

MEETING OF THE SOUTH ESSEX PARKING PARTNERSHIP JOINT COMMITTEE

7 MARCH 2019
MARCONI ROOM, CIVIC CENTRE, CHELMSFORD CITY COUNCIL
COMMENCING AT 2PM

AGENDA

1. Welcome from Chairman
2. Apologies for absence and substitutions
3. Minutes of the Joint Committee meeting held on 6 December 2018
4. Public Question Time
5. Operational and Performance Report (Russell Panter)
6. Financial Report (Kar-Wai Chan)
7. External Audit Arrangements (Nick Binder)
8. Progress on Business Plan 2018/19 (Nick Binder)
9. Review of the TRO Implementation Policy (Nick Binder)
10. Process to receive allocation of funds (Nick Binder)
11. Sub Committee Arrangements (Nick Binder)
12. Date and time of next meeting
 - To follow this meeting, The Sub Committee to Consider Funding for New TROs and Maintenance of signs and lines
 - Joint Committee Meeting, 27 June 2019 at 2pm in the Council Chamber

MINUTES

of the

**SOUTH ESSEX PARKING PARTNERSHIP
JOINT COMMITTEE**

on 6 December 2018 at 2:00 p.m.

Present:

Councillor Jon Cloke	Brentwood Borough Council
Councillor Robert Mitchell	Essex County Council
Councillor Ron Pratt (Chairman)	Maldon District Council
Councillor Malcom Sismey	Chelmsford City Council
Councillor Michael Steptoe	Rochford District Council
Councillor Paul Varker	Castle Point Borough Council

In attendance:

Nick Binder	Chelmsford City Council
Karen Bomford	Maldon District Council
Trudie Bragg	Castle Point Borough Council
Liz Burr	Essex County Council
William Butcher	Chelmsford City Council
Kar-Wai Chan	Chelmsford City Council
Jonathon Desmond	Rochford District Council
David Green	Chelmsford City Council
Peter Massie	Essex County Council
Brian Mayfield	Chelmsford City Council
Heather Smith	Basildon Borough Council

1. Welcome and Introductions

The Chairman welcomed everyone present to the meeting of the South Essex Parking Partnership Joint Committee.

2. Apologies for Absence and Substitutions

It was reported that apologies had been received from Liz Burr (Essex County Council), Marcus Hotten (Rochford District Council) and Tracey Lilley (Brentwood).

3. Minutes of the Joint Committee Meeting on 6 September 2018

The minutes of the Joint Committee meeting held 6 September 2018 were confirmed as a correct record and signed by the Chairman.

4. **Minutes of Signs and Lines Sub-Committee on 6 September 2018**

The minutes of the Sub-Committee meeting held 6 September 2018 were confirmed as a correct record and signed by the Chairman.

5. **Public Question Time**

There were no public questions.

6. **Operational and Performance Report**

Nick Binder gave an oral update on the operation of the South Essex Parking Partnership since the last meeting.

Performance

The number of PCNs issued so far in 2018/19 across the Partnership area was more than expected and 10% higher than at the same time in 2017/18, which equated to additional income of £60,500.

Staffing

In the individual areas, staff vacancies or sickness in the early part of the year had reduced the number of PCNs issued in Basildon and Rochford but those areas now had the full complement of Civic Enforcement Officers (CEOs) and performance had improved. All other areas had met or exceeded their targets throughout the year.

The new CEOs had been trained to the standard required for the City and Guilds qualification, and refresher training had been provided for all other staff employed by SEPP. In an arrangement with Brentwood, the Partnership had trained a number of community safety officers and street inspectors to the same standard as CEOs with a view to them providing an evening and weekend enforcement service and with the cost being met by the Partnership. The experience in Brentwood would inform the investigations being carried out on how to provide an out of hours enforcement service across the Partnership area.

Equipment

The new handheld computers had been well received by the CEOs and had made their work more efficient and faster.

Appeals

There had been a sharp increase in the number of appeals, partly as a result of the greater number of PCNs being issued and partly because the online appeals system now made the process more accessible.

AGREED that the Operational and Performance report be noted.

(2:03 p.m. to 2.16 p.m.)

7. Financial Report

Kar-Wai Chan reported on the financial position of the South Essex Parking Partnership for the period up to October 2018.

The Partnership currently had an overall surplus of £451,820 on a cash basis for the year to date. There was a deficit of £212,110 for the Traffic Regulation Orders (TROs) Account on a cash basis for the same period. It was anticipated that the TROs account would be fully funded and that there would be a surplus at the end of the financial year, albeit less than in 2017/18.

AGREED that the financial report for the Partnership for the period to October 2018 be noted.

(2.16 p.m. to 2.18 p.m.)

8. Business Plan for 2019/2020

Nick Binder presented a report on the Business Plan for 2019/2020. The Plan presented the proposed annual budget for that year and set out the business aims and objectives to be achieved in that period. The budget was based on the annual performance of the South Essex Parking Partnership since its introduction in April 2011. The total direct and indirect expenditure for 2018/19 was estimated to be £1,633,999 and the total income was estimated to be £2,192,600.

Section 4 of the Business Plan set out the business objectives for 2019/20, which the Joint Committee noted. The Partnership had carefully managed the surplus achieved to date, ensuring that the cost of operating the TRO function could be achieved without the risk of operating the overall function in a deficit position. It was anticipated that the Partnership would continue to produce an operational fund of between £280,000 and £380,00 under the current operational model.

The Joint Committee was informed that it had available operational funding of £1,316,640. It was proposed that £300,000 of that be allocated as follows:

- £150,000 for signs and lines maintenance in 2020/21
- £50,000 new schemes in 2020/21 requiring a TRO
- £100,000 until 2022 to provide additional out of hours and weekend enforcement patrols in areas with known parking problems

The risks to the Partnership had been assessed in conjunction with the Lead Officers and it had been agreed that the current risks remained the most relevant ones and that no changes needed to be made.

AGREED that the Business Plan for 2019/20 before the Joint Committee be approved together with the five specific actions below –

- agreement to the 2019/20 budget and the proposed actions and objectives for that year;
- agreement to write off all specific individual Parking Authority deficits, including those over £10,000, should they arise;
- agreement to maintain a reserve of £200,000 for the financial year 2019/20 as per clause 23.7 of the Joint Committee Agreement;
- approval of £300,000 from the operational fund for operational costs shown in table 10

- on page 17 of the report to the meeting; and
- approval of the risks identified and the action plan to address the top three risks in Appendix B.

(2.18 p.m. to 2.27 p.m.)

9. **Allocation of Operational Fund**

The Joint Committee was requested to consider a number of options for the future use of the balance in its operational fund, the available funding in which currently stood at £816,140. Those funds could be used for schemes and projects which fell outside of the Partnership's operational costs but which were for the purposes defined in Section 55 of the Road Traffic Regulation Act and were compatible with the Partnership's objectives. The options were to share the surplus equally between the Partner Authorities; share it between the authorities on the basis of their financial performance; or to hold the surplus as a central pot to which Partner Authorities would make bids for schemes and projects.

County Councillor Mitchell suggested that the Joint Committee should be more business-like in the use of the surplus and should consider allocating it to schemes that would supplement the work of the Partnership, such as the activities of the Highways Rangers. The other members of the Partnership did not believe that the Joint Committee should restrict the use of the surplus to defined purposes. Instead, they believed that the option of allocating the surplus equally between Partner Authorities without stating how it should be used was fair and gave them the flexibility to provide funding for schemes in individual areas that might not otherwise be carried out.

AGREED that the current operational fund surplus of £816,140 be allocated on an equal basis between the Partnership Authorities for schemes and projects which are in accordance with Section 55 of the Road Traffic Regulation Act 1985.

(2.27 p.m. to 2.55 p.m.)

10. **Forward Plan**

The Partnership considered a schedule of proposed meetings in 2019/2020 and the work programme for that year.

AGREED that the following be approved:

(1) the forward plan of agenda items; and

(2) the future meeting dates of 27 June 2019, 5 September 2019, 5 December 2019 and 5 March 2020, each commencing at 2:00 p.m. at the Chelmsford City Council offices.

(2.55 p.m. to 2.56 p.m.)

11. **Date and Time of Next Meeting**

It was noted that the next meeting of the Joint Committee would be on 7 March 2019 at 2:00 p.m. at the Chelmsford City Council offices.

The meeting closed at 2:33 p.m.

Chairman

SOUTH ESSEX PARKING PARTNERSHIP JOINT COMMITTEE

7 March 2019

AGENDA ITEM 5

Subject	Operational and Performance Report
Report by	Parking Enforcement Manger

Enquiries contact: Russell Panter, Parking Enforcement Manager,
Russell.panter@chelmsford.gov.uk

Purpose

This report provides an update on the operation of the South Essex Parking Partnership for 8 December 2017 to 26 February 2018.

Options

This report is for information.

Recommendation(s)

1. That the Joint Committee notes this report.

Consultees

Lead officers from each of the Partner Authorities as set out in Appendix C of the Joint Committee Agreement 2011

1.0	<u>Introduction</u>
1.1	This report seeks to update the Joint Committee on the performance and operation of the South Essex Parking Partnership (SEPP).
2.0	<u>Operational</u>
2.1	In January 2019 two of our most recently recruited CEO's were awarded the Level 2 CEO certificate which makes them industry recognised and nationally qualified CEO's. This also ensures its obligation to the Traffic Management Act Statutory Guidance which states that it is best practice to do this.

2.2	In February 2019 all, existing CEO's attended Customer Service / Conflict Management Refresher Training so as to ensure that SEPP CEO's are working to the highest standard of customer service and can ensure that they cope with any conflict efficiently and positively.
2.3	Health & Safety training is set to be organised for the new financial year which will see all CEO's attending an IOSH Working Safely training course.
2.4	The 3PR School Parking Initiative is ever expanding and now all schools or residents that make a complaint about school parking are given information about the 3PR scheme in their response. This allows for information about the scheme to be circulated. The enforcement team also pass information to the School Parking Liaison Officer on schools that have reported issues so that she can follow this up with contact to the school to see if they wish to be part of it.
2.5	The PREDAS (Private Residents Enforcement of Dropped Access Scheme) has now been integrated into 3PR and now forms one of the options available to reduce parking issues. This allows for properties to be registered and so vehicles parking across dropped kerbs to driveways can be enforced without the need for the resident to contact the authority prior to initiate enforcement.
2.6	Most recent PREDAS' to become operational are at Glebe Primary in Rayleigh, Barling Magna Primary in Little Wakering and Hilltop Infant and Junior in Wickford.
2.7	In September 2018 conversations begun between Russell Panter and Tracey Lilley with regard to the "Joint Enforcement" initiative to try to reduce a whole host of offences being committed during the night time economy period in Brentwood High Street. Eventually after making commitments and organising resources the first joint patrol was undertaken in November by a team made of SEPP CEO's, Police Officers, Brentwood Community Safety Officers and Licencing Officers. The first patrol was a huge success with each party carrying out their different enforcement roles. Offences such as parking, littering, anti-social behaviour, drug offences, loitering, idling (exhaust fumes) were enforced. Two further patrols were undertaken in December and another two in January and one in February. They have been very well received by the public and has had much awareness raised on social media. From a parking perspective, this has also seen a huge decrease in on-street contraventions and a huge increase in Pay & Display in the car parks around Brentwood. The joint patrols are undertaken between the hours of 8pm and 1am and more are planned.
2.8	In November SEPP hosted Level 2 CEO training of which three Brentwood Community Safety Officers attended and were awarded the qualification. This now allows SEPP and Brentwood Council to set up a SLA whereby those officers can undertake on-street enforcement.
2.9	From the end of March 2019 SEPP will start to hire and lease vans from Basildon Borough Council via their current service agreement with Riverside Truck Rental (RTR). There will be a phasing out period as current vans leases expire but eventually all SEPP vans will be leased by RTR. RTR already provide all maintenance, repairs, servicing and recovery from their site at Barleylands Depot and so adding the provision of lease vans makes sense from an efficiency perspective.
2.10	In January 2019 charge banks were introduced for all CEO's in order for them to charge mobile phones and new HHC's whilst on patrol. This has helped maintain efficiency and service provision.

2.11	SEPP are currently investigating whether the use of dash-cam's should be used. This would be to increase safety and to reduce long, drawn out insurance claim investigations.
2.12	With staffing levels at Basildon now almost back to full strength this will allow the plan to use the CCTV car to enforce resident permit zones to resume and so further testing will get back underway.
3.0	<u>Staffing</u>
3.1	There are currently five vacancies within the whole of SEPP. Three at Basildon (having just recruited one CEO in February 2019) although the other two are currently filled by agency staff, therefore Basildon is only technically one CEO short. There is another vacancy at Rochford and another vacancy at Brentwood. Adverts for these vacancies are due to go out in March 2019. SEPP has built up good relationships with two agencies and so if recruitment is not successful then this avenue can be further explored.
3.2	In 2019 SEPP will be reviewing current staffing structure and looking at additional staff to free up Senior CEO's to be more mobile and flexible to work across the whole of SEPP to cover vacancies and / or absence.
4.0	<u>Performance</u>
4.1	An update on performance in line with the Business Plan 2018/19 will be presented to the Joint Committee as Agenda item 8.
5	<u>Conclusion</u> New and existing staff continue to benefit from various training courses to ensure high levels of customer service are maintained and best practiced is applied. The PREDAS (Private Residents Enforcement of Dropped Access Scheme) has now been integrated into 3PR and now forms one of the options available to reduce parking issues. A joint partnership working arrangement between SEPP and Brentwood Borough Council was undertaken in November by a team made of SEPP CEO's, Police Officers, Brentwood Community Safety Officers and Licencing Officers. The first patrol was a huge success with each party carrying out their different enforcement roles. Offences such as parking, littering, anti-social behaviour, drug offences, loitering, idling (exhaust fumes) were enforced. Two further patrols were undertaken in December and another two in January and one in February. There are currently five CEO vacancies within the whole of SEPP and adverts for these roles are due to go out in March 2019. In the interim period, agency staff are being utilised to cover any shortfall.
6.	<u>List of Appendices</u>
	Nil
6.1	<u>Background Papers</u>

	Nil
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SOUTH ESSEX PARKING PARTNERSHIP JOINT COMMITTEE

7th March 2019

AGENDA ITEM 6

Subject	Financial Report
Report by	Accountancy Officer, Chelmsford City Council

Enquiries contact: Kar-Wai Chan, Accountancy Officer, 01245 606625,
karwai.chan@chelmsford.gov.uk

Purpose

To report on the financial position of the South Essex Parking Partnership for January 2019

Options

Recommendation(s)

That the report be noted.

Consultees	Accountancy Officer South Essex Parking Partnership Manager
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1. Introduction

- 1.1 This report sets out the summary of the financial position for the South Essex Parking Partnership for the period covering April 2018 to January 2019.

2. Financial summary

- 2.1 Appendix 1 provides details of the actual costs incurred and income received, and is currently showing a surplus of £414,200 for the SEPP account inclusive of the TRO function on a cash basis for the year to end of January 2019.

The projection is that the TRO account will be fully funded and there will be a surplus at the end of this financial year. This expected to be higher than last year and has been driven by higher PCN income.

The expenditure on items funded from the SEPP reserves are expected to be within requested funding. The actual to date for the amounts committed have been listed in the memorandum section in appendix 1 and are not included in the net surplus figures.

Whilst most costs reflect actual spend, where this is not specifically identifiable against an individual authority, the figures have been allocated, based on the previously agreed method of allocation, and show the position for each Partner over the April 2018 to January 2019.

List of Appendices

Appendix 1 – Financial summary @ 310119

Background Papers

Nil

Appendix 1

South Essex Parking Partnership - Summary position @ January 2019

Actual 2018/19

	Chelmsford £	Brentwood £	Maldon £	Basildon £	Rochford £	Castle Point £	Total £	TROs £	Total £
Direct Expenditure									
- Employees	259,900	227,180	57,410	204,450	94,970	52,120	896,030	94,750	990,780
- Premises	0	4,320	0	0	0	0	4,320	0	4,320
- Supplies and Services	31,750	31,630	6,500	21,680	10,020	6,370	107,950	17,300	125,250
- Third Party Payments	41,580	32,850	9,090	24,370	16,850	10,830	135,570	126,950	262,520
- Transport costs	20,000	20,170	10,190	40,930	14,480	8,960	114,730	610	115,340
Total Direct Expenditure	353,230	316,150	83,190	291,430	136,320	78,280	1,258,600	239,610	1,498,210
Indirect Expenditure									
Central Support	35,500	25,330	5,000	21,330	7,580	6,580	101,320	18,330	119,650
Total Indirect Expenditure	35,500	25,330	5,000	21,330	7,580	6,580	101,320	18,330	119,650
Total Expenditure	388,730	341,480	88,190	312,760	143,900	84,860	1,359,920	257,940	1,617,860
Income received to 31st January 2019									
PCN's	480,770	381,000	80,400	214,730	105,200	86,690	1,348,790	0	1,348,790
Residents' Parking Permits	224,030	164,750	23,590	130,200	15,140	3,290	561,000	0	561,000
Pay & Display	91,990	40,880	0	0	0	0	132,870	0	132,870
Other	-10,600	0	0	0	0	0	-10,600	0	-10,600
Total Income	786,190	586,630	103,990	344,930	120,340	89,980	2,032,060	0	2,032,060
Net (Surplus) / Deficit - Cash Basis	(397,460)	(245,150)	(15,800)	(32,170)	23,560	(5,120)	(672,140)	257,940	(414,200)

Memorandum: Items funded from SEPP Reserves

	Actuals £
Replacement Enforcement Handheld computers	47,130
Replacement on-street pay and display machines	78,020
Funds to validate TROs against on-street signs and lines and map electronically	111,230
	236,380

SOUTH ESSEX PARKING PARTNERSHIP JOINT COMMITTEE

7 MARCH 2019

AGENDA ITEM 7

Subject	External Audit Arrangements
Report by	Chief Accountant, Chelmsford City Council

Enquiries contact: Phil Reeves, Chief Accountant, 01245 606562,
phil.reeves@chelmsford.gov.uk

Purpose

To advise the Committee on the legal requirements for external audits of Joint Committee and recommend an appropriate audit approach for South Essex Parking Partnership

Recommendation(s)

1. that the Committee approves to discontinue separate external audit of South Essex Parking Partnership and instead obtains limited assurance via:
 - Chelmsford City's Internal Audit review of controls & systems; and
 - Statutory External Audit of Chelmsford City Council's Accounting arrangements

Consultees

Chief Accountant
South Essex Parking Partnership Manager

I. Background

- I.1 The annual June Joint Committee receives an annual financial statement (accounts) for the previous year for approval. If approved by the committee the statement is provided to an external auditor for a limited assurance review. Any changes identified by the auditor would be reported back to a later Joint Committee. As no changes have been identified in the past no further reporting back has been necessary.
- I.2 The Audit Commission Action 1998 (section 2 and Schedule 2) required joint committees to prepare accounts and undergo an audit separate from their constituent bodies. However, under the Local Audit and Accountability Act 2014; Joint Committees no longer have a statutory obligation to submit accounts for External Audit review from 1 April 2015. This change was made to avoid duplication of work by external auditors.
- I.3 The Joint Committee agreed to extend the appointment of PKF Littlejohn for the provision of a Limited Assurance Review, for the 2017/18 accounts. There were no matters arising from PKF Littlejohn's review. Officers believe the exercise was very limited in scope and it did not identify or consider underlying risks.

- 1.4 The current Limited Assurance Review by PKF Littlejohn provides a limited independent external review of the Partnerships account based on the work carried out by Chelmsford City Council's accounts department and internal audit function. The internal audit review in practice has been focused on checking back the information presented on the statement to the financial system and less emphasis on financial controls and management of risks.
- 1.5 Chelmsford City Council's internal audit function does not believe that the existing arrangements allow for sufficient segregation of duties, in that internal audit is required to audit the financial systems and risks but at the same time effectively helps prepare the financial statement. This arrangement needs to be changed for the 2018/19 accounts. It is not believed to be practical for other Councils to provide 'internal' audit provision to South Essex Parking Partnership, as they would be unable to confirm Chelmsford Council's financial controls without significant work being undertaken.
- 1.6 Chelmsford City Council's external Auditors BDO (previously EY) do examine Chelmsford's accounting arrangements. The Council's accounts for 2017/18 were given an unqualified opinion by EY.

2. Future Arrangements

- 2.1 As the Local Audit and Accountability Act 2014 does not require South Essex Parking Partnership to be audited other than as a part of the constituent audited bodies, it is therefore appropriate to consider the value of the existing separate external audit of South Essex Parking Partnership.
- 2.2 Officers recommend that the external limited assurance review is not carried out for 2018/19 as;
- there is no longer a statutory obligation as Government recognises there is a duplication of work by external auditors
 - the limited assurance model provides little additional value
 - greater assurance can be obtained from a Risk based programme of work undertaken by internal audit review
- 2.3 The approach recommended for 2018/19 is
- Chelmsford City Council Internal audit function will in order to provide robust assurance regarding the management of any risks that may be pertinent to the operation of South Essex Parking Partnership, undertake a risk-based review in April 2019. This will provide the Joint Committee with independent and objective assurance regarding the effectiveness and efficiency of South Essex Parking Partnership's operations and control environment. A risk-based audit focuses on the most pertinent risks to the operation, which will be agreed with South Essex Parking Partnership Manager through a terms of reference that sets out the scope of the review. For example, the review for 2019 may focus on Governance, Reporting and Budgetary Control, although this is yet to be confirmed.
 - A financial statement will be produced and a separate qualified accountant will review the statement, replacing the internal audit checking the statement. The statement will be presented to the June Joint Committee
 - Chelmsford City Council's external audit will review the Council's accounts and any issues affecting South Essex Parking Partnership would be reported back to the Joint Committee at the next meeting likely to be September.

