

Decision Maker: Executive

**For pre-decision scrutiny by the Environment PDS
Committee on 30 September 2015**

Date: 14 October 2015

Decision Type: Non-Urgent Executive Key

Title: **Effect of De-Regulation Act on CCTV Parking and Bus Lane
Enforcement**

Contact Officer: Ben Stephens, Head of Shared Parking Service, Transport and Highways
Tel: 020 8313 4414 E-mail: ben.stephens@bromley.gov.uk

Chief Officer: Nigel Davies, Executive Director of Environment and Community Services

Ward: All

1. Reason for report

- 1.1 To provide details on the effect of the Deregulation Act 2015 on CCTV Parking Enforcement, to inform Members of the staffing implications, and to recommend changes in operational practices.

2. **RECOMMENDATIONS**

- 2.1 That the Environment PDS committee considers the following proposals and provides its views to the Portfolio Holder and Executive for consideration.
- 2.2 Note that some proposals including the staffing implications of the Deregulations Act are subject to staff and trade union consultation, the outcome of which will also be considered by the Portfolio Holder and Executive in reaching a decision to:
- 2.2.1 Cease the use of manned static CCTV Parking and Bus Lane enforcement operation undertaken by five staff based at the Civic Centre.
- 2.3 Install ten automated CCTV cameras to undertake bus lane enforcement (subject to the Executive agreeing funding set out in 2.5).
- 2.4 Cease the use of the four Mobile Parking CCTV vehicles.
- 2.5 Replace the mobile CCTV vehicles with five automated CCTV cameras (for enforcement at schools) and four dedicated Civil Enforcement Officers to undertake on-street

enforcement through the current Parking contract (subject to Executive agreeing funding set out in 2.6).

- 2.6 Release a sum of £306,000 from the Central Contingency (set aside for Parking Enforcement) for the purchase and installation (through the ESPO Security and surveillance equipment & services Framework) of five automated cameras for enforcement at schools and ten automated cameras to undertake Bus Lane enforcement.**

Corporate Policy

1. Policy Status: Existing policy. Parking Strategy
 2. BBB Priority: Quality Environment. Vibrant Thriving Town Centres.
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Financial

1. Cost of proposal: Estimated cost £306k
 2. Ongoing costs: Recurring cost. Net nil compared to existing budget
 3. Budget head/performance centre: Parking
 4. Total current budget for this head: Cr £6.7m
 5. Source of funding: Existing controllable revenue budget 2015/16
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Staff

1. Number of staff (current and additional): 22.77 fte
 2. If from existing staff resources, number of staff hours:
-

Legal

1. Legal Requirement: Non-statutory - Government guidance.
 2. Call-in: Call-in is applicable
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Customer Impact

1. Estimated number of users/beneficiaries (current and projected):
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Ward Councillor Views

1. Have Ward Councillors been asked for comments? N/A.
2. Summary of Ward Councillors comments:

3. COMMENTARY

3.1 The Deregulation Act 2015 came into effect on 1 April 2015. The Act prevents the issue of Penalty Charge Notices by post using evidence from CCTV cameras, with the exception of School zig zags, Bus Lanes, Bus Stops and Red Routes. The Act therefore had a significant effect on the CCTV Parking enforcement operation. Officers have investigated a number of options and continue to monitor the ongoing effect.

3.2 The financial impact of the Act has been reported to Members and a sum of £1m was set aside in the Central Contingency. The detail behind the net loss of income is shown in the table below:

	£'000
Net loss of income from mobile and static CCTV excluding bus lanes	740
Saving of 1fte Parking support	-26
Net loss of income from the increase in observation time	286
	<u>1,000</u>

3.3 The Council remains committed to school travel safety and effective traffic management as set out in the Parking Strategy. The Deregulation Act has, to some degree, recognised this by providing the exemptions above. Officers have modelled a variety of options within the constraints and exemptions of the Act.

