

SCOTTISH BORDERS COUNCIL PETITIONS AND DEPUTATIONS COMMITTEE

MINUTE of Meeting of the PETITIONS AND DEPUTATIONS COMMITTEE held in the Council Chamber, Council Headquarters, Newtown St Boswells, on Thursday, 6 October, 2016 at 10.00 am

Present:- Councillors A. J. Nicol (Chairman), D. Paterson, J. Torrance and T. Weatherston

Apologies:- Councillors S. Bell and D. Parker

Also Present:- Councillors W. McAteer, S. Marshall, G. Turnbull.

In Attendance:- Team Leader – Road Safety and Traffic Management, Assistant Engineer Traffic and Road Safety, Clerk to the Council, Democratic Services Officer (F. Walling).

Deputation:- Mr Derick Tait (Chairman – Future Hawick), Mr Lindsay Grieve, Mrs Libby Potts.

CHAIRMAN

The Chairman welcomed Mr Derick Tait, Mr Lindsay Grieve and Mrs Libby Potts to the meeting and asked for a round of introductions from the Members and officers present.

1. **MINUTE**

There had been circulated copies of the Minute of 31 May 2016.

DECISION

APPROVED and signed by the Chairman.

2. **THE DEPUTATIONS PROCEDURE**

There had been circulated copies of an extract from the Scottish Borders Council Deputations Procedure which set out the process to be followed at the meeting.

DECISION

NOTED.

3. **PARKING PROBLEMS ON HAWICK HIGH STREET**

There had been circulated copies of a deputation received from the organisation Future Hawick, regarding parking problems on Hawick High Street. There had also been circulated copies of a briefing note by the Depute Chief Executive (Place) in response. It was stated within the deputation submission form that the removal of the warden service had seen a marked increase in the abuse of parking regulations on Hawick High Street, to such an extent that it was having a detrimental effect on High Street businesses and that a solution was required. The deputation was presented at the meeting by Derick Tait, Chairman of Future Hawick. He explained that parking regulations were constantly flouted in Hawick and that the parking problems in the High Street had become a regular topic for discussion at meetings of Area Forums, Community Councils and Future Hawick, and were a constant feature in the local press. Correspondence with local Community Policing Inspector Carol Wood advised that present levels of policing did not have the capacity to enable more than random enforcement. Mr Tait referred to the 3-day survey carried out by the Council as detailed in the Depute Chief Executive's briefing note. He pointed out that the survey was a general overview that did not deal with specifics. It did not cover early morning or late afternoon periods and the recording circuits were not

relevant to the 30 minute restrictions in place. He was also very surprised that there was no record of double parking. A survey carried out by Future Hawick had showed instances of congested parking on single and double yellow lines; all-day parking by residents and visitors; over-long loading and unloading procedures; parking in designated loading bays and bus stops; double parking preventing through traffic; and parking at or near road junctions preventing vehicle access. When combined, these issues posed serious problems, for emergency vehicles for example, and resulted in a decreased footfall on Hawick High Street at a time when a lot of businesses were suffering an economic downturn. Businesses were trying to deal with the situation by contacting the police and in some cases had placed their own 'warning notices' on vehicles, but to little avail. The situation had reached the stage where action was required. Mr Tait also produced a report of a meeting of residents and business owners on 26 November 2015 which provided a list of specific examples of ignoring parking regulations and the resulting problems caused in the High Street. He emphasised that businesses were having to deal with a situation which was not of their making. They paid their rates and needed more consideration by the Council.

