



Technical officers. A dying breed?

It is almost half a century since the first motorway in Britain was constructed and its principal protagonist Sir James Drake, County Surveyor and Bridgemaster of Lancashire became a household name. In the same period, numerous city engineers and borough surveyors were promoting wide ranging schemes to repair the neglect of the previous thirty years and the ravages of the second world war and within the ambit of their own authorities, they were "little tin gods"

Of course, many of these erstwhile heroes were arrogant and pompous but they had some reason to be so. The elected members of the day relied on them implicitly and respected them, those who worked under their direction could rely on their direction and support when the going was hard and many of them had seen service in one or both of the world wars and the chaos that had been created and had returned determined to build a better world for their fellows.

All their achievements were based on a technology which had changed little since the 19th Century. Seven figure log tables, the slide rule and a double elephant drawing board were the principal tools, together with long hours of effort by teams of engineers, architects and surveyors and their support staff. Most of these characters had received their professional and technical training by attending evening classes after a day in the office, few had day release and qualification was via external examinations organised by the professional institutions. Working conditions by today's standards were austere, Saturday morning work the norm, 40 hour week, fourteen days annual leave, and no flexitime.

Yet, for those of us who started our working lives in this period, the challenges were around us in every direction. Whatever we did could only improve the living conditions of our generation, be it new homes, water supply, sewerage, town centre redevelopment, highway improvements, the emerging specialism of traffic engineering, waste disposal; the technical officer was at the forefront.

So what has happened in the last half century to create a climate where the technical officer is almost as invisible as the king's new clothes?

Looking at local government from the outside, one is immediately drawn to the conclusion that the advent of the cabinet system of government and the appointment of paid councillors to be portfolio holders has removed much of the authority of the chief officer and his ability to influence the turn of events by dint of his expertise and experience. The ready availability of computer power has removed much of the need for the inherent design skill possessed by previous generations, but yet without first hand experience of the practicalities involved, computer power can be a dangerous toy.

Much play is made by technical officers of their ability to manage being the trump card in their briefcase and yet increasingly it seems to be others who are making the decisions.

PFI, Best Value, procurement of goods and services, contract management, asset management, are all topics which by other names our predecessors took in their stride but which nowadays are in the hands of others. On the national scene, other organisations are stepping into the lead roles previously undertaken by the technical professionals such as the preparation of standard contract documentation. At the local level, decisions once made in council on the considered advice of the professional are touted through every stratum of local society and pressure group regardless of competence or inclination to offer objective comment.

Clearly there will come a time when elected members will recognise that farming all their work out to contractors and consultants is not always good economics and that when the portfolio holders start to receive brickbats for the mistakes they have generated through lack of expertise and experience, they will conclude there is a role for a competent in house team to give disinterested advice and manage projects without thought of personal gain or company profit.

When that time comes, the need for competent and experienced professional advisers will be paramount, but where will they be found and whence will come their experience?

One solution must surely be for those still charged with holding the technical fort in local government to share experience and knowledge with each other in order to create an inhouse pool of such expertise and where better place to get it than through the technical committees and networking opportunities which active participating membership of TAG provides?



TAG COUNCIL MEETING ON FRIDAY 15th July

President Andy Morris warmly welcomed those present who had braved the trip to London, in spite of the recent bombings and who had also to run the gauntlet of the Police cordon just to get into the IHT building!

Secretary Roy Fairclough indicated that in contacting people to encourage attendance at TAG Council he had been impressed by the large number of people invited to council which showed the potential of TAG, if it could be harnessed.

John Barkley had sent his apologies as he had finally retired and was contemplating a move to Derbyshire. He would miss the warmth and good humour of TAG and wished it well. The president thanked John for his support of TAG and LoTAG over many years.

There then followed a discussion, initially about the name of TAG - who does it represent - does it mean anything? This soon developed into a brainstorming session about the future of TAG and how best to market it.

The main issues discussed are shown below - if you have any comments to make, then please let Roy Fairclough our Secretary know via email - now!!

royf@rfconsultancy.co.uk

- Organisations like CSS focus on highways and members are chief officers. However,
- TAG is broad church, but is slowly becoming more focussed - highways - water - general management.
- TAG also has public and private sector members at differing levels of responsibility. Some members are at chief officer level and may influence policy, but many are mainly involved with operations.
- The most recent survey of members showed that TAG members considered TAG provided a networking opportunity, yet members do not attending meetings in significant numbers, - so how do they network?
- What information do members need in their jobs and does TAG have the resources or structure to deliver it?
- What need does TAG serve for its members - what provisions are other organisations providing - is there a niche, or broad role, for TAG?
- LoTAG is well known in London, but how well known is TAG nationally? There needs to be closer links with LoTAG and a better exchange of information so all TAG members can benefit. LoTAG and WATO are working well in their regional context, so how can the TAG regions become more focussed?
- Some local authorities do not pay the TAG subscriptions and consequently many officers are attending TAG meetings and functions, but are not members of TAG. Would it be better if TAG had a local authority membership instead of an individual one? Could the subscription be reduced and for TAG to make more money from trading and commercial operations?
- Should TAG become more involved in specific issues such as streetcare, highway maintenance and form strategic partnerships with other organisations?
- What areas of activity are TAG members interested in?
- Should TAG become more involved with the LGA and provide a corporate view on issues?

It was agreed that TAG should :-

- sort out the TAG message to members and clearly express it
- involve and consult members about the message / image of TAG
- depending upon the outcome, consider whether the name should be changed and TAG rebranded
- create strategic alliances with other organisations as necessary

Jim Kinchesh will be investigating the possibility of a local authority subscription and the affect it would have on TAG income.

John Holdsworth is to consider the commercial opportunities available to TAG.

Roy Fairclough and John Holdsworth will be redrafting the TAG flier

The President and Vice President are give further thought to the message of TAG seeks to send to its members and the technical community serving local government and will be meeting representatives of the LGA to foster closer links.

Roy Fairclough is to liaise with LoTAG, WATO and TAG NI to engender closer links and exchanges of information.



