

# PADSTOW TOWN COUNCIL

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1 March 2023

**TO: MEMBERS OF THE HIGHWAYS, ROADS AND TRANSPORT COMMITTEE**  
Councillors K Freeman (Chairman), P Curgenvan, R Higman, J O'Keefe, A N Rees,  
M Rickard and vacancy

Dear Member

All Members of the Committee are hereby summoned to attend a meeting of the **HIGHWAYS, ROADS AND TRANSPORT COMMITTEE** in the **Council Chamber, Council Offices, Station House, Padstow** on **Tuesday 7 March 2023 at 7.00 pm** for the purpose of considering and resolving upon the business to be transacted as set out hereunder.

Yours faithfully

*Kathy Pemberton*

Kathy Pemberton  
Town Clerk

## Agenda Press & Public are invited to attend

1. To receive **apologies for absence**
2. **To receive announcements (if any):** For information only
3. To receive **declarations of interest** relating to items on the agenda in accordance with Padstow Town Council's code of conduct.
4. **Public Participation:** to receive submissions from members of the public relating to items on the agenda, in accordance with the Council's code of conduct & standing orders.
5. **To agree the minutes** of the meeting held on **Tuesday 17 January 2023** (pg's 1-2)
6. **Committee Works i) Update:** for information only; and **ii) Programme:** To (pg 3) note and update/amend, as necessary.
7. **Off-Street Parking Service Level Agreement (2023/24) and 2022/23** (pg's 4-9) **Update:** To consider report and discuss and decided on way forward.
8. **Date of next meeting:** TBC

**PADSTOW TOWN COUNCIL**

**Minutes of the Highways, Roads and Transport Committee meeting held on Tuesday 17 January 2023 at the at the Council Offices, Station House, Station Road, Padstow at 7.15 pm**

**Present:** Councillors K Freeman (Chairman), J O'Keefe, A N Rees and M Rickard

**In Attendance:** Mrs K Pemberton (Town Clerk and Minute Taker)

- HRT2022/19**      **i) Apologies for absence** were received from Councillors P Curgenvan and R Higman. **ii) Announcements** The Chairman advised that Cornwall Council were looking to review their car park charges and changing to "zones", the zones will classify car parks depending on the areas they are located and what they are used for. This will likely see parking charges increase at Link Road. The Town Clerk also advised that she had yet to hear from Cornwall Council in respect of any future works Cornwall Council may have planned in respect of lining works and broken fencing at Link Road Car Park.
- HRT2022/20**      **Declarations of Interest:** There were no declarations of interest.
- HRT2022/21**      **Public Participation:** There was no public participation.
- HRT2022/22**      **Minutes: RESOLVED** that the minutes of the meeting held on **Tuesday 18 October 2022** be signed as a true record of the meeting.
- HRT2022/23**      **Committee Works i) Update:** was noted for information. In response to a query, the Town Clerk advised that the Dock Works were completed quicker than anticipated. Furthermore, the contractor had applied a good will discount to the invoice. This was appreciated by the Committee.
- ii) Programme:** was noted for information. Committee was happy with the new report layout. The Chairman added that he had noticed the No Cycling signs had faded. The Town Clerk would ask the Council Foreperson to inspect and replace as necessary.
- HRT2022/24**      **Railway Car Park – Relining:** Committee noted the report and were happy with the areas suggested for improvement for quotations to be sought. No other areas to add however, due to the wear and tear on the car park query was raised whether a harder wearing liner was available.
- RESOLVED** to delegate to the Town Clerk in consultation with the Committee Chairman to appoint the contractor to undertake relining works in the Railway Car Park following receipt of quotations.

**HRT2022/25**

**Policy Review:** Agenda report was noted. Committee considered that no major changes were required to the Annual Parking Permit Policy [Season Ticket] and that the option to have two registrations on a parking permit and the option to purchase more than one parking permit was sufficient in respect of the one concern raised by a tenant/permit holder. Committee was also happy that the number to sell remain at 15.

