

CONTROLLED PARKING AREAS – WORKING PARTY

ABERDEEN, 10th December, 2009. - Minute of Meeting of the CONTROLLED PARKING AREAS WORKING PARTY of the Enterprise, Planning and Infrastructure Committee. Present:- Councillor McCaig, (Convener); and Councillor Donnelly (substituting for Councillor Boulton).

Apologies had been received from Councillors Laing and Wisely.

Also in attendance:- Councillors Adam, Collie, Corall and Jennifer Stewart.

Apologies had also been intimated from Councillor Cormack and John Stewart.

MINUTE OF PREVIOUS MEETING OF 18 MAY 2009

1. The Working Party approved as a correct record the minute of its previous meeting of 18 May, 2009.

MOTORCYCLE PARKING

2. With reference to Article 3 of the minute of the previous meeting of the Working Party, there had been circulated a report by the Director of Enterprise, Planning and Infrastructure advancing consideration of this matter.

Aberdeen had ten dedicated motorcycle parking areas where motorcycles could be parked for free, quite properly and legally. Only one of those areas was at present at capacity, even though all the areas were very central. The separate question of whether a motorcycle left in a controlled parking area should display a pay and display ticket (or, in Foresterhill or Garthdee, a voucher) had in the past been determined by the common-sense acceptance of the vulnerability of any such ticket or voucher to interference or removal by unauthorised persons. The City Council, like the former Regional Council before it, had accepted that this interference made it difficult to imagine arguing with a motorcyclist claiming that he had exhibited a ticket but that someone had removed it without authorisation. Even securing a ticket in a second tax disc holder was not going to make it invulnerable from interference, and so, whether in good or bad faith, a motorcyclist would always be within the bounds of reason if he or she were to aver the unauthorised removal of a ticket. This made it essentially impossible to sustain the Council's position vis-à-vis any penalty charge notice contested.

Also, the Local Transport Strategy aimed to increase the use of motorcycles since they maximised efficient use of limited road space, and were altogether strategically desirable. Accordingly, in the absence of any real problem, and given the relative strategic desirability of free motorcycle parking, the report was inclined to favour the continuation of dedicated motorcycle parking areas in central areas, and the acceptance that, in controlled parking bays where a pay and display ticket or a voucher was required, it was acceptable (and also realistic) to concede that the few

motorcycles left in such areas be treated as having been left there legitimately, even if a ticket or voucher had not been exhibited.

It was noted in passing that there were no realistic concerns that some motorcyclists were buying pay and display tickets or vouchers in good faith, and leaving them on their motorcycles, while others in the motorcycling community had picked up on the idea that an official “blind eye” was being turned to motorcycles *not* exhibiting tickets. On the contrary it was very likely that almost all motorcyclists assumed they were entitled to park free of charge in controlled parking bays, and it was also clearly the case that very few did in any case.

The present report now summarised existing usage of dedicated motorcycle bays, which was largely dictated by the time of year, or the weather. There were less motorcyclists on the road in wintry or wet weather conditions. The following table had been circulated to show existing levels of use:-

<u>MOTORCYCLE PARKING</u>			
Location	No of car parking bays converted	* Frequency of use - A, B or C	Comments
On-street parking (Lined and signed only)			
Bon Accord Street	2	A	
Queen Street	2	A	
Union Terrace	2	B	
Golden Square	3	B	
Loch Street	2	B	Could reduce overall parking provision by removing one car parking space
Schoolhill (Inset)	2	B	Motorcycles tend to park at the back of the wide footway at present. Recommend to keep spaces but educate through letters requesting they park within spaces provided.
Justice Street	1	C	
Charlotte Street	2	C	Could reduce overall parking provision by removing one car parking space
Rose Street	1	C	
Rubislaw Place	2	C	Could reduce overall parking provision by removing one car parking space

