

Meeting	Council Meeting
Date	19 th September 2012
Time	10:30
Location	CIHT, 119 Britannia Walk, London N1 7JE
Venue location map	http://www.ciht.org.uk/en/about-us/find-us.cfm nearest Tube station is Old Street
Chair/Facilitator:	Anjna Patel
Minute Taker/Timekeeper:	
Apologies:	Nick Lester

AGENDA

	10:30	Welcome & Apologies & Declaration of Conflicts of Interest	AP
1.	10.35	Address by Simon Tse, Chief Executive, DVLA	
2.	11.15	Minutes of the Previous Meeting & Matters Arising	AP
3.		<u>Items for Discussion</u>	
3a	11.30	Finance Report	J McA
3b	11.40	Parking on Private Land and the AOS	LW/PT
3c	12.00	AOS Board – Policy	JH
3d	12.10	Safer Parking Scheme – Improving Efficiency & Accountability	DP/KR
3e	12.15	Retail and Leisure Group	MR/JH
3f	12.20	TOR's for CMAP and Professional Development & Standards Board	JH
3g	12.25	Member Consultation on the Future of the BPA	JH
	13.00	LUNCH	
4.	13.20	Review of BPA Governance <ul style="list-style-type: none"> • Presentation by Professor Andy Friedman, Professional Association Retail Network (PARN) • Discussion 	JH
5.	14.45	Status Report <ul style="list-style-type: none"> • BPA Hub • Health & Safety 	
6.	14.50	Any Other Business	
	15:00	Close Next Meeting : 5 th December 2012 (10:30 start) Venue : IHT, 119 Britannia Walk, London N1 7JE	

Meeting	Council Meeting
Date	Wednesday 6 th June 2012
Location	Institution of Highways & Transportation, 119 Britannia Walk, London N1 7JE
Chair	Paul Necus
Minute Taker:	Hayley Berry
Present:	Alan Clark, Anjna Patel, David Peach, Graham Brown, Gordon Catchlove, Hayley Berry, Jane Hack, John McArdle, Keith Banbury, Kelvin Reynolds, Lesley Bradford, Linda Baker, Lynn Witham (up to item 10), Manny Rasores de Toro, Nick Lester, Nigel Williams, Patrick Troy, Paul Kyte, Paul Necus, Peter Lowe, Richard Hein, Austen Hunter, Cheryl Vickers, Karen Naylor, Emma Collins, Bob Spicer, Steve Brown, Paul Gibson – Mazars LLP (up to item 6)
Apologies received:	Alastair Cooper, Ashley Bijster, Emma Collins, Gordon Catchlove, Helen Crozier, Ian Goodwin, Mandy Ainsworth, Philip Hammer, Yvette Widdowfield, Steve Hurley, David Peach
Absent:	Andrew Pulham, Chris Wapples, Craig Mordue, Ian Taylor, Kevan Butt, Roy Tunstall, Les Knight

MINUTES

Action

1. Welcome & Apologies & Declarations of Conflicts of Interest

The Chair welcomed everyone to the meeting and the apologies received were announced. The Council were asked whether anybody had any conflicts of interests to declare, the following were received:

- NL declared a conflict of interest relating to the IAS item due to London Councils being involved in the tendering process. NL to step outside when required.
- PG of Mazars declared that he was present to advise Council about the Risk Management associated with the IAS item but declared that there was NO conflict of interest given that Mazars is also the BPA's auditors because he was not directly involved with the auditing process.

The Chair and Council also welcome Councillor Shona Johnstone from the LGA Committee.

2. Address from Cllr Shona Johnstone from the LGA Committee

- .1 SJ gave a presentation on the work of the LGA Committee and their specific involvement in parking matters.
- .2 MR asked SJ her thoughts on technology and whether the government were anti-technology? Also the role that technology can play in traffic enforcement. SJ advised that she supports the use of technology. Also those difficulties can arise when people have a specific view, regarding technology for example, and that they are not willing to change their view even on hearing reasons.
- .3 PL asked SJ whether a study into station parking had been undertaken? SJ advised that as far as she was aware there had not been one done. KR advised that 2500 stations had parking facilities. KR to look into to see if any further information is

available.

ACTION: KR to investigate if any further information or data is available regarding station parking facilities.

KR

- .4 PN asked SJ what was the best way for the BPA to work with the LGA. SJ advised that continuing the conversations at officer level plus attendance at future Council meetings. This would be a mutual learning opportunity.

3. Minutes of the Previous Meeting

The Minutes of the previous meeting were accepted as an accurate recording of the last meeting and updates were given on the following points:

4. Independent Appeals Service

- .1 Regarding the development of an Appointments Panel, this will be covered in Item 5.
- .2 KR advised that the short summary of liabilities is in progress, currently waiting on the government's guidance to be produced. Then KR will work out what is missing and will add,

6. Budget Report and 2012

- .3 JMc and LB are underway with creating a reserves policy.

13. Any Other Business

Apprenticeships

NW advised that a workshop is planned for the week commencing 11th June 2012 regarding apprenticeships.

4. Approval of Audited Accounts and Auditor's Report

- .1 JMc advised that the paper circulated was incorrect and contains the Honorary Treasurer's report from last year rather than this year. JMc gave his report verbally and said that the correct Hon. Treasurer's report would be circulated to Council by email. JMc gave an update on the finances and advised that the biggest risk this year was the IAS. JMc thanked Lesley Bradford, Head of Finance and Mazars for their hard work.
- .2 The accounts were approved with Anjna Patel proposing and Alan Clark seconding.

5. Independent Appeals Service

- .1 PT advised that once Council agreed the recommendations, a letter would be sent to the Minister, Norman Baker. PT also advised that following the tenders going out to London Councils and Patrol, Patrol advised that they were not in a position to bid at the moment. London Councils bid met in broad terms the requirements sought. They have also offered an open book accounting process to keep the costs under review and in the open. It was agreed that BPA would deal with the invoicing for use of the appeals service. AC asked whether a cash collection system could be set up outside of the BPA to reduce any concern about a perceived lack of independence.
- .2 NL advised that by using law students as Assessors rather than lawyers/barristers the operating costs can be kept lower. MR asked whether using law students may attract

negative media but NL advised that the final decision would have to go through a lead adjudicator who has the overall responsibility.

- .3 JMc advised that there is the need to demonstrate to government that this will be a reliable and robust model and although London Councils are not cheap, they can and will deliver what we want.

NL left the room whilst further discussion took place.

- .4 There were some concerns raised:

- Proving independence if the operators are funding it – PL
PT advised that the BPA will be keeping it at arm's length and it is no different to the existing statutory services; likewise Government appoints judges who apply the law.
- Not all Operators issue tickets, therefore why should all operators pay for the service – CV
PT advised that all AOS members will benefit from the IAS through Keeper Liability.
- Impact on BPA's staff time, were the costs sufficient to cover – NW
PT advised that a sum was included in the proposal to cover this and of course would be reviewed annually.
- Fees going out in the first year do not match the income – PL
JMc advised that all figures are based on 3 years and if London Councils' fees increased then this would be passed onto the Operators.

- .5 PG restated his non conflict of interest relating to Mazars's involvement with the BPA's auditing process and advised that the BPA will receive a note from Mazars to say that they have taken advice. PG advised that the BPA will not be using their reserves and that a mechanism is being proposed to obtain lump sums from members by way of bonds to cover the risk of adverse cash flow for the BPA.

- .6 PT advised that Band 8 operators represent 60% of the sector. If Council agree, they will each be asked to deposit a bond of £30k with the BPA on a three-year term. JMc advised that the operators are taking a robust view and wanted some reassurance about the use of the bond before agreeing to it. It is intended that IAS charges for all operators would be set up on a direct debit arrangement for the 'per appeal' PAYG element of charges.

There were some concerns raised relating to the operators funding the IAS:

- Should someone joining the Association after it has been set up pay the set-up fee in the form of a joining fee to prevent some members waiting until the service has been set up?
- Should other bands in the scheme contribute?
- What about if we lost 25-30 members following this?
- Could a large member charge a fee to smaller members for access to DVLA details?
- Should the bond be ringfenced for a year or drawn down against costs?

- .7 PG advised that there would be risks to individuals as Company Directors and to the Association. Mazars will be able to report on this every year if needed. PG advised that the company is limited by guarantee (£10 per member). As such, the Directors are protected against personal liability unless they have acted negligently, recklessly, fraudulently or illegally. However, PG advised that as long as there is no breach of these circumstances, there is no undue cause for concern for individuals as Company

Directors. If the company should become insolvent, as long as the Association is seen to have taken timely professional advice and followed this, then there should be no risk to Directors. PG assured members of Council that mentioning these risks is covering these for completeness and not to raise concern. PG complimented Council on their structured debate.

RECOMMENDATIONS

- a) That Council agree the appointment of London Councils to establish an independent appeals service for the private parking sector for a period of 3 years **(additional wording) conditional on the reserve fund bond of £150k in total being paid up front and untouched for the first year. Draft Terms and Conditions for the fund to be supplied by PG from Mazars.** **AGREED**

(13 for, 0 against, 1 abstaining)

- b) That Council recognise the requirements of Government in regards to the Independent Appeals Service and note intended responses. **AGREED**

It was noted that it would be explained to the Minister regarding Adjudicators responsibility to apply the code and consider mitigation.

- c) That Council agree the charges to AOS members for using, **(varied wording) setting up and funding** the Independent Appeals Service. **AGREED**

It was agreed that the proposed set-up fee should be a joining fee and also paid by new members. All AOS members should pay for the IAS. There is an outstanding commitment to review the whole AOS fees structure and the IAS funding would form part of that review.

(11 for, 0 against, 2 abstaining)

- d) That Council recognise the financial risks to the BPA of launching the Service and support the planned actions proposed to mitigate these. **AGREED**

(11 for, 0 against, 2 abstaining)

6. AOS Code 2012

- .1 KR advised that research of membership indicated setting the bar at £100 would be feasible. OFT advised that there was always a risk associated with setting prices. However, this cap could be perceived as a public benefit. KR advised that OFT accept in principle a cap on the fees but that the BPA has to accept that some members may exceed this and could be asked to justify it.

RECOMMENDATIONS

Council is recommended to:

- a) ~~Agree the maximum face value of a Parking Enforcement Notice issued on private land to be £100 unless an operator can demonstrate a genuine pre-estimate of loss above this~~

figure

(new wording)

That the face value of a Parking Enforcement Notice is based on a genuine pre-estimate of loss and which should not exceed a maximum of £100. This will be reviewed annually.

AGREED

- b) ~~Agree that AOS members would be expected to offer a discount for early payment, defined as within 14 days, of at least 40%.~~

AGREED

(new wording)

Agree that AOS members would be expected to offer a discount of at least 40% for early payment, defined as within 14 days of the issue of the PEN and subject to the provisions of the Protection of Freedoms Act.

- c) Agree that the existing AOS Code be replaced by two new documents: Code 2012, which will take the form of a "Customer Charter" and an AOS Membership Contract **(new wording) (to be referred to as The AOS Code 2012)** both of which together will form the basis for continued BPA Membership in accordance with the AOS and its associated Sanctions.

AGREED

It was discussed that it would be a good idea to have a website with the customer charter on. PL suggested that there should be a link to the website on the back on the PENs, this was agreed.

- d) Agree the Code of Practice 2012 in principle, and delegate detail and final signing off to the AOS Board.

AGREED

7. AOS Terms of Reference

KR presented the new terms of reference for the AOS Board as approved by the Executive Board. These were agreed.

8. Masterplan – Informing and Influencing Government

- .1 The standardisation of penalty charge notices was discussed.
- .2 NW suggested that there could be something more about training in the Masterplans.
- .3 It was discussed and agreed that the point regarding the revitalisation of towns and cities should have more emphasis on the role of parking and traffic management as a whole in regeneration and enabling the wider community to function effectively.

RECOMMENDATIONS

Council is asked to:

- a) Agree the strategy in broad terms as set out in Appendix A.
- b) Agree that the item on revitalising town centres be agreed offline between NL and KR.

AGREED

AGREED

- c) Agree to the launch of the third version of the Master Plan for Parking at the Presidents Reception in July.

AGREED

9. BPA Council Elections

RECOMMENDATION

Council are asked to consider whether some or all of the places that have become available should be filled at this time.

It was agreed that all places should be filled at this year's election as normal.

It was noted that the Vice President elections would take place shortly by email.

10. EPA Secretariat

RECOMMENDATION

- a) Council are asked to discuss and advise direction on this proposal.

It was discussed and decided to use the meeting in Helsinki to sound people out as there is no requirement to commit until September 2013. However it needs to be cost effective and beneficial.

11. Status Report

The status report was noted.

12. AOB

- .1 JH asked Council's opinion to changing the emphasis of the Communications and Marketing Panel (CMAP) to the Communications and Membership Panel with a focus on membership in order to support and meet the needs of the expanding membership which includes individuals. **Agreed subject to new Terms of Reference.**
- .2 It was noted that there will be a Regional Chairs meeting on the same day as the AGM, details will be released shortly.
- .3 MR advised that equipment manufacturers are assisting with reviewing standards for parking equipment. PL advised that there has been a clash of dates with the Wales Group and The Healthcare SIG and that he can't do both.
- .4 Thanks were given to:
- AC as it was his last Council meeting.
 - RH as it was last CMAP meeting as Chair recently.
 - PN as it was his last Council meeting as President.

JH

13. **Date of next meeting : 19th September**
Venue : CIHT, 119 Britannia Walk, London N1 7JE
Start time : 10:30

BPA Council	Agenda Item 1
19 th September 2012	Questions to Mr Simon Tse, Chief Executive of the DVLA



British Parking Association Council Meeting 19 September 2012

Questions to Mr Simon Tse, Chief Executive at Driver and Vehicle Licencing Agency

Introduction and Background	Questions	
Council would like to get a better understanding of the role of DVLA and how it operates so that we can continue to build on the good working relationship which exists between us to ensure that fair and legitimate parking enforcement can take place both on public roads and private land for the benefit of everyone and that enforcement action is not compromised by a lack of pragmatism and rigid application of rules.	<ul style="list-style-type: none"> • <i>Tell us more about the wider role of the DVLA and where do you see the DVLA in 5 years' time?</i> • <i>How do you see the role of the DVLA in general and in supporting civil enforcement of traffic and parking?</i> • <i>What is your view of the role played by parking management companies operating on private land and how does the DVLA support</i> 	President – Anjna Patel
The DVLA has now closed down the use of EDI links to local authorities and private contractors engaged in the management of parking on public and private land has replaced this electronic sharing of DVLA data with the ELISE system.	<ul style="list-style-type: none"> • <i>What are the benefits of ELISE for your customers? What new services will be available to them?</i> • <i>ELISE is a Portal to existing databases; what plans are there to renew the databases themselves which we understand are now over 40 years old?</i> 	Ashley Bijster
There are principally three ways in which organisations can access DVLA records. Electronically via ELISE; the web enabled enquiry (WEE) or by post. Private sector operators are charged an enquiry fee, local authorities are not charged. Enquiries made through the post are by definition likely to be more labour-intensive and expensive and yet the enquiry fee is the same whichever method of enquiry is used.	<ul style="list-style-type: none"> • <i>Why are private sector operators charged and local authorities not charged? Do you think this will change? And if so when?</i> • <i>To make electronic enquiries organisations invest significant sums of money in technology. Is there a case for a lower transaction fee for high-volume automatic electronic enquiries?</i> 	Helen Crozier

BPA Council	Agenda Item 1
19 th September 2012	Questions to Mr Simon Tse, Chief Executive of the DVLA

Introduction and Background	Questions	
<p>BPA Members, who comprise local authorities and private sector parking companies request data from DVLA for a variety of purposes and want to better understand the requirements for storing and retention of that data. Clearly there are ICO protocols for Data Protection Act requirements; the DVLA has requirements to enable DVLA Audit to take place and the BPA Code of Practice requires operators to comply with the Data Protection Act's Data Principles.</p>	<ul style="list-style-type: none"> • <i>Is there parity between the DPA Data Principles, the DVLA audit requirements and members need to hold and retain data?</i> • <i>What should members do with data supplied by DVLA once the enforcement of outstanding parking charges/penalty charges is complete?</i> 	Lynn Witham
<p>Parking companies wishing to make enquiries about registered keepers are required to be a member of an Accredited Trade Association. The BPA is an ATA. We have developed a Code of Practice and Sanctions Scheme with DVLA to manage compliance. The Scheme of Sanctions is designed to act proportionately given the nature of the non-compliance identified. The more serious the non-compliance the greater the consequences. It operates by awarding "penalty points" to operators ranging from Level I (one point) to Level VI (12 points). 12 points results in suspension from BPA pending disciplinary action under the BPA disciplinary codes. It can lead to termination of BPA membership. Termination from BPA and or a temporary refusal by DVLA to accept data requests from operators can have a serious and in some cases catastrophic impact on the business.</p>	<ul style="list-style-type: none"> • <i>What is the DVLA doing to ensure that its own enforcement action is fair, reasonable and proportionate when it discovers that members are in breach of contract with DVLA or do not comply with the ATA Code of Practice in some way?</i> • <i>When the DVLA decides to suspend an operator and refuses to accept data requests, what mechanisms are there to appeal those decisions?</i> • <i>How would the DVLA respond to legal action from a parking operator whose business was detrimentally affected by seemingly disproportionate decisions of DVLA to suspend and refuse data requests?</i> 	David Peach

BPA Council	Agenda Item 1
19 th September 2012	Questions to Mr Simon Tse, Chief Executive of the DVLA