- 3.2 Lindsay Grieve, proprietor of a butcher's shop in the High Street, reiterated the fact that the problems had increased since the removal of the Traffic Warden Service. A survey of sales carried out by his wife had proved that the business was losing trade due to the inability for customers to park outside or near the shop. Many cars near the shop were noted to be parked all day and longer. A phone call to police about a van parked outside the shop for 4 days did not result in a fixed penalty ticket as the van was moved before the police arrived. It was not possible for police to enforce parking regulations if they were not present to record the length of time vehicles had been left. When Mr Grieve took action and placed cones outside his shop to reserve parking space for a delivery van that was expected, he himself was reported to the police. Mr Grieve accepted that many of the cars that were parked all day on the street belonged to owners or staff of shops on the High Street. He also referred to Council staff at the Town Hall and pointed out that there tended to be an abundance of cars when people attended meetings there. Libby Potts owned a pet shop on the side of the High Street that was subject to parking regulations that restricted parking until after 10 am to allow for deliveries. She told the Committee that these restrictions were never followed and that the side of the street was full of vehicles by 9 am. This caused particular problems for deliveries to her shop, exacerbated by the fact that the type of goods involved were heavy e.g. 25kg bags of bird feed. This very often resulted in the need for double-parking, which obstructed the road, or the requirement to carry goods over a long distance and leaving the shop unattended as a consequence. It was noted that a Traffic Regulation Order was currently being processed by the Council to put in a loading bay outside the shop but Mrs Potts had observed that a loading bay in another part of the High Street was not being respected. She confirmed that trade at the pet shop was being lost due to lack of parking and that staffing levels were being affected as a result. Customers had told her that they had driven several times down the High Street and, as there were no parking spaces, had finally gone to a supermarket instead.
- 3.3 Councillors sympathised with the situation. In response to a question about any connection between the one-way system and the parking problems being experienced, Councillors were told that although initially against the one-way system business-owners now believed this did alleviate previous traffic problems. However, it was not the one-way system that had increased the parking problems but the removal of the traffic wardens. With regard to whether police seen patrolling the street were actually issuing penalty tickets where parking regulations were contravened, Mr Tait believed that police action in this respect tended to be reactive rather than proactive and police could only do as much as resources allowed. Generally police took action only if the offending vehicle was causing an obstruction.
- 3.4 The Council's response to the deputation was presented by Jim McQuillin, Team Leader for Road Safety and Traffic Management and Russell Cramb, Assistant Engineer Traffic and Road Safety. Mr McQuillin referred to the briefing note which gave the background

to the review of on-street parking and traffic management. In February 2014 Police Scotland withdrew their Traffic Warden Service in Scotland. On-street parking transgressions in the SBC area remained a criminal offence and enforcement responsibility lay solely with Police Scotland regardless of the fact that they no longer had a dedicated Traffic Warden Service. It was explained that Decriminalised Parking Enforcement (DPE) was a regime which enabled a local authority to administer its own parking penalties. In areas with DPE, stationary traffic offences ceased to be criminal offences enforced by the police and instead became civil penalties enforced by the local authority. DPE could only be introduced on an authority wide basis. There was no mechanism for pilot studies or permanent schemes on a reduced area or town by town basis. It was however entirely up to individual local authorities how it applied its resources once DPE was introduced. An alternative to DPE was to use The Police and Fire (Reform) Act 2012 as a mechanism to require the police to address parking enforcement as part of the local policing plan. This would be in addition to any current enforcement that was being undertaken. The Council was currently considering its position with regard to the future management of on-street parking and it was hoped a decision would be made on this in the near future. The Council had agreed at its meeting of 29 June 2016 to undertake parking surveys at key town centres across the Scottish Borders to establish the scale of the problem prior to recommending a way forward.

- 3.5 In Hawick the surveys were undertaken on 3 consecutive days starting on Thursday 11 August 2016. Pre-warning of the survey was not given to business owners as this may have distorted the results. The findings were as follows:

Occupancy Levels:

In overall terms the town centre was at times close to, but always below capacity. The High Street itself was typically at between 80% and 90% of capacity on weekdays and somewhat less than that on a Saturday.

Length of Stay:

Generally, this was very positive with a significant majority (85%) of vehicles only staying for under an hour at a time. Where there were exceptions to this it tended to be for much longer periods, often for the whole 8 hour survey period.

Turnover Levels:

This was mixed across the area with poor turnover in O'Connell Street, but reasonable to good turnover in most of the High Street and the north side of Bourtree Place.

Observations on Restricted Parking:

There were a number of observations of parking on double yellow lines but in the main most restricted sections were actually quite well observed. A marked exception to this was a 26 metre length on High Street where there was much more regular abuse. Officers indicated the stretch in question on a map they produced at the meeting. With the occasional exception, those observed as parking on either double yellow lines or a single yellow line were gone by the time of the next recording circuit (i.e. within the half hour). There was also observance of vehicles parked - or waiting - on zig-zag markings, keep clears and disabled bays when not entitled to do so. Again this tended to be for short periods.

