

The purpose of Aberdeen City Council is to protect the people and the place of Aberdeen from harm, enabling them to prosper and supporting them in the event of harm happening.

The purpose of an Integrated Impact Assessment is to evidence that Aberdeen City Council are making decisions in an informed way, and that the impact of decisions made is understood and accepted. The legislation that is considered within this assessment are:

- Section 2 [Equality Act 2010 protected characteristics](#)
- Section 3 [Socio-Economic](#)
- Section 4 [Human Rights](#)
- Section 5 [Children and Young People’s Rights](#)

The term ‘policy’ is used throughout this document and applies to policies, proposals, strategies, provision, criteria, functions, practice, budget savings and activities that includes delivery of our services.

1. About the Policy

1.1 Title

Implementation of Pavement Parking Prohibition

1.2 What does this policy seek to achieve?

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.

With the pavement parking prohibition,

1. drivers who park on footways will be penalised except the pavement has been exempted. Exempted pavements are shown by marked bays and upright signs.
2. double parking is banned, double parking is when no part of a vehicle is within 50cm of the edge of the carriageway. That is, the space between a parked vehicle and the edge of the carriageway must not be more than 50cm.
3. vehicles are prohibited from parking adjacent to a pavement 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.

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. According to the Scottish Government, each street must be considered based on their individual merits and in the context of the immediate area.

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.

Using the requirement stated above, our consultant carried out a citywide pavement/carriageway assessment to determine streets where pavement parking currently existed but could be exemption. The citywide pavement/carriageway assessment and exemption of appropriate pavements were deemed essential because, the implication of not exempting streets with these features could compromise road safety, impede vehicular access to properties on the street, reduced visibility, damage to vehicles etc.

With this proposal, Officers seek to implore the Net Zero, Environment and Transport Committee acknowledges the new pavement parking ban introduced by the Scottish Government and to authorise its enforcement citywide, however, leaving out the streets identified for exemption.

For information, Officers have requested that the exempted streets are excluded from pavement parking prohibition enforcement as the establishment of the exemption requires Traffic Regulation Order. A separate proposal will be made for the exemption process once approval is granted.

1.3 Is this a new or existing policy?

This is a new proposal.

1.4 Is this report going to a committee?

Yes

1.5 Committee name and date:

Net Zero, Environment and Transport Committee on 11 June 2024

1.6 Report no and / or Budget proposal number and / or Business Case reference number:

CR&E/24/140

1.7 Function and Cluster:

Function: City Regeneration and Environment

Cluster: Operations

Impacts

This section demonstrates the considerations that have been made in relation to the policy - and that the impact of proposals made is understood and accepted.

2: Equality Act 2010 - Protected Characteristics

Aberdeen City Council wants to ensure everyone is treated fairly. This section identifies the [protected characteristics](#) that the policy potentially affects and records the impact and mitigating steps.

2.1 What impact could this policy have on any of the below groups?

Protected Characteristic	What is the impact?				
	Negative			Neutral	Positive
	High	Medium	Low		
Age					X
Disability					X
Gender Reassignment				X	
Marriage and Civil Partnership				X	
Pregnancy and Maternity					X

Race				X	
Religion or Belief				X	
Sex					X
Sexual Orientation				X	

2.2 In what way will the policy impact people with these protected characteristics?

The implementation of this proposal will ban vehicular parking on pavements, double parking, and parking at crossing points, thereby making the road network safer and more accessible for everyone, particularly the aged, disabled and parents with babies/little children etc. With the implementation of this ban, obstruction at crossing points and on pavements will be removed, visibility will be improved for wheelchair and pram users, also, pedestrians will have more space to walk, and wheelchair and pram users will be able to manoeuvre around the road network better and safely. It is expected that everyone will be encouraged to travel actively as the thought/perception of blocked pavement will be removed. This will improve their health and general well-being.

2.3 What considerations have been made in reaching the above assessment?

What internal or external data has been considered? What does this data tell us?

According to a report on walking and cycling index in Aberdeen published by Sustrans in May 2022, 97% of all Aberdeen residents walk and 57% of them walk at least five days a week, this includes residents of different ages, gender, disability, sexual orientation, ethnicity etc. For more information on sustrans report, see link below.

[Walking and Cycling Index 2021: Aberdeen \(sustrans.org.uk\)](https://www.sustrans.org.uk/walking-and-cycling-index-2021-aberdeen)

Based on the percentage of residents who walk or wheel at least five days a week, women walk more than men, the report also shows that less disabled people walk when compared with non-disabled people. This report shows a varying percentage in terms of residents’ age, with the least category being those that are above 66 years and the highest walking category are those between ages 46 to 55.

Aberdeen residents’ perception to road and personal safety when walking and wheeling in their local area was also recorded in this data. Based on this data, more men think their local area is safe compared with women, people between ages 1 and 35 are least confident about the safety of their local area, while people between ages 46 and 55 are the most confident. Furthermore, less people with disability thinks their local area is safe compared with non-disabled people.