3. Conclusions

- 3.1 The Committee is recommended to agree the proposed more robust approach to reviewing the South Essex Parking Partnership's financial reporting. However, if the committee wishes, other organisations could be approached to undertake the internal audit review of the finances and external audit function, but this is likely to be at a much higher cost than at present.

List of Appendices

Nil

Background Papers

Nil

SOUTH ESSEX PARKING PARTNERSHIP JOINT COMMITTEE

7 March 2019

AGENDA ITEM 8

Subject	Update on Business Plan for 2018/19
Report by	Parking Partnership Manager

Enquiries contact: Nick Binder Parking Partnership Manager, Chelmsford. 01245 606303, nick.binder@chelmsford.gov.uk

Purpose

This report updates the Joint Committee on progress against the Business Plan approved for 2018/19.

Options

This report is for information.

Recommendation(s)

1. That the Joint Committee notes this report

Consultees

Lead officers from each of the Partner Authorities as set out in Appendix C of the Joint Committee Agreement 2011.

1.	<u>Introduction</u>
1.1	At its meeting on 7 December 2017, the Joint Committee approved the South Essex Parking Partnership's Business Plan for 2018/19.
1.2	The 2018/19 Business Plan provided an estimated annual budget based on the operational data and financial outturns from the previous years of operation and set out the business objectives for the financial year.
1.3	This report provides the current progress to date against the approved Business Plan.

2	<u>Current position against projected outturn.</u>
2.1	The Business Plan 2018/19 estimated that the Partnership could expect an overall operational fund in the region of £397,576. This would take into account an estimated surplus of £559,576 from the parking enforcement operation which would contribute to the operational costs of the Traffic Regulation Order Function which is expected to be in the region of £162,000. These projected outturns would be dependent on operating the function to the agreed expenditure costs and the amount of income received, in particular PCN income which equates to 65% of the overall projected income.
2.2	In comparison to the previous financial year the overall PCN issue rate for 2018/19 is currently 13% up, compared to the performance during the same period last year and is 18% up against the estimate in the Business Plan. Operating costs and expenditure are currently as expected.
2.3	Included in the account for this financial year will be the cost of items where the Joint Committee has approved funding from the operational fund. These items will be new on-street pay and display machines (£78,000), new parking enforcement handheld computers (£70,000), the project to review all the Partnership signs and lines and consolidation of the parking orders onto a new digital platform (£130,000) and the funding allocated to maintain signs and lines and implement new TROs (£200,000). These items will be reported as exceptional spend and will also be included in the end of year account and will therefore reduce the projected outturn.
3	<u>Business objectives for 2018/19</u>
3.1	The Business Plan sets out the objectives the Partnership wishes to achieve in 2018/19. Appendix A, section 1, provides an update against each objective. Section 2 provides a comparison of PCN issue rates and days lost to sickness across all Partnership areas and section 3 provides the same information for each individual area. Section 4 provides information on the recovery rates of the PCNs issued.
3.2	The progress in summary:
	<ul style="list-style-type: none"> ➤ Monthly performance meetings are taking place between Area Team Leaders and CEOs. ➤ PCN issue rates are up by 13% compared to the same period last year
	<ul style="list-style-type: none"> ➤ Sickness continues to be managed in accordance with Chelmsford City Council's Sickness Absence Management Policy ➤ The amount of days lost to sickness has increased by 143 days compared to the previous year. This increase is due to some periods of long term sickness. ➤ CEO patrol rotas are continually monitored to ensure the best use of resource
	<ul style="list-style-type: none"> ➤ The current performance in Brentwood (26% increase), Chelmsford (38% increase) and Maldon (19% increase) is currently on course to exceed the estimate in the Business Plan.

	<ul style="list-style-type: none"> ➤ The level of PCNs issued in Castle Point, Rochford and Brentwood remains consistent with the estimate in the Business Plan.
	<ul style="list-style-type: none"> ➤ Rochford is currently 19% down against the estimate in the Business Plan with a period of long term sickness being a contributing factor.
	<ul style="list-style-type: none"> ➤ Significant number of signs and lines maintenance work has been completed ensuring parking restrictions remain enforceable.
	<ul style="list-style-type: none"> ➤ New residents parking schemes have been introduced with several schemes progressing to the point of completion.
	<ul style="list-style-type: none"> ➤ A successful tender process was completed, and the contract awarded to Buchanan Order Management. The work on this project is well advanced and will be fully completed within this financial year.
	<ul style="list-style-type: none"> ➤ The new Handheld computers and associated equipment have been purchased and issued to all Civil Enforcement Staff.
	<ul style="list-style-type: none"> ➤ A contractor has been selected and an order placed to replace and install the current on-street pay and display machines across the Partnership area.
4	<p>Appendix A, Section 4, provides the current recovery rates for the overall Parking Partnership and the individual areas. The overall recovery rate is currently 75% which will improve once the most recent PCNs that have been issued are settled. The recovery rate for the previous year was 77% and it is estimated that this rate will be achieved again this financial year.</p>
5	<p><u>Conclusion</u></p> <p>The projected Partnership outturn for 2018/19, including the TRO operational costs, is expected to achieve an operational fund in the region of £397,000. Included in this financial year outturn will be items of spend where the Joint Committee has approved and allocated the operational fund. These items will be in the region of £480,000 and will add to the final outturn position</p> <p>Overall the operation has performed very well to date and is expected to exceed the outturn in the Annual Business Plan. The PCN issue rate is currently up by 13% compared to the previous year and expenditure and income is currently as expected</p> <p>The current financial position and the level of the performance to date provide a good indication that the Partnership will achieve the estimated outturn position of the 2018/19 Business Plan</p>
<p><u>List of Appendices</u></p> <p>Appendix A: Performance and update on the Business Plan objectives for 2018/19</p>	
<p><u>Background Papers</u></p> <p>South Essex Parking Partnership Business Plan 2018/19</p>	

APPENDIX A



Performance and update on Business Plan objectives for 2018/19

(April 2018 to January 2019)

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1 Business Plan aims and objectives update

Objective for 2018/19	Progress to date (April 2018 to January 2019)
<p>1: Continued focus on performance and sickness absence management at a local level to ensure best use of staff resource and improve attendance levels and subsequently maintain expected levels of patrol coverage.</p> <p>Provide a professional service, ensuring full compliance with TMA 2004 and high levels of customer service.</p> <p>Key Performance Indicators:</p> <ul style="list-style-type: none"> • 75% of PCNs issued are successfully recovered • CEOs to achieve an average performance score of 27 • PCNs which have been cancelled due to an CEO error, not to exceed 0.8% 	<p>Monthly 1 to1 meetings are taking place between the Area Team Leaders and the Civil Enforcement Officers. These meetings provide an opportunity to discuss individual performance and how the performance is contributing to the overall Business Plan.</p> <p>In addition to these meetings, six monthly operational updates are provided by the Parking Partnership Manager. These inform staff of the progress against the agreed Business Plan and aim to provide staff with a sense of achievement and ownership regarding their individual contribution to the Business Plan. Monthly area performance updates are provided to each area depot on a monthly basis.</p> <p>Sickness continues to be managed in accordance with Chelmsford City Council's Sickness Absence Management Policy. For the 10 months of the financial year the amount of working days lost to sickness has increased by 143 days. Currently the level of days lost to sickness equates to 1.06 days per staff member per month. The increase in sickness has been mainly due to four instances of long term sickness which have required specialist treatment. The Lead Authority continues to proactively manage the level of sickness.</p> <p>CEOs are not set any targets regarding the amount of PCNs they should issue. The main focus of this work is to ensure that staff make best use of their time and maintain a sufficient level of patrol coverage throughout the many areas that require parking enforcement.</p> <p>The amount of PCNs issued across the Partnership is currently 13% up on the previous year performance and currently 18% up against the estimated figure in the Business Plan.</p> <p>The current level of performance is expected to exceed the overall outturn position as set out in the 2018/19 Business Plan.</p>
<p>2: Ensure CEO patrol rotas are continually reviewed to ensure best use of staff time in key areas.</p>	<p>Area Team Leaders are ensuring that staff rotas are relevant and address known parking problems. The focus of the team is to ensure that the staff are in the right place at the right time providing essential traffic management.</p>

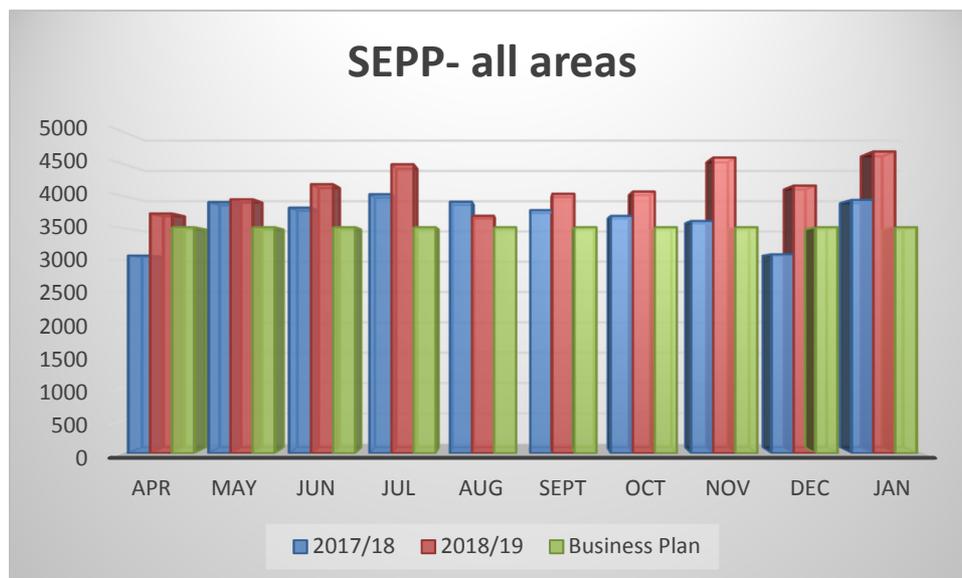
<p>Continue to provide ad-hoc out of hours enforcement to concentrate enforcement on known problem areas.</p>	<p>Each area continues to provide occasional out of hours enforcement at known problem areas. The areas are identified from feedback and reports from Councillors, Lead Officers and members of the public.</p> <p>Arrangements are in place with Rochford and Brentwood Councils to utilise the use of the Community Safety Officers to assist in providing enforcement coverage outside of normal core hours. A long-term Service Level Agreement is being finalised with Brentwood to formalise a long term agreement.</p>
<p>3: Partnership CEOs to support Castle Point, and Rochford at key times and to provide holiday cover.</p>	<p>When resource permits, the partnership staff are being utilised to cover any staffing shortfalls due to holiday or sickness in these key areas.</p>
<p>4: Maldon to continue additional CEO patrol coverage with the use of the Maldon Park Rangers outside of normal working hours and during peak summer season.</p> <p>Maintain communications between the Council and the Partnership passing on intelligence regarding events (such as the Maldon Mud Race. Burnham Carnival etc.) when additional enforcement is required</p> <p>Introduce targeted action days to deal with Hot Spots (schools etc.) allocating Council resources in addition to the Partnership staff</p>	<p>Maldon Park Rangers continue to provide additional support to the Parking Partnership to provide out of hours parking enforcement in the Resident Parking Zones and No Waiting Restrictions to help support patrol coverage in the High Street outside of normal patrol hours.</p> <p>Working with the Park Rangers, the Partnership has provided additional enforcement during known events.</p>
<p>5: Review current operational expenditure and processes and determine if further efficiencies / improvements can be made</p>	<p>The operational expenditure is currently as expected and in line with the budget in the Annual Business Plan.</p>
<p>6: Identify the proposed resident parking schemes, which are agreed and approved. Determine the additional income gained from the resident permit charges and adjust each area account to reflect the change.</p>	<p>Resident permit schemes have been progressed and approved by the Sub Committee. Several new permit schemes have been introduced into the Partnership areas and the additional income received is reflected in the individual area financial outturn</p>
<p>7: Identify and prioritise schemes in areas which provide the greatest benefit to the overall aims and objectives of the Parking Partnership</p>	<p>Schemes requiring essential maintenance continue to be processed and agreed by the Sub Committee. A significant amount of work has been completed in this area ensuring parking restrictions remain enforceable.</p>

Produce and implement a programme of essential maintenance works for signs and lines and TROs requiring attention.	
8: Ensure that new developments requiring parking related restrictions / schemes contribute to the implementation of the scheme via section 106 arrangements or the Community Infrastructure Levy	Chelmsford officers through meetings with the Chelmsford Planning Department and the relevant ECC officers have held discussions about future City development proposals, S106 / CIL and the parking requirements. All Partnership Lead Officers have been encouraged to engage with the Planning Departments in their respective areas.
9: Lead officers to consider proposals for 2019/20 increases in fees and charges to be agreed and approved locally in advance of the September 2018 Joint Committee Meeting	There will be no proposals for increases to fees and charges in the next financial year.
10: Award a contract to a third- party supplier to review all parking related signs and lines within the Partnership areas and consolidate onto a digital mapped Traffic Regulation Order	A successful tender process was completed and the contract awarded to Buchanan Order Management. The work on this project is in the final phase and will be fully completed within this financial year as agreed.
11: Trail, test and implement new enforcement handheld computers which will provide new technology to improve the performance of reviewing virtual permits	All enforcement staff have been issued with the new handheld computer devices and associated equipment
12: Procure new on-street pay and display machines	A contractor has been selected and an order placed to replace and install the current on-street pay and display machines across the Partnership area.
13: Develop the use of the Basildon CCTV vehicle to start monitoring virtual permits in residential areas	This is an ongoing piece of works. Trial are still taking place to check the feasibility of function. Staff shortages at the beginning of the financial year have had a impact on fully testing the CCTV car capability, but work is starting again in this area as the team has reached full strength.

2 Overall Partnership PCN comparison

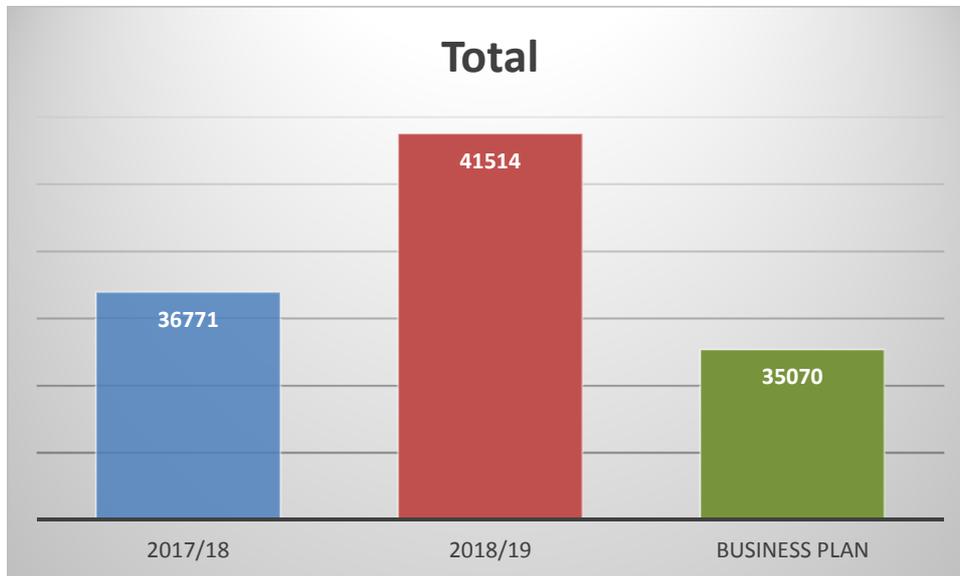
The income received from Penalty Charge Notices (PCNs) equates to 65% of the total income received. This income is not guaranteed and is dependent on the number of motorists who contravene a parking restriction and who are noted by an enforcement officer. A reduction in this level of income can have a detrimental effect on the overall account and it is therefore important to monitor this effect. The amount of PCNs issued compared to the previous year of operation is a good benchmark to determine how the operation is performing. The following table provides the current PCN issue rate compared to the previous year of operation and the Business Plan estimate. This relates to the period April 2018 to January 2019 for PCNs issued across all areas in the Parking Partnership.

Monthly 2018/19 PCN issue rate comparison against 2017/2018 operation and Business Plan estimate for 2018/19.



SEPP	2017/18	2018/19	Business Plan
APR	3066	3719	3507
MAY	3898	3941	3507
JUN	3810	4174	3507
JUL	4019	4485	3507
AUG	3903	3684	3507
SEPT	3772	4027	3507
OCT	3682	4060	3507
NOV	3604	4588	3507
DEC	3086	4153	3507
JAN	3931	4683	3507
Total	36771	41514	35070

Overall Partnership PCN issue comparison figure for period April 2018 to January 2019



The amount of PCNs issued across the Partnership is currently 13% up on the previous year performance and currently 18% up against the estimated figure in the Business Plan.

The current level of performance is on target to exceed the overall outturn position as set out in the 2018/19 Business Plan.

2.1 Days lost to sickness across all the Partnership areas (CEOs)

The following tables provide the current amount of days lost to sickness compared against the previous year of operation. This relates to the period April 2018 to January 2019.



SEPP	2017/18	2018/19
APR	21	16
MAY	4	29
JUN	29	46
JUL	41	42.5
AUG	39	43
SEPT	29	38
OCT	39	37
NOV	31	61
DEC	8	71
JAN	32	45
Total	273	428.5



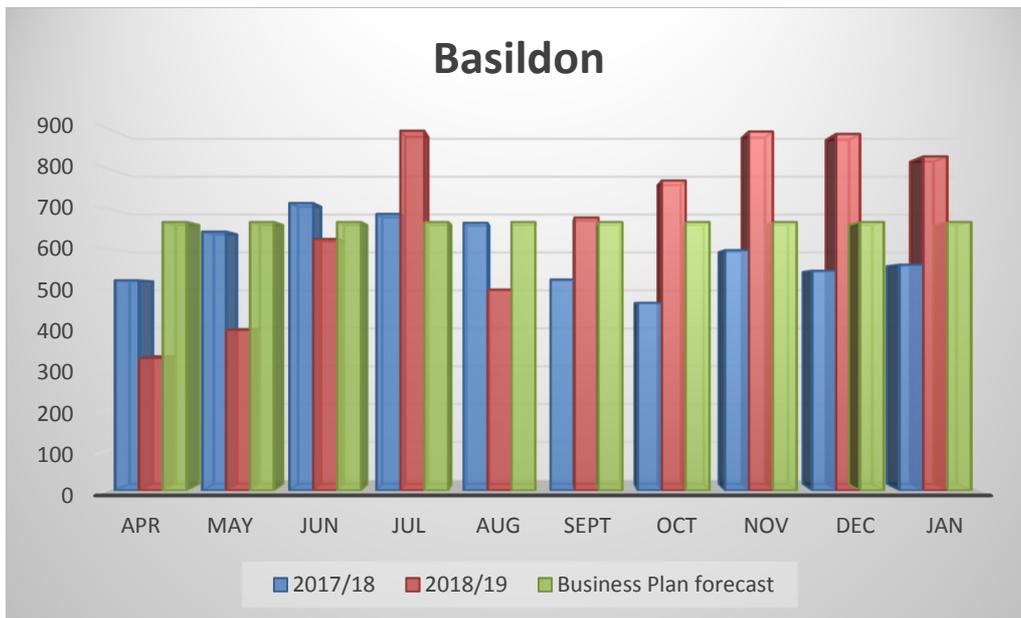
During the 10 months of the financial year the number of days lost to sickness compared to the previous year has increased by 155.5 days. This has mainly been due to four staff members who have had periods of long term sickness. The number of days lost to sickness during this current financial year equates to 1.44 days per month per Civil Enforcement Officer.

3 Individual area PCN comparisons

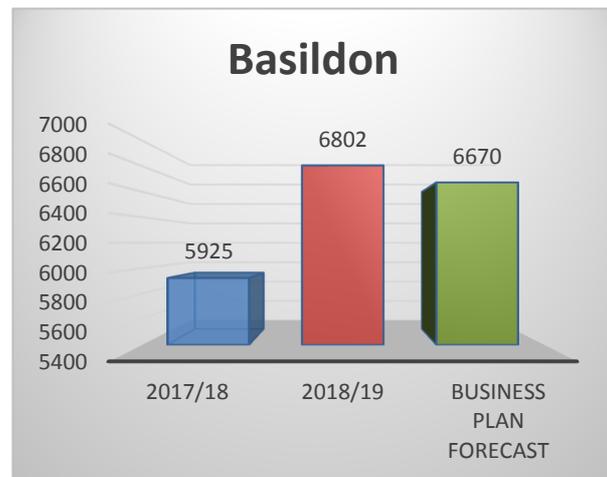
The following tables (pages 9 to 18) provides a comparison of the number of PCN issued against the previous year of operation and the Business Plan estimate and the number of days lost to sickness between April 2018 and January 2019 for PCNs issued.

3.1 Basildon

Combined Basildon foot patrol & CCTV PCN issue comparison figure.



