

The Highland Council

City of Inverness Committee – 1 December 2016

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| Agenda Item | 9 |
| Report No | CIA/51/16 |

Consideration of Objections to Decriminalised Parking Enforcement Order Car Club Bays

Report by Director of Community Services

Summary

Subject to The Local Authorities' Traffic Orders (Procedure) (Scotland) Regulations 1999, unresolved objections made to a Traffic Regulation Order must be considered by the appropriate committee and in making the order in part, as per section 18 of the act the unresolved objections may be heard without delaying the bulk of the order.

Section 18 paragraph 2 - The Local Authorities' Traffic Orders (Procedure) (Scotland) Regulations 1999:-

Where an order has been made in part in accordance with paragraph (1), the authority may subsequently deal with the remaining proposals to which the order relates in any, or any combination, of the following ways:-

- (a) abandon them;
- (b) defer a decision on them;
- (c) make an order or orders giving effect to them in whole or in part.

1. Background

- 1.1 16 Car Club Bays have been advertised as part of The Highland Council (Prohibition and Restriction of Waiting and Loading and Parking Places (Decriminalised Parking Enforcement and Consolidation) Order 2016.
- 1.2 Inverness Members have been briefed previously on the benefits relating to Car Club provision through several committees. Community Services have taken the opportunity of advertising a new TRO for decriminalised parking to include this provision of Car Club bays as part of a 2 year trial in partnership with two National Car Club providers.
- 1.3 The bay locations were chosen to offer the best chance of success based on the Providers considerable expertise in this field and minimise the impact on existing on-street waiting & loading provision.

- 1.4 Concerns raised by Members representing Inverness City wards lead to a briefing being held on the 28 September at which three members attended. Although concerns were raised by two members present on behalf of their constituents, no written objections had been received on the sites mentioned. Members were assured that any sites that were subject to unresolved objections would be removed from the TRO for their final decision as per the approved procedure.
- 1.5 The new On Street Traffic Regulation Order has been advertised for consultation and subsequently “made” in part, omitting six Car Club Bays in four locations as objections to these bays could not be resolved.
- 1.6 Sites formally objected to:
- 2 Bays on Academy St
 - 2 Bays on Castle St
 - 1 Bay on upper Church St
 - 1 Bay on Bank St
- 1.7 Unresolved Objections were received from Crown Community Council and Inverness BID on the sites listed above in **Appendix 1**.
- 1.8 The bay locations were proposed after lengthy consultations with the proposed Car Club Service providers and were identified as sites which in their considered opinion offer the best level of service and therefore best chance for delivering a successful scheme within the 2 year trial period proposed.
- See appendix 2 - Car Club Trial Provision 2016**
See appendix 3 – feasibility Study 2014
- 1.9 Community Services reviewed the locations originally proposed and agreed on most locations but not all. After numerous reviews of location suitability 16 locations were proposed and advertised in the Traffic Regulation Order.

2. Implications

- 2.1 The removal of these bays from the proposals will impact on the viability of the scheme as agreed with the proposed providers. Alternative sites will require to be found to enable the viability of the Trial, and would involve a completely new amendment to the Traffic Regulation Order and all the risks and delays inherent to that process.
- 2.2 As can be seen from the Car Club Proposal attached these locations have been achieved through no or little net detriment to other parking/loading facilities.
- 2.3 The objectors do not object to the principal of Car Club provision - but do not agree with Community Services and the Providers that these are the best locations for these bays.

Recommendation

The Committee is invited to support the view of the service that these Car Club Bays are agreed in the locations as advertised and the objections are not upheld.

