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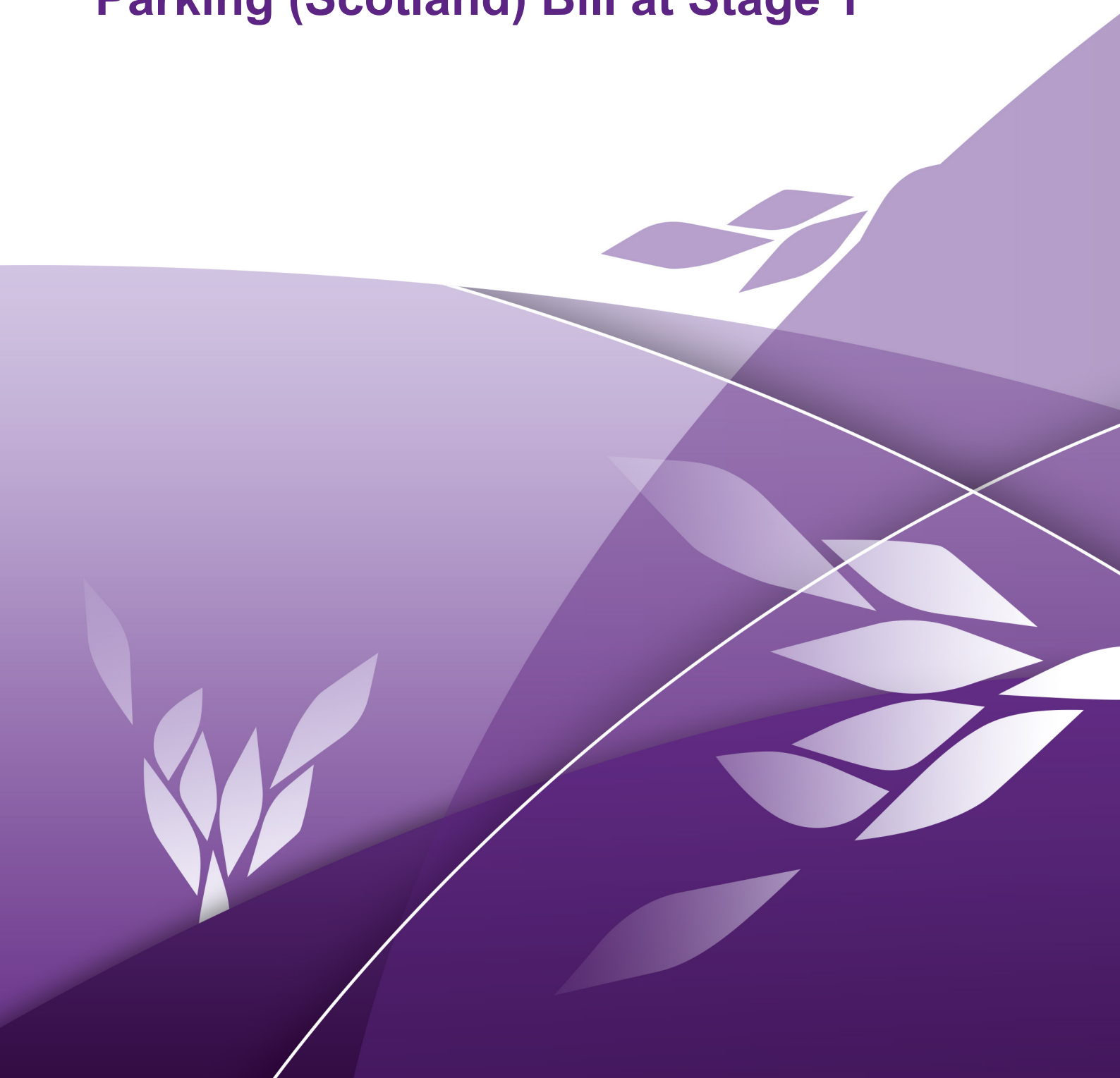
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62nd Report, 2015 (Session 4)

Web

**Delegated Powers and Law Reform Committee**

# **Footway Parking and Double Parking (Scotland) Bill at Stage 1**



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# Delegated Powers and Law Reform Committee

The remit of the Delegated Powers and Law Reform Committee is to consider and report on—

- a. any—
  - i. subordinate legislation laid before the Parliament or requiring the consent of the Parliament under section 9 of the Public Bodies Act 2011;
  - ii. [deleted]
  - iii. pension or grants motion as described in Rule 8.11A.1; and, in particular, to determine whether the attention of the Parliament should be drawn to any of the matters mentioned in Rule 10.3.1;
- b. proposed powers to make subordinate legislation in particular Bills or other proposed legislation;
- c. general questions relating to powers to make subordinate legislation;
- d. whether any proposed delegated powers in particular Bills or other legislation should be expressed as a power to make subordinate legislation;
- e. any failure to lay an instrument in accordance with section 28(2), 30(2) or 31 of the 2010 Act; and
- f. proposed changes to the procedure to which subordinate legislation laid before the Parliament is subject.
- g. any Scottish Law Commission Bill as defined in Rule 9.17A.1; and
- h. any draft proposal for a Scottish Law Commission Bill as defined in that Rule.



[scottish.parliament.uk/delegated-powers](http://scottish.parliament.uk/delegated-powers)



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## Committee Membership



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**Deputy Convener**  
**John Mason**  
Scottish National Party



**Richard Baker**  
Scottish Labour



**John Scott**  
Scottish Conservative  
and Unionist Party



**Stewart Stevenson**  
Scottish National Party



# Introduction

1. At its meeting on 27 October 2015 the Delegated Powers and Law Reform Committee considered the delegated powers provisions in the Footway Parking and Double Parking (Scotland) Bill at Stage 1 (“the Bill”)<sup>1</sup>. The Committee submits this report to the lead committee for the Bill under Rule 9.6.2 of Standing Orders.
2. This Member’s Bill was introduced by Sandra White MSP on 21 May 2015.

## Overview of the Bill

3. This Bill makes provision in connection with parking on footways, adjacent to dropped footways, and double parking. Specifically, the Bill creates Scotland-wide restrictions on these three activities, and provides that those restrictions are to be enforced by local authorities as if they were contained in a traffic regulation order made by virtue of the Road Traffic Regulation Act 1984.
4. There are various exclusions and exceptions relating to the three new parking prohibitions in respect of, for example, the emergency services, loading and unloading of vehicles (subject to a 20-minute time limit) and refuse collection. Should the Bill be passed by the Parliament, it would come into force 12 months after the date of Royal Assent.



## Delegated Powers Provisions

5. The Committee considered the one delegated power in the Bill. At its first consideration of the Bill on 27 October, the Committee determined that it did not need to draw the attention of the Parliament to the delegated power in the following provision:
  - Section 6 – Power to specify Exempt Areas
6. **The Committee therefore reports that it is content with the delegated powers provisions contained in the Bill.**

## **Delegated Powers and Law Reform Committee**

Footway Parking and Double Parking (Scotland) Bill at Stage 1, 62nd Report, 2015 (Session 4)

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<sup>1</sup> Footway Parking and Double Parking (Scotland) Bill (as introduced) is available at the following website:

[http://www.scottish.parliament.uk/S4\\_Bills/Footway%20Parking%20and%20Double%20Parking%20\(Scotland\)%20Bill/b69s4-introd.pdf](http://www.scottish.parliament.uk/S4_Bills/Footway%20Parking%20and%20Double%20Parking%20(Scotland)%20Bill/b69s4-introd.pdf) [Accessed October 2015]



