

Leicester  
City Council

**WARDS AFFECTED: ALL**

**Leisure and Environment Scrutiny Committee  
Cabinet  
Council**

**11<sup>th</sup> May 2005  
16<sup>th</sup> May 2005  
26<sup>th</sup> May 2005**

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## **IMPLEMENTATION OF DECRIMINALISED PARKING ENFORCEMENT (DPE)**

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### **Report of the Service Director, Highways and Transportation**

#### **1. Purpose of Report**

- 1.1 This report recommends that the City Council submits an application for Decriminalised Parking Enforcement (DPE) powers to the Secretary of State. These powers will enable the Council to take over responsibility from the Police Traffic Warden service for enforcement of all of the parking restrictions in Leicester.
- 1.2 The report also recommends that the Council enters into a prudential borrowing arrangement to enable money to be made available to fund the appointment of a specialist parking consultant, following a tendering exercise, to assist with implementing DPE. The consultant's work will include making the necessary application to the Secretary of State. The money made available through prudential borrowing will fund start up Capital costs and setting up expenses. The loan will be re-paid out of fine income generated through enforcement of restrictions by the end of year 3 after the start of DPE.

#### **2. Summary**

- 2.1 The Council presently operates the public car parks and on-street pay & display bays in the City. The police are currently responsible for enforcement of all of the other parking restrictions in the Central area and remainder of the City. The police have indicated that the Traffic Warden Service will cease next year. It is therefore important that the Council implements DPE as soon as possible. The earliest time that we can have everything in place to allow the City Council to take over enforcement is November 2006 with a full service in operation by January 2007.
- 2.2 A Feasibility Study, including a financial model, has already been carried out by a specialist DPE parking consultant. A copy of the executive summary is attached to this report (Appendix 1) and a full copy of the report has been placed in the Members' area. The financial model demonstrates that the introduction of DPE will be financially viable, and, given the different scenarios relating to the number of fine issues and levels of payment, will break even over the first 5 years of its operation. This paper proposes, as the second stage of the process, to appoint another specialist DPE consultant, following a tender exercise, to assist with carrying out tasks where the Council lacks specialist expertise and knowledge to

implement DPE. The consultant's key task will be to prepare and submit an application to the Secretary of State seeking approval to be given to the Council for DPE powers.

- 2.3 The adoption of DPE will also allow the introduction of further resident parking schemes since the Council will be responsible for their enforcement, including dedicated resident parking bays and associated new parking restrictions. Up to the present time the Chief Constable has advised against the introduction of additional resident parking areas because of his lack of resources to enforce them. Consultations with the police and residents over the introduction of further residents parking areas could take place later this year. Details relating to the implementation of these schemes are still to be determined and this would be subject to further discussion with elected members with a report on the introduction of resident parking schemes being brought to Cabinet in due course.
- 2.4 The financial model already prepared outlines the cost of financing the introduction of DPE including, employing a specialist parking consultant and the Capital and setting up costs. The Capital and setting up costs are largely made up of establishing the on & off-street parking operations, the back office, including operational management and ticket/ permit processing systems and all necessary IT procurement. This paper proposes funding this work from prudential borrowing. The financial model is based on a penalty charge notice level of £60, reduced to £30 if paid within 14 days, and indicates that although there will be a deficit in the DPE account for the first 12 months pay back will happen from year 2, with a break even point at year 3. From year 4 onwards the model shows a modest surplus that could be invested in Council services, subject to the expenditure being permitted under the guidelines in force at the time.

### **3 Recommendations**

- 3.1 Leisure and Environment Scrutiny Committee is recommended to consider the report. Any comments the Committee wishes to make will be forwarded to Cabinet for consideration.
- 3.2 Cabinet is recommended to:
- a) approve making an application to the Secretary of State seeking DPE powers to enable taking over responsibility from the police for enforcement of all of the parking restrictions within the City.
  - b) agree to proceed with DPE on the basis of applying the maximum permissible level of penalty charge notice, presently set at £60 (reducing to £30 if paid within 14 days)
  - c) approve awarding a contract to the approved specialist DPE consultant that meets the specification and provides best value for money.
  - d) authorise the Service Director for Highways and Transportation, in liaison with the lead member for Highways & Transportation, to enter into contracts and undertake all other activities necessary to implement DPE.
  - e) authorise Prudential borrowing of up to £735k. This amount is to be drawn down to cover expected spends on the set-up costs and initial expenses over

the 3 years from 2005/06, estimated at £640k, together with a contingency of up to 15%.