Joint Conference - TAG, CSS, IHT, AME

Date - 18 October 2005

Theme - Engineering Efficiency in Local Government

Venue - East Midlands Conference Centre, University Park, Nottingham

Sponsors - Surveyor Magazine



WORK OF TAG COMMITTEES

A) TRANSPORTATION COMMITTEE - JOHN ELLIOTT, SECRETARY

John Elliott reported that the committee had held two meetings since the last TAG Council and the minutes are on the TAG website.

He highlighted the main topics which had been discussed :-

- Gershon - action from Regional Chairmen
- Motorcycle strategy
- Roads Liaison Group
- Asset Management - value of highways, plus value of land
- Corporate manslaughter
- Congestion charging
- Diversion seminar

For more information read the minutes on the TAG website - www.tagonline.co.uk

B) **WATER RESOURCES & MANAGEMENT COMMITTEE**

Topics that had been discussed at the last meeting held on 8 June 2005.

Presentation on the works of WaterVoice by C Harvey and A Milne

State of UK's Coastal Flood Warnings

Prudential Borrowing Scheme

Making Space for Water - MSFW

Coastal SIG met with LGA on 7 June 2005 - LGA to write to DEFRA with 5 points raised at end of David Green's paper dated 25.05.05

The Committee minutes can be found on the TAG website.



CIC CASCADE

The briefing from the **Construction Industry Council (CIC)** – the representative forum for the industry's professional bodies, research organisations and specialist trade associations.

www.cic.org.uk

1. Events

Visit the events page of the CIC website for industry events <http://www.cic.org.uk/events>

Events recently added include:

20 September 2005, London. **Post flood repairs: the new standards for building, CIRIA**

22 September 2005, Bradford. **Post flood repairs: the new standards for buildings, CIRIA**

22 September 2005, London. **Mechanical & Electrical Building Services - An Introduction, CIBSE and BSRIA.**

28 September 2005, Edinburgh.. **The Geospatial Future of Buried Services in Scotland, ICE**

28 September 2005, London. **Environmental management systems for the construction industry, CIRIA**

29 September 2005, Manchester.

Environmental management systems for the construction industry, CIRIA

4 October 2005, Glasgow. **Post flood repairs: the new standards for buildings, CIRIA**

6 October 2005, Bracknell, Berks. **Mechanical & Electrical Building Services - An Introduction, CIBSE and BSRIA**

10-11 October 2005, Kuala Lumpur, Malaysia. **Fourth international conference on current and future trends in Bridge Design, Construction and Maintenance, ICE.**

8 & 9 November 2005, London. **Part L and Part F: Guidance For Building Designers, Constructors, Owners & Operators. CIBSE with the support of the ODPM**

10-11 November 2005, London. **Third international conference on Forensic Engineering: diagnosing failures and**

solving problems, ICE

1. ConstructionSkills – What does it do?

Since its launch two years ago, ConstructionSkills has been working to influence Government training policy and gain funding for the industry.

Further information:

<http://www.cic.org.uk/cascade/aug052.shtml>

3. Join Construction Minister in Supporting National Construction Week 6-12 Oct

Construction Minister, Alun Michael, has expressed his support for National Construction Week, a week-long initiative to educate young people about the industry and provide opportunities for hands-on practice of the trades and professions on offer.

Further information:

<http://www.cic.org.uk/cascade/aug052.shtml#3>

4. EU Services Directive –online survey

The information gained from this survey will help the UK Government quantify the potential impact of the proposed EU Services Directive on the construction and business services sectors.

Further information:

<http://www.cic.org.uk/cascade/aug052.shtml#4>

5. CIC Response to HSC Consultation on the revision of the CDM regulations 1994

The full response to the HSC Consultative Document 200 on the revision of the Construction (Design and Management) regulations 1994 is now available

Further information:

<http://www.cic.org.uk/cascade/aug052.shtml#5>

6. CIOB Launches 'Risk Assessor'

To provide safe management control and accurate records the Chartered Institute of Building has launched 'CIOB Risk Assessor' It allows contractors and sub contractors to monitor and manage risk assessments online, and

ensures health and safety obligations are met and are seen to be met.

Further information:

<http://www.cic.org.uk/cascade/aug052.shtml#6>

7. Five Unite For Better Dispute Resolution

Five leading organisations from the construction industry are supporting a scheme designed to provide improvements in the quality of adjudicators across the construction industry as a whole.

Further information:

<http://www.cic.org.uk/cascade/aug052.shtml#7>

8. Events

Visit the events page of the CIC website for industry events <http://www.cic.org.uk/events>

The following events have been added recently:

13-15 September, Watford. **Resource 05 BRE (Building Research Establishment)**

19–20 September, Nottingham. **Learning Environments: All in all it's not just another brick in the wall**

28 September 2005, London. **I know my place! How your supply chain can revitalise health and safety (ICE)**

3 October 2005, Lutterworth, Leicestershire.

"Pray, tell me dear QS, just which hat are you wearing today?" RICS

CIC Cascade 8 September 2005

1. Construction Umbrella Bodies at the Labour party conference

The Rt Hon Alun Michael MP will be the guest speaker at the CUB fringe meeting at this years Labour Party Conference which will focus on Delivering Better Public Services. Further information

<http://www.cic.org.uk/cascade/sep051.shtml#1>

2. Design Quality Indicator at Cityscape Conference

CIC's Design Quality Indicator Tool (DQI) www.dqi.org.uk will be exhibiting at Cityscape Conference and Exhibition – The future of Britain's Cities, Towns & Suburbs on 20 and 21 September 2005.

<http://www.cic.org.uk/cascade/sep051.shtml#2>

3. Course and funding search added to BConstructive website

The BConstructive website continues to grow with the addition of a new area which allows users to search for courses and sources of funding.

Further information

<http://www.cic.org.uk/cascade/sep051.shtml#3>

4. Action Plan aims to reduce cost of poor logistics in

Poor logistics is costing the construction industry at least £3 bn a year according to a report – 'Improving Construction Logistics' – published by the Strategic Forum for Construction.

Further information

<http://www.cic.org.uk/cascade/sep051.shtml#4>

5. ACE survey paints a healthy picture for consultancy and engineering sector

Consultancy and engineering businesses working in the built and natural environment are performing well and are optimistic about future growth according to a State of Business report published today by the Association for Consultancy and Engineering (ACE).

