**Review of Control of Parking Byelaws 2019 Issues Paper**

**November 2019**

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# Introduction

## Why is parking regulated

The main reasons for implementing Pay and Display parking controls are as follows:

* + - To effectively manage car parking in areas within the County where there is evidence of excess demand for the available spaces,

* + - To increase turnover of parking spaces both on-street and in off-street car parks in areas,

* + - To improve the prospects of residents accessing parking at or near their homes,

* + - To promote the use of alternative modes of travel (e.g. public transport, cycling and walking),

* + - To discourage extraneous parking in residential areas which has a detrimental impact on the quality of life of residents and

* + - To generate revenue for the Council which can be used to fund expenditure by the Council in the roads/traffic area.

Such provisions are enforceable through Parking Byelaws.

Similarly, there is general regulation and control of traffic (including the parking of vehicles) in public places and these are enforced through the Road Traffic Acts and Regulations.

## Is there a need to review South Dublin County Council (SDCC) Control of Parking Byelaws?

The South Dublin County Council (Control of Parking) Byelaws were made in 2010 have not been reviewed since.

This document seeks to highlight the main issues that have presented since the making of the Byelaws.

These issues are set out hereunder:

1. Additional Definitions
2. Enforcement of Road Traffic Act
3. Permits
4. Examination of Tariffs
5. Standardisation of enforcement hours
6. Area of applications / Addition of new areas for Pay & Display parking control
7. grace period pilot scheme

## Key Dates

SPC meeting to discuss Issues Paper: 18th November 2019

Proposed Public Consultation Period: 6th January 2020 – 6th March 2020

Review of information from public consult: 9th March 2020 – 23rd March 2020

Report brought to Council Meeting: April Council Meeting

# Proposed Amendments and Executive Recommendations

## Additional Definitions

1. Electrical Vehicles (EV’s)

Since the introduction of the existing Control of Parking Byelaws in 2010, SDCC has seen and supported an increase in the use of electrical vehicles and consequential provision of electrical charge point, by the ESB, across the county.

It is considered appropriate that the Council Byelaws make provision for the inclusion of an appropriate definition of electrical vehicles (EV’s) and electrical charge points in Part I of the byelaws, and to make suitable provision for charging points for these vehicles. The revised Byelaws must seek to solidify the rules surrounding the use of electrical charge point parking spaces to ensure that their use is limited to those charging their vehicles.

SDCC is proposing the introduction of new “slow charge” points at various on and off-street locations across the county. The rules surrounding use of these SDCC owned points, and any charges which may be incurred should be addressed in the revised byelaws.

It is also noted that there is a shift in approach when it comes to costs for charging of EV’s by ESB. This change will come into place from 18th November 2019 and is only for charge points which have been installed and are managed by ESB. This charge will be made and collected by the ESB and not SDCC and will not be included in the byelaws.

1. Car Clubs

There has been an escalation in the use of Car Clubs (for example “Go Car”). Their use is to be supported in order to help alleviate urban traffic problems and to adhere to SDCC’s Sustainability in Transport / Climate Change commitments. It is considered prudent to make suitable provision within the Byelaws for designated “pickup” / leave back” points. It is proposed that these “pickup/leave back” points will be allocated by zone/street rather than a specific space for the sole use of Car Club vehicles. This provision may include an annual rate which will be charged to Car Club companies for the use of these spaces as has been introduced in other neighbouring local authorities.

**Proposal**: Inclusion of appropriate definitions for Car Clubs, EV’s and related infrastructure. It is also proposed to introduce charges for the licencing of Car Club vehicles.

**Executive Recommendation:** Include these definitions in order to promote and include use of these modes of transport.

## Enforcement of Road Traffic Acts / Regulations

As referred to above, there is general regulation and control of traffic (including the parking of vehicles) under the Road Traffic Acts and Regulations.

The Council has, and continues to, experience difficulty in securing convictions in the courts under the Byelaws in relation to parking breaches as specified in the Road Traffic Acts. While the existing byelaws do state that all parking within the area must adhere to the Road Traffic Act, fines have been overturned due to lack of clarity pertaining to enforcement of the Road Traffic Acts within the Council’s Byelaws and this needs to be addressed.

