

Divisions Affected – ALL

CABINET
15 July 2025

Future Civil Enforcement Contract Models

Report by Director for Environment and Highways

RECOMMENDATION

1. The Cabinet is RECOMMENDED to:

- a) Endorse the approach and proposals surrounding the civil enforcement at Oxfordshire County Council (the Council) contracts as set out in this paper.
- b) Authorise the Director of Financial and Commercial Services to prepare and commence the procurement of:
 - 1. A new 5-year Civil Enforcement Service contract (**Contract 1**) to commence on 1 May 2026 (following a mobilisation period) with options for two 1-year extensions (7-year potential contract length).
 - 2. A new 5-year Penalty Charge Notice (PCN) Software and Technology contract (**Contract 2**) to commence on 1 May 2026 (following a mobilisation period) with options for two 1-year extensions (7-year potential contract length).
 - 3. A new Zero Emissions Zone (ZEZ) Checker contract (**Contract 3**) to commence on 1 April 2026 (following a mobilisation period) plus a maintenance period of 2 years.
 - 4. A new Automatic Number Plate Recognition (ANPR) Camera's contract (**Contract 4**) for supply, maintenance and hosting of new cameras, to start as soon as possible, via further competition on the CCS framework for 4 years (longest length the framework will allow).
- c) Delegate the decision to the award the contracts, and any potential future contract extensions, to the Director of Environment and Highways in consultation with the Cabinet Member for Transport Management.
- d) Endorse the Director of Financial and Commercial Services to explore collaboration with neighbouring authorities to enable Contracts 1 and 2 to be utilised by up to two other large authorities that the Council are currently

considering procuring on behalf of. Once the exploration is complete, delegate the decision on the way forward to the Director of Environment and Highways in consultation with Cabinet Member for Transport Management, and the Cabinet Member for Finance, Property and Transformation.

Executive Summary

2. Following Cabinet approval in February 2025 to procure enhanced multi contactor contracts for the civil enforcement and ZEZ operation, Civil Enforcement specialists (Parking Matters) were appointed alongside legal specialists (Ashford's) to work with officers to develop new specifications, pricing schedules and contract terms.
3. After market engagement and discussion with other Local Authorities, the requirements have been packaged to compete via the most appropriate routes to market, and these are set out in paragraphs below.
4. For Contracts 1, 2 and 3, the Competitive Flexible Procedure under the Procurement Act 2023 (PA 2023) will be utilised.
5. The Competitive Flexible Procedure allows the Council to design a procurement process to allow dialogue, demonstrations and negotiation to allow bidders to improve bids based on feedback given during the process. This will allow the Council to ensure value for money and to be confident in the solutions being offered.
6. For Contract 4, it is proposed that a new competition via the Crown Commercial Service Framework is carried out.
7. In all cases, to ensure the most suitable bidders are appointed and the tenders are compliant, detailed evaluation themes have been developed and designed to ensure the successful bidders will be able to provide a cost-effective and high-quality Civil Enforcement Services, along with supporting the council in its delivery of its' key priorities.

Background

8. The Council first took on the powers of Civil Parking Enforcement in Oxford City in 1997, and subsequently for Cherwell, Vale of White Horse, and South Oxfordshire District Councils in 2021, and then finally West Oxfordshire in 2023.
9. These contracts were awarded to Conduent who were sold on 1 April 2024 to Modaxo who are now trading as Trellint.
10. In April 2022 the Council successfully applied to the Secretary of State for the powers to enforce moving traffic contraventions such as prohibited

vehicles, banned turns, School Streets etc.

11. As a result, the Council has five Civil Enforcement contracts with an external supplier which allow for the enforcement of restrictions across the County. Subject to completion of extension negotiations of these contracts, they will all expire in April 2026.
12. The Council also operates a Road User Charging Scheme, the Zero Emission Zone under Transport Act 2000 and its subsequent regulation under The Road User Charging Schemes (Penalty Charges, Adjudication and Enforcement) (England) Regulations 2013. The scheme started as a pilot in February 2022. The original contract awarded to Conduent Public Sector UK Ltd was in place for the initial pilot stage.
13. A new contract is also required for continued enforcement of the Zero Emission Zone.
14. In February 2025 Cabinet approved officers to progress with the preferred service model of tendering the contracts subject to agreeing the procurement strategy for each workstream, which this report sets out.

