

*The minutes of this meeting were amended at the meeting of 7 December 2022. Please view the minutes of that meeting to see the amendment made.



Norfolk County Council & District Councils Norfolk Parking Partnership Joint Committee

Minutes of the Meeting Held on Wednesday, 07 September 2022
at 2pm in the Council Chamber, County Hall

Voting Members Present: Cllr

Martin Wilby (Chair)

Cllr Brian Long

Cllr Richard Elliott

*Cllr Graham Plant

Norfolk County Council

Borough Council of King's Lynn and West

Norfolk South Norfolk District Council

*Great Yarmouth Borough Council

Non-Voting Members Present

Cllr Mike Stonard

Cllr Jon Emsell

Norwich City Council

Broadland District Council

Officers Present:

Ralph Burton

Martin Chisholm

Michele Earp

Ian Gregory

Kat Hulatt

Lorraine Houghton

Lynda McElligott

Karl Rands

Breckland District Council

Borough Council of King's Lynn and West Norfolk

South Norfolk District Council

Better Parking Strategy Manager, Norfolk County Council

Head of Legal Services, Norfolk County Council

Great Yarmouth Borough Council

North Norfolk District Council

Assistant Director of Highway Services, Norfolk County Council

1. Apologies for absence

- 1.1 Apologies were received from Cllr Jo Copplestone (Cllr Jon Emsell substituting), Cllr Eric Seward, Miranda Lee, officer from Great Yarmouth Borough Council, (Lorraine Houghton substituting), Rebekka Roberts and Joanne Deverick, officers from Norwich City Council, and David Disney, officer from South Norfolk District Council, (Michele Earp substituting).

1a. Election of Vice-Chair for meeting

- 1a.a When the meeting opened the Vice-Chairman was not present, therefore a Vice-Chair was elected for the meeting. The Chair nominated Cllr Brian Long. Cllr Brian Long was duly elected to act as Vice-Chair for the meeting.

2. Minutes

- 2.1 The minutes of the meetings held on 14 July 2022 were **AGREED** as an accurate record subject to the addition of election of Vice-Chair, which had been omitted due to a transcribing error.

3. Declarations of Interests

- 3.1 No interests were declared.

4. Items of Urgent Business

4.1 No urgent business was discussed.

5. Finance Update

5.1.1 The Joint Committee received the report summarising the operational performance and financial outturns for the 2021-22 financial year.

5.1.2 The Better Parking Strategy Manager introduced the report to the Joint Committee:

- The appendices to the report showed an actual outturn surplus of £180,415 for Norfolk Parking Partnership and outturn surplus for Norwich City Council of £50,226 for 2021-22. These outcomes supported the forecast outturns presented at the last meeting of the Joint Committee in July 2022.
- The Better Parking Strategy Manager thanked district council colleagues for their support throughout the year.
- Section 4.3 of the report showed the outturn related to penalty charge notices (PCNs). The outturn from 2020-21 and year on year difference had been included in this section to provide a comparison. Income from PCNs was at 85% of the 2019-20 level.
- Parking activity had been suppressed over the past years and had not yet reached full recovery.

