

24 April 2014

Agenda Item:

REPORT OF SERVICE DIRECTOR, HIGHWAYS

CIVIL PARKING ENFORCEMENT: CONTRACT AWARD AND MANAGEMENT REVIEW

Purpose of the Report

1. Following an NCC invitation to tender in December 2013 for Parking Enforcement Services, NSL Ltd, APCOA Ltd and Vinci Park Services UK Ltd all submitted tenders that were eligible and subsequently assessed against the declared criteria.
2. The purpose of this report is to approve the Award of a contract for Parking Enforcement Services and delegate the approval of detailed changes to the current partnership management structure to the Group Manager Legal Services.

Information and Advice

3. Some information relating to this report is not for publication by virtue of Schedule 12A of the Local Government Act 1972. Having regard to the circumstances, on balance the public interest in disclosing the information does not outweigh the reason for exemption because it is commercially sensitive. The exempt information is set out in the Exempt Appendix.
4. Nottinghamshire County Council took responsibility for on-street parking enforcement in 2008 from the Police. The County Council has since delivered the service in partnership with the District and Borough Councils. This arrangement, termed the Notts Parking Partnership, uses a single contractor procured by the County Council to supply trained and equipped Civil Enforcement Officers (CEOs) throughout the county. The partnership also uses a single back office managed by NCC to process Penalty Charge Notices (PCNs), payments, challenges and appeals for all partners and also for neighbouring local authorities in Lincolnshire and Derbyshire. This ensures that all appeals are dealt with consistently across the county and realises significant economies of scale.
5. The supply of CEOs is a specialist service that is considered more suitably provided by a private sector supplier. In 2008, following a procurement process, Nottinghamshire County Council awarded the initial contract to NSL Services. A recent re-tendering exercise has been concluded and Members are asked to approve the award of the contract. The successful tenderer is detailed in Appendix A which is an exempt item.

6. The County Council opened a competitive procurement on 12th December 2013 conducted in accordance with the Open (Single Stage) Procedure under County Council Directive 2004/18/EC as implemented by the UK Public Contracts Regulations 2006. The tender return date was 24th January 2014 and three tenders were received on this date. An evaluation panel was assembled that comprised three officers from the County Council and three from the District/Borough partner Authorities. The scoring was moderated by a County Council senior officer and took place on 5 February 2014.
7. The evaluation process consisted of three stages. Firstly, the responses were reviewed to assess compliance with the tender process. Secondly the contract questionnaire responses were checked against the mandatory responses and the third stage consisted of assessment against the Award Criteria. The award is to the bid that represents the most economically advantageous tender rather than the lowest price alone and the basic criteria were 65% of the award on quality and 35% on price. Price was assessed against a number of items such as the price per hour for a deployed Enforcement Officer. The lowest price received 35% and the others a pro-rata percentage based on how far the other bids were from the cheapest price. The Quality assessment was completed via 5 Method Statements each with sub headings given individual weightings. The evaluation panel scored the sections individually and this was then collated and moderated at the meeting
8. The results of the scoring were as follows;

SECTION		COMPANY A	COMPANY B	COMPANY C
Company Questionnaire		Pass	pass	pass
Financial Score (out of 35%)		35%	32.3%	31.83%
Quality Score (out of 65%)		49%	37%	34%
Quality scores detail(Method Statement sub-headings)	Weight	Mark(out of 10)	Mark(out of 10)	Mark(out of 10)
1.1	7%	8	5	5
1.2	7%	5	5	5
1.3	7%	8	5	5
2.1	7%	8	5	5
2.2	7%	8	5	5
2.3	7%	8	8	5
3.1	7%	5	5	3
3.2	7%	8	5	5
3.3	7%	8	8	8
4.1	23%	8	5	5
5.1	7%	8	5	8