- f) agree to a further report on the detailed proposals for the introduction of residents parking schemes be brought to Cabinet in due course.

#### 4. Financial & Legal Implications

4.1 The financial projection of income and costs is as follows:

	2005/6 £000's	2006/7 £000's	2007/8 £000's	2008/9 £000's	Future Years- £000's
<i>Costs</i>					
<i>Start-up</i>	205.0	190.0	0	0	0
<i>Running costs</i>	0	0	855.0	855.0	855.0
	<b>205.0</b>	<b>190.0</b>	<b>855.0</b>	<b>855.0</b>	<b>855.0</b>
<i>Income</i>	0	0	(610.0)	(1,120.0)	(1,140.0)
<b>Net cost/(Surplus)</b>	<b>205.0</b>	<b>190.00</b>	<b>245.0</b>	<b>(265.0)</b>	<b>(285.0)</b>
<i>Interest payments</i>	<b>5.6</b>	<b>16.5</b>	<b>28.5</b>	<b>35.2</b>	<b>22.5</b>

- 4.2. The financial implications relate to the recommended option on the basis that it is the most cost effective.
- 4.3. Start up costs include the cost of consultants and capital costs for ticket and permit processing hardware.
- 4.4. Running costs comprise principally cost of on street parking enforcement, ticket permit processing and operational management.
- 4.5. Income comprises additional generated on-street fine income and County Court proceeds plus extra machine income both from the car parks and on –street pay & display machines.
- 4.6. The assumptions underlying the financial model used by the consultants are realistic, though they may be slightly cautious and long-term surplus may be greater than stated.
- 4.7. It is proposed that Prudential borrowing of up to £735k is used to fund initial net costs in the first 3 years, estimated at £640k, together with a contingency of up to 15% to provide the flexibility required by a project of this scale and duration.
- 4.8. Interest is payable on Prudential borrowing. The amounts based on estimated costs excluding the contingency are given in the table above. The interest will be funded from on street parking income.
- 4.9. Net income will be used to repay prudential borrowing. Once the prudential borrowing costs have been met, future years surplus can be used to meet departmental budget priorities.

4.10. Further detailed analysis of the financial model and considering variations are stated in paragraph 1.15 of the supporting information.

*Financial information: Paresh Radia ext. 6507, 22<sup>nd</sup> April 2005*

4.11 The Traffic Regulation Orders presently established under powers contained within the Road Traffic Regulation Act 1984 will require conversion to enable enforcement of the restrictions under the Road Traffic Act 1991 which provides for decriminalisation of on-street parking offences

*Legal information: Karon Grew, ext. 6367, 22<sup>nd</sup> April 2005*

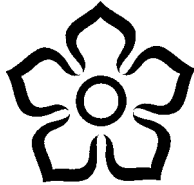
## 5 Report Author

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## DECISION STATUS

Key decision	Yes
Reason	Revenue expenditure over £250,000
Appeared in Forward Plan	Yes
Executive of Council Decision	Executive (Cabinet)



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City Council

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## **DECRIMINALISED PARKING ENFORCEMENT IMPLEMENTATION**

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### **Report of the Service Director, Highways and Transportation**

#### **REPORT**

##### 1. Background

- 1.1 In June 1997 the Environment & Development Committee agreed in principle to the introduction of DPE, initially in the City Centre. The Committee also resolved to introduce on-street charges for short stay parking within the Central Ring Road.
- 1.2 Specialist parking consultants, the Babtie Group, were employed by the City Council in 1998 to carry out a parking study, including carrying out surveys and advising on the introduction and management of on-street pay & display bays. That study also considered the future extension of the residents parking schemes. The Environment & Development Committee in November 1998 considered a report on the findings of the Babtie Group and on-street parking charges were subsequently introduced in September 1999.
- 1.3 As part of the application to the Department of Transport for DPE powers the City Council has to demonstrate that a review of the on-street restrictions has been carried out. This review has been developed over the last 4 years and is scheduled to be completed by December 2006.
- 1.4 In March 2002 Cabinet approved the basis on which further resident parking schemes would be introduced in seven approved areas in the City. Officers carried out consultation exercises in three separate residential areas. In each of those areas the majority of respondents were opposed to the proposals because of the cost of the permit. As a consequence, in November 2003, Cabinet agreed that no further work regarding resident parking schemes should be carried out until DPE powers were in force.