5.2 Cllr Graham Plant arrived at 14:05

5.3 The following points were discussed and noted:

- The Chair thanked staff for their work and in particular noted the positive work of the blue badge investigator.
- The Better Parking Strategy Manager also discussed the work of the blue badge investigator; the action taken had been well reported this year, including a recent report on the work of the blue badge investigator in the Eastern Daily Press. Fifty-five blue badges were seized for inappropriate use or misuse, and from this some badges were able to be returned to the badge holder. The blue badge investigator supported other enforcement officers by providing training and had worked with Disabled Motoring UK to develop a system of providing warnings for 6-12 months before moving on to enforcement. A comms plan would be put in place to support their work.
- The Better Parking Strategy Manager discussed that money had been put into the budget for the coming year to cover maintenance, signing and lining. This had not been funded much in recent years and if not maintained this could lead to people appealing against enforcement and fines being overturned.
- Cllr Brian Long declared an interest as a blue badge holder; he spoke about the investigation and enforcement work being carried out in this area which was valuable. He queried why blue badges were required to be displayed face down. Martin Chisholm confirmed that this was to protect the identity of individuals while they were away from their car as the front of the badge showed their photo and other private information. An investigator could ask to see the badge as part of their enforcement work, but the expiry date of the badge was shown on the reverse side.
- Cllr Plant also thanked officers for their work on enforcement and asked about net surplus available to spend per annum which was xxx to be allocated in accordance with the formula. The Better Parking Strategy Manager clarified that the information regarding this was not yet available to report on but would be included in the December 2022 report to the Joint Committee.

- Cllr Richard Elliott noted the 40% increase seen in PCNs and asked for more information on this. The Better Parking Strategy Manager clarified that there was disparity between the increase in numbers of PCNs and income from them, related to the lifespan of the contraventions; for example, if a higher number of people paid at an earlier period at a discount, this would result in a lower income. Martin Chisholm noted that this year, PCN revenue was slightly lower than last year due to the high level of “staycations” seen in 2020-21 which had resulted in a high level of illegal parking and attracted higher rate PCNs.

5.3 The Joint Committee **AGREED**:

1. the positive financial performance and surplus outturns of both the NPP (Norfolk Parking Partnership) and NC (Norwich City) CPE (Civil Parking Enforcement) year-end accounts.
2. the positive NPP and NC operational performance over the last 12-month reporting period.
3. the positive work undertaken and achievements made by the Blue Badge Investigator over the last 12-month reporting period.
4. the introduction of sign and line maintenance contributions to both the NPP and NC 2022/23 Business Plans

5. **Norfolk Parking Partnership Governance Arrangements**

5.1.1 The Joint Committee received the report setting out a review of the Terms of Reference for the Joint Committee following some queries raised by Members of the Joint Committee.

5.1.2 The Head of Legal Services introduced the report to the Joint Committee:

- There had been issues raised regarding the provision around Chairing of the committee as set out in the original terms of reference, which stated that only the Norfolk County Council Member or their substitute could chair the meeting.
- The terms of reference had been reviewed to ensure they were fit for purpose. Some suggestions had been received from members of the joint committee and changes put forward for agreement.
- Voting rights of Members was queried; Hulatt had not addressed this, as this would be dealt with in the terms of the legal agreement.

5.2 The following points were discussed and noted:

- Cllr Graham Plant noted that the terms of reference did not clarify that substitutes for voting members had voting rights and asked for this to be added. The Head of Legal Services agreed to add this clarification into the terms of reference at paragraph 1.2.
- Cllr Brian Long felt the proposed revisions were positive and agreed with the proposal put forward by Cllr Plant.
- Cllr Graham Plant also proposed a clarification be added to the terms of reference making clear that substitute Members also need to be members of the respective Council’s executive/Cabinet.

5.2 The Joint Committee:

1. **Considered** the Terms of Reference with track changes at Annex A of the report
2. **AGREED** the Terms of Reference with the following additions:
 - Including clarification that substitutes attending meetings in the place of voting Members have voting rights
 - Providing clarification that substitutes should be Members of the respective Council’s Executive

The meeting concluded at 14:30.