Further information

<http://www.cic.org.uk/cascade/sep051.shtml#5>

6. Free help to cut the cost of construction waste

Government-funded programme Envirowise has launched a free service to help construction companies reduce waste and improve their environmental efficiency to become more competitive.

Further information

<http://www.cic.org.uk/cascade/sep051.shtml#6>

7. Improve the efficiency of air conditioning systems

AudiTAC is a new research project that aims to improve the energy efficiency of existing air-conditioning systems across Europe. It will provide tools and information that enable air-conditioning system owners and operators to confidently identify actions that will save them money and reduce the emission of greenhouse gases.

Further information

<http://www.cic.org.uk/cascade/sep051.shtml#7>

8. Events

Visit the events page of the CIC website for details at

<http://www.cic.org.uk/newsevents/events.shtml>

The following events have been recently added:

21 September 2005, **Off-site manufacture - CIAT Innovation and Research seminar**, Kettering

3 October 2005, **RIBA Research Symposium: Design as Research**, London, RIBA

24 October 2005, **An Introduction to BREEAM & EcoHomes**, Watford, BRE

8-9 November 2005, **Mermaid conference centre**, London, CIBSE

15 November 2005, **Making your buildings work**, London, CIBSE

29 November 2005, **Biofuels for CHP in Buildings**, London, CIBSE

NOTE OF PROCEEDINGS OF WORKSHOP ON 27 JUNE 2005 TO CONSIDER THE REGULATIONS AND STATUTORY GUIDANCE TO IMPLEMENT THE PARKING PROVISIONS IN PART 6 OF THE TRAFFIC MANAGEMENT ACT 2005

Proceedings

In the morning stakeholders were asked to look at the whole process from the point of view of different users. Initial points made were:

- Review of parking needs to be tackled from the perspective of the consumer
- Dealing with negative public views of PCNs
- People need to understand why they are getting a PCN and more information is needed at the national and the local level
- Developing a communications strategy
- Enforcement needs to be more pragmatic
- Balancing enforcement with meeting the needs of road users
- Distinguish enforcement from regulation
- Existing legislation can be drawn upon
- Practitioners need to review and manage pressures from above
- Training is important
- Problems with loading and unloading deliveries
- Broader consultation across Government on parking restraints for deliveries so the objectives of others are realistic e.g. food hygiene
- Enforcers do not always recognise that some loading/unloading activity is in small vehicles
- DfT guidance needs to complement not duplicate guidance from LAs
- Speedy implementation is needed
- Penalties in proportion to the offence seems like a good idea
- Signing needs to be clear and simple
- Objective should be to simplify and minimise
- Decision making needs to be at lowest appropriate level - Guidance should not be prescriptive
- Monitoring needs to fit in with the local implementation plans and benchmarking

Participants then discussed the issues in their splinter groups in greater depth from the point of view of commercial road users, drivers and

residents, and other road users. The issues that emerged were:

Car Drivers, Residents & Pedestrians

- Difficulties of generalising because views/priorities vary according to whether someone is a driver, pedestrian or resident etc at a particular time
- Different road users have different perspectives
- Residents & non-residents often have conflicting interests which need to be determined locally - residents want to park in their own roads and do not always appreciate the needs of non-residents
- The public have a number of misunderstandings and myths e.g. the 5 minute rule. Need better signage to dispel these myths
- Some complaints are really about the system rather than the way it has been implemented
- Changes to enforcement hours e.g. Saturdays/Sundays/bank holidays
- Clarity about what is legal and what discretionary. The issuing of a PCN is a matter of discretion - a period of grace is a matter of policy not a matter of law
- Must have LAWFUL enforcement - better training needed
- Better training at all levels e.g. BPA has been involved via its modal contract. A national minimum standard should be produced from this. Required by national government?
- Better training also of people on street and back office people
- Proportionality - nature of contravention and severity of contravention. But is it workable? Seriousness of particular case (by day/time) - but must not become a lottery. ALG consultants have looked into.
- Signage is important. It needs to tell people what they can and cannot do. The desire to minimise signage may be in contradiction to this → English Heritage campaign on street clutter and furniture. Understanding the rules -

particular problem with CPZs. ALG under pressure from DfT to reduce signage

- Consideration needs to be given to awarding drivers compensation who have been subject to a basic error by the LA or if LA fail to turn up at appeal
- Consistency needed across boundaries e.g. some LAs wheel clamp & some don't. It can be a lottery whether or not a vehicle is towed away and there should be more consistency
- Monitoring of issues in local bodies
- National & local - need to rethink blue badge holder regulations
- Police have discretion in carrying out parking enforcement but more difficult to provide to PAs

Commercial Vehicles & Premises

- Restrictions on the loading and unloading of commercial vehicles affects us all
- What comprises loading and unloading is defined in law but there is a need for discretion which needs to be made clear in the Guidance
- Need for clear signage - training is important
- Better communications are required, perhaps on websites
- Delivery vehicles have to park outside shops -and there is a lack of fair parking times. Residents need this as well
- Extent to which adequate parking is provided is a planning issue - liaison is needed with the LA and more joined up Government
- Solutions lie in identifying commercial vehicles clearly, liaison between neighbouring LAs on fair parking policies and businesses working and regularly liaising with LAs. More dialogue is needed
- On-street discretion can be problematic. Specific guidance about discretion is helpful
- Consultation across boundaries to aid homogeneity
- Encourage follow-up of issues with LAs
- V good advice from industry - widen out to commercial sector

Other Road / Pavement Users

- Proportionality principles might extend to the size of the vehicle and the congestion and safety hazard it causes when illegally parked

- Safety implications to other road users of illegal parking need to be emphasised to drivers
- Parking provision for e.g. motorcycles, bicycles, is inadequate
- Road space allocations for buses and cyclists also require enforcement
- Discretion is needed
- Not enough communication taking place - needs to be encouraged in guidance
- Some difficulties may be caused by PAs ignoring motorists when spoken to by them
- More information needed for motorists on what they can and cannot do to improve compliance
- Regulations need to be explained to motorists, LAs should put on their website a map showing what parking restrictions are in place and where
- Repeat contravenors need to be targeted
- Regulations/enforcement/enforcement of penalty charges - definitions. Appeals, TMA - consistency (not congestion charge) - regulations need to do this LAs need to think hard about the regulations themselves and how they are enforced and how PCNs and challenges to them are enforced;
- Different principles apply to different stages of the parking and enforcement process - some principles need to underlie the entire length of the system.
- There is some inconsistency from LA to LA e.g. each NtO is different - and need to consider the need for consistency

