

Transport (Scotland) Bill

Marshalled List of Amendments selected for Stage 3

The Bill will be considered in the following order—

Sections 1 to 75
Long Title

Schedule

Amendments marked * are new (including manuscript amendments) or have been altered.

Before section 1

Michael Matheson

38 Before section 1, insert—

<PART

NATIONAL TRANSPORT STRATEGY

Preparation of strategy

- 5 (1) The Scottish Ministers must prepare a national transport strategy.
- (2) The national transport strategy must set out—
- (a) the Scottish Ministers' vision for transport to, from and within Scotland,
 - (b) their strategy for realising that vision, and
 - (c) the policies which they intend to pursue in order to implement that strategy.
- 10 (3) The national transport strategy may include such other information as the Scottish Ministers consider appropriate.
- (4) In determining the content of the national transport strategy, the Scottish Ministers must have regard, among other things, to the desirability of transport being provided, developed, improved and operated so as to contribute to improving outcomes in relation
- 15 to the matters mentioned in subsection (5).
- (5) Those matters are—
- (a) the ability of people to realise their human rights,
 - (b) social and economic wellbeing, including in particular in relation to—
- (i) social inclusion,
 - 20 (ii) inclusion of persons with disabilities,
 - (iii) inclusive economic growth,
 - (iv) fair work,
 - (v) reduction of poverty and inequality,
 - (vi) sustainability of communities in rural areas,

- (c) the environment, including in particular in relation to—
 - (i) the sustainable and efficient use and re-use of resources,
 - (ii) the meeting of the emission reduction targets set out in Part 1 of the Climate Change (Scotland) Act 2009,
- (d) health and wellbeing.>

Jamie Greene

- 38A** As an amendment to amendment 38, line 8, at end insert—
- <() measurable policy objectives related to the outcomes described in subsection (5), and>

Jamie Greene

- 38B** As an amendment to amendment 38, line 9, at end insert <, and
- () the projected time required to implement and complete that strategy.>

Jamie Greene

- 38C** As an amendment to amendment 38, line 9, at end insert <, and
- () the projected cost of implementing the strategy.>

Jamie Greene

- 38D** As an amendment to amendment 38, line 19, at end insert—
- <() elderly persons,>

Jamie Greene

- 38E** As an amendment to amendment 38, line 23, at end insert—
- <() access to further and higher education via public transport,>

Jamie Greene

- 38F** As an amendment to amendment 38, line 28, insert at end—
- <() economic development and growth, including in particular in relation to—
- () income inequality,
 - () the Human Development Index,
 - () increasing Gross Domestic Product,
 - () the development of new transport infrastructure,>

Michael Matheson

- 39** Before section 1, insert—
- <Consultation on strategy**
- (1) In preparing the national transport strategy, the Scottish Ministers must consult—

- (a) such persons as they consider appropriate, and
5 (b) the general public.
- (2) If, before the day on which this section comes into force (and whether before or after the Bill for this Act was passed), anything was done which, had it been undertaken after that day, would to any extent have satisfied subsection (1), that subsection is to that extent to be taken to have been satisfied.>

Jamie Greene

- 39A** As an amendment to amendment 39, line 4, at end insert—
<() the Scottish Parliament, and>

Jamie Greene

- 39B** As an amendment to amendment 39, line 4, at end insert <—
() such bodies as the Scottish Ministers consider to be representative of the transport industry, and>

Michael Matheson

- 40** Before section 1, insert—
<**Publication and laying of strategy**
- (1) The Scottish Ministers must—
5 (a) publish the national transport strategy in such manner as they consider appropriate, and
(b) lay a copy of the strategy before the Scottish Parliament.
- (2) As soon as reasonably practicable after complying with subsection (1), the Scottish Ministers must—
10 (a) publish a report setting out—
(i) the consultation process undertaken in order to comply with section (*Consultation on strategy*)(1), and
(ii) the ways in which, in preparing the national transport strategy, the Scottish Ministers have taken account of views expressed in the course of that process, and
15 (b) lay a copy of the report before the Scottish Parliament.>

Jamie Greene

- 40A** As an amendment to amendment 40, line 15, at end insert <, and
() seek to make a statement to the Scottish Parliament on the contents of the strategy.>

Michael Matheson

- 41** Before section 1, insert—
<**Review of strategy**
- (1) The Scottish Ministers—

- (a) must keep the national transport strategy under review, and
 - (b) may, if they consider it appropriate, revise it.
- (2) Sections (*Preparation of strategy*)(2) to (5), (*Consultation on strategy*)(1) and (*Publication and laying of strategy*) apply in relation to any revision of the national transport strategy as they apply in relation to the original national transport strategy.>

Michael Matheson

42 Before section 1, insert—

<Reporting on strategy

- (1) As soon as reasonably practicable after the end of each reporting period, the Scottish Ministers must—
 - 5 (a) publish a report setting out—
 - (i) progress made in the reporting period towards realising the vision in the national transport strategy, and
 - (ii) steps taken in the reporting period to keep the national transport strategy under review, and
 - 10 (b) lay a copy of the report before the Scottish Parliament.
- (2) A report under subsection (1)(a) may include such other information as the Scottish Ministers consider appropriate.
- (3) In subsection (1), “reporting period” means the period of 3 years beginning with the day on which section (*Publication and laying of strategy*)(1) was complied with in relation to
 - 15 the original national transport strategy and each subsequent period of 3 years.>

Jamie Greene

42A As an amendment to amendment 42, line 9, at end insert—

- <() an updated timeframe for completing the actions described in the strategy, and>

Jamie Greene

42B As an amendment to amendment 42, line 9, at end insert—

- <() up-to-date estimates of money spent or allocated to such actions and projected costings for completing those actions and an updated assessment of any financial implications, and>

Jamie Greene

135 Before section 1, insert—

<CHAPTER

PURPOSE OF A LOW EMISSION ZONE SCHEME

Purpose of a low emission zone scheme

The purpose of a low emission zone scheme is to reduce transport-related emissions within and in the vicinity of the zone.>

Section 1

Jamie Greene

136 In section 1, page 1, line 18, at end insert—

<() the vehicle is being used—

- (i) for police purposes, including for the purposes of the National Crime Agency,
- (ii) for ambulance purposes or for the purpose of providing a response to an emergency at the request of the Scottish Ambulance Service Board,
- (iii) for or in connection with the exercise of any function of the Scottish Fire and Rescue Service or HM Coastguard, or>

Michael Matheson

43 In section 1, page 1, line 19, leave out from second <or> to the end of line 21

Murdo Fraser

44 In section 1, page 1, line 21, at end insert <, or

(d) the vehicle was constructed more than 30 years before 1 January of the year in which it is driven on a road within a low emission zone.

