



Report to Economic and Environmental Wellbeing Scrutiny & Policy Development Committee 17th January 2013

Report of: Head of Transport, Traffic and Parking Services

Subject: Parking on Dropped Kerbs and Pavements

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Summary:

The Cabinet Member for Business, Growth and Skills in consultation with the Chair of this Scrutiny Committee has asked Members to look at the Council's approach to parking on dropped kerbs and pavements.

There are several separate issues that affect different parts of the city differently – and doing this work provides an opportunity to develop a consistent approach to regulation and enforcement.

This paper outlines the issue, and suggests an approach for the Scrutiny Committee to take in carrying out the work.

Type of item: The report author should tick the appropriate box

Reviewing of existing policy	<input checked="" type="checkbox"/>
Informing the development of new policy	<input checked="" type="checkbox"/>
Statutory consultation	<input type="checkbox"/>
Performance / budget monitoring report	<input type="checkbox"/>
Cabinet request for scrutiny	<input type="checkbox"/>
Full Council request for scrutiny	<input type="checkbox"/>
Community Assembly request for scrutiny	<input type="checkbox"/>
Call-in of Cabinet decision	<input type="checkbox"/>
Briefing paper for the Scrutiny Committee	<input type="checkbox"/>
Other	<input type="checkbox"/>

- a) The Scrutiny Committee is being asked to give guidance to officers in developing an approach to parking on pavements and its enforcement.
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1. Introduction

1.1 The Cabinet Member for Business, Growth and Skills in consultation with the Chair of this Scrutiny Committee has asked Members to look at the Council's approach to parking on dropped kerbs and pavements.

There are several separate issues that affect different parts of the city differently – and doing this work provides an opportunity to develop a consistent approach to regulation and enforcement.

This paper outlines the issue, and suggests an approach for the Scrutiny Committee to take in carrying out the work.

2.0 Report

Background Dropped Kerbs

2.1 The Traffic Management Act 2004 makes it an offence to park a vehicle adjacent to dropped kerbs, with certain specified exemptions. The main exemption being that it is not offence for a property owner to park in front of their own drive or access. The relevant section of the Act is reproduced as Appendix A.

2.2 The Act also makes the offence of obstructing a dropped kerb a civil offence i.e one that can be enforced by the City Council's Civil Enforcement Officers. To date the option to enforce this offence has not been taken up by the City Council.

Background – Pavement Parking

2.3 A number of years ago legislation was drafted which would have made it an offence to park a vehicle on a pavement. However this was dropped by Central Government at the last moment in response to Police concerns about enforcement. Consequently it is still not necessarily an offence to park a vehicle on a pavement. There are, however, offences associated with the practice. It is an offence:-

- To drive a vehicle on a pavement. This is dealt with by the Police. Clearly any vehicle parked on a pavement will have most likely been driven on and the Police can take action if they wish,
- To park on a pavement in such a manner as to obstruct pedestrians from moving along it. Again this offence is dealt with by the Police and the offence is only committed if there is actually a pedestrian wanting to pass and is being physically prevented from doing so.
- To damage a pavement by driving and/or parking on it. To successfully pursue a conviction it is necessary to prove that the pavement was undamaged before a vehicle was driven on it and that a specific vehicle has caused the damage. In reality this is not possible as most damage is likely to be caused over a period of time by repeated parking.

- To park on a pavement which is adjacent to a carriageway which has yellow lines on it - see below for further explanation in paragraph 3.2.

The Highway Code - section 244

2.4 The code states that a driver MUST NOT park partially or wholly on the pavement in London, and should not do so elsewhere unless signs permit it. Parking on the pavement can obstruct and seriously inconvenience pedestrians, people in wheelchairs or with visual impairments and people with prams or pushchairs.

3.0 What are we currently doing and what are the problems with this?

Dropped Kerbs

3.1 At present the City Council does not undertake routine enforcement action against the obstruction of dropped kerbs, unless there are waiting restrictions in which case the yellow line is enforced. The Council could declare that it does enforce across the City. It would have erect signs to warn motorists that this was the policy.

3.2 The Police can deal with obstructing dropped kerbs if a parked vehicle is preventing access to or from a property. The Police have to be called out, when they have other duties to perform, and in many cases the offending vehicle will have moved on by the time they arrive.

