

Citizen Participation and Public Petitions Committee
Wednesday 8 October 2025
15th Meeting, 2025 (Session 6)

PE2167: Stop the pavement parking ban for Scottish roads built before 2019

Introduction

Petitioner Donna Inglis

Petition summary Calling on the Scottish Parliament to urge the Scottish Government to pause the pavement parking ban for all roads built before 2019, and to require all local authorities to carry out an assessment and consultation for any other road where they want to introduce a ban, with a presumption that bans won't be agreed for roads under 6m wide.

Webpage <https://petitions.parliament.scot/petitions/PE2167>

1. This is a new petition that was lodged on 29 May 2025.
2. A full summary of this petition and its aims can be found at **Annexe A**.
3. A SPICe briefing has been prepared to inform the Committee's consideration of the petition and can be found at **Annexe B**.
4. Every petition collects signatures while it remains under consideration. At the time of writing, 61 signatures have been received on this petition.
5. The Committee seeks views from the Scottish Government on all new petitions before they are formally considered.
6. The Committee has received submissions from the Scottish Government and the petitioner, which are set out in **Annexe C** of this paper.

Action

7. The Committee is invited to consider what action it wishes to take.

Clerks to the Committee
October 2025

Annexe A: Summary of petition

PE2167: Stop the pavement parking ban for Scottish roads built before 2019

Petitioner

Donna Inglis

Date Lodged

29 May 2025

Petition summary

Calling on the Scottish Parliament to urge the Scottish Government to pause the pavement parking ban for all roads built before 2019, and to require all local authorities to carry out an assessment and consultation for any other road where they want to introduce a ban, with a presumption that bans won't be agreed for roads under 6m wide.

Background information

On 22 March 2025, I received my council tax bill, which had a leaflet inside regarding bins and, on reverse, the pavement parking ban.

When I contacted the Community Safety Officer for East Dunbartonshire Council, I was told that the consultation process had completed and therefore I did not have a right to challenge the ban. It was claimed there had been notes put up on lamp posts, in the library, and that information had been made available on the radio and on the council website, which, effectively excluded many local residents from accessing it.

I then contacted all 8 of my MSPs by email. Some of them offered suggestions, none of which I thought were feasible due to the poor quality of ministerial instructions regarding the legislation. One MSP told me to contact the Cabinet Secretary for Transport.

The Cabinet Secretary for Transport then told me to contact the council. This response created a cyclical issue, where, in my view, no one is prepared to be accountable and responsible for the matter.

The response from the Council's Chief Executive to Pam Gosal MSP, who took forward my issue, offered no solutions and failed to address the lack of transparency in the consultation process, thereby contributing to the cyclical process described above.

Annexe B: SPICe briefing on PE2167

Briefing for the Citizen Participation and Public Petitions Committee on petition PE2167: Stop the pavement parking ban for Scottish roads built before 2019, lodged by Donna Inglis

Brief overview of issues raised by the petition

Part 6 of the Transport (Scotland) Act 2019 introduced a Scotland-wide prohibition on the parking of motor vehicles on the pavement, which came into force on 11 December 2023.

The prohibition applies to any stationary vehicle with one, or more of its wheels (or part of them) on the pavement. A vehicle is considered to be parked even if the engine is running and/or the driver is with the vehicle.

Exemptions from the prohibition apply to certain categories of vehicle in particular circumstances – as long as a gap of at least 1.5 meters width is left between the parked vehicle and the far edge of the pavement. Exemptions include emergency service vehicles responding to an incident, road works vehicles involved in maintenance activities, delivery vehicles for the purposes of loading and unloading (subject to a 20-minute time limit), and recovery vehicles dealing with road accidents or breakdowns. An exemption also applies, without the need to ensure a 1.5 metre gap, to any vehicle parked for the purpose of saving a life or responding to a similar emergency – subject to the vehicle being parked on the pavement for no longer than is necessary.

Before beginning to enforce the prohibition on pavement parking, a local authority should carry out an assessment of streets within its area. An exemption to the prohibition can then be applied to any streets where the prohibition may cause significant problems, and they meet one of two following criteria:

1. The pavement is wide enough to allow 1.5 metres of the footway to remain unobstructed when any part of a vehicle is parked on it, or
2. the passage of emergency vehicles would be impeded if vehicles had to be fully parked on the carriageway.