Designation: Director of Community Services

Date: 3 November 2016

Author: Shane Manning, Principal Traffic Officer

Background Papers: Unresolved Objections from Crown Community Council and
Inverness BID
Car Club Trial Provision 2016
Feasibility Study 2014

Appendix 1

Crown Community Council - Objections

Dear Shane

Crown Community Council sustains their objection to the above traffic order as detailed in our email of the 30 September 2016.

regards
Les Houlker

From: Shane Manning <Shane.Manning@highland.gov.uk>

To: "LESLIE HOULKER" [REDACTED]

Sent: Thursday, 6 October 2016, 17:22

Subject: RE: Decriminalised Parking Enforcement and Consolidation Order 2016

Dear Leslie

I refer to your objection below on behalf of the Crown Community Council

“Whilst we are supportive of the aims of the car club we do not think it appropriate to site bays on Academy Street and Bank Street where there is currently no public parking. The bay on Church Street is also not close to residential units. The Council could consider siting more bays on Strothers Lane and perhaps Friars Street within the pay and display parking as this is not well used, as these streets are close to residential units both existing and proposed. It would also make it easier to convert these bays for electric charging if they are grouped together rather than scattered about the city centre. This would not be an inconvenience as we have a compact city centre with short walking distances.”

The location of the initial Car Club Trial bays is heavily based on the business requirements of the providers who have identified the sites they feel are most viable to help establish the service. As they are carrying all the risk and costs and are the experts in this business I must support the proposals we have agreed after much discussion with them on site locations. At the end of the day THC are enablers here not providers. Any location chosen to deliver this service will be contentious but the goal is actually to reduce the pressures on parking by offering an alternative to vehicle ownership. Please understand that the successful deployment of Car Club schemes reduces car ownership in a city and therefore the demands on parking - in addition, for every Car Club vehicle provided it is shown that on average 8 vehicles can be removed from the road network. Our service is trying to improve the situation for City users by introducing this trial in line with proven success across the UK, but if unsuccessful in achieving its goals in Inverness then we will be glad to review bays

- The Academy St & Bank St Locations are chosen to highlight the presence of Car Clubs and service residential, business users and visitors.
- The bay on Church St has been compensated by an additional Pay & Display Bay further up the street outside Weatherspoon's and has been chosen to accommodate many Church Street residents who do not have access to Parking as City dwellers and are seen as prime users of such a service.

Please consider my response and inform me by return if you wish to sustain or withdraw your objection. In the event of a sustained objection I propose withdrawing these bays from the Order as published and take the matter to the Inverness City Committee to resolve.

Kindest Regards

Shane Manning

Principal Traffic Officer

Traffic Management & Control Team

From: LESLIE HOULKER [REDACTED]
Sent: 30 September 2016 16:08
To: Policy
Cc: Crown Community
Subject: Decriminalised Parking Enforcement and Consolidation Order 2016

Dear Sirs,

THE HIGHLAND COUNCIL (PROHIBITION AND RESTRICTION OF WAITING AND
LOADING AND PARKING PLACES) (DECRIMINALISED PARKING ENFORCEMENT
AND CONSOLIDATION) ORDER 2016

With regards to the above draft order Crown and City Centre Community Council object to the location of some of the proposed car club bays.

Whilst we are supportive of the aims of the car club we do not think it appropriate to site bays on Academy Street and Bank Street where there is currently no public parking. The bay on Church Street is also not close to residential units. The Council could consider siting more bays on Strothers Lane and perhaps Friars Street within the pay and display parking as this is not well used, as these streets are close to residential units both existing and proposed. It would also make it easier to convert these bays for electric charging if they are grouped together rather than scattered about the city centre. This would not be an inconvenience as we have a compact city centre with short walking distances.

Yours faithfully
Les Houlker

Inverness BID - Objections

Shane

To confirm we are happy to accept your proposals to our Objections 1 & 2.

With regard to our Objection 3 (Car Club) our concerns remain and thus the objection remains.

Regards

Mike Smith
Manager
Inverness Business Improvement District (BID)
111 Academy Street
Inverness
IV1 1LX

01463 714550

From: Shane Manning [<mailto:Shane.Manning@highland.gov.uk>]

Sent: 06 October 2016 15:54

To: Mike <[BIDmanager@inverness.uk.com](mailto: BIDmanager@inverness.uk.com)>

Subject: RE: Objections to On Street Order

Hello Mike, do you have a resolution to your position on the Objections I addressed in my last email. I would dearly like to resolve this issue as soon as possible.