Introduction and Background	Questions	
<p>Parking enforcement against foreign registered vehicles is severely compromised because of the inability to trace the owner. There is a time limit before a vehicle is required to be registered if it remains in the United Kingdom.</p> <p>DVLA has conducted a data sharing project in Ireland which we understand is a success.</p>	<ul style="list-style-type: none"> • <i>What is the time limit before a foreign vehicle must be registered and what action does DVLA take to ensure that vehicles which remain in the United Kingdom are properly registered with UK registration authorities?</i> • <i>Do you support data exchange between EU Countries and are you able to comment on the pilot to exchange keeper data between UK and Ireland for example?</i> • <i>What are the plans to roll this out in Europe so that FRVs can be pursued alongside UK registered vehicles for unpaid PCNs?"</i> 	tbc
<p>Many hundreds if not thousands of parking tickets are cancelled each year because of a lack of data about registered keepers or vehicles. Common themes are fictitious names, fictitious addresses and lack of postcode information or indeed no registered keeper details whatsoever. For example The Civil Procedure Rules make it a legal requirement for a Warrant to have a valid and complete Postcode before it can be executed. Effective parking enforcement on public and private land is compromised by this.</p>	<ul style="list-style-type: none"> • <i>What is the DVLA doing to improve the accuracy of its records?</i> • <i>In particular what is the DVLA doing to ensure that people are not able to register fictitious names and addresses or allowing incomplete registrations?</i> • <i>Why does the DVLA not accept verifiable 'new information' from trusted third parties?</i> 	Alan Wood
<p>Bailiff companies speak of the onerous task of getting letters of authority from every council they are engaged by. It seems they have to enter into the same [DVLA] agreements as Councils anyway. The DVLA seems also to have a lack of understanding about LA and who is the enforcement authority and this especially so given 2 tier authorities and the complex partnership and agency agreements in place in various parts of the country all complicate matters.</p>	<ul style="list-style-type: none"> • <i>For members of an accredited association (a requirement for accessing data) would it not be simpler for everyone if Bailiffs to provide a single letter listing the Councils it is engaged by and confirming that data supplied will only be used for that purpose?</i> 	Paul Kyte

BPA Council	Agenda Item 1
19 th September 2012	Questions to Mr Simon Tse, Chief Executive of the DVLA

Introduction and Background	Questions	
<p>There seems to be a very inconsistent way in which data is obtained and why electronic data requests are acceptable for parking but the manual process is still used for other debts.</p> <p>There is no logic for this inconsistency and the practice of paper based enquiries leads itself to the risk of lost data.</p> <p>Access to DVLA data is covered by section 27(1e) of the Road Vehicles (Registration and Licensing) Regulations 2002. This provides for access "by any person who can show to the satisfaction of the Secretary of State that he has reasonable cause for wanting the particulars to be made available to him"</p>	<ul style="list-style-type: none"> • <i>Why are electronic data requests acceptable in some cases and postal applications a requirement in others?</i> • <i>Do you agree that the 'Reasonable Cause' clause Regulation 27(1)e is the correct route that Enforcement Agents are entitled to use to obtain data and should apply to every Warrant , writ or liability order and which is different to section 27(1a) which is specifically for Local Authorities acting as parking authorities?</i> 	Paul Sharpe
<p>Local Authorities are increasingly seeking to introduce parking charges in support of their carbon reduction strategies and to verify residency when processing applications for resident permits for example. Some LA are also empowered to enforce Moving Traffic Contraventions, including weight limits for example.</p> <p>We also understand LOCOG has been able access information in relation to issuing permits for the Olympic zones.</p>	<ul style="list-style-type: none"> • <i>What is the DVLA policy on sharing data for administrative, rather than enforcement purposes?</i> • <i>Would you share data to prove residency; to prove the weight or class of a vehicle or confirm emissions classification for example?</i> • <i>Do you support the idea that development work with the DVLA be undertaken to enable this data to be shared better with local authorities? If not what other methods could be used to obtain this data?</i> 	Karen Naylor

BPA Council	Agenda Item 3a
19 th September 2012	BPA Finance Report



Report to:	Council
Title:	Finance Report
Council Member:	John McArdle, Honorary Treasurer
Author:	Lesley Bradford, Head of Finance
Date of Meeting	19th September 2012

SUMMARY

This report sets out the financial activities and variances against budget as at end period 4.

RECOMMENDATION

Council is recommended to:

1. Council note the financial situation and variations as detailed below.

BACKGROUND

A balanced budget was agreed for this financial year with calls on reserves of £25,000 for Office Refurbishment, £38,407 for Skills and £9,000 for the John Heasman Bursary, (the latter two carried forward from last budget year). There is a call on reserves of £44,889 for the IAS, in addition to the £42,000 from last budget year, which is to be repaid.

In response to Council's concern regarding the overall reserves value, we are recommending that the reserves do not go below £650,000, this will ensure that overheads can be met for six months. We will report to Council if this value is at risk at any time.

ISSUES

BPA budget- please note the main variations:

1. Annual Conference- Income and expenditure slightly down against budget showing a positive variation to date of £1,978, more delegate bookings are expected to come in during September.
2. Parkex- A positive variance of £6247 to date due to savings on costs, however there is still a small amount of Brintex Fee to come through. The overall outcome should exceed budget by approx £2,000.
3. Presidents Event- The event came in as budgeted.

BPA Council	Agenda Item 3a
19 th September 2012	BPA Finance Report

4. Members Dinner is doing well with income up by £5,750 on budget to date, costs are up slightly by £1,344, however the final figures are expected to come in as budgeted.
5. Income for Parking News is slightly down by £6,198 against the budget. A meeting with Ten Alps is being scheduled for September to ascertain what actions are being taken to improve the outcome. This will be closely monitored and contractual penalties will be enforced if KPI's are not met.
6. Sigs- There is a positive variance of £2,708 to date, this is due to unbudgeted sponsorship of £1,000 for Lasig and also cost savings of just over £1,700 to date.
7. Savings of £9,648 have been made against the staff costs budget, this is mainly due to a smaller than budgeted pay award, and also one part time post not being filled at present. As the restructuring is completed there may be some further costs to adjust for changed roles so we are forecasting a full spend at this stage.
8. Legal/Insurance/IT- Several small cost savings have resulted in a positive variance of £3,176 to date.
9. Office Costs are showing an overspend of £5284. This is due mostly to a spend on office refurbishments, which is covered from a call on reserves referred to above and will be adjusted.
10. Savings of £3,165 have been made to date on the Capital budget and this is due to timings of the new CRM database and the research project.
11. Membership fees are showing a deficit variation of £8,987 against budget, this is partly due to some renewals being delayed awaiting confirmation of parking related turnover, the figures are however expected to pick up over the next quarter.

AOS budget- please note the main variations:

1. Income is down by £6,200, this is due in part to a delay in invoicing whilst confirmation of turnover is being clarified, the income should smooth during the next few months.
2. Staff costs are showing savings of £5381 and this is due to a lower than budgeted pay award and also not all staff take up of Company Pension scheme. However, as above, we are forecasting a full spend at this stage.
3. An overspend on the code of practice to date of £7,715 is due to the costs associated with the imminent launch of the new code 2012.
4. Savings of £3,333 for Legal costs have been made against budget to date.

BPA Council	Agenda Item 3a
19 th September 2012	BPA Finance Report

- Compliance Audit costs are showing savings of £7,507 to date, however this will even out throughout the year.

IAS Budget-please note the main variations:

Council agreed a contribution from reserves of up to £100,000 to set up the Independent Appeals Service and this budget year a figure of £44,889 was approved.

At the time of setting the budgets the business model for the scheme had not been created or approved, and the finer details of how the scheme would work were unknown.

Therefore please note the following:

Unbudgeted income of £132,911 is showing to date for the IAS joining fees. These fees have been charged in advance of the set up costs in order to prevent cash flow issues. Note, to date approx £98,000 has been paid and the balance is being actively pursued.

Invoices to the value of £300,000 for the IAS Membership fee have been sent out during August and this revenue will show in the next budget report.

Costs to date are up by £1,418 against budget, the main expenses to date being consultancy fees. We will be closely monitoring costs over the coming months to ensure that the final outcome does not exceed the £44,889 loan from reserves as budgeted.

Note: The first payment of £77,400 has been made to London Councils for Set Up Costs in August and this will reflect in the next budget report.

SPS Budget- Please note the main variations:

There are 5012 car parks in the Safer Parking Scheme to date and steady growth is anticipated throughout the year.

- Income is up by £15,481 against budget, this is mainly due to a change in the way NCP is invoiced. Previously they have their fees charged twice a year, this year they have paid all their fees in the first quarter.
- Small savings on Capital due to timings of the new CRM.
- Savings of approx £2,000 have been made to date on the operational costs.
- Savings of £5,186 are showing against the marketing budget to date.

John McArdle
Honorary Treasurer

Lesley Bradford
Head of Finance

Council-BPA Budget Report as at end period 4-July 2012.

	2012/13	Income		Expenditure		Variations
	Budget	Budget	Actual	Budget	Actual	
Annual Conference	2,250	2,500	1,260	3,500	272	1,978
Parkex	111,300	476,250	442,290	364,950	324,743	6,247
Presidents Event	-5,700	0	0	5,700	5,694	6
Members Dinner	0	10,000	15,750	6,593	7,937	4,406
Parking News	14,102	42,310	36,112	43,350	43,256	-6,104
Communications	-17,500	0	0	9,575	8,397	1,178
PR & Lobbying	-18,000	0	0	8,250	5,210	3,040
EPA	-13,000	0	0	1,750	1,692	58
Model Contract	6,500	3,000	3,500	0	0	500
Strategic Development	-5,000	0	825	0	0	825
Regional Groups	200	3,500	3,424	2,250	3,268	-1094
Scotland Exhibition	1,300	0	0	0	0	0
N. Ireland Event	1,250	2,000	1,499	6,067	5,575	-9
Sigs	-15,600	1,250	2,000	4,715	2,757	2,708
John Heasman Burs	-10,000	0	0	2,500	0	2,500
Staff Costs	-581,310	8,200	9,567	192,453	184,172	9,648
Post & Stationery	-14,500	0	0	4,833	4,487	346
Council Costs	-14,205	0	0	5,068	3,678	1,390
Facilities Costs	-18,300	0	0	6,016	4,764	1,252
Legal/Insur/ IT /Audit	-66,600	0	0	15,902	12,726	3,176
Management Fees	256,814	85,605	85,605	0	0	0
Office Costs	-80,500	0	0	26,500	31,784	-5,284
Capital Depn	-40,202	0	0	13,400	10,235	3,165
Memb Fees	491,135	165,932	157,188	0	243	-8,987
Investment Income	7,000	2,000	2,260	0	0	260
Skills	9,000	4,000	4,675	1,300	899	1,076
Totals	434			724,672	661,789	22,281
IAS- Reserves	-44,889					
John Heaseman Bursary	-9,000					
Office Refurb- Reserves	-25,000				-4283	
Skills projects - Reserves	-38,407					
Totals	-116,862					

Council-SPS Budget Report as at end period 4 - July 2012

	2011/12	Income		Expenditure		Variations
	Budget	Forecast	Actual	Budget	Actual	
Income						
SPS England & Wales						
SPS Membership	775,498	263,280	279,761	0	0	16,481
SPS DM Inpsection Fees	1,000	333	333	0	0	-
SPS Google Maps Data	3,000	1,000	0	0	0	(1000)
Totals	779,498	264,613	280,094	0		15481
Expenditure						
SPS Head Office	-235,016	0	0	76,938	73,197	(3741)
SPS Capital	-11,400	0	0	3,800	2,181	(1619)
SPS Operational	-466,663	0	0	163,359	161,446	(1913)
SPS Marketing & Dev	-66,150	0	0	13,700	8,514	(5186)
Totals	-779,229	0	0	257,797	245,338	(12459)
	269	264,613	280,094	257,797	245,338	27,940

Totals

Council-AOS Budget Report as at Period 4- July 2012.

	2012/13	Income		Expenditure		Variations
	Budget	Budget	Actual	Budget	Actual	
Income						
AOS Membership	378,750	107,064	90,600	0	0	(16464)
AOS Joining Fees	9,000	3,000	8,500	0	0	5,500
AOS Audit Fee Incoem	85,644	28,000	32,770	0	0	4,770
AOS Salaries Re-charge	11,889	3,963	3,963	0	0	0
Total Income	485,283	142,027	135,833			(6194)
Expenditure						
PR & Exhibitions	-5,000	0	0	5,000	4,182	(818)
Staff Costs	-205,155	0	0	68,385	63,004	(5381)
Bad Debts	-3,500	0	0	0	0	-
Code Of Practice	-10,000	0	0	6,000	13,715	7715
Staff Expenses	-9,000	0	0	3,000	648	(2352)
Comms Strategy	-31,500	0	0	10,500	8,388	(2112)
Legal Costs	-10,000	0	0	3,333	0	(3333)
BPA Management Fee	-86,754	0	0	28,919	28,918	0
Board Meeting Costs	-2,400	0	0	800	774	(26)
SPS DM Recharge	-1,000	0	0	333	333	0
Database Development	-7,779	0	0	2,593	1,267	(1326)
Projects/Consultancy Fees	-10,000	0	0	3,333	0	(3333)
Compliance Audit	-85,644	0	0	25,411	17,904	(7507)
Staff CPD	-3,000	0	0	1,000	0	(1000)
Post & Stationery	-1,000	0	0	333	487	154
Audit Fees	-1,200	0	0	0	0	0
Capital Depn-Research	-3,000	0	0	1,000	0	(1000)
Mobile Phones	-400	0	0	133	201	68
Recruitment Costs	-1,000	0	0	0	0	0
Totals	-477,332			160,073	139,821	(20251)
Totals	7,951	0	142,027	0	139,821	14,057

Council-IAS Budget Report as at Period 4- July 2012.

	2012/13	Income		Expenditure		Variations
	Budget	Budget	Actual	Budget	Actual	
Income						
IAS Annual Membership	0	0	0	0	0	
IAS Joining Fees	0	0	132,911	0	0	132,911
				0	0	
				0	0	
Total Income	0	0	132,911			132911
Expenditure						
IAS Consultancy Fees	25,000	0	0	10,800	11,334	534
IAS legal Fees	5,000	0	0	0	0	0
IAS Salaries Recharge	11,889	0	0	3,963	3,963	-
IAS Staff Travel & Exps	1,000	0	0	333	730	397
ias Meetings	2,000	0	0	500	987	487
Totals	44,889			15,596	17,014	1418
Totals	44,889	0	132,911	15,596	17,014	131,493

BPA Council	Agenda Item 3b
19 th September 2012	Parking on Private Land and the AOS



Report to:	Council
Title	Parking on Private Land and the AOS
Council Member	Lynn Witham- Chair AOS Board
Director	Director of Policy and Public Affairs
Date of Meeting	19 September 2012

SUMMARY

As a result of the Protection of Freedoms Act 2012 Council has made a number of decisions regarding the Approved Operators Scheme (AOS) and the Independent Appeals Service (IAS). This Report reviews those decisions and advises on their status. The decisions have been largely implemented but with some variation. The Government will be introducing its ban on clamping without 'lawful authority' on 1st October 2012. The IAS and keeper liability will commence on the same date. We continue to work with AOS Members to facilitate a smooth transition. There will be some challenges and difficulties but we are determined to do all we can for members given the available resources.

RECOMMENDATIONS

Council is recommended to :

1. Note the progress in implementing Council's decisions in respect of the AOS and IAS set out in Appendix A
2. Approve the draft Consumer Guide set out in Appendix B
3. Authorise the Chief Executive and Chief Operating Officer to suspend immediately any AOS member who continues to clamp or remove vehicles from private land without lawful authority on or after 1 October pending disciplinary action in accordance with the BPA Code of Professional Conduct.
4. Note that OFT advice is to use the term Parking Charge Notice rather than Parking Enforcement Notice
5. Note that the AOS Board will be asked to make a recommendation to Council regarding all fees associated with the AOS.
6. Give a steer to the AOS Board on how costs of the AOS and IAS should be apportioned.

BACKGROUND

Following decisions by Council in March and June 2012 and the publication of the Protection of

BPA Council	Agenda Item 3b
19 th September 2012	Parking on Private Land and the AOS

Freedoms Act in May 2012 the following activities have been undertaken:

A new Code of Practice for AOS members has been published and circulated to members as well as to consumer bodies and to government.

A Letter of Intent has been signed with London Councils for them to deliver an IAS for the private parking sector and this will be in place for 1 October.

Government has laid its Commencement Order for sections of the Act in relation to the ban on clamping and removal on private land without lawful authority together with provisions to allow unpaid parking charges as result of breach of contract or trespass to be recovered from the registered keeper in defined circumstances. These provisions of the Act will apply on 1 October.

