

Report No:
ES20326

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: Environment and Community Services PDS Committee

Date: Thursday, 16 November 2023

Decision Type: Non-Urgent Executive Non-Key

Title: **PARKING SERVICES – CONTRACT PERFORMANCE REVIEW – APCOA PARKING**

Contact Officer: Chloe Wenbourne, Head of Shared Parking Services
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Chief Officer: Assistant Director of Traffic and Parking, Director of Environment and Public Protection

Ward: (All Wards);

1. Reason for decision/report and options

- 1.1 This Report is to update Members on the performance of the Parking Services Contract. This contract is responsible for the enforcement of all civil parking restrictions, along with moving traffic contraventions within the Borough, the maintenance of the car parks, cashless parking services and back-office functions, excluding the appeals to Penalty Charge Notices.

2. **RECOMMENDATION(S)**

That the PDS Committee note the content of this report, and in particular the ongoing work where APCOA have brought forward initiatives to improve facilities for motorists, as well as generating an income to the Council.

Impact on Vulnerable Adults and Children

1. Summary of Impact: Minimal impact. However, APCOA are responsible for enforcement around all schools within the Borough, as well as the School Crossing Patrol Officers, which is aimed to protect children as they go to and from school. The contract also includes the use of enforcement agents who will take into consideration vulnerable adults and children when they are enforcing.
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Transformation Policy

1. Policy Status: Parking Strategy
 2. Making Bromley Even Better Priority (*delete as appropriate*):
 - (3) For people to make their homes in Bromley and for business, enterprise and the third sector to prosper.
 - (4) For residents to live responsibly and prosper in a safe, clean and green environment great for today and a sustainable future.
 - (5) To manage our resources well, providing value for money, and efficient and effective services for Bromley's residents.
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Financial

1. Cost of proposal: N/A
 2. Ongoing costs: N/A
 3. Budget head/performance centre: Parking Contract
 4. Total current budget for this head: £20m over ten years
 5. Source of funding: Revenue Budget
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Personnel

1. Number of staff (*current and additional*): 20
 2. If from existing staff resources, number of staff hours: 18FTE
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Legal

1. Legal Requirement: Non-Statutory - Government Guidance:
 2. Call-in: Not Applicable:
-

Procurement

1. Summary of Procurement Implications: N/A
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Property

1. Summary of Property Implications: N/A
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Carbon Reduction and Social Value

1. Summary of Carbon Reduction/Sustainability Implications:

Impact on the Local Economy

1. Summary of Local Economy Implications: APCOA enforces the parking restrictions to ensure that parking is available for the residents and those using local businesses.
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Impact on Health and Wellbeing

1. Summary of Health and Wellbeing Implications: n/a
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Customer Impact

1. Estimated number of users or customers (*current and projected*): All motorists within the Borough.
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Ward Councillor Views

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

3. COMMENTARY

- 3.1 This Report is to update Members on the performance of the Parking Services Contract. This contract is responsible for the enforcement of all civil parking restrictions within the Borough, the maintenance of the car parks, cashless parking services and back-office functions, excluding the appeals to Penalty Charge Notices.
- 3.2 In particular, this report highlights the continual efforts made by officers to ensure that there is adequate deployment of Civil Enforcement Officers in accordance with the terms of the Contract, and that the Parking Contractor is achieving compliance.
- 3.3 The parking contract is for a fixed term of 10 years with a value of £2.2m pa. The procurement process was a joint one, undertaken between LB Bromley and LB Bexley who also awarded a contract to APCOA for the provision of Parking Services. Although both authorities entered into a contract with APCOA, the contracts are separate and distinct from each other. Neither authority is dependent on the other for the continuation of the contract; however a discount was provided for the award of both contracts. Executive approved the award to APCOA on the 30th November 2016. Formal award took place on the 15th December 2016 and the Contract commenced on the 3rd April 2017.
- 3.4 This contract is managed through the Shared Parking Service and is based on a joint specification with very minor differences, along with Key Performance Indicators (KPIs) applied.

