

Transport and Environment Committee

10.00am, Thursday, 16 November 2023

Parking Permits for Places of Worship

Executive/routine
Wards

Routine
All

1. Recommendations

- 1.1 Transport and Environment Committee is asked to note that:
 - 1.1.1 The current permit criteria means that it would not be possible to include places of worship within the existing Retail, Business or Trades parking permit schemes;
 - 1.1.2 Monitoring of the new Controlled Parking Zone (CPZ) areas will continue, and any issues identified will be fully considered. This will include any issues identified in respect of places of worship; and
 - 1.1.3 If issues are identified, officers will consider all potential options.

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Parking Permits for Places of Worship

2. Executive Summary

- 2.1 This report responds to a motion by Councillor McKenzie which was approved by the Council on [28 September 2023](#) in respect of Retail, Trades and Business Parking Permits – Places of Worship.

3. Background

Retail, Trades and Business Parking Permits

- 3.1 Retail and Trades parking permits have been in place since 2007. Business permits were introduced as an additional permit type in 2012.
- 3.2 These permits were introduced to help businesses where a vehicle was considered essential to the daily operation of the business, such as for collecting stock or making deliveries which by the nature of their bulk or weight justify the use of a vehicle. The permit terms and conditions make it clear that these permits are not intended for commuting purposes.
- 3.3 Committee agreed that the businesses eligibility for the Retail and Business permits would be based on the planning use classes of the building premises, using the [Town and Country Planning \(Scotland\) Act 1997](#) Class system.
- 3.4 Using this system, Retail permits are restricted to class 1 business premises, Business permits are restricted to class 2 business premises and Trades permits are restricted to tradespeople.
- 3.5 Retail parking permits are only available to business premises which undertake a Class 1 business activity, as specified in the Town and Country Planning (Use Classes) (Scotland) Order 1997.
- 3.6 Business parking permits are only available to business premises which undertake a Class 2 business activity, as specified in the Town and Country Planning (Use Classes) (Scotland) Order 1997.
- 3.7 Trades parking permits are not based on the use class of a premises. However, these permits are only available to businesses which are defined as a trade and involving workers who are engaged in activities which require their attendance for

lengthy periods at premises which are not their permanent place of employment, and for which their vehicle is an essential base for materials and equipment throughout the working day.

- 3.8 Permits are only sold to businesses who provide evidence that the vehicle is insured for business use. They must also confirm that the vehicle is essential to the operation of their business, by virtue of having to move goods or equipment throughout the working day. Individual Retail and Business permits can only be used in a single parking zone.
- 3.9 These permits are not intended to provide commuter parking for business employees and are specifically designed not to incentivise private car use when other more sustainable means of transport may be available, hence the requirement that the vehicle must be essential to the operation of the business.

Current arrangements for places of worship

- 3.10 There are several places of worship within the existing Controlled Parking Zone (CPZ), where parking controls have been in place for many years. All places of worship within the CPZ currently operate with controls in place (Monday to Saturday and Sunday afternoon in Zones 1-4 and Monday to Friday elsewhere in the city).

Approved motion

- 3.11 On 28 September 2023, the Council approved a motion by Councillor McKenzie which highlighted the vital role of places of worship in communities and the challenges they faced in respect of attendance and recognised that those who manage places of worship may be required to manage multiple venues. The motion called for a report to this Transport and Environment Committee on amending the Retail, Trades and Business Parking Permits policy for all peripheral and extended zones to include places of worship.

4. Main report

- 4.1 As outlined above, the criteria for Retail, Trades and Business Parking Permits currently precludes the inclusion of permits for people who manage places of worship.
- 4.2 This is because places of worship are classified within Class 10, as “Non-residential institutions” in the Town and Country Planning (Scotland) Act 1997, as detailed in the extract below:

Class 10. Non-residential institutions

Use, not including residential use–

- (a) as a crèche, day nursery or day centre;
- (b) for the provision of education;
- (c) for the display of works of art (otherwise than for sale or hire);
- (d) as a museum;
- (e) as a public library or public reading room;
- (f) as a public hall or exhibition hall; or
- (g) for, or in connection with, public worship or religious instruction, or the social or recreational activities of a religious body.