(1A) For the avoidance of doubt, reference to a vehicle in subsection (1)(d) includes a vehicle registered in a country or territory outwith the United Kingdom.>

Colin Smyth

45 In section 1, page 2, line 2, after <regulations> insert <, following consultation with such persons as they consider appropriate>

Michael Matheson

46 In section 1, page 2, line 6, after <(1)(b)> insert <including, in particular, by reference to their construction or use>

Jamie Greene

137 In section 1, page 2, line 9, at end insert—

<() The Scottish Ministers must not later than 5 years after the date of Royal Assent prepare and lay before the Scottish Parliament a report setting out any new pollutants or existing pollutants that the Scottish Ministers consider should be included in the specification of the emission standard for the purpose of subsection (1)(a).>

Section 2

Colin Smyth

47 In section 2, page 2, line 24, after <circumstances> insert <, following consultation with such persons as they consider appropriate,>

Section 3

Colin Smyth

- 48 In section 3, page 2, line 27, after <may> insert <, following consultation with such persons as they consider appropriate,>

Colin Smyth

- 138 In section 3, page 3, leave out line 2

Colin Smyth

- 139 In section 3, page 3, line 5, leave out subsection (4)

Section 4

Colin Smyth

- 49 In section 4, page 3, line 18, at end insert—
- <(3) Where levels of air pollutants in a local authority area exceed the limit values set out in the Schedule to the Air Quality (Scotland) Regulations 2000, a local authority must—
 - (a) make a low emission zone scheme for all or part of its area,
 - (b) amend a low emission zone scheme made by it.
 - (4) The Scottish Ministers may by regulations exempt a local authority from having to comply with subsection (3).
 - (5) Regulations under subsection (4) must specify—
 - (a) why the exemption is being applied, and
 - (b) for how long the exemption is being applied.>

Section 5

Jamie Greene

- 140 In section 5, page 3, line 20, leave out <made, amended or revoked> and insert <made or amended>

Jamie Greene

- 141 In section 5, page 3, line 21, leave out <make, amend or revoke> and insert <make or amend>

Michael Matheson

- 50 In section 5, page 3, line 21, at end insert—
- <(1A) When seeking the approval of the Scottish Ministers for such a proposal, the local authority must provide a statement setting out—
 - (a) details of the consultation it has undertaken under section 6, and
 - (b) how it has taken account of any representations received in the course of that consultation.>

Michael Matheson

- 51 In section 5, page 3, line 26, after <Ministers> insert <—
(a) must take into account the statement provided by the local authority under subsection (1A), and
(b)>

Jamie Greene

- 142 In section 5, page 3, line 27, at end insert—
<() This section does not apply to—
(a) the area which forms the proposed low emission zone,
(b) any rules specified in the proposed low emission zone scheme as to the days or times when the proposed zone is to operate.>

Section 6

Jamie Greene

- 143 In section 6, page 3, line 29, leave out <making, amendment or revocation> and insert <making or amendment>

Section 7

Jamie Greene

- 144 In section 7, page 4, line 9, leave out <make, amend or revoke> and insert <make or amend>

Michael Matheson

- 52 Leave out section 7 and insert—
<Examination of proposals
- (1) This section applies where a local authority proposes to make, amend or revoke a low emission zone scheme.
 - (2) Either—
 - (a) the local authority making the proposal, or
 - (b) the Scottish Ministers,may (if it or they consider it appropriate) appoint a person (“the reporter”) to carry out an examination of, and prepare a report on, the proposal or any aspect of it.
 - (3) The reporter may carry out an examination in such manner as the reporter considers appropriate and may, in particular, do so by means of—
 - (a) consideration of written representations only,
 - (b) conducting a hearing at which a person who has made representations in respect of the proposal may be given an opportunity to appear and be heard, or
 - (c) holding an inquiry into the proposal.

- (4) Subsections (3) to (5) of section 210 of Local Government (Scotland) Act 1973 (provisions relating to local inquiries) apply in relation to a hearing or inquiry under subsection (3) of this section as they apply in relation to an inquiry under that Act.
- (5) Where an examination is to be carried out, the local authority may not proceed with the proposal until the examination has been completed.
- (6) The Scottish Ministers may by regulations make further provision in relation to examinations to be carried out under this section.
- (7) Without limit to that generality, such regulations may make provision—
 - (a) about who may be appointed to carry out an examination under this section,
 - (b) about the procedure for examinations under this section and, in particular, in relation to—
 - (i) any representations which are (or are not) to be taken into account,
 - (ii) who may appear at a hearing or inquiry,
 - (iii) the procedure for the conduct of any hearing or inquiry,
 - (iv) things which must be done in preparation for, or following, a hearing or inquiry,
 - (c) in relation to the financial aspects of an examination and, in particular, about the payment of remuneration, costs and expenses,
 - (d) in relation to the report to be prepared including, in particular, its form, content and publication.>

Section 9

Michael Matheson

- 53 In section 9, page 4, line 32, at end insert <which must be specified by reference to the vehicles' construction (and subject to any exemptions specified by the Scottish Ministers in regulations under section 1(4)(b)),>

Michael Matheson

- 54 In section 9, page 5, line 10, at end insert <and,
- (b) an objective of contributing towards meeting the emission reduction targets set out in Part 1 of the Climate Change (Scotland) Act 2009.>

After section 9

Colin Smyth

- 55 After section 9, insert—
- <Power to alter specified emission standard**
- (1) A low emission zone scheme may specify a different emission standard (“an ultra low emission standard”) from the standard specified by regulations under section 1(4)(a) for the purpose of subsection (1)(a) of that section.
 - (2) An ultra low emission standard may be specified under subsection (1) only where—

- (a) the standard is for a lower level of emissions than provided for by the standard specified by regulations under section 1(4)(a), and
- (b) the proposal to specify the different standard is approved by the Scottish Ministers.>

Section 10

Jamie Greene

- 145** In section 10, page 5, line 16, leave out from <that> to end of line 18 and insert <specified in the table in subsection (6A) as applying—>

Michael Matheson

- 56** In section 10, page 5, line 19, after <driven,> insert <by reference to its construction,>

Jamie Greene

- 146** In section 10, page 5, line 21, leave out <A low emission zone scheme must specify> and insert <The table in subsection (6A) specifies>

Jamie Greene

- 147** In section 10, page 5, line 27, leave out <(which may vary as between residents and non-residents)>

Jamie Greene

- 148** In section 10, page 5, line 29, leave out subsections (5) and (6) and insert—
<(6A) The grace periods are—

<i>Vehicle type</i>	<i>Where the registered keeper of the vehicle is a non-resident</i>	<i>Where the registered keeper of the vehicle is a resident</i>
Bus or coach	1 year	2 years
Other commercial vehicle	2 years	3 years
Car	3 years	4 years

