

<p style="text-align: center;"><b>THE IMPLICATIONS OF THE DECRIMINALISATION OF PARKING ENFORCEMENT FOR MILTON KEYNES</b></p>
--

## **1. Summary**

- 1.1 In 1991 the Government introduced legislation to allow Local Authorities to take on the responsibility of parking enforcement from the Police. This was termed Decriminalisation of Parking Enforcement (DPE). It was mandatory for London Boroughs to take on this responsibility. Local Authorities outside Greater London have subsequently been given the opportunity to introduce the powers.
- 1.2 Several Authorities in England have now introduced DPE and Milton Keynes Council is now investigating its feasibility. This document summarises the advantages and disadvantages of DPE, sets out the implications for the Milton Keynes Area and investigates the financial viability of the proposal.

## **2. Background**

- 2.1 At present, within the Milton Keynes Council area, Thames Valley Police are responsible for the enforcement of on-street parking restrictions (e.g. waiting restrictions and Disabled Parking Bays). Milton Keynes Council are responsible for the off-street car parks in older district centres and, by virtue of the Road Traffic Regulation Act (1984), areas of permitted on-street parking (e.g. in CMK).
- 2.2 Under the Road Traffic Act 1991, the Government provided the opportunity for Local Authorities to extend the enforcement role to cover all on-street parking offences. This is referred to as Decriminalisation of Parking Enforcement.
- 2.3 Initially, it was a mandatory requirement for Authorities in Greater London to take on the role of enforcement. Subsequently, Authorities outside London were given the opportunity to take on this role. Whilst it has not been made mandatory outside London many Authorities have implemented DPE schemes and many more are now considering the implications.
- 2.4 The view of the Police is obviously a prime consideration and early consultations with Thames Valley Police have indicated that they are broadly in favour of MKC taking on DPE powers. Thames Valley Police, as with all police forces, have continual pressure placed upon their resources and need to employ them where considered most appropriate and where priorities necessitate.
- 2.5 Separate studies into DPE by the Transport Research Laboratory (TRL) have shown that:
  - “An overall improvement in compliance with parking regulations”.

- “Compliance of all regulations monitored has improved, with reduced levels of occupancy, thereby increasing the likelihood that motorists will locate vacant parking spaces”
- 2.6 From the evidence obtained, there is now no doubt that DPE works, and real traffic management benefits can be realised; however, due to the net costs arising in years 1 and 2 the scheme will need to be funded from C.M.K. car parking surpluses.

### **3. Benefits and Disbenefits of DPE.**

3.1 The benefits of introducing DPE have been identified as follows:-

- A co-ordinated enforcement service can be established, covering on and off-street parking.
- The Council can set the penalty charge level, (within DETR defined ranges) and the revenue is retained by the Council to be used for Transport related services (as defined under Section 55 of the Road Traffic Act 1984 )
- Improved compliance will be seen in permitted parking spaces.
- Demand for access to Milton Keynes Centre and Parking could be reduced therefore contributing to SITS targets
- The design of future parking schemes such as resident permit schemes, could be undertaken in the knowledge that parking controls would be enforced as the Council decided.
- Parking enforcement would become more locally accountable and flexible.
- Police resources would be freed up, to be diverted to other purposes.
- Milton Keynes Council would have the ability to enforce the disabled parking bays and parking on footways and verges.

3.2 There are however dis-benefits identified which must be considered:-

- Once DPE occurs there is no opportunity to return the responsibility of parking enforcement to the Police.
- The financial viability very much depends on the level of funds agreed to be diverted from CMK parking income in order to support additional enforcement in other areas. If none is diverted it is unlikely that the scheme can be self financing without the implementation of parking charges in these areas.

### **4. Where we are now ?**

4.1 At the Milton Keynes Council Transport Committee held on 9<sup>th</sup> February 1999 (Minute T76/99 refers). Members resolved that “Consultants be appointed to undertake a study to assess the feasibility of a system of decriminalised parking enforcement in Milton Keynes.”

