

NORTH ESSEX PARKING PARTNERSHIP JOINT COMMITTEE FOR ON-STREET PARKING

17 March 2022 at 1.00pm

Held in Clacton Town Hall, Station Road, Clacton CO15 1SE.

Members Present:

Councillor Simon Crow (Colchester Borough Council)
Councillor Richard van Dulken (Braintree District Council)
Councillor Richard Freeman (Uttlesford District Council)
Councillor Alastair Gunn (Harlow District Council)
Councillor Sam Kane (Epping Forest District Council)
Councillor Sue Lissimore (Essex County Council) Chairman
Councillor Alex Porter (Tendring District Council)

Substitutions:

None.

Apologies:

None.

Also Present:

Richard Walker (Parking Partnership)
Jason Butcher (Parking Partnership)
Liz Burr (Essex County Council)
Rory Doyle (Colchester Borough Council)
Jake England (Parking Partnership)
Amelia Hoke (Epping Forest District Council)
Owen Howell (Colchester Borough Council)
Linda Howells (Uttlesford District Council)
Michael Kelly (Harlow District Council)
Andrew Nepean (Tendring District Council)
Samir Pandya (Braintree District Council)
Miroslav Sihelsky (Harlow District Council)
Ian Taylor (Tendring District Council)

112. Minutes

RESOLVED that the minutes of the meetings held on 28 October 2021 be approved as an accurate record.

113. Finance Report – to end of Period 10 (January)

Richard Walker, Group Manager, presented the report and explained the need to set the 2022-23 budget for the expected new parking partnership which was expected to succeed the current North Essex Parking Partnership [NEPP], once a new Partnership Agreement was approved by the partner local authorities.

The Group Manager informed the Joint Committee that the NEPP had received the last tranche of Government support funding. The Group Manager explained that funding levels had been calculated to cover the expected income loss, from sources such as selling parking permits, Parking Charge Notices [PCNs] and season tickets.

The NEPP had not yet returned to pre-pandemic levels of income, but income was increasing. A small outturn deficit was expected, which left the NEPP in good shape, with around £1m remaining in its reserves. It had been planned to use £18k of reserves to fund work on Traffic Regulation Orders, however this work had only cost £11k.

RESOLVED that the Joint Committee: -

- a) Noted the NEPP's financial position as at the end of Period 10 (January) 2022
- b) Agreed (in principle) the Base Budget for the 2022-2023 Financial Year

114. Permit and Pay to Park Prices to end of 2021/22 and proposed strategy for 2022/23

Richard Walker, Group Manager, introduced the item and explained that the proposed changes to permit prices mainly applied to second and third permits for households. Costs of administering and enforcing the system for parking permits continued to rise, especially those relating to fuel and energy. These increases were mitigated somewhat by the NEPP moving to use electric vehicles [EVs]. Prices therefore needed to be adjusted in order to cover increased costs. Costs would be kept under review and, if mitigations could be found to reduce costs, pricing could be revisited and permit prices potentially reduced.

The Group Manager explained that the NEPP aimed to use pricing controls to influence and exert control over the number of applications for second and third permits for households, especially in areas where parking space was limited. The

NEPP was also working to influence a shift to the use of electronic permits, as paper permits were far more costly to issue and administer.

The Group Manager explained that the proposed strategy aimed to better-maintain the parity of 'pay to park' prices with the prices charged for off-street parking.

The Joint Committee discussed the situation regarding residents' parking permits, with views being given that the issuing of second and third permits to households often caused issues, especially where space was limited. One member argued that this could knock confidence in democratic processes where residents' parking zones existed where some households had multiple permits and others could not obtain any. It was further posited by that member that it was difficult to defend to electorates the widespread issuing of multiple parking permits and that it was reasonable to charge more for second permits, and more again for third permits. The Group Manager explained that the NEPP followed Traffic Regulation Orders [TROs] and examples were given, such as the restriction put in place by Colchester Borough Council to limit the issuing of parking permits to a maximum of two per household. It was hard to remove rights once these had been put in place, but the Group Manager noted that it might be possible to move to a system whereby the possibility of residents obtaining second and third permits be decided at local discretion on a council-by-council basis, after considering local situations and conditions. The Group Manager offered to discuss this in greater depth informally with Joint Committee members.