ISSUES

Council's decisions have now been implemented with some minor variations which are set out in Appendix A. Council is asked to note in particular the following:

1. The Code of Practice is now complete and was published on 10 September 2012. The Consumer Guide – which draws out the main themes from the Code for motorists' consumption – is attached as a final draft as Appendix B. This has been agreed by key operators and all bodies representing the consumer and the motorist.
2. OFT guidance has resulted in the adoption of the term parking charge notice as a generic terms for all Notices issued in respect of parking on private land rather than Parking Enforcement Notice for reasons set out in Appendix A
3. Band 8 operators have been slow in honouring their pledges to enter a Bond with the BPA to limit our cash flow risk. We still believe we can get close to the £150k threshold.
4. Most operators appear to be complying with Council's decision to end clamping and removals on 16 September, two weeks before the ban comes in. However, we are aware that some will not have ceased completely although they will have significantly ramped down their operations by this date. To protect the BPA's reputation at such a critical time I am asking Council to agree that any clamping or towing away that takes place without lawful authority on or after 1 October results in immediate suspension of the operator pending a report to the Professional Conduct Committee.
5. Council should note that there has been some resistance to the imposition of charges for the IAS despite this being a condition by government of the commencement of the keeper liability provisions in the Act. This may result in some memberships being terminated for failure to pay IAS fees.
6. Council committed last year to a review of and how the AOS costs are apportioned to AOS Members. The AOS Board will be discussing the issues at its October meeting and would welcome a steer from Council which can be taken into account during the debate.
7. There will be many challenges ahead for the sector as the IAS begins to hear appeals and the public challenge new powers exercised by operators in relation to keeper liability. This

BPA Council	Agenda Item 3b
19 th September 2012	Parking on Private Land and the AOS

undoubtedly will put pressure on staff managing the AOS and support and resources will need to be kept under review at this critical time.

8. A programme of communication, going under the name TRACK (Transition, Rectification, Appeals, Clamping, Keeper Liability), or (Taking Responsible Action & Communicating Knowledge) is ongoing.
 - a. Workshops for members took place in July with further Workshops in relation to the IAS in September.
 - b. Regular updates are sent by email in addition to the fortnightly AOS ezine.
 - c. Articles have and continue to be published in Parking News, as well as a number of external publications.
 - d. We are working with external stakeholders (e.g. Consumer Groups, etc) to ensure they have the information they need to distribute to their audiences.
 - e. The BPA website has dedicated sections about the changes taking place in October, including popular FAQ sections.
 - f. We anticipate some major media interest as the clamping ban is introduced in early October.
 - g. We have contributed to the advice being published on Government's web services

BPA Council	Agenda Item 3b
19 th September 2012	Parking on Private Land and the AOS

Appendix A

	Wednesday 14th March	Action	Status
1.	That a short one page summary of liabilities is produced to summarise the changes in the Freedoms Bill		This is proving complex to create and will be built piecemeal as matters become clearer.
2.	That a recommendation is added to the Code 2012 concerning the need for improving workforce development	Rocky Dato and Nikki Wright have worked with Nigel Williams to develop wording to go into the Code	A summary of the wording now appears in the Code, with detail to appear in the AOS Handbook and Operator Guide.
3.	Agree the appointment panel for the Independent Appeals service to consist of the Chair of the AOS Board the Vice President and the Chief Executive plus supporting officers.	The Panel recommended the Apointment of London Councils and Letters of Intent have been exchanged for a new service to be call POPLA	The IAS Management Board has now met a number of times with formal launch still planned for 1 October
4.	Note that Council will be invited by closed email to approve a recommendation by the appointment panel for the delivery of an independent appeals service for the private parking sector.	Process for appointment followed.	London Councils confirmed by signature of letter of intent on 08.08.2012
5.	Agree that, following Royal Assent of the Bill, AOS members are encouraged to downscale their immobilisation and towing away operations to ensure that all activities are ceased by two weeks prior to the Act coming into force.		AOS e-zines have advised AOS members involved in immobilisation that BPA Council expects all clamping and removals to cease by 16.09.2012. Any such actions that take place after this date will be considered to be a breach of the BPA's Code of Professional Conduct. Some operators have put forward mitigating circumstances and these are being considered on a case-by-case basis. Thus some activities might still take place up until 30 th September. A recommendation is included to ensure immediate action is taken if such enforcement takes place on or after 1 October.

BPA Council	Agenda Item 3b
19 th September 2012	Parking on Private Land and the AOS

6.	Approve the development of the AOS Code 2012 to be formally adopted at a future Council and published in Summer 2012 to become operational in Autumn 2012.	The code has been developed as agreed.	Code 2012 has been published to the membership on schedule. The Scheme of Sanctions has been reviewed and revised to better align with the new Code and PoFA 2012 and the AOS Board will be asked to approve it at its October meeting.
7.	Agree that Code 2012 should refer to private parking tickets often call Parking Charge Notices (PCN) as 'Parking Enforcement Notices' (PEN) to distinguish them from Penalty Charge Notices (PCN).	The principle of adopting the phrase 'Parking Enforcement Notices' was circulated to the membership.	After consultation with the Office of Fair Trading, advice given raised concerns about the use of the word 'enforcement' with 'notice' in the private sector. It was agreed, with OFT and Consumer assistance through the Code Review Group that the industry should continue to use 'Parking Charge Notice' and that any use of the acronym PCN <u>must</u> be prefixed correctly. After further consideration and advice Code 2012 uses the phrase 'parking charge notice' as a general term to cover all parking tickets issued on private land.
8.	Agree that Code 2012 should recommend a maximum PEN value of £100 subject to discussions with the OFT. <i>It was advised that there needs to be assurance on the commercial viability of £100 limit. It was suggested that there should be a formal consultation with members of the AOS. It was decided that this recommendation would be revisited when agreeing the code.</i>	A consultation was circulated to the membership seeking their views on the recommendation of a £100 limit for Parking Charge Notices.	The recommended limit of £100 has since been adopted into the Code, along with advice from OFT of that – as a Code Owner – BPA is empowered to assess the genuine pre estimate of loss that makes up the parking charge and recommend that the operator's charge is lowered if considered excessive. The £125 max fee for clamp release fee remains in Northern Ireland.
9.	Agree that Code 2012 should include a compulsory discount of 40% (as a minimum) for early payment. <i>This ties in with the above recommendation and therefore it was decided to be determined upon consultation with the members of the AOS.</i>	The same consultation mentioned above also sought opinion on a 40% discount.	The 40% discount has also been adopted into the Code 2012.
10.	Note that Code 2012 will include different provisions for England	Development of the Code has taken the differences in the	The Code 2012 also incorporates sections of Code

BPA Council	Agenda Item 3b
19 th September 2012	Parking on Private Land and the AOS

	and Wales, Northern Ireland and Scotland to reflect the different legal situations which will exist. <i>Consideration should be given to producing a version of the code in the Welsh language. A briefing note explaining the liability scenarios in different parts of the UK would be produced.</i>	legislative environment into account.	2009, to reflect the unchanged enforcement environment for ticketing in Scotland, and for immobilisation and ticketing in Northern Ireland. A Welsh language version of the Code is being developed and will be available on the website.
11.	Delegate to the AOS Board transition arrangements and timings for when AOS members must have complied with certain defined aspects of Code 2012.	Delegation acknowledged by the AOS Board	The Code 2012 has the Transition arrangements which were signed off in principle by the AOS Board on 19.07.2012
12.	Encourage all AOS Members to attend Transition Management Workshops as part of their AOS Compliance testing to ensure that everyone is aware of the changes and their impact of the management and enforcement of parking on private land.	Workshops were advertised to the AOS membership, who were encouraged to attend a local event around the country.	TRACK workshops were booked but not well attended. About half of all AOS members have attended a workshop. However attending delegates found the content and delivery to be of a high quality.
13.	Note that Government Policy is to encourage local authorities to utilise their traffic management powers when controlling parking on private land, and that local authorities, NHS Trusts, Universities and similar 'public bodies' who manage parking on private land are required by DVLA to become members of an Accredited Trade Association before they can obtain information from DVLA Registers under the 'Reasonable Cause' provisions for this purpose.	Noted by BPA for conversations with Local Authorities	BPA have explained to a number of Local Authorities that it is not the intention of Government that PoFA should be used by Local authorities. DVLA are currently reviewing the obtaining of keeper records by various public bodies such as NHS Trusts. AOS membership is being offered to LA where they choose to continue operating under Contract Law with driver liability or manage trespass and wish to rely on PoFA Schedule 4 in those cases. This allows LA to fulfil the DVLA requirements for them to be members of an ATA in these situations
Wednesday 06th June 2012			
1.	That BPA would send a letter to Norman Baker MP regarding the development of the IAS		A letter was sent to Mr Baker on 18.06.2012.
2.	That BPA would deal with the invoicing for the use of the appeals service.	BPA to look into the development of a system.	A separate bank account has been set up to deal with any payments made for the development and maintenance of the IAS.
3.	That Council agree the appointment of London Councils to establish an independent appeals service for the	See note 4 from last meeting.	The Band 8 (highest banding) members of the AOS have been approached with a view

BPA Council	Agenda Item 3b
19 th September 2012	Parking on Private Land and the AOS

	private parking sector for a period of 3 years (additional wording) conditional on the reserve fund bond of £150k in total being paid up front and untouched for the first year. Draft Terms and Conditions for the fund to be supplied by PG from Mazars.		to obtaining contributions for the reserve fund. At the Executive Board meeting on 25 July, £35k had been contributed, with a further £65k having been pledged. The Executive Board agreed to a £50k bridging loan from the BPA reserves on the premise that those band 8 operators who have not agreed to funding yet continue to be pursued. As at end August, £70k has been secured
4.	That Council agree the charges to AOS members for using, (varied wording) setting up and funding the Independent Appeals Service. <i>It was agreed that the proposed set-up fee should be a joining fee and also paid by new members. All AOS members should pay for the IAS. There is an outstanding commitment to review the whole AOS fees structure and the IAS funding would form part of that review.</i>	Fees were calculated to ensure that all operators contributed evenly and fairly to the setting up and maintenance of the IAS.	Communications have been sent to the membership, who are currently receiving invoices for the subscription to the costs of the IAS. To date £76,800 has been contributed by the membership, with outstanding invoices actively being pursued. If invoices are not paid by 17 th September, membership will be suspended until the invoice is paid, with termination of membership if payment is still not received after a further 14 days.
5.	That Council recognise the financial risks to the BPA of launching the Service and support the planned actions proposed to mitigate these.	Financial Costs and Risk Mitigation has been addressed through the development of a reserve fund.	See note 3.
6.	That the face value of a Parking Enforcement Notice is based on a genuine pre-estimate of loss and which should not exceed a maximum of £100. This will be reviewed annually.	This was discussed and agreed during the Code Review.	See note 8 above regarding March 2012 meeting.
7.	Agree that AOS members would be expected to offer a discount of at least 40% for early payment, defined as within 14 days of the issue of the PEN and subject to the provisions of the Protection of Freedoms Act.	See above.	See note 9 above regarding March 2012 meeting.

BPA Council	Agenda Item 3b
19 th September 2012	Parking on Private Land and the AOS

8.	Agree that the existing AOS Code be replaced by two new documents: Code 2012, which will take the form of a "Customer Charter" and an AOS Membership Contract (new wording) (to be referred to as The AOS Code 2012) both of which together will form the basis for continued BPA Membership in accordance with the AOS and its associated Sanctions.	This was discussed at length within the Code 2012 Review Group and advice was received from OFT and Consumer Groups.	<p>The advice given was that the intention of the customer Charter meant that it would not be a charter. It was therefore agreed to name the document a 'Customer Guide'. A final draft is attached to this report for approval.</p> <p>It was also perceived that the 'AOS membership contract' would be a different document with an alternative function, and so it was agreed that the document should remain as the 'Code of Practice'.</p>
9.	Agree the Code of Practice 2012 in principle, and delegate detail and final signing off to the AOS Board.		See note 11 above regarding March 2012 meeting.

BPA Council	Agenda Item 3b
19 th September 2012	Parking on Private Land and the AOS

Appendix B

Approved Operator Scheme Code of Practice

The consumer guide

The British Parking Association (BPA) has set up an Approved Operator Scheme (AOS) to protect the rights of:

- car park users
- car park operators, and
- the owners of private land used for car parking.

When you park in a car park, HGV or coach park displaying the AOS logo this means the car park operator uses parking tickets to enforce the restrictions they have in place, to make sure the car park runs smoothly and in the interests of all users. The AOS logo means you can expect to be treated fairly and reasonably if you receive a parking ticket.

Here are some of the benefits you can expect if you have parked in a car park that is managed by an AOS operator:

- You will be dealt with professionally by any attendants in the car park and by any staff you may contact if you get a parking ticket.
- If you enter a car park and decide not to park, you must be given a reasonable amount of time to leave.
- If you are a disabled driver the operator of the car park must have made 'reasonable adjustments' to make their car park accessible (though they may still charge you to park in their car park).
- There will be a sign at the entrance to the car park that will explain in the broadest terms that the car park is private land and that it is managed by an AOS operator.
- There will also be other signs in the car park itself which set out the terms and conditions for parking. These should be clear and easy to understand. The signs will say:
 - 1 how long you can park
 - 2 whether you should pay to park
 - 3 how much you should pay to park
 - 4 what happens if you break the terms and conditions for parking
 - 5 who to contact if you want to challenge a parking ticket.
- AOS operators know how important good signs are in making it clear what the parking restrictions are on private land. Over the next three years they will be working to a more common standard for signs to continue to help make the rules even clearer to drivers. We know this is one of the most important areas to get right in car parks.
- If you break the terms and conditions of parking, the operator may issue a parking ticket. They can give this directly to you, attach it to the vehicle or send it to the 'registered keeper' by post. The driver is responsible for paying the parking ticket.
- The amount on the parking ticket must be reasonable and not excessive. Usually we would not expect you to be charged more than £100.
- Sometimes the operator will charge more than £100. This will rarely happen, and the operator will have had to justify to us why their charges are higher than £100.
- You will be offered a discount for paying the parking ticket promptly. The discount should be at least 40% of the full amount on the ticket.

BPA Council	Agenda Item 3b
19 th September 2012	Parking on Private Land and the AOS

- If you do not pay promptly, it is possible that debt collection costs may be added
- If you want to challenge the operator for issuing the parking ticket, you should contact them giving your reasons. The operator must reply within 14 days saying they have received your challenge. They must tell you what they are going to do within 35 days.
- If the operator replies saying they do not agree with your challenge, and requests payment, they must offer you the right to appeal to an independent body. They must tell you how you can do this. The appeal service will be free to you, and its decision will be binding on the operator. However, you can only use the appeal service if you live in England or Wales, and the parking ticket was for a car parked on private land in England or Wales. This service does not cover Scotland or Northern Ireland.
- Your consumer rights are not affected if you challenge the parking ticket with the operator, or if you use the appeals service. For further information, please visit the Citizens Advice Bureau website at <http://www.citizensadvice.org.uk/>.

This is only an outline of the benefits you get by parking in a car park displaying the AOS logo. If you would like more details about the private operators' commitments and the standards they work to, please visit the BPA website at <http://www.britishparking.co.uk/AOS>. You can read and download the AOS Code of Practice.

If you are the registered keeper of a vehicle, you might receive a parking ticket through the post for a driver who is using the vehicle. If you were not driving this vehicle when it broke the terms and conditions of the car park or private land, we recommend that you give the driver's details to the operator. If you cannot do this, remember that in England and Wales the law says you could have to pay any parking charges for the parking ticket.

The BPA is an accredited trade association recognised by the DVLA. The law says that our members are allowed to ask the DVLA for the registered keeper's details if they can show 'reasonable cause'. The DVLA accepts that breaking the terms and conditions of a car park or private land is a reasonable cause.

We want you to be able to park properly and easily so there are some things you can do to make it less likely that you will receive a parking ticket:

- Always check the signs when you park, whether you park in a private car park or a car park that belongs to a local authority. Never assume you know what the terms and conditions are. Most car parks either make a charge for parking, have a limit on how long you can stay, or both. Other terms and conditions may apply as well.
- Always consider other car park users when you park. So don't use bays reserved for disabled people or people with young children unless you are entitled to.
- Don't assume you can avoid the car park rules simply because you cannot see a parking attendant. Many car parks now use cameras to make sure motorists keep to the terms and conditions for parking.
- If you get a parking ticket don't ignore it. It could cost you more in the long run and you could lose your right to appeal.

Always remember – it's very easy to avoid a parking ticket: don't park where you shouldn't, and pay when you should.



Report to:	Council from
Title	AOS Board - Policy
Case No.	Professional Conduct Committee Case 0010 – Mike Perkins, Combined Solutions Ltd
Director:	Chief Operating Officer
Author:	Richard Hilton
Date of Report	11th September 2012

SUMMARY

During a recent review of advisory panels, it was identified that the AOS Board would benefit from additional 'front line' operator representation. After discussion, the Terms of Reference for the AOS Board were altered to reflect a fairer representation, and elections to appoint 2 additional front line operators were held during the summer of 2012.

One of the successful candidates recently elected to the Board – Mike Perkins of Combined Parking Solutions - has had his ability to request access to the DVLA keeper details database suspended by the Authority because of an irregularity on signage over keeper liability.

Since his appointment, DVLA have suspended Combined Parking Solutions' access to the DVLA database which has raised a matter of policy for the BPA to consider. The Professional Conduct Committee were asked to consider the case below and comment prior to debate at Council. Please refer to Appendix A for PCC comments.

RECOMMENDATIONS

That the Council consider the following report and the responses from the PCC and advise on policy for endorsing AOS Operator appointments in both this case and future appointments to the AOS Board.

BACKGROUND

Under the original Terms of Reference for the AOS Board, there was a requirement for four member operators to sit on the board to represent the membership. For the first two years of the board, there was representation from across the varying types of enforcement operators. However at the last round of elections 50% of the representation was made up from debt recovery operators.

This created an imbalance in the representation on the board, with a minority sub group of the membership having a majority stake in the AOS Board. Taking this as a positive issue, the Terms of Reference were altered to enable the representation for the debt recovery operators to continue,

BPA Council	Agenda Item 3c
19 th September 2012	AOS Board - Policy

but also to extend the representation of 'front line' board members to four.