#### DPE Explained

- 1.5 The adoption of DPE powers will allow the City Council to enforce all of the on-street parking restrictions. All parking offences will cease to be the responsibility of the police and will be enforced as civil contraventions by the City Council with offenders being issued with penalty charge notices (PCNs). The inclusion of all of

the on-street regulations including the pay & display bays and car parks under City Council control, allows better integration of parking policies, and ensures that parking policies are implemented effectively.

### Traffic Wardens

- 1.6 The police have told us that the Traffic Warden Service will stop from April next year. The police are currently running down the Warden Service and diverting money to the Community Support Office (CSO) Service. To ensure the smooth flow of traffic in the City and the safety of all road users it is important that DPE is implemented as soon as possible after this time. The earliest time it will be possible to have everything in place is November 2006. During the intervening period the Police will still have a responsibility to cover enforcement of the regulations using the powers given to the CSOs and police officers to issue parking fines. Officers are in discussion with the police to ensure these powers are deployed during this 'gap' period.

### DPE Application

- 1.7 In order to introduce DPE the City Council must make an application to the Secretary of State seeking approval to be given DPE powers. As part of that application officers are undertaking a thorough review of all of the existing parking orders and parking policies. This is to ensure that all of the traffic regulation orders are up to date, relevant and justified at the start of DPE. By ensuring all on-street parking regulations are correct, as well as accurately signed and lined, the Council will reduce the number of successful fine appeals after the introduction of DPE. The application will demonstrate how the regulations will be implemented and enforced and how the scheme will be financed, including a detailed business plan as outlined in the financial model in the previous feasibility study.

### DPE Consultant Tendering Exercise

- 1.8 Following completion of the feasibility study approval was given by the Service Director, Highways and Transportation, under delegated powers to carry out a tendering exercise for the appointment of a specialist parking consultant. The specialist DPE consultant will provide assistance and carry out work in completing the various tasks where the Council lacks specialist expertise and knowledge to implement DPE. The consultant's key task is to prepare and submit a Special/ Permitted Parking Area application to the Secretary of State seeking DPE powers. Other tasks include preparation of the enforcement contract, assistance with IT procurement and systems design, establishing links with the National Parking Advisory Service and the Traffic Enforcement Centre as well as dealing with the police. The successful consultant will be expected to start work with immediate effect to ensure the project timetable is achieved.
- 1.9 The tendering exercise is due to be completed by the time the Cabinet meets and officers will report the results of the exercise to that meeting. The contract will be awarded to the approved consultant who best meets the specification and provides value for money. The cost of funding the consultancy work will be provided out of prudential borrowing as part of the overall setting up costs.

### Residents' Parking

- 1.10 At present there are three relatively small residents' parking areas operating in the City. The adoption of DPE will allow the introduction of further resident parking schemes as the Council will be responsible for their enforcement instead of the police, as at present. Residents parking areas will include dedicated parking bays and associated new parking restrictions. At the present time the Chief Constable has advised against the introduction of additional resident parking areas because of the lack of his resources to enforce them. The Council has attempted to introduce other residents parking areas by funding the police to enforce them. However, setting the cost of the permit to the required level to finance this enforcement has meant that the residents have not been prepared to pay and the schemes have not proceeded. Under the present system none of the fine income is kept by the police to reduce enforcement costs. All fine income goes to central government.
- 1.11 Under the new DPE system the Council will keep all of the fine income to pay for enforcement. This means that the permit costs will be affordable and should be acceptable to residents. Officers will carry out further consultations later this year to test this hypothesis. If the reaction is favourable the Council could implement residents parking in selected areas shortly after the commencement of DPE. Other residents parking areas will follow on including carrying out the necessary consultations. Issues relating to the implementation of these resident parking areas are still to be determined and it is proposed to bring a paper to the Cabinet Link Member this summer on detailed proposals. This would be followed by a report to Cabinet detailing these proposals on the introduction of residents parking schemes.

