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# Improving Parking in Scotland

## Consultation Analysis Report

May 2018

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## Abbreviations/Glossary

• Automatic Number Plate Recognition	ANPR
• British Parking Association	BPA
• Business and Regulatory Impact Assessment	BRIA
• Closed Circuit Television	CCTV
• Convention of Scottish Local Authorities	COSLA
• Decriminalised Parking Enforcement	DPE
• Department for Transport	DfT
• Disabled Persons' Parking Places (Scotland) Act 2009	DPPPA
• Fixed Penalty Notice	FPN
• General Practitioner	GP
• Heavy Goods Vehicle	HGV
• Information Technology	IT
• Local Authority	LA
• Members of the Scottish Parliament	MSPs
• Parking Scotland Group	PSG
• Penalty Charge Notice	PCN
• Radio Frequency Identification	RFID
• Regional Transport Partnership	RTP
• Road Haulage Association Ltd	RHA
• Service Level Agreement	SLA
• Society of Chief Officers for Transportation in Scotland	SCOTS
• Scottish Disability Equality Forum	SDEF
• The Highlands and Islands Transport Partnership	HITRANS
• Traffic Regulation Order	TRO
• Traffic Signs Manual	TSM
• Traffic Signs Regulations and General Directions	TSRGD
• Transport Scotland	TS
• Ultra-Low Emission Vehicle	ULEV
• Vehicle Excise Duty	VED

## Introduction

Transport Scotland has undertaken a full analysis of the responses to the ‘Improving Parking in Scotland’ public consultation. This sought views on how to address the issues of pavement parking, as well as exploring how best to manage disabled parking provision in Scotland.

### 1.1 Background

Parking policies form an essential part of a local road authority’s traffic management strategy to help reduce congestion and improve safety. Irresponsible parking can and does have a negative impact, particularly when inconsiderate, obstructive or dangerous parking takes place.

In May 2015, Sandra White MSP introduced a Member’s Bill entitled “Footway Parking and Double Parking (Scotland) Bill” intended to introduce prohibitions on pavement parking, parking at dropped kerbs and double parking. Although Ms White’s Bill was not enacted into law by the Scottish Parliament, there was significant cross-party support for the general principles for her Bill. The Scottish Government made a commitment in December 2015 to progress this important matter once powers on parking were devolved. Those powers were devolved via the Scotland Act 2016, which enables the Scottish Parliament to now legislate on parking matters.

### 1.2 The Consultation

The consultation was designed to gather the views of stakeholders and individuals to help inform Scottish Government’s policy on parking and assist in the development of future legislation to tackle pavement parking. The consultation period ran between 31 March and 30 June 2017. However, it was extended to 31 August 2017 to enable local authorities and Regional Transport Partnerships to respond following the Scottish Local Elections.

Transport Scotland designed the consultation in collaboration with stakeholders of the Responsible Parking Stakeholder Working Group and was published on their website. The consultation asked respondents to provide views on the following matters:

- How parking is currently managed across Scotland;
- Existing legislation on parking;
- Policy on how parking enforcement will operate in the future;
- Opportunities to effectively tackle misuse of disabled parking; and
- Parking opportunities to encourage the uptake of ultra-low emission vehicles.

Respondents were asked 25 questions and encouraged to provide comments to back up their points. A full list of questions is provided in Annex B.

We note that the findings of this report are specific to the consultation and do not necessarily reflect the range of views within the population as a whole, as the respondents do not form a representative sample. This report does not reflect the views of Transport Scotland or Scottish Ministers and does not make recommendations on policies to take forward.

### 1.3 Emerging Themes

In total, 663 responses were received, in which there was an overall consensus amongst respondents 83% that new legislation was required to resolve the issues surrounding inconsiderate parking.

The majority of the respondents (81%) agreed that parking is a problem, and that most (461) encountered this problem on a daily basis. A substantial number of respondents (73%) agreed that any new legislation should cover all roads and footways, including private roads. While there was general support for new legislation a number of respondents 62% (392) disagreed with the proposal that local authorities should carry out exemptions to specific streets or areas from the proposed national restrictions for pavement parking.

Furthermore, 85% (548) respondents believed that parking enforcement should be applied consistently across Scotland. Interestingly, of those that agreed consistency in enforcement of parking is needed there was a split in how this should be achieved, with 48% of those supporting the roll-out of Decriminalised Parking Enforcement (DPE) across the country. However, 23% believe it should be for Police Scotland to enforce, and the remainder presenting alternative proposals.

### 1.4 Overview of Responses

The final number of responses received was 663. Of these, 28 were submitted by LAs and RTPs, 61 from other organisations, and 574 from individuals. A profile of the respondents by type is set out in *Table 1* and a profile of all respondents from organisations is shown in Appendix A.

*Table 1: Profile of Respondents*

Category	No. of Respondents	% of all Respondents
Public Bodies	28	4.22
Business/Industry	6	0.90
Professional/Trade Bodies	6	0.90
Academic/Research	1	0.15
Third Sector/NGO	12	1.82
Community Groups	36	5.43
<i>Group respondents (Total)</i>	<i>89</i>	<i>13.42</i>
Individuals	574	86.57
<b>Total</b>	<b>663</b>	<b>100</b>

### 1.5 Analysis of Responses

The consultation was hosted on Citizen Space<sup>1</sup>, launching on 31<sup>st</sup> March and closing to the general public on 30 June and to local authorities and Regional Transport Partnerships on 31 August 2017. Respondents were able to respond to the consultation directly within Citizen Space, via email or by post. Some 636 responses

<sup>1</sup> Citizen Space is a consultation software for government consultation and citizen engagement.

were received on Citizen Space, 23 by email and 4 were received by post. Responses received via email and post were subsequently inputted into Citizen Space by Transport Scotland.

Some respondents provided supporting documents and comment to accompany their response. These PDFs were made available for the analysis and were reviewed and cross referenced with the full data set.

Respondents were not required to answer every question and typically answered the questions that interested them or they felt informed to answer. As such, the total number of respondents varies with each question. Most questions incorporated a 'closed' yes/no element, although all the questions give respondents an opportunity to provide written comment. Quantitative approaches were undertaken to analyse the responses to the closed aspects of questions, including counts of those providing a view, counts of those agreeing or disagreeing with proposals, broken down by sector of respondent, and percentages at aggregate level of those agreeing or disagreeing with proposals.

Qualitative research approaches were used to analyse responses to the open aspects of questions, with key themes and sub-themes identified and reported.

In all, 201 respondents were happy for their individual response to be published. A further 412, while happy for the response to be published, but did not want their name and/or organisation to be attributed to the response. Where this is the case these responses have been included in the overall analysis but their individual response has been anonymised prior to being published by Transport Scotland. Any comments or quotes made within this report have been included in a way which maintains their anonymity. Some 50 respondents did not give permission for their individual response to be published.

It is noted that some of the questions presented were open, allowing the respondent flexibility in how the question was answered. As a result, not all respondents gave answers to every question, and in some cases where examples and views were sought, some respondents provided multiple examples. Throughout this report, at the commencement of each sub-section, guidance is given relating to the percentages presented within that sub-section.

## **Structure of Report**

The consultation document was structured into six key parts, and conclusions. Following this introductory Section 1, this Report of the analysis of responses to the consultation generally follows the structure of the consultation document:

- Setting the Scene (Section 2)
- Current Enforcement Arrangements (Section 3)
- Identified Issues (Section 4)
- Enforcement of Disabled Persons' Parking Places (Section 5)
- Parking for Ultra-Low Emission Vehicles (Section 6)
- Impact Assessment (Section 7)
- Conclusion (Section 8)

## Setting the Scene

In this chapter the responses to the initial questions are presented. These questions focused on users views of the existing situation and their experiences, and their views on causes of parking issues and potential ways of tackling these.

### 2.1 Question 1

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

The report noted that there were 647 respondents, and percentages within this sub-section are quoted on this basis.

Of those responding, 56% (362 respondents) strongly agreed and 25% (162 respondents) agreed that parking was a problem in their area. However, 10% (65 respondents) strongly disagreed parking was a problem in their area; 5% (32 respondents) disagreed that parking was an issue. Of the remaining respondents who answered this question 4% (26 respondents) neither agreed nor disagreed.

A split by respondent type of those who agreed and strongly agreed parking was a problem in their area is shown in Table 2.

*Table 2: Split by Respondent Type of Those Agreeing and Strongly Agreeing That Parking Was a Problem in Their Area*

Category	Strongly Agree	Agree
	Number	Number
Public Bodies	8	12
Business/Industry	2	2
Professional/Trade Bodies	4	2
Academic/Research	1	-
Third Sector/NGO	7	1
Community Groups	20	9
<i>Group respondents (Total)</i>	<i>42</i>	<i>26</i>
Individuals	320	136
<b>Total</b>	<b>362</b>	<b>162</b>

Questions 1a and 1b went on to ask for more detail, behind the responses given in Question 1.

## 2.2 Question 1a

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

There were 574 responses provided to this question, and percentages within this sub-section are quoted on this basis.

Approximately 22% (126) of responses agreed there was a parking problem in their area which resulted in them being forced onto the live carriageway because of the footway being blocked by parked vehicles. They stressed that in most cases the situation was exacerbated when walking with small children, the elderly or visually impaired friends/relatives. A split by respondent type is shown in Table 3.

*Table 3: Split by Respondent Type of Those Forced onto The Live Carriageway as A Result of The Footway Being Blocked by Parked Vehicles*

Category	No. of Respondents
Public Bodies	3
Business/Industry	1
Professional/Trade Bodies	4
Academic/Research	1
Third Sector/NGO	4
Community Groups	13
<i>Group respondents (Total)</i>	26
Individuals	100
<b>Total</b>	<b>126</b>

A sample of the feedback received in response to this question is provided within this sub-section. Key issues raised by respondents are noted, to identify significant areas of concern.

***“Parking on Double yellow lines in high street on a busy road causes people to have to step into the street to view oncoming traffic.” (Tarbert & Skipness Community Council)***

***“Footway parking presents both an obstacle and a safety hazard for people with restricted mobility and visual impairments. Where the pavement is effectively blocked the person may have to go onto a busy road to get past the vehicle, which presents a safety hazard.” (Inclusion Scotland)***

***“I personally am able to step onto the road where I need to but when I'm escorting people with learning difficulties (which I do as a voluntary activity) it makes it difficult to safely navigate around town.” (Individual)***

***“Yes, my wife has been having problems with her left knee and has been using crutches. At times she has not had space to walk on the pavement due to parked cars and has had to struggle along the road.” (Individual)***

Of those 574 responses stating problems due to parking, approximately 9% (49) noted difficulties in pushing prams and buggies due to vehicles parked on the pavement. They reported that in many cases they ended up on the live carriageway, thereby exposing themselves and their babies to undue high risk. In some cases, they have had to return and cross to the opposite side of the road.

*“The two corner dropped kerbs, and the pavement sections immediately outside our building are often used as extra parking spaces - this makes it impossible to use them when walking with our youngest daughter in her buggy.” (Individual)*

*“My granddaughter has to travel on the road with her pram instead of the pavement because cars parked on the pavement don't leave enough space for a pram to pass and also block access to the dropped kerb.” (Kincardine Community Council)*

*“As Community Council Secretary I get lots of complaints from people who are forced onto carriageways with buggies/prams” (Lenzie Community Council)*

*“Footway parking can be a serious barrier to walking and for many people makes walking less convenient, seriously limiting the use of pavements, particularly for older people, disabled people, and for parents with children or prams. Being forced onto the road to avoid parked cars is often dangerous, stressful and creates an unnecessary hazard on streets. I have been affected by this as a parent, as has my wife, on a regular basis. I also know that it creates hazards for cyclists who are forced to move out into the road in places where parking normally would not happen and where this might present greater than usual danger. As a driving instructor I regularly witness situations where it creates a hazard for road users in general due to impaired visibility, restricted clearance, etc.” (Individual)*

Of those responses reporting problems 3% (18 responses) said they had difficulties accessing/egressing their driveways because of cars parked on the pavement. Four of them said they could not turn in their desired direction.

*“Parking at dropped kerbs has prevented residents from accessing or exiting their driveways, double parking creates hazards – especially near shops.” (Drumoyne Community Council)*

*“I have been required to phone the police more than once for help as an individual has chosen to park over my driveway (dropped kerb) blocking me in (different individual each time). My house is right beside path to local park/playing fields where I often see inconsiderate parking including parking at T-junction to the street: I have almost been hit by car turning into street that suddenly swerved due to parked car at the junction. Local council have installed single white lines over driveways & entrance to part but this is often ignored since not an enforceable no-parking white line.” (Individual)*

Approximately 3% (17) of responses noted difficulties due to parking said that they had encountered difficulties when cycling because of cars blocking cycle lanes. The respondents said that bikes are frequently brought into conflict with moving vehicles due to parked cars.

*“Pavement parking causes problems for pedestrians, particularly those in wheelchairs or pushing buggies. It also causes problems where pavements have been converted to shared use with cyclists. Blocking dropped kerbs at crossings and where cycle routes join with roads can be a particular problem for cyclists, wheelchair users and parents. Not all cyclists can easily dismount to lift their bike up at a kerb, particularly if they are using their bikes as mobility aids.*

*Double parking causes problems for cyclists, forcing them into the stream of traffic where they are vulnerable on both sides - from car doors opening and from oncoming traffic. We generally would prefer on-road cycle lanes not to be on the carriageway side of parked cars (it would be better to build parking-protected cycle lanes, between the parking area and the pavement). Where these carriageway-side cycle lanes do exist, double parking obviously renders them useless (as at Leith Walk, for instance).*

*Nuisance parking is also increasingly a problem for the new separated cycle facilities where they are built. A single car can render these unusable if there are kerbs preventing easy access on or off. Poor parking can also block off cycle routes created using filtered permeability, such as where bollards close off roads to through traffic but allow bikes through. These can be a very effective way to create safe spaces for cycling but, if bikes can't get through the gaps because of poor parking, they become useless by forcing cyclists back onto busy roads” (Pedal on Parliament)*

Of those who reported problems 3% (17) of the 574 respondents said they were guide dog owners and/or visually impaired or blind who were regularly forced onto the road to get around cars parked on the pavements. The analysis noted that cars which are partially parked on a pavement can also create a hazard as the wing mirrors hurt them if hit, and van mirrors are usually at face height, which creates fear when trying to maintain safe mobility.

*“In 2015 when the Footway Parking and Double Parking (Scotland) Bill (Scottish Parliament, 2016) was being considered we collated a petition of 320 people from across Scotland who supported the bill and provided information on how pavement and dropped kerb parking affects them. (Instance 1)*

*‘My main problem is parked cars etc. on pavements, and also on the road near junctions where I need to cross. In general, lack of safe crossing areas means at certain times I rarely go out on my own. . . . I cannot cross safely’ Guide dog owner, Fife*

*(Instance 2) ‘I have to walk beside a busy road to get to the bus stop and every day there is at least one vehicle parked on the pavement stopping me and my guide dog getting past and therefore we have to risk our lives going into the busy main road.’ Lena, guide dog owner.” (Guide Dogs Scotland)*

*“The problem is very bad when vehicles are parked on the pavement on the day when refuse bins are emptied. The combination of cars and bins on the pavement makes it very difficult for guide dog users and those who use a white cane. Wheelchair users also have problems.” (East Dunbartonshire Visually Impaired People’s Forum)*

*“Cars parked on pavements caused our members considerable inconvenience, whether they were wheelchair users or relied on assistance dogs. Having to negotiate round parked vehicles, or use the road to get past makes independent travel much more difficult for disabled people and more hazardous than it needs to be.*

*‘Parking on pavements causes an obstruction to wheelchair users and assistance dog owners as well as people with prams.’ SDEF member*

*Equally, our visually impaired members travel with the use of an assistance dog. All had experienced issues with parking on dropped kerbs. This inevitably means a longer journey, with disabled people having to locate the next unobstructed dropped kerb to be able to cross the road.*

*‘My guide dog finds the dropped kerb so that we can cross the road safely if it is obstructed and there are many cars parked, we have to go onto the road or cross completely to the other side - a dangerous game.’*

*Some of our members in rural areas commented that there is often a lack of dropped kerbs anyway, and if these are then blocked, it can create more of an issue in navigating the local area.” (Scottish Disability Equality Forum)*

One respondent reported that her mother, a wheelchair user, frequently had to try to negotiate vehicles parked on the pavements and dropped kerbs. This meant she had no option but to either bump down from the normal kerb onto the road or go onto the

road at the previous dropped kerb. This usually makes their journeys longer, uncomfortable and sometimes uncertain.

The analysis also found that 2% (11) noted that they were manual wheelchair and/or mobility scooter users, and reported that they regularly have to wheel on the road because people have blocked the dropped kerbs or the pavement.

A father with a disabled child using a wheelchair reported that he was almost assaulted when he accidentally brushed past a car parked on the pavement and the owner came out and accused him of damaging the car.

They explained that it can be incredibly difficult to cross the road or even stay on the pavement because of parking at dropped kerbs or on the pavement. Indeed, one wheelchair user reported that he often had to divert from his intended route or abandon the trip altogether due to vehicles parked on the pavement.

Problems with not being able to get off the pavement safely while pushing a buggy/wheelchair due to blocked drop kerbs were reported by 2% (11) of respondents.

Another 1% (8) of respondents reported near misses whilst walking on the pavement by cars mounting the pavement to park. This has left them fearful and unwilling to let their children walk to school by themselves.

*“I have been nearly hit whilst walking on the pavement by a car mounting the pavement to park. This makes me less likely to let my children walk to school as I worry that they are not safe on the pavement.” (Individual)*

*“Parking issues in residential areas close to a school has made roads and pavements extremely dangerous for school children and children living in area. I have been very close to being hit by car on the pavement.” (Individual)*

The respondents also noted the impact that parking on pavements can have both on the infrastructure and to a person's comfort. Approximately 1% (8) respondents reported that they were mobility impaired, and experienced great hardships trying to navigate the streets as a result of damaged pavements. One respondent said her elderly mother ended up falling as a result of the damaged pavement. They highlighted that generally, these damaged pavements make walking for the mobility impaired more difficult than it needs to be.

## 2.3 Question 1b

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

The report noted that there were 551 responses to this question, and percentages within this sub-section are quoted on this basis.

#### **2.3.1 Location**

Approximately 62% of responses (343) said that they had been affected by the problems of parking in residential areas.

Approximately 11% (61) of responses had been affected by the problems of pavement parking on city/town centre streets near shops. Of these 6% (35) individual respondents reported having been affected on Main Street/Trunk Road through their village or town. While 5% (29) respondents said they were affected by the problems of parking on streets near schools and nurseries. Another 5% (25) respondents were affected on almost all different locations they went to around the country. 3% (19) respondents were affected on side streets. 2% (13) respondents said they had experienced the problem of pavement parking on the main road in their local village. 2% (11) respondents had been affected on streets outside hospitals, colleges, surgeries and sport fields. A further 2 had experienced the problem next to the train station, while another respondent experienced the problem on a cycle route and one other in an industrial area.

The respondent split on those affected in residential areas is reflected in Table 3.

*Table 4: Split by Respondent Type of affected by the problems of parking in residential areas*

Category	No. of Respondents
Public Bodies	12
Business/Industry	2
Professional/Trade Bodies	-
Academic/Research	-
Third Sector/NGO	2
Community Groups	12
<i>Group respondents (Total)</i>	<i>28</i>
Individuals	315
<b>Total</b>	<b>343</b>

*“There have been a number of complaints across many parts of Aberdeenshire on parking on footways. These complaints have usually been received from an individual or via the local Community Council or local Councillor. It usually occurs in residential areas where parking is limited.” (Aberdeenshire Council)*

### 2.3.2 Frequency

Respondents were asked to indicate how often they/members of their families were affected by pavement parking. There were 487 clear and measurable responses given to this question, which indicated a defined frequency. Percentages in Figure 1 are presented on the basis of these 487 clear and measurable responses.

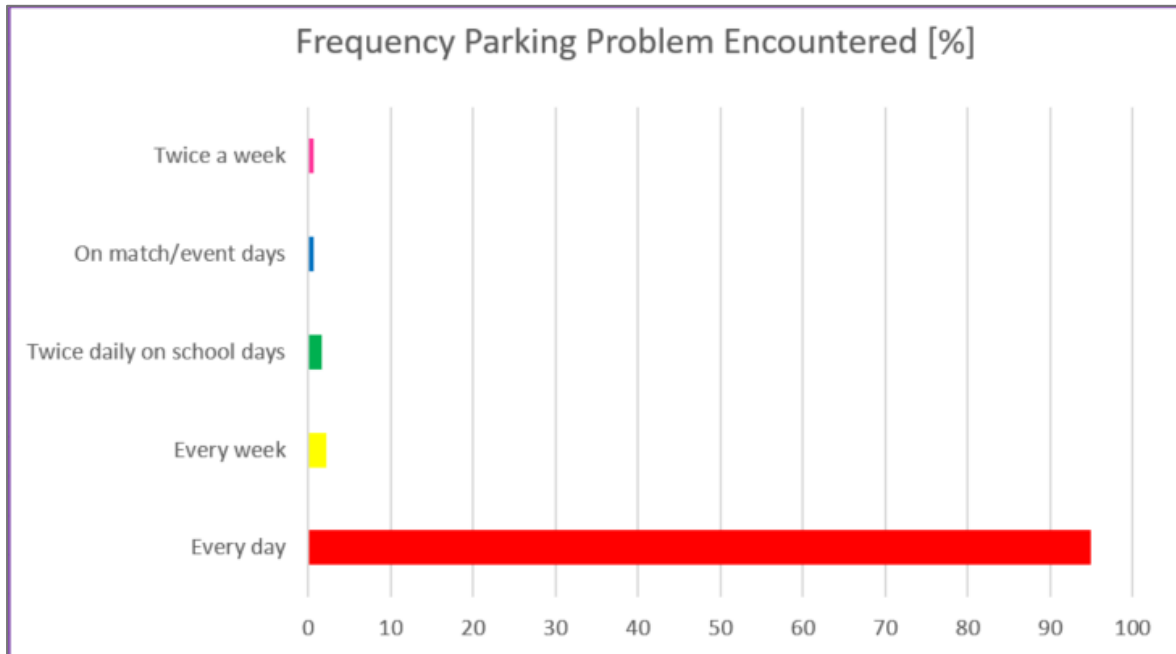


Figure 1: Frequency Parking Problems Encountered

### 2.4 Question 2

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

There were 642 responses to this question and percentages within this sub-section are generally quoted on this basis (unless otherwise noted).

Figure 2 below shows reasons the respondents gave for motorists choosing to park on the pavement, *expressed as a percentage of the reasons given*. It is noted that some respondents gave more than one potential reason.

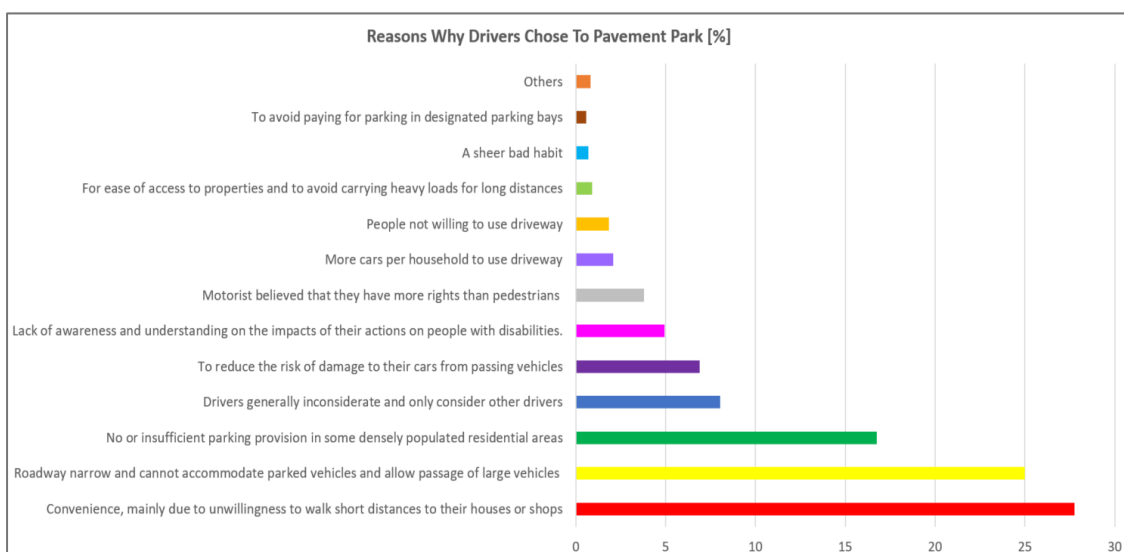


Figure 2: Reasons Why Drivers Chose to Pavement Park

Of the responses to this question 38% (242) said they thought motorists chose to park on pavements for convenience due to their unwillingness to walk short distances to their houses or shops. Even with free parking available a short distance away, say from shops, some respondents suggested that motorists simply want to park as close as possible to their destination.

The respondent split on those who thought motorists chose to pavement park for convenience is reflected in Table 3.

Table 5: Split by Respondent Type of those who thought motorists chose to pavement park for convenience

Category	No. of Respondents
Public Bodies	4
Business/Industry	-
Professional/Trade Bodies	-
Academic/Research	1
Third Sector/NGO	4
Community Groups	13
Group respondents (Total)	22
Individuals	220
<b>Total</b>	<b>242</b>

*“Parking on pavements likely occurs out of a lack of willingness to look for available parking spaces, and - in spite of its recklessness and the clear danger posed to pedestrians - for its convenience to park with close proximity to a destination.”*

**(Transform Scotland)**

*“It may be there is inadequate car parking provision, but more than likely laziness and the desire to get as close as possible to their destination.”* **(Confederation of Passenger Transport UK - Scotland)**

*“Motorists are human beings and driver behaviour often reflects the basic desire for convenience and ease of access to their ultimate destination. This has been identified in local traffic studies where streets are part of the “search paths” as drivers seek their “optimum space” in a busy urban area. It can also be contagious and some drivers will “copy” others’ behaviour if the practice appears to be tolerated.”* **(Chartered Institution of Highways & Transportation (CIHT) - Scottish Policy Forum)**

*“Honestly it is hard not to see it as laziness in most cases, as alternative parking is usually an option but involves taking a bit more time and care to park and walk a bit further. They don't see anything wrong with it, some of them even seem to think they are being considerate - this is why a change of law is needed to send a strong enough message.”* **(Individual)**

However, 34% (218) of responses noted that people parked on the pavement as the carriageway in certain residential streets are narrow and cannot accommodate parked vehicles and allow the passage of large vehicles e.g. fire engines and refuse trucks.

*“On residential streets, which are generally narrower than main routes, I think they park partly on the footway as they think it will make it easier for other vehicles to pass. However, in reality it makes no difference to passing traffic but makes matters far worse for pedestrians. It may also make matters more dangerous for cyclists as passing motorists may consider there enough space to pass a cyclist as he/she passes the footway-parked vehicle.” (Perth & Kinross Council)*

*“Thinking that an already narrow road will be made more 'unpassable' if they do not park on the kerb. I believe there is a wider issue here with planning and suitable road widths in new developments must be prescribed from the outset that includes the ability of emergency vehicles (fire engine, ambulance etc) and other larger vehicles to pass comfortably.” (Gartcosh Community Council)*

Another 23% (146) of responses said people parked on pavements as there is no or insufficient parking provision in some densely populated residential areas. They believed that there were no alternatives for people, hence parking on pavements.

*“Older residential developments such as terraces and tenement flats have no off-street parking provision and owners have no choice but to park on the road.” (Renfrewshire Council)*

*“Simply extremely high pressure on parking in a very dense tenement / flatted area with no off-street parking and an affluent population with a high level of car ownership. Nowhere else to go in a very large area where there are limited opportunities for "overspill" into surrounding streets.” (Dowanhill, Hyndland and Kelvinside Community Council)*

Interestingly 11% (70) of responses said that drivers are generally inconsiderate of pedestrians, and are only interested in other drivers and in reducing the risk of damage to their own cars from passing vehicles. While 7% (43) of respondents thought there was a general lack of awareness and understanding on the impacts of their actions on people with disabilities.

*“It could be for a variety of reasons, including a lack of awareness of the difficulties faced upon those with mobility problems including those with disabilities or parental responsibilities for infants in buggies.” (Sestran)*

*“Many motorists appear to park on the pavement because they feel that they are doing the right thing by leaving the road to free flow. This is probably due to a lack of awareness of the needs of pedestrians, cyclists, disabled people, people with guide dogs and pedestrians with pushchairs.” (Clackmannanshire Council)*

Of the responses, 5% (33) thought that motorists believed that they had more rights than pedestrians and that they have a sense of entitlement to park outside their houses.

*“They believe they have more ‘rights’ than pedestrians. Lack empathy and understanding on the impacts of people with disabilities, and or people with children, from their actions.” (Individual)*

## 2.5 Question 3

### ***Do you think new legislation is needed?***

There were 647 respondents to this question and percentages within this sub-section are quoted on this basis.

Approximately 83% of the respondents (537) thought that new legislation was required. However, 17% of respondents (110) thought that new legislation is not necessary. A split by respondent type is shown in Table 6.

*Table 6: Split by Respondent Type of Those Who Thought a New Legislation is Required/Not Required*

Category	Yes	No
	Number	Number
Public Bodies	19	4
Business/Industry	2	1
Professional/Trade Bodies	6	-
Academic/Research	1	-
Third Sector/NGO	9	-
Community Groups	30	4
<i>Group respondents (Total)</i>	<i>67</i>	<i>9</i>
Individuals	470	101
<b>Total</b>	<b>537</b>	<b>110</b>

## 2.6 Question 3a

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

Despite only 537 respondents stating that new legislation was required (in Question 3), there were 548 responses addressing Question 3a. Feedback on this topic was very specific (not suitable for grouping) and therefore percentages are not quoted within this sub-section.

Most of the respondents did not give any areas they thought needed to be amended, but instead went on to suggest what they wanted to see legislated. The quotes below indicate some of the issues that respondents wanted to see legislation on.

*“But the law must set a default position such that with no signs and road markings present, parking on the footway is prohibited. The law must not require a Traffic Regulation Order (TRO) to be made, backed by associated signs and lines – this should be a requirement to permit footway parking.” (Perth & Kinross Council)*

*“New legislation is required to make it illegal to park on a footway rather than the current situation where it is illegal to drive onto a footway. As stated within the consultation, the legislation around parking enforcement is complex and should be clarified.*

*By default, parking on a footway or cycleway should be an offence, subject to specified exceptions. Any legislation should be very clear in terms of definition. Although pavement is a term used by the public, and this consultation also refers to pavement any legislation should refer to the section alongside roads for pedestrian, the correct term of footway. Any new legislation should also be extended to include cycleways.” (Nestrans)*

*“Given the scale of the problems of dropped kerb and pavement parking and their impact on equalities there is a need for a nationwide approach that does not depend on individual TROs.*

*Legislation already exists in England and Wales for prohibiting, in DPE areas, parking at dropped kerbs and double parking (Traffic Management Act 2004 Sections 85 and 86) (DfT, 2004); and for pavement parking in London. We see no reason why very similar legislation cannot be enacted here and the equalities arguments for enacting it significantly outweigh any small dis-benefits to those parking.” (Transport Research Institute, Edinburgh Napier University)*

*“The law needs to be amended to make it an offence for a car to be left on the pavement. There need to be no ifs or buts about nobody having seen it drive there, as at present. In future it should be possible for a council parking attendant (i.e. not a police officer) to ticket a car on the pavement, just as they can if it's on a yellow line.” (Individual)*

*“All pavement parking, double parking, and parking blocking a dropped kerb, needs to be explicitly banned in all circumstances except for emergency service vehicles attending incidents.” (Individual)*

In terms of current parking legislation, 6 respondents suggested that there was need to amend and/or extend the section of the law which prohibits driving on a pavement. They pointed out that they found it absurd that the Police cannot prosecute someone for parking on the pavement, arguing that for one to have parked one would have driven and accordingly broken the law in the process. Another 2 respondents suggested that the law which deals with obstruction of traffic should be amended to include pedestrian/footway in its definition.

Respondents highlighted that powers already exist to prevent pavement parking under the *Road Traffic Regulation Act 1984*. However, there was acknowledgement that these powers are complicated to put into practice and expensive, as they require a Traffic Regulation Order (TRO) and additional signage and marking. New

legislation offering a blanket ban on pavement parking would be simpler and cheaper to implement.

Feedback also highlighted that *The Removal and Disposal of Vehicles Regulations 1986*, which grants Police the power in certain circumstances (including the causing of obstruction) to require the driver, owner or person in charge of a vehicle to move it. The regulations also provide an adequate basis for authorities to prosecute where there is an obstruction, if a vehicle is not removed. However, respondents noted that the definition of 'obstruction' is not adequate and proposed that guidance could be developed to remove any ambiguity as to what is and isn't acceptable.

*"The RAC believes that current legislation - Section 6 of the Road Traffic Regulation Act 1984 (DfT, 1984) to specify restrictions or exemptions in relation to parking within specific areas via the use of Traffic Regulation Orders (TROs) and The Removal and Disposal of Vehicles Regulations 1986, which grants the police the power in certain circumstances (including the causing of obstruction) to require the driver, owner or person in charge of a vehicle to move it, should provide an adequate basis for authorities to prosecute where there is an obstruction and where it is not removed. However, we do agree that there is not an adequate definition of 'obstruction' and guidance should be published to remove any ambiguity as to what is and isn't acceptable." (The RAC)*

It was also suggested that *The Roads (Scotland) Act 1984* (DfT, 1984) needs to be revised to make it unambiguously illegal for any vehicle to park on a footway. Respondents noted that having primary legislation in place would negate the need for LAs to act unilaterally with TROs on selective banning of footway parking. It would also mean there is a legal presumption against parking on footways for formal parking, which can be observed in many town centres.