Practitioners

- LAs need to demonstrate to the public the purpose of enforcement in order to improve compliance, backed up with surveys of compliance, in order to deflect criticisms that they are only doing it to raise revenue
- ALG is also preparing new parking guidance - need for continuing liaison
- Important for DfT to move forward quickly & get a fair balance
- BPA review needs to be taken into account
- Birmingham University report - "User perspectives on NPAS" - needs to be taken into account
- Public information campaigns and stakeholder liaison are needed to improve communications
- It is difficult to legislate for discretion - how to decide what offences are more

serious than others? Guidance would be helpful on periods of grace

- Different levels of PCNs for different offences may be a good idea but public understanding is an important consideration
- Technology has significant benefits and photography is increasingly used by PAs and drivers. TfL issue still photographs on contraventions to offenders and the photographs can be accessed on the web
- Many persistent evaders drive unregistered, falsely registered or cloned number plate vehicles and cause many of the parking problems in London. Guidance is needed about this
- To judge liability the parking adjudicator needs to establish if there was a contravention of a TRO rather than a sign (not all TROs forbid what they planned to forbid), who is liable to pay the charge (hire agreements and accuracy DVLA database), and whether the PCN was for the correct amount. The latter would become more of an issue if proportionality of offences was introduced and there is potential for confusion of the public and of LAs and PAs.
- Sensible councils allow the discount to apply on the NtO - a larger proportion of PCNs are appealed in areas where this is not done.
- There is a considerable amount of abuse of blue badge exemptions. It is easy to lose sight of why the exemptions are required - Guidance about this is needed
- Driver may not see the LA's defence until the appeal takes place which seems unfair
- Adjudicator needs the power to go back to an LA whose processes seems faulty
- LAs need to take care that their notices and processes are correct and lawful and contravenors are informed of their rights to appeal
- Some LAs do not deal with appeals in a timely fashion and some of these have beacon status. Time limits within which LAs deal with appeals are required in order to provide a level playing field between LAs and appellants. It is not good practise that LAs do not have to respond to representations
- The views of the Local Government Ombudsman should be sought
- The public have little awareness of the parking adjudication service and the current guidance does not say what an LA should do about adjudication. The NtO may be the most appropriate time to notify contravenors. A right of appeal form should be enclosed with the letter about

the outcome of the formal representation but some motorists may discard it

- Members and senior officers may not intervene in individual cases but can take action if processes are not running properly e.g. letters of response not being sent
- Informal dispensations need to apply across the board and not to certain groups
- camera enforcement can be very effective for some contraventions - like loading restrictions - but are less effective for yellow lines or detecting correctly displayed blue badges and the Guidance needs to cover this

In the afternoon the stakeholders were asked to take a more detailed look at specific aspects.

Points made were:

In an initial assessment the following points were made:

- Using stakeholders to initiate public debate
- How to liaise effectively with stakeholders
- Communications - How can we expect to get public support if they feel they are being "caught out" because of obscure signage or lack thereof. Need to educate the public
- Public comprehension of enforcement and regulations - do we cater for non-local users? How to improve understanding
- Myths and misunderstandings - getting communications right and communicating why enforcement is needed
- Conflicting needs of residents & non-residents to be determined locally
- Education - both the message about the rules and the benefits of parking control
- Need simplicity, clarity and transparency to make it work - aid to public and authorities
- Different rules in different authorities is confusing - need consistency across local boundaries
- Different views of Decriminalised Parking at different times
- What is the purpose of enforcement? To improve compliance? To keep the streets clear of congestion for the benefit of all
- Reducing congestion and delays to public transport with adequate enforcement
- Need safe environment for disabled pedestrians
- Need improved access for disabled pedestrians
- Safety and flow for all road users

- Fundamental - provision: is it in the right place? Does it put other users at risk? Does it allow enough time? Are timings appropriate
 - Standard template TROs desirable to improve their general quality
 - Car drivers looking for a space need to know what is legal or not legal
 - Misunderstanding breeds contempt - too many regulations too confusing Regulations - right or wrong?
 - Clear understandable rules
 - Clear purpose and regular evaluation of results
 - Effective parking policy as a benchmark for the enforcement strategy
 - How to measure improved compliance
 - Functions and objectives enforcement - what's in, what's out
 - Different definitions of enforcement - degrees
 - Enforcement culture - flexibility/discretion; on street; in house; understanding discretion; legal liability/discretion
 - Differentiation between regulation making and enforcement
 - Enforcement - seen to be fair , traffic management driven and not revenue driven
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- Data management and reporting to be consistent
 - Accountability of LA profits
 - Transparency - system; how operated (revenues, numbers of PCNs issued, etc)
 - Financial interests of LAs - actuality - public perception - incentives
 - Greater emphasis on outcomes rather than outputs i.e. traffic management objectives rather than PCN numbers
 - Customer service applies to enforcement too
 - Quality assurance for parking authorities
 - Transparency - consistent approach - fairness
 - Local objectives of DPE - avoidance of "profit" accusations - targets for PAs etc (worse for contracted out?); must be seen as component of wider policy (ref in guidance needed)
 - Subsidiarity of decision making
 - DPE just a way of making money - not about traffic management
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- Council/contractor training; legal processes; principle of objectivity v financial interests
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- Understanding this is law enforcement - compliant processes; ultimate responsibility of LA
 - Public acceptability - training for PAs is vital - appropriate people management skills and sensitivity to situation and circumstances
 - How to incentivise PAs without making the system financially driven
 - No bonus schemes to incentivise mass ticketing by parking offences
 - PAs should talk to motorists about why they are issuing PCNs not ignore them
 - PA behaviour and use of discretion - improve with training
 - PA training → discretion
 - PA status, conditions, pay, training
 - Training at all levels - in house, PA, required training
 - Should be no targets for issuing PCNs
 - Training and educations - a license to practise at all levels
 - Training - recognised and stakeholder accredited training of PAs and their supervisors
 - Retention and skills involved - linking to performance/targets of Council. Bringing in the Ombudsman/auditor
 - Training for all parties. Industry has taken time to start process and educate on regulations
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- Contracting out - KPIs → incentives based on quality not quantity
 - Contracting out financial incentives based on ticket numbers is not appropriate - has to be another measure for PAs and contractors
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- Guidelines that give discretion? Difficult
 - Giving "discretion" to PAs
 - PCNs ARE discretionary. There can be flexibility in enforcement but how?
 - Discretion - role of police/traffic wardens; adjudication services wish for flexibility; differentiating between major and minor offences - fine levers; waivers (?) of lot offences
 - Discretion - understanding principles - who should exercise it and exemptions are legal and not discretionary
 - Discretion - is a vehicle parking or loading/unloading? Appreciate why Commercial Vehicles are there and what they are doing
 - Discretion - greater consistency between authorities in observation periods
 - Dealing with persistent evaders
 - Persistent evaders/contravenors - deal effectively - increased penalties. These