#### Project Implementation

- 1.12 A Project Team will need to be set up to enable the implementation of DPE. The introduction of DPE will be a major project and a series of project management arrangements complying with PRINCE 2 guidance will be put in place to support it. The team will be made up of representatives from the various departments in the Council who will need to influence the project. These will include Finance, Legal Services, IT Services and others who will be carrying out sub-projects making up the overall project. In addition the police will be involved in project teams along with the specialist DPE consultant.
- 1.13 Officers estimate that the timescale for DPE implementation, given the existing staff resources, is 18 months. DPE could start on 1<sup>st</sup> January 2007 with the police responsible for compliance with on-street restrictions until this time.
- 1.14 An important aspect of the work of the project team will be to establish a communications strategy. This strategy will be used by the Council to inform residents, visitors, businesses and those who work in the city of the major change in enforcement prior to its introduction.

#### The Financial Model

- 1.15 The Financial Model is the key element of the feasibility study. It details the business proposal for the introduction of DPE. The model contains details of forecast income over the first 5 years of operation. Income comprises of additional generated on-street fine income and County Court proceeds, plus extra machine

income both from car parks and on-street pay & display machines. This is income derived over and above that obtained from the Council's existing parking operation. The model is based upon a £60 fine level which is critical to achieving financial viability. This level of fine is in use in most local authorities outside London including Birmingham, Stoke and Nottingham.

1.16 Those items of expenditure required to establish and run the operation fall mainly under four main headings:

- a) Operational Management consisting of staffing, accommodation and office equipment costs.
- b) On-street & Off-street enforcement consisting of parking attendant, staff supervisory, accommodation.
- c) Office equipment costs and parking fine/ permit processing consisting fine processing staff, supervisory staff and again accommodation and office equipment costs.

These four make up the start up costs and on-going expenses for DPE. The cost of employing a consultant can be considered as an additional establishment cost.

#### Traffic Management Act 2004

1.17 The Traffic Management Act contains provisions in it to extend DPE to cover moving traffic offences presently enforced by the Police. These offences are presently being piloted in London where the powers are already available and are soon to be extended to the rest of the country using CCTV enforcement. The moving traffic offences include, for example, bus lane and yellow box contraventions, banned manoeuvres, no entry and pedestrian zone offences.

1.18 The powers would be extended to authorities who already are enforcing under DPE. A further report on this issue will be brought to Cabinet in due course.

## **2 Financial & Legal Implications**

2.1 The financial projection of income and costs is as follows:

	2005/6 £000's	2006/7 £000's	2007/8 £000's	2008/9 £000's	Future Years- £000's
<i>Costs</i>					
<i>Start-up</i>	205.0	190.0	0	0	0
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<i>Interest payments</i>	5.6	16.5	28.5	35.2	22.5

2.2 The financial implications relate to the recommended option on the basis that it is the most cost effective.



- 2.3 Start up costs include the cost of consultants and capital costs for ticket and permit processing hardware.
- 2.4 Running costs comprise principally cost of on street parking enforcement, ticket permit processing and operational management.
- 2.5 Income comprises additional generated on-street fine income and County Court proceeds plus extra machine income both from the car parks and on – street pay & display machines.
- 2.6 The assumptions underlying the financial model used by the consultants are realistic, though they may be slightly cautious and long-term surplus may be greater than stated.
- 2.7 It is proposed that Prudential borrowing of up to £735k is used to fund initial net costs in the first 3 years, estimated at £640k, together with a contingency of up to 15% to provide the flexibility required by a project of this scale and duration.
- 2.8 Interest is payable on Prudential borrowing. The amounts based on estimated costs excluding the contingency are given in the table above. The interest will be funded from on street parking income.
- 2.9 Net income will be used to repay prudential borrowing. Once the prudential borrowing costs have been met, future years surplus can be used to meet departmental budget priorities.
- 2.10 Further detailed analysis of the financial model and considering variations are stated in paragraph 1.15 of the supporting information.  
*Financial information: Paresh Radia ext. 6507, 22<sup>nd</sup> April 2005*
- 2.11 The Traffic Regulation Orders presently established under powers contained within the Road Traffic Regulation Act 1984 will require conversion to enable enforcement of the restrictions under the Road Traffic Act 1991 which provides for decriminalisation of on-street parking offences  
*Legal information: Karon Grew, ext. 6367, 22<sup>nd</sup> April 2005*

