

## READING BOROUGH COUNCIL

### REPORT BY EXECUTIVE DIRECTOR OF ECONOMIC GROWTH AND NEIGHBOURHOOD SERVICES

<b>TO:</b>	POLICY COMMITTEE		
<b>DATE:</b>	18 <sup>th</sup> JANUARY 2021		
<b>TITLE:</b>	CIVIL ENFORCEMENT (PARKING) CONTRACT AND PARKING STRATEGY - UPDATE		
<b>LEAD COUNCILLOR:</b>	COUNCILLOR PAGE	<b>PORTFOLIO:</b>	STRATEGIC ENVIRONMENT, PLANNING AND TRANSPORT
<b>SERVICE:</b>	PLANNING, TRANSPORT AND REGULATORY SERVICES	<b>WARDS:</b>	BOROUGHWIDE
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#### 1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 The current Civil Enforcement Contract with NSL Ltd commenced November 2014 for a term of up to 10 years, consisting of an initial term of 5 years and extensions of a period or periods of not less than one year up to 5 years. Policy Committee agreed contract extensions in January 2019, and January 2020.
- 1.2 This report provides Policy Committee with an update of the work officers have completed since the January 2020 extension was agreed. During the year officers have worked with specialist parking consultants who were appointed to guide the Council towards two key outcomes - a new Civil Enforcement Contract and a new Parking Strategy.
- 1.3 This work has included the implementation and review of the performance of the existing contract improvements agreed as a part of the current contract extension, a review of the procurement strategy, and the outline development of a new parking strategy to align with the objectives of the new Reading Transport Strategy (due to be adopted early 2021).
- 1.4 This report sets out the next stages and recommends that, in light of the impacts of the COVID 19 pandemic on the original programme, and the need to continue further detailed work on the most appropriate route to Market for any new Civil Enforcement (Parking) contract and development of a new parking strategy for Reading, a further extension of the existing Civil Enforcement (Parking) contract with NSL Ltd be requested up to 2 years.

## **2 RECOMMENDED ACTION**

- 2.1 To note progress made on both the development of a new Parking Strategy and a new Civil Enforcement Contract.**
- 2.2 That a two-year extension to the contract for Civil Enforcement with NSL Ltd from 1 November 2021 - 31 October 2022 and if needed to 31 October 2023 be agreed in accordance with the terms of the contract.**
- 2.3 To endorse the ongoing development of a new Parking Strategy and a new Civil Enforcement (Parking) Contract over the next 12 months.**

## **3 POLICY CONTEXT**

- 3.1 Enforcement of moving traffic (bus lanes/gates) and parking contraventions, in accordance with the Road Traffic Act 1988, Transport Act 2000 and the Traffic Management Act 2004, is a statutory duty required of the Council as Reading Borough is designated as being a Civil Enforcement Authority (CEA).**
- 3.2 Following a tender in accordance with the Contract Procedure Rules, a Civil Enforcement contract was awarded to NSL Ltd in 2014 to provide parking enforcement and related services (as detailed below). The contract consisted of an initial period of 5 years with an option to extend the term of this contract by a period or periods of not less than one year, with such extension periods or periods totalling in aggregate not more than 5 years for a total maximum contract period of 10 years.**
- 3.3 The services provided under the current contract includes:**
  - On and off-street civil enforcement
  - Back office administration and associated services together with Penalty Charge Notice (PCN) payment processing and reconciliation;
  - In-Car camera services and associated back office administration;
  - Bus Lane Enforcement (BLE) and associated back office services;
  - Maintenance including supply and install of Pay and Display (P&D) machines and secure cash collection;
  - On-line permits including associated IT provision and management of permit database;
  - Pay by phone parking and cashless parking systems with associated IT provisions.
  - An option to provide, during the term of the contract, vehicle clamping, vehicle removal, vehicle pound operation and all associated services.
- 3.4 Consultation on Council's new Local Transport Plan (LTP) was undertaken from 4th May to 30th Aug 2020. The new strategy has been developed to help achieve wider objectives including the Reading 2050 Vision, the Climate Emergency which was declared in February 2019 and improved air quality. It is heavily focused on addressing these wider challenges through a package of solutions to both provide realistic sustainable alternatives to the private car, alongside measures to manage demand to improve air quality and congestion. The new strategy has been aligned with other Council strategies including the new Local Plan and Reading Climate Emergency Strategy 2020-25 and formal Council adoption will be sought early 2021.**