people are more likely to ignore other road rules and drive dangerously

- Proportionality - particularly in relation to vehicle removals
- Proportionality - how to tailor to offence in a practical way
- Proportionality - size of the PCN should be proportionate to the seriousness of the offence. This is a key factor in public acceptability
- Proportionality - greater charges for blocking cycle lanes, gaps than overstay. Complexity - but guidance must have clarity of purpose
- Ease of access for deliveries and collections - manual of handling regulations
- Management of freight for effective delivery
- Preventing misuse of blue badge bays
- Clearways to bus stops
- Clarity of signs - need to be more readily understandable
- Clear and easily understandable signing
- Signing - alternatives such as making all parking/loading in bays or "parking lanes" as on the continent. Relax rules on Home Zones and Restrictive zone (?)
- Signs must be clear and unambiguous - at present it is often the case that a single short road can have varying degrees of loading/unloading authority but not clearly shown
- Cameras/CCTV - roll out across UK on London basis E.g. London camera/CCTV guidance on disabled badge holders needs to be incorporated
- How to use technology for the benefit of the customer
- LAs refusal to consider mitigating circumstances
- Time limit required - as in place in London - for the collection of PCNs
- Adjudication - done properly and fairly by the authority - defended by the authority at independent adjudicator - compensation to motorist if LA does not do it properly or does not turn up at adjudication

- Clarity about what the appeal process and adjudication are and what they can take into account linking up administration and judicial
- Linking up to DCA and Wales - devolution expressly stated

Public Acceptance

- Mitigation is an important issue in improving public acceptance. Triggers for mitigation need to be identified and the rules should not be completely prescriptive so that there can be flexibility. Evidence is important and LA staff need to understand the difference between legal liability and mitigation
- Camera enforcement helps reduce conflict and improves compliance but CCTV has "big brother" overtones, particularly for parking. Clear signs are needed to indicate the presence of CCTV. Best practise guidance very effective. Need share knowledge on measures of compliance
- Need to consider extending the 14 day discount to 21 or 28 days
- On-street flexibility may be popular with motorists and needs to be considered
- Need not to forget vehicle removals - persistent evaders removal, proportionality, human rights, policy → implementation considered
- LAs need to be ready and able to address criticisms that they are "only in it for the money"

Data

- Much information is already available - should be streamlined into one standard report for comparative use - but not all data already available
- Different PCN levels for different offences sounds like a good idea - needs to be set out in regulations rather than guidance for consistency
- Data on numbers of PCNs, appeals, successful appeals, on-street revenue, off-street revenue, contravention codes classification and hot spots (top 10 problem locations) should be available because it can be requested under FOI
- LAs should make available on their website the figures sent to the HO
- Government should specify the format for figures and give Guidance
- Best practise in data collection and dissemination helps create public trust

- Information on LA websites about the sources and use of surpluses helps create public trust
- Not mandatory to show how surplus revenue spent but it is good practise
- Expectations about data collection and dissemination should apply to DPE authorities not all authorities
- A compliance formula does not exist at the moment but TRL are examining this
- Need for a standard, comparative annual report - link to the financial report and fact that information may be available under FOIA

Communications

- Communication with LAs and with the public are important
- Positive promotion of compliance - public information campaigns - more detail/clarity on right to appeal
- Compare Britain and rest of Europe - self explaining streets in Europe?
- Traffic signs and regulation orders - need working group to look at this - feed into manual for streets. E.g. abolish TROs - just have offences against legal signs. Emphasise benefits of parking enforcement for the public
- Conflict between clarity of information and volume of information
- Guidance should say - LAs to make appeals process transparent and also explain why restrictions in place in first place
- Need a parking industry regulator - to fill gap at centre
- Good practise should be part of guidance - ALG for London boroughs
- Develop a best practise working group for parking enforcement - part of a stakeholder liaison process - fund out how process impacts on different groups and review best practise from sources such as the Birmingham University research
- Good practise guidance needs to encourage public information campaigns similar to TfL's about driving in bus lanes
- Public need to be told about the appeals process and when it is appropriate to use it
- National responsibility - more detail needed in the Highway Code about parking
- Perhaps a parking soap opera, junior parking attendants and parking board game for positive promotion
- A way needs to be found to positively encourage compliance

Training

- DfT should advise not mandate training
- All LAs publish standards for their parking function and the training skills needed. Published service standards need to be regularly reviewed
- Training is needed about the processes and to induct people working in parking for the first time
- There is already a fair amount of training available
- Workshops about the appeals process are needed
- There needs to be quality assurance of LA processes - ISO 9000
- PAs need to be trained to use technology such as gadgets to tell them which parking bays are close to expiry
- The Human Rights Act has changed some things - such as vehicles, removed without due warning and the removal of the vehicles of persistent offenders who are not offending at the time. This needs to be reflected in the Guidance
- City and Guild 4 day training for all PAs is approved by the QCA and should be a minimum for all PAs
- ALG/TfL/Bas BTEC for camera enforcement
- NVQs for industry
- Alistair Robertson is developing a sector skills strategy in consultation with the industry
- Training should also cover an induction to LA's functions
- Quality assurance e.g. the ISO 9000 used in Croydon and Chartermark used by Wandsworth
- Should the training be published? Should the service results be published? Should they be reviewed?