Concern was raised by a member of the Joint Committee that the Committee and partner authorities had not yet been shown a copy of the draft proposed new NEPP Agreement, and the Group Manager was asked where this draft was and how the Joint Committee could approve a pricing strategy for 2022-23 before it had seen the proposed new Agreement. The Group Manager explained that the draft Agreement was currently being worked on by the Legal Department of Essex County Council [ECC] and was closely based on the current NEPP Agreement. Liz Burr, Head of Network and Safety/Traffic Manager at Essex Highways, informed the Joint Committee that the County Council would send a letter of intent to the partner local authorities, if the draft new agreement was not ready by 31 March, proposing an extension of the current NEPP Agreement until the drafting and approval process for the new Agreement was completed. It had been hoped that the draft Agreement would already have been available for the partner authorities to consider, however this had not been possible.

Councillor Alex Porter [Tendring District Council] enquired as to whether the South Essex Parking Partnership [SEPP] had approved permit price changes. Liz Burr confirmed that SEPP had not considered any changes to its permit pricing at its meeting held in the previous week. The Group Manager explained that this item had been due for consideration at the NEPP meeting which had been scheduled for 9 December 2021 but which had been cancelled.

The Joint Committee discussed whether it might be appropriate to defer the two requested decisions under this item until such time as the draft new NEPP Agreement had been circulated to member authorities. Councillor Porter explained that he would not vote to approve any recommendation until he had seen the draft new NEPP Agreement. To answer questions regarding the potential effect of deferring the decisions on this item, the Group Manager explained that, in his view, there would be a new Parking Partnership, based on the views given by ECC, Braintree District Council, Colchester Borough Council and Uttlesford District Council and their agreement to participate in a new Partnership. The Group Manager explained that decision would need to be taken, regarding pricing, at some point, but that this was up to the Joint Committee, exercising powers delegated to it by ECC.

The Joint Committee discussed whether it would be possible to alter the wording of recommendation 1.2 to reflect the fact that the draft new Agreement had not yet been seen by the partner authorities and that the decision was being taken in principle, and subject to the new Agreement being ratified. Councillor Porter suggested that no decision should be made on permit prices for 2022-23 until the new NEPP agreement had been considered and ratified. The Group Manager explained that the policy and strategy framework of the current NEPP was to be taken forward and put in place for the proposed new NEPP, should it be formed, and would include the pricing framework in place as at the ending of the current NEPP, whether that be the current pricing framework, or the updated pricing as proposed in the report being considered at this meeting.

In answer to questions regarding the timing and effect of the proposed changes to pricing, the Group Manager clarified that what was proposed was to set the prices for the remainder of 2020-21 now, alongside setting the prices for the 2022-23 financial year so these could be set and advertised as quickly as possible to let residents know as soon as possible. It was expected that the 2022-23 pricing would be brought into operation in April/May 2022.

The Joint Committee discussed the efforts to move residents from paper permits to electronic permits. Committee members stressed the importance of considering those residents who relied upon the use of paper permits and cautioned any moves towards axing them. The Group Manager agreed that this was important and stressed that there were alternative ways to apply and arrange for permits, such as online, via the mobile app, or by calling the NEPP so that an officer can set up a digital permit, if the resident does not have internet access. The Group Manager stressed that a move to all digital permits would greatly increase the efficiency of patrolling and enforcement.

The Joint Committee discussed the approach taken to annual Trader's Permits, including the lowering of price by £20 in 2020-21 and the planned £10 reductions for both 2022 and 2023. The Group Manager was asked whether the initial lowering of the price had had an effect and why the two £10 reductions for 2022 and 2023 respectively weren't being implemented as a single £20 reduction in one go. The

Group Manager informed the Joint Committee that the Partnership did not receive many applications for Trader's Permits and explained that it was necessary for the Permits to apply across all partner authorities, and for the charges levied to be set so as to cover the Partnership's costs in issuing and administering them. The NEPP was still seeking the most appropriate level for the pricing of such permits and the proposed price could be changed if deemed appropriate. One Joint Committee member expressed the view that the lowering of the price for these permits had worked. Another member cautioned that needs of traders who required repeated access to properties in residential parking permit areas should be considered.

