

Subject:	Procurement of Parking Services		
Date of Meeting:	8 December 2011		
Report of:	Strategic Director, Place		
Lead Cabinet Member:	Cabinet Member for Transport & Public Realm		
Contact Officer:	Name:	Austen Hunter	Tel: 29-2245
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Key Decision:	Yes	Forward Plan No: CAB25712	
Ward(s) affected:	All		

FOR GENERAL RELEASE**1. SUMMARY AND POLICY CONTEXT:**

- 1.1 The existing Parking Services contract between Brighton and Hove City Council and NSL Services is due to expire on 31 December 2012. The current contract was awarded on 1 January 2007 and the annual spend on Parking Services including the provision of parking IT services, vehicle removals and notice processing (payments, receipt of post, scanning, sending recovery documentation and registering debts) is £3.6m.
- 1.2 A new contract (or contracts) will need to be tendered to comply with EU and UK Public Procurement legal requirements and Contract Standing Orders and to ensure a more flexible solution able to make best use of available and developing technologies whilst achieving value for money and improved customer service.
- 1.3 This report seeks approval from Cabinet to undertake competitive tendering for the provision of parking enforcement services.

2. RECOMMENDATIONS:

- 2.1 That Cabinet approves the tendering of parking enforcement services contracts, with the option to contract for the provision of a cashless parking service.
- 2.2 That a further report be presented to Cabinet in due course to consider the outcome of the tender process and the award of the contract.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 The current contract with NSL Services is due to expire on 31 December 2012.

- 3.2 The following elements of parking services are currently managed in house:
- Replying to appeals and representations and preparation of cases for adjudication
 - Bailiff selection and management
 - The management of the Parking Information Centre
- 3.3 Following a value for money evaluation it is proposed that these functions remain in-house. The statutory guidance for the Traffic Management Act 2004 states “Enforcement authorities should not contract out the consideration of formal representations” and whilst this is guidance rather than law, Authorities must have due regard for its contents.
- 3.4 The council’s stock of 1,200 Pay and Display Machines is ageing. Providing customers with the choice of paying by ‘phone will offer a sustainable alternative. The cost of replacement of our Pay and Display machines is estimated at £3m. Shifting to ‘pay-by-phone’ will help to improve the public realm by reducing street clutter.
- 3.5 Cashless parking is well established in London and elsewhere with over 1 million customers using the service and customers benefiting from the ability to top-up paid parking time remotely. The system would reduce maintenance and cash collection. However, the council will carefully consider the application of cashless parking to the city as part of the tender evaluation process and will have particular regard to ensuring that a wide range of residents and visitors as possible are still able to use the parking service.
- 3.6 The parking sector is undergoing a period of rapid change through embracing a range of new technologies such as Automatic Number Plate Recognition (ANPR), placing services online and smart phone applications for parking. As a high volume transaction service the council has the opportunity to make full use of these new technologies to provide more efficient services through channels that are convenient for customers.
- 3.7 To facilitate competition it is anticipated that the procurement will be split into lots although the council reserves the right to award the contract to one provider.
- 3.8 Tenders will be assessed against criteria based upon a split between 60% quality aspects and 40% costs.
- 3.9 It is anticipated that the contract will be awarded for a minimum of 4 years.
- 3.10 The draft outline procurement timetable is as follows:

OJEU Placed	Jan 2012
Evaluate PQQs	March 2012
Invitation to Tender sent out	April 2012
Evaluation of Tenders	May / June 2012
Award Contract	August 2012
Mobilisation	August – December 2012
Contract Start	1 st January 2013

4. COMMUNITY ENGAGEMENT AND CONSULTATION

- 4.1 Consultation with the community is mandatory as part of the Traffic Regulations Order process when introducing parking restrictions and when any changes are made to them. New parking schemes always involve detailed consultation with the community and a Citywide Parking Review is planned.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 5.1 The costs of issuing and processing penalty notices, vehicle removals and parking IT are met from within an existing Parking revenue budget, which is just over £3.6 million for 2011-12. Detailed financial evaluations will accompany the report to be presented to Cabinet in due course, for consideration of the outcome of the tender process.