Chairman



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Schedule 1

Norfolk Parking Partnership Joint Committee

Terms of Reference

1 Membership

- 1.1 The Joint Committee shall consist of one executive member from each Council, appointed by the executive of the respective Council.
- 1.2 Each Council shall appoint a named substitute member. Substitute members will also be executive members of the appointing Council and will have the same voting rights as the Committee Member.
- 1.3 The County Council will name up to 4 substitute members to ensure that the Committee can go ahead.
- 1.4 A member shall cease to be a member of the Joint Committee on ceasing to be an executive member of the appointing Council, but otherwise shall hold office at the discretion of the executive of the appointing Council.
- 1.5 A quorum shall be two executive members. One of which must be a member of the County Council
- 1.6 The Chairman of the Joint Committee shall be the member for the County Council. In his or her absence the County Council named substitute members may take the Chair.
- 1.7 In exceptional circumstances the meeting may go ahead without a County Council member where the County Council Chairman of the Committee has agreed in writing that the meeting should go ahead in their absence.
- 1.8 The Joint Committee may invite or allow other District Councils in

Norfolk to attend meetings where appropriate to understand the enforcement being or to be carried out in their respective administrative areas and to hear their representations from time to time. However this shall be a right of representation only and confers no voting rights on those District Councils unless and until such time as they themselves become a party to this Agreement. Furthermore, the Councils may ask those District Councils to leave the meeting when any confidential or commercially (or otherwise) sensitive information is to be discussed.

2 Voting Rights

- 2.1 Any matter will be decided by a simple majority of those members voting.
- 2.2 If there are equal numbers of votes for and against, the chairman will have a second and casting vote.
- 2.3 There shall be no restriction on how the chairman chooses to exercise their casting vote.
- 2.4 Any decision as to funding or the budget to be taken from time to time shall be solely for the County Council.

3 Roles and Responsibilities

- 3.1 To carry out through the Councils the functions as laid down in the legal Agreement for the Joint Provision of Civil Parking Enforcement Services and the Functions currently in force.
- 3.2 Agree annually a set of targets as contemplated in and permitted by the Operational Guidance in relation to the Functions and shall review performance against such targets. This will include adopting key performance measures for use by the Councils to enable best value and best practice to be achieved.

- 3.3 Adopt general policies, strategies and guidance for the introduction and on-going operation of CPE in Norfolk including producing a handbook for use by the Civil Enforcement Officers.
- 3.4 Adopt key performance measures for use by the Councils to enable best value and best practice to be achieved through target setting and benchmarking.
- 3.5 Assist in policies and produce guidance or representations to feed back to the County Council for the implementation of:-
 - (i) Residents' Parking Schemes (within the Residents' Parking Zone Policy);
 - (ii) On-street pay and display and related charges.
- 3.6 Set Parking Charge Notice Levels to be applied across the Area in accordance with best practice.
- 3.7 Where deemed appropriate, respond to consultations relevant to CPE and make representations to government departments and others in respect of CPE issues.
- 3.8 Receive and consider performance and financial reports concerning CPE.
- 3.9 To assist the Councils in the efficient management of the Functions.
- 3.10 To evaluate and monitor the Business Plan.
- 3.11 To report the activities of The Norfolk Parking Partnership to their respective Councils.

- 3.12 To appoint internal Audit.
- 3.13 To approve its financial regulations.
- 3.14 To appoint support service advisors and to seek the advice, expertise and assistance of officers from the Councils as they may consider appropriate from time to time.
- 3.15 To design and implement internal controls and risk management systems.
- 3.16 To keep under review the effectiveness of its internal controls and risk management systems.
- 3.17 The Joint Committee and the Councils shall provide the County Council with all information reasonably required to enable it to fulfil its obligations as Traffic Authority including, but not limited to making available in so far as is reasonable, its most appropriate officer(s) for personal interview

4 Conduct of Members

- 4.1 The appointing Councils shall be responsible for the conduct of their respective Members of the Joint Committee.

5 Scrutiny Arrangements

- 5.1 Each Council will undertake its own scrutiny role, as appropriate.

6 Urgent Matters

- 6.1 Where matters of an urgent nature arise a meeting of the Joint Committee shall be called, subject to the Chairman's agreement.

7 Legal Agreement

- 7.1 These Terms of Reference shall be read in conjunction with the Agreement for the Joint Provision of Civil Parking Enforcement Services currently in force within which these Terms of Reference are incorporated.