

**REPORT TO:** East Lothian Council

**MEETING DATE:** 10 December 2024

**BY:** Executive Director for Place

**SUBJECT:** Update on North Berwick Traffic Regulation

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## **1 PURPOSE**

- 1.1 The purpose of this report is to provide an update on the proposed Traffic Regulation Orders (TROs) for the introduction of both on- and off-street parking restrictions and charging in North Berwick.

## **2 RECOMMENDATIONS**

- 2.1 Council is recommended to:

- Note the objections received.
- Note the responses to the objection.
- Approve additional mitigations of the TROs following further representation and community concerns for the reasons detailed in 3.31 to 3.42
- Set aside the remaining objections as detailed in Appendices C-F
- Not to seek the holding of a public hearing by the Department of Environment and Planning Appeals;
- Approve the making of the TROs as advertised for:
  - North Berwick – Off street parking places order No. 1
  - North Berwick – Haugh Road and Sewage Works off street parking places order No. 2
  - North Berwick – Community Centre & Library parking places order No. 3
  - Various Roads – North Berwick – Prohibition & Restriction on waiting loading and unloading etc. Order No. 4

### **3 BACKGROUND**

- 3.1 The Council published The East Lothian Council (Various Roads – North Berwick) (Prohibition & Restrictions on Waiting, Loading & Unloading, Etc.) Variation Order No. 2 on 28 August 2023. The order was subsequently withdrawn on 27 February 2024 to redesign and simplify the process by the provision of four new Orders, that draws distinction between on-street and off-street parking, motorhome, library, and community centre parking.
- 3.2 Following the withdrawal of the order a review of representations was undertaken and additional issues around parking were considered which included the car parks at Haugh Road and Sewage Works and the Library and Community Centre.
- 3.3 The proposals as advertised last year have been split into two orders, one for on-street parking and one for off-street car parks. The orders include modifications as a result of feed back to the Variation Order No. 2 advertised in 2023. Further to the feedback, two additional orders have been advertised one for the Haugh Road and the Sewage Works car parks and a further order for the car parks of the Library and Community centre.
- 3.4 Four new orders were prepared taking cognisance of the previous Order and published split between on and off-street parking: These are:
- North Berwick – Off street parking places order No. 1
  - North Berwick – Haugh Road and Sewage Works off street parking places order No. 2
  - North Berwick – Community Centre & Library parking places order No. 3
  - Various Roads – North Berwick - Prohibition & Restriction on waiting loading and unloading etc. Order No. 4
- 3.5 Consultation with statutory consultees took place between 17 July and 11 August. Details of the four proposed orders were sent out to: Royal Mail, local bus operators, Freight Transport Association (FTA), Road Haulage Association (RHA), NHS, Fire Scotland, Police Scotland and ScotRail. No comments were received back from the statutory consultees.
- 3.6 The four traffic orders were published on Friday 23 August 2024 with supporting documentation comprising of a statement of reasons for each order, draft traffic orders, frequently asked questions and 'you said, we did' document.
- 3.7 Following the go live of the web-based element of the public consultation, it was noted that the schedule relating to the No. 4 order, on street parking had been omitted from the website. This was subsequently uploaded and available to view on Wednesday 28 August 2024.
- 3.8 The formal deposit copies of the order provided where provided at:
- Reception, John Muir House, Brewery Park, Haddington

- North Berwick Community Centre – Law Road
- North Berwick Library – School Road
- North Berwick Health Centre – St Baldred’s Road
- Gullane Library – East Links Road
- Gullane Health Centre – Hamilton Road

The deposit copies comprised of printed documents for review and contained the schedule to the No. 4 order which was initially omitted from the online material.

### **Consultation Requirements**

- 3.9 The statutory requirement for the consultation is 21 days, the advertised period for consultation for the North Berwick orders is promoted as being between 23 August 2024 and 29 September 2024, a period of 37 days. The omitted schedule from the online consultation was available for 32 days.
- 3.10 The statutory and public consultation has followed the guidelines outlined in the “The Local Authorities’ Traffic Orders (Procedure) (Scotland) Regulations 1999”, copies of the following documents were placed on deposit for inspection:
- a) a copy of the order as drafted.
  - b) a copy of the relevant map;
  - c) a statement setting out the authority’s reasons for proposing to make the order

### **Responses to Consultation**

- 3.11 The four draft Traffic Regulation Orders have generated 833 recorded responses from 586 respondents. A summary and analysis of the responses to each order are shown in Appendix B.
- 3.12 There are a number of responses which do not specify to which order they relate, and these are also summarised in appendix B.
- 3.13 Through representations it has been highlighted that there was a campaign against the scheme, door-to-door leafleting, political opposition to the scheme and awareness that there have also been extensive social media posts encouraging objection to the scheme.
- 3.14 The responses received can be broken down into the following groups:
- North Berwick – Off street parking places order No. 1: 149 representations with 146 objections of which 4 are not qualified.
  - North Berwick – Haugh Road and Sewage Works off street parking places order No. 2: 86 representations with 84 objections of which 3 are not qualified.

- North Berwick – Community Centre & Library parking places order No. 3: 72 representations with 67 objections of which 4 are not qualified. Of the representations, 15 related to the use of the car park by the church and 47 of the objections related to all 4 advertised traffic orders.
- Various Roads – North Berwick - Prohibition & Restriction on waiting loading and unloading etc. Order No. 4: 338 representations with 319 objections of which 9 were not qualified.
- Responses not specifying related order – 190 representations with 153 objections of which 25 were not qualified and 22 requests for clarifications and additional information.

### **Authorities Obligations**

- 3.15 The process for progressing a traffic order is outlined in the “The Local Authorities’ Traffic Orders (Procedure) (Scotland) Regulations 1999”. The procedures require that, where an objection is made, there should be a written statement of grounds for that objection. The procedure also contains a requirement to consider objections which have been made and not withdrawn or, where a hearing has taken place, the authority shall consider the report and recommendation made by the Reporter.
- 3.16 The key point in respect of objections is that they must be properly considered and, in the case of a hearing, the report and recommendations, also need to be considered. There is no specific obligation not to proceed with a scheme if there are unresolved objections, as long as the authority has properly and fully considered the objections.
- 3.17 Key to delivering a successful outcome is the full and thorough consideration of constructive representation. Where appropriate, mitigation can be proposed to address the objectors’ concerns. In order to achieve this, the Council must enter into constructive and meaningful dialogue with interested parties and take into consideration any suggestion that can be included in the proposal which is aligned with achieved the desired outcomes.
- 3.18 All correspondence received has been logged, reviewed and a response provided. The withdrawal of objections has not been actively pursued although requested as part of each response, as in most cases these are general objections with no clear grounds or are against the principals of the Parking Strategy. The Parking Strategy is Council policy and not under review. All correspondence is available for review on request.
- 3.19 There is no requirement to provide information as to the age or gender of the person making representations to traffic orders. This information is therefore not recorded.
- 3.20 This issue around objections raises a key point as to what could be reasonable considered as an objection to a traffic order. In most cases traffic orders preventing parking or restricting waiting, loading or unloading are promoted on the basis of preventing danger to road users. These Orders are promoted on safety grounds and are based on engineering

judgement and do not need to be supported by a Parking Strategy. The Parking Strategy is supplementary guidance and sets out a series of policies that the Council may pursue. The General Provisions necessary in making a Traffic Regulation Order are set out under section 1 of Road Traffic Regulation Act 1984.

- 3.21 A significant number of objections are based on the proposals being interpreted as not meeting the policies set out in the strategy and the fact that the supporting survey work was not sufficient to demonstrate the need for the scheme particularly in reference to the No. 1 and No. 4 orders. These representations challenge the validity of the Parking Strategy (which has already been through a process of consultation) and to the extent to which the strategy it is needed, and whether the proposals meet the policies within the parking strategy.
- 3.22 There is no published guidance on what constitutes a valid objection. It is a matter for the Authority to consider, how parking proposals relate to policy, the extent and the need or impacts of an order and whether these meet the adopted policy tests.
- 3.23 Under the terms of the Local Authorities' Traffic Orders (Procedures) (Scotland) Regulations 1999 as amended, the authority may hold a hearing. In the case of North Berwick, the Council is not obliged to hold a hearing. This is a decision for Council to instruct a hearing if considered appropriate, in consideration of the weight and claims made from objections received.

### **Summary of Received Objections**

- 3.24 A summary of the objections and comments received are provided in Appendix B of this report, in addition maps showing the origin by post code of the representation for each order is provided in Appendix B.
- 3.25 The main themes identified within the objections are summarised below:
- Request for information/clarification
  - General approval for the scheme
  - General opposition to the scheme
  - Parking charges will harm local businesses
  - Scheme excessive parking is an issue only during specific periods
  - Cost of scheme is not justifiable
  - Call for consultation to be extended/repeated
  - Scheme will displace parking
  - Scheme fails to address issues with motor caravans
  - Scheme proposes unsafe parking arrangements

- Proposals unfair to residents
  - Older less able-bodied residents will be disadvantaged
- 3.26 A significant number of objections are based on the perceived impact the proposals would have on third parties; the objector is speculating on what the impact will be on other groups in the community and not how the scheme would directly impact themselves.
- 3.27 Common themes are:
- Impact on low-income staff
  - Personal security returning to parked vehicles with shop takings at night
  - The impact on business/shops in the town
  - Residents have limited access to off-street parking

### **Details of Representations, Objections and Recommendations to Further Mitigate the Orders**

- 3.28 Full details of all representations/objections received are contained in Appendix C - General Representations, Appendix D – Representation made Order No. 1, Appendix E – Representation made Order No. 2, Appendix F – Representation made Order No. 3, Appendix G – Representation made Order No. 4.
- 3.29 The following is a summary of further mitigation that is recommended to Council following public representation and consideration.
- 3.30 **The East Lothian Council (North Berwick) (Off-Street Parking Places) Order No. 1**
- 3.31 D5. Recommendation – to allow 15 minutes free parking within Glebe car park to allow drop off and pick up at the nursery on St Andrews Street.
- 3.32 D7. Recommendation – allow free parking in Lodge and Imperial and Glebe car park from the last Sunday in October to the last Sunday in March.
- 3.33 **The East Lothian Council (North Berwick) (Community Centre & Library Parking Places) Order No. 3**
- 3.34 E3. Recommendation – to allow additional authorised vehicles associated with church worship.
- 3.35 **The East Lothian Council (Various Roads – North Berwick) (Prohibition & Restriction on Waiting, Loading & Unloading. Etc.), Order No. 4**
- 3.36 G7. Recommendation – monitor and review the impact that the different length of stay between off and on-street parking has on parking.

- 3.37 G8. Recommendation – monitor and inspect the local road network to identify problems and mitigations as a result of parking displacement.
- 3.38 G9. Recommendation – remove clause on Order No. 4 specific to washing of vehicles.
- 3.39 G10. Recommendation – remove the proposal to introduce charged parking spaces and waiting, loading and unloading in Glasclune Gardens, and Greenhead Road.
- 3.40 G20. Recommendation – apply level 2 parking charges to Westgate in keeping with the High Street.
- 3.41 G21. Recommendation – extend High Street non-chargeable hours from 10.00–4.00pm Monday to Saturday.
- 3.42 G22. Recommendation – permit owners of motor caravans residing within a CPZ to have a residents parking permit.

#### **4 POLICY IMPLICATIONS**

- 4.1 The proposals have multiple policy implication across many national, regional and local themes. Appendix A: Policy and Legislative Context provides further detail of these matters.

#### **5 INTEGRATED IMPACT ASSESSMENT**

- 5.1 The original Integrated Impact Report has been revised to reflect the changes proposed under the new schemes proposals.

#### **6 RESOURCE IMPLICATIONS**

- 6.1 Financial – All costs involved in connection with consultation, advertising, design and implementation associated with the making of these 4 Orders can be accommodated within the agreed budgets.
- 6.2 Personnel – The introduction of the parking scheme will not require any additional back-room staff. The scheme has been promoted on the understanding that the scheme will generate income for additional Parking Enforcement Officers.
- 6.3 A financial business case for the operation of the schemes is provided in Appendix J. The annual predicted cost of operating the scheme £227,079. The annual income is forecast to be £1,342,927 (gross).

#### **7 BACKGROUND PAPERS**

- 7.1 Report to Council on 25 April 2023 – Town Centre Parking Management: Introduction of Parking Management Proposals in North Berwick

- 7.2 Report to East Lothian Council on Tuesday 28th June 2022 – Town Centre Parking Management: Consultation
- 7.3 Members’ Library Report – Economic Impact Assessment Report (Ref: 34/23, April 2023 Bulletin)
- 7.4 Members’ Library Report – Consultation Report (Ref: 35/23, April 2023 Bulletin)
- 7.5 Integrated Impact Assessment
- 7.6 Report to East Lothian Council on Tuesday 30th October 2018 – East Lothian Council Proposed Local Transport Strategy
- 7.7 East Lothian Council Proposed Local Transport Strategy 2018-24 – Draft Parking Strategy, Members’ Library Ref: 142/18 (October 2018 Bulletin)
- 7.8 East Lothian Council Proposed Local Transport Strategy 2018-24 – Draft Active Travel Improvement Plan, Members’ Library Ref: 141/18 (October 2018 Bulletin)
- 7.9 Policy and Performance Review Committee – 04 Roads Asset Management – Annual Status and Options Report
- 7.10 Report to East Lothian Council on Tuesday 25 April 2023 - Town Centre Parking Management: Introduction of Parking Management Proposals in North Berwick
- 7.11 Report to East Lothian Council on Tuesday 27 February 2024 – Update on Parking Management Traffic Regulation Order North Berwick
- 7.12 Members’ Library Report – East Lothian by Numbers: Travel and Transport (Ref: 152/24, November 2024 Bulletin):

[https://www.eastlothian.gov.uk/meetings/meeting/17407/members\\_library\\_service](https://www.eastlothian.gov.uk/meetings/meeting/17407/members_library_service)

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## Appendix A – Policy and Legislative Context

A1. The policy context at a national, regional and local level supports a move to increase existing and to implement new parking demand management processes across the county.

A2. At a national level the development and publication of the National Transport Strategy (NTS), National Planning Framework (NPF4) and the Scottish Transport Projects Review (STPR2) all support moving towards more sustainable town centres. The NTS vision is that ‘we will have a sustainable, inclusive, safe and accessible transport system, helping deliver a healthier, fairer and more prosperous Scotland for communities, businesses and visitors’.

A3. The national strategy outlines how the ‘the benefits of place-making and sustainable and active travel infrastructure/modes will also play an important role in helping to re-vitalise town centres’.

A4. At its meeting on 29 March 2022 Council was asked to approve the outline of the 2022–2027 Council Plan. The 2017–2022 Council Plan set out the vision of ‘an even more prosperous, safe and sustainable East Lothian, with a dynamic and thriving economy, that enables our people and communities to flourish’.

A5. New and increased management of parking across the county supports the overarching objective of reducing inequalities within and across our communities, and with the development of the four thematic objectives: Growing our Economy, Growing our People, Growing our Communities and Growing our Capacity.

A6. East Lothian’s Climate Change Strategy was adopted in 2020 in response to the climate emergency. The strategy has a significant emphasis on the need to manage journeys made by the private car across the county.

A7. East Lothian Council – Local Transport Strategy (2018–2024). In 2018, East Lothian Council published a Local Transport Strategy sets out the challenges that town centres within East Lothian, particularly in the town of North Berwick, have been facing in the context of the wider transport network. Accessing town centres and the management of parking is a key challenge articulated throughout the strategy document.

A8. East Lothian Council – Local Parking Strategy (2018–2024). There are a number of actions set out within the strategy to achieve many objectives when it comes to managing parking including that East Lothian Council will implement a parking management hierarchy in towns. The parking management hierarchy model states that ‘in general, on-street parking will be for the purposes of short- stay parking, especially in our town centres, as it is essential that people have easy access to shops and services to maintain the economic vitality of our towns. Medium and long-stay parking will be accommodated in off-street car parks but these are more likely to be at the edge of the town centre.’

A9. This proposal will contribute towards fulfilling the Local Parking Strategy 2018 -2024

- Objective 1 – to provide balanced and appropriate parking facilities that support the economic, environmental and accessibility requirements of towns in East Lothian.
- Objective 2 – to maximise the efficient use of parking provision.
- Parking Policy 5 – The council will assess the demand on town centre parking supply and appraise, where appropriate the introduction of charging for off street car parks and/or for on-street parking places. The introduction of restrictions and charging has the potential to boost the financial viability and community/business prosperity on an area by increasing turnover. All parking regimes would require annual monitoring.

A10. The Council's Local Economy Strategy 2024 to 2034 was approved in April 2024. Consultation and analysis identified a number of issues facing town centres in East Lothian, stakeholders and community members reported that a limited availability and low turnover of town-centre parking spaces, competition from edge-of town retail developments, competition from Edinburgh, and changes in shopping habits have all deterred some residents from using their town centres. However, increased home working is driving increased demand for town centre service businesses and leisure opportunities. It was also argued that narrow pavements and conflicts with traffic can make town centres feel inaccessible and unsafe for older people, those with physical impairments, and pram and buggy users. Particular local challenges were identified in North Berwick and Tranent where town centre congestion and parking was highlighted as an issue with implications for locals, visitor experiences, and public safety. Greater turnover of town centre parking to improve capacity was highlighted as a need. The Strategy highlights the distinctiveness of East Lothian's towns and villages as a key attribute of the area and includes actions to support thriving and district communities, vibrant town and rural centres. A key area where the Council can intervene is to improve safe and sustainable access for all users.

A11. Further, the proposals contribute to the Economic Development Strategy by offering 'the potential for increasing resident spend by improving town centres in East Lothian'. With short-stay parking freeing up spaces close to shops, residents would be able to quickly access shops and services, thereby supporting local and independent shops within North Berwick.

A12. East Lothian Council – Town Centre Strategies (2017–2022). Town Centre Strategies have been prepared for each of the 6 main settlements in East Lothian. The purpose of the town centre strategies is to adopt a strategic approach to guide the improvement of town centres.

A13. The vision for North Berwick town centre as articulated is 'North Berwick town centre is a vibrant heart of the town with an excellent and well used

shopping and café scene. Improvement and enhancement of the town centre seeks to create a greater sense of place for all its users. The town centre is a favourite destination for local visitors and tourists.

A14. In 2017 a design charrette was held in North Berwick to examine in detail the issues of the town centre. The results provide an informed public view expressed at a point in time. The charrette covered improving walking with wider footpaths and access at the east end of High Street; improvements to help people get around; street and public realm improvements; traffic and parking; character of the town centre; quality and amenities; sustainable and active travel; safer streets that reduced the feeling of threat from moving vehicles; and making the town centre more orientated towards people. North Berwick High Street is busy with vehicles and there is opportunity to provide a new car park to increase capacity and reduce cars circulating the town centre searching for parking.

The Citizen's Panel Survey (2018) identified a need for a wider range of shops, more parking and a more attractive town centre environment.

A16. Action 3 from the North Berwick town centre strategy looks to progress the reorganisation of town centre car parking with the introduction of specific waiting times for off street facilities.

### **Climate Change and Road Safety Benefits**

A17. In February 2020, Transport Scotland published its National Transport Strategy 2 (NTS2) which set out a vision for Scotland's transport system over the next 20-years to 2040, including a statement of transport's contribution to achieving net zero by 2045. Its 'Vision' is:

'We will have a sustainable, inclusive, safe and accessible transport system, helping deliver a healthier, fairer and more prosperous Scotland for communities, businesses and visitors'.<sup>1</sup>

A18. The NTS2 establishes two 'hierarchies' which define the principles upon which future transport investment decision making and services should be planned. The 'Sustainable Travel Hierarchy' defines the priority which will be given to each mode of transport in future investment planning which includes the 'Sustainable Investment Hierarchy' which establishes a structured set of steps to be followed when planning investment in transport provision.

A19. In summary, the Sustainable Travel Hierarchy prioritises walking & wheeling and cycling, with investment to support the single occupant private car being the lowest priority. Measures promoted through the strategy, and which will emerge from it, should prioritise active travel and accessible public transport connections, whilst at the same time discouraging short, single car occupant journeys. On this basis, the proposed parking interventions are highly consistent with the NTS2 Sustainable Travel Hierarchy.

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<sup>1</sup> National Transport Strategy 2 (Transport Scotland, 2020), p. 5.

A20. The implication of this hierarchy is that investment in new infrastructure should only be considered once a wider package of options to reduce the need to travel, reduce the need to travel unsustainably, optimise use of existing infrastructure, influence travel behaviour or manage demand have been explored. Parking management interventions can be classified as ‘making better use of existing capacity’ and would therefore be more appropriate than measures that sought to increase parking capacity through construction of infrastructure.

