

MINUTES
of the
SOUTH ESSEX PARKING PARTNERSHIP JOINT COMMITTEE
held on 14 March 2024 at 2pm

Members present:

Councillor Ian Fuller – Chelmsford City Council
Councillor Simon Morgan – Maldon District Council
Councillor Carole Morris – Basildon Borough Council
Councillor Darryl Sankey – Brentwood Borough Council
Councillor Vilma Wilson – Rochford District Council

Officers present:

Nick Binder – Chelmsford City Council
Heather Binns - Chelmsford City Council
Paul Brookes – Chelmsford City Council
William Butcher – Chelmsford City Council
Andy Champ – Essex County Council
Jan Decena - Chelmsford City Council
Stuart Jarvis – Castle Point Borough Council
Mike Packham - Chelmsford City Council
Russell Panter – Chelmsford City Council
Alan Underdown – Basildon Borough Council

1. Welcome from Chairman

The Chairman welcomed those present to the meeting of the Joint Committee.

2. Apologies for Absence

Apologies for absence were received from Councillor M Fuller, Castle Point Borough Council and Councillor L Shaw, Essex County Council. Apologies had also been received from Sharon Braney – Rochford District Council, James Hendry – Basildon Borough Council, Jo Heynes – Essex County Council, and Nicola Syder – Maldon District Council. Alan Underdown substituted for James Hendry – Basildon Borough Council, and Andy Champ substituted for Jo Heynes – Essex County Council.

3. Minutes of the Joint Committee Meeting 12 December 2023

An update was given to a previous operational matter in the previous minutes on 14 December 2023 to the Joint Committee in relation to staffing issues. Members were informed that there were currently three vacancies in Brentwood, a part-time vacancy in Basildon, and another vacancy in Maldon. One applicant for one of the posts in Brentwood had been subject to employment checks but withdrew thus another round of advertisement was facilitated. It was advised that there had been a good response with seven application forms received. It was anticipated that all the vacancies would be filled from the applications. It was also reported that one of the officers were soon to retire and that advertisement for this post had started.

The minutes of the meeting 12 December 2023 were confirmed as a correct record.

4. Public Question Time

No questions were asked at the meeting.

5. Operational and performance update (verbal update)

The Joint Committee received a verbal update on enforcement operational matters. Members were advised of the robust system with training new staff and ensure that they were inducted. It was noted that existing staff would also receive refresher trainings. However, recruitment still posed to be challenging and there were delays in recruiting staff. They were also updated regarding school parking and the 3PR initiative and schools that had signed up would be contacted to check progress. Some new park and stride schemes were to be initiated by Barnes Farm School as well as the option for a potential scheme in Stock. Members were also informed of the School Parking twitter account.

The Joint Committee was also informed of the moving traffic enforcement powers and whether Essex County Council would apply for these to be introduced in Essex.. Essex County Council confirmed that the current position is to not adopt these powers. They were also informed on the footway parking and there was now pressure on the government to introduce this legislation for authorities outside of London. It was noted that it had been three years since the last consultation and that the British Parking Association had called the government to action. It was also noted that there should ideally be an agreed Essex wide policy on how to enforce an obstruction of a footway/pavement should the legislation be granted.

Member were also informed of the red routes and data led enforcement. It was advised that there had been talks with the camera companies and the consideration for the use of red routes in high profile areas where traffic management is a constant challenge. There were also discussions on which supplier to use. Members were also provided an update on MiPermit. It was advised that the team had attended a seminar with Chipside and discussed capabilities regarding omission-based charges.

In response to the questions and comments, the Joint Committee members heard that;

- The School Parking Team were in liaison with St Peter's School at South Weald regarding the park and stride initiative. It was stated that there was an issue with the road network and the location of the school being rural.
- Red routes were roads that have red lines to indicate that a vehicle was not allowed to stop. It was advised that applying a red route was seen as a more viable option and a more effective way of enforcement.
- Regarding parking apps on mobile phones and whether there would be a 'national' parking app, it was advised that people choose their preferable parking app. It was also advised that there was a government-led platform where one of the objectives was for parking apps to be centralised under one app.
- It was advised that officers were now working with Brentwood officers in relation to the ongoing parking issues in the High Street and looking at potential future solutions to improve the enforcement in this area. It was advised that a red route was a potential option, and officers were currently looking at the logistics. However, the costs and funding were still to be established and agreed.
- It was advised that MiPermit was a permit platform which residents could also make an account to apply for permit. Enforcement officers would be able to decipher whether there was a permit or not on their handheld devices.

