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<b>Report To:</b>	<b>Environment and Regeneration Committee</b>	<b>Date:</b>	<b>12 January 2017</b>
<b>Report By:</b>	<b>Corporate Director Environment, Regeneration and Resources</b>	<b>Report No:</b>	<b>ECR/ENV/RG/16.292</b>
<b>Contact Officer:</b>	<b>Robert Graham</b>	<b>Contact No:</b>	<b>1058</b>
<b>Subject:</b>	<b>Kilmacolm Traders – Parking Disc Zone</b>		

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## 1.0 PURPOSE

- 1.1 The purpose of this report is to update the Committee on the meetings that took place with regard to the request from the Kilmacolm Traders to abolish the parking disc zone in the village and the concerns raised by Kilmacolm Community Council (KCC) with regard to this matter.

## 2.0 SUMMARY

- 2.1 On 27 October 2016 the Committee considered a request from Councillor McCabe to consider a letter dated 3 October 2016 from Kilmacolm Traders calling for the abolition of the parking disc zone in the village.
- 2.2 The Committee agreed that Officers should meet with the Kilmacolm Traders to clarify their concerns and report back to the next meeting of the Committee.
- Separately KCC had raised their concerns with regard to the proposals from the Kilmacolm Traders and it was agreed to seek clarification on their concerns on this matter.
- 2.3 Meetings took place with the representative of Kilmacolm Traders on 3 November 2016 and on 15 December 2016 seeking clarification on their request.
- 2.4 Separately a meeting took place with representatives of KCC on 14 December 2016 to seek clarification on their views on the request put forward on behalf of Kilmacolm Traders.
- 2.5 The Committee is asked to note the recommendations below as a result of the above meetings and consideration of the options outlined in 7.1.

## 3.0 RECOMMENDATIONS

- 3.1 That the Committee note the contents of the report and the options which were considered.
- 3.2 That the Committee note that amendments will be made to the information map to improve the detail contained within it.
- 3.3 That the Committee note that Officers will consider the options available to improve the signage at the boundaries to the disc zone and will implement where possible.
- 3.4 That the Committee note that Officers do not support any changes to the current limited waiting restrictions within Kilmacolm.

Robert Graham  
Head of Environmental & Commercial Services

## **4.0 BACKGROUND**

- 4.1 On 27 October 2016 the Committee considered a request from Councillor McCabe to consider a letter from Kilmacolm Traders calling for the abolition of the parking disc zones in the village.
- 4.2 The Committee agreed that Officers should meet with the Kilmacolm Traders to clarify their concerns and report back to the next meeting of the Committee.
- 4.3 It was also agreed that Officers would meet with KCC as they had requested that the Council should not concede or reject out of hand the letter from the Kilmacolm Traders and that KCC be consulted on this matter.

KCC also noted that there was some dissatisfaction within KCC that they were not formally made aware of the letter or that it was to be considered by the Committee.

## **5.0 CONSULTATION**

- 5.1 Meetings were held with Mr James Kelly on behalf of Kilmacolm Traders on 3 November 2016 and 15 December 2016 to clarify the contents of his letter and its attachment, signed by 20 traders, to Councillor McCabe.
- 5.2 Mr Kelly confirmed that the request was primarily confined to the “timed Disc Control System” which they deemed wholly unsuitable for the village environment and, to avoid a further damaging drop off in business footfall, required that it and the waiting restriction of 2 hours be removed as soon as practical.  
Further discussions on this clarified that removal of the need to use parking discs would, on its own, satisfy the Kilmacolm Traders.
- 5.3 Other points raised by Mr Kelly included the lack of visibility of the signs displaying the disc zone boundaries and the lack of clarity as regards the information map which provides an overview on the waiting restrictions within the village.
- 5.4 Mr Kelly confirmed the general view of the Traders, which is expressed in their correspondence, that the parking scheme has had a detrimental effect on the village by way of atmosphere and the significant drop off in footfall within local businesses. He also cited visitors surprise that such a small village would have a “timed parking control system” and that some customers had vowed “never to return” to the village having been penalised for the non-display of a parking disc.
- 5.5 At a meeting with representatives of KCC on 14 December 2016 it was made clear that they were not in support of removing the waiting restrictions. They did, however, have a number of issues that they wished addressed. These included a more detailed information map and improved signs displaying the disc zone boundaries. They also expressed their concerns about the need for more off-street parking to be made available.