A21. Following the commitment to reduce car kilometres by 20% within the Securing a Green Recovery on a Path to Net Zero: Climate Change Plan 2018 – 2032 policy document Transport Scotland published a stakeholder consultation report setting out a route map for how this target can be achieved. The framework recognises that any solution must include a holistic framework of interventions to provide car-use reduction options for different trip types in different geographical areas. To encourage the reduction in car usage, the framework outlines the need for a behaviour change by users through positive messaging. This has led to the development of four desired behaviours which are displayed in Figure A1 below. Parking interventions can contribute to helping people to live well locally by enabling them to access local services and amenities whilst also supporting switching modes to walking, wheeling, cycling and public transport where appropriate.

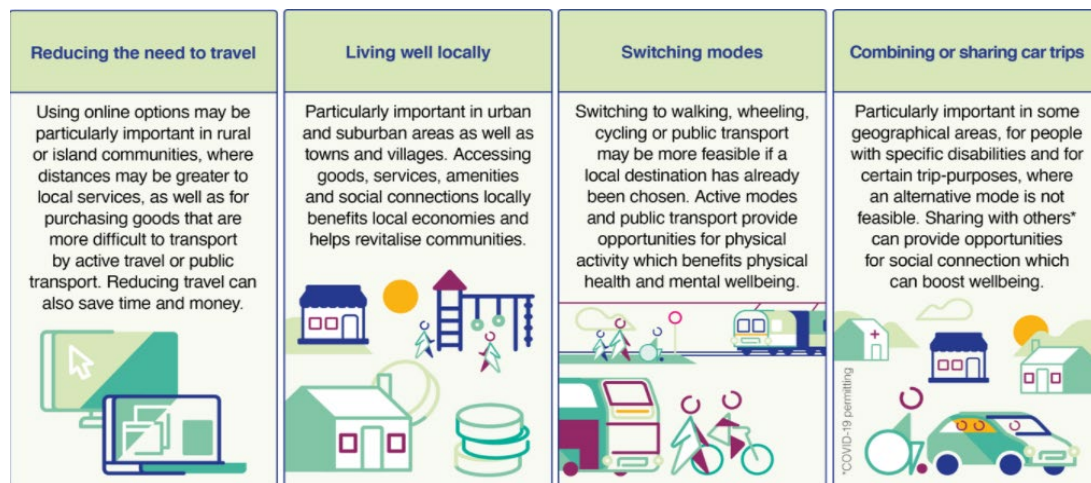


Figure A1: Route Map to 20% Car KM Reduction – Four Behaviours

A22. The policy documents listed above provide a framework for the proposed parking interventions within North Berwick. Scottish Government policy has seen a significant shift towards prioritising walking, wheeling and cycling as preferred methods of transport for shorter journeys, with public transport and shared mobility the preferred mode for medium to longer journeys. This shift will require a behavioural change which can require a ‘carrot and stick’ approach. The implementation of parking controls within North Berwick will provide a demand reducing measure that would fall within the Scottish Government’s ambitions to reduce car kilometres by 20% by 2030.

A23. East Lothian Council – Climate Change Strategy also looks to reduce transport emission and increase active travel and sustainable transport options for everyday journeys. Data shows that more people walk in East Lothian than

surrounding local authorities and Scotland generally, with 59% making short journeys by foot but 33% still choice to drive this relatively short distance. Only 1% choice to cycle. (East Lothian by Numbers – Members Library Report)

A24. Currently 83% of East Lothian's residents have access to one or more cars or vans and 35% have access to two or more cars or vans. Access to a car is greater in East Lothian than Midlothian (79%) and Scotland (75%) averages. Access to a private car or van has increase in East Lothian by 3% since 2014. This suggests that if residents have access to parking, they may be more likely to use their cars for short journeys to the town centre for economic / leisure purposes as car are more prevalent.

A25. Nationally vehicular traffic accounted for 35.6% of emissions in 2018. It remains the largest CO2 producing sector and presents a singular challenge to mitigate the transport sector to meet net zero targets. Transport is a derived demand, driven by the essential need to move people, goods, and services to drive economic growth. National objectives seek to promote walking, cycling and public transport over private car use as these present the greatest benefits to communities allowing improved mobility, safety, health and accessibility enhancements to be delivered through place making initiatives. Management of demand for parking provides a push behavioural change approach which can be incentivised with other pull initiatives to enhance the place for all users, over time.

A26. Road collision incidents in East Lothian's towns are generally low with 21 serious injuries being recorded over the 5-year period 2017–2021. It is noted that no fatal or serious personal injury collisions have been recorder in proposed controlled parking area within North Berwick for this period. However, within the built environment an unacceptable risk remains due to the high demand of parking space and constant search for parking opportunity close to the driver's destination. On-street parking contraventions or restricted parking abuse during busy times can place the public at risk. The existing maximum stay for Forth Street, Westgate and High Street are maintained which in real terms should not result in an increase of risk due to parking turnover.

A27. The problems identified in the North Berwick Charette have led to wasteful, congesting, and polluting circulation by drivers seeking the best spot, difficulty finding spaces for residents and problems for loading / unloading for businesses within the town centre. When parking demand outstrips supply within small town centres, some drivers cannot immediately find a vacant parking space causing drivers to 'cruise' for a parking space. This in turn increases the amount of traffic on a road and adds additional pollution to a town centre.

A28. Interventions which increase walking, wheeling, cycling, or use of public transport can reduce car use and free up space on streets. A literature review by ClimateXChange<sup>2</sup> shows there is considerable evidence to suggest that improved sustainable travel has environmental, economic, and social benefits

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<sup>3</sup> [The benefits of sustainable travel to local high streets and town centres | ClimateXChange](#)

to local high streets and towns. Evidence collected showed that there is a wide breadth of potential benefits of sustainable travel to communities, but that evaluation and measurement of impacts does not always capture this.

A29. The review found significant evidence of decrease in air pollution in all geographies across large sample sizes with a strong focus on sustainable transport. Modelling suggests that if 10% of the population switched from cars to bikes and public transport, emissions would decrease by about 10% (car to bike) and 3% (car to public transport).<sup>3</sup> There is also significant evidence of a decrease in carbon emissions in all geographies across large sample sizes. In one case study, carbon emissions decreased by 66% over a 15-year period following pedestrianisation of a city centre<sup>4</sup>.

A30. There is also evidence of the short-term impact of suitable transport on increased land values and rental prices for businesses, making an area more attractive for investment and desirable to live in more than one geography across large sample sizes. The impact varied from an increase in land values between 70–300% with retail commercial rates increasing in the range of 10–30%.<sup>5,6</sup> ClimateXChange review found evidence of higher footfall in businesses across large sample sizes in all geographies, as well as increased time and money spent in local businesses. Several UK studies found that footfall increase by approximately 30% after the introduction of sustainable travel measures.<sup>7</sup>

A31. Nationally vehicular traffic accounted for 35.6% of emissions in 2018. It remains the largest CO<sub>2</sub> producing sector and presents a singular challenge to mitigate the transport sector to meet net zero targets. Transport is a derived demand, driven by the essential need to move people, goods, and services to drive economic growth. National objectives seek to promote walking, cycling and public transport over private car use as these present the greatest benefits to communities allowing improved mobility, safety, health and accessibility enhancements to be delivered through place making initiatives. Management of demand for parking provides a push behavioural change approach which can be incentivised with other pull initiatives to enhance the place for all users, over time.

A32. Road collision incidents in East Lothian's towns are generally low with 21 serious injuries being recorded over the 5-year period 2017–2021. It is noted that no fatal or serious personal injury collisions have been recorded in proposed controlled parking area within North Berwick for this period. However, within the built environment an unacceptable risk remains due to the

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<sup>3</sup> [The climate change mitigation impacts of active travel: Evidence from a longitudinal panel study in seven European cities - ScienceDirect](#)

<sup>4</sup> Council of Pontevedra, 2017. Fewer cars, more city.

<sup>5</sup> Living streets, 2018. The Pedestrian Pound: The business case for better streets and places.

<sup>6</sup> Litman, T., 2023. Guide to Valuing Walking and Cycling Improvements and Encouragement Programs. Transportation Research Record.

<sup>7</sup> Momentum Transport Consultancy, 2022. Funding Healthy Streets Assets: Guidance for Effective Public Private Partnerships in Delivering Healthy Streets Projects.

high demand of parking space and constant search for parking opportunity close to the driver's destination. On-street parking contraventions or restricted parking abuse during busy times can place the public at risk. The existing maximum stay for Forth Street, Westgate and High Street are maintained which in real terms should not result in an increase of risk due to parking turnover.

### **Legislative Context**

A33. The Road Traffic Regulation Act 1984 – the legislation laid out in the Act provides powers to local authorities to implement parking demand management processes including tariffs for on and off-street facilities.

A34. The general provisions of the Act allows an authority to make an order were it considers that it is expedient to do so:

- (a) for avoiding danger to persons or other traffic using the road or any other road or for preventing the likelihood of any such danger arising, or
- (b) for preventing damage to the road or to any building on or near the road, or
- (c) for facilitating the passage on the road or any other road of any class of traffic (including pedestrians), or
- (d) for preventing the use of the road by vehicular traffic of a kind which, or its use by vehicular traffic in a manner which, is unsuitable having regard to the existing character of the road or adjoining property, or
- (e) (without prejudice to the generality of paragraph (d) above) for preserving the character of the road in a case where it is specially suitable for use by persons on horseback or on foot, or
- (f) for preserving or improving the amenities of the area through which the road runs
- (g) for any of the purposes specified in paragraphs (a) to (c) of subsection (1) of section 87 of the Environment Act 1995 (air quality).]

A35. Provision 32 within the Act describes the powers local authorities have where for the purpose of relieving or preventing congestion provision of parking spaces can be provided.

A36. Provision 33 within the Act goes on to detail the additional powers of local authorities in connection with off-street parking places.

A37. Provision 45 within the Act details that a local authority may by order designate parking places on roads in their area for vehicles or vehicles of any class specified in the order; and the authority may make charges for vehicles left in a parking place so designated.

A38. The Local Authorities' Traffic Orders (Procedure) (Scotland) Regulations 1999 sets out the requirements of advertising traffic orders, the means and requirements for objection and the basis of holding a hearing.

A39. Provisions 5 within the regulations sets out the requirements of advertising traffic orders, whilst provision 7 sets out the manner in which objections to the published order should be made, this requires objections to be in the form of a written statement.

A40. Provision Section 8 of the regulations outlines when a hearing should be held following objections to an order. The provisions also indicates that a hearing may be held in other circumstances. In the case of the advertised orders there is no requirement to hold a hearing for orders No. 1, No. 2 and No.3. The inclusion of on street parking charges fall under section 45 of the Road Traffic Regulation Act 1984, although these do not prohibit loading there is an implied requirement to hold a hearing to consider outstanding objections.



## Appendix B - Summary of Representations and objections

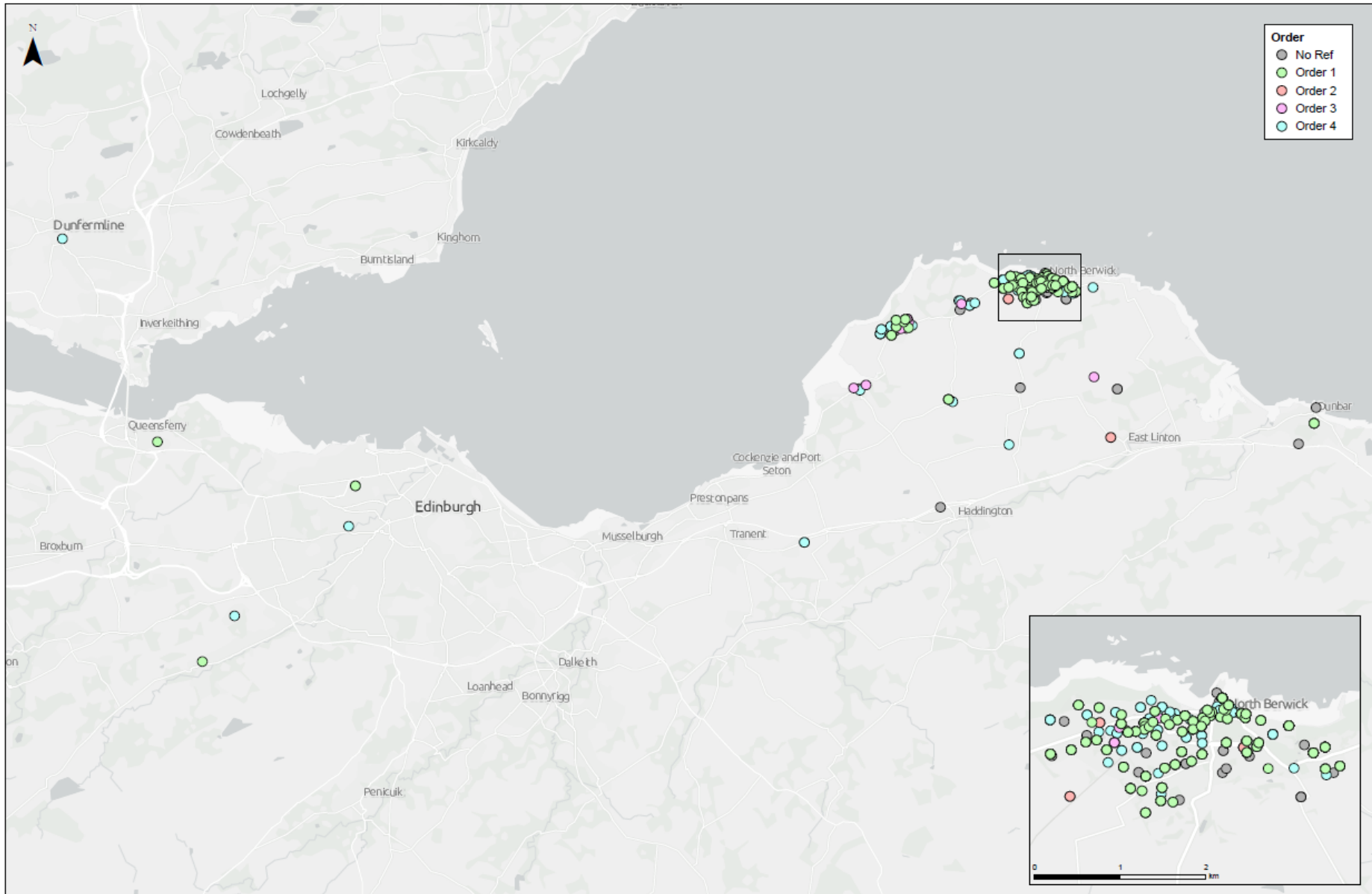
### Objections by theme by Order

<b>Order Reference</b>	<b>No. 1</b>	<b>No. 2</b>	<b>No. 3</b>	<b>No. 4</b>	<b>no ref.</b>
<b>Correspondence</b>	149	84	72	338	190
<b>Objections</b>	146	82	67	319	153
<b>Not Qualified</b>	4	3	4	9	25
<b>Request for information/clarification</b>	4	4	5	14	22
<b>General approval for the scheme</b>	3	2	2	6	10
<b>General opposition to the scheme</b>	73	45	29	177	99
<b>Parking charges will harm local businesses</b>	91	45	38	198	82
<b>Scheme excessive parking isn't an issue only for specific periods</b>	76	43	30	142	42
<b>Cost of scheme is not justifiable</b>	25	14	14	57	25
<b>Call for consultation to be extended/repeated</b>	6	7	6	11	7
<b>Scheme will displace parking</b>	57	33	23	117	22
<b>Scheme fails to address issues with motor caravans</b>	40	49	24	46	15
<b>Scheme proposes unsafe parking arrangements</b>	43	29	19	71	13
<b>Proposals unfair to residents</b>	103	61	43	215	66
<b>Older less able-bodied residents will be disadvantaged</b>	57	18	13	64	39

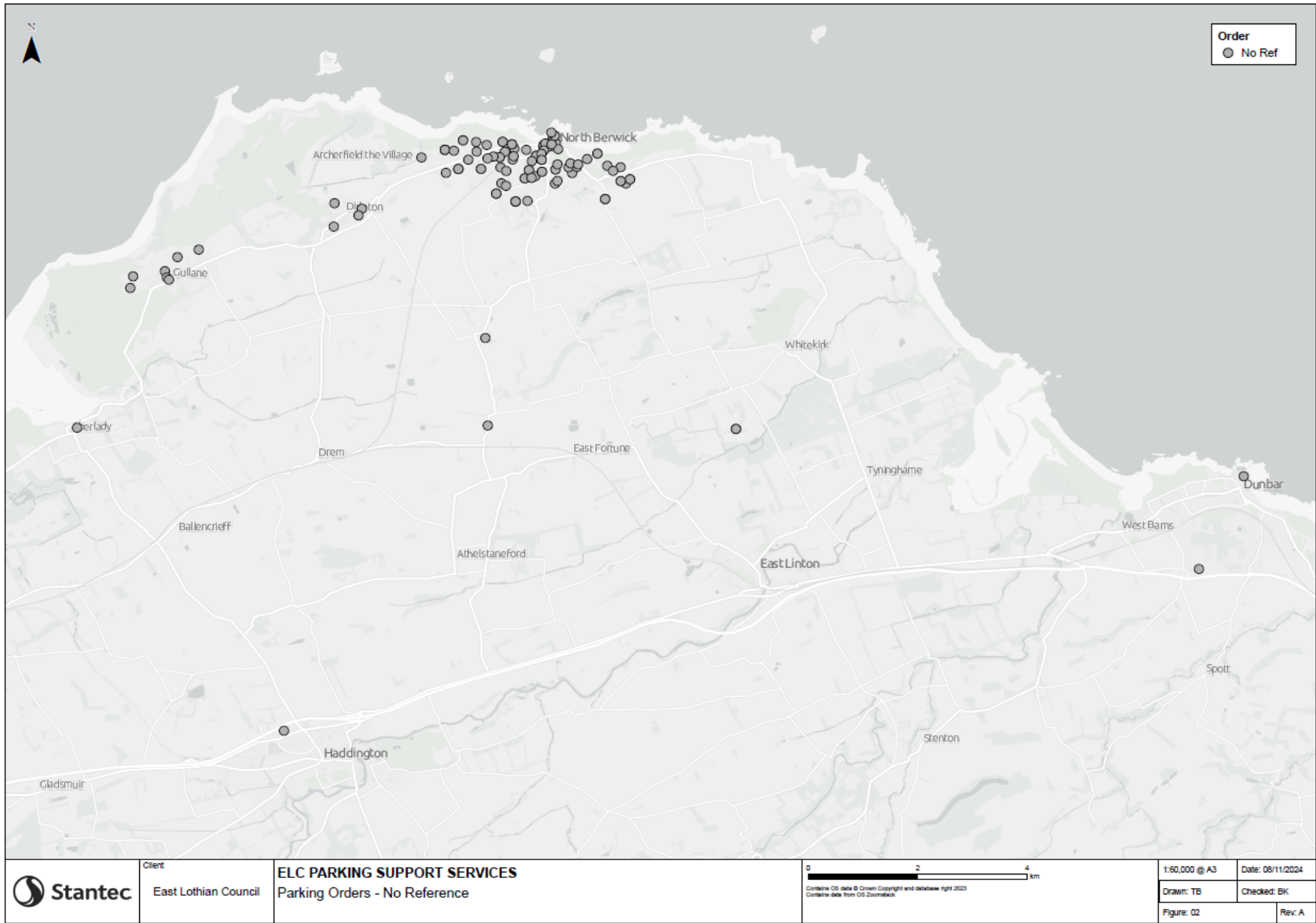
Number of representations by Order by location.

