

Improving Parking in Scotland  
Consultation from Scottish Government, preparatory to Bill  
Response from Spokes, the Lothian Cycle Campaign, June 2017

Thank you for the opportunity to comment on this proposed Bill. Our response is based on the Questions asked. The relevant Questions will be presented as 'Context', followed by our 'Response'.

Context:

Q1. Do you think parking, including on pavements, at dropped kerbs and double parking is a problem in your area?

- If yes, how have you, your family or friends been affected by parking problems?
- Where did this occur (e.g. type of street or area) and how often?

Q2 Why do you think the motorists may choose to pavement park?

Q3 Do you think new legislation is needed ? If yes, what areas of the law need to be amended?

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?

If not, why not?

Q 5. Do you think any new law should apply to all vehicles (e.g. HGVs, vans, taxis, cars, motorbikes, etc.)? If not, which type of vehicles should the law not apply to?

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?

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

Responses:

Q1 Definitely. Spokes receives complaints about several types of anti-social parking, including double parking, and parking over dropped kerbs which form an entry point to a cycle route.

Furthermore, pavement parking can damage the pavement, causing a trip hazard especially for the elderly and vulnerable, and requiring (expensive) repairs at a cost to taxpayers - remember that road repairs and maintenance come either from Council Tax or from General Revenue (many motorists think roads are funded by their own taxes).

Q2 For convenience, self-interest, laziness, and to keep the road clear for other motorists (thus putting their interests above those of pedestrians, the disabled, children, and

showing lack of concern for the safety of the latter)..

Q3 Yes. In the areas of pavement parking, dropped kerbs, and double parking.

Legislation is needed to encourage more travel by active means and to reduce the disincentives to walking and cycling which pavement parking, blocking dropped kerbs and double parking currently gives rise to.

Pavement parking often :

Prevents or restricts pedestrian access, including that by wheelchair, mobility scooter, pram and pushchair

Gives rise to safety concerns

Reinforces a sense that motor vehicles dominate our public spaces

Blocking dropped kerbs:

Always restrict or prevent pedestrian and cycling access where it has specifically been designed to benefit such transport modes

Gives a clear signal that walking and cycling are less important transport modes than motor vehicle use

Discourages walking and cycling travel choices

Double Parking:

Always adds to the chances of accidents by restricting available road width for other transport users and impairing their sight lines

This raises safety concerns and is a disincentive to walking and cycling

Finally, the law could assume that a car parked on the pavement has been driven onto it, which is already an offence.

Q4 Yes

Q5 Yes, all vehicles

Q6 No exemptions, otherwise very difficult to enforce.

On 'lack of alternative parking provision', there are always alternative modes of travel. One main reason for choice of the car as mode is the availability of parking at the destination. If parking is not available, other modes are likely to be chosen. The Scottish Government has travel policies which give maximum emphasis to walking and cycling (active travel) and minimum to use of the private car. Reducing parking availability would thus be in accord with government policies.

In addition, if it means users have to walk part of the way, that will be good for their health.

## Ch.2 Current Enforcement Arrangements

Context:

"34. DPE [Decriminalised Parking Enforcement] is a regime which enables a local authority to enforce its own parking policies using parking attendants employed by the Council or outsourced to a third party on behalf of a Council. The powers enable parking attendants to issue Penalty Charge Notices (PCNs) to motorists breaching parking controls in specific areas.

35 .... Enforcement of other parking offences such as obstructive or dangerous parking and moving traffic violations continues to remain the responsibility of Police Scotland. However, some local authorities, such as the City of Edinburgh Council, Glasgow City Council and the Highland Council have started calling for additional powers to tackle some moving traffic violations, particularly obstructive parking at or near schools, parking on white zig zags and stopping in yellow box junctions. Indeed, obstructive parking at or near schools has become a significant cause for concern to local authorities, as well as parents, children, residents living near schools and other road users.”

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

If yes, how should this be taken forward?

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 are your views on rolling out Decriminalised Parking Enforcement regimes across Scotland?

What are your views about the proposal to share services to provide access to a “traffic warden service” in areas without DPE?

What should Police Scotland’s involvement be in future?

