

Transport and Environment Committee

10.00am, Thursday, 11 January 2024

Incorrect Parking on the Tram Line

Executive/routine
Wards

Executive
1 - Almond, 3 – Drum Brae/Gyle, 6 –
Corstorphine/Murrayfield, 11 – City Centre, 12 – Leith
Walk and 13 - Leith

1. Recommendations

- 1.1 It is recommended that Committee notes this update on incorrect parking on the tram line, as requested by the Council and Transport and Environment Committee.

Paul Lawrence

Executive Director of Place

Contact: Gavin Brown, Head of Network Management and Enforcement

E-mail: gavin.brown@edinburgh.gov.uk

Incorrect Parking on the Tram Line

2. Executive Summary

- 2.1 This report provides a further update for Committee on incorrect parking on the tram line, as requested by the Council in August 2023 and Transport and Environment Committee in October 2023.

3. Background

- 3.1 On 31 August 2023, the Council approved a [motion](#) on Illegal Parking Disrupting Tram Operations.
- 3.2 The approved motion stated that the Council:
- 3.2.1 Notes that there were 22 incidents of trams being delayed by illegally or irresponsibly parked vehicles in the period 7 June to 31 July 2023, and there have been further incidents in August;
 - 3.2.2 Agrees that it unacceptable for illegally or irresponsibly parked vehicles to impede the city's public transport infrastructure, that these incidents can have a significant negative impact on the reliability and journey times of our public transport network and can bring significant inconvenience to public transport users;
 - 3.2.3 Notes that the council's removal trucks are currently unable to operate near the tram line because of the overhead power cables;
 - 3.2.4 Notes that, while the cost of a penalty charge notice (parking ticket / PCN) recently rose to £100, or £50 if paid within 14 days, that issuing a parking ticket does not remove the obstruction from the tram network;
 - 3.2.5 Notes there are numerous designs of tow trucks in use in municipalities around the world, including wheel lift, hook and chain or flatbed trucks, which do not require an overhead lift and therefore may be safely operated near overhead lines;
 - 3.2.6 Agrees that officers will urgently arrange to procure the use of one or more suitable vehicles to allow uplift of illegally or irresponsibly parked vehicles

obstructing tram lines, and will ensure this service is available during tram operational hours;

3.2.7 Agrees that consideration will be given to additional measures to address the problem, including, but not limited to, consideration of:

- a) Installation of physical barriers, such as bollards, correctly installed Sheffield cycle stands or planters at the worst-affected areas to prevent parking outside of a designated parking bay;
- b) Increased use of parking attendants along the tram route, including travelling on trams, to facilitate enforcement;
- c) Streamlined processes to allow members of the public to report potential breaches, and for this information to be passed timeously to parking attendants to allow enforcement;
- d) Streamlined processes to allow photos and videos submitted by members of the public to be used in enforcement;

3.2.8 Agrees that Transport spokespeople and Leith and Leith Walk councillors will be offered a briefing from parking officers within the next month outlining progress to resolve this issue;

3.2.9 Agrees to receive a report to the next meeting of Transport and Environment Committee outlining progress to resolve this issue, and considering all the proposals outlined at paragraph 3.2.7 above, and considering whether the council's Parking Enforcement Protocol needs to be further updated to address this issue; and

3.2.10 Agrees the Transport Convenor will write to Scottish Ministers requesting that powers to set penalty charge notices, powers to use CCTV installed on trams for enforcement, and powers to allow local authorities to use mobile phone footage submitted by the public for enforcement, should all be devolved to local authorities.

3.3 An initial [report](#) in response to the motion was submitted to Committee on 12 October 2023. This report did not address all of the actions agreed by the Council in August 2023 and a further report was requested to the January meeting of Committee to address the outstanding action points.

4. Main report

Update on Incidents

4.1 Since 7 June 2023, 36 instances of delay to the tram service have occurred due to parked vehicles causing obstructions on the tram route between Princes Street and Newhaven.

4.2 Between 1 September 2023 and 30 November 2023, there were 11 instances where parked vehicles caused obstructions on the tram line, causing an average

delay of approximately 10 minutes. The longest delay was 20 minutes and the shortest delay was three minutes. The table in Appendix 1 shows the number of incidents by month.

Action by Parking Attendants

- 4.3 A review of the recorded incidents highlighted that few were reported to the Council's parking enforcement contractor to take action. Therefore, a streamlined system has been introduced where the tram operations team contacts the parking contractor directly when incidents occur. In addition, regular patrols are being made by Parking Attendants to deter such parking.
- 4.4 The Council also has an agreement in place with Lothian Buses and Edinburgh Trams to allow Parking Attendants to travel on buses and trams so that they can better monitor main routes and attend incidents as they occur.