	<b>Occupied house holds</b>	<b>all people over 16 in a household</b>	<b>No Order Ref.</b>	<b>Order 1 Reps.</b>	<b>Order 2 Reps.</b>	<b>Order 3 Reps.</b>	<b>Order 4 Reps.</b>
<b>North Berwick</b>	<b>3,666</b>	<b>6670</b>	<b>105</b>	<b>113</b>	<b>63</b>	<b>44</b>	<b>248</b>
<b>CPZ</b>			<b>38</b>	<b>68</b>	<b>42</b>	<b>24</b>	<b>143</b>
<b>Aberlady</b>	<b>571</b>	<b>1,123</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>2</b>	<b>1</b>
<b>Gullane</b>	<b>1320</b>	<b>2,371</b>	<b>7</b>	<b>6</b>	<b>3</b>	<b>9</b>	<b>18</b>
<b>East Lothian</b>	<b>48,792</b>	<b>90,496</b>	<b>118</b>	<b>124</b>	<b>70</b>	<b>56</b>	<b>272</b>
<b>other</b>			<b>2</b>	<b>3</b>	<b>2</b>	<b>2</b>	<b>7</b>
<b>No address</b>			<b>70</b>	<b>22</b>	<b>12</b>	<b>14</b>	<b>59</b>
<b>Total Reps</b>			<b>190</b>	<b>149</b>	<b>84</b>	<b>72</b>	<b>338</b>

# Locations of All Objections



# Location of Objections that do not refer to a specific Order.



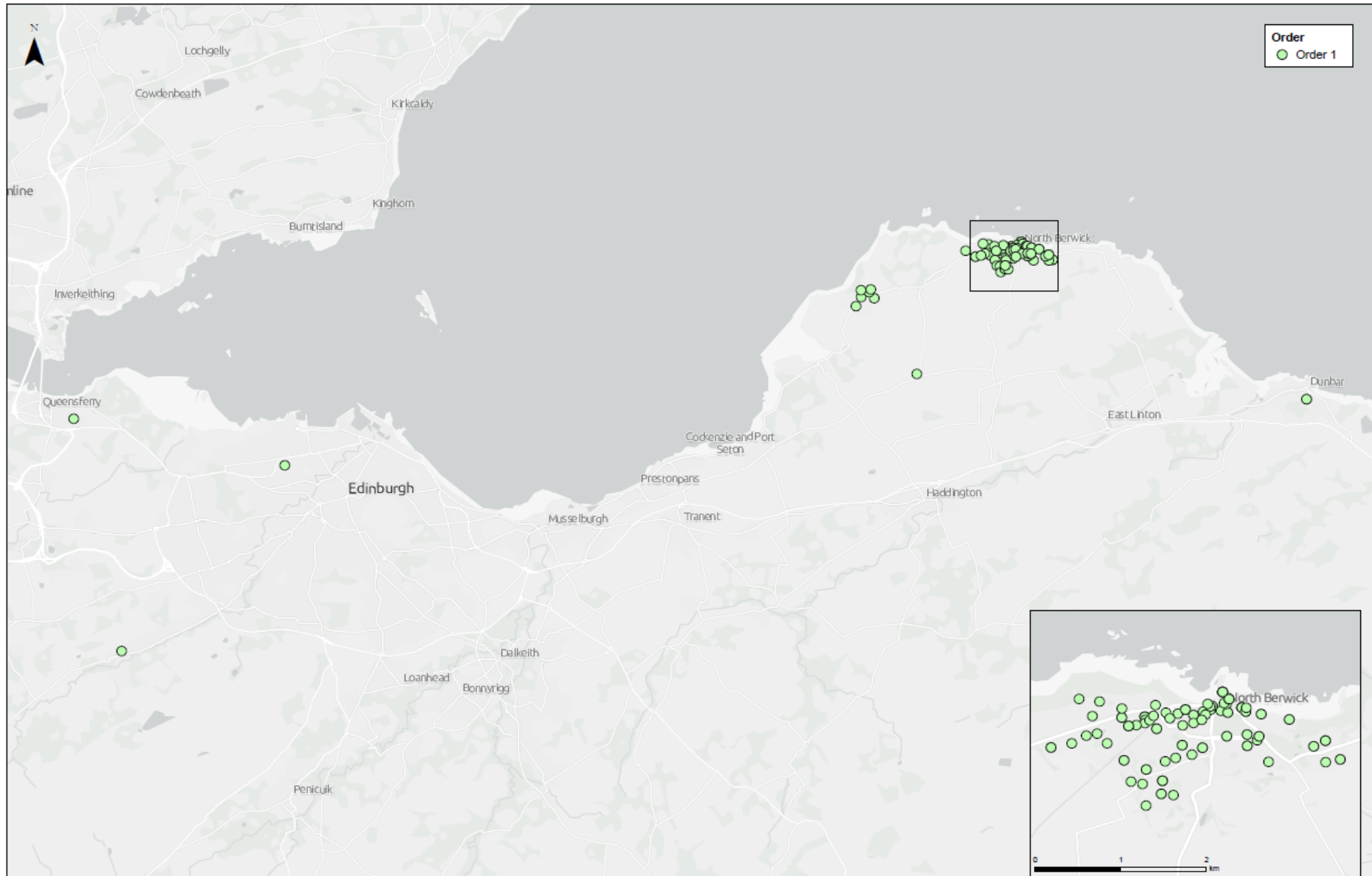
Client  
East Lothian Council

**ELC PARKING SUPPORT SERVICES**  
Parking Orders - No Reference

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Contains data from OS Zoomstack

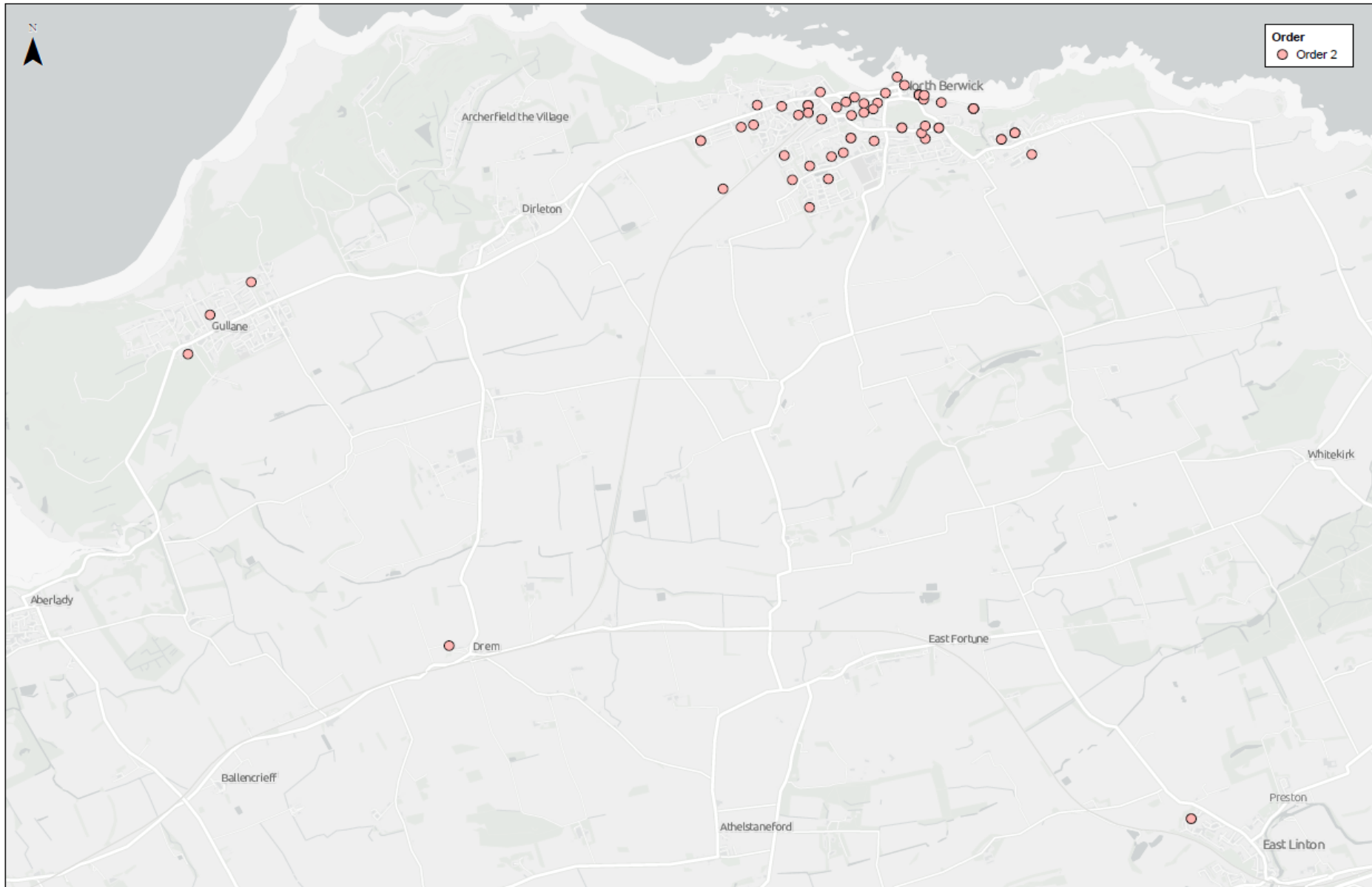
1:50,000 @ A3  
Date: 08/11/2024  
Drawn: TB  
Checked: BK  
Figure: 02  
Rev: A

# Location of Objections to Order No.1



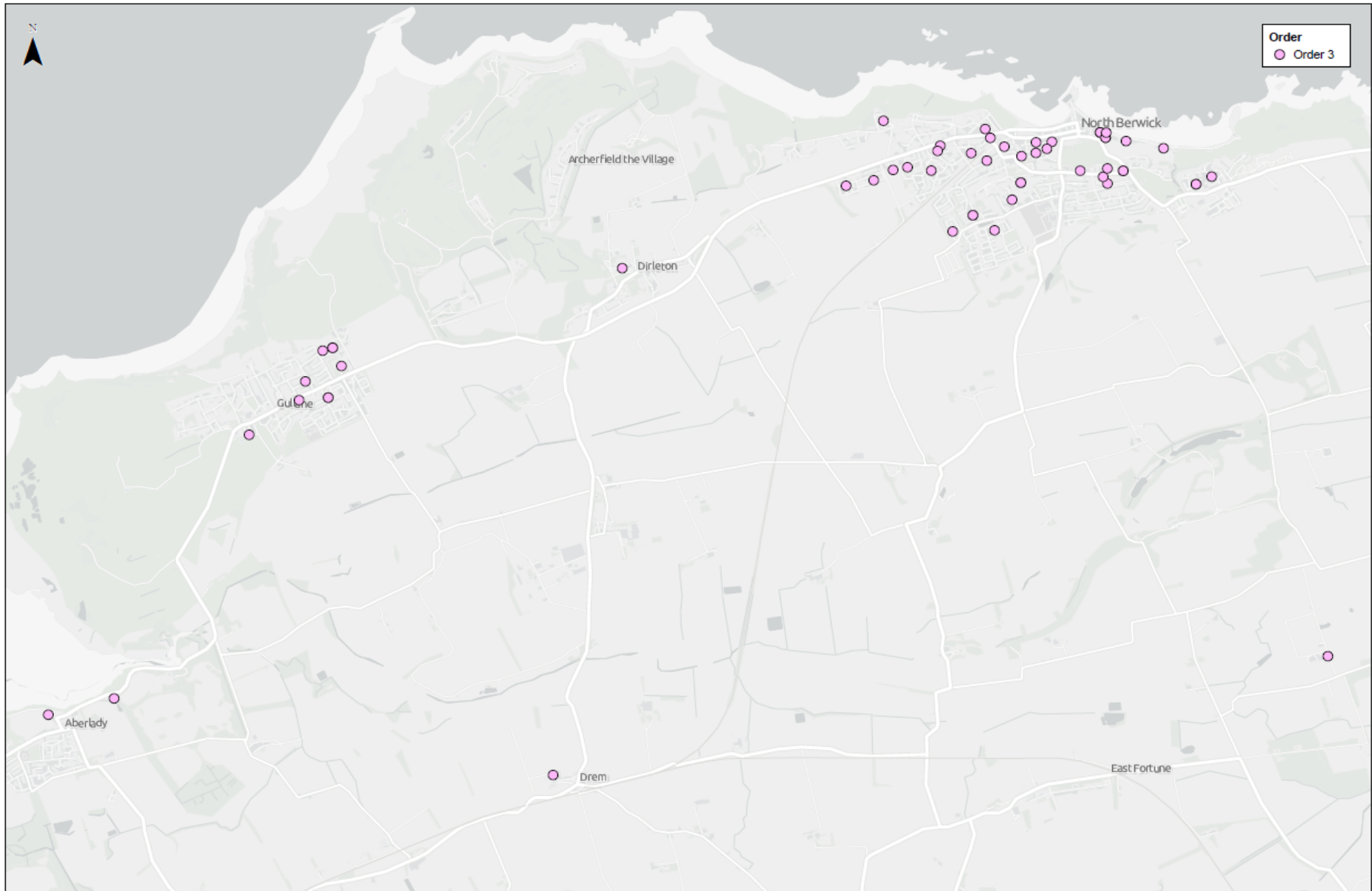
	Client	<b>ELC PARKING SUPPORT SERVICES</b> Parking Orders - Order 1		1:150,000 @ A3	Date: 08/11/2024
	East Lothian Council		Contains OS data © Crown Copyright and database right 2023 Contains data from OS Zoomstack	Drawn: TB	Checked: BK
				Figure: 03	Rev: A

# Location of Objections to Order No. 2



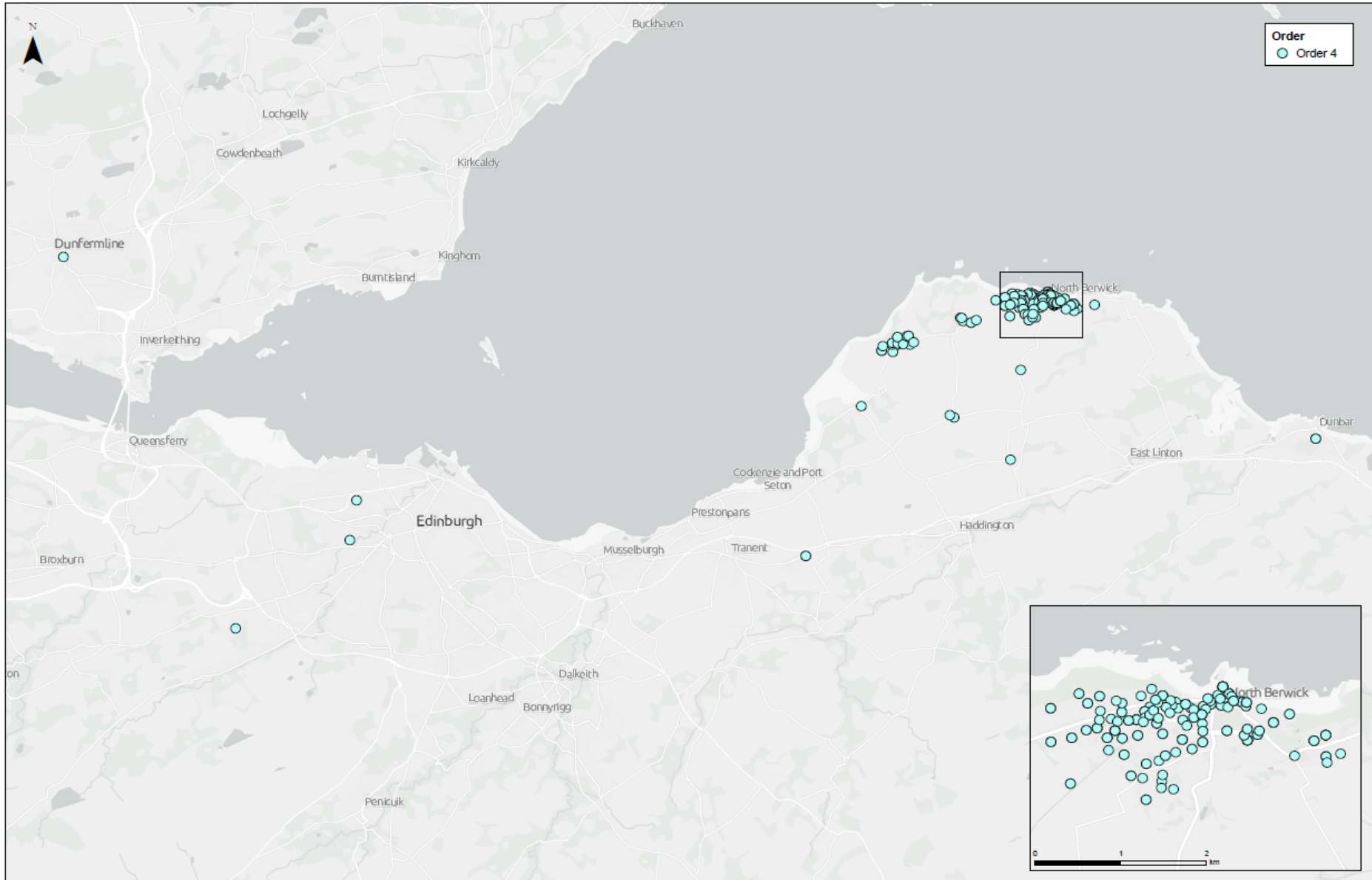
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	East Lothian Council		Contains OS data © Crown Copyright and database right 2023 Contains data from OS Zoomstack	Drawn: TB	Checked: BK
				Figure: 04	Rev: A

# Location of Objections to Order No.3



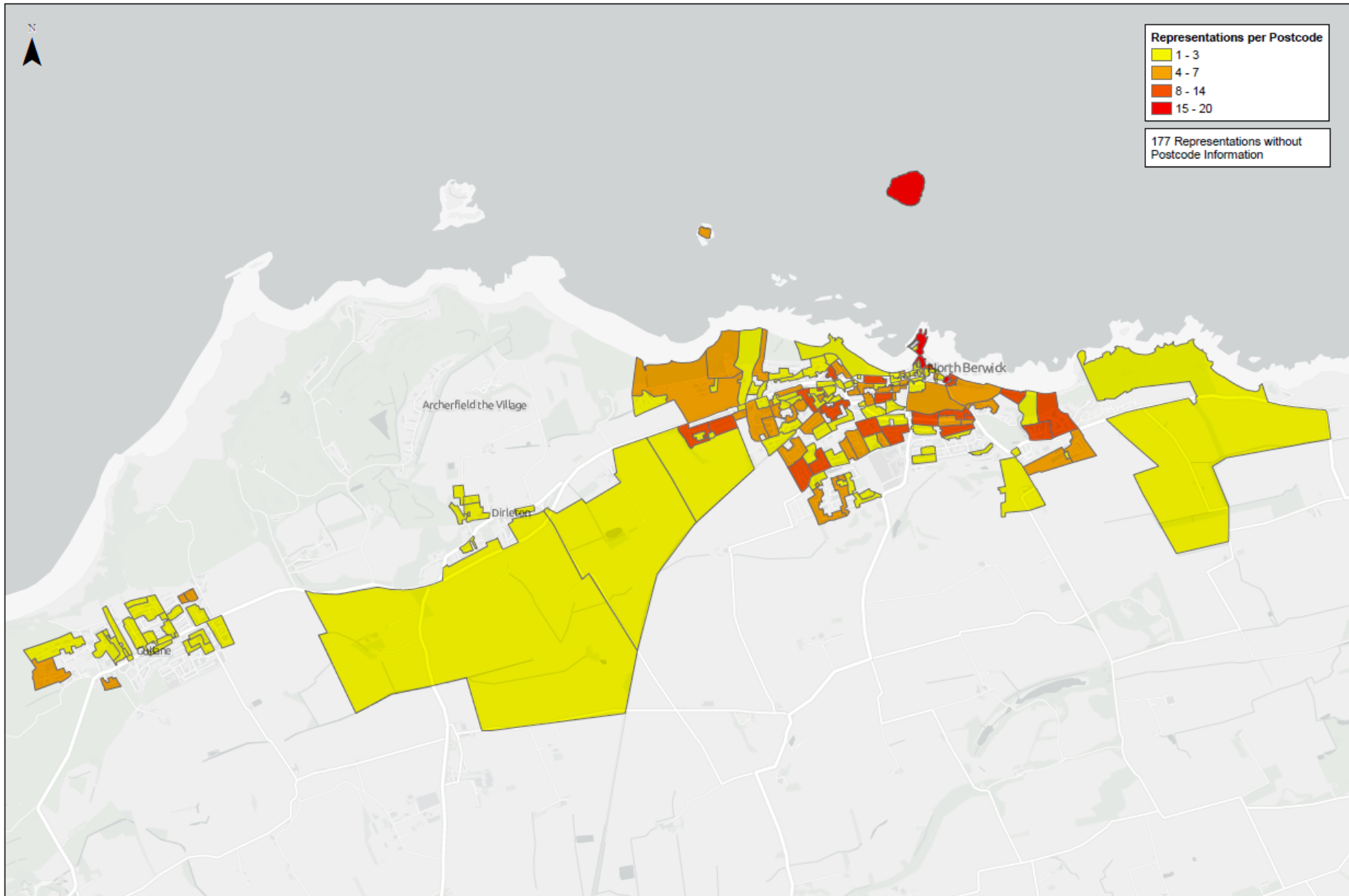
	Client	<b>ELC PARKING SUPPORT SERVICES</b> Parking Orders - Order 3		1:30,000 @ A3	Date: 08/11/2024
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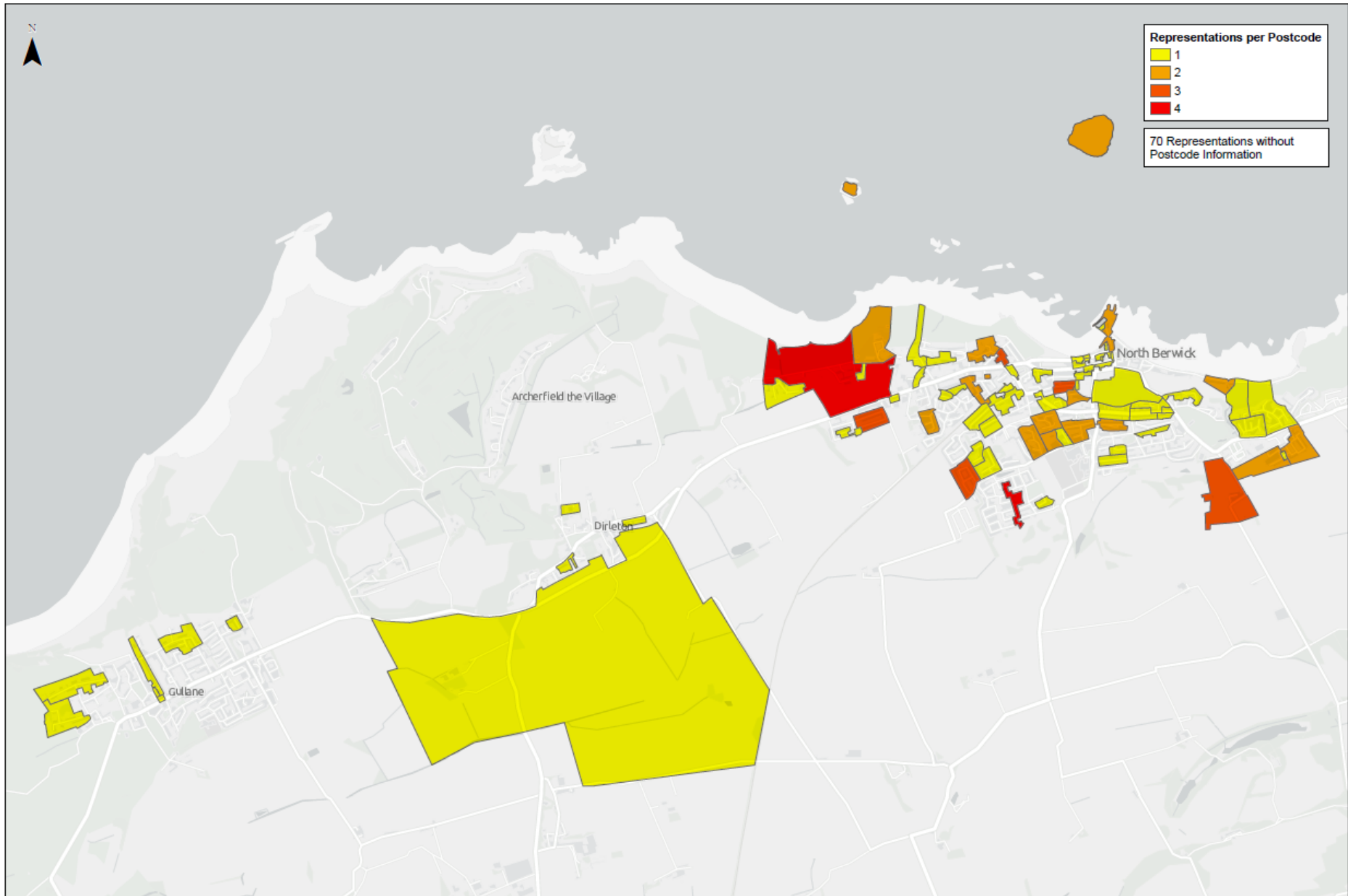
# Location to Objections Order No. 4