*"Under the 1984 Road Traffic Regulation Act, powers exist to prevent pavement parking. However, these powers are complicated to put into practice and expensive, requiring a TRO and additional signage. New legislation offering a blanket ban on pavement parking would be simpler and cheaper to implement." (Sustrans Scotland)*

Existing powers (and Traffic Signs and General Regulations General Directives (TSGRD) signage) to prohibit footway parking by TROs under the *Road Traffic Regulation Act 1984* were further referenced. However, some respondents suggested that since TSGRD does not illustrate a kerb or carriageway marking to show a footway parking prohibition, there is some reluctance to deploy these powers due to the amount of sign clutter and the amount of effective footway space. It was further suggested that Section 129 (5) of the *Roads (Scotland) Act 1984* needs to be changed (i.e. it should be an offence to park on the pavement or to obstruct the passage of, or endanger any road user including pedestrians).

*“There are existing powers (and TSGRD signage) to prohibit footway parking by Traffic Regulation Orders (TROs) under the Road Traffic Regulation Act 1984. However, since TSGRD does not illustrate a kerb or carriageway marking to show a footway parking prohibition, there is some reluctance to deploy these powers due to the clutter and reduced effective footway space. (However, Aberdeen City, have done and continue to do so. We believe there is scope to use existing legislation within the Roads (Scotland) Act 1984, subject to supplementary guidance. Section 59 makes it an offence to obstruct a road and s87 makes specific mention of wheels, while s129 defines the offence with respect to danger to road users. Also, while s59 is under the over-arching section relating to works, s129 could be interpreted in a more general way. Consequently, we think that a guidance note could bring these provisions in to force for footway parking generally with the definition of an obstruction being in line with the clear widths quoted in the consultation document.”*  
**(Chartered Institution of Highways & Transportation (CIHT) - Scottish Policy Forum)**

Respondents noted that it is currently a criminal offence under regulation 103 of *The Road Vehicles (Construction and Use) Regulations 1986* to “leave, cause or permit a vehicle to stand on a road so as to cause any unnecessary obstruction of the road”, which can only be enforced by a Police Officer. However, were it to be decriminalised then those LAs that have been granted Decriminalised Parking Enforcement (DPE) powers could enforce offence.

It was also suggested that footway parking is already an offence under Section 72 of the *Highways Act 1835* as used in the current Highway Code (Rule 145). To note, Section 72 of the *Highways Act 1835* makes it an offence for any person to wilfully ride upon any footpath or causeway by the side of any road made or set apart for the use or accommodation of foot passengers. Rule 145 of the Highway Code states that :

“you **must not** drive on or over a pavement, footpath or bridleway except to gain lawful access to property, or in the case of an emergency”.

Some respondents also suggested that The Disabled Persons’ Parking Places (Scotland) Act 2009 and the current Blue Badge legislation also needs amended. Currently, anyone with a Blue Badge in Scotland can park in a disabled parking bay that has been specifically requested to allow a disabled person access to their home. Respondents proposed that there needs to be legislation to enable designated disabled bays to be allocated especially in residential areas, where demand for disabled bays has been critical.

## 2.7 Question 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?***

There were 630 respondents to this question and percentages within this sub-section are quoted on this basis.

Approximately 73% of respondents (457) suggested the new law should cover all roads with footways, including private roads. However 27% of respondents (172) said that the new law should not cover all roads with footways, including private roads. A split by respondent type is shown in Table 7.

Table 7: Split by Respondent Type of Those Who Thought That a New Law Is Needed and That It Should Cover All Roads with Footways, Including Private Roads

Category	Yes	No
	Number	Number
Public Bodies	19	6
Business/Industry	1	4
Professional/Trade Bodies	4	-
Academic/Research	1	-
Third Sector/NGO	9	1
Community Groups	25	6
Group respondents (Total)	59	17
Individuals	398	155
<b>Total</b>	<b>457</b>	<b>172</b>

## 2.8 Question 4a

### *If not, why not?*

Despite only 172 respondents stating that new legislation should not cover all roads (in Question 4), 237 responses addressed Question 4a (noting that some respondents would give more than one reason). Percentages stated in this sub-section are on the basis of the 237 responses to Question 4a.

Of those who responded 51 specifically stated that private roads should be excluded from the legislation. Of these, 5 thought a new law should not apply to private roads as it could cause legal and enforcement challenges as the roads have not been adopted by LAs. While 2 respondents queried why the public should pay for the upkeep of private roads and saw no reason why the new law should apply to them.

*“We consider that in the case of private roads, issues may arise regarding provision, legality of road markings / signage.” (Police Scotland (Road Policing))*

*“Whilst I would like it to cover all roads I suspect it would cause legal challenge on private roads as technically they are owned by people rather than the local authorities.” (Individual)*

The following reasons were also highlighted by individual respondents:

- Private roads should remain the responsibility of the land owner;
- They are excluded from most traffic laws;
- It would amount to infringement of a person’s private property;

- The owners should set their own standards;
- Lack of resources to enforce the law on private roads; and
- It might complicate the whole bill.

*“The limited resource that we have would not allow us to carry out enforcement of private roads.” (Argyll and Bute Council)*

## 2.9 Question 5

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

There were 641 respondents to this question and percentages within this sub-section are quoted on this basis.

At total of 84% of the respondents (536) thought that the new law should apply to all vehicles. However, 16% (105 respondents) thought that the new law should not apply to all vehicles. A split by respondent type is shown in Table 8.

*Table 8: Split by Respondent Type of Those Who Thought the New Law Should Apply to All Vehicles*

Category	Yes	No
	Number	Number
Public Bodies	19	6
Business/Industry	3	1
Professional/Trade Bodies	3	-
Academic/Research	1	-
Third Sector/NGO	8	1
Community Groups	31	3
<i>Group respondents (Total)</i>	<i>65</i>	<i>11</i>
Individuals	471	94
<b>Total</b>	<b>536</b>	<b>105</b>

## 2.10 Question 5a

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

There were 199 responses to this question. Percentages within this sub-section are presented on this basis.

Figure 3 shows the types of vehicles respondents suggested the law should not apply to.

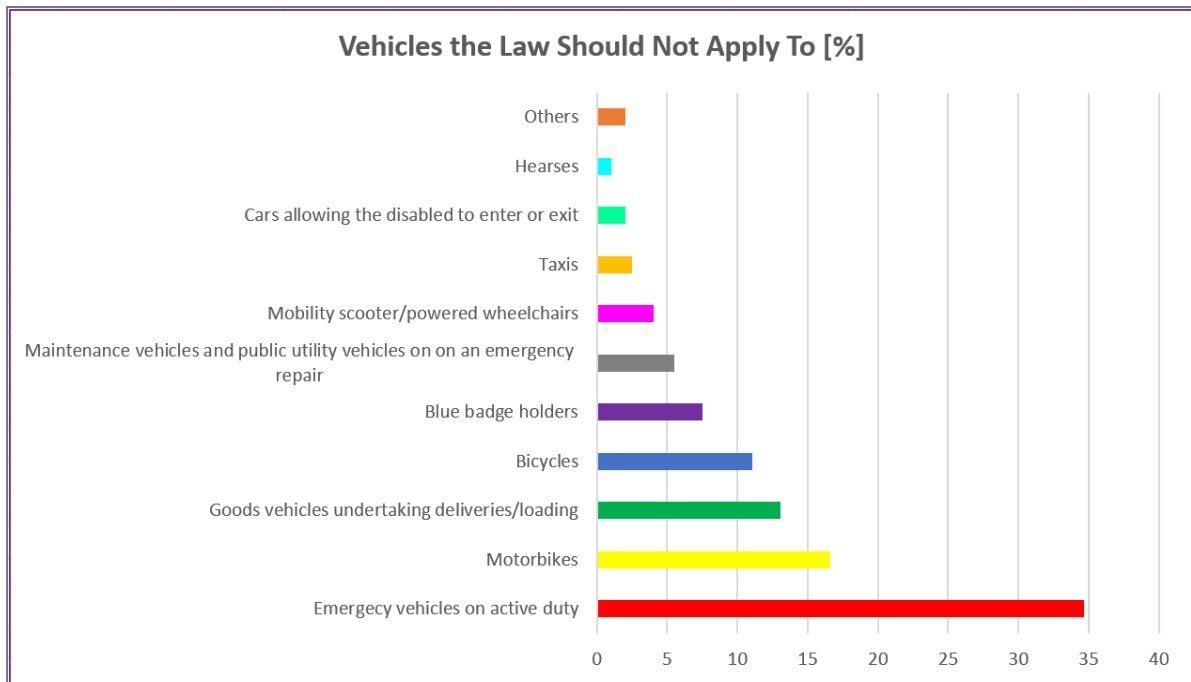


Figure 3: Vehicles Which Should Be Exempted from The New Law

As can be seen from Figure 3, the most frequently proposed exemption from the new law were emergency vehicles on active duty, proposed by 69 respondents. A split by respondent type is shown in Table 9.

Table 9: Split by Respondent Type of Those Who Proposed Exempting Emergency Vehicles on Active Duty from the New Law

Category	No. of Respondents
Public Bodies	3
Professional/Trade Bodies	2
Third Sector/NGO	1
Community Groups	4
Group respondents (Total)	10
Individuals	59
<b>Total</b>	<b>69</b>

Where respondents stated that the law should not apply to goods vehicles undertaking deliveries/ loading, it was suggested that a time limit should be included, within which the loading/unloading can be expected to take place.

The following list of vehicles was also suggested by individual respondents for exemptions from the new law:

- Delivery light vans;
- Electric trikes;
- Smart cars; and
- Car club cars.

## 2.11 Question 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?***

There were 401 respondents who expressed an answer to this questions and percentage values expressed in this sub-section are on this basis.

Approximately 72% of these respondents (288) thought that 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. However, 28% (113 respondents) thought a blanket ban should be in place without exemptions. There were 14 responses which not clearly express a view on whether there should or should not be exemptions.

A split by respondent type (of these expressing a clear view) is shown in Table 10.

*Table 10: Split by Respondent Type of Those Who Thought Exemptions Should (Not)/Be Applied to Allow Pavement Parking Addressing Local Concerns About Access for Vehicles and Lack of Alternative Parking Provision*

Category	Yes	No
	Number	Number
Public Bodies	26	-
Business/Industry	4	1
Professional/Trade Bodies	3	1
Academic/Research	1	-
Third Sector/NGO	8	-
Community Groups	19	3
<i>Group respondents (Total)</i>	<i>61</i>	<i>5</i>
Individuals	227	108
<b>Total</b>	<b>288</b>	<b>113</b>

## 2.12 Question 6a

### ***If yes, what should those exemptions be?***

A total of 208 suggestions were presented within this part of the question, and percentage values in this sub-section are on this basis.

Figure 4 below provides a breakdown of the potential exemptions that were suggested. As can be seen from Figure 4 below 64 responses (31%) proposed exemptions for roads with exceptionally wide footways. Of these, (28%) 58 proposed leaving a 2m wide footway (minimum 1.5 m) for pedestrians. While 4 suggested leaving a 2m wide footway (minimum 1.2 m) and 2 suggested a minimum footway of 3 m in town and city centres.

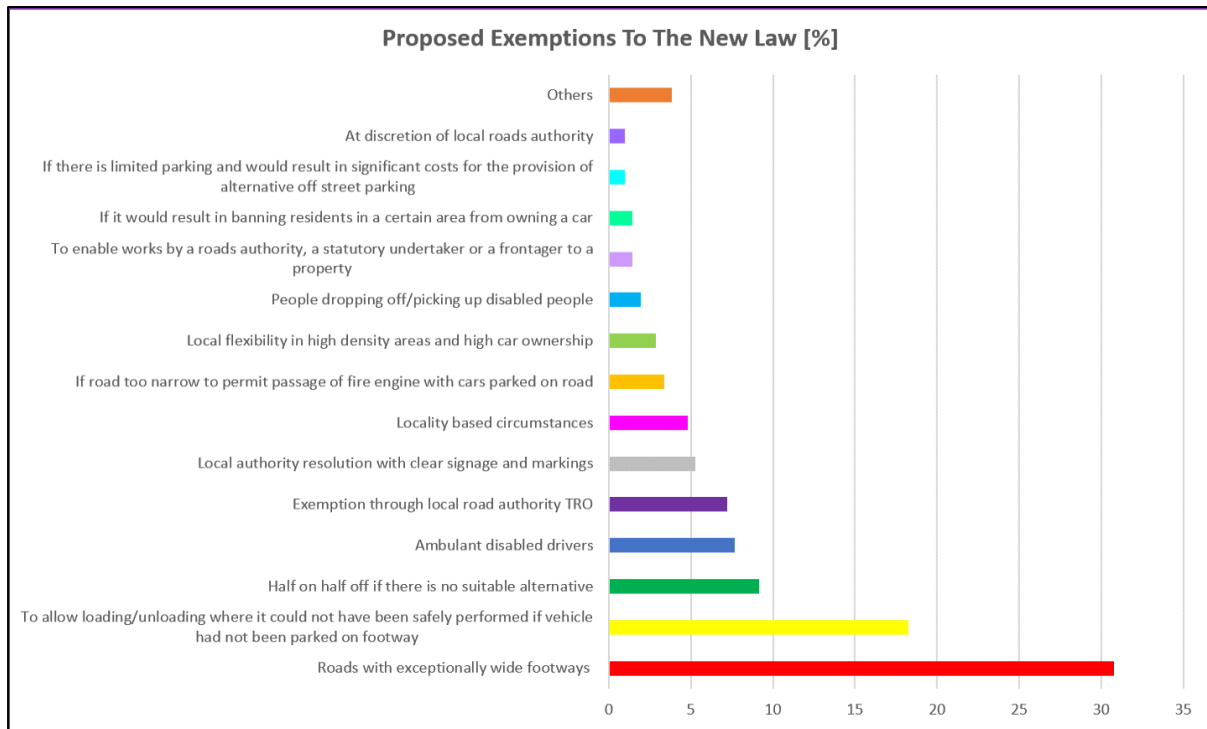


Figure 4: Graphical Representation of the Proposed Exemptions

A split of the respondent types, of those proposing exemptions for roads with exceptionally wide footways, is illustrated in Table 11.

Table 11: Split by Respondent Type of proposing exemptions for roads with exceptionally wide footways

Category	No. of Respondents
Public Bodies	9
Professional/Trade Bodies	2
Third Sector/NGO	3
Business/ Industry Groups	1
Community Groups	4
Group respondents (Total)	19
Individuals	45
<b>Total</b>	<b>64</b>

*“Where exemptions are permitted there should be a requirement to ensure a minimum of 1.2 metres clear footway width is maintained to allow for unimpeded pedestrian passage.” (Aberdeenshire Council)*

*“Yes. Exemptions will be required. Not all footways are used by pedestrians; other accommodations can be put in place to provide adequate alternative, accessible options. On exceptionally wide footways (pavements) parking could be accommodated whilst leaving 2.0m clear space for pedestrians (1.5m as minimum). In town centres minimum clear footway (pavements) should be 3.0m before parking is considered.” (Clackmannanshire Council)*

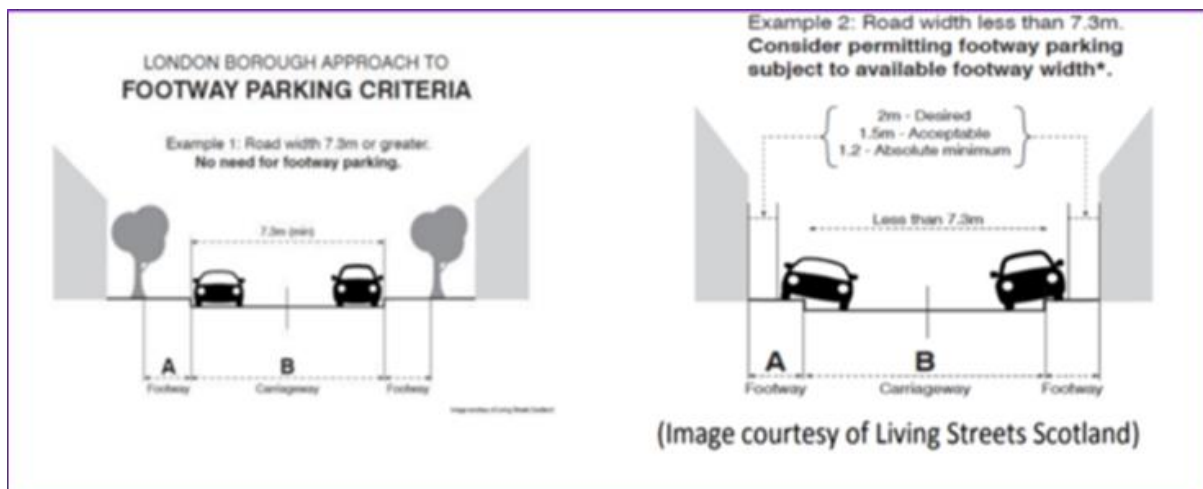


Figure 5: Exceptions to Pavement Parking in London

Figure 5 (Image courtesy of Living Streets Scotland) illustrates exceptions to pavement parking permitted in London.

*“There is in London a blanket pavement parking ban, but it is possible for individual Boroughs to grant exemptions and signed using the signs and lines at TSRGD Diagram 667 and 668 which allow vehicles to park with two or four wheels on the pavement, with white lines used to indicate these pavement parking bays (these can also be used outside London in conjunction with a TRO regulating footway parking on a specific street(s)).*

*We see no reason why the London system for exemptions cannot be used in Scotland, but that frontagers should have to apply for an exemption and pay a reasonable administration charge similar to that applied by many Scottish councils for the application for a crossover. Different Boroughs have different criteria for exemptions but, for example, residents in London Borough of Brent can apply but the following criteria apply (see <https://www.brent.gov.uk/services-for-residents/parking/footway-parking/>). The criteria on page 70, part 8 of Chapter 3 of the Traffic Signs Manual (DfT, 2008), are also useful.):*

- Exemption to be granted only where parking of vehicles wholly within the carriageway reduces the carriageway width to less than three metres;
- A minimum footway width of 1.2 metres be available for pedestrians;

- Roads in shopping and other busy pedestrian areas not to be considered;
- Roads outside schools, play areas, libraries, hospitals, health centres and residential homes for the elderly and other places of public assembly, not to be considered;
- Any road, where it to be exempted, vehicles would park on a grass verge not to be considered;
- No vehicle be allowed to park where it would obstruct the proper use, by all classes of vehicles, of the turning area provided at the end of a cul-de-sac or similar blocked highway;
- No vehicle be allowed to park where it would obstruct the proper use, by all classes of vehicles, of the turning area provided at the end of a cul-de-sac or similar blocked highway;
- Motor cycles be permitted to park on footways where footway parking exemption has been granted;
- Exemption not to be granted where residents can provide off-street parking but have chosen not to do so, or do not use existing off-street parking places for a variety of reasons not considered acceptable on highway, traffic or amenity grounds;
- Where a street does not meet the above criteria for exemption and where any enforcement action would create a situation where access for emergency vehicles is obstructed and/or the capacity of the highway is reduced below its functioning level, special consideration will be given according to the particular circumstances, and the criteria relaxed as necessary.”

*Allowing local authorities to authorise such exemptions without going through a full TRO process should only be enabled in new pavement parking legislation if that same legislation also makes possible the exemption of a large number of other traffic management measures (other parking restrictions, banned turns, access restrictions, bike lanes, new speed limits, one-way streets etc) from the TRO process. The TRO process is itself cumbersome, time consuming, gives excessive weight to unrepresentative objections/objectors, and is a major barrier to the implementation of measures to manage traffic on Scotland’s roads. If a “lighter touch” TRO process is to be introduced for exemptions to a general ban on pavement parking, then there is no reason why the government should not consult on introducing the same “lighter touch” process to other matters governed by TRO.” (Transport Research Institute, Edinburgh Napier University)*

Approximately 18% (38 responses) proposed an exemption to allow loading/unloading where it could not have been safely performed if vehicle had not been parked on the footway.

*“There should be an exemption to permit loading or unloading where it could not have been satisfactorily performed if the vehicle had not been parked on the footway. This would be the same exemption as currently exists in relation to the existing prohibition on the parking of HGVs on footways. There should be guidance indicating that this exemption would only apply if the carriageway would otherwise be completely blocked or significantly obstructed.” (Nestrans)*

*“There may also be occasions where delivery vehicles may have to park for a limited period, and roads and utilities vehicles will have to park on a footway or across a dropped kerb when undertaking works, particularly when undertaking emergency or urgent repairs. However, this should only be where the necessary works cannot unreasonably be carried out otherwise. (Inclusion Scotland)*

*“Courier's and delivery drivers who are parking for no more than 10 minutes with hazard lights on.” (Individual)*

Another 9% (19 responses) proposed exempting vehicles to park with two wheels on the pavement if there was no suitable alternative, 8% (16 responses) proposed exempting disabled drivers.

*“Exemptions may also be used to reduce the disadvantages incurred by ambulant disabled drivers who are required to repeatedly drive into controlled areas to park close to their place of work.” (Sestran)*

*“We would make an exception for disabled drivers if there is no specific parking provision for them.” (Huntly Community Council)*

While 7% (15 responses) suggested that any exemptions should be through a local road authority TRO.

*“Local authorities already have existing legal powers to allow parking on footways and to erect signs to inform the public of such parking practices. It is considered that such exemptions should be retained to address particular local concerns, but only where they relate to a specific location, are necessary due to lack of road space, or planning constraints, and does not create a general exemption.” (City of Edinburgh Council)*

At least 5% (11 responses) recommended exemptions through a LA resolution with clear signage and markings.

*“...LA to determine appropriate exemptions based on local circumstances. A blanket pavement parking ban (such as the London system where individual Boroughs to grant exemptions). Frontagers should apply for an exemption and pay a reasonable administration charge like that applied by many Scottish Councils for the application crossover.” (SCOTS)*

*“There is in London a blanket pavement parking ban, but it is possible for individual Boroughs to grant exemptions and signed using the signs and lines at TSRGD Diagram 667 and 668 (DfT, 2016) which allow vehicles to park with two or four wheels on the pavement, with white lines used to indicate these pavement parking bays (these can also be used outside London in conjunction with a TRO regulating footway parking on a specific street(s)). We see no reason why the London system for exemptions cannot be used in Scotland, but that frontagers should have to apply for an exemption and pay a reasonable administration charge similar to that applied by many Scottish councils for the application for a crossover.” (Transport Research Institute, Edinburgh Napier University)*

Another 5% (10 responses) proposed exemptions based on local circumstances. For example, if the road is too narrow to permit passage of large vehicles e.g. a fire engine with cars parked on the road. The following list of exemptions were also highlighted by individual respondents:

- Through a simple consultation process like the TRO process;
- For vulnerable road users;
- To allow continuation of bus routes;
- Outside place of worship;
- Registered care personnel on duty;
- Around surgeries (GPs, dentists, etc.); and
- During building operations.

### 2.13 Question 6b

#### ***If no, why not? (Please be as specific as possible)?***

In total 287 specific responses to this part of the question. There were a further 49 responses which gave no specifics (for example, responding “no”), which cannot be applied in the analysis. Therefore percentage values in this sub-section are on the basis of the 287 specific responses.

Figure 6 illustrates why the respondents thought exemptions should not be applied to allow pavement parking to take place.

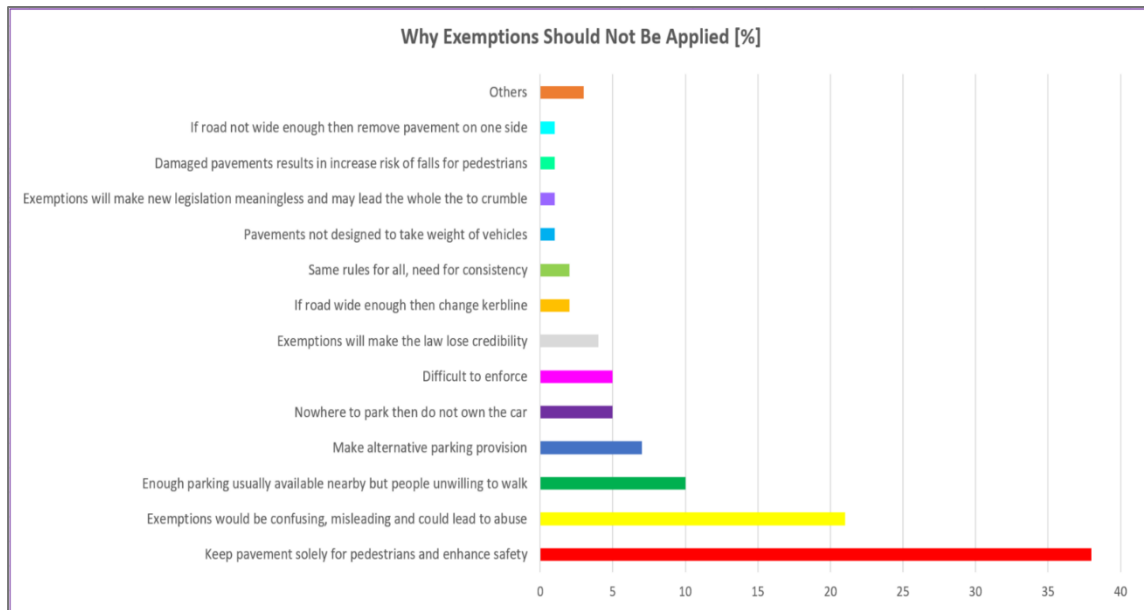


Figure 6: Reasons Why Pavement Parking Should not be Exempted

Figure 6 shows that 38% (109) of the specific responses said that locality based exemptions should not be applied to pavement parking, to ensure the footpath remained solely for pedestrians and therefore enhance safety for pavement users. They argued that the safety of pedestrians should come first and that it was unsafe to have vehicles sharing the pavement with pedestrians especially the blind or partially sighted people. They suggested that there should be an absolute right for pedestrians (especially with limited mobility e.g. elderly, wheelchair, pram users, etc.) to use pavements for safe passage.

*“No. Pavements have been provided for pedestrians and if they are blocked by parking then pedestrians are forced to walk on the road and face hazards in doing so. That is tantamount to saying that vehicles are more important than people which is clearly absurd.” (Aberdeen Cycle Forum)*

*“Pavements are there for pedestrians not for vehicles. We try to encourage people to walk so there should be minimal deterrents” (Bridgend Gannochy and Kinnoull Community Council)*

*“No. Allowing exemptions simply places the convenience of motor vehicle users over the safety of pedestrians and disabled people. Storage of private motor vehicles should not be a right, and the urgent need for Scotland to transition towards journeys being undertaken by sustainable modes means that strong disincentives to private motor car use, such as scarcity of parking, should be prioritised.” (Individual)*

At least 21% (59) of respondents said that exemptions would be confusing, misleading and could lead to massive abuse with whole towns and cities being exempted. They stressed that it would give license to abuse of the legislation, just as the Blue Badge scheme had been widely abused. It was suggested that the best way would be to keep it simple and avoid any complications.

*“Having exemptions would be undesirable as it would cause confusion, especially for visitors to unfamiliar areas.” (Kincardine Community Council)*

*“Exemptions and the signage they would necessitate would add such complexity as to undermine clarity and workability.” (Cumbernauld Village Community Council)*

*“No exemptions, otherwise they will get abused and enforcement will be difficult.”  
(James Gillespies Primary School Transport Committee)*

*“Any exemptions would be confusing to motorists and pedestrians alike, and could be used as an excuse for parking there.” (Individual)*

*“Ridiculous as would be too confusing.” (Individual)*

However, 7% (21) of respondents suggested that where there are no parking alternatives then the LA must be obliged to increase parking provision around that location.

*“There should be a planning requirement to provide on and off-street parking for the populace.” (Smithton & Culloden Community Council)*

*“Alternative parking provision can be created in derelict land around housing schemes, and with better use of land, such as removal of gardens for bottom flats in tenements, most of which are overgrown dumping grounds.” (Individual)*

5% of respondents (15) suggested that people should not buy/own a car if they did not have somewhere to park the car, and they should be reminded that it is not a right to own a car.

Respondents stressed that exemptions would be used to undermine any future implementation of the law, and that it is essential there is consistency of application to ensure compliance, otherwise it undermines the purpose of the legislation and the whole thrust of the initiative.

## 2.14 Chapter Summary

There was overwhelming agreement that pavement parking is a problem across the country with over 81% of respondents agreeing or strongly agreeing that parking was a problem in their area. At least 22% of those who had encountered a problem reported being forced onto the live carriageway thereby being exposed to increased danger. The analysis found that the problem is prevalent in residential areas and often occurs on a daily basis. To the mobility impaired pedestrians it makes independent travel much more difficult and more hazardous than it needs to be. This often makes their journeys longer, uncomfortable and sometimes very uncertain.

Respondents thought motorists pavement parked for convenience and are unwilling to walk short distances to their houses or shops. Many noted situations where motorists were forced to park on the pavement as the carriageway in some areas is too narrow to accommodate parked vehicles and still allow passage of large vehicles e.g. fire engines and refuse trucks. Some suggested that motorists are forced to pavement park as a result of no or insufficient parking provision.

Although powers exist within existing legislation to ban pavement parking, respondents felt it was cumbersome and expensive to implement. The majority thought there was need for a new legislation banning pavement parking. They highlighted that section 129 (5) of the Roads (Scotland) Act 1984 needs to be amended making it an offence to park on the pavement or to obstruct the passage of, or endanger any other road user including pedestrians.

There was strong support that new legislation should cover all roads with footways, including private roads. However, those who disagreed, including Police Scotland, thought the new restrictions should not apply to private roads since it may create enforcement challenges.

The majority of respondents said that the legislation should apply to all vehicles. However, those who advocated for exemptions of certain vehicles, including emergency vehicles on active duty, motorbikes, goods vehicles undertaking deliveries/loading, and pointed out that failure to exempt certain vehicles would further disadvantage some groups of people, with reference to the 'protected characteristics'.

## Current Enforcement Arrangements

In this chapter the responses are presented to questions around the current enforcement arrangements for parking.

### 3.1 Question 7

#### ***Should there be consistent approach to parking enforcement across Scotland?***

There was total of 642 respondents to this question. Percentage values within this sub-section are presented on this basis.

Of the respondents, 85% (548) said that there should be a consistent approach to parking enforcement in Scotland, while 15% (94 respondents) disagreed. The results, identifying the split of respondent type, of those responding yes and no, are shown in Table 12.

*Table 12: Split by Respondent Type*

Category	Yes	No
	Number	Number
Public Bodies	20	4
Business/Industry	4	1
Professional/Trade Bodies	5	-
Academic/Research	1	
Third Sector/NGO	10	-
Community Groups	31	3
<i>Group respondents (Total)</i>	<i>71</i>	<i>8</i>
Individuals	477	86
<b>Total</b>	<b>548</b>	<b>94</b>

### 3.2 Question 7a

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

There was a very wide range of responses to this question. In total, 159 responses were deemed specific to the question and direct, so that they could be used in a statistical sense. Percentages within this sub-section are presented on this basis.

However it is acknowledged that a much larger number of responses (503 in total) were provided for this question. Many of these did not directly address methods of enforcement, but their themes are captured elsewhere within the questionnaire.

A full breakdown of the direct and specific responses can be found in Figure 7.

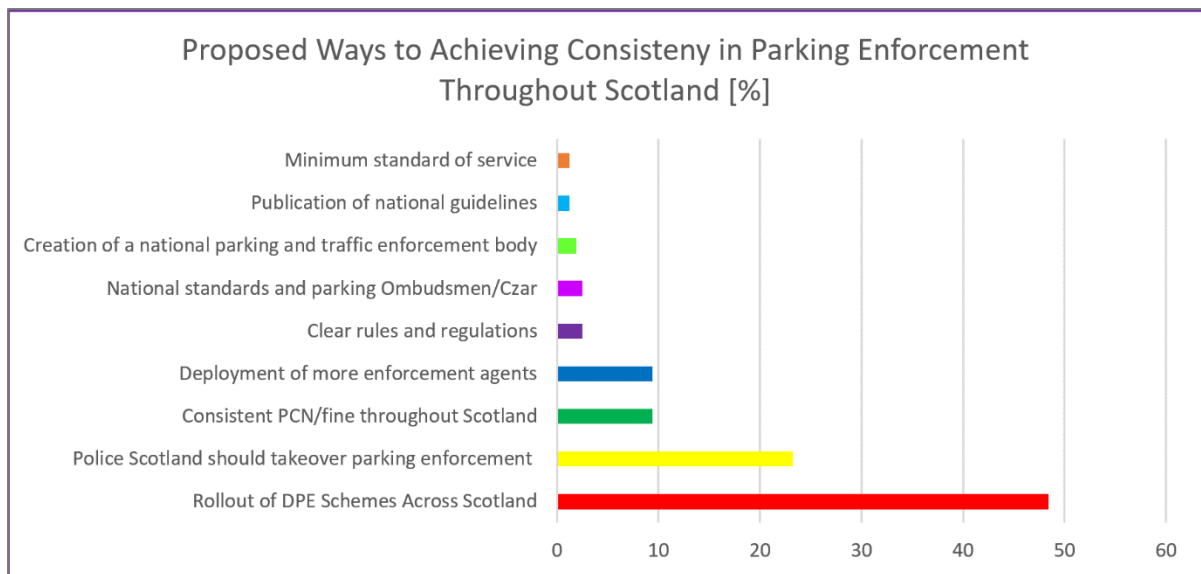


Figure 7: Proposed Ways to Achieving Consistency in Parking Enforcement Throughout Scotland

As can be seen from Figure 7, the most frequently proposed way to achieve consistency in parking enforcement in Scotland was the rollout of DPE schemes across Scotland, with 77 respondents (48%) making this proposal. However, 37 respondents (23%) suggested that Police Scotland should be responsible for parking enforcement.

The split of respondent types proposing achieving consistency through the rollout of DPE schemes across Scotland, are shown in Table 13.