3.3 In many locations dropped kerbs have been provided to help pedestrians, particularly those with mobility problems cross a road safely and without hindrance. When the dropped kerbs are obstructed then this can cause difficulties and may lead to pedestrians crossing between parked vehicles or in less safe locations. Wheelchair and mobility scooter users are particularly affected.

3.4 The Council provides advisory road markings (H markings or Keep Clear markings) to deter parking adjacent to dropped kerbs. Usually these are placed across accesses to private properties at the property owner's expense. Occasionally they are provided at crossing points which have been provided to assist the general public in which case they are internally funded.

Pavement/Verge Parking

3.4 In Sheffield complaints about pavement parking are taken seriously. They are investigated and in some cases the Council can and do take action as described below:-

1. In Sheffield there is a by-law which prohibits all parking on pavements and verges. To be enforceable there must be signs in place. The Council has have erected signs in several locations in response to complaints. Enforcement is difficult as the offender has to be observed and approached by a Council enforcement officer. Prosecution is through the Magistrates Court. None has been undertaken to date.

2 Vehicles parked on a pavement adjacent to a carriageway which has yellow lines on it, as referred to above, can be issued with a Penalty Charge Notice. The yellow line restrictions cover the pavement as well as the carriageway. This offence is dealt with by the City Council's Civil Enforcement Officers who will routinely deal with the problem when out on their regular patrols and will also respond to complaints from the general public.

3 The Council can, and occasionally do, introduce Traffic Regulation Orders (TROs) aimed at dealing with pavement and/or verge parking problems. Each TRO is site specific and there are considerable legal costs associated with the process as well as the need to sign each location to allow enforcement. As a result we have only been able to deal with relatively few locations which had particular road safety or maintenance implications.

4 Occasionally bollards are installed to prevent vehicles from mounting a pavement. This is an expensive procedure and not appropriate for other than small, confined areas.

5 On a small number of occasions the Council have introduced TROs which specifically allow parking on a pavement. For example we may be introducing yellow lines to keep a section of carriageway clear of parking but there is a suitably wide pavement which could support vehicle parking. One example is on part of Derbyshire Lane, details attached at Appendix B

6 Attached for information, as Appendices D and E, are details of how some other authorities/interested parties view and deal with these issues.

4.0 What are the questions we are trying to answer through this work?

1 Should we allow any parking on pavements in the City?

2 If we should, under what conditions is it acceptable to do so?

3 If a vehicle parks on a pavement - how much space should be left for the pedestrian?

4 Should we introduce citywide enforcement of dropped kerbs?

5.0 What does this mean for the people of Sheffield?

5.1 If steps were taken to deal with pavement parking it would help improve matters for pedestrians, particularly those with mobility problems. It would also reduce the costs of maintaining pavements and reinstating damaged grass verges.

5.2 It would severely affect many residents who have become accustomed to parking partly or fully on the pavement or verge to be near to their homes. In a number of locations if cars did not park partially on the pavement traffic, particularly larger vehicles would not be able to drive along the street.

Why is this important?

5.3 We do get complaints from the public residents, pedestrians and motorists. A typical one is attached at Appendix C, which illustrates the problems pavement parking can cause.

6.0 How could Scrutiny approach this issue?

6.1 If the Scrutiny Committee wishes to put pavement parking on its work programme, there are two approaches that it could take.

6.2 Approach 1

To set up a task and finish group to meet outside of the normal schedule of meetings. This could be comprised of all Members of the Committee, or a smaller working group. This group would consider the issues in detail, undertake site visits and workshops with the aim of developing recommendations to put to Cabinet.

6.3 If the Committee chooses to use this approach, the Scrutiny Policy Officer, in conjunction with Officers from Transport, Traffic & Parking Services and Highways Maintenance, will put together a programme of extra meetings.

6.4 Approach 2

Request officers put together a more detailed paper outlining the key issues and available options further to the views expressed at this Committee to bring to a future meeting for further discussion.

7.0 Recommendation

7.1 The Scrutiny Committee is asked to give guidance to officers in developing an approach to parking on pavements and its enforcement.