Another member noted that residential permit pricing had been discussed previously and that this report proposed only rises or maintenance of current prices, and further to this queried why conversations regarding harmonisation of prices across the NEPP local authority areas continued when the proposed pricing for the different areas would not bring this about. The Group Manager stressed that it was important that prices charged covered the cost of patrolling and enforcement. The NEPP factored in local socio-economic factors when it considered pricing levels. Where the report mentioned price harmonisation [section 2.1], this was included as an 'aide-mémoire' to show the background to permit pricing.

The Group Manager was asked if it would be possible for the Joint Committee to be given a breakdown of the number of second and third permits issued to residential properties, split by local authority areas. The Group Manager highlighted that the new NEPP website could act as a portal for Joint Committee members and that he could ensure that this information was uploaded so that members could peruse the data.

The Joint Committee discussed the aim and purpose of the pricing strategy and the Group Manager agreed that the questions regarding this issue were wider than what was covered by this specific report. The policy regarding permit pricing was set under the overarching policy relating to harmonisation between the partner authorities' areas. Another policy which was set under that overarching policy was the Electric Vehicle Charging Policy. It was proposed to the Joint Committee that this issue be brought back to a meeting early in the life of the Joint Committee for the future NEPP (subject to a new NEPP being formed) for a more in-depth discussion on harmonisation.

Officers were asked what the legal process was for extending the current NEPP Agreement, in the eventuality that the new Agreement had not been circulated and agreed to by all partner authorities by 31 March 2022. Liz Burr, Head of Network and Safety/Traffic Manager [Essex Highways], explained that this had been raised with ECC's Legal Team who had been asked for assurance that a letter of intent could cover this, from ECC to the Joint Committee. It was confirmed that all partner authorities would need to ratify the draft new NEPP Agreement, which was unlikely to be achievable by 31 March 2022. A further question would be put to ECC's Legal Team to confirm whether this would require a Joint Committee meeting to approve

the accepting of that letter, or if the letter can be circulated and approval given by each partner. The Chairman indicated that she would be content if the advice from ECC Legal was to be that the letter of intent could be sent to all partner authorities and their approval sought online.

A Joint Committee member raised concern that the Joint Committee was being asked to approve a pricing structure for 2022-23 before the draft new NEPP Agreement had been circulated for consideration and had not been ratified by the partner authorities. The member suggested that recommended decision 1.2, which was to approve the proposed pricing for 2022-23, be removed. The Chairman asked advice as to whether 1.2 could be dropped and recommended decisions 1.1 and 1.3 taken without it. The Group Manager posited that in his view all three decisions would either have to be approved or rejected, noting that charging for permits would need to continue into 2022-23 whatever happened with regard to approval or rejection of the draft new NEPP Agreement when that was circulated to the partner authorities.

RESOLVED that the Joint Parking Committee: -

- a) Approves the changes to some permit prices [as shown in the report] to the end of 2021/2022 and the current NEPP Agreement
- b) Approves changes to some permit prices for the financial year 2022/23 under the new NEPP Agreement, in principle, and subject to the new Agreement being confirmed
- c) Notes that changes to 'pay to park' prices across NEPP Districts to the end of 2021/22 and beyond following the previous delegation of powers to officers to vary the on-street prices in pay to park areas at any other time in order to maintain at least parity with off-street areas.

It was noted that these resolutions were not carried nem. con. by the Joint Committee.

115. NEPP Surplus Fund – Project Progress and Fund Reallocation

Richard Walker, NEPP Group Manager, presented the background to this item, which related to the decisions to spend part of the NEPP's reserve fund on project work for each partner authority, in line with section 55 of the Road Traffic Regulation Act 1984. NEPP officers had also proposed project work, primarily involving innovation and better usage of data. This report noted changes made to some of the projects involved, including those affected or caused by the pandemic.

Jason Butcher, Parking Projects Manager [Parking Partnership], explained that the aim was to note the progress of current project work and the withdrawal of the listed projects for Epping Forest District Council and for the reallocation of the funds allocated to those cancelled projects to be used to improve the NEPP's vehicle fleet,

including new electric vehicles [EVs] and the charging infrastructure which they would require. The report outlined the issues and implications involved and it was noted that existing NEPP vehicles were soon due to be replaced in any case.

