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## NORTH AYRSHIRE COUNCIL

27 June 2019

### Audit and Scrutiny Committee

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**Title:** Decriminalised Parking Enforcement and the Introduction of Car Parking Charges

**Purpose:** To allow the Committee to consider a Call In Request in respect of the decision taken by Cabinet at its meeting on 11 June 2019 to introduce seasonal parking charges along Brodick Shorefront to meet the needs of tourists and visitors.

**Recommendation:** That the Committee considers the terms of the Call In and agrees, or otherwise, to make a recommendation to the Cabinet.

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#### 1. Executive Summary

- 1.1 In terms of the Scheme of Administration (Section 24), the Audit and Scrutiny Committee has a remit to consider Call in Requests and invite at least one of the Members who has requested the reference to Call In to attend the Committee to explain the request.
- 1.2 This report sets out the background to the Call In Request in respect of the decision taken by Cabinet at its meeting on 11 June 2019 in relation to the report on the decriminalised parking enforcement and the introduction of car parking charges.

#### 2. Background

- 2.1 The Cabinet, at its meeting on 11 June 2019, considered a report on the decriminalised parking enforcement and the introduction of car parking charges.
- 2.2 A request was received in terms of the Call In procedure set out in the Council's Scheme of Administration and Standing Orders, that the Audit and Scrutiny Committee examine the decision taken by the Cabinet.
- 2.3 The Call In Request, which was signed by Councillors Billings, McMaster and Gurney is in the following terms:-

##### Reason for Call In

This Call In relates to section 2.23 of the Cabinet report and the map of Brodick contained within Appendix 1.

## Brodick Car Parking

This call in relates to the proposed introduction of car parking charges to Brodick. This paper will show that the Brodick parking proposals are contrary to the Council's agreed Car Parking Strategy and will not achieve the supposed benefits of introducing parking charges as set out in the proposal.

As a reminder, the stated aims of the Car Parking Strategy are:

- Enhance and support local economies
- Improve traffic flows and reduce congestion
- Manage parking spaces to ensure adequate availability

The stated benefits of introducing parking charges are:

- Safer traffic conditions
- Improved safety for pedestrians and vulnerable groups
- Short stay is for shoppers, and long stay is for business community
- Reduced competition for road spaces
- Community will benefit from improved parking that will support the local economy

Brodick currently has a clear separation of parking, with the majority of the long stay parking happening close to the ferry, where people leave cars when visiting the mainland, and the majority of short stay parking is further along the shore road for people using the village facilities.

Parking is available at the ferry terminal, however, long stay overnight parking at the terminal is in the process of being stamped out as there are not enough parking spaces for the volume of traffic/parking required for day long journeys to the mainland. Consequently, Arran residents long stay parking is carried out predominantly along the sea front as this is the nearest available area. Free long stay parking is necessary for Island residents when using the ferry to access mainland based medical services, retail centres, onward travel destinations for trains and flights; as due to our Island geography there is often no choice but to travel to the mainland to gain access to services which most mainlanders take for granted.

With this geographical restriction on access to services in mind it is important to note that according to the Scottish Index of Multiple Deprivation (SIMD) approximately 44% of Arran's population live in data zones that are in the top 15% most access deprived in Scotland. Access being defined by SIMD as the measure of private vehicle and public transport drive times to GP surgeries, Post Offices, retail centres, schools and petrol stations and that's before we attempt to access services on the mainland!

This SIMD information and the Council's Fair for All strategy was to the forefront during the development of the Locality Priorities for Arran and consequently the priorities which emerged from community engagement are; transport, social isolation and housing. Lack of good public transport to service connections between all Arran's villages and the main town of Brodick being a major cause for concern due to lack of accessibility to basic services and a cause of social isolation for many islanders. Hence many islanders' reliance on the use of private vehicles and the need for free and accessible car parking as a requisite to quality of life on the island. The introduction of parking charges would impose an unnecessary extra layer of inequality on the islanders. Using public transport is not an option for many journeys and making parking more difficult within the main commercial centre on Arran will further deprive residents access to services. Isolation is one of the priority issues to address on Arran and making it harder to park will make this even worse.

In addition to the parking already mentioned, owners of businesses can park in areas behind their businesses, leaving on-street parking for customers. Lastly, on-road parking is supplemented with specific parking for the large Co-op, Arran Active, and the car park behind the small co-op.

There is an adequate supply of these different types of parking, that naturally separate themselves out because the ferry is at one end and the village facilities towards the other end, or businesses have their own customer parking.

The system works well with minimal issues of inappropriate parking, disruptions to traffic flow and people can get easily to where they want to go. This encourages people to park and stay within Brodick, supporting the shops and businesses along the front with no pressures about how long they are allowed to stay or fear of 'getting a ticket'.

The Isle of Arran is a place that people come to live and visit because it has a fundamentally different feel to the mainland. It is relaxed, easy-going with a holiday feel. This is what makes Arran special.

The introduction of parking charges will disrupt this status quo and has the potential for significant disruption to traffic flow, increased congestion, poor management of parking spaces, and will cause inconvenience to both residents and visitors, and will be detrimental to the economy making it harder for people to visit shops and other village facilities.

With free parking continuing to exist in close proximity to the charged parking spaces, parking behaviour will change leading to displacement parking. Affected areas will be the Douglas Hotel, large Co-op, Arran Active, Brodick medical centre, and in parking bays outside the row of small shops further along the front. In addition, the narrow roads behind the main street will see an increase in parking, and these roads don't have pavements.

The easy-going approach to life on Arran will be lost, and that feeling Arran has of being 'different' will be eroded.

There is no local support to these proposals, and it is clear that the proposals were written without any understanding of how the existing car parking is used, what effects the introduction of parking charges will have on peoples parking behaviour, and what the consequences of these changes will be on residents, businesses or visitors. The report makes sweeping assumptions about the benefits of parking charges whilst providing no evidence to back them up.

In the case of Arran, the Cabinet has made a mistake as this proposal is clearly in opposition to the stated and agreed aims of the Council. Therefore, the Audit and Scrutiny Committee should recommend that parking charges are not introduced on Arran, and that Arran is excluded from the Decriminalised Parking Enforcement proposals.

### Discussion on Specific Benefits and Policy Aims

Disruption of the Status Quo – as has already been said, there is a natural distribution of longer and shorter-term parking that meets the needs of residents and visitors. Any introduction of parking charges will change people's behaviour displacing cars to where parking is free. This will lead to:

- Long term parking in front of shops and services
- Longer parking in free car parks, such as the Co-op, Arran Active and the public car park, leading to poorer turnover of parking, thereby making it harder for customers to park and use these facilities.
- Increased on-street parking along the opposite side of the shore road, where it will remain free, leading to congestion and disruption to traffic flow
- Increased on-street parking in rear residential streets, making it more difficult for traffic to navigate, and creating a hazard for pedestrians where there is no footpath on either side of the road.

It has been suggested that resident permits can be used, however, not every resident will get a permit for their car, some will not be able to afford it, some will make do with remaining free parking arrangements. Also, visitors looking for longer term parking will not be able to park along the front, moving them to spaces currently used as short-term parking.

Disruption to Traffic Flow – it has already been stated that currently there are limited occasions where traffic is disrupted due to inappropriate parking. With an increase in parking in areas that will continue to be free will:

- prevent residents from parking in their streets,
- create bottle necks along roads where having two-way traffic past parked cars is challenging,
- increase in cars going along side roads looking for free parking.

Poor Management of Parking Spaces – there is currently a good management of parking spaces. Introducing charging for one area of the front will move long stay parking towards what should be short stay parking, and short stay parking on to deregulated areas or private ground. Even if exemptions are allowed for some residents, there will be sufficient other drivers who will be affected by these changes.

