

Stirling Council

Agenda Item No. 7

**Planning & Regulation
Panel**

Date of
Meeting: 30 March 2021

Not Exempt

The Stirling Council (Balmaha Car Park) (Decriminalised Parking Enforcement) Order 2020

Purpose & Summary

The above Order formally proposes to introduce charges in Balmaha Car Park, which is currently a free car park.

Objections were received during the traffic order's statutory consultation period and as such, Officers are required under the scheme of delegation, to ask that the Planning & Regulation Panel decide whether the order should be legally made.

Recommendations

The Planning and Regulation Panel is asked to:

1. approve the Decriminalised Parking Enforcement Order.

Resource Implications

The implementation costs, including parking meters and new lining, will be funded from the ring-fenced Car Parking account that accumulates funds from car parking charges, less relevant costs, across all Stirling car parks.

Should there be insufficient balances to cover the cost from the Car Parking account, the balance of costs will be managed from the Safer Communities budget that enforces Council car parks.

Legal & Risk Implications

Approval of this paper means that that Traffic Regulation Order to introduce parking charges and associated infrastructure will be agreed for the Balmaha Car Park.

1. Background

- 1.1. On the 15 January 2020 officers ran a consultation with the community of Balmaha regarding the future of the village car park. This comprised of a drop-in event at the Buchanan Memorial Hall, Milton of Buchanan from 3pm to 7pm. This event was advertised in local businesses, promoted with key stakeholders and advertised online.
- 1.2. Based on the information and responses gathered at this event (detailed in Appendix 2) Stirling Council then advertised The Stirling Council (Balmaha Car Park) (Decriminalised Parking Enforcement) Order 2020 in January 2020, which is set out in Appendix 1.
- 1.3. In response to this Order, five objections were received after the notices were erected on-street and the proposal notice was advertised in the Stirling Observer. These are shown in Appendix 3.
- 1.4. In summary, the objections related to:
 - 1.4.1. Concern that proposals lead to a reduction in the number of spaces that would displace vehicles.
 - 1.4.2. Provision of spaces for camper vans and motorhomes.
 - 1.4.3. Lack of previous enforcement.
- 1.5. Council Officers responded to objectors, highlighting that:
 - 1.5.1. In implementing this TRO the car park will be relined resulting in car parking spaces increasing from 168 to 171 with the addition of 5 spaces for camper vans and motorhomes, resulting in a net increase of parking spaces.
 - 1.5.2. In addition to this, colleagues in Regulatory Services are developing an enforcement deployment plan for the area.
- 1.6. In response no objectors withdrew their objections.
- 1.7. It was initially intended that this paper would be presented to the Planning and Regulatory Committee in summer of 2020. This was unfortunately delayed due to COVID. As restrictions were relaxed over the summer last year Balmaha became under enormous strain. It is therefore critical that this is addressed this year.

2. Considerations

- 2.1. For several years, indiscriminate parking has been a prominent issue in Balmaha. This issue has been exacerbated by visitor pressures during the pandemic.
 - 2.1.1. Stirling Council wardens handed out nearly 1150 Penalty Charge Notices (PCN) in Balmaha between August 1, 2019 and September 30, 2020.
 - 2.1.2. In June 2020, the road to Balmaha was closed by police because of obstructive parking and associated road safety concerns in and around the village.
 - 2.1.3. In August 2020 police were called to Balmaha to tackle 'inconsiderate parking' after a local bus became stuck.