## 4 BACKGROUND

- 4.1 The parking services market is undergoing a rapid change. In particular, the specialist parking consultant confirmed the following areas are key considerations in order to move the Council's future Civil Enforcement model forwards:-
- The parking and kerbside management environment is rapidly changing and becoming more complex;
  - On-street and off-street parking management will need to be joined up in order to react to the changing technology offer and provide stakeholders with real choice (and benefits)
  - Parking technology and data systems will play a key role in the future world of connected sustainable mobility.
- 4.2 To ensure the Council is best placed to react to the changing parking services market, in January 2020, Policy Committee agreed to procuring a new Civil (Parking) Enforcement contract. In order to provide the necessary expertise and experience in the parking market, a specialist parking consultant was engaged in March 2020 to support the Council in delivering this.
- 4.3 In addition to progressing a specification for a new Civil Enforcement Contract, the specialist parking consultant was also engaged to develop a new Parking Strategy for Reading to align with the objectives of the new Reading Transport Strategy which is due to be adopted early 2021.

## 5 PARKING STRATEGY

- 5.1 The specialist parking consultant was appointed to develop a new Parking Strategy for Reading which provides a strategic vision for the future of parking and contributes to the wider objectives of the Council adopting the same period to 2036 as the new Reading Transport Strategy (Local Transport Plan) due to be adopted early 2021.
- 5.2 A new Parking Strategy is key to recognising the role of parking in its wider context as meeting the needs of residents, providing a positive visitor experience, supporting the local economy, place making, climate change and improving air quality, and its resilience in the context of the evolving function of the town centre.
- 5.3 The work on the Parking Strategy to date takes into account of national, regional and local policy objectives, aligning with the emerging Reading Transport Plan 2036, Reading Climate Change Partnership's Reading Climate Emergency Strategy 2020-25, the new RBC corporate Carbon Plan 2020-25 - adopted in November 2020 and the Reading 2050 Vision, and draws on the latest view of future developments in parking, technology, and kerbside management. Within the likely timeframe of the strategy, a range of technological, societal and environmental factors will influence the future demand for parking and kerbside management.
- 5.4 The outline strategy has been prepared at a time when the UK is emerging from the lockdown necessitated by the Covid-19 pandemic. The lockdown inevitably caused a very significant fall in traffic and parking volumes along with parking revenues. It is unclear for how long the pandemic will have an impact on daily life and what the "new normal" will look like, but it is likely that elements of the reaction to the pandemic at a societal level (social distancing, rise in home working, economic recession, rise in unemployment, decline in cash usage, decline in bus usage, increased levels of walking and cycling, rise in e-commerce and delivery businesses) will have a lasting impact. A key unknown is how long it will be before trends initiated by the pandemic can be

assumed to be permanent. It could reasonably be assumed that an interim period over the next year will be necessary for the “new normal” to become clear. This has impacted on the programme to present a meaningful and realistic new Strategy for Reading.

## **6 CIVIL ENFORCEMENT (PARKING) CONTRACT**

- 6.1 In January 2020 Policy Committee received a report formally endorsing a one-year extension of the current contract but also noting the intention to procure a new Civil (Parking) Enforcement contract. The timetable to for the procurement process was set out in that report.
- 6.2 Since that time, work has continued with a specialist parking consultant in developing a strategy for the most appropriate route to market for any new Civil Enforcement contract.
- 6.3 As detailed in paragraph 5.4 above, the impact of the COVID Pandemic across the Country has been substantial and, whilst officers and the Consultant have continued to develop a procurement strategy for Reading, the change to how people travel, the impact on car parking usage patterns both in the short term, and the longer term (based on the ongoing uncertainties around recovery from the Pandemic) and the impact to the overall Civil Enforcement market, makes it difficult to present a clear recommendation at this time on the most suitable route to market.
- 6.4 Officers therefore recommend to Policy Committee that a two-year extension to the contract for Civil Enforcement with NSL Ltd initially from 1 November 2021 - 31 October 2022 and if required to 31 October 2023 be agreed in accordance with the terms of the contract. During this further contract extension, officers will be able to continue the development of both the procurement strategy and the recommended route to market (be it internal or external contracting) as recovery from COVID continues. While it is hoped that a new contract would be in place for 1 November 2022 uncertainty around the pandemic means that this cannot be guaranteed.

