

Record of Operational Decision

Decision title:	<ul style="list-style-type: none"> To extend the ESPO 509 Lot 3 contract end date by 4 months to 06 January 2025. To change the name of the Supplier from Park Now Ltd to RingGo Ltd.
Date of decision:	6 th September 2024
Decision maker:	Director – Economy and Environment
Authority for delegated decision:	<p>Council Constitution Part 4, Section 6 (Contractual Procedural Rules) 4.6.16 (a): Where the scheme of delegation provides the authority assistant directors and directors within the relevant directorate (as defined by the requisite pay grade) have authority to award and sign a contract or authorise an early contract termination of a contract value up to £500,000.</p> <p>Scheme of Delegation – Economy and Place Section 36 Road Traffic Regulation Act 1984 – gives the power to local authorities to make traffic regulation orders which prohibit or restrict the use of a road; and which provide parking places on the highway, and in off-street car parks and set out the term on which such parking places may be used. Permission is also granted to park in contravention by way of a dispensation permit.</p>
Ward:	Countywide
Consultation:	The council’s finance, procurement, legal teams and cabinet member have been consulted, where they are content with this decision.
Decision made:	Award an extension of contract to Ringo for the provision of a cashless parking service provider for a period of 4 months, at a nil cost to the council with a total contract value including the 4 month extension of £236,147.
Reasons for decision:	<p>Payment for parking in the Council’s car parks can be made via coins, card and phone. The use of all cashless options is rising year on year. In 2023/24 the total number of payments made via RingGo was 38% of all payments made. There is a close correlation between this increase and the reduction in payments by coin.</p> <p>This extension will allow continuation of service whilst holding a tender exercise to procure and contract with a cashless parking solution provider longer term.</p>
Highlight any associated risks/finance/legal/equality considerations:	<p>Risk</p> <p><u>System failure</u> - should this system fail it would result in many car park users being unable to pay for their parking via phone or payment card and they would need to find coins. This would create reputational damage to the council and inconvenience to many users. This is mitigated by the fact</p>

	<p>that the Council is content that the current operator is performing satisfactorily. Going forward, having performance management in place to supervise this contract will further mitigate performance issues should service fall below the expected level the council could cancel the contract at any point.</p> <p><u>Fraud / Data loss</u> – RingGo Ltd. are an accredited provider under a compliant procurement framework and as such are required to meet PCI DSS Level certification. Their financial systems are accepted by major credit card companies such as VISA and Mastercard. Whilst there always will remain the risk that these systems may be breached, this is considered to be acceptable.</p> <p>Legal</p> <p>Herefordshire Council has a statutory role as the traffic authority pursuant to S.121A(3) of the Road Traffic Regulation Act 1984 (“RTRA”) in highways and transportation matters. As the traffic authority the Council has the powers to make Traffic Regulation Orders under the RTRA and to deal with off-street parking charges under Sections 32, 35 and 35C of the RTRA, where appropriate.</p> <p>Section 35(1) allows an authority to make provision as to the use of the parking space, the vehicle or class of vehicle which may be entitled to use it, the conditions on which it can be used, the charges to be paid in connection with its use for off-street parking, the ability to removal the vehicle left there in contravention of the order and the safe custody of the vehicle.</p> <p>Where an order under section 35(1)(iii) of the RTRA makes provision as to the charges to be paid in connection with the use of off-street parking places, the authority may vary those charges by notice given under Section 35C of the RTRA (or 46A in the case of on street charges). Regulation 25 (3) of the Local Authorities Traffic Orders (Procedure) (England and Wales) Regulations 1996 stipulates that where an authority proposes to give a notice of variation, notice shall be given by publishing it at least once in a newspaper circulating in the area in which the parking places to which the notice relates are situated at least 21 days before it is due to come into force.</p>
<p>Details of any alternative options considered and rejected:</p>	<p>Allow current contract to expire and not to have a cashless service contract in place – this is rejected as cashless service providers are a beneficial addition to the parking service and without a provider in place all car park users would need to pay by coins or card at a machine, causing inconvenience and the prospect of the Council facing considerable adverse publicity.</p>
<p>Details of any declarations of interest made:</p>	<p>None</p>

Signed..... Date: 15.10.24