Disruption to the Economy – Brodick is an important hub for trade, and is used by residents and visitors for shopping, attractions, restaurants and banking services. The current parking arrangements support all these commercial activities by providing free and accessible parking close to where people want to go. There is a good turnover of cars in front of shops, with longer term parking taking place along the front where there are more visitor attractions, and resident long-term parking at the ferry end.

Disruption to the current parking patterns that will displace parked cars will mean that people will no longer have easy access to where they want to go, thereby making visiting village facilities less attractive by clogging up parking spaces.

Decreased Community Benefits – Brodick currently has good availability of parking spaces located in areas that support the surrounding businesses and activities. This proposal will not increase the numbers of parking spaces and will force car drivers in to areas away from where they would naturally want to park. Almost half Arran's population already live in the most access deprived areas of Scotland. Using public transport for many trips is not an option, so making it harder to park in Brodick will increase the island's transport deprivation.

People want to come to live and visit Arran because, like other Scottish islands, there is a perception that they are places of refuge away from the hustle of the mainland. Creating parking restrictions and the subsequent chaos will chip away at that special feeling that Arran has, making it less attractive as a place to stay and visit. Once that specialness is lost it cannot be recovered, and people will go elsewhere. There are national policies encouraging people to living in the more remote areas of Scotland, so the introduction of parking charges is working against that policy.

**Decreased Pedestrian Safety** – all along Brodick's sea front road there are parking bays marked. Parking takes place within those bays. It is very uncommon to have parking on that road outside of a marked bay. However, there are other areas that could be used for parking, such as the other side of the road from the bays, but it just does not happen at the moment.

The roads running back from the sea front will have a few cars parked along them, mostly residents parking outside their homes. Many of these roads don't have any pavements and are only wide enough for one line of traffic, but with the minimal number of parked cars, and the roads normally used by residents there is little traffic along the roads.

When cars are displaced from the sea front parking in to alternative free parking spaces, there will be an increase in cars being parked on both sides of the shore road, and cars parked along residential streets. This will make it harder for pedestrians to cross the main road due to reduced sight lines, and along residential streets not only will there be more traffic, pedestrians will have to walk in the road to avoid the cars.

Reduced Enforcement of Parking Across the Island – the proposal is that North Ayrshire Council will take over control of all parking issues across Arran, not just in Brodick. Around the island there are car parks and parking areas that have controls in place. Currently, the police are able to act if there is a specific parking issue. They are resident on the island, and they have additional staff employed to cover the busier summer period.

A parking attendant whilst they may be able to come over to Arran from time to time will not be available on the island and will not be able to respond to specific issues as they arise. This will lead to a decrease in enforcement of parking issues at a time when they are likely to increase due to the new parking regulations being put in place.

#### Mitigation Actions

The proposal does include suggestions that are aimed to mitigate the adverse effects that will be seen from the introduction of parking charges. These include:

- Island resident parking permits
- All day charges for the 'short term' parking area (shown in green on the map)

These mitigating actions may reduce the impact of some elements of the proposal for some people. However, the majority of the adverse effects will not change, and will not prevent the significant changes to parking behaviour that will be seen.

Resident Parking Permits – it is suggested that they could be available so that residents could park for the longer term in the short-term parking. The proposal is silent on the possible cost of the permit or the cost of the longer-term parking. However, this will be a regressive tax on island living. Islanders don't have a choice when leaving the island; they have to use the ferry. If travelling as a foot passenger one can use the bus, however, they don't connect to all the ferries, are often very busy and not suitable for carrying large luggage, and for the majority of the island run every 3 hours or so, which does not allow passengers returning to the island to pop in to the Co-op on the way home. Therefore, there are a large number of islanders who park their cars, sometimes for days at a time, when visiting the mainland. Residents with cars will have no option but to purchase 'a resident parking permit if they want to be able to park within reasonable walking distance of the ferry terminal. This will hit those less able to pay most hard, such as those on low incomes and the elderly. If they cannot afford a parking permit, then those least able to walk the extra distance will be the ones having to park at the far end of the street. Hardly 'Fair for All', and would further increase the island's already high levels of access deprivation.

**Long term parking in the short-term parking areas** – if one does not have a resident parking permit, allowing people to park longer term all along the front does offer a solution that would enable everybody to park in that area. However, common sense would suggest that rather than pay say £5 for all day parking, one could walk another 100 meters and park for free in front of the shops, or in the Co-op or Arran Active's car park. This is not a viable solution as people will change behaviour if a free option is available close by.

### Conclusion

It is clear that the parking proposals are not appropriate for introduction to Brodick, and the suggested mitigating factors will not address the adverse consequences of this proposal. The proposals work against the stated aims of the Council's Parking Policy, are contrary to the Council's priorities for Arran, will reduce fairness, and not only will the benefits suggested in the report not be achieved, the traffic situation will actually get worse.

Therefore, the Audit and Scrutiny Committee should recommend to the Cabinet that it is not appropriate to charge for parking in Brodick, and that the current system of parking and parking control for Arran should be retained.

### Desired Outcome

Parking charges should not be introduced to Brodick.

Enforcement of parking on Arran should remain under the control of the police.

- 2.4 A copy of the original report presented to Cabinet on 11 June 2019 is attached as at Appendix 1 to the report. An updated briefing note has been provided by the Head of Service (Commercial) and is attached at Appendix 2.
- 2.5 The Call In Request is valid for consideration by the Committee. The request was received within the appropriate timescale, it was signed by three Elected Members and details were provided on both the reason for the Call In and the desired outcome.
- 2.6 The Elected Members who have submitted the Call In will be invited to address the Audit and Scrutiny Committee to explain the Call In Request. The appropriate Cabinet Member, accompanied by senior officers, will then be invited to clarify the reasons for the decision. The Committee will have an opportunity to ask questions of both parties and of those officers in attendance.
- 2.7 The Committee will then debate the Call In Request and decide whether or not it agrees with the decision of the Cabinet.

2.8 Where the Committee does not agree with the decision of the Cabinet, the matter will be referred to the next meeting of the Cabinet with recommendations from the Audit and Scrutiny Committee for alternative action. The Audit and Scrutiny Committee therefore has to:-

- i) decide if it agrees or not with the decision of the Cabinet; and
- ii) consider what alternative action the Committee would recommend to the Cabinet if it does not agree with the decision.

2.9 When the matter is considered by the Cabinet, the Chairperson or another member of the Audit and Scrutiny Committee will have the right to attend the Cabinet and speak in support of any recommendation.

2.10 In the event the Cabinet declines to accept the recommendation from the Audit and Scrutiny Committee, the matter will be referred to the next ordinary meeting of the Council for determination. The decision of the Council will be final.

### **3. Proposals**

3.1 It is proposed that the Committee considers the Call In Request.

### **4. Implications/Socio-economic Duty**

#### **Financial**

4.1 The financial implications are outlined in the Decriminalised Parking enforcement and the Introduction of Car Parking Charges report attached at Appendix 1.

#### **Human Resources**

4.2 The human resource implications are outlined in the Decriminalised Parking enforcement and the Introduction of Car Parking Charges report attached at Appendix 1.

#### **Legal**

4.3 The human resource implications are outlined in the Decriminalised Parking enforcement and the Introduction of Car Parking Charges report attached at Appendix 1.

#### **Equality/Socio-economic**

4.4 The equality/social-economic implications are outlined in the Decriminalised Parking enforcement and the Introduction of Car Parking Charges report attached at Appendix 1.

#### **Environmental and Sustainability**

4.5 The environmental and sustainability implications are outlined in the Decriminalised Parking enforcement and the Introduction of Car Parking Charges report attached at Appendix 1.

