

**DECRIMINALISATION TASK GROUP held at COUNCIL OFFICES
LONDON ROAD SAFFRON WALDEN on 26 JUNE 2003 at 2.00 pm**

Present:- Councillors Mrs J F Cheetham, M A Hibbs, Mrs A M Wattedot
(UDC Members), Nicola Foster, Dave Howard (ECC),
Sarah McLagan, Tricia Halford and Sue Hayden (UDC Officers)

1 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors G Sell and R M Lemon.

2 **CURRENT SITUATION**

ECC advised that there were still four local authorities in Essex who had not confirmed whether they would be adopting Decriminalisation. They were Braintree DC, Castle Point DC, Rochford DC and Uttlesford DC. Tendring DC was still negotiating their "going live" date. ECC anticipated that all four authorities would go live by October 2004.

If UDC were to adopt Decriminalisation, ECC needed this Council to make the following resolutions at it's meeting in September 2003:-

- (i) **The Council will adopt Decriminalisation by October 2004.**
- (i) **Accept a £60 Penalty Charge Notice (PCN), reducing to £30 if paid within 14 days** – The £60 charge would also apply to car park excess charges. £60 PCN charge was being adopted Essex wide. Charges were set at this rate to ensure the scheme was financial viable.
- (ii) **Resolution, in principle, that the Council sign up to an Agency Agreement with ECC.** The application would then be logged with the Department of Transport.
- (iii) **Agree that Traffic Regulation Orders (TRO) are surveyed, by outside agency, and a consolidation of Orders produced** - This would involve existing Orders being looked at against actual road markings and signage. The new TROs would then be plotted onto a Geographical Information System (GIS). The GIS package would be provided by ECC, along with training.

Councillor Mrs Cheetham asked that the Council's Constitution be looked at to see if this resolution could be made by E & T or would have to be resolved by full Council.

Councillor Mrs Cheetham asked if there was an authority similar in size and rurality to that of Uttlesford who had already undergone Decriminalisation? Dave said that he would supply contact details of Swale in Kent.

3 **LEVY**

At current estimates, the cost of adopting/setting up Decriminalisation to this Council would be in the region of £77,000. Work would be undertaken over the next few weeks to revise the model to bring this figure up to date in light of

experience with the implementation of Decriminalisation in other council areas. Set up costs would be met in the form of an interest free loan from ECC. They included, IT provision, uniforms, recruitment, PR, training etc. In addition, £3,000, index linked would be charged for auditors, ECC staff advice/assistance etc. as an on going cost.

It would be at the Council's discretion how the loan was repaid. Some authorities had chosen to pay £2 per PCN issued, with others paying in 6 month and 12 month lump sums.

Councillor Hibbs asked if UDC were to run at a deficit how would the under spend be met. Nicola said that after the first year, ECC would make up the deficit, except in the case of maladministration. A financial plan would be put together by officers from ECC and UDC, which would incorporate a minimum payment of the PCN at a level of 67%.

A question was raised as to what would happen if the 67% target was not met. Nicola explained that this marker would need to be met by the end of the first 18 months. If after 12 months it was assumed by both parties that the 67% marker would not be achieved, ECC would give assistance/advice as to what changes could be made to improve the situation. Nicola said that it would probably be due to insufficient "back office staff" turning appeals round. However, she said staffing needs would be counted for in the financial model. Tricia reported that she had had discussions with other authorities that had already adopted decriminalisation, and all of them had had problems with insufficient staffing. Tricia also reported that, currently, the Council was achieving a level of 85% for the payment of Excess Charges, after cancellations had been deducted.

4

ADOPTING DECRIMINALISATION

Members asked what would happen if the Council did not adopt Decriminalisation in Uttlesford. Dave explained that Decriminalisation was to be established in all Essex Districts. If the Council decided not to adopt the powers it would be managed by another authority or contracted out on behalf of ECC. This would mean this Council would lose all of its on street parking powers including Residents Parking and associated income. It would lose all its decision making powers for on-street parking, yellow lines, permit parking, enforcement policy e.g. traffic management etc.

If Decriminalisation were adopted there would be an increase in the number of Parking Attendants needed to enforce parking restrictions. In recent years there had been a significant decrease in Police Traffic Wardens working within the Uttlesford district. Therefore, with parking restriction being enforced it was hoped that traffic congestion would be eased in many areas.

Nicola said that if a surplus of money was generated, it would come to the Council through its Locally Determined Budget and could be used for parking improvements, e.g. traffic calming, cycle lanes. She pointed out that a surplus of money was unlikely to occur in the first 10 years of operation.

Essex County Council would still ^{Page 2} make strategic policy however the Council

would have the power to determine local road policy. Councillor Mrs Cheetham hoped that this would assist with the problem of “fly parking” around the airport. Sarah would speak to Paul Hardy at Highways to determine ECC’s involvement in determining local policy.

If the Council decided not to adopt Decriminalisation now, it could possible, at the end of the contract period, reinstate it. However, all set up costs would have to be met by this Council with no support or loan from ECC. This in turn would increase costs, as ECC were at present able to consolidate costs across Essex.

5 **CONSULTATION**

Members were concerned that Town and Parish Councils should be kept informed from the outset, along with the local Chambers of Trade, S/W Initiatives and fellow Councillors. Sarah agreed to send a copy of the Decriminalisation Briefing Notes to all Members, and produce an article for the next Members’ Bulletin. Sarah would also put together a letter to all Town and Parish Councillors advising them of the Decriminalisation process and invite comments back. Sarah would draft the letter for discussion at the next meeting.

6 **ANY OTHER BUSINESS**

In 2000, ECC had employed a consultant to establish financial and operational models to predict the implications of Decriminalisation for each district. This needed to be updated and it was agreed that this needed to be done for the next meeting of the Task Group on 15 July.

Councillor Mrs Cheetham asked for this to be e-mailed to her prior to that meeting for which she gave her apologies.

A draft Agency Agreement would need to be drawn up if UDC Members adopted decriminalisation.

An Operational Parking Policy would need to be written by 12 January, which would become part of the Agreement. ECC would assist in producing this.

7 **DATE OF NEXT MEETING**

Tuesday 15 July 9.30am at UDC offices, Saffron Walden in the Civic Suite