

**NORTH ESSEX PARKING PARTNERSHIP
JOINT COMMITTEE FOR ON-STREET PARKING**

**23 January 2025 at 1.00pm
Town Hall, High Street, Colchester CO1 1PJ**

Members Present:

Councillor Mick Barry (Tendring District Council)
Councillor Graham Butland (Braintree District Council)
Councillor Martin Goss (Colchester City Council)
Councillor Neil Hargreaves (Uttlesford District Council)
Councillor Paul Honeywood (Essex County Council)
Councillor Nicky Purse (Harlow District Council)
Councillor Ken Williamson (Epping Forest District Council)

Substitutions:

None.

Apologies:

None.

Also Present:

Trevor Degville (Parking Partnership)
Jake England (Parking Partnership)
Chris Hartgrove (Colchester City Council)
Amelia Hoke (Epping Forest District Council)
Owen Howell (Colchester City Council)
Dean James (Harlow District Council)
Sarah Lewin (Uttlesford District Council)
Esme McCambridge (Braintree District Council)
Andrew Nepean (Tendring District Council)
Mel Rundle (Colchester City Council)
Richard Walker (Parking Partnership)

191. Have Your Say

With the Chair's permission, a statement from Mr Nick Chilvers was read out. Mr Chilvers stated concern that the Joint Committee had not received a report on consultation feedback given relating to possible introduction of on-street paid parking in Colchester, saying that the responses had been dealt with in Colchester, under delegated powers. Questions were asked as to the effect of proposals on convenience, pricing and the local economy. Mr Chilvers asked for the delegation of powers to be reviewed, and suggested that all consultation responses be anonymised and published on the NEPP's website.

192. Minutes

RESOLVED that the minutes of the meeting held on 18 July 2024 be approved as an accurate record.

193. NEPP Financial Update

Chris Hartgrove, Service Director (shared) – Finance and Deputy Section 151 Officer [Colchester City Council], presented the financial position of the NEPP as at the end of Month Nine of 2024-25. A surplus had been forecast for a £44k surplus. Reasons for divergence from expected position were given, including the delay in restructuring the organisation. A caveat in section 8.1 of the report showed that the pay award had been settled prior to Christmas 2024, with an impact of around £30k reducing the expected surplus to £14k, meaning a small surplus projected for year end.

The emerging draft Budget was dependent on Colchester City Council's Budget for 2025-26, which was due to go to its Scrutiny Panel and Cabinet in the week following this meeting, and then for decision at Full Council in February. The figures shown on page 21 were indicative and predicted a surplus of £65k.

The Deputy Section 151 Officer was asked to confirm that the issues mentioned meant that there would still be a deficit at the end of 2024-25, and a small surplus at the end of 2025-26. A Committee member raised concern that the NEPP Agreement stated that no new Traffic Regulation Orders [TROs] could be initiated unless the NEPP was in possession of at least £400k in reserves, and that the NEPP should accept that it would not meet this requirement. Praise was given to the Budget report, with a comment that it looked realistic. Jake England, Group Operating Manager, gave assurances that the intent was to be out of deficit by the end of 2024-25, but agreed that the organisation could not build a £400k reserve by then. Another Committee member noted that the £400k reserves requirement was from a time pre-Covid, and that it was a long-term job to rebuild the Partnership's reserves, to be worked on steadily.

Another Committee member agreed with the view that the NEPP had been operating outside the terms of the NEPP Agreement, and stated an acceptance of the difficulties involved, praising the projected return to a balanced budget. A proposal had been made to vary the NEPP Agreement in the previous year, noted the Committee member, who then stated discomfort at operating outside its

Agreement.

A Committee member highlighted that all Partners had signed acceptance of the Agreement and ventured that some Partners had taken bold measures to introduce new on-street parking charges, which had benefited all Partners through reducing the budget deficit. The member urged all Partners to take responsibility and act to live up to the Agreement.

The Deputy Section 151 Officer noted that the projections for car park income could strengthen in the last quarter of 2024-25, which was confirmed by the Group Operating Manager, who stated that the pay and display sites agreed by the Joint Committee had been implemented for the second half of 2024-25 and would meet expected income for those six months. This included efficiency and enforcement savings, halving operating costs. Budget expectations were set to be met in the final three months. More sites had been budgeted for in 2024-25. If more sites came forward, the income would feed into the Budget.

