

Crawley Borough Council

Report to Cabinet 16 March 2022

WSSC and Crawley Borough Council Agency Agreement in relation to Civil Parking Enforcement

Report of the Head of Community Services – *HCS/39*

1. Purpose

- 1.1. To approve the necessary delegations that allow for the renewal of the West Sussex County Council (WSSC) and Crawley Borough Council Agency Agreement in relation to Civil Parking Enforcement (CPE).

2. Recommendation

- 2.1. The Cabinet is recommended to:
 - a) Approve in principle the negotiation and securement of the continuation of the Agency Agreement between West Sussex County Council and Crawley Borough Council in relation to Civil Parking Enforcement (CPE) for a further 3 years from April 2022 to April 2025.
 - b) Delegate the completion of all negotiations and relevant legal documentation to the Head of Community Services in consultation with the Head of Legal, Governance and HR, and appropriate Cabinet Member.

3. Reasons for the Recommendation

- 3.1. To enable the continuation of on-street parking enforcement to be carried out by Crawley Borough Council on behalf on West Sussex County Council within the borough.
- 3.2. Failure to renew the agency agreement would mean that the Council would be unable to carry out civil enforcement on behalf of WSSC in Crawley.

4. Background

- 4.1. West Sussex County Council and Crawley Borough Council have operated an agency agreement in relation Civil Parking Enforcement since 2017. The agreement is a delegated function agreement which discharges statutory Civil Parking Enforcement responsibilities to Crawley Borough Council.
- 4.2. The current 5 year agency agreement expires on 31 March 2022, and West Sussex County Council propose to extend this agreement for a further three years.

- 4.3. West Sussex County Council operates similar agency agreements with all the Districts and Boroughs in the County covering the joint on and off street parking enforcement service.
- 4.4. West Sussex County Council have circulated a copy of the draft agency agreement which has been reviewed by officers within Community Services and Legal Services.
- 4.5. There are no fundamental changes to the current agency agreement and ensures a continuation of the service based on the current model of operation.
- 4.6. There are some operational changes to the agency agreement – primarily around formalising initiatives that have been implemented over the last contract period – such as carrying out line and signs remedial work. These are not considered to be unreasonable changes
- 4.7. There are no significant changes to the method of reporting to West Sussex County Council with quarterly income reconciliation across all Districts and Boroughs being based on a model that has been used by Crawley Borough Council.
- 4.8. The new agency agreement also formalises the requirements for quarterly performance data returns. All the data is available from the Chipside system. This is not considered to be an unreasonable change and will ensure that a more effective and efficient service operates for all parties.
- 4.9. The agency agreement renewal maintains the 12 month notice period for both parties should either wish to terminate the agreement. This is reduced to 3 months in the event of a material contract breach.

5. Description of Issue to be Resolved

- 5.1. The current agreement is due to expire on 31st March 2022. The decision to authorise the extension ensures there is no gap between the agreements which would result in a disruption to on-street parking enforcement and contributions to employee costs to deliver the service.

6. Information & Analysis Supporting Recommendation

- 6.1. The recommendation to continue this agreement is to ensure a cohesive approach to Civil Parking Enforcement across the borough and to ensure Crawley Borough Council has strategic input into the delivery of Civil Parking Enforcement including Controlled Parking Zones.

7. Implications

- 7.1. Financial Implications - West Sussex County Council have committed to make an annual contribution to the Civil Parking Enforcement (CPE) account of £100,000 to Crawley Borough Council to contribute towards the costs associated with the discharge of the CPE functions set out in the agreement. West Sussex County Council have also committed to make an annual contribution to the Controlled Parking Zone (CPZ) management account of £70,000 to Crawley Borough Council to contribute towards the costs associated with CPZ Management.
- 7.2. The agreement between Crawley Borough Council and West Sussex County Council is cost-neutral and any additional expenditure associated with carrying out the functions within the agreement are reimbursed to Crawley Borough Council in full.

7.3. Legal Implications – Failure to renew the agreement would prevent CBC from carrying out civil enforcement on behalf of WSCC.

8. Background Papers

8.1. None.

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