



Proposed Changes to Parking Enforcement Policy

The following report in relation to proposed changes to Parking Enforcement Policy was presented to the Traffic and Transport Strategic Policy Committee at its meeting on 3rd February 2021.

Introduction

The control and policing of parking controls and restrictions in Dublin City Council's administrative areas is undertaken by the Parking Enforcement Contractor, Dublin Street Parking Services (DSPS). The options for enforcement currently available to the agents are clamping, where an immobilisation device, the clamp, is applied to the vehicle and it remains in-situ until the release fee is paid. They may also relocate the vehicle and subsequently clamp it, and finally where necessary the offending vehicle is brought to the DSPS Pound.

The focus for DSPS is to keep the movement of people and vehicles around the city as free as possible by ensuring that parking is carried out in a legal fashion especially in relation to bus, cycle lanes, clearways and access to driveways. In addition they help to keep a regular turnover of legal parking in pay & display areas and discourage all day commuter parking.

This is primarily achieved by using the methods outlined above. While these methods continue to be effective for the majority of enforcement actions, there remains a constant challenge for Dublin City Council in tackling illegal parking on bus and cycle lanes, short stay illegal parking in general and footpath parking in particular.

In the case of a vehicle illegally parked in a bus lane or cycle track, clamping the offending vehicle ensures that the disruption to the bus or bike lane continues until such time as the owner returns and pays the fine and has the clamp removed and so in general is not the preferred option. Relocating the vehicle is therefore the preferable approach but while waiting for the tow truck to arrive the offending vehicle may be removed by the owner without any penalty.

Similarly for short term illegally parking on footpath loading bays etc. regular clamping does address the issue but it is not as effective where several vehicles are illegally parked, say outside a commercial area, as the clamp takes a few minutes to apply and often the other vehicles in the area can be moved away by the owners without any enforcement. This has brought Dublin City Council to the conclusion that an additional form of enforcement is required.

Proposal

In an effort to address specific illegal parking offences, listed hereunder, Dublin City Council are proposing to commence issuing a Fixed Penalty Notice with respect to these. The issuing of the Fixed Penalty Notice will complement the existing parking enforcement methods and this will not be a standalone service.

Dublin City Council will still use clamping and relocation of vehicles as before but now add the ability that enforcement may also be by way of fixed penalty notices where appropriate. Initially to gauge the effectiveness of the Fixed Penalty Notice, Dublin City Council will carry out a pilot scheme, where the incumbent contractor DSPS will issue the notices on behalf of the City Council. Parkrite, who manage DSPS, have extensive experience in this area and carry out this function for a number of other local authorities. The list below are the main offences that a Fixed Penalty Notice is better suited to addressing;

- Blocking Clearways, Cycle tracks, Bus lanes
- Footpath Parking
- Non Commercial Parking in Loading bays
- Illegal Coach / Bus Parking
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Again this will be deployed to complement the existing measures used to tackle illegal parking. It is proposed that after the pilot scheme of 12 months, Dublin City Council will report back to the Transportation SPC on how effective the Fixed Penalty Notices have been and outline further proposals for consideration.

Dublin City Council has done much research into this area over the last few months both with the DCC Law Agent and DLR Co. Council and it is proposed that the issuing of Fixed Penalty Notices would commence in the second Quarter of 2021. The commencement date will be well publicised both to the Full Council members and the wider public.

Dublin City Council is of the opinion that this additional enforcement tool will increase parking compliance in key areas and lead to less obstructions and interference with pedestrians, cyclists and vehicle flows.

Therefore we believe that the policy around parking enforcement should be changed to now include the addition of Fixed Penalty notices as outlined above.

Recommendation:

Following consideration of the report, the Traffic and Transport Strategic Policy Committee recommends the report goes to the City Council for approval.

Councillor Christy Burke
Chairperson,
3rd February 2021

Transportation SPC - Proposed Fixed Penalty Notice Pilot Scheme Follow-Up Note

Introduction

At the February Transportation SPC Meeting Dublin City Council issued a report indicating the proposal to commence operation of a pilot scheme issuing Fixed Penalty Notices (FPN's) in respect of some parking offences. These offences are again listed below;

- Blocking Clearways, Cycle tracks, Bus lanes
- Footpath Parking
- Non Commercial Parking in Loading bays
- Illegal Coach / Bus Parking

It is proposed that Dublin Street Parking Services (DSPS) will operate the pilot scheme on behalf of Dublin City Council as they are the incumbent Parking Enforcement Contactor and have extensive experience in issuing FPN's in other local authorities in County Dublin.