MOTORCYCLE PARKING (cont.)			
Location	No of car parking bays converted	* Frequency of use - A, B or C	Comments
On-street parking (with bollards and security rail)			
Huntly Street	2	A	Cannot easily revert to on-street parking, however given the frequency of use this would be unlikely
Crown Street	2	A	Cannot easily revert to on-street parking, however given the frequency of use this would be unlikely
Surface car parks (lined and signed)			
Summer Street	2	A	
Gallowgate	2	A	
Multistorey car parks (lined and signed)			
Chapel Street	4	A	
Denburn	4	A	

* **A - well used: B – used, but intermittently/seasonal: C - lightly use**

The Working Party resolved:-

to request the officials to enter into discussions with motorcycle organisations on the possibility of seasonal use of existing spaces (including additional locations compatible with this) and that, upon conclusion of these discussions, to report directly to the Enterprise, Planning and Infrastructure with definitive recommendations, including observations on whether there might yet be realistic means of securing parking tickets (or permits) to motorcycles.

PARKING PERMITS FOR SERVICEMEN AND SERVICEWOMEN

3. The Working Party had before it a report by the Director of Enterprise, Planning and Infrastructure outlining concerns about how military servicemen and servicewomen sometimes purchased residential permits from which they ended up getting very little good. Formerly, permit holders had been entitled to a pro rata refund for “unused” months of their yearly entitlements, but this had been withdrawn after the introduction of three and six month options. These options had precluded the need for a refund system in most cases but did not cure the possible unfairness of the predicament in which servicemen and servicewomen might find themselves if they were called away on unexpected long-term trips abroad.

The report went on to outline three options on this issue, the first being to do nothing (because the issue had only ever been raised on one occasion), the second being a system of free permits which would involve significant implementation costs (especially in relation to the need for elaborate negotiations with the Ministry of Defence), and the third being an option for members of the armed forces to surrender three, six or twelve month permits and receive refunds proportionate to the number of full months remaining.

The Working Party resolved:-

to recommend to the Enterprise, Planning and Infrastructure Committee that the third option be implemented.

NOTICE OF MOTION BY COUNCILLOR DONNELLY “TRADES ANNUAL PARKING PERMIT”

4. The Working Party resumed its discussion of the issues arising from Councillor Donnelly’s motion to the Council on 25th June, 2008.

The motion had been in the following terms:-

“Calls on this Administration to introduce a levied “Trades Annual Parking Permit” to assist the city’s plumbers, electricians and joiners, etc. to carry out their work unhindered in the city’s parking areas. This would not apply to parking in no parking areas.”

The former Grampian Regional Council in the early eighties had introduced the first controlled zones to help residents park near their homes, and also to increase short-term turnover in the centre of the city. As the zones then increased in number in the nineties, a more distinctive strategic element had emerged, in which commuters had been posed challenges about their transport choices.

A family entering the city every weekday morning, perhaps dropping off two children at different private schools before one parent was dropped off at work and the other parent took the car on the final part of its morning journey, was clearly unrealistic to contemplate as an operation which could be done by bus. However, many commuter journeys were much less logistically complex, and were more likely to involve a single person driving from (say) Ferryhill to Foresterhill, a journey that could quite conceivably be undertaken by many people without using a private car. Accordingly, to stay with that particular example, the Foresterhill controlled parking zone had posed a challenge to hospital workers; namely, if you insist on taking a car and parking it in the residential streets surrounding the hospital, there will be a charge, a charge unashamedly intended to be a deterrent.

This whole ethos of “posing a challenge” meant that one thing was bound to be clear; the Council had to be able to justify its position when critics asked if Council staff were also posed the same challenge. Over the years, issues surrounding this value judgement had come and gone, but the fundamental point had always been protected at all costs; Council staff should enjoy absolutely no *on-street* parking privileges for private cars. Yellow vans were arguably different, as indeed were the vans of statutory undertakers in general, and there were long-standing conventions

whereby Council staff enjoyed the benefits of season tickets purchased for them by their departments, by virtue of which their private cars would then be parked *off-street*. But, whatever debates might be had about off-street arrangements, or vans on-street, it was clearly completely unacceptable for Council staff to have any kind of privilege vis-à-vis *private cars* in on-street zones.