## **6.0 OTHER CONSIDERATIONS**

- 6.1 Members will recall that an Independent Reporter was appointed to hear a number of maintained objections to the Council’s proposed Traffic Regulation Orders as a result of the implementation of Decriminalised Parking Enforcement within Inverclyde.
- 6.2 The Hearing was held on 8 April 2014 and chaired by the Reporter, Mr Gerry Farrington.
- 6.3 A number of these objections were raised by KCC.
- 6.4 In his findings, the Reporter noted that the retail and servicing vibrancy of Kilmacolm combined with the high car ownership in the area reflected in the amount of traffic using its

street, the heavy demand for parking and the lack of observance of the parking restrictions. **Given the busy traffic conditions, it is obvious that the village is a place in need of an effective parking scheme and it is unrealistic for objectors to argue otherwise.**

The Reporter goes on to state that along the frontages the enforcement of the restrictions should improve the opportunities for short-term parking. Given the convenient distances in the compact village centre, the 30-minute waiting time applying to on-street parking bays should help to ensure the continuing vitality of the retail businesses. **Observance of the restrictions should also address obstructive parking at junctions and kerb crossings: thus making for a much safer and convenient shopping environment.**

The Reporter further advises that the enforcement of the TRO will remove the illegal parking that forces delivery drivers to double-park in order to unload their vehicles. During his inspection he witnessed the obstruction to the traffic flow that occurs due to the frequent double parking of delivery lorries. He saw how without the kerbside space to unload delivery drivers have to park their vehicles on the double yellow lines blocking the visibility for motorists exiting the Cargill Centre car park. **It is imperative that the 'no waiting' restrictions are enforced to prevent serious road accidents occurring at this location and elsewhere in the village centre.**

- 6.5 As a result of further consultation with the community including KCC it was proposed to increase the on-street limit from 30 minutes to 2 hours in recognition of the social element enjoyed by much of the community when shopping in the village.

Formal consultation commenced on 18 November 2015 with a closing date for objections to be lodged by 9 December 2015.

KCC formally advised that they had no objections or comments to make on this proposed TRO.

No legal challenges were received to the TRO and the effective date for implementation was 11 April 2016.

This TRO also introduced the use of a disc zone as a result of the variation from the existing 30 minute waiting restriction to a 2 hour waiting restriction, in accordance with the approved Parking Strategy.

## 7.0 OPTIONS

- 7.1 There are a number of points and options that are considered below which specifically relate to on-street waiting restrictions in Kilmacolm.

1. Consider enforcement of the 2 hour time limit without the need to display a parking disc for a trial period
2. Consider suspending the enforcement of the 2 hour waiting restriction for a trial period
3. Consider improved signage at the boundaries to the disc zone
4. Consider improvements to the information map detailing the general limited waiting restrictions
5. Consider increasing the time limit from 2 hours to 3 hours

- 7.2 Consider enforcement of the 2 hour time limit without the need to display a parking disc.

As part of the Council's Parking Strategy it was agreed that where TRO's resulted in waiting restrictions being greater than 30 minutes, then parking discs would be the method of monitoring and regulating these particular limited waiting restrictions. The requirement to display a parking disc is part of the TROs which have limited waiting restrictions greater than 30 minutes.

To consider enforcing limited waiting restrictions without the requirement to display a parking disc would be a fundamental departure from the Parking Strategy and may, in fact,

expose the Council to a legal challenge if penalty notices were issued as the TRO was proposed on the basis that the disc zone would be the method of regulating the 2 hour on-street waiting restriction on the specified roads.

There is a further complication in that the Council may be open to challenge if, after a trial period, it was decided to promote a permanent TRO for this option. The challenge may be to the effect that the Council has prejudged the outcome of the proposed permanent TRO by implementing this option on a temporary basis.

On the basis of the above it is not recommended that this option is progressed.

#### 7.3 Consider suspending the enforcement of the 2 hour waiting restriction for a trial period.

Given the observations of the Independent Reporter in 6.4 above it is not recommended that the waiting restrictions are not enforced.

#### 7.4 Consider improved signage at the boundaries to the disc zone.

Officers are currently looking at the statutory requirements for sign dimensions and any discretion which would allow improved visibility of the above signs.

#### 7.5 Improve the information map detailing the general waiting restrictions.

Officers will amend the information map to provide more detail with regards to the waiting restrictions.

#### 7.6 Consider varying the time limit from 2 hours to 3 hours.

Detailed consultation was carried out as part of the revised TRO which recommended varying the original waiting restriction from 30 minutes to 2 hours. This was approved having received no objections during its consultation period. The effective date for this TRO was 11 April 2016.

It is not proposed to vary this time limit.

### **8.0 IMPLICATIONS**

8.1 There are no financial implications in relation to this report.

8.2 There are no legal implications in relation to this report provided the recommendations are approved.

### **9.0 CONSULTATIONS**

9.1 The Head of Legal and Property Services has been consulted on the content of this report.

9.2 Kilmacolm Community Council has been consulted with regard to their views on the Kilmacolm Traders' proposals.

9.3 Kilmacolm Traders representative has been consulted on their proposals.