

Transport and Environment Committee

10.00am, Thursday, 8 December 2022

Review of Parking Policy

Executive/routine
Wards
Council Commitments

Executive
All

1. Recommendations

- 1.1 It is recommended that Transport and Environment Committee:
 - 1.1.1 Notes the contents of this report and the intention to bring forward updated policy proposals for approval by this Committee as part of an updated Parking Action Plan early in February 2023.
 - 1.1.2 Agrees to introduce the following changes to the Council's enforcement protocol that are proposed in response to the issues raised by Elected Members and members of the public:
 - 1.1.2.1 Reducing the threshold for persistent evaders to three or more outstanding parking tickets for which statutory notices have been issued to the registered keeper of the vehicle;
 - 1.1.2.2 Reducing the threshold for persistent offenders to five or more parking tickets received within the previous three months; and
 - 1.1.2.3 Removing the requirement to provide any observation period to vehicles which park on and obstruct footways and/or cycleways.
 - 1.1.3 Notes the addition of a further three mobile parking attendant resources to the daily deployment levels of the Decriminalised Parking Enforcement (DPE) contract in order to better respond to requests for enforcement.

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Review of Parking Policy

2. Executive Summary

- 2.1 This report presents details of a review of existing parking policy, as well as suggestions for changes which could be made to Council parking policy, as requested by Committee at its 18 August meeting (reconvened on 1 September 2022).

3. Background

- 3.1 The Council has been operating Decriminalised Parking Enforcement (DPE) in Edinburgh since 1998 and decriminalised Bus Lane Camera Enforcement since 2012.
- 3.2 DPE enables the Council to introduce Controlled Parking Zones (CPZs) and parking permit schemes and to employ parking attendants who can issue parking tickets and bus lane charge notices. It decriminalises parking contraventions making them civil matters by transferring responsibilities from Police Scotland to the Council.
- 3.3 DPE allows the Council to better manage its own parking policies and procedures, by being directly responsible for the management and enforcement of its parking traffic regulation orders that it makes for the city's roads to improve road safety and manage parking and traffic movements.
- 3.4 The income received through DPE is first and foremost used to fund the provision of DPE services, such as the parking attendant salaries, with any surplus revenue being ring-fenced by law for road and transport improvements identified within local transport strategies, such as the Council's City Mobility Plan.
- 3.5 A brief description of the services that are delivered through the DPE contract includes:
- On street enforcement services – recruitment and deployment of parking attendants;
 - Car pound services – relocating and impounding incorrectly parked vehicles;
 - Bus lane camera enforcement;
 - Pay and display services – cash collection, counting and banking, contactless and cashless payments, and ticket machine maintenance;
 - Suspension and dispensation services;

- Lines and signs maintenance;
- Permit management – software systems and processing business permits; and
- Associated IT services and back-office functions.

3.6 At its [18 August 2022](#) meeting, Committee requested a report within two cycles on a Review of Parking Policy to be presented for consideration. The review would draw on best practice and ensure parking policy (including enforcement) supports the Council’s wider policy agenda where possible.

4. Main report

City Mobility Plan

4.1 The Council’s current transport policies are contained within the City Mobility Plan. Although parking has a significant part to play in many of the policies covered within the City Mobility Plan, there are a number of key actions which especially rely on effective parking management and enforcement:

MOVEMENT 4 – Bus Priority Measures	Expand and enforce public transport priority measures to improve journey time reliability and operational efficiency within the city and wider region.
MOVEMENT 16 – Shared Mobility	Support the expansion of shared mobility options across the city and maximise their integration to support the broader public transport system.
MOVEMENT 19 – Mobility Hubs	Identify opportunities for mobility hubs in existing communities and major new developments that provide a range of sustainable travel choices and amenities including public transport, shared mobility, click and collect and electric vehicle charging.
MOVEMENT 22 - Tackling Inconsiderate Parking	Work within legislation to tackle issues associated with parked vehicles obstructing footways, crossing points, roads and junctions.
MOVEMENT 34 - Parking Controls	Extend the coverage and operational period of parking controls in the city to manage parking availability for the benefit of local residents and people with mobility difficulties.
MOVEMENT 35 - Residents Parking Permits	Manage the way residents parking permits are issued based on demand, location and vehicle emissions.
MOVEMENT 37 - Parking, Waiting, Loading Restrictions	Review, apply and enforce parking, waiting and loading restrictions whilst balancing the needs of local businesses and residents and people with mobility difficulties.

