

Footway Parking and Double Parking (Scotland) Bill

Evidence to Scottish Parliament Local Government and Regeneration Committee

Vehicles parked on pavements and over dropped kerb/crossing areas pose dangerous obstacles for blind and partially sighted people, often forcing them out into the road walking amongst traffic they cannot see.

Key messages:

- Guide Dogs Scotland supports the implementation of the Footway Parking and Double Parking (Scotland) Bill. This is a necessary piece of legislation that will bring clarity to where vehicles can and cannot park. Current legislation is unclear and unhelpful.
- The Footway Parking and Double Parking (Scotland) Bill is flexible in that it allows local authorities to make parking exempt areas where this is preferable and local conditions require a different approach.
- The Footway Parking and Double Parking (Scotland) Bill will be a sensible tool that helps local authorities and parking enforcement regimes manage the streets in the way they and their communities wish.
- The legislation is sensible and practical as it can be used by both Police and by local authority parking enforcement officers.
- We would ask that there be a requirement of a public education and encouragement programme to accompany the roll out of the new parking rules and the rationale for them.

Parking on pavements

In a Guide Dogs 'Streets Ahead Survey'⁽¹⁾, a public survey on street clutter and the impact, 88% of Scottish respondents said street clutter caused problems for them when they were out and about. This rose to 97.8% for respondents who are blind and partially sighted. Pavement parking was the top obstacle cited by all respondents (81.7%) rising to 88% for blind and partially sighted people, who listed it as a problem which they regularly encountered.

Parking on pavements affects all people who use the streets. It is particularly problematic and dangerous not solely for sight impaired, also for older people, people with pushchairs and walking toddlers, wheelchair users, mobility scooters, and other people with mobility and cognitive impairments. Pavement parking forces all these people to walk into the road amongst moving traffic.

Pavement parking already costs local authorities in maintenance not only of the surface which can be broken and cause trip hazards and give rise to compensations claims, but also the breakdown of underground pipes and cables.

Parking over dropped kerbs

Dropped kerbs and other crossing areas which have the carriageway and pavement at the same height can be essential for crossing roads, particularly for people with buggies, wheelchair and mobility users, and people with mobility impairments. Often these crossing areas are set in desired walking lines thus many people find themselves using them. As an illustration, a sight impaired person is likely to presume that both sides of a dropped kerb crossing will be clear of vehicles and they are more visible to drivers, however when parked cars are present they have to try and find a gap between cars, are not as well seen, and do not know when walking across the road if a car is then blocking their way to the dropped kerb and back to the safety of the pavement.

Double parking

We believe that double parking can be dangerous for pedestrians and drivers, in addition to hindering the easy passage of emergency vehicles.

Exceptions to the parking rules

We agree with the exceptions to the parking rules. There are situations that require to be accommodated, particularly in respect of the work of emergency vehicles.

Support for the Bill

We have alongside this response submitted a 363 petition from a range of people explaining how inconsiderate parking is impacting on them and why then they have signed in support of this Bill. This is provided for members information only.

Existing powers

We feel existing laws in this area have not been helpful. It is clearly illegal to drive on a pavement, but not clearly illegal to park on one. Currently, legislation provision is based on obstruction, however what constitutes an obstruction is based on the opinion of the responding police officer.

A new Bill but not a new practice

We feel that the Footway Parking and Double Parking (Scotland) Bill endeavours to answer the flaws of existing powers. It will bring much needed clarity for the public, drivers, and parking enforcement.

A similar law has been in working in London since 1974, where there is a general prohibition on parking on pavements, unless specifically permitted and signed as such. This retains the flexibility for local authorities to allow pavement parking where unavoidable or preferable for local situations.

Exempt areas

We agree with the provision outlined in the Bill for local authorities to define exempt areas. Although there are situations where an exempt area is

unavoidable we do hope that these areas are limited. We also would recommend that local authorities in determining exempt areas that this is done in collaboration with local groups including access panels and disability organisations.

Education, encouragement and then enforcement

Although this evidence pertains to the general principles of the Bill we would like to highlight that when the Bill becomes law, implementation should include a public education and encouragement programme. This programme could include what the issues are, the impact of obstructive parking on communities, as well as an encouragement to comply, and finally, what the enforcement penalties are.

⁽¹⁾ <https://www.guidedogs.org.uk/guide-dogs-scotland/campaigns/streets-ahead/the-streets-ahead-survey#.VjiiETZybcS>