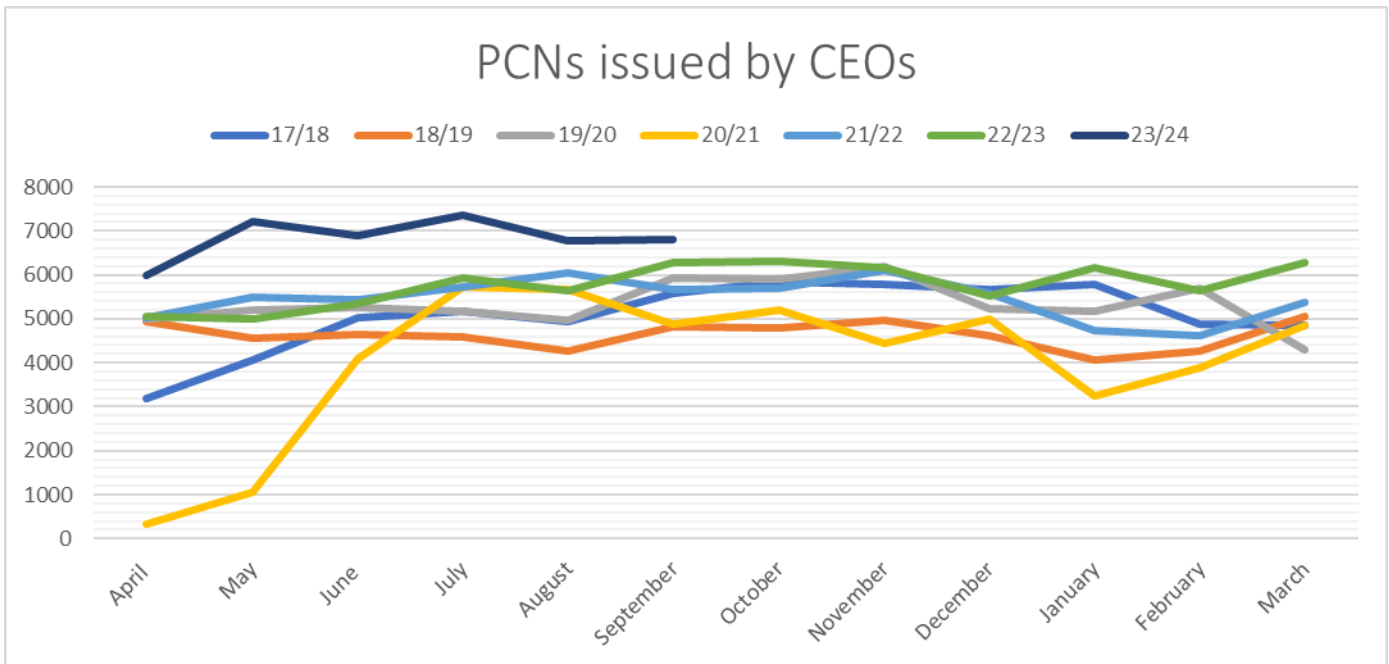
Scope of Contract

- 3.5 The Services that are managed and provided by APCOA on behalf of the London Borough of Bromley include, but are not limited to the following:
- Enforcement of PCNs on and off street
 - Reviewing the CCTV PCNs for Bus Lanes, School Keep Clear markings and Moving Traffic Contraventions.
 - Suspensions and Dispensation Management
 - Car Park Management, including Cleaning and Maintenance
 - Parking related Signs and Lines maintenance (replacement only)
 - Cashless Parking Solution (RingGo)
 - Parking and Permits IT system.
 - Cash collection and counting – Civic offices only.
 - Enforcement Agents (Bailiffs)
 - Business Processing Solutions, i.e. printing and sending of correspondence.
 - Reconciliation of all income streams, including PCNs, On and Off Street parking places and permits.
 - CEO Enforcement of Blue Badge misuse
 - School Crossing Patrols

4. Penalty Charge Notices (PCNs) issued by Civil Enforcement Officer (CEOs).

- 4.1 APCOA are responsible for the recruitment and deployment of all the CEOs in Bromley
- 4.2 The role of a CEO is difficult, they are on beat all day on their own in all weathers and although their role is there to support the local community and ensure that there are sufficient parking spaces available, they are prone to both verbal and physical abuse from the motorist.
- 4.3 At the time of writing this report, 44 CEOs are employed on the Contract with only 51% of the CEOs working with APCOA for over 1 year and 36% for more than 2 years within this contract.
- 4.4 Since 1st January 23, 20 CEOs have left the employment of APCOA, however in that same time APCOA have recruited 18 CEOs. Out of the 20 leavers, 7 left as they failed their probation or left without another job, all others have left for another job.
- 4.5 There has always been a high turnover of staff. However, recently APCOA have introduced a more flexible approach towards their staff, allowing them to reach a wider range of candidates and attract a different calibre of individuals that would not have considered the role previously. A few examples of these are having working term-time parents, students studying for 3 years, parents fitting in with their partners shift patterns as well as some taking the role on as a second job.
- 4.6 The above changes in APCOA flexibility have helped a decision to increase the number of CEOs on street by an additional 3, as retention of the staff has improved. The additional CEOs was agreed by this committee in January 2023, there is a degree of flexibility to increase and decrease CEOs as deemed appropriate.
- 4.7 The contract requires APCOA to have an average of 21 CEOs out on street Monday to Saturday and 6 CEOs out on a Sunday and Bank Holidays, at a minimum; this can decrease to 18 CEOs on street Monday to Friday, 17 on a Saturday and 4 on a Sunday. There is a Key Performance Indicator as the contract KPI if the average or minimum levels are not reached; even with the historic high turnover of staff, the KPI is rarely triggered.
- 4.8 The below table and graph shows all PCNs issued since the beginning of the APCOA contract in April 2017 by CEOs. The table demonstrates that even before the additional CEOs were deployed in the Borough, there was an increase in PCNs being issued, demonstrating that more enforcement was required to achieve compliance.