PLACE 5 – Streets for People	Create more liveable places by reducing the level of on street parking in areas well served by public transport whilst enabling parking for local residents and people with mobility difficulties.
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- 4.2 The Council is in the process of developing a suite of Action Plans which will support the delivery of the City Mobility Plan. As part of this process, the first draft of the Parking Action Plan (PAP) is scheduled to be presented to the Transport and Environment Committee on 2 February 2023, along with others including the Active Travel and Public Transport Action Plans.
- 4.3 This report therefore outlines some options of policy change which could be considered in the refreshed Parking Action Plan, whilst also suggesting some immediate changes to the Parking Enforcement Protocol which, if approved by committee, could be quickly implemented.

Parking Policy Changes to Support the City Mobility Plan

- 4.4 Parking management and enforcement has a key role to play in ensuring the integrity of the Council’s transport strategies. The table below identifies potential policy changes which could be made to support the relevant actions within the City Mobility Plan.

CMP Action	Potential Policy Changes
MOVEMENT 4 – Bus Priority Measures	<ul style="list-style-type: none"> Align loading and parking restrictions with bus lane operating times Undertake vehicle removals or re-locations where there are contraventions in operational bus lanes
MOVEMENT 16 – Shared Mobility	<ul style="list-style-type: none"> Expand the number of City Car Club spaces to ensure availability across all CPZ areas
MOVEMENT 19 – Mobility Hubs	<ul style="list-style-type: none"> Identify opportunities for the delivery of mobility hubs where appropriate
MOVEMENT 22 - Tackling Inconsiderate Parking	<ul style="list-style-type: none"> Implement pavement parking controls as soon as the legislation allows Revise enforcement protocols to reduce observation periods for footway parking
MOVEMENT 34 - Parking Controls	<ul style="list-style-type: none"> Continue with the rollout of Controlled Parking Zones as outlines in the current Strategic Review of Parking.
MOVEMENT 35 - Residents Parking Permits	<ul style="list-style-type: none"> Revise the permit charging structure to incentivise households to reduce the numbers of permitted vehicles, reduce their size (unless essential for

	medical or business reasons) and reduce their emissions
MOVEMENT 37 - Parking, Waiting, Loading Restrictions	<ul style="list-style-type: none"> • Ensure that pay and display maximum stay times are aligned with the aims of the City Mobility Plan • Re-locate business loading away from key arterial routes where there is conflict with space for walking, wheeling, cycling and public transport. • Ensure that priority parking spaces are well placed for the exclusive use of Blue badge holders
PLACE 5 – Streets for People	<ul style="list-style-type: none"> • Align parking space provision with the aims of the City Centre Transformation and 20 Minute Neighbourhood strategies

General Enforcement Policies

- 4.5 All of the enforcement policies employed by the Council are reviewed regularly and benchmarked against those of other Local Authorities. The majority of the parking and enforcement policies are covered in the [Council's Parking Enforcement Protocol](#), which has recently been reviewed and updated in 2022.
- 4.6 The Parking Enforcement Protocol describes the different types of parking restrictions alongside the Council's enforcement approach to each of these restrictions and the exceptions and exemptions that apply, as prescribed by the Traffic Regulation Orders (TROs) that govern parking restrictions in the city.
- 4.7 Whilst much of the information provided in the Parking Enforcement Protocol is prescribed by national legislation (such as line markings, signs and contravention codes), the setting of restrictions and their exemptions, observation periods and enforcement approach are controlled by the Council.
- 4.8 There are a number of exemptions written into traffic orders, such as: those for emergency service vehicles; public transport; utilities and road works; post and delivery vehicles; and where drivers are required to stop by law, such as in the case of an accident. These are standard exemptions that apply across many parking restrictions and these, or very similar exemptions, can be found in many other Local Authority DPE traffic orders.
- 4.9 The enforcement policies contained within the Parking Enforcement Protocol, such as the observation periods for each restriction, have been set through ongoing benchmarking with other Local Authorities across the United Kingdom (UK) and are still considered to be appropriate.
- 4.10 The contraventions which have observation periods are detailed in the table below:

Contravention	Observation Period
Single and Double Yellow Lines - where loading is allowed but no	5 minutes for private vehicles and 10 minutes for goods vehicles,

loading is taking place	to ascertain if loading/unloading is taking place.
Public and Shared Use parking places – without payment of the parking charge	5 minutes for all vehicles to allow drivers to purchase parking time.
Expiry of parking time	5 minutes after parking time expired.
Mews areas	5 minutes to ascertain if loading/unloading/deliveries are taking place.
Loading bays	5 minutes for private vehicles and 10 minutes for goods vehicles, to ascertain if loading/unloading is taking place.

- 4.11 Inconsiderate parking in bus lanes, Greenways and on active travel corridors is inappropriate and understandably frustrating for road users. The parking team will continue to work closely with colleagues in Public Transport and Active Travel to ensure that kerbside restrictions are applied appropriately to these transport corridors so that the transport hierarchy is positively promoted in Edinburgh.
- 4.12 Some Local Authorities do not apply an observation period for paid parking contraventions, however it is considered preferable in Edinburgh to allow for drivers to visit ticket machines to pay for parking, to allow for the transfer of data relating to cashless parking sessions and to allow discretion for any possible timing differences of up to five minutes.
- 4.13 The enforcement policies applied by the Council, as covered in the Parking Enforcement Protocol, continue to be based on best practice across the sector and are in line with recommendations of the British Parking Association.

Persistent Evaders and Offenders

- 4.14 The issues that can be created by the actions of a few inconsiderate drivers are fully acknowledged and the Council have introduced enforcement policies to tackle such problems. These policies aim to improve compliance with the regulations, encourage payment of outstanding tickets and offer an additional enforcement route to address motorists who consistently park incorrectly.
- 4.15 A persistent evader policy was created to deal with vehicles which receive multiple parking tickets that remain unpaid. Any vehicle issued with a ticket that meets the persistent evader criteria (more than five outstanding parking tickets for which statutory notices have been issued to the registered keeper of the vehicle) is identified for a high priority removal and a removal truck is requested immediately.
- 4.16 When the vehicle is removed to the car pound the owner is required to provide current contact/address details before the vehicle is released, as tracing the owners of these vehicles in order to pursue the outstanding debt is often the problem in such cases. The driver is also warned that the vehicle will be impounded again unless the outstanding parking tickets are paid promptly.

- 4.17 A persistent offender policy was also created to address vehicles which regularly receive parking tickets but where they are being paid. These are often drivers who are not discouraged by the threat or cost of a parking ticket and can often easily afford to pay the penalty charge. The Council also receives complaints about such drivers as they often park in contravention at the same locations on a regular basis, to the ongoing frustration of other road users.
- 4.18 Any vehicles which are identified as persistent offenders (incurred 15 or more paid parking tickets within the previous three months) are also identified for a higher priority removal. If the vehicle is removed to the car pound then the owner is warned that the vehicle will be targeted for additional enforcement action and impounded again should the vehicle continue to park inconsiderately and receive further parking tickets.
- 4.19 Parking attendants are also tasked to look out for such vehicles at known problem locations when undertaking their enforcement beats and Officers can also instruct that observation periods be disregarded, meaning instant parking tickets can be issued, in cases where there is evidence of a vehicle continually parking in contravention.
- 4.20 The number of persistent evaders and persistent offenders that are removed to the car pound each month is measured as a formal Key Performance Indicator (KPI) within the DPE contract.
- 4.21 Benchmarking with other Local Authorities indicates that many do not have a specific policy for persistent evaders or offenders. Those that do tend to only have a policy for persistent evaders and follow the same approach that is taken in Edinburgh, although some DPE operations, such as those from Northern Ireland, have a threshold of only three parking tickets rather than the five used in Edinburgh.
- 4.22 Although both the persistent evader and offender policies are considered to be effective and consistent with the approach used elsewhere, the thresholds applied in Edinburgh could be reduced to further encourage compliance with parking restrictions.
- 4.23 It is therefore proposed to reduce the threshold for persistent evaders to three or more outstanding parking tickets for which statutory notices have been issued to the registered keeper of the vehicle. It is also proposed to reduce the threshold for persistent offenders to five or more parking tickets received within the previous three months.