## **Key Priorities**

4.6 The key priorities are outlined in the Decriminalised Parking enforcement and the Introduction of Car Parking Charges report attached at Appendix 1.

## **Community Benefits**

4.7 The community benefits are outlined in the Decriminalised Parking enforcement and the Introduction of Car Parking Charges report attached at Appendix 1.

## **5. Consultation**

5.1 No further consultation has been undertaken in compiling this report.

Craig Hatton  
Chief Executive

For further information please contact **Angela Little, Committee Services Officer**, on **01294 324132**.

## **Background Papers**

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## NORTH AYRSHIRE COUNCIL

11 June 2019

### Cabinet

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**Title:** **Decriminalised Parking Enforcement and the Introduction of Car Parking Charges**

**Purpose:** To seek Cabinet approval to: (1) progress and submit an application to Scottish Government to introduce Decriminalised Parking Enforcement within North Ayrshire; and (2) introduce car parking charges at identified short stay car parks in Irvine, Kilwinning, Saltcoats, Largs and charges for on street parking at Brodick as detailed within Appendix 1.

**Recommendation:** Cabinet are asked to: (i) agree that an application seeking the introduction of Decriminalised Parking Enforcement across the North Ayrshire Council area will be finalised and submitted to Scottish Government; (ii) agree to the introduction of car parking charges at identified short stay car parks and identified on street parking at Brodick as detailed in Appendix 1; (iii) agree that a review of the current Town Centre Car Parking Strategy in support of proposals to introduce car parking charges will be carried out; (iv) note the proposed recruitment of a Car Parking Manager to progress the introduction of car parking charges and application for Decriminalised Parking Enforcement; (v) agree that there will be further engagement with local Ward members, to review existing parking restrictions, potential vehicle displacement and the introduction of resident parking permit schemes as appropriate; (vi) agree that officers will proceed with the necessary Traffic Regulation Orders required to introduce parking charges in the designated car parks, and on-street in Brodick; and (vii) note the next steps as outlined in paragraph 2.31 and agree to receive progress update reports as appropriate.

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## 1. Executive Summary

1.1 Effective management of parking and the development of alternative travel modes are central aspects within the development of economic and environmentally sustainable town centres. The Council's agreed Town Centre Car Parking Strategy sets out to:

- Enhance and support local economies;
- Improve traffic flows and reduce congestion;
- Manage parking spaces to ensure adequate availability and the prioritisation of prime spaces;

- Reduce carbon emissions and improve air quality; and
  - Promote alternative modes of travel.
- 1.2 At its Budget setting meeting on 28 February 2018 North Ayrshire Council agreed to develop the introduction of Decriminalised Parking Enforcement (DPE) and the introduction of car parking charges.
  - 1.3 A previous project undertaken in 2011/12 identified that the introduction of DPE was not financially viable on its own and would require to be supported by the introduction of car parking charges. Consequently, the introduction of DPE was not taken forward at that time.
  - 1.4 Parking offences in North Ayrshire are therefore still a criminal offence and any violation of parking restrictions are only enforceable by Police Scotland. The Road Traffic Act 1991 permits local authorities to apply for the legal powers to take over the enforcement of on-street, as well as off-street, car parking regulations from Police Scotland. In areas where DPE has been granted parking offences become civil offences enforceable by the local authority.
  - 1.5 A Project Steering Group, comprising of officers from Roads, Economy & Communities, Legal, Finance, Communications and Customer Services was established to oversee and co-ordinate the development of a proposal to introduce car parking charges and to introduce DPE. The Steering Group has met with Transport Scotland's Policy Section who have provided guidance on the statutory process the Council requires to follow to apply for DPE powers. Feasibility studies for the introduction of car parking charges and DPE have been undertaken and reports on their outcomes prepared which have informed the proposals in this paper.

## **2. Background**

- 2.1 Since the withdrawal of the Traffic Warden Service by the Police in 2012, the enforcement of parking violations has reduced significantly and is now generally only undertaken by the Police in response to complaints or issues of obstructive parking. This has led to a significant increase in visible parking violations and poor parking behaviours and an increase in complaints to the Council who are currently powerless to take any enforcement action.
- 2.2 The Town Centre Parking Strategy (July 2014) was developed to ensure a consistent and coherent approach to parking which enhances and supports the local economy. This identified the need to manage the availability of parking through the introduction of short stay parking in selected car parks in Irvine, Kilwinning and Saltcoats. This aimed to increase the turnover of spaces to ensure adequate provision of parking spaces and support town centre activities.
- 2.3 This was introduced on a voluntary basis in November 2016 in the five selected car parks listed below. This approach aimed to provide the opportunity for the Council to encourage good practice and change parking behaviour without introducing enforcement measures. It was implemented through the installation of signage stating "Short stay parking only, maximum stay three hours" at the following locations:
  - Bridgegate, Irvine;

- Kirkgate, Irvine;
- Oxenward East, Kilwinning;
- Oxenward West, Kilwinning; and
- Vernon Street, Saltcoats.

As the introduction of the short stay parking limit was advisory, it relied on user compliance with the signage. Surveys of car park usage established that this had some initial success in terms of compliance including a desired increase in the turnover of vehicles and in the numbers visiting per day. Subsequent surveys later established that without enforcement, compliance and associated improvements had declined. This approach has therefore not achieved the required change in parking behaviour. To ensure compliance with short stay parking restrictions and generate the desired turnover of available parking spaces in our town centres to support town centre activities, enforcement is required.

2.4 Decriminalised Parking Enforcement (DPE) is a regime which enables the local authority to administer parking penalties, including the issuing of Penalty Charge Notices (PCNs) to vehicles. In areas with DPE, stationary traffic offences cease to be criminal offences enforced by the Police and instead become civil penalties enforced by the local authority. Local authorities retain the income from penalty charges from on and off-street parking offences. Any surpluses are used firstly for the provision and maintenance of off-street parking facilities and secondly for road improvement and public transport purposes in the local authority area.

2.5 Currently 21 out of 32 local authorities in Scotland have put DPE in place. The main benefits of acquiring parking enforcement powers are:

- A co-ordinated parking enforcement service will be established;
- Compliance levels will improve;
- Overall improved environmental conditions including safer traffic conditions, and less pollution due to better traffic circulation;
- Parking enforcement would become more locally accountable, consistent and adaptable to local needs;
- Enhanced levels of enforcement for future parking controls:
  - (i) to tackle indiscriminate parking near schools;
  - (ii) for residents parking schemes; and
  - (iii) for disabled parking bays
- Support for public transport and active travel initiatives through encouragement to consider alternatives to the private car;
- Improved safety for pedestrians and vulnerable groups;
- Enhanced turnover of parking in town centres to provide more short stay parking opportunities for shoppers, service users and long stay parking for the business community;
- Improved conditions for servicing (i.e. delivery vehicles), particularly through reduced competition for road space.

2.6 While the principal objective of introducing DPE in North Ayrshire is to improve compliance with parking regulations and the efficiency of the parking operation a Business Case previously developed in 2011/12 found that DPE would not be financially viable without the support of introducing car parking charges and the proposal was therefore not taken forward at that time.

