

Mobility and Access Committee for Scotland (MACS)

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Kevin Stewart MSP
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Local Government and Regeneration Committee
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Your ref:

Our ref:
A12563694

Date:
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Dear Mr Stewart,

FOOTWAY PARKING AND DOUBLE PARKING (SCOTLAND) BILL

The Mobility and Access Committee for Scotland welcomes the opportunity to respond to the Committee's call for evidence on the above Bill. Our comments are enclosed herewith and we hope you find them helpful.

If you require any further information regarding our comments, please contact the Committee secretariat at the address above.

Yours sincerely,

ANNE MACLEAN OBE
Convener

MOBILITY AND ACCESS COMMITTEE FOR SCOTLAND FOOTWAY PARKING AND DOUBLE PARKING (SCOTLAND) BILL

Experience of Footway Parking on the Road or a Lowered Kerb

1. Pavement/double parking and lowered kerb parking impacts adversely on a significant sector of society and inhibits them in going about their daily activities. Communities have clearly indicated their support to see the Bill progress; MACS would therefore also reflect that in adding our support. The impact of pavement parking and lowered kerb parking increases the potential for pedestrians and traffic coming into contact, with the risk of injury or accident.
2. By reducing the width of the footway or blocking access, pavement/double parking and lowered kerb parking affects wheelchair/motorised scooter users and people who use walking aids including those who have a visual impairment who need the assistance of a guide dog or sighted guide. In particular parking across lowered kerbs prevents people from being able to identify a suitable safe crossing area.
3. People with sight impairment who use footways independently rely on the use of standard street furniture and tactile paving to navigate around their environment. If the footway is blocked or restricted it can create confusion and puts them in danger. There are also older people who need the support of others when out walking. Another sector who are affected are parents of young children when walking or with children in prams or buggies.

Exemptions

4. Temporary blocking of the pavement or a lowered kerb for a short period has just as great an impact as doing so for a longer period. The starting point should be based on a presumption against pavement/lowered kerb parking wherever possible. We would wish to see the number of exemptions reduced; the reasons for this have been detailed above. One area that should be fully protected is lowered kerbs to enable wheelchair users and visually impaired people to have a safe area to be able to cross the road.
5. The criteria that define an exemption which deviates from the presumption of no pavement, double or lowered kerb parking would need to be clear so as to ensure that the spirit of the Bill remains meaningful and that the legislation delivers what it was set out to achieve. Exemptions should be the subject of community engagement, to enable the most regularly used routes to be identified and protected so that they remain free of obstructions, for example access to GP practices, transport, shops etc.

Enforcement

6. Enforcement would in the main come as a result of intelligence from communities, such as is currently the case. The Bill would however give the local authorities another enforcement tool to manage streets in the way they and communities would like.
7. Enforcement would require to be carried out by each individual local authority with decriminalised parking enforcement. With the decriminalisation of parking enforcement having been implemented in 14 local authorities, it would be up to those with Parking Attendants to enforce the legislation, the rest being remitted to Police Scotland. It is therefore important that there is clear guidance in order to have a consistency of approach across the country.

Education and engagement

8. As part of any legislative change, there will be a need for engagement with the general public to ensure that they are educated on what responsible parking means. There will also need to be engagement with those who will be responsible for implementation of the legislation.

Equality Issues

9. Implementation of this Bill would mean that disabled people and others affected by irresponsible parking in Scotland would have increased opportunities for independent living and be better able to contribute to society.

Conclusion

10. By giving statutory authorities an additional tool within their powers the Bill can encourage positive action in response to demands from the community. This will be of benefit to the public in general, but more specifically to the most vulnerable in society.

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