

## ABERDEEN CITY COUNCIL

---

<b>COMMITTEE</b>	Net Zero, Environment and Transport
<b>DATE</b>	11 June 2024
<b>EXEMPT</b>	No
<b>CONFIDENTIAL</b>	No
<b>REPORT TITLE</b>	Implementation of Pavement Parking Prohibition
<b>REPORT NUMBER</b>	CR&E/24/140
<b>EXECUTIVE DIRECTOR</b>	Gale Beattie
<b>CHIEF OFFICER</b>	Mark Reilly
<b>REPORT AUTHOR</b>	Tolu Olowoleru
<b>TERMS OF REFERENCE</b>	8

---

### 1. PURPOSE OF REPORT

- 1.1 Following the Scottish Government's initiative to ban pavement parking in Scotland, Aberdeen City Council carried out a citywide assessment of roads and their associated pavements using the criteria set by the Scottish Government. During this assessment, some pavements were identified for exemption from the prohibition, for example, to ensure safe access for emergency vehicles.

We are now seeking the Committee's approval to start the implementation of pavement parking prohibition, double parking, and parking at dropped kerbs, in Aberdeen and permission to proceed with exemption process for the identified streets listed in section 3.5.

### 2. RECOMMENDATION(S)

That the Committee:-

- 2.1 acknowledges the Scottish Government's directive to local authorities regarding the pavement parking, double parking and parking at dropped kerbs, prohibitions;
- 2.2 authorises officers (whether City Wardens, officers in the Parking and Bus Lane Appeals Team or other officers) to undertake, arrange to be undertaken, authorise and instruct, all activity relating to parking enforcement (including but not limited to enforcement of pavement parking, double parking and parking at dropped kerbs) in terms of the Transport (Scotland) Act 2019 and the Parking Prohibitions (Enforcement and Accounts) (Scotland) Regulations 2023, excluding streets that are to be exempted from the pavement parking prohibition;
- 2.3 instructs the Chief Officer Operations to remove existing signs in relation to existing pavement parking bans; and

- 2.4 instructs the Chief Officer Operations to undertake the Traffic Regulation Order (TRO) process necessary for the exemption of the streets listed in section 3.5 from the pavement parking prohibition and report back to this committee any objections received. If no objections are received, the TRO should be made, and the exemptions implemented on site.

### **3. CURRENT SITUATION**

- 3.1 A pavement parking prohibition was introduced by The Scottish Government within the Transport (Scotland) Act 2019 with the aim to improve accessibility, particularly for vulnerable road users, by allowing walkers and wheelers the ability to use footways and dropped kerbs without being impeded by parked vehicles. However, a footway parking prohibition may not be possible in some streets, the use and layout of some roads might require footway parking to maximize the carriageway width. Hence, the Scottish Government outlined criteria for exempting a road from the prohibition.

- 3.2 According to the Scottish Government, each street must be considered based on their individual merits and in the context of the immediate area. Accompanying this Prohibition are Ministerial Directions with guidance on specific characteristics, footways or carriageway associated with it, must have before it can be specified in an Exemption Order. No footway can be included in an Exemption Order if it does not meet the minimum set characteristics.

For a footway to be exempted, it must allow for a width of 1.5 metres of the footway to remain unobstructed when any part of a vehicle is parked on it, and the layout or character of the carriageway associated with the footway must allow the passage of an emergency vehicle unimpeded by the presence of a vehicle parked on it.

- 3.3 Apart from the ban on pavement parking, there is also a ban on double parking and parking at dropped kerbs. The dropped kerb ban applies where the pavement has been lowered to meet the level of the carriageway, or the carriageway has been raised to meet the level of the footway to assist pedestrians or cyclists to cross the carriageway safely.
- 3.4 The Scottish Government announced Pavement Parking Enforcement in Scotland to start from 11 December 2023, however, the process of procuring a contractor and assessment of pavements and roads in Aberdeen lasted longer than expected, resulting in a delay in enforcement.
- 3.5 Following the guideline in the Ministerial Directions, our consultant carried out a citywide pavement/carriageway assessment to determine streets where pavement parking currently existed but could be exemption.

The following streets were identified to require an exemption.

- Cairngorm Gardens (Kincorth / Nigg / Cove)
- Murray Terrace (Torry / Ferryhill)
- Elmbank Terrace (inset) (George Street / Harbour)
- Jackson Terrace (George Street / Harbour)

- South Square (George Street / Harbour)
- Hunter Place (George Street / Harbour)
- Froghall Avenue (George Street / Harbour)
- Leslie Road (Hilton / Woodside / Stockethill)
- Bedford Avenue (Tillydrone / Seaton / Old Aberdeen)
- Elm Place (Midsocket / Rosemount)
- Countesswells Road (Airyhall / Broomhill / Garthdee)
- Great Northern Road (Airyhall / Broomhill / Garthdee)

3.6 The citywide pavement/carriageway assessment and exemption of the pavement above were deemed essential because, the implication of not exempting streets with these characteristics could compromise road safety, impede vehicular access to properties on the street, reduced visibility, damage to vehicles etc.

3.7 It should be noted that the other streets where pavement parking currently exists, have been reviewed and have not met the criteria. Hence, pavement parking prohibitions will be enforced on those roads. However, alternative traffic management measures may also be proposed for some of these routes, to guide drivers to safe and improved parking patterns. These additional measures, waiting restrictions, will be promoted through the Traffic Regulation Order process under delegated authority with a report being made to this committee, if objections are received.

3.8 It is proposed to commence a citywide enforcement of pavement parking, double parking and parking at dropped kerbs prohibition, however, initially excluding streets that are to be exempted from the pavement parking prohibition. This will allow officers conduct the necessary consultation and to process the traffic regulation order needed for the implementation of the pavement parking exemption in the identified streets enabling full enforcement to be undertaken.

#### **4. FINANCIAL IMPLICATIONS**

4.1 There should be no direct financial implications on Aberdeen City Council arising from the recommendations in this report. Transport Scotland is currently deciding funding allocations for the various local authorities.

4.2 A penalty charge of £100 is payable in respect of a contravention. If a penalty charge is paid before the end of a period of 14 days beginning with the date on which notice of the penalty charge is given, the penalty charge is reduced by 50%. Income to the parking budget from this is expected to be minimal once the public become aware and react to the new enforcement arrangements.

4.3 There will be costs incurred in the removal of existing pavement parking bans in place within Aberdeen prior to the new legislation being put into place. These costs are anticipated to be around £3,000 and are to be covered by Road Safety Traffic Management budget.

## 5. LEGAL IMPLICATIONS

- 5.1 This report seeks permission to commence enforcement in line with The Parking Prohibitions (Enforcement and Accounts) (Scotland) Regulations 2023 which came into force on 11<sup>th</sup> December 2023.
- 5.2 Enforcement will be undertaken by City Wardens, supported by Parking Appeals and Traffic Management teams.

## 6. ENVIRONMENTAL IMPLICATIONS

- 6.1 The implementation of the project will result in appropriate use and delineation of the pavement and carriageway space in residential areas. Adequate and safe accessibility consideration is given to pedestrians, car owners and emergency vehicles.
- 6.2 Pavements are not designed to take the weight of vehicle parking, therefore where pavement parking is prevalent, surfaces and kerbs can be damaged and require greater maintenance than where there is pedestrian traffic only. Services underneath the surfacing can also be more prone to damage from pavement parking. These factors have environmental impacts from increased use of materials, machinery and creation of waste. The number of locations to be exempted has been kept to a minimum to reduce these costs and environmental impacts.