Context

15. Over the past 5 years the Council has significantly expanded its enforcement operation, leading to a service that has tripled in size. As new powers have emerged, such as for moving traffic enforcement, the Council has applied, in the first tranches, for the powers, to enable the Council to support the Local Transport and Connectivity Plan (LTCP) and other policies to create a sustainable transport network for all users.
16. Four of the contracts relate to enforcement, with the other being for the technology support. The reason there are four contracts is because each original contract didn't allow the council to enforce more than was originally set out. This meant when the time came, the Council couldn't take on enforcement of the districts or moving traffic through the original contracts due to them being both out of the scope and beyond the contract value.
17. The new contracts need to be flexible enough in terms of both being able to:
 - a) Enable the Council to enforce additional areas/restrictions, beyond what the Council currently does, to ensure that future transport schemes can be enforced. In addition, under Local Government Reorganisation it will enable all on and off-street enforcement to be undertaken by the same council.
 - b) Have an allowance within the cost value to do the above, and for other currently unknown elements, over the coming years.

18. The aim of this is to remove the need to continually put new solutions in place and allow the council to continue to be innovative and increase its operational activity as needed.
19. The current contracts have Key Performance Indicators (KPIs) which the current contractor is expected to deliver. However, these do not have any penalty clauses within them should they not meet the KPIs. The new contracts will contain such clauses, and should the required KPIs not be met, the supplier will be penalised.
20. A specific office space in a suitable location for operational needs is required. The business case considered that the best value for money was for the council to provide this. As well as considering options for the council to provide this, the procurement will ask the tenderers to show best value for money for the premises it will operate from.

Procurement and specification details

21. When developing the procurement specification requirements and process, Officers looked to ensure the 'key objectives' of the service, officers and Members were met. These objectives are.
 - Ensuring greater control of deployment plans.
 - Ensuring an efficient software system which will allow for reporting in a variety of forms to inform future deployment plans and inform members / the public of what enforcement is being undertaken.
 - Delivery of service within budget and ensuring value for money is realised
 - Supporting the delivery of the Councils carbon reduction targets
 - Promotion of innovation
22. For Contracts 1, 2 and 3, the Competitive Flexible Procedure under the Procurement Act 2023 (PA 2023) will be utilised. This is to ensure contracts are both 'straight forward' and easily manageable but also meeting the specific needs of Oxfordshire. For Contract 1 the British Parking Association (BPA) Model Contract will be used as the base, tailored to Oxfordshire requirements, enabling specifications and pricing schedules to be used where possible. Relevant additional clauses and amendments will be included to ensure suitability to meet Oxfordshire's specific needs. Contract 2 and 3 will be based on industry standard contracts with relevant clauses for the specific needs of Oxfordshire.
23. The Competitive Flexible Procedure allows the Council to design a procurement process to allow dialogue, demonstrations and negotiation to allow bidders to improve bids based on feedback given during the process. This will allow the Council to ensure value for money and to be confident in the solutions being offered.
24. For Contract 1, the pricing schedule is going to be based on open book accounting. The contractor only gets its profit element if the KPIs are met.

This is the principle of the BPA style contract. We will use bespoke clauses to reflect the specific requirements for the service provision.

25. Contract 2 pricing is normally a fixed fee plus a fee for each PCN issued or permit application. However, some suppliers charge a fixed fee plus a fee for each debt type and addition of new cameras on the system. There will be a list of items in the pricing schedule where the bidders will let the council know how much they charge. For instance, the current supplier charges us yearly maintenance fees for every camera and a one-off fee to set the cameras up on the system. They also charge us every time we set up new parking restrictions.
26. To ensure the contracts remain competitive and at the forefront of delivery and innovation throughout their life they will include a review process which will take place after 5 years of the initial period of the contract. This review will be an opportunity for both client and provider to complete a 'deep dive' into contract performance, pricing and innovation and will help inform the Council's decision around contract extensions.
27. For Contract 3 the Council is proposing a fixed fee to develop the system rather than expensive maintenance licences.
28. For Contract 4, it is proposed that a new competition via the Crown Commercial Service Framework (RM6009 – Transport Technology & Associated Services) is carried out. This framework is a route to market allowing competition with the contractors that the Council wishes to engage in this opportunity. As this is a competition, through the framework, this will be a standard pricing schedule.
29. In all cases, to ensure the most suitable bidders are appointed and the tenders are compliant, detailed evaluation themes have been developed and designed to ensure the successful bidders will be able to provide a cost-effective and high-quality Civil Enforcement Services, along with supporting the council in its delivery of its' key priorities.
30. Due to the nature of the Civil Enforcement industry, the new contract will not commit to a minimum annual spend but will provide an indication of spend through previous spend profiles which will be shared as part of the tender documentation.

