

REPORT TO: East Lothian Council

MEETING DATE: 22 October 2013

BY: Chief Executive

SUBJECT: Police Public Counter Service Review and
Traffic Warden Review

1 PURPOSE

- 1.1 Police Scotland has recently carried out and completed two reviews of local services – the Public Counter Service and Traffic Wardens. This report provides Council with comments on the two reviews and their outcomes and makes recommendations on how the Council should respond.

2 RECOMMENDATIONS

- 2.1 Council is recommended to:
- 2.1.1 agree to submit a response to Police Scotland's consultation on the review of police public counter services highlighting concerns about way the review has been conducted and possible adverse impact on the local community in the Fa'side Ward arising from the proposal to close the Tranent police station public counter;
 - 2.1.2 agree to submit a response to the Police Scotland review of the Traffic Warden service highlighting concerns about the lack of consultation, the proposed timescale for the withdrawal of the service and seeking assurances that no further traffic warden provision will be withdrawn unless or until alternative arrangements are in place;
 - 2.1.3 agree that council officers will prepare and report back on proposals for a Council led alternative to the Traffic Warden provision;
 - 2.1.4 agree to request a meeting with the Chief Constable and the Chair of the Scottish Police Authority to discuss the reviews and seek effective engagement with the Council on the future of policing in East Lothian including police public counter services, the possible development of integrated public service counter services through shared facilities, the proposed withdrawal of traffic warden provision, the reduction or withdrawal of support for prevention and early intervention initiatives.

3 BACKGROUND

- 3.1 Police Scotland launched a review of Public Service and Opening Hours at Police Stations and of Traffic Warden Provision at the end of June 2013. The results of these reviews were published by Police Scotland on 1st October 2013.
- 3.2 It should be noted that the reviews have been conducted without public or stakeholder engagement. The outcome of the review of public counter provision was been made public via a series of briefings papers (one for each of the 14 Divisions) published on 1st October. Comments on the review and the proposals have been sought with a deadline of 31st October.
- 3.3 The outcome of the review of Traffic Warden Provision – to withdraw all remaining police Traffic wardens – has been communicated via a press release and a letter to the Chief Executive without any background information or details of the findings from the review. Comments on the proposal to withdraw the role of traffic wardens are being sought but no deadline has been given for submission of comments.
- 3.4 This report provides a brief analysis of the review of public counter provision covering its methodology, evidence and conclusions. It then provides comments on the review of traffic warden provision and concludes with a summary of other issues relating to the policing within in East Lothian.

Review of Public Counter Services

- 3.5 The review of public counter provision from police stations, which covered all 14 police divisions across Scotland had the objective of rationalising the front counter provision at police stations, making counter opening hours consistent across the country. According to statements made by Police Scotland the review is “geared toward meeting local demand and it’s also about keeping as many police officers as possible out on the street” – focusing police officers in communities while recognising the current financial challenges facing Police Scotland.
- 3.6 The outcome of the review is that Police Scotland is proposing the following opening hours for police stations in East Lothian:
- Dunbar and North Berwick stations would continue to stay open 9.00am – 5.00pm, five days a week, Monday – Friday
 - Musselburgh and Haddington stations would move from being open six days a week, including from 8.00am – 11.00pm, four days a week (a total of 70 hours) to being open from 8.00am – 6.00pm, seven days a week (76 hours a week)
 - Tranent station would move from being open 10.00am – 6.00pm, five days a week (40 hours) to having no public counter provision.
- 3.7 The review and its recommendations are based on an analysis of data about demand for services from police stations. However, as the Lothian and Borders briefing on the review makes clear, “It should be noted that the ability to draw significant and accurate conclusions is qualified by the accuracy of the returns submitted given the potential for over or under recording.”

