



**Decriminalised Parking
Enforcement &
'A Parking Strategy for Surrey'**

**Local Committee for Woking
12 June 2003**

KEY ISSUE:

This report is for information and outlines Decriminalised Parking Enforcement and 'A Parking Strategy for Surrey'.

SUMMARY:

Surrey Police has given notice that it intends to transfer the enforcement of all waiting and loading restrictions throughout Surrey, to the County Council in April 2004.

Local authorities, outside London, are able to adopt and enforce decriminalised parking offences themselves; parking illegally would no longer be considered a criminal offence.

The report describes the implications of decriminalised parking for the Woking local area, in conjunction with the adoption of the parking strategy, and seeks to propose an agreed way forward.

The report concludes that the Local Committee should seek a Special Parking Area Order for Decriminalised Parking Enforcement within the Woking local area, thereby contributing to the comprehensive delivery of parking enforcement countywide.

CONSULTATIONS:

No specific consultation has taken place on this paper. However, officers' discussed the proposed contents of this report with the Chairman of the Committee.

OFFICER RECOMMENDATIONS:

The Committee is asked to agree

- a. that the contents of this report be noted; and
- b. that authority is delegated to the Local Transportation Director, in consultation with the Chairman and Vice Chairman, to progress implementation of Decriminalised Parking Enforcement for the Woking local area.

Introduction and background

1. Decriminalised Parking Enforcement is the means by which enforcement of all on-street waiting and loading restrictions becomes a civil offence, enforceable by the Local Highway Authority, or its contractor, and not by the Police or their wardens as at present.
2. Decriminalised Parking Enforcement requires a Special Parking Area Order that covers areas within which specified non-enforceable offences are enforced by the issuing of Penalty Charge Notices; to be set countywide at £60.
3. Adoption of Decriminalised Parking Enforcement is subject to approval from the Secretary of State following the making of an application.
4. Surrey Police has given notice that it intends to transfer parking enforcement to the County Council by April 2004. The Police will remain responsible for moving traffic offences, matters of obstruction and other offences that still carry an endorsement penalty, such as stopping on zigzag markings at pedestrian crossings.
5. The County Council must therefore seek to adopt Decriminalised Parking Enforcement powers across the County. The County Council wish to work with the Borough Council and include off-street car parks in the necessary Special Parking Area Order that enables decriminalised parking to commence.
6. Within each local transportation area, the Local Committee will manage on-street parking, including decriminalised parking, and be advised by the Local Transportation Director and Borough Council, where they undertake enforcement on behalf of the County Council.
7. The County Council's preferred arrangement is for the Borough Council to undertake the day-to-day management and enforcement of on-street parking on behalf of the County Council and report to the Local Committee. This requires a formal agreement between the County Council and Borough Council.
8. A decriminalised parking agreement between the County Council and Borough Council should have a number of advantages:
 - a. The Borough Council has systems in place to manage off-street and on-street (controlled parking zones) parking enforcement, which could be adapted to manage Decriminalised Parking Enforcement.
 - b. There can be efficiency savings to both the County and Borough.
 - c. Where the Borough chooses to include off-street car parks in the Special Parking Area, prosecutions, representations and appeals will be dealt with by the same system whether on or off-street.

- d. The public will have a single point of contact for all parking enforcement matters.
9. Within their guidance, the Department for Transport encourages a joint approach to decriminalised parking and would be extremely reluctant to allow off-street parking areas to be excluded from the Special Parking Area Order.

Transportation objectives

10. The Government considers the introduction of Decriminalised Parking Enforcement an essential element of an effective transportation strategy and encourages authorities to adopt Decriminalised Parking Enforcement powers through Local Transport Plan guidance and the allocation of Local Transport Plan funding.
11. With Surrey Police wishing to relinquish their powers, the County Council recognises that the consequences of no on-street enforcement of parking controls in Surrey would seriously undermine Local Transport Plan objectives and targets. Additionally the potential for traffic disruption would generate public dissatisfaction.
12. Effective Decriminalised Parking Enforcement will:
 - a. Aid delivery of Local Transport Plan objectives and targets and ensure effective implementation of parking policies.
 - b. Enable better management and monitoring of parking controls to ensure the effectiveness of on and off-street parking spaces and encourage a pleasant environment.
 - c. Potentially improve traffic flow, reduce road danger and consequently reduce road accidents.
 - d. Enable cross subsidy of surplus revenue to improve parking facilities and other traffic management and transport related matters.
 - e. Provide a one-stop shop service for the public.

