

COASTAL CAR PARK CHARGING TRAFFIC REGULATION ORDER

FREQUENTLY ASKED QUESTIONS

Q1. Why are parking charges being introduced to East Lothian`s coastal car parks?

Answer.

The coastal car parks are required to assist off – road traffic management, provide a safe parking location and assist with the management of visitors to coastal sites by providing visitor facilities within the car parks. This in turn helps to protect the natural heritage of the designated coastal sites. The maintenance and upkeep of coastal car parks is important in providing a quality environment and visitor experience. However, without investment in improving existing facilities and a sufficient revenue budget to maintain them, the quality of the car parks and facilities will decline. It is therefore considered appropriate for those who use the coastal car parks to contribute to the cost of the upkeep of the car parks and facilities through the payment of a reasonable parking charge.

Q2. How many coastal car parks are there in East Lothian?

Answer.

There are 13 sites designated as coastal car parks. Longniddry Bents No 1, Longniddry Bents No 2, Longniddry Bents No 3, Aberlady Bay Local Nature Reserve, Gullane Bents, Yellowcraig, John Muir Country Park – Tynninghame Links, John Muir Country Park - Linkfield, John Muir Country Park – Shore Road, Skateraw, Whitesands, Barns Ness and Thorntonloch.

Q3. Will parking charges apply to all the coastal car parks?

Answer.

Aberlady Bay Local Nature Reserve, Skateraw and Thorntonloch will not be included at this stage.

Q4. Will charging be introduced to these coastal car parks at some future date?

Answer.

These car parks will be closely monitored to assess the impact of charging at the other coastal car parks. If it is shown that there has been a negative impact and, it is considered appropriate, the introduction of charges at these car parks can be included in a new Traffic Regulation Order. Improvements to these car parks and associated facilities will therefore have to be carried out over a longer period.

Q5. What about town car parks, are there plans to introduce charging at them?

Answer.

There are no plans to introduce parking charges in towns.

Q6. Why is a Traffic Regulation Order being used to introduce the parking charges?

Answer.

The coastal car parks have been established in accordance with Section 32 of the Road Traffic Regulation Act 1984, as the car parks were provided for the purpose of relieving or preventing on – street traffic congestion. This in turn means that Section 35 of the Act, which gives Local Authorities the power to introduce conditions on the use of off – street parking places, can be used to introduce charges for the use of the parking spaces in the coastal car parks. The Council is therefore able to exercise its powers under the Act to promote a Traffic Regulation Order (TRO) to introduce parking charges, prohibit parking within designated coastal car parks without paying and to introduce associated waiting, loading and unloading restrictions on the surrounding on – street road network.

Q7. If people don't want to pay the charge what's to stop them parking on adjacent roads and streets?

The TRO will include waiting, loading and unloading restrictions that are needed to prevent potential displacement parking on nearby roads and streets.

Q8. Who will enforce the parking restrictions and the parking charges?

As these are criminal offences they are enforced by the police and traffic wardens.

Q9. Why are you undertaking this consultation?

There is a statutory duty to consult on the making of a TRO. The Council is obliged to consult with specific user groups. However, the Council generally consults with all stakeholders that have an interest in the area, including the local and wider community.

Q10. How will the information you get from this consultation process be used and will this information be publicised?

Information gathered as part of the consultation process will be used to finalise the drafting of the TRO. The information gathered will be published during the stage of advertising the TRO and will be summarised reflecting the comments received. The TRO will be published in the local press, online on the `Tell Me Scotland` website and on the Council`s website.

Q11. How long will this take?

A TRO could take up to 18 months to finalise depending on the complexity of the Order and the objections received. A flowchart setting out the timescale for the TRO process is provided at the end of the FAQs.

Q12. How can I object about the proposals or the process?

Once the TRO has been advertised, members of the public or interested parties may object (in writing) to the making of the TRO. Parties must clearly describe why they object to the making of the TRO.

Q13. The parking charges will apply to everyone using the coastal car parks. Why can't the charge only apply to visitors from outwith East Lothian, with local residents being allowed to park free of charge?

Arrangements that treat nationals, or some nationals, of an EC state more favourably than nationals of other EC member states have been declared illegal by the European Commission and there is clear case law in the European courts that a two tier system of charging residents and non – residents is discriminatory.

Q14. Can I buy an annual ticket?

The methods of charging proposed are a daily charge at each specific coastal car park or a season ticket that would cover all the coastal car parks. Blue Badge holders would be able to park free of charge.

Q15. How can I pay at the coastal car parks?

It is proposed to use a combination of an automatic barrier and ticket system at the point of entry and pay and display machines. We are considering the option of electronic payment as well as cash.

Q16. What will happen to drivers who don't pay the charge?

Non – payment of the charge is a criminal offence and is enforceable by the police and traffic wardens.

Q17. During the periods when the parking charges don't apply, how will I get into the car parks that have automatic barriers?

The automatic barriers will be raised during the period the charge doesn't apply.

Q18. Why are you planning to apply the parking charges throughout the year when the main visitor period is during the summer?

The coast is visited all year round, with the peak visitor numbers to coastal sites is during the summer period, April – September. However, the numbers visiting during March – October are still significant and have been increasing over recent years as

more people take part in water sports, bird watching, dog walking and other related outdoor activities. It is also the Vision of the Coastal Tourism Strategy for East Lothian to create an integrated year round coastal tourism industry.

Q19. Once you`ve set the level of parking charge do you plan to increase the charge each year?

The charge cannot be changed without amending the Order. It is proposed to review the Order after 3 years.

Q20. Will there be designated parking spaces for disabled drivers?

It is proposed to create a number of areas designated for disabled parking as the car parks are upgraded.

Q21. Will the vehicle height restrictors remain in place once the parking charges are introduced?

The vehicle height restrictors will remain in place.

Q22. At present horse boxes and vehicles that carry water sports equipment on the roof park outwith the height restrictor barrier. Will this still be the case once the parking charges have been introduced?

We will be putting in parking arrangements so that the charge can be collected for all vehicles making use of the coastal car parks.

Q23. Under the Land Reform (Scotland) Act 2004 people have the right of responsible access in the outdoors, so how can you charge for access to the coastal sites?

The charge is for parking within a designated parking area and the maintenance, management and operation of the on - site facilities, such as public toilets, provided by the Council. There is no charge to access the beach and the surrounding countryside for recreational purposes, so the introduction of a charge at the coastal car parks does not breach the Land Reform (Scotland) Act. The charge doesn`t apply if you visit the coastal site by public transport, walking, cycling or horse riding.

Q24. There is a charge to book the barbeque area at Yellowcraig and John Muir Country Park. Will people attending the barbeque have to pay the parking charge?

Yes. The charge only covers the hire of the barbeque area.

TRAFFIC REGULATION ORDER FLOWCHART