In respect of the Free Parking Policy no changes be made at this time, to leave "as is" but review later in the year to see if there is any impact or changes required in respect of the use of the Core Building. It was felt that the RNLI request each year not be dealt with under this Policy, instead be via "ad hoc" permits [these are handed out for anyone visiting the office or undertaking any work on Council's behalf for a short time on the day in question].

**RESOLVED TO RECOMMEND TO COUNCIL** that i) the Annual Parking Permit Policy [Season Ticket] be amended to remove "without designated parking" from the eligibility criteria, the maximum number of tickets to sell remain at 15 and when the Car Park Order is being updated that Season Tickets be amended to align with the current policy at that time; and ii) the Free Parking Policy remain "as is" but the Highways, Roads and Transport Committee review later in the year.

**HRT2022/26**

**Date of Next Meeting: RESOLVED** that the date of the next meeting be changed to Tuesday 7 March 2023 at 6.30 pm before the Leisure, Tourism and Open Spaces Committee.

Meeting closed at 7.42 pm

## HIGHWAYS, ROADS AND TRANSPORT COMMITTEE 7 March 2023

### COMMITTEE WORK UPDATES: FOR INFORMATION ONLY

- **Car Park Relining:** Quotations have been sought. Decision delegated to Town Clerk in consultation with the Committee Chairman. Further update at the meeting.

### WORK PROGRAMME: TO NOTE, UPDATE/AMEND AS NECESSARY

DRAFT AGENDA ITEM TITLE	ITEM DETAIL (if necessary)	PROGRESS UPDATE (if any)
Car Park Relining	To give consideration to areas to be redone in the Railway Car Park	Discussed at last meeting 17 January 2023, update as above.
<b>MEETING DATE: 7 MARCH 2023 – AGENDA DESPATCH: 1 MARCH 2023</b>		
2023/24 Car Park Enforcement SLA and 2022/23 Update	To be provided with fees for 23/24 as well as update for 22/23.	Item on the agenda for consideration. Information requested from CC, any further detail will be updated at the meeting.
<b>MEETING DATE: 4 APRIL 2023 – AGENDA DESPATCH: 29 MARCH 2023</b>		
Camel Roadway Improvements	2023/24 budget - £20,000	Town Clerk has been progressing by making contact with relevant officers at CC in this regard.
Railway Car Park Railings	2023/24 budget - £35,000	Had area appraised for works to be undertaken in order to feed into budget setting.
<b>POTENTIAL ITEMS FOR FUTURE MEETINGS</b>		
Dock Wall Future Works	Project flagged in Business Plan for 2024/25	
Annual Parking Permit [Season Ticket] Policy and Free Parking Policy	To review each in light of comments from Cllrs/Cttee and feedback from public.	On agenda for consideration.

**PADSTOW TOWN COUNCIL  
HIGHWAYS, ROADS AND TRANSPORT COMMITTEE: 7 MARCH 2023**

**Agenda Item 7: Off-Street Parking Service Level Agreement (2023/24)  
2022/23 Update**

**1. Off-Street Parking Service Level Agreement (2023/24)**

1.1 Committee is asked to give consideration to the SLA for 2023/24. The Town Clerk is seeking clarification however, its expected to be on the same terms as the 2022/23 agreement. Appendix 1 provide detail on template SLA based on 2022/23 agreement.

1.2 The Town Clerk is seeking clarification in respect of:-

- Cost details, these generally have included discount; and
- Frequency, as to whether CC can provide additional/more cover.

This will be available for the meeting alongside detail for 2022/23.

**2. 2023/23 Update**

2.1 From April 2022 to January 2023 in total 227 PCNs were issued by CC, 130 in the Railway Car Park and 97 in the Lawns Car Park.

2.2 The Town Clerk is seeking further information on the number of PCNs which were paid, cancelled or be considered under appeal.

## 1 The Agreement

### 1.1 Purpose

This Service Level Agreement (SLA) defines the standard services provided by Cornwall Council, Parking Services for the provision of additional CEO patrols for parking enforcement for off street parking in the Railway and Lawns car parks in Padstow.

