

**Public  
Key Decision - Yes**

## **HUNTINGDONSHIRE DISTRICT COUNCIL**

**Title:** Parking: Agency Agreement for Civil Parking Enforcement in Huntingdonshire

**Meeting/Date:** Cabinet 17<sup>th</sup> March 2022

**Executive Portfolio:** Operations and Environment

**Report by:** Head of Operations

**Ward(s) affected:** All

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### **Executive Summary:**

The report proposes the adoption of the draft Agency Agreement to allow the progression of the decriminalisation of on-street parking offences in Huntingdonshire.

As at HDC, the draft Agency Agreement is being circulated to a wider audience at CCC for comment in line with the authorities' routes for approval and delegated powers.

This draft agreement will enable officers of both authorities to move forwards in the works to implement Civil Parking Enforcement. As the District are funding the implementation which includes the rectification of on-street issues due to lapsed CCC maintenance, having in place an agreement is a key step to ensure that HDC are not committing to spend without an agreement that is satisfactory to the District.

### **Recommended**

That the Cabinet endorse the contents of the Agency Agreement proposed, subject to the final amendments being presented following the undertaken of the review by County Council Officers & Councillors required as part of CCC endorsement.

## **1. Purpose of the report**

- 1.1. This report presents the draft Agency Agreement between Huntingdonshire District Council(HDC) and Cambridgeshire County Council(CCC) required for HDC to undertake the enforcement of on-street offences once parking within the district boundary has been decriminalised.
- 1.2. To present the status of the Implementation of CPE project (Appendix 3)

## **2. Background**

- 2.1. In 2021, Scrutiny & Cabinet endorsed the recommendations to:
  - Update the Off-Street Parking Strategy 2018-2023 to enable the progression Decriminalisation of Parking in Huntingdonshire
  - Approve the two-year project 'Decriminalisation of Parking' in Huntingdonshire to be started from 1st April 2021 utilising the budget provision already made for the project with associated revenue implications.
  - Authorise Officers to seek an agency agreement with the Highways Authority, Cambridgeshire County Council, in line with recommendations (a) and (b) above.
- 2.2. Following endorsement by CCC at their Highways & Transport Committee September 2021, officers of both authorities have established a working group, with Huntingdonshire leading the drafting of the Agency Agreement between the two authorities.
- 2.3. The draft Agency Agreement is presented today.
- 2.4. HDC started a project to implement CPE in May 2021, the status of this project is green – on-schedule as set out in Appendix 3.

## **3. Analysis**

- 3.1. The draft agreement attached:
  - Sets out an agreement for a 5-year initial period.
  - That CCC will be responsible for the ongoing signs & lines highways maintenance following implementation.
  - Includes a termination clause should CCC terminate which would require CCC to pay back to HDC the total investment made by HDC in the CPE process less 20% per year of complete operation (considered investment complete over the agreements initial 5-year term).
  - That HDC retain any enforcement surplus for a period of 5 years should it occur, which legally can be ringfenced and used to offset future deficit.
  - Confirms clearly (appendix 2) the responsibilities of both CCC & HDC.

- Conforms with the original approval given by Cabinet to proceed and the documents presented at that time.

3.2. Whilst CCC have been involved in the draft process, the draft document is now with CCC for circulation (as with HDC) to an audience wider than the working group. Whilst we have had questions to clarify, we have not received any objections. This document is working through officers and the relevant political channels. CCC will need to clarify the position to be added to the document should HDC wish to terminate the agreement early (section 4.4 of the agreement).

3.3. The draft agreement attached has been reviewed by 3C Legal. No areas of concern have been raised. A check will be undertaken of the final agreement by 3C Legal.

#### **4. Comments of Overview & Scrutiny**

4.1. The comments of the relevant Overview & Scrutiny will be included in this section prior to its consideration by Cabinet.

#### **5. Risks**

5.1. The project is being managed by officers at HDC in accordance with the Councils project management framework and the established project board. The project status is green with the project being on track with work progressing. A live risk register is in place with risk and mitigation identified. The project has a review booked in for April.

5.2. The Council has not committed spend to review all on-street signs and lines, or the associated remedial works to rectify at this time. This is part of the risk management approach to ensure that we are not committing spend (which historically would have been borne by CCC) until we have in place a satisfactory Agency Agreement.

#### **6. Link to the Corporate Plan**

6.1. The introduction of CPE in Huntingdonshire will support the Council's Vision:

To support a safe and healthy environment, deliver economic growth, provide value for money services and create opportunities for the people of Huntingdonshire.

6.2. CPE supports the delivery of Place objectives.

We want to make Huntingdonshire a better place to work, invest specifically:

Create, protect and enhance our safe and clean built and green environment, and;

6.3. Support development of infrastructure (transport) to enable growth.

## **7. Consultation**

7.1. The Agency Agreement draft has been developed by the working group of officers of both HDC & CCC.

7.2. This draft is now subject to wider circulation at both authorities.

## **8. Legal Implications**

8.1. This draft document has been reviewed by 3C Legal and no concerns raised. The final document which will include CCC termination clause and may include other amendments will be reviewed by 3C Legal prior to adoption & signing.

8.2. On-street enforcement is governed by the Traffic Management Act and associated stator guidance. This means that matters such as:

- enforcement policies are governed by statute with the lead authority being the Highway Authority.
- that Penalty Charge Notice (PCN) level is confirmed by the Highway Authority based on statutory levels set.

## **9. Reason for the recommended decisions**

9.1. The Council must have in place an Agency Agreement to undertake on-street enforcement on behalf of the County Council.

9.2. The draft Agency Agreement conforms to the original approval for the CPE project given in 2021.

## **10. List of appendices**

Appendix 1	Draft CPE Agency Agreement
Appendix 2	Draft CPE Agency Agreement Schedule 2
Appendix 3	Cabinet CPE Update Feb 2022

## **11. Background Papers**

[Cabinet 11<sup>th</sup> Feb 2021 – Item 56 Civil Parking Enforcement](#)

## **12. Contact Officers**

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