- 3.8 Reviewing the methodology used in the review is important as the relatively low public usage of the Tranent police station reported by the study is the principle reason given for Police Scotland's decision to propose closing the public counter. For example, is the lower level of demand for services from the Tranent office recorded in the survey due to the fact that it is currently only open 40 hours a week, whereas the Haddington and Musselburgh stations are open a total of 70 hours a week, including several evenings? No attempt is made in the analysis and the briefing to determine at what time of the day the public visit and use police stations, which days have highest levels of activity or whether there is any unmet demand.
- 3.9 The criticisms about the methodology used for the review and the accuracy or reliability of the data used is exemplified by the significant disparity in the demand data recorded for police stations in West Lothian compared to East Lothian. The demand data for West Lothian, collected over a three day period, shows an average of 575 recorded 'demands' or activities per day across all police stations. Whereas, over a four week period (in 2011) the 'demand' recorded at police stations in East Lothian totalled 596, which equates to an average of only 21 per day. Even accounting for differences in levels of criminality, police station opening hours, accessibility and other issues that might impact on demand the disparity in the figures suggests that the methodology used to undertake the review and assess demand for services may be flawed. A different and more robust methodology might have provided different evidence leading to different conclusions.
- 3.10 There are concerns about other aspects of the review, the way in which it has been reported and the level of information provided during the consultation. For example:
- there is no information provided about whether any kind of options appraisal has been carried out
 - no information has been provided as to how much police officers' time is taken up providing public counter services, how much of this time is taken up dealing with non-core services that could be provided by other means (such as telephone, website or other public offices) and whether these services could be provided more cost efficiently by civil staff rather than police officers
 - no information is provided about the financial and staff resource implications of the current or proposed configuration of services based at, and operating from, police stations
 - no explanation is given as to how police stations, such as Tranent, which will have public counter provision removed will function. For example, are police officers going to operate from the station, and what functions will they perform from the police station?
 - no timescale is provided for the proposed changes. This is important given the suggestion that Police Scotland is interested in discussing shared service provision, which presumably would have some resource implications for the Council and would require time to put in place

- no information has been provided on the proposal “to supplement the remaining stations by the use of Mobile Police stations... and the Diary car, where you can make a fixed appointment time for an officer to attend and speak to you” (for example, the cost, the frequency of these services and what services would be available)
 - the consultation period (four weeks) breaches the guidance and good practice on consultation that the Scottish Government and public bodies are meant to follow – a minimum of six weeks.
- 3.11 No justification is given for the new model of opening hours covering all Divisions, apart from the desire to have a consistent model across Scotland. Whilst the move from the current five or six day service to a seven day service may be desirable for police stations in some towns no assessment has been made as to the actual or potential demand for public counter services on a Sunday. No analysis of the resource implications has been provided. For example, from an East Lothian perspective it may be a better option to deploy police officers to allow Tranent police station to have some police officer presence during Mondays – Fridays rather than extend the provision in Haddington and Musselburgh to Sundays.
- 3.12 The Policing Plan for East Lothian, which was approved in April 2013, does not suggest that a review of police stations would be carried out and that one of East Lothian’s police stations would be closed to the public within a year. The Plan states that “Local policing arrangements are aligned to the Community Planning Partnership working towards joint community priorities.” However, the review has been carried out without any local input from either the local authority or local communities.
- 3.13 It should be noted that the Fa’side ward councillors and all political groups on the Council as well as the Community Council, MSP and MP have expressed concern at the proposal to close public counter provision at the Tranent police station. Concern has been expressed at the possible impact on vulnerable adults who rely on local access to police services and the adverse impact on the local community in the Fa’side Ward.
- 3.14 However, the Council does recognise the significant financial pressures faced by Police Scotland and the imperative to meet its financial targets whilst maintaining frontline policing. We recognise that the public is increasingly using different means to contact the police other than face-to-face contact at police stations and therefore the police service has to consider alternatives to current services such as developing shared facilities with the Council and other service providers should be explored. The Council would also welcome the opportunity to receive further information about the possible use of mobile police stations and diary cars.

