

Standing Order 42

Agenda Item 7
Index no: 1012

Consultation with Appropriate Chairman and Vice-Chairman for Urgent Action to be Taken Under Standing Order 42

To (Chair & Vice Chair):	Councillors Nigel King and David Coen
Relevant Committee:	Environmental and Sustainability Committee
Date:	7 November 2022
Report Author:	Linda Norman
Report Title:	Resources in Parking Services
SO42 Proforma Number:	Check with Democratic Services

1. Synopsis of report

This report highlights the issues arising from Surrey County Council's decision to end the agency agreement for On-street parking enforcement and action being taken by officers to mitigate the risk to the Runnymede Borough Council moving forward.

2. Reasons why this matter cannot wait for a Committee Decision.

(Please state if agreement of Chairman and Vice-Chairman required within 24 hours, and why)

The current staffing levels in Parking Services are unable to maintain service delivery for either on or off-street parking enforcement. Due to the decision by Surrey CC to transfer all on-street parking enforcement to a single private contractor, various attempts at recruitment have been unsuccessful. However, Runnymede has a legal obligation to provide on-street enforcement until 31 March 2023 and therefore needs to employ suitably qualified and trained staff for the remainder of the contract. The service has been running at 60% capacity since July 2022 and this is not sustainable. Public complaints around road safety are increasing and the Council need to employ suitable staff as quickly as possible to maintain traffic safety and to protect the Council's income.

3. Recommendation(s)

- The Committee notes that a waiver to contract standing orders has been agreed which will permit a direct award to appoint NSL LTD for a five-month fixed term contract to provide sufficient resources to maintain service delivery for the remainder of the financial year; and
- The Committee authorises NSL Ltd staff who will be suitably qualified to enforce parking restrictions across Runnymede BC Civil Enforcement Area (CEA)

4. Context of report

In August 2020, Surrey CC extended the existing agency agreement for the provision of on-street parking enforcement with Runnymede BC for a further period of three years ending on 31 March 2023. As the contract had been extended previously, there was no indication at that time that the contract would not be renewed at a later date.

However, in May 2022, new legislation came into force which extended powers to Traffic Authorities outside of London to enforce moving traffic offences. SCC wish to implement this legislation across the whole of county and with all of the agency agreements coming to an end in March 2023, they have decided to seek a single county wide supplier for both parking and moving traffic enforcement as they believe this will offer greater efficiencies and consistency.

Surrey CC gave notice in August 2022 that they would not be renewing the existing agency agreements and that they have gone out to tender for a single enforcement contract in September 22 with a view to appointing a new supplier in January 2023.

5. Report and, where applicable, options considered

From November 21 to June 22, the Council employed five CEOs to patrol the borough on a wide-ranging shift pattern across seven days. This was working very well with targeted patrols and a mobile officer who was deployed to deal with public complaints as they arose.

Unfortunately, two staff left in May and June to work elsewhere and the Council embarked on a recruitment process in July to replace the vacancies. Five staff were shortlisted to attend an interview in August. However, prior to the interviews taking place, SCC announced its intention to end the agency agreements across the county and as a result, nobody turned up to the interviews. The Council has not been able to recruit any temporary staff to the vacant positions and at least three staff will be required to transfer across under TUPE, it was felt unfair to existing staff to try to recruit to permanent positions with the future of the service being unclear.

As you would expect, morale within the team is quite low and with the service carrying two vacancies, the team are not able to patrol the borough to the same level as previously. The team are currently being paid overtime at weekends to support the service. This is largely dependent on goodwill with not all team members being able or willing to do this. Whilst this is a short-term solution, it cannot be sustained for the remainder of the financial year.

The team need to ensure that the public pay for parking in the Council's car parks as parking income is significantly reduced when compared to previous years. More PCN's have been issued from April 22 to September 22 (1339) than for the same period last year (700). This increase in PCN's for off-street parking indicates that there is still a need to patrol the public car parks to protect the Council's income. With a reduction of 74 hours a week in patrols, this cannot be adequately covered by overtime and a balance needs to be struck between on and off-street enforcement based on the resources the Council has.

Elmbridge Borough Council currently out-source their parking enforcement to a company called NSL Ltd. They have been in a contract with that company for over 10 years and are happy with the performance. NSL Ltd also provide parking enforcement services to Windsor and Maidenhead and are familiar with the geographical location of Runnymede. High level discussions have taken place with NSL Ltd to see whether they would be interested in providing two Civil Enforcement Officers under a fixed term contract for the period November 22 to March 23 to maintain service delivery across the borough. The NSL staff would undertake Runnymede's working practices including school patrols, hotspots, car parks and evening patrols around high street locations where illegal parking with delivery drivers is causing traffic safety issues and residents' complaints. Runnymede would have to provide uniforms and vehicles as we do now, but it would be for NSL Ltd to provide and manage the staff for the interim period. This would in effect create a hybrid delivery model for parking enforcement where both internal and external staff are authorized by the Council to enforce parking restrictions across the borough.

Legal have advised that it would be necessary to have a waiver from contract standing orders and give a direct award to NSL Ltd for five months to maintain service delivery. As NSL Ltd already have suitably trained and qualified staff working in the geographical location, this contract could be mobilized very quickly. It is not practical to go through a formal tender process for such a time limited contract and to continue with a 40% reduction in resources for another five months will put added pressure on staff, impact on road safety, school patrols, public complaints and reduce parking income.

6. Policy framework implications

The contract for the agency agreement between SCC and Runnymede BC ends on 31 March 2023 and the Council has been advised that there will not be an extension to this. As such, the Council must work with the County to ensure a smooth transition of on street parking to the new contractor.

7. Financial and Resource implications (where practicable)

It is anticipated that the cost of this contract will be in the region of £30k - 40k which will be funded by the existing vacancies within the Parking Services budget

8. **Legal implications**

Section 39 of the RTRA 1984 covers County and District duties to consult each other when making changes to on/off street parking that may have an impact on the other.

SCC have given the appropriate notice that they will not be extending the agency agreement for the provision of on-street parking enforcement when the agreement finishes on 31 March 2023.

9. **Equality implications**

The Council has a duty under the Equality Act 2010. Section 149 of the Act provides that we must have due regard to the need to;

- a) eliminate discrimination, harassment, victimisation, and other conduct prohibited by the Act
- b) to advance equality of opportunity
- c) foster good relations between persons who share a relevant protected characteristic and persons who do not share protected characteristics.

The ending of the agency agreement will impact staff who may be protected under the Equality Act but TUPE will be in place to protect any individuals during this process.

10. **Other implications (Environmental/Biodiversity/Sustainability must be addressed)**

There are none.

11. **Background papers**

There are none

12. **Chief Officer(s) Decision**

Signature of authorised officer 

I have been consulted and am in agreement with the above

Signature(s) and position(s) of
other relevant Chief Officer, Corporate Heads or authorised representatives

.....

NB: this must include the Assistant Chief Executive or his authorised representative where the decision involves expenditure, loss of income, or future implications for budget or financial forecast.

13. **Chief Executive's Decision**


Signature of Chief Executive

I have been consulted and am in agreement with the above

14. **Chairman and Vice-Chairman Comments**

I concur in the Chief Officer's decision

Signed 108 _____ 08 – 11 - 2022

Date _____

Signed R _____

Date 8.11.22

I have the following further comments:

The completed copy is to be returned by the Councillors to the Corporate Head of Law and Governance (Democratic Services) who will send a copy to the Chief Officer and report to the relevant Committee for information.