

## ITEM No ...12.....

**REPORT TO:** CITY DEVELOPMENT COMMITTEE – 21 AUGUST 2017

**REPORT ON:** IMPROVING PARKING IN SCOTLAND CONSULTATION PAPER

**REPORT BY:** EXECUTIVE DIRECTOR OF CITY DEVELOPMENT

**REPORT NO:** 257-2017

### **1 PURPOSE OF REPORT**

1.1 The report considers the requirement to keep Elected Members informed of the Improving Parking in Scotland Consultation Paper for the Scottish Government.

### **2 RECOMMENDATION**

2.1 It is recommended that the Committee approve the proposal response to the Consultation Paper.

### **3 FINANCIAL IMPLICATIONS**

3.1 There are no direct financial implications as a result of this report.

### **4 BACKGROUND**

4.1 In May 2015, Sandra White MSP introduced the Footway Parking and Double Parking (Scotland) Bill. However, the Bill was not enacted into law as the Scottish Parliament did not have power to legislate on the reserved matter.

4.2 The Scottish Government made a commitment in December 2015 to progress this matter once powers on parking were devolved. On March 2016, the Scotland Act 2016 renewed Royal Assent, and powers to legislate on parking matters were devolved to the Scottish Parliament.

4.3 Due to the complex nature of parking and the volume of concerns raised by stakeholders in relation to the Bill by Sandra White MSP, the Scottish Government set out a general intention to use the powers developed by the Scotland Act 2016 to legislate on parking. The findings of the stakeholder consultation will inform the development of the parking provisions in the Governments Bill and supporting guidance to be introduced.

4.4 The Consultation Paper invites views on how we can improve the clarity of the laws on parking, what restrictions should be implied and the exceptions that should be granted. In addition to how those responsible can deliver an integrated approach to managing parking, how we should tackle displacement of vehicles and support town centre regeneration whilst improving accessibility for all. A copy of the written submission proposal to be sent to the Scottish Government is detailed in Appendix 1.

### **5 POLICY IMPLICATIONS**

5.1 This Report has been screened for any policy implications in respect of Sustainability, Strategic Environmental Assessment, Anti-Poverty, Equality Impact Assessment and Risk Management. There are no major issues.

### **6 CONSULTATIONS**

6.1 All members of the Council Management Team have been consulted and are in agreement with the contents of this report.

**7 BACKGROUND PAPERS**

7.1 There are no background papers of relevance to this report.

Mike Galloway  
Executive Director of City Development

Neil Gellatly  
Head of Roads and Transportation

NHG/JO/KM

10 August 2017

Dundee City Council  
Dundee House  
Dundee

## ANNEX A Consultation on improving parking in Scotland RESPONDENT INFORMATION FORM

**Please Note** this form **must** be returned with your response.

Are you responding as an individual or an organisation?

- Individual  
 Organisation

Full name or organisation's name

Dundee City Council

Phone number

01382 432092

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The Scottish Government would like your permission to publish your consultation response. Please indicate your publishing preference:

- Publish response with name  
 Publish response only (anonymous)  
 Do not publish response

We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise?

- Yes  
 No

## CONSULTATION QUESTIONS

### General

**Q 1. Do you think parking, including on pavement, at dropped kerbs and double parking is a problem in your area?**

**Strongly Agree**

- **If yes, how have you, your family or friends been affected by parking problems?**

As the Local Authority responsible for parking enforcement, problems with footway parking are reported daily by residents whose progress is impeded by vehicles obstructing the footway. This has been reported to Police Scotland whose position is that, unless the footway is completely blocked, they are unwilling to take any action. Dropped kerbs and double parking pose similar problems.

- **Where did this occur (e.g. type of street or area) and how often?**

### Legislation

**Q 2. Why do you think the motorists may choose to pavement park?**

Some Dundee streets are too narrow to allow carriageway parking so kerb is mounted.

**Q 3. Do you think new legislation is needed ?**

**Yes**

- **If yes, what areas of the law need to be amended?**

A blanket footway with exemptions in certain areas is required. These must be clearly marked.