## 7. RISK

Category	Risks	Primary Controls/Control Actions to achieve Target Risk Level	*Target Risk Level (L, M or H)  *taking into account controls/control actions	*Does Target Risk Level Match Appetite Set?
<b>Strategic Risk</b>	The safety of pedestrians, particularly the vulnerable ones could be compromised if measures are not progressed	Roads that are not suitable for pavement parking prohibitions will be exempted from the prohibition	L	<b>Yes</b>
<b>Compliance</b>	The pavement parking prohibition is a Scottish Government's initiative, rejection of the recommendation within this report will result in non-	A citywide assessment of roads and pavements in Aberdeen using the Scottish Government's criteria.	L	<b>Yes</b>

	compliance with the Scottish Government's directives.			
<b>Operational</b>	Current workloads and team vacancies may pose as a limitation in implementing and enforcing this prohibition.	The Scottish Government has pledged support with resources, we hope this will enable Officers meet the necessary process needed for the implementation of this prohibition.	L	<b>Yes</b>
<b>Financial</b>	Not applicable	Not applicable	NA	<b>NA</b>
<b>Reputational</b>	Non-implementation of the proposal will be inconsistent with the rest of Scotland. Officers are receiving requests from Members and the public to enforce pavement parking within the city.	Enforcement of the prohibitions with minimal exemption seeks to ensure safe passage of pedestrians and vehicles.	L	<b>Yes</b>
<b>Environment / Climate</b>	Appropriate pavement and carriageway allocation for pedestrians and vehicle owners	Proposal and implementation of pavement parking exemption on roads that meets the set criteria	L	<b>Yes</b>

## 8. OUTCOMES

<b><u>COUNCIL DELIVERY PLAN 2023-2024</u></b>	
	<b>Impact of Report</b>
<b>Aberdeen City Council Policy Statement</b>  <u><a href="#">Working in Partnership for Aberdeen</a></u>	The proposals within this report will make walking attractive, particularly for wheelchair and pram users. This will in turn assist Aberdeen City Council in achieving the plan for a greener transport and safer streets. It will afford individuals the opportunity to walk or wheel without having to fear they might encounter vehicular obstruction along the way, thereby, improving the health of Aberdeen people and the environment.
<u><a href="#">Local Outcome Improvement Plan</a></u>	

Prosperous Place Stretch Outcomes	The proposals in this report support the delivery of LOIP stretch outcome 14 as people with disabilities, pram pushers and other pedestrians will have unimpeded access on pavements and while using uncontrolled crossing. This proposal will create a safer environment on the road network and help increase walking and cycling.

## 9. IMPACT ASSESSMENTS

Assessment	Outcome
<b>Integrated Impact Assessment</b>	New Integrated Impact Assessment has been completed.
<b>Data Protection Impact Assessment</b>	Not required.
<b>Other</b>	There are no additional impact assessments completed for this report.

## 10. BACKGROUND PAPERS

10.1 Transport (Scotland) Act 2019.

10.2 Aberdeen City Local Outcome Improvement Plan 2016-26  
<https://communityplanningaberdeen.org.uk/our-outcomes/>

## 11. APPENDICES

11.1 Pavement parking assessment process

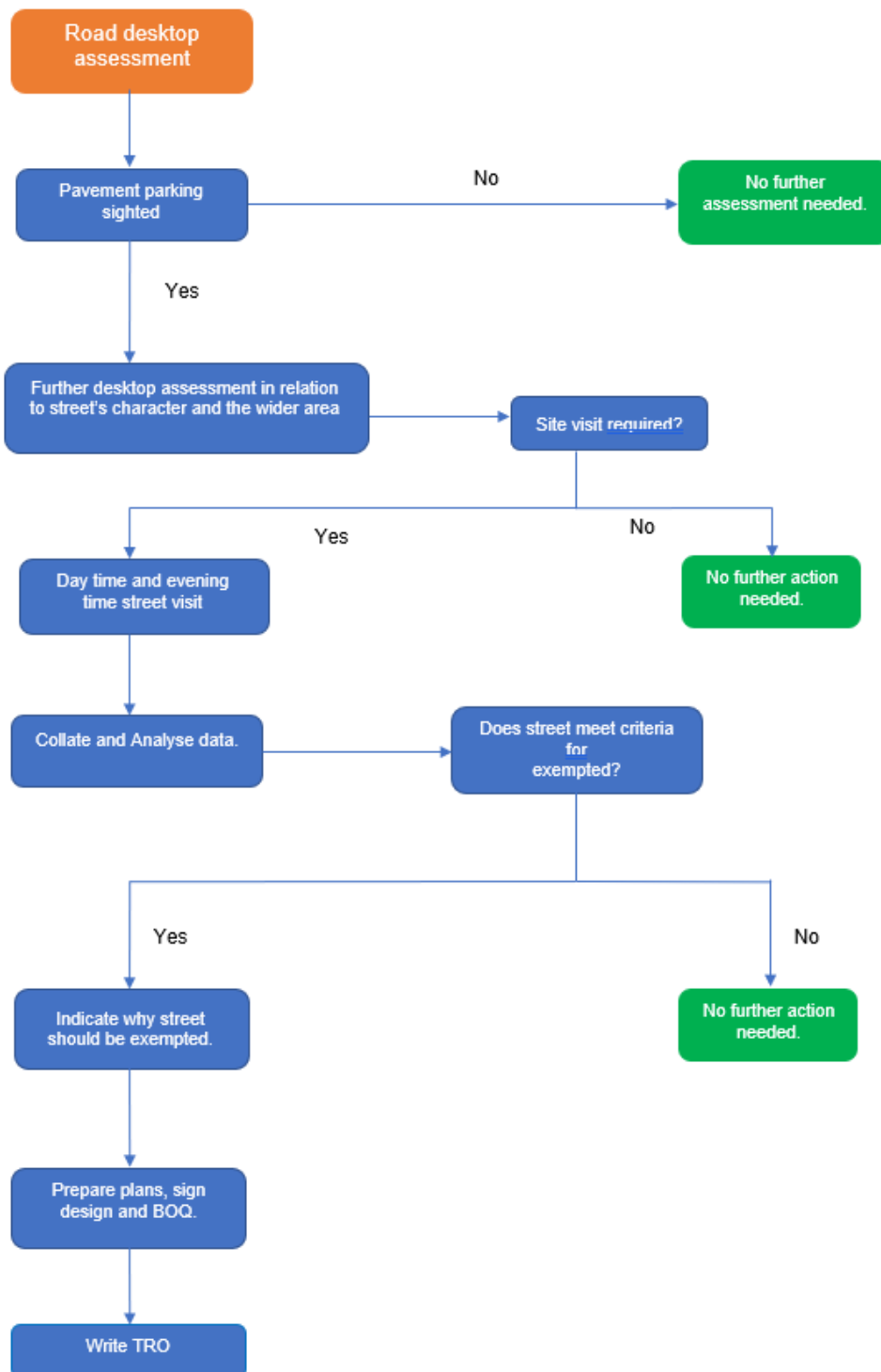
11.2 Exempted Roads Drawings

## 12. REPORT AUTHOR CONTACT DETAILS

<b>Name</b>	Tolu Olowoleru
<b>Title</b>	Technical Officer
<b>Email Address</b>	tolowoleru@aberdeencity.gov.uk
<b>Tel</b>	+44 1224 069516

## Appendix 1

### Pavement parking assessment process




## Appendix 2

### Exempted Roads Drawings

#### Sign details


This drawing and its contents remain the © Copyright of Aberdeen City Council

**Sign Face 14:**




Vehicles may be parked partially on the verge or footway in the marked bays (Alternative types)