Appendix A

DROPPED KERBS – TRAFFIC MANAGEMENT ACT 2004

Section 86 Prohibition of parking at dropped footways etc.

(1) In a special enforcement area a vehicle must not be parked on the carriageway adjacent to a footway, cycle track or verge where—

(a) the footway, cycle track or verge has been lowered to meet the level of the carriageway for the purpose of—

(i) assisting pedestrians crossing the carriageway,

(ii) assisting cyclists entering or leaving the carriageway, or

(iii) assisting vehicles entering or leaving the carriageway across the footway, cycle track or verge; or

(b) the carriageway has, for a purpose within paragraph (a)(i) to (iii), been raised to meet the level of the footway, cycle track or verge.

This is subject to the following exceptions.

(2) The first exception is where the vehicle is parked wholly within a designated parking place or any other part of the carriageway where parking is specifically authorised.

A “designated parking place” means a parking place designated by order under section 6, 9, 32(1)(b) or 45 of the Road Traffic Regulation Act 1984 (c. 27).

(3) The second exception is where the vehicle is parked outside residential premises by or with the consent (but not consent given for reward) of the occupier of the premises.

This exception does not apply in the case of a shared driveway.

(4) The third exception is where the vehicle is being used for fire brigade, ambulance or police purposes.

(5) The fourth exception is where—

(a) the vehicle is being used for the purposes of delivering goods to, or collecting goods from, any premises, or is being loaded from or unloaded to any premises,

(b) the delivery, collection, loading or unloading cannot reasonably be carried out in relation to those premises without the vehicle being parked as mentioned in subsection (1), and

(c) the vehicle is so parked for no longer than is necessary and for no more than 20 minutes.

(6) The fifth exception is where—

(a) the vehicle is being used in connection with any of the following—

(i) undertaking any building operation, demolition or excavation,

(ii) the collection of waste by a local authority,

(iii) removing an obstruction to traffic,

(iv)undertaking works in relation to a road, a traffic sign or road lighting, or

(v)undertaking works in relation to a sewer or water main or in relation to the supply of gas, electricity, water or communications services,

(b)it cannot be so used without being parked as mentioned in subsection (1), and

(c)it is so parked for no longer than is necessary.

(7)In this section “carriageway”, “cycle track” and “footway” have the meanings given by section 329(1) of the Highways Act 1980 (c. 66).

(8)References in this section to parking include waiting, but do not include stopping where—

(a)the driver is prevented from proceeding by circumstances beyond his control or it is necessary for him to stop to avoid an accident, or

(b)the vehicle is stopped, for no longer than is necessary, for the purpose of allowing people to board or alight from it.

(9)The prohibition in this section is enforceable as if imposed—

(a)in Greater London, by an order under section 6 of the Road Traffic Regulation Act 1984 (c. 27),

(b)elsewhere in England and Wales, by an order under section 1 of that Act.

DERBYSHIRE LANE PAVEMENT PARKING

~~DEVELOPMENT SERVICES~~

REPORT TO CITY CENTRE, SOUTH & EAST
PLANNING AND HIGHWAYS AREA BOARD
15th DECEMBER 2008

PARKING ISSUES RELATING TO THE FRONTAGES OF NOS. 260 - 282
DERBYSHIRE LANE (PETITION)

1.0 PURPOSE OF REPORT

- 1.1 To recommend a course of action to address parking issues along the frontages of nos. 260 to 282 Derbyshire Lane.

2.0 INTRODUCTION

- 2.1 A 20 - signature petition was reported to this Board on 18th August where Members resolved that the matters raised be investigated and the outcome reported to a future meeting.

2.2 The petitioners state:-

"We the undersigned are concerned about the double yellow lines outside 260 – 282 Derbyshire Lane. For as long as anyone can remember residents have parked on the pavement. This pavement is over 14 feet wide so does not cause any obstruction to pedestrians. The double yellow lines make this illegal so there is no parking outside our homes, this causes particular problems for elderly residents and those with young children. We are forced to park on other congested roads, which causes friction with other residents in the area. We call upon the Council to remove the double yellow lines and designate the area as residents' only parking. We also ask the Council to take action and deal with the problem of lorries parking on the road while delivering to the Co-op. This causes unnecessary disruption as there is a large empty car park which can be used".

