

**NORTH ESSEX PARKING PARTNERSHIP
JOINT COMMITTEE FOR ON-STREET PARKING**

**18 July 2024 at 1.00pm
Town Hall, High Street, Colchester CO1 1PJ**

Members Present:

Councillor Mick Barry (Tendring District Council)
Councillor Martin Goss (Colchester City Council)
Councillor Neil Hargreaves (Uttlesford District Council)
Councillor Paul Honeywood (Essex County Council)
Councillor Tim Matthews (Epping Forest District Council) [substitute]
Councillor Nicky Purse (Harlow District Council)
Councillor Gabrielle Spray (Braintree District Council) [substitute]

Substitutions:

Councillor Spray for Councillor Butland
Councillor Matthews for Councillor Williamson

Apologies:

None.

Also Present:

Trevor Degville (Parking Partnership)
Jake England (Parking Partnership)
Chris Hartgrove (Colchester City Council)
Jo Haynes (Essex County Council)
Amelia Hoke (Epping Forest District Council)
Owen Howell (Colchester City Council)
Dean James (Harlow District Council)
Sarah Lewin (Uttlesford District Council)
Esme McCambridge (Braintree District Council)
Hayley McGrath (Colchester City Council)
Andrew Nepean (Tendring District Council)
Mel Rundle (Colchester City Council)
Richard Walker (Parking Partnership)

179. Election of Chair

RESOLVED that Councillor Honeywood be appointed Chair for 2024-25. FIVE votes in favour. ZERO votes against. ONE abstention.

180. Election of Vice Chair

RESOLVED that Councillor Hargreaves be appointed Vice Chair for 2024-25. SIX votes in favour. ZERO votes against. ZERO abstentions.

181. Have Your Say

A petition was presented to the Chair, from Witham Town Council. The petition opposed any introduction of paid-for on-street parking on Newlands Street, Witham. The Town Council's view was that such a move would contravene the policies of the North Essex Parking Partnership [NEPP] and would harm the local economy.

Mr Peter Green attended and, with the Chair's permission, addressed the Joint Committee to voice opposition to any introduction of charging for on-street parking in Witham. Mr Green explained his concerns and argued that such an introduction would only be to generate income for the NEPP. Many shops had left the Town already, and there were factors inhibiting the expansion of others, such as Tesco. Mr Green posited that traffic through Witham was not affected by parking currently, and voiced his opposition to having to pay to park on his own street.

Jake England, Group Operating Manager, explained that the initial proposals were for efficiencies in how parking was managed, and that informal consultations on any proposed sites would occur later in the year.

Mr Nick Chilvers attended and, with the Chair's permission, addressed the Joint Committee to raise questions. Mr Chilvers gave thanks for his statement to the last meeting of the Joint Committee being presented and recorded, and went on to ask for definitions to be given for 'enhanced consultation' and 'stakeholders' in the context in which they were used by the NEPP. Mr Chilvers noted that there had been no comments shown regarding Colchester proposals for areas for on-street parking charges, and asked if local groups had been consulted, including the Masonic Lodge, Nepalese community, Parent Teacher Associations and the landlord of the Abbey Arms. A targeted approach was suggested. Mr Chilvers asked whether consultations would only be on a model which only allowed payment via app, and requested that a free first hour be given, should parking charges be introduced. Mr Chilvers explained that he would be happy to receive a written response to his queries, but would welcome an answer in the meeting to his questions regarding definitions.

Jake England, Group Operating Manager, explained that payment options would be online, via an app, or by using a 'phone. Enhanced consultation was a concept which had been laid out as a response to the call-in which had been received relating to a previous decision of the Joint Committee on this subject.

Enhanced meant taking a locally tailored approach, including ward and county councillors, stakeholders and local groups felt to be relevant. Trevor Degville, Group Development Manager, expanded on this to say that letter drops to residents would be carried out, in addition to contacts with councillors. Initial informal consultation would be to decide whether to proceed to the formal, enhanced consultation stage and advertising of proposals. Informal consultation was not intended to decide whether or not to introduce charging schemes.

182. Minutes

Councillor Barry noted the resolution under minute 174, and apologised that there had not been enough time to work up suggestions for wording amendments to the NEPP agreement. Councillor Barry stated that these were expected to be ready for consideration at the next meeting of the Joint Committee. Councillor Hargreaves described work which had been done on suggested wording amendments, which were now being considered by the legal teams of the partners working on them. Councillor Hargreaves maintained that the NEPP was operating outside its contractual terms, and that there were parts of the Agreement wording which were incorrect. Councillor Hargreaves argued that the retention by Essex County Council of the right to use powers it had delegated to the NEPP was an issue.

