**Pavement Parking FAQ’s**

**What are the new Rules?**

New Scotland wide perking legislation means it is now illegal to

* Park on pavements
* Double park
* Park at pedestrian crossing points
* Park on road verges, which lie between roads and pavements.

The new riles came into law on Monday 11 December 2023 and we intend to start enforcement on 6 January 2025.

**Why are they being introduced?**

The new rules will make it safer for pedestrians and road users. Parking on pavements

* Prevents people from walking safely on pavements and around their neighbourhood
* Can be hazardous for people with disabilities or those pushing prams, buggies or wheelchairs
* Damages pavements, which are expensive to repair and become a trip hazard for everyone

**When are they being introduced?**

Councils in Scotland have the power to implement the new rules from December 2023 and enforcement of the new rules in Perth and Kinross will start on 6 January 2025.

**How will it be enforced?**

Parking attendants have powers to issue parking tickets to vehicles parked on pavements, at pedestrian crossing points, dropped kerbs or double parked. A parking ticket will be issued at the national level of £100 but reduced to £50 if paid within the first 14 days.

**What are the new parking contraventions**

The new contravention codes that will appear on penalty charge notices are:

* Code 100 – parked on pavement or verge
* Code 101 – parked next to pedestrian dropped or raised crossing point
* Code 102 – double parking

**What if cars, parked fully on the road block streets because there is not enough space and prevent access for emergency services, public transport or refuse collection?**

This could already happen in some streets around the city, but I not a common occurrence. However, parking in such a manner may constitute to an obstruction to the road which should be report to Police Scotland on their non-emergency number 101 and they may take action against drivers of these vehicles. It is the responsibility of each driver to park their vehicle considerately and not cause an obstruction. If you cannot park with all four wheels on the carriageway without blocking traffic, you should park elsewhere.

**Will there be exceptions?**

There are certain exceptions permitted under the Act, the full terms of which can be found in [Section 55 of the Act](https://www.legislation.gov.uk/asp/2019/17/part/6/crossheading/exceptions-to-pavement-parking-prohibition-and-double-parking-prohibition/enacted) and include if the vehicles is:

* Being used for Police, ambulance, Scottish Fire and Rescue Services, HM Coastguard, or navel or air force purposes \*
* Being used for, or in connection with, the undertaking of roadworks, the removal of an obstruction to traffic, the collection of waste by or on behalf of a local authority or postal services\*
* The motor vehicle is being used by a registered medical practitioner, nurse or midwife for urgent or emergency health care\*
* To provide assistance at an accident or breakdown\*
* The motor vehicle is, in the course of business, being used for the purpose of delivering, collecting goods, or unloading, provided it is parked for no longer than is necessary for that use, and in any event, no more thana continuous period of 20 minutes\*

\***These exceptions are conditional upon**

1. The purpose or function would be hindered if the vehicle were no parked on the pavement.
2. No part of the vehicle should be within 1.5 metres of the edge of the pavement furthest from the carriageway.
3. The vehicles I parked for no longer than is necessary (up to 20 minutes in the case of vehicles making a delivery).

In each case drivers may only park on the pavement if there is no alternative and they must leave a 1.5m gap between their vehicle and the edge of the footway furthest from the carriageway.

**Are delivery drivers exempt?**

There is no specific exception for deliver drivers, and they are expected to follow the rules of the road like any other driver. However, in certain limited circumstances should all conditions be met, there are allowed to wait on the pavement or double park to allow essential deliveries to be completed. Full details of the exception can be found in the Transport (Scotland) Act 2019

**Are disabled badge holders exempt?**

Disabled badge holders are not exempt from the ban.

**Are Taxis exempt?**

Taxis are not exempt from the ban.

**Is there a legal requirement for an observation period to be observed for double parking, parking on a pavement, parking at a dropped kerb?**

No. Parking tickets can be issued immediately.

**The new rules mean there will be fewer parking spaces in my street, where should I park?**

We recognise that the new rules may cause some initial disruption on some streets more than others, however there will be no exemptions and drivers may need to find alternative parking in another location. You should not park on the road in locations where this would make the carriageway too narrow for public transport or emergency service vehicles to pass freely.