The result of the survey also shows that the more confident individuals feel about their safety around the road network, the more they are likely to travel actively. For example, the highest walking category in terms of age are the same category that are most confident about the safety of their local area. Officers believe the coming into effect of the pavement parking prohibition will improve safety perception citywide and more people will be able to walk and cycle.

What consultation and engagement and has been undertaken with officers and partner organisations?

Only the Net Zero, Environment and Transport committee convener, deputy and ACC senior Officers have been consulted.

Also, the legislation was developed by Scottish Government through consultation.

What consultation and engagement and has been undertaken with people who may be impacted by this policy (e.g. citizens, community groups, or other people/groups)?

Awareness is currently on going, the Scottish Government have circulated information relating to this ban on their social media pages and on various platforms. Likewise, Aberdeen City Council have posted relevant information and a FAQ section on our website.

A formal consultation will be conducted during the TRO process; however, street notices will only apply on exempted roads.

2.4 What mitigations can be put in place?

What mitigations are there against any negative impacts (if applicable)?

Consultation will be carried out where exemption is to be introduced, also, officers will monitor the effect of the ban citywide, new exemptions/mitigating measures will be introduced where necessary.

With mitigations in place, what is the new overall rating of the negative impact(s)?

High	
Medium	
Low	
Negative Impact Removed	X

3: Socio-Economic Impacts

This section is used to consider the impact of the policy on people who might be **unemployed, single parents**, people with lower **education** or **literacy**, **looked after children**, those with **protected characteristics** as examples.

Use this guide to understand more on socio-economic inequalities: [The Fairer Scotland Duty: Guidance for Public Bodies \(www.gov.scot\)](http://www.gov.scot)

3.1 What impact could this policy have on any of the below groups?

Group	Negative			Neutral	Positive
	High	Medium	Low		
Low income / income poverty – those who cannot afford regular bills, food, clothing payments.				X	
Low and/or no wealth – those who can meet basic living costs but have no savings for unexpected spend or provision for the future				X	
Material deprivation – those who cannot access basic goods and services, unable to repair/replace broken electrical goods, heat their homes or access to leisure or hobbies				X	
Area deprivation – consider where people live and where they work (accessibility and cost of transport)				X	
Socio-economic background – social class, parents' education, employment, income.				X	

3.2 In what way will the policy impact people in these groups?

There should be no direct impact on the socio-economic status of people in this group.

3.3 What considerations have been made in reaching the above assessment?

What internal or external data has been considered? What does this data tell us?

There is a recognised link between road casualties and deprivation as reported at this link, a proposal to remove parking on pavements would be expected to improve safety for all. [Reported road casualties Great Britain: Casualties and deprivation - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

What consultation and engagement and has been undertaken with officers and partner organisations?

Statutory consultation will be carried out as a part of the TRO necessary for the introduction of this proposal.

What consultation and engagement and has been undertaken with people who may be impacted by this policy? citizens, community groups, or other people/groups impacted by this policy?

This project is still in the development stage, Aberdeen City Council has not carried out any public consultation, however, once the Net Zero, Environment and Transport committee approves the enforcement of the pavement parking prohibition citywide and the exemption of the identified streets, a Traffic Regulation Order (TRO) will be promoted. The TRO process will involve statutory and public consultation, where there will be a newspaper publication and street notices in the exempted streets, individuals will then be able object or comment.

3.4 What mitigations can be put in place?

What mitigations are there against any negative impacts (if applicable)?	
There will be no perceived negative impact on any socio-economic group or individuals	
With mitigations in place, what is the new overall rating of the negative impact(s)?	High
	Medium
	Low
	Negative Impact Removed

4: Human Rights Impacts

The Human Rights Act 1998 sets out the fundamental rights and freedoms that everyone in the UK is entitled to. It incorporates the rights set out in the European Convention on Human Rights (ECHR) into domestic British law. The Human Rights Act came into force in the UK in October 2000

The Act sets out our human rights in a series of 'Articles'. Each Article deals with a different right.

Use this guide to understand more about [Human Rights](#).

4.1 What impact could this policy have on Human Rights?

Human Rights Article	Negative	Neutral	Positive
Article 6: Right to a fair trial		X	
Article 7: No punishment without law		X	
Article 8: Right to respect for private and family life, home and correspondence		X	
Article 9: Freedom of thought, belief and religion		X	
Article 10: Freedom of expression		X	
Article 11: Freedom of assembly and association		X	
Article 12: Right to marry and start a family		X	
Article 14: Protection from discrimination in respect of these rights and freedoms		X	
Article 1 of Protocol 1: Right to peaceful enjoyment of your property			X
Article 2 of Protocol 1: Right to education		X	
Article 3 of Protocol 1: Right to participate in free elections		X	

4.2 In what way will the policy impact Human Rights?

Pavement parking prohibition will result in appropriate use of the carriageway and footway space, this prohibition will improve the way the road environment is used, resulting in an orderly road network. This will also improve visibility, accessibility, and safety around the road network. This arrangement will result in peaceful neighbourhoods where everyone feels safe as the carriageway space is properly allocated.