**Sign Face 15:**




Vehicles may be parked wholly on the verge or footway (Alternative types)

**Sign Face 16:**




End of area where vehicles may be parked partially on the verge or footway (Alternative types)

**Sign Face 17:**

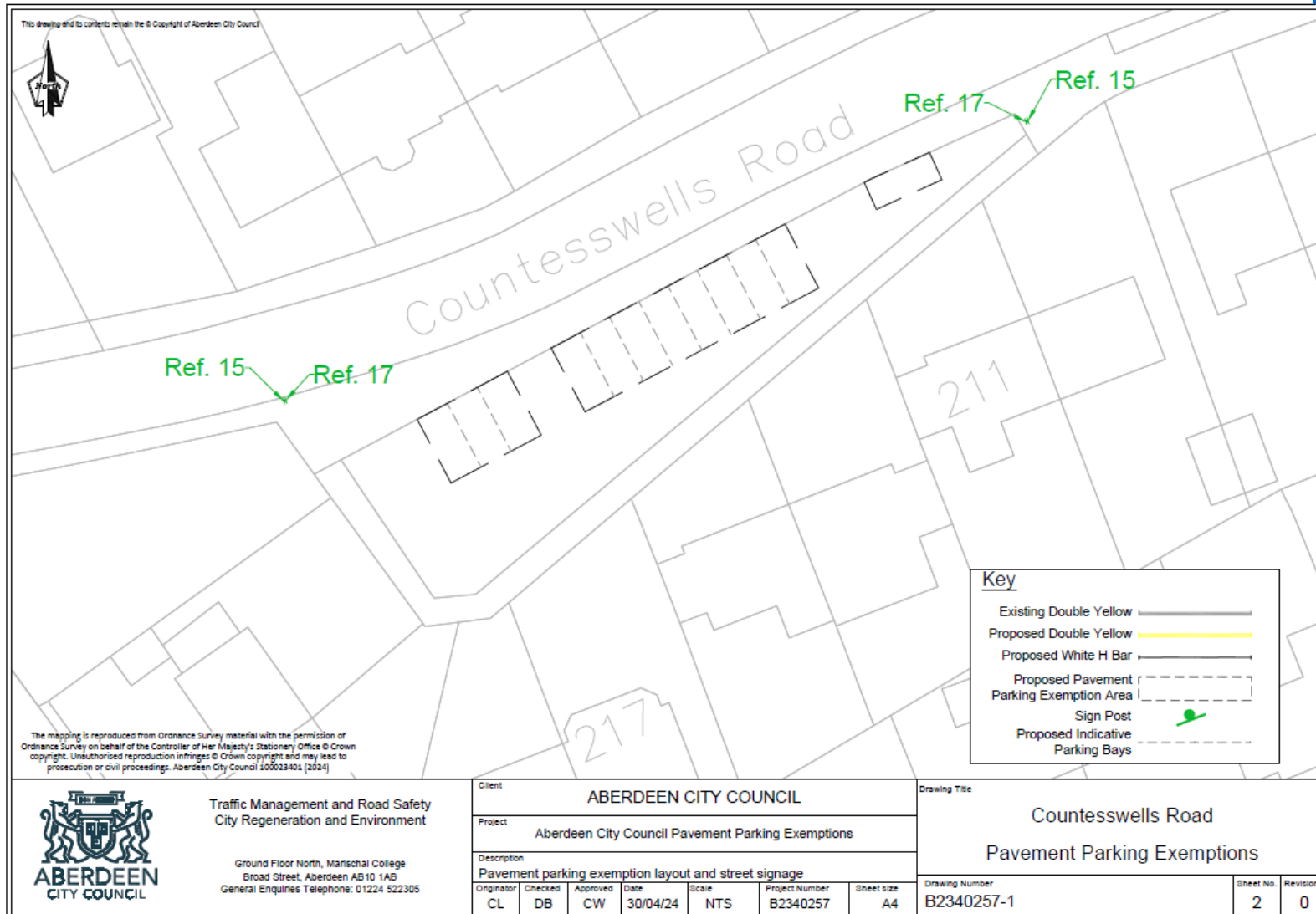


End of area where vehicles may be parked Wholly on the verge or footway (Alternative types)

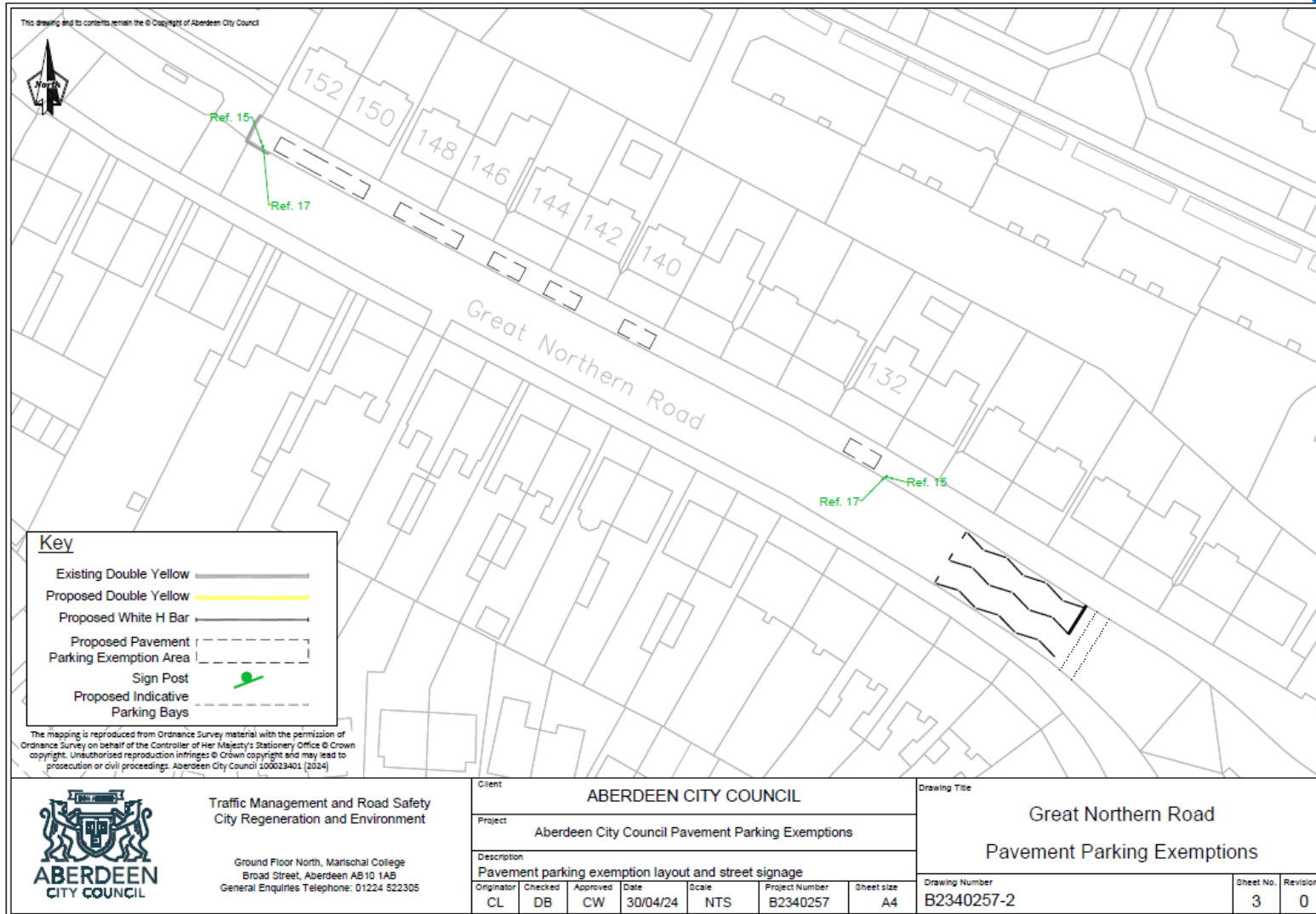
 <p><b>ABERDEEN CITY COUNCIL</b></p>	<p>Traffic Management and Road Safety City Regeneration and Environment</p>		<p>Client <b>ABERDEEN CITY COUNCIL</b></p>					<p>Drawing Title <b>Street Signage Key</b></p>				
	<p>Ground Floor North, Marischal College Broad Street, Aberdeen AB10 1AB General Enquiries Telephone: 01224 522305</p>		<p>Project Aberdeen City Council Pavement Parking Exemptions</p>									
	<p>Description <b>Street Signage Key</b></p>			Originator CL	Checked DB	Approved CW	Date 30/04/24	Scale NTS	Project Number B2340257	Sheet size A4	Drawing Number	Sheet No. 1