**People currently pavement park on both sides of my street, how will I know which side of the street to park on when the new rules go live?**

There are many residential streets in the PKC area where parking can only be accommodated on one side of the road. You may want to consider the location of any disabled persons’ parking places, bin hubs, or other parking restrictions already in your street or park on the near-side (passenger side) to make reverse parking easier. If you cannot park your vehicle fully on the carriageway in a manner which allows public transport or emergency service vehicles to pass freely on the carriageway then you should park elsewhere.

**Can I park on the grass verge or grass strip?**

No, the new parking rules also include grass verges which lie between the carriageway and the footway and grass strips which form part of the footway.

**Will you be putting double yellow lines in some streets?**

There are no widespread proposals to introduce double yellow lines, or other mitigation measures, for the new parking rules at this time. This will allow residents to determine the best places for them to park safely.

However, we will monitor the impact of the new rules and if it is required for traffic management or road safety purposes, then additional restrictions may be considered. We have emergency powers to introduce Temporary Traffic Regulation Orders (TTRO’s) if we feel it is necessary to maintain the function of a road. However, new longer term restrictions would need to go through a legal process, known as a Traffic Regulation Order (TRO), part of which includes a public consultation on the proposals so everyone would be able to have their say on the matter.

**Do you have enough Parking Attendants to enforce against this?**

Our Parking attendants are resourced to enforce the new rules.

**Where can in report double parking, footway parking or parking at a pedestrian crossing/dropped kerb?**

You can report these on our website – MYPKC LINK. We will do our best to respond quickly, but we may not be able to visit every street where incorrect parking is reported to us.

**There is a dropped kerb at the driveway to my home, can I park in front of it?**

Yes, the new rules do not apply to parking in front of driveways, garages or property entrances. However, if there’s an existing restriction in place, such as a single yellow line, this will still apply. However, you should not park on the pavement outsider your driveway as this could still be enforced.

**How will I know if a dropped kerb will be enforced or not?**

There are many types of pedestrian crossings points around the PKC area, but only those intended to help pedestrians cross the road to the other side are likely to be enforced. These mainly include where

* A designated crossing has been introduced such as puffin or toucan crossing
* Where a pedestrian island is situated
* At the end of the street
* Where tactile paving is located or
* Where a dropped crossing is directly opposite on the other side of the road

**There is a raised crossing point in the middle of my street, will this be enforced?**

Yes, the prohibition on parking at pedestrian crossing points also applies where the carriageway has been raised to meet the level of the pavement.

**Does it apply to Cul-de-sacs?**

The ban applies to Cul-de-sacs.

**Does it apply if I am just dropping off a passenger?**

Yes it does apply.

**Where can I find the survey of my street?**

You can find the full REPORT ETC and if your street was included for further detailed considerations.

**Where can I find out if a pavement is included?**

The legislation places a duty on the Council to enforce pavement parking on any pavement or part of the pavement which there is a public right of passage, whether the pavement is classed as adopted for maintenance or privately maintained. This may exclude areas of unmade pavement. You can find a map of public roads and pavement in Edinburgh here. The information within the map is for guidance only.

**What additional signage is planned?**

The new rules are a national prohibition that does not require additional signage. Signs would only be put up if exemptions were introduced and it is the Council’s current position that no exemptions are to be permitted.

**How are you making drivers aware of the new parking rules?**

A national publicity campaign was carried out when the legislation was introduced. More details are available on the Road Safety Scotland Website. The Council has also been raising awareness locally; using social media, press articles, lamp post wraps, warning flyers and we’ve written to residents in streets where this may have a significant impact on parking.

**Can I construct a driveway for my vehicle?**

Residents can construct a driveway within their property at their own cost and in some cases subject to planning permission. Further information can be found on the Perth and Kinross Council website here - [Vehicular access guide - Perth & Kinross Council (pkc.gov.uk)](https://www.pkc.gov.uk/vehicleaccess#:~:text=A%20vehicular%20access%20consent%20is%20required#:~:text=A%20vehicular%20access%20consent%20is%20required) [www.pkc.gov.uk/vehicleaccess](http://www.pkc.gov.uk/vehicleaccess)