Removal of vehicles

- 4.5 An overhead power line does not need to be touched by a lifting crane to cause serious injury or death as electricity can arc across small gaps. Extreme care requires to be taken and appropriate Health and Safety procedures need to be put in place before any removal operations could commence to protect both operatives and members of the public in the vicinity.
- 4.6 As reported to Committee in October 2023, the current fleet of parking removal trucks are unable to operate near to the Tram line due to overhead power lines. While detailed consideration has been given to the procurement of additional vehicles which can remove vehicles from the tram line without the need for overhead lifting, these options are often costly, with limited availability and which have both benefits and drawbacks.
- 4.7 The Council's current Decriminalised Parking Enforcement (DPE) contract is due to expire in September 2024. An update on the specification for this is planned for Committee on 1 February 2024.
- 4.8 The draft specification will consider removals from tram tracks in greater detail and the new contract will provide the Council with the opportunity to procure additional recovery solutions, if required.
- 4.9 In the meantime, the Council's current enforcement contractor will continue to utilise dolly wheels which allow for vehicles to be manoeuvred away from the tram tracks into safe areas, or areas where they can be safely lifted by our removal trucks.
- 4.10 Although there are limitations on how the dolly wheels can be used, relating to the weight and size of the vehicle being moved, they are considered the most cost-effective option for the Council until the next DPE contract can be awarded.
- 4.11 In addition, a number of local third-party suppliers have been identified as having appropriate vehicle recovery capabilities. These could be used on a case-by-case basis to remove vehicles from the tram tracks without the need to use a lifting arm. These options will be discussed further with the tram operations team.

Other Actions and Considerations

- 4.12 Contact has been made with several other cities around the UK who operate light rail or tramways systems to enquire about removal systems currently in operation.
- 4.13 The responses received highlight that that, in the main, their tracks are sufficiently segregated from moving traffic with no parking bays positioned directly adjacent to the track. Therefore, they have not experienced the same issues as have been reported in Edinburgh.
- 4.14 In Edinburgh, parking places were introduced following consultation with local residents and businesses. Officers are currently considering whether it may be possible to remove parking bays from some of the more problematic locations and whether additional physical barriers could be of benefit in some locations. Any proposals will be discussed with stakeholders and appropriate alternatives will be identified if possible.
- 4.15 New parking controls around Leith have extended more effective parking management within the vicinity of the tram line. As a result, it is expected that better parking opportunities will be available nearby and the number of instances of incorrect parking will reduce. Additional enforcement visits will also continue in problematic locations.
- 4.16 An [online form](#) can be used by members of the public to report incorrectly parked vehicles. Reports are submitted directly to the parking contractor to take action as necessary.
- 4.17 There is currently no legal mechanism to allow members of the public to submit photographic or video evidence, captured by themselves (such as on mobile phones) which would allow the Council to retrospectively issue Penalty Charge Notices (PCNs). Legislation currently requires that all evidence be gathered by a designated Parking Attendant before a PCN can be issued.
- 4.18 As agreed by Council the Convenor will write to Scottish Ministers to address this issue and request other additional powers to assist with the Council's ability to robustly enforce against inconsiderate parking.
- 4.19 The Council's Parking Enforcement Protocol reflects the legislation and regulations that are in place, so does not require to be updated as a result of this report.
- 4.20 It is also considered that further powers are not required to create a new road traffic offence of blocking a tramway with a parked vehicle when the issue of parking can be physically mitigated, and enforcement managed through existing means.

5. Next Steps

- 5.1 Should issues continue to arise, the tram operations team can now make direct contact with the Council's parking enforcement contractor to respond to instances of incorrect parking on the tram tracks. Parking Attendants will continue to carry out regular patrols in the areas of concern.

- 5.2 Council officers will continue to work closely with the tram operations team to monitor instances of incorrect parking and will consider additional actions if necessary.
- 5.3 Physical mitigation measures will be considered, alongside investigating cost effective options for removal of vehicles when issues arise.
- 5.4 The procurement of a new DPE contract will consider removals from tram tracks in greater detail and the new contract will provide the Council with the opportunity to procure additional recovery solutions, if required

6. Financial impact

- 6.1 The actions set out in this report are met from the Council’s existing revenue budget.
- 6.2 The indicative costs for purchasing additional vehicles are outlined in the table below:

Vehicle Type	Costs
Winch and flatbed	£70-80,000
Wheel lift	£130-140,000
Tow Track	£250-260,000

- 6.3 There is no funding currently available within the Council’s revenue budget to meet the cost of an additional vehicle (or vehicles) at this time. However, it is anticipated that such costs could be contained (and spread) across the Council’s next DPE contract.
- 6.4 The cost of physical measures, including the removal of parking bays, will be considered as part of the business case for this action should it be considered necessary.

7. Equality and Poverty Impact

- 7.1 There is no equality, human rights (including children’s rights) or socio-economic disadvantage implications as a result of this report.

8. Climate and Nature Emergency Implications

- 8.1 There are no climate or nature emergency implications as a result of this report.

9. Risk, policy, compliance, governance and community impact

9.1 There are no known risk, policy, compliance, governance or community impacts arising as a result of this report.

10. Background reading/external references

10.1 None.

11. Appendices

Appendix 1 – Summary of incidents of incorrect parking on the tram tracks.

Appendix 1 - Summary of incidents of incorrect parking on the tram tracks

Month	Number of incidents
June	12
July	10
August	3
September	3
October	4
November	4