### 3 OTHER IMPLICATIONS

#### 3.1

OTHER IMPLICATIONS	YES/NO	PARAGRAPH REFERENCES WITHIN SUPPORTING PAPERS
Equal Opportunities	No	
Policy	Yes	1.1
Sustainable and Environmental	No	
Crime and Disorder	No	
Human Rights Act	No	
Older People on Low Income	No	

### 3.2 Risk Matrix.

<b>Risk</b>	<b>Likelihood L/M/H</b>	<b>Severity Impact</b>	<b>Control Actions (If necessary/or appropriate)</b>
The amount of income generated through fine income is less than forecast	L	M	The level of fine income earned will be monitored from the start of DPE operations and changes made to the parking enforcement contract and back office as necessary to improve the overall operation. Experience of other authorities shows surpluses.
Delays in implementation mean that the target start date for the introduction of DPE of 1 January 2007 is missed	H	L	Project Management in place
Cost of implementing the project is more than forecast	M	L	a) project management is in place b) an allowance of 15% contingencies has been included in the recommendations

## 4 Background Papers – Local Government Act 1972

- 4.1 Report to Cabinet on 7 March 2005
- 4.2 DPE Feasibility Study Report by RTA Associates Ltd March 2005
- 4.3 Report to Service Director 12 January 2005.

## 5 Consultations

- 5.1 The following people have been consulted in the preparation of this report.

<b>Consultee</b>	<b>Dated Consulted</b>
Regeneration & Culture Finance Section	March 2005
Resources Access & Diversity Legal Services	April 2005

(APPENDIX 1)

## **Decriminalised Parking Enforcement - Study Report**

### **1 EXECUTIVE SUMMARY**

1.1 This Study was commissioned by Leicester City Council to undertake a financial assessment of creating a Special Parking Area (SPA) across the whole of the Council's administrative area, and the resulting financial viability of such a step. A SPA is an area in which parking offences are decriminalised, using the powers of the Road Traffic Act 1991. Within a SPA, the responsibility for the enforcement of virtually all parking passes from the Police to the Highway and Traffic Authority. The income from the parking tickets issued is retained by the Authority, to be used to fund the scheme, with on-street surpluses being ring-fenced under Section 55 of the Road Traffic Regulation Act 1984 for certain highway related matters. Being a unitary authority, Leicester City Council would be responsible for all of these matters directly. The issue to be investigated in this Study is whether or not this is a viable power to be acquired, and the implications of doing so, were the Council to decide to proceed.

1.2 The general conclusion is reached that the creation of a Special Parking Area is financially viable within a timescale of a few years, and is operationally desirable, given the pending withdrawal of Police resources on enforcement, and the level of current illegal parking activity. The Council is therefore recommended to decide how the powers will be adopted, to agree that local authority enforcement should be undertaken and the basis for this, and to instruct officers to proceed with implementation. The Special Parking Area should include the off-street car parks currently enforced by the Council, in order to provide a uniform enforcement capability in all Council parking areas, and to obtain full benefits of the economies of scale.

1.3 The Leicestershire Constabulary will support the principle of a SPA which covers the whole of the Council's area, and have indicated that they will cooperate with the handover of the powers in an agreed manner. Their support is paramount to the success of an Application to the Department for Transport (DfT) for the powers. Their traffic warden force has declined in recent years and this change is indicative of the reduced commitment which the Police can provide to traffic related matters.

1.4 To acquire the powers, the Council will have to formally apply to the DfT for a Designation Order which decriminalises parking enforcement across the whole of Leicester City. From the date set in this Order, the Police will be unable to enforce the majority of parking related offences, and the Council must be ready to undertake the responsibilities. This process is estimated to take around a minimum of a year to complete, subject to finding a convenient date for the commencement of the powers.

1.5 If the Council adopts the responsibilities, the Council will then be in a position to enforce both on and off-street parking in a coordinated, comprehensive manner which for the first time, will provide a single policy and responsibility for the control of public car parking in Leicester.

1.6 This undertaking is in line with Government policies for restraint over the growth of traffic in urban areas, and it complements other Government measures such as the encouragement of the use of public transport, the restraint of commuter-based parking and the consideration of measures such as congestion charging. In this regard, the adoption of these powers accords with the policies set out in the Leicester City Local Transport Plan.

