

EXECUTIVE DECISION RECORD
Officer

REF No:101.23

A1 Service Area	Communities and Open Spaces
A2 Title	Service Level Agreement between East Staffs Borough Council and Stoke on Trent City Council in relation to parking enforcement.
A3 Decision Taken By	Chief Officer and Deputy Leader
A4 Chief Officer	Please print name: Mark Rizk Please sign name: (Approval by email 08/02/2024)
A5 Leader / Deputy Leader consulted?	Please print name: Cllr D F Fletcher Please sign name: (Approval by email 08/02/2024)
A6 Date of Decision	9 th February 2024

Confidentiality

A7 Is this Decision confidential by containing exempt information as described in Schedule 12A of the Local Government Act 1972?	No
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Conflict of Interest

Are there any conflicts of interest to declare? No

Scrutiny/Audit

A8 Which Committee should this decision be submitted to? *(Please tick as appropriate)*

Scrutiny (Value for Money Council) Committee ✓

<p>B1 What is the Decision?</p>	<p>To extend the period of the Service Level Agreement between East Staffs Borough Council and Stoke on Trent City Council for a further period of 5 years.</p> <p>To continue providing the administration services in respect of parking enforcement functions listed in Schedule 1 (included) as well as through Stoke's information and communications technology system (Taranto).</p>
<p>B2 What are the reasons for the Decision?</p>	<p>The reason for the renewal of Stoke's support and Notice Processing is that the service forms part of the Staffordshire Partnership Group with other local authorities.</p> <p>Those local authorities including East Staffs have been in the partnership since 2007. They consist of Tamworth, Lichfield, Stafford Borough, Newcastle under Lyme, Cannock Chase and Staffordshire Moorlands and the knowledge base, support and experience we all bring to the partnership under Stoke's umbrella is invaluable.</p> <p>Stoke on Trent also perform the bailiff service connected to the notice processing. This is a competitive service with four companies who are KPI rewarded with the 'lions share' of the debt collection. Stoke's team of officers are purpose trained in the legal notice processing and follow appeals through from start to finish including taking the cases to the Traffic Penalty Tribunal.</p> <p>The alternative would be for the service to be delivered directly by ESBC, or to outsource to the private sector thus losing the notice processing service and support East Staffs has built up with Stoke and aforementioned partners.</p> <p>In addition, this would require considerable specialist recruitment and financial outlay. These specialist officers would require experience in representation to the appeals tribunal on behalf of the authority or rely on the Councils own legal team who may also require additional recruitment.</p> <p>There would also be additional set up costs with agencies involved in the appeals process such as the Traffic Penalty Tribunal and Patrol along with bailiffs.</p>

B3 What are the contributions to Corporate Priorities?	The provision of the Service Level Agreement supports one of the Council's Corporate priorities: Value for Money Council
B4 What are the Human Rights considerations?	There are no Human Rights issues arising from this decision.

Financial Implications

B5 What are the financial implications?	<p>Based on the budget available at £9,850 the threshold for PCN's for the first year would be 1,490 followed by 1,450 in year 2, 1,423 in year 3 with a ceiling of 1,313 in year 5 of the contract. These figures have only been exceeded twice in the last 7 years.</p> <p>A review of the CCE role in 24/25 may result in a dedicated parking team, which could increase these figures meaning a review of the budget.</p>
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Revenue	2022/23	2023/24	2024/25
Costs include PCN notices (fixed and variable) and SIM cards.	£9,850	£9,850	£9,850

Capital	2023/24	2024/25	2025/26
N/A			

The finance section has been approved by the following member of the Financial Management Unit:	<p>Please print name: James Hopwood</p> <p>Please sign name: (Approval by email 02/02/2024)</p>
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Policy Framework

B6 Is the Decision wholly in accordance with the Council's policy framework?	Yes
B6.1 If No, does it fall within the urgency provisions (Part 3 of the Constitution)?	N/A
B6.2 Has it got the appropriate approvals under those provisions?	N/A
B7 Is the Decision wholly in accordance with the Council's budget?	Yes
B7.1 If No, does it fall within the urgency provisions (Part 3 of the Constitution)?	N/A
B7.2 Has it got the appropriate approvals under those provisions?	N/A

Equalities Implications

B8 What are the Equalities implications:

B8.3 The subject of this decision is not a policy, strategy, function or service that is new or being revised. An equality impact assessment is not required.

Risk Assessment

B9 What are the Risk Assessment implications:

B9.1 Positive (Opportunities/Benefits):

- Stoke on Trent are responsible for the extensive appeals process and responsibility for the decisions rests with Stoke this creates separation and independency thus removing any ambiguities
- Stoke on Trent are responsible for the monitoring of the bailiff services used within the agreement therefore obtaining the best service possible
- Legal documentation and paperwork is prepared by Stoke as part of the agreement reducing the administrative and resource burden on ESBC
- ESBC have the benefit of being able to utilise the experience and expertise of a larger upper tier local authority, which operates a larger and more complex car parking operation

B9.2 Negative (Threats):

- To return the back office processes in-house would have considerable financial implications due to the extra specialist resources required. These would consist of additional officers experienced in the parking appeals processing, impact on legal services, setting up of recovery services (bailiffs) and extra resources for other services within the Council such as IT
- Loss of a readily contactable experienced and expert local authority on car parking

B9.3 The risks do not need to be entered in the Risk Register. Any financial implications to mitigate against these risks are considered above.

Legal Considerations

B10 What are the Legal Considerations:

B10.1 The main legal implications are:

The SLA commenced on 1st May 2019 for an initial period of 5 years ending on 31st March 2024.

By Clause 2.2, the term of the Agreement may be extended by mutual agreement for a further period of up to 5 years.

Any such agreement requires the signing of a Variation Agreement.

B10 What are the Legal Considerations:

This section has been approved by the following member of the Legal Team

Please print name: Glen McCusker – Locum Solicitor

Please sign name: (Approval by email 29/01/2024)

Sustainability Implications

B11 What are the Sustainability implications: N/A

B11.1 The proposal would not result in an overall positive effect in terms of sustainability (including climate change and change adaptation measures).

Health & Safety Implications

B12 What are the Health & Safety implications: N/A

B12.1 A Risk Assessment has not been carried out and entered into Safety Media for all significant hazards and risks because there are no significant hazards or risks arising from this decision.

Key Decision

B13 Is this a Key Decision? No

Note: A Key Executive Decision is one where:

- 1. REVENUE – Any contract or proposal with an annual payment or saving of more than £100,000**
- 2. CAPITAL – Any capital project with a value in excess of £150,000**
- 3. A decision which significantly affects communities living or working in an area comprising two or more wards.**

B13.1 If this is a Key Decision, is this an urgent decision such that a delay caused by use of the Call-in Procedure would seriously prejudice the public interest?

N/A

B13.2 If yes, has the Mayor or in his/her absence the Deputy Mayor or in his/her absence the Chair of the relevant Scrutiny Committee agreed that the decision will be exempt from Call-in?

N/A

NOTE: If this decision is subject to the Call-in Procedure it will come into force, and may then be implemented, on the expiry of 3 working days after publication – unless 10 Members of the Council call in the decision.

Please send the original signed document to
democratic.services@eaststaffsbc.gov.uk