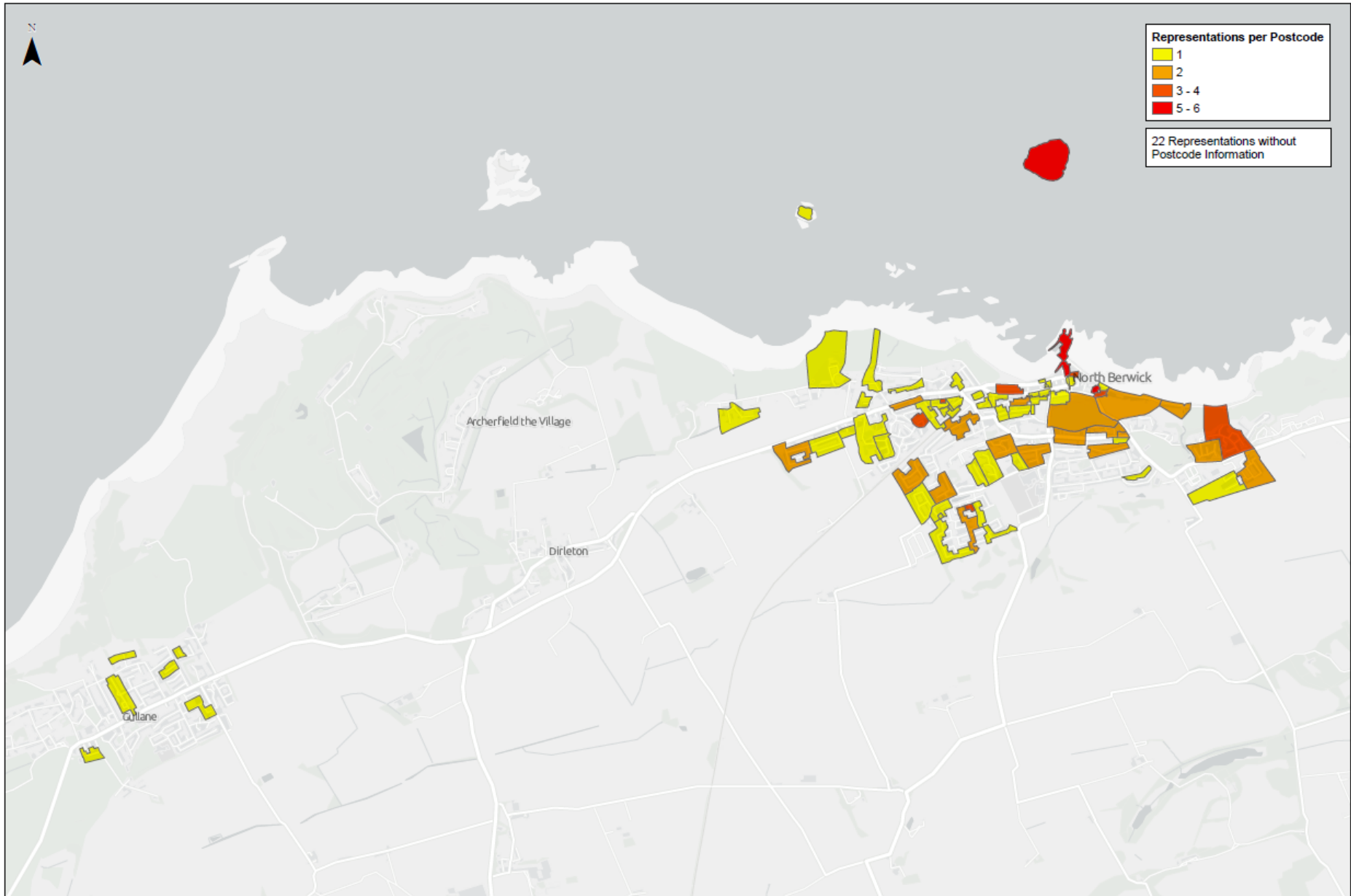


	Client	<b>ELC PARKING SUPPORT SERVICES</b> Parking Orders - Order 4		1:150,000 @ A3	Date: 08/11/2024
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				Figure: 06	Rev: A







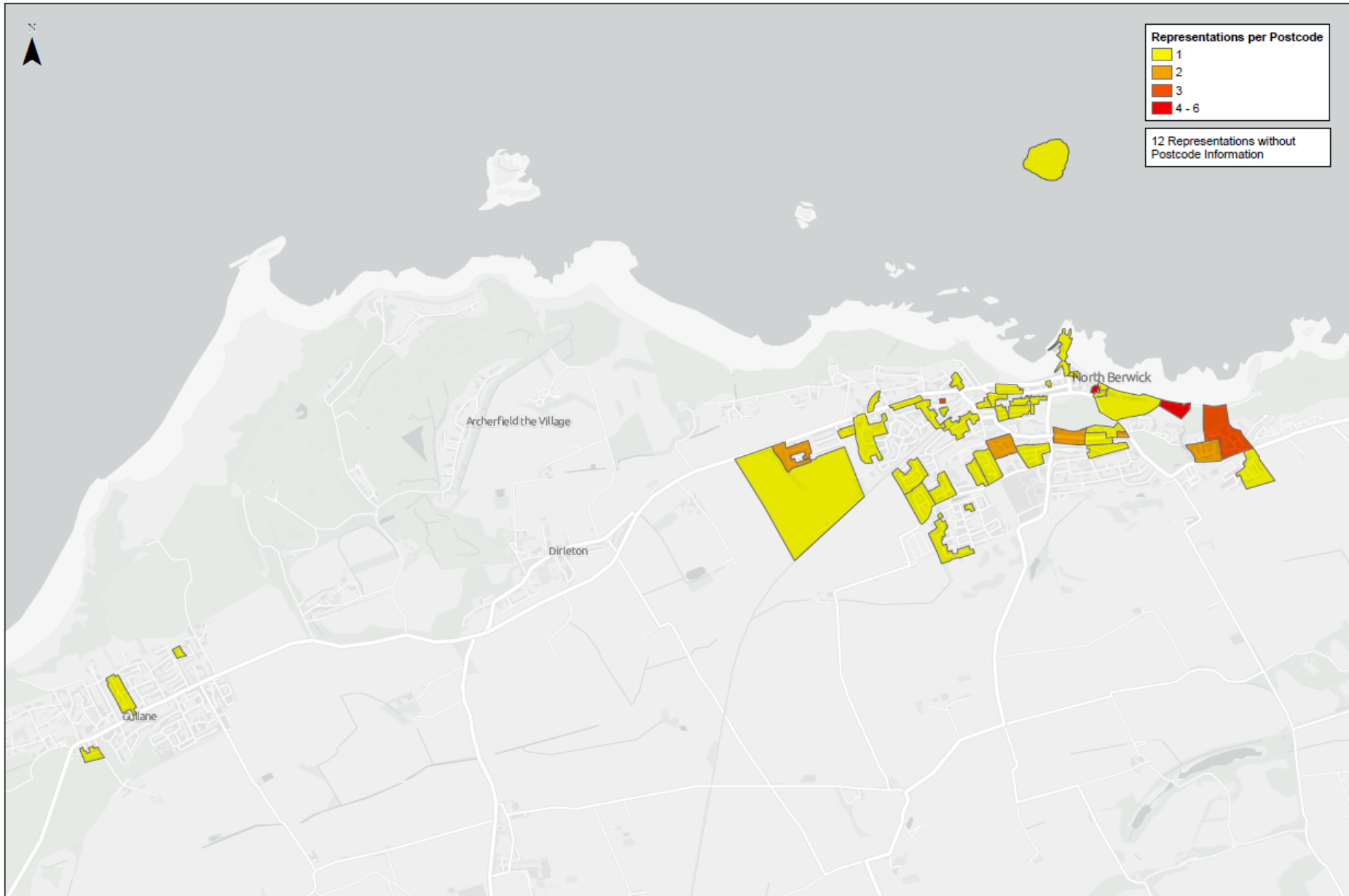


Client  
East Lothian Council

**ELC PARKING SUPPORT SERVICES**  
Representations - Order 1

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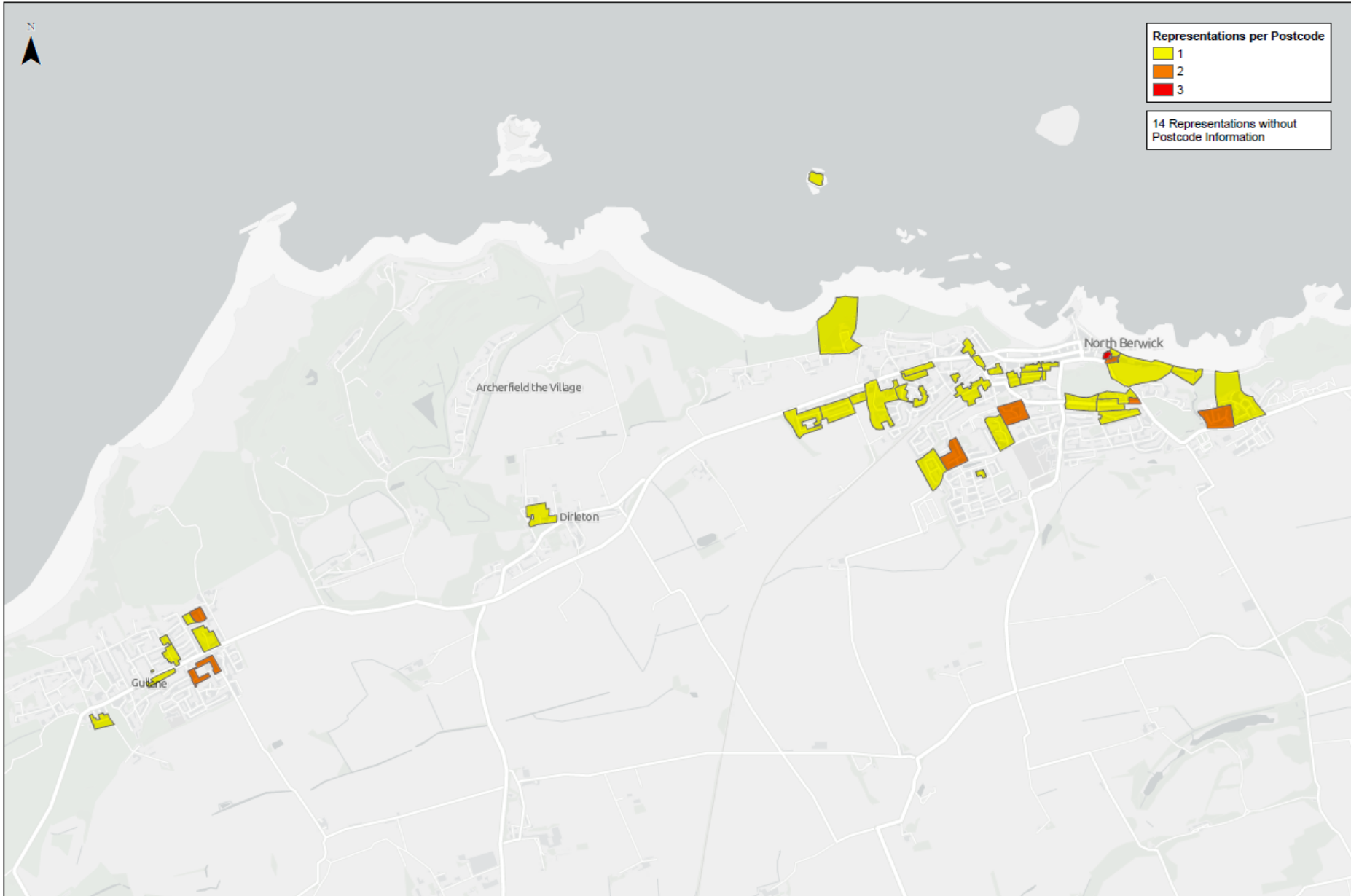


Client  
East Lothian Council

**ELC PARKING SUPPORT SERVICES**  
Representations - Order 2

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Figure: 03	Rev: A



**Representations per Postcode**

- 1
- 2
- 3

14 Representations without Postcode Information

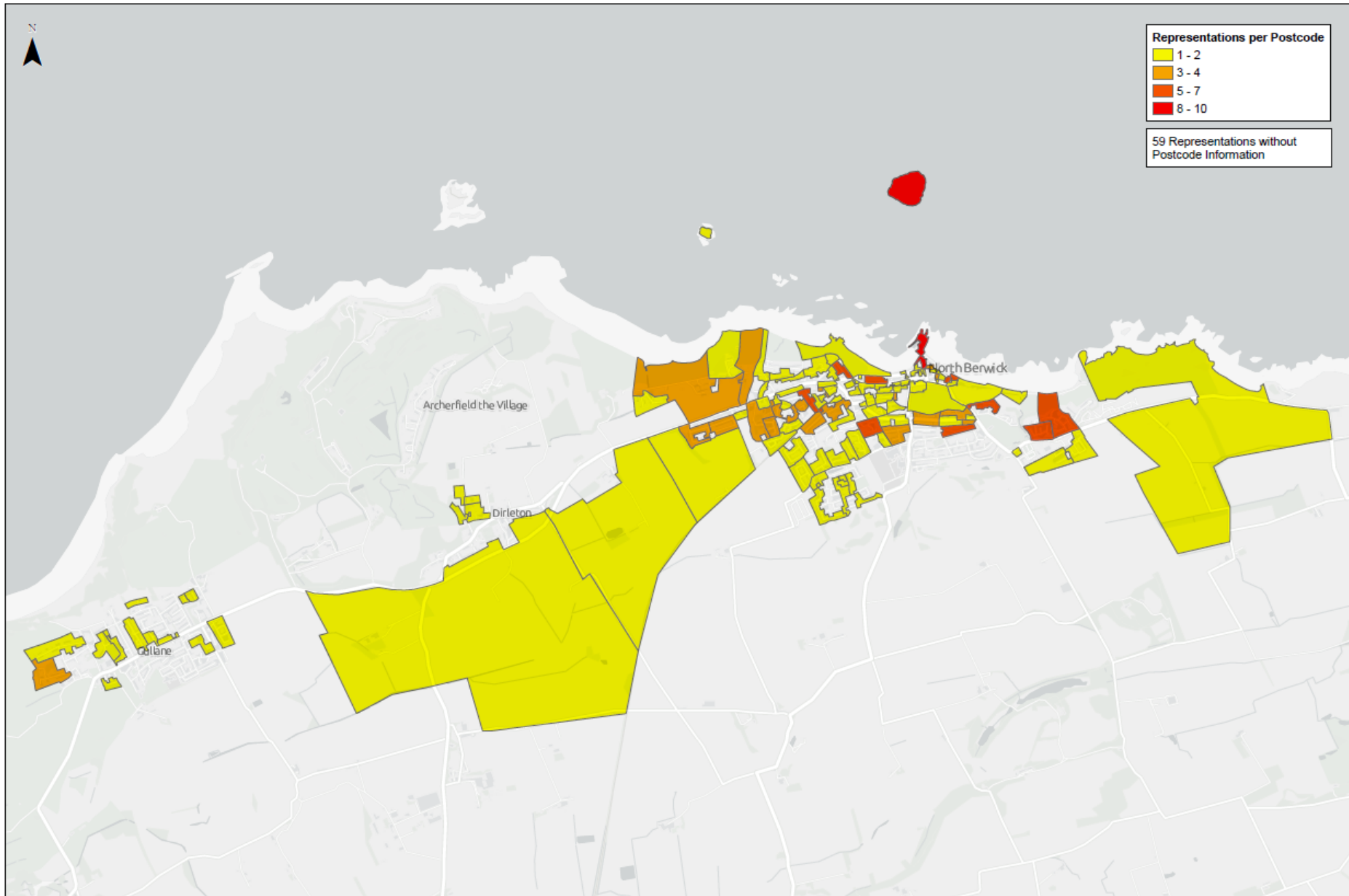


Client  
East Lothian Council

**ELC PARKING SUPPORT SERVICES**  
Representations - Order 3

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Drawn: TB	Checked: BK
Figure: 04	Rev: A



**Representations per Postcode**

- 1 - 2
- 3 - 4
- 5 - 7
- 8 - 10

59 Representations without Postcode Information

## **Appendix C – General Representations**

### **Overarching Themes**

#### **C.1 Difficult to respond to**

There are claims that the Council has made it as difficult as possible to respond to the scheme and has failed to adequately consult with or listen to the local community. The main point is around the need to respond to four separate TROs and it is claimed it is difficult to navigate the process with the intention to reduce the number of valid objections. There have also been comments that the council has not held public meetings to explain the proposals.

*As set out in the body of the report, the orders comprise of the principal order, the 2023 order, advertised last year, which was withdrawn. The 2023 order was amended taking account of representations and split between on and off street parking and the provision of two new orders. The process requires representation to be specific to an order to ensure clarity when considering the representations made and to avoid representations that are not relevant to the aspects of the different orders, for example, parking charges do not apply to the number 3 order.*

#### **C.2 Reliance of on-street parking and third-party car parks**

The representations highlight the reliance residents place on the parking provision of the road (street) and the towns car parks.