Table 13: Split by Respondent Type of those proposing achieving consistency through the rollout of DPE schemes

Category	
	Number
Public Bodies	10
Business/Industry	2
Professional/Trade Bodies	3
Academic/Research	1
Third Sector/NGO	3
Community Groups	7
Group respondents (Total)	26
Individuals	51
<b>Total</b>	<b>76</b>

*“Glasgow supports DPE throughout Scotland. This means the public know the rules when in different cities, although the LA should still be permitted some discretion to determine local circumstances and anomalies and adequately line/sign to ensure the restriction is clear.” (Glasgow City council)*

*“... for those authorities who have already gone down the DPE route there will already be a consistent approach to parking enforcement in as much as parking restrictions within their area are likely to be enforced on a regular basis as compared to the ad-hoc approach by the Police. Things that could be looked at Scotland-wide could be things like the enforcement/cancellation policies etc between the various authorities. For example, grace and observation periods could be different between neighbouring authorities and this is something that could be standardised.” (Fife Council)*

However, some respondents felt that consistency was achievable through national guidance, rules, signage and markings.

*“The parking requirements / impacts of cities / small towns / rural areas are quite different, while a generally consistent approach would be welcomed, there would need to be flexibility to deal with the different needs of different communities. Consistency would be required for road markings and signs.” (Clackmannanshire Council)*

*“A level of consistency across Scotland needs to be established, in relation to the rules and signage.” (SCOTS)*

*“... a consistent approach in relation to the rules and any signage used would be beneficial. Perhaps the Scottish Government could issue guidance to all LA's on how all authorities should exercise these powers. Any guidance must apply equally to all LAs with enforcement powers, including LAs with DPE powers and Police Scotland, recognising that different authorities have different enforcement regimes, there should still be a consistent approach to what is enforced.” (Confederation of Passenger Transport UK – Scotland)*

Other respondents suggested that a DPE system should be made a regulatory requirement for all LAs in Scotland. At least 6 individuals proposed that a DPE system should not have to be self-financing but treated as any other service that the LA is required to provide.

*“All local authorities should be DPE registered and required to enforce standing parking legislation uniformly across Scotland.” (Individual)*

It was also noted that the DPE system should remain in public ownership and should not be contracted out. A community group suggested that LAs are better at parking enforcement since they have some financial gain from doing so.

*“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.” (Spokes, the Lothian Cycle Campaign)*

Three public bodies suggested that to achieve consistency in parking enforcement a nationwide DPE system was needed. Cost of running the scheme could be shared among all LAs.

*“Police Scotland has stated it is not in a position to be able to commit the necessary resources to parking enforcement. In theory, DPE enables a local authority to earn sufficient funds to run an enforcement agency. However, many are dependent on parking charges from Council car parks to support the enforcement operation, especially when you consider that the ideal DPE scheme is aiming for 100% compliance and no fine income at all. In large towns and cities with many yellow lines there will always be a background count of offences which will provide an income to run the scheme. In smaller villages, in rural councils, this will not be the case. Hence the reluctance of smaller councils to set up DPE schemes, for fear of running at a loss and eating into Council funds. A national DPE scheme could provide enforcement in rural areas while being funded by fines gathered in the larger towns and cities. Two groups of councils have combined together in Wales as the South Wales Parking Group and the Wales Penalty Processing Partnership, to run two such schemes. Without such an arrangement, rural councils will not be able to introduce DPE without additional government funding.” (Renfrewshire Council)*

Other respondents suggested that the DPE schemes should be rolled out without the present requirement of it being self-funding. Six respondents pointed out this requirement was a hurdle for most smaller LAs and those in predominantly rural areas.

*“Ideally there should be a consistent parking enforcement regime across Scotland insofar as all parking enforcement should be decriminalised, although local/regional regimes should be capable of flexibility on charges, level of PCN charge, grace periods etc. The difficulty with this is that in some parts of Scotland parking demand and parking violations are so low that a DPE system might not be self-financing of its own investment and even operating costs and it is not clear how else it might be financed.” (Transport Research Institute, Edinburgh Napier University)*

*“The current system where it is left to local authorities to make a business case for decriminalised parking enforcement is simply not working, and the relatively small local authority I worked for, could not make a financial business case stack up and it was not supported by Elected Members.” (Individual)*

Organisations who responded to the question also highlighted that in some locations parking activity and enforcement violations are at low levels and it was suggested

that a DPE system cannot be self-financed without additional funding. However, it was not clear from the responses where this additional funding should come from.

*“All parking enforcement should be decriminalised, although local regimes should be capable of flexibility on charges, level of PCN charge, grace periods etc. However, in some areas parking demand and violations are so low that a DPE system might not be self-financing of its own investment and operating costs and it is not clear how else it might be financed.” (SCOTS)*

*“...Parking enforcement should be generally decriminalised; however, local authorities should have the ability to be flexible on charges, PCN levels, etc. There is a challenge that in some locations parking activity and enforcement violations are at such low levels that a DPE system could not be self-financed without additional support.” (Chartered Institution of Highways & Transportation (CIHT) – Scottish Policy Forum)*

There was also acknowledgement from some respondents, including community groups that since Police Scotland accorded a low priority to parking, enforcement by the police has been sporadic.

*“As Police Scotland have said they will not deal with parking matters, it needs to be required that all Local Authorities move over to decriminalise these offences.” (Scottish Accessible Transport Alliance)*

As a result of the responses indicated above there was acknowledgement from individuals that all LAs should follow clear rules and regulations set by the Scottish Government. It was suggested penalties for parking offences should be consistent throughout the country. They pointed out that there might be a need to have national tariff bands which would prevent councils from overcharging. Others proposed features that could be looked at nationwide included the enforcement/cancellation policies between various authorities. Grace and observation periods could be standardised between neighbouring authorities.

*“By having the same rules in all towns and cities and by ensuring all local enforcement agencies are working to the same set of rules.” (Individual)*

Indeed, one individual suggested national guidelines/standards which would form a reference that might lead to the creation of a Parking Czar/Office of the Parking Reporter, an ombudsman for LAs and trunk road parking legislation resolution.

Four respondents suggested the creation of a nationwide enforcement body which would oversee the uniform implementation of parking enforcement countrywide. The centrally managed body would fall under Police Scotland and liaise constantly with LAs ensuring that their expectations are met. However, some organisations proposed an alternative approach, in which the parking wardens, although employed by the centrally managed body under Police Scotland, could be contracted to the LAs.

*“It might be preferable from the point of view of public perception if a nationwide traffic warden service were reintroduced as an arm of Police Scotland. This would give more resources for policing moving vehicle as well as parking offences, provide nationwide consistency and perhaps be viewed more as a service and less as a business, which DPE sometimes is. The difficulty would be in maintaining the self-financing nature of the service and the high levels of compliance seen in current DPE areas.”* **(Transport Research Institute, Edinburgh Napier University)**

*“Well start with decent legislation. Then put the enforcement back in the hands of Traffic Wardens, via Police Scotland and take it away from the Councils who, with the exception of the big cities, are largely uninterested”* **(Individual)**

*In theory, DPE enables a local authority to earn sufficient funds to run an enforcement agency. However, many are dependent on parking charges from Council car parks to support the enforcement operation, especially when you consider that the ideal DPE scheme is aiming for 100% compliance and no fine income at all. In large towns and cities with many yellow lines there will always be a background count of offences which will provide an income to run the scheme. In smaller villages, in rural councils, this will not be the case. Hence the reluctance of smaller councils to set up DPE schemes, for fear of running at a loss and eating into Council funds. A national DPE scheme could provide enforcement in rural areas while being funded by fines gathered in the larger towns and cities. Two groups of councils have combined together in Wales as the South Wales Parking Group and the Wales Penalty Processing Partnership, to run two such schemes. Without such an arrangement rural councils will not be able to introduce DPE without additional government funding.”* **(Renfrewshire Council)**

*The only other alternative solution would be the introduction of a national or shared Traffic Warden scheme as proposed in paragraph 45 of the consultation.* **(Orkney Islands Council)**

*“Parking control should be carried out nationally by wardens directly employed by Police Scotland under contract from the local authority. These wardens should have the power to issue tickets in all areas, including those currently reserved by the police and not enforced by deregulated private companies such as obstruction.”* **(Individual)**

*“I would introduce Traffic Wardens or something similar, operated and managed by a Scottish body, possibly linked with Police Scotland.”* **(Individual)**

*“I think council enforcement has been a disaster. Clearly, police have no interest (or ability to respond) to this area either. A centrally-managed service which councils can liaise with would be the best option.”* **(Individual)**

It is currently up to each individual LA to determine if DPE is right for them. Two public bodies and a community group highlighted it is likely that for those authorities who haven't yet got DPE, relying on the Police for the enforcement of parking restrictions will become more and more difficult due to budget cuts and other competing priorities. There was a proposal for the creation of a forum for information and expertise sharing of DPE issues to reduce costs for all and ensure a consistent,

quality parking management across Scotland. Respondents also highlighted the importance of clear and consistent service delivery for the customer which is both transparent and understandable.

A public body suggested that Transport Scotland could consider promoting an on-going Working Group for all LAs with the aim of ensuring continued consultation with all authorities, including support for those authorities that have yet to take step to decriminalise parking.

*“Currently there is a Parking Scotland Group which is supported by the BPA. A number of local authorities attend this regularly, however, engagement from non-DPE authorities is limited at this time. Transport Scotland frequently attend the meetings, which has been useful. This group relies on membership of the BPA which may not be applicable to all local authorities.*

*In addition to this there is a DPE group for authorities in Scotland that haven’t yet taken the steps to decriminalise parking. At the moment this group appears to be led by Edinburgh City Council and their enforcement contractor NSL.*

*In order to reach a point where all parking enforcement is consistent across Scotland, it is suggested that Transport Scotland consider an on-going Working Group for all authorities with the aim of ensuring on-going consultation with all authorities, including support for those authorities that have yet to take step to decriminalise parking.*

*This would also provide a great networking opportunity for authorities to discuss best practise and identify any joint working opportunities that could reduce the pressures on budgets at local levels.” (Aberdeen City Council)*

However, 23% (37 respondents) felt that parking enforcement should remain the responsibility of Police Scotland. They felt that the current system of local authorities and private companies enforcing parking regulations is ineffective and that violations of parking byelaws should be criminalised especially considering the proposed restrictions on pavement and dropped kerb parking. The argument put forward by these respondents was that such violations might endanger lives and hence a penalty would not be sufficient. It was suggested by some respondents, particularly individuals that pavement parking should be classified as a crime with options for penalty points being endorsed on recurring offenders.

*“Everyday parking enforcement can continue to be done by councils. Maybe have a national tariff bands so councils don't overcharge. However, when it comes to pavement and double parking, that needs to be criminalised as it could cost lives, if a fire engine cannot access a street for example” (Individual)*

### 3.3 Question 8a

***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?***

It is noted that Question 8 did not actually seek a response, and was presented as a statement to introduce Questions 8a, 8b and 8c.

#### 3.3.1 DPE – Level of Agreement and Disagreement

This sub-section considers the responses to Question 8a, and focuses on the basic question of whether respondents agreed or disagreed with the rolling out Decriminalised Parking Enforcement regimes.

584 respondents answered this question and percentages presented in this sub-section are calculated on this basis.

Of these, 49% (288) agreed that DPE should be rolled out across Scotland, 24% (138 respondents) disagreed, and 27% (158 respondents) had no view on rolling out DPE regimes across Scotland. The results (of those agreeing or disagreeing), by respondent type, are shown in Table 14.

*Table 14: Split by Respondent Type of Those Agreeing /Disagreeing to Rolling Out DPE Across Scotland*

Category	Yes	No
	Number	Number
Public Bodies	15	11
Business/Industry	3	1
Professional/Trade Bodies	4	2
Academic/Research	1	-
Third Sector/NGO	6	1
Community Groups	17	4
<i>Group respondents (Total)</i>	46	19
Individuals	242	119
<b>Total</b>	<b>288</b>	<b>138</b>

From the responses given most of those who agreed would have had positive experience with DPE operations in their areas and even urged all LAs to follow suit.

***“No local authority should be without a parking enforcement regime. Even smaller rural councils have issues with tourist traffic and need to be able to manage their parking stock to keep the roads safe and traffic flowing. DPE seems to be the only option for those authorities who are serious about controlling parking.”***  
***(Renfrewshire Council)***

*“We believe there is an opinion that where decriminalised parking enforcement exists, parking provisions and restrictions are better managed. This can only be to all stakeholders’ benefit.” (Guide Dogs Scotland)*

*“DPE has been a success in Inverclyde since it started in 2014. - - - so, we would encourage local authorities to adopt and extend DPE to include parking on pedestrian crossing zig-zags, for example.” (Inverclyde Council)*

*“Police Scotland have a number of competing demands on their resources and this has led to parking enforcement being low on their list of priorities. If local councils want to bring back some order to the roads they have to progress with DPE.” (North Lanarkshire Council)*

*“It is considered that for consistency across Scotland, DPE should be rolled out to all authorities allowing all users to be conversant with all regulations leading to consistent parking enforcement.” (TACTRAN)*

*“It would be beneficial for DPE to be rolled out across Scotland to ensure consistency, but may not be viable for all LA areas due to financial and enforcement issues. LAs should retain the ability to choose whether DPE is suitable for their area. Should be easier and quicker for Councils to take on DPE powers, the present requirements are much too onerous and time consuming. DPE has been successful in Perth and Kinross and Inverclyde and encouragement is given for other LAs to follow suit.” (SCOTS)*

*“In our experience, the introduction of DPE in Edinburgh has been extremely successful and is more effective, flexible and ensures that a dedicated resource is available to manage parking problems at all times.” (City of Edinburgh Council)*

*“We consider that DPE powers being extended nationally may contribute to achieving a national level of consistency.” (Police Scotland (Road Policing))*

*“Stirling recently introduced this scheme and the parking situation has massively improved. I would be in favour of rolling it out, as long as Councils committed to enforcement.” (Individual)*

### 3.3.2 DPE – Views of those who agreed

This sub-section focuses on the views of those who agreed with rolling out DPEs. Therefore percentage values are presented on the basis of the 288 respondents who agreed to their provisions.

11% (33 respondents) of those who agreed stated that not only should DPE be rolled out across the country but it should be made a requirement. They argued that this would make enforcement consistent across the country. Some pointed out that even smaller rural councils have issues with tourist traffic and need to be able to manage their parking stock to keep the roads safe and traffic flowing. It was also pointed out that LAs should still have some flexibility to suit their individual circumstances. It was also highlighted that where decriminalised parking enforcement exists, parking provisions and restrictions are better managed, and that this can only be to all stakeholders’ benefit.

4% of those who agreed (11 respondents) felt that the status quo should remain with each roads authority determining the feasibility or otherwise of introducing DPE in their area. It was noted that for some authorities the implementation and operation of a DPE scheme cannot be financially justified.

*“Local authorities should retain the ability to choose whether or not it is appropriate to apply for DPE powers in their area.” (Nestrans)*

*“The roll out of DPE to Dumfries and Galloway, with or without shared services, could only be supported if this was at no net cost to the Council and Local Authorities should retain the ability to choose whether or not it is appropriate to apply for DPE powers in their area. Those Local Authorities that have not done so already are predominately those that will have the most difficulty in making the business case to demonstrate viability.” (Dumfries and Galloway Council)*

*“The roll out of Decriminalised Parking Enforcement (DPE) should remain a decision for the individual Local Authorities to reflect local circumstances and resources.” (North Ayrshire Council)*

*“Local authorities should retain the ability to choose whether or not it is appropriate to apply for DPE powers in their area.” (Aberdeen City Council)*

*“It is for each roads authority to determine the feasibility or otherwise of introducing DPE in their area. It is likely that for some authorities the implementation and operation of a DPE scheme cannot be financially justified.” (Falkirk Council)*

*“Local authorities should retain the ability to choose whether or not it is appropriate to apply for DPE powers in their area.” (HITRANS)*

*“I do not think that this system should be imposed on local authorities. I believe that DPE works well in Edinburgh but it may not be wanted, or appropriate for all areas. Communities should decide.” (Individual)*

Four respondents felt that smaller LAs should be given start-up capital to establish DPE. These comprised 1 public body, 1 third sector/NGO, and 2 individuals. The respondents stated that self-financing may not be viable in some areas without Scottish Government support/incentives. It was also stated by Living Streets Scotland that the Scottish Government should put in place arrangements to help councils replace the services withdrawn by Police Scotland in some areas. Stirling Council also suggested that DPE could be rolled out to all council areas if the Government agreed to fund losses as and when they occurred.

*“The Scottish Government should put in place arrangements to help councils replace the services withdrawn by Police Scotland. However, this needs to be phased in over time with sufficient scope for councils to determine their own approaches to management.” (Living Streets Scotland)*

*“DPE could be rolled out to all council areas if the Government agreed to fund losses as required. The alternatives are diverting scarce Police resources or no enforcement.” (Stirling Council)*

*“Rolling out DPE across Scotland is desirable, however there is requirement for DPE to be self-financing which may not be viable in some areas without Scottish Government support/incentives.” (Individual)*

Three individual respondents felt that there should be strict rules to councils on the use of surplus funds generated by the revenue from this source. e.g. transparently for the funding of transportation projects that benefit the community and not for general use within the LA. They also felt that councils should be reminded that DPE system should also be about health and safety, and not seen as a money-making scheme.

*“I would like to see it implemented in such a way that the money received via fines was reinvested into sustainable transport such as improved public transport, segregated bike lanes and better consideration of the needs of pedestrians.” (Individual)*

Three other respondents felt that rolling out DPE system was the way to go as councils are best placed and since it brings revenue to council, hence encourages enforcement to the benefit of all.

### 3.3.3 DPE – Views of those who disagreed

17% of those who disagreed (24 respondents) proposed that parking offences should be recriminalised and enforced by Police Scotland. They suggested that this would bring parking under central control and ensure consistency throughout Scotland. It was also considered that this would add deterrence to parking offences, and bring integrity to the system since Police Scotland staff have integrity. A number of these highlighted that Police Scotland should be given more resources to carry out these duties.

*“While, on the one hand, it may be seen as desirable to remove some, or all, of the burden of enforcement from Police Scotland, thus freeing resources to focus on more “serious” crimes, on the other hand it would increase the burden on some local authorities. How this would be addressed, particularly in the current budgetary climate, must be carefully considered.” (South Lanarkshire Council)*

*“Parking should be police controlled though cost implications may be taken into account, Motorists should know that if a ticket is issued it will be followed up.” (East Dunbartonshire Visually Impaired People’s Forum)*

*“Police are the proper authority to deal with these issues. Parking wardens are often abused which does not happen to police officers who have powers of arrest.” (Individual)*

9% of those who disagreed to rolling out DPE schemes (12 individual respondents) highlighted that they believed the DPE system was being abused by councils as a fundraising exercise. One respondent stated that the key driver in DPE is making money to such a degree that the introduction of restricted parking in some areas was done with cash in mind and little or no consultation with residents, resulting in residents being disadvantaged. Two respondents pointed out that implementation of the system should be for the good of the residents and not cash generation. One

respondent argued that DPE schemes have shown themselves to be woefully inadequate, with councils having a purely commercial interest in parking enforcement, and felt that unless parking revenue is being threatened, parking attendants will not act. The respondents also expressed a view that there does not seem to be adequate mechanism ensuring that any surplus cash raised in channelled back into parking and public transport infrastructure.

*“Parking enforcement has become an income generator for local authorities. The level of inconvenience or danger caused by the parked vehicle does not come into consideration. A car parked for two minutes in the city centre where it may be causing no obstruction will certainly be ticketed but a car parked in a dangerous position in a residential area will not be. Target the problem parkers!” (Individual)*

*“The Edinburgh DPE scheme has shown itself to be woefully inadequate, City of Edinburgh Council has a purely commercial interest in parking enforcement. Unless parking revenue is being threatened, CEC parking attendants will not act” (Individual)*

4% of those who disagreed (5) suggested that DPE is sustainable in the cities, where the revenue generated from penalties can support the service, but not necessarily sustainable in rural areas where more manpower is required to issue penalties. They argued that DPE schemes are characterised by a general lack of enforcement outside easily-enforced areas – so city centres are well managed, but small towns and villages are ignored.

*“DPE is sustainable in the cities, where the revenue generated from penalties can support the service, but not necessarily sustainable in rural areas where more manpower is required to hand out penalties.” (Individual)*

3% of those who disagreed (4 respondents) saw DPE as a lottery/postcode enforcement and therefore, not at all effective. They argued it is patchy and inconsistently arranged, leading to confusion, and it allow councils to target certain motorists over others.

*“There is a postcode lottery of enforcement with many areas not enforcing at all. This has not worked.” (Individual)*

*“It will allow councils to target certain motorists over others without any come back on them.” (Individual)*

Individual respondents expressed various other negative experiences with DPE systems.

*“My local authority has been granted DPE, but I see no evidence of the powers being used, in which case "rolling out DPE" is simply an abandonment of parking enforcement.” (Individual)*

*“Disagree. It becomes similar to privatisation and encourages councils to abuse power and design areas specifically to utilise their power.” (Individual)*

### 3.4 Question 8b

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

There were 495 responses received to this part of the question, and 371 respondents expressed a clear preference.

##### **3.4.1 DPE – Level of Agreement and Disagreement**

This sub-section considers the responses to Question 8b, and focuses on the basic question of whether respondents agreed or disagreed with the shared services.

Percentage values in this sub-section are on the basis of the 371 expressing a clear preference.

Of these, 314 (85%) thought that sharing DPE services between councils was probably the best way forward. Some felt that this could be implemented if adequate parking provision is considered, and if it is not used as a “cash cow”. There were 57 respondents (15%) who did not agree that sharing a traffic warden service was a good idea.

Table 15 identifies the respondent type split of those who expressed a preference.

*Table 15: Split by Respondent Type on proposal to share services, to provide access to a “traffic warden service” in areas without DPE*

Category	Yes	No
	Number	Number
Public Bodies	15	-
Business/Industry	-	-
Professional/Trade Bodies	4	-
Academic/Research	-	-
Third Sector/NGO	2	-
Community Groups	9	4
<i>Group respondents (Total)</i>	-	4
Individuals	284	53
<b>Total</b>	<b>314</b>	<b>57</b>

##### **3.4.2 Sharing Services – Views of those who agreed**

This sub-section focuses on the views of those who agreed with sharing services. Therefore percentage values are presented on the basis of the 314 respondents who agreed.

5% (15) of respondents who thought sharing services was a good idea felt that sharing DPE services would deliver value for money to the ratepayer, provided it is implemented correctly, but should not result in a reduced service in the supplying authority. It was also pointed out that this would support smaller councils or rural

councils with limited resources, and will lead to a more efficient use of public resources if they are properly resourced.

*“I would support the concept of collaboration between local authorities to share services to enable enforcement of parking controls.” (Perth & Kinross Council)*

*“Access to a traffic warden service for areas without DPE is worth exploring further but as LAs do not receive funding for the enforcement of on-street parking this should only be in conjunction with an appropriate transfer in funding from Police Scotland to local authority to reflect the change in responsibility.” (Scottish Borders Council)*

*“... The Highland Council and East Lothian Council, sharing a framework contract and back-office services. There is scope to build upon this collaboration further and add additional partners to the contract. The Council is happy to support other local authorities on their own journey toward DPE, sharing our knowledge and expertise of operating such services over many years. This approach achieves efficiencies for Councils currently without DPE services.” (City of Edinburgh Council)*

*“We consider that it may be that the sharing of services in areas without DPE may provide an option in addition to achieving a level of consistency.” (Police Scotland (Road Policing))*

*“Sharing parking enforcement services across local authority areas is a very good idea but this will have to be done in a manner that those areas that already have DPE do not lose parking income by cross-subsidising enforcement in areas that currently do not have it because a DPE operation cannot break even in such areas.” (Transport Research Institute, Edinburgh Napier University)*

*“Sharing services with an authority which already has DPE in place, with all the necessary enforcement procedures and ‘back office’ functions, is clearly a cost-effective way for smaller Councils to achieve DPE status... Sharing parking enforcement services across LA areas, is a very good idea, but this must be done in a manner so that the areas that already have DPE do not lose parking income by cross-subsidising enforcement to areas that cannot break even using the DPE scheme.” (SCOTS)*

*“A traffic warden service in whatever capacity would be very welcome. We need people who are visibly patrolling our streets checking for parking offences, and taking action where necessary, to act as a deterrent.” (Huntly Community Council)*

### 3.4.3 Sharing Services – Views of those who disagreed

This sub-section focuses on the views of those who disagreed with sharing services. Therefore percentage values are presented on the basis of the 57 respondents who disagreed.

The main reason given by 19 of those respondents (33%) who disagreed to sharing DPE services was that it will stretch resources more than they are now and actually provide a worse service overall.

*“Not applicable to our area but feel sharing services with neighbouring authorities would be detrimental to the working process.” (Dennistoun Community Council)*

*“This may lead to a very weak enforcement regime unless resources were increased to ensure that enforcement was retained at existing levels in those areas providing the service elsewhere. There is the danger that this approach would just be seen as a money-earner for the provider.” (Individual)*

### 3.5 Question 8c:

#### **What should Police Scotland’s involvement be in future?**

There were 536 respondents to this part of the question. Many of the responses referred to general policing, dependent on the situation, but were not relevant to parking enforcement.

The percentages in this sub-section are on the basis of all 209 responses which were specific to police involvement in parking enforcement.

76% (159) of those respondents who referred directly to enforcement responsibilities felt that Police Scotland’s direct control over parking should be limited to where it is causing an obstruction. Respondents felt that Police Scotland are unable to commit sufficient resources to manage parking as effectively as LAs would like, and the LAs have no influence over when and where the Police decide to act. Table 16 below shows a split by respondents’ type of those suggesting Police Scotland should not be primarily responsible parking enforcement in future.

*Table 16: Split by Respondent Type on whether Police Scotland should have primary control over parking*

Category	Yes	No
Public Bodies	3	17
Professional/Trade Bodies	-	2
Third Sector/NGO	-	2
Academic/Research Institution	1	-
Business/ Industry Groups	-	1
Community Groups	3	10
<i>Group respondents (Total)</i>	7	32
Individuals	43	127
<b>Total</b>	<b>50</b>	<b>159</b>

*“I do not consider that Police Scotland see parking enforcement as a priority for them so I would encourage all local authorities to adopt and extend DPE to include parking on pedestrian crossing zig-zags, for example, and for Police Scotland to have no role in parking enforcement in the future.” (Perth & Kinross Council)*

*“Police Scotland should continue to carry out its duty to enforce parking legislation in areas where DPE has not been applied. This should be done in accordance with new Scottish Government guidelines, applicable to all authorities with parking enforcement powers, to ensure consistency.” (Nestrans)*

*“The Council do not believe that Police Scotland will have necessary resources available to properly enforce parking restrictions in the future and the demands of authorities will not be met. Parking enforcement, quite rightly, should not be a priority for Police Scotland and would be better managed by dedicated, professional and specialised Parking Attendants. The expectations of authorities and customers will be difficult to meet and prioritise as Police Scotland necessarily provide a leaner, more agile service. By working with the Police, authorities may find themselves paying for a service which they cannot properly manage and is operated mainly through goodwill which will not be able to encourage compliance.” (City of Edinburgh Council)*

*“As long as councils run parking enforcement correctly police time should be spent on more important issues and areas, not parking!” (Individual)*

It is clear from both organisation and individual respondents that given the limited resources Police Scotland has, and the competing requirements for these limited resources, the majority of respondents do not think Police Scotland should be primarily responsible for parking enforcement in the future. They felt Police Scotland should reserve its limited resources to urged requirement and leave parking enforcement to Councils especially in those areas with DPE.

However, of those who did not think Police Scotland should be the primary enforcer, 17 organisations acknowledged that Police Scotland should still continue to carry out its duty to enforce parking legislation in areas where DPE has not been implemented.

The Confederation of Passenger Transport UK – Scotland proposed that if Police Scotland can no longer fulfil its enforcement duties in areas without DPE, then consideration must be given to putting in place other arrangements to ensure effective implementation and enforcement of any new and existing legislation.

Local authorities, anticipated that Police Scotland’s involvement would be limited to actions including:

- moving vehicle offences;
- obstructions/parking at pedestrian crossing; and
- any other offences which are not transferred under DPE.

As such, both Perth and Kinross Council and Inverclyde Council suggested there may be merit for LAs to adopt and extend DPE to include parking on pedestrian crossing zig-zags.

Where respondents preferred that Police Scotland should take complete control over the management of parking, it was suggested that a national team of wardens

should be established, which would be directly employed by Police Scotland but are under contract from the LA.

*“It might be preferable from the point of view of public perception if a nationwide traffic warden service were reintroduced as an arm of Police Scotland. This would give more resources for policing moving vehicle as well as parking offences, provide nationwide consistency and perhaps be viewed more as a service and less as a business, which DPE sometimes is. The difficulty would be in maintaining the self-financing nature of the service and the high levels of compliance seen in current DPE areas.” (Transport Research Institute, Edinburgh Napier University)*

*“The Police have the most powers to deal with dangerous, inconsiderate and illegal parking so should continue to have and enforce the law. People also have more respect for the Police than for traffic wardens etc so there tends to be a better response when challenged.” (Individual)*

### 3.6 Question 9 (part 1)

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

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

There were 625 responses to this question. Percentages in this sub-section are presented on this basis.

86% (538) of all respondents thought that LAs should be able use CCTV and/or Automatic Number Plate Recognition (ANPR) systems for enforcement of parking in areas where safety benefits can be delivered to all road users e.g. around schools. A split of the results by respondent type is shown in Table 17.

Table 17: Split by Respondent Type on Use of CCTV/ANPR Systems for Enforcement of Parking Around Schools etc

Category	Yes	No
	Number	Number
Public Bodies	12	7
Business/Industry	3	-
Professional/Trade Bodies	5	-
Third Sector/NGO	7	-
Community Groups	30	3
Group respondents (Total)	57	10
Individuals	481	77
<b>Total</b>	<b>538</b>	<b>87</b>

### 3.7 Question 9 (part 2)

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

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

There were 615 responses to this question. Percentages in this sub-section are presented on this basis.

Approximately 79% (485 respondents) thought that LAs should be able use CCTV and/or Automatic Number Plate Recognition (ANPR) systems for enforcement of some moving vehicle contraventions like banned turns. However, 21% (130) of respondents disagreed.

Table 18 shows a split on respondent types, for that were or were not agreeable to using CCTV/ANPR systems for enforcement of some moving vehicle contraventions like banned turns

*Table 18: Split by Respondent Type on Use of CCTV/ANPR Systems for Enforcement of some moving vehicle contraventions*

Category	Yes	No
	Number	Number
Public Bodies	6	6
Business/Industry	1	2
Professional/Trade Bodies	5	-
Third Sector/NGO	6	-
Community Groups	25	5
<i>Group respondents (Total)</i>	<i>37</i>	<i>13</i>
Individuals	448	117
<b>Total</b>	<b>485</b>	<b>130</b>

A large number of public sector organisations were against the deployment of CCTV/ANPR systems for the enforcement of some moving vehicle contraventions like banned turns. The reasons for their decision is explore further in Question 9a.

### 3.8 Question 9a

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

There were 187 responses to this part of the question. Percentages in this sub-section are presented on this basis.

Of these responses 21% (39) thought that LAs should not be allowed to use CCTV and/or Automatic Number Plate Recognition (ANPR) systems for enforcement. They argued that this would further expand the role of LAs when they should be focussing on their core services. They stated that civic authorities must not be allowed to take

on police duties, and therefore it should be left to the Police for consistency and professionalism in application of the law country-wide.

*“Police Scotland should retain powers for enforcing moving traffic offences. The use of CCTV and ANPR is not feasible for all roads authorities without additional funding to firstly implement the proposal and thereafter maintain the scheme and equipment.” (Falkirk Council)*

*“The cost of technology could potentially place a large financial burden on Councils, with an accompanying unrealistic expectation of wide scale enforcement.” (Stirling Council)*

*“Making some moving vehicle contraventions no longer a Police responsibility, presumably only where DPE is in place, seems only likely to exacerbate the current split in responsibility. It would also result in a further reduction in Police Scotland enforcement of legislation put in place to improve road safety. Both would lead to confusion about responsibilities and for those areas without DPE that would seem likely to result in a reduction in service and potential increase in road safety issues.*

*There are concerns that additional capital and operating costs would fall to Local Authorities to fund if the enforcement of moving traffic violations were transferred.” (Dumfries and Galloway Council)*

*“There are serious civil rights issues at stake if this were approved- however we believe that this is already used in monitoring bus lanes and with speed cameras – so more specific info would be required as to what type of driving offences this might apply to. – as noted above there are civil rights issues that need to be explored in this – both in how data is used – and who would have access to it.” (Drumoyne Community Council)*

*“There are situations where specifically 'banned turns' have become necessary due to Police Directives, example a major incident where a road has collapsed or where there has been a major incident and vehicles have to be turned around. CCTV and ANPR cannot differentiate with these situations.” (Individual)*

Those who disagreed to LAs using CCTV/ANPR also stressed that it is appropriate that moving traffic violations should remain criminal offences and hence be dealt with by the police. These respondents argued that this kind of moving traffic violation is a more serious road safety issue and should remain a criminal offence, and a matter for the Police.

*“Moving violations and endorsable offences with a road safety aspect to them are better dealt with by the Police. The Police have additional responsibilities in reporting accidents and taking drivers to court for such contraventions which should not be mixed up with another agency. Potential differences in evidence provided by each agency must not be allowed to prevent the securing of a conviction.” (Renfrewshire Council)*

Some respondents felt that councils do not have the skills and experience when considering each case.

*“There is no expertise with the council and they are more likely to pursue flimsy cases in an attempt to boost their coffers. Police are much more likely to be take a better approach given skill experience instead of simple arbitrary approach.”*  
**(Individual)**

12 individuals also raised concerns about CCTV monitoring, in particular the impact to privacy. Some of the individuals highlighted that CCTV is intrusive, expensive and creates a culture of “we are being watched”.

*“I think the use of CCTV in Scotland has reached preposterous numbers, I simply do not want any more cameras.”* **(Individual)**

Another 10 respondents thought recognition systems are not always effective as they felt that discretion will always have a place enforcing dynamic situations, hence the Police are best placed to deal with these issues.