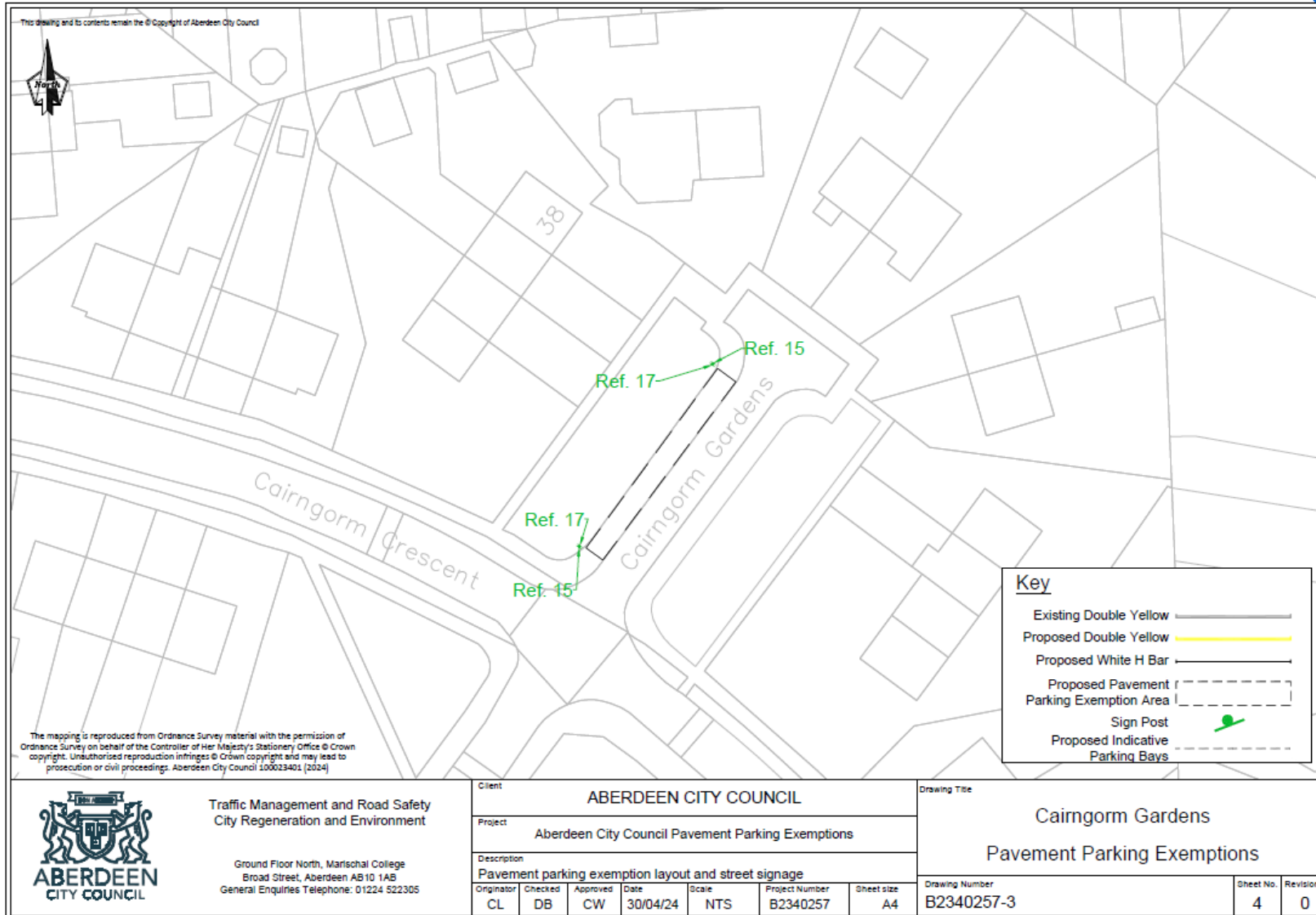
Countesswells Road, section serving properties number 209 to 223.



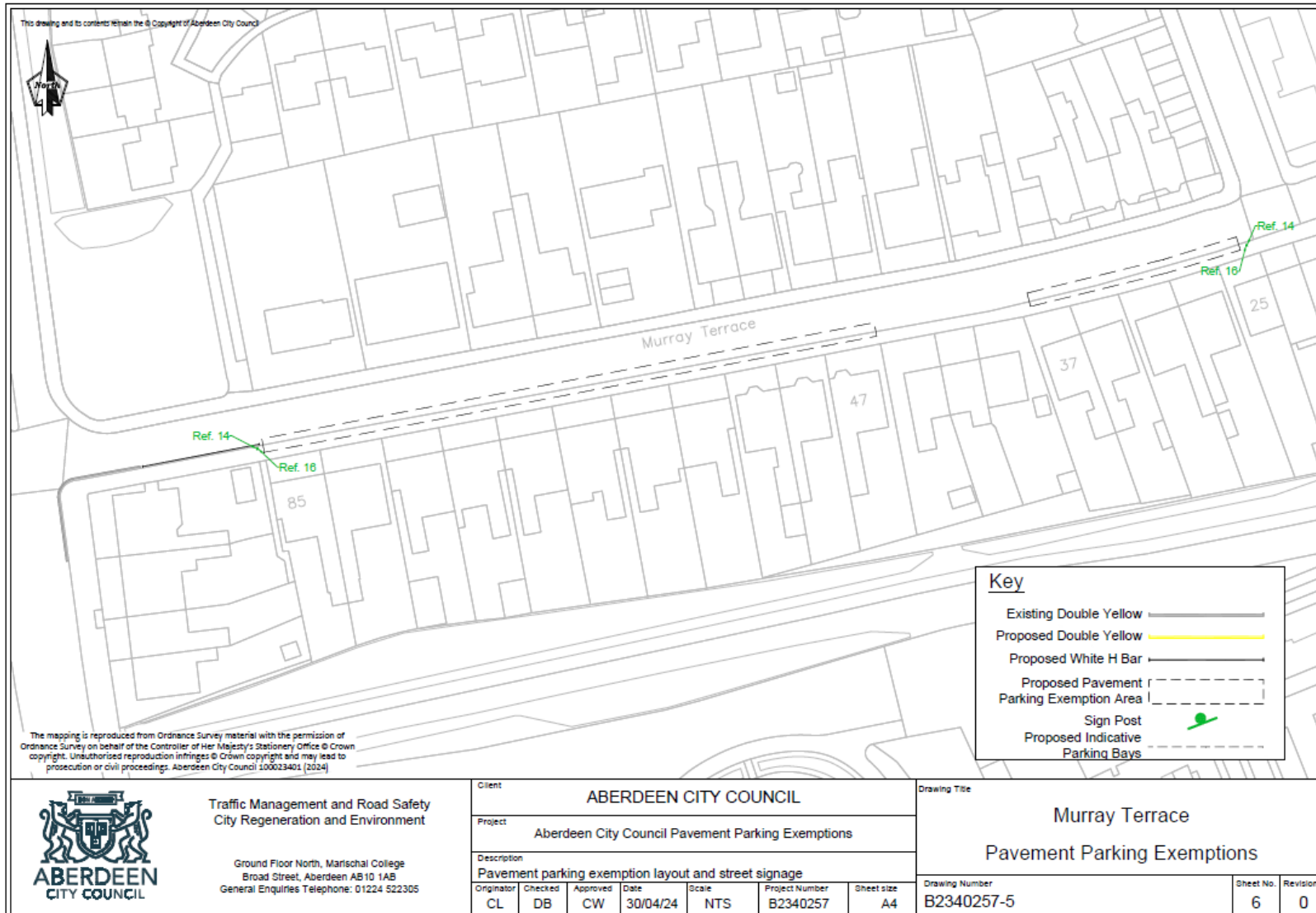
# Great Northern Road, section between Barron Street and St. Machar Roundabout