Streets are exempted by means of an ‘exemption order’, which can apply to all, or part of a footway along a street and must apply at all times and to all vehicles. The local authority must erect road signs indicating that a footway is the subject of an exemption order. The decision to exempt any particular street is a matter for the relevant local authority.

The Scottish Government provided guidance to local authorities on the operation of the exemption process in a guidance document, “Pavement, Double & Dropped Kerb Parking Standards Guidance Pre-Enforcement Chapters”, which is not currently available online.

The development of the prohibition on pavement parking in Scotland, which was the subject of three abortive members' Bills prior to the passage of the Transport (Scotland) Act 2019, is described in the SPICe briefing [Transport \(Scotland\) Bill: Pavement Parking and Double Parking](#).

Alan Rehfisch
Senior Researcher
13 June 2025

The purpose of this briefing is to provide a brief overview of issues raised by the petition. SPICe research specialists are not able to discuss the content of petition briefings with petitioners or other members of the public. However, if you have any comments on any petition briefing you can email us at spice@parliament.scot

Every effort is made to ensure that the information contained in petition briefings is correct at the time of publication. Readers should be aware however that these briefings are not necessarily updated or otherwise amended to reflect subsequent changes.

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Annexe C: Written submissions

Scottish Government written submission, 17 June 2025

PE2167/A: Stop the pavement parking ban for Scottish roads built before 2019

Does the Scottish Government consider the specific ask[s] of the petition to be practical or achievable? If not, please explain why.

No. During the initial development of the policy, the option of allowing local authorities to designate specific roads for pavement parking bans was considered. However, this approach was deemed likely to cause confusion for drivers regarding where parking is permitted. As a result, a blanket ban on pavement parking was introduced, with provisions allowing local authorities to grant exemptions in very specific circumstances.

This decision reflects the serious safety risks posed by pavement parking, which can endanger both pedestrians and motorists. Limiting the ban to roads constructed after 2019 would not address these risks in older areas and would fail to provide consistent protection for all pavement users.

This petition also raises the issue of parking on roads under 6m in width, part of the exemption process that can be considered by local authorities is the ability to exempt an area if the layout of the road is such that the passage of an emergency vehicle would be impeded by the presence of a vehicle parked on the carriageway. This may allow for exemptions on narrower roads, however the decision is ultimately for the relevant local authority.

What, if any, action the Scottish Government is currently taking to address the issues raised by this petition, and is any further action being considered that will achieve the ask[s] of this petition?

No further action is required regarding this petition. Transport Scotland allocated £2.4 million to local authorities in advance of the ban to support road assessments and identify potential pavement exemptions. Comprehensive guidance was issued to assist with these assessments. Additionally, a Parking Standards Group, comprising of all local authorities, was established to address any concerns or clarify issues related to exemptions and the ban. Officials also provide ongoing support to local authorities to address any queries or concerns they have over exemption or enforcement processes.

Is there any further information the Scottish Government wish to bring to the Committee's attention, which would assist it in considering this petition?

The petition also highlighted concerns regarding a lack of transparency in the consultation process. The consultations were promoted by Transport Scotland and local authorities through digital platforms, print media, and physical advertisements in public spaces such as lamp posts and libraries. Additionally, a nationwide publicity campaign ran in November and December 2023, informing the public about the upcoming ban and the risk of receiving a Penalty Charge Notice for pavement parking.

Road Policy / Asset Management / Roads

Petitioner written submission, 29 July 2025

PE2167/B: Stop the pavement parking ban for Scottish roads built before 2019

Additional issues:

- Law places no obligation on local councils to create/facilitate parking for the numerous vehicles (especially in more rural areas) that can no longer be parked in/near the houses of every owner.
- No obligation is placed upon councils regarding the safety or security of aforementioned parking areas.
- As written, there is no guidance on facilitating events such as football matches where an influx of vehicles into an area adds uncompromising strain on already limited parking facilities.
- No guidance is offered regarding different times of day when more vehicles require a place to be parked, such as in the evenings.
- No guidance is offered to households regarding the financial impact of the legislation. The average cost of driveway £1000, the average cost of dropped curb £1500, plus additional costs depending on the pre-existing garden averaging £2000-£4000.
- No funding has been made available to car owners to mitigate the sudden financial burdens placed upon them during this cost of living crisis.
- No guidance is offered to estates that do not have any available off-street parking such as flats or houses of multiple occupancy.
- No guidance is offered to councils regarding the availability of nearby pavements that are not obstructed by cars (see Gartconner Avenue in Kirkintilloch as a prime example) when determining whether or not a street should be exempt from the ban.
- Exemptions have been determined before implementing the ban, resulting in massive waves of fines to car owners, with councils performing reviews only after subjecting owners to further financial burdens.
- No instructions have been issued to councils regarding the refunding of fines when streets are later deemed to be suitable for exemption.
- No guidance is offered to councils on how to notify drivers on whether or not a street is exempt through 'Highway code' road markings or signs.
- No guidance is offered to essential care workers who carry vital (heavy) equipment to residents living at home.
- No guidance is offered regarding the impact of reduced turning circles caused by roadside parking.
- No guidance is offered to councils regarding the nature of garages built before 1980. These are unsuitable for modern cars and yet are used as grounds to deny exemption.