PCNs issued by CEOs	April	May	June	July	August	September	October	November	December	January	February	March	TOTAL
17/18	3,191	4,069	5,022	5,165	4,947	5,579	5,838	5,791	5,673	5,770	4,893	4,842	60,780
18/19	4,949	4,550	4,659	4,577	4,264	4,824	4,790	4,975	4,627	4,066	4,260	5,049	55,578
19/20	5,000	5,192	5,245	5,165	4,969	5,934	5,905	6,204	5,238	5,169	5,683	4,294	63,998
20/21	343	1,055	4,106	5,725	5,674	4,871	5,194	4,441	4,982	3,254	3,881	4,849	48,375
21/22	5,040	5,482	5,435	5,726	6,043	5,672	5,687	6,114	5,574	4,739	4,623	5,380	65,515
22/23	5,059	4,997	5,355	5,929	5,629	6,293	6,308	6,173	5,520	6,154	5,640	6,290	69,347
23/24	5,981	7,222	6,895	7,368	6,788	6,798							41,052



4.9 The below table shows the average ticket rate per enforceable hour, the increase in the hourly issue rate supported the additional CEOs being deployed.

Year	PCNs Issued	Number of Hours Deployed	PCN issue rate
17/18	60,780	45,607	1.33
18/19	55,578	49,803	1.12
19/20	63,998	50,460	1.27
20/21	48,375	46,897	1.03
21/22	65,515	50,756	1.29
22/23	69,347	51,814	1.34
23/24 April - September	41,052	28,791	1.43

4.10 Whilst officers monitor the number of PCNs being issued, APCOA have no target to issue a set number of PCNs. Deployment is based on the number of hours needed for APCOA to be able to cover all necessary areas of enforcement around the Borough. The CEOs are allocated a set beat to enforce to ensure that there is no overlapping of resources, this is changed on a regular basis.

4.11 If a PCN is issued in error or there is an administration error by the CEO at time of the issue, the PCN will be cancelled as a CEO error and a Performance Related Reduction of £25 per case will be triggered.

4.12 The table below shows how many cases have been closed as a CEO error since the start of the contract. These errors are monitored each month and it is in both the interest of APCOA and the Council to ensure that this number is as low as possible, however it should be noted that 2% would be classed as an acceptable level; so far this year the error rate is 0.38%.

Year	CEO Errors	% against PCNs Issued
17/18	1407	2.31%
18/19	955	1.72%
19/20	1097	1.71%
20/21	650	1.34%
21/22	699	1.07%
22/23	609	0.88%
23/24 April - September	155	0.38%

- 4.13 The errors are reviewed every month by APCOA and feedback is given to the CEO who made the mistake, they also have the chance to challenge any submitted by the Authority. The Contract Manager has informed officers that the majority of CEO errors are made by the new staff, those CEOs who have been working on the contract for a period generally have a lower error rate.
- 4.14 The CEOs error rate has improved over the last couple of years, APCOA have put this down to being able to keep staff employed longer by offering them hours which suit their personal needs.

