

**PE1616/A**

Living Streets Scotland Letter of 31 October 2016

I can confirm receipt of your email concerning the above petition and as a leading charity representing pedestrian interests in Scotland I am very happy to provide comment.

We receive many similar complaints from the public concerning issues with dropped-kerbs and parking on footways. For this reason we have worked with a number of MSPs to bring forward legislation to resolve the issue and make irresponsible parking illegal. Limited progress was made due to concerns about the Scottish Parliament's powers over road traffic offences concerning parking.

As a result of a members bill brought forward by Sandra White MSP, which we assisted in producing, the principles of a ban were established and agreed in the Scottish Parliament. The Bill did not become law due to lack of time in the last parliamentary session, but we were pleased that the then Transport Minister, Derek MacKay MSP committed to bring forward government legislation in this term of parliament. The Scottish Government looks set to utilise newly devolved powers made available through the Scotland Act 2016 to finally resolve matters. We believe a Scottish Government consultation is imminent and a complete ban on parking across dropped kerbs (subject to definition) should be non-contentious and straight forward. The point about definition relates to the difference between dropped kerbs provided for pedestrians at crossing points (usually including tactile paving) and kerbs lowered to allow access to drive ways etc.

The committee should note that Scottish council's can already have some powers to address this issue via signing and lining using a Traffic Regulation Order (TRO). This process is however cumbersome and reactive and the time and costs involved mean councils are often reluctant to take action. A national approach will be much clearer for motorists and cost effective to implement, than multiple TROs and signs and lines. We accept that a change will take some time and a national ban covering dropped-kerbs, obstructing footways and double parking might not be in place until 2018/19. Given this timeframe, Council's should not delay action to resolve known problems where they have been reported, especially given legal and moral obligations to people living with disabilities. We encourage the Committee to make this point to the petitioners local authority, Fife Council. It would also be useful if the Transport Minister encouraged council's not to delay selective action using double yellow lines to protect-dropped kerbs whilst the new legislation is being consulted on and approved by the Scottish Parliament.

I hope that the above information is useful. Please contact me if the committee would like further information or assistance on this matter.

**Stuart Hay**

Director Living Streets Scotland