*The council has no statutory requirement to provide parking. The fundamental role of the highway is to give people the ability to pass and repass without let or hindrance, in real terms any vehicle parking on the highway is an obstruction. The widespread use and ownership of the motor car has resulted in a reliance of residents to park predominantly on the road where housing was built prior to widespread car ownership. In many cases the available kerb space is not sufficient for the demand within the street as the streets are relatively narrow and are unable to accommodate parking on both sides, which in turn reduces kerbside space. There are a marked number of properties which have taken the opportunity where they have sufficient space to create off street parking. This can reduce the demand for on carriageway space although the creation of vehicle crossovers can significantly reduce the number of on street parking places. There has been a reliance by residents to park on the road, to a point where there is an expectation that this is acceptable.*

*Due to kerb side demand, there has been a reliance on car parks for parking by residents. The use of car parks raises the issue as to the reasons the car parks have been provided, are they a destination car park for local visitors, tourists*

*and workers or for the benefit of residents? The use of car parks by residents suggests that there is benefit for a small number which is supplemented by the wider community suggesting parking in car parks or on street is an extension to a resident's property.*

*The introduction of car parks has been researched, there is very limited information available as to the background of the introduction of each car park, although the information supports the notion that they have been provided as a direct result of the impact of tourists to North Berwick. Further commentary on the car park provision is provided in Appendix H.*

### **C.3 Proposals conflict with Local Development Plan**

A point raised in later representations is that the proposals are not in line with the Local Development Plan.

*The LDP make specific reference to parking management under Policy T29. The policy states "The Council will implement its parking strategy to improve efficiency of the current supply and reduce the negative impacts of parking within settlements" Therefore the objection that the proposals go against the LDP are incorrect as the proposals are being introduced to deliver the parking strategy.*

### **C.4 The Proposals do not align with Scottish Transport Appraisal Guidance. (STAG) Principals and GG142 Walking Cycling and Horse Riding Assessment**

A point raised is that the appraisal does not comply with Scottish Government Technical Guidance.

*An appraisal using STAG is required whenever Scottish Government funding, support or approval is needed to change the transport system. It may also offer a suitable framework for other funders. The orders referred to in respect of STAG are not considered as being a change to a transport system. The use of STAG is therefore not appropriate.*

*In the case of GG142, this is specific to Motorway and Trunk road schemes and is not an appropriate design standard for the assessment of traffic orders.*

*The proposals are in line with the approved parking strategy, which is specific in managing existing parking before considering the need for additional facilities. This is also supported by policy T29 of the Local Development Plan to introduce the parking strategy to improve efficiency of the current supply and reduce the negative impacts of parking within settlements.*



### **C.5 Money-making scheme**

A significant number of representations state that the introduction of parking charges to make money for the council.

*One of the primary reasons for introducing parking charges is to generate an income to pay for increased enforcement.*

*The background as set out in Transport Scotland - Decriminalised Parking Enforcement Local Authorities' Income and Expenditure: 2021 to 2022 states: "DPE is a regime that enables a local authority to enforce its own parking policies, including the issuing of Penalty Charge Notices (PCNs) to motorists breaching parking controls in specified areas. DPE seeks to ensure that parking policies are implemented effectively and the underlying objective of DPE operation should be to achieve 100% compliance with parking controls and therefore no penalty charges."*

*Ministers' guidance to local authorities on DPE powers is that the system should insofar as possible be self-financing. In real terms with 100% compliance there would be no income from PCN's and additional sources of which includes parking charges will be needed to fund a level of enforcement to achieve 100% compliance.*

*There have been requests for additional enforcement within North Berwick, the additional revenue raised through the introduction of charged for parking will support an increase in enforcement.*

*In addition to meeting the objectives set out within the parking strategy there has been significant request to restrict motor caravan parking within North Berwick which will require additional enforcement. There is also a need to continue maintaining the existing car parks along with request for the provision of additional car parks and re-pay the investment in provision of the ticket issuing machine, lining and signing.*

*It is noted, the introduction of parking charges is likely to produce a surplus and this may only be used to make good any amount charged to the general fund over the preceding 4 years for parking enforcement/implementation or for certain transport-related purposes including; the provision and maintenance of off street parking or, where the local authority consider that further provision of off-street parking is not necessary or desirable, the provision or operation of (or facilities for) public passenger transport services; or for road improvement projects in the local authority area.*

### **C.6 Parking payment**

Representations have been raised with the use of phone-based technology and the potential to disadvantage some user groups, a similar issue has been raised by other charging systems such as cashless payment at parking machines and internet based applications for permits and fees. There has been concern raised with phone signal issues and the reliability of such a system to pay for parking as currently phone signal reception is poor and during peak times such as Fringe by the sea the signal is likely to be degraded due to use which may prevent payments by phone. This has been an issue at some major events where traders have been hit when trying to take cashless payments.

The introduction of parking payment stations has been a concern raised with the impact in the conservation area, the potential for reducing the width of already narrow footways and being a general hazard for pedestrians, this coupled with the inconvenience to obtain a ticket for a period of free parking for the roads around the High Street. The issue of the cost of the provision of parking machines has been raised.

*At present, there is no design as to the extent of the provision of parking machines or whether other payment systems will be introduced. The Council is in discussions with its preferred supplier and other local authorities in consideration of the points raised. There are no material matters of concern being flagged by the supplier or other Councils.*

### **C.7 Problems only seasonal**

There is a general objection which is repeated being that the problem is only for a short period during the summer and particularly during events such as Fringe by the Sea and the Highland Games. There is concern raised around parking displacement as a result of the introduction of restrictions.

*In response to the objections around the limited time the town suffers problem with parking, the operation of a parking enforcement is an all-year-round activity as many restrictions which require enforcement are for areas where parking is prohibited. The provision of additional enforcement, which would need the funding from the parking charges is an outstanding request from the community.*

### **C.8 Impact on High Street**

There is a significant number of objections raised stating the restrictions will have a negative effect on businesses within the High Street. Although there have been representations made by some businesses, the majority of objections are not qualified as being made by businesses or on behalf of those with business interests.

*The negative impact on business has been raised several times for both on and off street parking, with reference made to Berwick Upon Tweed, Kirkcaldy and Ayr as having removed parking charges due to their negative impact on business. The available online information for parking in these towns has been reviewed.*

*Berwick Upon Tweed – Both car parks and on street parking is free. The maximum on street stay being generally 1 hour and car parks having a maximum stay between 1, 2 and 3 hours with long stay parking defined as all day.*

*In the case of Kirkcaldy, the on street charge has been removed although this only applies to a limited area with a maximum permitted stay restricted to 1 hour.*

*Ayr – Parking charges for on street bays has been withdrawn, with no charge for a maximum stay of 2 hours. The parking charges for off street car parks has been retained.*

*It is difficult to draw direct comparison between the different pricing and maximum stay periods for the different schemes across both Scotland and the UK in general. In the case of North Berwick a free period for on street parking up to 45 minutes is proposed for roads directly adjacent to the High Street, with a maximum stay of 90 minute. The on street maximum stay appears generous compared to other towns with maximum stay typically being 60 minutes. When considering off street parking in several towns this is limited although there is clearly a demarcation of car parks adjacent to the business centres having a tighter restriction on maximum stay compared with outlying car parks. A comparison chart of a limited number, for example on and off street charging is given in Appendix I.*

*It is claimed that the proposals will influence visitors to use the out-of-town retail stores in preference to the town centre. Clearly out of town facilities provide services that are not catered for in the town centre these being access to a fuel station and choice and price for the larger weekly family shop. This is likely to influence local visitors as opposed to tourists who are specifically looking to visit the town.*

### **C.9 The scheme promotes car use**

There have been a small number of representations raising concern that the scheme promotes car use and does not address issues around modal shift.

*It is not envisaged that the scheme will increase car use as it looks to manage the exiting demand for parking. It does not directly advocate modal shift, but it*

*is clear from some respondents that there are trips undertaken within the town which could be undertaken by foot reducing the dependency on the car. The scheme does not look to introduce new car parks but manage existing stock which should not increase car trips.*

### **C.10 The scheme will not be enforceable**

It is claimed the scheme will not be fully enforceable.

*The issue of enforcement of the proposals has been raised. Concerns relate to the car parks of Castle Hill, Haugh Road and the Sewage Works. In these cases, this has been primarily on the basis that the car parks are not marked. Additional concerns have been raised more generally on enforcement of restrictions that apply overnight such as on street motor caravan parking and issues generally around the enforcement of vehicle type against vehicle height.*

*The proposed order simplifies enforcement as this defines a motor caravan as a vehicle type. The enforcement of vehicle height applies to all vehicles which include vans used by tradesmen visiting adjacent properties. The existing height restrictions are maintained which are around the Beach Road area of the town. The concern around overnight enforcement of car parks and on street restrictions is not seen as an issue as many of the existing restrictions being double yellow lines are enforced for 24 hours a day.*

### **C.11 Proposals introduce unsafe parking arrangements**

There have been several different safety concerns raised, not all are directly related to the potential impacts of the introduction of the parking scheme.

- Traffic lights at Station Road/Dirleton Avenue – the width of the bridge and pedestrian use.
  - *The proposals are unlikely to have an impact on the operation of the bridge due to the existing carriageway width.*
- Drivers forced to park outside the restricted areas causing congestion on residential areas and endangering the lives of children, affecting the normally calm environment.
  - *The extent of displacement is not known, although this is expected to be minimal and associated with all day parking. The displacement of residents and tourists from the zone is not expected due to the permit scheme and tourist being directed to car parks.*
- Forcing parking on Ware Road and Lord President Road at its junction.

- *There is potential for displacement of commuter parking associated with the station, although the station car park should accommodate parking demand. The displacement of parking will be monitored and remedial action if required will be considered.*
- Ware Road - This will create dangers for the young and infirm. As a road with no designated crossing area, higher traffic, on what was otherwise a quiet residential road, will be dangerous.
- The volume of traffic is not expected to increase as a result of the scheme, there may be some initial additional movement whilst the scheme settles in, although long term increase in local movement is not anticipated.
- Visibility for traffic exiting Ware Road onto Dirleton Avenue is dangerous already as the road curves. The increased traffic, on what will be reduced to a single file road, will create dangers for faster moving traffic on Dirleton Avenue.
- *The scheme introduces daytime restrictions on Dirleton Avenue which should address the concern raised.*
- Displaced parking will impact Nungate/Glenorchy Road junction.
- *The junction already has some provision of waiting restrictions, the displacement of parking will be monitored and remedial action if required will be considered.*

*In real terms the scheme looks to maintain the existing parking provision, except for Forth Street where minor changes in parking bay locations have been promoted as part of the scheme. There is no evidence that suggest the current available areas which are used for parking have resulted in personal injury collisions. There is a potential for displacement of parking which may lead to congestion, although this may not be as a result of unsafe parking. The responsibility to park in a safe manner falls to the driver and advice on parking is outlined in the Highway Code.*

## **C12. Motorcycles should not be exempt from charges**

The scheme exempt motorcycles from permit and parking charges.

*This is primarily due to the securing of permits and parking receipts for proof of parking not being able to be safely secured on a motorcycle with instances in other authority areas of permit theft. The development of web based*

*enforcement and payment linked to vehicle registration may in the future enable a sound basis of introducing charging for these vehicles set against the considered environmental benefits of such vehicles.*

### **C13. Impact on older members of the community**

There have been a number of concerns raised by the older members of the community around social exclusion due to the introduction of parking charges and the potential demise of social clubs which operate within the town centre, particularly the Hope Rooms located on Forth Street.

*The current restrictions on Forth Street operate June to September inclusive and the maximum stay is 90 minutes. Therefore, local visitors to the Hope Rooms would have limited stay over summer and with the new proposals a 90 minute stay would attract a £2 fee.*

*Events at the St Andrew Blackadder Church have a similar situation with parking on the High Street restricted and reliance on the Glebe and Kirk Ports Car parks. The scheme does not prevent parking but introduces a charge which is claimed would deter attendees during weekday activities as the fee for parking is not affordable for the older generation who rely on clubs and events held at these town centre venues. It is claimed that without the social interaction this will impact mental health. One respondent claimed that one club has already folded as a result of the parking proposals, although this suggests it is an excuse as the proposals are not confirmed.*

The costs are cited to be unaffordable for families.

*This in general doesn't reflect the imposition on the person making the statement but for third parties. They are assuming the cost will be unaffordable.*

### **C14. Blanket objections**

A number of objectors have made the same representation for each order irrespective of the Order content, this is particularly apparent with two new orders. Orders No.2 and No.3. which seek to address concerns at the Sewage Works and Community Centre and Library. Some respondees repeated their objections for orders No.1 and No.4 in No.2 and No.3.

*A number of the issue are not transferable. In the case of the No.3 order there are objections to the introduction of parking charges at the Community Centre and Library, which is not the case. In respect of the No.2 Order it is claimed that parking charges will impact local businesses, which is unlikely due to the distance the car parks are from the town centre. This is also countered in*

*representations that those vehicles, motor caravans, which use these areas do not contribute to businesses within the town.*

### **C15. No consideration of additional parking supply or park and ride**

There is conflict between the points raised within several representations, with some stating that there is not a parking problem and then within the same representation request/suggest the provision of additional car parks and park and ride schemes.

*The proposals are in line with Parking Policy 1 which seeks to introduce parking management as this precedes consideration of increasing of parking provision.*

### **Parking Policy 1**

The Council will apply a hierarchical approach to parking supply starting with the application of parking enforcement then parking management and, finally, increasing parking provision if these other measures fail to resolve the problem.

### **C16. Opposition to permitting motor caravan (motorhome and campervan) parking**

There is general appreciation of the introduction of restrictions on motor caravans, although the blanket restriction on the use of car parks and on street parking bays with the exception of the Haugh Road and Sewage Works car parks may have a detrimental impact on those motor caravan users who are visiting the area for days out and using a campsite as a base. The proposals effectively preclude this group from visiting the town. It is accepted that motor caravans can park in the rugby club car park, this is not specifically signed. The car park is approximately a 10-to-15-minute walk from the town centre along the steep gradient of East Road.

There is some acknowledgement of the use of the recreation ground car park for motor caravans, this has been highlighted with the need to positively sign motor caravan parking to avoid congestion in the town centre and particularly Tantallon Terrace and Haugh Road.

### **C17. Request for free parking in all car parks**

Requests have been received that a free period of parking is extended to all car parks, the time this should be has not generally been suggested although a 45 minute grace period has been requested.

*The introduction of a grace period may limit the availability of car park spaces for long stay parking, the on street provision looks to accommodate short stay immediately adjacent to the potential trip destination.*

**C18. Impact on railway car park**

Concern has been raised as to the railway car park not being included in the proposals and that this will attract additional parking.

*The railway car park is in the control of Scotrail and is not a car park in the control of the council. Discussion are ongoing with Scotrail to ensure the use of the car park is appropriate and can be maximised.*

**C19. Wider permit eligibility**

There have been a number of requests for the extension of the eligibility for permits to permit parking. Requests to include the wider residential area of North Berwick and its outlying settlements, availability of worker permits, the availability of golfer permits and the availability of multi zone permits.

*The issues around the wider eligibility of permits is covered under Order No. 4 it is accepted that this issue also relates to Order No.1 and Order No.2*



## **Appendix D – Representation made Order No.1**

### **Order specific issues THE EAST LOTHIAN COUNCIL (NORTH BERWICK) (OFF STREET PARKING PLACES) ORDER No: 1**

#### **D1. Impact on business**

A proportion of representations object to the introduction of parking charges on the basis that this would have an impact on the viability of businesses by deterring visitors to North Berwick. In most cases the objection actually reflects that the charges would discourage local residents from visiting the town as opposed to tourists.

There are a number of representations which give examples of towns where on street parking charges have been abandoned/reverted back from paid for parking to free following the introduction of paid for, these include Berwick-upon-Tweed Kirkaldy and Ayr, this issue is covered in C8 above.

*A review of Northumberland council website shows there to be 20 car parks in Berwick-upon-Tweed including the station car park which has a £3.50 fee. The other car parks are free but have a maximum stay of between 1 hour and all day. On street parking looks to be free with the operation of a disc system to indicate your arrival time to enable enforcement through a single visit. On street permits are available for residents at a charge of £30 per permit, there is a limit of two permits per household, one being the main car and the second permit being a visitor permit.*

*Northumberland also operates a coastal car park scheme with some car parks being free and others with charges from £2.80 per hour and up to £13 all day.*

Concern has been raised by residents that the proposed order does not allow for residents to park in the car parks without charge, requests have been received asking for the on street permits to be valid for use in the car parks.

*This raises the issue as to the reason the car parks have been provided and if those carparks are oversubscribed by residents, this does not meet the objectives of increasing parking turn over for the benefit of the businesses within the town.*

One respondent requested that the maximum stay in car parks should be 2 hours.

*This matter was considered as part of the original consultation and the view of the community was to allow 5 hours parking.*

#### **D2. Displacement of vehicles**

Concern has been raised around parking displacement, particularly as a result of the introduction of parking charges and that residents would be displaced from the car park during its hours of operation as the permit scheme prompted under Order No.4 does not include the use of off street car parks.

*The displacement of holiday visitors (tourists) from the town centre is considered to be minimal. This is based on the fact that most holiday destinations have parking charges and there is a high level of acceptance of charges when visiting attractors.*

*The displacement of residents from the car parks will be a direct consequence of introducing parking charges, Order No.4 looks to compensate this by introducing the resident permit system which would give permit holders priority over on street visitor parking. There is an implied assumption that there is a right for residents to park within the car parks, which affectively implies that the car park is a personal asset. This does raise the issue as to the reason the particular car parks are provided, although this does not remove the responsibility of the driver to park in accordance with regulations or give the right to park within the car park or the public highway.*

*Long stay worker parking has not been addressed by the proposals and displacement of this group is expected.*

*There is a commitment to review the operation of the scheme if it is introduced and any problems of parking displacement can be identified, and remedial measures considered.*

### **D3. Kirk Ports**

Specific objections as to the reduction in parking bays within the Kirk Ports car park have been received. The objection is based on parking within the central area of the car park not being represented on the order plans.

*The order plans reflect the bays currently marked in the car park. There are no bays marked in the central area of the car park. The car park is not of sufficient width to accommodate centre aisle parking. Vehicles parked in the central area can obstruct access to marked bays. This parking practice is not supported. This is not considered to be a qualified objection as the proposals do not reduce the number of marked bays within the car park.*

### **D4. Imperial Car Park**

The reason as to the provision of the different car parks covered by the order is fundamental to their ongoing use. In the case of the Imperial car park a section of the southern part of the car park is registered as common good land which has been raised in representations.

*The land itself is not subject to a change of use as a result of the proposals and the designation of the land has been recognised with the surplus parking funds generated through parking on this land to be put back to the common good fund. It is unclear how this would meet the requirements for car parking surplus being ringfenced for enforcement and maintenance expansion of the parking scheme or transport related projects.*

## **D5. Glebe Car Park**

Concerns have been raised around parent drop off for the nursery school at 28 St Andrews Road.

*The proposals promoted under the No. 4 order would not impact the drop off of children to the nursery. There currently is a planning condition preventing the use of adjacent roads for drop off with direction given to the use of the Glebe carpark promoted by Road Services.*

*The No.1 order which covers the use of the Glebe car park will directly impact parents as the No. 1 order directly conflicts with the planning condition instructing use of the car park for the nursery.*

*As the planning condition is specific in where the parents can park whilst drop off and pick up, this would incur a parking charge of 50 pence in the morning and 50 pence in the afternoon. This could be considered as penalising the use of the nursery. The drop off and collection parents and guardians at the nursery could be accommodated within the Glebe car park by the introduction of a 15-minute free parking period. This would apply to all car park users.*

*There has also been a suggestion due to the car parks location that this should have the same operational times as the Kirk Ports car park that is up to 45 minutes free with a charge for up to 75 minutes of £1.00 and up to 90 minutes £2.00 with a maximum stay of 90 minutes. The introduction of this limited charge structure may displace parking on to adjacent streets and would be a significant increase of 90-minute spaces over what is currently provided.*

<p><b>Recommendation:</b> <i>The proposal for the scale of charges for Glebe car park to be amended to allow a 15-minute charge free period is recommended</i></p>
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## **D6. Castle Hill provision for disabled badge holders**

Objections have been raised against charging at Castlehill car park that restricts disabled users.

*The car park currently has an unbound surface, which makes it impractical to mark bays in the car parks in the same way as surfaced car parks. The order has been promoted on the basis of the activities within the curtilage of the car park as opposed to enforcement of specific bays. This practice is similar to the designation of coastal car parks.*

*The order makes allowance for vehicles with blue badge holders recognising the fact that there are no marked bays for blue badge holders in the car park. The Order allows them to park anywhere in the car park without charge or restriction on length of stay. This would apply to all vehicles with blue badges including motor caravans.*

## **D7. Parking is a seasonal issue**

A large proportion of representations linking both order 1 and order 4 raise a concern that the parking problems are seasonal and predominantly limited to

the summer period and charging should not be imposed outside of the seasonal peak period. The claim for no off season charging in some cases is supported by photographs showing car parks with ample available car parking spaces.