>

Colin Smyth

- 57** In section 10, page 5, leave out line 30

Colin Smyth

- 58** In section 10, page 5, leave out lines 33 to 35 and insert <not more than 2 years after the expiry of the grace period applicable to non-residents.>

Colin Smyth

- 59** In section 10, page 5, line 35, at end insert—
<() A low emission zone scheme may not specify a grace period—

- (a) for non-residents under subsection (5)(b) of more than 3 years, or
- (b) for residents under subsection (6)(b) of more than 1 year after the expiry of the period applicable to non-residents, without the approval of the Scottish Ministers.>

Jamie Greene

- 149** In section 10, page 5, line 36, leave out subsection (7)

Section 11

Jamie Greene

- 150** Leave out section 11

Section 12

Michael Matheson

- 178*** In section 12, page 7, line 4, after <1(1)(b)> insert <, by reference to the vehicle’s use>

After section 16

Jamie Greene

- 151** After section 16, insert—

<Regulation of form of traffic signs

- (1) The Scottish Ministers must by regulations make provision for the form traffic signs to be used for or in connection with the operation of a low emission zone scheme are to take.
- (2) Regulations under subsection (1) may not make different provision for different areas or zones.
- (3) In subsection (1), “traffic signs” has the same meaning as in section 64(1) of the Road Traffic Regulation Act 1984 (general provision as to traffic signs).>

After section 17

Michael Matheson

- 60** After section 17, insert—

<Information sharing

Power to share information

- (1) A responsible body may, in the circumstances mentioned in subsection (2), disclose relevant information to—
 - (a) another responsible body,
 - (b) the Secretary of State,
 - (c) a source specified in regulations made under section 2(2), or
 - (d) the responsible body’s enforcement agent.

- (2) The circumstances are that disclosure of the relevant information is—
 - (a) necessary to enable the responsible body or enforcement agent to perform a function conferred by virtue of this Part, or
 - (b) otherwise necessary for or in connection with the operation of a low emission zone scheme.
- (3) Where relevant information is disclosed to an enforcement agent—
 - (a) the agent may only use the information, or subsequently disclose it to any other person, as is necessary for or in connection with the enforcement of the low emission zone scheme to which the information relates, and
 - (b) any other person to whom the information is subsequently disclosed may only use it for the same purpose.
- (4) In this section, “relevant information” means—
 - (a) in relation to disclosure under subsection (1)(a), (b) or (c)—
 - (i) the make and model of a vehicle alleged by a local authority (or its enforcement agent) to have driven in the zone to which the scheme relates,
 - (ii) the registration mark of that vehicle (assigned under section 23 of the Vehicle Excise and Registration Act 1994),
 - (iii) the date on which the vehicle is alleged to have driven within the zone to which the scheme relates,
 - (b) in relation to disclosure under subsection (1)(d)—
 - (i) the information mentioned in sub-paragraphs (i) to (iii) of paragraph (a),
 - (ii) the name and address of the registered keeper of the vehicle alleged by a local authority (or its enforcement agent) to have driven in the zone to which the scheme relates,
 - (iii) the time when and location where the vehicle is alleged to have driven within the zone to which the scheme relates,
 - (iv) any record of an alleged contravention of section 1(1) produced by an approved device,
 - (v) any record obtained by virtue of section 2(2) certifying a vehicle’s emission standard,
 - (vi) any information or representations provided to the local authority by or on behalf of the registered keeper of a vehicle in connection with any review or appeal made by virtue of regulations made under section 3(1).
- (5) For the purposes of this section—
 - (a) a “responsible body” is—
 - (i) a local authority operating a low emission zone scheme,
 - (ii) a person (other than the Scottish Ministers) with whom the local authorities who operate a low emission zone scheme have entered into an arrangement in relation to the function of obtaining and sharing any record mentioned in section 2,
 - (iii) the Scottish Ministers,

- (b) an “enforcement agent” is a person with whom a local authority has entered into arrangements by virtue of—
 - (i) section 2(3), or
 - (ii) regulations made under section 3(1).
- (6) Nothing in this section authorises a disclosure of any information that would be in contravention of the Data Protection Act 2018.>

Section 19

Michael Matheson

- 61** In section 19, page 9, line 10, at end insert—
<() A grant under subsection (1)(a) is subject to such conditions (including as to repayment) as the Scottish Ministers determine.>

Michael Matheson

- 62** In section 19, page 9, line 11, leave out <this section> and insert <subsection (1)(b)>

Jamie Greene

- 152** In section 19, page 9, line 12, at end insert—
<() A local authority may reject an offer of a grant or a loan under subsection (1)(b).>

Section 21

Brian Whittle

- 153** In section 21, page 9, line 25, at end insert—
<() developing—
 - (i) the active travel network within the low emission zone, or
 - (ii) the public transport infrastructure (including park and ride facilities) servicing the low emission zone, and>

Section 24

Michael Matheson

- 63** In section 24, page 10, line 30, leave out from <as> to end of line and insert <—
 - (i) in the case of a review under subsection (1), as are specified in the direction by the Scottish Ministers, or
 - (ii) in the case of a review under subsection (1A), as the local authority considers appropriate.>

Section 26

Colin Smyth

64 In section 26, page 11, line 26, at end insert—

<() The Scottish Ministers may, following consultation with such persons as they consider appropriate, issue written guidance in relation to the exercise of functions conferred on a local authority (whether as a local authority or as a traffic authority) by virtue of this Part.>

Section 28

Michael Matheson

65 Leave out section 28 and insert—

<Provision of bus services etc. by local transport authorities

(1) In the Transport (Scotland) Act 2001—

(a) before section 3 (and the italic heading immediately preceding it) insert—

“CHAPTER A1

Provision of bus services etc. by local transport authorities

2A Provision of bus services etc. by local transport authorities

(1) A local transport authority may provide a service for the carriage of passengers by road using vehicles that require a PSV operator’s licence to do so.

(2) The local transport authority must be satisfied that the provision of such a service will contribute to the implementation of their relevant general policies.”,

(b) in section 79(1) (guidance), after paragraph (b) insert—

“(ba) local transport authorities in relation to the exercise of their functions under section 2A of this Act.”.

(2) Except as provided for in subsection (3), sections 66 to 71, 72(1)(c), 72(2), 72(3)(b) and 72(5)(c) of the Transport Act 1985 are repealed.