5.2	7%	8	8	5
TOTAL QUALITY/FINANCIAL		84%	69.3%	65.83%

9. As evidenced by this, Company A not only scored the highest in the price section but the panel was unilateral in awarding Company A the highest scores throughout the quality section. Consequently it is recommended that the contract Award to Company A is approved for the period May 2014-2019 with the possibility of a one year extension to May 2020.
10. This new specification was developed by the partner Authorities and has resulted in a refined service requirement which in turn has led to a cheaper core price for the forthcoming contract period. It is estimated that this will save the partner Authorities approximately £100K per annum on enforcement costs.
11. Enforcement across the county area is a challenge to deliver cost-effectively and the partnership has managed this efficiently to date with a single contractor. Enforcement within the county area is predominantly delivered with Enforcement Officers on foot and the partner Authorities use an operational process that recognises the traffic management needs of the administrative area. Grace periods have always been incorporated into this and as a matter of policy drivers are politely asked to move their vehicles if present when the Officer notes a contravention. The savings that the new contract will deliver will ensure that the Partnership continues to deliver this service efficiently, effectively and above all appropriately to the needs of the community.
12. The new contract will see the Enforcement Officers equipped with both GPRS enabled Handheld Computers (HHC) and personal video cameras. The HHC will transmit issued Penalty Charge Notices (PCNs) directly into the Notice Processing system rather than the current overnight upload. This will allow customers to be able to discuss the contravention immediately with the back office using the details on the rear of the PCN rather than having to wait until the next day as is currently necessary. This 'live' connection will also enable the development of immediately issued 'virtual' dispensations to exempt vehicles from enforcement where specific activities require vehicles to be parked on prohibitions and will allow permits and dispensations to be issued immediately by the Central Processing Unit (CPU) exempting the vehicle registered from enforcement. This will allow NCC to develop cost saving processes for issuing residents and visitor's permits. The video cameras are implemented by the contractor to help reduce the significant number of Health and Safety incidents reported by Enforcement Officers. Nationwide these have proved very successful at helping prevent assaults and if these do occur, the Police have access to objective evidence.
13. The current Notts Parking Partnership uses this single contractor and the CPU and each District/Borough has a local management responsibility. At the Notts Chief Executives Group meeting of 23rd August 2013, it was agreed to review the existing management function with a view to streamlining the management service via shared service arrangements. The District and Borough Councils are currently developing various proposals and it is evident that any acceptable change will require an amendment to the existing partnership agreement made

under S101 of the Local Government Act. It is expected that the service review will result in fewer local managers and this will impact upon the current financial responsibility. Central to any new agreement though will be an element of ensuring that those who manage the service bear financial responsibility as an absence of this is the aspect that has caused other two-tier arrangements across the country to breakdown. Members are therefore requested to delegate the detailed agreement on the new arrangements to the Group Manager Legal Services to complete in consultation with the Director for Highways.

Other Options Considered

14. The Civil Enforcement Officers could potentially be supplied in-house but this is a specialist supply of labour and in-house operations have been clearly shown to cost significantly more than a supplied service. The partners only pay for deployed hours under the existing contract which ensures staffing costs are minimised and are used as efficiently as possible. With regard to the partnership, it is evident that with reduced resources available, service management could be improved with fewer front-end managers working collaboratively. This in turn would reduce the resource requirements overall which would create further savings.

Reason/s for Recommendation/s

15. The new contract and changes to the existing management procedures require approval.

Statutory and Policy Implications

15. This report has been compiled after consideration of implications in respect of crime and disorder, finance, human resources, human rights, the NHS Constitution (Public Health only), the public sector equality duty, safeguarding of children and vulnerable adults, service users, sustainability and the environment and ways of working and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Implications for Service Users

16. A financially efficient enforcement service effectively allows for a more relaxed enforcement including advising and educating motorists when possible. The addition of new GPRS handheld devices will allow NCC to provide an instant permit/dispensation system to applicants.

Financial Implications

17. As indicated, enforcement costs are expected to be reduced with savings of up to £100,000 pa at current levels of contravention

RECOMMENDATION/S

1. It is recommended that the award of the Enforcement Contract to Company A be approved
2. It is recommended that the Group Manager Legal Services and the Director Highways have delegated approval to conclude negotiations over new partnership agreements with the District and Borough Councils.

Andrew Warrington
Service Director (Highways)

For any enquiries about this report please contact:
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Constitutional Comments (SHB 32.03.2014)

18. Committee have power to approve the Recommendation.

Financial Comments (TMR 34.03.2014)

19. The financial implications are set out in paragraph 17.

Background Papers and Published Documents

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

Electoral Division(s) and Member(s) Affected

All

