STATEMENT OF REASONS

The Scottish Parliament passed the Transport (Scotland) Act 2019 which included powers to address inconsiderate parking and to improve footway and carriageway accessibility for pedestrians, particularly vulnerable road users or those with mobility impairments.

The Act prohibits pavement parking, double parking and parking at known crossing points. Section 51 of the Transport (Scotland) Act 2019 enables Roads Authorities to introduce Exemptions to enable pavement parking within specific areas defined on street by road markings and signage. The Parking Standards guidance which accompanies the Act states that a footway, or the carriageway with which it is associated with, must have the following characteristics to be considered for an Exemption Order:

Either;

a) The footway is of sufficient width to enable 1.5 metres (down to an absolute minimum of 1,2 metres over a short distance to take account of street furniture) to be available for the passage of non-vehicular traffic (including pedestrians, wheelchair users and mobility scooters) when a vehicle is parked on the footway; Or:

b) The carriageway associated with the footway is of sufficient restricted width or access that it would be rendered unpassable by emergency vehicles when one or more vehicles are parked on the carriageway but would be possible to access if vehicles were permitted to park on the footway.

A Pavement Parking Assessment of the local road network has been undertaken by Dundee City Council which identified those areas which had one of the above characteristics. As those areas have one of those characteristics, it is reasonable to make an Exemption Order that will permit parking on the pavements at those locations.