'A parking strategy for Surrey'

13. In response to the requirement of Local Transport Plan Guidance to produce a parking strategy, the County Council's Executive resolved to adopt 'A Parking Strategy for Surrey' at its meeting on 17 February 2003.

14. The strategy forms part of Supplementary Planning Guidance to the Structure Plan, sets out a countywide policy framework covering on and off-street parking provision, and recommends standards for different types of new development; it also forms the basis for one of the Local Transport Plan's Topic Strategy's seeking to encourage motorists to use alternative means of travel.
15. The new standards operate as maximum provision, however, lower standards will apply dependant on the level of public transport accessibility within a four-tier zonal parking area format. The appropriate parking provision is recommended to Borough Planning Authorities via Transportation Development Control officers.
16. The strategy allows for flexibility in the number of zones applicable to any local area and in some cases, zones can be merged to ensure vitality and viability of town centres in particular. The Draft Deposit Structure Plan contains robust location policies that should prevent inappropriate developments on edge of town and or out of town sites.
17. It is for the Borough Council to decide what level of restraint it wishes to apply especially in the town centre within the context of the Structure Plan and Regional Transport Strategy. The detail being produced in a local area Parking Management Plan covering all aspects of parking provision and control, both on and off-street, private and public.
18. The parking strategy 'A Parking Strategy for Surrey' and Parking Management Plans form necessary elements to delivering successful Decriminalised Parking Enforcement.

Timescale

19. Experience indicates that to introduce Decriminalised Parking Enforcement will require a timetable of probably 18 months and more typically 24 months, from the date of a decision to proceed.
20. The project will consist of comprehensive traffic regulation order and signing and lining reviews, establishment of administrative procedures, the purchase and installation of computer hard and software, etc. and the statutory submission to the Secretary of State. Therefore, Decriminalised Parking Enforcement for Woking is unlikely to commence before January 2005 and may take until July 2005 to be operational.
21. The County Council acknowledges it is unable to meet the April 2004 date countywide and consequently continues to discuss with Surrey Police the option of a phased programme for the transference of enforcement.

Current situation

22. Woking Borough Council participates in a County Council Working Group formed in 2001 preparing for decriminalised parking. The Local Transportation Service became an active member of the Working Group this year. Preparation for decriminalised parking varies considerably across the County.
23. Woking Borough Council has an agency agreement with the County Council for enforcing on-street parking controls within the three existing Controlled Parking Zones (Woking Town Centre, West Byfleet and Brookwood).
24. On 17 February 2003, the County Council's Executive agreed a framework from which new agency agreements could be negotiated for the implementation of Decriminalised Parking Enforcement. Woking Borough Council has received a copy of the agency framework document.
25. Officers of Woking Borough Council have indicated that in principal they would be prepared to recommend that their Council enter into a new agency agreement for decriminalised parking, subject always to them being satisfied with the terms and conditions of such an agreement.
26. The comprehensive review of all existing Traffic Regulation Orders and on-street lining and signing has not commenced. This work will require additional resources funded centrally from capital start-up costs.

Agency agreement

27. The County Council's Executive met on 17 February 2003 and agreed a proposed financial framework within which new agency agreements should be negotiated for the implementation of Decriminalised Parking Enforcement.
28. The financial framework for agency agreements is based on:
 - a. existing Controlled Parking Zones being included within the new agency agreements for Decriminalised Parking Enforcement but the existing financial arrangements be maintained and not added to the Decriminalised Parking Enforcement financial arrangements;
 - b. that each year an agreed target surplus or deficit is set based on forecast operational models and previous years outturn figures;
 - c. where there is a target surplus of income over expenditure in any one District/Borough it will be used by the County Council to reduce target deficits elsewhere in the County and, if at all possible, to eliminate those deficits;

- d. performance better than target would be shared 50/50 between the County Council and the agent; and
 - e. that performance worse than the target surplus or deficit would be funded by the District/Borough.
29. The County Council's Executive acknowledge that targets must be fair and give reasonable incentive to perform better than the target but must also recognise the County Council must strive to minimise the countywide deficit.
30. It is also recognised that in many situations there is a potential for improved on-street enforcement to result in an increase in surpluses from off-street car parks.