Regards

Shane Manning

Principal Traffic Officer

Traffic Management & Control Team

From: Mike [<mailto: BIDmanager@inverness.uk.com>]

Sent: 30 September 2016 14:20

To: Shane Manning

Subject: RE: Objections to On Street Order

Shane

Thanks for your swift response and note your acceptance of our objections 1 & 2.

We will need to take consider No 3 further and will be back to you shortly.

Regards

Mike Smith
Manager
Inverness Business Improvement District (BID)
111 Academy Street
Inverness
IV1 1LX

01463 714550

From: Shane Manning [<mailto:Shane.Manning@highland.gov.uk>]
Sent: 30 September 2016 13:46
To: BID <BIDmanager@inverness.uk.com>
Cc: Stewart Fraser <Stewart.Fraser@highland.gov.uk>
Subject: Objections to On Street Order

Dear Mike and BID group,

Please find attached our response to the Items you have mentioned:

Item 1 Objection

We have been asked by BID member Highland Print & Design of Church Street to register an objection to the new Traffic Regulation Order (TRO) which has led to the designation of a 4 bay taxi rank outside the Co-Op in Church Street.

BID supports this objection and agrees with Highland Print & Design's proposal that if there is a need for any such taxi provision in the area it should be limited to a 2 bay rank for the taxis as it is very important to the local businesses that sufficient slots are designated for loading.

To assist and increase the loading capacity, we would also propose that the police car bay on the same side of the road (outside Alba Travel) which is very little used, is moved to a less busy area and the space allocated for loading.

Item 1 Response

We will reduce the taxi Bay to 2 vehicle lengths and remove the police bay

Item 2 Objection

I have been asked by the BID Board who act on behalf of the local city centre businesses, to register objections to each of the following new Traffic Regulation Order (TRO) which designates each of the following sites as "Loading Only 8am – 6pm"

- Millburn Road, Lochgorm to Farm & Household should be "Loading Only, Monday-Saturday 8am-6pm"
- Academy Street, outside Phoenix to Red Pepper should be "Loading Only, Monday-Saturday 8am-6pm"
- Post Office Avenue, behind the Post Office should be "Loading Only, Monday-Saturday 8am-6pm"
- Castle Street, outside Rouge Boutiques should be "Loading Only, Monday-Saturday 8am-6pm"

In our experience none of the above loading bays are required on a Sunday and therefore should be available for public use on that day.

In addition, it doesn't appear that the current restrictions to High Street have been included in the Traffic Order therefore we would ask that the TRO be amended to "no access Monday – Friday 11-3pm and Saturday 10am-5pm".

Item 2 Response

We will amend the Loading restrictions you have listed to match your times

We are not changing any restrictions on the High St and will amend the drawing to reflect that.

No Waiting At Any Time –

No Motorised Vehicles except for Loading

Mon-Fri

Midnight - 11am

3pm - Midnight,

Saturday

Midnight - 10am

5pm - Midnight

Sunday

At any time.

Item 3 Objection

New Traffic Regulation Orders in Inverness City Centre

We have been asked by BID members who are local city centre businesses to register objections to the following new Traffic Regulation Orders (TRO) which has designated the following as Car Club bays in:

- Church Street x1 adjacent to Leakey's Book Shop
- Academy Street x2 adjacent to Red Pepper
- Bank Street x1 outside the Mercure Hotel
- Castle Street x1 opposite 79-81 Castle Street

The Highland Council's trial Car Club Hire Scheme is focused on encouraging residents rather than the more transitory visitors to become members of the Car Club and be regular users of these vehicles.

As none of the above designated areas have significant residential accommodation in their vicinity we support the objections from the businesses that these sites are not suitable designations for parking for a Car Club scheme.

The scheme is targeted at all users both locals and visitors as the car club providers are national and membership is valid everywhere.

Obviously by creating the new bays the Highland Council has accepted that there wasn't the demand for the previous designated use and thus BID would propose that all these bays are reallocated to Pay & Display as there is inadequate capacity to meet the on street demand of the city centre users for such spaces.