Basildon	2017/18	2018/19	Business Plan forecast
APR	522	329	667
MAY	643	399	667
JUN	714	625	667
JUL	687	894	667
AUG	665	499	667
SEPT	524	678	667
OCT	466	770	667
NOV	597	892	667
DEC	546	886	667
JAN	561	830	667
Total	5925	6802	6670

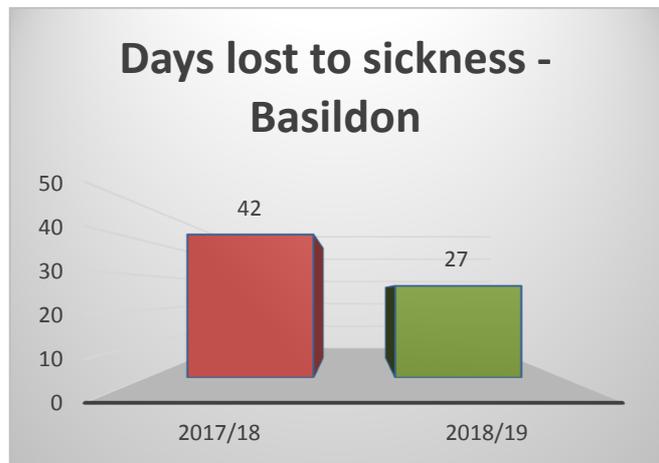


Basildon is currently 15% up compared to the same period in 2017/18 and 2% up against the estimate in the Business Plan. The introduction of the new staff members has had a positive effect on the performance, which after a slow start is now expected to achieve the outturn as set out in the 2018/19 Business Plan

3.1.1 Days lost to sickness in Basildon

The following tables provide the current amount of days lost to sickness compared against the previous year of operation. This relates to the period April 2018 to January 2019.

Basildon	2017/18	2018/19
APR	2	0
MAY	0	9
JUN	1	6
JUL	7	0
AUG	3	8
SEPT	0	3
OCT	2	0
NOV	2	1
DEC	0	0
JAN	25	0
Total	42	27



The amount of days lost to sickness has reduced by 15 days compared to the same period last year. Overall the level of sickness equates to 0.38 days per month per Basildon Civil Enforcement Officer.

3.2 Brentwood

PCN issue comparison



Brentwood	2017/18	2018/19	Business Plan
APR	713	1134	916
MAY	1021	1264	916
JUN	1100	1362	916
JUL	1180	1322	916
AUG	1072	1185	916
SEPT	1216	1045	916
OCT	1099	1052	916
NOV	999	1051	916
DEC	805	1005	916
JAN	970	1126	916
Total	10175	11546	9160

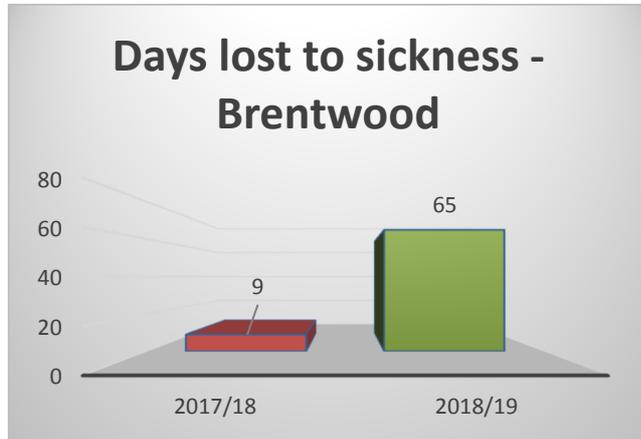


The amount of PCNs issued is currently 13.5% up against the same period last year and 26% up against the estimate in the Business Plan. It is expected that the current level of performance will be on target to exceed the overall estimated position as set out in the 2018/19 Business Plan.

3.2.1 Days lost to sickness in Brentwood

The following tables provide the current amount of days lost to sickness compared against the previous year of operation. This relates to the period April 2018 to January 2019.

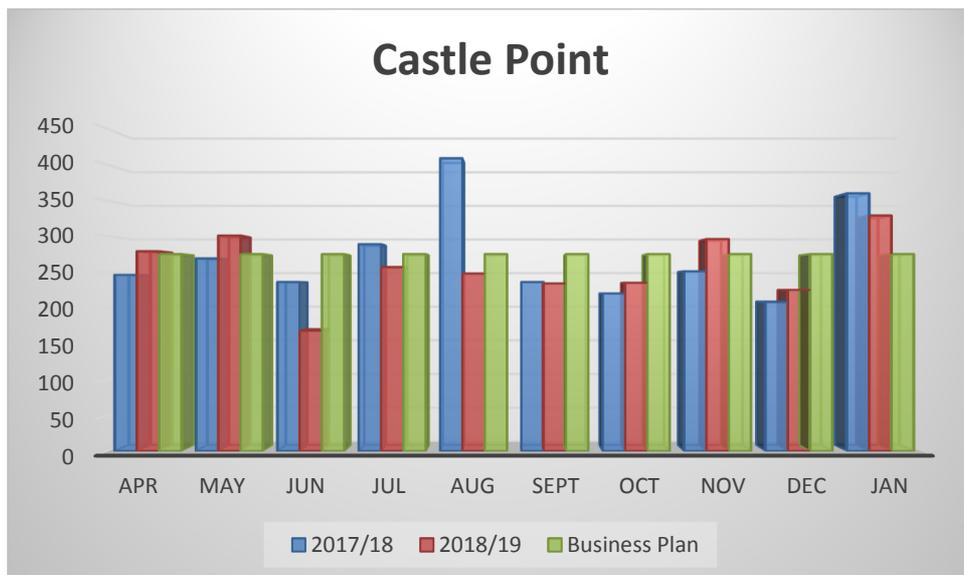
Brentwood	2017/18	2018/19
APR	0	8
MAY	0	1
JUN	0	0
JUL	0	0
AUG	0	12
SEPT	0	6
OCT	5	18
NOV	4	12
DEC	0	8
JAN	0	0
Total	9	65



The number of days lost to sickness has increased by 56 days compared to the same period last year. The level of sickness equates to 1 day per CEO per month.

3.3 Castle Point

PCN issue comparison



Castle Point	2017/18	2018/19	Business Plan
APR	246	279	275
MAY	269	301	275
JUN	236	168	275
JUL	289	257	275
AUG	409	248	275
SEPT	236	234	275
OCT	220	235	275
NOV	251	296	275
DEC	208	225	275
JAN	360	329	275
Total	2724	2572	2750



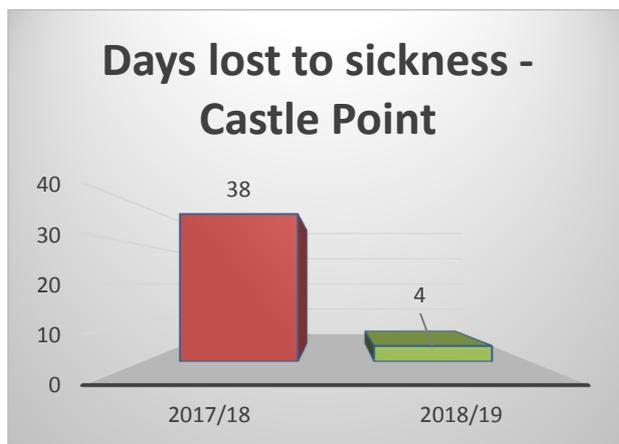
The Castle Point area continues to perform very well. The amount of PCNs issued in Castle Point is slightly down by 5% compared to the very good previous year performance and is currently 6% down against the estimated figure in the Business Plan.

The current level of performance is expected to achieve the overall outturn position as set out in the 2018/19 Business Plan.

3.3.1 Days lost to sickness in Castle Point

The following tables provide the current amount of days lost to sickness compared against the previous year of operation. This relates to the period April 2018 to January 2019.

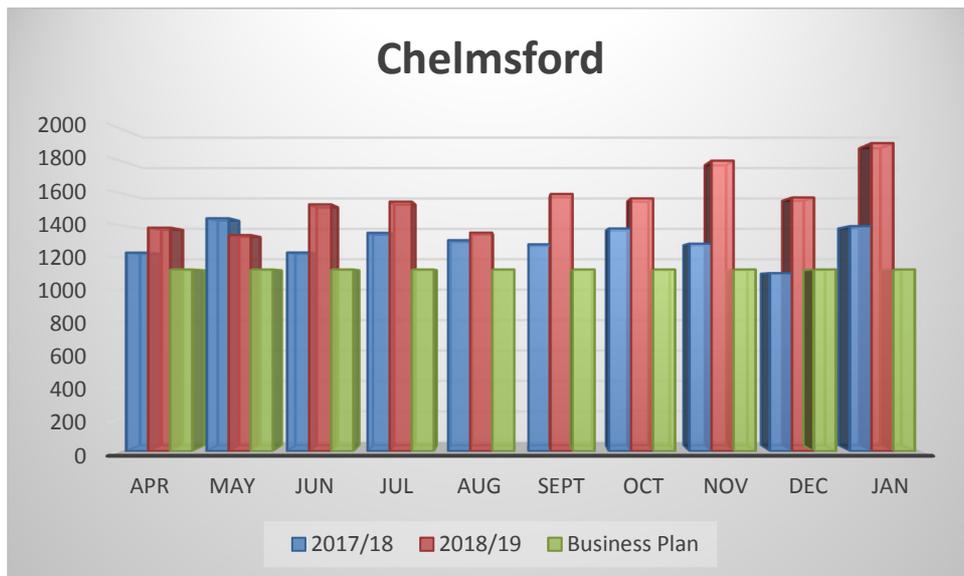
Castle Point	2017/18	2018/19
APR	3	0
MAY	0	0
JUN	14	0
JUL	21	0
AUG	0	0
SEPT	0	0
OCT	0	0
NOV	0	3
DEC	0	0
JAN	0	1
Total	38	4



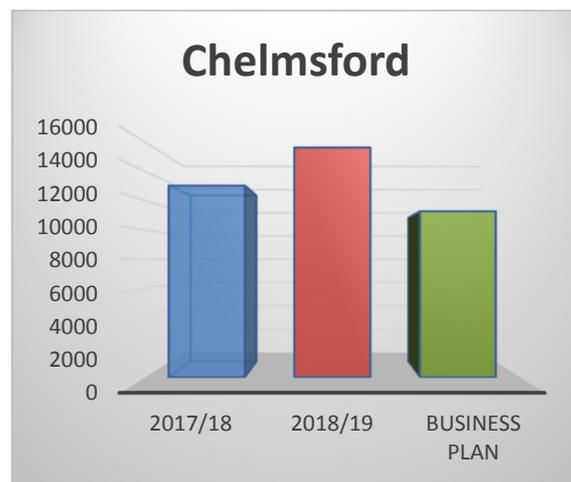
The amount of days lost to sickness in Castle Point is only 4 days and has improved by 36 days compared to the same period last year. Overall the level equates to 0.23 days per Castle Point Civil Enforcement Officer per month.

3.4 Chelmsford

PCN issue comparison



Chelmsford	2017/18	2018/19	Business Plan
APR	1229	1384	1125
MAY	1442	1338	1125
JUN	1230	1528	1125
JUL	1352	1545	1125
AUG	1306	1353	1125
SEPT	1281	1592	1125
OCT	1379	1565	1125
NOV	1285	1798	1125
DEC	1103	1570	1125
JAN	1393	1907	1125
Total	13000	15580	11250

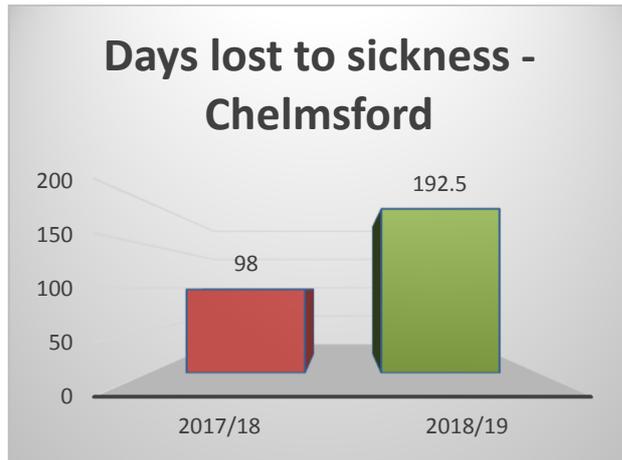


The Chelmsford area continues to perform very well and is currently 20% up on the amount of PCNs issued compared to the same period in 2017/18 and is up 38% against the estimate in the Annual Business Plan. The current level of performance is expected to exceed the overall outturn position as set out in the 2018/19 Business Plan.

3.4.1 Days lost to sickness in Chelmsford

The following tables provide the current amount of days lost to sickness compared against the previous year of operation. This relates to the period April 2018 to January 2019.

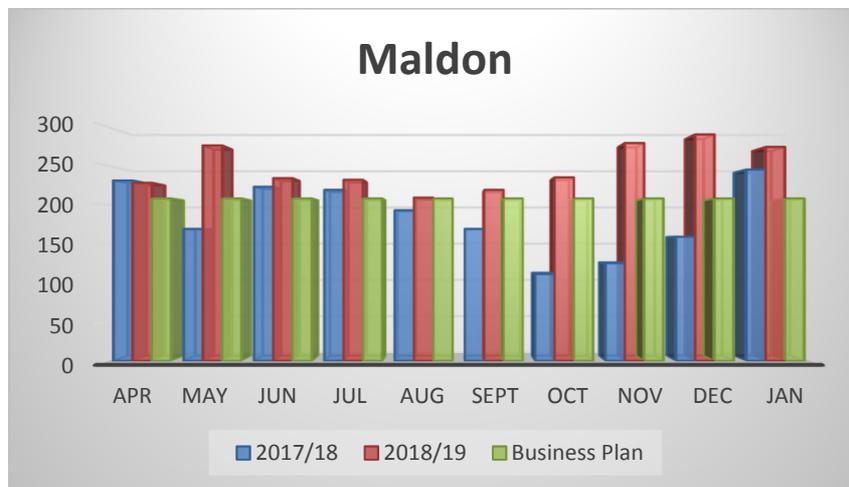
Chelmsford	2017/18	2018/19
APR	0	0
MAY	4	19
JUN	5	14
JUL	6	18.5
AUG	33	0
SEPT	27	9
OCT	9	10
NOV	3	30
DEC	6	48
JAN	5	44
Total	98	192.5



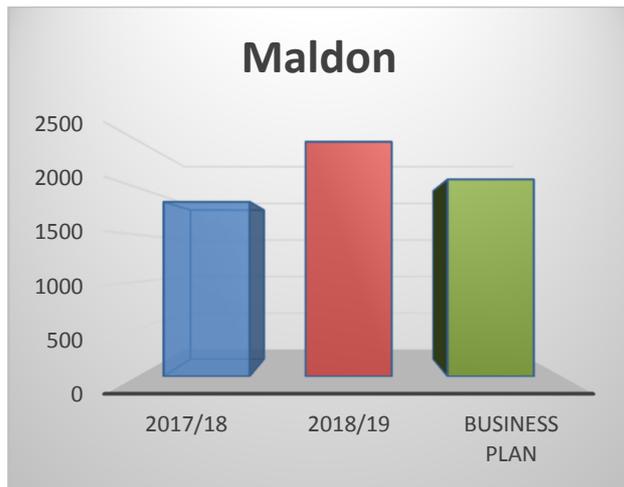
The amount of days lost to sickness in Chelmsford has increased by 94.5 days compared to the same period last year. Overall the level equates to 2.02 days per Chelmsford Civil Enforcement Officer per month.

3.5 Maldon

PCN issue comparison



Maldon	2017/18	2018/19	Business Plan
APR	231	228	208
MAY	169	276	208
JUN	223	234	208
JUL	219	232	208
AUG	193	209	208
SEPT	169	219	208
OCT	111	235	208
NOV	125	279	208
DEC	159	290	208
JAN	245	274	208
Total	1844	2476	2080



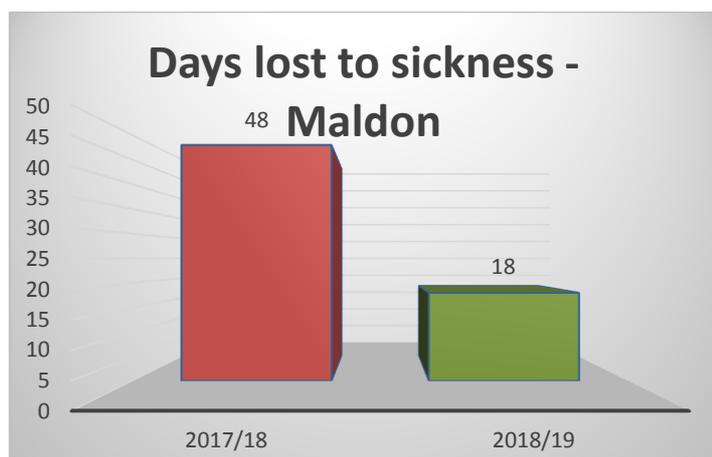
The amount of PCNs issued in Maldon is currently up by 34% compared to the 2017/18 and 19% up compared to the Annual Business Plan.

The current level of performance is set to exceed the overall outturn position as set out in the 2018/19 Business Plan.

3.5.1 Days lost to sickness in Maldon

The following tables provide the current amount of days lost to sickness compared against the previous year of operation. This relates to the period April 2018 to January 2019.

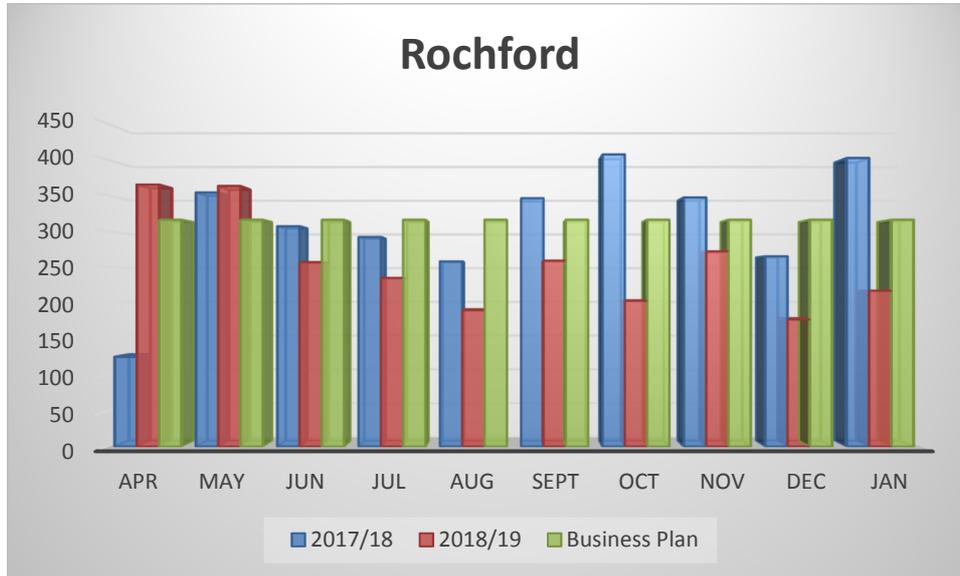
Maldon	2017/18	2018/19
APR	0	7
MAY	0	0
JUN	3	6
JUL	0	2
AUG	0	0
SEPT	2	0
OCT	22	2
NOV	19	1
DEC	0	0
JAN	2	0
Total	48	18



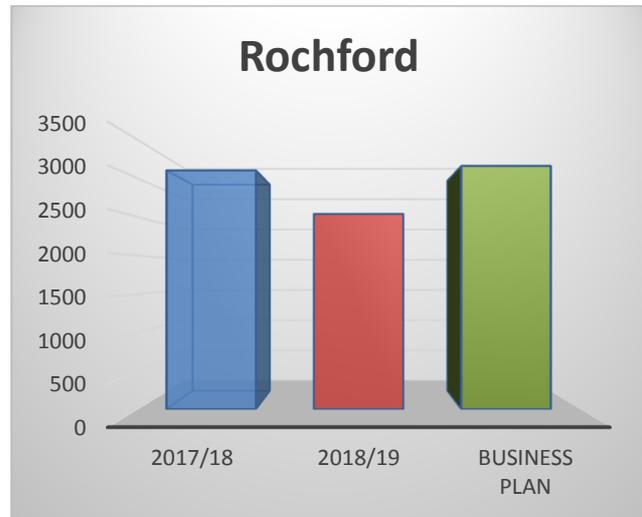
The amount of days lost to sickness in Maldon has reduced by 30 days compared to the same period last year. Overall the level equates to 0.09 days per Maldon Civil Enforcement Officer per month.

3.6 Rochford

PCN issue comparison



Rochford	2017/18	2018/19	Business Plan
APR	125	365	316
MAY	354	363	316
JUN	307	257	316
JUL	292	235	316
AUG	258	190	316
SEPT	346	259	316
OCT	407	203	316
NOV	347	272	316
DEC	265	177	316
JAN	402	217	316
Total	3103	2538	3160



The amount of PCNs issued in Rochford is currently 18% down on the previous year performance and is currently 19% down against the estimated figure in the Business Plan.

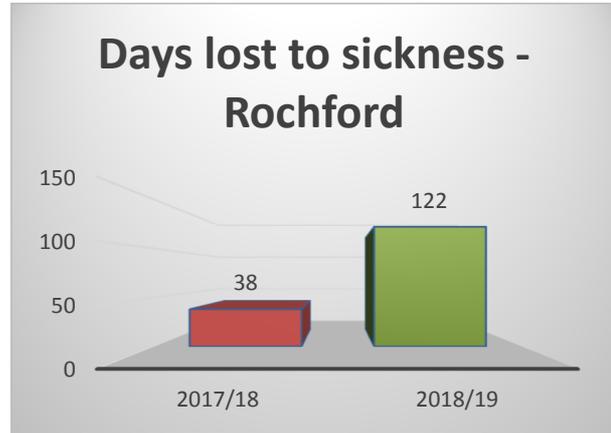
One long-term sickness has been a contributing factor to the downturn in performance.

The current level of performance is expected fall short of the outturn as set out in the Annual Business Plan 2018/19

3.6.1 Days lost to sickness in Rochford

The following tables provide the current amount of days lost to sickness compared against the previous year of operation. This relates to the period April 2018 to January 2019.