This was reflected at the August round of elections, when two new AOS operator members were duly elected to the board. One of these was Mike Perkins, who is the Managing Director of Combined Parking Solutions. Mr Perkins was notified that he had been successfully elected on Friday 24th August.

NON COMPLIANCE

On August 29th 2012 it was brought to BPA's attention by colleagues at the DVLA that signage belonging to Combined Parking Solutions contained references to the keeper being liable for the parking charge. This was despite a warning e-zine sent on June 26th 2012 to all AOS Members informing them that the DVLA would suspend access to keeper details for 3 months for any operator stating on signage that the keeper is liable. Mr Perkins did not notice this communication.

After an investigation, DVLA's decision was to suspend Combined Parking Solutions' access to their database of registered vehicle keepers for a total of three months. This was despite representations from BPA with proposals for a shorter suspension period, remedial actions to rectify the situation and to ensure full operator compliance. If this investigation were to be carried out within the AOS Sanctions process, it would potentially receive a 5 point sanction under Sanction 4.5 (Significant contravention on Signs and/or Notices) and a 1 point sanction under Sanction 1.4 (Failure to comply with the requests of the BPA or their agents within the specified timescale)

Mr Perkins has taken the remedial actions recommended by the AOS Compliance team and has amended the signage at his 'live' sites. With the change in legislation relating to keeper liability scheduled for October 1st 2012, Mr Perkins' signs would have been compliant anyway.

As previously stated, one of the two new members of the AOS Board is Mike Perkins, who is the Managing Director of Combined Parking Solutions. It is his election to the AOS Board that causes concern and that PCC guidance is being sought on.

PROPOSAL

Having considered the evidence presented to the BPA, we ask that the Council consider this case and select from one of the following recommendations, which will provide precedent for future appointments if similar cases arise :

1. That the BPA Council should endorse Mr Perkins' place on the AOS Board, and allow him to represent the AOS membership at the next meeting on 18th October 2012 and then ongoing.
2. That the BPA Council should not endorse Mr Perkins' place on the AOS Board because of the actions of his company and their suspension by DVLA.
3. That the BPA Council should not endorse Mr Perkins' place on the AOS Board because of the actions of his company and that the 3-month suspension set by the DVLA should be supported and

BPA Council	Agenda Item 3c
19 th September 2012	AOS Board - Policy

mirrored by the Association.

4. That the BPA Council should postpone endorsement of Mr Perkins' seat on the AOS Board until Combined Parking Solutions' suspension by DVLA is lifted.

12th September 2012

BPA Council	Agenda Item 3c
19 th September 2012	AOS Board - Policy

Appendix A

Responses from PCC

Helen Crozier

Having read the report feel that we (BPA) have to ensure that we are seen to be acting with professionalism and within the our own guidelines regarding the working practices of our members and to that end I feel I cannot endorse Mr Perkins seat on the AOS Board and would actually go further by stating that within this round of elections his application should be discounted and that he is not eligible to apply again until a further seat becomes available in the future.

The BPA have taken quite a few knocks recently and we must ensure that going forward we are seen to be working closely with organisations such as the DVLA and show that we are in support of their actions. This is going to be a difficult period with the introduction of the IAS and we must ensure that we are not seen to be favouring certain companies/individuals.

In June all AOS Members were informed that the DVLA would suspend access to keeper details for 3 months for any operator stating on signage that the keeper is liable. The fact that as of October 1st Mr Perkins signs would be compliant has no bearing on this and the signage should have been correct in the first instance or at the very least changed to ensure compliance back in June.

Nick Lester

I think this represents quite a difficult issue, but I do not think I agree with Helen, I'm afraid.

I have asked myself:

1 under the BPA's constitution and codes of conduct, does Mike Perkins have a right to stand for election to the Board of AOS and, if elected, take up that position?

2 has Mike Perkin's company contravened any of the BPA's codes of conduct and, if so, what sanction is prescribed?

3 If any sanction has been imposed does this impact on any consideration under point 1?

In answering these questions I have reflected on some wider points.

First, I think whatever decision the DVLA has made is irrelevant to our considerations on this point. We have to consider what, if any, action to take with respect to Mike Perkins, on the basis of our statutes and codes of conduct. If we do not do this we will be making up new rules as we go along and this will be palpably unfair. We may, in the light of this case, wish to change our rules later, but to make any changes retrospective would also be unfair.

Second, as far as I can see, we have no reference in our statutes or codes of conduct which says that an operator with sanctions points cannot stand for election or be elected to any

BPA Council	Agenda Item 3c
19 th September 2012	AOS Board - Policy

office within the BPA. It may be that we would wish to change that in the future, but that's where we are at the moment.

I actually think it would be quite hard to make such a change unless we also said that any body with sanctions points against their organisation must also resign from any existing office, otherwise we might get to the ludicrous position that a person could be elected, their organisation get sanctions points the day after the election and that's OK, but get them the day before the election and they are barred. I suspect that if we did adopt a comprehensive rule change in this way we would be creating a considerable amount of trouble for ourselves.

We would also be ignoring the main purpose of the sanction scheme, which is to get all operators to improve their operations above an acceptable minimum, and, instead, adding an additional punishment which has not been set out in advance.

While the Council must formally endorse any membership of any boards or committees, I also think it sets a very bad precedent if Council calls for an election to any post and then reserves the right to reject the outcome of that election if the members of Council don't like who has been elected.

My answers to my own questions are, therefore:

1: I can find nothing to say that Mike Perkins cannot stand for election to a BPA post or take up an elected position.

2: Yes, his company has contravened the code of conduct with respect to signs. The stated sanctions for this are as set out in the report and should, to my mind, be imposed. I think the additional 1 point for failing to comply with a BPA request within the prescribed timescale is not appropriate as it amounts to a second punishment for the same offence.

The 3 month restriction of access to the DVLA is a matter for the DVLA to consider. It had been previously notified and is, therefore, in order. Whatever view anyone has of the appropriateness of this sanction is a matter to be taken up with the DVLA and not with the BPA council. The representations made by the BPA to the DVLA suggest that the BPA considers this 3 months suspension too severe, but that is really besides the point as far as our considerations are concerned.

3: I cannot see how the fact of imposition of sanctions points has any impact on the election process.

Turning to the four options suggested by Richard, I would say:

1. That the BPA Council should endorse Mr Perkins' place on the AOS Board, and allow him to represent the AOS membership at the next meeting on 18th October 2012 and then ongoing.

I think this is the only fair option

2. That the BPA Council should not endorse Mr Perkins' place on the AOS Board because of the actions of his company and their suspension by DVLA.

BPA Council	Agenda Item 3c
19 th September 2012	AOS Board - Policy

I think this is a wholly unreasonable a disproportionate response. It suggests we agree with the DVLA's suspension (and if we do, why did we make representations against it) or that we think we are in some way bound by decisions of the DVLA with respect to a wider judgement of our members than simply access to the DVLA records. It is also not supported by any of our codes of conduct.

3. That the BPA Council should not endorse Mr Perkins' place on the AOS Board because of the actions of his company and that the 3-month suspension set by the DVLA should be supported and mirrored by the Association.

I think this option also goes against our own codes of conduct and, in particular, the sanctions scheme we have adopted. Our sanctions scheme makes no reference to any suspension period, nor indeed, of any action to be taken against a member unless they have more than 12 sanctions points. We cannot make up rules as we go along. It also suggests that we think we are bound by decisions of the DVLA, whether or not we think they are appropriate. I therefore reject this option.

4. That the BPA Council should postpone endorsement of Mr Perkins' seat on the AOS Board until Combined Parking Solutions' suspension by DVLA is lifted.

For the reasons stated above, I cannot see the relevance of the DVLA's period of suspension with regard to Mike Perkins' election. This option, in addition, seems to serve no useful purpose except to irritate Mike Perkins.

Finally, I can appreciate that the argument might be made that we have to be seen to be taking action to placate the DVLA. I think this argument is misplaced. We already consult the DVLA widely on our codes and we do have our own sanction scheme which the DVLA has commented on. If the DVLA take action against the BPA when we just follow our own agreed procedures then they would be acting unreasonably and, arguably, unlawfully, in their own right.

Karen Naylor

I agree with Nick that there is nothing within or codes that would support any other decisions than to allow him to become a board member however I do think that this is something we should think about changing – I see Nick's point about this being difficult but by the same token I'm sure we wouldn't want to get to the point of having someone removed from the scheme who was also a board member.

BPA Council	Agenda Item 3d
19 th September 2012	Safer Parking Scheme – Improving Efficiency & Accountability



Report to:	BPA Council
Title	Safer Parking Scheme: Improving the Efficiency and Accountability
Council Member	David Peach – Vice Chair Safer Parking Advisory Panel
Director	Director of Policy and Public Affairs
Date of Meeting	19th September 2012

SUMMARY

This report sets out proposals under discussion with ACPO to streamline the Assessment process for Safer Parking Awards; it recognises the increasing challenges faced by police services across the UK in resources and the availability of Police Accredited Assessors. It also introduces efficiencies for the BPA Development Manager team, and lastly but most importantly improves customer service. In essence Police Accredited Assessors will undertake all first-time Assessments and the BPA DM team will undertake all future maintenance and interim Assessments independently. This should be cost neutral and improve efficiencies on both sides.

The Executive Board has considered this Report and Recommends that Council Approves the Recommendations below and make the following additional points:

The integrity of the Scheme and Park Mark Award is paramount.

RECOMMENDATION

Council is recommended to:

1. Note the discussions with ACPO and support the proposals set out in Appendix A.
2. Acknowledge that Police Assessors will continue to grant all awards.
3. Agree that all Interim and 'maintenance' Assessments are to be undertaken by BPA Development Managers acting independently of ACPO Assessors
4. Note that the BPA/ACPO Agreement will be amended to transfer the future Safer Parking Scheme Surplus to BPA.
5. Note that the BPA/ACPO Agreement will be amended to allow the transfer of part of the existing Safer Parking Scheme Surplus to BPA account.

1. Background to Assessment Challenges

The Safer Parking Scheme and its Park Mark® brand is becoming a recognised symbol of car parks which are actively seeking to reduce crime and the fear of crime. It benefits from being police accredited and operated by the professional body representing the parking sector in the UK.

Firstly this proposal seeks to improve the management and administration of the Safer Parking Scheme streamlining the assessment process and providing a better service to car park operators. It

BPA Council	Agenda Item 3d
19 th September 2012	Safer Parking Scheme – Improving Efficiency & Accountability

recognises the increasing challenges faced by police services across the UK in resources and Police Accredited Assessors and the increasing costs faced by ACPO in training Assessors and in providing resources to undertake Safer Parking assessments where no local Police Accredited Assessor is available because of decreasing resources in Crime Prevention Design Adviser/Architectural Liaison Officer services.

The ever-increasing lack of Police Accredited Assessors across the UK causes significant delays in some cases and consumes a considerable amount of staff time in arranging for assessments. This is particularly true with interim assessments where an award already exists and it is necessary to reassess annually to maintain standards.

2. Proposals for Assessments

To improve the efficiency of the Safer Parking Scheme assessment process it is proposed that only new Assessments are undertaken by ACPO Accredited Assessors and all interim Assessments and re-assessments for existing Safer Parking Awards are undertaken solely by BPA staff.

In general Awards are currently made by Police AA/CPDA for TWO years and operators are already required to confirm annually their compliance with the Award (we call it “self-certification”).

3. Benefits

This ensures that EVERY award is granted by a Police Accredited Assessor with BPA staff ensuring that standards are maintained. This effectively is an extension of the current arrangements where staff undertake the ‘Interim self-assessments’ for two year Awards. The benefits of this approach are manifold: primarily it releases significant police time from the delivery of the Safer Parking Scheme and it improves customer response times because BPA staff no longer need to involve a third party in the planning of assessment appointments.

It will mean about 500 applications for new Awards/year will need to be assessed by Police AA and all the re-assessments would be undertaken by staff. Clearly we have the option to ‘call-in’ a Police AA if considered appropriate at a re-assessment. This would be so much more efficient and effective and recognise the resourcing situation well. It also means that existing processes can be adapted and not rewritten.

4. Background to Financial Arrangements

Safer Parking Scheme Funding arrangements originally relied on significant grant from UK governments; the Home Office in England and Wales and the Scottish government in Scotland. As a consequence any surpluses generated were ring fenced in BPA budgets to ensure that funds were appropriately used. This is no longer the case. Grant ceased in England and Wales in 2009 and in Scotland in 2012. The scheme is now fully self financing. All financial risk in the scheme rests with the BPA. Currently the ACPO agreement sets out that all surpluses are jointly owned and ring fenced for the benefit of the scheme. This is no longer appropriate.

5. Proposals for Funding and Surplus Funds

It is proposed that the future operation of the Safer Parking Scheme is undertaken using normal

BPA Council	Agenda Item 3d
19 th September 2012	Safer Parking Scheme – Improving Efficiency & Accountability

business arrangements whereby the BPA undertakes the financial risk in the operation and delivery of the product but benefits from any savings and surplus generated. Existing ring fenced surplus generated prior to the withdrawal of government grant would be maintained and invested only within the Safer Parking Scheme.

The ACPO licence fee arrangement would continue as now with ACPO receiving, in arrears, £10 licence fee for each Award held at 31 March every year.

6. Benefits

The benefits of this arrangement are that it places the scheme into normal business practice arrangements where risk taken is rewarded by profit earned. It maintains the integrity of the existing ring fenced funds ensuring that they are and remain available for reinvestment in the scheme for the purposes they were accrued.

ACPO income through licence fees will provide resources to enable independent audit.

Kelvin Reynolds
Director of Policy and Public Affairs



Appendix A

Improving the Efficiency and Accountability of the Safer Parking Scheme

The Safer Parking Scheme and its Park Mark® brand is increasingly becoming a recognised symbol of car parks which are actively seeking to reduce crime and the fear of crime. It benefits from being police accredited and operated by the professional body representing the parking sector in the UK.

Firstly this proposal seeks to improve the management and administration of the Safer Parking Scheme streamlining the assessment process and providing a better service to car park operators. It recognises the increasing challenges faced by police services across the UK in resources and Police Accredited Assessors and the increasing costs faced by ACPO in training Assessors and in providing resources to undertake Safer Parking assessments where no local Police Accredited Assessor is available because of decreasing resources in Crime Prevention Design Adviser/Architectural Liaison Officer services.

Secondly this proposal seeks to alter the BPA Management Agreement for the Safer Parking Scheme to reflect the changed financial situation and the withdrawal of government grant in England and Wales in 2009 and in Scotland in 2012.

Operation and Delivery of the Safer Parking Scheme

Background

Most Secure by Design products operate on the principle of licensing of the product by ACPO CPI certifying that it meets Secure by Design standards and the promotion and distribution of the product is undertaken by the licence holder. The Safer Parking Scheme could benefit from this approach in that it frees up significant police resources who are currently engaged in the assessment process for each and every Award.

BPA development managers in the main are former Police Accredited Assessors; all have attended the relevant ACPO training courses. Invariably development managers accompany Police Accredited Assessors on the majority of assessments for safer parking award and are very familiar with the requirements and their application.

Increasingly police services across the UK are reducing the number of police accredited assessors are available for assessment and in many cases they are being withdrawn altogether as police services reorganise in the face of significant reductions of funding.

BPA Development Managers who are responsible for organising appointments for assessments are finding it increasingly difficult to make arrangements for assessments in a timely manner. This is time-consuming for the BPA Development Managers; it leads to inefficient use of resources and reduces the value of the service to the applicant car park operator who witnesses delays in assessment. Additionally safer parking assessment is typically a very small part of the overall role of a Police Crime Prevention Design Adviser/Architectural Liaison Officer and he is therefore vulnerable to cutbacks.

Proposal

To improve the efficiency of the Safer Parking Scheme assessment process it is proposed that only new Assessments are undertaken by ACPO Accredited Assessors and all im Assessments and re-assessments for existing Safer Parking Awards are undertaken solely by BPA Development Managers.

In general Awards are currently made by Police AA/CPDA for TWO years and operators are already required to confirm annually their compliance with the Award (we call it "self-certification"). We are changing this right now and BPA DM will be undertaking what we now call an 'Interim' assessment directly with the Operator. There is also an existing understanding with Jon Cole that we should be moving towards THREE Awards in due course and thus two annual "interim" events will occur in any event.

Benefits

This ensures that EVERY award is granted by a Police Accredited Assessor with DM ensuring that standards are maintained. This effectively is an extension of the current arrangements where DM undertake the 'Interim self-assessments' for two year Awards. The benefits of this approach are manifold: primarily in releases significant police from the delivery of the Safer Parking Scheme; it improves customer response times because Development Managers no longer need to involve a third party in the planning of assessment appointments.

It will mean about 500 applications for new Awards/year will need to be assessed by Police AA and all the re-assessments would be undertaken by our team. Clearly we have the option to 'call-in' a Police AA if considered appropriate at a re-assessment. This would be so much more efficient and effective and recognise the resourcing situation well. It also means that existing processes can be adapted and not rewritten.

This is more efficient use of resources for BPA and ACPO. It should be more cost-effective to operate the scheme with reduction in time lost in coordinating multiagency meetings and associated communications and travel.

Maintaining Standards and the Police accreditation of the Award

Clearly it is important to maintain standards for the Award and this will be achieved by ACPO Accredited Assessors undertaking **all** 'first time' and new Assessments granting the Award plus their ability to undertake independent audit of a random sample of re-assessments. This adopts the principles of product licensing familiar to Secured by Design. It concentrates police resources to ensure standards are maintained without the need of direct involvement with the delivery of the Scheme.