- 2.3 A location plan is included as Appendix A.

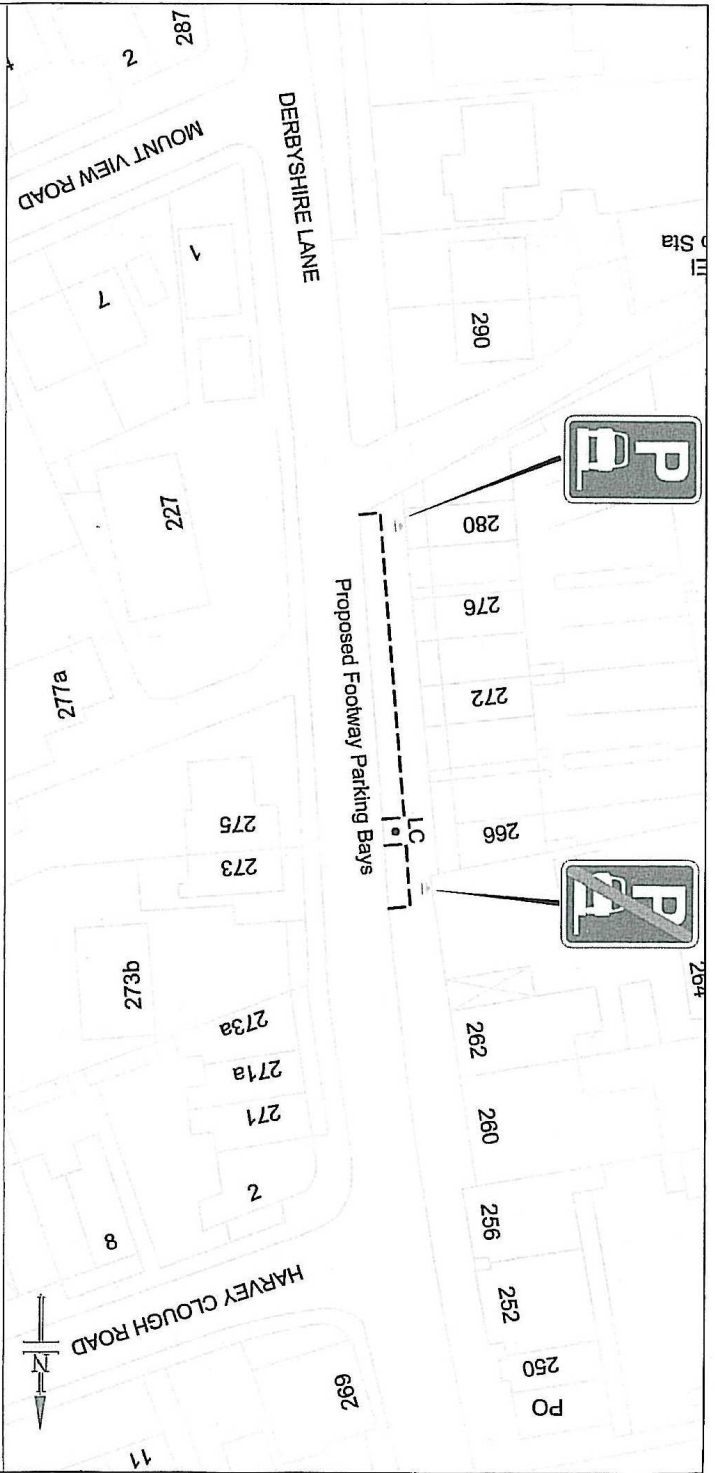
3.0 BACKGROUND

- 3.1 At its meeting of 15th January 2007, this Board approved the construction of an accident saving scheme on Derbyshire Lane.
- 3.2 The scheme was implemented in early 2007, comprising four groups of speed cushions, a raised plateau and a raised zebra crossing. These features are spaced equally along the length of Derbyshire Lane between its junctions with Mount View Road at its southern end and Norton Lees Close at the Northern end.
- 3.3 Waiting restrictions were introduced at each of the cushion groups to ensure emergency vehicles and buses are able to negotiate these features unimpeded by parked vehicles. At the time of advertising the Traffic Regulation Order, three objections to the waiting restrictions were received and over-ruled at the Board

meeting. However, none of the signatories to this subsequent petition objected to the Traffic Regulation Order.