Rochford	2017/18	2018/19
APR	16	1
MAY	0	0
JUN	6	20
JUL	7	22
AUG	3	23
SEPT	0	20
OCT	1	7
NOV	3	14
DEC	2	15
JAN	0	0
Total	38	122



The amount of days lost to sickness in Rochford is currently 84 days up on the same period last year. Overall the level equates to 4.06 days per Rochford Civil Enforcement Officer per month

4 Recovery rates

The following table shows the current recovery and cancellation rates across the Partnership and for each individual area. This data relates to the period 1 April 2018 to 31 January 2019

Back Office PCN recovery rates April 2018 to January 2019								% of stage payment received from PCNs fully paid		
	PCNs Issued	Cases stopped	%	Outstanding	%	Fully Paid	%	Discount	Full amount	Surcharge Paid
Basildon	6802	755	11	1378	20	4669	69	87	11	2
Brentwood	11546	1040	9	1693	15	8813	76	85	13	2
Chelmsford	15580	1874	12	2690	17	11016	71	86	11	3
Castle Point	2572	193	8	448	17	1931	75	86	11	3
Maldon	2476	358	14	284	11	1834	74	88	10	2
Rochford	2538	131	5	264	10	2143	84	86	11	3
Partnership Total	41514	4351	10	6757	15	30406	75	86	11	2

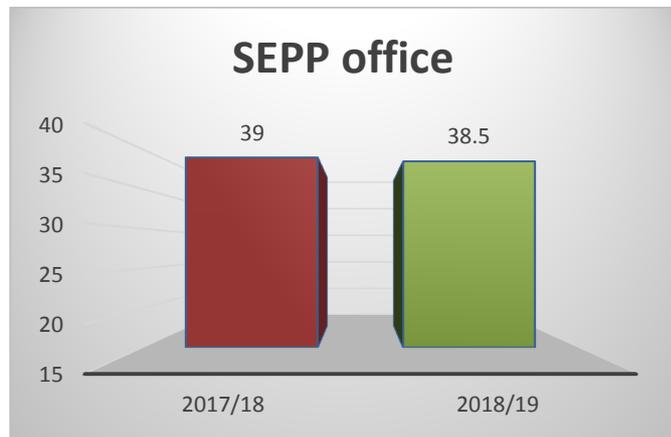
The overall recovery rate for PCNs paid is currently 75% of the PCN issued. The expected outturn for the Partnership is in the region of 77%. In 2017/18 the outturn recovery rate was 77%. Taking into account that a high volume of PCNs issued between November 2018 and January 2019 are still within the initial recovery stage, the current recovery level is very good.

The rate of PCN cancellation (10%) remains within expected level. The outturn position for cancellation rates in 2017/18 was 12%

5 Days lost to sickness – Office based staff

5.1 The following table provides the current amount of days lost to sickness compared against the previous year of operation. This relates to the period April 2018 to January 2019.

SEPP Office	2017/18	2018/19
APR	2	0
MAY	0	1
JUN	0	0
JUL	0	1.5
AUG	0	0
SEPT	19	10
OCT	3	24
NOV	4	0
DEC	0	2
JAN	11	0
Total	39	38.5

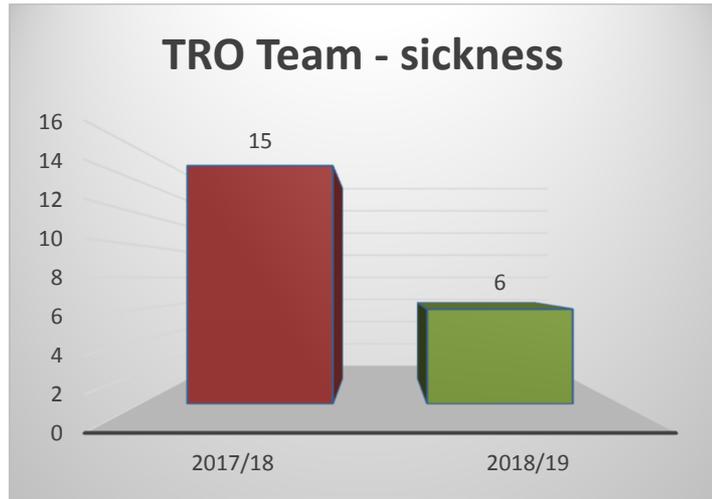


The amount of days lost to sickness reduced by 0.5 days compared to the same period last year. Overall the level equates to 0.35 days per Parking Appeals Officer per month.

5.2 Days lost to sickness – TRO Team

The following table provides the current amount of days lost to sickness compared against the previous year of operation. This relates to the period April 2018 to January 2019.

TRO TEAM	2017/18	2018/19
APR	0	0
MAY	15	0
JUN	0	0
JUL	0	0
AUG	0	0
SEPT	0	0
OCT	0	0
NOV	0	0
DEC	0	6
JAN	0	0
Total	15	6



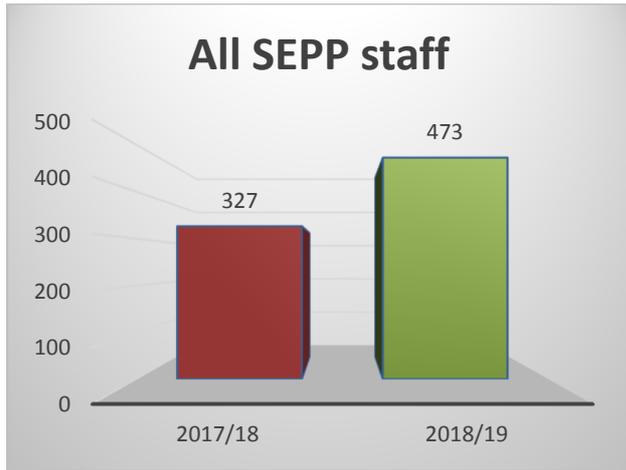
The TRO Team has had 6 days sickness during the 10 months of the financial year. Overall the level equates to 0.15 days per TRO Technician per month.

6 Days lost to sickness – All Partnership staff

The following table provides the current amount of days lost to sickness compared against the previous year of operation. This relates to the period April 2018 to January 2019.



All SEPP staff	2017/18	2018/19
APR	23	16
MAY	19	30
JUN	29	46
JUL	41	44
AUG	39	43
SEPT	48	48
OCT	42	61
NOV	35	61
DEC	8	79
JAN	43	45
Total	327	473



In the 10 months of the financial year the amount of working days lost to sickness has increased by 143 days compared to the previous year. Currently the level of days lost to sickness equates to 1.06 days per staff member per month.

SOUTH ESSEX PARKING PARTNERSHIP JOINT COMMITTEE

7 March 2019

AGENDA ITEM 9

Subject	Review of the policy document setting out how the SEPP will deal with requests for parking restrictions requiring TROs.
Report by	Parking Partnership Manager

Enquiries contact: Nick Binder Parking Partnership Manager, Chelmsford. 01245 606303, nick.binder@chelmsford.gov.uk

Purpose

This report seeks the approval of the Joint Committee to make amendments to the current TRO policy.

Options

The Joint Committee can approve, amend or reject the proposed amendments.

Recommendation(s)

1. That the Joint Committee approves the proposed amendments.

Consultees

Lead officers from each of the Partner Authorities as set out in Appendix C of the Joint Committee Agreement 2011.

1.	<u>Introduction</u>
1.1	As set out in Clause 2.2 of the Joint Committee Agreement 2011, Essex County Council (ECC) has delegated to the Joint Committee (set up to govern the SEPP), the responsibility for on street parking enforcement and charging, relevant signs and lines maintenance and the power to make relevant traffic regulation orders in accordance with the provisions contained within the Traffic Management Act 2004 and the Road Traffic Regulation Act 1984.

1.2	At its meeting on 17 th July 2012 the Joint Committee approved the document setting out 'how the SEPP will deal with requests for parking restrictions requiring TROs'. The aim of the document is to demonstrate a consistent and transparent approach throughout the Partnership areas when considering requests for new parking schemes and to ensure the Partnership's traffic management objectives are achieved.
1.3	The TRO function has now been operational since April 1 st 2012. During this period the team have been able to measure the effectiveness of the policy against the operation and the aims and objectives the Partnership wish to achieve. The Joint Committee approved Version 2 of the document which incorporated some minor policy amendments and at its meeting on 12 March 2015 the Joint Committee approved Version 3 of the document to incorporate the new application form to request a new parking restriction. Version 4 was updated in May 2018 with a change of contact details and to improve the formatting of the document.
1.4	The initial application process has evolved over time and it was discussed with ECC officers that it was not necessary to send every application to ECC in the first instance. This was established as a counter productive process as most applications received by SEPP are in relation to the residential areas seeking a residential parking scheme which fall outside of the PR1 & PR2 Routes. It was therefore decided that the SEPP TRO Technicians would determine the applications which related to PR1 and PR2 routes and seek the views of ECC officers. The policy has been amended to reflect this working arrangement.
1.5	The policy can be further improved by adding a section which provides members of the public, officers and Councillors, visual information for the most common types of parking problems reported and the likely outcome of the Technicians decision. In some cases members of the public will have a different view on what constitutes a significant parking problem compared to the experienced view of the TRO Technicians. This additional information will help the Technicians clarify their decision and a draft version of this information has been included in the document with a recommendation to include in the revised policy.
2	<u>Proposed Version changes for consideration</u>
2.1	Appendix A - Changes to the Document setting out how the SEPP will deal with requests for parking restrictions requiring TROs. Appendix B – Proposed Appendix 2 showing visual examples of the types of common parking requests and likely decision outcomes Appendix C - Document setting out how the SEPP will deal with requests for parking restrictions requiring TROs (Version 5)
3	<u>Conclusion</u>
	The TRO Process document is essential to provide clear guidance to officers, Members and the general public as to how the Parking Partnership will receive and process parking restriction requests that require a Traffic Regulation Order.

	<p>Following a review of the document it is proposed that changes are made to the document to reflect the working arrangements for sending requests to ECC that relate to PR1 and PR2 routes and to provide visual examples of the most common types of parking request and the likely outcome of the Technicians recommendation.</p> <p>The Joint Committee is asked to approve the proposed changes made to the document setting out how the SEPP will deal with requests for parking restrictions requiring TROs.</p>
<p><u>List of Appendices</u></p> <p>Appendix A - Changes to the Document setting out how the SEPP will deal with requests for parking restrictions requiring TROs.</p> <p>Appendix B – Proposed Appendix 2 showing visual examples of the types of common parking requests and likely decision outcomes</p> <p>Appendix C - Document setting out how the SEPP will deal with requests for parking restrictions requiring TROs (Version 5)</p>	
<p><u>Background Papers</u></p> <p>Appendix 1 – Document setting out how the SEPP will deal with requests for parking restrictions requiring TROs.(version 1, 2, 3 & 4)</p>	

Appendix A: Amendments to current TRO policy Version 4 May 2018

Change 1

	Current policy statement
3.3	<i>The SEPP Technician will initially send the request to ECC to be reviewed and considered on the grounds of safety and congestion in accordance with the ECC policy criteria.</i>
	Proposed change
3.3	The SEPP Technician will initially log and review the request. If the request relates to a proposed parking restriction on a PR1 and PR2 network or bus route (detailed in section 6.2 of this document). The request will be sent to ECC to be reviewed and considered on the grounds of safety and congestion in accordance with the relevant ECC policy or criteria.

Change 2

	Current policy statement
3.4	<p><i>If the request meets the ECC safety and congestion policy criteria, ECC will take the necessary action to implement a parking scheme (subject to available funding).</i></p> <p><i>Essex County Council has a commitment to identify and fund any TROs required for safety reasons, in line with its implementation criteria (detailed in section 6.1 of this document).</i></p> <p><i>The County Council will fund (subject to budget availability) the cost of any TRO required to address a congestion issue on the PR1 and PR2 network or bus route (detailed in section 6.2 of this document).</i></p> <p><i>ECC will also fund waiting restrictions required as part of a new development (via the Section 106 process) or as part of an improvement scheme in consultation with the SEPP.</i></p>
	Proposed change
3.4	<p>If the request meets the ECC criteria, ECC will take the necessary action to implement a parking scheme (subject to available funding).</p> <p>Essex County Council has a commitment to identify and fund any TROs required for safety reasons, in line with its implementation criteria (detailed in section 6.1 of this document).</p> <p>The County Council will fund (subject to budget availability) the cost of any TRO required to address a congestion issue on the PR1 and PR2 network or bus route</p> <p>ECC will also fund waiting restrictions required as part of a new development or as part of an improvement scheme in consultation with the SEPP.</p>

Change 3

	<i>Current policy statement</i>
3.5	<p><i>If ECC officers decide that the request for a parking restriction has no safety or congestion implications, ECC will decline the request and inform the customer that the request will be sent to SEPP for consideration.</i></p> <p><i>ECC will forward the request for restrictions within 30 days of receipt to the SEPP TRO Team using the agreed form contained at APPENDIX 2.</i></p>
	Proposed change
3.5	If ECC officers decide that the request for a parking restriction has no safety or congestion implications, ECC will decline the request and send the request back to SEPP for consideration.

Change 4

	<i>Current policy statement</i>
3.6	<p><i>Once the SEPP TRO team receives the request the first stage is pre-feasibility work. The Team will know that on receipt of any request from ECC that all aspects of safety and congestion would have been considered by ECC in advance.</i></p>
	Proposed change
3.6	Once the SEPP TRO team receives the request the first stage is pre-feasibility work. The Team will know that on receipt of any request relating to a PR1 or PR2 network or bus route that ECC will have considered all aspects of safety and congestion in advance.

Change 5

	<i>Current policy statement</i>
3.15	<p><i>If SEPP agrees to proceed with the TRO it must be advertised including at least one notice in the local press. The SEPP will usually display notices in any roads that are affected and, if it is deemed appropriate, may deliver notices to key premises likely to be affected.</i></p> <p><i>For at least 21 days from the start of the notice, the proposal and a statement of reasons for making the TRO can be viewed at a nominated council office during normal office hours, in appropriate libraries, or on the SEPP website.</i></p>

	Proposed change
3.15	<p>If SEPP agrees to proceed with the TRO it must be advertised including at least one notice in the local press. The SEPP will usually display notices in any roads that are affected and, if it is deemed appropriate, may deliver notices to key premises likely to be affected. In most instances, notices will not be delivered to residential premises when the proposals are to implement waiting restriction to address issues of dangerous and obstructive parking such as Junction protection which reinforce the requirements of the Highway Code.</p> <p>For at least 21 days from the start of the notice, the proposal and a statement of reasons for making the TRO can be viewed at a nominated council office during normal office hours, in appropriate libraries, or on the SEPP website.</p>

Change 6

	<i>Current policy statement</i>
	n/a
	Proposed change (add new section)
7.3.1	<p>In some cases, the public may have a different view of what constitutes a significant parking problem compared to the technical experience of the TRO Technician. The following sections provide information on the types of requests received and the criteria required to realistically consider the justification for implementing a parking restriction. Appendix 2 (page 16) provides additional visual examples of the common types of parking issues reported and the recommendations that the Technicians are likely to make.</p>

Change 7

	<i>Current policy statement</i>
7.4.3 Page 10	<ul style="list-style-type: none"> • The introduction of a scheme would not cause unacceptable problems in adjacent roads. When surveying an area, it is essential that the displacement of vehicles does not cause unacceptable problems in adjacent roads. The restriction of vehicles from one location will not necessarily make the perceived problem go away but do no more than move the problem. • The Partnership is satisfied that a reasonable level of enforcement can be maintained. For every new restriction that is introduced a level of enforcement will be required. This can have an effect on the amount of resource available and the cost of the overall enforcement account. Therefore, the future price structure of

	resident permits will need to reflect the overall operation.
	Proposed change
7.4.3 Page 10	<ul style="list-style-type: none"> • The introduction of a scheme would not cause unacceptable problems in adjacent roads. When surveying an area, it is essential that the displacement of vehicles does not cause unacceptable problems in adjacent roads. The restriction of vehicles from one location will not necessarily make the perceived problem go away but do no more than move the problem. Should a new scheme be introduced, It can be difficult to fully establish exactly where displacement of vehicles could occur, if any. It is therefore sometimes necessary to introduce a new scheme then monitor any potential displacement over a period of time. • The Partnership is satisfied that a reasonable level of enforcement can be maintained. For every new restriction that is introduced a level of enforcement will be required. This can have an effect on the amount of resource available and the cost of the overall enforcement account. Therefore, the future price structure of resident permits will need to reflect the overall operation. The core operational hours of the enforcement operation are 8am to 8pm Mon – Sat with occasional ad-hoc out of hours enforcement.

Change 8:
Current policy

10. Contact Details

<p>South Essex Parking Partnership TRO Team</p> <p>Email: trafficreq@chelmsford.gov.uk</p> <p>Address: Traffic Regulation Orders (TRO) Team Chelmsford City Council, Civic Centre, Duke Street, Chelmsford, Essex, CM1 1JE</p>	<p>Essex County Council</p> <p>Contact Essex: 0845 743 0430</p> <p>Email Chelmsford and Maldon: HighwayEnquiriesMid@essex.gov.uk</p> <p>Brentwood: HighwayEnquiriesWest@essex.gov.uk</p> <p>Castle Point, Rochford, Basildon: HighwayEnquiriesSouth@essex.gov.uk</p>
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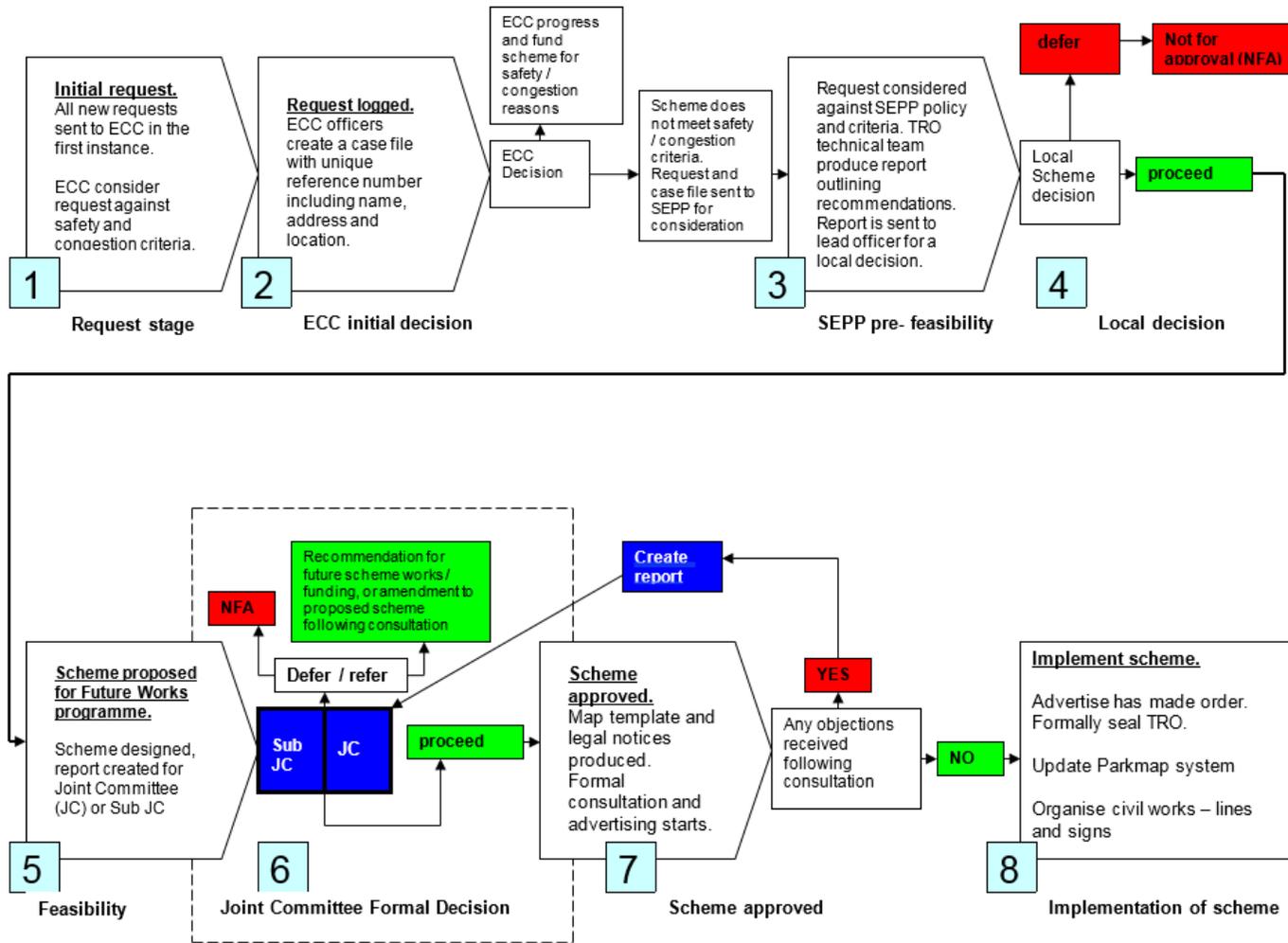
Proposed Change

