parking charges applied).
- Discussions needed to take place with the Police and Crime Commissioner regarding the availability of transitional funding and with the Town and Parish Councils to secure ongoing funding.
- It was noted that some Councils externalised enforcement with a specialist company.
- Five Enforcement Officers was widely accepted to be too few as it would be important to eliminate parking problems around all schools relating to pick up and drop off.
- It was disappointing that only 12 of the 29 Parish and Town Councils had engaged with the survey.
- As parking was not an issue in every parish, it would be unlikely that smaller Parish Councils with low precepts would commit funding.
- The Neighbourhood Warden model, wherein additional enforcement powers were included, was considered a helpful model which could attract buy-in from a greater number of Parish Councils.
- Members considered that if Parish Councils committed funding to the project, they would expect to see some percentage of the funds recovered returned to them.
- Members queried whether a subsequent order was required to enforce obstructive footway parking and further advice would be sought from the Council's Legal Team.

The Cabinet Member for Transport, Infrastructure & Broadband indicated that she had attended the meeting with an open mind and had very much welcomed the debate which had raised some interesting issues. She supported the Committee's request for further information and urged them to do what was right for the Borough.

**Resolved – that**

- (a) Further modelling work discussed during the debate be undertaken and reported to the next meeting of the Committee;**

- (b) Assurances be sought from the Police and Crime Commissioner regarding the position on the availability of transitional funding;
- (c) Councillors E J Carter and N C Lowery be invited to the next meeting of the Committee to present their report; and
- (d) Newport Town Council and any other interested Parish Councils be invited to the next meeting to give evidence to the Committee

**FESC-5      Work Programme 2017/18**

The Chair referred Members to the Terms of Reference for the Committee set out at Appendix 1 to the report, which had been endorsed by Scrutiny Management Board and no changes were recommended. Members accepted the content.

The Chair referred Members to the suggestions shown in Appendix 2 to the report which had been referred to the Committee by Scrutiny Management Board to decide which issues should be included in the Committee’s Work Programme. Two items were detailed: Civil Parking Enforcement and Budget Scrutiny.

Scrutiny Management Board had also allocated a baseline of four formal meetings to each Scrutiny Committee to carry out the work programme. Members expressed concern that four meeting would not be sufficient to conduct scrutiny of the budget as well as complete the review of CPE.

Members considered how to engage with Town and Parish Councils and it was mooted that the assistance of Shropshire Association of Local Councils (SALC) could be sought if necessary.

**Resolved – that**

- (a) the Terms of Reference set out at Appendix 1 to the report be agreed;
- (b) Civil Parking Enforcement and Scrutiny of the Budget be included on the Committee’s work programme for 2017/18; and
- (c) the dates of future meetings as set out in the draft work programme be noted and Scrutiny Management Board be advised that additional formal meetings would likely be required.

The meeting ended at 7.10pm

**Chairman:** .....

**Date:** .....