4.0 RESPONSE TO THE PETITIONERS' REPRESENTATIONS IN RESPECT OF PARKING ISSUES

- 4.1 The petition states that residents of nos. 260 to 282 Derbyshire Lane have always parked on the footway in front of their properties. The introduction of double yellow lines normally restricts parking not only on the carriageway, but on any areas falling within the highway boundary (including footways and verges).
- 4.2 Consequently, the petitioners request that the length of double yellow lines along this frontage be removed. This suggestion is not considered desirable for the following reasons:-
- (a) Vehicles could be parked on carriageway, resulting in problems for emergency services vehicles and buses when unable to appropriately straddle the speed cushions.
 - (b) Potential carriageway parking would either prevent residents from accessing any footway parking or potentially prevent them from returning to the carriageway as a result of the "double parking" effect.
 - (c) It is likely that vehicles driven by people other than residents would park along this frontage (although this could also be the case in respect of footway parking).
- 4.3 In order to legally permit footway parking and avoid the drawbacks outlined in (a) and (b) above, it would be possible to make a Traffic Regulation Order (TRO) to restrict parking in the carriageway only, along the frontages referred to by the petitioners.
- 4.4 It is suggested that the necessary TRO be made as an Experimental Order which can extend for a maximum period of 18 months. Anyone is entitled to object within the first six months during which time, the arrangement could be monitored to assess the benefits and identify potential problems. If no objections are received, the provisions of the Order can be made permanent, subject to Board approval.
- 4.5 It would be necessary to formally mark out the permitted extent of the footway parking, together with the erection of specified signs. The type of lining and signing is indicated in Appendix B. This is a relatively new amenity and this will be the first time it has been used in Sheffield. It is, therefore, considered appropriate to use it as an experiment. The outcome of the experiment will inform discussion about verge and pavement parking city wide, which will be the subject of a future report to Cabinet.
- 4.6 It is not proposed initially to provide dropped kerbs, but this would be desirable if a permanent TRO is subsequently made. It has been established that the remaining footway width would be adequate to accommodate normal pedestrian, wheelchair and pushchair movements (as stated by the petitioners).



Note: LC = Lighting Column

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CREW: ML
 Nov 09
 CHECKED:

Client: SHEFFIELD CITY COUNCIL
 Scheme: Derbyshire Lane, Footway Parking Provision
 Drawing Title: Appendix B

Drawing No: TM-BN142-11
 Scale: 1:500
 Date: Nov 09
 SHEFFIELD City Council
 Development Services
 Planning, Environment & Future

*Dec 2008
 C, S & W Planning & Highway.*

Appendix C

Typical letter of complaint

Dear sir/ madam

I am disabled and use a large mobility scooter to get about , I live on Dykewood drive and use the footpath from there to Hillsborough. I am repeatedly coming up against cars parked over foot paths and in particular near house number XX Worrall Road. The path has cars parked on the edge of the footpath but I am regularly coming up against drivers who park over it which puts me at risk and parents with pushchairs. Worrall despite the speed restriction which is ignored is a very busy road and yesterday I nearly had an accident because of a car parked over the path and myself having to edge out onto the road between two parked cars with oncoming traffic both ways. My visibility was obscured by a parked van Which belonged to the builder at the newly built house opposite the row of cottages at the junction of Worrall road and Rural lane. This builder is a nice man and does not park over the path I have no dispute with him or the person who lives in the cottage as they park their cars allowing me room to get past. I need 30 inches to allow my scooter to use this path and correct me if I am wrong but I should be allowed to use it and so should mothers with pushchairs could you either widen the path or put yellow lines from just before the telegraph pole as this pole is the problem when cars are parked there simply is not enough room, this would not impact on the builder or the other tenant as only they should be parked there. Better still can someone come out and go over this problem with me as the police are no use at all and keep telling me to discuss this problem with you. I have seen kids hit by traffic before on this road having to move out between parked cars and i myself narrowly escaped yesterday incident number XXX car reg XXXXXXXX which was reported at two pm the police came out at seven pm ! Guess what they could not find the car and claim it is registered to someone down south. If they cannot come out when the incident occurs then thy are not much use So each time I report this problem this is the response I get and I have reported cars parked on paths numerous times each time they either claim the registration is not coming up with anyone or the car has gone little wonder really. The point is does someone have to get killed before action is taken the path cannot support parked cars from drivers who are unable to park with a degree of sense and thought for those who the path was designed for, the pedestrians. I know it is illegal to park over paths yet the police are yet again reluctant to fine drivers for doing this they could make money if they did believe me which might help pay their wages instead of me !