- 2.2. Balmaha is the heart of rural east Loch Lomond. The local shop provides the only retail service for the surrounding community. Improved parking control is required to manage the impact tourism places on local infrastructure, and would improve the community's access to local services.
- 2.3. To engage with the community officers held a drop-in event session from 3pm to 7pm on Wednesday 15 January 2020 in Buchanan Memorial Hall, Milton of Buchanan. This session enabled the community to discuss the issue with Council officers and highlight issues they felt relevant.
- 2.4. Following this engagement session and in consideration of the issues raised by the community, it is proposed that parking is free for 1 hour and then chargeable thereafter.
- 2.5. The order will introduce charges in Balmaha Car Park that will apply 7 days a week from 8:45am – 5:30pm. No overnight parking will be permitted, in line with camping bylaws presently in operation within boundary of the national park.
- 2.6. The tariff is as follows:

Duration	Cost
Up to 1 hour	No Charge
Up to 2 hours	£2.10
Up to 4 hours	£2.60
More than 4 hours	£3.20

- 2.7. Ensuring that this first hour is free enables local people to visit the shop and use the amenities without any charge. A summary of the engagement event comments are found in Appendix 2.
- 2.8. The introduction of parking charges will provide support for effective enforcement in the car park; on the B837 (Main Road); and the C6 (Balmaha to Rowardennan). Colleagues in Regulatory Services are developing the detail of this and will take this forward as we approach the spring and summer seasons. Enforcement services are currently being reviewed, and it is the intention that there will be daily enforcement at Balmaha, including Saturday and Sunday.
- 2.9. The timetable for implementation is still to be confirmed, as machine delivery lead times are extended, due to pandemic issues. However this installation has been prioritised.
- 2.10. Given the attractiveness of Balmaha as a tourist destination, and the desire for parking, failure to implement this order is likely to lead to:
- 2.10.1. Continued uncontrolled and indiscriminate parking giving rise to safety issues and likely to need further officer and police intervention;
 - 2.10.2. The local community being unable to access services of village;
 - 2.10.3. Continued challenge with car park management, and less effective enforcement, on the B837 (Main Road) and the C6 (Balmaha to Rowardennan).

3. Implications

Equalities Impact

- 3.1 The contents of this report were assessed under the Council's Equality Impact Assessment process and it was determined that an EqIA was required. The EqIA is Appendix 4.

Fairer Scotland Duty

- 3.2 The contents of this report were considered in terms of the Fairer Scotland Duty and were determined not to be of strategic importance.

Climate Change, Sustainability and Environmental Impact

- 3.3 This proposal has no direct climate change, sustainability or environmental impact. In terms of the Climate Change Act, the Council has a general duty to demonstrate its commitment to sustainability and the community, environment and economic impact of its actions. The measures proposed will help to encourage sustainable travel. Control of parking will help to reduce vehicle emissions from unnecessary travel to seek a parking place.

Other Policy Implications

- 3.4 Following consideration of the policy implications of this report, no relevant issues have been identified.

Consultations

- 3.5 Consultation was held with Ward Councillors, Loch Lomond & Trossachs National Park Planning Authority, and statutory consultees.
- 3.6 In addition to the above the local community and other stakeholders including tourist coach operators by on street notices, local media advertising, social media and local engagement events.

4. Background Papers

- 4.1 None.

5. Appendices

- 5.1 Appendix 1 – Notice of Proposal to make the Order (including location plan and layout).
- 5.2 Appendix 2 –Engagement Events Comments Summary.
- 5.3 Appendix 3 – Objection Summary Report..
- 5.4 Appendix 4 – EqIA.

Author(s)

Name	Designation	Telephone Number/E-mail
Kevin Argue	Team Leader, Transport Development	arguek@stirling.gov.uk
David Hopper	Service Manager, Public Transport & Sustainable Development	hopperd@stirling.gov.uk

Approved by

Name	Designation	Date
Drew Leslie	Senior Manager – Infrastructure	17 March 2020

Details of Convener(s), Vice Convener(s), consulted on this report:	Cllr MacPherson & Cllr Gibson
---	-------------------------------

Wards affected:	Ward 2
Key Priorities:	E - We will create & implement environment and infrastructure improvements; deliver new ownership & delivery methods around energy generation, public transport & internet access, ensuring profits & services work to community, not commercial priorities
Key Priority Considerations:	N/A
Stirling Plan Priority Outcomes: (Local Outcomes Improvement Plan)	Resilient - People are part of safe and caring communities within an attractive and sustainable environment