The Existing Guidance

The following issues were identified:

General Comments

- Needs to be consistent with TfL guidance
- Cover parking only
- Stronger advice with warnings needed about TROs and TMOs

Sections thought satisfactory were

- Removal of vehicles - but needs to be strengthened

Redundant

- Existing guidance needs to be replaced
- Examples of forms need revising
- 8, 10 and specimens of 1/95
- Should application process be separate

budgeting on basis of PCN revenue in current financial year

Improvement needed on

- Information to public
- Distinction between what is process and what is discretion
- Data sharing and standard setting - data as basis KPIs?
- LA transparency
- How DPE will affect the delivery of LTP strategy and targets
- Consistency of enforcement procedure
- Clarify whether PAs have discretion to move people on rather than issue a PCN, as Westminster do
- Procedure for issuing a PCN
- Discount period for early payment
- TROs and signs
- Understanding of signs
- Blue badge abuse
- Mitigation triggers
- Mitigating and aggravating factors
- Explain mitigating circumstances
- Nature and severity of offence
- Discretion/mitigation
- Discretion
- Role of PA
- Contracts
- Training
- Appeals process

Review needed of

- Chapters 5, 7, 8 and annex 5 of 1/95; 9 (not annexes), 11 (only about statistics), 12 (?) not annex, 14 and annex 15, 16 (heavily amended)
- Policy institutional framework needs updating and possibly expanding
- Camera enforcement
- Discretion
- Mitigation/discretion
- TRO signage regulations
- Signage
- Acknowledgement of fundamental separation of commercial vehicles and private motorist
- Liability for leased cars
- Hirer liability
- CCTV contracts
- Penalties explained
- PCN levels
- Wheel clamping
- Vehicle removal
- Specimen notices
- Reduce incentives for LAs to see PCNs as extension of transport budget. Financial obligations - can spend revenue from PCNs on other transport but perhaps not for a couple of years to avoid

New sections needed on

- Communications with the public
- Openness - statistical information/annual reports
- Data - annual report
- Annual report
- LAs to produce annual report on DPE
- KPIs for outcomes not just measuring outputs (PCNs issued)
- Performance indicators for compliance and effectiveness of enforcement
- Standard formula for measuring compliance
- Improve consistency
- DPE as law enforcement proper process
- Standard TO templates (mandatory)
- Different penalties for serious and less serious contraventions
- Powers to ensure footway/verge parking is decriminalised
- Use of technology
- Use of technology for targeted enforcement
- Foreign vehicles (point made twice)
- CCTV enforcement (made twice)
- Persistent evader regulations
- Persistent offenders
- Persistent evaders - how to deal with across London/UK
- PA training code of practice
- Training - standards of performance
- Training requirements PAs and back office staff (point made three times)
- Parking regulator

Issues Parked

The following issues were raised but not considered further:

- Sign design
- TROs and signage - need for a working group to feed advice into the manual for streets
- A regulator for the parking industry and a public watchdog to give information to the public - Ofpark or Parkwatch?
- Time efficient closure of roads for road works and lane rental
- Linkages between parking strategies and LTPs and how the parking strategy affects the delivery of targets on congestion and safety

- Need to demonstrate the link between parking enforcement and road safety and congestion

In Summary

The key themes of the day were:

- Communication, especially public and LA, LA and LA. The importance of public acceptance and trust and its link to communications. In particular, the boundaries between local authorities, between LAs and the adjudicator, and with the police
- Understanding the whole process from the start

- The need to give serious consideration to different levels of PCNs for different types of offences
- Getting the balance right between national consistency and local flexibility, in particular on mitigation, loading/unloading, and skeletons/frameworks as opposed to details
- How best discretion can be used, how it differs from legal obligations, and how it is triggered

Marilyn Waldron
TM1

Citizen Engagement and Public Services: Why Neighbourhoods Matter

This briefing sheet from ICE is a summary of the ODPM consultation document "Citizen Engagement and Public Services: Why Neighbourhoods Matter", published on 31 January 2005 as part of the Urban Summit.

Commentary

The document proposes a number of policies that were advocated in two ICE- UDAL-led reports, Designing Streets for People and Returning Roads to Residents

The reports pointed to the decline in local involvement, yet stressed that the street was the basic building block of democracy. Recommendations included:

- empowerment of citizens in their local environment
- street partnerships
- street agreements and quality street contracts.
- Funding arrangements that would enable a people to invest in the improvement of their local environment.

The proposals advanced in this paper mirror those proposals at the neighbourhood level, with representative bodies,

A variation of the model was trialled in partnership with BBC London and the volunteering charity TimeBank in a London-wide campaign called changing streets in 2001.

<http://www.timebank.org.uk/campaigns/changingstreets.htm>
It used a simplified version of the Urban Design Alliance Placecheck Model.

There should be no illusion that neighbourhood level democracy is challenging. Overcoming apathy, cynicism or shyness is never easy. And there can be major problems at neighbourhood level: the most common cited are dogs, children, competition for parking spaces, boundary disputes and neighbours themselves. However there is a growing body of people who believe that neighbourhoods are key to true sustainability and wellbeing. And for engineers and other professionals involved in the built environment, it is an agenda that they must master.

Background policy

Developing a 10 Year Vision for Local Government – Published July 2004 : www.odpm.gov.uk/localvision

Government's 15-20 year National Strategy for Neighbourhood Renewal

Chapter 1

The first chapter argues the case for neighbourhood involvement.

The report describes two central challenges:
a) to secure sustainable improvements in our public services; and
b) re-engage our citizens with the institutions of government.

More than half of people (55%) say that they would be interested in being more involved in the decisions made by their local council. However only 2 % are actively involved. Turnouts at local elections have been falling and now stand at around 35%, compared with the 60% at the last general election.

Respondents to surveys have said that the services in which they would most like to be more involved are:
tackling crime (41%),
education (33%) and
traffic (31%)

The paper states that there are intrinsic benefits from greater participation. Voluntary activity in the community is associated with better health, lower crime, improved educational performance and greater life satisfaction

In particular people are interested in specific, often local, and very practical issues – they feel strongly about the places where they live, work and play. They are especially interested in things that are close to home – e.g. how safe their streets are, how clean the environment is, whether they can physically access

local services, how good local schools are, and what opportunities there are for young people.