1.7 It has been made clear by Government that without DPE, investment in the development of the transportation infrastructure will be limited. These issues are so fundamental to the development of public transport in the region that DPE cannot be ignored.

1.8 The Government's view is that DPE is a positive contribution to traffic management, based upon research work carried out for the DfT by the Transport Research Laboratory.

1.9 The main benefits of acquiring the powers as detailed in this report are:

- a coordinated parking enforcement service could be established, covering on and off-street parking;
- the service will be self-financing, and will recover the initial funding over a relatively short period;
- improved compliance will be seen in permitted parking spaces;
- growth in demand for vehicular access to Leicester City centre would be restrained;
- the design of future parking schemes such as resident permit schemes, for which there is demand, could be undertaken in the knowledge that parking controls would be enforced as the Council decided;
- bus priority networks would be able to be introduced in the knowledge that inconsiderate vehicle parking on such routes would be minimised;
- overall environmental conditions, including safer traffic conditions, and less pollution would result from less illegal parking, fewer cars, and better circulation;
- parking enforcement would become more locally accountable and adaptable;
- Police resources would be freed up, to be diverted to other purposes.

1.10 The question can be asked if there is not a simpler way of achieving these benefits. The 1984 Road Traffic Regulation Act allows authorities to enforce permitted on-street parking places, as is carried out by the council's enforcement contractor at present; however, it does not allow them to enforce the adjacent waiting restrictions. Unless enforcement is applied in a uniform manner across a geographic area, there is a risk of displacement of parked vehicles, causing other, more serious problems. Consequently, the only way to achieve overall enforcement in an area is to establish a Special Parking Area, as defined in the Road Traffic Act of 1991, and for the Council to take responsibility for all non-endorsable parking contraventions in that area.

1.11 It is the view of the consultants that the project will be financially viable, assuming that a number of recommendations are adopted by the Authority. A detailed financial model was created for the purposes of carrying out the financial assessment. This model also allowed the officers and consultants to test a range of possible outcomes for the project, and to arrive at conclusions regarding the range of circumstances which would result in financial viability. Financial viability is broadly considered to be recognised by a scheme design which results in the project recovering its set-up costs within a period of around 3 years, and thereafter, producing a surplus.

1.12 The project included the direct costs and income of the increased enforcement associated with decriminalisation; it also included in the financial assessment, the predicted impact of certain indirect consequences of DPE.

1.13 The projections are based on the highest level of Penalty Charge Notice (PCN), which has been permitted by Government outside of London, which is set at a level of £60. The £60 level makes the scheme have a healthy financial viability. Virtually all authorities which adopt these powers choose this level.

1.14 Additional parking-related income is useful, but not essential, to help the project to achieve viability in the initial few years of operation. Income surpluses will be available for the purposes decided by the Council, within the constraints of the law. The new *on-street* income from penalty charges is ring-fenced, as defined in S.55 of the 1984 Road Traffic Regulation Act. However, use of *off-street* income is unaffected by this change.

1.15 The new decriminalised enforcement allows an Authority to enhance its ability to act against particular groups of offenders by the use of wheel-clamping or vehicle removals. The conclusion is that at present these methods should be generally avoided, but considered for introduction if and when the new enforcement regime proves to be inadequate. It is noted that Birmingham uses its powers to remove illegally parked vehicles, but it is relevant that this aspect of their service operates at a loss.

1.16 The modelling process tested a number of options, analysing issues such as:

- 1) The introduction of on-street enforcement, without any other major changes to the management of parking within the Council, and using the new Penalty Charge levels as made available by Government (£60).
  - 2) Decreased recovery levels of the PCNs issued
  - 3) Decreased levels of PCN issuing from the same cost base.
  - 4) The difference between a contracted service and an 'in-house' enforcement team
- The broad conclusions from this exercise were:

- With the Penalty Charge (PCN) level set to £60, and assuming the Council adopt this level, the project is viable, regardless if other sources of parking related income are introduced;
- An active programme of enforcement is a basic requirement for a financially viable project; this applies to the issuing of parking tickets, and to the pursuit of debt.

On this basis, the view of the consultants is that progress should be based upon the above scenarios, with the £60 PCN level, which gives a very strong probability of financial success.

