

104 King's Gate

Aberdeen

AB15 4EP

26<sup>th</sup> ~~October~~ 2015

September

Clerk to the Local Government and Regeneration Committee  
Committee Office  
Scottish Parliament  
Edinburgh EH99 1SP

Dear Sir/Madam,

**Footway Parking and Double Parking (Scotland) Bill – Call for Evidence**

I request that the committee takes note when drafting the subject Bill to address all "Footway" and "Footpath" users as the current defined terms in the Roads Scotland Act 1984 are narrow in their drafting. The existence of grass verges or the like between a "Footway" and "Carriageway", as is common in city locations, is not recognised in the drafting of the new legislation and requires to be addressed.

Cars parked on grass verges and "Footways" beside lowered kerbs, as I have experienced, can cause serious obstruction for line of sight for cars exiting driveways onto carriageways and an obstruction to other carriageway users. Cars parked on "Footways" and "Footpaths" cause an obstruction for users of "Footways" and "Footpaths" not only "passage by foot only" but also motorised wheelchairs, wheelchairs, prams, pushchairs etc none of which are addressed in Roads Scotland Act 1984.

Definitions taken from Roads Scotland Act 1984 as referenced in the draft wording for the new legislation:

"Footway" the right of passage by foot only where it is associated with a carriageway."

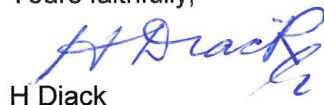
"Footpath" the right of passage by foot only where it is not associated with a carriageway."

For completeness, the new legislation requires the above definitions for "Footway" and "Footpath" to be extended to include "verges between Carriageways and Footways and or Footpaths".

The definitions as currently drafted need to be improved for the purposes of the proposed new legislation. Drafting of documentation is fundamental to good legislation. This raises into question the adequacy of the defined terms in the Roads Scotland Act 1984 since "Footways" and "Footpaths" are not only used for "passage by foot only" they are also used for the passage of motorised wheelchairs, wheelchairs, pushchairs etc.

Please acknowledge receipt of this response to your Call for Evidence.

Yours faithfully,



H Diack