*“In some situations, these things are applicable, e.g. getting out of the way of an ambulance and recognition systems do not account for these.”* **(Individual)**

### 3.9 Question 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?***

There were 629 responses to this question and percentages within this sub-section are presented on this basis.

38% (237) of respondents thought it was a good idea for LAs to exempt specific streets or areas from national restrictions for pavement parking, and 62% (392) did not. A split by respondent type is shown in Table 19.

*Table 19: Split by Respondent Type of Those Agreeing That LAs Should Exempt Specific Streets/Areas*

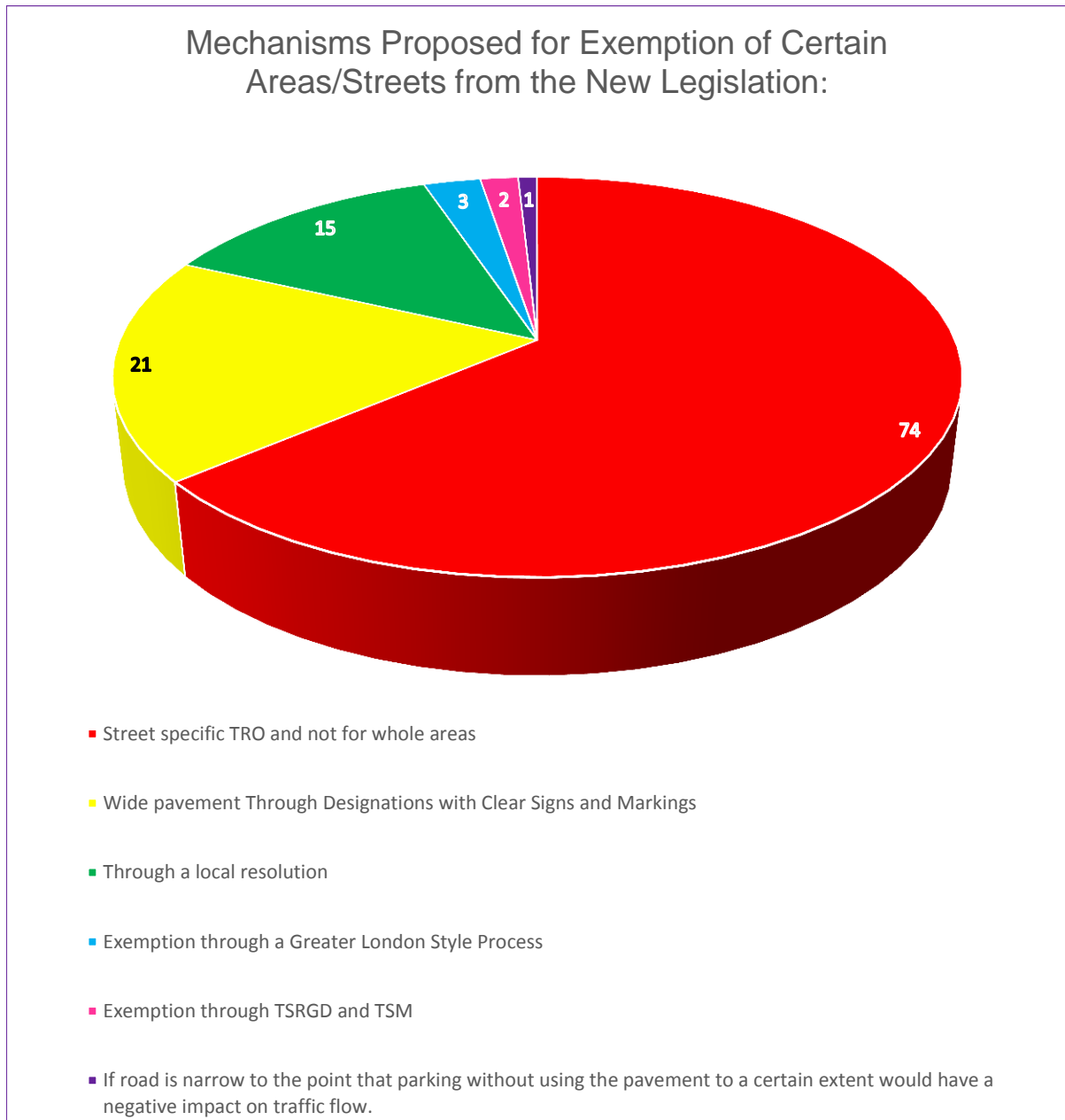
Category	Agree	Disagree
Public Bodies	24	-
Business/Industry	4	1
Professional/Trade Bodies	4	1
Academic/Research	1	-
Third Sector/NGO	5	3
Community Groups	12	20
<i>Group respondents (Total)</i>	<i>50</i>	<i>25</i>
Individuals	187	367
<b>Total</b>	<b>237</b>	<b>392</b>

### 3.10 Question 10a

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

279 respondents were received for this part of the question, and within these 116 examples of specific measures being suggested. Percentages in this sub-section are based on the 116 proposals for specific measures.

Figure 8 shows a graphical representation of the mechanisms that respondents proposed could be used to exempt specific streets/areas from the national legislation.



**Figure 8: Mechanisms Proposed for Exemptions of Specific Areas/Streets from the National Pavement Parking Legislation**

As can be seen from Figure 9, 64% of those proposed mechanisms (74) suggested that the best way would be using TROs. Six public bodies, one community group and

one professional/trade body highlighted that TROs are, however, a resource intensive process and time consuming for LAs.

*“It is a good idea in principle to allow Local Authorities to exempt specific streets or areas from national restrictions. A clear policy and justification should be required for all such circumstances. This should include a consultation process in the interests of transparency. Clear signage and/or markings should require to be provided on the ground to clearly delineate where such exemptions exist. The TRO process would provide an appropriate mechanism to ensure a transparent process is undertaken however it is recognised that this may present resource implications for Local Authorities. An alternative option would be the development of a clear local policy, consultation and application process for determining the appropriateness of such exemptions.” (North Ayrshire Council)*

*“Specific streets should be exempt from pavement parking as without significant investment there is no alternative, especially in older housing estates and industrial areas. This could be done by TRO or a simpler process - perhaps local byelaws.*

*There could be resource implications for LAs who need to assess all parts of their area for the impact of removing pavement parking, assessing alternatives, provision of alternative parking, assessing the requirements and scope of any exemptions.*

*Cost and time involved in the setting up of a TRO is a major barrier to the widespread use of this legislation. The process would need to be shortened to allow restrictions to be introduced quicker (it currently takes between 12 – 18 months). Alternatively, some form of local resolution – which would be less resource intensive and likely to be quicker would be beneficial.” (SCOTS)*

*“A TRO would be the most logical mechanism, although it may be that a local authority would choose to make a blanket order for all of its area.*

*Changes would also need to be made to TSRGD, and exemptions could be attached to the signage as per bus stops / school keep clear markings.” (Moray Council)*

However, eight respondents pointed out that the exemption will have to be appropriately signed, which will lead to installation and future maintenance costs to LAs.

*“... however, the exemption will have to be appropriately signed; which will lead installation and future maintenance costs to local authorities. It may also lead to an increase in sign clutter.” (Argyll and Bute Council)*

Five respondents, including active travel groups noted the need for care and consideration for pedestrians when erecting the necessary exemption signs as this may also lead to an increase in sign clutter.

*“Sustrans Scotland strongly believe legislation or guidance should be simple to follow and as universal as practical. We would be concerned if a new parking bill encouraged a need for significant increases in signage or street furniture on already cluttered footways.” (Sustrans Scotland)*

Some individuals and third sector/NGOs suggested that during the consultation process “weight” should be given to the needs of vulnerable road users.

*“TRO process would allow public engagement to take place-enabling views of those living within the area and who are users of the walkway to make representation allowing an informed decision on whether or not an exemption is sanctioned.”*

**(Mobility and Access Committee for Scotland)**

*“Local authorities should have this power, so long as blanket use is discouraged. Permanent exceptions should require local consultation, with particular weight given to the needs of vulnerable road users.”* **(Individual)**

*“That whilst some concerns have been raised with very wide pavements. These should be set by LAs after public consultation. Any exceptions should be subject to stringent equalities assessment to demonstrate that parking will have no negative impact on vulnerable groups.”* **(Individual)**

21 respondents (18% of the specific proposals provided), which included a number of local authorities and individuals, suggested roads authorities should be permitted to implement the necessary signing and lining without the need for a TRO. The respondents suggested that LAs should be permitted to apply for an exception to the ban where it can be demonstrated that adequate footpath width and junction visibility is provided, and it can be demonstrated that the proposed parking does not impact on children, buggies, disabled people and cyclists’ access and safety.

It was suggested that if the road is less than 7.3 metres from kerb to kerb, then no restrictions should apply. They propose clear designation be implemented in the same way parking restrictions are designated.

*“However, this should be the exception and not the rule, as there may be local issues which could not be covered by blanket legislation. TRO’s or local by laws could be used.”* **(Broomhill Community Council)**

Another 12% (15) of responses giving specific proposals indicated that a local resolution was the best way forward since it can easily be corrected if necessary or is no longer required. They felt this was better than a TRO, which takes too long to promote and is resource intensive. Indeed, some LAs pointed out there would be too many streets that would require exemptions and promoting. TROs would not be a good use of council time and resources. They also highlighted that regard should be given to the resource implications that the proposed regulation will have for LAs that will be required to assess all parts of their area for the impact of removing pavement parking, assessing alternatives, providing alternative parking if necessary, and assessing the requirements and scope of any exemptions.

*“TRO procedure has resource and cost implications and is open to objection. Local resolution makes sense and would be an easier mechanism for LA's to exempt streets/areas. Issues include:*

- How to sign - street clutter*
- Road markings - cost and maintenance*
- Burden on LA's to exempt roads*

*A local resolution process would be a much better mechanism to resolve these and other traffic regulation issues.” (Glasgow City Council)*

A further three respondents suggested exemptions could be implemented through a “Greater London Style Process” (In certain London boroughs they provide exemptions from enforcement without the use of TROs and instead use Committee Resolutions to authorise signing and lining to show where enforcement doesn't apply because footway parking is permitted). However, the respondents proposed that there should be some flexibility and a need to show no detriment to protected groups. These respondents stated that clear guidance is vital, especially minimum clearances or allowing footway parking on one side of a street only e.g. if there is access to an alternate unobstructed pavement. They pointed out that policies used by London Boroughs offer a good starting point.

*“Again, some kind of ‘umbrella’, nationally agreed and implemented, set of guidelines, applied consistently in both rural and urban areas, e.g. around the minimum pavement width where pavement parking would be permissible (again, as per the London example). Again, however, careful consideration needs to be given to the increased usage of road signs and/or painted yellow lines, etc., in more rural locations, in particular, in Conservation Areas, National Scenic Areas and other Special Landscape Areas.” (Muckhart Community Council)*

Two organisations suggested exemptions could be created and indicated by signs and markings (in accordance with TSRGD Diagrams). They pointed out that in London, there is a blanket pavement parking ban, but it is possible for individual Boroughs to grant exemptions, signed using the signs and lines at TSRGD Diagram 666, 667 and 668 (refer to Figure 9: TSRGD Signs Regulating Parking on Footways) which allow vehicles to park with two or four wheels on the pavement, with white lines used to indicate these pavement parking bays.

The RAC suggested that LAs should be allowed to exempt a street from pavement parking restrictions if it is narrow to the point that parking without using the pavement to a certain extent would have a negative impact on traffic flow.

*“The RAC believes this could be a sensible approach. Local authorities and communities are ultimately best placed to decide which specific streets should qualify for an exemption. This should be covered by some form of over-arching guidance – for example, local authorities should be allowed to exempt a street from pavement parking restrictions if it is narrow to the point that parking without using the pavement to a certain extent would have a negative impact on traffic flow.” (The RAC)*

### 3.11 Chapter Summary

Although a blanket ban on pavement parking was the most preferred way forward, some respondents felt that it was unhelpful and should be locality based. It was highlighted that in some small villages banning pavement parking would be very disruptive for the whole community. Some respondents felt that local authorities should be allowed to carry out locally based exemptions based on the road width and should be clearly signed. However, this should be done with the over-arching goal of providing unhindered access for all, including pedestrians. Those opposing exemptions said the aim should be to keep the pavement solely for pedestrians and thereby enhance safety. They argued exemptions would be confusing, misleading and could be abused.

There was overwhelming agreement on the need for a consistent approach to parking enforcement and that it could be achievable through the rollout of DPE schemes. Approximately two-thirds of respondents who expressed a view agreed with their roll-out, though it is noted that there was more resistance from public bodies including local authorities. The rollout of DPE was problematic in the case of rural and small LAs where enforcement violation is low and revenue from would not be enough to sustain operations and make the system self-financing. They argued that they cannot successfully promote a business case for DPE through Council given the current economic situation prevailing in the country. Some respondents still felt that parking enforcement should be carried out by Police Scotland.


Proposals for a shared “parking warden service” were well received and respondents thought it might be the solution for the void left by Police Scotland withdrawing their traffic warden services throughout the country.

76% (159) of those expressing a clear view suggested Police Scotland should not have a role in parking enforcement unless it is causing an obstruction. However, 24% believed that Police Scotland should take the primary role in parking enforcement.

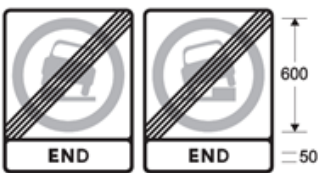



Although most respondents felt that local authorities should be able to use CCTV and/or ANPR for enforcement of parking and or some moving vehicle contraventions, some respondents expressed reservation, arguing that local authority staff are not trained and sufficiently professional to handle private data/images. They pointed out that moving vehicle violations often pose serious safety concerns and so should remain criminal offences, therefore should be dealt with by the police. They also argued allowing LAs use of CCTV/ANPR for moving traffic violation enforcement like banned turns adds a burden to LAs who are supposed to be concentrating on provision of core services.

The exemption of specific streets/areas from the national ban was not a popular choice especially among individual respondents. 38% (237) of those expressing a view thought it was a good idea while 62% (392) disagreed. Exemptions would best be carried out through TRO or a local resolution as is the case in some London

Boroughs. The TRO process was said to be resource intensive and expensive, therefore a local resolution would be the best way to implement exemptions.

Diagram 663.4 Reminder to drivers that parking on the verge or footway is prohibited (Alternative types)			
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Sign table — Schedule 7, Part 2			
(1) Item	(2) Description	(3) Sign diagram	(4) Permitted variants
11	Diagram 664.3 End of area where parking on verge or footway is prohibited (Alternative types)		
12	Diagram 667 Vehicles may be parked partially on the verge or footway (Alternative types)		An arrow pointing to the left or to the right may be added
13	Diagram 668 Vehicles may be parked wholly on the verge or footway (Alternative types)		An arrow pointing to the left or to the right may be added
14	Diagram 667.1 Vehicles may be parked partially on the verge or footway during the period indicated (Alternative types)		1. An arrow pointing to the left or to the right may be added in the lower panel 2. "In marked bays" may be added to or substituted for the times shown in the lower panel 3. The time period may be varied to another time period




Sign table — Schedule 7, Part 2			
(1) Item	(2) Description	(3) Sign diagram	(4) Permitted variants
15	Diagram 668.1 Vehicles may be parked wholly on the verge or footway during the period indicated (Alternative types)		1. An arrow pointing to the left or to the right may be added in the lower panel 2. "In marked bays" may be added to or substituted for the times shown in the lower panel 3. The time period may be varied to another time period
16	Diagram 667.2 End of area where vehicles may be parked partially on the verge or footway (Alternative types)		
17	Diagram 668.2 End of area where vehicles may be parked wholly on the verge or footway (Alternative types)		

Figure 9: TSRGD Signs Regulating Parking on Footways

## Identified Issues

This chapter addresses question around particular common issues which have been identified around parking.

### 4.1 Question 11

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

There were 629 responses to this question, and percentages in this sub-section are presented on this basis.

Of these, 44% (276) responded that controlling pavement, dropped kerbs and double parking could have unintended or negative consequences in their area, while 56% (353) disagreed. A split by respondent type is shown in Table 20

*Table 20: Split by Respondent Type Whether or Not Controlling Pavement, Dropped Kerbs and Double Parking Could Have Unintended or Negative Consequences*

Category	Yes	No
	Number	Number
Public Bodies	22	1
Business/Industry	6	-
Professional/Trade Bodies	2	2
Academic/Research	-	1
Third Sector/NGO	6	2
Community Groups	17	13
<i>Group respondents (Total)</i>	53	19
Individuals	223	334
<b>Total</b>	<b>276</b>	<b>353</b>

### 4.2 Question 11a

***If so, what would the effects be?***

321 respondents provided commentary in response to this question (45 more than those who said that the proposed restrictions would have negative consequences). The difference could be attributed to the fact that respondents were free to answer any part of the questionnaire irrespective of their earlier responses. Within these there were 233 specific examples given of the effects of these unintended consequences.

An analysis of the 233 examples in response to this question is given below. Figure 10 shows the general trends in the commentary of the respondents.

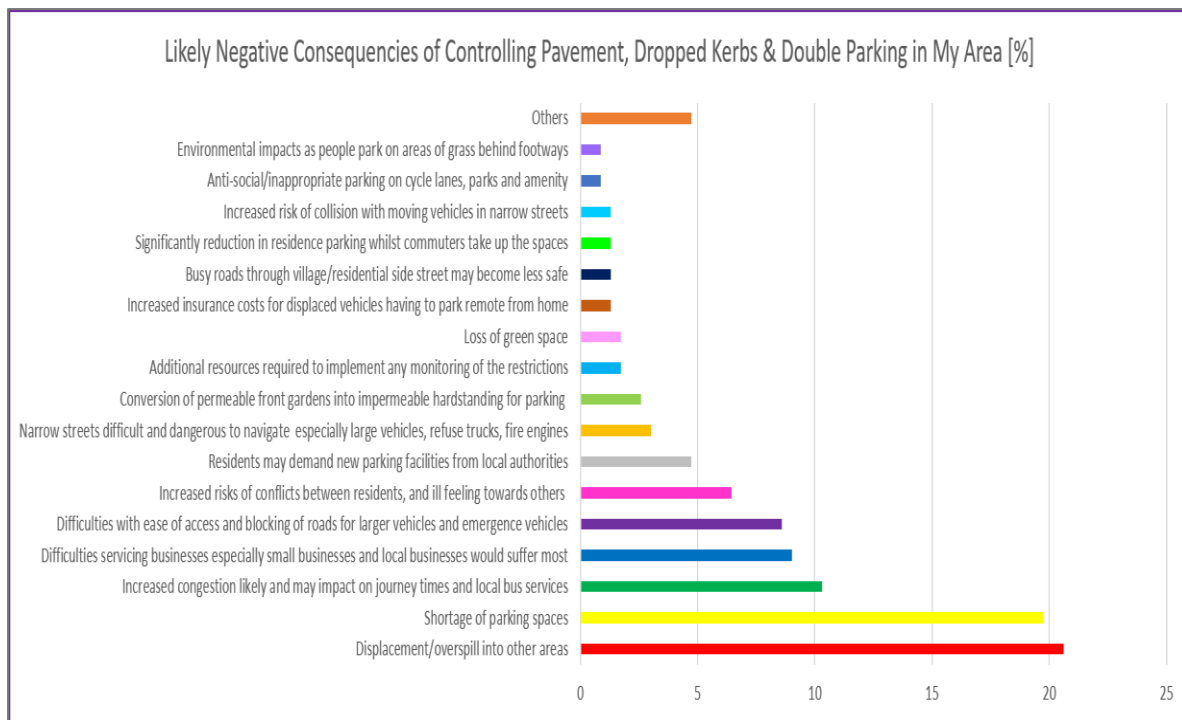


Figure 10: Likely Unintended Consequences or Negative Consequences of Controlling Pavement, Dropped Kerbs and Double Parking in Their Area

The most commonly suggested unintended consequence of the proposed ban was the overspill or displacement of cars and associated problems into other areas. This was suggested by 48

(21%) responses presenting specific consequences, and a split by respondent type is provided in Table 21.

Table 21: Split by Respondent Type of Those Suggesting Overspill/Displacement of Cars into Other Areas as an Unintended Negative Consequence of the Proposed Ban

Category	No. of Respondents
Public Bodies	12
Professional/Trade Bodies	2
Academic/Research	1
Third Sector/NGO	1
Community Groups	4
Group respondents (Total)	20
Individuals	28
<b>Total</b>	<b>48</b>

*“There could be issues of displaced parking or significant local opposition, but these matters could be covered by a local exemption TRO if appropriate.” (Falkirk Council)*

*“Parking would be displaced with potential for conflict between residents and other road users wishing to park.” (Stirling Council)*

*“The displacement of vehicles from affected streets onto surrounding streets may have an impact on residents parking which local authorities may require addressing leading to ongoing workloads and budget commitments.” (Angus Council)*

*“Removing footway parking could cause considerable amounts of displacement, potentially resulting in neighbourhood disputes about entitlement to parking spaces.” (Aberdeen City Council)*

*“The displacement of vehicles from affected streets onto surrounding streets may have an impact on residents parking, particularly in narrow streets and areas of high density housing, which local authorities may be required to address leading to ongoing workloads and budget commitments.” (TACTRAN)*

*“The introduction of controls as stated above would have an adverse impact on the displacement of vehicles.” (Mobility and Access Committee for Scotland)*

*“Parking legally would lead to less space being available for the number of cars in any given street, obviously leading to drivers looking elsewhere to park, thereby exacerbating the situation locally.” (Kincardine Community Council)*

*“Residents in such areas will be faced with finding new places to park. This would be a more serious problem for disabled drivers.” (Westhill and Elrick Community Council)*

*“In my area, this would mean cars being parked in other streets which would spread the problem even further. also, it would mean cars would be out of the owners’ sight and possibly open to vandalism and theft. (Individual)*

The next most common unintended consequence of the proposed ban highlighted by respondents was shortages of parking spaces. This was identified in 46 (20%) responses.

*“Where there is a lack of parking facilities, banning parking on footways may unfairly cause issues to drivers, particularly within housing schemes with carriageways sub 5.5m wide. This may lead to residents demanding new parking facilities from local authorities which they may not be able to provide (lack of funding and land perhaps)” (Argyll and Bute Council)*

*“If there were no provision for local authorities to make exemption orders, parking could become difficult or impossible in some locations.” (Nestrans)*

*“There may be consequences in relation to shortage of parking spaces, particularly in narrow streets and residential areas which will need to be addressed. However, there is no good reason why priority should be given to the interests of drivers over the interests of pedestrians, particularly where this affects the safe use of footways for example by disabled people, mothers with pushchairs.” (Inclusion Scotland)*

*“As there are already limited parking spaces in Penicuik, carrying out any of the above would lead to further disruptions. More parking spaces needed.” (Cowan Court Old Persons Care Home, Penicuik)*

*“Chaos due to not enough on street parking in our village. There would be a lot more friction as neighbours compete for limited parking in front of their houses. we have a very busy road in our village and it would be less safe. There would be more cars having to drive into fast moving traffic with less visibility.” (Individual)*

*“The current provision is so pitifully inadequate, it's hard to see how things could get worse. It's unlikely the resources would be in place to enforce the changes, so probably very little would change. A complete change in attitude is needed, recognising the needs of people other than motorists to access to safe usable streets” (Individual)*

Approximately 10% (24) suggested increased congestion is likely and may impact on journey times and local bus services. Some of these respondents, mainly LAs,

highlighted that the proposed restrictions may impact local bus services in areas where pavement parking is currently prevalent through obstruction to buses and frequent public transport route disturbances may result in increased journey times. These respondents also noted that if the obstructions persisted bus companies might be forced to withdraw services in some of those areas.

*“There could be an impact on local bus services in areas where pavement parking is currently prevalent. If cars are to be parked on-street this could cause increasing obstructions to buses, or make some routes impassable for buses resulting in the removal of services from such areas.” (Nestrans)*

*“However, whilst the Bill would potentially improve some access and accessibility for pedestrians, including those with mobility and visual impairments, it could disadvantage others through potential loss of convenient access to premises, traffic congestion, journey time delays and reduced access as a consequence of alternative parking practices that have a greater negative impact on traffic flow.” (Fife Council)*

*“There could be implications for buses in areas where parking on pavements has been the accepted norm, with street and roads becoming difficult to negotiate, even resulting in the removal of services in some areas.” (Confederation of Passenger Transport UK - Scotland)*

The next frequently quoted unintended consequence was that local businesses, especially small businesses, would experience difficulties with loading/unloading, and that local businesses would suffer if people cannot park nearby and shop. This was brought up by 9% (21) of respondents.

*“Some residents and businesses would undoubtedly be disadvantaged as a consequence of displaced parking problems, which is not quantifiable at this stage... Retail businesses, for example newsagents and convenience stores, may lose trade. Drivers who previously pulled up on the footway directly outside, for a short duration, may choose to park in an inappropriate manner or take their trade elsewhere.” (South Lanarkshire Council)*

*“Local businesses in rural areas may also experience issues if customers cannot park. Every business may suffer if HGV's are unable to stop to complete their deliveries.” (RHA Ltd)*

*“Freight servicing and delivery to businesses could be affected by displacement of parked cars into freight vehicle loading bays.” (Freight Transport Association)*

Difficulties with ease of access and blocking of roads for larger vehicles and emergency vehicles was also suggested by 9% (20) of responses identifying an unintended consequence of the proposed restrictions.

15 responses (6%) pointed out that there could be an increased risk of conflicts between residents and other road users over parking and ill feeling towards others.

*“Parking would be displaced with potential for conflict between residents and other road users wishing to park.” (Stirling Council)*

Another frequently quoted unintended consequence was that residents may demand new parking facilities from LAs. This was suggested by 11 (4%) responses. These respondents also suggested that the LAs may find it hard to fulfil these requests due to budgetary constraints, and in some cases lack of land to build the parking facilities on.

*“Where there is a lack of parking facilities, banning parking on footways may unfairly cause issues to drivers, particularly within housing schemes with carriageways sub 5.5m wide. This may lead to residents demanding new parking facilities from local authorities which they may not be able to provide (lack of funding and land perhaps)” (Argyll and Bute Council)*

*“Controlled parking could lead to pressure to provide off-street parking particularly in dense housing areas with limited on-road parking. This parking would be unlikely to attract parking charges so would require new funding and in most locations land is not available to provide such parking.” (Inverclyde Council)*

Seven respondents (3% of those providing an example) also pointed out that the proposed restrictions may result in residents parking on the road in narrow streets, thereby making it difficult and dangerous to navigate for drivers especially large vehicles, refuse trucks, fire engines etc.

Six respondents (3%) highlighted that the proposed restrictions may result in loss of green space taken over for parking. These included three LAs.

*“The need to provide alternative parking provision could result in the loss of green spaces or other amenities in local areas if they are given over to parking.” (Nestrans)*

*“A restriction on footway parking may lead to increased pressure to provide formalised parking at the expense of green space or amenity land.” (Aberdeen City Council)*

*“Demand for new dropped kerbs to allow driveway construction will increase. One implication of this is the loss of green space and related drainage issues. Local Authorities will need clear policies and sufficient staff capacity to manage such requests.” (Living Streets Scotland)*

Additional resources required to implement any monitoring of the restrictions, and conversion of permeable front gardens into impermeable hardstanding for parking leading to increase in flooding and risk in reduction of water quality, were each quoted four times as a likely consequence of the proposed restrictions. Those who highlighted the need of additional resources included 11 local councils.

### 4.3 Question 11b

#### ***Who would be affected?***

There were 266 responses to this part of the question. All LAs who responded to the survey responded to this question. Of these, there were 200 examples directly identified of those who would be affected by the unintended consequences highlighted. Percentages in this sub-section are presented on the basis of the 200 examples identified of those affected.

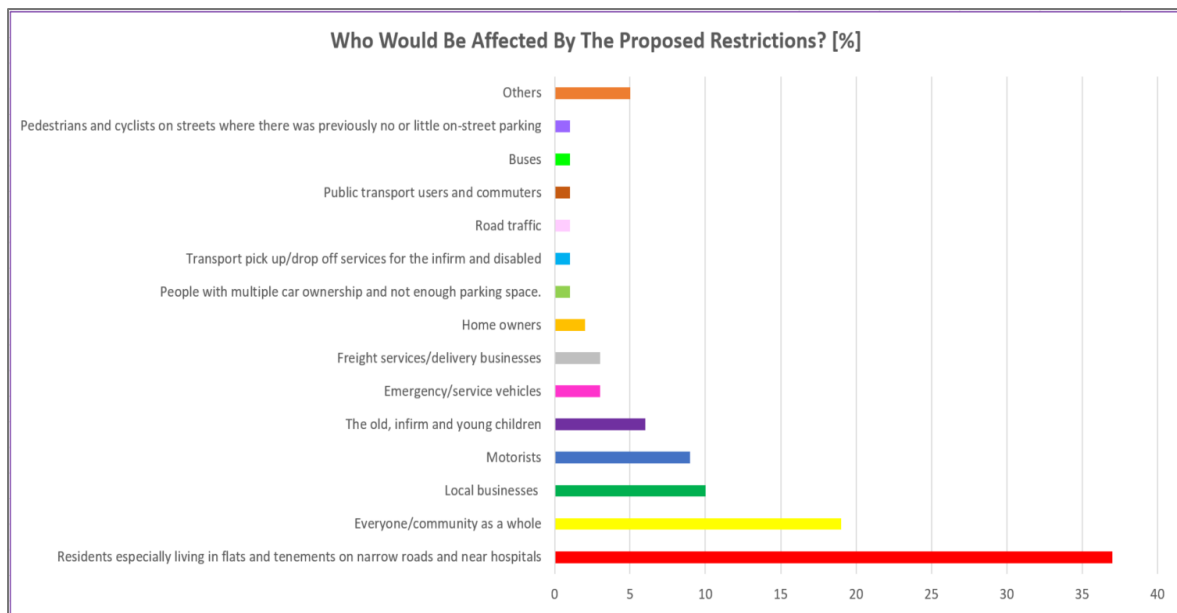


Figure 11 illustrates the submitted responses.

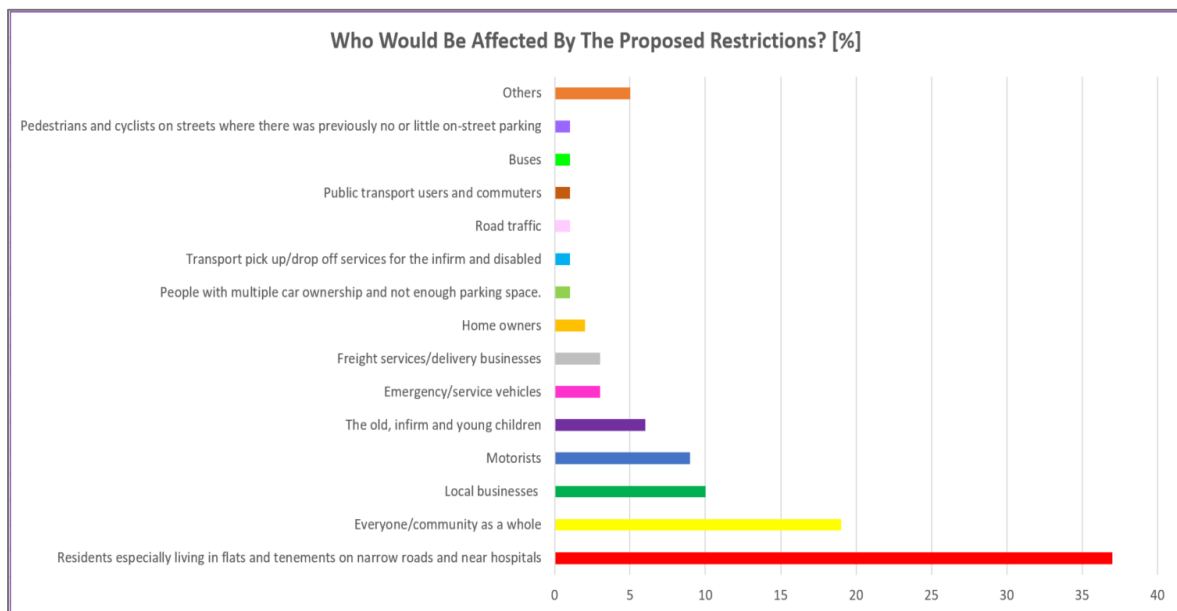


Figure 11: Graphical Representation of Who Would be Affected by the Proposed Restrictions

The most frequently suggested group of who would be affected by the proposed restrictions were residents, especially those living in flats and tenements on narrow roads and near hospitals. This was suggested by approximately 37% (74) of those who identified an affected group within this part of the question, with Table 22 indicating the split of respondent types.

Table 22: Split by Respondent Type of Those Saying Residents Will Be Affected by the Proposed Ban

Category	No. of Respondents
Public Bodies	10
Business/Industry	1
Professional/Trade Bodies	2
Third Sector/NGO	1
Community Groups	6
Group respondents (Total)	20
Individuals	54
<b>Total</b>	<b>74</b>

Respondents highlighted the issue of residents living in high density areas with little or no parking provision.

*“Residents who live in narrow streets with little or no parking space” (Confederation of Passenger Transport UK - Scotland)*

*“People in dense developments with an underprovision of parking.” (Individual)*

*“A significant number of people will have to find other places to park their cars. However, this is not a reason not to do it.” (Individual)*

*“Local residents in the narrow streets and residents in nearby streets that are then used as over spill car parks.” (Individual)*

Approximately 19% (37) suggested that the community/everyone would be affected one way or the other because of the proposed restrictions.

*“Everyone could be impacted by increased flood risk in terms of property, travel, access to services, etc.” (The Metropolitan Glasgow Strategic Drainage Partnership (MGSDP))*

*“It could also affect communities that are at a socio-economic disadvantage.” (Sestran)*

10% (19 respondents: 2 community groups, 1 professional/trade body, 1 public body, and 15 individuals) noted that local businesses would be adversely affected by the proposed restrictions.