The assessment of the pilot scheme will use indicators such as the instances of footpath parking that is reported, enforcement figures, general compliance levels in hotspot areas, following the initial pilot scheme the merits of a dedicated warden service can also be investigated.

In the presentation of the report and the subsequent discussion a lot of information was given and also a number of concerns and queries were raised which may not have been adequately addressed in the limited time available. This follow up note should provide further clarity on those queries and on this proposed policy change.

Follow Up Clarification

FPN's are being proposed as an additional enforcement option and only to be used where to deploy clamping or relocation enforcement isn't the most efficient or suitable options. It is **NOT** the intention of the Parking Enforcement Division to introduce FPN's as a replacement to clamping and the well-established relocation and removal options.

Dublin City Council views vehicles causing obstruction, to pedestrians and transportation flows as one of the most common and widespread parking issues in the City. If a vehicle is clamped in a clearway or on a footpath, then the offending motorist is subjected to enforcement but the vehicle remains in situ until the motorist returns, pays for the de-clamp, and DSPS returns to remove the clamp, or until a tow truck becomes available. With the vehicle in situ it is still causing obstruction issues for pedestrians, cyclists, traffic.

DSPS have been instructed to focus heavily on relocating these offenders, which removes the vehicle and locates it in area where it doesn't cause an obstruction but the vehicle is still clamped and motorist will have to pay a de-clamp fee. However in the situation where a tow truck is not available immediately then the offending vehicle may drive off before any enforcement action can be taken.

In these cases the FPN's are a more suitable enforcement measure as the tickets can be written quickly and immediately issued, and there is a far greater chance of all vehicles offending, being subjected to enforcement.

Footpath Parking

The most common query at the SPC on this report was the issue of footpath parking and enforcing for this offence.

When considering how we approach this offence we need to differentiate between the city centre area and the suburban residential areas. No footpath parking is allowed within the city centre and DSPS are instructed to immediately enforce this offence once they come across it.

Where Dublin City Council currently allow some flexibility around footpath parking is in residential areas where there is a significant lack of off-street parking. As a general rule of thumb if a double buggy can pass the vehicle and inside wall or hedge/gate then no enforcement is to be carried out. If a vehicle is parked close to a junction corner/ or falls outside the rule of thumb then the vehicle is enforced.

However, it is also clear that this is by nature rather subjective ad-hoc and discretionary and so it is proposed to bring clearer policy guidelines to the next Transportation SPC for discussion with the members taken into particular context the needs of disabled and visually impaired users.

Coach Parking

Offending coaches are very difficult to clamp, due to the larger wheels. Also it needs to be borne in mind that to carry stock of larger clamps isn't practical operationally. The FPN is more efficient in these cases and can be issued without confrontation and interaction with the drivers.

Appeals

The appeals process will be very similar to appealing a clamp or relocation and this will be handled by the same process as is currently in place. There is also an escalation of the fine if not paid by certain dates and if still not paid a court appearance will be initiated.

Dublin Council will follow suit with that as;

Fine is initially €40 for an offence rising to €60 after 28 days, if court proceedings are initiated then at summons stage and additional €37 is added to the / €60 to cover costs.

Experience in other Local Authorities

Before proposing the FPN pilot, Dublin City Council spoke extensively to Dun Laoghaire Rathdown Co. Council on their experiences, shortcomings, and advantages. DLR reported a 70% rate of payment, this wasn't reached overnight but through consistent and robust enforcements over time. Dublin City Council would hope to see similar figures after an initial bedding in period. DLR also reported significant compliance with parking controls and reduced amounts of illegal parking.

Closing

Dublin City Council views the pilot FPN's as a positive step to increasing compliance with parking regulations around the city, it will in particular be effective against short stay parking offences which cannot be adequately enforced at present with the clamping and tow away service.

Dermot Stevenson
Parking Enforcement Officer