

REPORT TO: East Lothian Council

MEETING DATE: 22 April 2014

BY: Depute Chief Executive (Partnerships and Community Services)

SUBJECT: Coastal Car Parking – Traffic Regulation Order

1 PURPOSE

- 1.1 The purpose of this report is to seek Council approval for making the East Lothian Council (off street Coastal Parking Places) (Various Roads) (Prohibition and Restriction on Waiting, Loading and Unloading Etc.) Order 2014, “the Order”.

2 RECOMMENDATIONS

- 2.1 Council is asked to agree the making of the Order.

3 BACKGROUND

- 3.1 The report presented to Council on 18 December 2012 asked that Council approve the introduction of car parking charges at 10 coastal car parks, namely: Longniddry Bents No.1; Longniddry Bents No.2; Longniddry Bents No.3; Gullane Bents; Yellowcraig; John Muir Country Park – Linkfield; John Muir Country Park – Shore Road; John Muir Country Park – Tynninghame Links; Whitesands and Barns Ness.
- 3.2 To introduce car parking charges, East Lothian Council must promote a Traffic Regulation Order under Section 35 of the Road Traffic Regulation Act 1984, in accordance with “The Local Authorities’ Traffic Orders (Procedures) (Scotland) Regulations 1999 as amended.
- 3.3 To meet the requirements of the 1999 Regulations, the Council must consult with statutory consultees and any other organisation or representative body likely to be affected by the provisions of the Order that the authority thinks fit. To satisfy this condition the Council undertook consultation between 25 April and 2 June 2013, seeking information to inform the making of the Order.

A questionnaire was placed on the Consultation Hub of the Council's website and Tellmesotland.gov.uk.

3.4 Further publication of the proposed Order is required to allow objectors to make representation(s) with regard to the Order and to give notice of their intention to make the Order electronically through the Council's website and through the local press during the period 8 November to 13 December 2013.

3.5 Matters raised by objectors were addressed with the exception of those tabled below, who were unwilling to accept the Council's views.

	Date Received	Summary of Objection
1	28/11/13	<ul style="list-style-type: none"> • Car parking charges will have a detrimental effect on visitors • The cost of collecting the charge, recovery and administration will be greater than the charges collected • The charge is an additional form of taxation • Charging will put barriers between roads and open spaces
2	13/12/13	<ul style="list-style-type: none"> • Objection to the legitimacy of introducing car parking charges • With loss of traffic wardens, charging will be unworkable
3	13/12/13	<ul style="list-style-type: none"> • Charge penalising use of coast • Will cause indiscriminate parking

3.6 With respect to the particular objection regarding the loss of the traffic warden service, the introduction of coastal car parking charges will have no significant effect on enforcement as all but one site will be controlled via barrier entry.

3.7 In considering the remaining objections, the view was taken that the individuals concerned are opposed to the principle of charging generally and are not prepared to reconsider their position. While the 1999 regulations advise that the Council may hold a hearing to consider outstanding objections to the Order, it is not obliged to do so. In the circumstances, given that the outstanding objections relate to matters that have already been considered by the Council, it is proposed that no hearing be held and that the Order be made by the Council.

4 POLICY IMPLICATIONS

- 4.1 These proposals are expected to contribute towards the Strategic Outcome Indicator “East Lothian is an even safer place” and “East Lothian has high quality natural environments”, which are key priorities for the Council and its partner organisations.

5 EQUALITIES IMPACT ASSESSMENT

- 5.1 This report is not applicable to the wellbeing of equalities groups and an Equalities Impact Assessment is not required.

6 RESOURCE IMPLICATIONS

- 6.1 Financial - All costs have been accommodated within the 2014-15 Transportation Road Network revenue budget for the making of the Order.

All costs associated with the new infrastructure necessary to provide traffic management and parking improvements and contained with the Council’s Capital Plan 2013-16.

- 6.2 Personnel - None

- 6.3 Other – None

7 BACKGROUND PAPERS

- 7.1 Report to Council – Introduction of Parking Charges at Coastal Car Parks dated 18th December 2012.
- 7.2 The East Lothian Council (Off Street Coastal Parking Places)(Various Roads)(Prohibition and Restriction on Waiting, Loading and Unloading, Etc.) Order 2014.

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