



Scottish Women's Convention Response to:
Transport Scotland: Workplace Parking Licensing -
Consultation on Regulations and Guidance
September 2021

Premise

The Transport (Scotland) Act 2019 introduced a discretionary power for local authorities to implement WPL schemes. The Act provides the legislative framework for WPL and confers powers on Scottish Ministers to make regulations in relation to certain elements. This consultation provides an opportunity for stakeholders and the general public to offer their views on the key aspects of WPL regulations and guidance that will derive from the Transport (Scotland) Act 2019.

This consultation is not about the design or implementation of any individual town or city-specific WPL scheme. Local authorities will be required to undertake a consultation on their local schemes. However, this consultation is an opportunity to seek opinions on the regulatory framework and supporting guidance which will underpin local authorities' WPL schemes, should they choose to implement WPL.

The Scottish Women's Convention (SWC)

The Scottish Women's Convention (SWC) is funded to engage with women throughout Scotland in order that their views might influence public policy. The SWC uses the views of women to respond to a variety of parliamentary, governmental, and organisational consultation papers at both a Scottish and UK level.

The Scottish Women's Convention engages with women using numerous communication channels including roadshow events, thematic conferences, and regional contact groups. This submission provides the views of women and reflects their opinions and experiences in several key areas relevant to women's equality.

The SWC is currently engaging with women through digital roadshows, online surveys, asking women to comment by email and by telephoning those who want to talk. We are also using our wide network to ask women to collate views in their local communities and forward these to us on a regular basis. We are continuing to review innovative ways of engaging with women throughout Scotland using whichever medium is appropriate to them.

Question 1: Are there other elements of WPL schemes that local authorities should be required to consult on, besides those listed under the 'Consultation and Impact Assessment' section?

Yes

Please explain your answer, including, if appropriate, what additional elements should be required and why:

Local authorities should be required to consult on the equalities impact of any proposed WPL scheme to safeguard against the discrimination of underrepresented groups.

We also feel that it is important there is consultation looking more broadly at how any proposed WPL scheme functions as part of the rest of the transport system in the council area. For instance, we welcome suggestions that money collected from these parking schemes may be used for public transport and active travel. However, without sufficient investment and infrastructure in the first place, it would be easy for a WPL scheme to simply become a way of further disadvantaging the poorest in society if they are priced out of parking and have limited access to alternatives. Since one of the principal reasons given for the introduction of WPL schemes has been the reduction in emissions, it would also be good to see some level of enforcement, obligating local authorities to commit a minimum amount of revenue to investment in alternative travel.

Moreover, since there is the potential for WPL schemes to bring in a valuable new income stream for local authorities, it may be beneficial to consult on people's ideas for how the revenue might be used. We know that women, especially those from more deprived areas and with multiple protected characteristics, are more reliant on council-funded services. Moreover, in the interests of participatory democracy and engaging more people on the issues around emissions, the environment and climate change, it would be valuable to collect a range of views on how these schemes can best further local government's sustainability targets.

Question 2: Should the regulations specify a list of statutory consultees that local authorities are required to consult?

Yes

Please explain your answer. If yes, please detail what statutory consultees and why:

Following from our response to question one that there should be consultation on the equalities impact of any WPL scheme, local authorities should be required to consult with a range of organisations representing groups with protected characteristics. This will help to ensure that due consideration is given to the implications that any such scheme may have for people from different groups.

Question 6: Should the rationale and process for a local authority's review of licensing decisions be wholly set out by the local authority?

No

To enable the process to be impartial there must be the ability to appeal or complain if you feel that the local authority is not being fair or are not fairly applying the WPL scheme to your premises. Things change constantly in places of business and work, including the reasons for using cars and having to park in spaces. These should all be taken into account when licensing decisions are made.

Question 7: What circumstances/rationale do you consider reasonable for review or appeal of licensing decisions to take place?

- Safety
- Public transport links
- Infrastructure
- The demographic of the area in which you wish to charge for WPL - will this affect people using local businesses and stop people from starting businesses?
- You need to be fairly consistent when applying the licences across local authority areas and look at that area and how it will benefit the zero emissions campaign and National Transport Strategy. Consideration needs to be given to whether it is fair to impose a WPL.
- If nobody is using the spaces due to home working or the pandemic, for instance, these should not be charged while the spaces are vacant. Consideration should be given to how long spaces need to be empty before they become exempt.

Question 10: Which approach to the amount of the penalty charge do you consider more appropriate?

A formula for the penalty charge, including a reduction in payment for payment within a certain timeframe or increase in response to delayed payment, should be set in regulations

Please explain your answer, including what formula you consider appropriate, supporting your view with evidence where possible. Write your views in the text box below:

Most women agree that there should be incentives to pay the penalty charge early if necessary but if you have a standard charge, this amount would be a standard amount to pay. If businesses are unable to pay the standard penalty charge due to financial constraints, then it is unfair to keep increasing payments to pay this notice as this could plunge the business into greater debt and this would affect the staff who use the business. The business owners may then try pass this on to the occupants. The penalty notices should be in line with the number of spaces in the workplace and their position in the local authority. It has to be fair and consistent and transferrable across local authorities as many businesses have offices in different towns and cities.

