

## Island Communities Impact Assessment

<b>Title of policy/ practice/ strategy/ legislation etc.</b>	<b>The Pavement Parking Prohibition (Exemption Orders Procedure) (Scotland) Regulations 2022</b>
<b>Lead Minister</b>	<b>Jenny Gilruth – Minister for Transport</b>
<b>Lead official</b>	<b>Fred O’Hara, Head of Road Policy</b>
<b>Directorate Division Team</b>	<b>Roads Directorate  Transport Scotland  Road Policy Team</b>

## Stage 1 - Planning

### 1. What is the aim of your policy/strategy/plan?

The Scottish Government has been working to improve parking legislation in Scotland in order to tackle the impact of inconsiderate and obstructive parking and ensure that our roads and pavements are accessible for all.

As part of this work, The Transport (Scotland) Act 2019 (“the Act”) bans pavement parking, double parking and parking at dropped kerbs, and gives local authorities the relevant powers to enforce these new provisions. The Act also gives local authorities the power to exempt sections of footway from the pavement parking prohibition in certain circumstances and in accordance with Ministerial Directions. The Directions specify characteristics which a footway must have to be considered for exemption from the ban. To support these provisions, a suite of secondary legislation is required, including these regulations which are needed to ensure operability of the new legislation and provide for procedural consistency on certain key elements of the process. Regulations will also be needed to bring the relevant provisions of the Act into force in due course, with further regulations relating to enforcement being developed. This suite of legislation will give local authorities the tools they need to be able to effectively tackle the issues of inconsiderate and obstructive parking.

## Stage 2 - Evidence

### 2. What impact will your policy/strategy/plan have on island communities?

All local authorities in Scotland will have the powers to exempt areas of footway from the pavement parking prohibition in certain circumstances, and in accordance with Ministerial Directions.

### **3. What consultation have you had with the island communities on your policy/strategy/plan?**

The content of the Regulations was consulted on publicly for 12 weeks between 17 December 2021 and 11 March 2022. The consultation was designed to gather the views of stakeholders and individuals to help inform the Scottish Government's policy in relation to the Regulations (Exemption Order Process).

The final number of responses received was 626. Of these, 20 were submitted by local authorities and 3 by Community Councils. 15 other respondents also identified their organisation, and 589 were listed as individuals. The analysis report was published on 8 June 2022.

The responses included three island local authorities, (Orkney, Shetland and Comhairle nan Eilean Siar). In addition all local authorities in Scotland were invited to be members of the Parking Standards Working Group, set up by Transport Scotland in 2018, and have been party to the discussions of that group during the formulation of the policy, the passage of the Act and the development of these Regulations.

It may be worthwhile noting at this point that the power to make Exemption Orders is already in the primary legislation (Transport (Scotland) Act 2019). This consultation and the subsequent Regulations relate to the process for making an Exemption Order.

## **STAGE 4 - DECISION**

### **4. Does your policy/strategy/plan require an Islands Community Impact Assessment?**

The provisions within the Regulations do not raise island specific issues or concerns. We do not believe an Island Community Impact Assessment is required as the provisions make no distinction to various communities across Scotland.

**Your deputy director (or above) should sign and date in the box below.**

<b>Sign off of the Island Communities Impact Assessment template</b>	<b>Name: Stewart Leggett</b> <b>Job title: Director of Roads, Transport Scotland</b>
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## **ISLANDS COMMUNITIES IMPACT ASSESSMENT SUMMARY TEMPLATE**

<b>Title of Policy, Strategy, Programme etc.</b>	<b>Transport (Scotland) Act 2019 – Section 52 Regulations</b>
<b>Summary of aims and expected outcomes of strategy, proposal, programme or policy</b>	<p>The purpose of the Regulations is to give local authorities a procedure to follow to exempt footways from the National pavement parking prohibition in certain circumstances and in accordance with Ministerial Directions.</p>
<b>Summary of evidence</b>	<p>The content of the Regulations was consulted on publically for 12 weeks between 17 December 2021 and 11 March 2022. The consultation was designed to gather the views of stakeholders and individuals to help inform the Scottish Government’s policy in relation to the Regulations (Exemption Order Process).</p> <p>The final number of responses received was 626. Of these, 20 were submitted by local authorities and 3 by Community Councils. 15 other respondents also identified their organisation, and 589 were listed as individuals. The analysis report was published on 8 June 2022.</p> <p>The responses included three island local authorities, (Orkney, Shetland and Comhairle nan Eilean Siar). In addition all local authorities in Scotland where invited to be members of the Parking Standards Working Group, set up by Transport Scotland in 2018, and have been party to the discussions of that group during the formulation of the policy, the Act and these regulations.</p> <p>It may be worthwhile noting at this point that the power to make Exemption Orders is already in the primary legislation (Transport (Scotland) Act 2019). This consultation and the subsequent Regulations relate to the process for making an Exemption Order.</p>
<b>Summary of assessment findings</b>	<p>The provisions within the Regulations do not raise island specific issues or concerns. In addition, the Regulations are not likely to have a particular effect on an Island community which is significantly different from its effect on other communities, including other island communities. Therefore, we do not believe an Island Community Impact Assessment is required as the provisions make no distinction to various communities across Scotland.</p>

**Sign off**

**Name: Stewart Leggett**

**Job title: Director of Roads, Transport Scotland**

**22 September 2022**