*The introduction of an out of season parking incentive in the off-street car parks, could be based on a free period for parking for the period late October to March (winter clock hours) inclusive for the car parks of Imperial, Glebe, and Lodge car parks.*

*Recommendation: Allow free parking in Lodge, Imperial and Glebe Carpark from the last Sunday in October to the last Sunday in March.*

## **Appendix E – Representations made Order No. 2**

### **Order specific issues THE EAST LOTHIAN COUNCIL (NORTH BERWICK – HAUGH ROAD and SEWAGE WORKS) (OFF STREET PARKING PLACES) ORDER No: 2**

#### **E1. Opposition to permitting motor caravan (motorhome and campervan) parking**

There is general appreciation of the introduction of restrictions on motor caravans, although in the case of the No.2 order for Haugh Road and the Sewage Works car parks there are still concerns around the number of potential motor caravans and the issue with motor caravan users disposing of their waste.

*Both the Haugh Road and the Sewage Works car parks have no restriction on the class of vehicle or limit of stay and both have a loose unbound surface. This precludes the opportunity to mark formal bays and the scheme has been promoted on the basis that parking is within the limits of the car park. Plans have been developed to provide a bound surface to the car park which will enable the marking of bays. The time scale for funding and undertaking the works has not yet been programmed. The interim solution is a means of establishing the principal of charging for parking.*

*The scheme is not advocating camping and the issue around the disposal of human waste is not a consideration of the parking proposals as the orders promoted are specific to the control of parking by imposing a maximum stay for parked vehicles. The proposal addresses one of the main issues raised at previous consultations regarding motor caravans, specifically motor caravans staying for prolonged periods over several days.*

#### **E2. Promoting the car parks as camp sites**

Multiple objections were made that the Council encourages the use of car park for camping.

*The scheme is not advocating camping and the issue around the disposal of human waste is not a consideration of the parking proposals as the orders promoted are specific to the control of parking by imposing a maximum length of stay for parked vehicles. The maximum length of stay is 24 hours with no return within 24 hours.*

*One representation referenced an attempt by the Council to introduce a bylaw preventing overnight camping, which was turned down when the Council made approaches for the bylaw to be ratified. In addition, a further representation claims the car park was provided to accommodate day trippers. The proposal makes provision for day trippers and restricts any length of stay beyond 24 hours.*

### **E3. Disposal of waste**

The issue of disposal of waste from motor caravans and defecating in public has been a recurring theme in correspondence.

*The issue around the disposal of wastewater should not occur as in general motor caravans have toilet facilities with suitable built in storage facilities and there are containers on the market to capture grey water waste. The inappropriate disposal of wastewater is a criminal offence and is subject to a £200 fixed penalty notice which can be attributed to the offending vehicle. This is not a matter of consideration under the scheme.*

*It is unclear if the issue of defecating in public is specific to motor caravan users or is in relation to other visitors to this area. Defecating in a public place is an offence under section 47 of the Civic Government (Scotland) Act 1982, it is understood this would be a police matter.*

### **E4. Congestion due to only parking available for motor caravans**

Objectors raised concerns that there is congestion associated with the use of the carparks by motorhomes.

*The proposals do not look to address the issue of congestion but to manage the off-road parking areas provided at Haugh Road and the Sewage Works. The car parks are located down what is a long cul-de-sac of 1 km in length. The congestion appears to be concentrated at its eastern end, where a combination of parking and volume of vehicles causes problems during periods of high demand.*

*The No. 4 order proposes no waiting at any time restrictions on Haugh Road to help reduce the effects of the congestion although the only effective solution would be to control the number of vehicles able to access the road, including residents, delivery drivers, Glen Golf club users, etc. This in real terms is not practical due to the number of different users and the inability to physically stop drivers, when the purpose of the public road is to provide a right of passage.*

*As within many public facilities, car parks and on street parking operate on a first come first served basis. The current proposals look to maximise the parking opportunities as far as is practical given the condition of the car park. It is intended in due course to upgrade and enhance these car parks, providing designated marked parking bays to restrict and control further motor caravan parking. The proposals will not address the issues raised around congestion.*

### **E5. Surface of car park – marked bays**

There have been a number of representations around tighter controls on the use of the car park and the fact that no disabled bays are marked within them.

*The car parks currently have an unbound surface which makes it impractical to mark bays in the car parks in the same way as surfaced car parks. The order has been promoted on the basis of the activities within the curtilage of the car park as opposed to specific marked bays.*

*The order makes allowance for vehicles with blue badge holders. Recognising the fact that there are no marked blue badge holders are able to park without charge or restriction on length of stay. This would apply to all vehicles with blue badges including motor caravans.*

*Further restrictions on the use of the car parks have been requested, which include the banning of overnight parking and the complete ban on parking by motor caravans. These further tightening of restrictions although presented as objections would be a significant additional restriction above the advertised order and would need an amendment to the order which would need to go through the consultation process. These are considered as not being material objection to the current proposed order as in real terms they support the introduction of restrictions on the use of the car park.*

## **E6. Designation as Coastal Car Parks**

Request have been received to include the Haugh Road and Sewage Works car parks as part of the Coastal car parks scheme.

*The designation of these car parks has not been considered as part of the order making process. The basis for the designation would be to allow Coastal car park permit holders to park in the Haugh and Sewage Works car parks using their coastal car park permits. The North Berwick car parks historically have not been designated as Coastal car parks, but considered town car parks and this is seen to be outside the scope of the current proposals and not a material objection to the proposals.*

There has been a request to ensure the car parks are more accessible and prioritise local residents, so to avoid competing with motor caravans or the imposition of a parking charge.

*The introduction of a parking charge would apply to all users, which is considered to be fair as no group would be disproportionately disadvantaged. The car parks operate on a first come first served basis. This also supports the notion that the car park was initially provided for day trippers.*

*Previously, in consideration of Coastal car parks a two-tiered system was sought by consultees to favour local residents. This was reviewed and at that time rejected on the basis that tourists must not be treated differently from locals and the system should not favour a particular group.*

## **Appendix F – Representations made Order No3.**

### **Order specific issues THE EAST LOTHIAN COUNCIL (NORTH BERWICK) (COMMUNITY CENTRE & LIBRARY PARKING PLACES) ORDER No: 3**

#### **F1. General**

Of the 75 representations received to order no3., 5 request clarification/additional information and, 67 were objections of which 4 were not qualified.

- 19 of the representations related to the proposals introducing unsafe parking arrangements, when the actual layout and number of parking spaces is not being changed.
- 13 related to the proposal disadvantaging older residents, although the proposal will aid access to these community facilities.
- 38 respondents indicate the parking charges, will harm local businesses. The location of the Community Centre and the Library are set out from the centre of North Berwick and this is not considered to be a material issue as in this case there are not any associated charges for parking.
- 24 representations indicated that the proposal will not address issues around motor caravans. The order is specific in removing general motor caravan use from the car parks with the need to authorise vehicle, which are visiting the facilities. These authorisations may include motor caravans. It is considered that the proposal for the No.3 Order fully address the issues of motor caravans.

#### **F2. Discriminatory to blue badge holders**

Representations have claimed that the proposals are discriminatory against blue badge holders as the order imposes a maximum stay of 2 hours for on them.

*The length of stay for blue badge holders is not linked to being a visitor to the facilities. The intention is that blue badge holders requiring longer than the 2-hour limit whilst visiting the facilities can gain authorisation for extended periods on arrival. The proposals are therefore not considered to be discriminatory against blue badge holders.*

*The issue as to the ability to enforce the blue badge use has also been raised.*

*The proposal proposes to use automatic number plate recognition (ANPR) to monitor and enforce acceptable use of the facilities. Blue badge holders will be required to register on arrival to avoid number plate recognition enforcement.*

#### **F3. Denying the use of the community centre car park for visitors to Our Lady Star of the Sea church**

Representations to the order for the Community Centre and Library car parks have been received. The representations specific the Community Centre car park and the restrictions on parking being operational on Sunday's when in



general the Community Centre is closed. There are also concerns with other times for the attendance at funeral service and other weekday events.

13 of the 66 objection referred to the fact that visitors to Our Lady the Star of The Sea Church located opposite the Community Centre on Law Road will be disadvantaged as visitors to the church use the Community Centre car park. In general, the Community Centre is not open on a Sunday, although for events such as Fringe by the Sea the car park is used on a Sunday.

The community centre car park is provided as part of the facility and signs are provided on entrance to the car park indicating the use of the car park is for centre users only. A point recognised by the Community council in their email dated 28 September. The introduction of the restrictions including Sunday supports the current signing provided at the entrance to the community centre.

*It is acknowledged that the Community Centre in general is not used on a Sunday and this is the main time that there is demand by church goers. The scheme is primarily targeted at weekday use and there is the opportunity to authorise vehicles to park on a Sunday.*

*Sunday and potentially evening registration and authorisation could be used to accommodate those visiting the local church and could extend beyond church goers to include other users. Registration would provide contact information for those using the car park and notification to authorised vehicles as to when the authorisation is rescinded due to events could be given to those registered vehicles. The car park has 27 general parking bays and there would be a need to limit the number of authorised vehicles to ensure parking is not over subscribed.*

*The authorisation of vehicles not using the Community Centre facilities would give rise to an administration burden, which has not been accounted for in the order. Therefore, it should be recommended that authorisation is subject to an annual fee in line with the administration charge for the issue of health worker permits, which is currently set at £10 per year, but this mitigation would present a more onerous requirement on the user and not being advertised under the published order, the fee would not be admissible. This additional provision for permitting users would need to limit the number of authorised vehicles, which could extend beyond church goers.*

**Recommendation:** *It is recommended that the number 3 order is made with an allowance for additional authorised vehicles.  
This will not require any material modifications to the advertised order.*

#### **F4. Objection to parking charge and maximum stay**

Objections to the introduction of parking charges at the museum and community centre have been received.

*The proposals for order No.3 do not introduce a charge for parking.*

*There has also been a number of objections against the maximum length of stay of 15 minutes.*

*There is no restriction on the length of stay. A 15 minute grace period is allowed to register a vehicle. Registered vehicles will be limited to a maximum length of stay period based on the reason for their visit. There will be no associated charge for authorised vehicles.*

*An authorised vehicle will be restricted to the length of time based on its authorisation, that is the length of time to attend a course or event. In the case of the Community Centre, authorised vehicles will be those registered with the Community Centre. This will include staff and those visitors' undertaking courses or events. For the library, this will be a similar arrangement with authorised vehicles being staff and those members of the public who need a longer period of time whilst undertaking works or research in the library.*

#### **F5. Difficult to enforce**

There have been several representations claiming the proposals will be difficult to enforce.

*The enforcement is proposed to be through Automatic Number Plate Recognition (ANPR) cameras, which will register number plates of those vehicle entering and leaving the carpark. This will be cross referenced with the record of authorised vehicles. Those vehicles stay beyond the 15-minute grace period and not being registered or those vehicles which are authorised but stay beyond the authorised period will be subject to a penalty charge notice.*

## **Appendix G – Representations Made Order No. 4**

### **Order specific issues THE EAST LOTHIAN COUNCIL (VARIOUS ROADS – NORTH BERWICK) (PROHIBITION & RESTRICTION ON WAITING, LOADING & UNLOADING ETC), ORDER No: 4**

There are a number of different themes of objection for the No. 4 order, in many cases the No. 4 order is not stated in the objection although the issues raised are clearly related to on street parking.

#### **G1. Unnecessary burden on residents**

The introduction of charging will place an unnecessary financial burden on residents, local businesses, and visitors, negatively impacting local businesses.

Representations referencing residents can be split into two distinct groups those who live within the zones and those who live within the town but not within the zone.

One issue raised for zone residents is the need to having to pay to park in front of their own home.

For those residents outside the zone or traveling in from outlying settlements, the imposition will see an additional cost to partake in sporting activities and clubs and activities held within the town.

#### **G2. Public Right**

It is claimed that the proposals will diminish the rights of people.

*it is unclear if this is related to specific rights. It infers a right to park, although there are no rights to park on the public road or in Council car parks.*

#### **G3. St Baldred's Crescent**

In the case of St Baldred's Crescent parking areas have been provided as part of the development, which are maintained as public road. It is claimed these were designed for resident's use.

*St. Baldred's Crescent is a public road and maintained at public expense. No private parking spaces are recorded. The continued use of the parking spaces by resident's is maintained by virtue of them being included as part of the resident permit scheme, although these are not designated as resident only. There is no change to the status of the parking space.*

#### **G4. Deter visitors**

There is a concern that the introduction of parking charges will deter visitors, such as tourists.

*There is no evidence to suggest that parking charges reduces the number of tourists to towns when this has been implemented in other areas in Scotland.*

*Charging for parking helps to have a turnover of spaces, which would allow more people to visit the town and support the local economy.*

#### **G5. North Berwick Tennis Club**

There have been a number of objections related to the impact parking charges will have on North Berwick Tennis Club. This is seen as being negative as this would discourage membership, discourage playing tennis, discourage parents from taking their children to coaching sessions, and generally discourage use of the facility.

*It is stated that there is sufficient nearby free parking to meet demand, parking for 2 hours for a game of tennis and for drop off and collection of children attending coaching sessions. The proposals maintain the existing parking provision on the roads adjacent to the tennis club with the addition of a 50p per half hour charge.*

Objections from residents of Glasclune Gardens have raised concern to the manner in which parents use the double yellow lines to drop off and pick up children attending the Tennis Club.

*The boarding and alighting of passengers on yellow lines is permitted.*

#### **G6. Request for larger bays**

There has been one request for the provision of a number of larger bays on street to accommodate larger vehicles.

*The proposed bays on street will not be individual marked parking bays but bay lengths, this would not restrict access to parking bays for longer vehicles. The width of bays is restricted by the width of the available carriageway. Inappropriate widening of parking bays may impede the free flow of vehicular traffic.*

#### **G7. Disparity between on street and off-street length of stay**

The issue of a longer permitted length of stay for on street parking when compared to off street car parks has been raised with the potential for visitors choosing to park on street rather than in car parks.

*The length of Stay was subject to public consultation with options provided for public consideration. The length of stay is the recommendations made by the public through consultation. The maximum length of stay for the Glebe, Lodge and Imperial car parks is 5 hours, compared with Level 4 on-street parking of 6 hours. There is a likelihood that this concern could be realised. Consequently, the impact of this will be considered as part of the post implementation monitoring and review.*

<b>Recommendation:</b> Monitor and review impact of parking disparity between off and on street parking.
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## **G8. Displacement of vehicles**

Concern has been raised over the potential for the displacement of vehicles as a consequence of parking charges.

*It is acknowledged there is a potential for parking displacement. With the introduction of resident permits the displacement of parking by residents is expected to be minimal. The displacement of tourists from the town is also considered to be minimal as this group is more likely to use car parks over on street parking. The displacement of local visitor is also considered to be minimal as the scheme looks to maintain the current maximum parking within the central area of the town, although parking more than 45 minutes would incur a charge. Long stay worker parking has not been addressed by the proposals and displacement of this group is expected. There is a commitment to review the operation of the scheme if it is introduced and any problems of parking displacement can be identified, and remedial measures considered.*

The main areas raised by objectors where displaced vehicular traffic is predicted to occur impacting the local road network are:

- St Baldred's Road – impacting access to health care and causing congestion.
- Law Road south of St Baldred's Road
- Displacement from around the station on to Dirleton Avenue, Ware Road, Links Road
- Displacement from Links Road on to York Road
- Displacement of motor caravans from Haugh Road to Abbotsford Road

<b>Recommendation</b> : To monitor and inspect the local road network to identify problems and mitigations as a result of parking displacement.
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## **G9. Order clause**

The order contains specific clauses in relation to the use of parking bays. One matter which has been raised in objections is the restriction of bays for the purpose of washing any vehicle other than is reasonably necessary to enable that vehicle to leave the parking place.

*This phrase is a direct lift from the off-street parking bay restrictions and has been repeated in the on-street order for consistency. The clause looks to restrict the use of the road for the purposes of car maintenance. The clauses contain wording around repair and maintenance of vehicles, and consequently, the washing of a car as it is considered to be maintenance of a vehicle. Further review of the use of the restriction for control of on-street parking is not warranted. It is also considered the use of primary legislation, in accordance with paragraph 4 of the Clean Neighbourhoods and Environment Act 2005, the maintenance of vehicles for reward or gain is more appropriate.*

<b>Recommendation:</b> the clause specific to washing of vehicles is removed on the basis that primary legislation addresses the
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concern of inappropriate use of on street parking bays.

### **G10. Impact on Glasclune Gardens and Tennis Club**

There have been a number of objections raised in connection with the proposals specific to Glasclune Gardens. One theme is that the layby provided adjacent to No. 1 Glasclune Gardens was provided for the benefit of residents when the eastern end of the road was developed. The layby is part of the adopted road with no restriction on its use.

There have been a number of representations from residents of Glasclune Gardens questioning the need for further parking bays within Glasclune Gardens and that the inset bays within Glasclune Gardens were specific for use by residents.

There has also been concern raised about the section of parking provided on the southern side of Glasclune Gardens and the section on the north side at its entrance. Safety concerns were raised as the layout of the parking bays introduce a chicane.

*The parking chicane has been introduced to help reduce vehicle speed on what is a straight residential street and to maximise parking opportunity whilst taking account of existing vehicle crossovers and the need for forward visibility.*

Concern has been raised on the number and extent of the parking spaces provided and the potential restriction to the use of the Lodge grounds via access St Baldred's Lodge, which is exacerbated by the proposed extension to the yellow lines opposite the property access.

*The current proposals do not extend beyond No. 1 Glasclune Gardens. The current demand on Glasclune Gardens is generally low and the restrictions are to address potential parking displacement, which is not evidenced. It is recognised there is a change in character of the road beyond No. 1 Glasclune Gardens. This combined with the distance from town centre, on review is considered beyond the practical influence of the scheme. There is opportunity to review the need to extend the scheme if parking is displaced beyond the proposed parking bays.*

Representations have also been received regarding parking availability for users of the Tennis Club within the recreation ground and the inconvenience and cost of the scheme for those visiting the club.