Motorists, , were quoted by 9% (17) as likely to be affected by the proposed restrictions. A further 6% (12) suggested the old, infirm and young children would be adversely affected by the proposed ban. 4% (8) suggested the proposed restrictions would affect vehicle owners. Slightly under 4% (7) believed that freight services/delivery businesses would also be negatively affected by the proposed restrictions. Another 7 respondents (slightly under 4%) suggested emergency/service vehicles would be negatively affected by the proposed restrictions.

#### 4.4 Question 11c

##### *What type of street or area would experience these consequences?*

There were 248 respondents to this question, who provided 144 examples of particular street types or areas. Percentages presented in this sub-section are on the basis of the 144 examples.

The responses are summarised in Figure 12.

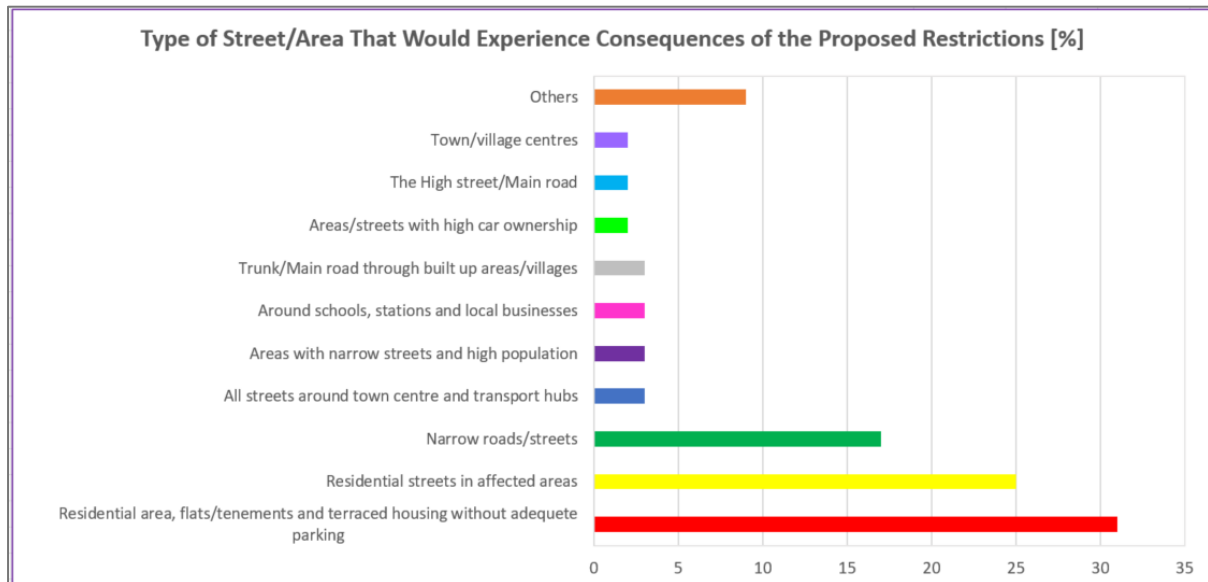


Figure 12: Types of Street or Area that would Experience Consequences of the Proposed Restrictions

The most frequently suggested street/area likely to experience consequences of the proposed restrictions were residential areas, especially flatted, terraced housing and tenements with under-provision of parking. This was suggested by approximately 31% (44) of those identifying street/area types. A split by respondent type is given in Table 23.

Table 23: Split by Respondent Type of Those Saying Residential Areas Will Be Worst Affected by the Proposed Restrictions

Category	No. of Respondents
Public Bodies	7
Business/Industry	1
Professional/Trade Bodies	2
Third Sector/NGO	1
Community Groups	5
Group respondents (Total)	16
Individuals	28
<b>Total</b>	<b>44</b>

*“Housing estates with narrow streets and little or no off-Street parking provision. Many of these date from a time when car ownership was the exception rather than the norm.”  
(Aberdeenshire Council)*

*“Residential areas with narrow streets and little or no off-street parking provision. Many of these date from a time when car ownership was the exception rather than the norm.” (Moray Council)*

*“Residential areas – especially those with narrow streets and little/no off-street parking provision. Flatted and tenement style housing where parking is already a premium and town centre ‘high street’ areas. Many residential areas date from when car ownership was the exception rather than the norm. Controlled parking may lead to pressure to provide off-street parking particularly in dense housing areas. This would be unlikely to attract parking charges so would require funding, and in most locations land is not available to provide such parking. Which may lead to the loss of green space or amenity in order to provide parking.” (SCOTS)*

*“Residential streets from post-war former council estates to 1980s residential estates.”  
(Aberdeen City Council)*

The next frequently quoted streets/area to be affected by the proposed restrictions were residential streets in affected areas. This was suggested by 25% (36) of those included. Narrow roads/streets were also highlighted by 16% (23) as likely to be affected by the proposed restrictions.

The following were quoted by five respondents each as likely to experience the effects of the proposed restrictions:

- All streets around town centre and transport hubs;
- Areas with narrow streets and high population; and
- Areas around schools, stations and local businesses.

#### 4.5 Question 12

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

There were 535 respondents to this question. 54% of respondents (289) said that the controls on parking are likely to reduce the costs and impact on businesses in town centres. 46 % of respondents (246) thought that the controls on parking are likely to increase the costs and impact on businesses in town centres. A split by respondent type, regarding impact on businesses in town centres, is shown in Table 24.

Table 24: Split by Respondent Type of Those Saying Controls on Parking Are Likely to Increase or Reduce the Costs and Impact on Businesses in Town Centres

Category	Reduce Cost + Impact	Increase Cost + Impact
	Number	Number
Public Bodies	9	4
Business/Industry	-	4
Professional/Trade Bodies	2	2
Third Sector/NGO	2	-
Community Groups	10	14
Group respondents (Total)	23	24
Individuals	266	222
Total	289	246

#### 4.6 Question 12a

***If yes, what should we be doing to reduce any impact on businesses in town centres?***

There were 494 respondents to this part of the question. Within these, there were 245 examples identified of proposals to address business impact.

It should be noted that this number exceeds the number (246) that said they thought the proposed restrictions would result in an increase in costs and would impact on businesses. Figure 13 shows a graphical representation of the proposals that were suggested to reduce the impacts of the proposed restrictions on businesses in town centres.

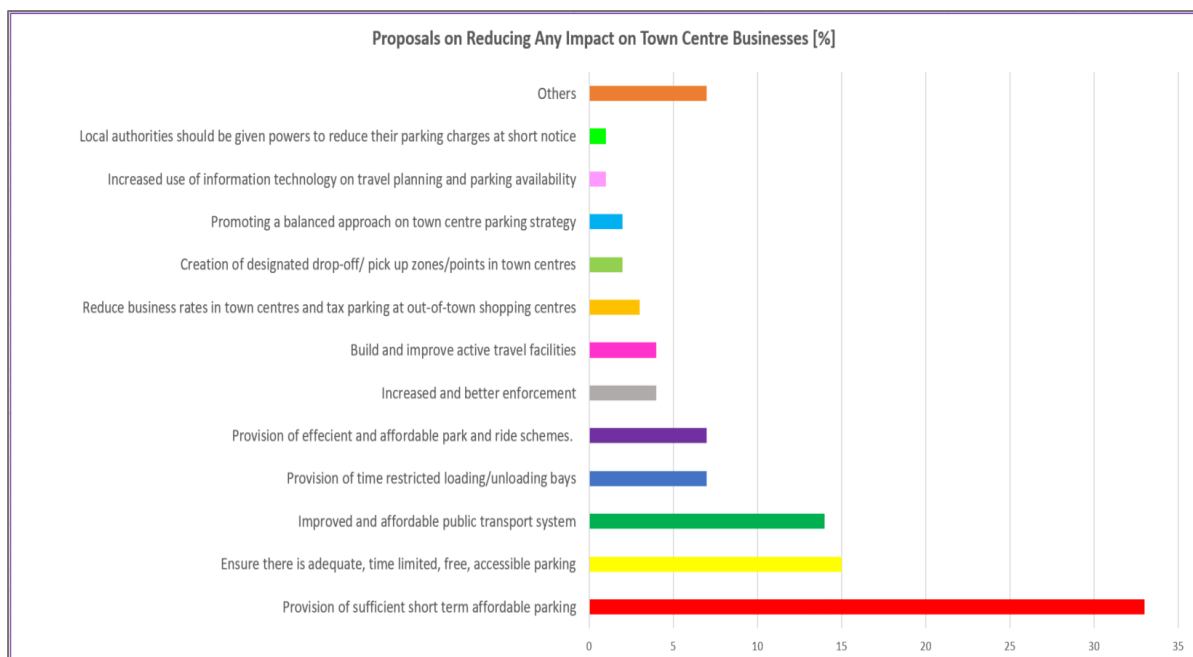


Figure 13: Proposals on Reducing Any Impact on Businesses in Town Centres

The most frequently suggested measure to reduce any impact on businesses in town centres (82 responses, 33%) was the introduction of more short term affordable parking. In addition, a further 37 (15%) of respondents made reference to provision of free, time-limited parking. 35 (14%) respondents proposed an improved and affordable public transport system with 17 (7%) suggesting that the provision of efficient, affordable park and ride schemes would help to address any impact of town centre businesses.

There was a general distinction in the way that public bodies and particularly LAs addressed this question, with LAs frequently relating their responses to an overall parking strategy, rather than individual measures at specific locations.

*“I think it is the duty of the local authority to balance the competing demands for road space and this should be reflected in the arrangements which the local authority promotes for its own town centres. An appropriate, balanced approach should not adversely impact on local businesses.” (Perth & Kinross Council)*

*“There is potential to reduce costs and impacts on businesses by balancing competing demands for road space between providing short term parking for customers, suitable provision for servicing of shops and businesses, as well maintaining free traffic flow.” (TACTRAN)*

*“Better control will increase the turnover of vehicles thus creating a positive impact for businesses.” (Orkney Islands Council)*

*“Controls on parking should improve the impact on town centre businesses by allowing LAs the opportunity to tailor parking turnover to suit the types of businesses in the town centre. There will be some businesses that might suffer; convenience shops that are located at junctions or locations where short stay parking is difficult to access. Better parking controls will deliver an improved town centre with fewer obstructions to pedestrians and a generally improved environment and social space.” (Clackmannanshire Council)*

#### 4.7 Question 12b

***What other arrangements should be considered to deliver parking improvements that help support town centre regeneration?***

There were 424 responses to this part of the question. However, the “other arrangements” proposed had been set out in the responses to Question 12a. It was therefore considered that it served no purpose re-listing them here.

#### 4.8 Chapter Summary

44% (276) respondents suggested controlling pavement parking could have unintended consequences and 56% (353) thought it would not have any unintended consequences. All LAs and RTP felt it would have unintended consequences. Those who felt it had no unintended consequences were mainly individual respondents. The consequences highlighted included displacement/overspill into other areas/streets, acute shortage of parking spaces, increased congestion, difficulties with ease of access and blocking of roads for large vehicles and increased risk of conflicts between residents.

The analysis found that the proposed restrictions would have the biggest impact on residents living in flats and tenements on narrow roads and near public institutions like hospitals. The general view expressed was that, everyone would be affected to some extent by the proposals and local businesses and freight/delivery companies might be badly affected if they cannot easily receive/carryout deliveries or if their customers cannot park nearby.

54% (289) of respondents expressing a view thought controls likely to reduce cost and impact on businesses in town centres whilst 46% (246) thought city centre businesses would incur increased costs. Proposed measures to counter increased cost for businesses included:

- provision of short term affordable parking;
- provision of adequate time limited free accessible parking;
- encourage use of public transport and active travel
- provision of time restricted loading/unloading bays; and

Some responses suggested that the new law should be considered as part of consolidated policy framework, where promoting active travel and increasing spending on public transport infrastructure should be priorities.

## Enforcement of Disabled Persons' Parking Places

This chapter specifically focuses on the response to questions relating to disabled parking provision and its enforcement.

### 5.1 Question 13

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

There were 567 respondents who provided feedback on this question. Percentages in this sub-section are expressed on this basis.

Of these 40% (228) said that on-street disabled persons' parking was being enforced in their areas. 60% (339) said it was not being enforced. A split by respondent type is shown in Table 25.

*Table 25: Split by Respondent Type of Those Agreeing/Disagreeing That On-Street Disabled Persons' Parking Places Are Being Enforced*

Category	Yes	No
	Number	Number
Public Bodies	15	6
Business/Industry	2	2
Professional/Trade Bodies	1	2
Academic/Research	1	-
Third Sector/NGO	1	5
Community Groups	3	25
<i>Group respondents (Total)</i>	<i>23</i>	<i>40</i>
Individuals	205	299
<b>Total</b>	<b>228</b>	<b>339</b>

### 5.2 Question 13a

***If not, how could this be done better?***

There were 369 respondents provided feedback on this part of the question. Within these, a significant proportion of suggestions (77) simply proposed 'increased enforcement'. Within this, many respondents noted the need for sufficient resources to enhance enforcement around disabled parking facilities, and suggested that current constraints make this difficult.

A split by respondent type of those who stated this need for better enforcement of disabled persons' parking spaces is given in Table 26.

Table 26: Split by Respondent Type of Those Who Felt There Was Need for Increased Enforcement of Disabled Persons' Parking Spaces

Category	No. of Respondents
Public Bodies	3
Business/Industry	2
Professional/Trade Bodies	2
Third Sector/NGO	1
Community Groups	9
Group respondents (Total)	17
Individuals	60
<b>Total</b>	<b>77</b>

More specific measures were proposed by some of the respondents. In all, 176 responses were identified making more specific proposals. Percentages contained within the remainder of this sub-section are presented on the basis of these 176 specific responses.

These are summarised in Figure 14.

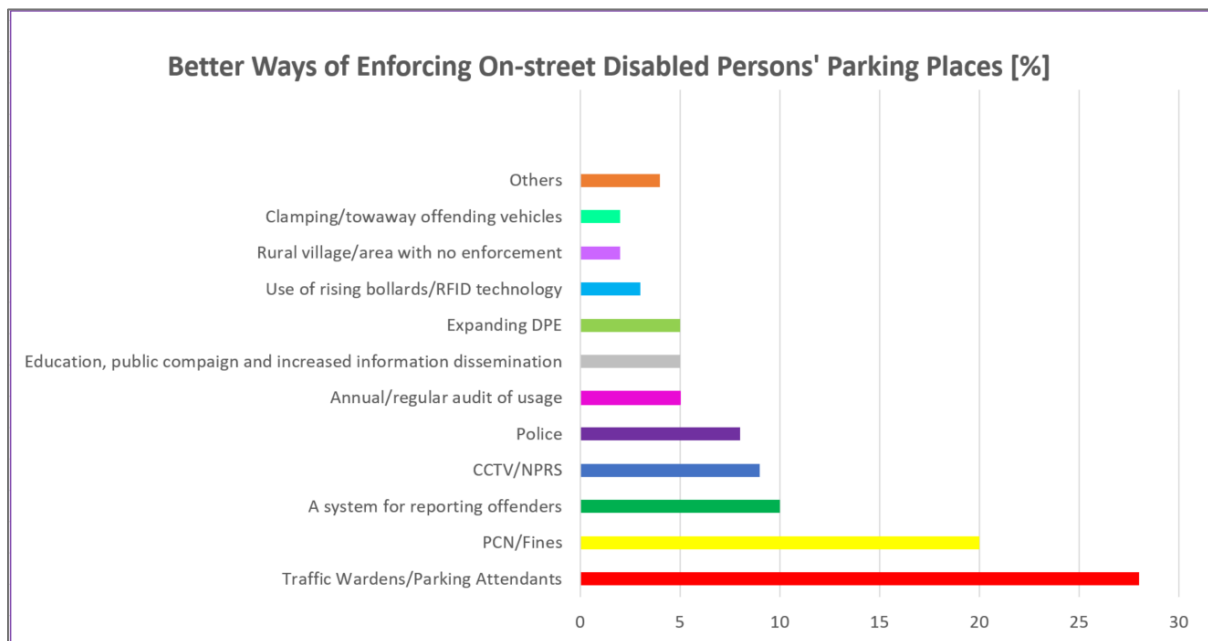


Figure 14: Ways of Enforcing On-street Disabled Persons' Parking Places

General comments regarding the enforcement of disabled persons' parking places is contained below.

*“Correspondence received by Falkirk Council suggests that since the removal of the Police’s traffic warden service, enforcement of disabled bays certainly within town centre areas, has decreased. Illegal use of disabled bays implemented in residential areas is not as prevalent. Better enforcement requires resources to be available to undertake the enforcement duties.” (Falkirk Council)*

*“There is significant anecdotal evidence across the country that on street Disabled parking places are not being adequately enforced, particularly in areas where there is no DPE where it is worse.*

*There needs to be robust enforcement of designated disabled parking places and where this can be intelligence led i.e. not blue badge displayed and reported by the public could assist.*

*However there also need to be a balance as every disability is not necessarily visibly apparent therefore sensitively is required where misuse of a blue badge is conferenced.” (Mobility and Access Committee for Scotland)*

*“There is no enforcement of any kind in our village because there are no personnel. Almost anything would help but wardens would seem to be a basic necessity.” (Cumbernauld Village Community Council)*

*“No – there is currently no noticeable enforcement. There needs to be consistent checks done in problem areas.” (Larbert, Stenhousemuir & Torwood Community Council)*

*“There needs to be a person, whether LA, contractor or police to actually be on the ground giving out penalty notices etc. In Dumfries there have been no parking enforcement officers for a few years and everyone knows this so parking regulations are flouted on a daily basis.” (Individual)*

*“Well unless there are more staff 'policing' this matter whether it be local authority or Police Scotland I cannot see how this could be done better. Local authorities are strapped for cash and staff levels diminish. Police Scotland is under the same pressures so unless this is rectified by central government funding, I fail to see how enforcement can be done better except with public engagement.” (Individual)*

48 of the specific suggestions given (27% of the total) made reference to more traffic wardens or parking attendants enforcing these areas. Of these, 38 responses referred to traffic wardens and 10 referred to parking attendants. It is not clear from the responses whether an intentional distinction was made in these cases.

Some felt that since Police Scotland “do not have the time to enforce” parking, and better ways should be sought to enable traffic wardens to continue to enforce parking where DPE was not in place.

*“Provide finance to employ traffic wardens, etc. Police do not have the time to enforce.” (Individual)*

*“Bring back traffic wardens, even the threat of traffic wardens arriving on site works.” (Individual)*

20% of the suggestions (35 respondents: 2 community groups and 33 individuals) proposed the levying of stiff/harsher penalties and punitive fines for those using spaces without displaying appropriate badges.

*“Carrot and stick, more education and bigger fines.” (East Dunbartonshire Visually Impaired Peoples Forum)*

*“Regular checking and bigger fines.” (Individual)*

9% of the suggestions (16 respondents: 1 public body and 15 individuals) were for the use of CCTV and/or number plate recognitions to enforce these bays. They pointed out that although these systems compromised on their privacy, the benefits might be worth it.

*“Disabled persons’ parking places which are located in rural or more remote parts of the city are mainly enforced on a reactionary basis when residents, or the blue badge holder, contact the Council to report incorrect parking. ... This is considered to be a reasonable approach due to the higher parking demands in the city centre and the limited enforcement resources available. The use of CCTV enforcement could improve enforcement reaction times for parking places outwith the city centre as another dedicated resource would be able to be utilised.” (City of Edinburgh Council)*

*“We have no police presence so either devolve authority to the council and/or CCTV.” (Individual)*

*“Make it a criminal offence subject to jail time, or a large fine. A campaign aimed at raising awareness of the consequences.” (Individual)*

5% (9) suggested the need for regular/annual audits to ensure that bays were still relevant. Some spaces in residential areas aren't used regularly, leading to disregard for rule. There were also reports of people fraudulently getting bays, when no one with a car lives at the address and bay is used for visiting relatives only.

*“Some spaces in residential areas aren't used regularly, leading to disregard for rule. Should be periodically (bi annual?) review/removal if required.” (Individual)*

Another 5% (9) highlighted the need for education, public campaign and increased information dissemination on the impact of abusing disabled persons' parking spaces.

### 5.3 Question 13b

#### ***Do you think members of the public should report misuse where it is observed?***

This question was addressed by 542 respondents, with 524 expressing a clear view. Percentages quoted in this sub-section are on the basis of those expressing a clear view.

Of these, 86% (451) agreed that the public should report abuse of disabled parking bays. A split of these by respondent type is given in Table 27. Of those who agreed to reporting abuse of these bays, 49 respondents pointed out that an easy reporting system should be put in place and anonymity guaranteed to avoid victimisation.

*Table 27: Split by Respondent Type of Those Who Agreed That the Public Should Report Abuse of Disabled Parking Bays*

Category	No. of Respondents
Public Bodies	17
Business/Industry	1
Professional/Trade Bodies	2
Third Sector/NGO	2
Community Groups	20
<i>Group respondents (Total)</i>	<i>42</i>
Individuals	409
<b>Total</b>	<b>451</b>

14% (73) of those who answered this part of the question did not agree, arguing that people do not always appreciate the reasons why a blue badge would have been issued. Those who did not agree further argued that this might encourage members of the public to attempt to monitor the extent to which their neighbours “deserve” a disabled parking space, which may cause harm to those with “invisible disabilities”. Some stated that Scotland is not a police state, and the entire “Reporting on your neighbour” mentality is not the way forward. Of these 3 were community groups and 1 was a business/industry body.

*“No, it is difficult to inform police quickly enough to catch the offender, in any case parking offences are a low priority for police” (East Dunbartonshire Visually Impaired People’s Forum)*

*“No - this is likely to encourage members of the public to attempt to police the extent to which their neighbours “deserve” a disabled parking space. This may cause particular harm to those with invisible disabilities.” (Individual)*

*“No - vigilante harassment of the disabled should not be encouraged.” (Individual)*

*“This is not appropriate as many people have blue badges have them for reasons apart from wheelchairs. may cause nosey people challenging people on their health needs.” (Individual)*

*“No! Disability doesn't necessarily mean you can 'see' the problem. There are many legitimate drivers with blue badges that don't look like they need it. This may lead to unnecessary confrontation.” (Individual)*

## 5.4 Question 14

### ***Have you witnessed misuse of a disabled persons' parking space?***

This question was addressed by 593 respondents, and percentages within this sub-section are expressed on this basis.

Of these, 69% (410) said they had witnessed misuse of disabled persons' parking spaces. A split of these by respondent type is shown in Table 28.

*Table 28: Split by Respondent Type of Those Who Had Witnessed Misuse of Disabled Persons' Parking Bays*

Category	No. of Respondents
Public Bodies	7
Business/Industry	2
Professional/Trade Bodies	3
Third Sector/NGO	1
Community Groups	28
<i>Group respondents (Total)</i>	<i>41</i>
Individuals	369
<b>Total</b>	<b>410</b>

31% respondents (183) reported not to have witnessed any abuse. These were all individual respondents.

## 5.5 Question 14a

### ***If so, did you report it?***

438 respondents responded to this part of the question. 21% (91) of those who witnessed abuse reported the abuse, while 79% (347) of those who witnessed abuse did not.

## 5.6 Question 14b

### ***If not, did anything prevent you from reporting it?***

368 respondents responded to this part of the question. Of responding, 55% (201) said that something prevented them from reporting it and 45% (167) said nothing prevented them from reporting the abuse. No further detail was provided by respondents in response to this question on barriers (or perceived barriers) which prevented them from reporting abuse.

## 5.7 Question 14c

### ***Should disabled parking places be enforceable at all times?***

This question was addressed by 527 respondents. Of these, 91% (479) felt that disabled persons' parking spaces should always be enforced, and 9% (48) did not.

A split by respondent type is given in Table 29.

*Table 29: Split by Respondent Type of Those Who Felt That Disabled Persons' Parking Spaces Should Be Enforced at All Times*

Category	Yes	No
Public Bodies	18	1
Business/Industry	1	1
Professional/Trade Bodies	5	-
Third Sector/NGO	5	-
Community Groups	23	2
<i>Group respondents (Total)</i>	<i>52</i>	<i>4</i>
Individuals	427	44
<b>Total</b>	<b>479</b>	<b>48</b>

## 5.8 Question 14d

### ***Do you think the level of penalty for misuse of local authority disabled persons' parking places is acceptable?***

This question was addressed by 505 respondents.

Of these over 51% (260) thought the level of penalty for misuse of LA disabled persons' parking places was acceptable. 49% (245) of those who responded to this part of the question thought the level of penalty for misuse of LA disabled persons' parking places was not acceptable.

A split by respondent type is shown in Table 30.

*Table 30: Split by Respondent Type of Those Who Thought the Level of Penalty for Misuse of Local Authority Disabled Persons' Parking Places Was Acceptable*

Category	Acceptable	Not Acceptable
Public Bodies	11	5
Business/Industry	1	-
Academic/ Research Institution	-	1
Professional/Trade Bodies	2	2
Community Groups	19	12
<i>Group respondents (Total)</i>	<i>33</i>	<i>20</i>
Individuals	227	225
<b>Total</b>	<b>260</b>	<b>245</b>

## 5.9 Question 14e

### *If not, what level would you consider to be acceptable?*

A total of 308 respondents answered this part of the question. Within these, 107 specific answers were given on suggested level of penalty, and it on this basis that the percentages presented in this sub-section are defined.

It should be noted that the level of response is again higher than the 244 who said they thought the level of penalty was unacceptable.

Figure 15 shows the levels of penalties deemed acceptable and the frequency of respondents proposing these levels.

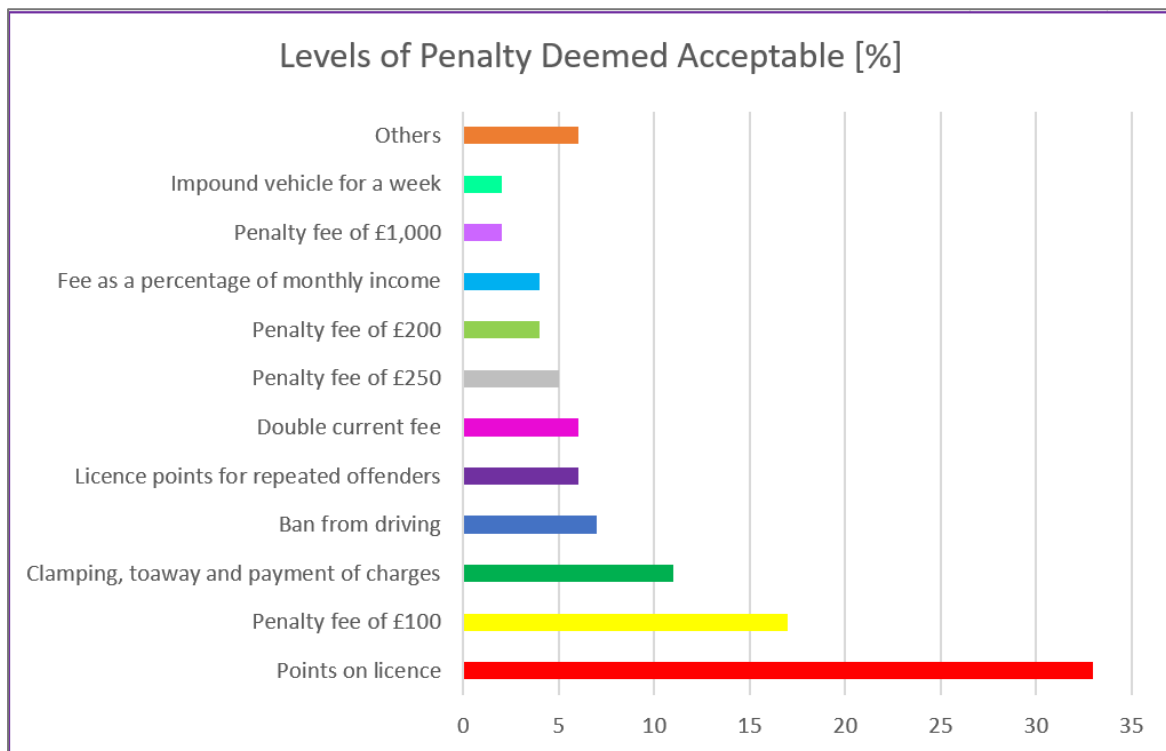


Figure 15: Levels of Penalty Deemed Acceptable

33% of all the suggested levels of penalty deemed acceptable was for having 3 penalty points endorsed on your driving licence. This was proposed by 35 of those who responded to this question. 17% (18) suggested an acceptable level of penalty fee was £100. There was 11% support (12 responses) suggesting clamping, tow-away and payment of incurred charges.

Most of the suggested levels of penalty deemed acceptable were made by individuals. However, a few organisations also put forward their suggestions to this part of the question.

*“The current penalty of £60, reduced to £30 if paid within 14 days is not a deterrent, when individuals can save approximately £30 per day, by parking in a pay and display bay for free when misusing a badge. A penalty of £100 would be better.”*  
**(Glasgow City Council)**

*“We do not have data on the level of misuse or otherwise of disabled parking spaces. We believe that there would be public support for higher levels of PCN for this and other types of parking offences that have a greater impact or are viewed to be less acceptable, and a lower PCN charge for less “significant” parking offences. This is already the case in England and Wales as a result of the 2004 Traffic Management Act. For example, parking in an active bus lane incurs a higher PCN than overstaying by 10 minutes in a pay and display bay.” (Transport Research Institute, Edinburgh Napier University)*

*“The inconvenience to a disabled person caused by illegal use of disabled persons’ parking places can be very high. Is there some further flexibility in the ‘points’ system for motoring offences that could use 1 or 2 points for dropped kerb / footway parking or misuse of on-street disabled parking place offences?” (Clackmannanshire Council)*

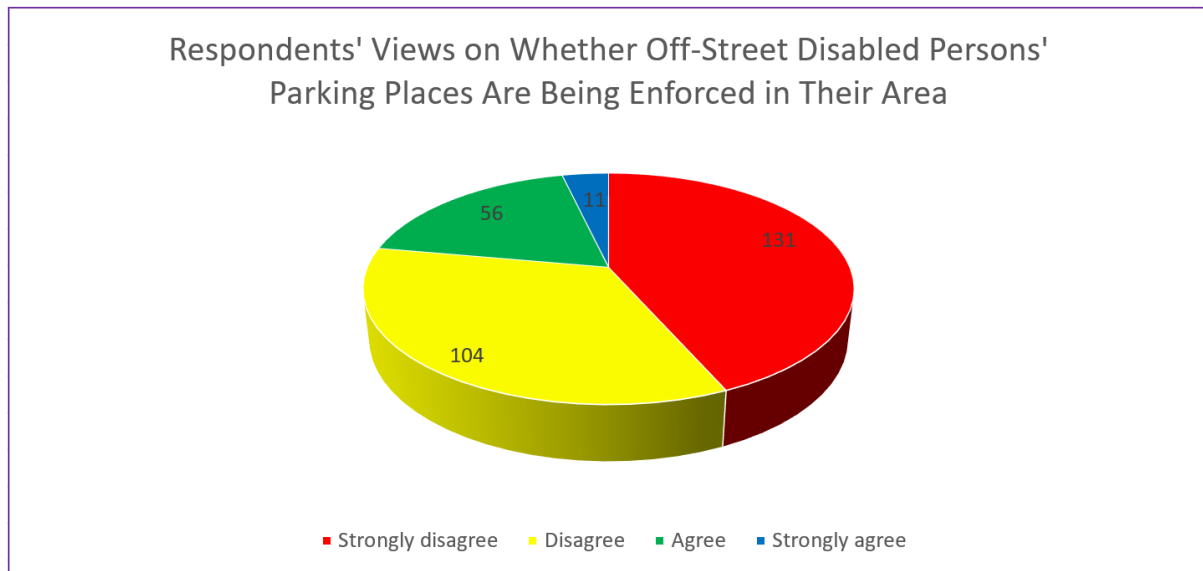
*“The Council supports the introduction of differential penalty charges. Maintaining the current charge level for less hazardous contraventions, for example the expiry of paid parking time, but higher charges for more dangerous or irresponsible contraventions such as parking at junctions, on the footway, in disabled persons’ parking places or in bus stops. The full charge levels could be set at £60/£120 whilst retaining the 50% discount (£30/£60) for early payment within 14 days. In addition, drivers who park in such an inconsiderate manner should be subject to prioritised removal action.” (City of Edinburgh Council)*

## 5.10 Question 15

***Do you think off-street disabled persons’ parking places, including private car parks, are being enforced in your area?***

There were 594 respondents who answered this part of the question, but of these 292 said that they neither agreed nor disagreed with the statement. There were therefore a remaining 302 who gave a definite view. Percentages within this sub-section are based on the 302 who expressed a definite view.

43% of respondents (131) strongly disagreed that off-street disabled persons’ parking places are being enforced in their area. 34% of respondents (104) disagreed that it was being enforced in their area. Approximately 19% (56) of all respondents agreed that disabled persons’ parking places were being enforced in their area, while 4% (11) strongly agreed, refer to Figure 16.



*Figure 16: Respondents' Views on Whether Off-Street Disabled Persons' Parking Places Are Being Enforced in Their Area*

A split by respondent type of those who strongly disagreed and disagreed that off-street disabled persons' parking places were being enforced in their area is given in Table 31.

*Table 31: Split by Respondent Type of Those Who Strongly Disagreed and Disagreed That Off-Street Disabled Persons' Parking Places Were Being Enforced in Their Area*

Category	No. of Respondents
Public Bodies	6
Business/Industry	1
Third Sector/NGO	3
Community Groups	16
<i>Group respondents (Total)</i>	26
Individuals	209
<b>Total</b>	<b>235</b>

A split by respondent type of those who agreed or strongly agreed that off-street disabled persons' parking enforcement was taking place in their area is shown in given in Table 32.

Table 32: Split by Respondent Type of Those Who Strongly Agreed and Agreed That Off-Street Disabled Persons' Parking Places Were Being Enforced in Their Area

Category	No. of Respondents
Public Bodies	9
Professional/Trade Bodies	1
Third Sector/NGO	2
Community Groups	1
Group respondents (Total)	13
Individuals	54
<b>Total</b>	<b>67</b>

### 5.11 Question 15a

#### *If not, how could this be done better?*

There were 273 responses to this part of the question, within which 141 specific suggestions were made. Percentages within this sub-section are on the basis of the 141 specific suggestions.

