

London Borough of Enfield

Portfolio Report

Report of: Cllr Guney Dogan

Subject: Award of Parking and Traffic Enforcement Contract For September 2020 – September 2026

Cabinet Member: Cllr Guney Dogan

Director: Doug Wilkinson

Wards: All

Key Decision: 5063

Purpose of Report

1. The purpose of this report is to seek approval for the awarding of the new Parking and Traffic Enforcement Contract.
2. The report sets out the details of the tendering exercise carried out for the renewal of the contract for parking and traffic enforcement activities within the borough.

Proposal

It is recommended that:

3. Approval is given by the Cabinet Member for Environment for the successful tender submitted be accepted and the respective contract awarded to NSL (Marston Holding Limited) for a six-year period with the option to extend up to a further four years subject to authority.
4. Authorisation is given to the Head of Parking Services to instruct and work together with Legal Services to prepare and complete the contract together with any supplementary contractual documentation.
5. Authorisation is given for all operational aspects of the contract to be delegated to the Head of Parking Services in consultation with the Director for Environment and Operational Services and the Cabinet Member for Environment.

Reason for Proposal

6. The award of the contract to NSL (Marston) has been proposed following the procurement and evaluation process. The evaluation has taken into account a wide range of factors including the ability to meet the contract conditions and specification, previous experience and performance and value for money to the Council.

Relevance to the Council Plan

7. Good homes in well-connected neighbourhoods

The enforcement of traffic and parking is essential in having neighbourhoods that connect both places to live and work within the borough

8. Sustain strong and healthy communities

Parking and traffic enforcement are necessary to form part of a wider need to help with healthy communities in the safe management of traffic.

9. Build our local economy to create a thriving place

The contractors should, where possible, employ local people. They should also be encouraged to take part in the local job fairs and advertise positions locally.

Background

10. The Council currently uses the services of NSL (part of Marston Holdings Limited), to carry out a range of parking and traffic enforcement functions and related services. The Service has been outsourced since July 1994, when on and off-street parking enforcement was transferred from the Police to London local authorities as a result of the Road Traffic Act 1991.
11. The existing contract with NSL Ltd which started on 4th July 2010 expired on 3 July 2020 after a six-year term, with the original four-year contract being extended for an additional four years.
12. Council Officers are responsible for managing and co-ordinating the activities of the contractor, carrying out the adjudication and enforcement agent debt recovery operations and dealing with financial management, and auditing/reconciliation functions relating to all parking and traffic enforcement activities within the borough including initial appeals to CCTV Penalty Charge Notices (PCNs).
13. The Council enforces a range of bus lane and moving traffic contraventions using unattended CCTV cameras and a small number of cameras controlled by the monitoring centre based at Claverings. Parking

contraventions are also enforced by Civil Enforcement Officers and the use of specialised CCTV vehicles provided and operated by staff of NSL Ltd.

14. The new contract contains specifications for services includes the following areas:

- On-street enforcement (all yellow lines, parking bays, disabled parking bays, Controlled Parking Zones (CPZs), bus stops, school entrance markings, pedestrian crossings, footway crossovers, double parked vehicles, footway parking, overnight lorry ban);
- Off-street car park enforcement (e.g. pay and display);
- Vehicle removals and car pound management;
- Processing of Civil Enforcement Officers (CEOS) and CCTV generated PCNs (both from static cameras and those captured by a mobile CCTV vehicle);
- Taking and banking of PCN payments and removal/clamping release fees;
- Issuing and taking payments for CPZ permits and scratchcards, dispensations, business permits, car park and lorry park season tickets.
- Head -cameras for all Civil Enforcement Officers.
- Mobile vehicle with CCTV capturing equipment
- Scanning and indexing
- The processing of moving traffic contraventions
- Cashless parking (after the current cashless contract expires in February 2021(The provision of Independent Audits
- The provision of GPRS communications
- The provision of an equipment maintenance I.T. System Module
- The provision of Environmental Enforcement

15. The procurement of the new contract has been subject to a competitive tendering exercise with open adverts placed in the Official Journal of the European Union (OJEU) on 20th December 2019. The Council received 31 expressions of interest of which only one bid was received. 8 suppliers opted out and there were a further 22 suppliers who did not respond.