**Proposal:** Clear statement of these rules within the Byelaws to provide greater clarity on the enforcement of prohibitions, restrictions and breeches of byelaws on public roads and in public off-street carparks owned or leased by SDCC leading to a reduction in the overturning of parking fines. The proposed wording, extracted from the Road Traffic Act, is attached in Appendix A.

**Executive Recommendation**: Append the definitions of prohibited parking, taken from the Road Traffic Acts, to the revised byelaws.

## Permits

There is no provision within the Byelaws for the issue of permits to carers who are required to park within Pay and Display areas while providing home care assistance to approved recipients. It is considered prudent to address this issue given the changing demographics of the county and the need to provide supports to our ageing population and others who required ongoing daily care and assistance in their homes.

**Proposal:** Include an additional permit to the list of available permits captured under the byelaws e.g. ‘Resident’s Carer’s Permit’. Such a permit could be issued to a dwelling occupied by a person requiring ongoing daily care and assistance. The permit could be issued annually following confirmation from the resident’s Doctor / Public Health Nursing Service that such care is required. It is expected that the cost of this permit would be in line with the Resident’s Permit as outlined in 2.4 below.

It will be necessary to identify the advantages and disadvantages associated with the potential formal introduction of any such measures.

**Executive Recommendation:** Add this ‘Resident’s Carer’s Permit’ to the list of existing permits

## Examination of Hours of Application

It is considered appropriate at this time to streamline the paid parking hours currently set out in Schedule 1 Part II of the Byelaws. All (currently seven) zones within the county would be standardised in respect of parking hours, duration and fee. The existing situation is shown in the following *Table 1*. The table is accompanied by a street schedule detailing whether a pay & display location is classed as A, A1, B

|  |  |  |  |
| --- | --- | --- | --- |
| **Tariff** | **Appropriate Parking Fee** | **Hours of operation** | **Maximum stay** |
| Parking in locations designated Tariff **A**  (high charge) | 10 cent per 4 Minutes (€1 per 40 minutes) | Monday to Saturday, 08:00 to 18:00 | 3 Hours |
| Parking in locations designated Tariff **A1**  (high charge) | 10 cent per 6 Minutes (€1 per 60 minutes) | Monday to  Friday, 08:00 to  18:00 | 3 Hours |
| Parking in locations designated Tariff **B**  (reduced charge) | 10 cent per 8 Minutes (€1 per 80 minutes) | Monday to Saturday, 08:00 to 18:00 | 3 Hours unless otherwise stated on  information plate |
| Parking in locations designated Tariff C  (ordinary charge **\***) | 10 cent per 6 minutes (€1 per 60 minutes)    Max €3.00 per day | Monday to Saturday, 08:00 to 18:00 | 10 hours unless otherwise stated on  information plate |
| **\*** Tariff B (ordinary charge) applies to all public roads and public car parks in South Dublin County Council’s administrative area other than those mentioned in schedule 2 as Tariff A. | | | |

*Table 1* ***Existing*** *Tariffs, fees and hours of operation from 2010 Control of Parking Byelaws Schedule 1 Part II*

It is suggested that all parking times in paid zones should be consistent as follows:

**Monday – Saturday, 08:00 – 18:00 with a maximum 3 hour stay**.

The standardisation of hours would mean no favourable times for any one electoral or geographic area, thereby removing any ambiguity in parking times.

**Proposal & Executive Recommendation:** It is proposed to standardise the hours and duration of paid parking across the county to those mentioned above.

## Examination of application of Tariffs and Permits

It is considered appropriate to review tariffs payable for both Permits and for Pay & Display parking.

### Pay & Display Rates

The existing rates for Pay & Display parking can be seen in *Table 1*. As with section 2.4 above it is proposed to standardise the rates for pay & display parking across the county to just one rate countywide. The majority of current parking income comes from zone A1 (i.e. €1.50/hour). It is proposed to increase the amount across the county to this figure of €1.50/hour. Examining the pay and display income from January to June of this year across the various tariffs and applying the proposed changes would result in an increase of €41,727 over the six months or €83,454 annually.