(3) Sections 66(2) to (7), 67 to 71, 72(1)(c), 72(2), 72(3)(b) and 72(5)(c) of the Transport Act 1985 (and any order made under them) are to continue to have effect in so far as is necessary for the provision of any service or operation of any undertaking that is being provided or operated under or by virtue of those sections or orders on the date subsection (2) comes into force.>

Section 28A

Michael Matheson

66 Leave out section 28A

Section 29

Colin Smyth

- 67 In section 29, page 14, line 16, after <services> insert <(including a transport needs assessment focused on the needs of persons—
- (A) who are on a low income,
 - (B) whose income is adversely affected, whose expenditure is increased or whose experience of or ability to use local services is likely to be affected because they have one or more of the protected characteristics listed in section 149(7) of the Equality Act 2010)>

Colin Smyth

- 68 In section 29, page 14, line 26, after <services> insert <(including in particular persons who are on a low income or whose income is adversely affected, whose expenditure is increased or whose experience of or ability to use local services is likely to be affected because they have one or more of the protected characteristics listed in section 149(7) of the Equality Act 2010)>

Colin Smyth

- 69 In section 29, page 15, line 23, at end insert <, or
- (iii) contribute towards meeting the transport needs of persons—
 - (A) who are on a low income,
 - (B) whose income is adversely affected, whose expenditure is increased or whose experience of or ability to use local services is likely to be affected because they have one or more of the protected characteristics listed in section 149(7) of the Equality Act 2010, as identified in an analysis under section 3A(2)(b)(i).>

Section 30

Colin Smyth

- 70 In section 30, page 24, line 6, after <fit> insert <(including organisations appearing to the authority to be representative of persons—
- (i) who are on a low income,
 - (ii) whose income is adversely affected, whose expenditure is increased or whose experience of or ability to use local services is likely to be affected because they have one or more of the protected characteristics listed in section 149(7) of the Equality Act 2010)>

Section 32

Colin Smyth

- 71 In section 32, page 39, line 19, after <fit> insert <(including organisations appearing to the authority to be representative of persons—

- (i) who are on a low income,
- (ii) whose income is adversely affected, whose expenditure is increased or whose experience of or ability to use local services is likely to be affected because they have one or more of the protected characteristics listed in section 149(7) of the Equality Act 2010>

After section 34

Colin Smyth

154 After section 34, insert—

<Grants to bus service operators

Grants to bus service operators

- (1) The Transport (Scotland) Act 2001 is amended as follows.
- (2) In section 38 (grants to bus service operators)—
 - (a) in subsection (3), after “above” insert “and to subsection (3A) below”,
 - (b) after subsection (3), insert—
 - “(3A) The Scottish Ministers may not make grants to an operator of eligible bus services unless the operator provides sufficient assurance to them that the operator has taken or will take reasonable steps to ensure that—
 - (a) any person who is employed by the operator to drive a public service vehicle receives appropriate disability awareness training at least once every two years, and
 - (b) information about the services to be provided by the operator will be available in accessible formats on request.”.>

After section 37

Jamie Greene

155 After section 37, insert—

<Regulations about contactless payment

- (1) The Transport (Scotland) Act 2001 is amended as follows.
- (2) After section 27C insert—

“27D Regulations about contactless payment

- (1) The Scottish Ministers must by regulations make provision requiring that contactless payment options are available as soon as reasonably practicable throughout Scotland for payment for entitlement to travel.
- (2) In subsection (1)—
 - “contactless payment” means a payment made at a contactless payment terminal using the contactless payment facility of a card, mobile telephone or other device,
 - “contactless payment options” includes the ability to make payment—

- (a) at a contactless payment terminal in a ticket office or similar facility in advance of payment,
 - (b) by tapping or swiping a card, mobile telephone or other device at a contactless payment terminal, and
 - (c) at a contactless payment terminal on board a means of transport.
- (3) A draft of the first regulations under subsection (1) is to be laid before the Scottish Parliament no later than one year after the date on which the Bill for the Transport (Scotland) Act 2019 received Royal Assent.”.
- (3) In section 81 (regulations and orders), in subsection (4)(a), after “18(2)(b)” insert “27D(1),”.>

Section 38

Michael Matheson

- 72 In section 38, page 57, line 22, leave out <council> and insert <local authority>

Michael Matheson

- 73 In section 38, page 57, line 23, after <authority> insert <(as established by virtue of the National Parks (Scotland) Act 2000)>

After section 40

Michael Matheson

- 74 After section 40, insert—

<Application of ticketing arrangements and schemes to trams

- (1) Subject to the modification contained in subsection (2), the provisions of Chapter 3 of Part 2 of the Transport (Scotland) Act 2001 apply to any service for the carriage of passengers by tramway as they apply to the provision of a local service.
- (2) Section 32(2) of the Transport (Scotland) Act 2001 does not apply.
- (3) In subsection (1), “tramway” has the same meaning as in section 67(1) of the Transport and Works Act 1992.
- (4) Section 54(2) of the Edinburgh Tram (Line One) Act 2006 is repealed.
- (5) Section 54(2) of the Edinburgh Tram (Line Two) Act 2006 is repealed.>

Section 41A

Michael Matheson

- 75 In section 41A, page 60, line 22, leave out <community transport services> and insert—
- <(a) community bus services within the meaning of section 22(1) of this Act, and
 - (b) such other transport services as the Scottish Ministers consider appropriate.>

Michael Matheson

76 In section 41A, page 60, leave out lines 33 to 36

Section 47

Colin Smyth

77 In section 47, page 65, line 5, leave out subsection (6)

Michael Matheson

78 In section 47, page 65, line 24, leave out from <and> to the end of line 26

Colin Smyth

79 In section 47, page 66, line 5, at end insert—

<(10ZA) The Scottish Ministers must by regulations set out exceptions to the pavement parking prohibition and the double parking prohibition where—

- (a) the motor vehicle is, in the course of business—
 - (i) being used for the purpose of delivering goods to, or collecting goods from, any premises, or
 - (ii) being loaded from or unloaded to any premises,
- (b) the delivery, collection, loading or unloading cannot reasonably be carried out without the vehicle being parked on a pavement or, as the case may be, as mentioned in section 46(1),
- (c) the vehicle is so parked for no longer than is necessary for the delivery, collection, loading or unloading, and
- (d) no part of the vehicle is within 1.5 metres of the pavement edge which is furthest away from the centre of the carriageway (however that edge is bounded).

