

Agenda Item No

Report No 820/99

ANGUS COUNCIL

PLANNING AND TRANSPORT POLICY COMMITTEE
ROADS COMMITTEE

26 AUGUST 1999
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SUBJECT: TACKLING CONGESTION - CONSULTATION PAPER

**JOINT REPORT BY DIRECTOR OF PLANNING AND TRANSPORT AND DIRECTOR OF
ROADS**

Abstract: This Report considers and comments on the Scottish Executive's consultation paper on fighting traffic congestion and pollution through road user and workplace parking charges.

1 RECOMMENDATION

It is recommended that the Committee:-

1. note the terms and content of the Scottish Executive's consultation paper on Tackling Congestion;
2. agree that the issues raised and measures proposed apply mainly to major urban areas and are therefore likely to have little direct effect on or applicability to Angus;
3. agree that no further action be taken at this time in respect of investigating possible schemes for local road user or workplace parking charges in Angus;
4. agree that this Report be submitted to the Scottish Executive as the observations of Angus Council on the consultation document drawing particular attention to the above recommendations and to Section 4 of the Report.

2 INTRODUCTION

- 2.1 As part of the first stage in the process of preparing a Transport Bill, the Scottish Executive have published a consultation paper which focuses on the principles and mechanisms which would underpin the primary legislation necessary to enable local authorities to introduce local road user charging schemes and/or a levy on workplace parking across all or in designated parts of their areas. The legislation will also allow road user charging on the motorway and trunk road network.
- 2.2 The Scottish Executive considers that the measures proposed have a potential role to play in constraining traffic growth, reducing congestion (and the pollution associated with it) and providing additional funding for investment in transport infrastructure and services. The consultation document has been distributed to a wide range of organisations and individuals with an interest in transport issues in Scotland.

- 2.3 Comments on the consultation document have been requested by 30 September 1999. Copies of the full document have been placed in the Members' Lounge.

3 CONSULTATION DOCUMENT

- 3.1 The consultation document describes the background to the Scottish Executive's decision to propose legislation which will allow local authorities to introduce local road user charging or workplace parking levy schemes and which will also allow road user charging on the trunk road network. It describes the Scottish Executive's views on the content of the proposed legislation relating to local authority schemes and sets out the consultation issues which flow from these proposals. It also describes the proposals for the legislation relating to trunk road user charging (to the extent that they differ from the local proposals) and sets out some issues for consultation.
- 3.2 Significantly the consultation document recognises that local road user charging and workplace parking levy schemes are likely to be of most relevance to urban areas. There may, however, be situations where a seasonal road user charge in a rural area would be appropriate (e.g. as part of a strategy to develop sustainable tourism or at special events) and the legislation will permit this.
- 3.3 The Scottish Executive's view is that local road user charging schemes would normally involve either:-
- a charge to enter a designated area or cross zonal boundaries within it, or to pass points on a designated road; or
 - a charge for keeping or driving a vehicle within the boundary of a charged area (i.e. an area licence).
- 3.4 In the case of the workplace parking levy, the primary legislation that the Scottish Executive proposes will enable a levy to be charged on:-
- all parking at categories of property where parking provision is predominantly for use by those at their workplace - such as parking at offices, factories, warehouses, and educational establishments (where parking provided for students would be included);
 - parking for employees at buildings where employee parking is likely to be a minority of total on-site parking - such as parking at retail outlets, leisure centres and hospitals etc.
- 3.5 The Scottish Executive does not propose that authorities should be compelled to introduce a road user charging scheme or a levy on workplace parking in their area. It takes the view that the decision to promote a scheme needs to be taken by local authorities, either singly or jointly, in light of individual circumstances and needs.
- 3.6 The consultation document (paragraphs 3.2.15 and 4.9.1) indicates that "the proposed legislation will not restrict expenditure (raised from charging) entirely to transport-related matters". Following publication of the consultation document the Minister for Transport and the Environment has written to all local authorities to correct any misconceptions which have arisen over the Executive's stance on how

net revenues from road user charging will be spent. In particular the Minister has stated that the Executive will not approve any charging scheme where the money raised was not to be spent on transport projects.

- 3.7 The consultation document contains details of proposals for legislative powers relating to:-
- General enabling powers.
 - Expenditure powers.
 - Order making powers.
 - Financial powers.
 - Procurement powers.
 - Accounting arrangements.
 - Powers relating to exemptions.
 - Type approval of in-vehicle and roadside equipment.
 - Enforcement powers.
 - Liability of registered keeper.
 - Installation and maintenance of equipment.
 - Photographic evidence.
 - Requirement to hold a workplace parking spaces licence.
 - Extension of scope of levy.
- 3.8 Chapter 6 of the document lists 38 issues on which views are invited which are reproduced in Appendix 1 to this Report.

