



Stirling Council Transport Planning Team
Teith House
Stirling Council FK7 7QA

Date: 18th June 2024

Dear Community Council

Enforcement of the National Pavement Parking Prohibition: Information for Community Councils

This letter provides information for Community Councils about the introduction of enforcement of the national pavement parking ban in the Stirling Council area. Stirling Council will enforce the national ban from 15th July 2024. This letter details how the Council will implement enforcement, the exceptions to the ban within the legislation and the process for making Exemption Orders for streets.

Background

As you may be aware, the Transport (Scotland) Act 2019 introduced a national ban on parking on pavements, double parking and parking on the carriageway adjacent to a footway where the footway has been lowered or the carriageway raised to assist crossing by pedestrians or cyclists.

These rules aim to mitigate the inconvenience caused by "inconsiderate" parking, especially for people with mobility issues, visual impairments, and pushchairs. It should also be noted that pavements are not designed to support vehicle weights, and parking on them can lead to damage and increased maintenance costs.

Implementation of enforcement in the Stirling Council area

In the w/c 17th June 2024, Stirling Council will begin a communications campaign to inform drivers about the new regulations. This will involve:

- Issuing vehicles with advice notices rather than Penalty Charge Notices (PCNs) until midnight on 14th July 2024.
- Local and social media campaign from w/c 24th June to w/c 29th July.
- Dissemination of information through community groups and councillors

Enforcement will commence from 15th July 2024 and parking attendants will be issuing PCNs fines of £100 for non-compliance, reduced to £50 if paid within 14 days. Members of the public can report incorrectly parked vehicles through the Stirling Council website, where further information on the regulations can be found.



Members of the public can report incorrectly parked vehicles through the Stirling Council website, where further information on the regulations can be found. Attached is a list of FAQs which will be published on our website, along with links to Transport Scotland guidelines.

Exceptions

The legislation allows for the following exceptions where the following services could not do their work without being pavement parked or double parked, although they must leave a 1.5m gap between their vehicle and the back edge of the pavement:

- Police including National Crime Agency, ambulance, fire service, coast guard, naval, military, air force vehicles conducting their duties;
- Roadworks, waste collection, postal service conducting their duties;
- Doctor, nurse, midwife or other medical professionals providing urgent medical care;
- Deliveries, collections, loading, unloading in the course of business doing so only as long as necessary and not more than 20 minutes continuously;
- Where authorised and designated under the Road Traffic Act 1984;
- Where permitted by a Police or Fire Constable in uniform;
- Assisting at a collision or breakdown where this couldn't be done without being pavement parked or double parked, for only as long as necessary.

In addition, the following exception applies without the need to leave a 1.5m gap:

- Saving a life or responding to similar emergency where this couldn't be done without being pavement parked or double parked, for only as long as necessary.

Full details of exceptions to the pavement parking ban can be found in Section 55 of the legislation at:

<https://www.legislation.gov.uk/asp/2019/17/part/6/crossheading/exceptions-to-pavement-parking-prohibition-and-double-parking-prohibition/enacted>.

Exemption Orders

The Act enables certain streets to be considered for an exemption from the ban:

- If its layout would allow for a width of 1.5 metres of the footway to remain unobstructed when any part of a vehicle is parked on it, or



- The layout is such that the passage of an emergency vehicle would be impeded by the presence of a vehicle parked on the carriageway

Considerations such as footfall and alternative parking provision are factored in. The Council will have a process for dealing with Exemption Order requests. The ban will remain in place until an Exemption Order is made. Exemptions are for streets or sections of streets rather than individuals. The legislation grants no other Exemptions e.g. for blue badge holders or taxi drivers.

Support requested from Community Councils

Please could you cascade awareness of the forthcoming enforcement of the national ban to your members and through your communications channels, directing people to the information on Stirling Council's website.

Further information

The Stirling Council website provides information about the ban on pavement parking, double parking and parking at dropped kerbs: [Pavement Parking Prohibitions | Stirling Council](#)

Information about the nationwide ban is also available on the Road Safety Scotland website: <https://roadsafety.scot/campaigns/pavement-parking/>

If you or any residents have any questions about the ban, please contact Stirling Council at transportplanning@stirling.gov.uk.

We hope this information has been of use and welcome any suggestions from Community Councils about locations where Exemption Orders may be required.

Yours sincerely

A handwritten signature in cursive script that reads 'Dorothy Reid'.

Dorothy Reid
Head of Environment and Place