



**DECRIMINALISED PARKING ENFORCEMENT
IN WAVERLEY:
AGENCY AGREEMENT**

**SURREY COUNTY COUNCIL
LOCAL COMMITTEE (WAVERLEY)
9th March 2007**

KEY ISSUE:

To agree the terms of the Agency Agreement between Surrey County Council and Waverley Borough Council relating to Decriminalised Parking Enforcement (DPE).

SUMMARY:

To enable Waverley Borough Council to undertake the management of on-street parking enforcement on behalf of the County Council there needs to be an Agency Agreement between both parties.

This is a legal document stipulating exactly who is responsible for what services and procedures to adopt in the event of an unrecoverable breakdown between both parties. It has evolved from earlier agreements with other Surrey District Councils. A copy is attached as Annex A.

There are still a number of minor issues to resolve, which may require this agreement to be amended. Therefore the copy annexed to this report may be subject to further change. Should this be the case an updated and final version will be circulated to the Committee at the meeting.

OFFICER RECOMMENDATIONS:

That the Local Committee (Waverley) should agree the terms of the Agency Agreement as set out in Annexe A and recommend approval to the Service Head and Portfolio Holder.

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BACKGROUND PAPERS: Local Committee (Waverley) agenda for 23rd
April 2004, Item 18

INTRODUCTION AND BACKGROUND

1. The County Council's Executive has approved a mechanism for entering into agency agreements with District Councils for the management of DPE on behalf of the County Council.
2. The Executive has delegated the approval of the Agency Agreement to the Service Head and Portfolio Holder following agreement by the Local Committee.

ANALYSIS AND COMMENTARY

3. To enable Waverley Borough Council to undertake the management of on-street parking enforcement on behalf of the County Council there needs to be an Agency Agreement between both parties. This is a legal document stipulating exactly who is responsible for what services and procedures to adopt in the event of an unrecoverable breakdown between both parties. It has evolved from earlier agreements with other Surrey District Councils. A copy is attached as Annexe A.
4. The Executive has agreed that the County Council will meet all capital and revenue start-up costs and all agreed revenue costs for administering DPE on behalf of the County. For Waverley this equates to four full-time equivalent (FTE) Parking Attendants (PA) solely for DPE. In practice the same attendants will enforce all restrictions.
5. The Agreement is for an initial period of five years, with a review planned after the second full financial year of operation (April 2009). The purpose is to examine the operational costs, income and effectiveness of operations. Assuming all is satisfactory, the intention is to agree an extension before the end of the fourth year of the five-year period.
6. The signing of the agency agreement is an essential requirement to facilitate the introduction of DPE within Waverley. It is intended to protect the interests of both authorities and enable an effective service for users of Surrey's highway network.

CONSULTATION

7. The legal departments of both authorities have approved the agreement. However, there are still a number of minor issues to resolve, which may require this agreement to be amended. Therefore, the copy annexed to this report is possibly subject to further change. Should this be the case, then an updated and final version will be circulated to the Committee at the meeting.

FINANCIAL IMPLICATIONS

8. The Borough Council will manage separate accounts for DPE and Controlled Parking Zones (CPZ). Any surplus or deficit for DPE will be managed centrally on a countywide basis. The County Council's Executive agreed that any surplus or deficit from DPE will be managed centrally on a countywide basis, based on 22 PAs across the county. For Waverley this would have equated to two PAs. As this was unacceptable to the Borough Council it was agreed that DPE would operate with two PAs for the operational hours of the DPE contractor, which is nearly equivalent to the four FTE PAs. Only two PAs would be funded from the County's central budget as originally proposed. The financial risk for the PA resource above two FTE PAs would be managed locally by the Area Transportation Group Manager, which creates a liability on funding controlled by the Local Committee (Waverley). The extent of this liability is unknown at present but is forecast to be slight and arising only if the on-street account runs at a deficit. There is also a possibility that the off-street account will run at a surplus, as in some other boroughs/districts. The actual operation will need to be reviewed on a regular basis and consideration given to the figures by Members as part of the Local Transport Plan allocation process.
9. Once DPE is operational the maintenance of signs and lines directly related to the enforcement of DPE or CPZs will be the responsibility of the Borough Council. The cost of this activity is taken from the respective accounts prior to the calculation of any surplus or deficit.

CRIME & DISORDER IMPLICATIONS

10. Through DPE regular and consistent enforcement should encourage a greater observance of restrictions, thereby seeking to minimise contraventions.

SUSTAINABLE DEVELOPMENT IMPLICATIONS

11. Surrey County Council has embraced the concept of sustainable development, which is the foundation of Surrey's Local Transport Plan, and is committed to the vision of making Surrey a better place. Funding from the integrated transport budget will be expended on projects and schemes in line with this vision whilst fulfilling its key commitments.

EQUALITIES IMPLICATIONS

12. Across the range of transportation issues and problems to be addressed, the needs of all highway users require equal consideration. Proposals may benefit a particular group or individuals but it is important to consider and address how one impact may worsen others.