Key Dates

31. If recommendations are approved, then the key dates are set out below, a more detailed programme is at Annex 1.

Indicative dates for procurement of Contracts 1 & 2 (Civil Enforcement Service and Penalty Charge Notice Software and Technology)

Activity	Target Date
Approval of approach by Cabinet	July 2025
Advert placed on e-tendering Portal	July 2025
ITT closing time and date	October 2025
Due diligence	October 2025 – April 2026
Contract start date	May 2026

Indicative dates for procurement of Contract 3 – ZEZ Systems Checker

The Competitive Flexible Procedure under PA 2023 will be utilised whereby the council will reserve the right to undertake negotiations should there be the need to do so at its absolute discretion to negotiate any element of the contract.

Activity	Target Date
Advert placed on e-tendering Portal	November 2025
Final date for submission of ITT questions	November 2025
Time period in which questions will be answered	November 2025
ITT closing time and date	November 2025
Notification of award outcome to Tenderers	January 2025
Standstill	January 2026
Contract start date	February 2026

Indicative dates for procurement of Contract 4 – ANPR Camera & Hosting

Under the Crown Commercial Service Framework (RM6009 – Transport Technology & Associated Services), a Request for Information will be conducted to generate interest in the requirements.

Activity	Target Date
Advert placed on e-tendering Portal to those companies on the framework	September 2025
Final date for submission of ITT questions	September 2025
Time period in which questions will be answered	September 2025
RFQ closing time and date	October 2025
Notification of award outcome to Tenderers	November 2025
Standstill	November 2025
Contract start date	January 2026

Collaboration Opportunity

32. The Council has been approached by two other unitary authorities, within the Thames Valley region, asking if it is possible to utilise the Council's expertise and procure on behalf of them. An assessment is currently being undertaken to determine the benefits and risks to understand if this is a there is merit in such an approach.

33. It is expected that this will be welcomed by the markets and officers also support this potential collaboration opportunity as it will align contracts within the local region and deliver wider benefit with economies of scale in terms of being an attractive customer and other harmonies.
34. The Council would need to be reimbursed at full cost for the work undertaken on behalf of the other authorities.

Policies, Priorities and Legislation

35. Civil Enforcement are key policies within the Council's Local Transport and Connectivity Plan (LTCP) and the Network Management Plan. Policy 33 – Parking Management and Policy 34 – Parking Enforcement, specifically cover the aims for the service.
36. In addition to the civil enforcement specific policies in LTCP the Civil Enforcement Service also plays a key role in helping to achieve the aims of a number of other LTCPs policies as set out below:
- Policy 1 – Transport User Hierarchy*
 - Policy 2 – Cycling and Walking Networks*
 - Policy 15 – Vision Zero*
 - Policy 18 – Bus Strategy*
 - Policy 28 – Clean Air and Zero Emissions Zones.*
37. The current service is contracted out as noted above. The contracts are funded by the revenue raised by parking permits, parking bay suspensions, pay and display income and Penalty Charge Notices (fines) that are issued to drivers that contravene the restrictions.
38. The Traffic Management Act 2004 requires the Council to hold a separate account for parking and enforcement. Any running costs are off set against the revenue received. Currently the Parking account generates a surplus which is then used on highway related projects, in-line with the legislation governing spend.

Financial Implications

39. Contracts 1 and 2 are to be funded through the surplus generated by the Civil Enforcement Service. Contract 3 is to be funded from the surplus from the current ZEZ. Contract 4 is a combination of capital funding for camera installation and any revenue from PCNs issued will fund their annual hosting and maintenance fees.
40. Within the current contracts and operating methodology, cost is £7.4m per annum with income generated at £10.6m per annum. Any surplus is collected into the Parking Account governed by section 55 of the Road Traffic Regulation Act 1984. The provision of the service is funded by the revenue received from the service or from the parking reserves.

41. As reported to Cabinet in February 2025, when looking at the options appraisal, the new approach to contract provision is intending to provide efficiencies meaning greater surplus to be utilised in sustainability of parking provision and enforcement as well as supporting highway and network services around the county.
42. Due to the scale and complexity of the project external specialist consultancy services will be required to support the project. This is for finalising specifications and procurement stages, from both a Civil Enforcement Service and Legal & Procurement perspectives. It is estimated this will cost in the region of £75,000.
43. The cost of this will be met through existing budgets and if necessary, from the parking account reserve and that existing staff costs would be met through relevant operating budgets.

