

# Transport and Environment Committee

10.00am, Tuesday, 4 June 2013

## Dropped Kerb Access in Edinburgh

ITE number	7.12
Report number	
Wards	All

### Links

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Coalition pledges

Council outcomes [CO22](#), [CO23](#) and [CO26](#).

Single Outcome Agreement [SO4](#).

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# Executive summary

## Dropped Kerb Access in Edinburgh

### Summary

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This report informs Committee on the estimated costs of introducing parking restrictions at all dropped kerbs across Edinburgh. In addition, an update on the Responsible Parking (Scotland) Bill will be provided.

### Recommendations

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It is recommended that Committee:

- 1 discharges the motion by Councillor Bagshaw;
- 2 instructs the Neighbourhood Managers to commence surveying all roads within their areas and note the location of each dropped kerb as well as noting streets where footway parking could be allowed; and
- 3 approves Option 3 as detailed in Appendix One: Options to ensure all dropped kerbs are kept clear and accessible at all times.

### Measures of success

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To ensure that dropped kerbs remain accessible for all pedestrians including those with prams, pushchairs, wheelchair users or those with visual or mobility problems. In addition, this may benefit cyclists using certain cycle routes.

### Financial impact

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The number of unrestricted dropped kerbs in Edinburgh is still to be confirmed. The estimated cost of providing a sign, pole, road and kerb markings adjacent to one dropped kerb would be approximately £150.

## Equalities impact

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Consideration has been given to the Council's Public Sector Duty in respect of the Equalities Act 2010. There are no direct equalities impacts arising from this report.

Councillor Bagshaw has raised concerns about the potential impact that inconsiderate parking adjacent to dropped kerbs in Edinburgh can have on pedestrians with additional needs. Introducing restrictions could have a positive equalities impact by ensuring access is maintained to dropped kerbs and allowing people to cross the road in suitable and safe locations.

## Sustainability impact

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There are no adverse environmental impacts arising from this report.

## Consultation and engagement

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The proposed Responsible Parking (Scotland) Bill has been through a full consultation and over 400 consultation responses were received. Approximately 95% of respondents were in favour of the Bill's proposals for a blanket ban on parking at dropped kerbs, on pavements and double parking.

The proposed Bill received support from 59 MSPs representing all five parties and four independents. The main advantages highlighted were equality and safety for pedestrians and also clarity for motorists.

Councillor Bagshaw's motion was tabled and continued at the Transport and Environment (TE) Committee on 19 March 2013 and all affected elected members are aware of its content.

## Background reading / external references

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[Proposed Responsible Parking \(Scotland\) Bill](#). The Scottish Parliament.

[Report on Responsible Parking Proposals](#). Sandra White MSP – December 2012.

[Councillor Bagshaw's Motion](#). ITE 40 – Minutes of the Transport and Environment Committee Meeting, 19 March 2013.

## Dropped Kerb Access in Edinburgh

### 1. Background

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1.1 At the TE Committee on 19 March 2013 a motion by Councillor Bagshaw on dropped crossings was considered.

1.2 The following motion by Councillor Bagshaw, seconded by Councillor Booth, was submitted in terms of standing order 8.1:

“Committee:

Notes the common problem of dropped kerbs without appropriate road markings to keep them free, which allows access to them to be blocked by parked vehicles to the detriment of pedestrians with prams, wheelchair users, other less mobile people and cyclists.

Notes that the Responsible Parking (Scotland) Bill is seeking to address this problem but that it has yet to pass through the Scottish Parliament and may not take effect for a number of years.

Recommends that the city’s Neighbourhood Managers carry out an audit, to be completed by the end of 2013, of dropped kerbs and the extent to which there are measures in place to protect access to them; and develop an action plan to ensure access is protected.

Agrees that all new dropped kerbs should be accompanied by an appropriate traffic regulation order or other appropriate measure to keep them clear and open for use.”

1.3 The decision was to continue the motion to the next meeting of the Committee to allow a short report to be prepared on the costs involved in implementing the proposal and for an update on progress with the Responsible Parking (Scotland) Bill.

### 2. Main report

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2.1 The Council does not have auditable data relating to the number of dropped kerbs within the city.