It is only in light of imminent DPE enforcement that capacity will be available to cater for Car club provision and we are not asking for views on alternative uses of any capacity but specifically use as Car Club Bays. Any other use does not address congestion, pollution, car ownership and service provision to city residents and visitors.

BID considers such a reallocation to Pay & Display would show the Highland Council's support for local businesses and we ask that you be supportive of our objection.

Item 3 Response

The Car Club bay provision is as a result of lengthy discussions with the commercial providers who have judged these locations to be the best suited to their business model and

will have the highest impact and probability of success. The Highland Council is an enabler in these discussions to bring a new sustainable transport solution to the city of Inverness.

- Church St – 1 Bay outside Book Shop. This bay has been compensated by the addition of a Pay & Display Bay at the end by reducing the length of loading bay. There will still be a length of 29.7m of loading available in this section of Church St.
- Academy St – 2 bays. These bays are wholly additional combined with additional loading bays and disabled bays provided as part of the DPE exercise.
- Bank St – 1 bay. This bay is provided in addition due to extra roadside space received from the flood scheme, the allocation of that space had not been agreed and it is our intention to promote this location as a Car Club bay and soon a sightseeing coach pick up point as there is also adequate additional Loading that was provided by the flood scheme.
- Castle St – 2 bays, these bays have been highlighted as new provision and does not impact on current facilities

Can your group consider these responses and if you are satisfied please formally withdraw your Objections.

Shane Manning

Principal Traffic Officer

Traffic Management & Control Team

The Highland Council

Car Club - Trial

2016

| | |
|--------|---------------------|
| Page 2 | Introduction |
| Page 3 | Background |
| Page 4 | Current Action |
| Page 5 | Inverness Provision |
| Page 7 | Licensee Agreement |
| Page 9 | Appendices |

Introduction

Car Clubs provide a cost effective and environmentally friendly service reducing overall vehicle ownership and therefore the number of vehicles driving in our towns and cities.

In successful schemes it has been shown that for every 1 car club vehicle 8 vehicles are removed from the network.

This scheme has no direct cost to the council but by providing the facilities we are supporting a sustainable transport solution and funding will be received from Scottish Government through “car plus” to support this project.

Visit www.carplus.org.uk to discover Car Clubs and the benefits they can bring.



- **Book**
Book a car online or by phone, weeks ahead or with just a few minutes' notice, for anything from an hour to a weekend. Whatever works for you.
- **Unlock**
Unlock a car in your neighbourhood, parked in a designated parking bay. It's clean and ready to go. Just swipe your smart card get the keys from the car, and off you go.
- **Drive**
Drive for as long as you've booked it for (anything from an hour to a weekend or more) for an hourly rate from as little as £3.50. When you've finished just return your car to the same location.
- **Pay, It's easy.**
Payment is taken from your account. You get a breakdown by email or text message. No forms, no fuss.

Background

“The Council has a commitment in its Programme, “Working together for the Highlands, 2012-17”, that it will maintain its commitment to Scotland’s Climate Change Declaration and work with everyone to achieve a Carbon CLEVER Highlands by 2025 (a carbon neutral Inverness in a low carbon Highlands).”

Highland Council agreed Carbon CLEVER statement

“4th March 2014, At the meeting of the City of Inverness Area Committee, the potential of an Inverness Car Club was discussed. A city car club can reduce the perceived demands on households to own cars and reduce car ownership, which is the most successful way to reduce mileage. Car club vehicles are typically small with a modern engine and have very low associated carbon emissions. Such schemes are operated in many Scottish cities and can be operated using a commercial or not for profit models. The Climate Change Team, Chief Executive’s Office have been working with Carplus, a not-for-profit, environmental NGO, to understand the feasibility of an Inverness car club.”