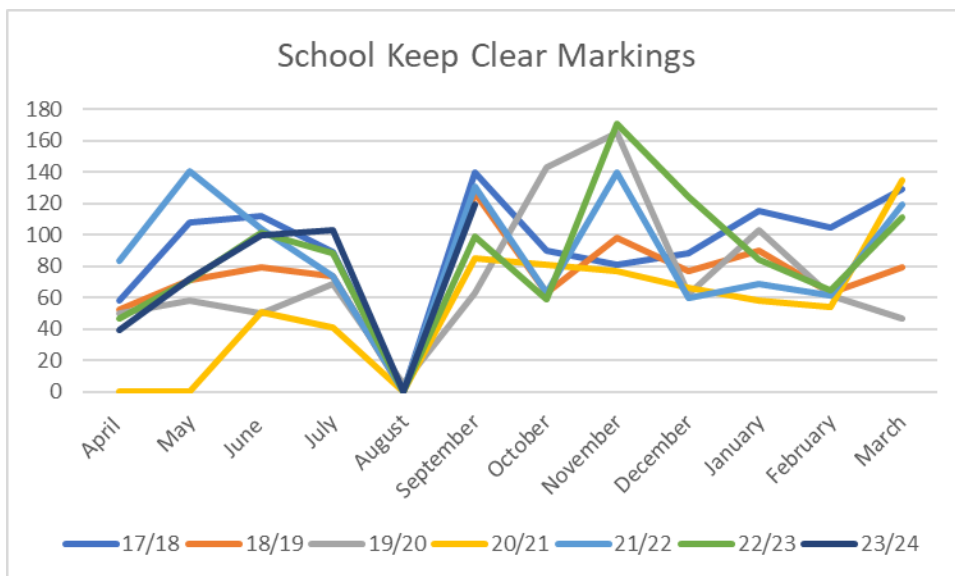
5. PCNs issued via CCTV

- 5.1 There are 4 different types of PCNs issued by the CCTV cameras around the borough.

School Keep Clears

- 5.2 Parking Enforcement Cameras focus on School Keep Clear markings (school zigzags) directly outside of a school gate to keep the area clear to ensure the safety all pedestrians and motorists around the entrance of the school. PCNs can also be issued by CEOs, but compliance of this contravention is hard to achieve with just CEOs on foot.
- 5.3 Camera enforcement has been proven to have a better success rate of compliance at the schools on the School Keep Clear markings; the Council has therefore invested in a total of 18 cameras to enforce some of the schools around the Borough, with officers moving these to other schools when compliance has been achieved.
- 5.4 Only stopping on School Keep Clear zigzag marks can be enforced via camera, all other contraventions that are typical around a school can only be enforced by a CEO, the most common offences are parking on the pavement, blocking dropped kerbs and parking on yellow lines.

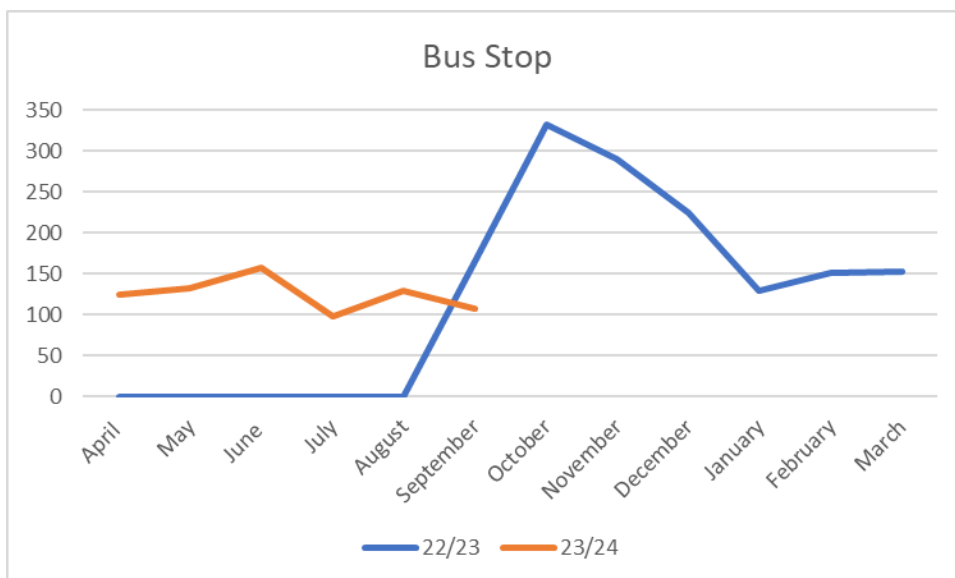
CCTV - Schools	April	May	June	July	August	September	October	November	December	January	February	March	Total
17/18	58	108	112	89	0	140	90	81	88	115	105	129	1,115
18/19	52	71	79	74	0	127	63	98	77	90	63	79	873
19/20	50	58	50	69	5	63	143	165	62	103	61	47	876
20/21	0	0	51	41	0	85	81	77	66	58	54	135	648
21/22	83	141	104	74	0	131	63	140	60	69	61	119	1,045
22/23	47	71	101	88	0	99	59	171	124	84	65	111	1020
23/24	39	72	100	103	0	119							433



