



Footway Parking and Double Parking (Scotland) Bill

Bill Number:	SP Bill 69
Introduced on:	20 May 2015
Introduced by:	Sandra White MSP (Member's Bill)
Fell:	23 March 2016

Passage of the Bill

The [Footway Parking and Double Parking](#) (Scotland) Bill [SP Bill 69] was introduced in the Parliament on 20 May 2015 by Sandra White MSP. The Local Government and Regeneration Committee was appointed as lead committee for Stage 1. Its [Stage 1 report](#) was published on 8 February 2016. The Bill fell on 23 March 2016, following dissolution of Session 4 of the Scottish Parliament.

Purpose and objectives of the Bill

The Bill aimed to prohibit vehicles using public roads in built-up areas from:

- parking on the footway (normally referred to as 'the pavement')
- parking in front of a dropped kerb
- double parking

The key aim of the Bill was to ensure pedestrians, particularly people with mobility problems, older people or people pushing prams/buggies, could easily and safely use pavements and dropped kerbs free from obstruction caused by inconsiderately parked vehicles.

Provisions of the Bill

Section 1 states that the provisions of the Bill would apply to all Scottish public roads in built up areas, defined as roads that are automatically subject to the default 30mph limit, including roads where the limit has been reduced to 20mph.

Section 2 would introduce a prohibition on parking or waiting on the footway, subject to exemptions for emergency vehicles, disabled persons' parking

places which form part of the footway and areas designated as exempt from the provisions of the Bill

Section 3 would introduce a prohibition on parking or waiting in front of a dropped kerb, subject to exemptions for vehicles parked in designated parking places, parked outside residential premises by, or with the consent of the occupier of the premises, emergency vehicles, delivery vehicles for a maximum of 20 minutes, certain service vehicles, vehicles stopped to avoid accidents or to drop-off passengers.

Section 4 would introduce a prohibition on double parking or waiting whilst double parked. Double parking is defined as a vehicle being parked more than 50cm from the edge of the carriageway. The prohibition on double parking is subject to similar exemptions as to parking in front of a dropped kerb.

Section 5 would require the prohibitions in sections 2, 3 and 4 to be made through a traffic regulation order made under section 1 of the Road Traffic Regulation Act 1984.

Section 6 would give local authorities the power to designate “exempt areas”, where any or all of the provisions set out in sections 2 to 4 would not apply.

Parliamentary consideration

The Local Government and Regeneration Committee’s Stage 1 report recommended that the general principles of the Bill be agreed to by the Parliament. The key concern highlighted in the report was whether the provisions of the Bill were within the legislative competence of the Scottish Parliament. During Stage 1 oral evidence, the Scottish Government confirmed it was in discussion with the UK Government on how to resolve these concerns. Subsequently, the Scotland Bill (now Scotland Act 2016) was amended to specifically devolve competence over on-street parking to the Scottish Parliament.

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