

HERTFORDSHIRE COUNTY COUNCIL

**ENVIRONMENT
SCRUTINY COMMITTEE**

TUESDAY 18 MARCH 2003 AT 10.30AM

Agenda Item No.

6

WITHDRAWAL OF THE TRAFFIC WARDEN SERVICE IN HERTFORDSHIRE

Report of the Director of Environment

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1. Purpose of Report

To consider whether to scrutinise the issues generated by the decision of the Chief Constable to withdraw the traffic warden service in Hertfordshire by March 2004.

2. Summary

In December 2002 the Chief Constable announced his proposal to withdraw the traffic warden service in Hertfordshire by March 2004. He also recommended the introduction of council led decriminalised parking enforcement (DPE) to replace the traffic warden service. The County Council encourages the District Councils to take a lead in managing on-street parking, however it is the County Council, as the Traffic Authority, that must submit the application for DPE powers. The financial viability of introducing DPE within the more rural districts is questionable. The purpose of the report is to invite the Scrutiny Committee to consider whether to scrutinise the issues generated by the decision of the Chief Constable to withdraw the traffic warden service.

3. Conclusion

The Committee is invited to consider whether, or not to scrutinise this issue. If so, it should consider how to undertake the scrutiny and whether to make any recommendations to the Council, Cabinet or Chief Officers.

4. Background

4.1 In making his decision to withdraw the traffic warden service, the Chief Constable recommended that the District Councils should take up powers for Decriminalised Parking Enforcement (DPE).

4.2 The Roads and Traffic Regulations Act 1991 enabled local traffic authorities outside of London to decriminalise parking enforcement and take control of enforcement themselves. The distinct advantages are that the local authority can introduce and manage parking schemes to achieve wider transport and social objectives that the traditional traffic warden service could not service. After a slow take up initially, more than 50 authorities across England and Wales have now taken up DPE, including Watford and Three Rivers.

4.3 Typically, a car parking strategy covers on-street parking; off-street parking; private non-residential (PNR) and residential parking. These elements need to be considered and subsequently managed holistically as all of these elements have implications for each other. As the District Councils across Hertfordshire tend to manage off-street car parks and they also influence PNR as planning authority, the County Council, therefore encourages the District Councils to take a lead in managing on-street parking.

4.4 The Traffic Authority in Hertfordshire is the County Council. HCC must submit the application for DPE powers. Currently, HCC would delegate those powers to interested District Councils simultaneously. A key feature of agency agreements is that the District Councils take the financial and political risks of introducing and managing DPE and any associated parking schemes.

4.5 There is no obligation on the District Councils to take on board on-street parking management. Indeed, there is a risk that some District Councils may wish to withdraw from any involvement with on-street parking as a result of the decision to withdraw the traffic warden service.

4.6 At the time of the Chief Constable’s decision, progress towards DPE across the county was as follows:

DPE powers in force	Watford, Three Rivers
DPE powers to be pursued, subject to final feasibility	Dacorum, Hertsmere, St Albans
DPE under investigation	East Herts, Broxbourne
DPE not investigated	North Herts, Stevenage
DPE investigated & rejected	Welwyn & Hatfield

4.7 An application for DPE through the designation of a Special Parking Area (SPA) and Permitted Parking Area (PPA) involves sixteen key ingredients.

The three ingredients the County Council needs to consider in formulating its approach to the withdrawal of the traffic warden service are:

- Where off-street parking is enforced using excess charge or penalty notices (e.g. pay & display), the SPA should cover off-street as well as on-street parking. This is to ensure a consistent enforcement and penalty regime. This requires the holistic management, which is achieved through delegation to the District councils. There is no requirement for on and off street to be co-ordinated within a SPA where excess charges or penalty notices are not used for off street car parks (e.g. “pay on exit”).
- The traffic authority needs to satisfy the Secretary of State that the Traffic Regulation Orders (TRO) signing and lining are in good order and have been recently reviewed to ensure that they are legally enforceable. It is established practice that HCC funds the TRO exercise, such that it “hands over” the asset in good condition. The District Council is responsible for the upkeep of signs and lines thereafter.
- The business case for operating the new parking regime should demonstrate financial viability. The management of DPE of on-street parking is most likely to be financially viable in urbanised districts, where there are controlled parking zones (CPZ's) generating sales of permits and penalty charge notices (PCNs). In more rural areas, financial viability may only be achieved through cross subsidy from the off-street parking operation. The Secretary of State's requirement is for overall financial viability, and the costs of on-street parking can be supported by off-street surpluses. Whether the Districts are prepared to cross subsidise is another matter, as that is money that they have absolute discretion over and the off-street surpluses can be used to fund other services within the District.