Assurances were given by Partner representatives that they took the situation seriously, with the point made that the Joint Committee members had pushed for meetings of their Section 151 Officers to go over the financial situation. A Committee member posited that it was wrong to seek to increase income by increasing on-street parking charges, which should be used to address parking problems only. Increased revenue should be in line with requirements, not just to repair a budget situation.

The Joint Committee member for Uttlesford District Council notified the Committee that his Council had employed consultants to examine their parking arrangements. Stansted Airport caused parking problems, with consultations ongoing. If residents met the criteria, the Council could move towards requesting TROs, including residents' parking permit areas, with costs to be met by the airport, and the Council paying for the consultants' work.

The Joint Committee noted that 75% of residents in an area had to approve of proposals for a parking permit scheme, but that the website stated that a 50% return rate of responses was necessary, of which 75% had to be approving. Leaflets and the Policy only stated that 75% approval was needed, leading to confusion. A Committee member urged clarity, and gave the opinion that the lower bar [requiring 50% return rate] seemed reasonable.

Richard Walker, Head of Parking, reminded the Committee that the TRO Policy was in their hands, and that the idea was to do as much work as possible in pre-consultation, as the greatest expense was incurred at the formal consultation stage. If an indication of resident views could be obtained prior to formal consultation, then a scheme was more likely to gain a super majority of positive responses by residents, and approval after formal consultation.

RESOLVED that the JOINT COMMITTEE:

- a) Notes the forecast outturn for 2024/25 as of 31st December 2024 (Month 9)

- b) Has considered the emerging draft budget for 2025/26
- c) Notes the projected impact of the forecast outturn for 2024/25 and the emerging draft budget for 2025/26, on the Parking Reserve balance; and
- d) Noted the discussion on risk presented in Section 8 and specifically the potential impact on the financial projections presented in this report.

194. Updated Traffic Regulation Order and Application Decision Report

Trevor Degville, Interim Group Development Manager, laid out the report and content of the appendices. This included a request for the Joint Committee to recommit to the 'Five-year Rule', which was that the NEPP would not pay for any TROs to be introduced on newly adopted roads for five years after their adoption. NEPP could do such work, but the cost would need to be met from external funding. A request was also included for approval of a rewording of the TRO methodology, to give clarity for councillors and the public.

The Chairman confirmed that his reason for cancelling the Joint Committee's meeting was due to finding a lack of clarity in the criteria for TRO approvals, and the Chairman's view that clarification was necessary before the Joint Committee could proceed. The Chairman stated that the NEPP would write to each partner authority to clarify the requirements.

The Committee member for Colchester explained that he had seen the scheme requests which had led to this situation and had refused to recommend them for approval as they had not followed the correct process. Two of the schemes had subsequently then been included in Appendix A for approval (shown at the end of the appendix, as being proposed by ECC [Essex County Council]) but had shown no petitions or evidence of evidence collection. The Committee member argued that applicants should not try to circumvent the process. Whilst clarifications were proposed, the Committee was urged to consider whether it should approve the schemes, and whether the NEPP or ECC would be expected to bear the costs.

The Chairman stated that the NEPP would pay for the implementation of the two schemes, and laid out the ambiguity in the TRO Policy, which stated that a petition was an example of evidence which could be put forward to support a TRO, rather than showing that it was a requirement for a TRO to be put forward for approval. The ECC councillor who had put forward the two schemes in question had shown evidence of consulting residents, and the Chairman posited that it was unfair to penalise them due to confusing policy wording. No further examples of problems had been found at this time, so the Chairman proposed approving them to proceed to formal consultation, clarifying the Policy wording, and then providing officer support to advise on the requirements for TRO applications. The Chairman was asked if any TRO requests had progressed to the next stage without including a petition and scored as low as 10. The Chairman and Head of Parking had no knowledge of any which had progressed in those circumstances.

A Committee member expressed surprise that any councillor would not know that a petition was a necessity for such schemes, and ventured that accepting requests

without a petition would be unfair on other partners where much work had been done to meet the requirements.

Joint Committee members agreed that it would be a good idea to reissue the guidelines for clarity, and that these should be stated on the NEPP website. The Head of Parking outlined that the decision here was whether to approve the listed schemes to go forward to formal consultation. If no objections were received, these would then progress. If objections were received, these would go first to the Head of Parking to consider, with any significant objections going to the Joint Committee for a decision to be made.