Q 9. do you think local authorities should be able use CCTV and/or Automatic Number Plate Recognition (ANPR) systems for enforcement of:

Currently moving traffic violations are a matter for the police, however,

- parking in areas where safety benefits can be delivered to all road users, around schools for example?
- Some moving vehicle contraventions like banned turns?
- If not, why not? (Please be as specific as possible)

Response:

Q7-8 We think there should be a consistent approach. Enforcement by the police is sporadic and the police do not give traffic offences the priority they deserve. Local Authorities are better at enforcement since they have some financial gain from doing so, and since that gain must be spent on road improvement, all users stand to benefit from it.

National consistency is desirable, but since local resources and commitment vary, local authorities should have the ability to impose good standards of parking enforcement that reduce safety fears and make walking and cycling travel choices more attractive, even if not all authorities apply such standards.

Q9 Definitely. Our members see violations of traffic regulations every day; there is clearly too little enforcement of the 'rules of the road'.

Context:

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?

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

### Response:

In principle there should be no exemptions. On the rare occasion where an area happens to be wide enough, official parking should be created. Adequate enforcement is absolutely key to the success of this Bill.

### Ch.3 Issues

#### Response:

While we acknowledge the kinds of concerns raised in table 2 of (49), these have to be balanced against the gains for pedestrians generally, and the disabled and children in particular, from having more restrictions on vehicle parking.

As noted earlier, parking restrictions can have all sorts of side *benefits*; the choice of alternative travel modes 'higher' in the Government's hierarchy of priorities; better *health* from increased active travel; fewer vehicles on the roads, meaning less *congestion* and *pollution*; etc.

#### Context:

[Ignore the Xs]

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

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

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

- • 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?

#### Response:

Q11 The consequences would all be positive, as outlined above.

Q12 Most town centres have times of day allocated for loading/unloading of goods on the streets, and businesses make arrangements accordingly.

More generally, the impacts on businesses from tighter parking regulation are likely to be small and temporary, and there will be significant *gains* from the reductions in congestion.

We note that other countries, such as Japan, have much tighter controls on parking than we do. For example in Japan one is only allowed to own a car if one has a space to park it. Does this mean that Japan's businesses suffer? On the contrary, Japan has one of the strongest economies in the world. And not only that, its citizens are much healthier, obesity levels are much lower, and its citizens live longer.

The links between levels of obesity in Scotland, and the ready availability of the car for all transport needs (with consequent sedentary lifestyles), is an issue which needs more research. In our view, more restrictions on parking could help change travel behaviour and reduce the country's very high current levels of over-weight persons.

## Ch. 5 Parking for Ultra-Low Emission Vehicles

Context:

[Ignore the X's]

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

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

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?

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

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

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

Response:

We are *not* supportive (Q17). While we recognise that electric vehicles are desirable in that they reduce air pollution, reduce reliance on imported oil or gas supplies, and reduce noise, at the same time they do nothing to mitigate all the other problems associated with private vehicles in towns and cities, namely:

- \* congestion
- \* take-up of valuable land, whether they are moving or stationary, and failure to pay the going rates for this land;
- \* urban sprawl;
- \* intimidation of other road users, to the discouragement of active travel;
- \* health issues caused by sedentary lifestyles

We should also remember that electric vehicles are carbon-neutral only if the electric power they use is generated from renewable resources.

Other issues (Q25)

Dropped Kerbs:

The document mentions these, and the two 'types' ie 'junctions' vs 'residential', but does not explore the issue nor ask questions on it.

In our view *all* dropped kerbs are valuable and should be protected from parking. In the case of purely residential ones, access to a parking space or spaces, garage etc is needed at all times and has the advantage, for all, of reducing congestion on the streets. In addition, wheelchair users, buggies etc may wish to get onto or off the footway at points intermediate between junctions, and dropped kerbs enable this.

Conclusion:

We strongly support the proposals to make pavement parking, double parking, and parking

against dropped kerbs, illegal.

We believe DPE offers the best opportunity for enforcement.

To make the rules as straightforward as possible, there should be no exceptions.

The benefits of the proposals strongly outweigh any impacts (eg as in Table 2, (49)), and the latter should not be allowed to impede the enactment of legislation. We are very concerned that previous efforts to introduce similar legislation have been diverted or distracted in various ways, both here and in England, despite overwhelming public support for the Bills.

compiled by Peter Hawkins with numerous contributions from  
Spokes Planning Group  
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## Respondent Information Form

Are you responding as an individual or an organisation?

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Organisation

Full name or organisation's name

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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