- 2.2 Whilst dropped kerbs in the city centre and within the Controlled Parking Zone will have an adjacent restriction, such as a pedestrian crossing point or yellow lines, there are many dropped kerbs in Edinburgh which do not have adjacent restrictions to keep them free of inconsiderately parked vehicles.
- 2.3 Inconsiderate parking at such locations can have a significant impact on all pedestrians particularly the young, the elderly, those with prams or pushchairs, wheelchair users or those with visual or mobility problems. This type of parking can also obstruct cyclists on some cycle routes.
- 2.4 The Council has worked with multiple stakeholders over the past five years to help develop suitable legislation to combat inconsiderate parking at dropped kerbs, on footways and the issue of double parking. The Responsible Parking (Scotland) Bill seeks to address these problems, but it has yet to pass through the Scottish Parliament.
- 2.5 While it could take some time before the Bill takes effect, its proposer, Sandra White MSP, has the support of another 59 MSPs. The final proposal was lodged with Parliament in January 2013 and it is now with the Scottish Government for consideration.
- 2.6 Once national legislation is made it would be an offence to park across any dropped kerb and there would be no need to line and sign the restriction, as a citywide ban would be introduced.
- 2.7 In cases where dropped kerbs formed part of a private access, such as a household driveway, enforcement would be completely reactive, responding to requests from the land owner.
- 2.8 In order to enforce this proposed legislation there is a clear need for an audit of all the dropped kerbs in Edinburgh to be carried out to ascertain the number of potential sites for enforcement and also to record the restrictions which currently exist.
- 2.9 It is proposed that the city's Neighbourhood Managers will carry out an audit of dropped kerbs in their areas by the end of 2013. This will establish the extent to which there are or are not measures in place to protect access to dropped kerbs and develop an action plan to ensure access is protected.
- 2.10 Once the audit is complete, it is likely that there will be three options available to ensure access is maintained at dropped crossings.
- 2.11 The three options are detailed in Appendix One.

### 3. Recommendations

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It is recommended that Committee:

1. discharges the motion by Councillor Bagshaw;
2. instructs the Neighbourhood Managers to commence surveying all roads within their areas and note the location of each dropped kerb as well as noting streets where footway parking could be allowed; and
3. approves Option 3 as detailed in Appendix One: Options to ensure all dropped kerbs are kept clear and accessible at all times.

**Mark Turley**

Director of Services for Communities

## Links

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### **Coalition pledges**

**Council outcomes** CO22 - Moving efficiently – Edinburgh has a transport system that improves connectivity and is green, healthy and accessible.  
CO23 - Well engaged and well informed – Communities and individuals are empowered and supported to improve local outcomes and foster a sense of community.  
CO26 - The Council engages with stakeholders and works in partnership to improve services and deliver on agreed objectives.

**Single Outcome Agreement** SO4 - Edinburgh's communities are safer and have improved physical and social fabric.

**Appendices** Appendix One: Options to ensure all dropped kerbs are kept clear and accessible at all times.

# Appendix One

## **Options to ensure all dropped kerbs are kept clear and accessible at all times**

### **Option 1**

Introduce double yellow line restrictions at all dropped kerbs prior to The Responsible Parking (Scotland) Bill being made.

### **Pros –**

Throughout Edinburgh, there is no need to sign double yellow lines, unless there is an associated loading prohibition, and the restriction would operate 24 hours a day.

### **Cons –**

This approach would incur substantial costs, estimated at £50.00 per location for road markings and could not guarantee the total absence of loading or parking by disabled drivers.

A Traffic Regulation Order would have to be made for each area concerned. The average time to progress a Traffic Regulation Order is approximately nine months and this period can increase depending on the level of objections.

Although a number of locations can be advertised at the same time, it may take a number of years to implement prohibitions at all dropped kerbs.

This option would also necessitate an open ended commitment to funding as dropped kerbs will continue to be introduced throughout the city.

Additional lining would be created which many residents find unsightly.



## **Option 2**

Introduce a 24 hour loading prohibition at all dropped kerbs prior to The Responsible Parking (Scotland) Bill being made.

### **Pros -**

This approach will ensure that dropped kerbs will be kept clear at all times from all vehicles (subject to some exemptions).

### **Cons -**

In addition to double yellow lines, kerb markings would be added to the footway and at least one no loading sign would be erected at each location. This would clearly increase street clutter and be expensive to implement.

The estimated cost of providing a sign, pole, road and kerb markings adjacent to one dropped kerb would be approximately £150.00. This is a significant increase on Option 1.

A Traffic Regulation Order would have to be made for each area concerned. The average time to progress a Traffic Regulation Order is approximately nine months and this period can increase depending on the level of objections.

Although a number of locations can be advertised at the same time, it may take a number of years to implement prohibitions at all dropped kerbs.

This option would also necessitate an open ended commitment to funding as dropped kerbs will continue to be introduced throughout the city.

Additional lining and street clutter would be created which many residents find unsightly.

### **Option 3**

Await the making of the Responsible Parking (Scotland) Bill.

#### **Pros –**

This approach will allow the blanket enforcement of dropped kerbs without the need for additional lines and signs.

It is considered that this option will have little financial impact on the Council, negligible impact on street clutter and could be introduced more quickly than the other options.

In addition to making it a contravention to park at dropped kerbs, the Bill also proposes that Local Authorities should be allowed to enforce contraventions relating to footway parking and double parking.

The Bill proposes that footway parking will also be subject to a blanket ban, meaning that restrictions should only be indicated on streets where footway parking will be allowed. When the audit of dropped kerbs is being carried out it would be useful to also audit all streets where footway parking should be allowed.

#### **Cons –**

Dropped kerbs could remain obstructed, where there are currently no restrictions in place, until the Responsible Parking (Scotland) Bill is made.

**All three options necessitate that a full audit of all dropped kerbs is carried out in the city.**