- 3.6 Unfortunately there was no comparable survey in Hawick prior to the removal of traffic wardens. Comparison between before and after on-street parking studies in Peebles High Street and Eastgate however, suggested that the withdrawal of traffic wardens had not had as big an impact as was generally perceived and parking habits had not actually changed significantly over the period. Officers recommended that the Committee took no further action at this stage and that it allowed the Council to take a view on the preferred way forward in relation to on-street parking and traffic management when a report came before it in November. It was noted that the use of a disc parking scheme in some areas was one of the measures under consideration and that, if introduced, should assist in the enforcement of parking restrictions.

- 3.7 With regard to length of stay findings, Mr Tait asked the officers if the survey had revealed figures for the percentage of cars parked for under 30 minutes which was the length of time permitted under the regulations. Mr McQuillin explained that the recording circuits had been based on a 30 minute beat and would have to have been doubled-up to record every 15 minutes to give that figure. He confirmed that some vehicles remained in the same place for the whole 8 hour period. Mr Tait noted the suggestion in the briefing note that the withdrawal of the Traffic Warden Service had not had as much effect as predicted. He said he would dispute that. In response to Mr Grieve's observation that a uniformed Council warden walking down the High Street en route to checking off-street parking in the nearby pay and display car parks had the effect of cars along the street being removed and a period of relative adherence to restrictions, Mr Quillin advised that the warden was asked to take the long route along the High Street for that very reason. In further discussion Mr McQuillin agreed with the point made by Councillors that the parking problems being experienced in Hawick were reflected in other towns across the Borders.
- 3.8 Councillors discussed the information that had been presented in the deputation and the response from officers. Sympathy was expressed by all the Councillors about the problems being experienced by the businesses along Hawick High Street as a result of parking problems. A point was also made that on occasion the presence of a traffic warden could dissuade people from parking and therefore not be good for business. It was agreed that a common sense approach was needed around the enforcement of parking regulations and that traffic wardens also had an important role in keeping traffic moving. Members noted that there was an issue about the timing of the deputation and therefore agreed with the recommendation to allow Council to take a view on the preferred way forward in relation to on-street parking when a report was presented in November. However the Committee went on to discuss whether there were any small steps that could be taken in the meantime to help mitigate against the particular problems being experienced on Hawick High Street. As, had been noted, a large percentage of offending vehicles in the High Street actually belonged to the businesses who operated there, it was suggested and agreed that a letter should be written from the Council to all occupiers of property along the street. The letter should explain that the Council would be looking at the way forward for management of on-street parking in the near future but that in the meantime it was in their own interests to abide by the 30 minute parking restrictions which were in place. It was also agreed to post notices in the Town Hall to remind staff and visitors not to park in the High Street if their visit would last longer than 30 minutes and to give directions to the nearest car parks. Police Scotland should be kept informed of the steps being taken.
- 3.9 On behalf of the Council, the Chairman expressed his gratitude to the representatives of Future Hawick for bringing the deputation forward for consideration, and thanked the officers for their attendance. Mr Tait thanked the Committee for hearing the deputation, for being constructive and for the steps being taken.

DECISION

(a) NOTED:-

(i) the deputation; and

(ii) that a report would be presented to Council in November to allow consideration on the preferred way forward in relation to on-street parking and traffic management.

(b) AGREED that in the meantime in an attempt to alleviate the parking problems experienced in Hawick High Street, the Depute Chief Executive (Place) be requested to:-

(i) write to all occupiers of property on the High Street, Hawick to explain that the Council would be looking at the future management of on-

street parking but to remind them in the meantime of the current parking restrictions in place for the High Street and that it was in their interests to abide by these;

- (ii) post notices in the Town Hall to remind staff and visitors not to park in the High Street if their visit would last longer than 30 minutes and to give directions to the nearest car parks: and**
- (iii) keep Police Scotland informed of the steps being taken.**

The meeting concluded at 11.00 am