

		AGENDA ITEM 5
		PSEG/01/16
Committee:	Place Services and Economic Growth Scrutiny Committee	
Date:	21 January 2016	
<div>ESSEX PARKING PARTNERSHIPS (Minute 8/ March2015)</div>		
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Introduction

The following terms of reference have been developed for this scrutiny review taking into account the need to co-incide with the timing of critical decisions on the longer term operation of the Essex Parking Partnerships:

‘To scrutinise the proposals arising from the Executive review of the North Essex (NEPP) and South Essex (SEPP) Parking Partnerships prior to a decision being reached on the future of those Partnerships.’

Background

In June 2014 the Committee considered a scrutiny review to consider if the original objectives of the Parking Partnerships are being delivered, and what lessons have been learned to inform more effective partnership working in the future? However, in view of other priorities the review was not included in the Committee’s work programme at that time.

In the meantime an Executive review is now underway on their future operation as part of the formal arrangements that established the two Essex Parking Partnerships. The review is required under the terms of the Joint Committees Agreements. The purpose of that particular review is to understand partner councils’ views on the partnership approach, the overall structure and operation of the NEPP and SEPP, and the way forward.

In March 2015 (Minute 8) the Cabinet Member for Highways Delivery indicated he would consult the Committee upon the proposals that arise from the review, and Members have indicated that they wish to have a briefing upon the Partnerships and to be able to comment upon any proposals that arise from that review.

At that time the Committee was advised that in April 2011, following a review and options appraisal by Essex County Council (ECC), two Parking Partnerships - representing North and South Essex - were established through a formal Joint Committee agreement (JCA) for a period of 7 years (taking the partnerships to 31 March 2018), with a possible extension for a further 4 years (to 31 March 2021).

The JCA states that a decision to extend or terminate at that point needs to be taken by either the Joint Committee or "the Council" (ECC) not less than 15 months before the end of the operational period. Therefore, ECC and the two Parking Partnerships need to have clarity on the way forward by December 2016.

The two Parking Partnerships brought together all parking matters into a single point of contact for six districts in each partnership area of North and South Essex.

The Committee was advised that an initial review of operational good practice and financial management had been commissioned by the Cabinet Member to assess whether the original objectives had been met. The findings indicated that:

- Partnership members felt decision making was much more effective, localised and less controlled from ECC, and indicate a commitment to maintaining the current arrangements.
- Both partnerships display characteristics of good partnership working, and have maintained and improved local service delivery.
- Together, at officer level, the two partnerships work well together and have an open approach sharing information and piloting new initiatives.
- The financial objective for the partners has been achieved i.e. both partnerships have generated a surplus by year 3 of operation Expenditure down by 17% across both partnerships.
- Deficit of £740k as at the time of deciding to adopt a partnership mode of delivery has been converted into a surplus of £1.164m when comparing 2009/10 to 2013/14.
- Both Partnerships now delivering an annual surplus.

A full executive review has been commissioned and is underway as required under the terms of the JCA, with recommendations being developed by March 2016.

Proposal

A scoping document has been drawn up for this review in consultation with the Committee and is attached at the Appendix to this report. It sets out the framework for reviewing the proposals arising from the Executive review, which will be undertaken in two stages:

1. As a first step representatives from the Parking Partnerships and the Cabinet Member for Highways Delivery have been invited to attend this meeting to provide a briefing and answer questions to foster a better understanding of the legal status of the NEPP and SEPP, organisational structure and current

operations, and the purpose of the Executive Review. The onus will be upon the Committee to use the briefing as a means for identifying the pertinent key lines of enquiry necessary for consideration of the proposals that will emerge in due course from the Executive Review.

The initial key lines of enquiry that have been forwarded to contributors for the briefing are set out below:

What is purpose of the Parking Partnerships (PPs), and the original background as to why were they set up?

How were the PPs set up?

- What are the legal ramifications of the agreements that have been entered into by the districts, and why was that approach chosen in particular?
- What authority does each PP as a whole have, and what authority do individual councils have as members of a PP?
- What is the role and authority of each Joint Committee, are they the same?
- What forms of activity do the agreements cover, and how is the mixture of statutory responsibilities managed? eg TROs, residents parking, off street parking
- What are the governance arrangements?
- Under the existing arrangements, what are the responsibilities of a district council under the agreement, and if a council wished to withdraw how could that be achieved? If a council withdrew, how could services be delivered if no longer a member of a PP?
- How can a PP be dissolved? What are the consequences?

Finance

- What are the financial arrangements?
- How are budgets formulated and approved?

Organisation

- What is the organisational structure of the PPs? Joint Committee, officer support.
- Are the PPs set up the same? ie NEPP and SEPP
- How are they managed?