Figure 17 illustrates the suggested measures.

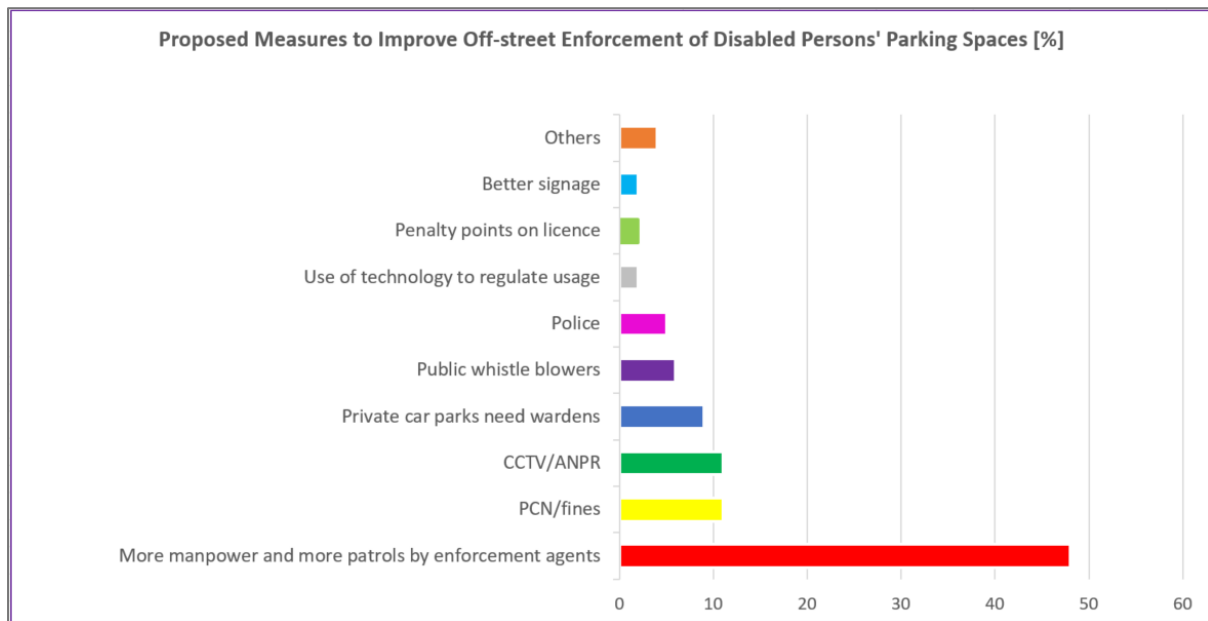


Figure 17: Proposed Measures to Improve Off-Street Enforcement of Disabled Persons' Parking Spaces

48% (67) of all the suggested proposed measures to improve off-street enforcement of disabled persons' parking spaces was to have more patrols by enforcement agents. Of these, 13 specifically suggested traffic wardens and 9 suggested parking attendants. It is not clear from the data whether respondents were making an intentional distinction in these cases. It was noted that unfortunately parking enforcement was being withdrawn and in some areas, like in the Borders, and suggested there was no enforcement at all.

The remaining 45 responses in this category were more generic requests for more patrols/ manpower.

*"More power for DPE enforcement." (Bridge of Weir Community Council)*

*"More effective and consistent enforcement." (Cycling UK Scotland)*

The organisations that agreed there was a need for more patrols and spot checks by enforcement agents points to a current perceived lack of enforcement or reluctance to enforce disabled persons' parking bays in private car parks.

*"They will never be properly enforced in places such as supermarket car parks until it is taken out of the hands of the supermarket as they do not wish to alienate any of their customers." (Perth & Kinross Council)*

*"Disabled parking in private car parks is anecdotally poorly managed with little enforcement. If they were governed by a TRO and managed under DPE by local authorities it would improve the management of disabled parking in private car parks." (Mobility and Access Committee for Scotland)*

*"A 2012 telephone survey for Transport Scotland asked as a single question, 'Have you experienced misuse of the Blue Badges/disabled parking spaces by non-disabled people'. 76% said they had regularly or sometimes experienced misuse. 92% of these reported that this was most likely in a supermarket or private shopping mall car park.*

*Legislation needs to change to ensure that disabled parking spaces in privately operated car parks serving public spaces, or building use by the public such as town centre car parks, supermarkets, leisure centres, etc, can be enforced by local authority parking attendants, police officers or traffic wardens in the same way as on street parking." (Inclusion Scotland)*

*"Businesses showed little interest in making their spaces legally enforceable." (Stirling Council)*

*“A small number of disabled parking places in private car parks, for example those owned by Network Rail, are regulated and enforced.*

*When South Lanarkshire asked private car park owners, such as supermarkets, retail parks, etc., if they wished to have their disabled persons’ parking places regulated and enforced by the Council, a very small percentage replied no, with the vast majority not even responding. Consequently, we do not enforce the majority of disabled parking spaces in private car parks within the Council area.*

*Without buy-in from private owners this cannot be improved unless legislation is changed to make regulation mandatory.” (South Lanarkshire Council)*

11% of all the suggested proposed measures (16 suggestions) to improve off-street enforcement of disabled persons’ parking spaces was levying of punitive PCN/fines.

*“Expand DPE. Increase fines. On the spot fines. Penalty points on licence.”  
(Individual)*

*“Give local authorities and the police the power to fine drivers who abuse off street disabled persons’ parking places.” (Individual)*

Another 11% of all the suggested proposed measures (15) to improve off-street enforcement of disabled persons’ parking spaces was the use of CCTV/ANPR system.

Another 9% of all the suggested proposed (13) measures to improve off-street enforcement of disabled persons’ parking spaces was for parking wardens to be allowed to enforce in private car parks in areas with DPE. Those who made this proposal included 2 public bodies, 1 third sector/NGO and 10 individuals. These responses suggested that private car park owners were not motivated to provide enforcement as it would punish their customers. South Lanarkshire council had asked all private car park owners in South Lanarkshire and only a handful said they were not willing with the majority not responding.

*“When South Lanarkshire asked private car park owners, such as supermarkets, retail parks, etc., if they wished to have their disabled persons’ parking places regulated and enforced by the Council, a very small percentage replied no, with the vast majority not even responding. Consequently, we do not enforce the majority of disabled parking spaces in private car parks within the Council area.*

*Without buy-in from private owners this cannot be improved unless legislation is changed to make regulation mandatory.” (South Lanarkshire Council)*

*“Enable traffic wardens to ticket blue badge parking spaces in private car parks, such as supermarket car parks.” (Individual)*

7% of all the suggested proposed measures (9) to improve off-street enforcement of disabled persons' parking spaces was the setting up of a reporting system where the public can make reports of abuse and even use photographic evidence to help the prosecution of offenders.

*“More wardens and better facilities to report abuse.” (Individual)*

*“There should be an app that can report space misuse to Police Scotland, which issues the registered keeper with a fixed penalty notice.” (Individual)*

5% of the suggested measures (7) was for the Police to be allowed to enforce penalties for abuse of disabled persons' parking spaces in off-street parking facilities.

## 5.12 Question 16

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

A total of 531 respondents responded to this part of the question and 424 definite responses given which could be used for statistical review. Percentages within this sub-section are based on the these 424.

Figure 18 shows a graphic representation of the impact of disabled persons' parking abuse on Blue Badge holders.

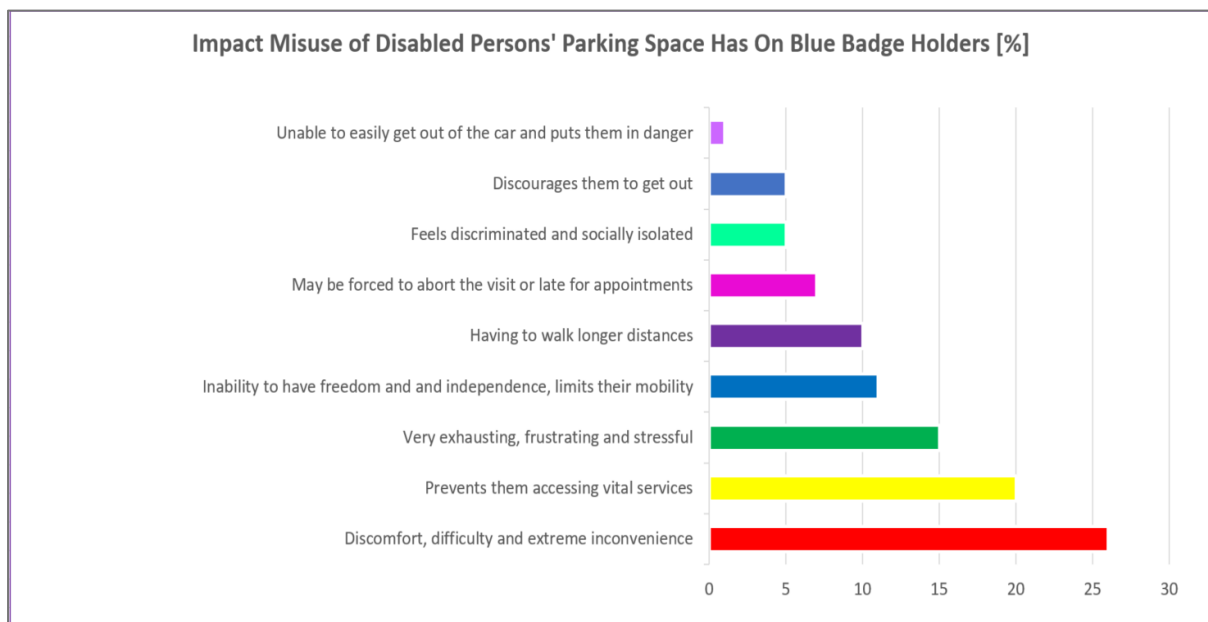


Figure 18: Impact misuse of disabled persons' parking space has on Blue Badge holders

26% (111) of the responses noted that it causes discomfort, difficulty and extreme inconvenience. They highlighted that even if an ordinary parking space was available, there may be insufficient room around the space to allow easy/safe egress. A split by respondent type of those who said abuse results in discomfort, difficulty and extreme inconvenience is shown in Table 33.

Table 33: Split by Respondent Type of Those Saying Abuse of Disabled Persons' Parking Places Would Result in Discomfort, Difficulty and Extreme Inconvenience

Category	No. of Respondents
Public Bodies	21
Professional/Trade Bodies	2
Academic/Research	1
Third Sector/NGO	6
Community Groups	9
Group respondents (Total)	39
Individuals	72
<b>Total</b>	<b>111</b>

There was overwhelming agreement among public bodies and third sector/NGOs who responded to this question that abuse of disabled persons' parking places results in discomfort difficulty and extreme inconvenience to genuine Blue Badge holders. 27 public bodies and third sector/NGOs (out of 33 responding) gave this view.

*"The misuse of disabled persons' parking places can have a profound effect on blue badge holders. If disabled people are unable to access parking close to the places and services they need, they are more likely to abandon their journey, return home and miss important appointments.*

*This can greatly increase the risk of social exclusion and isolation as disabled people may not be able to participate in rare social activities, have the confidence to live independently or result in significant health implications if they are unable to attend important medical appointments. Misuse of accessible parking can also prevent disabled people from accessing their place of work or prevent them from returning home safely, should another parking space not be available near their home.*

*For many disabled people, travelling by car is the only practical option available to them as they may be unable to access or use public transport or require to carry heavy equipment.*

*Poor accessibility not only has a negative impact on individuals but also creates problems for society. Through a loss of potential business, barriers preventing disabled people participating in the labour market or longer waiting times to see health professionals due to missed appointments.*

*The unchecked abuse of blue badges threatens public confidence in the scheme and a lack of enforcement to tackle misuse of disabled parking places is only likely to encourage further misuse as other motorists may take the opportunity to park in such places if there is a low risk of penalty to deter them." (City of Edinburgh Council)*

*“The impact of misuse can cause; distress, mistrust of the system, physical pain (when forced to walk further to their destination), increased isolation, a detrimental effect on mental health and inconvenience for Blue Badge holders if they are unable to use the spaces provided (affecting equality as they may not be able to access the same services as those who do not require a Blue Badge).” (SCOTS)*

A number of disabled persons, their relatives and carers shared their different experiences how abuse of disabled persons’ parking places results in discomfort, difficulty and extreme inconvenience.

*“I am blue-badge holder. Because of the problems I have with my legs as a result of an accident, I have difficulty getting the car door open far enough to get out when I have to park in a normal sized car park bay.” (Individual)*

*“Being a parent of a young man who is disabled, I feel disheartened that people can be so selfish. If all the spaces for disabled people are being used for able bodied people, it just means that it makes life a bit more difficult. As you know the spaces are a little bigger to accommodate wheelchair access, so if they have to use a smaller space there is the possibility of damaging other cars and also make things very awkward for disabled person and carer.” (Individual)*

*“I have experienced this disabled person cannot get parked in disabled spaces for the misuse and worse for me I have a wheelchair and need extra space to get out the door and get wheelchair out the back really bad inconvenience.” (Individual)*

*“As a wheelchair user with a severe paralysis there is a huge impact. I have in the last year been unable to get a disabled space and had to use a normal space, unfortunately fell getting into car as there was not enough room to open doors wide enough. There should be disabled parking spaces that are for wheelchair users only.” (Individual)*

20% (83) of the responses noted that it prevents the Blue Badge users from accessing vital services. Those suggesting this included 14 public bodies, 9 community groups, 3 third sector/NGOs, 2 professional/trade bodies, and 55 individuals.

*“Reduces the opportunities for disabled persons to access facilities.” (Argyll and Bute Council)*

*“It can mean that Blue Badge holders are seriously disadvantaged in using retail, leisure, business and social facilities.” (Kincardine Community Council)*

*“It prevents them accessing vital services and discourages them from getting out and about.” (Individual)*

*“Makes it more difficult for the disabled person to access premises.” (Individual)*

15% (63) of the responses noted that it was very exhausting, frustrating and stressful.

*“It can add additional / unnecessary stress to an already stressful journey and experience.” (RHA Ltd)*

*“Not only must this be a cause of great inconvenience but those affected must also be extremely distressed and upset when this problem occurs.” (Muckhart Community Council)*

11% (48) of the responses noted that it can make disabled user's less able to have and enjoy their freedom and independence, and limits their mobility.

*“Makes life difficult and they might be reluctant to venture out.” (Individual)*

*“Major additional inconvenience. Makes their essential journey impossible, impractical or unsafe. Breach of their human rights.” (Individual)*

10% (42) noted that this forces people to walk longer distances to their desired destinations and often in pain.

*“As a disabled badge holder, it has a significant effect. Forcing people with disabilities to walk further, suffering additional discomfort. It also has an element of discrimination to it. Often making you feel as if nothing can be done and no one cares. Incidentally having used my badge elsewhere in Europe, the same issues aren't experienced.” (Individual)*

*“Means that someone who is disabled might have to walk further which will not only cause them pain and discomfort but might also discourage them from going out as much.” (Individual)*

6% (27) noted the impact on people being potentially late for appointments or to eventually abandon a visit altogether.

*“Normal everyday tasks such as going to the shops, attending a doctor's appointment or going to work, can become impossible due to lack of access.” (South Lanarkshire Council)*

*“Not being able to find a vacant disabled persons parking space means at times legitimate users might miss out on attending important appointments like medical ones.” (Guide Dogs Scotland)*

*“Makes it harder for them to get to medical appointments or just to get about in general.” (Individual)*

*“As a full time manual wheelchair user I regularly find it difficult to park due to blue badge space misuse.*

*I need room beside my vehicle to open my door fully so that I can build my wheelchair at the side and transfer into it. This is impossible at most on-street disabled spaces because I would be opening out onto traffic, or onto a big kerb with a gap that the castor of my wheel will fall through. So off street spaces are more appealing, however they're unenforceable so it is a lottery as to whether I'll get parked and make my appointment in time. This is a frustration that I deal with on a daily basis.” (Individual)*

5% (22) noted that it this leads to Blue Badge users feeling discriminated and socially isolated.

*“Social isolation, high levels of anxiety, missed appointments. Need I go on, this abuse limits my life unnecessarily, makes me anxious every time I go out alone, Makes me dependent on others. Reduces my independence.” (Individual)*

*“Makes getting out & about very difficult. Also leads to stigmatisation of the disabled, as cheats are seen to be physically able & people assume they're disabled & milking the system.” (Individual)*

4% (19) noted that that this left people feeling discouraged to get out of their homes as they feared not being able to get anywhere to park and not sure whether on their return they would still find somewhere to safely park.

*“It prevents them from accessing their communities and if it happens repeatedly is likely to make them less likely to try to join community activities and ultimately could leave them feeling isolated.” (Individual)*

*“I think abuse reduces the confidence of blue badge holders, meaning they are less likely to use their car and may become more socially isolated or dependent on others.” (Individual)*

Some respondents urged caution especially when it comes to disabled persons' parking bay abuse as not all disabilities are visible.

*“Always found one when required for my father but needed badge for my mother who had dementia but could not get it as she could still walk a short distance. Unfortunately, at hospital the parking was too far away for her to walk and she could not be left safely while I parked further away. I can understand people without a blue badge having the need to use a space therefore would want to see caution used when following up ‘misuse’.” (Individual)*

*“... Not every disability can be seen and lack of a space can mean someone with a heart or lung condition not reaching a resource vital to them.” (Individual)*

*“Lot of opinions about how it's misused but I think that's worst picture scenario. Not all folk who need close parking are obviously disabled but they may have hidden needs such as heart problems or neurological problems that aren't visible.” (Individual)*

### 5.13 Chapter Summary

Over half of the respondents who gave a definite view felt that disabled persons' parking places were not currently being adequately enforced. Those giving this view suggested greater enforcement was required with more use of enforcement officers and patrols, with a number also proposing measures such as higher levels of fines and greater use of technology to tackle misuse.

Most respondents said they had witnessed disabled persons' parking places being misused. Whilst the majority of respondents felt members of the public should report abuse when they witness it, most of the respondents did not in fact report abuse they had witnessed. In many cases this was due to lack of a clear/ visible reporting system in place. It was noted by a number of respondents that in some cases it can be difficult to tell when abuse occurs as not all disabilities are visible.

There was a general agreement that misuse of disabled persons' parking spaces results in discomfort, difficulty and extreme inconvenience to the Blue Badge users. Misuse can also prevent disabled people from accessing vital services if they are unable to access parking close to the places and services they need. This can also impact on the freedom and independence of Blue Badge users more generally.

## Parking for Ultra-Low Emission Vehicles

This chapter addresses responses given to questions posed about parking provision for ultra-low emission vehicles.

### 6.1 Question 17

***Are you supportive of local authorities' trialling or introducing parking incentives (such as discounted, free or preferential parking) for ULEVs? Please be as specific as possible?***

603 out of the 663 respondents answered this question and percentages in this sub-section are presented on this basis.

41% of the respondents (246) said they were supportive of LAs trialling or introducing parking incentives e.g. discounted, free or preferential parking, for ULEVs. 59% (357) of the respondents to this question were against.

A split by respondent type of those supportive/none supportive of incentives is shown in Table 34.

*Table 34: Split by Respondent Type of Those Supportive/None Supportive of Incentives*

Category	Yes	No
	Number	Number
Public Bodies	11	5
Business/Industry	2	3
Professional/Trade Bodies	4	1
Academic/Research	-	1
Third Sector/NGO	3	2
Community Groups	9	17
<i>Group respondents (Total)</i>	29	29
Individuals	216	328
<b>Total</b>	<b>245</b>	<b>357</b>

### 6.2 Question 17a

***If yes, what should these incentives be?***

There were 241 respondents to this question, within which 253 suggestions for incentives were contained. Percentages within this sub-section are presented on this basis.

34% (86) of the responses suggested that LAs could encourage uptake of ULEVs by offering free parking. 28% (71) suggested reduced parking fees as an alternative.

A breakdown of the incentives that were suggested can be found in Figure 19.

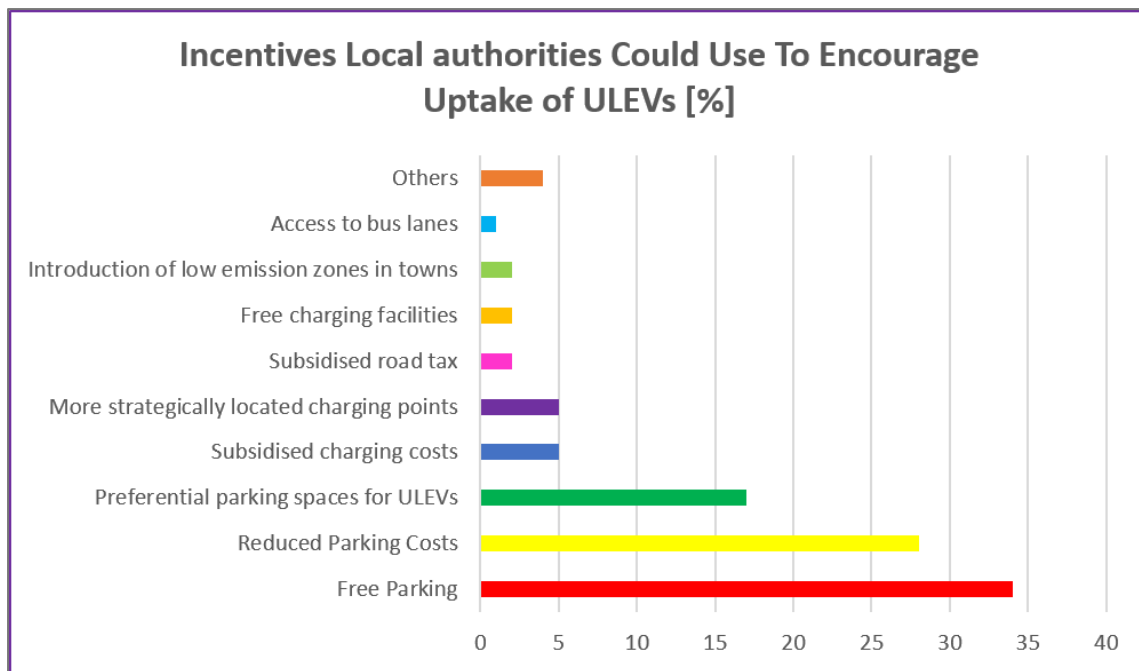


Figure 19: Suggested Incentives Local Authorities Could Use to Encourage Uptake of ULEVs

Of the organisations that advocated free parking for ULEVs some pointed out the following:

*“On-street parking charges should be discounted, but time restrictions must be in place to prevent all day parking. The Council previously provided free parking and electricity for electric vehicles, however these were being parked in all day so denying others access. A trial has started the electric vehicles are provided free electricity they have to pay the same tariff as everyone else.” (Glasgow City Council)*

Of those organisations who suggested free parking as an incentive, some also had reservations about the impact this may have on congestion and journey time benefits, with some suggesting that free parking should be limited to encourage movement and improve the local economy.

*“There is strong support for trialling parking incentives for ULEVs. Free parking for the first two hours after occupation of a charging space. A charge should be applied after 2 hours to encourage people to increase turnover of access to such sites such that multiple persons may access the space.” (Broom, Kirkhill and Mearns Kirk Community Council)*

*“Introducing incentive measures for ULEVs would help to encourage the uptake of these vehicles in place of highly polluting vehicles. This could help to reduce air pollution in towns and cities. However, it is important to remember that replacing Internal Combustion Engine (ICE) cars with ULEVs does not address issues such as congestion and road safety. Ultimately, providing space for cars in city centres will generate car traffic. This needs to be considered in any planning decision in mind of the issues of air pollution, congestion and road safety.” (Transform Scotland)*

*“Free Parking, but limited to 2-3 hours.” (Electric Vehicle Association of Scotland)*

### 6.3 Question 17b

#### If no, why not?

There were 342 respondents submitted a response to this part of the question, and within these responses 260 specific reasons were identified. The percentages within this sub-section are based on the 260 reasons given. A summary of the reasons given is illustrated in Figure 20.

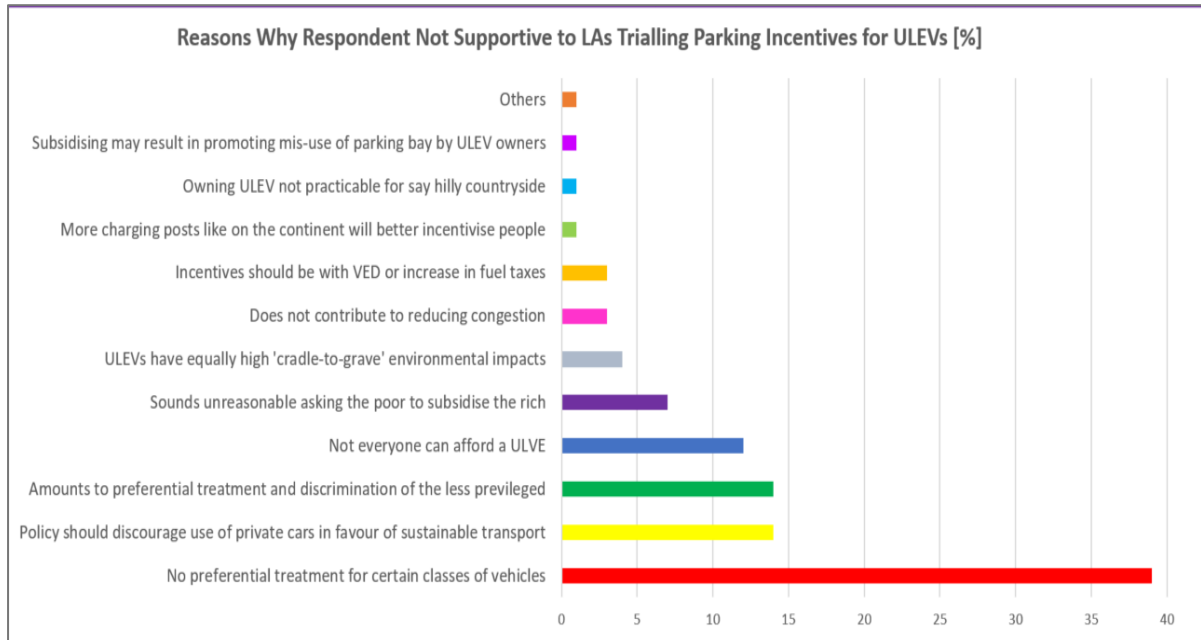


Figure 20: Reasons Why Respondent Not Supportive to Local Authorities Trialling Parking Incentives for ULEVs

39% (102) of responses felt there was no need to introduce preferential treatment for certain vehicle classes in parking areas.

Several organisational respondents, including LAs, community and academic groups, who were not supportive of LAs trialling incentives, stressed that parking management is usually used as a traffic management tool which is designed to alleviate congestion, as well as improve road safety. It was clear from the narrative responses that most respondents who objected to the proposal accepted that ULEVs are relatively environmental friendly, but still contribute to congestion and hence do not deserve preferential treatment.

*“Parking controls are designed to alleviate congestion, of which poor air quality is only a side effect. Congestion impacts on the timely passage of vehicles to destinations for trade, business and leisure regardless of how those vehicles are powered. A city’s economy can still grind to halt if goods cannot get to market because of a traffic jam of electric vehicles. Any incentives for ULEV ownership should be through the VED system.” (Renfrewshire Council)*

*“ULEVs do not reduce congestion. They do not prevent accidents. They still demand valuable urban space. They still create ugly streetscapes. They should not be treated any differently from other vehicles.” (James Gillespies Primary School Transport Committee)*

*“Sustrans Scotland have concerns about local authorities trialling or introducing parking incentives (such as discounted, free or preferential parking) for ULEVs for the following reasons:*

- Congestion;*
- Such incentives may give a relatively large proportion of in-demand urban space to a small number of people for a potentially long period each day*
- The consultation offers no evidence that parking incentives will be sufficient to increase ULEV uptake and are relatively low-value when compared to purchase subsidies*
- The expense of ULEVs means the ownership profile is generally affluent and any incentive would act as a subsidy for the wealthy.*
- While ULEV’s are fuelled relatively sustainably, emissions from brake pads and tyre-wear remain toxic and dangerous.*
- Promotion of ULEVs does nothing to tackle congestion.”*

***(Sustrans Scotland)***

*“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.”* ***(Spokes, the Lothian Cycle Campaign)***

*“We do not support this because parking management is in place largely for congestion management and kerb space management reasons and a discount for ULEVs would undermine this.”* ***(Transport Research Institute, Edinburgh Napier University)***

*“Having lower emissions is not sufficient grounds for preferential parking. Access to city/town centre at peak times maybe, but not parking. Two similar cars with different emission levels still take up the same amount of space.”* ***(Individual)***

14% (36) suggested that the policy should be to discourage use of private cars in favour of sustainable transport irrespective of a vehicle's emission level.

*“We should mostly be encouraging walking and public transport, rather than cars (even if 'ULEV').” (Individual)*

Another 14% (36) said that this would amount to preferential treatment of the rich and discrimination of the less privileged in society.

*“Idea of incentives is positive to change however fair system would be difficult to introduce. Would prefer education on the benefits of these vehicles and a reduction in road tax would be preferable to the incentives mentioned above. Could not be seen to discriminate against those in lower income brackets who would at this time be unable to afford to buy such vehicles as there will be minimal number of second hand vehicles available.” (Broomhill Community Council)*

*“Discrimination against people who happen to have a less clean and efficient car than others. Unfortunately, ULEV's are just too expensive for most people to buy. By giving preferential treatment, you would be stigmatising others who could not afford to use these vehicles, thereby causing a bigger divide between those who can afford it and those who could not.” (Individual)*

#### 6.4 Question 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. Please be as specific as possible?***

There were 583 respondents to this question, on which percentages in this sub-section are based.

60% (398) were supportive of LAs trialling or introducing specific measures to help people who live in flats or tenements (with no dedicated off-street parking) charge their vehicles.

A split by respondent type of those supportive/none supportive of specific measures is shown in Table 35.

Table 35: Split by Respondent Type of Those Supportive/None Supportive of introducing specific measures to help people who, live in flats or tenements (with no dedicated off street parking) charge their vehicles

Category	Yes	No
	Number	Number
Public Bodies	16	3
Business/Industry	3	2
Professional/Trade Bodies	4	1
Academic/Research	1	-
Third Sector/NGO	4	1
Community Groups	16	11
<i>Group respondents (Total)</i>	<i>44</i>	<i>18</i>
Individuals	354	167
<b>Total</b>	<b>398</b>	<b>185</b>

To understand the reasons why there was a substantial split in response for this proposal, two supplementary questions were asked.

## 6.5 Question 18a

### *If yes, what should these incentives be?*

There were 324 respondents who responded to this part of the question. Within their answers there were 214 suggestions identified, and percentages within this sub-section are presented on this basis.

A summary of the measures respondents considered would assist LAs to help people who live in flats or tenements (with no dedicated off-street parking) charge their vehicles, is illustrated in Figure 21.

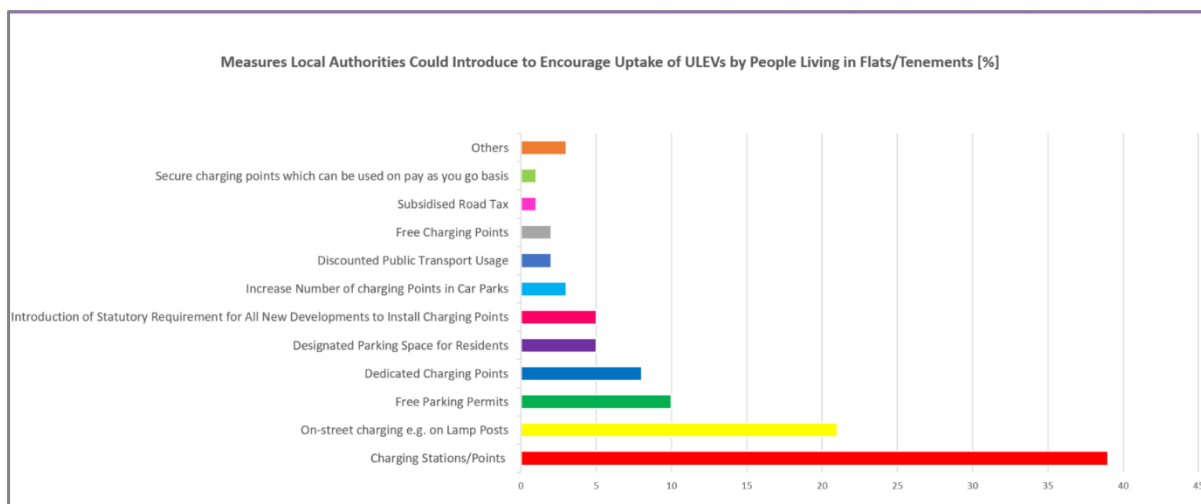


Figure 21: Measures Local Authorities Could Introduce to Encourage Uptake of ULEVs by People Living in Flats/Tenements

39% (84) of the suggestions proposed the installation of more charging stations/points to encourage uptake by flat/tenement dwellers. 21% (46) suggested the erection of on-street charging units on lamp posts.

It was clear from the narrative analysis that the view was that the installation of more charging stations/points would assist LAs to help people who live in flats or tenements (with no dedicated off-street parking) to charge their vehicles.

*“Local authorities must provide more parking places with chargers – again, in city centres this could be partly achieved by converting ‘brown field’ sites. Car purchase incentives could be offered for those buying small(er) sized vehicles (e.g. Smart cars) or incentives given to encourage the use of a building, or neighbourhood, car pool(s) and/or car sharing. It should also be standard ‘policy’ that all new housing developments are required to provide a given number of parking places with chargers, per the number of properties to be built, for use by the residents. Further charging points should be installed in local parking areas, e.g., outside the village hall or in the Church car park.” (Muckhart Community Council)*

However, there were some respondents who enquired if the expansion of these charging points should be reviewed and their viability assessed.