RESOVLED that the update be noted.

(2.04pm to 2.22pm)

6. Financial Report

The Joint Committee considered a report on the financial position of South Essex Parking Partnership up to 29th February 2024, which showed a cash-based surplus of £387,836 for SEPP and a deficit of £288,524 for the TRO account before considering items funded from the Reserve. This resulted in an overall surplus position of £99,312 when the TRO account was included, an improvement of £21,144 since last reported. It was noted that the 23/24 figure on PCN income, represented just under 102% of the income received in 22/23 over the same period. It was noted that the latest projections and incomes received meant the budget was likely to be broadly on target.

Members were also noted of the two additional items of reserve spend in 23/24 since last reported, relating to Basildon and Brentwood's £186,000 allocation from the Operational Fund. This was added to the out of hours enforcement costs in Brentwood out of the reserve spend in 23/24, and the total reserve spend then totalled to £405,820 to date. This then left the partnership and TRO account in a total deficit position after reserve use of £306,508.

Responding to a question regarding the out of hours enforcement in Brentwood, it was reaffirmed that the partnership was paying for officers, but that this arrangement would be moving to a more flexible arrangement moving forwards.

RESOLVED that the financial report be noted.

(2.22pm to 2.26pm)

7. Progress on Business Plan 2023/24

The Joint Committee received an update on progress against the Business Plan approved for 2023/24. It was advised that the Business Plan 2023/24 estimated a final surplus position of £69,000. The £400,000 reserve that was currently held would be maintained. Members were also advised that the projected outturns would be dependent on the operating the function to the agreed expenditure costs and the amount of income received. It was highlighted that the PCN income equated to 65% of the overall projected income.

Officers reported that the amount of PCNs issued were monitored and found that it increased to 4.3% against the 2022/23 outturn but less than the estimated in the Business Plan by 2.1%. Operational costs were reported as expected but that the overall income receive from PCNs, permits, and pay and display income was expected to reduce by 3.5% against the estimates. The expected surplus outturn for the enforcement operation was then expected to be in the region of £410,000.

Members were advised that performance were not at levels on the pre-COVID period, which was the baseline of the current Business Plan. The individual PCN performances on each area were also heard with Basildon, Maldon, and Rochford being down against the estimated figure with one of the factors affecting this was the constant turnover of staff. In relation to the recovery rates, it was advised that 75% would be the benchmark for PCNs issued. It was advised that the overall recovery rate for PCNs paid was currently at 73%.

In response to comments and questions, the Joint Committee heard that;

- Regarding the figures seen in Maldon District, it was advised that the amount of PCNs received were monitored throughout and that the current vacancy could affect the figures as well. It was also advised that the deficit would be the result of the increased costs. It was also advised that as Maldon was saturated, there were not many permit holders.
- It was advised that both Chelmsford City and Brentwood Borough have the benefit of both visitor and resident parking and on-street pay and display income.
- It was advised that the Partnership account related to the ECC highways and the public car parks within the Partnership areas remain the responsibility of the local authority
- It was observed that Basildon Borough was mainly industrial and that working from home could be a factor in its performance. Officers advised that an operation was in place and that also the demographics of the place could be a factor.
- Regarding the performance by Rochford District, it was advised that there was a period of two to three months where a staff was on long-term sickness. It was considered to supplement Rochford with staff from other areas however it would impact those places. Currently, all of the staff was in operation and there had been no issues regarding individual performances.
- Regarding sharing good practice between officers, it was advised that there were always different levels of performance in certain officers however it was also advised that certain areas were different to each other, and that the performance was area-based only.