This was perhaps the essential point of departure for thinking about contractors and tradesmen. They had not necessarily been compared directly to statutory undertakers' vans; statutory undertakers had a higher exemption status than private contractors, regardless of how logistically exigent the needs of the latter might be. Nevertheless, it was commonly accepted that that distinction was not easy to sustain, especially in some cases, and so private contractors in Aberdeen had for many years enjoyed a limited privilege (covered in the traffic orders) whereby, after transacting with the parking office, they could obtain from the pay and display machines discounted tickets for a single day's (cheaper) parking presence outside properties where they were working.

Councillor Donnelly's motion opened up the possibility of eliminating the unwieldiness of having to transact with the parking office every morning. If a plumber or joiner was going to be working at a property for several days, he would have to renew the discounted parking arrangement every day, and, for that matter, satisfy the parking office that the request was not merely a matter of routine convenience but a genuine logistical issue.

However, it was frequently invidious for the parking office, or parking attendants on the beat, to have to try to distinguish between genuine logistical need and routine convenience. Clearly, there was a grey area where either could be adduced, depending on subjective impressions.

To that extent, Councillor Donnelly's motion had the virtue of eliminating value judgements about levels of need. On the contrary, the motion accepted that, if a contractor was willing to pay for it, the new kind of permit now being contemplated would be able to be used in all situations. In other words, the view would be taken that tradesmen simply deserved the flexibility and convenience of privileged parking, but perhaps at a significant price.

In this respect, the current report offered detailed discussion of the various options, including comparison with Dundee, Perth and Kinross, Glasgow and Edinburgh. In Aberdeen, of course, contractors could phone the parking office and obtain a discounted ticket from the machine. Dundee City Council did nothing, and contractors simply passed on parking charges to their customers (or not, if they so chose). Perth and Kinross Council had a £10 daily charge for contractors, more expensive than Aberdeen *but* the contractor was required to turn up in person at the parking office every day. Glasgow City Council had no specific scheme, but contractors could use residential scratch cards obtainable from the parking office for £2. Edinburgh City Council had "trades parking permits" which cost £100 per month or £1,000 per year. Vehicles had to be registered to the business, be insured as works vehicles, and be liveried. Also, the permits only applied between 9am and 4.30pm (the times of lowest residential demand).

The Working Party resolved:-

to recommend to the Enterprise, Planning and Infrastructure Committee that Aberdeen City Council establish for a trial period a variation on the Edinburgh

system, at only £50 per month, but with the cost to be reviewed after a year of operation. Also, unlike Edinburgh, the Aberdeen system would neither require that permits were vehicle-specific nor that vehicles be liveried. Nor would there be any daily time limitation.

MANAGEMENT OF CONTROLLED PARKING

5. The Working Party had before it a report by the Director of Enterprise, Planning and Infrastructure discussing a range of issues on the future development of the on-street controlled areas. The report suggested that the Working Party might recommend to the Enterprise, Planning and Infrastructure Committee that officers be requested to take steps

- (1) to adjust charges in the forthcoming zones M and X to bring them into line with other zones nearby;
- (2) to re-engage with local retailers in Foresterhill to re-establish easy availability of vouchers for that zone;
- (3) to review the priority of future controlled parking areas and report back to the Committee on this, with particular reference to the impact of Union Square on the Palmerston area, which might well now be able to be adduced as the highest priority;
- (4) to investigate afresh existing zone boundaries and examine the implications of changing them;
- (5) to review price structures throughout the zones;
- (6) to investigate the possibility of introducing differential charging between different zones; and
- (7) to examine the implications of introducing emission-based charging.

The Working Party resolved:-

to recommend to the Enterprise, Planning and Infrastructure Committee that all of these proposals be affirmed, noting in particular that proposals 4 – 7 pointed to the longer-term possibility of recasting existing orders in the form of a single new piece of legislation, which would be a significant undertaking but by no means undesirable in view of the complex welter of existing traffic orders in operation at the moment.

- **CALLUM McCAIG, Convener.**