Bus Stop

- 5.5 Another type of Parking Enforcement via CCTV that Bromley has recently started is at one bus stop at Green Lane, Chislehurst.
- 5.6 Officers are considering if there are any other Bus Stops where a camera may be needed to achieve compliance.
- 5.7 The below table has the total number of PCNs issued by the CCTV bus stop camera over the last two years:

Bus Stop - Green Lane	April	May	June	July	August	September	October	November	December	January	February	March	Total
22/23	0	0	0	0	0	166	333	291	224	129	151	153	1447
23/24	125	133	157	98	129	108							750



Moving Traffic Contraventions

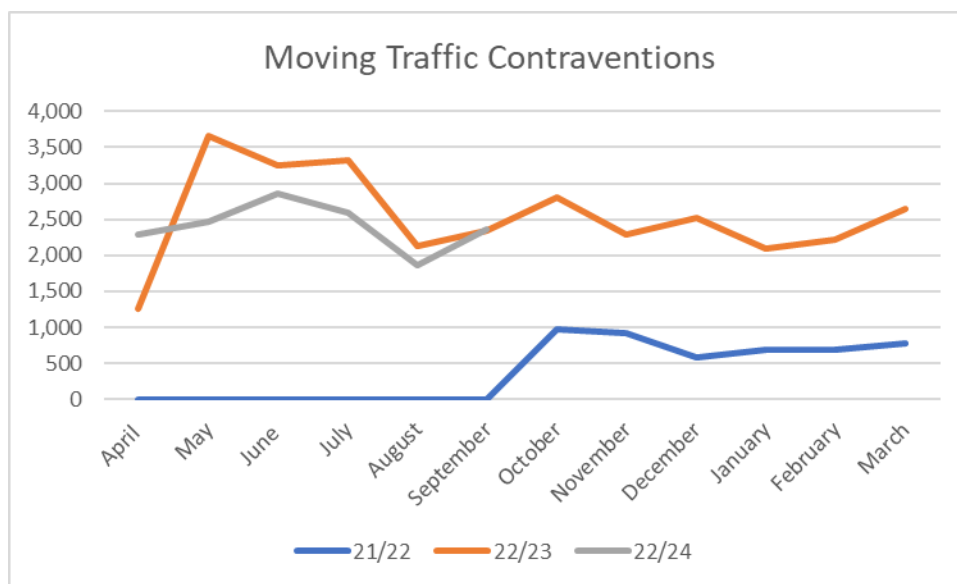
- 5.8 In September 2021 the Council started to issue Moving Traffic Contraventions for vehicles stopping in yellow box junctions or ignoring a banned turn. When all cameras were first installed a 14-day warning notice period was implemented so that the motorist who may have constantly

been stopping in the box junction had a chance to change their behaviour without getting issued a full charge PCN.

5.9 The below table shows the numbers of full charge PCNs issued since October 2021 (only warnings notices were issued in September). The table demonstrates that the PCNs have increased from April 2022, this is due to officers working with APCOA to re-configure the cameras to ensure that they were working as efficiency as possible.

5.10 Since the configuration changes have been implemented, the MTC PCN issue rate has stayed similar month to month, officers review all locations and will arrange for cameras to be moved if compliance is achieved at one location. The policy around enforcement is also reviewed to ensure that a fair approach to enforcement is being adhered to.

MTC	April	May	June	July	August	September	October	November	December	January	February	March	TOTAL
21/22							973	913	590	690	697	778	4641
22/23	1,257	3,660	3,243	3,319	2,126	2,336	2,809	2,296	2,527	2,094	2,218	2,638	30,523
22/24	2,293	2,472	2,853	2,590	1,862	2,363							14,433