Footway and cycleway parking complaints

- 4.24 Vehicles parking on and obstructing footways and cycleways is an ongoing problem in Edinburgh and whilst the Transport (Scotland) Act 2019 introduces a welcome nationwide ban against footway parking, the necessary regulations have yet to be published to allow Local Authorities to use these powers.

- 4.25 Whilst the Council awaits the publication of these regulations, work has been commissioned, using funding from Transport Scotland, to assess all streets within the Council area in readiness for the legislation coming into effect.
- 4.26 The parking team receive regular complaints about vehicles which are parking on or obstructing the footway or cycleway and there are numerous images of such occurrences posted on social media every day. Parking attendants are asked to react to the requests for enforcement that they receive, however in many cases they are unable to take any action against the vehicle as there are no kerbside restrictions.
- 4.27 As things currently stand, parking attendants are only able to take enforcement action if there is a kerbside restriction in place and Police Scotland are only able to act if they physically witness the vehicle actually driving up on the footway. Additionally, parking attendants are currently expected to follow standard enforcement procedures, including giving observation periods in some cases, when issuing parking tickets to vehicles on the footway or in cycleways.
- 4.28 Given the issues that can be created by footway and cycleway parking, although it remains necessary that a kerbside restriction must be in place, it is proposed to remove the requirement to provide any observation period to vehicles which park on and obstruct footways or cycleways and that authorisation be given for instant parking tickets be issued in such circumstances.

Allocation of Enforcement Resources

- 4.29 There are hundreds of kilometres of yellow line restrictions and over 36,000 parking places within Edinburgh, all of which are enforced using a pool of 87 parking attendants, including 14 mobile parking attendants who are deployed on mopeds.
- 4.30 In order to ensure a fair and equitable approach of the available enforcement resources, in particular for those residents of Edinburgh who pay the Council for a parking permit, the Council utilises a street visit schedule. Street visit schedules are commonly used by Local Authorities when determining enforcement beat patterns.
- 4.31 The street visit schedule dictates the minimum number of times that each street should be subject to an enforcement visit on a daily, weekly or monthly basis and includes specific timed visit requirements for main traffic routes and school keep clear restrictions. The number of street visits achieved in each month is one of the critical Key Performance Indicators (KPIs) of the DPE contract.
- 4.32 Streets with higher parking demands, main traffic routes or those with schools are given greater priority and receive more visits than for example, quieter residential side streets. A programme of specific school visits is also constantly monitored, however due to the high number of schools in Edinburgh, it is not possible to visit every school each day and these visits are rotated on a regular basis.
- 4.33 Whilst undertaking their enforcement visits to all streets, parking attendants also provide an important role acting as Council ambassadors, reporting any other issues they encounter so they can be raised with the relevant Council team.

- 4.34 Due to the high number of parking issues and requests for enforcement that are being reported, the Council provides an [online form](#) (Report incorrectly parked vehicles) which allows for details of parking issues to be sent directly to NSL so that a parking attendant, often from the mobile enforcement team, can be assigned to investigate. The information gathered from these forms can also be used to inform the ongoing deployment of parking attendants.
- 4.35 In addition to the defined street visits, the Council also utilises a 'problem streets list' and a 'problem schools list' whereby specific streets and schools are identified for a sustained period of targeted enforcement to try and address particular parking problems. Unfortunately, this approach can be quite resource intensive, often with limited and diminishing returns, so a restricted number of streets and schools are permitted on the respective lists at any time.
- 4.36 The Council's parking team also try to promote any opportunity for partnership working with Community Police, as well as the Council's internal Road Safety team and Safer Routes to Schools team, and help manage the parking permit scheme which is in place for [school streets](#).
- 4.37 Details of any reports or complaints received through social media are also passed to parking attendants to investigate, with NSL actively monitoring known social media channels in order to respond quickly and to identify common and ongoing problems.
- 4.38 However, in many cases the offending vehicles have only stopped for a short time and have moved on before any of our parking attendants can attend, or the driver is actively watching the vehicle and moves it before a parking ticket can be issued.
- 4.39 Benchmarking with other Local Authorities has confirmed that most take a similar approach to the reporting of issues and that the problems experienced in Edinburgh are, unfortunately, commonplace across the UK.
- 4.40 Although it is unfortunately not possible for parking attendants to be present every time a vehicle parks in contravention, the information gathered through these channels can be useful in identifying problem areas and trends when considering the ongoing deployment of enforcement resources.
- 4.41 Prior consideration has been given to increasing the number of parking attendants that are deployed on a daily basis in order to better respond to requests for enforcement whilst maintaining the same levels of enforcement across the existing controlled parking zones. However, recruitment has been problematic over recent years and additional parking attendant resources, particularly mobile parking attendants, come at a significant cost with no guarantee that costs will be recovered through enforcement activities.
- 4.42 In order to minimise the risk of adding unnecessary additional pressures to the Place revenue budget, it is proposed to add a further three mobile parking attendants to the daily deployment levels initially and to review their productivity over the first three months of operation. Should their addition to the contract be cost