**Q 4. If a new law is required, should it cover all roads with footways, including private roads that are not adopted by local authorities and trunk roads?**

**Yes**

- **If not, why not?**

N/A

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**Q 5. Do you think any new law should apply to all vehicles (e.g. HGVs, vans, taxis, cars, motorbikes, etc.)?**

**Yes**

- **If not, which type of vehicles should the law not apply to?**

N/A

**Q 6. Do you think there should be exemptions applied to allow pavement parking to take place, particularly due to local concerns about access for vehicles and lack of alternative parking provision?**

**Yes**

- **If yes, what should those exemptions be?**
- **If no, why not? (Please be as specific as possible)**

Exemptions should be in place where otherwise the carriageway would be obstructed so as not to allow two vehicles to pass safely, and adequate footway space remains.

### **Implementation & Enforcement**

**Q 7. Should there be consistent approach to parking enforcement across Scotland?**

**Yes**

- **If yes, how should this be taken forward?**

Legislation to be introduced to cover all local authorities across Scotland for consistency. A single enforcement regime (Parking Scotland Act) to replace Road Traffic Act 1991 (as amended). This would contain best aspects of Traffic Management Act 2004 but would be tailored to be specific for Scotland's needs.

**Q 8. Local authorities in some parts of Scotland have DPE powers and are responsible for parking enforcement. In other areas Police Scotland retains responsibility.**

- **What is your views on rolling out Decriminalised Parking Enforcement regimes across Scotland?**
- **What is your views about the proposal to share services to provide some access to a “traffic warden service” in areas without DPE?**
- **What should Police Scotland’s involvement be in future?**

For consistency across Scotland, Decriminalised Parking Enforcement should be rolled out to all authorities allowing all users to be conversant with all regulations leading to consistent parking enforcement (please also see response to Question 7).

Where Decriminalised Parking Enforcement is not in place, a Traffic Warden Service should be provided by Police Scotland as a part of Parking Scotland Act.

**Q 9. Currently moving traffic violations are a matter for the police, however, do you think local authorities should be able use CCTV and/or Automatic Number Plate Recognition (ANPR) systems for enforcement of:**

- **parking in areas where safety benefits can be delivered to all road users, around schools for example?**

**Yes**

- **Some moving vehicle contraventions like banned turns?**

**Yes**

Decriminalised Parking Enforcement authorities should take responsibility for parking on pedestrian crossings (zig-zags), cycle lanes and areas involving public safety, schools etc.

- **If not, why not? (Please be as specific as possible)**

**Traffic Regulation Orders (TROs)**

**Q 10. Do you think it is a good idea in principle to allow local authorities to exempt specific streets or areas from national restrictions for pavement parking?**

**Yes**

- **If so, what is the best mechanism for doing this (e.g. TRO or other form of local resolution)?**

A Traffic Regulation Order to allow marked pavement parking in areas that would allow safe passage of pedestrians and traffic, ensuring consistent parking enforcement – Parking Scotland Act.

**Displacement of vehicles**

**Q 11. Do you think controlling pavement, dropped kerbs and double parking could have unintended or negative consequences in your area?**

**Yes**

- **If so, what would the effects be?**
- **Who would be affected?**
- **What type of street or area would experience these consequences?**

It will create consequences for displaced areas particularly in narrow streets and areas of high density housing.

### **Town Centre Regeneration**

**Q 12. Do you think controls on parking are likely to increase or reduce the costs and impact on businesses in town centres?**

#### **Reduce**

- **If yes, what should we be doing to reduce any impact on businesses in town centres?**
- **What other arrangements should be considered to deliver parking improvements that help support town centre regeneration?**

Ensure that turnover of available spaces and Pay on Foot facilities are in place to assist increased footfall.

British Parking Association and Association of Town Centre Managers studies have shown that a healthy city centre economy is aided by robust parking policies that increase footfall and help local businesses.