Councillor Barry queried whether statements recorded regarding the forecasting for PCN [Penalty Charge Notice] income had been made, as recorded. Concern was expressed that PCN income had increased, but had not been reflected in the forecasts for future PCN income. Councillor Barry stated that, had this been known by Tendring District Council, this would have changed the conversations it had held regarding NEPP membership. Richard Walker explained that the points made were around the forecasts, and the NEPP needing to have confidence in what was happening

RESOLVED that the minutes of the meeting held on 21 March 2024 be approved as an accurate record.

183. Annual Governance Review and Internal Audit

Hayley McGrath, Corporate Governance Manager [Colchester City Council], introduced her role, work, and the report, relating to governance arrangements at the NEPP. There was no statutory requirement for an annual governance statement, but one was produced as a matter of best practice. The Corporate Governance Manager explained that Joint Committee members could contact her to raise any questions or concerns they might have regarding governance.

Internal audit was carried out primarily by Colchester City Council, but all partners could conduct their own internal audits, should they wish to do so. Colchester City Council reviewed all governance areas, including political processes and payment procedures. No partner concerns had been raised during 2023-24, and there had been no additional findings of concern, so it had been concluded that the NEPP had adequate controls in place. The NEPP consistently achieved reasonable or substantial ratings, so there had been no need for a full

audit. A rolling programme of policy updates was in place, and a full audit would be carried out in 2024-25, which would be reported on at the next Annual Meeting.

Officers were asked how reconciliation was possible for the concern raised that the NEPP was operating outside of the terms of its Agreement, which required the maintenance of a reserve of at least £400k. The Corporate Governance Manager explained that the view taken was that the matter had been fully raised at Joint Committee meetings, with decisions made at those meetings regarding reasonable actions. This matter would have been raised as an issue if it had not been dealt with by the Joint Committee and if it were not being looked at. The Joint Committee could decide to add this to the NEPP's Strategic Risk Register. If the position failed to improve by the end of 2024-25, then this would become an issue to be considered then.

RESOLVED that the JOINT COMMITTEE:

- a) Notes the Annual Governance Review of the North Essex Parking Partnership (NEPP), and;
- b) Has considered the progress on implementing Internal Audit recommendations for the North Essex Parking Partnership.

184. Annual Review of Risk Management

Hayley McGrath, Corporate Governance Manager [Colchester City Council], explained the management process for risk, relating to Colchester City Council and its partnerships. There was no formal requirement for a risk register and management process, however Colchester City Council's role was to look at strategic risks for the Partnership as a whole. The NEPP risk register covered strategic risks to the Partnership, not to individual partners. The Corporate Governance Manager first discussed risks and concerns with NEPP colleagues, and then with partner Client Officers.

The review of risk management had been completed, and the recommendations for changes to the register included within the report, but it was the Joint Committee's decision as to whether to make any changes to the register. There were three risks with decreased severity, and two recommendations for additional risks to be added to the register. There had been a lack of resilience noted with regard to specialist posts, and risks associated with difficulties in recruiting to front line posts.

The Joint Committee asked whether there were any 'single points of failure', where the leaving or incapacity of specific officers could see organisational breakdowns. The Corporate Governance Manager explained that the potential addition of an item to the risk register, to cover this, had been considered, where an issue might be encountered should required skills or knowledge not be available. Richard Walker, Head of Parking, explained that the transformation project had been used as an opportunity to address this potential issue. The Head of Parking had a deputy, who also had a deputy. Information was shared

between these officers, and the next tier of management also met regularly to share information. A succession plan was a necessity, especially now the organisation was a smaller entity.

RESOLVED that the JOINT COMMITTEE:

- a) Endorses the Risk Management Strategy for 2024/25, and
- b) Agrees the Strategic Risk Register, subject to any requested amendments.

185. NEPP Financial Update (including the Month 12 outturn for 2023/24 and the budget for 2024/25)

Chris Hartgrove, Service Director (shared) – Finance and Deputy Section 151 Officer [Colchester City Council], underlined the continuing stable position of the NEPP, and the achievement of a net surplus of £121k for the financial year. The NEPP's reserves were on track to return to surplus by March 2025, with the reserves deficit having been reduced to £39k by March 2024. The budget contribution to the reserves in 2024-25 would see a reserves reach a balance of £66k by the end of March 2025.

Budget variances were highlighted within the report, including an underspend on civil enforcement officers and supervision costs of £135k. The vacancy savings were explained, with successful recruitment now having a financial effect on reducing the surplus, but also increasing income.

There had been no budgeted contributions to bad debt provision in 2023-24, during which time an overspend of £178k on bad debt had been incurred. This had now been rectified in the approach to the 2024-25 Budget. There had been an increase in Penalty Charge Notices [PCNs], so this had shown that the increase in civil enforcement officers had had a positive impact.