### 1.2 Partnership Principles

In the spirit of partnering, Cornwall Council, Parking Enforcement will work to develop an environment of cooperation and trust, using the following principles:

- **Focus on excellent customer and public service** – support the SLA through provision of a suitably trained CEO
- **Be accountable** – to the joint responsibilities set out in the SLA
- **Collaborate and co-operate** – establish and adhere to the governance structure to ensure that service activities are delivered, and actions taken on a joint basis
- **Be open** – communicate openly about major concerns, issues or opportunities relating to the services provided
- **Learn, develop and achieve potential** – share information, experience and skills to learn from each other and develop new ways of working.

### 1.3 Term of Agreement

This SLA will start formally from 1<sup>st</sup> April 2022 and will be reviewed annually, for any renewal prior to March 2023.

The annual review will include any decrease/increase of the cost per hour, currently £36.00 for standard patrol hours. There is a potential for the hourly cost to be reduced/increased for the subsequent year by the same percentage increase as any potential increase to the base rate charge per hour, currently £36.00 per hour.

### 1.4 Obligations

Cornwall Council, Parking Services will deliver the agreed services within the agreed timeframes, standards and costs, and in accordance with the policies and corporate commitments of the service delivery teams and Cornwall Council.

Cornwall Council, Parking Services and the service delivery area agree to act in good faith and in a reasonable and timely manner with regard to the operation of the SLA.

Cornwall Council, Parking Services and the service delivery area agree to meet the costs, following senior level consultation where and when it is deemed appropriate, where material or rework is required as a result of their respective actions/errors.

### 1.5 Document Sign-Off and Security

This SLA is to be signed by both the Civil Parking Enforcement Manager, and the Town Clerk of Padstow Town Council in duplicate and retained in a secure format. Electronic versions of the SLA held by either party must also be kept in a secure format.

## Padstow Town Council – Standard Service Level Agreement

**Service Overview**

Cornwall Council Parking Services will provide additional parking enforcement patrols as stated below, unless operational efficiencies dictate otherwise.

**1.6 Service Definition**

Cornwall Council, Parking Services will:

- Provide agreed parking enforcement as requested from 01<sup>st</sup> April 2022 – 31<sup>st</sup> March 2023

Type of Enforcement	Patrols per week	Weekly	Patrol time cost per hour	Travel time cost per hour
<b>Core Visits</b>			£0	£0
<b>Additional hours</b>	30-90 Minutes			
<b>Total weekly patrol time visits</b>			30 – 90 mins visits a week	

\*Visits must be a minimum of 30 minutes and maximum 90 minutes

- Each visit to be charged at this rate is for Monday to Saturday.
- For any enforcement visits requested on a Sunday the hourly rate will be increased by 1.25% - and 1.5% of the hourly rates for Bank Holidays
- Provide agreed parking enforcement above the core offer as detailed above
- CEO travelling time will be charged and this will be charged at the base hourly rate of - Monday to Saturday, for Sunday and for Bank Holidays if not attending a core visit
- Core offer visits are random visits throughout the day and will take place either in the morning or the afternoon. Core patrol times for PTC's additional day outlined above
- Provide CEO cover during the agreed hours on a rota basis from the pool of CEOs based at the Bodmin base

Padstow Town Council will:

- Ensure that all bay markings, lines and signage within the carpark and the infrastructure of the car park meet the legislation to allow for enforcement.
- Where required request any enforcement on a Sunday at least 1 month in advance of the required date.

**1.7 Service car park enforcement**

Cornwall Council will enforce the car park in the same manner as any other Cornwall Council car park. The Town Council will not be able to intervene in the challenge or appeal process against Penalty Charge Notices issued.