- 4.3 Introducing a new parking permit for business premises which undertake a Class 10 business activity, to mirror the approach taken with Retail and Business parking permits, would also necessitate the introduction of permits for several other Class 10 business premises. This would open up these permits to a wide range of businesses and users, particularly if there was no associated requirement for the vehicle to be necessary for moving goods or equipment, as has been suggested.
- 4.4 Such an approach would also likely be in direct conflict with Council policies around reducing commuting and private car use with the target of reducing car kilometres by 30% and achieving our net zero ambitions by 2030.
- 4.5 It is not considered viable to introduce a parking permit that would only be available to business premises which undertake a class 10(g) business activity (i.e. “for or in connection with, public worship or religious instruction, or the social or recreational activities of a religious body”), as such an approach would be considered as discriminatory and may invite legal challenges from other similar organisations who offer similar community services which do not have a religious element.
- 4.6 In addition, recognising that people requesting a permit for the purpose of managing places of worship may be required to travel to multiple locations, such a permit may be required to cover more than one parking zone.
- 4.7 Only the Trades parking permit currently offers this flexibility, to allow Tradespeople to transport the tools and equipment they need throughout their working day between different jobs in the city. The cost of a Trades parking permit is over £1,500 per year.

5. Next Steps

- 5.1 Monitoring of all new CPZ areas will continue, with feedback from residents and businesses being taken into consideration and adjustments being made as required.
- 5.2 As part of this monitoring approach, officers will ensure that any issues identified and/or feedback received from places of worship is fully considered and, if necessary, will investigate potential solutions.
- 5.3 In the meantime, the Council will continue to promote alternative sustainable transport modes for businesses and institutions which do not have a requirement to

move goods or equipment around during the day including walking, wheeling and public transport, with both bus and tram offering excellent public transport connectivity across the city.

- 5.4 The Council also offers one of the largest Car Club services in the UK, offering individuals and businesses flexibility whilst reducing the need for private vehicles to be used within the city. Use of the Car Club also allows users two hours of free parking in pay and display, shared use and residents' parking places across all zones of the CPZ.
- 5.5 Requests for new Car Club locations can be made through the Council's website ([Enterprise Car Club – The City of Edinburgh Council](#)) and the Car Club fleet in Edinburgh is also in the process of being electrified, with circa. 70 new electric vehicles being added to the Car Club in the coming months.

6. Financial impact

- 6.1 There are no financial impacts arising from the recommendations in this report.

7. Equality and Poverty Impact

- 7.1 There are no direct equality and poverty impacts arising from the recommendations in this report.
- 7.2 However, introducing new parking permits specifically for places of worship could be considered as discriminatory against non-religious organisations offering similar services in the community.

8. Climate and Nature Emergency Implications

- 8.1 As a public body, the Council has statutory duties relating to climate emissions and biodiversity. The Council

“must, in exercising its functions, act in the way best calculated to contribute to the delivery of emissions reduction targets”

(Climate Change (Emissions Reductions Targets) (Scotland) Act 2019), and

“in exercising any functions, to further the conservation of biodiversity so far as it is consistent with the proper exercise of those functions”

(Nature Conservation (Scotland) Act 2004)

- 8.2 The City of Edinburgh Council declared a Climate Emergency in 2019 and committed to work towards a target of net zero emissions by 2030 for both city and corporate emissions and embedded this as a core priority of the Council Business Plan 2023-27. The Council also declared a Nature Emergency in 2023.

Environmental Impacts

- 8.3 The Council is committed to achieving net zero by 2030 and has introduced a challenging target of reducing car kilometres by 30% by 2030. In addition, the Council has also recognised the importance of reducing private car use and encouraging the uptake of more sustainable transport options to improve air quality.
- 8.4 Introducing additional parking permits could encourage increased use of private cars.

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

- 9.1 There are no direct risk, policy, compliance, governance and community impact impacts arising from the recommendations in this report.

10. Background reading/external references

- 10.1 Parking Permits for Retailers and Tradespeople. [Report](#) to Executive of the Council, 27 March 2007.
- 10.2 Review of Parking Permits for Businesses. [Report](#) to Transport, Infrastructure and Environment Committee, 27 November 20027
- 10.3 Review of Experimental Traffic Regulation Order – Business Parking Permits – [Report](#) to Transport and Environment Committee, 19 March 2013.

11. Appendices

None.