(10ZB) Regulations under subsection (10ZA) may include such other conditions as the Scottish Ministers consider necessary and expedient to ensure that, despite exceptions to the pavement parking prohibition and the double parking prohibition, unobstructed access to the footway is maintained and the safety of pedestrians is not compromised.>

Rachael Hamilton

80 In section 47, page 66, line 5, at end insert—

<() The double parking prohibition does not apply where—

- (a) the motor vehicle is operating a community bus service (within the meaning given in section 22(1) of the Transport Act 1985) or other similar community transport service,
- (b) the vehicle is being used as such for a purpose that could not reasonably be achieved if the vehicle were not parked as mentioned in section 46(1), and
- (c) the vehicle is so parked for no longer than is reasonable in connection with collecting or dropping off a passenger.>

After section 47B

Jeremy Balfour

156 After section 47B, insert—

<Caravan parking prohibition

Caravan parking prohibition

- (1) A person must not park a caravan on a carriageway adjacent to a footway unless the owner of the caravan has received written permission from the local authority.
- (2) In this Part, the prohibition in subsection (1) is referred as the “caravan parking prohibition”.
- (3) The caravan parking prohibition does not apply where—
 - (a) the person has parked the caravan for the purpose of saving life or responding to another similar emergency,
 - (b) the achievement of that purpose would be likely to be hindered if the caravan were not parked as mentioned in subsection (1), and
 - (c) the caravan is so parked for no longer than is necessary for that purpose.
- (4) The Scottish Ministers may by regulations make further provision about subsection (1).
- (5) In this section—

“caravan” has the meaning given by Part 1 of the Caravan Sites and Control of Development Act 1960 (as amended by Part III of the Caravan Sites Act 1968),

“carriageway” has the meaning given by section 43(6),

“footway” has the meaning given by section 42(4).>

Section 48

Colin Smyth

81 In section 48, page 67, line 10, after <circumstances> insert <, following consultation with such persons as they consider appropriate,>

Colin Smyth

82 In section 48, page 67, line 12, after <regulations> insert <, following consultation with such persons as they consider appropriate,>

Colin Smyth

83 In section 48, page 67, line 32, after <regulations> insert <, following consultation with such persons as they consider appropriate,>

Section 51

Graham Simpson (on behalf of the Delegated Powers and Law Reform Committee)

157 In section 51, page 69, line 14, at end insert—

- <() Before making regulations under subsection (1), the Scottish Ministers must consult—
- (a) such persons or organisations as appear to them to be representative of drivers and other road users, and
 - (b) such other persons as they consider appropriate.>

Section 52

Graham Simpson (on behalf of the Delegated Powers and Law Reform Committee)

158 In section 52, page 69, line 26, at end insert—

- <() Before making regulations under subsection (1), the Scottish Ministers must consult—
- (a) such persons or organisations as appear to them to be representative of drivers and other road users, and
 - (b) such other persons as they consider appropriate.>

Section 53

Graham Simpson (on behalf of the Delegated Powers and Law Reform Committee)

159 In section 53, page 70, line 2, at end insert—

- <() Before making regulations under subsection (1), the Scottish Ministers must consult—
- (a) such persons or organisations as appear to them to be representative of drivers and other road users, and
 - (b) such other persons as they consider appropriate.>

After section 54

Michael Matheson

84 After section 54, insert—

<Information sharing

Power to share information

- (1) A local authority may, in the circumstances mentioned in subsection (2), disclose relevant information to—
 - (a) the Secretary of State,
 - (b) a source specified in regulations made by the Scottish Ministers,
 - (c) the local authority's enforcement agent.
- (2) The circumstances are that disclosure of the relevant information is—
 - (a) necessary to enable the local authority or enforcement agent to perform a function conferred by virtue of this Part, or
 - (b) otherwise necessary for or in connection with the enforcement of any of the parking prohibitions.
- (3) Where relevant information is disclosed to an enforcement agent—

- (a) the agent may only use the information, or subsequently disclose it to any other person, as is necessary for or in connection with the enforcement of any of the parking prohibitions, and
 - (b) any other person to whom the information is subsequently disclosed may only use it for the same purpose.
- (4) In this section, “relevant information” means—
- (a) in relation to disclosure under subsection (1)(a) or (b)—
 - (i) the make and model of a vehicle alleged by a local authority (or its enforcement agent) to have parked in contravention of any of the parking prohibitions,
 - (ii) details of which of those prohibitions is alleged to have been contravened,
 - (iii) the registration mark of that vehicle (assigned under section 23 of the Vehicle Excise and Registration Act 1994),
 - (iv) the date on which the alleged contravention took place,
 - (b) in relation to disclosure under subsection (1)(c)—
 - (i) the information mentioned in sub-paragraphs (i) to (iv) of paragraph (a),
 - (ii) the name and address of the registered keeper of the vehicle alleged by a local authority (or its enforcement agent) to have parked in contravention of any of the parking prohibitions,
 - (iii) the location where the vehicle is alleged to have parked in contravention of any of the parking prohibitions,
 - (iv) any record of an alleged contravention of any of the parking prohibitions produced by an approved device,
 - (v) any information or representations provided to the local authority by or on behalf of the registered keeper of a vehicle in connection with any review or appeal made by virtue of regulations made under section 49(1).
- (5) For the purposes of this section—
- (a) an “enforcement agent” is a person with whom the local authority has entered into arrangements by virtue of section 54.
 - (b) the “parking prohibitions” are the pavement parking prohibition, the double parking prohibition and the dropped footway parking prohibition.
- (6) Nothing in this section authorises a disclosure of any information that would be in contravention of the Data Protection Act 2018.>

Section 57

Colin Smyth

85 In section 57, page 71, line 16, at end insert—

- <() The Scottish Ministers may, following consultation with such persons as they consider appropriate, issue written guidance in relation to the exercise of functions conferred on a local authority (whether as a local authority or as a traffic authority) by virtue of this Part.>

After section 58

Colin Smyth

160 After section 58, insert—

<PART

PARKING IN A CYCLE LANE

Parking in a cycle lane

- (1) The Traffic Signs Amendment (Scotland) Regulations and General Directions 2018 are amended as follows.
- (2) In regulation 9(3) (amendment of schedule 9)—
 - (a) the words from “in paragraph” to the end become sub-paragraph (a), and
 - (b) after that paragraph so formed, insert—

“(b) in paragraph 12(2), for “driven, or ridden”, substitute “driven, ridden or parked”.”.>

Jamie Greene

161 After section 58, insert—

<PART

PARKING IN THE VICINITY OF SCHOOLS

Parking in the vicinity of schools: requirement to consult

- (1) The Scottish Ministers must hold a consultation with the persons mentioned in subsection (2) on parking in the vicinity of schools.
- (2) The persons are—
 - (a) each local authority,
 - (b) each school (within the meaning given by section 135(1) of the Education (Scotland) Act 1980).
- (3) A consultation under subsection (1) may be conducted in such manner as the Scottish Ministers consider appropriate.
- (4) Not later than 6 months after the consultation has been completed, the Scottish Ministers must publish and lay before the Scottish Parliament, a report—
 - (a) summarising the responses received to the consultation, and
 - (b) setting out what steps the Scottish Ministers will take as a result of the consultation.>

Section 58A

Jamie Halcro Johnston

86 In section 58A, page 72, line 27, at end insert—

<() The area of a workplace parking licensing scheme cannot include an island or part of an island unless a local authority has first prepared an island communities impact assessment under section 8 of the Islands (Scotland) Act 2018.>