1.17 To address the major change in responsibilities arising from decriminalisation, a new parking management structure will be required. It should be responsible for all aspects of the operational management of parking in the City, and should have a senior Parking Manager at its head. The required service for parking management must include all aspects of on-street parking, and should include at least the enforcement of all off-street parking operated by the Council as well. There is a healthy market for contracted out services for parking management, it is suggested that the new service should be managed through an expansion of the existing enforcement contract awarded through an open tender procurement. The Council currently contracts out its off street enforcement and the enforcement of an extensive number of on street P&D parking areas and has a good working relationship with its current contractor and has in place

the management and contract monitoring functions required for the successful contracting out of the service.

1.18 A considerably enlarged parking administration section should be created, placing the responsibility for all aspects of the administration within the same overall day to day responsibility as the parking enforcement activities. As well as dealing with routine correspondence and payments, the administration team would have to incorporate the sensitive aspects of ticket processing, including the despatch of Notices, the consideration of formal representations from aggrieved drivers, the interface to the independent adjudication system provided for within the legislation, the registration of debt at the County Court, and dealing with cases passed to a bailiff.

1.19 The Council must participate in an independent appeals mechanism, known as the Adjudication Service. The National Parking Adjudication Service (NPAS) is the only available service for this purpose, so the Council should decide to join this Joint Committee. This service will meet the need to have a source of hearings for appeals, when the Application for the powers is made to the DfT. The Adjudication Service functions as a S.101 Joint Committee, so it will require elected Members to formally represent the Council at the very infrequent Committee meetings which are held. The main costs of this service have been taken into consideration in making the assessment.

1.20 The council's current IT system for the processing of parking tickets would need to undergo major upgrading for the administration of Penalty Charge Notices. In the light of the comments above, it is considered that the Council should undertake an open procurement for the purchase of a new IT system for this purpose. The experience of other authorities is that this is a significant undertaking, and should not be pursued without adequate, skilled resources being applied to the project. Due to the large volumes of work which will be handled, the system will have to be configured to maximise staff productivity through investment in technology. Consideration should be given to procuring a managed service under contract, for the provision of all aspects of the IT services for parking.

1.21 The next major stage of the project which would follow a decision to accept the principle recommendations of this report is to prepare a SPA/PPA Application to the Secretary of State at the DfT. This aspect should be pursued over the months following a resolution to proceed, accompanied by a programme of consultation with the Police, neighbouring Authorities, and other interested parties. A review of the Council's parking policies in the light of forthcoming decriminalisation will form an important element of the Application. The objective should be to have an Application submitted for approval within at most, a few months of a decision to proceed, subject to resolution of central Government funding for the public transport matters. Consultation with the public is not a statutory requirement, but the Council should decide how to consult with and most importantly, inform the public, and the form such activities should take.

1.22 In the meantime, the current project to review the traffic regulations throughout the City should be accelerated and resourced. This has been a large undertaking, as there is a considerable extent of TROs, and there is a recognised need for their review. It is the experience of the consultants that the process is easier to manage if the review of the TROs is carried out in conjunction with their recording on a geographic information system (GIS), which can then be used to manage the amendment and schedule production processes. Subsequently, TRO accuracy and access improve greatly, both very important considerations when dealing with cases

called for adjudication, as well as for routine correspondence management. The council commenced the review a number of years ago and have a team dedicated to completing this element of the project. To the credit of the councils Traffic Management Section the use of a GIS mapping system has been included within this project and a TRO review is well underway.

1.23 Experience indicates that to introduce decriminalised enforcement will require a timetable of between 12 and 18 months as a minimum, from the date of a decision to proceed. To manage this project, a Project Steering Group and Project Manager role should be established, to include not only officers from the various internal sections which are concerned, but also representatives from the Leicestershire Constabulary. Such is the importance of the project, it is suggested that major policy direction for the project should come from a group of Members and senior officers within the Council, delegated with the responsibility for successful implementation of decriminalisation.

1.24 This report has confirmed what several other authorities have found; the Council can, by introducing decriminalised enforcement also introduce better parking enforcement at no overall cost to the Council, except for a short term deficit required to fund the start-up phase. Leicester City Council will then join the other Authorities which have found that they can make the control over illegal parking a means of helping to achieve their overall transportation objectives.