RESOLVED that the JOINT COMMITTEE: -

- a) Prioritises the proposed Traffic Regulation Order schemes from the applications that have been received by the North Essex Parking Partnership, and in line with the recommendations which can be found in Appendix A
- b) Notes that any applications that are “Approved” may not become sealed Traffic Regulation Orders.
- c) Notes that applications that have been received but do not meet the NEPP scoring criteria are shown in Appendix B.
- d) Notes the new schemes NEPP has advertised in 2024 via the JPC process, in Appendix C.
- e) Notes the new schemes NEPP has advertised in 2024 outside the JPC process, in Appendix D.
- f) Amends the wording of the TRO Scoring Methodology to clarify that a scheme/restriction must be supported by a petition before it can be scored by officers. This concerns standard applications received from outside NEPP that are to be considered by the Joint Committee
- g) Agrees the reintroduction of the Five-year Rule for NEPP TROs on new builds/recently adopted highway areas, with an amendment to the wording, to state that this applies ‘on, or relating to, new-build sites’

195. On-Street Paid Parking Update

Trevor Degville, Interim Group Development Manager, introduced the update and provided the background to the report, which gave updates on the operational schemes and information as to why the NEPP had not proceeded on identified sites in Harlow.

The report showed what work had been carried out in areas proposed for potential on-street paid parking in Braintree District. The NEPP had offered to retain a one-hour free parking entitlement in those areas, and the purchasing of additional parking time if needed. After feedback from Halstead and Witham, the NEPP had offered to provide payment machines for on-street paid parking areas, in addition to the payment option via MiPermit. Witham Town Council continued to be concerned regarding potential effects on local trade. Halstead Town Council had not specified why it did not support the proposals but had simply voiced its

opposition. The NEPP was now seeking Joint Committee approval to proceed to advertising the proposals and to seek views from local residents.

The Joint Committee member for Epping Forest District Council informed the Joint Committee that there had been issues raised in that area also, when schemes were proposed, but since introduction the schemes had generated compliments from residents. Epping Forest was looking at further areas where such schemes might be of benefit.

The Joint Committee was informed of the status of schemes in Colchester, where a couple had been withdrawn where investigation had shown that they would not be appropriate. The view was given by a Committee member that the process had safeguards in place, and should be used to seek local views about any proposed schemes.

The Joint Committee member for Braintree District Council queried how areas were identified for potential on-street paid parking, and noted that the proposals had originally been made with a projected income of £146k per year, outlining the proposals in the Braintree area. No issue was raised regarding proposals for Bocking End, but the Committee member highlighted objections from Witham and Halstead Town Councils. Officers were asked to give the costs of consultation, and whether funds had been allocated for this. Concern was raised that some proposals did not seem to be about safety, and questions were asked as to whether the proposals were only aimed at raising income for the NEPP. Honesty in all consultations was urged, and any deterrence to local shopping should be considered. A Joint Committee member stated that it was reasonable to consult with residents, but that all consultations should be open and give honest information to consultees.

A Joint Committee member stated that one of the positives given was increased efficiency in enforcement. The Joint Committee discuss consultations, with one view given that explanations should be given to consultees as to how income would be used, for example to pay for enforcement of restrictions in their areas, and of residents' parking schemes. Another view given was that the NEPP was seeking to be as flexible as possible, providing a range of payment solutions, the retention of one-hour free parking arrangements, and showing that officers were listening.

Consultation costs were stated to be low, involving signage, adverts in local media, and officer time. The Head of Parking stated that the cost of consultations was usually between £800 and £1,500. Objections were judged on substance, rather than weight of numbers. Income from schemes was considered a by-product, with enforcement efficiency the reason for looking to adopt new schemes.

The Joint Committee member for Harlow District Council explained that Harlow had identified some areas for potential schemes and was supportive of consulting residents to get their views. Jake England, Group Operating Manager, underlined

that the decision requested from the Joint Committee was to permit the NEPP to proceed to formal consultations, as all proposed schemes required a formal consultation to be carried out. The Joint Committee could agree to look at any other areas for potential on-street paid parking, if proposed by partners. The Group Operating Manager also noted that any approved schemes would now only have an effect on the NEPP's budget figures from 2025-26 onwards. The NEPP wanted engagement from local communities and was not seeking to force unwanted schemes on any areas.

