

Report to the Cabinet

Report reference: C-012-2013/14

Date of meeting: 22 July 2013



**Epping Forest
District Council**

Portfolio: Safer, Greener and Transport

Subject: Nomination of Minor Parking Restriction Schemes to North Essex Parking Partnership

Responsible Officer: Qasim (Kim) Durrani (01992 564055).

Democratic Services Officer: Gary Woodhall (01992 564470).

Recommendations/Decisions Required:

(1) That, to ensure that the Council is able to respond quickly in accordance with the timetable for submission of minor parking restriction and highway schemes, funded by the North Essex Parking Partnership (NEPP), the Portfolio Holder for Safer, Greener & Transport be authorised to establish a list of schemes for consideration by NEPP, subject to the following:

- (a) selections being based solely on NEPP priority ranking;
- (b) prior consultation with relevant ward Councillors and Town/Parish Councils regarding the schemes proposed for the list to assess local opinion; and
- (c) publication of the ranking list in the Council Bulletin.

Executive Summary:

The County Council (as Highway Authority) has provided delegated authority to the North Essex Parking Partnership (NEPP) in respect of on-street civil parking enforcement and powers to make new traffic regulation orders. This Council is a member of NEPP along with Braintree, Colchester, Harlow, Tendring and Uttlesford District Councils.

The Partnership has a Joint Committee that considers all matters relating to Traffic Regulation Orders (TROs). The Committee consists of Executive Cabinet Members from each district as well as the County Council Cabinet Member for Highways.

Each district puts forward schemes for minor parking and waiting restrictions to NEPP. These are investigated and NEPP officers carry out feasibility studies and score each scheme under an agreed set of criteria. Lists of schemes ranked in the order of their score are then submitted to districts for consideration. Each district has to then nominate its top schemes to the Joint Committee for approval.

To ensure that schemes for this district are nominated in time and funding opportunities are not lost, the report suggests that the Portfolio Holder be authorised to put forward schemes based on their NEPP ranking provided there is local support. If a scheme is high on NEPP ranking but lacks local support then it is not to be put forward but replaced with the next

highest priority scheme, which has local support.

Reasons for Proposed Decision:

The Joint Committee considers TRO requests 3 to 4 times a year. Outcomes of NEPP feasibility studies and associated scores do not become available in time to enable submission of reports to Cabinet.

By agreeing to authorise the Portfolio Holder to nominate the highest scoring schemes, under NEPP criteria, and subject to local support, the Council will be able to nominate schemes in time and avoid the risk of missing out on funding opportunities and scheme delivery.

Other Options for Action:

To nominate schemes by a Portfolio Holder Decision, with call-in waived. This cannot be recommended as waiver of call-in should be an exception and not routine practice.

To nominate schemes entirely on NEPP scoring, but without consideration of local needs and requirements. The Council could be accused of not having due regard for local needs and priorities.

Report:

1. NEPP was created on 1 April 2011 and has delegated authority from the Essex County Council (ECC) to make on-street traffic regulation orders such as limited waiting (single yellow line) or no waiting (double yellow line). ECC has made available some funding for such schemes and it is intended that in time NEPP will make use of any surplus from its on street operations.
2. NEPP investigates a large number of on street scheme requests from member districts (Braintree, Colchester, Epping Forest, Harlow, Tendring and Uttlesford). Each request is investigated by technical officers at NEPP.
3. NEPP then submits a report to the relevant district on the schemes considered including an officer recommendation for further action. It is for the districts to then nominate schemes to the NEPP Joint Committee for approval. The numbers of schemes that can be nominated by a district are not fixed, although to date districts have been requested to nominate not more than four schemes each to be funded by NEPP/ECC.
4. In order to be able to nominate schemes at the most recent Joint Committee meeting on 10 April 2013, a Portfolio Holder decision was sought, with call in waived. The Joint Committee meets four times a year and it will not always be possible to seek a Cabinet or Portfolio Holder approval in time before the meeting. It is therefore suggested that the Cabinet agree to authorise the Portfolio Holder to establish a list of agreed schemes, subject to certain conditions
5. To achieve consistency of approach in vetting schemes, NEPP has developed an assessment methodology. This consists of scoring each scheme out of a total of 100 points based on a range of technical criteria. The scoring is based on aspects including road accident statistics, compliance with ECC policies etc. A copy of the scoring criteria is attached at Appendix 1.
6. To ensure that all schemes are technically sound and comply with County Council and NEPP policies it is proposed that the ranking within the agreed list of schemes be based entirely on NEPP scoring and in the order of highest to lowest score (**recommendation (a)**).

7. Before establishing the list of schemes, the Portfolio Holder will satisfy himself that adequate consultation has been carried out with relevant ward Councillors and Town/Parish Councils to ensure that there is sufficient local support for any scheme being nominated via the list. If the Portfolio Holder forms the view that there is insufficient local support, the scheme will not be included in the list until such time as sufficient support can be demonstrated (**recommendation (b)**).

8. All schemes submitted by the Council to NEPP shall be publicised in the Members Bulletin as will be the NEPP ranking list when it becomes available (**recommendation (d)**).

9. Any new schemes will be assessed by NEPP, allocated a ranking score, and then consulted upon, before inclusion in the list.

Resource Implications:

NEPP has access to funding for carrying out minor parking schemes across its geographic area. This includes all costs associated with implementation of schemes, necessary public consultation, advertising and signing and lining etc.

Any associated consultation with District Members, Town and Parish Councils will be carried out from within existing staffing resources of the Environment and Street Scene Directorate.

Legal and Governance Implications:

The Partnership exercises the County Council's Executive highway functions and the Partnership's decisions are subject to the County Council's call in arrangements.

Safer, Cleaner and Greener Implications:

Addressing the safety of all road users, tackling inconsiderate parking, preventing congestion and its effects on local air quality etc.

Consultation Undertaken:

NEPP officers carry out some consultation as part of their investigation and feasibility. This includes site visits and in some instances meetings with residents and/or elected members.

It is proposed that once NEPP provides a ranked scheme list the Safer Greener and Transport Portfolio Holder, through officers of the Council, will carry out consultations with relevant County and District Members and Town/Parish Councils to establish local support before nominating the highest scoring schemes.

Once schemes are approved by NEPP wider public consultations are carried out under the TRO making process, for example public notices displayed in the vicinity of proposed restrictions and letters to individual residents.

Background Papers:

Previous Cabinet reports.

Impact Assessments:

Risk Management

If a decision is not made to authorise the Portfolio Holder to nominate schemes then an

executive decision will be required before every NEPP meeting. Due to lack of sufficient time it may not always be possible to get a Cabinet or Portfolio Holder Decision. If this were to happen then an opportunity to implement schemes in the District would be lost and the funding allocated elsewhere in NEPP.

If the Portfolio Holder does not carry out local consultation to gauge support for parking restriction schemes then there is a risk that NEPP could implement schemes in the District that lack local community's support. This can present a reputational risk for the Council as an Executive Member sits on NEPP Committee and the Council could be accused of not paying due attention to local views.

Equality and Diversity

Did the initial assessment of the proposals contained in this report for relevance to the Council's general equality duties, reveal any potentially adverse equality implications? No

Where equality implications were identified through the initial assessment process, has a formal Equality Impact Assessment been undertaken? No

What equality implications were identified through the Equality Impact Assessment process?
N/A.

How have the equality implications identified through the Equality Impact Assessment been addressed in this report in order to avoid discrimination against any particular group?
N/A.