- 2.7 The proposed introduction of car parking charges along with DPE will ensure a consistent and coherent approach to parking that meets the objectives of the Town Centre Car Parking Strategy in managing prime town centre parking spaces to ensure there is a turnover of sufficient parking spaces. The Council's car parking strategy does not currently support either off street or on street car parking charges. It is recognised that there are significant drivers for a change to this policy to ensure that it continues to meet the identified objectives. These include: increasing parking pressure within town centres; increasing reliance on cars for everyday journeys; decreasing patronage on public transport; ensuring that ongoing enforcement is economically viable; and reducing revenue budgets for the management and maintenance of car parks. The Strategy will therefore require to be reviewed and amended should Cabinet approve this proposal. It is also noted that the recent consultation on the forthcoming Transport Bill proposed the introduction of powers in relation to double and pavement parking for local authorities for which enforcement arrangements may be required.
- 2.8 While the previous study into the introduction of DPE proved not to be financially viable on its own, further work has now recently been undertaken which confirms the introduction of car parking charges together with DPE could potentially generate a net income stream of approximately £350,000 per annum. The income generated from penalty charges from on and off-street parking violations must be retained to finance the operation, enforcement and adjudication of the DPE regime. Car parking income should firstly be used to manage and maintain the car park infrastructure and enforcement, thereafter any surpluses can be used for other Council initiatives, for example road improvements, road safety projects or active travel schemes.
- 2.9 To obtain DPE powers the Council must follow a statutory process and make an application to Scottish Government. Transport Scotland assesses DPE applications on behalf of Scottish Ministers. Provided Ministers are content, Scottish Statutory Instruments are then drafted which will decriminalise parking offences and allow the local authority to take over enforcement from the Police. The process for applying for DPE can take up to 18 months and is set out as follows:
- Local authority undertakes DPE feasibility study (draft study completed)
  - Local authority prepares draft application
  - Local authority consults locally on draft proposals
  - Local authority submits draft application to Transport Scotland
  - Transport Scotland replies to local authority with comments, and begins to prepare the necessary Scottish Statutory Instruments (SSIs)
  - Local authority reviews comments and submits final application to Transport Scotland
  - Transport Scotland considers final application, and finalises SSIs
  - Subject to Ministerial approval, Transport Scotland consults on draft SSIs
  - Transport Scotland notifies Ministers of the consultation outcome and finalises SSIs
  - Subject to Ministerial approval, SSIs are made and laid before the Scottish Parliament
  - Provided there are no objections raised, SSIs come into force
- 2.10 A Project Steering Group was established, and officers met with Transport Scotland's Policy Officer last year to discuss the process for obtaining DPE powers.
- 2.11 The Project Steering Group set up a working group to progress operational matters concerning the introduction of DPE and Car Parking Charges. Due to limited in-house

resources, specialist expertise was obtained from our Framework Consultant RPS to provide feasibility reports into the Introduction of DPE and Car Parking Charges.

- 2.12 A financial assessment of introducing DPE has identified options for in-house and external operation of a DPE regime within the North Ayrshire area. The financial models show that DPE on its own is not financially viable, with in house operation of the controls costing an estimated £121,000 per annum net, after income from penalty charges.
- 2.13 A financial assessment of introducing car parking charges in our car parks has also been carried out to identify the expected cost of necessary infrastructure, management and operational running requirements. Furthermore, the assessment also identifies:
- a range of charging times and differing tariffs.
  - recommendations on which off-street car parks should be included within the charging scheme, considering potential revenue generated, enforcement requirements, location, infrastructure costs and maintenance.
  - full financial assessment of the introduction of car parking charges
- 2.14 On reviewing the feasibility assessments, local circumstances and taking account of the Council's current Town Centre Car Parking Strategy, a 'one size fits all' approach is not appropriate. Each town and village has been considered and each has a unique infrastructure and usage pattern. No two towns have the same traffic flow conditions. In addition, we require to assess the impact of the Dalry bypass on traffic in the Garnock Valley.
- 2.15 It is therefore not considered appropriate to introduce car parking charges at the current time within Skelmorlie, West Kilbride, Fairlie, Millport, Lochranza, Lamlash, Whiting Bay (and other villages on Arran – with exception of Brodick), Ardrossan, Stevenston, Beith, Kilbirnie, Dalry, Barmill, Glengarnock, Dreghorn or Springside. Whilst it is not proposed to introduce car parking charges at these towns and villages at the current time the introduction of DPE powers will facilitate the control of parking behaviour within all towns and villages through the enforcement of existing on street parking waiting restrictions. This will improve existing parking behaviour and create an increased availability of town centre parking for those wishing to visit the town and village centres for a few hours or less. Whilst it is not intended to introduce car parking charges within these towns and villages at this time, this will be kept under review to monitor the effectiveness of the introduction of DPE powers. Existing on street parking restrictions and local needs will also continue to be monitored with local Ward Elected Members going forward to identify any required amendments to existing controls.
- 2.16 It is recommended at this time that car parking charges be introduced at the identified short stay car parks in Irvine, Kilwinning, Saltcoats and Largs, and for on street parking at Brodick as shown in Appendix 1. Free parking will however be retained in all other car parks. This approach will ensure the provision of parking spaces to support town centre activities and achieve the Parking Strategy objectives.

### **Irvine**

- 2.17 In Irvine consideration was given to the specific traffic dynamics of the town and current parking behaviour. There is regularly a lack of available short stay parking within the town centre and on street parking restrictions are not being adhered to. There is however parking available at a number of locations. It is proposed to introduce parking charges in 3 town centre car parks at Kirkgate, West Road and East Road. This equates

to approximately 10% of the available parking within the Town, therefore the majority of parking will remain free of charge. Current on street restrictions will also be enforced via DPE powers to ensure the appropriate use of all available parking. Officers will meet with Irvine Ward Members to agree local needs, including a review of current on street parking restrictions and the need for Resident Parking Permits as a result of displacement following the introduction of car parking charges and introduction of DPE controls. These controls will contribute to an increased availability of town centre parking spaces for use by visitors to the numerous town centre businesses and facilities whilst the retention of free long stay parking will be available for those wishing to visit all day or to park whilst at work, whilst also meeting the needs of town centre residents.

### **Kilwinning**

- 2.18 Kilwinning has unique circumstances with very limited town centre on street parking, a busy college and a restricted vehicular access to the Main Street. Whilst existing car parks at Oxenward are designated as voluntary short stay car parks, these provisions are not being adhered to. All these factors contribute to a lack of available short stay parking spaces to service the town centre. There are also several residential properties within the town centre. It is proposed to introduce car parking charges in 2 car parks, these being at Almswall Road and one of the car parks at Oxenward, with the remaining Oxenward car park being designated as a free long stay car park. Free short stay parking (up to 1 hour) will also be provided at Oxenward. Officers will meet with Kilwinning Ward Members to agree local needs, including a review and agreement of the most suitable car park to charge in at Oxenward, agree the specifics of the introduction of some free short stay (up to 1 hour) parking, and review the need for Resident Parking Permits. These controls will contribute to an increased availability of town centre parking spaces for use by visitors to the numerous town centre businesses and facilities whilst the retention of free long stay parking will be available for those wishing to visit all day or to park whilst at work, whilst also meeting the needs of town centre residents.

### **Saltcoats**

- 2.19 The town centre car parks within Saltcoats are well used and tend to be subject to all day parking which reduces the availability of car parking spaces for visitors wishing to spend a few hours or less in the centre. There is regularly a lack of available short stay parking within the town centre and on street parking restrictions are not being adhered to. There is however parking available at several locations. It is therefore proposed to introduce short stay car parking charges in the car parks at Vernon Street, Bradshaw Street, Windmill Street and Kirkgate. Current on street restrictions will also be enforced via DPE powers to ensure the appropriate use of all available parking. Officers will meet with Saltcoats Ward Members to agree local needs, including a review of current on street parking restrictions and the need for Resident Parking Permits as a result of displacement following the introduction of car parking charges and introduction of DPE controls. These controls will contribute to an increased availability of town centre parking spaces for use by visitors to the numerous town centre businesses and facilities whilst the retention of free long stay parking will be available for those wishing to visit all day or to park whilst at work, whilst also meeting the needs of town centre residents.