10. Contact Details

South Essex Parking Partnership TRO Team Email: trafficreg@chelmsford.gov.uk Address: Traffic Regulation Orders (TRO) Team Chelmsford City Council, Civic Centre, Duke Street, Chelmsford, Essex, CM1 1JE	Essex County Council Contact Essex: 0345 743 0430 Email contact@essex.gov.uk
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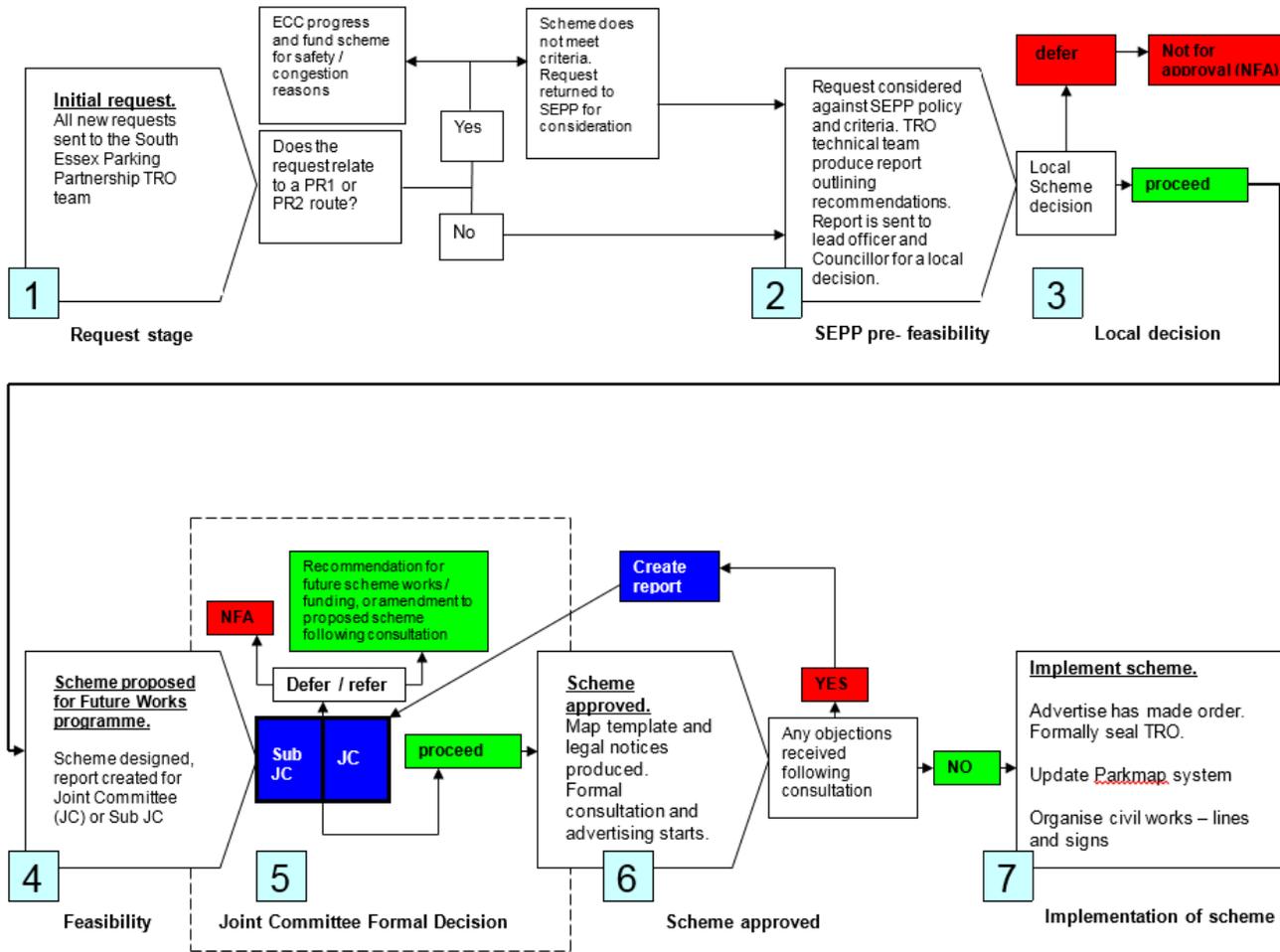
Change 9: Current Policy statement

Appendix 1 TRO flow process



Change 9: Proposed change

Appendix 1 TRO flow process



Change 10: Current Policy

Delete Appendix 2



Appendix 2 Request for parking restriction information form

Reference Number		Date of request	
Name / organisation			
Address			
Location / area of parking issue. <small>(please attached all correspondence and photographs)</small>			
Outcome of survey based on Essex County Council (ECC) safety and congestion criteria.			
<i>Reason:</i>			
Damage caused to pavement / verge. Do ECC wish to fund and implement parking restriction or install preventative measure (wooden posts etc)	YES	NO	
Recommendation	YES	NO	
ECC to progress scheme			
Scheme does not meet the safety / congestion criteria. Request sent to South Essex Parking Partnership (SEPP) for consideration			
ECC officer name			
Title			
Contact No			
Date sent to SEPP			

Appendix B:

Proposed change, add as Appendix 2

Appendix 2 – Examples of parking and likely assessment outcomes

Example 1- request for a resident parking scheme (all day non residential parking)

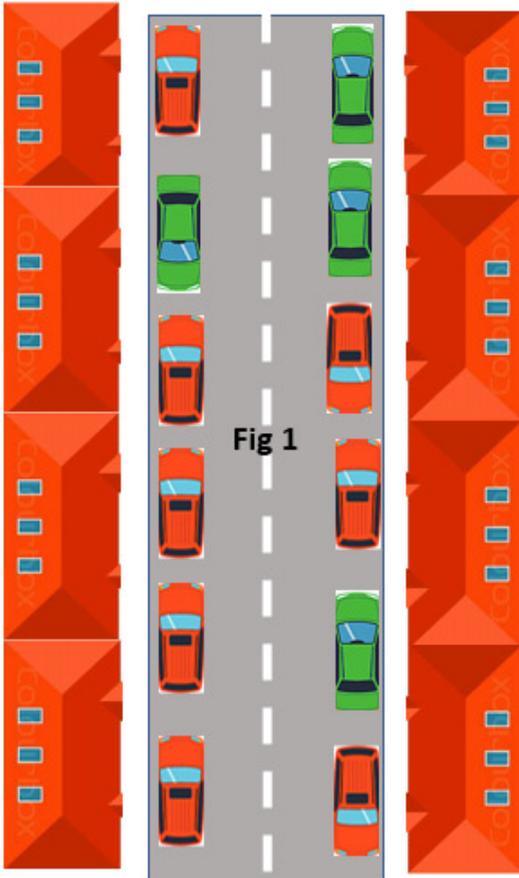


Fig 1

Policy criteria
Majority of the street do not have available off street parking ✓
The parking by non-residents must be sufficiently severe to cause serious inconvenience to residents. Vehicles parked for the whole length of the road taking all available space for long periods of the day will be considered sufficiently severe. ✓
Displacement of parking may cause unacceptable problems in adjacent streets. 🖐️

Recommendation
Fig 1 shows an example of a common reported problem which meets the majority of the policy criteria. Displacement of parking to adjacent roads will always be a possibility and may require a period of monitoring after a scheme has been implemented.
Fig 2 shows the area after a resident parking scheme has been implemented, Monday to Friday 10am to 11am
This type of request is highly likely to be approved for a resident parking scheme; subject to available funding and positive consultation results. The purpose of the scheme is intended to remove all –day non residential parking where parking by non-residents is established for long periods of the day in the majority of the road. This is also supported because the available space on the public highway will still be fully utilised by residents and visitor parking throughout the day.

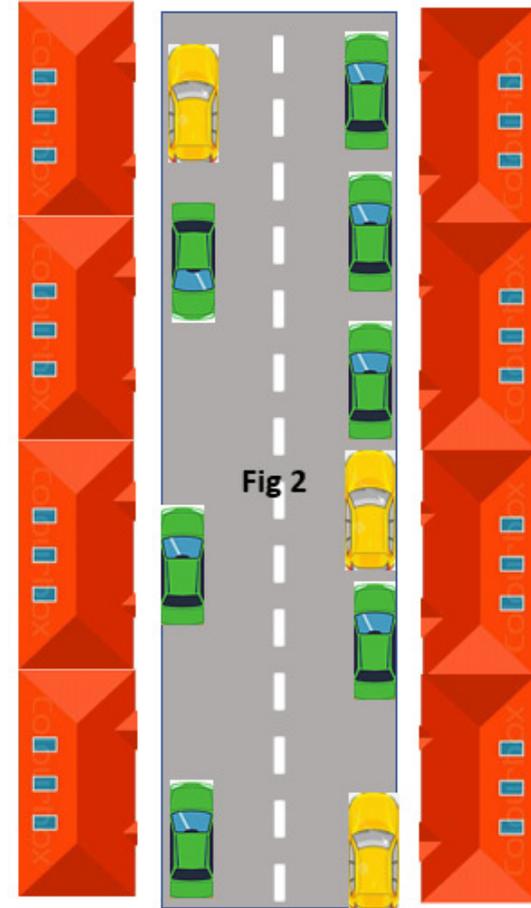
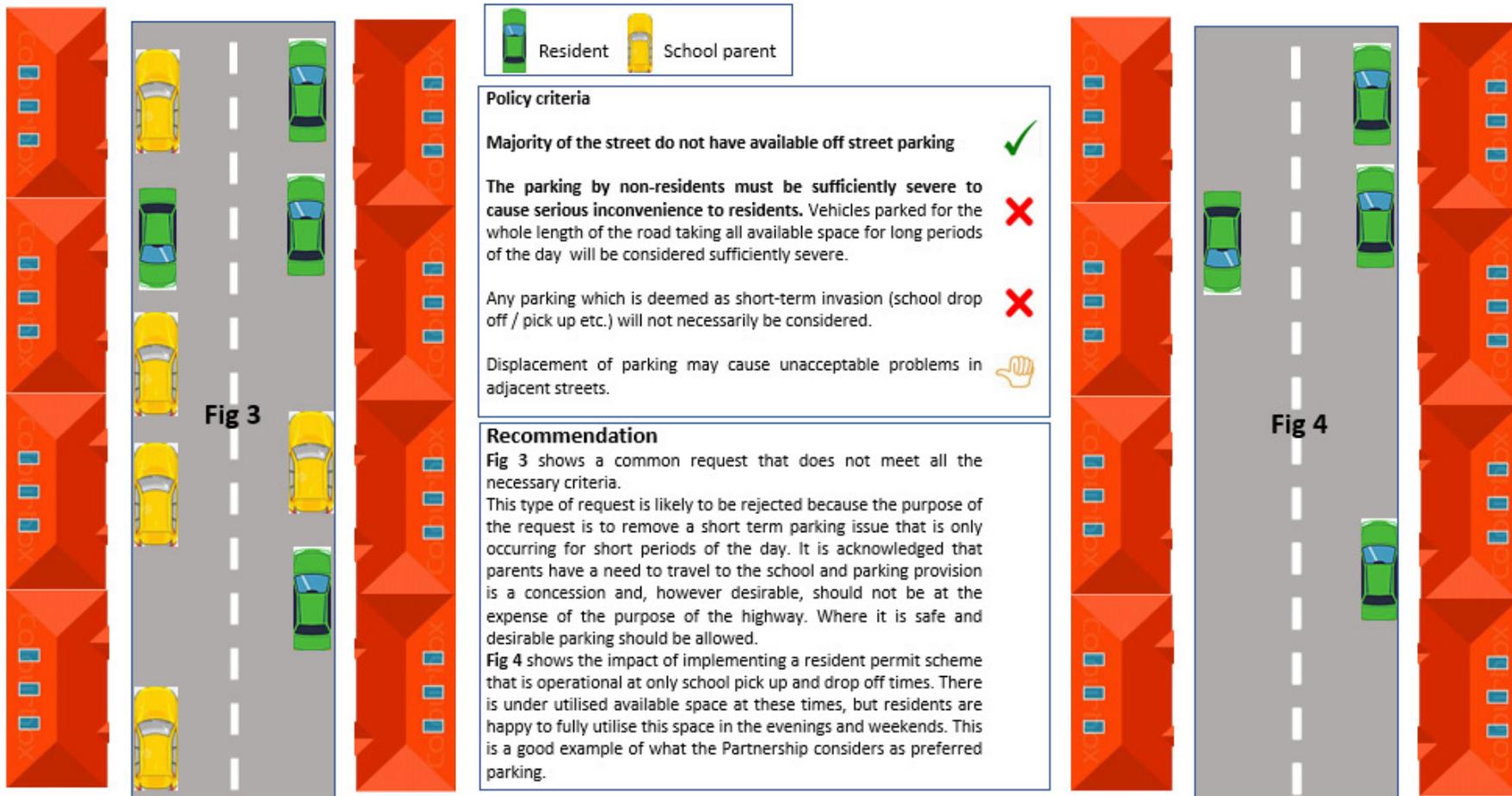
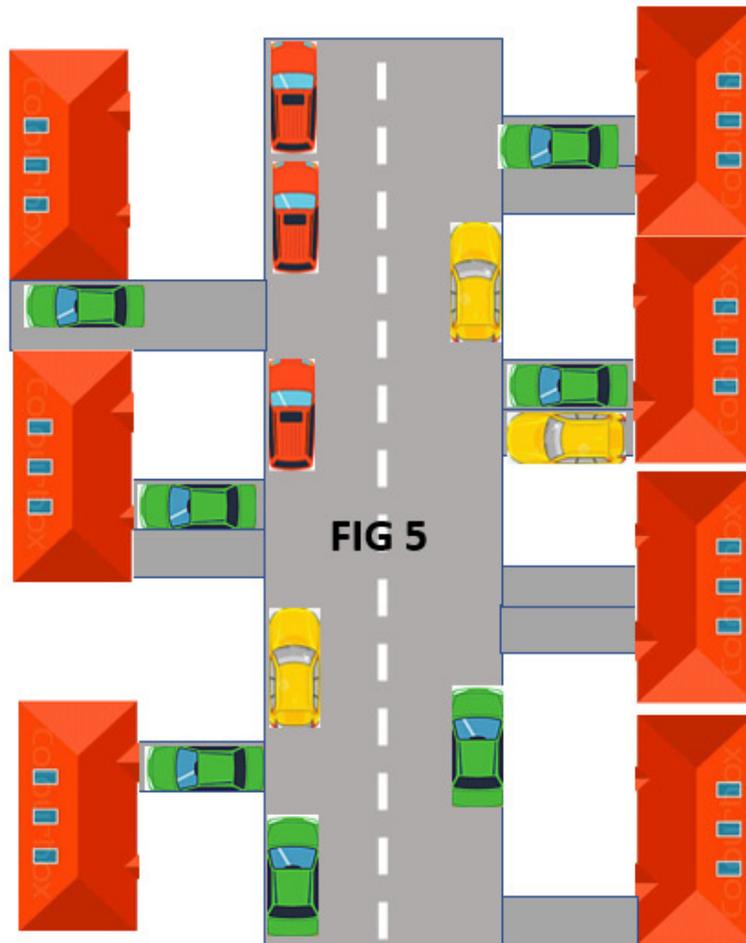


Fig 2

Example 2- request for resident parking scheme (to prevent parent school parking)



Example 3- request for resident parking scheme (all-day non residential parking)



Policy criteria

Majority of the street do not have available off street parking ❌

The parking by non-residents must be sufficiently severe to cause serious inconvenience to residents. Vehicles parked for the whole length of the road taking all available space for long periods of the day will be considered sufficiently severe. ❌

Any parking which is deemed as short-term invasion (school drop off / pick up etc.) will not necessarily be considered. ❌

Displacement of parking may cause unacceptable problems in adjacent streets. 🙅

Recommendation

Fig 5 shows a common request where most off the properties in the road have available off-street parking and the vehicles (both residential and non residential) are parked within the available roadside space within the street.

This type of request does not meet any of the policy criteria and is therefore highly likely to be rejected.

If the resident with off-street parking finds they are in a position where they request to have a parking restriction implemented to prevent vehicles parking in the street, but are happy for relatives or visitors to park in the area this will be considered as preferred parking and therefore a recommendation to decline the requested scheme.

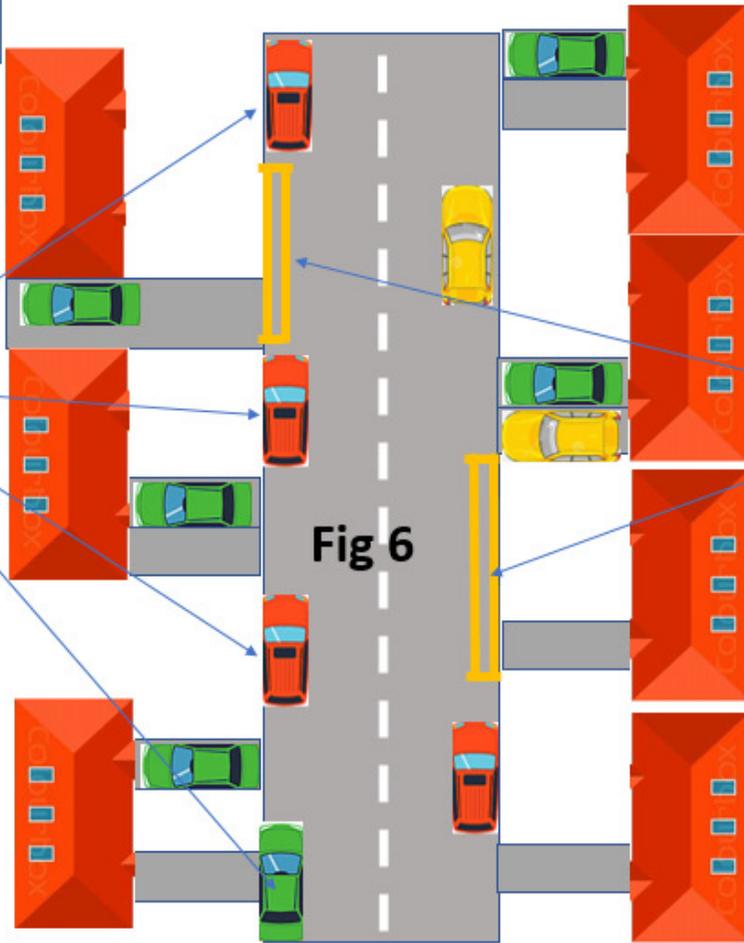
If the resident is suggesting that the parking by non-residents is a safety and congestion issue and the technicians establish that passing places are required within the road to improve the traffic flow, a resident parking scheme is not the suitable solution as all cars will be considered as the potential issue. The Partnership cannot justify implementing a parking restriction on safety grounds with the intention to remove non residential parking, but allow residents and visitors to park in the same location with a resident permit. Therefore double yellow lines will be the suggested solution as shown in Fig 6



Safe available parking for any road user

24/7 double yellow lines to provide passing points for moving traffic to ensure free flow of traffic

If the resident is suggesting that the parking by non-residents is a safety and congestion issue and the technicians establish that passing places are required within the road to improve the traffic flow, a resident parking scheme is not the suitable solution as all cars will be considered as the potential issue. The Partnership cannot justify implementing a parking restriction on safety grounds with the intention to remove non residential parking but allow residents and visitors to park in the same location with a resident permit. Therefore double yellow lines will be the suggested solution as shown in Fig 6



**Document setting out how
the SEPP will deal with
requests for parking
restrictions requiring TROs**

Version 5 March 2019

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1. Introduction

- 1.1 The South Essex Parking Partnership (SEPP) was launched on April 1st 2011 to deliver the on-street parking enforcement operation on behalf of Essex County Council across Basildon, Brentwood, Castle Point, Chelmsford, Maldon and Rochford.
- 1.2 As set out in Clause 2.2 of the Joint Committee Agreement 2011, Essex County Council (ECC) has delegated to the Joint Committee (set up to govern the SEPP), the responsibility for on street parking enforcement and charging, relevant signs and lines maintenance and the power to make relevant traffic regulation orders (TRO) in accordance with the provisions contained within the Traffic Management Act 2004 and the Road Traffic Regulation Act 1984.
- 1.3 As part of the establishment of the SEPP it was agreed that for the first year of the operational period, ECC would retain responsibility and budget for the commissioning of traffic regulation orders, except within the Borough of Chelmsford. At its meeting held on 1st February 2012 the Joint Committee resolved that the SEPP would take on responsibility for relevant signs and lines maintenance and the power to make relevant TROs from 1st April 2012 subject to a number of provisos around funding and TUPE arrangements. A Deed of Variation to the Joint Committee Agreement will cover this resolution.
- 1.4 This document sets out how this new arrangement will work and outlines the ECC and SEPP policies which will determine the implementation of future TRO schemes across the Partnership.
- 1.5 Our aim is to demonstrate a consistent and transparent approach throughout the Partnership areas when considering requests for new parking schemes and to ensure the Partnership's traffic management objectives are achieved.
- 1.6 It is acknowledged that all requests for a parking restriction will carry some form of merit and may be beneficial to the particular area. The requests will be submitted for a variety of reasons and depending on the circumstance will be considered as a high or low funding priority to the Partnership. As the amount of funding available for new schemes is limited it is the intention of this policy to provide criteria which, if met, will be considered a high priority scheme for the Partnership and therefore stand a greater chance of receiving the available funding. Schemes that do not meet all the criteria can still be progressed and considered by the Joint Committee, but schemes with a higher priority will take precedence. All schemes will be subject to available funding.

2. The requirement for waiting restrictions

- 2.1 Waiting restrictions requiring a Traffic Regulation Order (TRO) may be required for a variety of reasons and generally these will fall into four categories:
 1. Safety - required in identified areas to reduce known personal injury collisions involving vehicles and pedestrians

2. Congestion – required in situations where the flow of traffic on key routes is impaired by parked vehicles
 3. New development/improvement schemes – where restrictions are required to complement other measures such as traffic calming schemes or to assist with new developments such as new roads
 4. Local concerns where restrictions are required to manage commuter, shopper or residents parking
- 2.2 There is an increasing demand across the Partnership area for parking restrictions to be implemented. As more vehicles are introduced onto the road network there is an ever-increasing demand for kerb space parking and members of the public and organisations may experience what they consider a parking problem and will seek to have some form of parking restriction implemented.
- 2.3 The aim of the SEPP and ECC is to avoid introducing unnecessary parking restrictions and to concentrate the limited funds available to the SEPP on essential schemes where major parking issues exist.
- 2.4 The SEPP and ECC will only commence the process of introducing a parking restriction if the request is considered to be absolutely necessary and meets the criteria set out in this document.

3. Arrangements for dealing with waiting restriction (TRO) requests

- 3.1 It is worth stating that Permanent TROs are subject to the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996. These impose various legal requirements prior to making an order. From receiving an initial request to full completion of the TRO process can take between 12 to 18 months to complete.