City of Inverness Area Committee

“In September 2014, Carplus commissioned transport consultant Steer Davies Gleave to analyse the potential of developing a car club in Inverness. The study (Appendix 1) analyses the potential demand for a car club in Inverness; summarises the environmental and societal benefits of developing a car club; and provides guidance as to potential development actions and timeframes required to build the customer base.”

Agreed research

2nd December 2014 City of Inverness Area Committee – “During discussion, Members expressed their thanks to Officers within the Carbon CLEVER team for the work which had been undertaken and particularly welcomed the proposals in regard to an Inverness Car Club which it was suggested could be of considerable benefit to the area. In this regard, it was agreed that both marketing and behavioural change would be crucial to any future benefits.

Thereafter, the Committee:-

- i. AGREED that the Climate Change Team with stakeholders should develop a tender proposal in relation to an Inverness Car Club;*

City of Inverness Area Committee

Recent Actions

Following this earlier engagement by our Carbon Clever Team in 2014 there had been little progression with actual Car Club delivery.

In July & August 2016 two car club providers contacted the Highland Council to propose providing their commercial services in Inverness as soon as possible.

Meeting between Community Services, Development & Infrastructure, Hitrans & the providers took place to outline their proposals.

They are very keen to make the substantial investment in fleet provision and seek to start around October 2016.

As the community services Traffic Management & Control Team are currently engaged in a major review of the on street parking waiting & loading restrictions as part of Decriminalised Parking Enforcement they have taken up the cause to deliver viable Car Club infrastructure in the form of Car Club Bays

To deliver this timeously Community Services has agreed to run a trial which will involve creating Car Club bays on street and in car parks around the Highlands that will allow vehicles to be made available for hire for an hour or a day by joining a car club.

This trial will allow both a better understanding of the service from a customer basis and give a real world baseline to produce a more value for money tender in the future.

The service will be provided by the commercial companies approved by the council and could begin as early October 2016. These “car club” bays will be fully protected by Traffic Regulations and if you park in them and you are not in a car club vehicle you will be issued with a Penalty Charge Notice. This is key to the provision as without fixed locations the Car Club cannot operate.

Inverness Provision

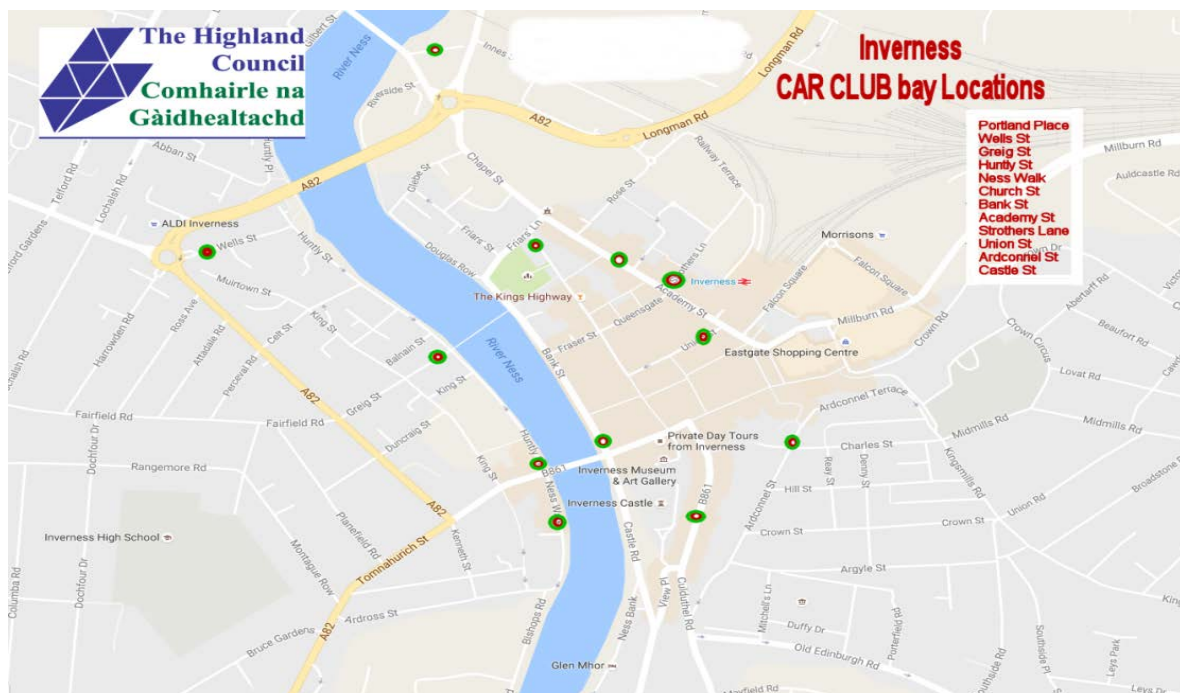
Two national providers are very interested in establishing this service in the Highlands, mainly in Inverness though one provider sees merit in additional sites