4.3 What mitigations can be put in place?

What mitigations are there against any negative impacts (if applicable)?	
Not applicable	
If mitigations are in place, does this remove the negative impact?	No – negative impact remains
	Yes – negative impact reduced
	Yes - negative impact removed

5: Children and Young People’s Rights Impacts

The United Nations Convention has 54 articles that cover all aspects of a child’s life and set out the civil, political, economic, social and cultural rights that all children everywhere are entitled to. It also explains how adults and governments must work together to make sure all children can enjoy all their rights.

Children’s rights apply to every child/young person under the age of 18 and to adults still eligible to receive a “children’s service” (e.g. care leavers aged 18 – 25 years old).

The Conventions are also known as the “General Principles” and they help to interpret all the other articles and play a fundamental role in realising all the rights in the Convention for all children. They are:

1. Non-discrimination (Article 2)
2. Best interest of the child (Article 3)
3. Right to life survival and development (Article 6)
4. Right to be heard (Article 12)

You can [read the full UN Convention \(pdf\)](#), or [just a summary \(pdf\)](#), to find out more about the rights that are included.

5.1 What impact could this policy have on the rights of Children and Young People?

UNCRC and Optional Protocols	Negative	Neutral	Positive
Article 1: definition of the child		X	
Article 2: non-discrimination		X	
Article 3: best interests of the child			X
Article 4: implementation of the convention		X	
Article 5: parental guidance and a child's evolving capacities		X	
Article 6: life, survival and development		X	
Article 7: birth registration, name, nationality, care		X	
Article 8: protection and preservation of identity		X	
Article 9: separation from parents		X	
Article 10: family reunification		X	
Article 11: abduction and non-return of children		X	
Article 12: respect for the views of the child		X	
Article 13: freedom of expression		X	
Article 14: freedom of thought, belief and religion		X	
Article 15: freedom of association		X	
Article 16: right to privacy		X	
Article 17: access to information from the media		X	
Article 18: parental responsibilities and state assistance		X	
Article 19: protection from violence, abuse and neglect		X	
Article 20: children unable to live with their family		X	
Article 21: adoption		X	
Article 22: refugee children		X	
Article 23: children with a disability			X
Article 24: health and health services		X	
Article 25: review of treatment in care		X	
Article 26: social security		X	
Article 27: adequate standard of living		X	
Article 28: right to education		X	
Article 29: goals of education		X	
Article 30: children from minority or indigenous groups		X	

Article 31: leisure, play and culture			X
Article 32: child labour		X	
Article 33: drug abuse		X	
Article 34: sexual exploitation		X	
Article 35: abduction, sale and trafficking		X	
Article 36: other forms of exploitation		X	
Article 37: inhumane treatment and detention		X	
Article 38: war and armed conflicts		X	
Article 39: recovery from trauma and reintegration		X	
Article 40: juvenile justice		X	
Article 41: respect for higher national standards		X	
Article 42: knowledge of rights		X	
Optional Protocol on a Communications Procedure		X	

5.2 In what way will the policy impact the rights of Children and Young People?

“A Guide to Improving School Transport Safety” revealed that 270 children have either been killed or seriously injured on the way to school or back between 2005 and 2009. The document also states that “While cycling is statistically the riskiest mode of travel, 65% of school child road casualties occur when walking.” The recommended solution given in the document is centred around improving road safety, particularly motorists’ speeds on routes leading to schools.

Having a safe environment will therefore be in the best interest of children. Parking on pavement and crossing points causes obstruction and reduces visibility. With this ban, it is expected that more children will be encouraged to walk and cycle, as visibility and road safety will be improved, children will have clearer visibility of their environment and can be seen by drivers and other road users.

5.3 What mitigations can be put in place?

What mitigations are there against any negative impacts (if applicable)?	
Not applicable	
If mitigations are in place, does this remove the negative impact?	No – negative impact remains
	Yes – negative impact reduced
	Yes - negative impact removed

6: Sign Off

Any further positive or negative impacts on individuals or groups that have been considered?
Parking on pavements inflicts damage on the pavement and the services running under them, with the coming into effect of this ban, damages to pavement will stop/improve. This practice does not only damage pavements and underneath resources, but it also damages vehicle tyres. Parking on carriageway will therefore improve the wear and tear on residents' tyres.
Overall summary of changes made as a result of impact assessment.
Assessment of pavements and associated carriageways in Aberdeen using the Scottish Government's guideline to identify roads suited for pavement parking exemption. There will be statutory and public consultation once the proposal is approved. Implementation will be monitored and if necessary, additional streets will be exempted.
Outline of how impact of policy will be monitored.
Impact will be monitored through responses received during consultation, responses may also be received through firmstep, emails, phone calls etc. Furthermore, we will be working with our city wardens, they will inform us where there are issues.
If there are any remaining negative impacts after mitigation, what is the justification for why this policy should proceed.
Not applicable

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Date	17 Apr. 24
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Date	4 June 2024