4 DISCUSSION

- 4.1 The intention to introduce legislation enabling Scottish Local Authorities to introduce local road charging schemes and to adopt a scheme to levy charges on workplace parking was first indicated in the Integrated Transport White Paper "Travel Choices for Scotland" (Report 878/98 to the Committee on 27 August 1998 refers).
- 4.2 In response to the White Paper this Council observed that road charging and workplace parking had limited relevance outside major urban areas. It was noted that rural areas have much less potential (and need much more monies for improving public transport) for raising additional funds directly via road charging and workplace parking charging than urban areas. It was also suggested that the distribution of charging monies should be targeted at "catching" potential car users at the furthestmost point from the urban areas via targeting improvements to public transport at rural trip origin (not urban trip destination). The need to avoid making local road charging and workplace parking levies mandatory schemes was also emphasised.
- 4.3 The above general comments continue to apply to the more detailed proposals now put forward in the consultation document. In addition work undertaken in the preparation of the Draft Angus Interim Local Transport Strategy (Report 819/99 to this Committee) further highlights that urban priorities relating to congestion are less applicable in Angus. Rather the emphasis in Angus is on measures to enhance accessibility, while also providing alternatives to the further spread of car dependence, by encouraging more use of walking, cycling and public transport for a wide variety of journeys.

- 4.4 The balanced approach proposed in Angus recognises the role of all forms of transport, including the private car, and focuses on the “carrots” rather than the “sticks” which may help to highlight the opportunities to undertake various journeys without relying solely on car travel, including:-
- short trips where walking and cycling are encouraged;
 - journeys within Angus where more use is made of the public transport network which is being maintained and extended to include additional rural bus services;
 - external links where the Council is continuing to work in partnership to help to secure better rail services and improved interchange facilities.
- 4.5 The above approach is firmly set within an essentially rural context which recognises that:-
- high car ownership and car dependence is a necessity not a luxury where alternative transport is often problematic and private car transport will remain the only viable option for many journeys in Angus;
 - blanket measures designed to address urban congestion concerns should not cause disproportionate hardship in rural areas;
 - constraining the opportunities to own or use a car through the negative penalties arising from road user and workplace parking charges is less productive in an area like Angus.
- 4.6 It is therefore evident that road user and workplace parking charges do not form any part of this Council’s approach and are not considered relevant for further consideration or investigation in Angus. However, it is also necessary to take account of possible schemes which might be considered either by:-
- adjoining authorities which may impact on Angus, including via possible Regional Transport Partnership groupings;
 - the Scottish Executive in relation to the A90 Trunk Road.
- 4.7 In both the above cases this Council would expect and require to be fully consulted in order to consider the implications for Angus residents and businesses, the possible effects on the wider local road network in Angus, and the opportunities for revenue sharing and expenditure.
- 4.8 In areas such as Angus, where consideration of local circumstances indicates that road user and workplace parking charges are not feasible or relevant, it is nevertheless important that sufficient resources including alternative sources of finance are made available by the Scottish Executive to address transport issues. This further highlights the need for the emerging Transport Bill to take full account of the rural dimension, including the different needs and funding opportunities arising outside the major urban areas of Scotland.
- 4.9 In view of the position in Angus, as summarised above, a detailed response to each of the 38 consultation issues (Appendix 1) has not been prepared. It is clear that there needs to be further opportunity for comment as firm proposals for legislation

are drawn up and subsequently in relation to any specific proposals for relevant schemes affecting Angus which might be advanced in due course. The statement by the Scottish Executive that the consultation document marks the start of an extensive consultation process is therefore noted.

5 FINANCIAL IMPLICATIONS

5.1 There are no financial implications arising from this Report.

6 CONSULTATION

6.1 The Chief Executive, Director of Finance and Director of Law & Administration have been consulted in the preparation of this Report.

7 CONCLUSION

7.1 The Scottish Executive's consultation paper on fighting traffic congestion and pollution through road user and workplace parking charges raises controversial issues which have already attracted a significant amount of national press comment and observations from a range of interested parties.

7.2 The proposals are drawn up with major urban concerns in mind and do not readily apply to more rural areas such as Angus where accessibility rather than congestion is the key issue. The report firmly concludes that schemes for local road user charging and workplace parking charges do not form part of this Council's approach to developing an integrated transport strategy in Angus. The need for early and full consultation on any proposals which might directly affect Angus is stressed, including any trunk road charging scheme which might be contemplated in due course by the Scottish Executive.

NOTE

No background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973, (other than any containing confidential or exempt information) were relied on to any material extent in preparing the above Report.