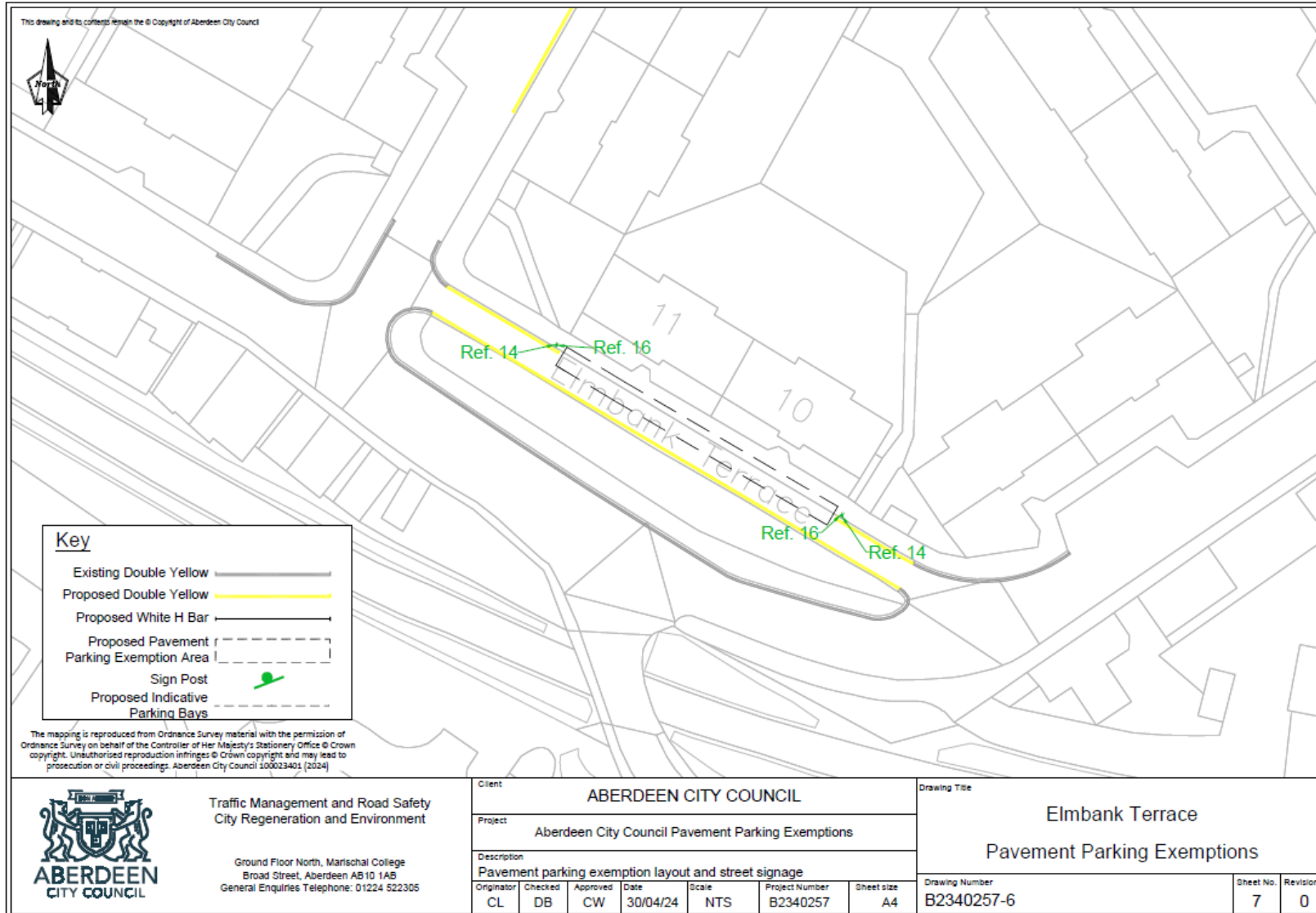
# Cairngorm Gardens, northern section, west side



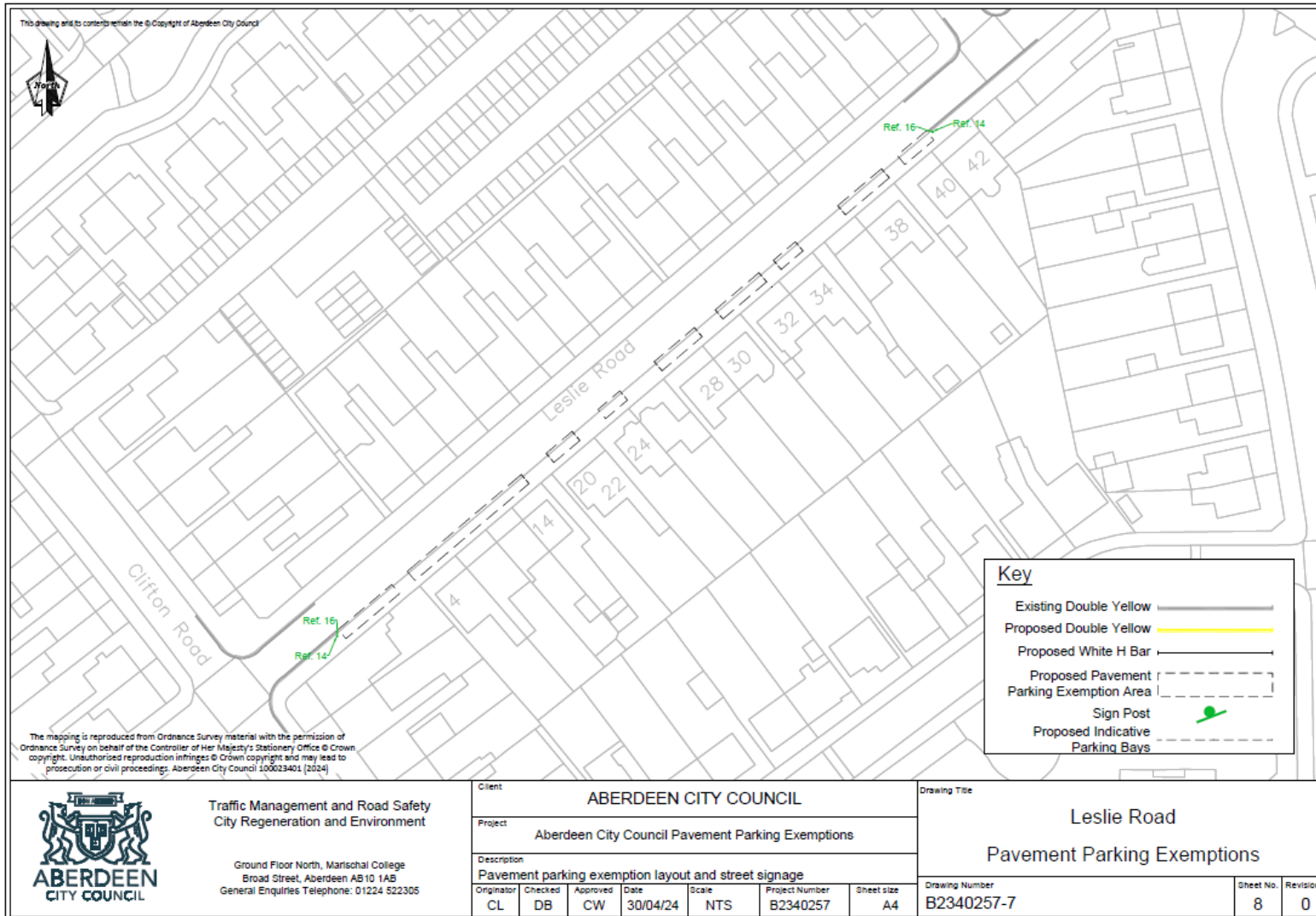
# Murray Terrace, section between Great Southern Road and Bright Street