Review of Traffic Warden Provision

- 3.15 Enforcement of parking in Scotland has historically been delivered by traffic wardens employed by local forces across Scotland. The Road Traffic Act 1991 introduced provisions enabling the decriminalisation of most non-endorsable parking and the relevant provisions of the Act were commenced in Scotland in June 1997. This allowed for significant change to be made to parking enforcement in a number of council areas, and a change to the service

provision by, the then, local forces. If parking offences are decriminalised the local authority can take over responsibility for the warden provision and the parking charges and associated fixed penalty notices are paid to the local authority rather than to the Chancellor of the Exchequer.

- 3.16 The Chief Constable commissioned a review of the Traffic Warden provision throughout Scotland in June 2013. The letter announcing the review of the service suggested that it would be carried out “in partnership with local authorities.” However, there has been no engagement with the Council and no opportunity to contribute to the review.
- 3.17 The result of the review was made public on 1st October with a statement advising all Councils in Scotland “that Police Scotland is proposing to withdraw the role of traffic warden across divisions where the role still exists.”
- 3.18 The details of the review, how it was carried out, the results of any option appraisal work and the finance and resource implications have not been published by Police Scotland. The letter received by the Chief Executive from Police Scotland asks for views on the proposal but does not give any deadline for comments.
- 3.19 Lothian and Borders Police has employed up to five Traffic Wardens in East Lothian; two in Musselburgh, one covering Tranent and Prestonpans, one in Haddington and one covering North Berwick and Dunbar. The provision has reduced in recent years so that it currently stands at two traffic wardens; one covering Musselburgh, Tranent and Prestonpans, with the other one covering Haddington, North Berwick and Dunbar.
- 3.20 No information has been provided as to the costs of providing the traffic warden service, the activity of the existing wardens and the impact of this activity; for example, impact in terms of road safety, improved traffic management and flow and the income generated by fines or charges. Police Scotland have not detailed how much it will save by making Traffic Wardens redundant and how much of the money saved will be redeployed into frontline local community policing.
- 3.21 The statement and letter issued by Police Scotland announcing the results of the review does not include any timescale for implementation. However, it is council officers’ understanding that Police Scotland intend to implement cease employing Traffic Wardens by 31 December 2013.
- 3.22 Police Scotland have stated that where parking is dangerous or causes significant obstruction police officers will be ‘tasked’ to resolve the issue using the appropriate enforcement activity, including parking tickets, other direct measures or prosecution reports. So unless the a vehicle is causing and obstruction or is dangerously parked police officers will not take any action to enforce parking restrictions around double yellow lines or time restricted parking in parking bays such as those in Haddington town centre. One of the concerns is that with no traffic wardens to enforce time restricted parking in parking bays motorists will park in the bays all day thereby greatly reducing turnover of vehicles. This could have significant negative impact on shops and businesses in the county’s town centres.

- 3.23 The Council could choose to seek to decriminalise non-endorsable parking powers under the 1991 Act in order to take over responsibility for 'policing' parking restrictions.
- 3.24 The process of decriminalisation would require a significant piece of research to ensure that the traffic orders creating double yellow lines and restricted time parking bays are competent and that public notices of the restrictions are all up-to-date and accurate. Council officers are currently investigating the cost and timescale involved in commissioning this research. It is estimated that if progress was made to complete the research as quickly as possible and then to put through the relevant special parking order through Parliament the earliest that any new scheme would be in place would be spring 2014, although a longer timescale may be required depending on the statutory consultation and legal process. Therefore East Lothian could remain without any traffic warden provision for a significant period of time.
- 3.25 The other key issue to be considered by the Council is the cost of providing an alternative traffic warden service and how this could be financed. It is highly unlikely a business case could be made for self-funding revenue through enforcement of traffic offences alone.