A Joint Committee member argued that, with the increase in use of EVs, Government would be likely to look to recoup lost revenue, such as from reduced income from fuel duty, by levying charges on the charging of EVs or by raising road tax on EVs. Officers were asked for this to be considered and noted in the wording of the NEPP's plans and project work on this. The Parking Projects Manager explained that it was difficult to make predictions, but that the plans had made a conservative estimate as to fuel costs and it was expected that differences in cost between running petrol/diesel vehicles and EVs would be reduced over the coming eight years.

The Parking Projects Manager was queried about the use of Park Safe cars with regard to Red Routes, double yellow lines (where it was stated by a Committee member that vehicle-mounted camera options could not assist enforcement, and roadways adjacent to schools, and whether there would be a greater use of Red Routes as being enforceable through use of vehicle-mounted camera systems. The Parking Project Manager confirmed that the Park Safe cars could be used to support enforcement of yellow zig-zags placed outside schools, as well as at bus stops.

The Joint Committee was reminded that the NEPP was working on wider plans to improve enforcement outside schools, to make better use of vehicle-mounted and fixed camera technology. Limits on the number of Civil Enforcement Officers [CEOs] had meant that enforcement outside schools, and influencing long-term compliance was difficult, as motorists tended to comply whilst NEPP personnel were in attendance, but this compliance often did not carry over into times when officers were not on scene. Sites where cameras had been installed had seen improved rates of compliance overall. Jake England, Parking Manager – Data-led Services, confirmed that Park Safe cars were only able to be used to assist in enforcing certain types of restrictions. Wider use of the cars was being explored, whereby potential contraventions could be flagged up to [an motorists operator or system](#), ~~or with~~ CEOs notified to enable them to attend and inspect potential situations where enforcement action might be necessary.

A Committee member asked whether the battery life of the EVs would last for the full eight years proposed in the report. The Parking Project Manger agreed that battery degradation over time needed to be considered, and that it was considered that battery failures over that timespan would be highly unlikely. The NEPP were looking at vehicles which were of a higher standard than the minimum that was thought necessary and it was explained that, in general, EV maintenance costs were much lower than the costs incurred by alternatives. No major concerns had been identified regarding battery life.

Officers were asked whether there were any other new projects which had been inserted to the programme, above those detailed in the report. The Parking Project Manager confirmed that there had been a number of changes to the projects within the programme, with details brought to the Joint Committee's meetings where these take place. A summary of the changes, removals and additions to the projects in the programme of parking projects was offered for circulation after the meeting to those who wished to see the full list of changes.

The Joint Committee asked for more information regarding the noting, at 5.2, that funds may be needed to support EV charging infrastructure at operational bases, and the scale of these additional costs in the different local authority areas. The Parking Project Manager agreed that this was a challenge, and explained that conversations had already been held with colleagues in one local authority and as an outcome the opinions given were that it would not be appropriate for the NEPP to have its own dedicated charging infrastructure in that area. In Colchester Borough, charging resources were already available and NEPP had worked with the Borough Council to secure use of these for NEPP vehicles. Alternative charging locations were sought in other local authority areas. Assurance was given that the EVs to be used by the NEPP would have sufficient battery power to allow them to be charged in the Eastern local authorities, such as Colchester, and have sufficient range to travel to those partner authorities in the West where charging infrastructure was yet to be sourced for their use. Support from the partner authorities in the West of the NEPP area would be welcomed to help locate and obtain the ability to use charging infrastructure in their areas.

The Group Manager noted that there were growing numbers of private charging points, in addition to those provide by public authorities. An example of this was the charging infrastructure operated by Gridserve in Braintree District. Improvements had been made to the speed of charging, which would allow for EVs to quickly 'top up', especially when being operated in Harlow District, which was furthest from the vehicles' current base. The EVs identified for use by the NEPP had battery capacity for over a day of operating which meant that charging could occur in relays, with one charge point being able to accommodate three or four vehicles. The NEPP was exploring ways to change deployment patterns, and the Group Manager posited that it would be of assistance were NEPP vehicles to be able to use charging facilities in Uttlesford District, as identified by Linda Howells, Economic Development Officer [Uttlesford District Council].