16. Parking Services went back to the suppliers who had expressed an interest to ascertain their reasons for not bidding for the tender. Only one supplier, Conduent Parking Enforcement Solutions Ltd, responded by saying that *the specification did not align to their service delivery model*.

17. No further explanation or clarification was received from Conduent Parking Enforcement Solutions Limited or any other company for not bidding.

18. The contract pricing schedule will show the costs to be charged to the Authority for the provision of the specified parking and traffic enforcement services and will be split into two elements to be paid:

Fixed costs

This will be a reoccurring fixed payment which will include the provision of accommodation, management, Supervision and Head Office services, the IT systems and equipment, Civil Enforcement Officer working hours, notice processing, Removals, Parking Shop and Pound services

Variable price

The variable element of pricing schedule will be dependent on the number of items used or purchased. This will include the amount of notice processing (processing of statutory documents, payments and permits) and any extra hours worked by Civil Enforcement Officers carrying out extra enforcement as required by the Council.

19. This means that the total annual cost of the contract may vary from year to year depending upon the range of fluctuating levels of service.
20. A panel assessed the tender submissions and supporting documentation. The contractors' tender proposals have been evaluated and tested for compliance by the scoring of the tender and bid documentation in accordance with the requirements set out in the method statements.
21. The overall bidder scores were as follows:

Company	Quality Score (60%)	Price Score (40%)	Total Score
Marston Holdings	35.8%	40%	75.8%

Main Considerations for the Council

22. NSL method statements met the requirements of the contract specification and policies and demonstrate a clear understanding of how the Council wish to operate and manage parking and traffic enforcement. There is a strong commitment to pro-active partnership working with the Council, to community engagement, to service improvement and to staff development, all of which is evidenced with examples and case studies throughout the submission. The company has submitted detailed and workable enforcement plans with comprehensive performance monitoring and reporting arrangements, all of which are to a high standard.
23. NSL Ltd (part of Martson Holdings Limited) are the incumbent Service Provider and the current market leader which includes large London contracts with similar service scope. They have a track record of providing parking and traffic enforcement services for the Borough and the submission demonstrates their extensive knowledge of the Borough's enforcement requirements. The enforcement plans are comprehensive and well-thought out and will provide the Council with the level of

enforcement required, as well as remaining flexible to cope with future changes such as the introduction of further CPZs.

24. As the incumbent service provider, mobilisation of the new contract will be more straightforward than if we had awarded to a different supplier. Detailed mobilisation plans have been submitted which include high levels of both initial and on-going support from NSL Head Office and IT resources. NSL has demonstrated that it can deliver the service required by the specification in all areas, and that the services can be delivered to the high standards required.

Safeguarding Implications

25. There are no safeguarding issues with regards to the award of the Parking and Traffic enforcement contract.

Public Health Implications

26. Transport is a major determinant of health and controlling parking is part of this. Inconsiderate parking can prevent others from conducting their daily business, blight the landscape and create areas of danger for pedestrians and cyclists. Parking enforcement is therefore a necessary and important function.

Equalities Impact of the Proposal

27. Corporate advice has been sought in regard to equalities and an agreement has been reached that, on this occasion, an equalities impact assessment is not necessary.

Environmental and Climate Change Considerations

28. The new contract and service provision will adhere to industry best practice on sustainability and waste arising from parking and traffic enforcement will be recycled and re-used in the borough whenever possible. For example: bio-degradable Penalty Charge Notice envelopes for attaching to motor vehicles.

29. In the new contract the whole of the vehicle fleet will transition to being electrically powered (apart from vehicle removal lorry). This is in line with the Council following best practice to reduce our air pollution emissions.

