

Better Parking Consultation

Response by Pedal on Parliament

Q1. Do you think parking, including on pavement, at dropped kerbs and double parking is a problem in your area?

Yes. 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

Q 2. Why do you think the motorists may choose to pavement park?

Probably because of a lack of enforcement and a lack of clarity over the law, and that keeping the roadway clear is more important than keeping the pavements clear. A presumption that pavement parking is banned would be easier for everyone to understand.

Q 3. Do you think new legislation is needed?

Yes. By default, pavement parking should be illegal except where specifically allowed. Blocking dropped kerbs and double parking should be illegal, if it isn't already, and all of these offences should be enforceable the same way as parking on double yellow lines. Care will need to be taken to make sure that parking on cycle tracks (i.e. separate facilities such as kerbed or stepped cycle tracks) is also illegal and can be easily enforced.

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?

Yes

Q 5. Do you think any new law should apply to all vehicles (e.g. HGVs, vans, taxis, cars, motorbikes, etc.)?

All motorised vehicles, except powered wheelchairs.

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?

Exemptions should only be made where parking leaves enough width (minimum 1.5m) for the easy passage of wheelchairs and other mobility aids, and where other alternatives have been exhausted. Any such pavement parking should be clearly marked (e.g. with bays painted onto the pavement) so that vehicles don't stray onto the reserved pavement area. This will make it clear that other pavements are not parking areas.

Enforcement

Q 7. Should there be consistent approach to parking enforcement across Scotland? If yes, how should this be taken forward?

There doesn't necessarily need to be a consistent approach, but there does need to be a consistent level of enforcement, however that is achieved. At the moment there are areas where there is almost no parking enforcement and this is creating a sense of impunity among some drivers, which will be very hard to break. Some drivers will have got into a habit of pavement parking, which will also require consistent enforcement to break.

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 some access to a "traffic warden service" in areas without DPE? What should Police Scotland's involvement be in future?

Given that Police Scotland are withdrawing from providing traffic wardens in some areas, some sort of provision needs to be in place to ensure traffic violations are enforced. If DPEs are the most effective measure, then Local Authorities should be enabled to move to that regime as quickly as possible. The main thing is not to leave a vacuum where parking violations are not enforced, whether that be on pavements, on double yellow lines, or over-staying in legitimate parking spaces. If councils were able to keep the fines without any restrictions, this might encourage them to move more quickly to bring in DPE. However, the

police should still retain powers to act where parking is causing an obstruction, be it to pedestrians, cyclists, or other road users.

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)

Yes.

It should also be made easier for members of the public to report illegal parking, and for authorities to act on reports, however they are made. This would allow authorities to concentrate on areas where parking is causing the greatest nuisance, making it more cost effective.

It should also be possible for local authorities (including potentially school staff) to enforce things like 'School Streets', where roads are closed around schools during the school run for children's safety.

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?

We recognise that there may be areas where exemptions on pavement parking bans may make sense, so local authorities should have the freedom to do so. We don't have an opinion on the best way of doing this. However, the very strong presumption should be that pavement parking is not allowed, and even where exemptions are allowed, this should only be as a last resort. As we said above, this should be in clearly marked bays, and if there isn't enough room for a marked bay, then the exemption probably shouldn't be made.

Q 11. Do you think controlling pavement, dropped kerbs and double parking could have unintended or negative consequences in your area?

Clearly there may be unforeseen consequences which (by their nature) aren't foreseen. However we believe that these are unlikely to be negative. In fact, by making it harder to park and easier to walk and cycle, we would argue that the unintended consequences are likely to be positive - encouraging active travel, increasing use of public transport, enhancing our town centres and making short journeys by private car less attractive.

Eliminating pavement parking will also cut the cost of maintaining pavements as heavy vehicles no longer bump over kerbs and damage paving stones, thus reducing the likelihood of falls among older pedestrians.

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?

There is plenty of research that traders and businesses everywhere over-estimate the proportion of their customers that come by car, so fears about loss of custom may be out of proportion - see for example

<https://travelwest.info/project/no-68-spend-high-streets-according-travel-mode> for a summary of the evidence on high street spending. However, the main way to mitigate any such impact would be to provide good alternatives to the private car for visiting town centres through better public transport and investment in cycle routes. Short-stay parking and delivery bays should be kept as clear as possible through targeted enforcement, and attractive and safe (well-lit and maintained) routes from longer-stay car parks to town centres.

Q 17. Are you supportive of local authorities trialling or introducing parking incentives (such as discounted, free or preferential parking) for ULEVs?

No. Other than localised pollution, electric vehicles bring the same problems to town centres as conventional ones (congestion, danger to road users etc.) so any parking controls should not be watered down by providing loopholes of this nature. There are already adequate incentives from the government to buy electric vehicles and VED exemption.

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.

These proposals should benefit people with disabilities, especially those who use wheelchairs, by keeping pavements and dropped kerbs free from parked cars.

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?

We believe this proposal will positively affect children’s well-being if it means they are more likely to be able to walk or cycle for everyday journeys. Poorly parked vehicles are a hazard to those crossing the road, on top of the obvious benefits of keeping pavements clear.

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

We foresee no impact as long as delivery bays and short stay parking are well enforced and clearly marked. Delivery firms should not be building their business model on the assumption that their employees will park illegally while loading and unloading.

Q 24. Are there any likely impacts the proposals contained in this consultation may have upon the environment? Please be as specific as possible.

By making walking, cycling and public transport more attractive, we believe these proposals will have a beneficial effect on the environment by reducing the demand for private car journeys.