3.4 Based on this modelling, it is proposed to cease the use of existing manned static and mobile CCTV units, to be replaced by 15 automated cameras as the most effective solution going forward. It is proposed to draw down £306k from the £1m held in the Central Contingency to cover the impact of the Deregulation Act. It is anticipated that there will be no further call on this Contingency during 2015/16.

3.5 This would result in seven fte posts being deleted. A consultation process has commenced and an update on the outcome of the process will be reported to the Executive.

3.6 The Deregulation Act has resulted in fewer PCNs being issued. This has, however, been partly offset by bus lane enforcement since Bromley High Street reopened to traffic following completion of the Bromley North village project. In the medium term, an 80% reduction in the number of contraventions here is expected.

3.7 Officers have been monitoring the impact of the increase in observation time since April 2015 (when the relevant legislation – SI2015 No. 561 – was amended) and it appears that there is no direct impact of this change. This refers to a mandatory 10 minute leeway now granted at the end of an on-street pay & display period, increased from the previous Bromley policy of five minutes.

Mobile CCTV

3.8 Before 1 April 2015, mobile CCTV comprised four vehicles with drivers undertaking school enforcement and enforcement of other restrictions still using the vehicles between these times. The result of the Deregulation Act is that the use of mobile CCTV vehicles is limited to school enforcement and bus stops only and the service would not be financially viable.

- 3.9 A trial deploying the CCTV drivers to undertake traditional Civil Enforcement Officer duties on street during the middle section of the day, when not enforcing schools has taken place. This is not recommended as a long-term solution as other more practical solutions have been developed.
- 3.10 Officers consider the most practical solution would be to replace the four CCTV vehicles with five automated cameras, to be rotated around school sites. The estimated cost of purchasing the five cameras is £126k.
- 3.11 Annual running costs (£33.5k) comprise:
- Maintenance: £4k per camera: £20k p.a.;
 - Moving the cameras between schools: £13.5k p.a.
- 3.12 The estimated annual income associated with the five automated cameras located at schools is: £109k.
- 3.13 The existing staffing budget would be used to employ four Civil Enforcement Officers to undertake traditional on-street enforcement activities through the current Parking contract. This will enhance the effectiveness of our Parking enforcement service
- 3.14. The cost to deploy four Civil Enforcement Officers is estimated to be £95k. These officers would generate (based on a CEO standard issuing rate) £283k and there would be an added benefit of increased Parking compliance.

Static CCTV (inc. Bus Lanes)

- 3.15 Use of static CCTV requires five dedicated fte staff to maintain an efficient operation. Restrictions including Bus Lanes are enforced between Monday to Friday 7.am to 10.30 pm, Saturday 9.30am to 10.30pm and Sunday 10am to 5.30pm. The result of the Deregulation Act is that these cameras can only be used for bus lane and bus stop enforcement. A reduction in the number of staff in this section would make it impractical to cover annual leave and sickness and is therefore not recommended.
- 3.16 The recommendation is to cease the use of the manned Static CCTV operation and to enforce bus lanes by using ten new automated cameras as a more effective approach to bus lane enforcement.
- 3.17 The purchase cost of the ten automated cameras is: £180k and the maintenance cost of the cameras is £22k p.a. with a system software maintenance cost of £15k p.a.
- 3.18 The estimated income is expected to be £470k p.a.

Automated CCTV technology and process

- 3.19 An automated camera is an unmanned camera fixed to a post or lamp column which has built-in technology to identify if a contravention has occurred. These cameras can be easily 'redeployed' to other locations once the necessary infrastructure is in place.
- 3.20 Once a contravention is recorded, the footage is transferred over the 4G network, back to the Civic Centre (or any other location). At this point an officer will review the footage and

process accordingly. The processing of the PCNs received is fully integrated with existing systems and the time taken to process is minimal. No PCN will be issued without a full review and approval by a trained officer.