Chapter 2

The Government intends to establish a *national framework for neighbourhood arrangements*, setting out principles and powers. The intention is to create a “neighbourhood charter” that would state what local people should expect in their neighbourhood from Government, local government and other service providers.

Example

The consultation provides a possible example of a charter:

THE NEIGHBOURHOOD CHARTER

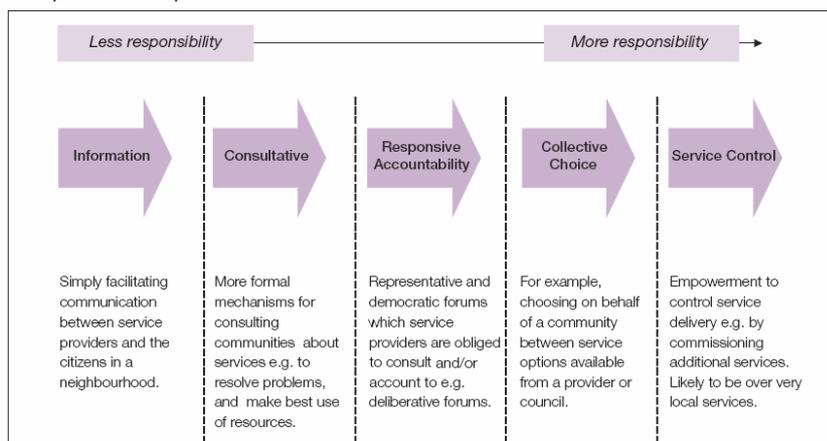
1. We recognise that people should expect:
 - Their neighbourhood to be clean and safe
 - To live in a good quality local environment
 - To receive in their neighbourhood good quality local services
2. We expect that people should recognise and respect:
 - The diverse views and culture of other people in the neighbourhood
3. We therefore give neighbourhoods the ability:
 - To establish neighbourhood bodies to work in conjunction with the council
 - To require co-operation by local service providers
 - To take responsibility for/ownership of local assets where appropriate
 - To “trigger” action by service providers
 - To agree neighbourhood contracts with service providers
 - To request the introduction of model byelaws in appropriate circumstances
 - To levy fixed penalty notices and apply for ASBOs when authorised to do so
 - To raise additional funds in certain circumstances
 - To be responsible for their own neighbourhood fund or budget where this is delegated to them
 - To influence others’ budgets

Five key principles for neighbourhood arrangements (31-59)

There are five guiding principles to which we must work when establishing arrangements for neighbourhood engagement:

- 1) **Responsive to Neighbourhood Needs** - All councils, in partnership with other service providers, should provide opportunities and support for neighbourhood engagement through appropriate arrangements so that they can respond to the needs and priorities of neighbourhood communities.
- 2) **Purposeful** - Neighbourhood arrangements must be capable of making a real difference to the everyday lives of citizens.

- **Accountability of neighbourhood arrangements**
The spectrum of responsibilities



3) **Tailored** - The nature of neighbourhood arrangements must be appropriate to local circumstances, be flexible to changing circumstances over time and be responsive to the needs and diversity of the community and its organisations.

4) **Democratic** - Neighbourhood arrangements must be consistent with local representative democracy which gives legitimacy to governmental institutions, and places elected councillors as the leading advocates for their communities, and with the requirements of local democratic accountability.

5) **Efficient and Proportionate** Neighbourhood arrangements must be balanced with the demands of efficiency and proportionality.

Form of Neighbourhood bodies

These could range from informal assemblies to formally constituted, accountable bodies responsible for the delivery of some services.

Definition of a neighbourhood

Neighbourhoods will be self-defined by the people who live in them: often a ward, but could also be a street or a village, or several wards.

Neighbourhood contract

These would be contracts between the neighbourhood body and the local authority or service provider to agree minimum standards of service provision across a wide range of services to reflect local priorities. 82

Model byelaws

A model set of byelaws might be an effective way of indicating to a community expected standards of behaviour. For example, in such a model, it could be established that parking on verges or skateboarding on the street were not acceptable types of behaviour in a particular neighbourhood. 85

Fixed penalty notices and anti-social behaviour orders (ASBOs)

Some neighbourhood bodies could be empowered and authorised to levy fixed penalty notices and apply for ASBOs (subject to checks and safeguards). 87-91

Extending neighbourhood management

The Government would like to extend the neighbourhood manager system that offers single points of contact for residents, agencies and businesses. 92

Chapter 3 – When and how people in neighbourhoods can act

Issues that will need to be resolved include

- Establishing neighbourhood arrangements
- Standards for neighbourhood bodies
- Parishes and neighbourhood arrangements
- Working with voluntary and community organisations
- Triggers for neighbourhood action
- Formation of neighbourhood contracts
- Use of model byelaws
- Levying fixed penalty notices and applying for anti-social behaviour orders (ASBOs)
- Extending neighbourhood management

Chapter 4 – Resources and capacity for neighbourhood arrangements

- Resources– ensuring resources are available to enable neighbourhood arrangements to achieve the aims for which they have been set up.
- Capacity of people to engage – this includes the capacity both of people in neighbourhoods and the officials working for local service providers to participate in neighbourhood arrangements and, most importantly, the capacity of the ward councillors to undertake their pivotal role in all neighbourhood action.

Costs of neighbourhood arrangements

It will be up to Local Authorities to fund the arrangements, although Government may support particular neighbourhood arrangements through the new burden procedure agreed with the Local Government Association. 93-95

The Government has commissioned a review of local government funding by Sir Michael Lyons which will report in 2005. 96

Resources for the neighbourhood

Modest – Neighbourhood is consulted by service providers but has no funds.

Ambitions – Neighbourhood with own funds and resources with own initiatives and spending programme

Direct government funding (eg disadvantaged areas)

Delegated budgets - local authority establishes fund/budget for each neighbourhood body for it to spend on the neighbourhood as it sees fit.