BPA development managers are competent at the requirements for re-assessment and have full knowledge of the management practices required to ensure proper and effective operation of a parking facility. They do not have ready access to crime data. It will be necessary for BPA development managers to have access to crime data and arrangements could be made with local forces to provide this data directly to BPA development managers as they do now for local police accredited assessors.

We too have an important interest in maintaining the quality and standard of the Award: raising standards in parking is part of the BPA "raison d'être"!

Scheme Guidelines

Scheme Guidelines will remain the property of ACPO CPI who will set standards for the Scheme: adjustments will need to be made to the Scheme Guidelines to recognise that primary assessment is undertaken by BPA Development Managers and ACPO Police Accredited Assessors would undertake and audit function only. Appeals by operators who are dissatisfied with the outcome of an assessment would also remain with ACPO to provide independence.

Financial Arrangements for the Safer Parking Scheme

Background

The current financial arrangements for the scheme as set out in the ACPO/BPA Management Agreement envisaged government grant to manage and maintain any shortfall in operational costs. BPA was asked to give a commitment to government that the scheme would be self-financing in due course. Government grant in England and Wales was withdrawn in 2009. Government grant in Scotland was withdrawn in 2012. The scheme is now self-financing. Surpluses generated are held in a ring fenced account to be reinvested in the Scheme. Presently either party has access to these surpluses should the scheme be wound up or either party withdraw. Given that all financial risk in the scheme is now carried by BPA it seems unfair for this arrangement to continue. The BPA sets the fees for the Safer Parking Scheme and undertakes employment of all management and administration staff. In normal business arrangements services are provided and any surplus (profit) is due to the service provider thus encouraging efficiency in operation.

Proposal

It is proposed that the future operation of the Safer Parking Scheme is undertaken using normal business arrangements whereby the BPA undertakes the financial risk in the operation and delivery of the product but benefits from any savings and surplus generated. Existing ring fenced surplus generated prior to the withdrawal of government grant would be maintained and invested only within the Safer Parking Scheme. The ACPO licence fee arrangement would continue.

Benefits

The benefits of this arrangement are that it places the scheme into normal business practice arrangements where risk taken is rewarded by profit earned. It maintains the integrity of the existing ring fenced funds ensuring that they are and remain available for reinvestment in the scheme for the purposes they were accrued.

ACPO income through licence fees will provide resources to enable independent audit.

Conclusion

This proposal is being put forward in the best interests of securing the future of the safer parking scheme; ensuring efficient delivery and promoting effective engagement with parking operators. It will enable police resources to be used most efficiently where there is a direct need to be involved in the delivery of the scheme and to ensure standards are maintained. It recognises the increasing shortage of police resources available to the day-to-day delivery of the scheme and mitigates a worsening situation in the BPA's ability to deliver the scheme effectively to existing award holders now and potential award holders in the future.

This proposal is put forward for consideration by ACPO CPI with the intention that if approved and adopted it would become operational on a date to be agreed but not later than the 1 April 2013.

Kelvin Reynolds
Director of Policy and Public Affairs
Head of Safer Parking Scheme

July 2012

BPA Council	Agenda Item 3e
19 th September 2012	Retail and Leisure Group



Report to:	Council
Title	Retail and Leisure Group
Director	Manny Rasores de Toro
Author	Jane Hack, Chief Operating Officer
Date of Meeting	19th September 2012

SUMMARY

An exploratory meeting for a Retail and Leisure SIG took place on the 18th July in London and was chaired by Manny Rasores de Toro.

This meeting was attended by around 40 members from local authorities, equipment manufacturers and service providers as well as AOS operators and retail and leisure management companies.

It was widely agreed that this was a successful meeting and members have indicated that they would be keen for a formal Special Interest Group to be set up to support this sector.

A verbal report will be presented to Council on this group and Council are asked to consider the formal introduction of this new SIG.

RECOMMENDATIONS

That Council support the formation of a Special Interest Group for the Retail and Leisure sector.

BPA Council	Agenda Item 3f
19 th September 2012	Model Contract Advisory Panel Terms of Reference



Report to:	Council
Title	Terms of Reference
Director	Chief Operating Officer
Date of Meeting	19th September 2012

SUMMARY

Following Council's support to delegate membership matters to CMAP the Panel have revised their terms of reference and these are submitted to Council for endorsement.

With the integration of individual members into the BPA, the SKIPPs Board have agreed to disband the Board and reconstitute as the Professional Development & Standards Board which will be tasked with the creation, development and implementation of Frameworks of Excellence. All matters relating to individual members benefits and other services (*previously the responsibility of SKIPPs*) will transfer to CMAP. These terms of reference are also attached for Council's endorsement.

In addition, we have added a Confidentiality Clause to the TORs of all Boards and Panels and seek endorsement of this addition. The clause reads:

All minutes, notes, documents and other papers supplied to you by the BPA are considered to be confidential, together with any copies or extracts thereof, made or acquired by you in the course of your membership of the Council, Board or Advisory Panel shall remain the property of the BPA and must not be shared with colleagues, members or external stakeholders without the permission of the Chair of the Board, who shall seek guidance from Council where appropriate.

The Freedom of Information Acts does not apply to the BPA. All minutes, notes, documents and other papers supplied to you by the BPA are considered to be confidential and supplied to you as an individual and not in your capacity of an employee of an organisation which is required to release information under the terms of the Freedom of Information Acts.

RECOMMENDATION

Council is asked to endorse :

1. the Terms of Reference for CMAP and the Professional Development & Standards Board as attached at Appendix A and Appendix B respectively.
2. the addition of a confidentiality clause, as above.

Jane Hack
Chief Operating Officer

BPA Council	Agenda Item 3f
19 th September 2012	Model Contract Advisory Panel Terms of Reference

Appendix A

MODEL CONTRACT ADVISORY PANEL

TERMS OF REFERENCE

Responsible to Council to:

1. To review and update the Model Contract
 - a. To maintain its currency and relevance in the market place.
 - b. To identify other market sectors where the Model Contract can be adopted¹ and to devise variations to enable its use in those sectors
2. To develop a marketing plan for the Model Contract
 - a. To promote the adoption of the Model Contract in a wide variety of parking and related services.²
 - b. To raise awareness of the value and benefits of the Model Contract.
3. To develop the Model Contract User Guide
 - a. To provide Guidance to Licensees in the use of the Model Contract
 - b. To promote best practice in the procurement and provision of goods and services in parking and related services
4. To work with other key stakeholders in the development of Model PQQ's for parking and traffic related contracts
 - a. To reduce the administrative burden for local authorities and others when products and services are procured using the Model Contract.
 - b. To encourage the adoption of industry standard PQQ's
5. To consider how the Model Contract might be developed to raise standards and become an industry benchmark of quality in parking and related services

ADMINISTRATION

6. Notes will be kept of all group meetings and will be circulated to members.
7. Membership of the group is made up of people nominated by Councils.

¹ E.g. Healthcare; Retail and Leisure Services etc.

² E.g. Bailiff Services; Cash Collection; Car Park Management;

BPA Council	Agenda Item 3f
19 th September 2012	Model Contract Advisory Panel Terms of Reference

PUBLIC RELATIONS

8. The Group shall have no direct contact with the Press or Media or release press statements. All press enquiries should be directed through the BPA Head of Communications.
9. The Group shall aim to enhance the reputation and standing of the BPA and do nothing to bring the name of the BPA into disrepute.

COMPOSITION

10. A chair of the group is elected by BPA Council.
11. There will be a maximum of 6 members (one of whom shall be the chair) who will be appointed annually to serve for a period of up to two years and for a maximum of three terms and will be supported by 1 BPA staff member (minimum).
12. Additional people to provide task specific expertise may be temporarily co-opted to the Panel from time to time.



TERMS OF REFERENCE - Communications & Membership Advisory Panel June 2012

To develop, review and maintain a communications strategy to ensure that the BPA's key messages are received and understood by all through proactive and reactive PR work, the maintenance of first class publications, the marketing of the BPA brand (including AOS and SPS) and co-ordinating advertising and sponsorship opportunities. In addition CMAP will develop, review and maintain the provision of quality member services including events and Special Interest Groups.

All minutes, notes, documents and other papers supplied to you by the BPA are considered to be confidential, together with any copies or extracts thereof, made or acquired by you in the course of your membership of the Council, Board or Advisory Panel shall remain the property of the BPA and must not be shared with colleagues, members or external stakeholders without the permission of the Chair of the Board, who shall seek guidance from Council where appropriate.

The Freedom of Information Acts does not apply to the BPA. All minutes, notes, documents and other papers supplied to you by the BPA are considered to be confidential and supplied to you as an individual and not in your capacity of an employee of an organisation which is required to release information under the terms of the Freedom of Information Acts.

Communications

- 1) To oversee the BPA's public affairs and its relationships with government, stakeholders and media.
 - a. To develop and monitor the Communications Strategy covering all aspects of the BPA
- 2) To review, monitor and assist with developing the circulation, advertising, market trends, competition and commercial initiatives in respect of the communication channels
- 3) To advise and monitor the outsourced contracts for related freelance services
- 4) To develop and monitor PR for the BPA and its associated brands.
- 5) To monitor the Communications budget.
- 6) To assist with feasibility studies of additional income streams from communications channels
- 7) To oversee the judging and presentation of the Ernest Davies Award for Advancing Parking Knowledge

Publications

- 1) Oversee and guide the operational and contractual responsibilities in respect of the Parking News publication, printing and advertising contracts.
- 2) To advise and guide the work of the Editor(s) of BPA communications channels in respect of:
 - o setting and monitoring editorial policy
 - o promotion of the BPA / AOS / SPS and their activities
 - o design criteria
 - o feature articles
 - o other relevant issues
- 3) To develop an annual editorial and business plan

- 4) To comment retrospectively on recent issues of the magazines/newsletters, or changes to other channels

Member Services

- 1) To oversee the provision of events (including Parkex, Annual Conference, Members' Dinner etc)
- 2) To advise on seminar themes, presentations and speakers to ensure topicality and relevance of content.
- 3) Monitor and develop membership categories and benefits to ensure they meet the needs of the profession.
- 4) Review membership fee structure as required and make recommendations to the Executive Board.

John Heasman Bursary

Oversee the development and awarding of the John Heasman Bursary.

Research

Oversee and manage the BPA's Research projects as determined from time to time.

Reporting to: BPA Council through the Executive Board

Method of Operating: Quarterly or 4 meetings a year

Composition:

Chair (elected from within the members of CMAP and endorsed by BPA Council)

Vice Chair

6 Council members (maximum)

Honorary Treasurer (ex officio)

Staff Members (as required): Head of Public Affairs and Research/Head of Member Services and Professional Development/CEO / Chief Operating Officer / Director of Policy and Public Affairs

Contractors: Editor of Parking News, Advertising Manager

Brands:

British Parking Association

Parking News

Safer Parking Scheme / Park Mark

Approved Operator Scheme

Parking Forum

PROFESSIONAL DEVELOPMENT & STANDARDS BOARD TERMS OF REFERENCE

1. Background

1.2 This document sets out the Professional Development & Standards Board's terms of reference by defining its purpose, its membership, its conduct and its relationships with other bodies.

2. Purpose

2.1 The Board's vision is that of a vibrant parking profession that provides excellent services to customers and the public through the knowledge, skills and professionalism of the workforce. The purpose of the Board is to deliver the business aims:

Business aims

1. Maintain the BPA's position as the recognised professional body promoting standards, skills and development of individuals working in the parking profession
2. Increase employer engagement in the knowledge, skills and professional development agenda
3. Develop and promote Frameworks of Excellence for the parking profession
4. Increase both the supply and demand for learning
5. Increase opportunities for continuous professional development
6. Build on the BPA's existing understanding of workforce issues in the parking sector through ongoing research
7. Promote individual membership and career progression within the parking profession that is linked to qualifications and CPD.

2.2 Whilst the Board is established by and answerable to the BPA, its work extends across the whole of the parking profession and embraces the four nations that constitute the UK. The Board will be cognisant of the fact that employers within the sector will be looking at the skills and professional development agenda as part of their broader approach to human resource management and improved business performance. It will also take into account the government's approach to skills development in the broader economy.

3. Membership

3.1 Board Composition

Voting Members

		<i>Term of Office</i>
Chair	<i>Elected from Council</i>	<i>Two Years</i>
2 BPA Council Members	<i>Elected by BPA Council</i>	<i>Three years</i>
10 Members	Elected from and by the BPA membership: <ul style="list-style-type: none"> • 6 x Employer representatives (2 Operators, 2 Client representatives, 2 Service Providers) • 2 x Individual Members • 2 Learning Providers 	Three Years
2 Appointed Members	<i>To be elected by BPA Council to attract particular representation or expertise.</i>	<i>Three Years</i>

Non-Voting Members

Government Representatives	<i>DfT</i>
Partner Organisations	<i>Asset Skills</i>
The President of BPA	<i>Ex-officio</i>
The Treasurer of BPA	<i>Ex-officio</i>
The Chief Executive of the BPA	
BPA Executive staff as required	

3.2 Invitees and Co-Opted Members

The Board may invite others with relevant experience and expertise, including professional advisers, external consultants and non-BPA members to attend Board meetings from time to time in an advisory non-voting capacity.

3.3 Term of membership and other issues

The term of office for the Chair, elected members and appointed members shall be 2 and 3 years respectively. The Chair and members may be reappointed at the end of a term of membership **for one further term of office.**

3.4 Secretariat

The work generated by the Board will be supported by BPA staff who will take responsibility for preparation and distribution of Board papers. There will be occasions when a number of members of the secretariat will attend the Board.

3.5 Quorum

A quorum necessary for the transaction of business shall be six voting members to include at least two BPA Council members.

4. CONDUCT

4.1 Conduct of meetings

4.1.1 Voting Table 3.1 above sets out voting rights. Any resolution of the Board shall be passed by a simple majority of the votes of members of the Board present at the meeting. In the case of an equality of votes, the Chair of the Board shall have a second (or casting) vote.

4.1.2 Decisions

Decisions of the Board may be taken at several levels:

- By the full Board either at meetings or by correspondence between meetings.
- By a single board member authorised by the full board.
- By a BPA staff member authorised by the Board (acting within agreed parameters).

4.1.3 Attendance at Board Meetings

A minimum attendance of 75% is required of Board Members to ensure that best practice in Board governance is reached and maintained. Those members that fail to attend three consecutive meetings of the Board or who do not achieve at least 50% attendance in a rolling year, without showing good cause (e.g. a long term illness, etc), may be automatically removed from the Board and will not be eligible to stand for re-election for one year.

4.2 Sub Committees and Working Groups

The Board may appoint such working groups / sub committees as it considers necessary from time to time and shall specify the terms of reference of such groups.

4.3 Frequency of meetings

The Board shall meet as and when the business dictates but normally at least every three months in a published schedule. The Chair will be responsible with the Secretariat for calling additional meetings as required.

4.4 Agendas for meetings and supporting papers

The agenda of items to be discussed and supporting papers will be published electronically at the soonest opportunity and normally at least seven days before the meeting.

4.5 Notes of meetings

The secretariat shall take notes of the proceedings of all meetings of the Board, including recording the names of those present and resolutions/decisions made. Notes shall be made available, within a reasonable timeframe, for scrutiny by BPA members on request. *It should be noted that the BPA is not subject to FOI requests unlike public sector organisations and therefore the notes should not be circulated to external bodies or persons without seeking the permission of the Chief Executive or Director of Member Services.*

4.6 Website

It will be good practice for the work of the Board to be publicised on the BPA's website.

4.7 Planning

The Board will take account of BPA plans when producing a 5 year strategic plan and one year annual plan which include a work programme and budget implications.

4.8 Risks

A risk register will be maintained as part of the planning process.

5. RELATIONSHIPS

It is important to ensure sound relationships with stakeholders and partners. In particular, the following are of special interest.

5.1 BPA Council

To ensure appropriate corporate governance, the Board is answerable to the BPA Council. The Chair shall formally submit brief progress report to meetings of the Council as required. He will also submit an annual report to the Council for inclusion in the BPA Annual Report, dealing with the activities of the Board since the previous Annual Report.

5.2 The Parking Profession

Whilst the Board is part of the BPA's work, it will nevertheless always endeavour to ascertain and keep informed of the knowledge, skills and professional development needs of the whole sector.

5.3 Partner Organisations

5.3.1 At the time of writing these terms of reference, the BPA has a partnership arrangement with Asset Skills. A separate memorandum of understanding or other contractual arrangement will be maintained with the Board's chosen SSC or equivalent body/ies.

6. PUBLIC RELATIONS

- 1.1 The Board shall have no direct contact with the press or media or release press statements without the BPA approval. All press enquiries should be directed through the BPA communications team.
- 1.2 The Board shall aim to enhance the reputation and standing of the BPA and its members and do nothing to bring the name of the body into disrepute.
- 1.3 The use of BPA logos and references to BPA recognition shall, at all times, be in strict accordance with the appropriate guidelines.

BPA Council	Agenda Item 3g
19 th September 2012	Member Consultation on the Future of the BPA



Report to:	Council
Title	Member consultation on the Future of the BPA
Director	Chief Operating Officer
Author	Jane Hack, Chief Operating Officer
Date of Meeting	19th September 2012

SUMMARY

The member consultation on the Five Year Business Plan and the integration of individual (IPP) members into the core of the BPA membership closed on 13th July. The survey commenced in early May and was presented to the majority of Regional/Country Groups and SIGs. Whilst feedback through the survey was not huge, the support for the direction proposed was significant.