The TRO flow process at **APPENDIX 1** details the new arrangement.

- 3.2 All new requests for parking restrictions must be submitted on the required application form which can be found on-line at <https://www.chelmsford.gov.uk/sepp> or on page 24 of this document. Details of where to send the form are included on the form

Note: When requesting a new parking restriction, it is advisable to gain as much local support from people affected by the perceived parking problem before submitting the request. Gaining support from a local Councillor, ECC Member, or parish council is also advisable. Requests received from individuals will be considered as the view of only one person and not a view shared with a wider group.

- 3.3 The SEPP Technician will initially log and review the request. If the request relates to a proposed parking restriction on a PR1 and PR2 network or bus route (detailed in section 6.2 of this document). The request will be sent to ECC to be reviewed and considered on the grounds of safety and congestion in accordance with the relevant ECC policy or criteria.

- 3.4 If the request meets the ECC criteria, ECC will take the necessary action to implement a parking scheme (subject to available funding).

Essex County Council has a commitment to identify and fund any TROs required for safety reasons, in line with its implementation criteria (detailed in section 6.1 of this document).

The County Council will fund (subject to budget availability) the cost of any TRO required to address a congestion issue on the PR1 and PR2 network or bus route

ECC will also fund waiting restrictions required as part of a new development or as part of an improvement scheme in consultation with the SEPP.

- 3.5 If ECC officers decide that the request for a parking restriction has no safety or congestion implications, ECC will decline the request and send the request back to SEPP for consideration.

- 3.6 Once the SEPP TRO team receives the request the first stage is pre-feasibility work. The Team will know that on receipt of any request relating to a PR1 or PR2 network or bus route that ECC will have considered all aspects of safety and congestion in advance.

- 3.7 One of the Team's Technicians will gather information related to the request for a new restriction. This may include site visits and where appropriate informal consultation with Local interest groups such as residents, traders and community groups to gauge opinion on whether or not there is considered to be a parking issue.

- 3.8 For the purpose of the consultations with Local interest groups, a two-tier process is in place whereby a 50% response rate to all consultation letters sent will be required. Of the responses received, 50% must be in favour of the change. If the response rates meet these criteria a scheme will be costed and a report will be submitted to the SEPP Joint Committee, or relevant Sub-Committee, for consideration to provide the necessary funding to proceed with a proposed Traffic Regulation Order. If a response rate of lower than 50% is received by either criterion, this will be reflected as a lack of support for the scheme and will be considered a low priority and may result in no further action being taken.

- 3.9 The outcome of a consultation may result in different levels of support in any individual road dependent on the location of the property to the initial parking problem. In this case it may be necessary for the Partnership to implement a scheme in part of the road and monitor the effects of any vehicle displacement.

- 3.10 The SEPP, regardless of the outcome of informal consultation, reserves the right to implement a scheme when it is deemed essential, for example to address concerns of the emergency services specific traffic management needs. The Partnership may also be approached by local Town and Parish Councils who wish to fund schemes and

request the Partnership to implement TROs on their behalf. In all cases this would be a decision of the Joint Committee in full consultation with the relevant Lead Officer and Member representative.

- 3.11 The SEPP TRO Team will produce a report for each request received with a recommendation to accept or decline the proposal. The report will also include full details of any site visits and the outcome of any informal consultations, if conducted as part of the assessment. These reports will then be discussed with the relevant Parking Partnership lead officers and elected Member representative for a local decision on whether to proceed with the scheme.
- 3.12 All Schemes agreed locally to progress-will then be costed for submission to the Joint Committee or a relevant Sub-Committee to provide the necessary funding to proceed with a proposed Traffic Regulation Order.
- 3.13 A report will be created for the Joint Committee or a relevant Sub-Committee to consider and agree or defer/refer the scheme. Funding options for the implementation of new parking restrictions are outlined in section 8 of this document
- 3.14 If funding is agreed a TRO will be drafted and statutory consultation must be undertaken. This involves obtaining the views of local stakeholders such as:
- Local City/Borough/District Council, Parish Councils and County Councillors
 - The Highway Authority
 - The Emergency Services
 - Freight Transportation Association and Road Haulage Association
 - Local public transport operators.
- 3.15 If SEPP agrees to proceed with the TRO it must be advertised including at least one notice in the local press. The SEPP will usually display notices in any roads that are affected and, if it is deemed appropriate, may deliver notices to key premises likely to be affected. In most instances, notices will not be delivered to residential premises when the proposals are to implement waiting restriction to address issues of dangerous and obstructive parking such as Junction protection which reinforce the requirements of the Highway Code.

For at least 21 days from the start of the notice, the proposal and a statement of reasons for making the TRO can be viewed at a nominated council office during normal office hours, in appropriate libraries, or on the SEPP website.

- 3.16 Objections to the proposals and comments of support must be made in writing to the address specified in the notice or submitted online during this period.

Any person may object to a proposed TRO. Objections must be in writing and an email can be sent to trafficreg@chelmsford.gov.uk or write to the South Essex Parking Partnership Manager, Chelmsford City Council, Civic Centre, Duke Street, Chelmsford, Essex, CM1 1JE stating the reasons for your objection.

- 3.17 If there are unresolved objections that cannot be resolved by officers a report will be submitted to the Joint Committee or a relevant Sub-Committee for the purpose of considering representations. The Committee will approve, reject or ask for an order to be modified.

Modifications to the proposals resulting from objections could require further consultation. This procedure can take many months to complete and the advertising and legal fees can be substantial. For this reason, schemes requiring a TRO normally need to be included in the Annual Programme and cannot be carried out on an ad-hoc basis.

- 3.18 Following Committee approval, the TRO will be formally sealed and published in a local newspaper with an operational date. The signs and lines are then installed by our contractors, following which, the restrictions become enforceable.

4. Implementing TROs once the Order is made

- 4.1 For TROs agreed by and funded by ECC for restrictions to address issues of safety, congestion or new development ECC will either:

- approach SEPP with a fully designed scheme ready for implementation or
- approach SEPP with a known issue to discuss and reach an agreed solution for design and implementation

The SEPP TRO Team will then either:

- implement the scheme (including design as necessary draft TRO; consult/advertise TRO; consider objections/seal TRO; install signs and lines) or
- decline to undertake the work on the scheme, in which case ECC will commission this from elsewhere.

- 4.2 For TROs agreed by and funded by the SEPP (or an individual authority or local highways panel) to address local concerns or strategic matters the SEPP TRO Team will implement the scheme (or commission from other service providers).

TROs will only be progressed after approval of the Joint Committee or a relevant Sub-Committee.

5. Types of TROs

- 5.1 TROs can be used on any road to which the public has access. The status of the route is immaterial and can include footpaths, bridleways and byways open to all traffic, as well as other highways (such as main carriageways). The road does not have to be a highway or maintained by the highway authority.

6. ECC criteria for determining requests for new Parking Restrictions

6.1 This section details the ECC criteria for considering requests for parking restrictions on safety and congestion grounds.

6.2 Essex County Council safety and collision intervention criteria

When considering the need for a restriction on safety grounds, ECC identifies 'Single Sites' or 'Clusters' where there have been five or more Personal Injury Collisions (PICs) within a 50m radius of the requested area over a three-year period.

Safety Engineers study the collisions and identify any treatable patterns. Where a safety need is identified, the sites are prioritised for funding through the relevant Local Highways Panel.

6.3 Essex County Council congestion criteria

ECC has adopted a functional route hierarchy. This splits the road network into three classifications. Priority one (PR1) County Routes, priority two (PR2) County Routes (PR1 and PR2) and local roads.

PR1 roads have been identified as high-volume traffic routes which are essential to the economy of Essex. PR2 routes perform an essential traffic management distributor function between the local network and the PR1 routes.

Delays to the movement of traffic on the PR1 and PR2 network will be minimised and restrictions considered if required to achieve this aim.

Further detail on the functional route hierarchy is explained in APPENDIX 4

7. SEPP criteria for determining requests for new Parking Restrictions

7.1 The SEPP will receive all parking restriction requests that do not meet the criteria of ECC safety and congestion policies, detailed above. Although these schemes do not meet the ECC criteria the Partnership may decide to implement parking restrictions to improve safety and sight lines, if the Partnership consider that the restriction will be beneficial to the area.

The SEPP is likely to receive requests for restrictions to deal with the following issues:

1. Commuter parking in a residential street (preferred parking).
2. Short term invasion parking (outside schools, organisations, etc).
3. Provision of customer on street parking for local shops and businesses.
4. Obstruction of driveway (difficulty getting vehicle on and of driveway).
5. Parking around industrial areas
6. Parking on verges, pavements and green areas.

7.2 Historically many parking restrictions have been introduced with the aim of resolving particular local issues. However, it should be remembered that the highway is intended for the purposes of passing and re-passing and that no right of parking exists.

Parking provision is therefore a concession and, however desirable, should not be at the expense of the purpose of the highway. Where it is safe and desirable parking can be allowed.

7.3 The SEPP will avoid introducing unnecessary parking restrictions to combat minor short stay invasion parking problems or to address a preferred parking situation. The allocated funds will be concentrated on essential schemes where major parking issues exist.

7.3.1 In some cases, the public may have a different view of what constitutes a significant parking problem compared to the technical experience of the TRO Technician. The following sections provide information on the types of requests received and the criteria required to realistically consider the justification for implementing a parking restriction. **Appendix 2** (page 16) provides additional visual examples of the common types of parking issues reported and the recommendations that the Technicians are likely to make.

7.4 **Commuter parking in a residential street (preferred parking)**

7.4.1 The majority of residential estates were not designed for the level of car ownership or the volume of traffic using them today. Requests for parking restrictions to remove a parking problem are sent to the Partnership in many forms. It is necessary to investigate and prioritise each request so that those areas in most need are given greater priority. The criteria in section 7.4.3 provides the basis for priority.

7.4.2 The preferred traffic management solution for parking issues in residential areas is the introduction of a residents parking scheme. This type of scheme will only allow residents and their visitors to park within a designated area throughout the period of the restriction and exclude all other vehicles.

7.4.3 The criteria for prioritising requests for restrictions in residential areas is as follows:

- **The parking by non-residents must be sufficiently severe to cause serious inconvenience to residents.**

Vehicles parked for the whole length of the road taking all available space for long periods of the day will be considered sufficiently severe.

Any parking which is deemed as short-term invasion (school drop off / pick up etc) will not necessarily be considered.

- **The majority of residents have no off-street parking facilities available to them.**

If the majority of properties have **no** off-street parking then clearly any amount of parking by non-residents will have an impact on the available space for residents of the area.

If the majority of properties have off-street parking, any parking on the highway will not impact on the available off-street parking for residents. If the resident with off-street parking finds they are in a position where they request to have a parking restriction implemented to prevent vehicles parking in the street, but are happy for relatives or visitors to park in the area this will be considered as preferred parking and therefore a recommendation to decline the requested scheme.

- **The majority of residents are in favour of such a scheme.**

Any proposed parking scheme will require a consultation with all parties involved including residents of the street or streets affected. If there is no overall majority in support of the scheme it is highly unlikely that the scheme will progress. See paragraph 3.8.

- **The introduction of a scheme would not cause unacceptable problems in adjacent roads.**

When surveying an area, it is essential that the displacement of vehicles does not cause unacceptable problems in adjacent roads. The restriction of vehicles from one location will not necessarily make the perceived problem go away but do no more than move the problem. Should a new scheme be introduced, it can be difficult to fully establish exactly where displacement of vehicles could occur, if any. It is therefore sometimes necessary to introduce a new scheme then monitor any potential displacement over a period of time.

- **The Partnership is satisfied that a reasonable level of enforcement can be maintained.**

For every new restriction that is introduced a level of enforcement will be required.

This can have an effect on the amount of resource available and the cost of the overall enforcement account. Therefore, the future price structure of resident permits will need to reflect the overall operation. The core operational hours of the enforcement operation are 8am to 8pm Mon – Sat with occasional ad-hoc out of hours enforcement.

7.5 **Short term invasion parking (outside schools, organisations, etc.)**

7.5.1 Short term invasion parking is parking for the purpose of dropping off and picking up passengers or goods at a known organisation such as a school, convenience store etc. and will only be for short periods of time.

7.5.2 If this type of parking restriction request does not meet ECC's safety or congestion criteria it is highly unlikely that the SEPP will propose the introduction of parking restrictions. This is classed overall as very low priority.

7.5.3 The enforcement of any restriction that is introduced to tackle a short-term parking issue requires a concentrated enforcement presence and is therefore not practical and cost effective.

7.6 **Provision of customer on street parking for local shops and businesses.**

- 7.6.1 Designated areas of on street parking can be created to serve the needs of local businesses and the retail sector. To ensure these areas are not subjected to all day commuter parking the SEPP would consider introducing a limited waiting scheme or an on-street pay and display scheme.
- 7.6.2 The Partnership's preferred method of traffic management for this type of request is a pay and display scheme. Enforcement of a pay and display scheme is more effective and ensures the necessary turn-over of parking space for customer availability. The by-product of a pay and display scheme is income which can help financially support the daily enforcement operation.
- 7.6.3 An important part of the criteria for assessing such a request would include the capital cost of implementing a pay and display scheme including revenue costs including cash collection and daily maintenance. Consultation with local traders and other local interest groups would also form part of the pre-feasibility work.
- 7.7 Obstruction of driveway (difficulty getting vehicle on and of driveway)**
- 7.7.1 If a vehicle is parked across an approved dropped kerb and obstructing the driveway a Civil Enforcement Officer (CEO) can issue a Penalty Charge Notice (PCN) for obstruction of a dropped kerb, provided the vehicle is not parked in a designated parking place. Enforcement of this type will only take place if the resident of the property reports the obstruction to the SEPP.
- 7.7.2 A white H bar marking can be placed on the highway indicating the access to the driveway. This type of marking is advisory only. The SEPP will only offer this option in certain circumstances where a designated bay, such as a resident parking bay, extends across a dropped kerb / driveway and there is an ongoing issue with vehicles obstructing the driveway.
- 7.7.3 In all cases Essex Police is the responsible authority to deal with obstructions of the highway and have the necessary powers to remove vehicles that are considered to cause an obstruction.
- 7.8 Parking around industrial areas**
- 7.8.1 There are areas within industrial sites where the workforce relies on long-stay parking on the highway. Provided ECC confirm that the parking in these areas does not cause concerns on safety or congestion grounds then the SEPP will consider this type of parking as acceptable. This will be a very low priority for any restrictions.
- 7.8.2 Cars parked in these types of area can act as a natural speed calming measure. Any introduction of parking restrictions in these types of areas will do no more than to potentially displace parking to an alternative location.
- 7.9 Parking on verges, pavements and green areas**

- 7.9.1 There are many variations of this type of parking issue and each case will have to be taken on its individual merit.
- 7.9.2 Enforcement of verges, pavements and green areas can only be enforceable under the Traffic Management Act 2004 if the area is confirmed as public highway and is supported by a relevant TRO.
- 7.9.3 It is impractical to provide a TRO and the relevant signage for every instance of verge or pavement parking. This would result in unnecessary street furniture clutter and unacceptable administration costs.
- 7.9.4 Until such time legislation permits a blanket order for this type of issue the SEPP advice will be for alternative solutions to be pursued as follows;
- If the parking is causing damage to the surface / green area and the area is public highway, ECC should be approached to consider the introduction of a waiting restriction
 - Once it is determined who is responsible for the land in question preventative measures may be installed to prevent vehicles accessing the area (wooden posts, bollards etc). ECC will be responsible for this decision and confirmation of ownership of land.
 - If it is deemed obstruction of a footpath / pavement Essex Police can issue a Fixed Penalty Notice and remove the vehicle if necessary.

7.10 **Taxi Ranks**

- 7.10.1 Requests for taxi rank provision will be considered on their individual merits and will need to complement the wider aims and interests of:
- Local transport development plans.
 - Planning criteria and new development (CIL funding).
 - Maintain the safe free flow of traffic.
 - Taxi associations.
- 7.10.2 Overall the SEPP will prioritise the requests according to need and will rely highly on local input from Lead Officers and Member representatives.

7.11 **Loading and unloading provision**

- 7.11.1 To ensure the vitality of local business and retail, the SEPP has a commitment to ensure that delivery and goods vehicles have the opportunity to deliver goods in suitable locations.
- 7.11.2 The introduction of loading and unloading provision will be considered on its individual merit but overall will have a high to medium priority to match the SEPP's objectives. Each request will need to complement the wider aims and interests of;

- Planning criteria and new development (CIL funding)
- Maintain the safe free flow of traffic.
- Local transport development plans.
- Local business and retail organisations

8. **Funding of TRO Schemes**

8.1 ECC has a commitment to fund any schemes that meet the criteria of the ECC safety and congestion criteria and this is likely to be through the new Local Highways Panels.

8.2 ECC will not provide funding for all other parking related schemes and will therefore need to be either funded by the Parking Partnership account or from other avenues.

Funding can potentially be sourced from the following areas;

- **The Parking Partnership account.** *(Allocated by the Joint Committee or relevant Sub Committee – schemes will need to meet the criteria of the SEPP to receive funding and this will be subject to the availability of funds).*
- **The Local Highway Panels.** *(Will have funding available for highway improvements. Any schemes would have to be presented to the local panel and funding for the scheme would have to be agreed by them and the ECC Cabinet Member. Limited scope within tight budgets).*
- **The city/ borough / district and parish councils.** *(Local councils can contribute to any schemes that are considered beneficial to the local area that do not receive funding from SEPP)*
- **Pump / Prime fund** *(for self-financing schemes demonstrated by a business case).*
- **Community Infrastructure Levy funding for new developments.** *(Funding will be agreed at the planning development stage following consultation with the SEPP)*

8.3 The aim is for the Parking Partnership account to create sufficient surplus to be able to invest back into the TRO function. An annual business case will determine the amount of available funding.

8.4 As mentioned in paragraph 3.9 the SEPP TRO Team will produce a report for each request received with a recommendation to accept or decline the proposal. The report will include full details of site visits and informal consultation outcomes. These reports will then be discussed with the relevant Parking Partnership lead officers and elected Member representative for a local decision. A copy of the assessment form to be used is shown at **APPENDIX 5**.

9. **Types of parking restriction and the responsible authority**

9.1 The SEPP will be responsible for the implementation and ongoing maintenance of the following type of parking restriction.

- No waiting
- No Loading and unloading
- School Keep Clear
- Limited waiting
- On-street pay and display
- Resident Parking Schemes
- Taxi ranks
- Loading and goods vehicle bays

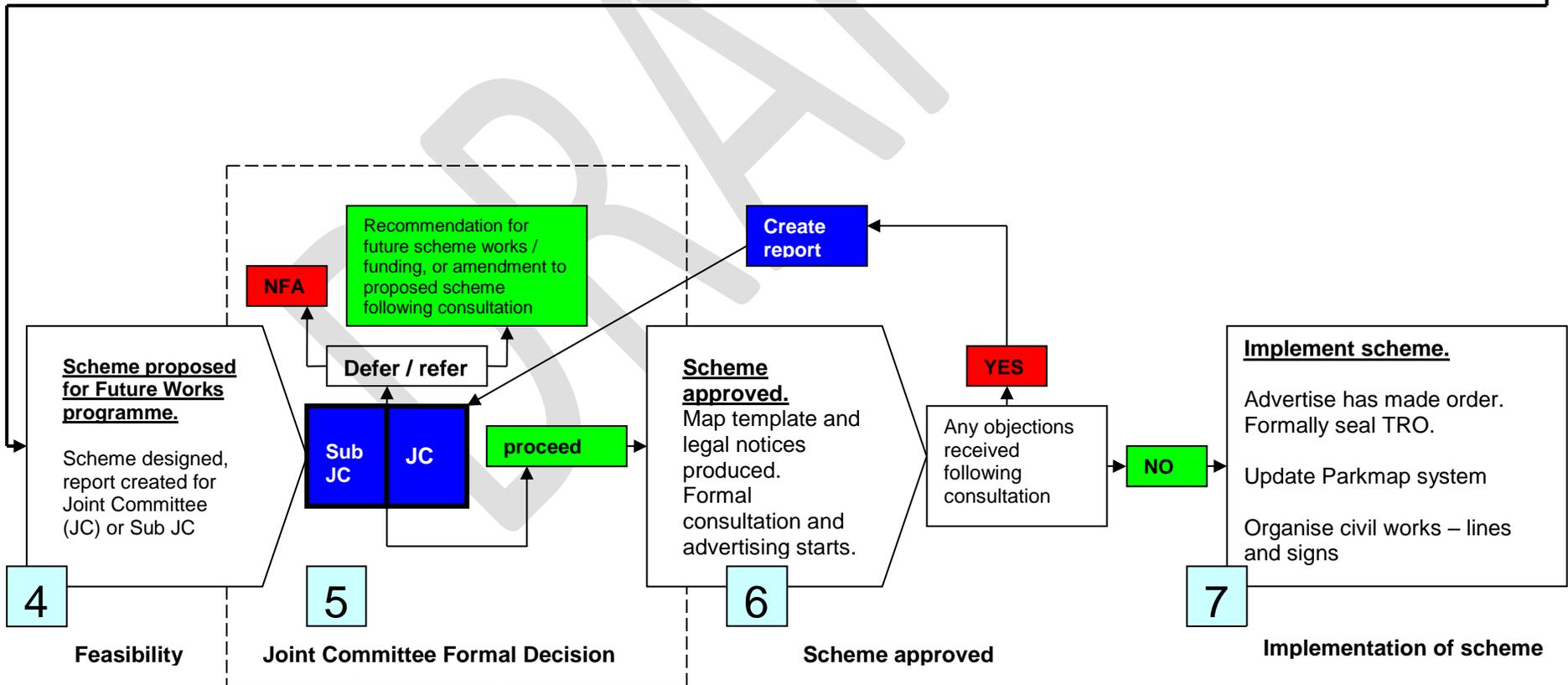
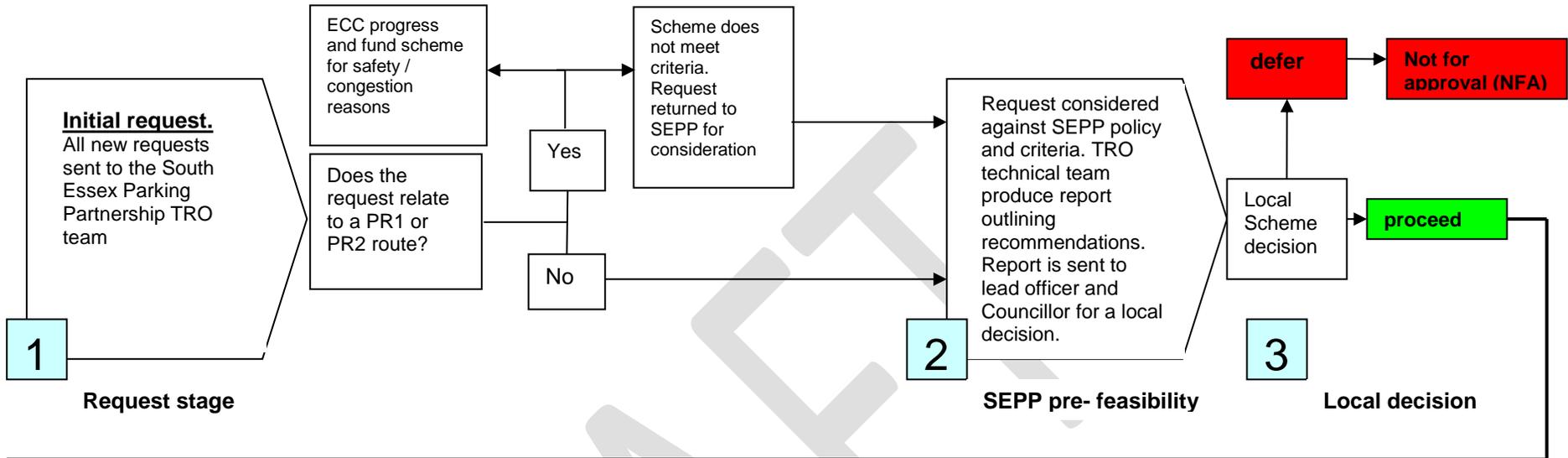
9.2 ECC will continue to be responsible for the implementation and ongoing maintenance of the following type of parking restriction.