RESOLVED that the Joint Committee: -

- a) Notes the programmed and unprogrammed project summary tables in Appendix A
- b) Notes the withdrawal of all Epping Forest District Council (EFDC) projects, following discussions with local Officers

- c) Approves the proposed use of the EFDC project funds for NEPP fleet transition to electric vehicles (EVs), necessary infrastructure or to support the delivery of existing projects.

116. Park Safe Car Update

Richard Walker, Group Manager, explained that the use of electric vehicles [EVs] would bring additional efficiencies to the NEPP's operations. The NEPP continued to look to implement transformative changes to its operations. The use of Park Safe cars, which had access to a full parking database (including permit holders), brought greater efficiency in flagging up vehicles for officers to attend and investigate for potential contravention of parking restrictions. The NEPP had been a lead innovator in parking technology and aimed to continue this work, working with partners to use technology to increase efficiency and the use of officer time. The measures proposed had the potential to reduce the cost of enforcement services.

Jake England, Parking Manager – Data-led Services, confirmed that the NEPP would operate three Park Safe cars once two new vehicles are delivered, and explained how these cars would be used to identify parked vehicles for investigation by targeted foot patrols. This would allow the cars to be used to monitor all restrictions for officers to then investigate where possible contraventions are identified. Park Safe cars were currently able to operate in each local authority area, excluding Tendring District Council, and the recommended decisions included the extension of Park Safe car usage to include operation in Tendring District.

Councillor Alex Porter [Tendring District Council] argued that the recommended decision relating to noting the addition of two more Park Safe cars related to their expected delivery in April, thus going beyond the current NEPP Agreement in operation. Further to this, Councillor Porter requested that the recommendation for Park Safe cars across all six partner Districts/Boroughs be amended to exclude Tendring District, due to the stated intention of Tendring District Council's Cabinet not to accept the use of Park Safe cars in its area and to oppose any such use.

The Group Manager explained that the NEPP Joint Committee was the extant body currently tasked with decision making regarding parking, including decisions on the future of parking enforcement. The Joint Committee's powers would then transfer to whatever body succeeded it, which could reverse or amend any decisions made, but this did not prevent the Joint Committee from exercising its powers whilst the current NEPP Agreement was in operation.

Regarding the recommended decision to authorise use of the Park Safe car/s in all six Districts/Boroughs, the Group Manager underlined that the Joint Committee made decisions like this, as a body, under delegated powers from Essex County Council and for the County Council, rather than for the individual district and borough local authorities separately. The Group Manager explained that the Joint Committee was

able to make these decisions, or make decisions which diverged from the recommended decisions if it so wished.

Councillor Porter queried how the Joint Committee could make decisions for a future time after the ending of the current NEPP Agreement and before the partner authorities had been given the opportunity to examine the draft new NEPP Agreement. Councillor Porter argued that the Joint Committee had the power to make decisions which tailored enforcement provisions to each district and borough, to suit each area's own individual differences and needs, and signalled his intention to move an amendment to recommended decision 1.2, so that it stated that Park Safe cars would be deployed in five of the six North Essex districts, but not in Tendring District.

Joint Committee members requested more details from Councillor Porter as to the reasons for the opposition to the use of Park Safe cars in Tendring. Councillor Porter stated that he had the full support of his Cabinet colleagues in this opposition. The Chairman suggested that the Joint Committee could make the decision as to making possible the use of Park Safe cars in all six local authority areas, on the understanding that each individual borough and district leadership could then liaise with the NEPP as to whether they wished the Park Safe cars to operate in their area or not. This would allow for future changes in views, regarding camera vehicles, in each local authority to be reflected in whether these vehicles be used in their areas.

Councillor Porter argued that the Joint Committee should not vote on whether to approve unamended decision 1.2, as Tendring District Council disagreed with this recommended decision. Concern was raised by a member of the Joint Committee that one member of the Committee should not be able to exercise a veto power over decision making of the Committee. The Joint Committee discussed the potential implications of a partner authority opting out of using the Park Safe cars. The Group Manager confirmed that there were time and efficiency savings to be made from using vehicles to speed up the patrol rounds of officers, rather than relying on slow foot patrols which were more costly.

