

EAST HERTS COUNCIL

EXECUTIVE – 23 JULY 2013

REPORT BY EXECUTIVE MEMBER FOR ECONOMIC DEVELOPMENT

VEHICLE REMOVALS

WARD(S) AFFECTED: ALL

Purpose/Summary of Report

- To present a re-appraisal of the cost/benefits of the proposed implementation of vehicle removals for persistent penalty charge notice evasion.

<u>RECOMMENDATIONS FOR EXECUTIVE: That:</u>	
(A)	the revised cost/benefit be noted, and
(B)	the recommendation of Officers to discontinue the project be endorsed.

1.0 Background

1.1 The removal of vehicles on a limited basis was agreed by East Herts Members under the Medium Term Financial Planning proposals in 2011/12. Growth to the parking enforcement base budget of £20,000 was approved in 2012/13 as part of the MTFP process.

1.2 When letting its current enforcement contract in 2011, East Herts Council invited tenderers to propose how a vehicle removals service might operate in East Herts. The successful bidder, NSL, submitted a proposal based on the Council leasing a removals vehicle on an occasional basis together with use of an existing car pound in Edmonton.

- 1.3 The progression of this project was held back until 2013/14 to ensure that the new enforcement contract was fully implemented and functioning efficiently and effectively.
- 1.4 Environment Scrutiny received a report on 13 November 2012 outlining the policy for the operation of vehicle removals to be implemented in East Herts. This was recommended to Executive on 4 December 2012.

2.0 Report

2.1 Statutory Guidance issued by the Secretary of State for Transport emphasises the traffic management purposes of Civil Parking Enforcement. In respect of vehicle removals the following extracts from Statutory Guidance are particularly pertinent:

- “Where an authority has to immobilise or remove a vehicle outside London, the charges **must** accord with guidelines set by the Secretary of State....The charges should be set no higher than required to meet the reasonable costs of the immobilisation/removals procedure. They should not generate a surplus.” (Paragraph 23).
- “An enforcement authority should formulate and publish clear deadlines for Civil Enforcement Officers on when it will be appropriate to immobilise or remove. The guidelines should cover the order of priority in which vehicles should be dealt with, based on the nature of the contravention.” (Paragraph 52).
- “When parked in contravention, a persistent evader’s vehicle should be subject to the strongest possible enforcement...This is likely to involve immobilisation or removal.” (Paragraph 66).

2.2 The appointed enforcement contractor, NSL, submitted a proposal based on the Council leasing a removals vehicle on an occasional basis together with use of an existing car pound in Edmonton. The cost to East Herts Council would be approximately £440 a day for the vehicle with the provision of five storage spaces at NSL’s pound costing approximately £35 a day. It was anticipated that the vehicle would be available on an on call basis, such that when a persistent evader’s vehicle was observed in contravention the vehicle could be notified and removal of the vehicle be progressed.

- 2.3 When assessing the practicalities of the project it was identified that the Council would have to specify a single day for the removal vehicle to be available in the district. This added a conditional factor that a persistent evader would have to be observed in contravention on the day the vehicle was in the district. There is a low probability that this would occur due to the numbers of persistent evaders being relatively low given the effective enforcement and notice processing in place. The Council would therefore have the cost of a vehicle on standby on the off chance that a persistent evader was observed in contravention on that day.
- 2.4 Parking Services have sought to engage with alternative suppliers of vehicle removal services to implement the desired 'on-call' response. However, given the low volumes these suppliers did not see how a viable operation could be put in place and would not progress a quotation.
- 2.5 Given the low probability of the circumstances required to enable a vehicle removal to be successfully enacted officers recommend that the Council does not progress the vehicle removal project any further at this time and that the £20,000 funding is taken out of the Council's Medium Term Financial Plan.
- 3.0 Implications/Consultations
- 3.1 Information on any corporate issues and consultation associated with this report can be found within **Essential Reference Paper 'A'**.

Background Papers

Vehicle Removals report to Environment Scrutiny 13th November 2012
<http://online.eastherts.gov.uk/moderngov/ieListDocuments.aspx?CId=154&MId=1758&Ver=4>

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