

## WEST DUNBARTONSHIRE COUNCIL

### Report by Strategic Lead – Roads & Transportation

#### Infrastructure Regeneration and Economic Development:

20 November 2019

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**Subject: Car Parking within West Dunbartonshire**

#### **1. Purpose**

- 1.1** The purpose of this report is to advise members in relation to parking availability and distribution within Dumbarton Town Centre further to Council on 27 March 2019.

#### **2. Recommendations**

**2.1** It is recommended that Committee:

- Notes the number of on and off street parking spaces within Dumbarton town centre;
- Notes the ownerships and controls associated with parking provision within the town centre area.
- Instructs Officers to carry out a review of the existing on and off street parking provision and associated traffic regulation orders;
- Instructs Officers to develop a business case to assess viability for the introduction of decriminalised parking enforcement;
- Notes that the business case will be presented at a future meeting for consideration by Committee.

#### **3. Background**

- 3.1** On 27 March 2019 elected members considered a motion in relation to car parking provision within Dumbarton Town Centre.

The Council instructed Officers to do the following:

- Consider options for increasing parking capacity and demand;
- Propose to address inconsiderate and illegal parking in the Dumbarton town centre; and

- Identify opportunities for reconfiguration and expansion of existing parking provision.

Concern with traffic movement and access to public transport was also noted.

**3.2** The planning and construction of the Council offices at 16 Church Street included the following infrastructure improvements:

- Construction of a reconfigured upgraded junction at A814 Glasgow Road / St James Retail Park / Castle Street;
- Improvement works at Church Street roundabout to increase capacity and provide journey time reliability for public transport;
- Upgrading of bus infrastructure with raised boarders and additional bus shelters;
- Installation of new underpass lighting to encourage sustainable access; and
- Construction of associated car parking to the rear of the Council office.

**3.3** It is noted that the town centre is currently experiencing increased demand due to the ongoing construction activity. The following works are ongoing:

- Construction of supermarket and associated car parking due for completion Winter 2019.
- Housing development due for completion Summer 2020.
- West Dunbartonshire Housing improvement works due for completion early 2020.

In addition works have been ongoing within the retail park and supermarket which are now complete.

These works have all impacted on the opportunity to complete a detailed parking survey and it is recommended that this is commissioned upon completion of the current construction works.

**3.4** Parking policies form an essential part of a roads authority traffic management strategy to help reduce congestion and improve safety. Irresponsible parking can and does have a negative impact, particularly when inconsiderate, obstructive or even dangerous parking takes place. This can restrict access for emergency services or put the safety of pedestrians and other motorists in jeopardy by forcing people onto the road amongst moving traffic.

West Dunbartonshire Council manage on and off street car park provision throughout the Council Area. They are provided and maintained generally in town centre areas to ensure a safe and sufficient parking amenity to meet the needs of the local community, local economy, businesses and visitors. The car parking provision is detailed in 4.3 below.

**3.5** The promotion of a Traffic Regulation Order is required for the introduction of a new, or amendment to an existing, parking restriction, movement order or traffic management measure.

**4. Main Issues**

**4.1** Managing the provision of car parking and increasing turnover is a recognised tool to improve access to town centre businesses and facilities, support the economy and reduce frustration for visitors. The Council area is experiencing the following:

- Safety issues with vehicles parking illegally on junctions, pedestrian crossings resulting in reduced visibility, pedestrian access being obstructed and increased difficulty in manoeuvring particularly for buses.
- Inconsiderate and illegal long stay parking reducing turnover and subsequent parking availability;
- Congestion and journey time reliability issues for public transport operators and other road users; and
- Social exclusion by reducing access to town centre facilities and amenities and blocking of boarders at bus stops.

It has been observed by Officers that there are regular occurrences of unsafe and inconsiderate parking resulting in a reduced availability of parking and therefore restricting access to town centre amenities and facilities.

**4.2** In West Dunbartonshire Council parking enforcement is carried out by Police Scotland, who is the sole enforcement authority.

**4.3** The Council owned public car parking available in Dumbarton Town centre is as follows:

| <b>Parking Provision</b> | <b>No of Spaces</b> |
|--------------------------|---------------------|
| High Street              | 19                  |
| Riverside                | 151                 |

|                   |            |
|-------------------|------------|
| Castle Street     | 20         |
| Station Road      | 90         |
| College Street    | 8          |
| Meadowbank Street | 30         |
| Church Court      | 52         |
| Bankend Road      | 20         |
| Bridge Street     | 12         |
| Risk Street       | 156        |
| St Mary's         | 82         |
| Strathleven       | 96         |
| Castle Terrace    | 9          |
| <b>TOTAL</b>      | <b>745</b> |

The car park provision identified above does not include residential, private and commercial parking.

- 4.4** As noted above parking enforcement is currently the responsibility of Police Scotland. Enforcement is undertaken as their priorities and resources permit. A number of Local Authorities have agreed to decriminalise parking and have applied to the Scottish Government for the transfer of enforcement powers from Police Scotland to the Local Authority.
- 4.5** Decriminalised Parking Enforcement is a regulatory regime which permits a local authority to enforce its own parking policies using parking attendants either directly employed by the Council or outsourced to a third party on behalf of a Council. The powers enable parking attendants to issue Penalty Charge Notices (PCNs) to motorists breaching parking controls in specific areas.

