

EXECUTIVE DECISION

made by a Cabinet Member




REPORT OF ACTION TAKEN UNDER DELEGATED AUTHORITY BY AN INDIVIDUAL CABINET MEMBER

Executive Decision Reference Number – DL09 22/23

Decision	
1	Title of decision: TC/15016 – Enforcement Agent Services - Lot 3 – Parking Services - To vary the existing contract via CCR 2016
2	Decision maker (Cabinet member name and portfolio title): Councillor Mark Shayer (Deputy Leader and Cabinet Member for Finance and Economy) (in the absence of Councillor Jonathan Drear, Cabinet Member for Transport)
3	Report author and contact details: Zoe Anning zoe.anning@plymouth.gov.uk
4	Decision to be taken: To approve the variation to the Enforcement Agent Services - Lot 3 – Parking Services contract as detailed in the Contract Award report.
5	Reasons for decision: This Contract provides a law enforcement agency who are responsible for the enforcement of the laws on behalf of the Council. This Contract incorporates the following collection of debts: - Lot 1 - Council Tax and Business Rates Lot 2 - Sundry and Housing Benefit overpayment debts, commercial rents Lot 3 - Parking Services <u>This Executive Decision is for Lot 3 – Parking Services only</u>
6	Alternative options considered and rejected: No alternative options considered, continuation of this service is required and cannot lapse.
7	Financial implications and risks: Fundamental risk if the Enforcement Agent Services - Lot 3 – Parking Services contract expires is there being no debt recovery relating to unpaid parking and bus lane penalty charge notices. Effective debt recovery enhances the credibility of deterrence and forms a vital element of the parking and traffic enforcement process. The use of enforcement agents for recovery of parking debt is well established and there are no alternative methods available under Traffic Management Act. When a Penalty Charge Notice is not paid the debt is registered as a warrant with the Courts and referred to enforcement agents for recovery. The Council receives the face value of the ticket and there are no costs to us, the agent adds their fees to the amount paid by the debtor. The fees paid by the debtor are fixed in law.

8	Is the decision a Key Decision? (please contact Democratic Support for further advice)	Yes	No	Per the Constitution, a key decision is one which:
			x	in the case of capital projects and contract awards, results in a new commitment to spend and/or save in excess of £3million in total
			x	in the case of revenue projects when the decision involves entering into new commitments and/or making new savings in excess of £1million
			x	is significant in terms of its effect on communities living or working in an area comprising two or more wards in the area of the local authority.
	If yes, date of publication of the notice in the Forward Plan of Key Decisions			
9	Please specify how this decision is linked to the Council's corporate plan/Plymouth Plan and/or the policy framework and/or the revenue/capital budget:	The Council will use the Enforcement Agent Services - Lot 3 – Parking Services contract to help maximise the parking debt recovered which is built within our revenue income budget. Penalty Charge Notice income recovered provides an important proportion of the funding which enables local authorities to provide vital services. The efficient collection of debt allows local authorities to consistently make this broad range of services available to the wider community.		
10	Please specify any direct environmental implications of the decision (carbon impact)	Enforcing bus lane regulation and parking restrictions; improves bus reliability / frequency which in turn allows those without access to a car to be able to access work, shops, family and friends. Encourages motorists to switch their mode of transport from car to bus. This contributes to reducing pollution which in turn improves resident's health and allows blue disabled badge holders to access vital services. It also assists in making pavements safer for those with visual impairments and wheelchair users.		
Urgent decisions				
11	Is the decision urgent and to be implemented immediately in the interests of the Council or the public?	Yes		(If yes, please contact Democratic Support (democraticsupport@plymouth.gov.uk) for advice)
		No	x	(If no, go to section 13a)
12a	Reason for urgency:			

I2b	Scrutiny Chair Signature:		Date	
	Scrutiny Committee name:			
	Print Name:			
Consultation				
I3a	Are any other Cabinet members' portfolios affected by the decision?	Yes		
		No	x	(If no go to section I4)
I3b	Which other Cabinet member's portfolio is affected by the decision?			
I3c	Date Cabinet member consulted			
I4	Has any Cabinet member declared a conflict of interest in relation to the decision?	Yes		If yes, please discuss with the Monitoring Officer
		No	x	
I5	Which Corporate Management Team member has been consulted?	Name	Philip Robinson	
		Job title	Service Director for Street Services	
		Date consulted	15/03/2023	
Sign-off				
I6	Sign off codes from the relevant departments consulted:	Democratic Support (mandatory)	DS125 22/23	
		Finance (mandatory)	pl.22.23.425.	
		Legal (mandatory)	MS/00001339/16.03.23.	
		Human Resources (if applicable)		
		Corporate property (if applicable)		
		Procurement (if applicable)	KK/PS/673/ED/032	
Appendices				
I7	Ref.	Title of appendix		
	A	Contract Award Report Part I		
	B	Equalities Impact Assessment		

Confidential/exempt information							
18a	Do you need to include any confidential/exempt information?	Yes	x	If yes, prepare a second, confidential ('Part II') briefing report and indicate why it is not for publication by virtue of Part I of Schedule 12A of the Local Government Act 1972 by ticking the relevant box in 18b below. (Keep as much information as possible in the briefing report that will be in the public domain)			
		No					
		Exemption Paragraph Number					
		1	2	3	4	5	6
18b	Confidential/exempt briefing report title: Contract Award Report Part 2			x			
Background Papers							
19	Please list all unpublished, background papers relevant to the decision in the table below. Background papers are <u>unpublished</u> works, relied on to a material extent in preparing the report, which disclose facts or matters on which the report or an important part of the work is based. If some/all of the information is confidential, you must indicate why it is not for publication by virtue of Part I of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.						
Title of background paper(s)		Exemption Paragraph Number					
		1	2	3	4	5	6
Cabinet Member Signature							
20	I agree the decision and confirm that it is not contrary to the Council's policy and budget framework, Corporate Plan or Budget. In taking this decision I have given due regard to the Council's duty to promote equality of opportunity, eliminate unlawful discrimination and promote good relations between people who share protected characteristics under the Equalities Act and those who do not. For further details please see the EIA attached.						
Signature				Date of decision		22 March 2023	
Print Name		Councillor Mark Shayer					