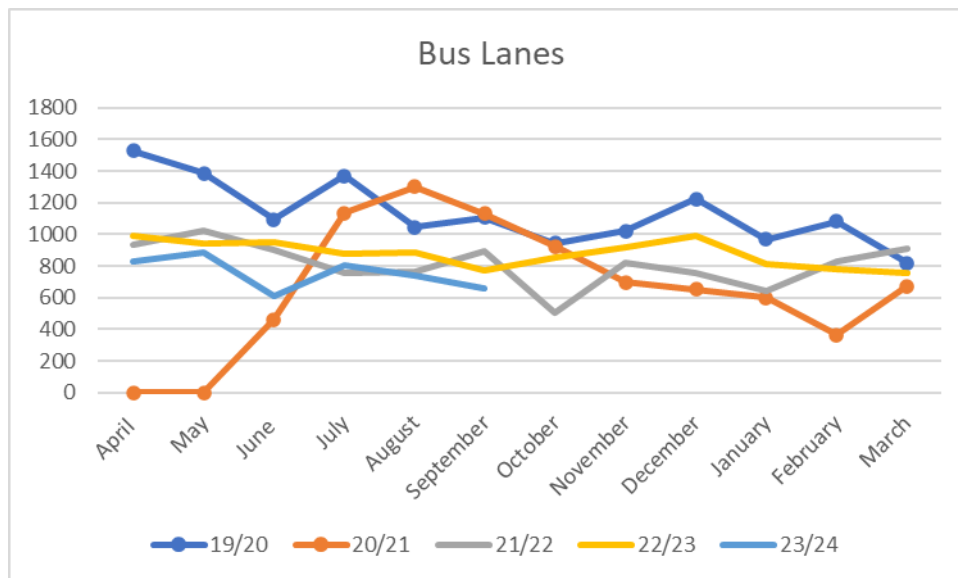


5.11 APCOA provided the cameras for this enforcement and process the back-office systems as in reviewing the CCTV footage and sending the PCNs.

Bus Lanes

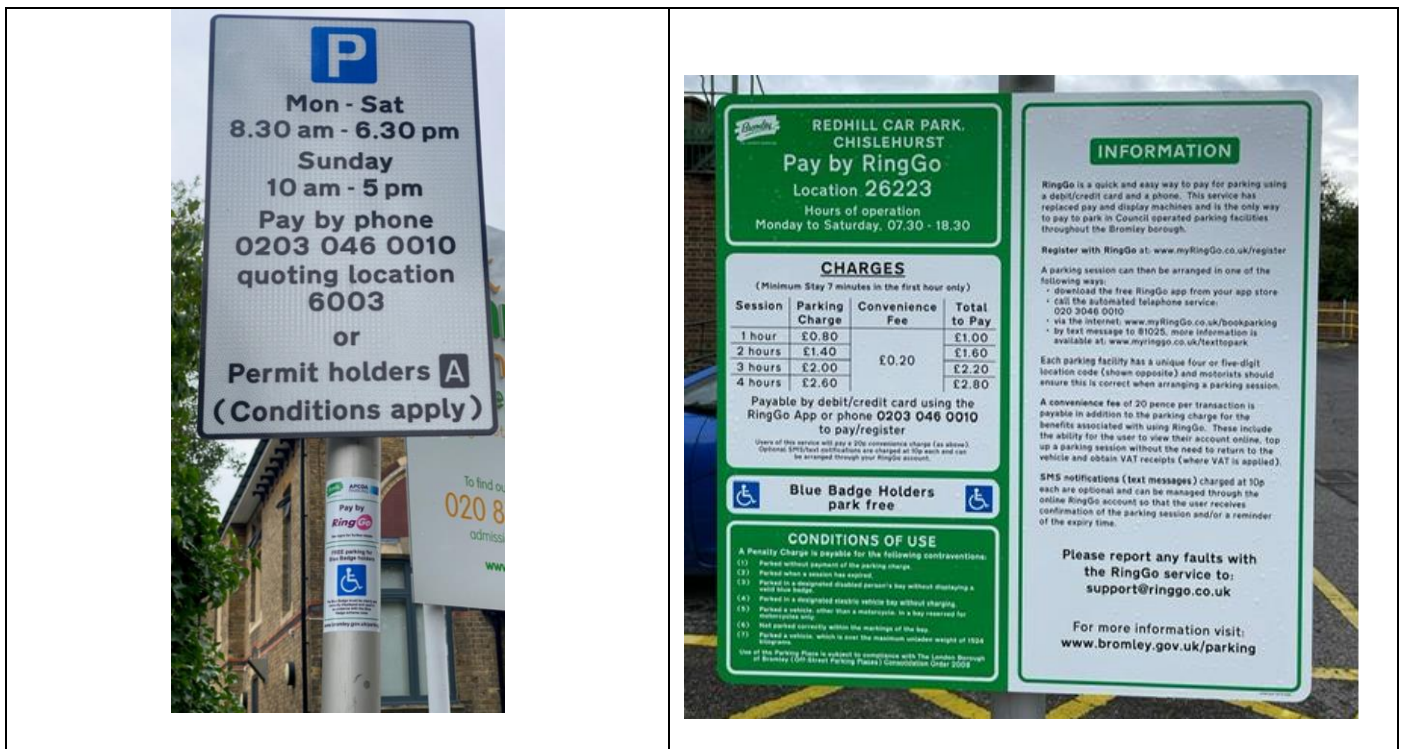
5.12 There are 9 Bus Lane cameras around the Borough, compliance of these cameras has improved over years, however on average there are still approximately 750 PCNs issued per month.