The SKIPPs Board met on 5th September to consider various aspects of the member consultation with particular emphasis on the IPP and the integration of individuals into the core membership of the BPA.

A number of proposals are placed before Council for approval, noting that some proposals will enable IPP members to be transferred as soon as possible into the new membership structure, whilst other proposals seek approval but will require further work before implementation.

- Appendix A: Outcome of Member Consultation**
- Appendix B: Comments from Member Consultation**
- Appendix C: Draft Communications Strategy**

RECOMMENDATIONS

Council is recommended to:

1. Formally end the Institute of Parking Professionals (IPP) and the establishment of the Individual Membership category within the core of the BPA.
2. Agree the new individual grades of membership within the BPA membership structure.
3. Agree the review and process for awarding Fellowship of the BPA.
4. Agree the review of Individual membership criteria and delegate to PD&S Board for detail.
5. Support the introduction of a CPD Diploma and delegate to PD&S Board for detail.
6. Support the Introduction of a Group Membership Structure and delegate to PD&S Board for detail.
7. Support the transition arrangements for IPP members into the new BPA Individual

BPA Council	Agenda Item 3g
19 th September 2012	Member Consultation on the Future of the BPA

membership structure and delegate the communication to CMAP.

BACKGROUND

The member consultation on the Five year Business Plan and the integration of individual members into the core of the BPA membership closed on 13th July. The survey commenced in early May and was presented by staff to nearly all Regional, Country and Special Interest Groups. 64 responses from the membership were received.

At their meeting on 25th July, the Executive Board agreed to delegate the detail of the integration of individual members into the core of the BPA Membership Structure and the development of frameworks of excellence to the SKIPPS Board.

For information, the responses to the survey that are relevant to the SKIPPS Board work outlined above, can be read at Appendices A and B. This paper explores the integration of the IPP into the core membership of the BPA and poses questions to aid debate about the creation of a new individual membership structure, transition arrangements and the future development of a Group membership structure to encourage employer engagement.

1. Integrating the IPP into the Core of the BPA Membership Structure

As will be seen by the responses to the survey, those who contributed to the consultation generally support the disbanding of the IPP and new categories of membership for individuals created within the main BPA membership structure. The SKIPPS Board recommend to Council that they formally agree to the ending of the Institute of Parking Professionals and the establishment of individual membership categories of the BPA.

2. Individual grades of membership within the BPA membership structure

The Skipp's Board debated whether the criteria for BPA individual membership should remain as developed for the IPP or be reviewed to ensure that the criteria for each band of membership was appropriate. A comment from the member consultation was that it would be a shame to lose the word "professional" from individual membership for members who take their professionalism and career progression seriously and to distinguish from those individuals who are simply representatives of their employers. Therefore SKIPPS Board recommend the following individual member categories (and post nominals) for approval:

Fellow of the British Parking Association (FBPA) – a truly prestigious membership category given the longevity of the BPA and its highly respected profile. This grade should place a commitment on those attaining this status to "contribute" to the Association and give back to the profession through agreed routes of support and activities.

Professional Individual Member of the British Parking Association (PIMBPA) – it is important that an individual professional membership of the BPA should be easily distinguishable from a corporate membership, therefore the words "Professional Individual" have been added to differentiate from "Member of the

BPA Council	Agenda Item 3g
19 th September 2012	Member Consultation on the Future of the BPA

British Parking Association” which is currently used by all corporate member organisations of the BPA.

Associate **Individual** Member of the British Parking Association (AIMBPA)

Affiliate **Individual** Member of the British Parking Association (*no post nominal*)

3. Review and process for awarding Fellowship of the BPA.

Previously concerns have been raised as to the “calibre” of some members who have been awarded IPP Fellowship level. The Skipps Board propose that in order to set appropriate standards for Fellowship of the BPA going forwards, all current IPP Fellows are transferred to the Professional Individual Member which will be promoted as a strong and desirable level of BPA membership.

Professional Individual Members who wish to attain Fellowship of the BPA will be able to apply on a redefined set of criteria which will include the requirement for an active commitment to the work of professionalising the sector.

Council are asked to endorse this proposal and delegate the formalising of the criteria for Fellowship supported by a process for nomination and application to the Professional Development & Standards Board.

4. Review of Individual membership criteria

With the above proposal to redefine the criteria for Fellowship of the BPA it is necessary to review the criteria for the other grades to incorporate the longevity of service, qualifications level and experience that are currently allocated to the IPP Fellow grade.

Council are asked to approve the review of individual membership criteria and delegate the review to the Professional Development and Standards Board.

5. Introduction of a CPD “Award”

In order to support the benefits of individual membership and to enable members to demonstrate their commitment to raising standards and professionalism within the parking profession as well as a commitment to their own continuous professional development, SKIPPS Board propose the introduction of a CPD Award to be awarded upon 3 years’ submission of CPD plans and records.

An annual CPD Award presentation ceremony could be incorporated in to a high profile BPA event (possibly the President’s Reception or Annual Conference) so that successful members are publically acknowledged for their achievement whilst raising the profile of the individual membership categories.

Council are asked to approve the introduction of a CPD Award and delegate the detail to the Professional Development and Standards Board.

6. Introduction of a Group Membership Structure

SKIPPS Board propose the introduction of a group membership structure in order to encourage employers to support members of staff wishing to join as individual members thereby enhancing

BPA Council	Agenda Item 3g
19 th September 2012	Member Consultation on the Future of the BPA

their careers in the parking profession. This has the additional benefit of driving professionalism through employers.

It is proposed that based on percentages of individual members enrolled, a discount on BPA corporate fees would be applied.

This proposal supports the Association’s strategy to develop Frameworks of Excellence (FoE) where a requirement for a certain percentage individual BPA members may form part of a FoE.

Council are asked to endorse the creation of a Group Membership structure and delegate the detail to the Professional Development and Standards Board.

6. Transition arrangements for IPP members into the new BPA Individual membership Structure

IPP members have had their membership fees “frozen” since November 2011 and have not been invoiced for membership fees during this time, benefits of membership have continued uninterrupted during this time.

SKIPPs Board propose that following the review of membership criteria (outlined above) all IPP members should be transferred into the new individual membership categories as soon as possible but no later than 1st January 2013. A draft communications strategy is attached at Appendix C for information.

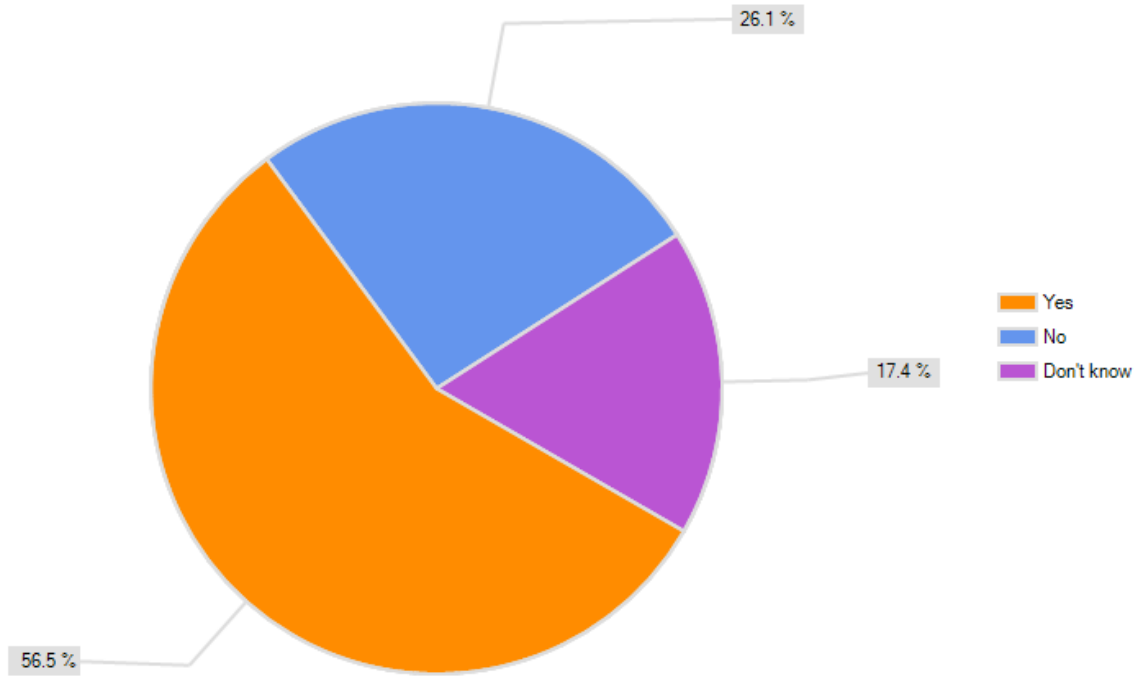
All individual membership fees would be invoiced in January at the rate agreed by council (*present fees plus inflation of 3%*). In addition, it is proposed to introduce an annual membership renewal date for all members, with members joining mid-year receiving a pro-rata invoice for fees. Members will be given the opportunity to “opt out” of membership at the time of invoicing and transition period.

Council are asked to endorse the transition arrangements outlined above and delegate the communication to CMAP.

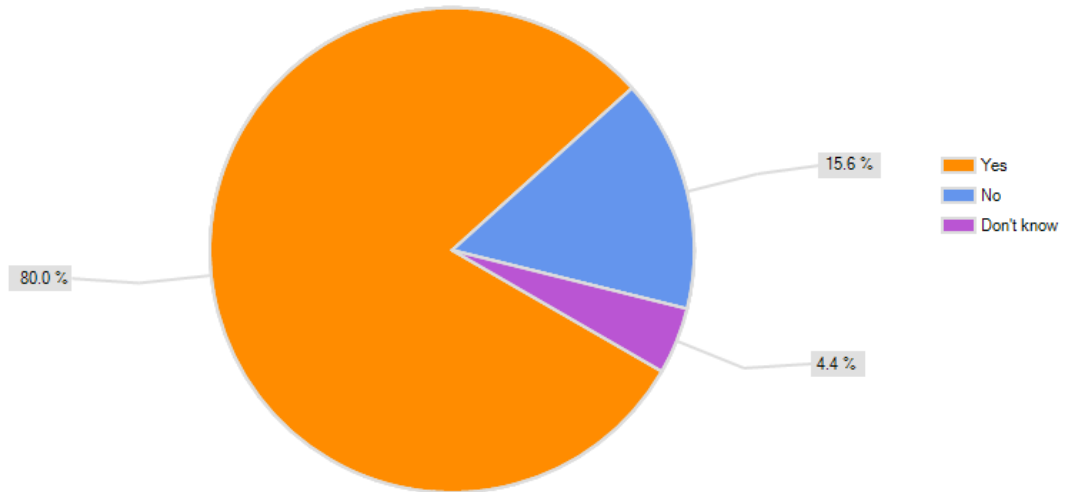
Jane Hack
12th September 2012

Appendix A

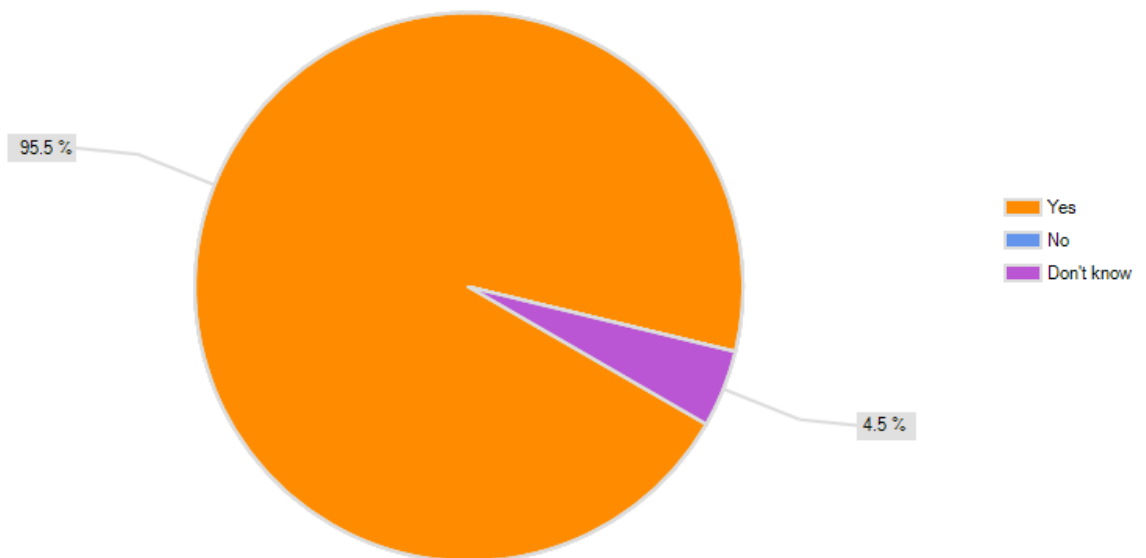
Do you support the proposal to disband the IPP and replace it with an individual membership category of the BPA?



Do you support the proposal to develop a group membership structure to support organisations who commit to the continuous professional development of their staff ?



Do you support the development of Frameworks of Excellence, Quality marks and other professional standards as a means of delivering higher standards?



BPA Council	Agenda Item 3g
19 th September 2012	Member Consultation on the Future of the BPA

Appendix B – Comments from Consultation

Do you support the proposal to disband the IPP and replace it with an individual membership category of the BPA?

- This is a sensible way back to where BPA Membership was. I think the qualification of Fellow of the BPA will be more meaningful than FIPP. Clearly there will have to be well defined rules of eligibility and clearly defined rules for termination of membership. .
- I don't think the voice of individual members will get heard within BPA. I think IPP needs to continue, within BPA, but with its own committee to run it.
- Anything to reduce membership costs will be a good thing.
- I think this might be the right way to go but I'm not clear how individual views and views of corporate members will be taken into account. Potentially there could be a very large number of individual members.
- Provided it is at a reasonable cost otherwise individuals will not join
- It could be a good move, assuming the individual membership category has some relevance.
- I think that the proposal and the IPP is self-serving and pompous and not rooted in the reality of the business world. Great for local authorities but irrelevant for businesses
- I don't mind the disband proposal. I am just inclined to be emotionally attached to the inclusion of "Professional" in IPP which because it is missing in BPA makes the latter less business-like
- I was an individual member of the BPA prior to the introduction of IPP and feel that despite the excellent work done to promote the IPP it somehow failed to get the recognition it deserves. This move may provide the impetus to greater recognition of the skills our members have developed
- It was a nice designation to be a member of the Institute of Parking Professionals. Now appears on business cards so there will be a cost of reprinting these if it is no longer to exist.
- Most lower level staff will not pay for individual membership.

Do you support the proposal to develop a group membership structure to support organisations who commit to the continuous professional development of their staff ?

- Will be difficult to develop standards that are applicable to such a wide range of different types of member organisation.
- Recognition of organisations that employ parking professionals and promote CPD would both encourage organisation membership and be beneficial for the development of parking professionals. I believe this objective can be pursued and would be beneficial without needing organisations and individuals to be members of the same Association / Institute
- I believe this will benefit the industry as organisations will need to give staff time to undertake their professional development and recognition of this will both encourage the organisation and demonstrate to potential clients and the public that the organisation is committed to parking and a quality service.

BPA Council	Agenda Item 3g
19 th September 2012	Member Consultation on the Future of the BPA

- Local Authority does not have the money to always go outside their normal training i.e. customer service. Many L/A's train from within with the experienced staff they already have in regard to enforcement.
- Responsible employers should be undertaking CPD of their staff as a matter of course; I do not believe recognition from the BPA will do anything other than encourage certain employers to gain further accreditation from the BPA.
- I do not believe you have to offer CPD to be a member. Certainly in many LAs I know, staff are already well trained so it would not be possible to demonstrate this.

Do you support the development of Frameworks of Excellence, Quality marks and other professional standards as a means of delivering higher standards?

- Based on these improvements being pursued independently by organisations and individuals, as appropriate to each group.
- I am concerned at the mention, under “Frameworks of Excellence”, of “contracting with companies who employ professional individual members of the BPA”. I could see this leading to disquiet, to say the least! “Frameworks of Excellence” also refers to ‘Kite marks’ and then refers to service standards. Isn’t this what Charter Marks (now replaced by something else, I believe) are all about? Nor do I endorse the BPA awarding Kite marks for equipment endorsement. The BPA should limit itself to setting guidance. We don’t want the BPA ending up in court. Remember the trouble ‘Partners in Parking’ have got themselves into with some of their practices
- In principle, it is agreeable. However, it would be important to differentiate between a guide and a rule book when it comes to operational assistance. To create a rule book might cause long term problems, especially with regulation of the private parking sector just around the corner
- It is important that these do not place too onerous a task on staff and organisations and real benefits can be shown not just a paper trail
- As long as such development reflects the views of all members and is not aimed at LA's and large companies
- I believe this aspect should be a VITAL part of the organisation to continually and increasingly be accepted as credible both to the public & the government
- I support this but not to the detriment of those that have gained the knowledge over the years and have grown with the business but do not NVQ's in Parking etc. They have NVQ's and Diplomas to their name though.
- These are worthwhile as long as they are strenuous and are enforced. If a company or individual falls short of the expected standards the award should be stripped.