There had been an income shortfall of £139k on parking charges. This budget line included a number of income streams, including pay and display parking. Two significant budget variances were explained; firstly, the assumption in the 2023-24 Budget that the NEPP would receive £107k from Essex County Council to expand the ParkSafe scheme for school cameras, which did not come to pass. Secondly, an expected income of £60k for parking consultancy work had been assumed, along with additional income from events such as 'Ride London', which did not materialise.

The Joint Committee welcomed the improved figures and forecast projections. A Committee member stated that the actual income from PCNs, up to end of P11, was £1,772k, with this report stating that the PCN income for the year was £2,350k, and queried how the PCN income from the final month of the year could have reached £578k, in comparison to an average PCN income per month for the first 11 months of around £161k. The Service Director (shared) – Finance confirmed that there had been an increase in PCNs in the final month, with a

steep increase in PCNs through the final quarter of 2023-24. Regarding the forecast PCN income for the final quarter of that year, the Service Director (shared) – Finance explained that, whilst there was positive news emerging in January regarding PCN income and a more optimistic projection could have been made, the risk had been that this projection might not have been met, so the decision had been made to release a more positive forecast when it was more certain, which was reported to the Committee at its March meeting, and then confirmed in the outturn for 2023-24.

A Committee member for Tendring District Council stated that their Council had been making critical decisions regarding the NEPP, but had not had access to the information which had indicated a more positive outturn than expected would be achieved. This could have resulted in this Council leaving the Partnership, based on the information which had been given to partners, and the Committee Member for Tendring expressed surprise that this approach had been taken to the reporting of forecasts. The Service Director (shared) – Finance argued that the alternative scenario could have been the earlier upgrading of forecasts, with the risk that these weren't then achieved. There had been an aim to avoid surprises, but a stable position was now being reported in recent months.

Jake England, Group Operating Manager, informed the Committee that, following its previous meeting, he had sent information to Andrew Nepean, Client Officer for Tendring, reporting the £1,772k income from PCNs for P1 – P11, with £501k then reported for P12. This far outweighed the income in any previous month from PCNs. The Group Operating Manager described the projections, and the year end debtor figure. £150k expected PCN income had been projected for P12, but the year end swing, which occurred each year, had caused misconceptions in the way it was reported at year end. Officers were looking to address this, and reflect the effects of the year end swing throughout the year, rather than giving one lump figure at year end itself. The Head of Parking added that it was very difficult to predict income when this swing occurs, and that the swing at year end of 2023-24 had been unprecedented, with a change from a downward trajectory to a steep upward trajectory in the last quarter of the year. The Group Operating Manager clarified that PCN income had been reported accurately in March, but that there may have been confusion caused by the year end debtor situation, as the amount for this was not known at the time, and could only be forecast. It had now been confirmed that the year end debtor total stood at £351k.

A Joint Committee member asked for clarification as to how the year end debtor situation was handled, and how the NEPP could assume that such debts would be paid off at year end. The Service Director (shared) – Finance explained that there was a year end debtor process in place. This amount used to be relatively small, as a percentage of PCNs issued. As PCN numbers went up, so did the year end debtor figure. The overall position was not much different to the forecasting made in accounting periods P9 – P11, and was not related to the reversal of overprovisioning for bad debt. Forecasts were given as estimated projections, and not as definitive amounts.

The Service Director (shared) – Finance was asked, in relation to the forecasts for the coming year, whether these and the 2024-25 Budget included the

projected £140k from on-street parking charges from potential new sites for such charging, given that there appeared to be opposition to some, and the doubt as to which schemes might proceed. The Head of Parking underlined that the Budget set had been very conservative and calculated on a seasonal basis. Pay to Park schemes were not intended to increase income, but an estimate had to be made on this.

Officers were asked whether vacancies would be filled, or whether they would be maintained, to continue to gain vacancy savings. The Group Operating Manager explained that there had been a reduction in total positions within the NEPP, as detailed in the transformation programme report on the agenda. A Committee member noted the report's expectation that the next staff pay award would exceed budget provision, which would be the third year in a row for this to occur. The Service Director (shared) – Finance was asked if an award of lump sums to staff on lower grades would result in underbudgeting for pay, and whether this had been factored into the Budget for 2024-25. The Service Director (shared) – Finance explained he could not give a guarantee but would consider what had been said, and noted that lump sum pay awards eroded pay scale differentials, so could not continue indefinitely.

