

FAIRER SCOTLAND DUTY

ASSESSMENT NOT REQUIRED DECLARATION

Policy title	The Pavement Parking Prohibition (Exemption Orders Procedure) (Scotland) Regulations 2022
Directorate: Division: team	Transport Scotland: Roads Directorate: Road Policy Team
Policy lead responsible for taking the decision	Fred O'Hara, Head of Road Policy

Rationale for decision

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 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. 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.

We do not believe these regulations in themselves will have a specific impact on socio-economic inequalities. The regulations provide technical detail around the process of making Exemption Orders. The Regulations do not make any exemptions, or create any new powers for local authorities. The Regulations are purely procedural and are designed to ensure transparent and fair decision making within the framework of powers set out in the Act. We therefore conclude that no Fairer Scotland Duty assessment is required for this purpose.

However, we do note that the scope of the regulations will benefit both urban and rural communities.

Research has shown that socio-economic factors can be impacted with a change in parking arrangements to certain streets. However, to ensure that the Fairer Scotland Duty is considered we propose that all local authorities ensure they assess equality impacts when developing proposals and implementing any exemption to the pavement parking ban or change to parking arrangements.

I confirm that the decision to not carry out a Fairer Scotland assessment has been authorised by:

Name and job title of Deputy Director (or equivalent)	Date authorisation given
Stewart Leggett Director of Roads, Transport Scotland	22 September 2022