

**REPORT TO: PLANNING & TRANSPORTATION COMMITTEE  
21 MARCH 2005**

**REPORT ON: FOOTWAY PARKING**

**REPORT BY: DIRECTOR OF PLANNING & TRANSPORTATION**

**REPORT NO: 137-2005**

## **1 PURPOSE OF REPORT**

1.1 To establish criteria for promoting an order to prohibit footway parking.

## **2 RECOMMENDATION**

2.1 It is recommended that "Orders" to prohibit footway parking are promoted in circumstances where such a practice is deemed to be an obstruction or public nuisance in the opinion of the Director of Planning & Transport following consultation with the Chief Constable and Groups representing the interests of people with a disability specifically and including those people with a visual impairment.

## **3 FINANCIAL IMPLICATIONS**

3.1 The costs of implementing such Orders relate to a cost of £150 per sign which must be repeated at every 60m of footway covered by the order.

## **4 LOCAL AGENDA 21 IMPLICATIONS**

4.1 Nil.

## **5 EQUAL OPPORTUNITIES IMPLICATIONS**

5.1 Physical access to services is a vital component of social inclusion and Dundee's commitment to being a barrier free city. The city is determined to focus on the fact that it is often the physical environment that is disabled causing a barrier to a person wishing to do something.

## **6 BACKGROUND**

6.1 Although it is currently an offence to drive over/onto a footway (this being a moving vehicle offence). There are difficulties in enforcing this contravention due to the need for enforcement officers to actually witness the driving offence. Footway parking is an obstruction to proper use of the footway, however in certain situations it may be a necessary way of ensuring the flow of traffic where parking is in high demand on narrow carriageways (eg adjacent to flatted/tenemental property). The problem of footway parking also occurs particularly in district and local retail centres where pedestrian movement is high.

6.2 Where waiting restrictions are already covering carriageways, the same restriction applies up to the boundary of the adjacent frontage. Therefore, notwithstanding the moving traffic offence, a Penalty Charge Notice can be issued to a vehicle parked on footway if the "yellow line" markings have been contravened.

- 6.3 In addition to this ability, the Traffic Signs Regulations and General Directions permit an approved sign to enforce an order to prohibit parking "at any time on a verge or footway", given that the term "road" as defined under the Roads Scotland Act includes the adjacent footway.
- 6.4 It is proposed that where in the opinion of the Director of Planning & Transportation that footway parking is deemed to be a serious obstruction or public nuisance and following consultation and with the agreement of the Chief Constable and representatives of disabled groups, that an order to prohibit footway parking is promoted. For clarity and the avoidance of doubt, all such consultation and orders will describe the exact location of the adjacent footway to the named road in the order.

## **7 CONSULTATIONS**

- 7.1 Depute Chief Executive (Support Services), Depute Chief Executive (Finance), Assistant Chief Executive (Community Planning) and Dundee Mobility and Access Partnership (DMAP) have been consulted and are in agreement with the contents of this report.

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IFS/EES

10 March 2005

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