With regards to the operational requirements of enforcement, there are some anomalies which have been clarified and the Town Council agree that:

## Padstow Town Council – Standard Service Level Agreement

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- Notes written by vehicle drivers will not be accepted as proof of payment. Such notes will have no relevance and a Penalty Charge Notice will be issued where no pay & display ticket is displayed. Any handwritten notes will be photographed as evidence of the issue.
- If there are any issues with the pay & display machine the CEO may contact Kathy Pemberton, Contact details: 01841 532296
- When the Car Park Manager is unavailable the Clerk to the Town Council may assist. The Clerk is based Town Clerk, Padstow Town Council, Station House, Station Road, Padstow, PL28 8DA

### 1.8 Personnel

Cornwall Council, Parking Enforcement will provide an appropriately trained CEO to patrol off street parking restrictions.

The CEO will be trained, or working towards, City & Guild Level 2 (Parking Enforcement) as a minimum and as part of ongoing training and development all CEOs will receive performance assessments, coaching and feedback.

## 2 Service Delivery Area Responsibilities

### 2.1 Service Delivery

- All parking enforcement will be carried in accordance with the Road Traffic Act 1992 and the Traffic Management Act 2004.
- The on-street locations will be monitored in accordance with the parking restrictions which are covered by an appropriate Traffic Regulation Order.
- The service delivery will be monitored by both Parking Enforcement Services and the Town Council and any issues over quality of service and suggestions for improvements will be raised on an ongoing basis.

### 2.2 Service Contacts

- The Town Council to provide a single point of contact for the Town Council (identified as The Clerk to the Town Council), authorised to agree changes to the processes and services delivered by Parking Services
- Parking Services, Cornwall Council will as part of this service level agreement operate in accordance with the terms of the current off-street Parking places order

## 3 Monitoring reports

Monitoring reports will be produced to the Town Council by Cornwall Council on a monthly in arrear basis.

### 4.1 Report detail

The monthly monitoring report will contain the following:

- The day and date of each visit

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- The start time of the first location visited
- The end time of the last location visited
- The total number of Penalty Charge Notices issued on each day visited.

### 4 Invoice and Payment terms

Invoices for the agreed additional enforcement hours as defined in 1.6 above will be produced to the Town Council by Cornwall Council on a monthly in arrear basis.

The Town Council agree to pay each invoice issued to it within 28 days from the date of the invoice.

Failure to pay any invoice may result in Court action being taken against the Town Council.

### 5 Risk Management

Cornwall Council, Parking Services and the Town Council will inform the other of any risks to service delivery as soon as possible after they are identified. Risks can be raised directly with the Civil Parking Enforcement Manager at any time. The appropriate action(s) to avoid or mitigate the risk will be agreed between the Civil Parking Enforcement manager and the manager of the Town Council. Any on site Health & Safety risks will also be identified and reported.

### 6 Compliance

Parking Services and service delivery areas must comply with all statutory requirements and Cornwall Council policies that apply to the services delivered. The following sections cover the main areas for compliance, but these are not exhaustive.

The Civil enforcement Manager and the supervisors of the service delivery area(s) are responsible for ensuring that their staff know of, and are complying with, the relevant legislation and policies.

#### 6.1 Data and Information

Usage and storage of all data must comply with:

- Data Protection Act (DPA)
- Traffic Management Act 2004
- Freedom of Information Act (FOI)
- Information Security policy
- Confidentiality policies
- Data retention policy

##### 6.1.1 Privacy and Confidentiality

Subject to statutory provisions and policies, and the requirements to deliver services to customers, Parking Services and service delivery teams must ensure

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## Padstow Town Council – Standard Service Level Agreement

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safeguards are in place to protect information and personal data and must keep all records relating to customers and the services delivered confidential.

### **6.1.2 Ownership of Data**

Unless specified otherwise, all service delivery area data is owned and managed by the service delivery area's Data Controller, as defined in the current UK Data Protection Act.

### **6.2 Equality and Diversity**

The services delivered by Parking Services and service delivery areas must comply with:

- Equality Act 2010
- Equality & diversity policies
- Cornwall Council Health & Safety policies

## **7 Termination**

Any breach of the conditions of this agreement by either party will result in an automatic termination of the agreement.

In the unlikely event that either party wishes to terminate this agreement prior to the 31<sup>st</sup> March 2023, termination may take place by either party after giving the appropriate minimum notice period of 12 weeks in writing.