30. There is an opportunity to support the take up of electric vehicles using the contractors permit system and tariff structure. These will have a beneficial impact on carbon emissions

Risks that may arise if the proposed decision and related work is not taken

31. The Council has a statutory duty to manage its road network to secure the expeditious movement of traffic, as set out in the Traffic Management Act 2004. This duty reinforces the requirement set out in the Road Traffic Regulation Act 1984 for the Council to use its traffic regulation powers, as far as practicable, to secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians) and the provision of suitable and adequate parking facilities on and off the highway.
32. Enforcement of parking controls and traffic restrictions plays a key role in enabling the Council to meet these statutory duties. In addition, effective enforcement also contributes to other Council objectives, including improved highway safety, supporting business (e.g. by ensuring the turnover of parking in town centres) and making it easier for residents to park via the enforcement of various permit parking schemes.
33. The current Covid-19 outbreak has meant that enforcement of traffic and parking restrictions has reduced significantly. However, not having a parking contract would mean that the enforcement of parking and traffic restrictions and the running of the vehicle and lorry park could not take place. This would lead to traffic and parking violations and problems, such as dangerous parking after the outbreak has receded.

Risks that may arise if the proposed decision is taken and actions that will be taken to manage these risks

34. **Risk:** The successful bidder, NSL - Marston Holdings Limited, do not deliver the quality of service required

Mitigation: The tender included clearly defined Key Performance Indicators against which the supplier's performance will be measured against. Any contract will include termination clauses under which the Council would be able terminate this contract for unsatisfactory performance.
35. The report has also been seen by the Risk Management Team who did not have any concerns with the contents of this report.

Financial Implications

36. This information is provided in Part 1 Confidential Appendix of the report.

Legal Implications

37. This information is provided in Part 1 Confidential Appendix of the report.

Workforce Implications

38. As NSL (part of Marston) are the incumbent provider, TUPE will not apply.

Property Implications

39. None. The Contractor would continue to use their current operational base at Green Lanes and operate the Council's vehicle pound based at Crown Road EN1.

Other Implications

40. The Third Party supplier will need to complete and maintain its security, hosting and information governance standards to Enfield's policies.
41. ICT will attend supplier meetings to ensure ICT elements of provision are maintained and to enable supplier to be aware of Enfield's ICT changes.
42. ICT Service are now accessing the suppliers software via Enfield Council devices and this needs to be validated as secure and maintaining integrity of Enfield's PSN and PCI compliance.
43. ICT service catalogue to be updated so that the service desk is equipped to triage support calls appropriately within current resources.

Options Considered

44. To deliver a comprehensive parking and traffic enforcement service of the type required by the council is a major undertaking which requires resources other than staff such as specialist types of vehicles equipped with ANPR (Automatic Number Plate Recognition) and mobile CCTV; stock of materials, such as signs, uniform, body worn video, etc; specialist IT software and systems for the provision of permit, virtual pay and display and back office IT services and training.
45. The main service providers have multiple contracts which enable them to transfer skilled staff to other contracts and strong purchasing power and agreements with specialist sub-contractors. There is also the need for specialist training and IT solutions. External contractors benefit from economies of scale in all of these areas and this is a benefit for the council, they also have the ability to be flexible and increase and decrease service provision. These services have been outsourced since the council took over Decriminalised parking powers from the Police in 1994.
46. There are no known frameworks for the provision of parking enforcement services. Some related services such as IT, permit services and pay by phone services are available

Conclusions

47. It is recommended that the approval is given by the Cabinet Member for Environment for the successful tender submitted be accepted and the respective contract awarded to NSL - Marston Holding Limited for a six-

year period with the option to extend up to a further four years subject to authority.

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Appendices

Appendix 1 - Part 2 report [Confidential]

Background Papers

The following documents have been relied on in the preparation of this report:

None