Neil Bibby

Supported by: Mike Rumbles

1 Leave out section 58A

Section 58B

Mike Rumbles

87 In section 58B, page 72, line 35 leave out <, business customer>

Mike Rumbles

88 In section 58B, page 73, leave out lines 21 to 23

Neil Bibby

Supported by: Mike Rumbles

2 Leave out section 58B

Section 58C

Colin Smyth

89 In section 58C, page 74, line 18, at end insert <, and
() the Scottish Ministers have approved the making of the scheme.>

Neil Bibby

Supported by: Mike Rumbles

3 Leave out section 58C

Section 58D

Dean Lockhart

162 In section 58D, page 75, line 28, at end insert—
<() small and medium sized enterprises, and>

Dean Lockhart

163 In section 58D, page 75, line 28, at end insert—
<() employment levels in the local authority area, and>

Michelle Ballantyne

164 In section 58D, page 75, line 28, at end insert <—

<() persons who have a disability arising from a physical or mental impairment (construed in accordance with section 31 of the Social Security (Scotland) Act 2018), and>

Michelle Ballantyne

- 165 In section 58D, page 75, line 28, at end insert <—
<() low income households, and>

Neil Bibby

Supported by: Mike Rumbles

- 4 Leave out section 58D

Section 58E

Colin Smyth

- 90 In section 58E, page 75, line 35, after <regulations> insert <, following consultation with such persons as they consider appropriate,>

Neil Bibby

Supported by: Mike Rumbles

- 5 Leave out section 58E

Section 58F

Michael Matheson

- 91 Leave out section 58F and insert—

<Examination of proposals

- (1) This section applies where a local authority proposes to make, amend or revoke a workplace parking licensing scheme.
- (2) Either—
 - (a) the local authority making the proposal, or
 - (b) the Scottish Ministers,may (if it or they consider it appropriate) appoint a person (“the reporter”) to carry out an examination of, and prepare a report on, the proposal or any aspect of it.
- (3) The reporter may carry out an examination in such manner as the reporter considers appropriate and may, in particular, do so by means of—
 - (a) consideration of written representations only,
 - (b) conducting a hearing at which a person who has made representations in respect of the proposal may be given an opportunity to appear and be heard, or
 - (c) holding an inquiry into the proposal.

- (4) Subsections (3) to (5) of section 210 of Local Government (Scotland) Act 1973 (provisions relating to local inquiries) apply in relation to a hearing or inquiry under subsection (3) of this section as they apply in relation to an inquiry under that Act.
- (5) Where an examination is to be carried out, the local authority may not proceed with the proposal until the examination has been completed.
- (6) The Scottish Ministers may by regulations make further provision in relation to examinations to be carried out under this section.
- (7) Without limit to that generality, such regulations may make provision—
 - (a) about who may be appointed to carry out an examination under this section,
 - (b) about the procedure for examinations under this section and, in particular, in relation to—
 - (i) any representations which are (or are not) to be taken into account,
 - (ii) who may appear at a hearing or inquiry,
 - (iii) the procedure for the conduct of any hearing or inquiry,
 - (iv) things which must be done in preparation for, or following, a hearing or inquiry,
 - (c) in relation to the financial aspects of an examination and, in particular, about the payment of remuneration, costs and expenses,
 - (d) in relation to the report to be prepared including, in particular, its form, content and publication.>

Neil Bibby

Supported by: Mike Rumbles

- 6 Leave out section 58F

Section 58G

Colin Smyth

- 92 In section 58G, page 76, line 34, after <regulations> insert <, following consultation with such persons as they consider appropriate,>

Neil Bibby

Supported by: Mike Rumbles

- 7 Leave out section 58G

Section 58H

Neil Bibby

Supported by: Mike Rumbles

- 8 Leave out section 58H

Section 58I

Colin Smyth

- 93 In section 58I, page 77, line 28, after <regulations> insert <, following consultation with such persons as they consider appropriate,>

Neil Bibby

Supported by: Mike Rumbles

- 9 Leave out section 58I

Section 58J

Annie Wells

- 30 In section 58J, page 78, line 6, leave out <subject to subsection 2(b),>

Liz Smith

- 23 In section 58J, page 78, line 8, at end insert <, and
() places at educational institutions (within the meaning of Part 5 of schedule 1 to the Freedom of Information (Scotland) Act 2002).>

Liam Kerr

- 24 In section 58J, page 78, line 8, at end insert <, and
() places provided primarily for the use of the Scottish Fire and Rescue Service.>

Liam Kerr

- 25 In section 58J, page 78, line 8, at end insert <, and
() places provided primarily for the use of the Police Service of Scotland.>

Liam Kerr

- 26 In section 58J, page 78, line 8, at end insert <, and
() places provided primarily for the use of employees of local authorities where the employee is employed to provide criminal justice social work services.>

Liam Kerr

- 27 In section 58J, page 78, line 8, at end insert <, and
() places provided primarily for the use of a person who is employed on the prison estate.>

Annie Wells

- 31 In section 58J, page 78, line 8, at end insert <, and

- () places at premises primarily used for the purposes of the provision of adult social care.>

Annie Wells

- 32 In section 58J, page 78, line 8, at end insert <, and
- () places at premises primarily used for the purposes of the provision of adult health care.>

Annie Wells

- 33 In section 58J, page 78, line 8, at end insert <, and
- () places at residential care establishments.>

Graham Simpson

- 34 In section 58J, page 78, line 8, at end insert <, and
- () places provided for the use of—
 - (i) a shift worker (within the meaning given by regulation 22(2) of the Working Time Regulations 1998),
 - (ii) a night worker (within the meaning given by regulation 2 of the Working Time Regulations 1998).>

Graham Simpson

- 35 In section 58J, page 78, line 8, at end insert <, and
- () places provided for the use of a person—
 - (i) who is normally resident in a property that is not within half a mile of a bus stop or railway station, and
 - (ii) whose workplace is not within half a mile of a bus stop or railway station.>

Graham Simpson

- 94 In section 58J, page 78, line 8, at end insert <, and
- () places provided primarily for the use of employees of local authorities.>

Donald Cameron

- 95 In section 58J, page 78, line 8, at end insert <, and
- () places provided primarily for the use of persons providing ambulance, health or rescue facilities by air.>

Donald Cameron

- 96 In section 58J, page 78, line 8, at end insert <, and
- () places at property that is owned by a charity registered under Part 1 of the Charities and Trustee Investment (Scotland) Act 2005, where that charity's purposes include the advancement of health.>

Donald Cameron

- 97 In section 58J, page 78, line 8, at end insert <, and
() places at veterinary practice premises and any other premises used for the treatment of animals.>

Jeremy Balfour

- 98 In section 58J, page 78, line 8, at end insert <, and
() places provided primarily for the use of employees of, or persons providing services for, an independent health care service (construed in accordance with section 10F of the National Health Service (Scotland) Act 1978).>

Colin Smyth

- 99 In section 58J, page 78, line 8, at end insert <, and
() places for the exclusive use of persons using motor vehicles that are ultra low-emission vehicles (construed in accordance with section 2 of the Finance (No.2) Act 2017).>