*“Local authorities have provided public charging points under the government scheme and continue to provide free electricity. If the network of charging points is to expand, especially to points outside tenements for residents to essentially charge their cars at home, arrangements must be made for charging for use at source or recouping the electricity cost to local authorities.” (Renfrewshire Council)*

Not all respondents were supportive of installing more on-street charging points.

*“This would mean installing charging point on streets. The design and operation of these charging point needs not cause trip hazards or street obstacles for disabled people.” (Guide Dogs Scotland)*

The following responses were also suggested:

- Subsidised Road Tax;
- Introduction of secure charging points which can be used on pay as you go basis;
- Provision of funds by central government for installation of charging lamp posts;
- Introduction of mobile charging plants which rotates addresses;
- Provision of multi-storey car parks with charging points in local areas; and
- Introduction of 'smart bays' requiring vehicle details for charging access.

## 6.6 Question 18b

### *If no, why not?*

There were 165 respondents to this part of the question. Within their answers there were 73 specific reasons identified, and percentages within this sub-section are presented on this basis.

A summary of the reasons why respondents were not supportive to LAs to help people who live in flats or tenements (with no dedicated off-street parking) charge their vehicles, is illustrated in Figure 22.

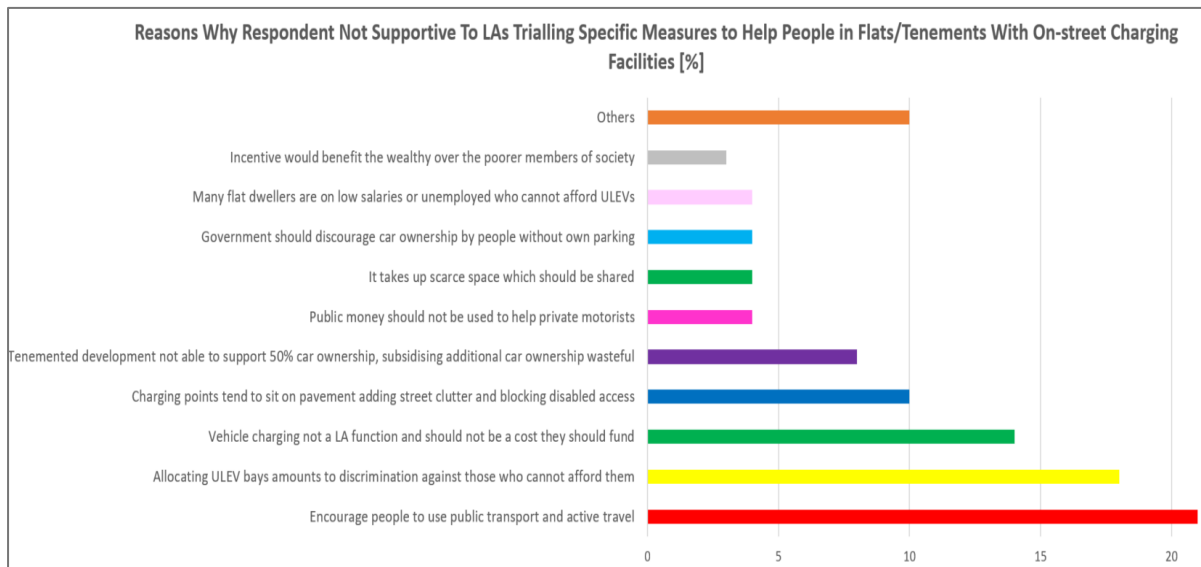


Figure 22: Reasons Why Respondent Not Supportive to Local Authorities Trialling Specific Measures to Help People in Flats/Tenements with On-street Charging Facilities

21% (15) of the reasons why respondents were not supportive to LAs helping people who live in flats or tenements was because they preferred that LAs encourage use of public transport and active travel among these residents. 18% (13) felt allocating space for those with ULEVs amounts to discrimination against those who cannot afford them.

*“Electric vehicles only solve the issue of pollution, not the other problems posed by private transport. We should put resources into developing alternatives to private transport.” (Individual)*

*“There is limited parking available in these areas and so many people will not have a car. We need to be focussing on enabling walking, cycling and public transport - modes that everyone can use.” (Individual)*

*“Private car ownership is not appropriate and should not be encouraged in high-density living areas. If EVs are desirable, these should be shared e.g. city-car-club parking bays.” (James Gillespies Primary School Transport Committee)*

*“I live in a tenement with 9 double flats. So, there could be upwards of 18 adult residents. Yet the front of our building has space for 1, max 2 cars. It is just not sustainable for even a small proportion of residents to all have vehicles, so we must incentivise against ownership, not an alternative form of ownership.” (Individual)*

The following responses were suggested by individual respondents:

- Incentive should come via the cost of road tax;
- Would be an expensive measure for a very small number of vehicle owners;
- It takes up scarce space which should be shared;
- It should not be the LAs duty to encourage use of cars with the latest technology;
- No reason to subsidise someone's desire to own a ULEV since parking is a problem for all;
- Councils should be focused on providing alternatives to the car, not simply alternative fuel; and
- Power companies should be providing top-up points not councils.

## 6.7 Question 19

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

569 respondents answered this part of the question, and percentages are presented on this basis.

80% of respondents (454) were supportive of LAs monitoring and enforcing use of ULEV-only charging bays. However, 20% of respondents (115) were against LAs monitoring and enforcing the use of ULEV-only parking bays.

A split by respondent type of those who thought ULEV charging bays should be monitored and enforced by LAs is presented in Table 36.

*Table 36: Split by Respondent Type of Those who thought ULEV charging bays should be monitored and enforced by LAs*

Category	Yes	No
	Number	Number
Public Bodies	21	2
Business/Industry	8	2
Professional/Trade Bodies	3	1
Academic/Research	1	-
Third Sector/NGO	-	-
Community Groups	9	6
<i>Group respondents (Total)</i>	<i>42</i>	<i>11</i>
Individuals	412	104
<b>Total</b>	<b>454</b>	<b>115</b>

## 6.8 Question 19a

### *If yes, please say why?*

395 responses were received to this part of the question. Within these, 185 specific reasons were suggested, and percentages within this sub-section are presented on this basis.

A summary of the suggested reasons why LAs should monitor and enforce use of ULEV-only charging bays is given in Figure 23.

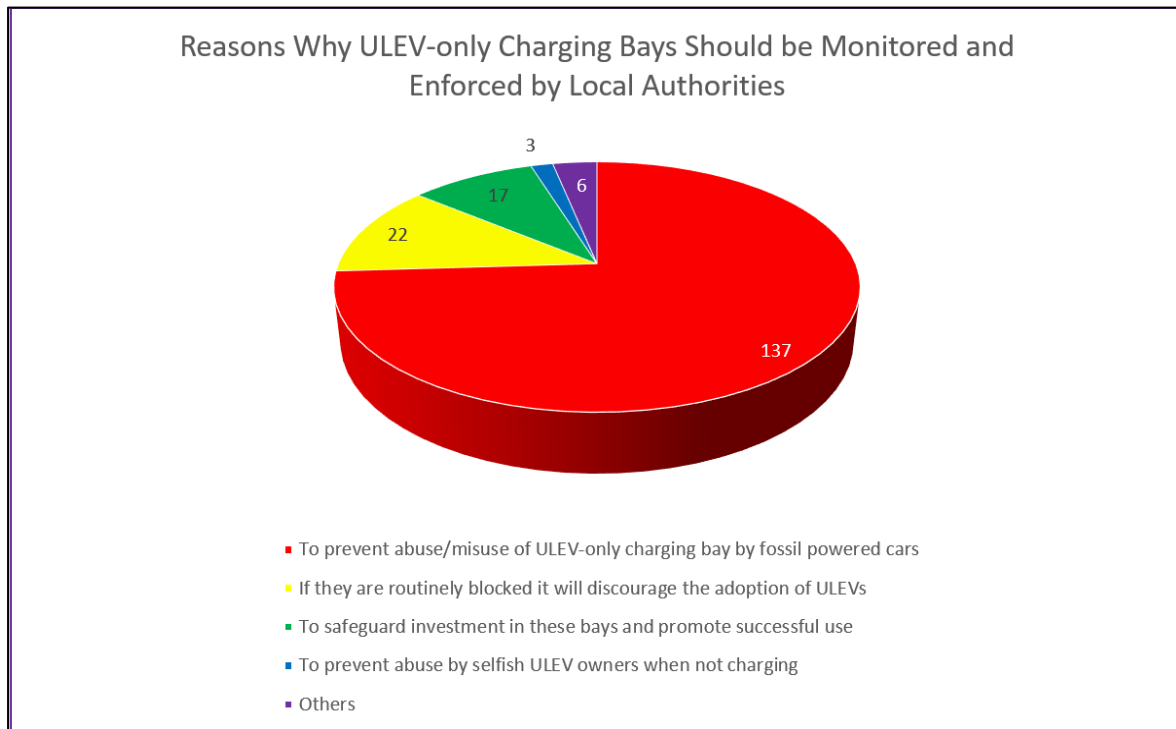


Figure 23: Reasons Why ULEV-only Charging Bays Should be Monitored and Enforced by Local Authorities

Approximately 74% (137) of the reasons given suggested that monitoring and enforcement of ULEV-only parking bays by LAs would prevent abuse/misuse of these bays by fossil powered vehicles.

Of those saying it would prevent misuse/abuse of ULEVs-only bay 118 were individuals, 7 were classed as community groups, 7 were public bodies, 2 represented business/industry, 2 were professional/trade bodies, and 1 was an NGO/Third sector body.

Of the organisations that responded to this question two public bodies had this to say:

*“The existing ULEV only parking bays in the Council’s off-street car parks are already covered by a TRO. The introduction of ULEV only parking bays on street would have to coincide with the location of charging points. It could also be argued that ULEV’s should only be permitted to park in ULEV only parking bays whilst they are being charged. To do otherwise may prevent other ULEV drivers from being able to charge their vehicles.” (Falkirk Council)*

*“We consider that it may be desirable to implement monitoring and enforcement, by local authorities, of these ULEV charging bays. As has been identified the provision of such facilities may lead to abuse in terms of excessive periods of time of the vehicle being parked which may indirectly increase congestion. The increasing prevalence of such vehicles may indicate the need for some form of identifying mark to distinguish vehicles that may utilise such bays.” (Police Scotland (Road Policing))*

Most individual respondents felt that it was necessary to have the ULEVs-only bays enforced.

*“Car need charged, illegal parking negates any benefit of having charging points at all!” (Individual)*

*“Because drivers with non ULEV will just park in them. In general car drivers are no good at policing themselves.” (Individual)*

This was also supported by one community group who highlighted the benefits of enforcement of ULEVs-only bays.

*“To prevent the misuse of these parking / charging places and to encourage the purchase of ULEVs which, in turn, will reduce dangerous and toxic emissions in city centres and elsewhere.” (Muckhart Community Council)*

12% (22) of the suggestions said enforcement by LAs would encourage uptake of ULEVs. If these bays are routinely blocked it would discourage the adoption of ULEVs. This was supported by the Society of Chief Officers of Transportation in Scotland, who said:

*“It should not be detriment to the monitoring of Blue Badge spaces. These bays are similar to a petrol station for ULEV; therefore, only vehicles that are charging should use them. Those considering purchasing a ULEV may be discouraged if they felt charging bays were being abused.” (SCOTS)*

Approximately 9% (17) said this would safeguard investment in these bays and promote their successful usage. 3 respondents suggested this would prevent abuse of these bays by selfish ULEV owners. The following responses were suggested by individual respondents:

- To prevent people using them as a means of free parking;
- If provided they need to generate revenue;
- To promote usage of bays; and
- To facilitate usage and generated income used to expand infrastructure.

## 6.9 Question 19b

### ***If no, how should they be enforced and who should be responsible for this enforcement?***

In response to this question, 121 responses were received. Some of those that responded to this question went on to suggest that the LA should be in charge, and a lot of responses were not specific to this part of the question. A summary of the 33 specific and measurable responses to the combined questions are given in Figure 24, and percentages are presented on this basis.

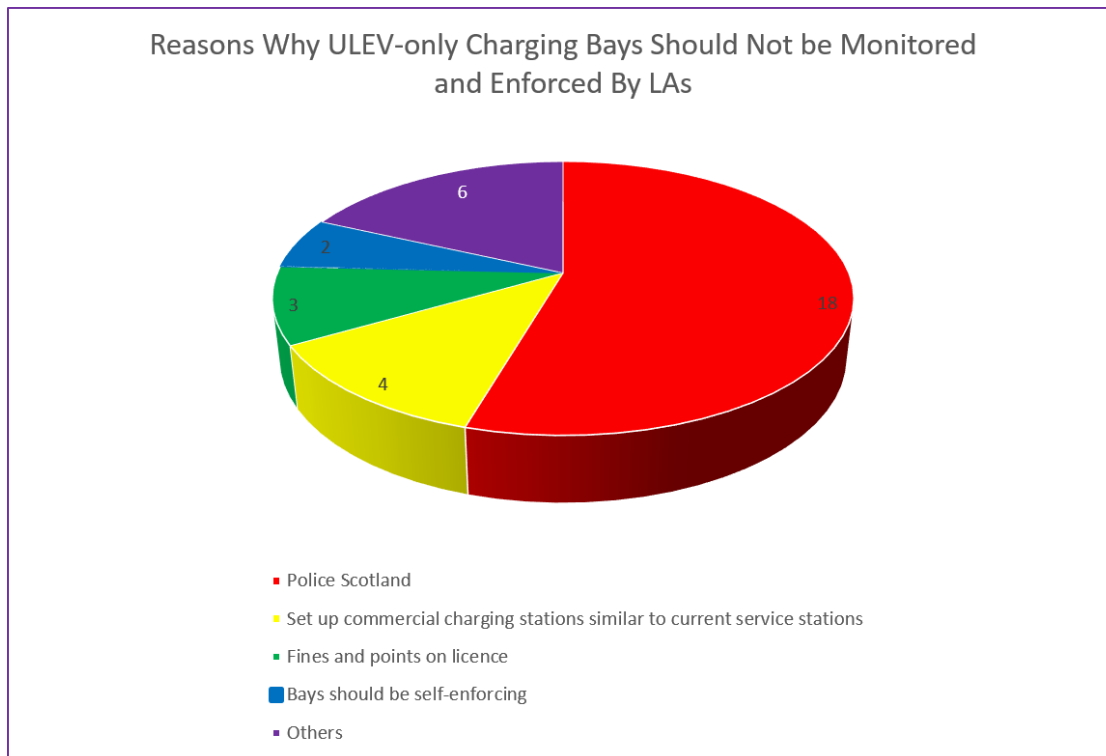


Figure 24: Reasons Given on Why ULEV-only Bays Should Not Be Monitored and Enforced by LAs

Approximately 55% (18) of suggestions proposed that Police Scotland should be responsible for enforcing ULEV-only charging bays. From the responses, it was not clear whether this would also cover areas under the DPE system. The following responses were suggested by individual respondents:

- Standard parking fines;
- Members of public should be able to report and prosecutions should be possible based on photo evidence;
- The relevant energy provider;
- The vehicle manufacturer;
- Transport Scotland funded traffic wardens across Scotland; and
- Private security companies.

## 6.10 Chapter Summary

The majority of respondents (59%) were not generally supportive of LAs trialling measures to encourage uptake of ULEVs as they perceive the practice as preferential treatment for a certain class of vehicle.

However, 60% of the respondents were supportive to LAs trialling specific measures to help people living in flats/tenements. They suggested provision of easily accessible charging stations/points and erection of charging points on lamp posts would encourage uptake of ULEVs by flat/tenement dwellers.

The majority of respondents (80%) were supportive of LAs monitoring and enforcing ULEV-only bays. Of those who were not supportive, the most popular suggestion was that Police Scotland should monitor and enforce ULEV-only bays. There was support for monitoring and enforcement in order to encourage people to use ULEVs.

## Impact Assessment

This chapter reports on responses relating to potential impacts arising from parking proposals. It largely but not exclusively focuses on the perceived disbenefits which might arise.

### 7.1 Question 20

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

420 responses were received to this question. However, many people who responded did not specifically address the question asked, but instead highlighted the benefits of introducing the ban.

In some instances, respondents highlighted dis-benefits in general and not those to particular groups of people, with reference to the ‘protected characteristics’.

There were 140 specific and measurable examples identified of likely impacts relating directly to this question. For the purpose of this question, impact is generally taken to mean disbenefits. Percentages in this sub-section are presented on this basis.

Figure 25 shows a graphical representation of the likely impacts on particular groups, with reference to the ‘protected characteristics’ of:

- age;
- disability;
- gender reassignment;
- marriage and civil partnership;
- pregnancy and maternity;
- race;
- religion and belief; and
- sex and sexual orientation.

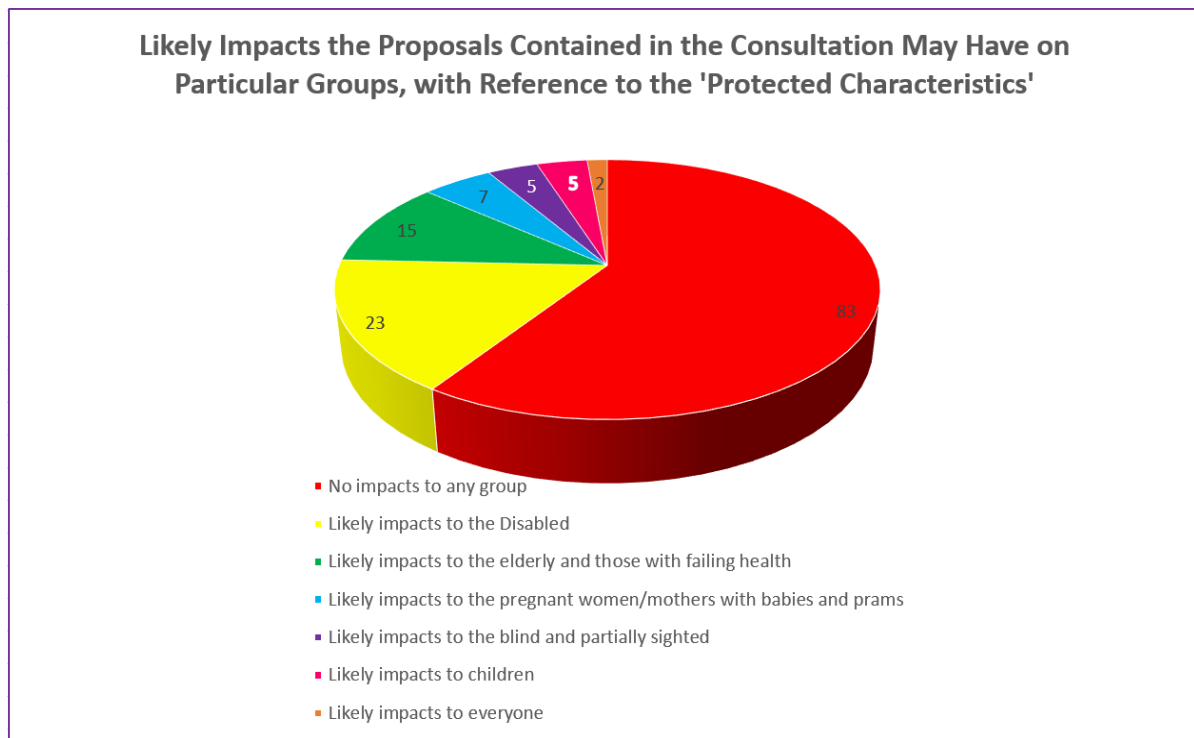


Figure 25: Likely Impacts the Proposals May Have on Particular Groups with Reference to the 'Protected Characteristics'

59% (83) of those specifically responding to the question suggested that the proposals will not negatively impact on any of the groups with protected characteristics, and within this category benefits were often cited. A split by respondent type is given in Table 37:

Table 37: Split by Respondent Type of Those Suggested the Proposals Would Not Have Any Impacts on Particular Groups with Reference to the 'Protected Characteristics'

Category	No. of Respondents
Public Bodies	10
Business/Industry	1
Professional/Trade Bodies	2
Academic/Research	1
Third Sector/NGO	5
Community Groups	7
Group respondents (Total)	26
Individuals	57
<b>Total</b>	<b>83</b>

*"We believe the proposed measures will help to enhance matters from the viewpoint of "equalities". Without a doubt disabled people would benefit significantly from these measures as would the infirm, the elderly, women, and children and all people whose primary mode is 'walking'." (Chartered Institution of Highways & Transportation (CIHT) - Scottish Policy Forum)*

*“The impact of the legislation would be all beneficial to blind, deaf-blind, partially sighted people and those who’s sight impairment is part of multi disability. Effectively it would permit us to enjoy the same safe unhindered access to the built environment as experienced by non-disabled people, instead of having to go onto fast, busy roadways dicing with death to go about our daily business.” (The National Federation of the Blind of the UK)*

*“No negative impacts. It will make it fairer for younger and older people, as well as women, as arguably they suffer the effects of illegal and dangerous parking most, as it typically these groups that walk/use footpaths.” (Individual)*

However, 16% (23) suggested that the proposals may also affect disabled people with mobility issues and no blue badge as they will be less able to park as close to homes/ places they will be visiting.

*“Any parking restrictions could impact on access to facilities or residential areas for disabled drivers, the elderly and parents with younger children. However, encouraging some people to walk short or even slightly longer distances can only have a positive impact on health and wellbeing.” (Orkney Islands Council)*

Another 5% (7) suggested the proposals would negatively affect pregnant users and those with babies and prams.

*“It affects Age, (old people can’t get along pavements) disability (likewise plus they can’t get out or from their own vehicles) and the pregnant (if pregnant you need to be able to get to shops/hospitals/surgeries easily, not having to park a mile away).” (Individual)*

## 7.2 Question 21

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

447 responses were received to this question. Within these responses, 236 specific aspects were identified, and percentages within this sub-section are presented on this basis.

Figure 26 below shows a graphical representation of the other aspects of a child’s rights or wellbeing that the respondents thought might be affected by the proposals.

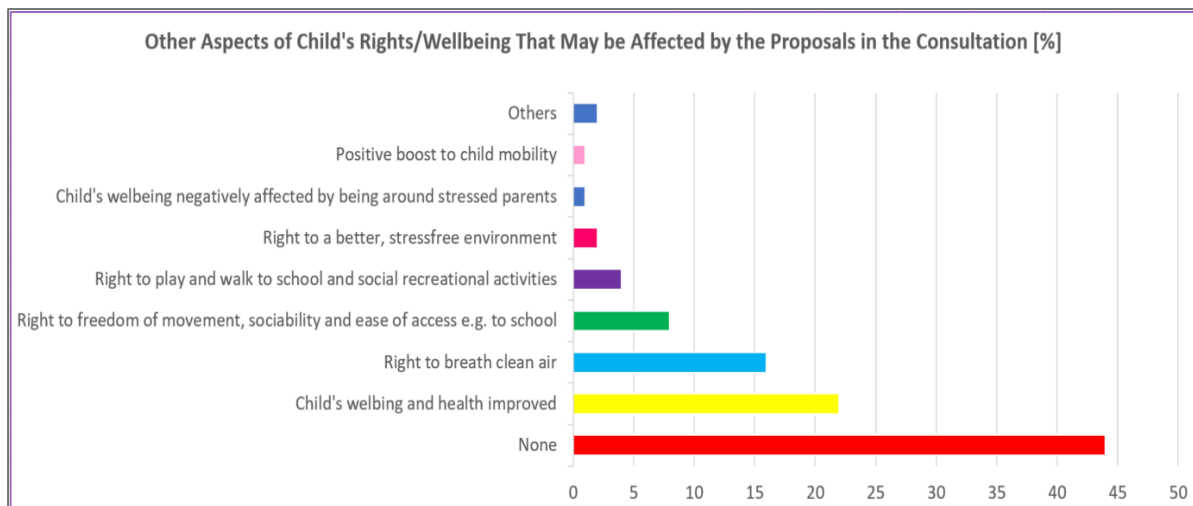


Figure 26: Other Aspects of a Child's Rights/Wellbeing That May be Affected by the Proposals

Under this question 45% (105) of the measurable responses did not believe that the proposals will affect any other aspects of a child's rights/wellbeing.

22% (52) said that the child's wellbeing and health would benefit from the parking proposals. They suggested that the proposals will encourage walking and cycling to school more often thereby having a positive impact on the health and wellbeing of many children. Respondents also suggested that if areas around schools become safer because of improved parking enforcement, children will be given greater responsibility to travel by themselves to school, which could increase their independence and wellbeing.

*"By removing parked vehicles from pavements and pedestrian dropped crossings walking would become a more attractive choice of travel mode and more children may be encouraged to walk, for example for the school journey, thus improving their health and wellbeing." (South Lanarkshire Council)*

*"Eliminating pavement parking will make it safer for children to walk or cycle to school (a key government indicator) and have a consequent impact on physical activity, being a positive impact for health and wellbeing of children." (Sestran)*

*"Definite positive impact - our residential streets should be children friendly and not dominated by motor traffic. Pavement parking has a big negative impact on a safe street "feeling" which in turn affects parents' willingness to allow children to play out on it. Children being active and independent is crucial for their wellbeing and development, and of course health, and pavement parking negatively impacts on this." (Individual)*

16% (37) said that a child's right to breathe clean air will be enhanced and that stricter parking enforcement would be a step in the right direction to making towns and cities a more 'people, and child, friendly environment'.

*"Parents may avoid walking some journeys with their children – where there is pavement parking on route – thus reducing their children's' opportunity for exercise and fresh air." (Drumoyne Community Council)*

*“A child's right to lifelong health will be positively affected by stronger parking controls as the consequent reduction in vehicle miles driven will result in cleaner air and higher levels of physical activity for children at a population level.” (Individual)*

*“Children's wellbeing would be improved by walking further to school, so reduction of school gate drop offs will benefit them as well as nearby residents. As well, particulate pollution from idling engines at pick up/drop off time is dangerous to children, so dealing with issue will bring a health benefit - cleaner air.” (Individual)*

Another 9% (20) respondents focused on improved access and suggested that the proposals would positively improve a child's freedom of movement and sociability as a result of greater parking restrictions.

*“Generally greater accessibility when travelling on unobstructed footways and specifically ease of access to educational facilities without obstruction by parents using footways at drop off/pick up times. Maximising the availability of footways for their intended purpose could potentially increase active travel in general. For children this could potentially help establish future life choices, such as travelling actively at an early age. Similarly, it would also assist with addressing childhood obesity.”*

**(Dumfries and Galloway Council)**

*“Improved walkability will improve children's health, freedom of movement and sociability.” (Individual)*

4% (9) considered the positive opportunities that the proposed restrictions would have for children's right to play.

*“Any exceptions should be subject to stringent equalities assessment to demonstrate that parking will have no negative impact on vulnerable groups.*

*Children's ability to play outdoors is negatively impacted by cars, both parked and moving. Article 31 of the UN Convention on Children's Rights gives children the right to play. Research and monitoring on the impact of this legislation could be introduced to see if implementing this legislation has an impact on this right, with the appropriate reporting to the UN.” (Paths for All)*

*“Children have a right to play on the pavement safely. A change in the law is needed. Parents pavement parking is setting a poor example to our children.” (Individual)*

However, 1% (3) of individuals who responded to the question suggested that a child's wellbeing could negatively be affected by the proposals as it would be harder for them to be picked-up and dropped-off on schedule, and would require them to walk further without adult supervision. The respondents also suggested that a child's wellbeing may be negatively affected by being around stressed adults who cannot find places to park thereby causing friction.

*“Yes, if parents find it more difficult to get their children to school, the children may become stressed and that could affect their wellbeing.” (Individual)*

### 7.3 Question 22

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

There were 469 responses received for this question.

#### 7.3.1 Base Question

Percentages in this sub-section are presented on the basis of all 469 responses received.

65% (306 respondents) thought that the proposals contained in the consultation are likely to increase the cost placed on some sectors. 35% (163 respondents) thought that the proposals would result in a decrease on the cost incurred by some sectors.

A split by respondent type of those suggesting that a huge financial burden would result in an increase/decrease on the cost incurred by some sectors is given in Table 38.

*Table 38: Split by Respondent Type of Those Suggesting That a Huge Financial Burden Would Result in an Increase/Decrease on the Cost Incurred by Some Sectors*

Category	Increase	Decrease
	Number	Number
Public Bodies	21	2
Business/Industry	3	-
Professional/Trade Bodies	4	1
Academic/Research	1	-
Third Sector/NGO	4	-
Community Groups	20	7
<i>Group respondents (Total)</i>	53	10
Individuals	253	153
<b>Total</b>	<b>306</b>	<b>163</b>

#### 7.3.2 Further information provided

Within the 469 responses received, there were 370 examples identified of sectors likely to be affected. Percentages within this sub-section are presented on the basis of these 370 examples.

Figure 27 illustrates some of the sectors likely to incur cost increases or reductions because of the proposals in the consultation.

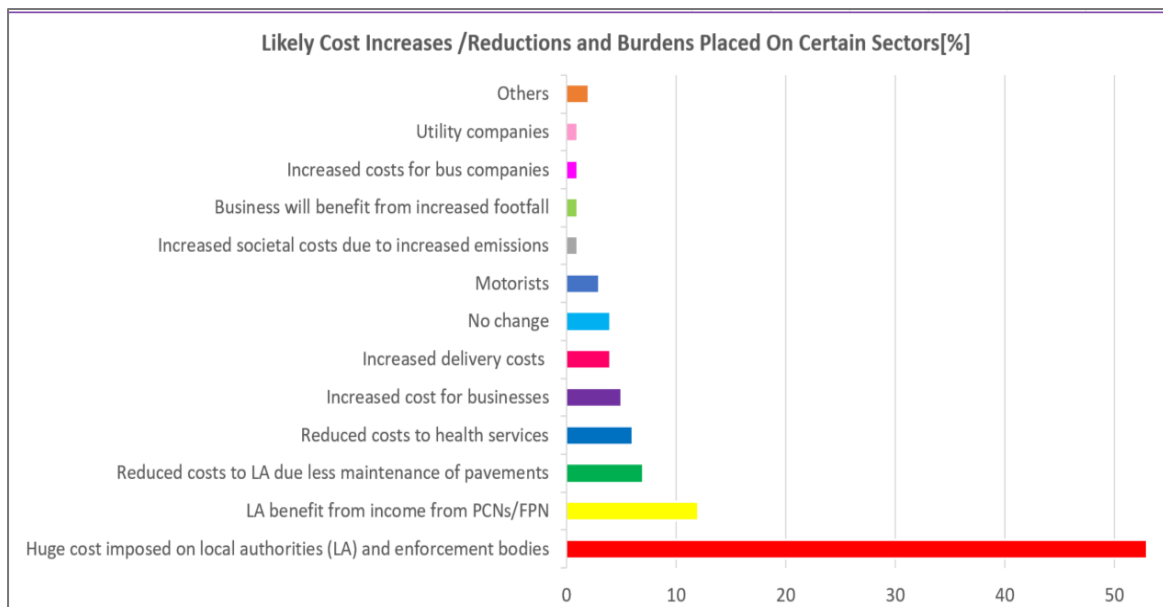


Figure 27: Sectors likely to incur cost increases or reductions as a result of the proposals in the consultation

### Impact on Public Sector

54% (198) of the examples given suggested that the proposals were likely to impose a financial burden upon LAs and Police Scotland. Respondents considered that there will be significant resource implications for LAs in having to assess parking and pavements across their whole area to judge the potential impact of banning pavement parking and that there will be set-up costs related to identifying and consulting on exemptions.

They highlighted the fact that most roads in urban areas are less than 7.3m wide, particularly in residential areas, and it is likely that some level of pavement parking will require to be considered. This, they said, will effectively require these roads to be individually assessed, and given that roads may also vary in width and characteristics along their length, this has the potential to be extremely time consuming and hence expensive.

*“Implementation costs have the potential to be extremely significant. Given the vast majority of roads in urban areas are less than 7.3m wide, particularly in residential areas, it is likely that some level of pavement parking will require to be considered. This will effectively require all of these roads to be individually assessed. Given that roads may also vary in width and characteristics along their length, this has the potential to be extremely time consuming and hence expensive. A further significant burden will be in administering TRO’s including dealing with objections and potentially holding hearings to do so. Again, this will be time consuming and expensive.*

*The additional enforcement required to effect a ban on pavement parking will place a significantly increased burden upon whoever is required to undertake it, be it the Police or DPE local authorities.” (South Lanarkshire Council)*

*“...Local housing teams may be subject to greater demand for formalised parking facilities with the additional burden on planning and design services to support these applications. The cost of implementing new car parking facilities would have a financial burden on local authorities.*

*...The enforcement of increased parking measures will have an implication”*  
**(Aberdeen City Council)**

Respondents noted that there may be increased demand for the provision of additional off-street parking and that there will be potential resource and financial implications of having to potentially provide additional off-street parking in areas where parking is already limited, and/or extend enforcement to neighbouring areas where pressure on-street parking may become an issue. The respondents suggested that local traffic management teams may be required to carry out additional assessment, design and implementation of parking schemes. The cost of implementing new car parking facilities would be a financial burden on LAs. Respondents also suggested that local housing teams may also be subject to greater demand for formalised parking facilities with the additional burden on planning and design services to support these applications.

There was acknowledgement from the respondents that there may be significant increases in resources required for enforcement, particularly for those with DPE. However, for areas without DPE this responsibility will fall to Police Scotland. Respondents therefore suggested that these costs may, in part, be matched by increased revenues from parking charges or enforcement actions. However, it was noted by some local authorities that in smaller LA areas the increased cost is unlikely to be recovered through just revenue from PCNs.

Another significant burden that respondents also highlighted was the potential costs in administering TRO's, including the handling of objections and potentially holding public hearings. Respondents pointed out that this can be both time consuming and expensive to the authorities involved.

