

## CIVIL ON STREET PARKING ENFORCEMENT AND TRAFFIC MANAGEMENT - AGENCY AGREEMENTS

### 1. PURPOSE OF REPORT

- 1.1 The purpose of this report is to inform the Cabinet of proposed changes to two of the agency agreements with Hampshire County Council relating to Civil “On Street” Parking Enforcement and Transportation.
- 1.2 As part of the County Council’s savings targets discussions have been ongoing with officers from Borough and District Councils in Hampshire for a revised method of working which will allow the County Council to achieve savings on these two specific service areas. The County Council has titled this review as the “Modernisation of the On-Street Parking Service. This report identifies the proposals from the County Council and a recommended course of action in respect of New Forest District Council.

### 2. BACKGROUND

- 2.1 The agency agreement for On-Street Parking Enforcement was signed in 2002. The Council agreed to take on the function of managing on street parking enforcement from Hampshire Police as did all other District and Borough Councils in Hampshire with the exception of Gosport. As part of this agreement the District Council would be responsible for the enforcement of all on-street parking regulations within the New Forest District Council boundary, including residents’ parking schemes.
- 2.2 The agency agreement allows either of the parties to give 24 months’ notice to terminate the agreement. In March 2018 the County Council notified the District Council of its intention to terminate the current agreement on the 31<sup>st</sup> March 2020.
- 2.3 It was proposed that Officers from both organisations would work together and come up with a revised agency agreement and in August 2018 Hampshire Officers provided New Forest District Council Officers with the details of a draft agency agreement.
- 2.4 This was followed up by a letter from Stuart Jarvis, Director of Planning, Transport and Environment at HCC on 3<sup>rd</sup> October 2018 which summarised the key proposals.
- 2.5 The agreement identified that the new relationship would be based on the following for on-street parking:
  - 2.5.1 That there would be a requirement for the District Council to operate the on-street civil parking enforcement in the most efficient way to ensure full cost recovery is achieved (**Including the County Council’s associated costs**). These County Council associated costs include County Officer time spent on on-street parking as well as costs incurred by the County Council’s term maintenance contractor on signing and lining.

- 2.5.2 Where surplus income is achieved from the enforcement service this will be shared equally between the District and County Council.
- 2.5.3 The District Councils must produce an Annual Parking report with the financial figures for on-street parking agreed by the County Council prior to publication
- 2.5.4 The on-street parking account must show true operational costs of running the service fairly apportioned on a pro-rata basis in relation to the off-street service. The County Council will produce a template to help ensure that costs are apportioned using a common methodology. Where costs for the on-street operation appear excessively high the County Council reserves the right to undertake an audit certification of the financial returns relating to the service.
- 2.5.5 The District Council must be willing to work in partnership with the County Council to deliver pilot on-street electric charging points and targeted areas of **“Paid for On-Street Parking”**. **Currently there are no areas of paid for parking on street in the District.**
- 2.5.6 The County Council will have overall responsibility for on-street “Paid for” chargeable parking in those areas without such measures in place as of January 2018, this includes receiving 100% of any income collected from “Paid for Parking”.
- 2.5.7 District Councils that have established on-street chargeable parking as of 1<sup>st</sup> January 2018 will be required to share surplus income equally with the County Council. This will enable the County Council to recover its associated costs.
- 2.5.8 Due to the link between the introduction of new parking controls and their enforcement, Districts who deliver on-street enforcement will also be required to have a Traffic Management Agreement with the County Council. Districts will not be allowed to have just the Traffic Management Agreement.
- 2.5.9 Districts must conform to policies and standards for operation of the service as laid down by the County Council including the Operational Policy for Residential Parking Schemes.
- 2.5.10 District Councils must produce a 5-year parking strategy to include on-street provision. The on-street section of this document must be agreed with the County Council prior to publication.
- 2.6 As identified in 2.5.9 above Districts will be required to comply with an Operational Policy for Residential Parking Schemes. As the District has 21 residents’ parking schemes on the highway the key elements of this revised policy are:
  - 2.6.1 The District Council must operate residential parking schemes on a full recovery basis. The on-street parking account must not be used to subsidise the operational costs of residential parking schemes.
  - 2.6.2 Schemes must be self-financing with income from permits covering the full cost of scheme operation including permit administration, scheme management, IT costs, enhanced enforcement time and the ongoing costs associated with the ongoing maintenance of signs and lines.
  - 2.6.3 It is proposed that a minimum first permit charge of £50 (currently New Forest Permits are £25 to £31) should apply. Permit charging in smaller zones may

need to be higher to cover operating costs. (All of New Forest's residential permits would fall into that category). Permit charges must be subject to inflation and annual charging reviews. However, where a District Council decides to keep permit charges below a level where full costs are recovered they will be required to credit the on-street parking account with a payment equal to the lost income.