effective then consideration will be given to recruiting further parking attendant resources.

Legislative Constraints

- 4.43 Although DPE confers several benefits to the Council, such as the ability to better manage its own parking policies and procedures, it also requires the Council follow the correct processes when enforcing parking restrictions. All Local Authorities are subject to the same legislation, which can unfortunately be seen to hinder enforcement action in some cases.
- 4.44 In terms of the actual ticket issuing process, parking attendants are expected to make their presence known when issuing a parking ticket to a vehicle. The parking ticket itself must be printed and sealed inside its envelope before it can be issued to a vehicle or driver. The parking ticket must then either be placed on the windscreen of a vehicle or handed to the driver before it is considered correctly served.
- 4.45 Unfortunately, the time that is needed to record the necessary parking ticket details before it can be printed and sealed in its envelope often allows drivers to return to their vehicle and move it before a parking ticket can be correctly issued. This is a particular problem in some cases where drivers are known to keep an active watch on their vehicle so that they can move it quickly should a parking attendant attempt to issue a parking ticket. This can often result in a frustrating game of 'cat and mouse', whereby the parking attendants are continually returning to the same location to move on the same vehicle time and time again.
- 4.46 By way of example, in September 2022 parking attendants attempted to issue 486 parking tickets which were cancelled as VDA (Vehicle Driven Away) after the driver returned to remove the vehicle before the attendant could complete the issue of the ticket and serve it correctly.
- 4.47 As alluded to earlier in this report, the deterrent value of a parking ticket charge has diminished greatly over the years, particularly when compared against the increasing cost of parking in Edinburgh, with many drivers now content to accept a parking ticket and pay the £30 discounted charge for the sake of convenience.
- 4.48 The parking ticket charge has not increased since the inception of DPE in 1998 and although Transport Scotland have recently held a consultation on this very matter, with the Council's response strongly supporting the introduction of higher charge levels, it is still unclear if the charge will be increased in the near future.
- 4.49 Although the Transport (Scotland) Act 2019 introduces many useful powers, such as the prohibition of double parking and parking on footways and at dropped kerbs, all of which are problems in Edinburgh, as mentioned earlier in this report, the necessary regulations have yet to be published to allow Local Authorities to use these powers.
- 4.50 Enforcement legislation in Scotland could also be updated to introduce some of the measures that are available to Local Authorities in England by virtue of the Traffic Management Act 2004, many of which have proved to be very successful.

- 4.51 Whilst a parking attendant can only affect parking behaviour at schools when they are physically present, further powers relating to CCTV enforcement of parking restrictions could be hugely advantageous for the continual enforcement of school keep clear restrictions, as is the case in England.
- 4.52 The issue of postal Parking Charge Notices (PCNs) in cases where vehicles have driven away would also help the Council to deal with persistent evaders and persistent offenders, particularly those who tend to watch over their vehicles so they can be moved quickly and who are regularly the subject of complaints to the Council.
- 4.53 Further transfers of powers regarding stationary and moving traffic offences to decriminalised enforcement, such as parking on zig zag markings or contravening no entry restrictions or banned turns would also help the Council better manage its road network and tackle issues caused by inconsiderate drivers.
- 4.54 Council officers regularly attend meetings with Transport Scotland colleagues to assist with the preparation and delivery of policy, such as the forthcoming footway parking prohibition and the recent consultation on PCN levels. The parking team will continue to discuss all of these issues with Transport Scotland and press for further legislative changes which would help to improve our enforcement capabilities.