BPA Council	Agenda Item 3g
19 th September 2012	Member Consultation on the Future of the BPA

Appendix C – Draft Communications Strategy

Draft Communications Strategy for Integration of IPP Members into Individual BPA Membership Categories

Discussion Points:
<ul style="list-style-type: none"> The core messages need to be agreed in principle before communications can take place.
<ul style="list-style-type: none"> Overall direction of communications strategy

Aim:

- Firstly, to communicate the integration of individual members into the BPA membership structure
- Secondly, to communicate a strong membership product (or collection of products) that can be built upon, and developed over the coming months and years.
- To provide clear information
- Ensure the value of BPA corporate membership is not undermined

Background:

- A consultation with members has taken place (communicated by letter, through the website, regular ezines, the Special IPP Members Event, and the AGM), and concluded that the IPP as it is known to members will be disbanded, and individual membership integrated into the BPA.
- Members have therefore been involved in this change; a communication has been started and it is important that this is continued. Members now need to see changes take place (through our communications to them) to add gravitas to the re-structure and establish the new direction. We aim to communicate in a way so that members see the benefit of the change otherwise we risk the upheaval being perceived as pointless, unimproved and thus lose members. To achieve this, and a successful communications strategy, we need to understand the restructure from the members' point of view and ask ourselves "what is in it for them?"

Overview:

- The membership products offered may not change substantially.
- Crucially, **how** we communicate the benefits of membership will illustrate change and this needs to be seen as an improvement.
- We need to establish a strong communication message which can then be built on over time as and when there is need and the membership grows.

Core messages to communicate to members in relation to the individual membership re-structure:

- The BPA is a **recognised association** within the parking profession
- Thus being an individual member recognises and demonstrates your **commitment to professionalism** in the sector
- We will **guide and support** through your parking career
- Provide a hub of **knowledge**
- **Networking**

Discussion: The above messages need to be agreed in principle before communications take place.

BPA Council	Agenda Item 3g
19 th September 2012	Member Consultation on the Future of the BPA

How will this be done?

Communication Channels:

- **Brand name** – This will be dependent on the outcome of the *Integrating Individuals into the BPA* paper.
- **Brand design** – IPP branding will be discontinued. Individual branding could either be incorporated completely into the existing BPA design, or differentiated **Welcome pack** - Sent to all members and any new members over an initial time period. This will help to strengthen the message that membership has changed and make members feel they are getting more for their money. As a long term aim, we could produce an online version instead to reduce costs and be more environmentally friendly.
- **Parking News** – Re-iterate the magazine’s appeal and that members get a hard copy delivered to their door. Possibly include an article introducing the individual membership structure if appropriate.
- **Regular ezines** (fortnightly on a Wednesday – this can be increased if necessary. Wednesday traditionally produces a higher response rate than Friday
Content will begin by focusing on our first aim (communicate the integration of individual members into the BPA membership structure) in simple chunks. Once this is completed we will begin to integrate these informative messages with ezines which address our second aim (providing membership products which is done through our core messages). Content from the BPA ezine will also be used, providing integrated communications with the corporate strand. A content marketing plan will ensure there is a balance of BPA news and content derived from the core messages
- **Website development** - Incorporate any branding and re-structure the existing Members’ Area to support individual membership and the products on offer. For the most part the website will remain the same to provide consistency to existing corporate members; however it will be tweaked to support what we are offering to individual members.
- Offer **CPD Diploma** - Materials will be created and communicated to members to support this.
- **Members’ Dinner (and other national BPA events)** - Ensure individuals are included in marketing for Members’ Dinner and re-iterate they are welcome to attend, just as they are Parkex, the Annual Conference and the AGM. Regional/ Country Group meetings and Special Interest Group meetings will remain as a benefit solely for Corporate Members so care will be taken to communicate this accordingly.
- Longer term communication channels could be: LinkedIn group (revive existing or encouraging individuals to join main BPA group), presenting CPD diploma at a high-profile BPA event.

Further details

How each core message will be communicated:

Audience:

The target audience will be considered to ensure the messages and methods are relevant. This information can be pulled from existing resources available such as IPP membership data, IPP ezine readership statistics, IPP website statistics and other research undertaken such as the Parking Workforce Survey.

Taking each of the core messages above below is an outline of how these could be communicated to members:

- **Recognised association**

The benefits of positioning individuals within the BPA name should be communicated to members through the Welcome Pack, ezines, and the website.)

- **Commitment to professionalism**

Through use of established BPA branding and name, a CPD Diploma scheme, communication on the website and through ezines.

BPA Council	Agenda Item 3g
19 th September 2012	Member Consultation on the Future of the BPA

- **Career guidance and support**

This will be communicated mainly through content marketing in the form of website development and a clearer and extensive careers section, and through regular ezines. Ezines and website content will work alongside each other, with ezines working to draw members into the website and enable them to browse further content.

This point is where we can really focus on the **individual** member, producing content to support their parking career (examples are given in the website development section below). Here we acknowledge a range of audiences to provide an array of content e.g. people who are looking to start their parking career, people who have an established career and want to move into parking, people who have been allocated parking roles.

Long term: Content can also be produced with the angle of individual members encouraging their employers to provide CPD opportunities and resources for staff.

Long term: Content can also be produced for organisations to aid the employment of individuals and developing CPD opportunities.

- **Knowledge**

Again, this aspect of the membership benefit package will be communicated through content marketing distributed by ezines and our online library (on the website). The BPA offers a wealth of information on the website and through this communications strategy we can emphasise this bank of knowledge as a membership benefit. Communication will also re-iterate what publications members have access to; Parking News, e-Park Mark Update.

Long term: A future consideration could be whether to make more website content restricted and available to members only. Currently most skills and professional development content is publically available and making it private could increase value and incentive for members. We could begin to build a body of content which is only available to members (not the public) which could provide a member incentive. This is a common technique used by other associations.

- **Networking**

Members are invited to attend BPA's national events (Annual Conference, Parkex and Members' Dinner) providing valuable networking opportunities. More emphasis will be put on this than has previously been done under the IPP through ezines.

Long term: A LinkedIn group was established for IPP members and this is something that could be revisited in the future – to create a new group for individual members or invite them to join the existing BPA group.

Further details on website development:

The main aim is to provide easier navigation through useful and relevant information and advice for members, enabling them to develop their knowledge and professionalism. We want to encourage members to stay longer in the knowledge/library/member areas by providing information useful for them as individuals.

- Remove IPP section and Skills section
- Two main membership categories for the website – organisation member (currently exists) and individual member (reworking of the IPP section). Both enable access to the Members Area. Only the organisation member will have access to Regional/Country/SIG events as this is a corporate benefit, not an individual member one
- Develop current BPA member area to incorporate individual members (and any potential branding).
- Develop careers section in the Library. This will incorporate much of the content currently within "Skills" and "IPP" tabs reworked to provide clarity. Examples of content which will include a more guided approach to

BPA Council	Agenda Item 3g
19 th September 2012	Member Consultation on the Future of the BPA

providing career information: job roles, qualifications, entry routes, training materials, CV building, interview tips, links to basics of parking for those finding themselves unexpectedly required to know about parking in their job. A new tab on home page will direct members to careers / skills / professional development content (located in Library).

Costs to consider

- Staff time to produce content and distribute
- Branding may need to be taken to a designer if substantial change from BPA branding is wanted.
- Development of a new ezine template – estimate £400
- Development of website (this can be flexible depending on requirements but an allocation of funding would be wise)
- Membership packs (design and printing)
- Developing CPD diploma materials/marketing. Could be done in-house depending on criteria.
- Long term: Possible sponsorship of CPD diploma to cover costs of Members' Dinner places for example?

Suggested timeframe

- 5th September – SKIPPs Board agree to proposals in *Integrating Individuals into the BPA* paper
- 19th September – BPA Council agree to proposals

If the deadlines above are not met, then this will have a knock-on effect of achieving the below deadlines.

With these discussions and decisions in place, we can begin to work towards a deadline of the 1st November to begin the launch. By this date we aim to have:

- A brand name confirmed along with relevant logo and branding design work complete.
- Created membership forms in accordance with this.
- Confirmed membership categories.
- A letter (and ezine) to members to introduce the changes and new individual membership brand. This will outline the benefits and explain to members that they will now begin to see changes (e.g. to the website) over the coming months as we develop the individual membership product.

After this initial phase, we will aim to follow the below timeframe:

Phase 1 (1-6 months)

- Introduce new membership restructure information – ezine, website, membership pack
- Continue to drip feed more information on the membership through regular ezines and website
- Plan and begin to implement website development

Phase 2 (in 6 months)

- Content marketing to shift emphasis towards communicating our “products” or “core messages”
- Continued website development

Phase 3 (1 year)

- Website development established



Report to:	Council
Title	Review of BPA Governance
Director	Chief Operating Officer
Author	Jane Hack, Chief Operating Officer
Date of Meeting	19th September 2012

SUMMARY

The recent member consultation on the Five Year Business Plan and the integration of individual (IPP) members into the core of the BPA membership closed on 13th July. There was general support from the members for the proposals.

This paper examines the next stage in preparing for sector, regional and individual representation within a revised BPA governance model and sets out a proposal to replace existing governance structures with a Council of Representatives and a Strategic Group. The Council would be elected through electoral colleges representing different parts of the sector and the Strategic Group members would become the Directors of the Association being held to account by the Council.

We have invited Professor Andy Friedman from PARN to this meeting to talk about this and other proposals further.

RECOMMENDATION

That Council delegate the following proposals to the Executive Board to develop and present to Council in December 2012 for approval.

1. Define and Propose new Governance Structure incorporating the representation of individuals and sectoral interests in the new structure.
2. Agree and approve timescale for Governance Review (Appendix A)
3. Transition Arrangements

BACKGROUND

In November Council discussed and approved the introduction of electoral colleges (which would include individual representation) as part of the Future of the BPA project. As a result, an expert in governance models for Professional Associations and Institutes gave a presentation to the Futures Group at their meeting in February, on modern models of governance and how this could be applied to the BPA. The same presentation will be given to Council in order to introduce proposals for consideration.

The challenge for any modern professional association is to design a model of governance that combines a pro-active approach to determining mission, strategy and policy which will be inclusive of the needs and aspirations of the membership whilst being responsive to changing needs of members and external stakeholders (the public, government etc).

BPA Council	Agenda Item 4
19 th September 2012	Review of BPA Governance

It has been a concern of some members in recent years that our present governance structure means that Council is little more than a “rubber stamping” exercise with the majority of decisions being taken by the Executive Board. This highlights the very problem that many Associations face in that there is simply not enough time or capacity for a large body of members to discuss, debate and agree the huge range of issues, from strategy through to management, that are required to keep an Association responsive and well managed. It is therefore important to choose a governance model that will provide value and satisfaction to all members who give so generously of their time and that will reassure the membership as a whole that their views are being represented.

1. Proposed new Governance Structure

A presentation will be made to Council on 19th September by Professor Andy Friedman of PARN (Professional Association Research Network) on the dilemmas facing many professional bodies today. PARN have undertaken significant research into the many governance models in use and have over a number of years developed a “model” of governance that is being taken up by a growing number of organisations similar to ours.

The model of governance that is being presented to you here is quoted in part from the PARN book “*Governance of Professional Associations: The Structure and Role of the Governing Body*” by Andrew Friedman, Mary Philips and Ming Ming JD Chan.

This governance model is centred on and enables a clear separation of tasks and roles between the staff, CEO, a strategic group (the Directors of the Association – approximate 12 in number) and a representative group (40+) who are representatives of electoral colleges and who would hold the strategic group to account.

These different elements of the structure engage in a process of monitoring and review, ‘holding’ the mission and objectives of the organisation.

The separation between these groups is based on distinguishing:

- The management and implementation of activities (CEO and Staff)
- Strategic planning and monitoring of those activities (Strategic Group)
- Overall guidance and monitoring of the general purposes and mission of the professional body as a whole (Council of Representatives)

In terms of structure, this model is founded on the idea that the group concerned with strategic planning should be a working group. It should therefore be small enough to allow decisions to be taken and taken quickly. This Strategic Group is likely to need individuals with particular expertise that may need to be sought from outside the Association members. The problem that this group poses for an Association is that the Strategic Group cannot be expected to be adequately representative of member’s views and the views of other stakeholders. For this purpose a much larger group (Council of Representatives) is formed to provide overall guidance and monitoring.

- Council of Representatives (60)

The size of this body should be such that it reflects both regional and sector interests of the membership at large.

BPA Council	Agenda Item 4
19 th September 2012	Review of BPA Governance

Meetings of the Council of Representatives would be chaired by the President. (*see below*) This Council would meet no more than twice a year, but would be kept in touch with the Strategic Group deliberations and decisions through normal communications channels.

The role of the Council of Representatives would be to:

- Act as the guardian of the constitution
- Act as a conduit for members' views and ideas
- Monitor the decisions of the Strategic Group and act as a "brake" on its power
- Input ideas of its own into the strategy making process.

The Council of Representatives therefore has a positive and valuable role; it is not there just to ratify decisions made by the Strategy Group.

Consideration should be given to the appointment of two committees reporting to the Council of Representatives:

- **Overview (or Audit) Committee** – constituted by 4(max) members of the Council plus any experts as required. The Committee's role is not to question every decision made by the Strategic Group, but rather to ensure that important decisions made have followed a process that is open and transparent, and that proper consultation has been carried out. The Committee could also act as an 'early-warning' system informing the Strategic Group when matters are clearly sensitive or unacceptable to the majority of members at large.
- **Nominations Committee** – the purpose of a nominations committee is to provide transparency and objective accountability to the nominations and appointments processes to enhance professionalism of appointments to the Strategic Group. The Committee would consider appointments and shortlisting of candidates for the board, presidency/chair and any other substantive appointments. Consideration could also be given to including one external stakeholder to represent the public interest.

Taking our present membership structure and allocating members to a group (*whilst recognising that some organisations fall into more than one electoral college*) – the Council of Representatives could be constructed thus (and subject to annual review):

Electoral Colleges	Representing SIG	% of membership	Suggested No. of College Representatives
Regional / Country Representation	Regional/Country Groups	11 groups	11
Individuals	IPP	320 ish	4
Local Authorities and Public Bodies	LASIG	36%	16
Equipment Manufacturers and Service Providers	EMSIG	23%	10
Bailiffs and Enforcement	BESIG	4%	2
Campus Parking (Higher Education / Healthcare) Airports; Leisure; Retail etc	HESIG/ HCSIG	5%	2
National Operators	NOG	1%	1

BPA Council	Agenda Item 4
19 th September 2012	Review of BPA Governance

Car Park Operators (non-enforcing e.g car park management)		5%	2
Car Park Enforcement operations	Approved Operators Scheme (AOS)	20%	9
Structures and Asset Management incorporating Refurbishment operators	SAMSIG	1%	1
Consultants and Consultancies		5%	2
Total Number on Council of Representatives			60

Note that the suggested number of college representatives is based on a percentage of 45, the remaining 15 being “automatic” members drawn from Regional and County groups or from the Individual category.

SKIPPs Board are proposing that four individual places be allocated into the structure to support the integration of IPP members into the core of the BPA. Further work will be proposed on how that individual representation will work, dependent on the outcome of the Governance debate.

Furthermore, it may be considered unnecessary to have a “college” for every sector of the membership given that some organisations fall into more than one college and there are regional and individual sector representations which are not sector specific.

Consideration should also be given as to whether Overseas, Honorary and International Affiliates should have a “college” representation. Not presently accounted for in the above table.

Including both sector and regional representation may result in conflicts of interest between the needs of regional/country needs and the overall national interest of the profession (sector). To prevent this it could be worth considering “super region” representation rather than individual regional representation. However, it is important to ensure that all geographical areas of the UK are properly represented to avoid the “southern” bias which has featured in previous debates.

In creating an electoral college system, a mechanism for connecting members of each sector to each other and to the elected representatives of their sector will be need to be developed.

The association will need to develop a way to allocate members to each sector; should these be allocated arbitrarily, centrally or should members identify which sector they are in themselves? This in itself may be a difficult exercise with many members not providing this information. However, in the future this information could be collected on application forms and new members choosing which college best represents their interests.

BPA Council	Agenda Item 4
19 th September 2012	Review of BPA Governance

The Council then elects a small strategic group which plans policy, assesses risks and oversees the delivery of the Council's objectives. In this scenario, the smaller strategic group would be vested with legal responsibility for trusteeship and directorship.

- The Strategic Group

This is the prime "governing" body of the Association with the responsibility to ensure that its agreed policies and strategies (Five Year Strategy etc.) are being implemented in accordance with its directions.

It is the responsibility of the board to:

- identify the key elements to success in sustaining the mission and establish a strategic planning process to achieve it
- adopt risk assessment and management processes
- set measurable goals, defined in terms of outcomes rather than inputs or activities to monitor the achievement of the mission.

Meetings of the Strategic Group would be chaired by a Chair whose responsibilities are distinctly separate from those of the President. (*see below*) The Chair is responsible for ensuring that the governance process is effective and efficient and provides an executive point of contact with the CEO and staff executive. The Strategic Group would meet 5/6 times a year and one of those meetings could be a strategy review meeting involving an overnight stay to facilitate greater debate.

A possible constitution for the Strategic Group could be:
(members in bold hold voting rights)

- **Chair of the Strategic Group ***
- **President of the Council of Representatives**
- **President-elect**
- **4 members elected from and by the Council of Representatives.***
- **2 externally appointed representatives** (*not essential but for consideration, as may provide expertise not presently available through the membership, e.g. legal or financial*)
- **Chairs of Overview (Audit) and Nominations committees** (*we will take advice as to whether there is any conflict in these being voting members*)
- Chairs of BPA Boards (eg AOS, SKIPPS) (*voting or non-voting - to be decided*)
- CEO and Staff Executive members

** Non-Executive Directors with legal responsibilities as directors of the Association registered at Companies House.*

- Chair and President – combined roles or Separate?