The following table shows the parking rates in neighbouring local authorities. As can be seen from this table the proposed standardised rate of €1.50 falls within what neighbouring LA’s are charging.

|  |  |
| --- | --- |
| Local Authority | Parking Rate/hour |
| DLR County Council\* | €2 |
| Fingal County Council\* | €1 |
| Dublin City Council | €3.20 |
| \*DLR and Fingal CoCo rates are currently under review and expected to increase | |

Table Parking rates for Pay & Display Bays in other Dublin Local Authorities

### Permit Prices

Permit prices have not been reviewed since 2010. The following table (*Table 3*) shows the fees set out in the 2010 Control of Parking Byelaws.

|  |  |  |
| --- | --- | --- |
| **Type of Permit** | **Bye-Law** | **Appropriate Fee** |
| Residents Parking permit | Bye-Law 16 | €20 for one year permit €40 for two year permit |
| Replacement Residents Parking permit | Bye-Law 19 | €5 |
| Visitors Parking permit | Bye-Law 28 | €30 for first one year permits  €50 for subsequent one year permits |
| Commercial Parking Permit | Bye-Law 31 | €60 for one calendar month permit |

*Table 3 Existing Permit Prices taken from Schedule 1 Part II*

It is proposed to increase Permit fees in line with Table 4 below.

|  |  |
| --- | --- |
| Type of Permit | Proposed Fee |
| Resident’s Parking Permit | €40 per year |
| Resident’s Carers Permit | €40 per year |
| Replacement permit | €10 per year |
| Visitors Parking Permit | €60 per year |
| Commercial Parking Permit | €60 per month |

Table Proposed permit fees

|  |  |  |  |
| --- | --- | --- | --- |
| Local Authority | DLRCC\* | DCC | Fingal CC\* |
| Residents Permit | €40 per year | €50 per year | €20 per year |
| Residents Carers Permit | NA | NA | NA |
| Replacement Permit | €10 | NA | €6 |
| Visitors Parking Permit (**valid for 1 day**) | €4/day | €1.25/day  (Note: book of 4 for €5 minimum purchase) | €1.20/day |
| Commercial Parking Permit | NA | NA | NA |
| \*DLRCC and Fingal CoCo rates are under review and expected to increase | | | |

Table Permit fees for other Dublin Local authorities

As can be seen from the above the proposed increase is inline with what neighbouring local authorities are currently charging.

**Proposal:** The options under the review could provide as follows:

1. Parking prices to remain as per current rates set out in Schedule I Part II (Rate A, A1, B and C). Permit prices to also remain the same.
2. Parking prices to be regulated to €1.50/hour in all pay and display areas. No change to permit prices
3. Permit prices to increase while parking prices remain as per the existing schedule.
4. Both permit and parking charges to change to those set out above.

It will be necessary to identify the advantages and disadvantages associated with the potential formal introduction of any such measures.

**Executive Recommendation:** Option (d) is recommended.

Rates have not been reviewed or increased since before 2010. Following consultation with other neighbouring Local Authorities it has been established that permit and paid parking charges are increasing in order to cover the costs of parking enforcement. In SDCC the parking enforcement contract is due for renewal and a supplementary Request for Tender has issued to the Office of Government Procurement. Having regard to recent tender processes completed by other LAs It is likely that the new contract price will raise, perhaps significantly, and parking and permit charges should be increased to encompass these costs.

## Inclusion of New Pay & Display Areas

Since the introduction of the 2010 Control of Parking Byelaws a number of additional areas have been incorporated into the Pay & Display regime, but these areas were never formally included into Schedule II, Part I of the Byelaws.

**Proposal:** To include the following areas in the Pay & Display Parking Schedule:

Tallaght

Fourth Ave (all)

Westpark Estate

Westpark – Tallaght Courthouse

Rathfarnham-Tallaght- Terenure

Rosemount Car Park

Whitehall Road West (opposite Ashleaf Shopping Centre)

It will be necessary to consider the advantages and disadvantages associated with the potential formal introduction of any such measures.