Following lengthy discussion with the provider's **plan 1** indicates the provision we can make available for Inverness that would be commercially viable and not overly burden existing provisions.

It is crucial that these locations fit the provider's business model to give the scheme every chance of success and lengthy discussions and site visits were undertaken between the providers and officers to agree these initial locations.

We have painted most of the bays as part of DPE provision as these bays must be included in the new Traffic Regulation Order, a couple will be delayed but each provider will be allocated equally with 8 bays each.

Plan 1 - Location Overview - Inverness



Provider locations

| Provider 1 | | Provider 2 | |
|----------------------------|--------|----------------------------|--------|
| Inverness – Castle St | 2 bays | Inverness - Strothers Lane | 2 bays |
| Inverness - Academy St | 2 bays | Inverness - Ardconnel St | 2 bays |
| Inverness - Huntly St | 1 bay | Inverness - Ness Walk | 1 bay |
| Inverness - Church St | 1 bay | Inverness - Bank St | 1 bay |
| Inverness - Union St | 1 bay | Inverness - Greig St | 1 bay |
| Inverness - Portland Place | 1 bay | Inverness - Wells St | 1 bay |

| Additional sites proposed by Provider 1 | | | |
|--|--------|--|--|
| Fort William - Parade Gardens CP | 2 bays | | |
| Wick – Bank Head Road | 2 Bays | | |
| Thurso - Lovers Lane | 2 Bays | | |

| Location | No. | Impact |
|-----------------|------------|---|
| Portland Place | 1 Bay | Reduce length of Permit Bays |
| Wells St | 1 Bay | Create New Bay as part of lining refurb |
| Greig St | 1 Bay | Create New Bay as part of lining refurb |
| Huntly St | 1 Bay | Reduce length of Loading Bay |
| Ness Walk | 1 Bay | Reduce length of Loading Bay |
| Church St | 1 Bay | Reduce length of Loading Bay |
| Bank St | 1 Bay | Create New Bay |
| Academy St | 2 Bays | Create New Bays |
| Strothers Lane | 2 Bays | Create New Bays |
| Union St | 1 Bay | Reduce length of Loading Bay |
| Ardconnel St | 2 Bays | Reduce length of Permit Bays |
| Castle St | 2 Bays | Create New Bays |

Provider Agreement

See Appendix 2.

After consideration we would like to enter into a formal licensing agreement with providers to allow use of facilities fee free for a 24month period and that both parties sign this agreement and ensure their vehicles only use the sites allocated to them and provide vehicles subject to ongoing suitable safety requirements as per standard rental agreements.

There is a substantial capital investment required by providers and a sizeable business risk required to establish the market place, hence we would support the provision with the 24 month fee free status.

We will be unable to mark or sign the bays beyond the statutory requirement.



We will draft an agreement for joint signing and from this we will be able to agree terms that will allow us to take a partnership approach to Car Club provision in the highlands.

Links

http://www.highland.gov.uk/news/article/8024/could_a_city_car_club_benefit_you

http://www.highland.gov.uk/meetings/meeting/3370/city_of_inverness_area_committee/attachment/67167

http://www.highland.gov.uk/download/meetings/id/67056/item_11_carbon_clever_update

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