

Report to: OSC Working Group – Effectiveness of Enforcement
Briefing from: Head of Highways & Public Protection
Date: 4th September 2019
Subject: NSL Civil Enforcement Contract

Purpose / Summary

On 25th February 2019, the Working Group requested a briefing note, for submission at their next meeting, relating to the NSL civil enforcement contract; including the potential to expand the contract together with the use of performance indicators and the use of the “three E’s” Education, Engineering and Enforcement.

Introduction

1. The current contract came into force on 1st April 2018, with a budget reduction from £1,100,000 to £850,000.
 2. The new contract placed greater emphasis on an Ambassadorial approach, requiring that "*...the prospective contractor will need to adopt a philosophy of urban stewardship by taking a joined-up approach to the provision of parking enforcement duties, environmental enforcement and ambassadorship*"
 3. The Contractor is expected to develop a working strategy for operational stewardship whilst maximising income to offset the cost of such services
 4. The Contractor is required to work with the Council to adopt a strategy that changes the balance of responsibility by early intervention and community engagement whilst ensuring offenders are brought to task
 5. The Contract scope includes:
 - Parking; and
 - Environmental Enforcement – including Dog Control
 6. The purposes/goals of parking & environmental enforcement are explained within the contract, as follows:
 - Enforcement:*
 - Penalty Charge Notices - typically parking related
 - Fixed Penalty Notices - typically environment related for littering and dog fouling
 - Community Support:*
 - Advice and assistance such as time, directions, bus & train times, location of car parks and parking charges and general assistance upon request.
 - Provide intelligence (subject to need) for the Council to act upon such*
- as:
- “State of the Borough” surveys
 - Pavement hazards and Fly posting / Illegal signage
 - Quick or 1st Instance response in relation to incidents of environmental crime such as fly tipping

Other duties: environmental notices, cash collection, special events, first line maintenance and litter picking, Park & Ride collection of parking fees.

7. The Council's role includes the following:

Contract Monitoring

Supervision of the management of correspondence relating to notices;

Dealing with telephone calls from members of the public;

Provision of internet facilities for payment and information;

Special consideration relating to parking and environmental notices

which get to one of the following stages:

- representation (PCN & FPN);
- adjudication (PCN);
- county court & Debt Collection (PCN)
- magistrates court (FPN)

Day to Day Direction of services overall – this is a Labour Supply Contract.

Key Performance indicators

8. The payment mechanism within the Contract includes performance payment for the final 10% of the monthly invoice. This payment is only made if the KPIs are met each month. The performance indicators include:

Reports & Surveys - supply of management information on a regular basis; written reports describing performance of Services and highlighting potential problems and suggestions for improvement; relevant statistical data and feedback from “on street” staff; “state of the borough” surveys undertaken to an agreed frequency

Patrol Requirements:

- Minimum deployed hours achieved
- Meeting the requirements as set by the agreed deployment plan.
- Response to Enforcement Requests
- Response to infrastructure management requests

Availability of Resources: management of systems and the provision of suitable equipment including Android Devices, Uniforms, Enforcement vehicles

Quality of Staff:

- Officers trained to Council's requirements
- Regular and effective Officer appraisals made available to authorised Council Officers;
- The results of On-Street Inspections carried out by authorised Council Officers;
- Management Performance;
- Number of justifiable Complaints received;
- Effective delivery of ambassadorial role

Quality of PCN/ FPN Issued: Number of PCNs / FPN's cancelled because of Officer error, or Contractor error;

IT - Reliable system for the issuing of PCNs / FPN's and related photographs;

9. The number of PCNs / FPN's issued is not a KPI

Potential to expand the contract

10. There is scope for variation and expansion of the Contract:

There is a Variation Clause within contract;
Deployment of resources is as directed; and
There is an expectation that the Contractor will bring forward ideas for innovation. If they involve additional cost, the Council will consider the cost/benefit of their introduction, and if it decided to introduce any such ideas, the additional Contract value will be negotiated with the Contractor.

11. Optional Additional Duties under the Contract include

Additional environmental enforcement duties (e.g. fly tipping and PSPO offences)

Additional enforcement of on street offences designated under the Highways Act 1980

CCTV enforcement using Smart car and erection, removal and storage of SMBC supplied camera enforcement signs.

Reviewing of CCTV footage to identify contraventions and input the detailed data to the SMBC IT system for processing.

Bus lane enforcement using CCTV static or mobile technology, review footage and pass contravention data to SMBC for processing.

Identify instances of Blue Badge misuse and inspect and remove badges where appropriate

Back office processing of PCN's / FPN's

12. Within the Contract the Council also reserves the right to further change or otherwise make additions to the above list.

13. The key issues with expansion include:

Limited funding;

Impact upon other activity – e.g. the increased focus on environmental enforcement has reduced Parking Control Notices issues and the revenue that generates.

Ability to recruit suitable staff if duties were broadened further.

Use of the “three E’s” Education, Engineering and Enforcement

14. The enforcement undertaken is complementary to engineering and education activities, including:

Engineering – Parking - Traffic Regulation Orders and time and cost restrictions enforcement; environmental – PSPO restricted areas etc.

Education – the Ambassadorial Approach providing education and broader promotion of the Borough