### **Largs**

- 2.20 A review of current parking behaviour and traffic flow within Largs confirms the town is extremely busy and particularly at weekends. Currently there are local arrangements in place to assist with the management of available parking spaces during busy summer weekends through the introduction of parking marshals. The marshals do not have any

enforcement powers but have been successful in assisting drivers in locating available parking within the town. The Largs shorefront car park is well used and is currently operated on a pay and display basis. There is regularly a lack of available short stay parking within the town centre as existing on street parking restrictions are not being adhered to. It is proposed to introduce short stay parking charges in Gateside Street car park. With the introduction of DPE powers the existing on-street parking restrictions will also be better controlled to create a turnover of town centre parking spaces. Officers will meet with North Coast Ward Members to agree local needs, including a review of on street restrictions and the need for Resident Parking Permits following the introduction of car parking charges and DPE controls.

- 2.21 Within Largs, an opportunity has also become available to negotiate the purchase of an area of land adjacent to Bellman's Close. A business case has been developed to assess the financial viability of purchasing the site to operate as a fee-paying car park which has identified an anticipated 3.5 years payback period on the initial investment. Officers are currently pursuing the purchase of this ground which will be operated as a "Pay and Display" car park and will assist in the provision of 15 car parking spaces within the town centre.
- 2.22 Where future opportunities are identified for the provision of new additional parking in other towns or villages, these will be considered on a self-financing basis. A business case will be developed for each location being considered to review costs and potential payback period for the required investment. Income to offset costs will be generated from the introduction of car parking charges on any identified sites.

### **Brodick**

- 2.23 The Island of Arran is a well visited tourist destination and attracts a number of cars and other vehicles, particularly since the introduction of the Road Equivalent Tariff (RET). The existing on street parking available at Brodick shorefront is well used by both visitors and residents of the island. It is proposed to introduce seasonal parking charges along Brodick Shorefront to meet the needs of tourists and visitors. Officers will also meet with Ward Members to discuss local needs including the introduction of an Islander Parking Permit scheme for the Brodick shorefront on street parking area where an "all-day" tariff will also be considered and introduced. It is anticipated this will provide for enhanced turnover of vehicles parked on the shorefront whilst still facilitating island resident parking needs when choosing to leave their cars on the island whilst visiting the mainland.
- 2.24 The proposed short stay parking tariff will be introduced between 9:00am and 5:00pm Monday to Friday. Parking charges will be introduced 7 days a week in Largs and Brodick due to high visitor numbers at weekends. Charging in Brodick to be seasonal from April to October and will include an all-day parking tariff. Free parking will be retained for Blue Badge Holders in all car parks. Location plans of the proposed locations where car parking charges are to be introduced are shown in Appendix 1. The suggested tariffs are:

Proposed Tariff	
Time (Mins)	Short Stay
60	£1.00
120	£1.50
240	£3.00
All Day	Not Permitted

Whilst the proposed introduction of car parking charges at identified locations, together with the introduction of DPE powers, will facilitate several benefits, an income will also be generated. Based on the above suggested tariff being introduced, an annual gross income of approximately £471,000 is predicted. It is estimated that the annual revenue costs associated with the introduction of DPE will be £121,000 per year. These costs will be offset against the predicted income from car parking charges, therefore the potential net income is estimated to be £350,000 per year.

- 2.25 The financial assessments show that outsourcing the operation of the DPE regime is the most economical model, however this option comes with its risks. The Council would be required to control and monitor the contractor, in certain areas overzealous enforcement has been reputationally damaging and the contractor's commercial strategy may not align with the Council's wider corporate objectives. Consequently, it is recommended that enforcement is retained in-house, together with the requirement for the administration and processing of PCNs.
- 2.26 To implement and manage the DPE and car parking charges regime additional management and enforcement staff will be required. It is considered that the Council will require to create the positions of a new Parking Manager who would be supported by an enforcement team comprising a 1 Supervising Parking Attendant and 5.7 FTE Parking Attendants. This will enable 130 hours of on and off-street enforcement. Shift working will be required for the Parking Attendants to ensure enforcement can be delivered over the full week across North Ayrshire.
- 2.27 It should be noted that both East Ayrshire and South Ayrshire Councils operate a DPE regime. East Ayrshire Council have recently completed a review of parking within their area. They currently only apply parking charges in Kilmarnock from which they generated an income of £1.273 million in 2017/18. They have recently approved an increase in the parking charges to £1 per hour to a maximum of £5 in their long stay car parks and discarded their existing short stay car parks and introduction of an £8 tariff for all day parking in their existing short stay car parks. East Ayrshire are also considering the introduction of parking charges on Saturdays and extending the car parking charges into other towns. South Ayrshire currently only charge for parking in Ayr but are considering extending charging into Prestwick and Troon.
- 2.28 It will be necessary to introduce car parking charges at the same time as DPE powers as the income required from car parking charges is essential to make the introduction of DPE viable. The statutory process for DPE will take an anticipated 18 months. It is not considered appropriate to introduce car parking charges before DPE powers are available. The parking enforcement powers are essential to ensure the control of displacement of cars on to adjacent streets and any increase in poor parking practices. It is therefore considered appropriate to introduce DPE and car parking charges at the same time. It is also hoped that the nominal fee structure will encourage the use of the short stay facilities by shoppers and visitors, whilst the long stay parking will be available for those working in our town centres.

2.29 An exercise is also necessary to review our existing restrictions and Traffic Regulation Orders and to ensure existing road markings and sign plates are compliant to enable enforcement of on street parking restrictions. Car park directional signage will also be reviewed and further improved as necessary within towns.

2.30 Displacement of vehicles from car parks and by controlling existing on street parking restriction compliance will potentially result in a number of requests for Resident Parking Permit schemes to be introduced to combat indiscriminate parking in residential locations close to the town centres. Resident parking schemes will therefore require to be designed. It is also likely that there will be an increase in on street parking when charging is first introduced, however this will reduce, as acceptance of the charging regime grows. Meetings will be held to consider parking restrictions to control displacement into residential streets close to the town centres. Officers will meet local Elected Members on a Ward basis to review local circumstances.

2.31 The next stages in the process are:

- Submit draft application for DPE to Transport Scotland
- Recruitment of a Parking Manager
- Meet local Ward Members to review local circumstances
- Undertake review and consolidation of Traffic Regulation Orders
- Submit finalised application for DPE to Scottish Government
- Promote the Traffic Regulation Order to enable charging in our off-street car parks
- Promote the Traffic Regulation Order to enable charge on-street in Brodick
- Consider any objections to the Traffic Regulation Orders
- Review options for back office and administrative support
- Consultation and engagement
- Review of cashless technology for parking charges
- Procurement of car parking charges infrastructure
- Installation of car park charging infrastructure
- Recruitment of enforcement staff and back office support

2.32 In order to progress this project it is recommended that the recruitment of the necessary Parking Manager required to manage the DPE regime and charging within our car parks is now progressed.

### **3. Proposals**

3.1 It is proposed Cabinet agree that an application seeking the introduction of Decriminalised Parking Enforcement across the North Ayrshire Council area will be finalised and submitted to Scottish Government

3.2 It is proposed Cabinet agree to the introduction of car parking charges at identified short stay car parks and identified on street parking at Brodick as detailed in Appendix 1.

3.3 It is proposed Cabinet agree that a review of the current Town Centre Car Parking Strategy in support of proposals to introduce car parking charges will be carried out.