DPE Contract

- 4.55 A core element of the current contract is to strive for continuous improvements. Over the life of the contract, this has delivered enhanced services for customers, including electronic parking permits and online penalty charge challenges, with greater functionality to view photos and videos of parking and bus lane contraventions.
- 4.56 The KPIs used on the DPE contract are reviewed regularly to ensure that all enforcement policies are being applied correctly and effectively and are also regularly benchmarked against other contracts to ensure best practice and drive continual improvement. These KPIs are consistently achieved by NSL, highlighting the quality of the enforcement services that are being delivered.
- 4.57 The contract also provides a framework which allows other Scottish Local Authorities to become collaborative partners and purchase services from NSL. The Council currently collaborates with East Lothian Council, Midlothian Council and Highland Council, providing both guidance and back-office processing services to all three, generating additional revenue for the Council.
- 4.58 The Council's DPE contract with NSL is due to expire in September 2024 and officers have engaged with the Council's Commercial and Procurement Services to start development of a procurement strategy for the next DPE contract.
- 4.59 All service options will be considered, including consideration of whether any services could be delivered better in-house, and further comprehensive market testing, benchmarking and stakeholder engagement will take place to ensure that

the next contract specification is both comprehensive and innovative, taking advantage of the best technology and helping to improve all of our parking services.

Parking Action Plan

- 4.60 It is proposed to submit the first draft of a new PAP to Committee in early 2023, which will further align Parking policy with the City Mobility Plan.
- 4.61 The PAP will contain a number of proposals to assist in successfully delivering the ambitious target of becoming a net zero city by 2030 and helping to reduce journeys made by private car.
- 4.62 An effective pricing policy for public parking is one of the most important tools for managing demand for kerbside space and initiatives such as emissions-based charging could help to deliver Edinburgh's challenging climate strategy goals.
- 4.63 Although resident permit charges are already emissions based, a similar approach could be considered for other permit types and further steps could also be taken to encourage residents to limit car ownership to a single vehicle.
- 4.64 In the meantime, all parking charges will be reviewed as part of the Council's budget setting process for the next financial year. Public parking charges are expected to increase significantly in line with RPI and inflation across 2022, with a continuing emphasis on the city centre.

5. Next Steps

- 5.1 Should Committee approve the recommendations within this report then the enforcement policies and observation periods will be updated and the DPE contract will be varied to incorporate the additional parking attendant posts in line with the committee decision.
- 5.2 Whilst the regular benchmarking of enforcement operations and policies with other Local Authorities will continue, comprehensive market testing and benchmarking will also be undertaken to help inform the Council's procurement strategy for the next DPE contract.

6. Financial impact

- 6.1 The recruitment of additional three mobile parking attendants would cost circa £100,000 per annum which would be added to the cost of the DPE contract.
- 6.2 It is hoped that the income from enforcement activities will offset some or all of these additional costs, however potential income levels are unable to be quantified at this stage. If all of the costs are not able to be covered then it is unlikely that this resource will be able to be sustained without an increase in the Parking Services budget.

7. Stakeholder/Community Impact

- 7.1 Benchmarking is undertaken with other Local Authority DPE operations on a regular basis to ensure that the Council's enforcement policies continue to be fit for purpose and demonstrate best practice within the industry.
- 7.2 There are several channels of communication open to the public which can be used to report parking problems and which provide a helpful insight when considering the ongoing deployment of parking attendants.
- 7.3 DPE also delivers positive impacts in respect of carbon impacts, and adaptation to climate change, discouraging commuting by car to work and encouraging increased use of public transport and other, more sustainable forms of transport.

8. Background reading/external references

- 8.1 Further information on all parking operations is available on the Councils website at www.edinburgh.gov.uk/parking.

9. Appendices

None.