Consideration should be given to separating the "ambassadorial" and "governing" roles of the President. This would reduce the burden on one person to fulfil all aspects of the Association's ceremonial and governance needs during their term of office. Additionally, different talents are specific to each role and may suit some members better than others.

BPA Council	Agenda Item 4
19 th September 2012	Review of BPA Governance

This could be affected by the appointment of a President which would be an outward facing and “ceremonial” role and will maintain an especially close contact with the representative group and the membership. This role need not be filled by an Association member but could be an honorary or invited role. The President would chair the Council of representatives and may hold this term of office for one year only.

The role of Chair would be to lead and manage the governing body and would Chair the Strategic Group. The Chair would form a close working relationship with the CEO and be the primary interface between the Strategic Group and the Secretariat. The term of office for this role could be longer, say 3 years, which would give consistency to the management of the Association’s business and strategy.

- Renewing the Articles of Association

If the above model of governance were agreed, renewing the Articles of Association would be necessary. As mentioned previously our current articles are out of date and have been modified many times.

With a smaller board holding the legal responsibility for the “company” it would be a relatively simple matter to renew the articles in order to comply with Company Law. However an EGM would need to be held to get members support for the new Articles. A timetable is attached at Appendix A showing the timeline for the review of Governance through to implementation.

Rules and regulations for the terms of reference and operational guidance for the Council of Representatives would be subject to internal review and agreement and not a matter for the Articles.

New Company Law (Companies Act 2006) poses some questions that Council may wish to consider which would be the subject of a further paper submitted to Council in December if the new structure is adopted.

2. Timescale for Governance Review

A spreadsheet is attached at Appendix A outlining a timescale for the proposed Governance Review.

If approved, work will commence to draw up a new model of governance supported by new Articles of Association with a view to holding an EGM with the members in the early Spring.

Whilst the timescale is quite tight with a lot of work to do, it is felt to be achievable and having undergone a consultation with the members it is important to move forwards on the governance whilst momentum and interest is high especially with the integration of individuals into the core of the BPA membership.

3. Transition Arrangements

If the model of governance proposed above is agreed, then as part of the work undertaken over the next couple of months, a process for transition from one structure to another will need to be drawn up and approved.

BPA Council	Agenda Item 4
19 th September 2012	Review of BPA Governance

One such transition model could be to allocate all existing council members to an electoral college, electing other members as required at the elections next June to fulfil the quota for each electoral college. Existing Directors would remain as Directors of the Association until the end of their term of office at which time, depending on whether or not they are representatives on the Strategic Group, their directorship would be terminated at Companies House.

If approved, further work will be delegated to the Executive Board to refine the structure and resubmit to Council in December for approval.

Jane Hack
22nd August 2012

BPA Council	Agenda Item 5
19 th September 2012	BPA Status Report



Title	BPA Status Report to Council
Authors	Chief Executive and Directors
Date	19 September 2012
<p>This report provides an overview of the present activities of the Staff Executive and describes the present status of current BPA Programmes and Initiatives. <u>It is for Information Only.</u></p>	

Chief Executive's Update	<p>The Executive's focus is very much on the delivery of an independent appeals service, the publication of a revised Code of Practice for Parking on Private Land and preparing members for the major changes which will be brought about by the Protection of Freedoms Act on 1 October 2012. This work is consuming significant resource at present and our priority has been to ensure that members, the public and stakeholders are fully aware of these activities.</p> <p>Meanwhile I have restructured the Executive to equip it with new focus and priorities as we seek to deliver the Five Year strategy and Business Plan. With the member consultation now concluded there is much work to be done to move the Association forward. I believe we are in good shape to deliver on Council's priorities for the future and to further establish the BPA as a professional organization driving up standards in the parking sector.</p>
---------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

ORGANISATION AND ESTABLISHMENT Staff Changes (Jane Hack)	<p>Hayley Berry the PA to CEO and Directors left the Association at the end of July to pursue her own business. Her replacement is Victoria Harris who started on the 6th September. Victoria has a number of years of experience as a legal secretary.</p>
Organisation	<p><u>The Hub:</u> We are presently reviewing how we communicate with Council members and are considering decommissioning the BPA Hub in favour of an area on the BPA Website where Council members, through their own individual log-in passwords, will be able to access Council papers and other council related information. We would welcome your support for this proposal and this will be discussed during the meeting on 19th September.</p>

BPA OPERATIONS	
Approved Operator Scheme Report Chair: Lynn Witham (Steve Clark)	<p>At the time of writing this report there are 163 members of the Scheme. This has been pretty much static over the last quarter as we have lost a few members who will not continue to clamp after October 1st but have gained new members who are establishing ticketing businesses – we</p>

BPA Council	Agenda Item 5
19 th September 2012	BPA Status Report

remain some 4% ahead of the equivalent period last year.. We are pleased to confirm that there are no bad debts for the scheme so far this year.

The number of investigation requests received continues to grow and the total figure for the last quarter was 683 which is some 7% ahead of the equivalent period in 2011. While this is a slower rate of growth than has been reported previously, the total number represents a significant amount of work for the investigation team to undertake. we have worked hard to ensure that we are able to continue to respond to complainants in good time. The complaints process and procedures used to manage this have also been reviewed with appropriate action taken – for example standard response letters have been rewritten and complainants now receive communication containing the ‘result’ of the complaint as a matter of course.

Sanction Points

There are 31 Operator’s with sanction points on their current licence and six operators with suspended points.

In this quarter 18 sanction points have been issued with one operator acquiring 10 suspended sanction points.

Compliance Auditing

During the last quarter 49 audits were conducted by NSI. There were a number of improvement needs raised with the majority of these relating to items which were found to be missing from the contract between the landowner and the operator. In most cases the necessary improvements have been made and we are chasing up confirmation of rectification with the others.

With one audit being cancelled, we were able to undertake another ‘Mystery Shopper’ exercise by the NSI auditor. A number of car parks were inspected and issues identified that needed investigation. While no Sanction Points were awarded as a direct consequence of the day remedial action was taken in a number of cases where minor instances of non-compliance with the Code were identified.

Protection of Freedoms Act

The legislation has now received Royal assent, and Chapter 2 (Vehicles Left on Land) and Schedule 4 (Recovery of unpaid Parking Charges) will be enacted as of 01 October 2012.

During July we held nine Workshops at locations around the country to inform Members on how the new legislation would affect them and to update them on our plans for the Independent Appeals Service. While less than 40% of Members attended, it was a worthwhile exercise giving Members the opportunity to air their views and have their questions answered.

Independent Appeals Service

The IAS remains on course for launch in October of this year and will be called POPLA – Parking On Private Land Appeals. BPA staff meet with POPLA on a regular basis to ensure a smooth transition for Members into the new regime.

BPA Council	Agenda Item 5
19 th September 2012	BPA Status Report

A couple of workshops were held for Members on September 10th where BPA and POPLA staff were able to present how the Service will work and offer guidance on what the operator evidence packs should contain.

The development of the Independent Appeals Service continues, with the appointment of London Councils to manage and implement the service on behalf of the private sector.

Following recommendations from Council over the financial risk to BPA in regard to its initial support of the service, discussions took place with the largest (Band 8) members of the AOS, seeking financial support from them to help to mitigate this risk. A separate bank account has also been created to ensure that the service's financial processes remain separate from the BPA's. Most of the Band 8 operators have deposited a Bond with us and we are confident that any potential cash flow risk can now be mitigated.

The development of the service has been closely followed by Government, and in particular Transport Minister Norman Baker MP and we have sought to allay any concerns, and take on board some recommendations made by Mr Baker regarding mitigation.

Code 2012 Project

Following significant consultation with AOS members and other stakeholders including representatives of Government bodies the Code 2012 project nears completion.

The Code of Practice will consist of three separate documents:

1. Code 2012 – which will be the basis of the Code of Practice and will enable the BPA to investigate non compliance and issue sanction points if necessary.
2. The Consumer Guide to the Code – which will give the public an understanding of the Code 2012 and the operator's commitment to the driver in providing parking on private land.
3. The Operator Handbook – which will provide the operator with examples of Best Practice and design templates for certain documents.

The technical draft of Code 2012 has been available to the membership following Board sign off since July to maximise time to update compliance. The final draft having been signed off by the DVLA was published and issued to AOS Members earlier this month.

The Consumer Guide has been developed from the finished Code 2012 and will be published shortly.

BPA Council	Agenda Item 5
19 th September 2012	BPA Status Report

The Operator Handbook is already in existence and will be updated to reflect changes in Code 2012. It will be published in October.

AOS Board Changes

Graham Brown of Liberty Services has been appointed to the Board as representatives of Council.

We recently held elections seeking nominations for two more front line AOS member representatives and the successful candidates were Grahame Rose of CP Plus and Mike Perkins of Combined Parking Solutions. Council have also been recently asked to approve the appointments of the Consumer/Landowner representatives.

PR/Lobbying
(Emily McCunn)

Work continues to focus on the transition to the new regime arriving in October. This includes updating the members as soon as new information or guidance is produced, keeping stakeholders in the loop through information produced specifically for them or their audience, and updating the FAQs on the website, with sections for both the public and operators.

Safer Parking Advisory Panel Report

Vice Chair: David Peach
(Kelvin Reynolds)

The Scheme is still increasing in numbers despite the loss of several Councils who stated funding was an issue. Commercial car parks are now more than 50% of the business. We have now exceeded 5000 car parks.

SPS

Currently there is an initiative to determine whether engaging with LABEL in Truck stop parking would be beneficial and ACPO and SPS are involved in initial exploration meetings. BCSC have asked for Park Mark® input at their next meeting and have invited us to give presentations in their 8 monthly security seminars around the UK. This should significantly raise Park Mark® profile and confidence within the retail sector.

SPS Marketing

We continue to work on the partnership marketing via Pulse. We are also proactively working with a number of websites and other media to provide information about the Scheme. Opportunities are identified by both the Comms team and the DMs, with a good amount of coverage secured in a variety of channels. A mention on the BBC website saw a huge increase in the visitors to the website, and we will look to pursue similar opportunities in the future.

We have been through the procurement process to identify a suitable supplier for redeveloping the SPS website, and have selected Advansys as our preferred supplier. Work is about to start on the site, with the aim of launching it in early 2013. The site will be more content-rich than the current one, and we will be able to update it in-house on a daily basis. It will also be suitable for mobile devices.

BPA Council	Agenda Item 5
19 th September 2012	BPA Status Report

**BPA COMMUNICATIONS
AND Membership
ADVISORY PANEL (CMAP)
REPORT**

Chair: Keith Banbury
(Emily McCunn)

Media Enquiries	We have not had many non-AOS related enquiries since the last council report. With the new structure and strategy in place it is likely that this section of the report will be altered, as we become more proactive with the media and place our own stories, rather than reacting to enquiries.
Website	<p>We continue to make developments to the main BPA site and will shortly be introducing a social toolbar to allow visitors to bookmark and share pages and news items of interest to social networks such as Facebook, Twitter and LinkedIn. This will increase page views and help improve the integrity of the site as well as spreading awareness.</p> <p>We are also blogging on a more regular basis which has proved successful in generating page views and links to the site and will be including Patrick's forward from Parking News each month as a further enhancement.</p>
Parking News	No new developments to update.
AGM & President's Reception	No update since last report.
Members Dinner 2012	Table bookings have reached 14 tables (168 seats) with 7 tables (84 seats) left to sell. 2 Sponsors are still being sought to join Marston and Green Parking (UK) Ltd.
Party Conferences	We are basing our fringe sessions on the Portas High Street Review, and have invited speakers accordingly. At the Conservative conference we are partnering with ACT Travelwise, who are also providing speakers. John Woodcock MP is confirmed for the Labour event, as are representatives from ATCM, the NHS and BPA .
Research project	The survey has now been closed and SkyBlue are validating the responses and completing the literature review. A full report will be provided to the next council meeting.

**SKILLS & IPP Board
Report**

Chair: Nigel Williams
(Rocky Datto)

The SKIPP Board met on 5th Sept and reviewed the tasks/activities that are its responsibility in the new 5-year business plan, as well as, the integration of IPP members into BPA individual membership following the consultation from April to July this year. Reports detailing the Board's recommendations including revised terms of reference for the Board (which proposes to be renamed the Professional Development & Standards Board) are included within the Council papers.

BPA Council	Agenda Item 5
19 th September 2012	BPA Status Report

Forums / Special Interest Groups / Focus Groups

Update

An exploratory meeting for a shopping centre and retail SIG took place on the 18th July. A report will be provided at the meeting.

The Parking Forum Report

Chair: Helen Crozier
(*Dave Smith*)

The most recent Parking Forum meeting took place on August 17th; the topic was 'Managing parking facilities'. Helen Crozier chaired her first meeting in her role of Senior Vice President. The next meeting takes place on November 2nd and the topic is parking on private land.

Bailiffs and Enforcement SIG Report

Chair: Paul Sharpe
(*Abdul Traore*)

The next BESIG meeting will be held on the 25th October 2012. The Group will welcome its new chair Paul Sharpe. The Ministry of Justice (MoJ), CIVEA and the Local Government Ombudsman will be among the contributors to the meeting.

Local Authority SIG Report

Chair: Kevan Butt
(*Alison Tooze*)

LASIG met in Oxford on 14th June and despite a lower than normal turnout the meeting was lively and everyone contributed and got involved in discussions. Presentations were received from Jane Hack on the Future of the BPA Consultation, Graham Hanson of DfT on the Traffic Signs review, Gordon Reid of Oxford City Council on Town Centre Prosperity, Trevor Clark of Buchanan Order Management on Map Based Traffic Orders and Gareth Johnson of Notts CC on a recent TPT case. We have now taken two sponsors for LASIG who are Buchanan Order Management and Keltic Clothing, the income from this will help to support the group's activities. The next meeting will take place in Liverpool towards the end of the year (date still being finalised)

BPA/DVLA Focus Groups updates

(*Abdul Traore*)

The last DVLA/BPA meeting took place on the 08th August 2012 in Sandwell.

The group discussed a number of important topics i.e. the recent changes to DVLA data sharing, keeper/owner liability, Bailiffs and HCEO forum etc.

It was again a great platform for BPA members (LAs and private operators) to raise their issues directly with DVLA.

The group will meet again in February 2013.

National Operators Group Report

Chair: Les Knight
(*Patrick Troy*)

A meeting took place of NOG on 11 September just as this report was being distributed. The Group heard from Nottingham City Council on workplace charging.

Equipment Manufacturers and Suppliers SIG Report

Chair: Manny Rasores de

The EMSSIG group met on the 15th August at Royal Mint offices in Wales. It was a very well attended meeting which covered some important topics. Payment technologies were discussed as well as high

BPA Council	Agenda Item 5
19 th September 2012	BPA Status Report

Toro
(*Abdul Traore*)

street prosperity. The meeting was followed by a very informative tour of Royal Mint facilities and coins factory.

Healthcare Parking SIG Report

Chair: Vacant
(*Alison Tooze*)

The Healthcare SIG met on 11th July at Salisbury District Hospital with a varied agenda sparking a large amount of discussion and debate particularly around disabled parking, the cost of managing NHS car parks and the implications of the Protection of Freedoms Act and the cost of the Independent Appeals Service. Quite a number of issues for further discussion including the relevant external stakeholders came out of this meeting and will be pursued for the next agenda. The working group will meet on 31st July to discuss amongst other things the revised Hospitals Parking Charter and benchmarking – the Healthcare Facilities Consortium are going through a considerable period of change at present and have a new Managing Director who wants to ensure that they continue to work closely with the BPA on matters of shared interest.

Higher Education SIG Report

Chair: Ian Goodwin
(*Alison Tooze*)

The Higher Education group met in Manchester on 28th June, it was a well attended meeting with a lot of discussion and debate. The main theme on the agenda was signage and communication and an opportunity for attendees to compare campus maps with each other was provided during the afternoon – this interactive element of the meeting was very well received and will be repeated at this and other BPA meetings. The HE parking benchmarking survey is due to launch within the next month, it is hoped that most universities will choose to participate in this, providing some valuable research data for the sector – we also hope this will be a big draw for new members to get involved in order to access all the data produced. A Charter for HE parking has been drafted and will be going out for consultation shortly.

Model Contract Advisory Panel Report

Chair: Lynn Witham
(*Abdul Traore*)

Nothing to report.

Women in Parking (WiP) Report

Chair: Emma Collins
(*Jane Hack*)

Nothing to report

TECHNICAL MATTERS

(*Kelvin Reynolds*)

BPA Office Services

(*Richard Gravestock*)

IIP – the initial audit has indicated that the Association will meet the Standard. It is hoped that the Association will go beyond the Standard and achieve either the Bronze or Silver Standard.

BPA Council	Agenda Item 5
19 th September 2012	BPA Status Report

CRM – Data views being finalised in preparation for staff training.

Premises – two of the three toilets have been refurbished.

Health & Safety

There have been no incidents.

The fire system control unit had to be replaced due to a problem being encountered after a power outage.

Membership Numbers

at 1st May 2012

	This month (Sept '12)	Last Month (Aug '12)	Last Year (Sept'11)
BPA (all categories)	716	716	700
IPP	348	348	318
AOS	163	163	157
SPS Park Mark(R) Awards	5018	4931	4654

Patrick Troy
Chief Executive