A Committee member raised the issue of the income which had been expected for additional work discussed with Essex County Council [ECC], but which had never come to pass, asking whether this had now been removed from the Budget. The Group Operating Manager confirmed that this was no longer within the Budget. School camera work was postponed until certainty was given to the NEPP that this would proceed within budget. Jo Heynes, ECC Client Officer, stated that ECC and the NEPP had worked on a trial, but that it was not currently sustainable. The Committee member raised concern that the £107k expected additional income was a significant amount, and that the NEPP had recruited and prepared to carry out the work discussed. The Committee member urged for closer working and for work to be done to mend the situation. ECC's Client Officer informed the Joint Committee that the County Council had not issued any formal instructions to the NEPP to recruit.

RESOLVED that the JOINT COMMITTEE:

- a) Notes the outturn for 2023/24 as of 31st March 2024 (Month 12); and
- b) Notes the impact on the Parking Reserve balance.

186. Update on Fees, Charges, Delegations and Policies

Richard Walker, Head of Parking, introduced the item, setting it out as part of the ongoing rolling programme of policy updates. The fees and charges plan had been approved two years previously, with the NEPP now in year three of the four years in the plan. The policy review process was laid out, showing what had been done and what was to come.

A Committee member asked how delegations worked, such as where a NEPP partner might want on street parking charges to match off street charges, and

whether there was consultation. The Head of Parking confirmed that such a proposal would need to be advertised, and would go through a short consultation process.

RESOLVED that the JOINT COMMITTEE:

- a) Agrees that delegations made previously should continue.
- b) Notes the decision to match on-street tariffs to nearby car parks, to be made under existing delegations, and note the recent changes to be implemented (subject to 1.1).
- c) Notes the plan for fees and charges decided previously, currently in year 2, and continue its implementation.
- d) Notes the Policies which are in place and the plan and mechanism for updates.

187. On-Street Paid Parking – Update

Jake England, Group Operating Manager, introduced the report, which followed on from two prior reports considered at previous meetings. At the Joint Committee meeting on 21 March 2024, matters regarding enhanced consultations were clarified. Potential schemes for Colchester and Epping Forest were to be considered first, to ascertain how these fared. The Joint Committee was being asked to approve the sites for which formal consultations would then be carried out.

The Committee member for Braintree District Council described the concerns raised within Braintree, regarding the potential introduction of on street parking charges. Halsted Town Council had, as an example, raised concern that this would harm economic viability of local businesses; these concerns were shared by Witham Town Council, and seen in Colchester also. The suggestion of a first hour parking for free was supported by the Committee member, arguing this could be done and enforced with ease.

The Committee member for Colchester gave confirmation that the concerns that he had previously raised had all been addressed, stating that Colchester City Council was happy to proceed.

RESOLVED that the JOINT COMMITTEE approves the advertising of additional on-street paid parking sites in the Colchester and Epping Forest areas as outlined in the report.

188. NEPP Transformation Update Report

Jake England, Group Operating Manager, introduced the report, for noting, and gave details of the restructuring. The previous structure of 91.5 FTE [full time equivalent] employment across 28 different types of post had been superseded

by a structure of 76.5 FTE employment across 15 different types of post. There had been a 41% reduction in posts, with a 21.6% reduction in officers.

The Group Operating Manager noted that 'Appendix D' should have been titled 'Appendix C.'

19 officers had been at risk of redundancy. 13 were matched into roles in the new structure, one took a fixed-term position, one moved to Colchester City Council, whilst the remaining four were within their notice period, applying for other positions.

The Committee asked about the effect of this on the NEPP's finances. The Group Operating Manager explained that some posts were involved in off-street parking work, through agreements with partners, and that the cost of those roles had been shared between the two workstreams. Some of the removed roles had been vacant, so the actual saving to the organisation would not equal the total of the salaries and pensions from all of the removed roles.

RESOLVED that the JOINT COMMITTEE notes the changes to the organisational structure implemented under the NEPP Transformation programme.

189. Report setting out parking provisions in the Essex Act

Richard Walker, Head of Parking, explained the Essex Act and its provisions, focussing on the powers to prohibit parking, by notice, on mown and ornamental verges. These powers were similar to those of a Traffic Regulation Order [TRO], but did not require a TRO. There was no budget set aside for Essex Act prohibition and enforcement work, but this was a potential solution for NEPP partners to use in verge protection.

One Committee member outlined successful work that had been done in the Colchester area to stop damage to verges and allow enforcement. This had been found to be cheap and simple. Another member of the Committee suggested that the options under the Essex Act be publicised to the NEPP's partner councils, and to parish and town councils.

RESOLVED that the JOINT COMMITTEE:

- a) Notes the provisions in the Essex Act which relate to parking
- b) Directs the NEPP to produce a bulletin, for its partner councils, parish councils and town councils, to advertise the verge protection measures within the Essex Act

190. Forward Plan 2024-2025

RESOLVED that the JOINT COMMITTEE approves the North Essex Parking Partnership Forward Plan for 2024-25, with an item on Agreement changes to be added to the meeting on 14 November 2024.