Proposed way forward

31. The list below highlights the next key stages if the implementation of Decriminalised Parking Enforcement is to be progressed:
- a. Determine the terms of an agreement between Surrey County Council and Woking Borough Council.
 - b. With Woking Borough Council, develop the local area Parking Management Plan strategy document.
 - c. Undertake consultation, although not a statutory requirement, with all groups affected by Decriminalised Parking Enforcement.
 - d. Carry out a comprehensive review of all existing Traffic Regulation Orders, incorporate any appropriate changes resulting from or as a direct result of progressing decriminalised parking (include a review of local by-laws).
 - e. Consult on modifications to on-street lining and signing resulting from the comprehensive review.
 - f. Consolidate all existing Traffic Regulation Orders into one Order.
 - g. Preparation for the procurement of support services for decriminalised parking.
 - h. Produce the formal application to the Secretary of State for an Order granting enforcement powers.
32. Significant amounts of work are required to achieve Decriminalised Parking Enforcement within the Woking local area by 2005. To facilitate the above delegating authority to the Local Transportation Director, in conjunction with the Chairman and Vice Chairman, would assist in streamlining the process.

Financial implications

33. A central allocation from the Local Transport Plan will fund the capital start-up costs. This financial year the Committee has a sum of £30,000 to commence the comprehensive review of existing traffic regulation orders and on-street lining and signing.
34. The issuing of Penalty Charge Notices, to be set countywide at £60, enforces Decriminalised Parking Enforcement offences.
35. In order that the delivery of the service countywide is monitored and assessed financially, each Local Committee will report annually to the County Council's Executive outlining the financial position and seek approval to proposals to deal with any surplus or deficit.
36. The objective is that the on-going operational on-street parking places account, in any one local area, should be self-financing and management of this account will be the responsibility of the Local Committee.
37. Where both on and off-street parking are included in a Special Parking Area, separate accounts will be maintained for each element. The off-street account will remain the responsibility of the Borough Council.
38. Countywide after five years, the County Council's Executive could expect an annual deficit of up to £600,000, however, it is hoped to deliver a cost neutral scheme. The Transportation budget will fund the revenue implications and any deficit, which will have a detrimental effect on other transportation services.

Sustainable development implications

39. Enforcement of existing and proposed waiting and loading restrictions should reduce congestion and the dangers from illegally stopped vehicles bringing benefits to both the private and business communities.

Crime & disorder implications

40. The implementation of Decriminalised Parking Enforcement by Surrey County Council will ensure waiting and loading restrictions continue to serve their purpose, thereby minimising potential illegal behaviour.

Equalities implications

41. The enforcement of waiting and loading restrictions should assist those with mobility problems and help manage facilities for disabled parking.

Conclusions and reasons for recommendations

42. When Surrey Police relinquishes its powers to enforce waiting and loading restrictions the potential for traffic disruption countywide would be wholly unacceptable to the private and business communities and endanger Local Transport Plan objectives and targets.
43. Decriminalised Parking Enforcement is a viable alternative favoured by the Department for Transport to unify the operation of Decriminalised Parking Enforcement for both on and off-street parking. The adoption of 'A Parking Strategy for Surrey' will assist in delivering successful Decriminalised Parking Enforcement.
44. There are advantages to the County and Borough Councils working together thereby providing a single seamless delivery of parking services to the public.
45. A new Decriminalised Parking Enforcement agency agreement will be required to achieve the seamless service and the County Council's Executive has agreed a framework within which to negotiate new agreements.
46. Responsibility for the overall management of Decriminalised Parking Enforcement will remain with the Local Committee, with the Borough Council ideally undertaking the day-to-day operational functions.
47. Funding is available centrally to commence the comprehensive review of traffic regulation orders and on-street lining and signing required to progress the Consolidated Traffic Regulation Order.
48. The application to the Secretary of State for a Special Parking Area Order would enable Decriminalised Parking Enforcement to commence within the Woking local area.
49. To streamline the process and achieve Decriminalised Parking Enforcement in 2005, authority should be delegated to the Local Transportation Director, in conjunction with the Chairman and Vice Chairman.

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BACKGROUND PAPERS: Executive Committee 17 February 2003 Item 12