*“If local authorities are expected to promote TROs, install appropriate signage and carry out enforcement, particularly out of hours enforcement, then this will likely lead to increased costs to the authority. It is also likely to lead to an increase in service requests and complaints to a local authority which may require an increased resource to manage.”* **(Argyll and Bute Council)**

*“Implementation costs have the potential to be extremely significant. Given the vast majority of roads in urban areas are less than 7.3m wide, particularly in residential areas, it is likely that some level of pavement parking will require to be considered. This will effectively require all of these roads to be individually assessed. Given that roads may also vary in width and characteristics along their length, this has the potential to be extremely time consuming and hence expensive. A further significant burden will be in administering TRO’s including dealing with objections and potentially holding hearings to do so. Again, this will be time consuming and expensive.*

*The additional enforcement required to effect a ban on pavement parking will place a significantly increased burden upon whoever is required to undertake it, be it the Police or DPE local authorities...” (South Lanarkshire Council)*

*“There are likely to be costs associated with the proposals contained within this consultation and they are mainly expected to fall on local authorities. These costs are expected to include; additional enforcement, managing PCN appeals, investment in new technology (i.e. CCTV/ANPR) and in relation to ULEVs charging equipment, possible loss of parking spaces and pay and display income and electricity costs...” (City of Edinburgh Council)*

*“Local authorities will inevitably face increased costs initially from the set up and establishment of TRO’s and with negotiating powers with private businesses. They would have on going costs for the employment of Wardens...” Westhill and Elrick Community Council*

12% (46) suggested that LAs would likely stand to benefit from the revenue raised from PCNs. However, the respondents noted that smaller and rural LAs could stand to lose.

*“There may be some initial costs in setting up decriminalised enforcement in areas where it doesn't already exist but revenue from the tens of thousands of offenders will quickly recoup this. So, overall, I don't expect there to be a recurring cost. In any event, the benefits to wider society, and the elderly and disabled in particular, will be immeasurable.” (Individual)*

7% (26) noted that a reduction in footway parking is expected to have a positive impact on footway conditions thereby resulting in reduced maintenance costs for local authorities.

*“The cost and burden placed on the general public by pavement parking is significant. Bringing an end to pavement parking will ease this pressure. The costs to local authorities of repairing pavements which have been damaged by vehicles is significant. Bringing an end to pavement parking could therefore lower the costs of local authorities.” (Transform Scotland)*

*“There will be enforcement costs but these will be offset by revenue from penalty notices. Reduced frequency of pavement repairs, and trip related falls will provide long terms savings to councils.” (Living Streets Scotland)*

6% (21) noted that an increase in physical activity as a result of an improved pedestrian and active travel environment could potentially reduce the burden on the National Health Service in Scotland through improved mobility and health.

*“A reduction in accidents and an increase in active travel should reduce costs and burdens associated with inactivity, e.g. on the NHS, by enabling healthier lifestyles.” (Dumfries and Galloway Council)*

*“Enforcing parking regulations will improve conditions for people walking and cycling and therefore make people more likely to do it and deter people from driving short distances. As well, air pollution will be decreased. Both outcomes will improve the health of the population and therefore reduce costs to the NHS.” (Individual)*

### **Impact on the Business Sector**

5% (20) of the potential impacts raised highlighted the potential impacts on the business sector, especially for small businesses and the traditional high street retail business who could bear the brunt of the negative effects of the parking proposals. The respondents suggested that there could be difficulties, in receiving or sending deliveries, depriving passing custom or restricting access which could result in many affected businesses having to close down.

*“Unless provision is made for the delivery and uplift of goods, there may be increased costs for that sector. There will very likely be increased costs (through a potential reduction in sales) for some businesses such as shops, take-aways’ etc. There will definitely be increased costs for local authorities in dealing with vehicle displacements, exempt areas and enforcement.” (Fife Council)*

*“On a wider scale, if there is resultant increased congestion affecting both the streets directly affected by restrictions and those indirectly affected by displaced parking, this will increase travel times and delays for traffic, creating a significant economic cost to local businesses, freight & logistics, and bus services.” (Strathclyde Partnership for Transport)*

*“There could be negative impacts on businesses if the proposals prevent ease of access to business premises.” (Larbert, Stenhousemuir & Torwood Community Council)*

*“Some increase in costs will be felt by businesses (a) where they conduct their business from a town or city centre and cannot accept deliveries within reasonable working hours and (b) where business provide parking for employees and may have to carry out modifications to these areas.” (Individual)*

### **Impact on traffic movements**

While some respondents considered the potential increase in congestion and the impact this could have for both the streets directly affected by restrictions and those indirectly affected by displaced parking. Organisations, such as the freight industry noted the potential increase on travel times and delays for traffic, thereby creating a significant economic cost to local businesses, freight and logistics, and bus services. It was noted by respondents that unless there are suitable exemptions, there could be additional burdens placed on those making or receiving deliveries.

*“Freight servicing and delivery to businesses could be affected by displacement of parked cars into freight vehicle loading bays.” (Freight Transport Association)*

*“Increases in journey time for bus operation will require more buses to be used on the route to maintain headway which is a significant cost for operators and ultimately could result in reduced or withdrawn services. The knock-on effect of this could be further modal shift to car – exacerbating all the associated problems. Moreover, this would come at a time when bus patronage is down significantly over the last 10 years – by around 56 million passengers.” (Strathclyde Partnership for Transport)*

Approximately 4% (13) said that the proposals could have negative impacts on motorists, especially those living in tenement or flatted developments who may have to walk long distances to and from their parked cars, which could expose parents with children to extreme risk, particularly when walking long distances at night.

4% (14) said there would be no negative impact on any sector, often highlighting potential wider benefits.

*“Any measure which supports and facilitates pedestrians and discourages obstructing pavements will encourage footfall and therefore encourage use of local businesses and shops therefore will reduce the burden on local traders.” (Individual)*

#### 7.4 Question 23

***Are there any likely impacts the proposals contained in this consultation may have upon the privacy of individuals?***

There were 512 responses received to this question. Percentages within this sub-section are expressed on the basis of the 512 responses received.

Of these, 80% (408 respondents) said the proposals in the consultation were unlikely to impact the privacy of individuals, while 20% (104 respondents) suggested that the proposals were likely to impact upon the privacy of individuals.

A split by respondent type of those who said the proposals contained in the consultation were likely/unlikely to impact upon the privacy of individuals is shown in Table 39.

*Table 39: Split by Respondent Type of Those Who Said the Proposals Contained in the Consultation Were Likely to Impact Upon the Privacy of Individuals*

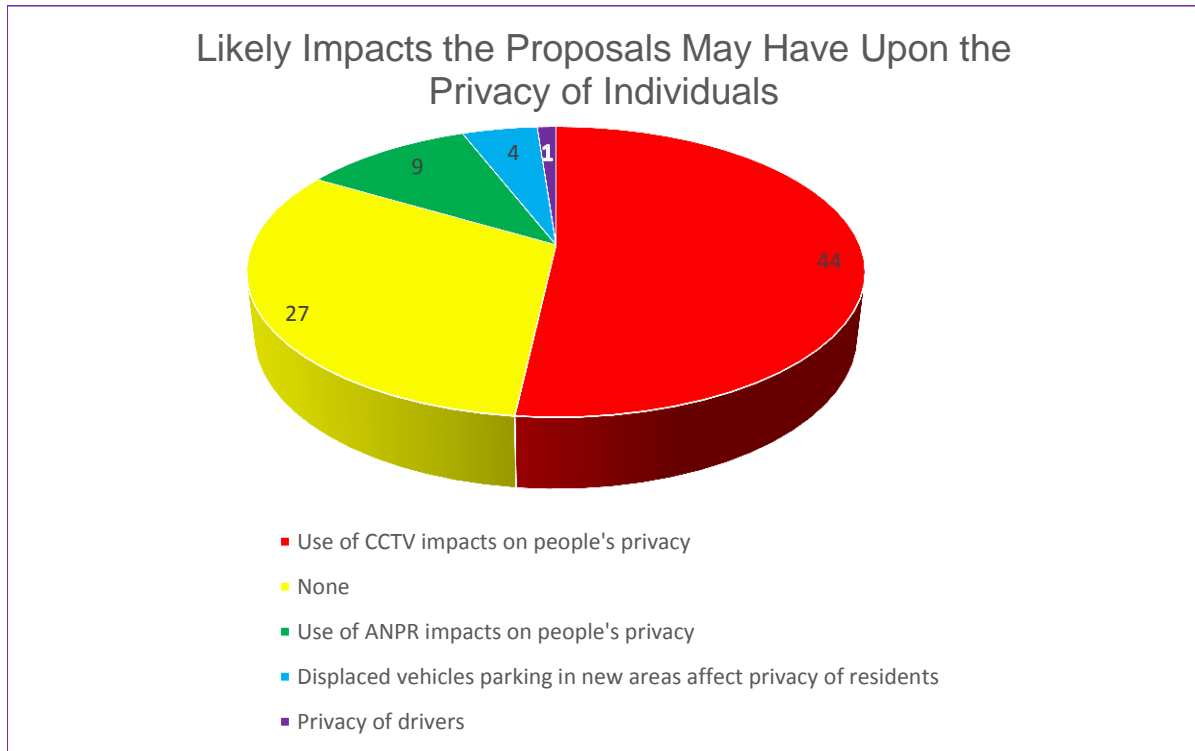
Category	Yes	No
	Number	Number
Public Bodies	9	12
Business/Industry	1	1
Professional/Trade Bodies	2	3
Third Sector/NGO	1	4
Community Groups	4	22
<i>Group respondents (Total)</i>	<i>17</i>	<i>42</i>
Individuals	87	366
<b>Total</b>	<b>104</b>	<b>408</b>

The likely impacts the proposals may have upon the privacy of individuals are addressed in the following sub-section.

## 7.5 Question 23a

***(Relating to question 23) Please be as specific as possible***

195 responses were received to this part of the question, within which 85 specific impacts were identified. Figure 28 illustrates the responses to this question.



*Figure 28: Likely Impacts Proposals May Have Upon the Privacy of Individuals*

52% of those specific impacts identified (44) related to the use of CCTV monitoring, and its impact on the privacy of individuals. A split by respondent type is given in Table 40.

*Table 40: Split by Respondent Type of Those Suggesting That CCTV impacts on the privacy of individuals*

Category	No. of Respondents
Public Bodies	6
Business/Industry	1
Professional/Trade Bodies	1
Third Sector/NGO	1
Community Groups	2
<i>Group respondents (Total)</i>	<i>11</i>
Individuals	33
<b>Total</b>	<b>44</b>

The perception was that CCTV enforcement options will result in greater citizen surveillance, hence visual intrusion. Respondents felt the proposed use of CCTV in specific areas would be an unnecessary breach of the individual's privacy. Concern was raised over LAs administering these schemes, but that if they had to go ahead then the police/government should be in charge to guarantee civil rights issues. They also proposed that stringent controls will have to be put in place to ensure privacy standards are maintained. Also of concern was use of CCTV around schools.

*"The use of CCTV and Automatic Number Plate Recognition (ANPR) may impact on the privacy of individuals however these are covered by existing statute." (North Ayrshire Council)*

*"The possible use of ANPR or CCTV enforcement options will result in greater citizen surveillance. Use of such systems would require stringent controls to be put in place to ensure privacy standards are maintained." (Aberdeen City Council)*

*"The introduction of ANPR or CCTV enforcement may raise concerns regarding individuals' privacy or the collection and retention of persons' data, i.e. vehicle registration marks. However, safeguards are already in place as all data is required to be stored in accordance with the Data Protection Act and this may be strengthened when the General Data Protection Regulation (GDPR) comes into force in May 2018.*

*It could be argued by some people that obtaining driver/keeper details is an invasion of their privacy should penalties be identified by CCTV/ANPR and sent by post. However, current Penalty Charge Notice (PCN) procedures allow local authorities to obtain vehicle keeper details from the DVLA to trace who may be liable for an outstanding PCN. Therefore, there is likely to be little impact as a similar process is already in use." (City of Edinburgh Council)*

*"Of course, the (perhaps) use of more cameras could lead to civil rights issues i.e. they should only be available to the police/governments if they provide the proper legal documentation." (Individual)*

*"CCTV around schools monitored by local authorities may have unintended consequences." (Individual)*

Nine individual respondents felt that possible use of ANPR enforcement options will result in greater citizen surveillance. Therefore, use of such systems would require stringent controls to be put in place to ensure privacy standards are maintained. Respondents noted that use of ANPR type equipment by LAs, by default, monitors the movement and location of the population, and this is appropriate for the Police but excessive for LAs.

*"Increased use of security cameras by local authorities to monitor parking will increase the general surveillance on individuals." (Individual)*

*"The use of ANPR type equipment by local authorities by default monitors the movement and location of the population, this is appropriate for the police but excessive for local authorities." (Individual)*

Four individual respondents suggested displaced vehicles parking in new areas would affect the privacy of residents in the new parking area. One respondent felt if LAs are given more powers over use of CCTV to help control parking laws, then the privacy of drivers will be compromised.

32% (27) suggested the proposals have no impact on the privacy of individuals.

Of these 22% (6 respondents) were classed as public bodies, 11% (3 respondents) community groups, another 11% (3 respondents) third sector/NGOs, 4% (1 respondent) professional/trade body and 52% (14 respondents) individuals.

## 7.6 Question 24

***Are there any likely impacts the proposals contained in this consultation may have upon the environment?***

545 responses were received to this question, and percentages within this sub-section are presented on this basis.

74% (404 respondents) said the proposals in the consultation would likely have impacts on the environment, and 26% (141 respondents) said the proposals would not.

A split by respondent type is shown in Table 41.

*Table 41: Split by Respondent Type of Those Who Said the Proposals Contained in the Consultation Would Likely Have/ (Have No) Impacts on the Environment*

Category	Yes	No
	Number	Number
Public Bodies	24	2
Business/Industry	3	-
Professional/Trade Bodies	4	2
Academic/Research	1	-
Third Sector/NGO	9	-
Community Groups	22	6
<i>Group respondents (Total)</i>	<i>63</i>	<i>10</i>
Individuals	341	131
<b>Total</b>	<b>404</b>	<b>141</b>

The suggested environmental impacts are discussed in the following sub-section.

## 7.7 Question 24(a)

***(Relating to Question 24) Please be as specific as possible.***

A total of 417 responses were received to this part of the question, and within these 60 measurable and specific impacts were identified for statistical recording.

Figure 29 illustrates the likely impacts on the environment as highlighted in the responses.

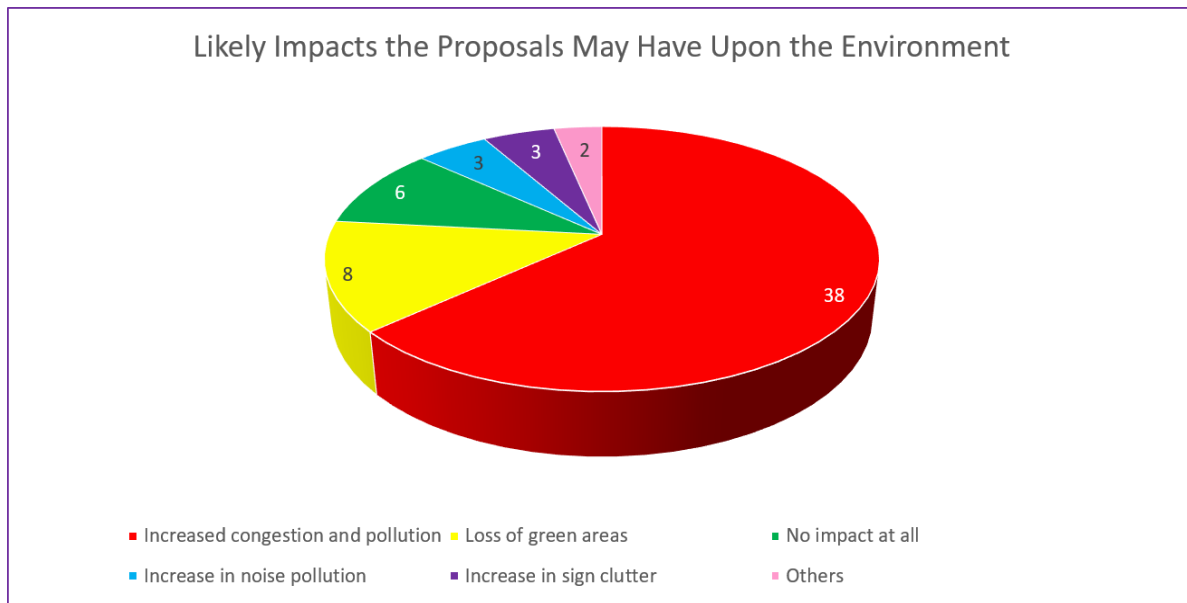


Figure 29: Likely Impacts the Proposals May Have on the Environment

Some 63% (38) of the impacts identified against this question said changes in effective carriageway width due to vehicles parking fully on the roadway, both on the streets directly affected by restrictions and those that will then have to accommodate displaced parking (and rerouting traffic), are likely to create more congestion and resulting in higher emissions from vehicles.

Respondents argued that people having to park further away from home, and people taking longer to look for spots to park in town could result in an increase in carbon emissions.

*“If the result of the proposal is that drivers must search for an available parking place then it is likely that vehicle emissions will increase.” (Falkirk Council)*

*“It may be argued that reducing parking opportunities (i.e. at dropped kerbs or on footways) could have a negative environmental impact as drivers circle for longer looking for an appropriate parking space. However, the benefits of improving parking conditions are more than likely to outweigh such concerns.” (City of Edinburgh Council)*

*“Making parking scarcer could have a short-term negative impact if it forces drivers to go travel further trying to find a parking space. However, in the longer term this will change behaviours: people will buy fewer and smaller cars, or will make use of other modes of transport, all of which would be positive for the environment and is therefore to be encouraged.” (Aberdeen Cycle Forum)*

13% (8) stressed that increased demand for parking areas may lead to loss of green areas. The respondents noted that front gardens and household areas may be ripped up for driveways, garages, and wider roads resulting in less green areas. They highlighted the risk, if not properly controlled through the Planning system and relevant Permitted Development Regulations, of urban creep and the loss of permeable greenspace areas to hard, impermeable areas.

Respondents from the transport and planning industry also noted that this removal of green areas could contribute to additional surface water runoff, which could have a detrimental impact upon sewer/drain capacity, thus resulting in additional combined sewer overflows and a reduction in watercourse water quality, thereby increasing the risk of flooding.

*“We also encourage you to consider whether parking restrictions may lead to an increased loss of front garden ground for off-street parking. Such changes can have negative effects on the historic environment through loss or alteration to boundary walls, railings, traditional surfacing, or through changes to the character of historic streetscapes and areas, or the setting of specific historic assets.” (Historic Environment Scotland)*

*“There is a risk that additional parking restrictions may encourage property owners to seek to pave over front gardens / greenspace in order to establish parking areas within the curtilage of their property. This risk, if not properly controlled through the Planning system and relevant Permitted Development Regulations, urban creep and the loss of permeable greenspace areas to hard, impermeable areas. This could contribute to additional surface water runoff which would likely have a detrimental impact upon sewer / drain capacity, thus resulting in additional combined sewer overflows and a reduction in watercourse water quality.” (The Metropolitan Glasgow Strategic Drainage Partnership (MGSDP))*

*“A possible environmental disbenefit of any new parking regulation is that there may be a desire to pave gardens (commonplace in England) which could potentially lead to an increase in flooding (and/or flash flooding) during periods of heavy rain, contributing to existing difficulties in this regard in many areas.” (Strathclyde Partnership for Transport)*

However, six respondents thought that the proposals will not have any negative impact on the environment, in fact one respondent suggested that there would be benefits as less materials would be required for pavement repairs.

## 7.8 Chapter Summary

74% of the respondents thought the proposals would have an impact on the environment. There were concerns that proposals might result in increased congestion in some areas which would lead to an increase in air and noise pollution. There was also a view that proposals might result in demand for more off-street parking spaces resulting in loss of green spaces, which if not properly managed may result in increased risk of flash flooding in urban areas and a reduction in watercourse water quality.

The survey results show that respondents believe the proposals have potential to enhance the health and wellbeing of children. The proposals are seen to encourage walking and cycling more often, leading to fewer children being driven to school, which could have a positive benefit on the health and wellbeing of many children. It was considered that if areas around school become safer because of improved parking enforcement, children will be given greater responsibility to travel by themselves to school.

The majority of respondents (65%) considered that the proposals would place an increased financial burden on organisations, with much of the feedback focussed on public sector, particularly around enforcement.

Most respondents did not appear particularly concerned about the impact on the privacy of individuals, with only 20% highlighting this as a potential problem. Where it was identified as an issue, many comments were focussed around the increased use of CCTV systems.

There were relatively few responses highlighting concerns around the impacts on particular groups of people, with reference to the 'protected characteristics', and many of the responses on this topic highlighted positive potential benefits.

## Conclusion

There was overwhelming agreement (81%) from those who responded to this consultation that pavement parking is a problem in local areas and that the majority of those who responded encountered it on a daily basis. The analysis found that the problem appears to be prevalent in residential areas, town centres and close to schools. For pedestrians, especially those who are mobility impaired, respondents highlighted that pavement parking makes independent travel much more difficult and more hazardous than it needs to be, thereby making journeys longer, uncomfortable and sometimes very dangerous.

When asked why motorists opted to pavement park at least 38% of respondents suggested it was for convenience while others suggested that motorists were forced to park on pavements as carriageways on some streets are too narrow to accommodate parked vehicles and still allow the passage of other vehicles, including large vehicles e.g. fire engines and refuse trucks. However, the analysis also found that pavement parking may also be necessitated due to a shortage of parking provision across the country.

Respondents noted that powers already exist to ban pavement parking, however, they acknowledged the process to implement a ban via Traffic Regulation Orders (TROs) is both cumbersome and expensive for local authorities to arrange. At least 83% of respondents called for new legislation to address this complex problem as respondents noted that the definition of obstruction was dependent on a police officer's interpretation of the situation. In addition, the analysis found that respondents suggested that the Disabled Persons' Parking Places (Scotland) Act 2009 should be amended to enable person specific blue badge bays to be made available in residential areas.

The analysis found that there was strong support that new legislation should cover all roads with footways, including private roads. However, 27% of those disagreed with this proposal, including Police Scotland, who thought the new legislation should not apply to private roads since it could cause legal and enforcement challenges as they are technically owned by developers or homeowners rather than LAs.

While a blanket ban on pavement and double parking was the most preferred way forward some respondents felt that banning pavement parking in some small villages would be very disruptive for the whole community. Indeed, the analysis noted that some respondents felt that local authorities should be allowed to carry out locally based exemptions based on specific criteria, such as road widths and should be clearly signed. However, this should be done with the over-arching goal of providing unhindered access for all.

The analysis also found that 84% of respondents said that the legislation should apply to all vehicles, however, they did acknowledge that exceptions would need to be required for certain vehicles, including emergency vehicles on active duty, motorbikes and goods vehicles undertaking deliveries/loading. Respondents also

pointed out that failure to exempt certain vehicles would further disadvantage some of the groups of people, with reference to the ‘protected characteristics’.

While 56% thought that the proposed ban on pavement and double parking would not have any unintended consequences, 44% (276) of respondents suggested otherwise. All local authorities and Regional Transport Partnerships (RTPS) who responded to the consultation felt there could be implications for displaced vehicles as a result of shortages of parking provision.

Furthermore, respondents noted that displacement could cause congestion by blocking access, which in turn could create conflict between residents.

Respondents acknowledged that the proposed restrictions could affect residents living in flats and tenements on narrow roads and near public institutions like hospitals. However, the analysis noted that respondents saw the proposed restrictions as an opportunity to change how parking is managed across Scotland, as well as reduce the financial impact that these proposals may cause for businesses in town and city centres by including:

- provision for short term affordable parking;
- provision of adequate time limited free accessible parking;
- provision of affordable multi-storey parking
- provision of time restricted loading/unloading bays; and
- encourage use of public transport and active travel

Respondents, including local authorities, highlighted that the proposed legislation on parking should be considered as part of consolidated policy framework, in which active travel is promoted and increased spending on public transport infrastructure should become a top priority thereby signalling a bold move away from the paradigm of car dependency which is currently so dominant in the country and prioritise pedestrians and cyclists over motorised traffic.

## **8.1 Enforcement**

The analysis also found that 85% of respondents overwhelming agreed that a consistent approach to parking enforcement is needed and that it could be achievable through the rollout of Decriminalised Parking Enforcement (DPE) schemes, which was supported by Police Scotland. However, the analysis noted that opposing opinion on how we can achieve a consistent approach to managing and enforcing parking in Scotland with some respondents pointing out that rolling out DPE could be more problematic in the case of rural and small LAs where enforcement violation is low and revenue from PCNs would not be enough to sustain operations and make the system self-financing. However, the proposal for a shared “parking warden service” was well received with local authorities pointing out that this solution may fill the void left by Police Scotland when they withdrew their national traffic warden service following a review of how parking enforcement was being conducted in 2013.

Indeed 24% of respondents suggested Police Scotland should not have any role over parking enforcement unless it is causing an obstruction. Respondents also

noted that Police Scotland are unable to commit sufficient resources to manage parking effectively due to competing priorities. The consultation explored the use of technology to allow local authorities to effectively manage parking in their areas. While 79% of respondents thought that local authorities should be able to use CCTV and/or ANPR for enforcement of parking and some moving vehicle contraventions. However, over a third of those who responded did express some reservation about local authorities enforcing some moving vehicle contraventions, stressing that moving traffic violations are much more serious road safety issues that should remain criminal offences which only Police Scotland can enforce. The analysis also found that respondents expressed concern about local authorities' experience and professionalism to handle private data /images when determining if a motorist has violated parking restrictions.

## 8.2 Disabled Parking

The analysis found that over half of the respondents felt that disabled persons' parking places were not being enforced mainly due lack of enforcement personnel and that penalty charge notices were not a strong enough deterrent to stop misuse.

Respondents highlighted that disabled persons' parking places are not adequately enforced beyond DPE areas, especially in private car parks at shopping centres and superstores. Most respondents said they had witnessed disabled persons' parking places being misused, while others felt not all disabilities are easily recognisable, hence confrontation on misuse may be misplaced. There was a general agreement that misuse of disabled persons' parking spaces results in discomfort, difficulty and extreme inconvenience to the Blue Badge users as it prevents them from accessing vital services.

However, the report noted that there was little or no reporting system in place, particularly in private car parks. Indeed, anecdotal evidence provided by respondents also indicate that private businesses were reluctant to alienate their customers if people were misusing disabled parking bays

The analysis also highlighted that 91% of respondents agreed that disabled parking bays should be enforced at all times. The consultation sought views on how disabled parking can be managed and enforced more effectively. The analysis found that the (273) of respondents who answered this question proposed a range of measures, including patrols and spot checks, higher level of fines and greater use of technology, such as CCTV and ANPR.

### 8.3 Ultra-Low Emission Vehicles

The analysis report found that 59% (357) of respondents in general were not supportive of local authorities trialling out or introducing parking incentives for ULEVs due to the following reasons:

- No preferential treatment for a certain class of vehicle;
- Policy should discourage use of private cars;
- It amounts to preferential treatment of the rich and discrimination of the less privileged;
- Not everyone can afford a ULEV; and
- Respondents felt that subsidies should be via VED at acquisition.

However, respondents did support trialling specific measures to help flat/tenement dwellers, where parking is limited and which could be enforced by local authorities.

### 8.4 Impacts

The analysis found that 74% of the respondents thought the overall parking proposals would have an impact on the environment. Respondents suggested that the proposals might result in increased congestion in some areas which would lead to an increase in air and noise pollution. Indeed, some respondents expressed concern about potential demands for more off-street parking spaces resulting in loss of green spaces, which if not properly managed may result in increased risk of flash flooding in urban areas and a reduction in watercourse water quality.

However, the analysis found that the parking proposals could provide a positive impact on children's health and wellbeing. Respondents suggested that the proposals could encourage more children to walk and cycle to school thereby improving their health and independence, as respondents noted that restricting parking in areas around schools would improve safety for all road users and give children greater responsibility to travel by themselves to school.

### 8.5 Summary

In summary, the findings have shown that pavement parking is a problem in many local areas and that these problems are experienced on a daily basis by a number of respondents. The analysis has found that there is overwhelming support for new legislation to address the problem and make parking clearer for all. However, respondents have called for caution in the implementation of any restrictions as a 'one size fits all' approach could become disruptive for whole communities if there is no flexibility in exempting roads.

The analysis has also noted that respondents are supportive that enforcement should be consistent either through the rollout of DPE or via a scheme in which local

authorities can share services, including parking attendants to tackle specific issues. While the analysis noted that there was significant support for improving how parking is managed and enforced in Scotland, there was also acknowledgement from respondents that there could be some significant impacts both positive and negative which may affect wider sectors, such as planning and business.

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# Appendix A Respondents

## Appendix A Respondents

### Public Bodies – 28

1	Aberdeen City Council
2	Aberdeenshire Council
3	Angus Council
4	Argyll and Bute Council
5	City of Edinburgh Council
6	Clackmannanshire Council
7	Dumfries and Galloway Council
8	Falkirk Council
9	Fife Council
10	Glasgow City Council
11	Historic Environment Scotland
12	Inverclyde Council
13	Moray Council
14	Nestrans
15	NHS Forth Valley
16	North Ayrshire Council
17	North Lanarkshire Council
18	Orkney Islands Council
19	Perth & Kinross Council
20	Police Scotland (Road Policing)
21	Renfrewshire Council
22	Scottish Borders Council
23	Sustran
24	South Lanarkshire Council
25	Stirling Council
26	Strathclyde Partnership for Transport (SPT)
27	Tactran
28	The Highlands and Islands Transport Partnership (HITRANS)

### Business/Industry – 6

1	Broughty Ferry Traders Association
2	Luss Estates Company
3	RAC Motoring Services
4	Road Haulage Association (RHA) Ltd
5	Freight Transport Association
6	The Metropolitan Glasgow Strategic Drainage Partnership (MGSDP)

#### Professional/Trade Bodies – 6

- 1 British Parking Association
- 2 Chartered Institution of Highways & Transportation (CIHT) - Scottish Policy Forum
- 3 Confederation of Passenger Transport UK - Scotland
- 4 Electric Vehicle Association of Scotland
- 5 Society of Chief Officers for Transportation in Scotland (SCOTS)
- 6 Transform Scotland

#### Academic/Research – 1

- 1 Transport Research Institute, Edinburgh Napier University

#### Third Sector/NGO – 12

- 1 Cycling Scotland
- 2 Cycling UK Scotland
- 3 Guide Dogs Scotland
- 4 Inclusion Scotland
- 5 Living Streets Scotland
- 6 Mobility and Access Committee for Scotland
- 7 Paths for All
- 8 The National Federation of the Blind of the UK
- 9 Scottish Accessible Transport Alliance
- 10 Scottish Disability Equality Forum
- 11 Sustrans Scotland
- 12 WWF Scotland

**Community Groups – 36**

1	Aberdeen Cycle Forum
2	Beaully Community Council
3	Bridge of Weir Community Council
4	Bridgend Gannochy and Kinnoull Community Council
5	Broom, Kirkhill and Mearnskirk Community Council
6	Broomhill Community Council
7	Community Council (Name not given)
8	Cowan Court Old Persons Care Home, Penicuik
9	Cumbernauld Village Community Council
10	Dennistoun Community Council
11	Drum Brae Community Council
12	Drumoyne Community Council
13	Dowanhill, Hyndland and Kelvinside Community Council
14	East Dunbartonshire Visually Impaired Peoples Forum
15	Echt and Skene Community Council
16	Free Wheel North
17	Gartcosh Community Council
18	Highland Cycle Campaign
19	Huntly Community Council
20	James Gillespies Primary School Transport Committee
21	Kincardine Community Council
22	Larbert, Stenhousemuir & Torwood Community Council
23	Lenzie Community Council
24	Lerwick Community Council
25	Muckhart Community Council
26	Oakley & Comrie Community Council
27	Parkhead Community Council
28	Pedal on Parliament
29	Plan for Bikes
30	Renfrewshire Visually Impaired Forum
31	Smithton & Culloden Community Council
32	Southside Community Council
33	Spokes, the Lothian Cycle Campaign
34	Strathmartine Local Community Planning Partnership
35	Tarbert & Skipness Community Council
36	Westhill and Elrick Community Council

**Individual Respondents - 574**

# Appendix B

## Full List of Questions

## **Appendix B - Full List of Questions**

Questions
<p><b>Q1. Do you think parking, including on pavements, at dropped kerbs and double parking is a problem in your area?</b></p> <ul style="list-style-type: none"><li>• If yes, how have you, your family or friends been affected by parking problems?</li><li>• Where did this occur (e.g. type of street or area) and how often?</li></ul>
<p><b>Q 2. Why do you think the motorists may choose to pavement park?</b></p> <p><b>Q 3. Do you think new legislation is needed?</b></p> <ul style="list-style-type: none"><li>• If yes, what areas of the law need to be amended?</li></ul> <p><b>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?</b></p> <ul style="list-style-type: none"><li>• If not, why not?</li></ul> <p><b>Q 5. Do you think any new law should apply to all vehicles (e.g. HGVs, vans, taxis, cars, motorbikes, etc.)?</b></p> <ul style="list-style-type: none"><li>• If not, which type of vehicles should the law not apply to?</li></ul> <p><b>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?</b></p> <ul style="list-style-type: none"><li>• If yes, what should those exemptions be?</li><li>• If no, why not? (Please be as specific as possible)</li></ul>

## Questions

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

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

## Question

**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)?

## Questions

**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?

## Questions

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

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

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

- If so, did you report it?
- If not, did anything prevent you from reporting it?
- Should disabled parking places be enforceable at all times?
- Do you think the level of penalty for misuse of local authority disabled persons' parking places is acceptable?
- If not, what level would you consider to be acceptable?

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

- If not, how could this be done better?

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

### Questions

**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?

### Question

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

**Question**

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

**Question**

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

**Question**

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

**Question**

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

**Question**

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



**TRANSPORT  
SCOTLAND**

CÒMHDHAIL ALBA

### **Trunk Road & Bus Operations**

Buchanan House,  
58 Port Dundas Road,  
Glasgow, G4 0HF  
0141 272 7100  
info@transport.gov.scot

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