Maurice Corry

- 166 In section 58J, page 78, line 8, at end insert <, and
() places provided primarily for the use of persons providing services on behalf of the Royal National Lifeboat Institution.>

Jamie Greene

- 167 In section 58J, page 78, line 8, at end insert <, and
() places at property that is owned by a Scottish public authority (within the meaning of section 3(1) of the Freedom of Information (Scotland) Act 2002).>

Colin Smyth

- 100 In section 58J, page 78, line 8, at end insert—
<() A workplace parking licensing scheme must include arrangements to ensure that workplace parking places that are used by a person mentioned in section 58B(1) whose annual income is below an amount that the Scottish Ministers may by regulations prescribe are exempt from charges.>

Michelle Ballantyne

- 101 In section 58J, page 78, line 8, at end insert—
<() A workplace parking licensing scheme must include arrangements to ensure that workplace parking places that are used by a person mentioned in section 58B(1) who is in receipt of short-term assistance under section 36 of the Social Security (Scotland) Act 2018 are exempt from charges.>

Michelle Ballantyne

102 In section 58J, page 78, line 8, at end insert—

<() A workplace parking licensing scheme must include arrangements to ensure that workplace parking places that are used by a person mentioned in section 58B(1) who is in receipt of universal credit payable under Part 1 of the Welfare Reform Act 2012 are exempt from charges.>

Michelle Ballantyne

103 In section 58J, page 78, line 8, at end insert—

<() A workplace parking licensing scheme must include arrangements to ensure that workplace parking places that are used by a person mentioned in section 58B(1) who is in receipt of a jobseeker's allowance payable under Part I of the Jobseeker's Act 1995 are exempt from charges.>

Michelle Ballantyne

104 In section 58J, page 78, line 8, at end insert—

<() A workplace parking licensing scheme must include arrangements to ensure that workplace parking places that are used by a person mentioned in section 58B(1) who is in receipt of an employment and support allowance payable under Part I of the Welfare Reform Act 2007 are exempt from charges.>

Michelle Ballantyne

105 In section 58J, page 78, line 8, at end insert—

<() A workplace parking licensing scheme must include arrangements to ensure that workplace parking places that are used by a person mentioned in section 58B(1) who is in receipt of—

- (a) a disability living allowance payable under section 71 of the Social Security Contributions and Benefits Act 1992,
- (b) a personal independence payment payable under Part 4 of the Welfare Reform Act 2012, or
- (c) disability assistance under section 31 of the Social Security (Scotland) Act 2018,

are exempt from charges.>

Michelle Ballantyne

106 In section 58J, page 78, line 8, at end insert—

<() A workplace parking licensing scheme must include arrangements to ensure that workplace parking places that are used by a person mentioned in section 58B(1) who is in receipt of carer's allowance under section 70 of the Social Security Contributions and Benefits Act 1992 are exempt from charges.>

Pauline McNeill

107 In section 58J, page 78, line 8, at end insert—

<() A workplace parking licensing scheme must include arrangements to ensure that workplace parking places that are used by a person mentioned in section 58B(1) who earns less than the living wage are exempt from charges.>

Pauline McNeill

108 In section 58J, page 78, line 8, at end insert—

<() A workplace parking licensing scheme must include arrangements to ensure that workplace parking places that are used by a person mentioned in section 58B(1) who is the parent of a child living in a single-parent household (to be construed within the meaning of section 9 of the Child Poverty (Scotland) Act 2017) are exempt from charges.>

Michelle Ballantyne

168 In section 58J, page 78, line 8, at end insert—

<() A workplace parking licensing scheme must include arrangements to ensure that workplace parking places that are used by a person mentioned in section 58B(1) who is in receipt of a job start payment from the Scottish Ministers are exempt from charges.>

Maurice Corry

169 In section 58J, page 78, line 8, at end insert—

<() A workplace parking licensing scheme must include arrangements to ensure that workplace parking places that are used by a person mentioned in section 58B(1) who is a member of the armed forces are exempt from charges.>

Annie Wells

36 In section 58J, page 78, line 11, leave out from <and> to end of line 16

Michelle Ballantyne

170 In section 58J, page 78, line 17, after <section> insert—

<“job start payment” means a one-off cash payment made by the Scottish Ministers to a person to help the person meet the initial costs of starting work,>

Neil Bibby

Supported by: Mike Rumbles

10 Leave out section 58J

Section 58K

Colin Smyth

109 In section 58K, page 78, line 32, after <regulations> insert <, following consultation with such persons as they consider appropriate,>

Graham Simpson

28 In section 58K, page 78, line 33, at end insert—

- <() Regulations under subsection (1)(b) may not specify a person who is—
- (a) a shift worker (within the meaning given by regulation 22(2) of the Working Time Regulations 1998),
 - (b) a night worker (within the meaning given by regulation 2 of the Working Time Regulations 1998).>

Graham Simpson

29 In section 58K, page 78, line 33, at end insert—

- <() Regulations under subsection (1)(b) may not specify a person—
- (a) who is normally resident in a property that is not within half a mile of a bus stop or railway station, and
 - (b) whose workplace is not within half a mile of a bus stop or railway station.>

Annie Wells

37 In section 58K, page 78, line 33, at end insert—

- <(1A) Regulations under subsection (1)(b) may not specify that charges are to be paid in respect of any premises by a person who provides a service on a voluntary basis at those premises where the premises are an establishment mentioned in subsection (1B).
- (1B) The establishments are—
- (a) establishments which provide adult health care,
 - (b) establishments which provide adult social care,
 - (c) hospices (that is, premises used for the purpose of caring for the dying or incurably ill).>

Neil Bibby

Supported by: Mike Rumbles

11 Leave out section 58K

Section 58L

Dean Lockhart

171 In section 58L, page 79, line 8, after second <of> insert <—

- () strengthening business improvement districts (within the meaning given in section 33 of the Planning etc. (Scotland) Act 2006) within the authority’s area, and
- ()>

Neil Bibby

Supported by: Mike Rumbles

12 Leave out section 58L

Section 58M

Michael Matheson

- 110 In section 58M, page 79, line 23, at end insert <and specify the manner in which they must be published,>

Neil Bibby

Supported by: Mike Rumbles

- 13 Leave out section 58M

Section 58N

Colin Smyth

- 111 In section 58N, page 79, line 28, after <regulations> insert <, following consultation with such persons as they consider appropriate,>

Neil Bibby

Supported by: Mike Rumbles

- 14 Leave out section 58N

Section 58O

Neil Bibby

Supported by: Mike Rumbles

- 15 Leave out section 58O

Section 58P

Neil Bibby

Supported by: Mike Rumbles

- 16 Leave out section 58P

Section 58Q

Colin Smyth

- 112 In section 58Q, page 81, leave out line 13

Colin Smyth

- 113 In section 58Q, page 81, leave out lines 21 and 22 and insert—
- <(a) 28 days after the day on which the warrant was granted, or
 - (b) if earlier, when any period as is specified in it for the purpose for which it was granted expires.>

