

Report To: Environment & Regeneration Committee **Date:** 2 March 2017

Report By: Corporate Director Environment, Regeneration & Resources **Report No:** ERC/ENV/RG/16.301

Contact Officer: Steven Walker **Contact No:** 01475 714828

Subject: Implications of Removal of the Use of Parking Discs in Kilmacolm

1.0 PURPOSE

- 1.1 The purpose of this report is to advise the Committee of the implications of enforcing the existing two hour time limit in designated on-street parking locations in Kilmacolm without the requirement to display a parking disc.

2.0 SUMMARY

- 2.1 On 12 January 2017 the Committee considered a report regarding the parking disc zone in Kilmacolm.
- 2.2 It was agreed that Officers would bring a further report to this Committee which would detail the implications of enforcing the existing two hour time limit, without the requirement to display a parking disc. This report describes the statutory process which would require to be followed, the practical implications for enforcement and the relationship of Kilmacolm to the wider parking strategy in the context of limited stay on-street parking.

3.0 RECOMMENDATIONS

- 3.1 That the Committee:-
- 1) note the further investigations that have been carried out into enforcement of on-street 2 hour maximum stay parking in Kilmacolm,
 - 2) approve the drafting and promotion of a variation to the Traffic Regulation Order to remove the requirement to display parking discs,
 - 3) approve that a further report be brought back on the outcome of the consultation process associated with the variation to the Traffic Regulation Order which will inform the Committee of the extent of support for the proposal.

Robert Graham
Head of Environmental & Commercial Services

4.0 BACKGROUND

- 4.1 On 12 January 2017 the Committee considered a report regarding the parking disc zone in Kilmacolm which was in response to concerns raised by Kilmacolm Traders who proposed the abolition of the parking disc zone in the village.
- 4.2 One of the outcomes of the above report was that Officers would bring a further report to this Committee which would detail the implications of enforcing the existing two hour time limit, without the requirement to display a parking disc, on a permanent basis.

5.0 IMPLICATIONS OF THE ABOLITION OF THE PARKING DISC ZONE IN KILMACOLM

- 5.1 With regard to the statutory process associated with the removal of parking discs, it would be necessary to promote a variation to the existing Traffic Regulation Order (TRO). This would involve public consultation on a proposed TRO for a period of at least 21 days, consideration of any objections received and, subject to any objections being resolved and withdrawn, submission of a report to the Environment and Regeneration Committee for consideration and any approval to make the TRO.
- 5.2 In terms of the practical operation of the existing 2 hour maximum stay designated on-street parking in Kilmacolm, it is a requirement that Parking Attendants know the arrival time of the vehicle in order to determine whether the vehicle has parked longer than the restriction allows. The current parking disc requirement readily indicates the arrival time of the vehicle as claimed by the vehicle's driver and the Parking Attendant is able quickly to ascertain whether it is appropriate to issue a Penalty Charge Notice.
- 5.3 In the circumstance where a 2 hour maximum stay restriction required to be enforced without a parking disc, the Parking Attendants would carry out enforcement of yellow line restrictions by noting the registration and tyre valve positions on vehicles in the 2 hour limited waiting area and then would leave the location to carry out enforcement duties in other areas. Approximately two hours later Parking Attendants would then require to return to Kilmacolm, carry out a second sweep of the 2 hour limited waiting area comparing registrations and tyre valve positions, and issue PCNs to those vehicles which have been parked for longer than the 2 hour limited waiting period as indicated by the comparison of tyre valve recording. This is a resource intensive step as proof is required of the duration of the stay as opposed to the time parked as claimed by drivers using parking discs as the basis of enforcement.
- 5.4 Officers understand that this tyre valve practice is carried out in some other local authorities. It has also been applied to a limited extent in a car park in Port Glasgow which currently has a restriction on the length of stay but does not require display of a disc.
- 5.5 Enforcement in this manner does carry some risk however as the position the Parking Adjudicator may take on an Appeal in respect of the evidence on tyre valve positions is not certain. If the use of tyre valve positions to determine excess stays is not sustainable through the Appeal process, the only remaining alternative would be to revert to enforcement through continuous observation. Essentially this would involve Parking Attendants witnessing the continuous parking of a vehicle for more than the two hour maximum.
- 5.6 Further consideration has been given to Kilmacolm in the context of location and the relationship to the wider parking strategy. There are a number of specific factors to consider in relation to parking enforcement in this village:
 - There is clearly continued community concern from traders in connection with the impact on businesses and customers,
 - It is recognised that Kilmacolm is separate from the urban area of Port Glasgow, Greenock and Gourock and its parking provision and usage is necessarily of a different nature,

- Designated on-street parking in the village centre is limited with only 32 spaces,
- The typical length of stay in respect of this parking reflects the mix of shops and in the village centre will typically be shorter than is the case in the urban area.

5.7 There is a justifiable case in these circumstances therefore for a different approach to parking enforcement of on-street 2 hour designated spaces than is the case elsewhere in Inverclyde. In essence, an exception could be made in view of the particular locational circumstances associated with Kilmacolm without compromising the wider strategy across the urban area. It would need to be recognised however that should a different approach be taken in Kilmacolm, enforcement would be less frequent in view of the increased resource requirement as described above.

5.8 As discussed in the previous report to this Committee on 12 January 2017, there are clearly mixed views amongst the community on the manner of on-street limited stay parking enforcement. If a permanent change to the current enforcement regime were to be pursued, this could be progressed through the promotion of a variation to the current Traffic Regulation Order. The process of promoting such a variation involves community consultation and the opportunity to make objections. For such a proposal to be successful, therefore, there would need to be a general consensus of support.

5.9 It is therefore recommended that in view of the circumstances as described above with respect to the ability to enforce the limited number of spaces, combined with the unique locational issues associated with Kilmacolm, that a variation to the Traffic Regulation Order to remove the requirement for discs, be drafted and promoted. Through the 21 day public consultation process, the views of the community will be captured and the outcome considered at a future Committee.

6.0 IMPLICATIONS

6.1 Finance

If the Committee agrees to remove the need to display a parking disc in Kilmacolm then there will be a modest saving in the cost of providing parking discs. At this time it is difficult to quantify the cost implications of the removal of the need for parking discs in Kilmacolm. In practical terms it is likely that the 2 hour maximum stay will be enforced less frequently resulting in a mostly neutral impact on resources.

If the Committee agrees to promote a variation to the existing TRO to accommodate the removal of the use of parking discs then there would be costs associated with the statutory process and the need to change existing signing within Kilmacolm. The removal of the use of parking discs would be achieved by the abolition of the parking disc zone in Kilmacolm.

Cost Centre	Budget Heading	Budget Years	Proposed Spend this Report	Virement From	Other Comments
Parking	Revenue	2017/18	5,000	-	-

6.2 Legal

If the Committee agrees to remove the need to display parking discs in Kilmacolm, Legal Services will require to promote a variation to the existing TRO.

6.3 Human Resources

There are no HR implications arising from this report.

6.4 Equalities

There are no equality issues arising from this report.

6.5 Repopulation

There are no direct repopulation implications arising from this report. The consideration of this item has arisen from local representations and the Council is considering its approach in the light of the relevant material factors.

7.0 CONSULTATIONS

7.1 The Head of Legal and Property Services, Head of Safer & Inclusive Communities and the Chief Financial Officer have been consulted on this report.

8.0 LIST OF BACKGROUND PAPERS

8.1 None.