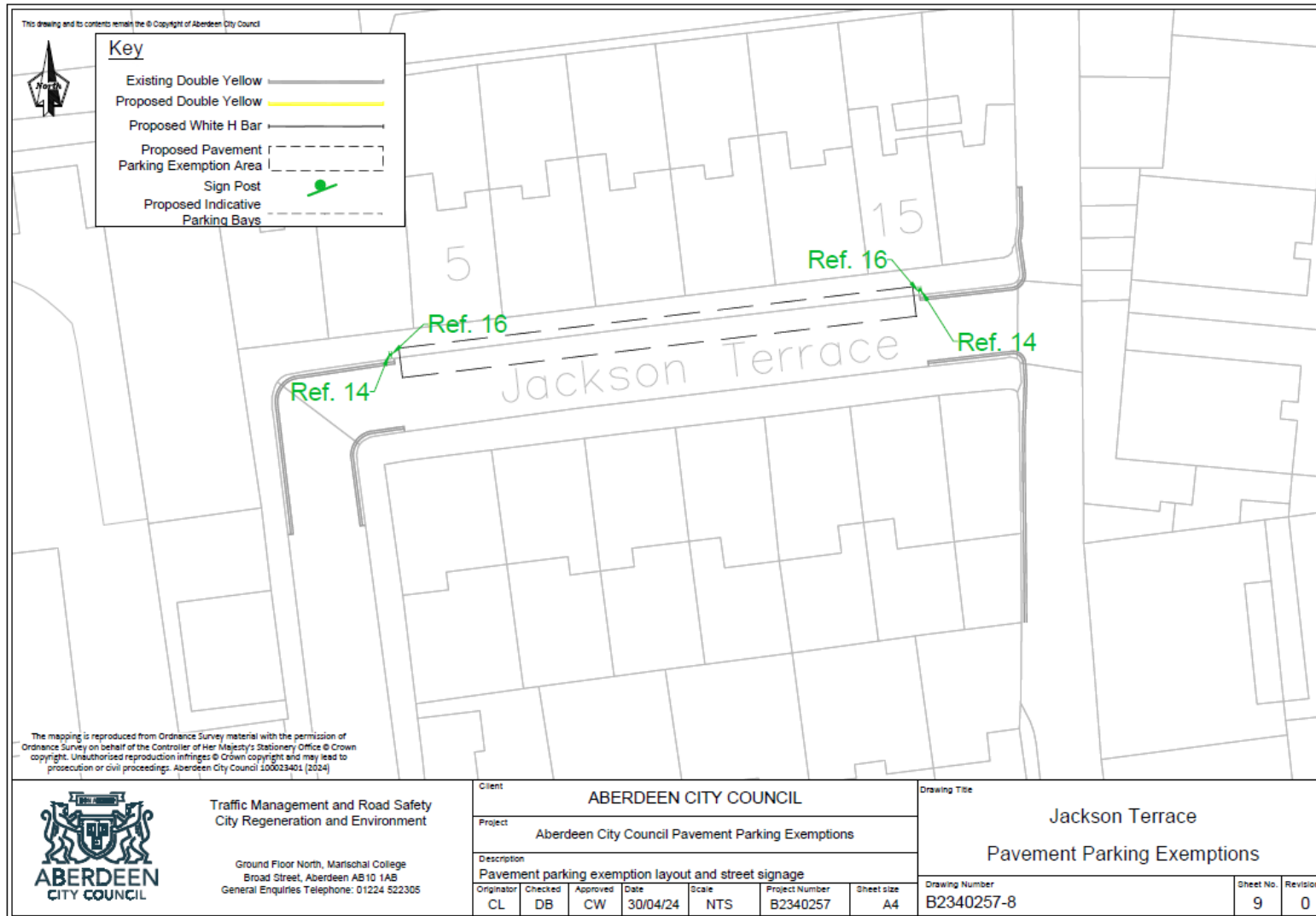
# Elmbank Terrace (inset road)



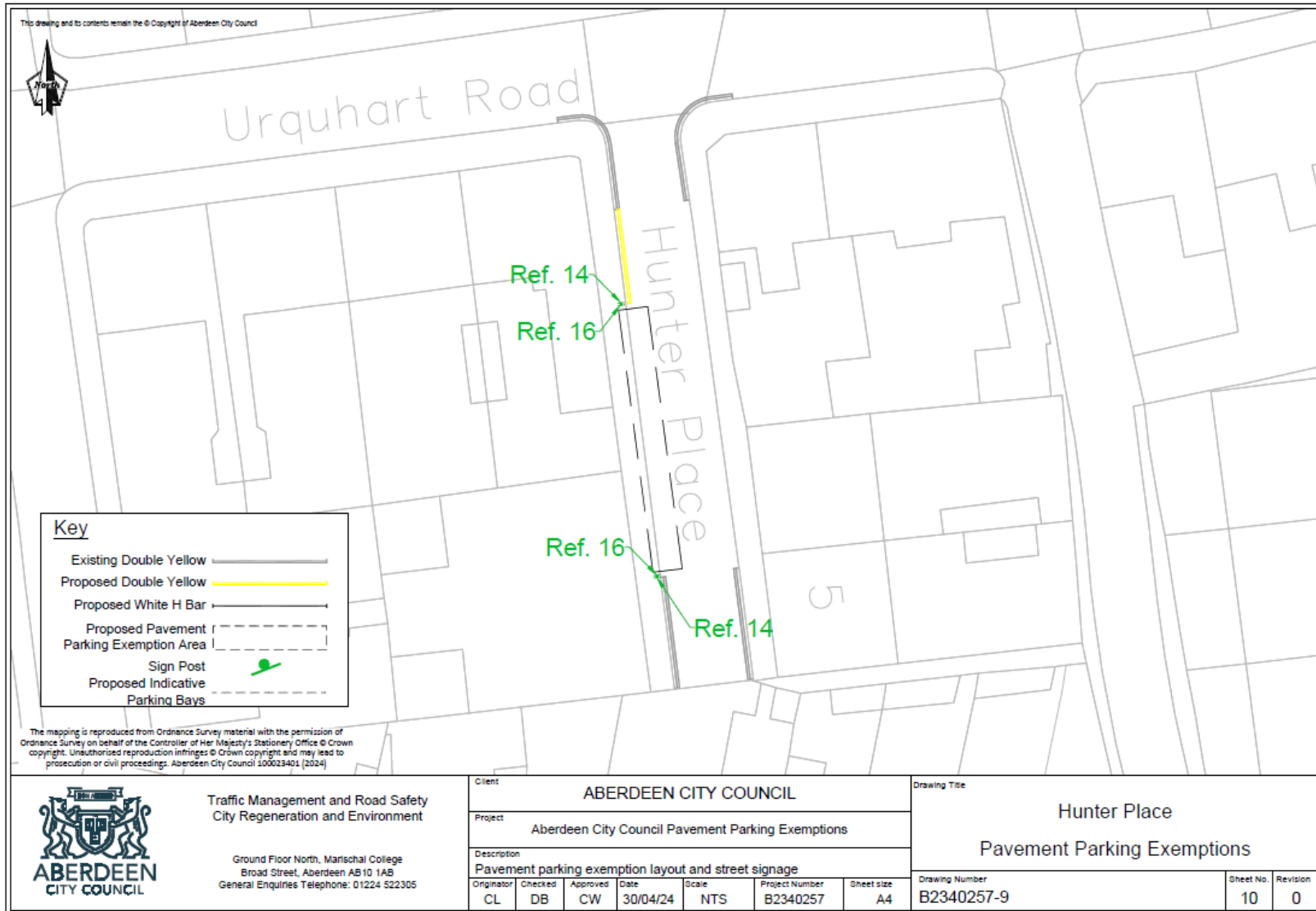
# Leslie Road, section between Clifton Road and Primrosehill Drive