*In the case of Glasclune Gardens properties have individual off-street parking provision and so are not reliant on the need for resident priority bays. One resident has raised concern that they park their vehicle on the road because they are a carer for disabled family members who could not otherwise access the vehicle if parked on their off-road provision. A Disabled Persons Parking Place (DPPP) can be sought to address their specific user needs.*

*Both Glasclune Gardens and Greenheads Road are on the periphery of the scheme limits and are remote from the immediate attractor of the town centre.*

*The removal of these roads from the provision of parking bays would go some way to addressing the concerns raised by the Tennis Club, although there would clearly be competition for available parking spaces as a result of displacement.*

*The removal of Glasclune Gardens from the scheme would address the representations made by residents, although may disproportionately impact the resident who relies on street parking for disabled access to their vehicle, however, alternative provision could be made upon request.*

*It is recommended to retain the roads within the zone but not introduce on street parking bays as proposed. There remains a risk that parking displacement will occur impacting Glasclune Gardens and Greenheads Road. There is a commitment to review the operation of the scheme and if there are any impacts that arise which require mitigation these could be considered as part of the review of the scheme. This is on the basis and understanding that changes would only be implemented if other mitigation measures for the scheme are required and that Glasclune Gardens and Greenheads road would not be subject to a specific standalone order.*

<p><b>Recommendation:</b> Remove the proposed parking spaces and yellow line provision from Glasclune Gardens and the parking bay provision on Greenhead Road from the advertised order with provision to review and monitor the impact of displacement on those roads from the scheme.</p>
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### **G11. Extension of permit availability**

There have been a number of requests for the availability of permits to be extended, these include:

- Permits being valid for all proposed zones
- Additional resident and short term let permits being available to all North Berwick residents including those in outlying villages
- Permits for staff
- The coastal car park permits being valid for North Berwick car parks.
- Permits available for members of North Berwick Golf Club

### **Permits being valid for all proposed zones**

*The scheme affectively replicates the current situation with respect of the central zone; that there is very limited on street parking opportunities within the central area. Consequently, residents rely on parking on adjacent roads, which is reflected in the central zone proposed permit being valid for both east and west zones. The scheme looks to promote more sustainable transport choices, and it is apparent from representations made that there is vehicular movement within the limits of the proposed zones, which could be undertaken by walking. One aspect is access to the station for potential east permit holders and access to the shops by west permit holders. The central zone acts as a buffer between the east and west zone with its very limited availability of on street parking and the short-term parking provision with the 45-minute free stay. The introduction of permits for all zones would be counterproductive in respect of modal shift as this would remove the incentive to walk or cycle.*

### **Additional resident and short term let permits**

*The introduction of permits for short term lets was introduced following representations received as part of the 2023 order consultation. The number of permits has been limited as there is a concern that there would be excessive demand for on street spaces in direct competition with residents parking requirements.*

*The number of permits is limited to two per household, which in most cases is considered sufficient. The excessive issue of permits may disadvantage permit holders due to the permits being oversubscribed. There is a commitment to review the parking scheme if implemented and this issue can be included in the review and has the potential to increase this number should it be found that parking is underutilised.*

### **Permits being available to all North Berwick residents including those in outlying villages**

*The context of request for permits for those visiting North Berwick are for on street parking, these requests have been particularly for users of the Tennis Club in the East zone and those undertaking regular trips to the town.*

*The east zone is limited in the number of available on street parking spaces available due to the majority of properties not having access to private off-street parking. The allowance of additional permits for the wider community is likely to place a higher demand on streets with residential parking which would disadvantage residents of those streets which the scheme looks to give priority.*

### **Permits for staff**

*There have been request for business staff permits to support businesses with recruitment and retention of staff, protect low paid staff from the high cost of parking, reduce parking displacement and address concerns on late night return to parked cars some distance from the town centre to avoid personal safety issues.*

*The issue of staff permits raises concern as to car park occupation which will impact parking availability for tourists and local visitors along with permit fee and issue which could be open to abuse. The issue of additional on street permits would significantly disadvantage residents as there is a finite available number of on street spaces and concern has been raised in the east zone as to the ratio of properties to on street spaces. Therefore, any consideration for the issue of staff permits would be limited to potentially Glebe, Imperial and Lodge car parks.*

*Based on a 5-day working week the potential cost per year for parking could be £1300 with an allowance for holidays this would be reduced to £1175 assuming staff park for the maximum permitted time of 5 hours and pay the £5 fee. In real terms a staff permit would allow unrestricted parking which could potentially occupy car parking spaces otherwise available for tourists and local visitors. There is no indication as to the potential uptake of these permits or if the*



*business owner or staff would be the primary beneficiary. The other issue is around number of permits, clearly some shop premises operate with higher staff number than others and the over subscription of discounted staff parking could be detrimental, in the same way as limiting the number of permits for example 1 permit per business premises, it is unlikely that the lower paid members of staff would benefit. Alternatives such as an aggregated number of permits based on business size would be difficult to manage and there is a potential for a turnover of staff which again would present a challenge to manage.*

*A potential mitigation is to run a trial scheme for off season staff permits for the period October to March inclusive, this covers the wintertime where their workers are more likely to travel back to parked vehicle during hours of darkness. This could be limited to 2 permits per business at a discounted cost over the normal daily parking charge . The proposal for an off season no charge period in the Lodge, Imperial and Glebe Carpark. October to March, negates the need for such a provision.*

### **The coastal car park permits being valid for North Berwick car parks**

*There have been specific requests for Coastal car park permits to be valid for the Haugh Road and Sewage Work car parks as well as more general request that the permits be valid for all North Berwick car parks where charging is proposed.*

*The car parks of Haugh Road and Sewage Works are not designated as coastal car parks nor are they proposed to be within the current orders. The car parks are currently generally oversubscribed and the inclusion of these car parks within the Coastal car parks permit is likely to generate complaints of the permit not being functional due to the very limited opportunities to park. If the current proposals free up parking capacity in these car parks this would give the opportunity to review the inclusion of these car parks within the coastal car parks scheme.*

*The wider use of Coastal car park permits for the car parks of North Berwick would potentially undermine the potential income from the car parks. The cost of a daily charge for coastal car parks is £3 with annual season ticket cost of £50 which effectively equates to 17 days parking. The inclusion of North Berwick car parks would significantly reduce parking income and increase the real value of a coastal car park season ticket. The cost of the permit could rise to offset the added value to be in alignment with a comparison to the current charge the cost of the permit would need to be £135 based on 17 days of coastal car park use and 17 days of North Berwick car park use. In real terms this doesn't reflect a fair use, assuming that a in general there could be 1 to 2 visits to North Berwick per week this would amount to between £260 and £520. Therefore, a level to provide a discount and provide for both town and coastal car parks would need to be considered at £440 that is the fee for current coastal car park use and an average of 1.5 North Berwick car park visits per week. Going forward with consideration of parking schemes in other towns similar request are likely to be forthcoming with a potential for request for wider acceptance of permits to cover all parking schemes.*

### **Permits available for members of North Berwick Golf Club**

*There have been concerns raised by members of the North Berwick Golf Club and the need to pay to park on street to be able to play golf and the potential impact on visitors. The order has been amended to ensure the maximum stay will give sufficient time for the completion of a round of golf, the parking fee would be the standard £5. The cost has been suggested as being too high with playing 2 rounds of golf per week would attract an additional cost of £520 per year. There has been request that Golf Club visitors should be eligible for a free permit as the club has no car park and supports the local community by attracting visitors to the area.*

*In real terms the Golf Club is a business as is in the case of those retail business on the High Street, and the issue of permits to players could be considered the same as giving permits to customers of retail businesses.*

*The potential extension of the Coastal car parks scheme would give the opportunity for Golf Club members to purchase a permit, although the available car parks is not convenient for Golf Club users, this implies the need for west zone-specific Golf Club permit. The issue of permits for one user group such as the Golf Club would introduce a disparity for the likes of the Tennis Club and the Glen Golf Club where on street parking is very limited and the issue of permits above the resident permits is not tenable due to limited kerb space. It is therefore considered that the provision of Golf Club permits is also not tenable due to the potential of disparity between users in the wider North Berwick community. It is therefore proposed that the request for permits for golfers is not taken forward. There have been a number of representations from those residents which would be in the east zone who play golf at the North Berwick Golf Club wishing to be able to park without charge. The maximum walk distance from the east zone to the golf club is approximately 1.6km a walk time of 18 to 22 minutes. This when considered against the walk distance for a round of golf being 6 to 8km and a potential 5 hour play time, this does not appear to be overreaching acceptability for those within walking distance to consider a mode change to visit the Golf Club.*

### **G12. York Road**

A request to extend the scheme to cover the full length of York Road has been received, looking to address potential displacement from the Links Road area and to address concern with obstruction of property access due to inconsiderate parking.

*The extension of the scheme to include the full length of York Road can be considered as part of the post implementation monitoring and modifications, if appropriate can be promoted as part of an overarching package of mitigations.*

### **G13. Tantallon Terrace**

As part of the consultation responses to Order No.1 requests have been received to make the parking bays outside the houses on Tantallon Terrace, resident only. The request is to address the competition on street with visitors to the area, at present residents have the option to park in Castle Hill car park without charge or limit of stay.

*When considering Tantallon Terrace there are potentially 15 parking spaces fronting the properties on Tantallon Terrace, other shared bays are provided east of the Glen Golf Club. West of the properties is Marine Parade which has no waiting at any time restriction on the beach side and a daytime restriction on the property side.*

*In general properties on both Marine Parade and Tantallon Terrace have off street parking provision in the curtilage of their property. A review of Google Maps and the Register of Scotland (land) shows there are 10 properties on Tantallon Terrace with 9 having off street parking provision and the one without off street parking uses the access adjacent to the property for parking. This may be an underestimate due to some properties being split into flats but these would be under a single ownership footprint, i.e. shared drive. In the case of Marine Parade there appears to be 20 properties all of which appear to have off street parking facilities. In most cases the properties have access to more than one off street parking place.*

*Most properties that benefit from this request for resident only permit parking have off street parking facilities already available. A possible reason is there is high level of multiple car ownership in the area or alternatively this is an attempt to stop visitor parking outside their properties. The latter has an impact on parking availability and supply. As the result of this request parking bays would likely be underutilised and limited the supply for visitors in favour of resident who already have parking provision. It is recommended that the bays fronting the properties on Tantallon Terrace remain as advertised.*

#### **G14. Impact on residents**

There are a number of objections to the No.4 order, which are on the basis that the resident parking permit element, which has an annual fee of £40, will not give priority to residents.

*The £40 fee is to cover the administration cost of managing and issuing permits. The scheme does not guarantee any user a parking spaces, Priority is provided in that permit holders are not limited in their length of stay within the designated shared and permit holder only bays and are not subject to a daily charge which could be up to £5 per day.*

#### **G15. Equality between controlled parking zones**

Objection has been raised around the disparity between the central and eastern zones and that parking in the eastern zone by central zone permit holders will disadvantage residents within the eastern zone.

*The amount of available parking spaces within the central zone is very limited and it is recognised that those residents which are within the central zone parking in neighbouring streets or the town centre car parks. The operating times of the car parks will enable residents to park overnight within the car parks. There is no loss of parking bays within the central area and it is anticipated that residents will continue to park in the same manner as at present. In real terms*

*this arrangement is currently in place with town centre residents who are afforded a right to park on Forth street without limitation of time limit.*

#### **G16. Forth Street road safety concerns**

The proposals to alter the parking on Forth Road have received two objections one stating that the proposals will result in the road being blocked and that visibility splays will be impacted and the second regarding access to Lorne Square being restricted due to parking opposite the access.

*When developing the proposal consideration was given to the carriageway width and visibility splays. The proposals improve visibility splays to the right for vehicle exiting Lorne Square and maintains the visibility splays to the left for vehicles leaving Creel Court which are the primary visibility splays due to the road being one-way. The exit from Lorne Square with parking opposite will be no different from the current arrangement for vehicles leaving Creel Court.*

*It is acknowledged that visibility for vehicles and pedestrians crossing the end of Forth Street is reduced due to the extension of parking. The existing no waiting at any time restriction is maintained on the junction which helps addresses the issue of reduced intervisibility. The junction is controlled by a stop sign, which requires vehicles to stop, therefore the speed of approaching vehicles is low. The carriageway adjacent to the proposed parking bays is marked as three lanes, of which two lanes are to be maintained. The area has frontage development and with the introduction of waiting restrictions at the junction of Lorne Square, it is unlikely that the road is obstructed because of refuse collection, as stated in the representation.*

#### **F17. Melbourne Place/Victoria Road**

A request to extend the central zone to include the spur of Melbourne Place which is an effective extension of Forth Street has been raised by one resident. This request is based on the density of housing in Melbourne Place and the limited number of available parking spaces immediately available.

*Consideration of the request to re-draw the central zone boundary presents several challenges. The main concern is that an extension to include just the spur of Melbourne Place would significantly disadvantage residents of Melbourne Place on the link between Melbourne Road and Imperial car park. To rebalance this disadvantage a wider extension to address this issue would need to include Victoria Road and part of Melbourne Road. The geographic limit of the zone then becomes harder to define and has a wider impact on east zone parking availability for residents. Therefore, no changes to the zone boundaries are proposed.*

*Concerns have been raised by residents of Victoria Road that the limited-on street parking would be the first point for central zone permit holders to park if space wasn't available within the central zone. The number of parking places is retained in Forth Street with a marginal increase as a result of reallocation of road space. In real terms, as there are no time restrictions on the marked parking bays of Victoria Road and existing displacement from the current residential parking scheme, which is effectively the central zone would already be*

*impacting residents of Victoria Road. It is therefore considered that the implementation of the centre zones would not result in displacement from the central zone that would adversely impact residents of Victoria Road over and above the current situation.*

### **G18. Impact on Golf Club**

Objections have been received concerning visitors and members having to pay to park to visit North Berwick Golf Club.

*The scheme was modified during the 2023 consultation with a 6-hour maximum stay to accommodate golfers to complete a round of golf, the revised proposals has increased the maximum stay for Pointgarry Road and Links Road to 23 hours. Concern that this will result in all day commuter parking has been raised in one representation.*

There have been a number of representations highlighting the danger of stray golf balls for both Pointgarry Road and Tantallon Terrace.

*It is noted that at both locations no signs are provided to warn highway users of the likely hood of stray balls nor are there measures provided such as fencing to protect against such occurrence. It is recommended that the Golf Clubs are contacted to bring their attention to concerns raised.*

### **G19. No .4 Order Requested Modifications**

Specific comments which request a modification to the order are considered below.

Introduction of less restrictive measure: One representation made several suggestions to reduce the proposed measures which included:

- Paid for parking introduced in only one car park
  - *This would significantly impact income and place additional demand on the free car parks*
- Exemption or free parking permits for local residents
  - *The permit scheme is limited to town centre residents as a wider issue of permits would potentially displace town centre residents from on street parking spaces.*
- The introduction of seasonal charges.
  - *The issue around seasonal parking are covered in D7 above*
- Paid parking along the beach and Glen golf club for recreational vehicles only
  - *The introduction of parking charges for one vehicle type is likely to displace those vehicles to other areas*
- An initial free of charge period of 90 minutes to support the High Street

- *The scheme provides a free of charge period of 45 minute around the High Street*
- minimising the paid zones to only the High Street or certain busy beach-front residential streets.
  - *The implementation of a limited paid for on street parking scheme will place additional parking burden on streets within the town centre and in competition with residents wishing to park.*

**G20. Restrict maximum stay on Westgate in line with High Street parking proposal**

Representations have been received by residents requesting the level 4 charges and times proposed for Westgate are brought into line with the restrictions on the High Street with a maximum stay of 90 minutes except permit holders, which will reflect the Level 2 charges. the first 45 minutes free between 45 minutes and 75 minutes £1 and up to 90 minutes £2.

The advertised proposal is for permit holders with paid parking at 50p per 30 minutes up to a maximum stay of 5 hours.

*The representation has merit as this reflects the current limit on waiting and providing a consistent restriction for non-permit holders of a 90-minute maximum stay on Westgate. Westgate, effectively being a continuation of the High Street with business will provide a continuation of the High Street restrictions which is likely to benefit the businesses as a result of maintaining a turnover of parking as a result of the reduced maximum length stay.*

**Recommendation:** It is recommended that the parking bays on Westgate are provided at Level 2 of scale of charges in line with the current maximum stay.

**G21. Extend High Street non-chargeable hours**

A representation supported by the business group has been put forward. It is noted that information has been provided that one business does not support the representation, although the reason for this has not been fully qualified and although it would appear that the business is against any form of charge. The representation does not withdraw the business groups objection to the introduction of paid for parking, although it is presented as a form of mitigation if parking charges are introduced. The proposal is the reduction of the chargeable hours on the High Street from 8.30am – 6.00pm to 10.00am – 4.00pm daily.

*The advertised chargeable hours for the on-street parking places are 8.30am to 6.00pm Monday to Saturday and 1.00pm and 6.00pm on a Sunday. The received request is to reduce the chargeable hours to 10.00 am and 4.00pm.*

*For roads designated Level 1 and 2 the scale of charges is, no charge for the first 45 minutes. This applies to roads within the town centre which include the*

*High Street, Market Place, St Andrews Steet and Forth Street. In real terms the charging period for these roads is between 9.15am to 5.15pm. The introduction of a reduction of the charging period would reduce, the effective chargeable hours, due to the 45-minute free period to 10.45am and 3.15pm Monday to Saturday.*

*The weekday chargeable times with a commencement of 8.30am is unlikely to generate an income as these early trips appear to be associated with trades stopping off to pick up food and then moving on well within the 45 minute non chargeable period.*

*The change in the operating hours has been considered as part of the cost model and shows minimal impact to income. This is based on our assumptions that the majority of people are parking for under the 45 minutes or have permits.*

*In addition, the opening times of businesses on the High Street has been reviewed as far as is practical using the available information on the internet. This indicates that a small number of shops open before 8.30am these being food retail and the paper shop which attract short stay visits with the majority of shops opening at 10.00 am. For those businesses opening later for the 45-minute free period to be of real benefit the later commencement of chargeable period of 10.00am will allow a maximum free stay period to commence as these shops open, giving opportunity for these traders to benefit for from those who park before 10.00am being still present in the High Street until 10.45am when charging would effectively commence.*

*In the case of evening activity, the majority of shops close at 5 or 5.30pm therefore from 4.45pm would be effectively the last arrivals to realise the no charge period for shop visits.*

*The Sunday charging was set back to 1.00pm to give priority to those attending places of worship on a Sunday. The further reduction on a Sunday commencement appears disproportionate when considered against potential visitor arrivals and therefore the proposals for Sunday commencement of charging at 1.00pm is retained.*

<p><b>Recommendation:</b> It is recommended that the charging hours within order No.4 Schedule 15 for level 1, 2, 3 and 4 is modified to 10.00am and 4.00pm weekdays and 1.00pm and 4.00pm on Sundays</p>
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## **G22. Resident permits**

A clarification has been raised on the issue of resident permits for motor caravans. Residents with no off-street parking have motor caravan and is their primary vehicle. The parking bays prevents the use of on street bays for motor caravans, unless with written consent.

*The issue of a resident permit for the use on a motor caravan could be considered as being consenting for the parking of a motor caravan in line with the order.*

**Recommendation:** That the issue of resident permits to owners with motor caravans is ratified.

### **G23. Limited available kerb side space**

Concern has been raised by residents in the east zone as to the limited amount of kerbside parking, particularly when compared to west zone.

*The east zone has a high proportion of terrace type housing with no off-street parking facilities which results in high kerb side demand from residents. With less kerb space fronting each property compared with detached/semi-detached housing the demand on kerbside space is increased. There is no opportunity to increase kerbside space is limited but could be achieved through converting some areas of no waiting 8.30am-5.30pm on Marine Parade to shared resident or resident only bays. As this would be a material change in the order, this may be considered as part of any mitigation measures if the proposed order is introduced.*

### **G24. Order No. 4 seasonal variation**

There has been a general theme in representation as to the seasonality of parking within North Berwick with July and August acknowledged generally in representations as to the time of year with most significant strain on parking resources, which has a direct impact on areas outside of the proposed zones when residents are disadvantaged.

The general theme is that parking restriction/charging is not need outside the summer period although due to generality of a lot of objections it is unclear if this is specific to car parks or also applies to on street parking demand.

As covered above in G23 concern has been raised that there is insufficient kerbside space for resident demand, if this is the case this would not be a seasonal issue as residential demand is not seasonally based.

The mitigations under proposed under D7 would reduce out of season on street parking if on street parking charges are retained, as unlimited parking would be free between March and October which would encourage the use of car parks over on street parking bays.



## Appendix H

### Car Park - Background information

#### **Existing Situation**

Four, off street car parks are available within a 5-minute walk of the town centre and a further two within 10 minutes.

#### Car parks with 5-minute walk time

- Kirk Ports car park – Law Road,
- Glebe car park – St Andrews Street,
- Imperial car park – Quality Street,
- The Lodge car park – East Road,

#### Car parks within 10-minute walk time

- Castle Hill car park – Tantallon Terrace North Berwick.
- Recreation Ground/Rugby Club – East Road

Additional off street car parks are available at the Community Centre and the Library, specifically provided for the use of these facilities.

The North Berwick Station carpark is managed and maintained by Scotrail and is provided predominately for use by commuters. Currently, no restrictions apply. Parking frequently over spills on to the surrounding streets. East Lothian Council is in conversation with ScotRail on the future use of the ScotRail car park.

#### **Kirk Ports car park – Law Road**

The car park is adjacent to the High Street which is accessible via a pedestrian path which runs to the west side of the car park.

#### **Glebe car park – St. Andrews Street**

The land was purchased circa. 1974 for the purpose of providing a car park for increasing parking demand from local visitors and tourists. It was provided to manage an growing seasonal parking demand.

#### **Imperial car park – Quality Street**

The car park has been through a series of developments. Melbourne Place (Lane) was a lane connecting East Road to Melbourne Road with development on both sides. This effectively still exists with the southern end of the car park, which is bollarded off with access for pedestrians. The 1933 map shows the area behind the hotel fronting Quality Street being opened out for parking this is confirmed by an ariel photo of 1953. The photo also confirms the car park at this time had not been extended to the east as a building exists or has been extended to the area which is designated as common good land.

#### **The Lodge Car Park – East Road**

The Lodge Car park was extended in 2009 to incorporate Gardeners' Garden car park. The Gardeners' Garden site has pay and display parking for the Seabird Centre parking.

The Gardeners Garden part of the Lodge car park is subject to a long-term lease to the Sea-bird centre to meet the predicted visitor numbers, consequently the site has been leased and that East Lothian Council takes no income from this site.

**Castlehill, Sewage works and Haugh Carparks.**

A proposal to reconstruct and adopt two car parks (Castlehill and Sewage Works) was consulted on in 2014, including introducing a TRO to stop overnight parking. A planning application was made in 2016 to upgrade, adopt and enforce the Castlehill and sewage works car parks but was opposed and the proposals were deferred indefinitely. The sites are currently unmade and not maintained by the Roads Authority. Proposals to upgrade and designate parking spaces are currently being explored now.

**Recreation Ground/Rugby Club – East Road**

The Recreation Ground car park at the rugby club was upgraded in 2013 primarily for long stay parking and coach parking.