Question 13: What positive or negative impacts do you think the WPL proposals outlined within this consultation may have on:

- **particular groups of people, with particular reference to ‘protected characteristics’ listed above**
- **children and young people**
- **people facing socioeconomic disadvantages**
- **people living in island communities**

Changing our travel habits is an important part of tackling climate change, and schemes that try to encourage reduced car usage are a key part of that. However, there does need to be better engagement with the barriers that people face to reducing their car usage.

- Many women may not feel safe using public transport or walking, especially when it is dark.
- Women disproportionately take on domestic labour and additional caring responsibilities for children and other family members. This may mean that they have to work to tight schedules or have to leave at short notice if there is a family emergency, so they cannot always rely on public transport.
- For women in more rural areas, it may not be feasible to take public transport and, even in cities, there are transport deserts that lack reliable public transport links.
- Some disabled people may be unable to safely use other forms of transport.

We need to be aware of pricing people out of suitable access to their own workplaces.

- With increasing levels of in-work poverty, it cannot be assumed that everyone who is in work would have the money to be able to afford these extra parking costs. We know that women account for the majority of low-paid workers in Scotland, and single-mothers in particular face some of the highest rates of in-work poverty.
- Many women struggle to return to work after having children because the high cost of childcare offsets any potential economic benefit of working. The additional costs of workplace parking may be yet another factor de-incentivising women from returning to work.

Consideration needs to be given to how parking spaces are allocated.

- In some workplaces, those with full-time, permanent contracts, or those in higher paying positions are likely to be prioritised when allocating parking spaces. We know that women are more likely to be on lower-paid, precarious contracts and this may mean that they are systematically denied access to parking spaces, regardless of their relative need.
- Coming out of the pandemic, we have seen the increase of hybrid working in many sectors. The flexibility offered by hybrid working has been shown to be particularly beneficial to women, especially women with children, disabled women, and women with caring responsibilities. Any system of allocating parking spaces needs to take into consideration the needs of those adopting hybrid working to ensure that they are not excluded from opportunities afforded to those who are in the workplace full-time. The aforementioned groups of women may have been unable to take on paid employment without the option of hybrid or flexible working, so feeling discriminated against in terms of access to parking could, in some circumstances, be enough to discourage them from the workforce altogether.

If new regulations are being brought in around parking, due consideration needs to be given to the standard of these parking facilities, ensuring they are safe and accessible for all.

- Parking needs to be well-lit and have operational CCTV so that people using it feel safe from harm. The parking also need to have minimum standards and be well-maintained properly to ensure that people using it are safe from injury.
- While the proposals state there will be an exemption for blue-badge holders, consideration needs to be given to the fact that:
 - Changes to the benefits system and the increasing stringency of means testing means that many disabled people are struggling to get the access to blue-badges that they deserve.
 - Depending on how costing is calculated, it is foreseeable that disabled spaces may be replaced to fit more spaces in to the same area. Provisions need to be put in place to ensure that sufficient numbers of appropriate disabled parking spaces are actually included in facilities so that this does not become a matter of discrimination.
- As mentioned previously, many women travel by car to feel safe. If the introduction of these workplace parking licenses means that workplaces reduce the number of parking spaces they have near the workplace, or the parking spaces become too expensive, it may mean that women are forced to use alternative parking further away from their workplace. This negates the purpose of them driving into work as they may have to walk through areas where they do not feel safe.
- Since this proposal comes as part of a broader strategy to reduce emissions from travel, provisions need to be made for the charging of electric vehicles. For the safety of women in particular, the location of these charging points needs to be given due consideration to ensure that women are not put in a vulnerable position when they have to charge their vehicle.

Question 14: Do you think the WPL proposals outlined within this consultation are likely to increase, reduce or maintain the costs and burdens placed on business sectors? Please be as specific as possible in your reasoning.

In the wake of the pandemic, we know that many businesses are struggling financially. Our main concern would be that companies who cannot handle the burden of this extra expense will pass on these costs to workers, perhaps even using it as an opportunity to profit from the situation by charging workers more than is required to cover the cost of the license. Women have been disproportionately affected by job losses and losses of income during the pandemic and there is a risk that this will disadvantage them further.

Question 15: What impacts do you think the proposals outlined in this consultation may have on the personal data and privacy of individuals?

The data has to be kept safe and not accessible as public records. Women have stated they would not feel safe if their data was accessible for public record, especially if it contained details of their make of car and registration numbers as this could be used by others to gain further information on them including their address and place of work. It is specifically an issue for women who are experiencing stalking as they may be followed to their place of work, infringing on their personal safety.

Question 16: Do you think the WPL proposals outlined in this consultation are likely to have an impact on the environment? If so, in what way? Please be as specific as possible in your reasoning.

Any policy which encourages individuals to use public transport will have a positive impact on the environment as there would be less traffic on the roads. However, women have stated that they feel there has to be much more done to ensure their safety on public transport and the infrastructure surrounding it such as paths, bus stops, train stations, bike racks and lighting.

Conclusion

The SWC is grateful for the opportunity to respond to Transport Scotland's consultation on regulations and guidance for the workplace parking license. As an organisation, we will continue to work with women from across Scotland to gather voices and experiences relating to such legislation and the effect of this on women's equality.

For further information, please contact

The Scottish Women's Convention

Email – info@scottishwomensconvention.org

Telephone – 0141 339 4797

www.scottishwomensconvention.org

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