Turnover of spaces by reducing unlimited blue badge use for all Pay and Display bays in city/town centres which should be time limited by use of a clock system. For blue badge holders, this should also apply to double/single yellow lines using the logic that if the carriageway is suitable for on street parking, why is it marked with double/single yellow lines?

Further review of provision of on street disabled persons parking spaces should be undertaken.

Dundee City Council has met with local group Dundee Access for their views.

### **Disabled Parking Bays**

**Q 13. Do you think that on-street disabled persons' parking places are being enforced in your area?**

#### **Yes**

- **If not, how could this be done better?**
- **Do you think members of the public should report misuse where it is observed? - Yes**

**Q 14. Have you witnessed misuse of a disabled persons' parking space?**

Yes

- If so, did you report it? - Yes
- If not, did anything prevent you from reporting it? – N/A
- Should disabled persons' parking places be enforceable at all times? - Yes
- Do you think the level of penalty for misuse of local authority disabled persons' parking space is acceptable? - No
- If not, what level would you consider to be acceptable?

The single charge PCN is too simplistic and is no longer a deterrent. A new Parking Scotland Act should correct this and allow an increased charge for anti-social parking ie bus bays, disabled person parking bays, double yellow lines, loading bays, cycle lanes and school keep clear zones.

**Q 15. Do you think off-street disabled persons' parking spaces, including private car parks, are being enforced in your area?**

Agree

- If not, how could this be done better?

Private facilities are not sufficiently enforced, including supermarkets and out of town shopping centres.

**Q 16. What impact do you think disabled persons' parking space misuse has on Blue Badge holders?**

Reduces access to dedicated parking and ultimately ease of access to services that disabled drivers wish to visit.

**Emissions Vehicles****Q 17. Are you supportive of local authorities' trialling or introducing parking incentives (such as discounted, free or preferential parking) for ULEVs?**

Yes

- If yes, what should these incentives be?
- If no, why not?

Free parking for Electric Vehicles (not Hybrid) up to a maximum of 3 hours to allow for full charge – this time limit should be reduced for rapid chargers.

**Q 18. Are you supportive of local authorities trialling or introducing specific measures to help people who, live in flats or tenements (with no dedicated-off street parking) charge their vehicles?**

**Yes**

- **If yes, what should these incentives be?**
- **If not, why not?**

Dundee City Council has adopted a communal hub approach to charging facilities and EV incentives and will work with our Street Lighting Partnership to consider new technologies as they emerge for on-street charging.

**Q 19. Do you think the use of ULEV-only charging bays should be monitored and enforced by local authorities?**

**Yes**

- **If yes, please say why.**
- **If no, how should they be enforced and who should be responsible for this enforcement?**

To ensure access to charging facilities at all times.

### **Assessing Impact**

**Q 20. Are there any likely impacts the proposals contained within this consultation may have on particular groups of people, with reference to the 'protected characteristics' listed above? Please be as specific as possible.**

None.

**Q 21. Apart from safety, are there any other aspects of a child's rights or wellbeing that you think might be affected either positively or negatively by the proposals covered in this consultation?**

None.

**Q 22. Do you think the proposals contained in this consultation are likely to increase or reduce the costs and burdens placed on any sector? Please be as specific as possible.**

**Increase**

It will require an increased and flexible approach to enforcement of protective parking restrictions such as bus stops disabled persons parking places and school keep clear markings.

**Q 23. Are there any likely impacts the proposals contained in this consultation may have upon the privacy of individuals? Please be as specific as possible.**

**No**

**Q 24. Are there any likely impacts the proposals contained in this consultation may have upon the environment? Please be as specific as possible.**

**Yes**

The environment would be helped in city centres with the increase in use of Electric Vehicles/low emission vehicles. Assisting with improved air quality in city centre.

Parking concessions, benefits and controls for users of ultra low emission vehicles will assist in addressing the air quality challenges faced in city centre environments.

**Conclusion**

**Q 25. Do you have any other comments that you would like to make, relevant to the subject of this consultation that you have not covered in your answers to the previous questions?**

None.