Responsive notes:

- Providing funding to identify exemptions is commendable. However, not providing funding to both councils and car/home owners in order to facilitate compliance with this legislation is in stark contrast and quite deplorable. It will leave countless families facing debts of thousands of pounds.
- Despite the efforts made to inform the public about the parking ban, it appears as though the vast majority of people in Scotland are unaware that the ban is now being enforced by local councils. This suggests that further efforts are required.
- The guidance currently offered to councils regarding road width is unfortunately inadequate. It states distances to the centre of the road and to the end of the pavement but those distances are too impractical and short, for the majority of modern cars. As the guidelines are currently written, in most side streets, fewer cars will be allowed to be parked. The consequence of this is that car owners will be forced to park on main roads instead, drastically impacting the flow of traffic as well as drastically increasing the risk of road traffic incidents. This will compound with longer idling times, negatively impacting upon the health and well-being of pedestrians and local residents.
- In areas that have already implemented the ban, the parking of cars fully on the road has resulted in much narrower vehicle access. This has often resulted in formerly double lane roads now being effectively single lane. This has increased the risk of road traffic collisions as cars now need to weave between lanes of oncoming traffic in order to progress down such streets. Drastically increased travel time to certain locations has been noted, as traffic flow has been severely effected. Another consequence could be that vehicles have their engines running longer, burning more fuel and releasing more pollutants into the environment. This all culminates in the conclusion that both motorists and nearby homeowners are in fact less safe due to increased risk of accidents and increased air pollution.
- The arguments made regarding the potential confusion caused by not implementing the ban in universal manner are frankly untenable when held under any form of scrutiny. Single and Double Yellow lines exist and are common enough in use that every driver should know their function. These could easily be used to denote streets that are not exempt from the ban. In streets where partial pavement parking is permitted then white dashed lines, painted on the pavement, could be used to denote how far onto the pavement cars can be parked.

There are therefore a number of further answers still required, as follows:

- At the very least, the 1.5m requirement should be reduced to 1m. This would allow better access for everyone and would not discriminate against people who require vehicles to travel for work. The overwhelming majority of wheelchairs (75cm avg), powered chairs (80cm avg), buggies and prams (60cm avg) are less than 1m wide so the extra .5m seems rather excessive. Should it not be the case that this legislation should serve the whole of Scotland?
- What environmental studies were undertaken prior to this legislation being implemented? Has the large scale removal of gardens and all of the

trees/grass/flowers found therein been accounted for in those studies? Has the increased air pollution caused by longer travel times and more prominent idling been explored as part of this study?

- What current studies/research into the impact of narrowing lanes on the flow of traffic are currently available? Has the increase in travel times been explored? (For example, it used to take 20 minutes to return home before the ban in Glasgow, and over an hour after the ban in May 2025.)
- What efforts have been made to improve public transport? This ban appears to discourage car ownership, effectively implementing a country-wide vehicle parking tax. What steps has the government taken, as part of this legislation, to improve public transport across the entire country? In particular, it would be useful to see further research and intended policy for more rural/isolated areas where this ban has already had a much greater impact.
- What steps have been made to mitigate the financial impact to car owners during these economically troubling times? Is there funding that can be applied for to make changes to lifestyle, move home or increase parking opportunities, if physically possible?
- What will happen if people can't afford to pay the fines associated with this legislation? What action are councils across Scotland expected to take? For example, I understand there were 300 fined in one day in Stirling in 2025 - what is intended to happen to that money now?
- What will happen if people refuse to pay associated fines based on moral, ethical and fairness grounds?