## **7. MOVING TRAFFIC OFFENCES**

- 7.1 The Department for Transport (DfT) has recently indicated that in Spring/Summer 2021, it is likely Local Authorities outside Greater London will be able to take on the powers under Part 6 of the Traffic Management Act 2004. This will allow further powers to enforce moving traffic offences (banned turns, yellow boxes etc) by camera. This is a key development in the ongoing management of the Network and Officers will need the time to consider how it could apply to areas in Reading, and also how it can effectively be enforced.
- 7.2 This development would add further weight to not progressing any new Civil Enforcement Contract until the full details are released by the DfT. The Committee will note that any charges relating to contraventions of moving traffic restrictions will also be ringfenced to Transport and Highways programmes and initiatives - similar to the current Bus Lane enforcement activity.

## **8 FINANCIAL IMPLICATIONS**

- 8.1 As required by the Traffic Management Act 2004, the Council publishes a Parking Services annual report which details all financial information relating to the operation of the Parking Service. The reports are publicly available on the Council website. The 19/20 report is due to be reported to the January 2021 meeting of the Traffic Management Sub-Committee.

8.2 The emerging Medium-Term Financial Strategy (Policy Committee December 2020) includes contract savings as a part of the existing Civil Enforcement Contract and the Fundamental Service Review. These total £300k over the next two financial years.

## **9 CONTRIBUTION TO STRATEGIC AIMS**

9.1 The Council has adopted a Strategic Framework (March 2020) which sets out the Council's key priorities including:

- To keep social care services running for the children and adults who need them;
- To support vulnerable and isolated people during the crisis;
- To support business and the economy, which will secure the long-term recovery of Reading.

9.2 The Council's Corporate Plan 'Shaping Reading's Future' 2018 -21 sets out the Council's key priorities including:

- Keeping the town clean, safe, green and active
- Providing infrastructure to support the economy
- Remaining financially sustainable to deliver these service priorities

## **10 COMMUNITY ENGAGEMENT AND INFORMATION**

10.1 The contractor will be required to work with Reading Borough Council on the coordination of information to be provided to residents and businesses.

## **11 EQUALITY IMPACT ASSESSMENT**

11.1 Under the Equality Act 2010, Section 149 the Council must, in the exercise of its functions, have due regard to the need to:

- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act.
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it.
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

11.2 The Council has reviewed the scope of the proposals as outlined within this report and considers that the proposals have no direct impact on any groups with protected characteristics.

## **12 LEGAL IMPLICATIONS**

12.1 Enforcement of moving traffic (bus lanes/gates) and parking contraventions, in accordance with the Road Traffic Act 1988, Transport Act 2000 and the Traffic Management Act 2004, is required as Reading Borough is designated as being a Civil Enforcement Authority (CEA).

12.2 As the estimated lifetime cost of the existing Civil Enforcement contract exceeded the "Service Threshold", the procurement exercise was subject to the Public Contract Regulations 2015, and as such the principles of non-discrimination, equal treatment, transparency, mutual recognition and proportionality were applied.

- 12.3 Enforcement of moving traffic (bus lanes/gates) and parking contraventions, in accordance with the Road Traffic Act 1988 and the Traffic Management Act 2004, is required as Reading Borough is designated as being a Civil Enforcement Authority (CEA).

### **13 ENVIRONMENTAL AND CLIMATE CHANGE IMPLICATIONS**

- 13.1 Transport is the biggest greenhouse gas emitting sector in the UK accounting for around 27% of total carbon emissions. As set out in the Reading Climate Emergency Strategy 2020-25 this figure is lower in Reading with transport accounting for around 20% of carbon emissions, however significant investment in sustainable transport solutions is vital in order to respond to the Climate Emergency declared by the Council in February 2019 and to help achieve our target of a carbon neutral Reading by 2030. Reading Climate Change Partnership's Reading Climate Emergency Strategy 2020-25 and the new RBC corporate Carbon Plan 2020-25 was adopted in November 2020.

- 13.2 The proposals set out in this paper have no significant impact in this area.

### **14 BACKGROUND PAPERS**

- 14.1 Policy Committee reports (23 June 2014, 14 January 2019 & 20 January 2020).
- 14.2 Traffic Management Sub-Committee - Parking Services Annual Reports (10th January 2019 and 9th January 2020).