Any local authority may apply to the Scottish Ministers for orders to decriminalise certain parking offences within their area. Upon completion of their application, these offences cease to be the responsibility of Police Scotland and instead become the responsibility of the local authority.

A local authority which operates a Decriminalised Parking Enforcement (DPE) regime employs parking attendants who place Penalty Charge Notices (PCNs) on vehicles contravening parking regulations. Out of 32 Scottish local authorities, 21 now have DPE powers while the remaining authorities are reliant upon Police Scotland to undertake these activities.

Penalty charges are considered civil debts, and revenue generated accrues to the Local Authority to finance the enforcement and adjudication of the scheme. Any surpluses are used firstly to improve off-street parking facilities and secondly for general traffic management and public transport purposes.

Motorists wishing to contest liability for a penalty charge may make representation to the local authority concerned and, if rejected may have grounds to appeal to independent adjudicators whose decision is final.

Local authorities retain the income from penalty charges and from on and off street parking to finance the operation, enforcement and adjudication of the DPE regime. Any surpluses are used firstly for the provision and maintenance of off-street parking facilities and secondly for road improvement and public transport purposes in the local authority area.

**4.6** Should the Council wish to apply for DPE powers if it would enable more control over the enforcement of parking restrictions in the West Dunbartonshire area. Local knowledge will enable the tailoring and targeting of parking enforcement to meet specific needs, taking into account wider traffic management issues and aligned with other policies, such as town regeneration and road safety.

**4.7** The DPE Application Process is as follows:

Prepare and consult on draft application;  
Submit draft application to Transport Scotland;  
Transport Scotland provides comments, and begins to prepare the necessary Scottish Statutory Instruments (SSIs);  
Local authority reviews comments and submits final application to Transport Scotland;  
Transport Scotland considers final application, and finalises SSIs;  
Subject to Ministerial approval, Transport Scotland consults on draft SSIs.  
Transport Scotland notifies Ministers of the consultation outcome and finalises SSIs;  
Subject to Ministerial approval, SSIs are made and laid before the Scottish Parliament (negative statutory instrument process – 28 days); and  
Provided there are no objections raised, SSIs come into force.

**4.8** The Transport Bill is an Act of the Scottish Parliament to make provision for low emission zones; to make provision for and in connection with the powers of local transport authorities in connection with the operation of local bus services in their areas; to make provision about arrangements under which persons may be entitled to travel on local bus and other transport services; to

prohibit the parking of vehicles on pavements and prohibit double parking; to make provision in connection with the status of the office of the Scottish Road Works Commissioner, the Commissioner's functions and the regulation of road works; to make provision in connection with regional Transport Partnerships and to adjust the number of members on the British Waterways Board; and for connected purposes.

**4.9** The current status of the Bill is as follows:

The Scottish Government Bill was introduced by the Cabinet Secretary for Finance and Constitution, Derek Mackay MSP, on 8 June 2018. The Bill passed Stage 3 on 10 October 2019. It is anticipated that the Bill will become law in Spring 2020.

**4.10** The resource implications in relation to the implementation of the Transport Bill and, in particular, pavement parking are still to be clarified and assessed.

**5. People Implications**

**5.1** The development of the business case for Decriminalised Parking Enforcement will require an allocated resource.

**6. Financial and Procurement Implications**

**6.1** The development of the business case for decriminalised parking enforcement will identify financial and procurement implications.

**7. Risk Analysis**

**7.1** Objections may be received whilst undertaking consultation process with partners and key stakeholders.

The business case will establish the financial viability of the scheme.

**8. Equalities Impact Assessment (EIA)**

**8.1** An equalities impact assessment is not necessary for this report.

**9. Strategic Environmental Assessment (SEA)**

**9.1** A strategic environmental assessment is not necessary for this report.

**10. Consultation**

**10.1** Consultation will be undertaken during the development of the business case.

## 11. Strategic Assessment

11.1 At its meeting on 25 October 2017, the Council agreed that its five main strategic priorities for 2017 - 2022 are as follows:

- A Strong local economy and improved employment opportunities.
- Supported individuals, families and carers living independently and with dignity.
- Meaningful community engagement with active empowered and informed citizens who feel safe and engaged.
- Open, accountable and accessible local government.
- Efficient and effective frontline services that improve the everyday lives of residents.

11.2 This report's content is aligned with the Council's strategic priorities as stated above.

### Gail Macfarlane

Strategic Lead, Roads & Transportation  
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**Person to Contact:** Gail Macfarlane –Strategic Lead, Roads & Transportation  
[gail.macfarlane@west-dunbarton.gov.uk](mailto:gail.macfarlane@west-dunbarton.gov.uk)  
Tel: 07387 236684

**Appendices:** None

**Background Papers:** None

**Wards Affected:** All