- 3.4 It is proposed Cabinet notes the proposed recruitment of a Car Parking Manager to progress the introduction of car parking charges and application for Decriminalised Parking Enforcement.
- 3.5 It is proposed Cabinet agree that there will be further engagement with local Ward members, to review existing parking restrictions, potential vehicle displacement and the introduction of resident parking permit schemes as appropriate.
- 3.6 It is proposed Cabinet agree that officers will proceed with the necessary Traffic Regulation Orders required to introduce parking charges in the designated car parks, and on-street in Brodick.
- 3.7 It is proposed Cabinet notes the next steps as outlined in paragraph 2.31 and agree to receive progress update reports as appropriate

#### **4. Implications/Socio-economic Duty**

<b>Financial:</b>	It is estimated that the annual revenue costs associated with the introduction of DPE will be £121,000 per year. These costs will be offset against a predicted income of £471,000 by introducing car parking charges in our short stay car parks and on-street in Brodick, therefore the potential net income is estimated to be £350,000 per year. Costs associated with land purchase at the available site in Largs at Bellman's Close and associated pay and display infrastructure will be met from the existing General Fund Capital Programme.
<b>Human Resources:</b>	The introduction of DPE and Car Parking Charges will require the creation of a new Parking Manager supported by a number of Enforcement Officers.

<b>Legal:</b>	Legislation contained in The Road Traffic Act 1991 enables local authorities to decriminalise parking offences and allows local authorities to introduce their own parking penalty regime. A Traffic Regulation Order will be required to consolidate our on-street parking restrictions and a Traffic Regulation Order will be required to introduce parking charges in our car parks. Any further on street parking restrictions will also require a Traffic Regulation Order to be approved.
<b>Equality/Socio-economic Duty:</b>	Improved car parking opportunities and better management of parking would improve accessibility to town centres for all.
<b>Children and Young People:</b>	Enhanced levels of enforcement will contribute to improvements in road safety.
<b>Environmental &amp; Sustainability:</b>	The introduction of DPE and car parking charges supports improved environmental conditions, including improved traffic management and safer traffic conditions. Reduced pollution due to less illegal parking and better circulation of traffic and increased attractiveness of sustainable travel across North Ayrshire, which could result in increased use of public transport and reduced travel by car will reduce carbon emissions and improve air quality.
<b>Key Priorities:</b>	The introduction of DPE and car parking charges will contribute to the Council's key priorities contained in the draft new Council Plan relating to growing our economy, increasing employment and regenerating towns through the creation of improved turn over in parking spaces in town centres and new and improved opportunities for sustainable and active travel to key employment areas, town centres, services and local attractions.
<b>Community Benefits:</b>	Improved availability of car parking enhances and supports town centre economy.

## 5. Consultation

- 5.1 The Policy Advisory Panel were consulted on the proposals at a Special Advisory Panel Meeting held on 29 May 2019.
- 5.2 Consultation with key stakeholders and businesses will be necessary as part of the statutory process of applying for DPE.

- 5.3 Engagement with local Elected Members on a ward basis will be carried out to review existing parking restrictions, potential vehicle displacement and the introduction of resident parking permit schemes as part of the introduction of car parking charges and DPE controls.

RUSSELL McCUTCHEON  
Head of Commercial Services

For further information please contact **Campbell Dempster, Senior Manager (Network)**, on **01294 324845**.

**Background Papers**

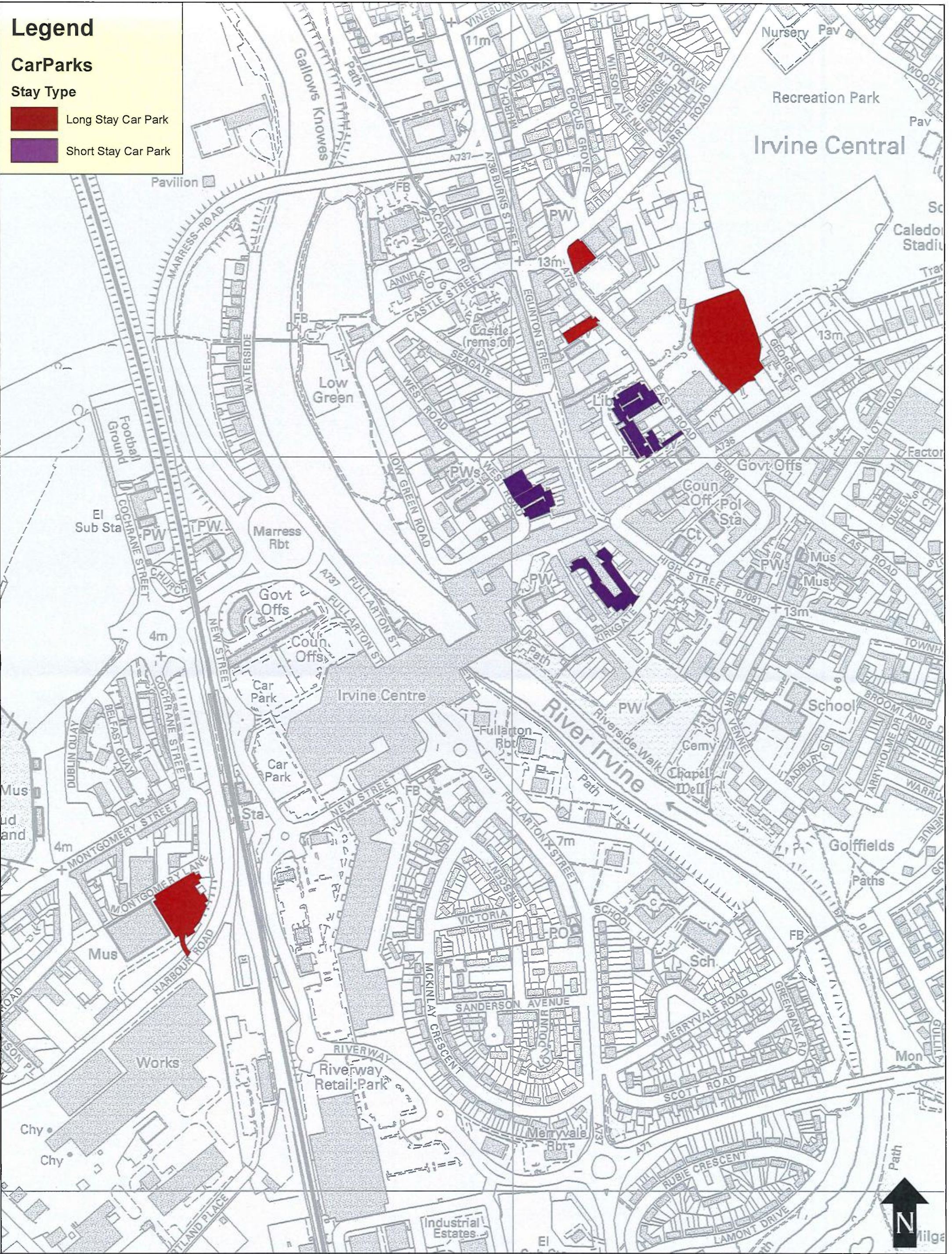
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Legend