AA/CGR/KW
16 August 1999

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CHAPTER 6: SUMMARY OF CONSULTATION ISSUES

6.1 The issues in this consultation paper on which the Scottish Executive invites views are listed below:

1. Are there other issues (in addition to those set out in paragraph 4.2.3) which authorities should be required to consider when drawing up proposals for a charging/levy scheme? If so, what are they?
2. Are the Traffic Orders (Procedure) (Scotland) Regulations an appropriate model to use in establishing a procedure for promoting an order?
3. Should there be a limit on the duration of an order? If so, what should it be?
4. Who should a local authority consult when preparing a draft order? Should there be statutory consultees and if so, what bodies should be stipulated?
5. Should a Public Local Inquiry be a mandatory part of the consultation process? If not, are there any benchmarks (eg in terms of the scale of the proposal) which could be used to determine when a PLI might be appropriate? Should the form of public consultation be specified nationally or should it be left to the discretion of the authority to draw up such arrangements?
6. Should there be different procedures for amending an order? If so, what would be appropriate procedures?
7. Should a national limit be placed on the maximum charge or levy which can be imposed?
8. If a national maximum were to be specified, what might appropriate figures be?
9. Should there be a set relationship between the charge for light and heavy goods vehicles and the charge for a car? If so, what should the multipliers be?
10. Should there simply be one rate of levy across the whole of the area covered by a workplace parking levy scheme or should authorities be able to designate different areas where different levies would apply?
11. Should the administrative structure of a scheme be left to local discretion?
12. How should a workplace parking levy scheme cater for occasional use?
13. What should be the level of penalty charge on motorists who do not comply with a road user charge or on a building occupier who breaches the terms of a licence?
14. What level of penalty charge might be appropriate for repeated violations?
15. Should there be a national exemption from charging and levy schemes for vehicles which display a valid Orange Badge?

16. Should there be a national exemption for vehicles which have been adapted for use by a disabled person and are exempt from vehicle excise duty?
17. Should there be a national exemption from charging and levy schemes for powered two wheel vehicles?
18. Should any other exemptions from a road user charging scheme be specified in national legislation?
19. Should vehicles not used for the journey to work or for personal business, such as delivery vehicles (including taxis), public service vehicles (such as buses) and vehicles parked at premises for repair, maintenance or storage purposes be given a national exemption from counting towards a workplace parking levy scheme licence?
20. Should there be national exemptions from a workplace parking levy scheme for particular types of public buildings such as schools, colleges and hospitals?
21. Should there be national exemptions from a workplace parking levy for all buildings occupied by local authorities and other public bodies?
22. Should there be a national exemption from a workplace parking levy scheme for buildings which are occupied by charities?
23. Should organisations which already charge for workplace parking be partially or fully exempt from a workplace parking levy?
24. Should employers funding green commuter plans be partially or fully exempt from a workplace parking levy?
25. Should the primary legislation contain a threshold on the number of vehicles parking above which the levy would apply? If so, how should it be specified and at what level should it be set?
26. What arrangements are required to enable an authority to enforce the terms of a workplace parking levy licence where a car park is predominantly used by non-employees?
27. What provision should be made for appeals and independent adjudication?
28. Should the independent adjudication service be based on the Parking Adjudication Service?
29. How far ahead should proposals look in explaining how retained revenue will be used? Should the period be longer or shorter than the 10 years suggested by the Scottish Executive?
30. Should an order giving an authority power to introduce a road user charging or workplace parking levy scheme, contain a statement setting out the intended use of revenues?

31. What measures are required to prevent the displacement of workplace parking to public off street car parks following the introduction of a workplace parking levy?
32. Should a workplace parking levy apply to long stay and contract parking at public off-street car parks?
33. Is the proposed list of powers relating to trunk road user charging appropriate?
34. Are there any additional issues to those set out in paragraphs 4.2.3 and 5.6 above which should be included in trunk road user charging proposals?
35. Are the Scottish Executive's proposals relating to consultation on trunk road user charging schemes appropriate, particularly the suggestion that significant trunk road user charging proposals should, if required, be considered at a Public Local Inquiry? Are there any benchmarks (in terms of the scale of a proposal) which could be used to determine when a PLI would be appropriate?
36. Should there be any other exemptions from charging on the trunk road network in addition to the emergency services? If so, who should qualify?
37. What practical arrangements are necessary to ensure smooth interoperation between schemes on the trunk road network and adjacent local authority schemes?
38. Should the aim be to avoid duplication, in terms of geographic coverage, between trunk road user charging and local road user charging or a workplace parking levy and thus avoid 'double charging'?