The Joint Committee member for Uttlesford District Council stated that his Council did not want application T23369357 (shown in Appendix B) to be rejected. The Interim Group Development Manager gave assurance that this had not been recommended for rejection, but had not yet been scored. An explanation would be provided following the meeting.

Joint Committee members agreed that a uniform approach was necessary as to how areas were proposed and selected for potential on-street paid parking schemes.

RESOLVED that the Joint Committee: -

- a) Notes the status of the paid parking sites that have been approved at previous meetings.
- b) Approves the formal advertising of proposed changes to the three locations identified in the Braintree District. (Explained further in point 5.5 of the report)

196. Outside Agency Support

The Chairman explained why this item had been brought to the Joint Committee, noting a large influx of visitors into the Tendring area each Summer, with an increase in parking violations experienced. The Chairman ventured that the NEPP could not cover all areas with enforcement operations, and stated that the proposals made gave partner councils the option to employ officers to support NEPP enforcement activities. Income generated would firstly be used to cover the costs borne by that partner council, with any surplus being transferred to the NEPP. It was suggested that it might be possible to examine whether parish and town councils could participate in such a scheme in the future. The Head of Parking informed the Joint Committee that there was an existing delegation relating to this, dating to a decision taken prior to 2014, which delegated powers to the General Manager of the NEPP to approach such arrangements with partner councils or outside agencies.

A Joint Committee member welcomed the principle of the proposal, but raised concerns regarding issues which might be raised in practice. The member noted that such arrangements could only apply to partners with officers who currently

carried out off-street parking enforcement, and that this would stretch those officers. The view was given that this might be an option of more use in the future, but that more NEPP enforcement was wanted, whilst being mindful of staff resourcing being an issue.

The Head of parking was asked how such arrangements would be financed, such as if a parish council wished to seek such an arrangement, and whether the parish council would need to transfer any surplus income from enforcement operations to the relevant partner council within the NEPP, who would then transfer it to the NEPP itself. The Head of Parking highlighted the prerequisites shown in Section 4 of the report. The NEPP had to incur the cost of processing PCNs [Parking Charge Notices] as this was a statutory duty held by the NEPP. Limited income was generated from PCNs, so the NEPP subsidised enforcement by other income, meaning that it was unlikely that surpluses would be generated. Options were given as to how local Civil Enforcement Officers [CEOs] could be recruited.

RESOLVED that the JOINT COMMITTEE: -

- a) Approves that the delegation made for appointing Outside Agency CEOs as previously should continue.
- b) Notes the prerequisites for Outside Agency Support

197. Agreement Wording Amendments Report

Richard Walker, Head of Parking, explained that the report set out a way to take forward the wording changes proposed by Tendring and Uttlesford District Councils. The necessary timeline/stages of decision making were laid out, but caution was given that Local Government Reform [LGR] might overtake this, as the NEPP and Joint Committee might not exist in the future.

A Joint Committee member ventured that LGR might mean that any new local authorities would have much to do and might leave the NEPP to continue to carry out its operations. The member argued that it was in the NEPP's interest to resolve the issues now, and that the concept of a two-year timescale was problematic. The Joint Committee member moved that the proposed Agreement changes be circulated to all NEPP partner authorities, with a deadline given for feedback to be provided, after which they would be updated and sent to Essex County Council's legal team. If Essex County Council raised no objections, then the proposals could then be formally circulated to the NEPP partner authorities for each to seek approval for them from their own executive bodies. It was noted that the proposals had already been circulated to all NEPP partners previously.

RESOLVED by the JOINT COMMITTEE that: -

- a) The suggested wording amendments to the NEPP Agreement be circulated to all Joint Committee members, with a 6 February deadline for feedback to be provided to Councillors Barry and Hargreaves, after which the amended proposals will be circulated again to the Joint Committee members and then to Essex County Council via its Legal Department

- b) In the event of Essex County Council accepting in principle the proposed wording changes to the NEPP Agreement, these amendments be formally presented to each NEPP partner authority for their respective executives to consider for approval

198. Forward Plan 2024-2025

In light of the change of venue [from Epping Forest to Colchester] of this meeting, the Joint Committee member for Epping Forest District Council invited the Joint Committee to hold a future meeting in his District.

RESOLVED that the JOINT COMMITTEE approves the North Essex Parking Partnership Forward Plan for 2024-25.