Relationship with Police Scotland

- 3.26 The Chief Executive was due to meet Deputy Chief Constable Rose Fitzpatrick on 3rd October to discuss local policing issues and changes in service delivery since the national force was established. The meeting was cancelled by the DCC at short notice.
- 3.27 The reviews of the public counter service and traffic warden provision have highlighted and added to growing concerns that the creation of the national police service has led to centralisation of the police service priorities and policies. There is also concern at a possible trend to divert resources away from preventative and early intervention work. For example, the withdrawal of the road safety (education) officer from East Lothian schools and possible reduction in support for the Risk Factory will significantly reduce the work being done to educate and inform children and young people about safety. This goes against the national policy direction which has been embedded with the East Lothian Single Outcome Agreement to develop a prevention and early intervention model of public service.
- 3.28 The Council currently provides around £0.5m a year to support local Police Initiative Teams. The Service Level Agreement which sets out how this funding is used is due to be reviewed. This review, which will be carried out in the context of the changes in local policing and ancillary services provided by Police Scotland, will need to ensure that the combined resources provided by the Council and Police Scotland are used most effectively to meet the Council and East Lothian Partnership priorities around Safe and Vibrant Communities.

4 POLICY IMPLICATIONS

- 4.1 This report provides the basis for dialogue between the Council and Police Scotland around the implications of the reviews of Police Public Counter Services and Traffic Warden Provision.

5 EQUALITIES IMPACT ASSESSMENT

- 5.1 This report is not applicable to the well being of equalities groups and an Equalities Impact Assessment is not required.

6 RESOURCE IMPLICATIONS

- 6.1 Financial – none directly. Further reports will be brought forward if any costs relating to providing police services from shared facilities or establishing an alternative traffic warden service cannot be contained within existing service budgets.
- 6.2 Personnel – none directly. Further reports will be brought forward if additional staffing is required to provide police services from shared facilities or to establish an alternative traffic warden service.
- 6.3 Other – none

7 BACKGROUND PAPERS

- 7.1 Appendix 1 – Public Counter Service Provision; letter from Chief Superintendent Jeanette McDiarmid to Angela Leitch, Chief Executive (1st October 2013)
- 7.2 Appendix 2 – Traffic Warden Review; letter from Chief Superintendent Jeanette McDiarmid to Angela Leitch, Chief Executive (1st October 2013)
- 7.3 Public Counter Service Review; J Division, The Lothians and Scottish Borders, Public Briefing Paper; Police Scotland, 1st October 2013 – <http://www.scotland.police.uk/assets/pdf/174967/189265/the-lothians-scottish-borders-j-public-briefing-report>
- 7.4 East Lothian Local Policing Plan 2013-2014; Police Scotland, April 2013 – http://www.scotland.police.uk/assets/pdf/142349/lothiansborders/eastlothians/east_lothian_police_plan_final_-_updated_22_mar.pdf

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DATE	14 th October 2013

Appendix 1: Public Counter Provision: Letter from Chief Superintendant

1st October 2013



Jeanette McDiarmid
Chief Superintendant
Local Police Commander

The Lothians and Scottish Borders
Dalkeith Police Station
Newbattle Road
Dalkeith, EH22 3AX

Tel: 0131 654 5532
Email: lothianscotborderscommandsupport@scotland.pnn.police.uk

Dear Ms Leitch

PUBLIC COUNTER SERVICE PROVISION

I wrote to you earlier this year to advise that Police Scotland were embarking on a review of the service delivered at Police Public Counters. At that time I advised that I would provide further information as it became available and would provide an opportunity for you to comment on the proposals being made.

This letter is accompanied by a briefing pack which details the proposals that are being made, the information used to shape these decisions and the proposals for stations that will provide a public counter service. While this may seem a lot of information I am confident that it has been prepared in a way that is logical and allows for the reader to understand the reasoning behind the decisions. However, the recommendations in this document are not about closing police stations but about moving resources to ensure that we are maximising the policing service in your communities through the effective deployment of police officers.