# Jackson Terrace

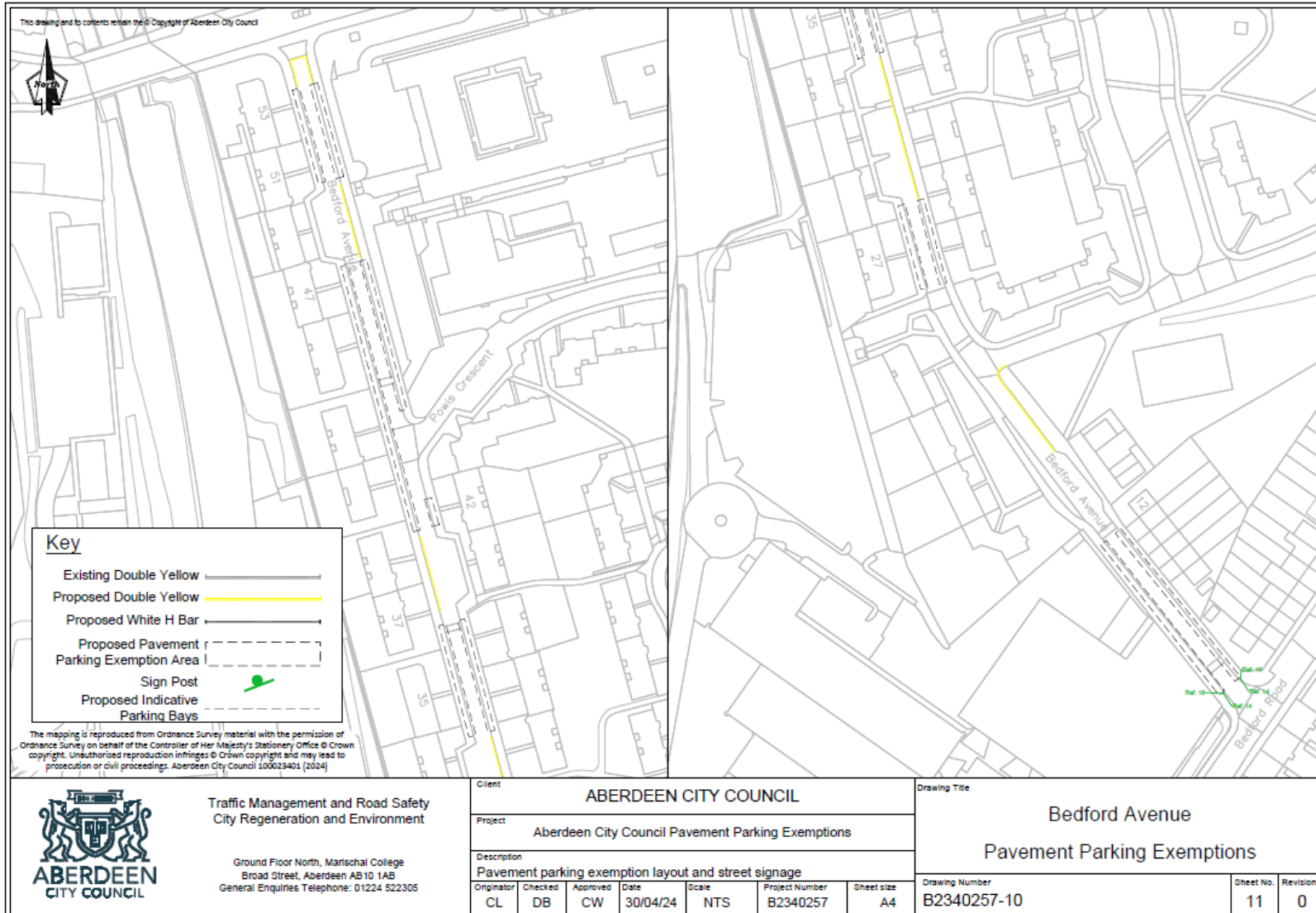


# Hunter Place





# Bedford Avenue



The mapping is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes © Crown copyright and may lead to prosecution or civil proceedings. Aberdeen City Council 100023401 (2024)