- 3.21 A successful Bromley trial of automated cameras has taken place for enforcement of school restrictions. The same technology is currently being used on one of our bus lanes. Again the technology has proved to be very efficient. It should be noted that the automated cameras will not be able to enforce Bus Stops in the same way manned static enforcement could but the additional on-street presence being recommended will ensure adequate enforcement.
- 3.22 The Deregulation Act has reduced the number of PCNs issued and therefore challenges made leading to a decrease in associated administration of approximately 0.5fte. However, it is estimated that an additional 0.5 fte will be required to process PCNs issued by the automated cameras. Therefore there is a net nil effect on staffing within the Appeals Team.

4. FINANCIAL IMPLICATIONS

- 4.1 This report is recommending that the Executive agree one-off funding of £306k, from the £1m held in the Central Contingency for the impact of legislation changes in parking enforcement, to purchase and install 15 automated cameras.
- 4.2 A summary of the financial implications of the proposals in this report are shown in the table below, assuming implementation is completed by 1st April 2016: -

One-off costs	£'000		
Purchase/installation of 5 automated cameras (school enforcement)	126		
Purchase/installation of 10 automated cameras (bus lane enforcement)	180		
	<u>306</u>		
Revenue Implications	Budget	Proposal	Variation
	£'000	£'000	£'000
Replace mobile CCTV vehicles with automated cameras and 4 CEOs			
Staffing	95	95	0
Vehicle & equipment running costs	23	0	-23
Running costs of 5 automated moveable cameras	0	32	32
Income	-165	-392	-227
Cease static CCTV enforcement & install 10 automated cameras			
Staffing	154	0	-154
Equipment & software system maintenance	32	37	5
Income	-1,037	-470	567
Saving of 0.5fte parking support staff	26	13	-13
Additional 0.5fte support staff required for processing film footage	0	13	13
Net impact of proposals	-872	-672	200
Offset by projected net surplus income from on and off street parking			-200
Net impact on overall parking budget			<u>0</u>

- 4.3 The estimated net annual deficit of £200k from 2016/17 as a result of implementing these changes, is expected to be offset by the net additional income projected for on- and off-street parking, as highlighted in the latest budget monitoring report.
- 4.4 No additional costs are projected at this time for 2015/16. The deficit in income from the net reductions in PCNs as a direct result of the changes brought in by the Act, is projected to be £426k. This is expected to be offset by income from additional contraventions from civil enforcement officers on street and the net surplus income projected from on and off street parking. It is therefore anticipated that there will be no further call on the sum held in the Central Contingency for the remainder of the year however, the final position will be considered as part of finalising the 2016/17 budget.
- 4.5 Redundancy costs are estimated to be £66k and will be met from the Central Contingency provision for redundancy/early retirement costs.

5. PERSONNEL IMPLICATIONS

- 5.1 The proposals for a reorganisation of the CCTV Parking Services have redundancy implications for the 4 employees who work in this section and formal consultation, in line with the Council's procedures for managing change, is now underway with staff, Trade Unions and Departmental Representatives. In relation to paragraph 3.13 above, the proposal to source 4 Civil Enforcement officers via the contractor to carry out the traditional on – street enforcement activities does not give rise to TUPE, mainly because they are not identical or similar to the roles of the 4 “static” officers currently employed by the Council. However, as stated above staff or/and trade union feedbacks will also be presented to the Executive for consideration.
- 5.2 If Members agree to the recommendations and subject to the outcome of consultation then staffing implications arising from the recommendations will need to be carefully planned for and managed in accordance with Council policies and procedures and with due regard for the existing framework of employment law.

6. POLICY IMPLICATIONS

- 6.1 The Council is committed to enforcement of schools zig-zags and bus lanes for road safety and traffic management purposes as set out in the Parking Strategy. The Deregulation Act has resulted in the operation changing fundamentally, but the recommendations proposed ensure existing policies are being met within the constraints and exemptions set out in the Act.

Non-Applicable Sections:	Legal Implications
Background Documents: (Access via Contact Officer)	