- 4.2 Subsequently, a report was submitted to officers on the implications of DPE within Milton Keynes.
- 4.3 A seminar was held on 12<sup>th</sup> July for local Councils and Members. This explained the consultants findings and the issues surrounding DPE.

## **5. Implications for Milton Keynes**

- 5.1 In terms of parking enforcement, Milton Keynes Council can broadly be split into two distinct areas, Central Milton Keynes (CMK) and the older district centres of Olney, Woburn Sands, Wolverton, Bletchley, Stony Stratford and Newport Pagnell. Outside these areas there is currently little requirement for parking enforcement.
- 5.2 Within CMK there are at present approximately 21,000 parking spaces. As of November 1999 approximately 3,400 will be subject to "pay and display". In accordance with the Council's Sustainable Integrated Transport Strategy (SITS) it is proposed that all spaces in CMK will be subject to a charge. Enforcement of such proposals could be undertaken by the Councils existing enforcement contractor within the existing contract.
- 5.3 Within the older district centres there is currently both on and off-street parking provision, all of which is free. To improve parking management in these areas, thereby assisting regeneration, it is possible to implement time limits in designated short stay off-street car parks. These could be enforced by the Council's existing contractor. However, the financial appraisal undertaken by the Councils consultants indicates that if DPE is considered as a stand alone (i.e. totally separate from enforcement in CMK) it would not be financially viable unless charges were implemented in district centres.

## **6. Financial Implications**

- 6.1 As part of the feasibility study a spreadsheet model of the financial implications has been produced.
- 6.2 The Summary of the financial appraisal attached shows the income and expenditure associated with DPE of yellow lines and enforcement of off- street car parks.
- 6.3 Income from the existing on-street scheme in CMK and future proposals for extension of this scheme are not included in the financial appraisal.
- 6.4 Options have been considered for off street car parks including no charging and a range of hourly tariffs in order to determine the break even point.
- 6.5 The appraisal shows that unless DPE is subsidised from CMK surplus parking income it will be necessary to charge for off street parking in District Centres in order to make the scheme financially viable.
- 6.6. The scheme generates a surplus in 2003/ 2004 due to the losses in years 1 and 2. The scheme will not produce an overall return until 2009/2010.

## **7. The Next Steps**

- 7.1 The consultants feasibility study and the consultation responses will be reported to the Councils Transport Committee on December 1<sup>st</sup> where it is hoped that a decision will be made whether to proceed with DPE for Milton Keynes.
- 7.2 If it is agreed to proceed with DPE within Milton Keynes then the Council's consultants have proposed the following:-
- (a) To manage the project it is recommended that a Project Steering Group and Project Manager should be established.
  - (b) It is also recommended that major Policy direction for the project should come from a group made up of Members and Senior Officers with the responsibility for successful implementation of DPE.
  - (c) It can not be underestimated that to establish a new regime of DPE would require significant amount of time and resources and will need to be built into the programme.
  - (d) Following consultation an Application would need to be submitted to the DETR. Subject to approval an Order would then be laid before Parliament.
  - (e) A period would then be required for preparation and implementation. This would likely take several months.
  - (f) It is estimated that to introduce DPE will require a time table of at least 15 months from the date of a decision to proceed. The object would be to have an Application submitted for approval within about 6 to 8 months.
  - (g) Decriminalisation can apply to zones within the Council area or the Council area itself. Understandably, the Government and Police do not wish to see the most lucrative areas being chosen for DPE while maintaining the remainder under the auspices of the Police. This is often referred to as "cherry picking". For an Application to succeed it would undoubtedly require the support of the Police. Hence, the Consultants, have recommended that should DPE be approved that the whole of Milton Keynes Council be taken into consideration. Certain exclusions may have to be made for example motorways and possibly trunk roads would be excluded. Examples of exclusions in other Authorities include areas near prisons, airports, royal premises and secure establishments.