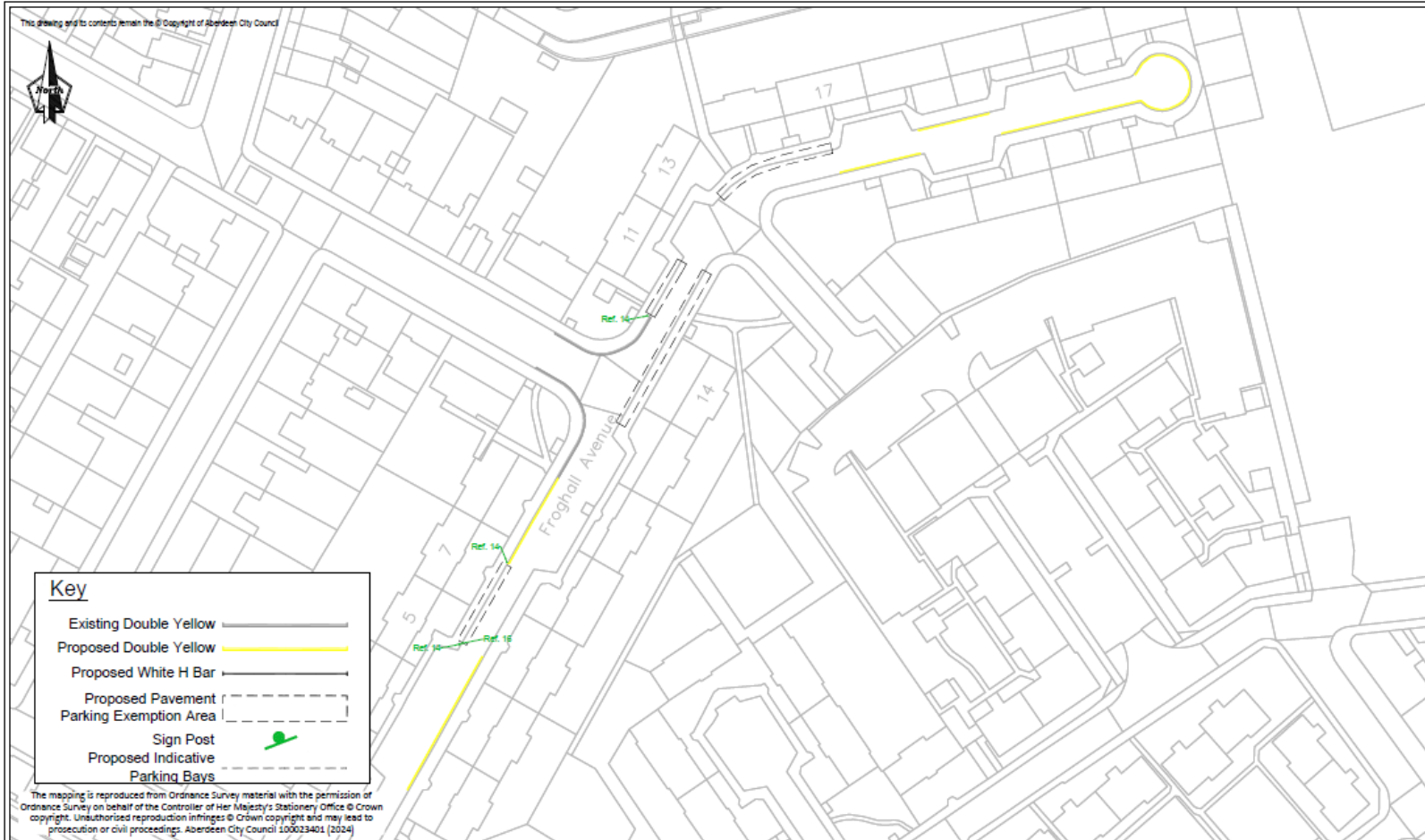
Traffic Management and Road Safety  
City Regeneration and Environment


Ground Floor North, Marischal College  
Broad Street, Aberdeen AB10 1AB  
General Enquiries Telephone: 01224 522305

Client <b>ABERDEEN CITY COUNCIL</b>						
Project Aberdeen City Council Pavement Parking Exemptions						
Description Pavement parking exemption layout and street signage						
Originator	Checked	Approved	Date	Scale	Project Number	Sheet size
CL	DB	CW	30/04/24	NTS	B2340257	A4

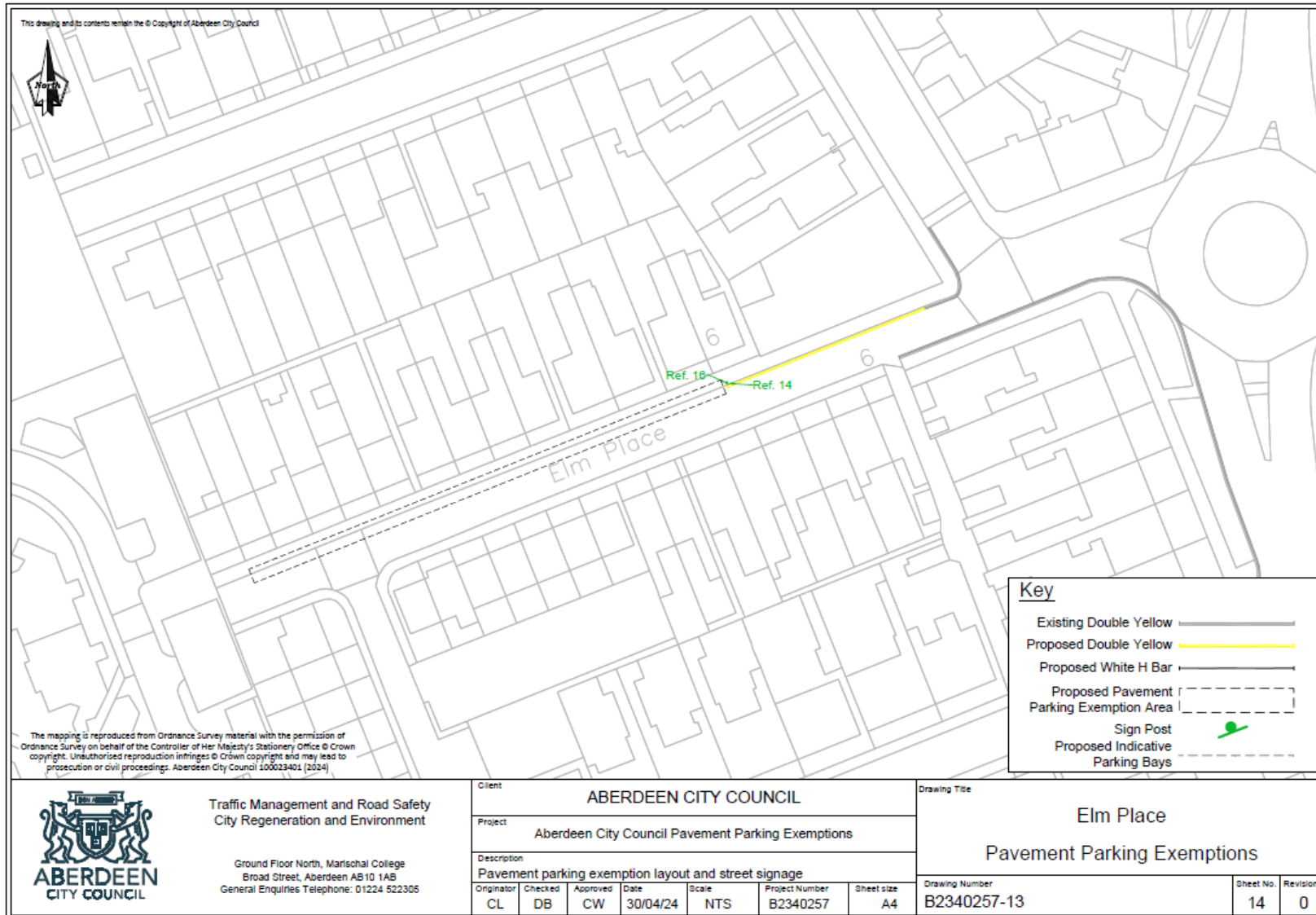
Drawing Title <b>Bedford Avenue Pavement Parking Exemptions</b>		
Drawing Number B2340257-10	Sheet No. 11	Revision 0

# Froghall Avenue



 <p><b>ABERDEEN CITY COUNCIL</b></p>	<p>Traffic Management and Road Safety City Regeneration and Environment</p> <p>Ground Floor North, Marischal College Broad Street, Aberdeen AB10 1AB General Enquiries Telephone: 01224 522305</p>	<p>Client <b>ABERDEEN CITY COUNCIL</b></p>				<p>Drawing Title <b>Froghall Avenue Pavement Parking Exemptions</b></p>			
		<p>Project Aberdeen City Council Pavement Parking Exemptions</p>				<p>Drawing Number B2340257-11</p>			
		<p>Description Pavement parking exemption layout and street signage</p>				<p>Sheet No. 12</p>			
Originator	Checked	Approved	Date	Scale	Project Number	Sheet size	Revision		
CL	DB	CW	30/04/24	NTS	B2340257	A4	0		

# Elm Place



# South Square