CarParks

Stay Type

- Long Stay Car Park
- Short Stay Car Park



Title:  
Irvine  
Traffic Orders  
Long / Short Stay Car Parks

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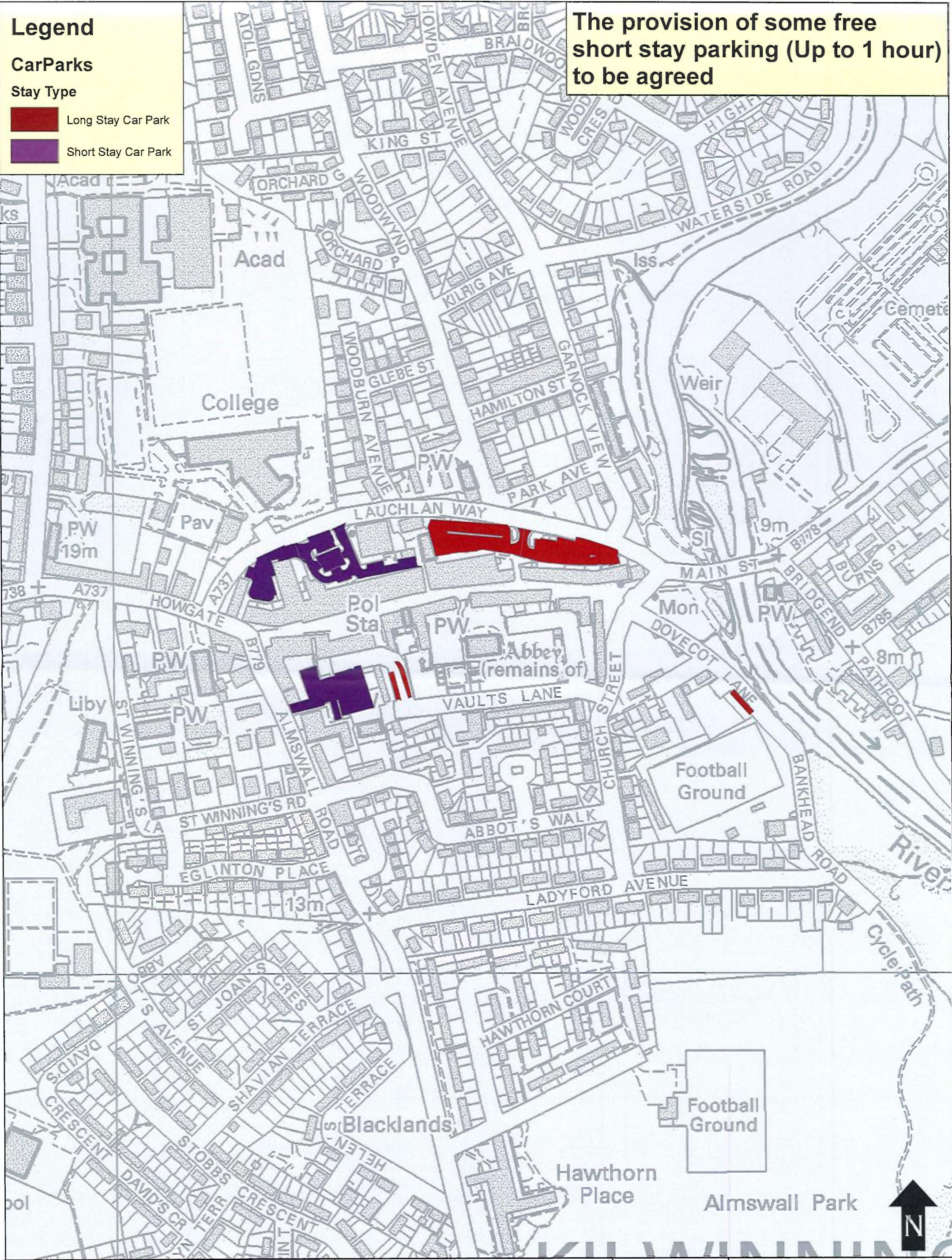
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CarParks

Stay Type

- Long Stay Car Park
- Short Stay Car Park

The provision of some free short stay parking (Up to 1 hour) to be agreed



Title:  
Kilwinning  
Traffic Orders  
Long / Short Stay Car Parks

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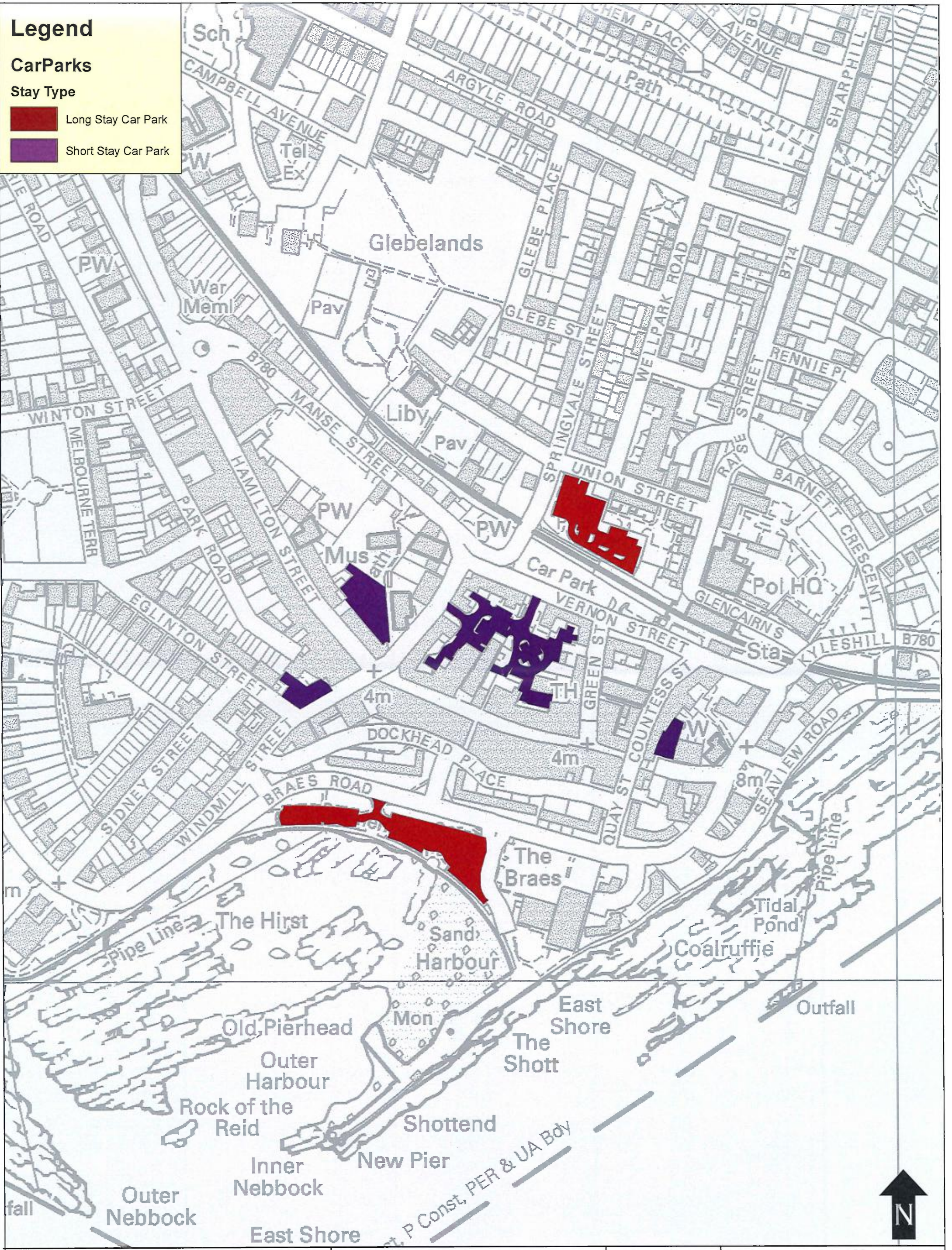
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CarParks