- On-street blue badge spaces
- Bus stops
- Pedestrian crossings

10. Contact Details

South Essex Parking Partnership TRO Team Email: trafficreg@chelmsford.gov.uk Address: Traffic Regulation Orders (TRO) Team Chelmsford City Council, Civic Centre, Duke Street, Chelmsford, Essex, CM1 1JE	Essex County Council Contact Essex: 0345 743 0430 Email contact@essex.gov.uk
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Appendix 1 TRO flow process



Appendix 2 – Examples of parking and likely assessment outcomes

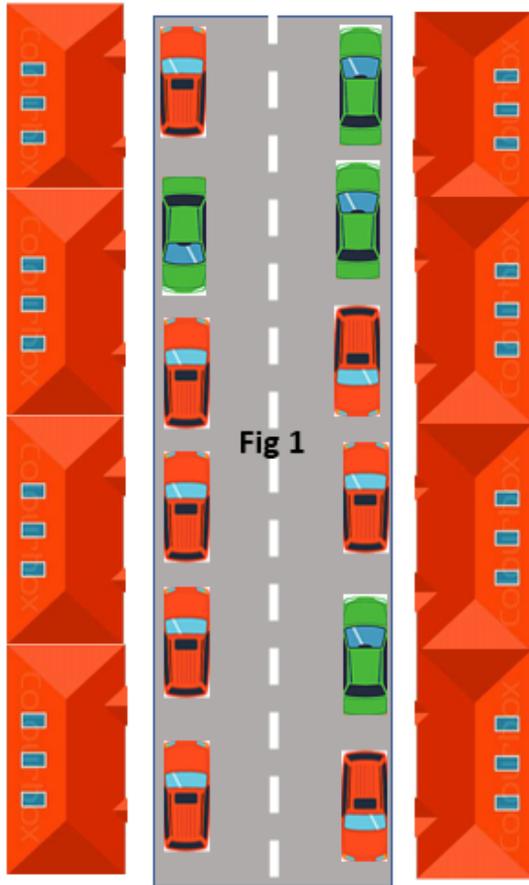


Fig 1

Example 1- request for a resident parking scheme (all day non residential parking)



Policy criteria

Majority of the street do not have available off street parking ✓

The parking by non-residents must be sufficiently severe to cause serious inconvenience to residents. Vehicles parked for the whole length of the road taking all available space for long periods of the day will be considered sufficiently severe. ✓

Displacement of parking may cause unacceptable problems in adjacent streets. 🖐️

Recommendation

Fig 1 shows an example of a common reported problem which meets the majority of the policy criteria. Displacement of parking to adjacent roads will always be a possibility and may require a period of monitoring after a scheme has been implemented.

Fig 2 shows the area after a resident parking scheme has been implemented, Monday to Friday 10am to 11am

This type of request is highly likely to be approved for a resident parking scheme; subject to available funding and positive consultation results. The purpose of the scheme is intended to remove all –day non residential parking where parking by non-residents is established for long periods of the day in the majority of the road. This is also supported because the available space on the public highway will still be fully utilised by residents and visitor parking throughout the day.

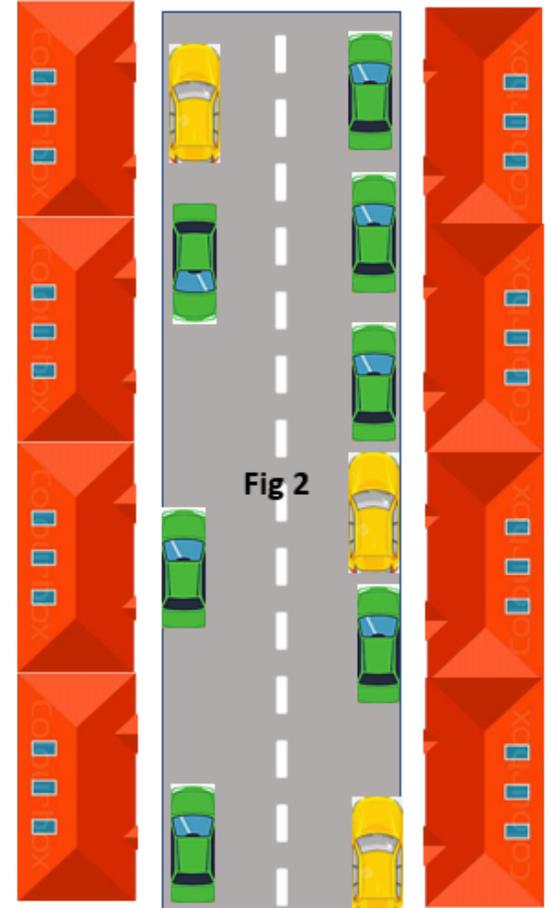
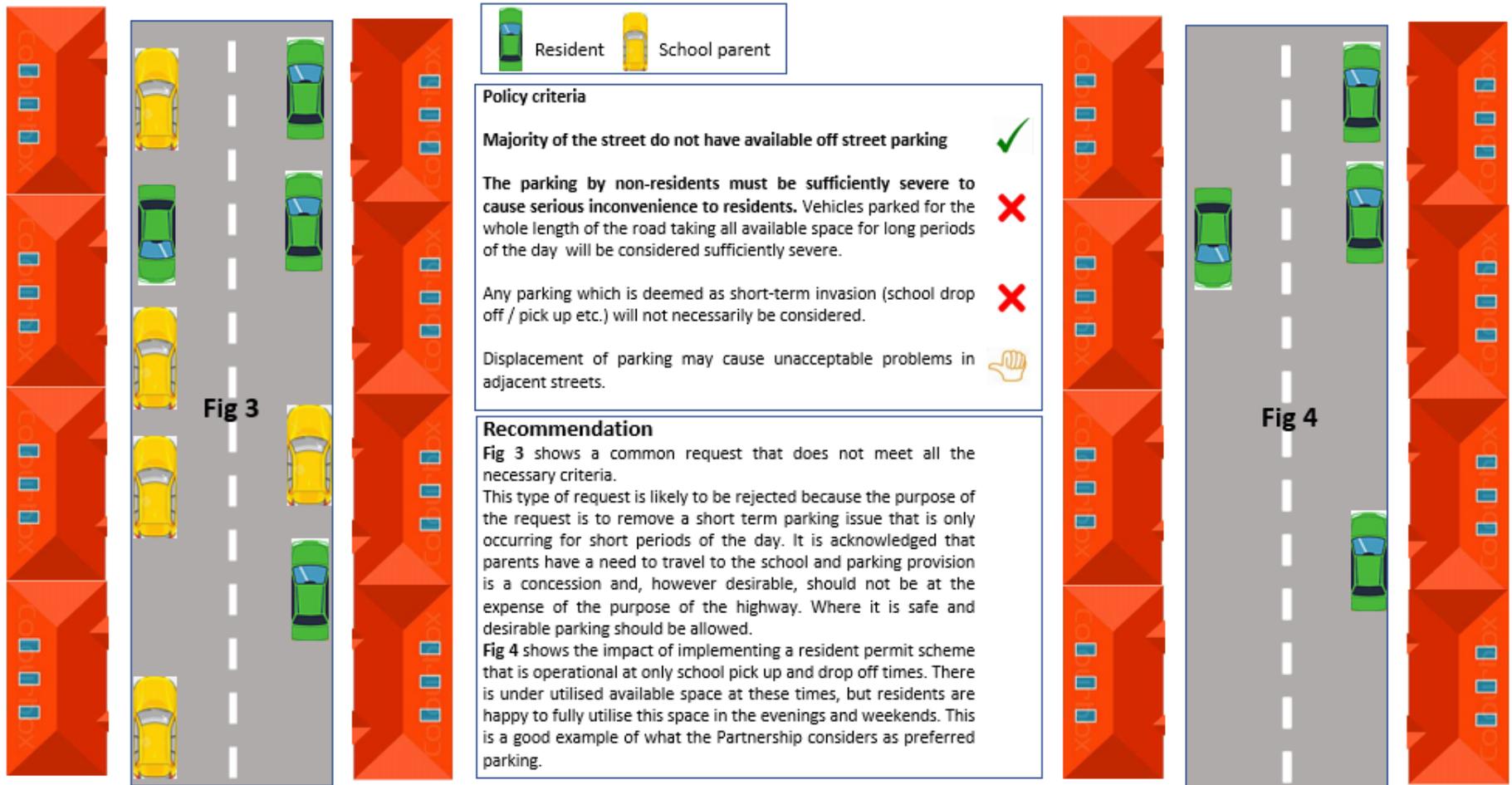
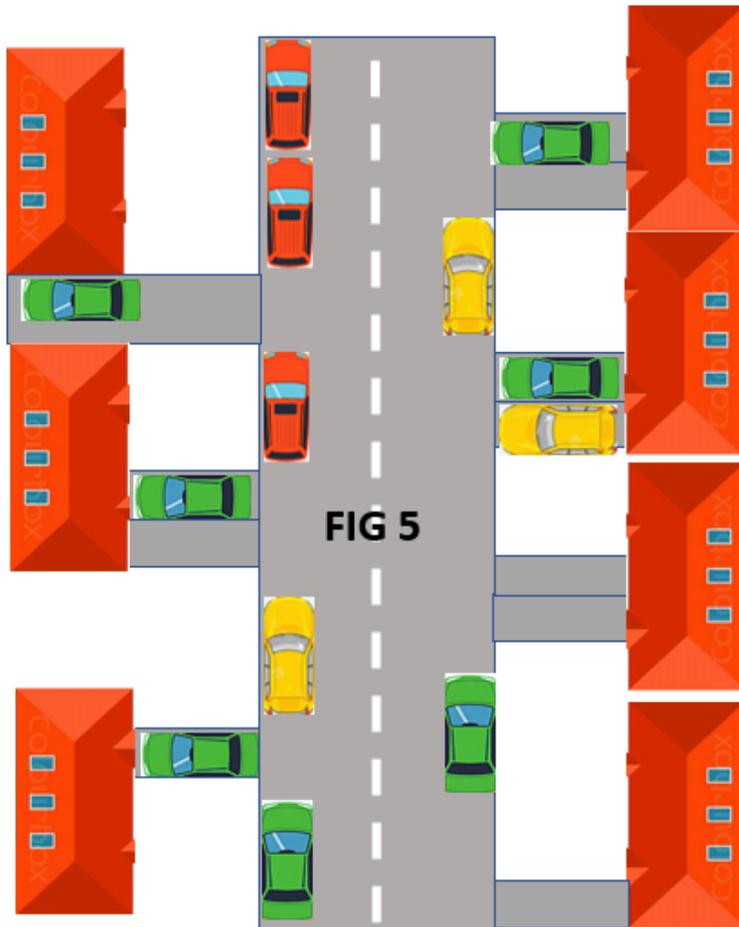


Fig 2

Example 2- request for resident parking scheme (to prevent parent school parking)



Example 3- request for resident parking scheme (all-day non residential parking)



Policy criteria

Majority of the street do not have available off street parking ❌

The parking by non-residents must be sufficiently severe to cause serious inconvenience to residents. Vehicles parked for the whole length of the road taking all available space for long periods of the day will be considered sufficiently severe. ❌

Any parking which is deemed as short-term invasion (school drop off / pick up etc.) will not necessarily be considered. ❌

Displacement of parking may cause unacceptable problems in adjacent streets. 🖐️

Recommendation

Fig 5 shows a common request where most off the properties in the road have available off-street parking and the vehicles (both residential and non residential) are parked within the available roadside space within the street.

This type of request does not meet any of the policy criteria and is therefore highly likely to be rejected.

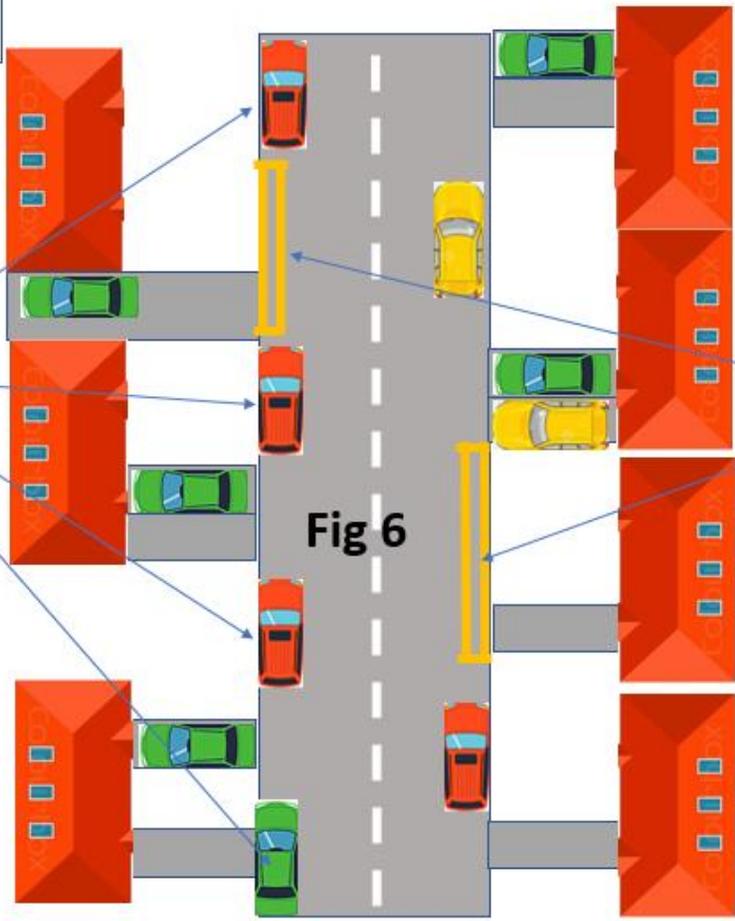
If the resident with off-street parking finds they are in a position where they request to have a parking restriction implemented to prevent vehicles parking in the street, but are happy for relatives or visitors to park in the area this will be considered as preferred parking and therefore a recommendation to decline the requested scheme.

If the resident is suggesting that the parking by non-residents is a safety and congestion issue and the technicians establish that passing places are required within the road to improve the traffic flow, a resident parking scheme is not the suitable solution as all cars will be considered as the potential issue. The Partnership cannot justify implementing a parking restriction on safety grounds with the intention to remove non residential parking, but allow residents and visitors to park in the same location with a resident permit. Therefore double yellow lines will be the suggested solution as shown in Fig 6



Safe available parking for any road user

If the resident is suggesting that the parking by non-residents is a safety and congestion issue and the technicians establish that passing places are required within the road to improve the traffic flow, a resident parking scheme is not the suitable solution as all cars will be considered as the potential issue. The Partnership cannot justify implementing a parking restriction on safety grounds with the intention to remove non residential parking but allow residents and visitors to park in the same location with a resident permit. Therefore double yellow lines will be the suggested solution as shown in Fig 6



24/7 double yellow lines to provide passing points for moving traffic to ensure free flow of traffic

Appendix 3 Types of TROs

Permanent TROs

A TRO can be permanent. There may be formal objections to Permanent TROs which must be addressed (and may ultimately be resolved at a Public Inquiry).

A Permanent TRO stays in place unless it is revoked or a new Order is introduced to replace/amend it.

Temporary and Experimental TROs

Occasionally temporary orders or experimental orders are introduced which require a slightly different process which still gives people an opportunity to put forward their views.

The requirements for consultation on temporary and experimental Orders are somewhat different from Permanent TROs.

A Temporary Traffic Order is made under Section 14 (1) of the Road Traffic Regulation Act 1984.

Temporary Orders: –

- may be used when works affecting the highway require short-term traffic restrictions;
- are usually short-term but may last up to a maximum of 18 months; and
- are generally used to allow for works, protect the public from danger, to conserve, or allow the public to better enjoy a route.

A Temporary Order under s16A can be made for special events such as cycle races, carnivals etc. These can introduce, suspend or change parking restrictions both on the road on which the event is taking place and/or other roads which are affected by the event. These Orders may be for up to three days but are limited to one occurrence in any calendar year for any length of road.

An Order made under s.14/16A is required to be advertised (for 14 days in the local press) as given in s.16(2)/16C(2) – to notify the public of such regulations by virtue of Part II of The Road Traffic (Temporary Restrictions) procedure Regulations 1992, unless intention is given by Notice only, under Part III

An **Experimental Order** is like a Permanent TRO in that it is a legal document which imposes traffic and parking restrictions such as road closures, controlled parking and other parking regulations indicated by double or single yellow lines etc. The Experimental Traffic Order can also be used to change the way existing restrictions function.

Experimental orders can be introduced quickly and are used to test the success of a scheme before deciding whether to make it permanent.

Experimental Orders: –

- are used in situations that need monitoring and reviewing.
- usually last no more than eighteen months before they are either abandoned, amended or made permanent.
- may be made for any purpose to which permanent TROs can be made as such experimental orders cannot be made for speed or parking places.

An Experimental Traffic Order is made under Sections 9 and 10 of the Road Traffic Regulation Act 1984.

Changes can be made during the first six months of the experimental period to any of the restrictions (except charges) if necessary, before the Council decides whether or not to continue with the changes brought in by the Experimental Order on a permanent basis.

It is not possible to lodge a formal objection to an Experimental TRO until it is in force. Once it is in force, objections may be made to the TRO being made permanent and these must be made within six months of the day that the Experimental Order comes into force.

If feedback or an objection is received during the period that suggests an immediate change to the experiment that change can be made and the experiment can then proceed.

If the Experimental TRO is changed, then objections may be made within six months of the day that it is changed.

Requests for Temporary and Experimental Orders will be sent and processed by ECC (Contact Essex 0845 743 0430)

There is another type of Order called an **Urgency Order**, a type of temporary order which may be carried out when urgent work requiring restrictions must be carried out immediately.

Appendix 4

Functional Route Hierarchy

The Traffic Management Strategy adopted by the County Council in 2005 identified and defined a Functional Route Hierarchy divided into County Routes and Local Roads.

The County Routes provide the main traffic distribution function in any area and give priority to motorised road users. The Traffic Management Strategy splits County Routes into Priority 1 and Priority 2.

Priority 1 County Routes may be inter-urban or connecting routes, radial feeder or town centre access routes. What is important is the need to maintain free flowing traffic movement on them due to the function they perform within the network. Priority 2 County Routes are all those County Routes which do not fall into the Priority 1 category.

The Traffic Management Strategy defines Local Roads as being all non-County Routes, further subdividing into developed (generally residential) roads and rural (unclassified routes linking developed areas) roads.

Local roads support a different balance of motorised and non-motorised road users. Account must be taken of the differences in form and function of local urban roads and local rural roads.