- 2.6.4 Charges for a second permit must be set at a level that will help ensure that schemes are not oversubscribed with excessive permits issued in relation to the available parking in that area.
  - 2.6.5 Charges for subsequent permits (subject to local policy and where sufficient kerb space exists) must also be charged at a level that will discourage an excessive proportion of the available on-street parking being taken by individual properties.
  - 2.6.6 Charges for visitor and trade permits also need to be set at a level to recover costs and manage demand.
  - 2.6.7 Where current annual residential parking permits are charged some way below the proposed £50 minimum charge, there may be potential for the increase to be applied over a two year period. Any such agreement would need to be agreed in advance with the County Council.
  - 2.6.8 Some Districts do not charge residents who were living in areas before residential parking schemes were first introduced. Given the ongoing revenue costs associated with the operation of schemes of this type the Districts must ensure all residents within residential parking areas who request a permit be required to pay for them.
- 2.7 The County Council has confirmed that the current agency agreement in relation to the traffic management function will also cease in March 2020. In 2.5.8 above it is clear that the district councils will not be able to undertake this traffic management agency from 2020 unless it also reaches agreement to undertake the on-street parking enforcement agency, which does make sense as both these functions are closely linked. The key elements of this service are;
- 2.7.1 That district councils would be able to set the cost of processing utility Temporary Traffic Regulation Orders (TTRO's) in line with the new County Council charge of £1300 + advertising costs.
  - 2.7.2 The County Council now charges £120 for Access Protection Markings and would support the districts in making the same charge.
  - 2.7.3 The County Council charge £5,000 + works and advertising costs for processing developer TRO's and would support the districts charging the same.
  - 2.7.4 There are opportunities to increase the costs for tourist signing, local amenity signs and to offer parking controls to those parishes and local communities that are prepared to fund this work.
  - 2.7.5 In 2016 Hampshire County Council reduced the budget allocated to the District Council's traffic management function to £39,670. The service has struggled to keep up with the demand following the reduction in funding and

this has resulted in more correspondence with the District Council as fewer schemes are being progressed.

### **3. FINANCIAL IMPLICATIONS**

- 3.1 The current proposal clearly puts the liability for making the on-street parking service and residential parking schemes break even with the District Council. Furthermore, it is unclear what costs the County Council will apportion to this service for officer time and contractor payments for lining and signing.
- 3.2 The District Council currently manages the on-street parking service in the New Forest District and does not receive any payment from the County Council. As no payment is received the District Council subsidises this service at a cost of £100,000 per annum.
- 3.3 The District Council receives £39,670 from the County Council with regards to the traffic management function, which has been severely reduced over the past 5 years. Currently staff are unable to keep up with the demand from local Members and residents with regards to implementing new schemes.

### **4. STAFFING IMPLICATIONS**

- 4.1 As the Parking Enforcement Service operates across both on- and off- street parking areas it is difficult to apportion actual allocations to individual members of staff. If the District Council does not continue with on-street enforcement it is anticipated that there will be a reduction in funding for 5.3 staff. At the time of writing it is anticipated that TUPE will not apply and that the District Council will have to pay any costs in relation to redundancy payments.
- 4.2 The current staffing allocation for the Transportation Service on the HCC agency work is 1.6 FTE's. It is the District Council's opinion that TUPE applies to these posts. Therefore staff will be entitled to transfer to Hampshire County Council on the 1<sup>st</sup> April 2020 if there is no agreement for the District Council to undertake this function.

### **5. CRIME & DISORDER IMPLICATIONS**

- 5.1 It is important that whoever undertakes these two important functions that standards do not drop and regular inspections and reviews and revisions of traffic regulation orders are undertaken to ensure that the traffic flows smoothly throughout the District.

### **6. EQUALITY & DIVERSITY IMPLICATIONS**

- 6.1 None

### **7. PORTFOLIO HOLDER'S COMMENTS**

- 7.1 I regret the County Council's decision to terminate the current on-street parking enforcement agency agreement in 2020, as I believe that this Council has provided an excellent and efficient service since 2002. While I am keen that we work closely with the County Council and share the delivery of

services where possible, I agree with the analysis set out within this report that in this instance the proposed new agency agreement represents an unacceptable financial risk to this Council, and therefore fully support the recommendation.

## **8. CONCLUSIONS**

- 8.1 Unfortunately there is a real concern that the proposals on the table from the County Council for the On-Street Parking Enforcement and the Residential Parking Schemes will put the financial liability on the District Council with elements of recharge from the County Council being outside the control of the District Council.
- 8.2 It is also clear that the Traffic Management agency can only be entered into if the District Council agrees the On-Street Enforcement agency agreement
- 8.3 It is disappointing that these proposals from the County Council will lead to a two tier parking enforcement arrangement for the towns and villages of the New Forest.

## **9. RECOMMENDED:**

- 9.1 That the Cabinet instructs the Executive Head of Operations to write formally to the County Council to reject the current proposed terms for the agency agreements for On Street Parking Enforcement and Traffic Management on the grounds that the District Council is not prepared to take the financial risks identified on a function that it does not have a statutory duty to provide.

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### **Background Papers:**

None