AGREED that the report be noted.

(2.16pm to 2.21pm)

8. Delegation of the Joint Committee decision to consider representations against an advertised Traffic Regulation Order

The Joint Committee received a report proposing to approve the delegation to the SEPP manager, or a nominated deputy, the function of considering representations received in respect of an advertised proposed Traffic Regulation Order. Members were advised that the decision was to be taken after consultation with the Chair of the Joint Committee and one Member, who would normally be a representative for the local authority in whose district the proposed TRO would relate to.

Members were informed that Essex County Council had delegated the responsibility for on-street parking enforcement and for the relevant signs and lines maintenance to the Joint Committee. The Joint Committee was also given powers to make relevant traffic regulations in accordance with the provisions contained in the Traffic Management Act 2004 and the Road Traffic Regulation Act 1984. Members were also informed of the procedures following an introduction of a new TRO which included publishing a statutory Notice of Proposal and considering unresolved objections before reaching a final decision. It was also advised that the Joint Committee currently have a Sub-Committee to consider objections against a proposed TRO where the objections were read out by the SEPP manager or by the public invited to give out their objections. The Members also noted the current Terms of Reference of the TRO Sub-Committee.

It was observed by officers, however, that a high number of the proposed TROs were reinforcing guidance from the Highway Code including junction protections and obscuring sightlines on a bend. It was noted that setting up the TRO Sub-Committee to consider such proposals could be timely and that the delegation to the SEPP manager would streamline the process. There was also the added benefit of reducing the amount of time taken from advertising the TRO to making a final decision should objections be received. Members was also advised that North Essex Parking Partnership (NEPP) already have the delegation to officers in place.

Members noted the amended relevant section of a new Joint Committee Agreement should the delegation to officers be agreed. It was also advised that final decisions could still be forwarded to the TRO Sub-Committee should it be found necessary and appropriate after the consultation with the Chair of the Joint Committee and a Member whose local authority the proposed TRO related to.

In response to questions from members, the Joint Committee heard that;

- It was reiterated that NEPP already have the same arrangement in place where officers would make delegations on representations where guidance on the Highway Code was involved. It was advised that there was no obligation for the public to attend and observe TRO meetings however these meetings stayed open for SEPP for transparency. However, all objections were still to be considered even up for officer delegation.
- The recommendation to modify a TRO would still be available. If there were further concerns around any schemes, these would be sent back to the Sub-Committee for consideration.

- There would still be a detailed report setting out the representations received and the recommendation to be considered under the new delegation and anyone who made representations would still be notified of the decision made

The Joint Committee Members then voted by show of hands to the proposed delegation to officers to consider representations and take the decision on the advertised TROs. The Joint Committee unanimously agreed to proceed with the proposed delegation to officers.

AGREED that;

1. That the South Essex Parking Partnership Manager (or nominated deputy of the Lead Authority) be delegated the standing authority to –
 - i.) consider representations received in respect of an advertised proposed Traffic Regulation Order; and
 - ii.) after consultation with the Chair of the Joint Committee and one other Joint Committee member (who will normally be the Joint Committee member for the local authority in whose district the proposed TRO relates) to take one of the following steps:
 - Make the proposed TRO as advertised;
 - Make the proposed TRO as advertised but subject to modifications (which are less restrictive); or
 - Withdraw the proposed TRO in its entirety (i.e. not process with the making of such TRO).
2. The Terms of Reference of the Joint Committee's TRO Sub-Committee be amended to reflect the above delegation – that is to say, to make it clear that the Sub-Committee shall only exercise its functions in those cases where the South Essex Parking Partnership Manager (or nominated deputy of the Lead Authority) after consultation with the Joint Committee Chair and the Joint Committee Member for the local authority in whose district the proposed TRO relates determines that the proposed TRO should be referred to the Sub Committee.

(2.46pm to 3.06pm)

9. Date and time of next meeting:

AGREED that the next meeting of the Joint Committee be on 27th June 2024 at 2pm.

The meeting closed at 3.06pm

Chairman