Finance Officer Consulted: Karen Brookshaw Date: 14/11/11

Legal Implications:

- 5.2 The regulation of parking is within the Council's statutory powers. The value of the proposed contract or contracts is such that the EU Procurement rules and the Public Contracts Regulations will govern the process to be followed. These rules require that Framework agreements should be for a maximum of 4 years, except in exceptional circumstances.
- 5.3 The introduction of a cashless parking service will require an amendment to existing Traffic Regulation Orders, which currently provide for a pay and display system.

Lawyer Consulted: Jill Whittaker/Carl Hearsum Date: 14/11/11

Equalities Implications:

- 5.4 The specification and tender documents that will be sent out to interested providers will include a set of questions related to inclusion and diversity to establish whether they have appropriate policies relating to equal opportunities and other statutory/legal obligations under UK and EU equal opportunities / discrimination legislation and codes of practice relating to employees.

Sustainability Implications:

- 5.5 The specification and tender documents will include questions about sustainability and compliance with UK and EU legislation. Overall the parking services contract should help improve compliance with parking regulations and thereby reduce congestion and keep traffic moving. Policies to encourage the take up of low or zero emissions vehicles will be included in IT specifications

Crime & Disorder Implications:

- 5.6 The presence of Civil Enforcement Officers on street will help reduce the risk of crime and disorder and assist in the reporting of fly tipping, graffiti etc. Civil Enforcement Officers can also help as required in the event of civil disruption or emergencies. Their principle role is to ensure fair enforcement of the parking regulations.

Risk and Opportunity Management Implications:

- 5.7 A full risk assessment will be carried out as part of the tender evaluation process.

Public Health Implications:

- 5.8 There are public health benefits associated with reduced traffic congestion and providing access safely to those that need it most which are two of the key aims of civil parking enforcement. Tackling dangerous parking through parking enforcement can help improve road traffic safety and reduce road traffic casualties which have shown year on year improvements as explained in previous Parking Annual Reports.

Corporate / Citywide Implications:

- 5.10 The tendering of this contract will achieve value for money. Parking where prohibited causes inconvenience and delays for other motorists and adds to journey times increasing vehicle emissions. The selection of an efficient, effective parking enforcement contractor should help tackle these problems to the benefit of all road users.
- 5.11 In addition, a new contract provides the opportunity to improve and increase the amount of services which can be undertaken through the web which should improve the customer experience. For example, having in place seamless web based systems which allows residents to purchase visitor permits or renew residents permits, will be more convenient for many customers rather than using the post or visiting the Park Information Centre.

6. EVALUATION OF ANY ALTERNATIVE OPTION(S):

- 6.1 Bring the enforcement element of the contract in house. A financial evaluation of this option has been carried out and providing the enforcement service in house is likely to increase costs. Parking contractors offer specialist expertise of the latest best practices and technologies employed throughout the country. This is key to developing the service for the benefit of the customer and providing better value for money.
- 6.2 Include in the parking services tender elements currently provided in house. Some elements of the services currently provided in house should not be contracted out, such as the consideration of formal representations about Penalty Charge Notices.

- 6.3 Join a framework agreement with other Local Authorities to procure those elements of parking services functions where best value is likely to be achieved through this method. The council has been in discussions with other authorities to discuss a partnership agreement for the provision of a cashless parking service. There is, however, no national framework agreement for Parking Enforcement Services therefore the council must tender out the Parking Enforcement Services contract as a new tender.

7. REASONS FOR REPORT RECOMMENDATIONS

- 7.1 A new contract will ensure compliance with contract standing orders.
- 7.2 A new contracts(s) will provide best value in the provision of parking enforcement services and service development for the customer.

SUPPORTING DOCUMENTATION

Appendices:

None

Documents in Members' Rooms

None

Background Documents

None