Bus Lanes	April	May	June	July	August	September	October	November	December	January	February	March	TOTAL
19/20	1528	1385	1095	1372	1047	1107	944	1022	1223	969	1082	818	13,592
20/21	0	0	462	1134	1300	1130	926	698	651	602	363	673	7,939
21/22	937	1020	901	757	762	898	504	822	753	646	826	914	9,740
22/23	995	945	953	876	885	776	857	915	993	809	779	757	10540
23/24	830	885	614	801	740	655							



6.0 Car Parks and Pay and display removal.

- 6.1 As per the PDS recommendation and subsequently Portfolio Holder decision made in November 2023, in April 23 Bromley Borough became a cashless only provider with the exception of the Civic Centre multi-storey car park.
- 6.2 APCOA was a key part in the physical operational aspect of this removal, APCOA had to liaise with our sub-contractor RingGo to ensure that there were additional signs installed at all locations as well as working with officers to change the design of the tariff boards. In total over 1000 signs were ordered and installed to help with this programme.
- 6.3 When it came to the physical removal of the machines, APCOA worked late into the night to ensure that all machines were bagged, and the signage was in place to minimise the confusion to the motorist on street.
- 6.4 Officers and APCOA listened to the feedback from motorists and organised for the additional notices to be placed on street, these notices highlighted that the bays were still free for disabled badge holders and that the cashless provider was RingGo.



6.5 APCOA are responsible for the cleaning and maintenance of all Council run car parks, monthly inspections are completed in all car parks to report any maintenance issues, however the CEOs patrolling the car park will highlight any major areas of concern.

7. Other APCOA initiatives

7.1 Although APCOA's main role is to enforce in the Borough, they have also approached the Council with a number of other parking initiatives to provide a benefit to both the Council and motorists in the Borough.

Lockers

7.2 APCOA have worked with officers to install a number of Amazon and In Post lockers in 17 car parks across the Borough, with demand for more wanted. The lockers provide a set guaranteed income for the Council as well providing a service to the public.

Car Washing

7.3 Officers have worked with APCOA to install three car washes within three car parks, officers will look at more potential locations in due course. Again, this an opportunity to provide a guaranteed income for the Council as well as providing a service to residents.

Remove Untaxed Vehicles

7.4 In September 2022, the Council started to work with APCOA and a sub-contractor, E.L.V. Solutions Ltd to remove untaxed vehicles in Bromley. The DVLA has recently allowed sub-contractors to work with Local Authorities to help them in enforcing those who may be avoiding paying car tax.

7.5. E.L.V. Solutions Ltd have a copy of the DVLA database sent to them weekly, from this they drive around the Borough once a week with an ANPR vehicle and will remove any vehicle that

fits the criteria. Once removed the keeper has an opportunity to pay for their road tax, mark the vehicle as sorn or if they refuse, the vehicle can be sold at auction.

7.6 Whilst this is not directly linked to Parking Enforcement, officers are keen to help get untaxed vehicles off the road. In many cases those vehicles that are not taxed long term are the same vehicles that are not insured or do not have a valid MOT.

Installation of Tesla Electric Charging Bays

7.7 APCOA approached the Council with a proposal to install a number of Tesla electric charging parking bays in the Civic Offices car park, this has now been processed and the work has started within the car park. This will help with the Council's electric vehicle charging strategy as well as provide a guaranteed income to the Council.

7.8 The bays will be available for all electric vehicles, not just Tesla vehicles.

Misuse of Disabled Badges

7.9 When a CEO sees a disabled badge whilst patrolling the Borough, they will check the badge against the Disabled Badge database to check that the badge has not been reported lost or stolen or that the owner is not deceased. If the check comes back that the badge should not still be in circulation, they will issue a PCN and inform the Council Officers of the PCN.

7.10 Once the Council are made aware of the case, they will review the evidence and will either send a warning letter to the badge holder or they will pass the details to the Greenwich fraud team to assist with the investigation, from there they will prepare a case to be heard at court.

7.11 CEOs do not confiscate badges anymore, if they check a badge and it has been reported as not in circulation, they will issue a PCN and pass the details over to the Fraud team to investigate. On average, over 1000 vehicles are checked each month and over 100 PCNs have been issued to those vehicles displaying a badge that should not be in circulation this year.

Offence Date	Offences that were prosecuted
2016	31
2017	73
2018	73
2019	83
2020	38
2021	41
2022	71
2023 Jan to April. +cases pending	22

7.12 Blue Badge misuse is a criminal offence which can lead to a £1,000 fine and confiscation of the badge.

FPN Processing

7.13 It has recently been agreed that APCOA will take on an additional service to help the Environmental Services team with the enforcement of fly tipping, dropping of litter and dog fouling. Officers are still in discussion operationally; however, this service is planned to start at the end of this year.