It is recognised that a number of shared services have been developed over recent years. Police Scotland welcome this development and are keen to engage with local authorities, partner organisations in the public sector or third sector to further develop this concept and operational service delivery model. In addition some private enterprises have expressed an interest in developing police drop in or surgery type functions that provide easy access on a regular basis to police facilities within their commercial environment. Police Scotland are keen to explore these opportunities and would welcome contact to local command teams in the relevant

divisions or to the Review Team at the email address below to discuss further opportunities to enhance the service that we all provide.

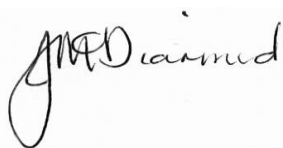
Police Scotland is publishing the briefing packs for each division on the Force internet site and these can be found at <http://www.scotland.police.uk>

In East Lothian we would propose to supplement the remaining stations by the use of Mobile Police stations, the locations of which will be advertised, and the Diary car, where you can make a fixed appointment time for an officer to attend and speak to you.

I am keen to hear your views and would be grateful if you could send any correspondence by email to PublicCounterReview@scotland.pnn.police.uk or to Public Counter Review Team, Business Change Office, Police Scotland, Pitt Street, Glasgow, G24JS. I would be grateful to receive any comments by the 31 October 2013. If, however, you wish to discuss the matter with a member of staff from Lothians and Scottish Borders Division please email lothianscotborderscommandsupport@scotland.pnn.police.uk

Thank you again for your support and interest in the service that we provide.

Yours sincerely

A handwritten signature in black ink, appearing to read "J. D. Cairns". The signature is written in a cursive style with a large initial "J" and "D".

Divisional Commander

Appendix 2: Traffic Warden Provision: Letter from Chief Superintendent

1st October 2013



Jeanette McDiarmid
Chief Superintendent
Local Police Commander

The Lothians and Scottish Borders
Dalkeith Police Station
Newbattle Road
Dalkeith, EH22 3AX

Email: lothianscotborderscommandsupport@scotland.pnn.police.uk

Dear Ms Leitch

TRAFFIC WARDEN REVIEW

I wrote to you earlier this year to advise that Police Scotland were embarking on a review of the service delivered by traffic wardens. At that time I advised that I would provide further information as it became available and would provide an opportunity for you to comment on the proposals being made.

Enforcement of parking in Scotland has historically been delivered by traffic wardens employed by legacy forces across Scotland. The Road Traffic Act 1991 introduced provisions enabling the decriminalisation of most non-endorsable parking offences in London and permitted similar arrangements to be introduced elsewhere throughout the UK. The relevant provisions of the 1991 Act were commenced in Scotland in June 1997. Since this time a number of councils have adopted the legislation and have decriminalised parking enforcement.

Enforcement of parking legislation and other minor road traffic matters (greenways enforcement etc) can be conducted by police traffic wardens or can be decriminalised and become the responsibility of local authorities. If decriminalised the parking charges and associated fixed penalty notices are paid to the relevant local authority rather than to the Chancellor of the Exchequer.

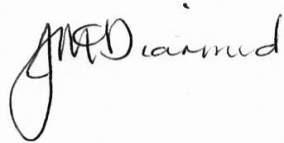
This letter is to advise you that Police Scotland is proposing to withdraw the role of traffic warden across the divisions where the role still exists. This is to allow Police Scotland to focus on the core activity of keeping people safe. Where parking is dangerous or causes significant obstruction Police Scotland will task police officers

to resolve the issue using the appropriate enforcement activity, including parking tickets, other direct measures or prosecution reports.

I am keen to hear your views and would be grateful if you could send any correspondence by email to TrafficWardensReview@scotland.pnn.police.uk or to Traffic Warden Review Team, Business Change Office, Police Scotland, Pitt Street, Glasgow, G24JS. If, however, you wish to discuss the matter with a member of staff from Lothians and Scottish Borders Division please email lothianscotborderscommandsupport@scotland.pnn.police.uk

Thank you again for your support and interest in the service that we provide.

Yours sincerely

A handwritten signature in black ink, appearing to read "J.P. Cairns". The signature is written in a cursive style with a large, looping initial "J".

Divisional Commander