Work Programme

- How are policies and procedures approved?
- How is a PP's work programme produced, and how do district councils influence that programme?

Transparency

- What information on the PPs is in the public domain? Joint Committees, websites

Executive Review

- What is the purpose of the review, and who is responsible for the review?
- What is the process guiding the review?
- Who will take the final decisions?

2. The next stage of the scrutiny review will take place on 24 March when the Committee will scrutinise the proposals from the Executive review before reaching its own conclusions in order to influence final outcomes in relation to the future of the Partnerships.

While the Committee has been briefed on the Essex Parking Partnerships in the past, some Members have continued to voice various local concerns and it is apparent that in general there remains a lack of uncertainty about the management and operation of the Joint Committees. Aside from the importance of the topic itself and given the short timeframe available to scrutinise the outcomes of the Executive Review, this particular review provides scope for Members to reflect on how working together as a team they might deliver effective challenge and shape outcomes when operating as a full scrutiny committee. A facilitator will work with the Committee to shape its own approach to the planning and conduct of scrutiny projects as well as the difficulties associated with handling contentious topics where strong individual opinions may already exist.

Action required by the Committee:

At this meeting the onus is upon the Committee to ensure that from the briefing it has sufficient information and understanding of the Essex Parking Partnerships and the purpose of the Executive Review to be able to scrutinise the proposals that will arise from that Review in due course.

While the Committee has been consulted on the content of the draft scoping document, its formal endorsement of the document is now sought.

<p style="text-align: center;">Essex County Council Overview and Scrutiny Committee Review Scoping Document</p>
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Review Topic (Name of review)	Parking Partnerships
Committee	Place Services and Economic Growth Scrutiny Committee
Terms of Reference	To scrutinise the proposals arising from the Executive review of the North Essex (NEPP) and South Essex (SEPP) Parking Partnerships prior to a decision being reached on the future of those Partnerships.
Lead Member, and membership of Task and Finish Group	Committee Chairman Councillor Simon Walsh
Key Officers / Departments	ECC Cabinet Member Chairmen and Managers of the NEPP and SEPP Liz Burr, Head of Network and Safety, Essex Highways
Lead Scrutiny Officer	Christine Sharland, Scrutiny Officer
Relevant Portfolio Holder(s)	Councillor Johnson, Cabinet Member for Highways Delivery
Relevant Corporate Links	While the County Council is the Highways Authority in Essex, a review of the Parking Partnerships entails the scrutiny of two external bodies that have been established by legal agreements signed by all parties.

<p>Type of Review</p>	<p>It is proposed that the scrutiny review will be conducted by the full Committee.</p> <p>Aside from the topic itself, this particular review provides scope for Members to learn together as a team how to deliver effective challenge and shape outcomes when operating as a full scrutiny committee. A facilitator has been employed to assist the Committee to challenge its own approach to the planning and conduct of scrutiny projects as well as the difficulties associated with handling of contentious topics where strong individual opinions may already exist.</p> <p>It is proposed that the representatives from the Parking Partnerships and the Cabinet Member for Highways Delivery will be invited to attend the Committee meeting on 21 January 2016 to provide a briefing and answer questions to foster a better understanding of the legal status of the NEPP and SEPP, organisational structure and current operations, and the purpose of the executive review. The onus will be upon the Committee to use the briefing as a means for identifying the pertinent key lines of enquiry necessary for cross examining the proposals that emerge from the executive review.</p> <p>The next stage of the review will take place on 24 March when the Committee will scrutinise the proposals from the Executive review before reaching its own conclusions in order to influence final outcomes in relation to the future of the Partnerships.</p>
<p>Timescales</p>	<p>January –March 2016 (NB second date relies upon the receipt of findings of the Executive Review of the Partnerships)</p>
<p>Rationale for the Review</p>	<p>In June 2014 the Committee considered a scrutiny review to consider if the original objectives of the Parking Partnerships are being delivered, and what lessons have been learned to inform more effective partnership working in the future? However, in view of other priorities the review was not included in the Committee’s work programme.</p> <p>In the meantime an executive review is underway on their future operation as part of the arrangements that established the two Essex Parking Partnerships. The review is required under the terms of the Joint Committees Agreements. The purpose of that particular review is to understand partner councils’ views on the partnership approach, the overall structure and operation of the NEPP and SEPP, and the way forward.</p> <p>In March 2015 (Minute 8) the Cabinet Member for Highways Delivery indicated he would consult the Committee upon the proposals that arise from the review, and Members have indicated that they wish to have a briefing upon the Partnerships and to be able to comment upon any proposals that arise from that review.</p>