4.8 Appendix A sets out some of the pros and cons for a number of options for parking enforcement on withdrawal of the Police Traffic Warden Service. The ideas arise from a meeting with county, district and police officers on 28 January 2003, but do not necessarily represent the views of any or all of the authorities.

4.9 The options are:

- **Do nothing** - districts which already have, or are planning, decriminalised enforcement continue, but no measures are introduced in districts where decriminalisation is not planned.
- **County Council centralises function** – County Council applies for decriminalised powers for the whole of Hertfordshire, and controls the enforcement system.
- **County part manages enforcement** – County Council applies for

decriminalised powers for those parts of the county, which will not be covered by district-run schemes.

- **All districts take up decriminalised powers** – extension of existing strategy to encourage all ten districts to take up decriminalised powers.
- **Pay Police to continue with Traffic Warden Service** – the County Council and/or Districts provide funding to continue existing traffic warden service.

5. Financial Implications

5.1 Typically, the cost of developing a SPA application together with associated parking schemes (CPZ's etc) in an urban district is £300,000 - £350,000. The costs are shared with the District Council, with the County's contribution being made through the LTP.

5.2 The cost of a TRO, signs and lines review is approximately £20,000 - £25,000 per District.

5.3 Capital and revenue costs associated with DPE for each district would need to be established through detailed feasibility studies. As a guide, the following shows an extract from the financial appraisal for Dacorum's proposed DPE on-street operation, which includes the urban centres of Hemel Hempstead and Berkhamsted. The scheme involves substantial CPZ's, which will not be appropriate for the more rural districts.

➤ Implementation Costs	£550,000
➤ Annual Operating Costs	£495,000
➤ Revenue	£505,000 to £540,000

5.4 Implementation of the new parking regime involves the provision of premises including a parking shop, IT systems, on-street equipment (e.g. pay & display machines) and the mobilisation of a parking attendant service. Through negotiation costs are shared with the Borough Council, with the County's contribution being made through the LTP.

The Dacorum off-street operation should make a substantial operating surplus.

5.5 The County Council has budgeted to support the development of DPE at the rate of progress that the district councils were working to prior to the Chief Constable's decision. There is inadequate budgetary provision to support an accelerated programme covering all eight districts that do not have DPE powers.

6. Transport Panel

- 6.1** The Transport Panel is due to consider the withdrawal of the traffic warden service on 11th March. A more detailed report and the Panel's views will be available by the Scrutiny Committee's meeting on 18 March.

- 6.2** The Transport Panel's views, together with those of Scrutiny Committee, will be reported to Cabinet for a policy decision. It is anticipated that Cabinet will consider the issue at their meeting on 28 April 2003.

APPENDIX A

Option	For	Against
Do Nothing	<ul style="list-style-type: none"> • no additional cost to local authorities. 	<ul style="list-style-type: none"> • loss of enforcement, especially for disabled parking bays and CPZs; • it would not be possible to introduce any more CPZs (and therefore LTP targets will not be met); • reduction in off-street car parking use, and hence reduction in income stream for districts; • potential chaos, and therefore road safety implications; • possibility of negligence claims; • negative impact on town centre viability.
County Council centralises function	<ul style="list-style-type: none"> • economy of scale; • potential for cross-subsidy; • consistent enforcement across county. 	<ul style="list-style-type: none"> • on-street divorced from off-street; • for districts, no local control for on-street; • extraction from existing contracts could be difficult; • some districts would lose out on existing plans and local economy of scale (i.e. will lose on-street) • loss of linkage with other district tasks; • differences in needs and issues across the county.
County part manages enforcement	<ul style="list-style-type: none"> • ensures enforcement across whole of county; • does not require decriminalised powers to be taken away from those that already have them. 	<ul style="list-style-type: none"> • could lead to future difficulties if the business case in any district were to change; • may not be economically viable, and therefore powers would not be granted*; • districts would need to switch to pay-on-exit for off-street car parks and lose excess charge revenue.
All districts take up decriminalised powers	<ul style="list-style-type: none"> • on and off-street could continue to be managed together; • districts with decriminalisation already will not be affected; • local control over level of service. 	<ul style="list-style-type: none"> • need for cross subsidy from off-street, hence may need to increase charges; • economics may not stack up*.
Pay Police to continue with Traffic Warden Service	<ul style="list-style-type: none"> • could sponsor CSOs to undertake more functions. 	<ul style="list-style-type: none"> • high cost to local authorities; • Police have existing problems with recruiting and retaining traffic wardens; • momentum to wind up traffic warden service already begun.

* the Secretary of State will only grant decriminalised powers if the financial viability of the scheme can be demonstrated. The on-street and off-street accounts need to be looked at together for this purpose, but the accounts must be separate. Any surpluses from the on-street account can only be used for

transport improvements, including making up the deficits in the off-street account, whilst the off-street account surpluses are not subject to ring-fencing.