8. Key Performance Indicators

8.1 The contract is heavily monitored by monthly Key Performance Indicators (KPIs), the below table demonstrate the percentage of defaults against the contract annual value that have been applied per month against the contract.

	April	May	June	July	August	September	October	November	December	January	February	March
2017/18	30%	23%	4%	12%	7%	5%	4%	6%	7%	3%	5%	34%
2018/19	3%	2%	2%	3%	5%	3%	5%	3%	3%	3%	7%	4%
2019/20	4%	20%	4%	2%	2%	2%	4%	2%	2%	3%	3%	3%
2020/21	3%	3%	3%	1%	1%	1%	2%	1%	1%	1%	1%	1%
2021/22	1%	1%	1%	1%	1%	1%	1%	2%	3%	7%	3%	6%
2022/23	2%	2%	2%	2%	1%	1%	1%	1%	1%	1%	2%	1%
2023/24	1%	1%	2%	1%	2%	2%						

9. APCOAs Sustainability Report

9.1 APCOA have partnered with First Climate and have made a commitment across the Group to measure emissions, calculated in accordance with the Greenhouse Gas Protocol. APCOA will report their progress against their carbon reduction target to becoming a net zero company.

9.2 APCOAs sustainability report can be seen in Appendix one.

10. IMPACT ON VULNERABLE ADULTS AND CHILDREN

10.1 Minimal impact, however the APCOA are responsible for enforcement around all schools within the Borough as well as the School Crossing Patrol Officers, which is aimed to protect children as they go to and from school. The contract also includes the use of enforcement agents who will take into consideration vulnerable adults and children when they are enforcing.

11. TRANSFORMATION/POLICY IMPLICATIONS

11.1 Ongoing discussions with APCOA take place to discuss any transformation ideas that the service could deliver, as per the contract these would be at a 60:40 split to the Council for any changes that deliver a saving to the contract.

12. FINANCIAL IMPLICATIONS

The parking contract with APCOA Parking is for a fixed term of 10 years with a value of £2.2m pa. This contract is managed through the Shared Parking Service between LB Bromley and LB Bexley. Although both authorities entered into a contract with APCOA, the contracts are separate and distinct from each other. Neither authority is dependent on the other for the continuation of the contract, however a discount was provided for the award of both contracts. Executive approved the award to APCOA on the 30th November 2016 and the Contract commenced on the 3rd April 2017.

13. LEGAL IMPLICATIONS

- 13.1 The Council as an Enforcement Authority have the legal power under the Traffic Management Act 2004 to operate Civil Parking Enforcement and to enter into a services contract with the provider for the provision of the services as identified in this report and the contract.
- 13.2 As per the Traffic Management Act 2004, all CEOs must be employed by the authority, or a contractor procured by the Council. The CEOs must wear uniform and be clearly visible as a CEO, they should not exercise this function when not in uniform.
- 13.3 All CEOs must complete a 5-day training course to which they must pass before being able to issue a PCN on behalf of the authority. All CEOs will have an identification starting with BY followed by 2 numbers as well as carrying an ID pass.
- 13.4 The CEOs will serve the PCN onto the vehicle using the Council's approved stationary. All CEOs have Body Warn Video (BWV) which they will turn on when they are issuing a PCN or talking to a member of public.

14. PROCUREMENT IMPLICATIONS

- 14.1 The Contract Procedure Rules note - For all Contracts with a value higher than £500,000, or which are High Risk, an annual report must be submitted to the Portfolio Holder.

15. CARBON REDUCTION/SOCIAL VALUE IMPLICATIONS

- 15.1 APCOAs sustainability report for 2021-2022 can be found on appendix one.

16. IMPACT ON THE LOCAL ECONOMY

- 16.1 APCOA helps to support local business by ensuring that the parking facilities are available for the motorist that require them.

Non-Applicable Headings:	PERSONNEL IMPLICATIONS, PROPERTY IMPLICATIONS 13. IMPACT ON HEALTH AND WELLBEING WARD COUNCILLOR VIEWS
Background Documents: (Access via Contact Officer)	Parking Strategy https://www.bromley.gov.uk/downloads/file/1500/sd49b-parking-strategy-appendix-1 Increased CEO Issue details - ENVIRONMENT AND COMMUNITY SERVICES PORTFOLIO DRAFT BUDGET 2023/24 (bromley.gov.uk) Misuse of Blue Badge Report Report No (bromley.gov.uk) Electric Vehicle Policy Report No (bromley.gov.uk)