**Executive Recommendation:** Include the abovementioned areas in the Pay & Display Schedule.

## New “Park & Ride” pilot scheme.

It is proposed that a separate tariff is introduced for the following area which will be promoted as Park & Ride facilities in order to promote the use of public transport. The proposed hourly rate for this pilot scheme will be as per the proposed rate set out in 2.5.1 above (i.e. €1.50/hour). However, a special daily rate of €4/day (inclusive of VAT) is proposed, with no hourly restrictions imposed on these spaces.

Locations:

* Cookstown Way (north of Belgard Sq North, west side of the road) – to facilitate users of the Tallaght Hospital Luas Stop

## Examination of “Grace Period” pilot scheme

In 2016 a pilot scheme was proposed and implemented to allow for 30 minutes free parking in paid parking areas. This has continued without any review and / or amendments to the Byelaws.

Since its introduction (on September 7th 2016) income from paid parking has reduced year on year. The reduction between 2016 and 2017 was €221,952. A further decrease occurred between 2017 and 2018 of €45,238. 2019 income (to 30/9/2019) suggests a further decrease of €60,254 for the same period in 2018.

Our parking enforcement contractor has highlighted that the free parking period is widely abused with patrons continuously availing of continuous free periods, over several hours, without paying for any parking.

A decision is required on whether this 30-minute grace period should be formally applied, and the byelaws amended, or whether the “free period” should be reviewed to consider alternatives

**Proposal:** Options which could be considered include:

1. Formal provision of 30-minute grace period in the Byelaws
2. Amend existing format to provide for a grace period either before or following a period of paid parking
3. Remove any free parking period.

In any event it will be necessary to identify the advantages and disadvantages associated with the potential formal introduction of any such measures.

**Executive Recommendation:** Option (b) is recommended as the most appropriate option in order to reduce abuse of the “free period” while still allowing some grace time to users. Additionally, this will result in increased income which, as stated in 2.5 above, is required to cover the escalating costs of parking enforcement.



## Appendix A

The following is the proposed parking restrictions to be included in the revised byelaws:

***Prohibited parking* 40** The following areas are where parking is prohibited:

1. Double yellow lines – parking is prohibited at all times
2. Single yellow lines – during the hours indicated on the street sign (usually Monday to Saturday 07:00 – 19:00)
3. Yellow box – parking is prohibited at all times
4. Parking Bays reserved for people with disabilities – no parking at any time except where a valid parking permit is displayed in the vehicle
5. Loading bays – no parking during the hours indicated on the street sign. An exception may apply to vehicles with a goods tax disc for a maximum of 30mins while actively loading or unloading
6. Clearways or Bus Lanes – no parking during the hours indicated on the street sign
7. Cycle tracks – for mandatory cycle tracks, no parking at any time. A mandatory cycle track is indicated by a solid white line.
8. Cycle tracks – for non-mandatory cycle tracks you may park for a maximum of 30minutes while loading or unloading a vehicle. A non mandatory cycle track is indicated by a broken white line
9. Pedestrian areas – a vehicle cannot be parked in a pedestrian area during the hours indicated on the street sign
10. Bus/Coach Parking – no parking for any vehicles other than a bus or coach, unless otherwise indicated on a street sign. Maximum stay for buses/coaches is also indicated on the street signs.
11. Taxi Ranks – parking is prohibited during rank operation times. This will be indicated on street signage.
12. Bus Stops – parking is prohibited at all times.

***Other Parking Restrictions* 41** It is illegal to park in a way which interferes with traffic flow or obstructs or endangers other road users. The following are areas where parking is also restricted;

1. Parking is prohibited opposite a continuous white line
2. Parking is prohibited on a footpath (either partly or wholly)
3. Parking is prohibited on a raised grass verge or median
4. Parking is prohibited within 5m of a junction
5. Vehicles must not obstruct any entrance for vehicles except with the occupier’s consent
6. Parking is prohibited at a school entrance.
7. Parking in bays which are assigned as ‘Electrical Charge Points’ is only permitted by ‘EV’s’ which are using the facilities for recharge of their vehicles. A time limit on use of the recharging point may apply. See designated street signage