Comments checked by:

Filipp Skiffins, Assistant Finance Business Partner, (Finance)

Legal Implications

44. This procurement will be completed in line with all relevant legislation and guidelines – in particular, The Procurement Contracts Regulations 2015 (for the framework further competition only), the Procurement Act 2023 for all the other contracts, and the Council's Contract Procedure Rules.
45. Due to the scale and value of the contract/s being procured, a member of the legal team has been appointed to the Project team. Given the tight timescales outlined above and the fact that any procurements have to be done under the new procurement regime in what has proved to be a very litigious area of the Council's work, in February Cabinet approved external legal resource could be brought in to assist in drafting the contracts at a minimum, provide some oversight over the procurement process if requested by Council officers. Ashford's law firm have been appointed to work on the Terms and Conditions for **Contracts 1, 2 and 3**. Contract 4 will be drafted by the in-house legal team.
46. As the 'Civil Enforcement Authority' for Oxfordshire, the procurement of new Civil Enforcement contracts is essential to ensure the Council meets its obligations under the Traffic Management Act 2004, to serve regulation 9 and 10 PCNs to vehicles observed to be in contravention of restrictions.

Comments checked by: Busola Akande, Solicitor (Contracts).

Procurement Implications

47. The Procurement for these contracts will be in line with the Council's policies

and national legislation, using the procurement routes illustrated in this report.

48. For Contracts 1, 2 and 3, significant weighting will be placed on ensuring contracts deliver the Council's Social Value Policy. These could include measures aimed at boosting local employment, use of SMEs in the wider supply chain and climate change targeted actions in line with our Social Value policy. 16% of the overall evaluation score for the contract will be based on the social value commitments each bidder makes as part of their tender submission.

Comments checked by: Katherine Booker, Head of Category – Environment and Place.

Staff Implications

49. Due to the scale and complexity of the project there has been the need to appoint additional expertise to support the subsequent procurement and contracts activity. Parking Matters and Ashford's law firm have been appointed to support this project.
50. In the case of a change of provider, the preferred model will require the TUPE of c.60 staff who currently undertake civil enforcement on behalf of the Council. Staff transfer will be from Trellint (the current provider) directly to the new provider for Contract 1 (there are no staffing implications for the other three contracts).
51. The wider contract delivery project team has been internally resourced from both within the service area and corporate centre.
52. To support the management of these contracts, it is proposed to appoint a dedicated contract management resource within the service. It is proposed to fund this post through additional surplus income generated beyond that already committed in budgets.

Equality & Inclusion Implications

53. It is not anticipated the procurement of new parking enforcement contracts will impact negatively on any 'protected characteristics' groups, nor on the armed forces, carers, staff, other Council services or providers. As part of any procurement, the social value aspects of the company and its submission will be assessed and will form a key part of the award assessment. The Equalities Impact Assessment (EIA) can be seen at Annex 2.

Sustainability Implications

54. A new delivery model and new contracts will provide opportunities to

improve the position for the council in this area for this service. The future provision will look to adopt the latest technologies and innovations and reduce carbon through efficient deployment planning and techniques where possible. By allowing the contract to be future proofed to allow for the ZEZ to be expanded will have significantly positive impact on emissions. A copy of the Climate Impact Assessment (CIA) can be found in Annex 3.

Risk Management

55. The procurement of new Civil Enforcement contracts offers many opportunities for the Council by ensuring any selected model is appropriate for the current and forecast future challenges for the council.
56. Failure to award a new contract/s holds significant risk for this project and will potentially leave the Council without a Civil Enforcement Service. To fulfil statutory obligations. To minimise this risk the project was commenced in good time with suitable programme durations to enable a robust assessment and procurement process to take place.
57. This can be a litigious market, and the project program reflects the potential risk and likelihood of challenge. Whilst the current contracts are due to expire at the end of April 2026, there is the option to extend them for a further additional year, should we face any challenges that are not able to be dealt with within programme timeframes. In addition, the use of the Competitive Flexible Procedure will allow the mechanism to work with bidders closely, foreseeing any issues early on to allow mitigation in the process rather than at contract award. The Council will work closely with specialist legal support throughout the process which will also help mitigate the risk of and manage any challenge.
58. A detailed Risk Assessment and Issues log is actively managed by the Project team and escalated when required.

Annex1 - Detailed Programme Contracts 1 & 2

Annex 2 – Equality Impact Assessment

Annex 3 – Climate Impact

Assessment Background papers:

None

Paul Fermer Director for Environment and Highways

Contact Officers:

Phil Whitfield – Head of Network Management
phil.whitfield@oxfordshire.gov.uk

Cathy Champion – Operational Manager – Civil Enforcement
cathy.champion@oxfordshire.gov.uk

John Charlton – Team Leader – Civil Enforcement
john.charlton@oxfordshire.gov.uk

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