Councillor Porter accused the Joint Committee of being pointless as, in his view, it was Essex County Council which made the decisions, rather than the Partnership, and asked what the point of the Joint Committee was, if other members of the Joint Committee opposed the views of Tendring District Council's Cabinet on this item.

The Chairman expressed disappointment that Tendring District Council had not raised their concerns on this item prior to the meeting, as this would have given an opportunity to address the issues raised and seek a solution. The Chairman summarised the cost implication of allowing an opt-out for local authorities regarding use of Park Safe cars, including increased cost-effectiveness of enforcement in five of the partner districts being contrasted by a less cost-effective enforcement regime in a partner district where enforcement must be done on foot, thus causing a greater pull on resources.

Councillor Porter informed the Joint Committee that Tendring District Council would be happy to take over parking enforcement in the District and had offered to deploy its own staff to enforce parking regulations, at no cost to the County Council, stating that an agreement in principle had been drafted, but no further progress had been made on this. In light of this, it was the view of the Cabinet of Tendring District Council that the current arrangements regarding enforcement be kept, and Park Safe cars not deployed in Tendring.

The Joint Committee queried whether the decision being recommended could be deferred, potentially to be taken by a new NEPP, should an Agreement be ratified by the partner authorities for a new NEPP.

The Group Manager asked whether the opposition from Tendring District Council's Cabinet to the Park Safe cars stemmed from camera vehicles issuing PCNs [parking charge notices] themselves, and what the difference was between vehicle mounted cameras and the fixed cameras already mounted in places such as outside the school in Dovercourt. Councillor Porter reiterated Tendring District Council's offer to take on parking enforcement operations and argued that he did not need to justify what he was saying, as justification had not been given as to why this recommended decision was necessary. It was argued that the use of cameras was revenue raising, employing fewer staff, and collecting more money. Tendring District Council did not want this.

The Chairman proposed that recommended decision 1.2 be deferred in order to allow a full consideration to be made and an expanded report to be brought back for decision at a future meeting, in order to ensure that necessary parking enforcement operations could continue in Tendring District. The Parking Manager for Data-led Services suggested that the first recommended decision, to note the new Park Safe cars, could be taken at this meeting and that the second decision, regarding areas of operation for the cars, be deferred so that he and the NEPP could engage with the concerns of Tendring District Council in order to seek mitigations and solutions to alleviate any fears. The Group Manager concurred with this suggested approach.

RESOLVED that the Joint Committee: -

- a) Notes the addition of two new Park Safe cars (CCTV camera cars) and the imminent upgrades enabling patrols of permit parking areas, scheduled for delivery in April 2022, along with other upgrades in the forward plan
- b) Defers any decision regarding whether Park Safe cars should be deployed across all six North Essex Districts until a future meeting, potentially of a Joint Committee operated by a successor parking partnership under a new NEPP Agreement

117. Update on Obstructive Parking

Richard Walker, Group Manager, explained that there had been no news or developments since the previous meeting, in October 2021, and provided the background to this matter and the consultation and potential Government action to decriminalise obstructive parking offences. The Department for Transport continued to consider the digital management of Traffic Regulation Orders which, it was noted, was something which was already done in Essex. The potential options for changes to enforcement were given, with the NEPP favouring the option to decriminalise obstructive parking and enable NEPP officers to carry out enforcement actions, alongside the Police, where this was felt to be appropriate. The NEPP did not favour a blanket ban on all pavement parking.

111. Forward Plan 2020-21

Owen Howell, Clerk to the Joint Committee, explained that the proposed dates for meetings to be held in 2022-23 were dates proposed for the Joint Committee for the expected new North Essex Parking Partnership, which would succeed the current NEPP, should the new NEPP Agreement be ratified by the partner local authorities.

RESOLVED that the Joint Committee: -

- a) Notes and approves the North Essex Parking Partnership Forward Plan for 2021-22
- b) Notes and approves the scheduling of proposed dates for the North Essex Parking Partnership's successor Joint Committee (if such a joint committee is agreed and formed), as listed at 5.1 of the report