## Appendix I - Comparison of parking charges

Off Street																	
Period of stay	North Berwick (Proposed)		Perth and Kinross (Rural)		North Ayrshire Largs		Highland Council Fort William		Ayrshire Tariff A		Northumberland		Cornwall Council		East Suffolk		Rother Sussex
	Kirk Ports	Others	Dunkeld	Blairgowrie	Sea Front	Bellmans	An Aird No.2	Middle Street	East	South	Amble	Berwick	Hayle Com, Rd	Penryn (short)	T4	T5	
15 min.			£0	£0													
30 min.		£0.50						£0				£0		£0.60			
45 min.	£0																
1 hour		£1.00	£1.30	£1.30	£1.00	£1.50		£1.00	£1.30	£1.00		£0	£1.10	£1.10			£1.00
75 min.	£1																
1.5	£2	£1.50										£0					
2 hours		£2.00	£2.40	£2.40		£2.00	£2.00		£2.30	£2.00	£1.00	£0	£2.10	£2.10	£1.50	£1.00	£2.00
2.5 hours		£2.50										£0					
3 hours		£3.00			£3.00			£2.00		£3.00	£1.50	£0	£3.20	£3.20			
3.5 hours		£3.50										£0					
4 hours		£4.00	£3.60	£4.00		£3.50	£3.00		£3.00	£4.00		£0	£5.00		£3.00	£2.00	£4.00
4.5 hours		£4.50										£0					
5 hours		£5.00										£0					
8 hours		£5.00															
10 hours			£5.30	£5.80			£4.00										
All day					£5.00		£5.00		£4.00	£5.00	£3.00	£0	£6.30			£4.00	£5.00
Monthly																£65.00	
Annual									£410.00	£432.00			£302.40			£650.00	£321.50



## **Appendix J- North Berwick Financial Model**

### **Introduction**

J1. This section outlines how income and cost implications of the proposed parking orders in North Berwick have been estimated.

J2. The financial model developed by East Lothian Council to assess the income and cost implications of the original orders in 2023 has been reviewed by Stantec to provide reassurance that the approach is reasonable and robust. Based on this review we have made a number of changes to the model and assumptions used to forecast income and costs of the proposed parking charges.

J3. Using the existing model as a starting point, Stantec have developed a new financial model for the project using the FAST financial modelling standard. FAST is an acronym that stands for Flexible, Appropriate, Structured, and Transparent. It's a set of guidelines and best practices used in financial modelling and data analysis. The FAST standard is designed to produce models that are both easy to create and simple to understand, enhancing their reliability and usability. The approach taken to assess North Berwick parking orders is repeatable for other towns in East Lothian.

- J4. By taking this approach, the model has allowed us to test the following scenarios:
- Scenario 1 - 2023 Business Case – Based on North Berwick Variation No.2 Order and using the assumptions and approach taken previously by ELC in 2023.
  - Scenario 2 – Based on draft Traffic orders produced in May 2024 for North Berwick excluding proposed changes outlined below. This uses updated assumptions and approach as outlined in Appendix 1.
  - Scenario 3 - Based on draft traffic orders produced in May 2024 for North Berwick including proposed changes outlined below. This uses updated assumptions and approach as outlined in Appendix 1.
  - Scenario 4 - Based on suggested modifications to traffic orders outlined in clauses 3.33 – 3.45 Update of North Berwick Traffic Orders – Council report December 2024 for North Berwick. This uses updated assumptions and approach as outlined in Appendix 1.

### **Income**

J5. Appendix 1 visualises how the approach to estimate income had been adapted by Stantec. In summary the new model:

- estimates income and cost on monthly basis rather than an annual basis. As part of this change, we have used monthly parking demand data from St Andrews in Fife to baseline demand over the year.

- assumptions have been updated to reflect changes to latest on-street and off-street parking orders drafted by Stantec. This includes:
  - Introduce visitor permits to address issue for visitors and tradespeople for residents with areas of maximum stay times
  - Forth Street - Changes to parking bay layout eastern end. (2 additional bays)
  - Melbourne Place – Reduction in length of no waiting at any time restriction. (3 additional bays)
  - Balfour Street – Reduction in length of no waiting at any time restriction. (1 additional bay)
  - Provision of shared use bays in York Road and the change from permit only bays in Link Road to shared use bays.
  - Introduction of weekly season parking tickets.
  - Introduction of additional waiting restrictions.
- estimate resident permit sales using census data and ensure this is considered in the availability of spaces in each zone. This ensures income is not overestimated especially in the central zone where we expect there to be significant demand for parking permits. This demand alongside high levels of home working in North Berwick means there is likely to be high levels of demand for resident permits and high levels of utilisation of these permits throughout a given day.
- estimates income from the sale of permits for household visitors and trades persons (only in scenario 3) by estimating that each household will receive an approximated number of visitors per month. These household visitor numbers are adjusted by the day of the week, seasonality, and likelihood of using a private off-street parking space.
- estimates income from the sale of holiday let permits (only in scenario 3) using the number of holiday lets recorded in the 2011 Census and monthly occupancy rates of self-catered accommodation recorded by the Scottish Accommodation Occupancy Survey. The occupancy is adjusted by the estimated availability of private off-street parking and expected car usage by holiday let users to determine permit sales.
- estimates enforcement income by applying an infringement rate to the expected number of users for each parking location, thereby determining the number of non-compliant parking acts per day. An enforcement rate is then applied to this value to estimate the number of non-compliant parking acts that are issued with penalty charge notices (PCNs).

J6. Table 1 outlines the expected annual income for the three different scenarios tested. Table 1 presents a breakdown of the impacts on estimated revenue of the different mitigations as described in j4. above to test the viability of the proposals from initial business case development to Scenario 4 that includes the impact of all material recommendation described in this report. The analysis shows a slight decrease overall between what was reported in the business case and the scenario 2 tested in the updated model. The changes proposed in Scenario 3 have led to increase in revenue associated with the parking measures. This increase is mainly as result of the proposed premium zones and inclusion of visitor and holiday let permits. The changes lead to higher turnover of spaces in the central zones and result both charging income and enforcement increase as a result.

J7. Our revised methodology produces similar income estimates as the original 2023 business case. This alongside the steps taken to enhance the robustness of the approach and assumptions, strengthens the financial case.

**Table 1: North Berwick income from parking measures**

		Scenario 1	Scenario 2	Scenario 3	Scenario 4
<b>On-street</b>	Parking Charges	£1,368,284*	£594,806	£905,333	£688,991
	Enforcement Income	£83,853*	£146,895	£307,765	£234,220
	Resident Permit Income	£26,320*	£32,775	£39,807	£39,895
	Household Visitor Permit Income	-*		£11,936	£11,503
	Holiday Let Permit Income	-*	-	£57,224	£56,943
	<b>Total</b>	<b>-*</b>	<b>£774,476</b>	<b>£1,322,065</b>	<b>£1,031,552</b>
<b>Off-street</b>	Parking Charges	-*	£500,951	£499,385	£239,384
	Enforcement Income	-*	£100,004	£150,085	£71,990
	<b>Total</b>	<b>-*</b>	<b>£600,955</b>	<b>£649,470</b>	<b>£311,374</b>
<b>Total</b>	<b>£1,478,457*</b>	<b>£1,375,431</b>	<b>£1,971,535</b>	<b>£1,342,927</b>	

\*On-street and off-street incomes were calculated together.

## Cost

J8. Capital and operating costs associated with the delivery of the required infrastructure and personnel to enforce the proposed parking measures have been estimated. The capital and operating cost estimates are based on current costs for NSL supplying Decriminalised parking enforcement in East Lothian.

J9. The capital costs are based on the following items and assumptions:

- Parking Charge Machines – 40 machines at £1,400 per machine
- Streetworks associated with Parking Charge Machines - £5,000 per machine
- Cost of signs and roadmarkings per km of kerb - £550 per km
- Residents scheme set up - £30,000
- ANPR cameras - £30,000
- Office fit out, furnishings and telephone connection - £5,250
- IT Equipment (PC's, printers) - £1,675
- IT Equipment (HHCT printers, camera and phones) - £1,722
- Residents scheme system operational and upgrade - £3,000
- Publicity around new parking orders - £2,000
- Training cost – is already included in the current costs for NSL supplying Decriminalised Parking Enforcement in East Lothian so there will be no additional costs.

The operating costs are based on the following items and assumptions:

- Parking Attendants – £25,960 per attendant
- Consumables (fuel, office supplies, replacement uniforms, etc) - £10,357 per annum
- Notice processing software (SiDem) - is already included in the current costs for NSL supplying Decriminalised Parking Enforcement in East Lothian so there will be no additional costs.
- Parking Attendant Uniforms - £500 per attendant
- Small van lease - £200 per month
- Parking Manager - is already included in the current costs for NSL supplying Decriminalised Parking Enforcement in East Lothian so there will be no additional costs.
- Client Account manager - is already included in the current costs for NSL supplying Decriminalised Parking Enforcement in East Lothian so there will be no additional costs.
- Enforcement manager - is already included in the current costs for NSL supplying Decriminalised Parking Enforcement in East Lothian so there will be no additional costs.
- Operations support Manager - is already included in the current costs for NSL supplying Decriminalised Parking Enforcement in East Lothian so there will be no additional costs.
- Business intelligence Analyst - is already included in the current costs for NSL supplying Decriminalised Parking Enforcement in East Lothian so there will be no additional costs.



- IT Officer - is already included in the current costs for NSL supplying Decriminalised Parking Enforcement in East Lothian so there will be no additional costs.
- Training Officer - is already included in the current costs for NSL supplying Decriminalised Parking Enforcement in East Lothian so there will be no additional costs.
- Admin Assistant - is already included in the current costs for NSL supplying Decriminalised Parking Enforcement in East Lothian so there will be no additional costs.
- Senior Area Officer Grade 10 – cost of £65,826 to be split equally across the 6 towns in East Lothian where parking measures are proposed.
- Area Officer Grade 8 – cost of £50,572 to be split equally across the 6 towns in East Lothian where parking measures are proposed.
- Back office processing - £13,183 per annum
- Adjudication Service - £867 per annum
- Unexecuted bailiff actions - £1,120 per annum
- DVLA correspondence and owner tracing - £180 per annum

J10. Stantec have reviewed the approach taken as part of the 2023 business case and suggested the following changes:

- Propose more parking attendants to enforce parking restrictions. The business case originally proposed two additional attendants. Stantec recommend that this increase to 5 to ensure enforcement can be carried out effectively.
- Inclusion of a 23% risk allowance for both capital and operating costs. This is based on guidance outlined in the DfT's TAG unit A1-2. The unit suggests an optimism bias adjustment, must take an 'outside view' where the uplift amount is based on statistical modelling of similar projects, such as using reference class forecasting (RCF). Our assumption uses the P(Mean) value at Outline Business Case stage for Road projects from the DfT's Optimism Bias workbook which contains the RCF curves produced by Oxford Global Projects.

J11. Table 2 below outlines the expected capital and annual operating costs for the three scenarios tested and the original income projection. There is an increase in capital costs in Scenarios 2 and 3 compared to Scenario 1 due to the addition of risk into the cost estimates. There is also increase in operating costs in Scenarios 2 and 3 compared to Scenario 1. This is as result of the proposed increase in parking attendants from 2 to 5, as well as the inclusion of risk into the cost estimates.

J12. There is no difference in capital and operating costs between the Scenario 2, 3 and 4 as the changes between the scenarios only impact income. The proposed modifications in scenario 4 are deemed to have no material impact in terms of capital and operating costs.

**Table 2: North Berwick capital and operating costs from parking measures**

	Scenario 1	Scenario 2	Scenario 3	Scenario 4
Capital Costs	£449,481	£440,362	£440,362	£440,362
Capital Costs (inc Risk)	-	£541,645	£541,645	£541,645
Annual Operating Costs	£94,870	£184,617	£184,617	£184,617
Annual Operating Costs (inc Risk)	£116,690	£227,079	£227,079	£227,079

### Income position

J13. Table 4 outlines the income and annual revenue costs with an income position for recommended scenario.

**Table 3: North Berwick capital and operating costs from parking measures**

		Scenario 4
<b>On-street</b>	Parking Charges	£688,991
	Enforcement Income	£234,220
	Resident Permit Income	£39,895
	Household Visitor Permit Income	£11,503
	Holiday Let Permit Income	£56,943
	<b>Total</b>	<b>£1,031,552</b>
<b>Off-street</b>	Parking Charges	£239,384
	Enforcement Income	£71,990
	<b>Total</b>	<b>£311,374</b>
<b>Total</b>		<b>£1,342,927</b>
<b>Annual Operating Costs (inc Risk)</b>		<b>£227,079</b>
<b>Net income position</b>		<b>£1,115,848</b>

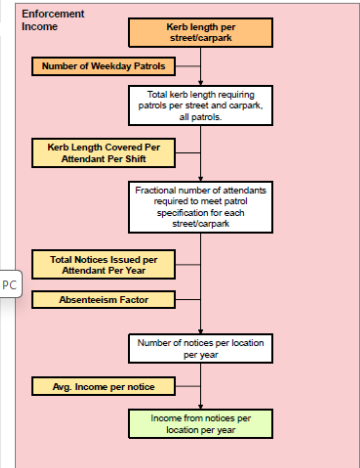
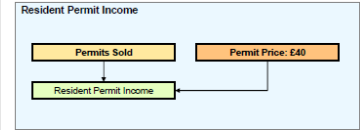
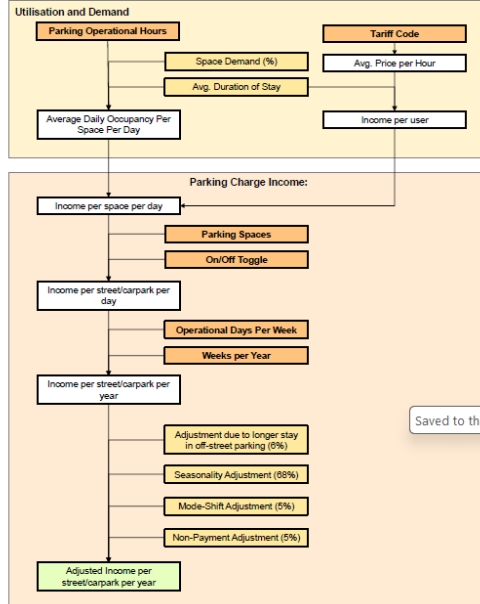
\*On-street and off-street incomes were calculated together.

# Appendix 1

## Previous Model (Scenario 1) Income Calculations (On-Street and On-Street)

Legend: Defined Input Assumption Intermediate Calculation Output Income Calculation

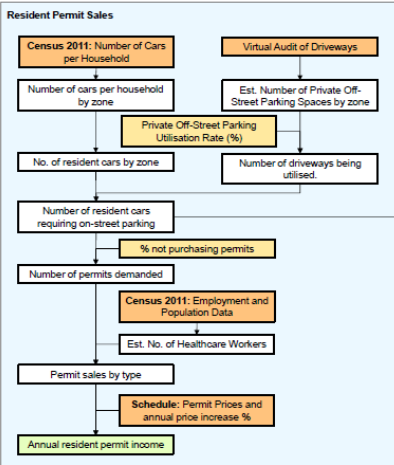
Assumption:	Basis:
Space Demand (%)	Set at 80% for all locations. Business case uses survey data for space demand.
Avg. Duration of Stay	Set at 90mins for all locations. Business case uses survey data for average stay duration.
Adjustment due to longer stay in off-street parking (6%)	Not seen the evidence or basis for this figure.
Seasonality Adjustment (88%)	Based on the data and estimations of parking demand across North Berwick through the year, the mean demand is calculated to be 88%.
Mode-Shift Adjustment (5%)	Not seen the evidence or basis for this figure.
Non-Payment Adjustment (5%)	A value of 5% is used in the model, but not seen the evidence or basis for this figure. Business case has a 9.64% value, which is based on
Permits Sold	A value of 1000 is used in the model, but not seen the evidence or basis for this figure. Business case uses a value of 658, based on census data and driveway estimates.
Kerb Length Covered Per Attendant Per Shift	Not seen the evidence or basis for this figure.
Total Notices Issued per Attendant Per Year	Not seen the evidence or basis for this figure.
Absenteeism Factor	This is applied to the notices issued to account for parking attendants being absent. Not seen the evidence or basis for this figure.
Avg. Income per notice	Set at 50% of the PCN rate before April 2023 (£20).



Saved to this PC

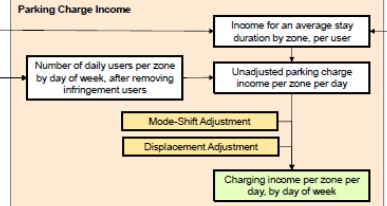
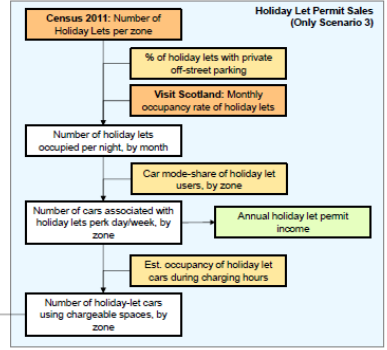
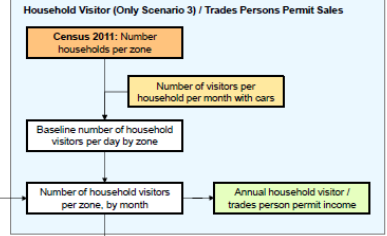
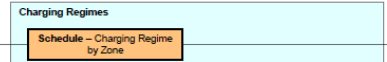
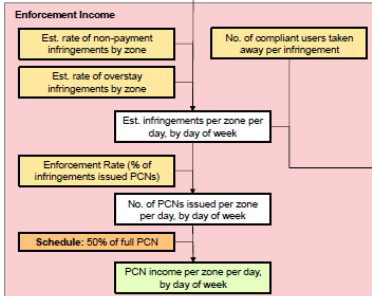
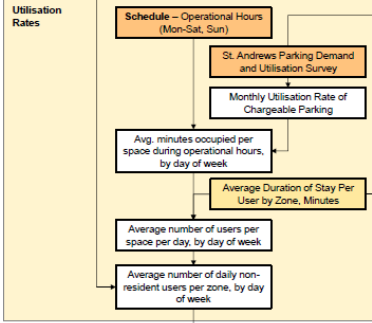
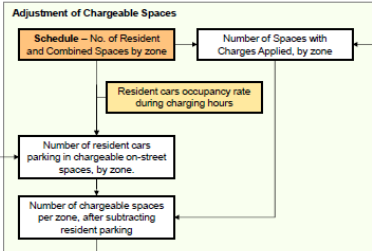
# Proposed Income Calculations (On-Street) – Scenario 2/3/4

Legend: Defined Input Assumption Intermediate Calculation Output Income Calculation



**Assumptions and Basis:**

Assumption:	Basis:
Private Off-Street Parking Utilisation Rate (%)	Professional judgement of driveway use patterns from a virtual examination.
% not purchasing permits	Professional judgement on potential for reduction in car usage.
Resident cars occupancy rate during charging	Reflecting 2011 Census commute and data, changing home-working patterns.
Est. rate of overstay or non-payment infringements by zone	Professional judgement based on charging periods, surrounding land-uses, and expected use patterns.
Enforcement Rate (% of infringements issued PCNs)	Professional judgement based on density of parking location and surrounding land-uses.
No. of compliant users taken away per infringement	One non-paying infringement removes one user from charging income calculation. One overstaying infringement removes 2/3rds of a user from charging income calculation, due to part payment.
Adjustment in users from displaced parking/mode-shift	Reflects academic evidence in other case studies environments (Marsden, 2005).
Average Duration of Stay Per User, Minutes	Based on survey of parking patterns in North Berwick and proposed charging periods.
Number of visitors per household per month with cars	Professional judgement based on demographic characteristics of local area and likely behaviour.
% of holiday lets with private off-street parking	Based on virtual examination of holiday-let listings and satellite imagery.
Car mode-share of holiday let users, by zone	Based on virtual examination of size of holiday-let listings and likely target tourists' demographics for holiday let users.
Est. occupancy of holiday let cars during charging hours	Professional judgement based on likely travel behaviour of tourists in East Lothian



# Proposed Income Calculations (Off-Street) – Scenario 2/3/4

Legend: Defined Input Assumption Intermediate Calculation Output Income Calculation

## Assumptions and Basis:

Assumption:	Basis:
Est. rate of overstay or non-payment infringements by zone	Professional judgement based on charging periods, surrounding land-uses, and expected use patterns.
Enforcement Rate (% of infringements issued PCNs)	Professional judgement based on density of parking location and surrounding land-uses.
No. of compliant users taken away per infringement	One non-paying infringement removes one user from charging income calculation. One overstaying infringement removes 2.0hrs of a user from charging income calculation, due to part payment.
Adjustment in users from displaced parking/mode-shift	Reflects academic evidence in other case studies environments (Marsden, 2006).
Average Duration of Stay Per User, Minutes	Based on survey of parking patterns in North Berwick and proposed charging periods.