The following web site link provides access to a map of the Essex County road network which details the road network forming the Functional Route Hierarchy:

<http://www.essexworkstraffweb.org.uk/>

Appendix 5

TRAFFIC REGULATION ORDER - REQUEST FORM



Assessment

Basildon	Brentwood	Castle Point	Chelmsford	Maldon	Rochford
Location		Road			
Date:	Name				
Address			Reference no.		
Reason for request: _____					

Does the request meet ECC safety and congestion criteria?					Yes
					No
Confirm Ref. no.		Date			

Source

Member of Parliament	
Essex County Council	
Local Councillor within SEPP area	
Parish Council / Councillor	
Essex Police	
Other Emergency Service	
Bus Operator	
HGV Operator	
Business / trade organisation	
Resident	
Other (please state) -	

Consider

		Yes	No
Is the request compatible with the South Essex Parking Partnership Policy			
If No please explain:-			

Does the person requesting a parking restriction live in the road likely to be affected by a restriction			
Have other requests been received			
If yes number of requests			

TRAFFIC REGULATION ORDER - REQUEST FORM



	Yes	No
Is there an alternative solution		
If there is an alternative solution please explain:-		

Existing parking provision

Number of properties		Number of properties with off-street parking	
2 parking spaces		3 or more spaces	Number of driveways

Monitoring (if applicable)

Capacity of on-street parking spaces -			
Date/time & observations			No.
1.	Parked vehicles		
	Spaces available		
2.	Parked vehicles		
	Spaces available		
3.	Parked vehicles		
	Spaces available		
4.	Parked vehicles		
	Spaces available		
5.	Parked vehicles		
	Spaces available		
6.	Parked vehicles		
	Spaces available		
7.	Parked vehicles		
	Spaces available		
8.	Parked vehicles		
	Spaces available		
9.	Parked vehicles		
	Spaces available		
10.	Parked vehicles		
	Spaces available		
If it is considered there is insufficient on-street parking caused by non-residents then proceed with consultation			

TRAFFIC REGULATION ORDER - REQUEST FORM



Pre consultation information

Type of road	A Road	B Road	Residential	Cul-de-sac
Width of carriageway	metres			
Can vehicles park both sides without restricting traffic flow	Yes			
	No			
If no please explain:				

Consultation (if applicable)

After a period of monitoring, is a consultation required	Yes	
	No	
Consultation results	Number of properties	
		Support x
		Objects x
		No response x
Is there a clear majority in support of a scheme	Yes	
	No	

Implications

Will parking restrictions present enforcement problems	Yes	
	No	
Would the introduction of a scheme cause unacceptable problems in adjacent roads	Likely	
	Possible	
	Unlikely	
Estimated cost of scheme (including traffic regulation order)	£	

Summary

Technician summary:	
Name:	Date:

TRAFFIC REGULATION ORDER - REQUEST FORM



Lead Officer summary:

Name: _____ Date: _____

Scheme approved	Yes	
	No	
Funding source		

Important dates

Added to schemes list		Funding approved	
Publication date (proposal)		Publication date (Order)	
Operational date		Lines & signs completed	

Application form for requesting a parking restriction

This document sets out how you can apply for a parking restriction. All requests are thoroughly investigated and are subject to a democratic process before determining if the request can proceed formally. Details of the process are set out below.

What you need to do:

- Please complete the attached form with as much detail as possible.
- It is recommended that you gather sufficient support for your request. It is also important that a high percentage of people affected by the request are also in full support of a proposal. A petition is included with the attached form if you wish to canvass your neighbours and other residents living in the road.
- Support from your local Ward Councillor and/or your Essex County Council (ECC) Councillor is also advisable.
- Once you have completed the form, send it to:

Post: **Traffic Regulation Orders (TRO) Team**
South Essex Parking Partnership
Chelmsford City Council
Civic Centre
Duke Street
Chelmsford
Essex, CM1 1JE

Email: trafficreg@chelmsford.gov.uk

What happens next:

- The South Essex Parking Partnership (SEPP) Technicians will send it to ECC in the first instance for assessment against their safety and congestion policy criteria.
- If the request meets the ECC safety and congestion policy criteria, ECC will take the necessary action to implement a parking scheme (subject to available funding).
- If ECC Officers decide that the request for a parking restriction has no safety or congestion implications, they will decline the request and advise the SEPP accordingly.
- A SEPP Technician will then be assigned to investigate the request and gather information. This may include site visits and an informal consultation with local interest groups.
- The Technician will produce a report with a recommendation to accept or decline the request. The report will be discussed with the relevant Parking Partnership lead officers and elected Member representative for a local decision on whether to proceed with the scheme. You will be advised of the outcome.
- All schemes agreed locally to progress will then be costed for submission to the SEPP Joint Committee or a relevant Sub Committee to approve the necessary funding to proceed with a proposed Traffic Regulation Order.



Request for parking restrictions

Please use **BLOCK CAPITALS** when completing this form and send it to:

Post: Traffic Regulation Order (TRO) Team
South Essex Parking Partnership
Chelmsford City Council
Civic Centre
Duke Street
Chelmsford
Essex, CM1 1JE

Email: trafficreg@chelmsford.gov.uk

Applicant's name:	_____
Address:	_____ _____ _____
Postcode:	_____
Email address:	_____
Telephone no.:	_____
Signature:	_____

Please state which Ward Councillor(s)/ECC Councillor(s) are in support of your proposal:	
Councillor(s):	_____
Ward:	_____
Town:	_____

What is the problem which has resulted in this request? <i>Describe the issues being faced and the causes of the problem.</i>

Have you read the South Essex Parking Partnership policy on implementing new parking restrictions?
The policy can be found at: <https://www.chelmsford.gov.uk/sepp>

Yes No

How does your request meet the policy criteria?

What is your suggested solution?*
Please tick one box only to indicate the type of restriction.

Resident Permit Zone (No-one is allowed to park unless they are a resident and have a permit. This can be at certain times of the day)
 (complete 'Times of operation detail' box)

Waiting prohibited at certain times (single yellow line) (No-one is allowed to park at certain times of the day)
 (complete 'Times of operation detail' box)

Waiting prohibited at all times (No-one is allowed to park)
 (double yellow lines)

Other type of restriction Please state:

Times of operation details:

Days:

Mon Tues Wed Thurs Fri Sat Sun

Hours:

Between to and to

What are the full details of your suggestion solution? <i>Please write full details of your solution. You may include a detailed sketch or plan</i>

What is to be achieved by the suggested solution? <i>(Describe how your solution will alleviate the issues described above and what the result that you wish to achieve is.)</i>

What local support can you demonstrate for the proposal? <i>(Please provide copies of correspondence or petitions that you have received in relation to this location.)</i>

*Traffic technicians will consider the proposal and suggested solution against the problems being experienced and the evidence, including supporting documents provided, to assess the appropriateness. They may recommend an alternative solution as part of this process.

Data Protection Declaration: Chelmsford City Council is a Data Controller for the purposes of data protection legislation. All personal information is held and processed in accordance with this. Please refer to our Privacy Notices published on our website at <https://www.chelmsford.gov.uk/your-council/our-website/privacy-policy/> for details. Please contact us if you need the privacy notice in an alternative format.

If you need assistance to complete this form, please contact the Traffic Regulation Orders (TRO) Team on 01245 606710.

Request for parking restrictions – Petition form

This request for parking restrictions is being collated by: _____

Address on request form: _____

Location: _____

Type of scheme requested: _____

By signing this form, you are giving support for the proposed parking restrictions as detailed on the request form attached. All entries must be completed in full, otherwise they will be disregarded from this petition.

Name:	_____
Address:	_____
Signature:	_____

Name:	_____
Address:	_____
Signature:	_____

Name:	_____
Address:	_____
Signature:	_____

Name:	_____
Address:	_____
Signature:	_____

Name:	_____
Address:	_____
Signature:	_____

Name: _____
Address: _____
Signature: _____

SOUTH ESSEX PARKING PARTNERSHIP JOINT COMMITTEE

7 March 2019

AGENDA ITEM 10

Subject	Process for Partner Authorities to receive the approved allocated funding
Report by	Parking Partnership Manager

Enquiries contact: Nick Binder, Parking Partnership Manager, 01245 606303,
nick.binder@chelmsford.gov.uk

Purpose

This report provides the Joint Committee with a process on how each Partner Authority can receive the allocated funding which was approved its meeting on 6 December 2018.

Options

The Joint Committee can approve, amend or reject the proposal

Recommendation(s)

It is recommended that the Joint Committee;

- Approves the process as set out in this report
- Agree that the South Essex Parking Partnership Manager has authority to release the funds to the Partner Authority once the approved scheme has been completed and signed off.

Consultees

Lead Officers from each of the Partner Authorities as set out in Appendix C of the Joint Committee Agreement 2011.

1.	<u>Introduction</u>
1.1	At its meeting on 6 December 2018, the Joint Committee approved the allocation of the £816,140, on an equal basis, between the seven Partnership authorities for schemes and projects which are in accordance with Section 55 of the Road Traffic Regulation Act 1984 (RTRA 1984). The funding equates to £116,000 per authority
1.2	This report sets out the proposed process for each Partner Authority to receive the share of the available funding. The process will ensure that all funding will be allocated as per Section 55 of RTRA 1984 and provides an audit trail for the Joint Committee and Lead Authority.
2	Process for Partner Authorities to receive the approved allocated funding
2.1	<ol style="list-style-type: none"> 1. Each partner authority is required to present their proposal(s) to the Joint Committee Members at one of the Joint Committee Meetings within the 2019/20 Munciple Year. 2. Each proposal must be presented in the SEPP reporting format and should contain: <ul style="list-style-type: none"> • a full explanation of the proposed scheme • how the scheme compliments the aims and objectives of the Parking Partnership • the estimated cost to implement the scheme • the projected timeline to complete the scheme • how the schemes meet the requirements of Section 55 of RTRA 1984 attached as Appendix 1 to this report 3. The Joint Committee can decide to either approve the proposal, amend the proposal or approve the proposal with modifications 4. Once the Joint Committee has approved the scheme the Partner Authority can proceed to make arrangements to implement and complete the scheme. The minutes from the Joint Committee Meeting Confirming the decision will be made available to the Partner Authority 5. The Lead Authority will release the funds to the Partner Authority once the scheme has been completed and the final cost(s) established and signed off by the South Essex Parking Partnership 6. The Lead Authority will produce a purchase order number for the Partner Authority to invoice the Lead Authority.
3	Conclusion

	<p>At its meeting on 6 December 2018, the Joint Committee approved the allocation of the £816,140, on an equal basis, between the seven Partnership authorities for schemes and projects which are in accordance with Section 55 of the Road Traffic Regulation Act 1984 (RTRA 1984). The funding equates to £116,000 per authority</p> <p>This report sets out the proposed process for each Partner Authority to receive the share of the available funding. The process will ensure that all funding will be allocated as per Section 55 of RTRA 1984 and provides an audit trail for the Joint Committee and Lead Authority.</p> <p>It is recommended that the Joint Committee</p> <ul style="list-style-type: none">➤ Approves the process as set out in this report➤ Agree that the South Essex Parking Partnership Manager has authority to release the funds to the Partner Authority once the approved scheme has been completed and signed off.
<p><u>Appendices</u></p> <p>Appendix 1: Section 55 of RTRA 1984</p>	
<p><u>Background Papers</u></p> <p>Traffic Management Act 2004 Operational Guidance to Local Authorities</p>	

Appendix 1: Section 55 RTRA 198

ANNEX A

ROAD TRAFFIC REGULATION ACT 1984 - S.55

FINANCIAL PROVISIONS RELATING TO DESIGNATION ORDERS (AS AMENDED BY THE TRAFFIC MANAGEMENT ACT 2004)

- (1) An enforcement authority which is a London authority shall keep an account of -
- (a) their income and expenditure under this Part of this Act in respect of designated parking places;
 - (b) their income and expenditure as an enforcement authority in relation to parking contraventions within paragraph 2 of Schedule 7 to the 2004 Act (parking places); and
 - (c) their income and expenditure as an enforcement authority in relation to parking contraventions within paragraph 3 of that Schedule (other parking matters).
- (1A) An enforcement authority which is not a London authority shall keep an account of -
- (a) their income and expenditure under this Part of this Act in respect of designated parking places in their area which are not in a civil enforcement area for parking contraventions;
 - (b) their income and expenditure under this Part of this Act in respect of designated parking places in their area which are in a civil enforcement area for parking contraventions; and
 - (c) their income and expenditure as an enforcement authority in relation to parking contraventions within paragraph 4 of Schedule 7 to the 2004 Act (contraventions outside London).
- (2) At the end of each financial year any deficit in the account shall be made good out of the general fund or, in Wales, council fund, and (subject to subsection (3) below) any surplus shall be applied for all or any of the purposes specified in subsection (4) below and, in so far as it is not so applied, shall be appropriated to the carrying out of some specific project falling within those purposes and carried forward until applied to carrying it out.
- (3) If the local authority so determine, any amount not applied in any financial year, instead of being or remaining so appropriated, may be

carried forward in the account kept under subsection (1) above to the next financial year.

- (3A) Transport for London, the Council of each London Borough and the Common Council of the City of London shall, after each financial year, report to the Mayor of London on any action taken by them, pursuant to subsection (2) or (3) above, in respect of any deficit or surplus in their account for the year.
- (3ZA) An enforcement authority which is a London authority shall, after each financial year, send a copy of the account kept by them under subsection (1) to the Mayor of London.
- (3ZB) A copy of an account required to be sent under subsection (3ZA) shall be sent as soon as is reasonably practicable after the conclusion of the audit of the authority's accounts for the financial year in question.
- (3B) The report under subsection (3A) above shall be made as soon after the end of the financial year to which it relates as is reasonably possible.
- (4) The purposes referred to in subsection (2) above are the following, that is to say -
- (a) the making good to the general fund or, in Wales council fund, of any amount charged to that fund under subsection (2) above in the 4 years immediately preceding the financial year in question;
 - (b) meeting all or any part of the cost of the provision and maintenance by the local authority of off-street parking accommodation, whether in the open or under cover;
 - (c) the making to other local authorities, or to other persons of contributions towards the cost of the provision and maintenance by them, in the area of the local authority or elsewhere, of off-street parking accommodation, whether in the open or under cover;
 - (d) if it appears to the local authority that the provision in their area of further off-street parking accommodation is unnecessary or undesirable, the following purposes -
 - (i) meeting costs incurred, whether by the local authority or by some other person, in the provision or operation of, or of facilities for, public passenger transport services,
 - (ii) the purposes of a highway or road improvement project in the local authority's area,

- (iii) in the case of a London authority, meeting costs incurred by the authority in respect of the maintenance of roads maintained at the public expense by them,
 - (iv) the purposes of environmental improvement in the local authority's area,
 - (v) in the case of such local authorities as may be prescribed, any other purposes for which the authority may lawfully incur expenditure.
- (e) in the case of a London authority, meeting all or any part of the cost of the doing by the authority in their area of anything -
- (i) which facilitates the implementation of the London transport strategy, and
 - (ii) which is for the time being specified in that strategy as a purpose for which a surplus may be applied by virtue of this paragraph; [NB. Details are given in the Appendix below]
- (f) in the case of a London authority, the making to any other London authority of contributions towards the cost of the doing by that other authority of anything towards the doing of which in its own area the authority making the contribution has power -
- (i) to apply any surplus on the account required to be kept under subsection (1) above; or
 - (ii) to incur expenditure required to be brought into that account.
- (4A) For the purposes of subsection (4)(d)(ii) -
- (a) a highway improvement project means a project connected with the carrying out by the appropriate highway authority (whether the local authority or not) of any operation which constitutes the improvement (within the meaning of the Highways Act 1980) of a highway in the area of a local authority in England or Wales; and
 - (b) a road improvement project means a project connected with the carrying out by the appropriate roads authority (whether the local authority or not) of any operation which constitutes the improvement (within the meaning of the Roads (Scotland) Act 1984) of a road in the area of a local authority in Scotland.
- (4B) For the purposes of subsection (4)(d)(iv) "environmental improvement" includes -

- (a) the reduction of environmental pollution (as defined in the Pollution Prevention and Control Act 1999 (c. 24); see section 1(2) and (3) of that Act);
 - (b) improving or maintaining the appearance or amenity of -
 - (i) a road or land in the vicinity of a road, or
 - (ii) open land or water to which the general public has access; and
 - (c) the provision of outdoor recreational facilities available to the general public without charge.
- (4C) Regulations for the purposes of subsection (4)(d)(v) above -
- (a) may prescribe all local authorities, particular authorities or particular descriptions of authority,
 - (b) may make provision by reference to whether the authority or authorities in question have been classified for the purposes of any other enactment as falling or not falling within a particular category, and
 - (c) may make provision for the continued application of that provision, in prescribed cases and to such extent as may be prescribed, where an authority that is prescribed or of a prescribed description ceases to be so.
- (5) [Deleted]
- (6) [Deleted]
- (7) [Deleted]
- (8) For the purpose of enabling Transport for London and any other London authorities to discharge jointly any functions conferred by virtue of subsection (4)(f) above by a joint committee established under section 101(5) of the Local Government Act 1972, sections 101(5) and 102 of that Act shall have effect as if Transport for London were a local authority.
- (9) In the application of this section in relation to Transport for London, any reference to its general fund shall be taken as a reference to the financial reserves for which provision is made under Section 85(4)(c) of the Greater London Authority Act 1999 in calculating Transport for London's component budget for the financial year in question.
- (10) In this section -
 "the 2004 Act" means the Traffic Management Act 2004;

“enforcement authority” means an authority which is an enforcement authority for the purposes of paragraph 1(2), 2(5) or 8(5) of Schedule 8 to the 2004 Act (parking contraventions);

“London authority” means Transport for London, a London borough council or the Common Council of the City of London;

“the London transport strategy” means the transport strategy prepared and published under Section 142 of the Greater London Authority Act 1999.

- (11) A reference in this section to the income and expenditure of an authority as an enforcement authority is to their income and expenditure in connection with their functions under Part 6 of the 2004 Act (civil enforcement).
- (12) A reference in this section to a civil enforcement area for parking contraventions is to be construed in accordance with Schedule 8 to the 2004 Act.

APPENDIX TO ANNEX A

CLAUSE 4(e)(ii) - SPECIFIED PURPOSES IN THE LONDON TRANSPORT STRATEGY FOR WHICH PARKING SURPLUSES CAN BE USED.

- bus priority measures and improvements to bus stops;
- other measures to improve buses;
- on-street measures to promote walking;
- on-street measures to promote cycling;
- on-street measures to improve accessibility to the transport network;
- parking and enforcement measures;
- traffic reduction and traffic management measures;
- road safety measures;
- structural maintenance of bridges and principal roads;
- Streets-for-People areas identified in the LIP;
- environmental street improvement schemes in town centres;
- Interchange projects;
- measures to assist freight developed through Freight Quality Partnerships;

- complementing congestion charging;
- development of school travel plans and workplace travel plans;
- vehicle emissions monitoring and enforcement.

SOUTH ESSEX PARKING PARTNERSHIP JOINT COMMITTEE

7 March 2019

AGENDA ITEM 11

Subject	Sub Committee Arrangements
Report by	Parking Partnership Manager

Enquiries contact: Nick Binder, Parking Partnership Manager, 01245 606303,
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Purpose

This report provides the Joint Committee with a recommendation to formalise the Quorum for the Sub Committee to Consider Objections Against an Advertised TRO and the Sub Committee to Consider Funding for New TROs and Maintenance of Signs and Lines

Options

The Joint Committee can approve, amend or reject the proposal

Recommendation(s)

It is recommended that the Joint Committee;

- Approves the recommendation for a quorum of two members present for the Sub Committee to Consider Objections Against an Advertised TRO and a quorum of two members present for the Sub Committee to Consider Funding for New TROs and Maintenance of Signs and Lines.

Consultees

Lead Officers from each of the Partner Authorities as set out in Appendix C of the Joint Committee Agreement 2011.

1.	<u>Introduction</u>
1.1	<p>Section 22.1 of the South Essex Parking Partnership (SEPP) Joint Committee Agreement 2011 states: <i>The Joint Committee may appoint such sub committees as it considers appropriate to exercise such functions as may be delegated to it by the Joint Committee and to advise the Joint Committee in the discharge of its functions, save and except that the Joint Committee may not delegate to any sub committee that approval of the Joint Committee’s budget or Annual Business Plan or the fixing of the annual contributions by the Partner Authorities.</i></p> <p>Currently, at the Annual Meeting held in June each year, the Joint Committee appoints a sub committee to consider objections against an advertised TRO and a sub committee to consider funding for new TROs and maintenance of signs and lines.</p> <p>At the Joint Committee Meeting held on 28 June 2018 the following was agreed:</p> <p>AGREED that</p> <ol style="list-style-type: none"> 1. a Sub-Committee with responsibility for Signs and Lines comprising the Vice Chairman, Councillor Jon Cloke (Brentwood Borough Council) and Councillor Paul Varker (Castle Point Borough Council) be appointed for 2018/2019; and 2. a Sub-Committee to hear representations in respect of Traffic Regulation Orders comprising the Chairman or Vice Chairman and two other members of the Committee chosen on the basis of the local authority areas affected by the Orders be appointed for 2018/2019.
2	<u>Quorum to operate the Sub Committees</u>
2.1	<p>Section 22.2 of the SEPP Joint Committee Agreement sets out the requirement for the Joint Committee to determine the quorum for its meetings, when it is appointed.</p> <p>It has generally been acknowledged by the Committee Members and Officers that a quorum of two members present from the three appointed is the default option to operate the Sub Committees but this was not ratified at the meeting held on 28 June 2018.</p> <p>It is recommended that the Joint Committee approves the recommendation for a quorum of two members present for the Sub Committee to Consider Objections Against an Advertised TRO and a quorum of two members present for the Sub Committee to Consider Funding for New TROs and Maintenance of Signs and Lines.</p>
3	<u>Conclusion</u>

3	<p>Section 22.2 of the SEPP Joint Committee Agreement sets out the requirement for the Joint Committee to determine the quorum for its meetings, when it is appointed.</p> <p>It is recommended that the Joint Committee approves the recommendation for a quorum of two members present for the Sub Committee to Consider Objections Against an Advertised TRO and a quorum of two members present for the Sub Committee to Consider Funding for New TROs and Maintenance of Signs and Lines.</p>
<p><u>Appendices</u></p> <p><u>Nil</u></p>	
<p><u>Background Papers</u></p> <p>The South Essex Parking Partnership Joint Committee Agreement 2011</p>	