

ITEM No ...3.....

REPORT TO: FAIR WORK, ECONOMIC GROWTH AND INFRASTRUCTURE COMMITTEE – 18 NOVEMBER 2024

REPORT ON: DUNDEE CITY COUNCIL (FOOTWAY PARKING) (EXEMPTIONS) ORDER 2024 – REPRESENTATIONS

REPORT BY: EXECUTIVE DIRECTOR OF CITY DEVELOPMENT

REPORT NO: 248-2024

1 PURPOSE OF REPORT

1.1 This report provides a summary of the representations received to the public notice for the Pavement Parking Exemptions Order.

2 RECOMMENDATION

2.1 It is recommended that the Committee delegates the Head of Sustainable Transport and Roads to proceed with the Pavement Parking Exemptions Order as set out in the report, with the omission of the length of road identified in paragraph 4.7 of this report, and to make operational tactical changes to the Order as required.

3 FINANCIAL IMPLICATIONS

3.1 The estimated infrastructure cost associated with this Order is £525,000.

3.2 Transport Scotland have advised that grant funding will be provided to local authorities to enable delivery of the infrastructure required. Infrastructure works will only be carried out when appropriate grant funding is received.

4 BACKGROUND

4.1 With reference to Article VIII of the Minute of the Meeting of the Fair Work, Economic Growth and Infrastructure Committee of 25 September 2023, Report No 255-2023 refers to proposed exemptions from the national prohibition of pavement parking which features in Part 6 of the Transport (Scotland) Act 2019 (forthwith referred to as the Act). Permission was granted by the Committee to prepare a draft Order and undertake statutory consultations and publish public notices.

4.2 Section 50 of the Act defines a vehicle as being parked on a pavement if the vehicle is stationary and one or more of its wheels are on any part of the pavement. A stationary vehicle is defined by the Act as parked whether or not the driver of the vehicle is in attendance, or the engine is running. The prohibition does not apply to vehicles being used by the emergency services and armed forces, or in the undertaking of roadworks, waste collection, breakdown assistance, emergency health care, postal services, or loading/unloading goods for up to 20 minutes.

4.3 As noted in Report 255-2023, Dundee City Council carried out a review of the local road network and consulted with Elected Members, emergency services, and bus operators on the roads eligible under the Act for exemption. Detailed plans showing the relevant locations for each street included in the Exemption Order can be found via the link below:

www.dundee.gov.uk/sites/default/files/publications/footway_exemptions_drawings_0.pdf

4.4 62 representations were received to the public notice of which 20 representations were in support of the Order and 31 featured objections. No objections were received from statutory consultees.

4.5 11 representations were received requesting further streets be included in the Order, however, additional extents would require a new Order to be promoted and advertised and would incur additional costs to the value noted in this report.

- 4.6 The 31 objections received relate to various and all streets included in the Order. A copy of the representation correspondence received has been circulated to the Group Leaders and the Scottish Conservative and Unionist Party member and is summarised as follows:
- pavement parking restricts the passage of large vehicles;
 - pavement parking exemption is not required as sufficient road space is available to accommodate parking;
 - insufficient demand for on-street parking to justify a pavement parking exemption;
 - sufficient private off-street driveway parking available;
 - wider footway widths make walking more pleasurable and benefit those with mobility issues;
 - pavement parking obstructs visibility sightlines to pedestrians crossing the road;
 - pavement parking signage will encourage more people to park in the street;
 - pavement parking presents an obstruction to refuse bin collections; and
 - pavement parking obstructs pedestrian passage on narrow footways.
- 4.7 Following an ongoing review of streets since commencement of pavement parking enforcement on 27 February 2024, it is proposed to remove Brantwood Avenue from the order as monitoring has identified that the public have defaulted to parking on the carriageway which has not impeded traffic as expected.

5 POLICY IMPLICATIONS

- 5.1 This report has been subject to the Pre-IIA Screening Tool and does not make any recommendations for change to strategy, policy, procedures, services or funding and so has not been subject to an Integrated Impact Assessment. An appropriate Senior Manager has reviewed and agreed with this assessment.

6 CONSULTATIONS

- 6.1 The Council Leadership Team have been consulted in the preparation of this report and are in agreement with its content.

7 BACKGROUND PAPERS

- 7.1 None.

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