Neil Bibby
Supported by: Mike Rumbles

- 17 Leave out section 58Q

Section 58R

Neil Bibby
Supported by: Mike Rumbles

- 18 Leave out section 58R

Section 58S

Neil Bibby
Supported by: Mike Rumbles

- 19 Leave out section 58S

Section 58T

Neil Bibby
Supported by: Mike Rumbles

- 20 Leave out section 58T

Section 58U

Pauline McNeill

- 172 In section 58U, page 83, line 35, leave out subsection (2)

Section 58Z1

Pauline McNeill

- 173 In section 58Z1, page 85, line 37, leave out <conveniently>

Section 58Z4

Michael Matheson

- 114 In section 58Z4, page 86, line 32, leave out <beginning within> and insert <following the period of 28 days beginning with>

Section 60

Colin Smyth

- 115 In section 60, page 91, line 22, after <person> insert <reasonably>

Colin Smyth

- 116 In section 60, page 91, line 29, after <person> insert <reasonably>

Colin Smyth

- 117 In section 60, page 92, leave out line 23

Colin Smyth

- 118 In section 60, page 92, leave out lines 31 and 32 and insert—
- <(a) 28 days after the day on which the warrant was granted, or
 - (b) if earlier, when any period as is specified in it for the purpose for which it was granted expires.>

Section 64

Colin Smyth

- 119 In section 64, page 101, line 6, after <60,> insert <and following consultation with such persons as they consider appropriate,>

Colin Smyth

- 120 In section 64, page 101, line 8, at end insert—
- <() A code of practice under subsection (1) must be published in such manner as the Scottish Ministers consider appropriate as soon as reasonably practicable after it is issued or approved.>

Section 68A

Michael Matheson

- 121 In section 68A, page 108, line 29, leave out <(or, as the case may be, health and social care partnership)>

Section 68B

Michael Matheson

- 122 In section 68B, page 108, line 35, leave out <(or, as the case may be, health and social care partnership)>

Michael Matheson

- 123 In section 68B, page 109, line 2, leave out <or partnership>

Michael Matheson

- 124 In section 68B, page 109, line 9, leave out <or partnership>

Michael Matheson

- 125 In section 68B, page 109, line 11, leave out from <is> to the end of line 13 and insert <means—
- (a) community bus services within the meaning of section 22(1) of the Transport Act 1985, and
 - (b) such other transport services or descriptions of transport services which are provided—
 - (i) by a body concerned for the social and welfare needs of one or more communities, and
 - (ii) without a view to profit by that body or anybody else,as the Scottish Ministers may by regulations specify.>

After section 70

John Finnie

- 174 After section 70, insert—

<Certain orders under the Roads (Scotland) Act 1984: objections

Certain orders under the Roads (Scotland) Act 1984: objections

- (1) The Roads (Scotland) Act 1984 is amended as follows.
- (2) For section 152(3) there is substituted—
 - “(3) The Scottish Ministers may by regulations prescribe the procedure to be followed when making an order under subsection (2).
 - (3ZA) Regulations under subsection (3) may, in particular, specify—
 - (a) the content of the order, and
 - (b) the manner in which public notification is to be given of any proposal to make an order.”.>

John Finnie

- 175 After section 70, insert—

<The Stopping up of Roads and Private Accesses and the Redetermination of Public Rights of Passage (Procedure) (Scotland) Regulations 1986: objections

The Stopping up of Roads and Private Accesses and the Redetermination of Public Rights of Passage (Procedure) (Scotland) Regulations 1986: objections

- (1) The Stopping up of Roads and Private Accesses and the Redetermination of Public Rights of Passage (Procedure) (Scotland) Regulations 1986 are amended as follows.
- (2) After regulation 13, there is inserted—
 - “13A Where a roads authority propose to make an order under the said section 68 or 69 of the Roads (Scotland) Act 1984, then, before the expiry of 28 days from the date of the first public notification, in accordance with these regulations, of the proposal to make the order, any person may object to it to the authority, and—
 - (a) where the roads authority is a local roads authority—

- (i) if no such objection is made, or objection is made but withdrawn, they may confirm the order themselves, and
 - (ii) if such objection is made and not withdrawn, the Scottish Ministers are to determine the matter, and may confirm the order with or without modification or refuse to confirm it,
- (b) where the roads authority is the Scottish Ministers, they must not make the order without having considered any such objection.”.>

Section 72

Colin Smyth

126 In section 72, page 111, line 18, after <1(4)(b),> insert <1(4)(c),>

Colin Smyth

176 In section 72, page 111, line 18, after <1(4)(b),> insert <2(4)(b),>

Graham Simpson

22 In section 72, page 111, line 18, after <1(4)(b),> insert <44(1),>

Michael Matheson

127 In section 72, page 111, line 18, after <47(11)> insert <, 58B(5)>

Neil Bibby

Supported by: Mike Rumbles

21 In section 72, page 111, line 18, leave out <, 58I(4)>

Graham Simpson (on behalf of the Delegated Powers and Law Reform Committee)

177 In section 72, page 111, line 22, at end insert—

<() Regulations under section 58N(1)—

- (a) which make provision for or in connection with the acts, omissions, events or circumstances relating to, or connected with, workplace parking licensing schemes in respect of which a penalty charge may be imposed are subject to the affirmative procedure,
- (b) otherwise are subject to the negative procedure.>

Schedule

Michael Matheson

128 In the schedule, page 113, leave out lines 25 to 27

Michael Matheson

129 In the schedule, page 114, line 2, at end insert—

<() After section 32B (as inserted by section 40 of this Act), insert—

**“CHAPTER 4
OTHER MATTERS”.>**

Michael Matheson

- 130** In the schedule, page 114, line 34, leave out <“controlling a company that provides local services> and insert <“providing services of the kind mentioned in section 2A(1) of this Act>

Michael Matheson

- 131** In the schedule, page 116, leave out line 10 and insert—
 <“(za) providing services for the carriage of passengers by road using vehicles that require a PSV operator’s licence to do so,”>

Long Title

Michael Matheson

- 132** In the long title, page 1, line 1, after <Parliament> insert <to require the production of a national strategy in relation to transport;>

Michael Matheson

- 133** In the long title, page 1, line 5, leave out <and prohibit double parking;> and insert <, prohibit double parking and prohibit parking adjacent to dropped footways;>

Michael Matheson

- 134** In the long title, page 1, line 5, after <parking;> insert <to make provision enabling local authorities to make schemes under which a charge may be levied for providing workplace parking places;>

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