<p>Scope of the Topic</p>	<p><u>Included</u> The following is included in the scope of the review:</p> <ul style="list-style-type: none"> • By necessity the focus of the scrutiny review will be upon the proposals arising from the executive review. • More factual background on the Partnerships to ensure that the Committee has a proper understanding of the way that the Partnerships were set up, and their operation. <p><u>Excluded</u> The following matters will falls outside the scope of this particular time limited review:</p> <ul style="list-style-type: none"> • General operational matters that fall outside the parameters of executive review.
<p>Key Lines of Enquiry</p>	<p>As the Committee has a limited window of opportunity to consider the Executive review, the planning and co-ordination of the scrutiny review will play a crucial role in what Members can achieve as a team. It will be necessary to identify beforehand to contributors the key lines of enquiry, and for Members to plan and co-ordinate questions in advance to ensure that within the timeline available they obtain the key information required to be able to fulfil the review's terms of reference, and inform the conclusions and recommendations reached through scrutiny.</p> <p>An independent facilitator will assist the Committee in a planning session prior to and after the briefing, as well as reflecting upon the evidence it obtains.</p> <p>While the initial key of lines of enquiry for the briefing are identified in this scoping document, that session will play a key role in drawing together an evidence base for scrutiny of the proposals arising from the Executive review. Contributors from the Partnerships will be invited to provide a presentation and then be cross examined by the Committee. Although a review of the Parking Partnerships could cover a broad range of related issues, it is important that the time is used to focus is upon the purpose of the Executive review if the Committee is to influence its outcomes.</p> <p>The County Council established the Parking Partnerships through formal legal agreements between Essex Borough, City and District Councils.</p> <ol style="list-style-type: none"> 1. What were the original objectives for setting up the Parking Partnerships? 2. How have the Parking Partnerships been formally set up including the governance arrangements? What is the role of the Joint Committees? What are the legal and financial realities?

	<p>3. How are the Parking Partnerships intended to operate, and how do they differ in practice? What lessons of good practice have been learned and inter alia what is not working well?</p> <p>4. What is the purpose of the Executive review?</p> <p>For a more detailed list of questions, please see appendix.</p>
Other Work Being Undertaken	<p>In the past two years individual scrutiny reviews have been concluded by Braintree District Council (March 2015) and Colchester Borough Council (December 2013/ February 2014).</p> <p>Executive review on future of Partnerships underway</p>
What primary / new evidence is needed for the scrutiny?	<p>Two Parking Partnership Joint Committee Agreements</p> <p>Agenda and Minutes of the Joint Committees are published on the Parking Partnership website, together with policies and procedures, Annual Reports etc see https://www.parkingpartnership.org/</p> <p>Relevant legislation that has impact upon operation of Partnerships</p>
What secondary / existing information will be needed?	<p>Colchester and Braintree Scrutiny reviews of NEPP</p>
What briefings and site visits will be relevant to the review?	<p>Briefing to full Committee on 21 January 2016</p> <p>Members may also wish to observe NEPP and SEPP Joint Committee meetings: NEPP – 17 December (Harlow) and 10 March 2016 (Uttlesford) SEPP – 10 December 2015 and 10 March 2016</p>
Who are the witnesses who should be invited to provide evidence for the review?	<p>Representatives from NEPP and SEPP ECC Cabinet Member</p>

Implications	<p>In terms of topic, have the following matters been taken into consideration in the planning of this review:</p> <p>Legal implicationsYes/ no) Financial implicationsYes/ no) Committee needs to take into Equality and diversity issues..... Yes/ no) account in January Other critical implications.....</p>
What resources are required for this review?	Two Committee meetings, and officer support
Indicators of Success	That any conclusions and recommendations are based upon sound evidence and consideration, and influence positively the outcomes of the Executive review.
Notes	
Provisional Timetable	21 January and 24 March 2016

Note:

Activity on 21 January will be planned around the proposed briefing (Cabinet Member, Officers, and NEPP& SEPP Reps) with aim of identifying key lines of enquiry based on information extracted for considering next stage. The second session will be to scrutinise Executive review proposals and reach conclusions on day. This approach provides opportunity for Committee to team build with greater number of members, challenging assumptions approach, and hopefully contribute to overall improvement in review dynamics. It is also sort of situation that arises more frequently where Members need to focus to get better results, rather than get caught up in parochial matters.

Use contrast between outcomes achieved from planned approach of Braintree review, to the unplanned approach of Colchester review

Appendix

Scrutiny of the Parking Partnerships: Key lines of enquiry and questions for briefing

What is purpose of the PPs, and the original background as to why were they set up?

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