Neighbourhood Improvement Districts - A NID could raise additional revenue through the council tax in a particular area (as with a parish precept). The council would arrange for the local community to vote on a proposal for a NID and its levy. Issues include:

- Guaranteeing true additionally and avoiding double taxation
- Preventing inequality of treatment of different areas within the authority
- Stopping use of funds on inadvisable projects or services

The Government would be keen to work with councils to pilot the NID concept in order to seek resolution on these issues. 109

Neighbourhoods without own resources

Councils or other service providers may decide to develop more formal response mechanisms to address priorities being expressed by neighbourhood level arrangements or seek to involve neighbourhoods in procurement decisions. The Government would be keen to encourage participatory budgeting and work with other councils to roll out further pilots. 111-113

Neighbourhood ownership (of assets/facilities)

This model might be considered for community facilities – giving responsibility to the people who have most use of the facilities.

A community right to buy scheme could be developed, perhaps drawing on ideas and experience from the Scottish Executive's Land Reform (Scotland) Act 2003

which provided a community right to buy for rural communities in Scotland.

Capacity of people to engage

People need to have access to the necessary knowledge and information in order to get involved and influence decisions. The Neighbourhoods Statistics Service, by March 2006, will provide a range of up-to-date statistics which will allow communities to find out more information about their local area. These statistics will, for example, be on health, crime, education and housing.

Capacity to engage also means ensuring that people have access to the training and practical support that they need to engage effectively.

Chapter 5 – Neighbourhoods –The future

This is a summary chapter
AN ILLUSTRATIVE MENU OF OPTIONS FOR
NEIGHBOURHOOD ARRANGEMENTS

Neighbourhood Engagement

- Opinion surveys and customer panels
- Council meetings with neighbourhoods
- Parish arrangements
- Deliberative forums
- Dialogue with community organisations

Neighbourhood Action

- Rights to establish neighbourhood bodies
- Appointment of neighbourhood managers
- Access to information on the performance of a council/other service provider
- Rights to make formal complaints about performance
- Neighbourhood contracts and service guarantees
- Community Service Agreements™
- Triggers for action
- Levying fixed Penalty Notices and applying for ASBOs

Funding and Resources

- Delegated budgets
- Neighbourhood Improvement Districts
- Community Ownership

Comments are invited particularly on:

- a national framework statement;
- the principles for neighbourhood arrangements;
- how and when people in neighbourhoods can act;
- the neighbourhoods charter; and
- the menu of options.

ODPM will be taking this debate forward through a series of national and regional seminars, workshops and meetings with local government and representatives of the public, private, voluntary and community sector over the coming months.

More details can be found at
www.odpm.gov.uk/localvision.

Appendices

Appendix A – The role of users in public services

Appendix B – Neighbourhood activities today – a gazetteer of neighbourhood initiatives up and down the country

Appendix C – Lessons learnt from past initiatives

RECENT NEWS FROM THE CONCRETE CENTRE

- **[Hybrid Concrete Construction brochure published](#)**: A new publication 'Hybrid Concrete Construction Combining Precast and In-Situ Concrete For Better Value Structural Frames' has been published by The Concrete Centre. This free publication provides an introduction to Hybrid Concrete Construction (HCC), and highlights the benefits of the construction-method as well as the range of design options available. Featured case studies demonstrate the application of HCC in retail, offices, car parks and schools. To find out how hybrid concrete construction can be the right choice for a project, [click here](#) to download pdf, alternatively for a hard copy email literature@concretecentre.com.

A website dedicated to providing advice and assistance on the introduction, interpretation and implementation of BS EN 1992 Eurocode 2: Design of Concrete Structures (EC2) has been launched by The Concrete Centre, as part of an initiative by the Concrete Industry Eurocode Group (CIEG).

The site, www.eurocode2.info, aims to ease the transition to Eurocode 2 and includes latest news and developments relating to Eurocode 2, detailed analysis and examination of the code, free downloads and a FAQ section.

Ultimately Eurocode 2 will become the unified design code for all concrete structures in the UK and Europe. It will bring reinforced concrete design up to date with the latest research. Currently there is an interim period where designers and engineers can use BS8110 and BS8500 before the publication of a UK National Annex which will contain country specific rules for the use of Eurocode 2. This should be available later this year. Once this is published it will then be possible to use Eurocode 2.

In addition to the website, The Concrete Centre, in partnership with other industry organisations, is running a series of seminars and short courses throughout the UK. For further information [click here](#).

CIRIA

Many thousands in the UK have suffered trauma and devastating damage to homes and valuables as a result of flooding. In the UK, nearly 2 million properties built in or around floodplains are potentially at risk of flooding, and a further 80,000 properties are at risk in towns and cities from flooding caused by the occurrence of heavy rainfall. It is estimated that in England and Wales alone, 4 million people are at risk.

Flood damage to buildings range from minor effects on walls, floors, basements and services to serious structural damage. However, practical steps can be taken to reduce the cost of flood damage and to speed up recovery times should floods reoccur.

CIRIA's new publication Standards for the repair of buildings following flooding describes causes of flooding and the impacts it can have on buildings, gives advice on what to do in the immediate aftermath of flooding, sets out how to conduct post-flood surveys and future flood risk assessment and offers standards for repairing buildings that have been affected by flooding to improve their flood resistance. The guide is aimed primarily at building professionals and insurers experienced in flood damage and repair. It may also be used by general builders, surveyors and building-owners, including householders, for advice in commissioning repair work.

To purchase a copy of Standards for the repair of buildings following flooding (C623), visit www.ciriabooks.com or contact CIRIA, Classic House, 174-180 Old Street, London EC1V 9BP. (T) 020 7549 3300; (F) 020 7253 0523; (E) enquiries@ciria.org

PROFESSIONAL INDEMNITY AND CONSULTANTS WORKING FOR THE PUBLIC SERVICE

Recent events in London have served to focus minds on “what if” scenarios. Our correspondent in New Zealand has raised the interesting and not entirely academic question of – What if a consultant working for a public authority advises in the case of an emergency / natural disaster that building A is in danger of collapse or needs to be demolished to save life and in the rescue or demolition, the adjacent building B also suffers damage or collapses. Whose professional indemnity insurance foots the bill? Apparently in NZ, the authorities take on the risk in such circumstances, thus relieving consultants from the otherwise considerable insurance premiums.

Any views on what does, or should apply here would be most interesting.

Answers please to

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