Stay Type

- Long Stay Car Park
- Short Stay Car Park

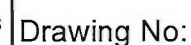


Title:  
Saltcoats  
Traffic Orders  
Long / Short Stay Car Parks

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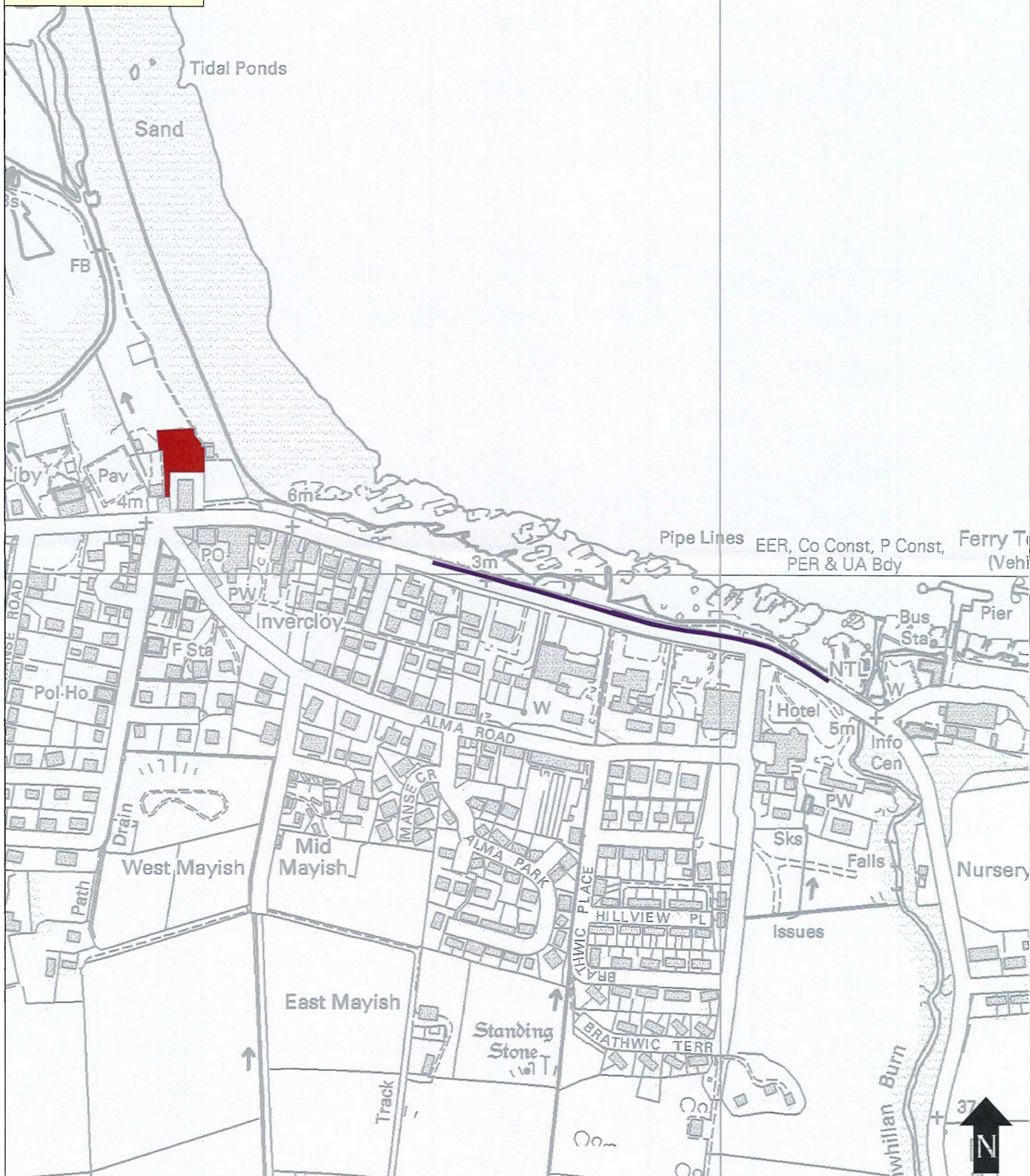
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# Legend

## CarParks

### Stay Type

- Long Stay Car Park
- Short Stay Car Park



Title:

Brodick  
Traffic Orders  
Long / Short Stay Car Parks

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**NORTH AYRSHIRE**  
COUNCIL  
Commercial Services  
Roads

Section: Asset Management

Date: 23 May 2019

Scale: 1:3,500

Drawing No:

## **NORTH AYRSHIRE COUNCIL**

Audit and Scrutiny Committee

27 June 2019

Consideration of Call In Request re Cabinet decision of 11 June 2019 re:

### **Decriminalised Parking Enforcement and the Introduction of Car Parking Charge**

#### Overview

At the Council's budget setting meeting in February 2018, it was agreed that a proposal to introduce decriminalised parking enforcement and car parking charges would be developed.

Cabinet considered the attached report seeking approval to progress with the submission of an application to the Scottish Government for Decriminalised Parking Enforcement powers in the North Ayrshire Council area and to introduce car parking charges in the identified short stay car parks in Irvine, Kilwinning, Saltcoats, Largs and on-street in Brodick.

#### Proposal

Approval was sought to agree an application would be submitted to the Scottish Government to introduce Decriminalised Parking Enforcement (DPE) in the North Ayrshire Council area, to review the current Car Parking Strategy in support of the proposals to introduce car parking charges, to agree that there would be further engagement and that officers would meet with members on a ward basis to agree local needs. This would include a review of parking restrictions, displacement and need for resident parking permit schemes, to refine the parking regime and to agree that officers proceed with the necessary Traffic Regulation Orders required to introduce parking charges in the designated car parks and on-street in Brodick.

#### Supporting information

A proposal was presented to the Policy Advisory Panel to seek Member views. The initial proposal had included introducing short stay car parking in 3 car parks in Lamlash and introducing short stay car parking along Brodick sea front.

There were some concerns expressed by Members regarding displacement of cars into residential streets close to the town centres. The Arran Members raised concerns regarding introducing car parking charges in the car parks in Lamlash which would impact on local businesses and on street in Brodick as this was mainly used by islanders when travelling to the mainland.

In view of the concerns the proposal to introduce charging in the 3 car parks in Lamlash was dropped and it was agreed to introduce an Island Parking Permit Scheme on Arran so that island residents would not be disadvantaged by the proposal.

There are a number of benefits associated with introducing decriminalised parking enforcement and parking charges including:-

- i A coordinated local parking enforcement service which is more locally accountable consistent and adaptable to local needs
- ii Enhanced levels of enforcement to address concerns such as indiscriminate parking near schools
- iii Increased turnover of parking in town centres to provide readily accessible short stay parking through the enforcement of existing on street time restrictions.

The Council's officers will meet with Members on a ward basis to discuss local needs such as resident parking permits schemes, to review the current on street parking restrictions and make amendments as considered necessary.

### Specific Queries

The introduction of decriminalised parking enforcement has overarching benefits for the whole of North Ayrshire. However the introducing of decriminalised parking enforcement on its own would cost the Council £121,000 per annum. Therefore income from parking charges is necessary to operate the regime.

Police Scotland are supportive of the Council introducing DPE as they do not have adequate resources to address the current abuse of car parking restrictions.

The Council wants Arran to remain an attractive visitor destination and recognise the needs of island residents. The introduction of the new ferry is anticipated to increase visitors to Arran and it is important to future proof arrangements for the anticipated increase in visitor numbers.

As contained in the Cabinet report it is recognised that “a one size fits all” approach to the introduction of decriminalised parking enforcement and car parking charges is not appropriate.

Local Ward Members will play a key role in co-designing and co-developing arrangement to help address local needs such as reviewing current on street restrictions, long and short stay parking, potential vehicle displacement and island parking permit schemes.

### Conclusion

This proposal would allow the Council to provide a coordinated parking enforcement service throughout North Ayrshire based on local needs. It is recognised that Local Ward Members have a key role to play in co-designing and co-developing local controls to mitigate potential community concerns. Officers will work with ward members to develop local controls.

**Russell McCutcheon**  
**Head of Commercial Services**  
**North Ayrshire Council**