Yes I do pay council tax. Please could someone get back to me on this problem as I feel this is unfair and dangerous.

Appendix D

How other authorities deal with the issue

LONDON APPROACH

Pavement parking in London is banned by the Greater London Council (General Powers) Act 1974. It applies at all times and covers all streets except those specifically excluded and signed as such.

LEWISHAMS APPROACH TO LONDON PAVEMENT BAN

Parking on pavements

The Council has a responsibility to keep the roads and footpaths safe to use. A London-wide ban on pavement parking is strictly enforced and applies to all parking on pavements, verges and central reservations, 24 hours a day.

Pavement parking is allowed under certain circumstances and signs and white boxes on the ground show where and how far on the pavement it is permitted to park.

Illegally parked vehicles cost the Council thousands of pounds a year in damage to paving and grass verges, and cause serious problems for blind, disabled and older people.

What action does the Council take against pavement parking?

If there are waiting restrictions (yellow lines) on the highway adjacent to the pavement then a Penalty Charge Notice would be issued, since a vehicle parked in this manner is in contravention of the traffic order. Waiting restrictions cover the highway from centre of highway to back of footpath.

If there are no waiting restrictions on the highway adjacent to the pavement, then the Council will issue a Penalty Charge Notice for illegal footway parking.

Why is pavement parking a problem?

Pavements are constructed and provided for pedestrian use. Vehicles parked on pavements are:

- a hazard to pedestrians causing an obstruction which may result in them having to step off the pavement onto the highway thus putting themselves in danger
- a hazard by restricting the width of the pavement making it difficult for someone with a pushchair or wheelchair to pass safely - again this person may have to step into the highway to avoid the obstruction
- a hazard due to the damage caused by driving on and off the pavement - e.g. broken flags.

Where pavement parking is permitted, markings on the footway will indicate the extent of the area where you can park, and 'pavement parking area starts' and 'pavement parking area ends' signs will be displayed.

1. FAQ

Can I park on the pavement in roads where the road is narrow and I risk damage to my car by parking on the road?

No, you may only park on the footway where there is a signed exemption from the footway parking ban. In other words the signs (above) will be displayed and there will be markings on the footway indicating where you may park. Ultimately it is up to you, the driver, to find somewhere safe and legal to park your car.

The pavement in my road is quite wide. Can the Council allow footway parking in my road?

The Council can assess your road to see whether it meets the criteria for footway parking. The criteria include:

- that there must be sufficient width of footway remaining to allow a wheelchair or double buggy to pass
- that the construction of the footway is sufficiently strong that the repeated movement of vehicles on and off it will not jeopardise and services that may lie beneath it.

If you would like us to assess your road for footway parking please contact us using the details below.

What happens if I park on the pavement where there are no signs indicating that I can do so?

The Council's parking enforcement contractor will issue a Penalty Charge Notice (parking ticket) to you for illegal footway parking. To pay a parking ticket visit [Parking Payment Online](#).

Pavement Widths And Disability Issues

2. The Department for Transport states in its 'Inclusive Mobility' that a clear width of 2000mm should be regarded as the minimum pavement width under normal circumstances. The Department for Transport also recommends that there should be minimum widths of 3000mm at bus stops and 3500mm to 4500mm in front of shops.

3. Obstructing a pavement conflicts directly with the basic requirement of the Disability Discrimination Acts (1995 and 2005) which is to not discriminate against people with disabilities.

4. Harrogate Borough Council, for example, state that a minimum width of unobstructed footway of 1.8 metres must be provided for safe and convenient pedestrian movement. This minimum allows wheelchairs and prams to pass comfortably and provides a reliable, safe route for blind and partially sighted pedestrians

5. Southwark 'Network Operations Department' (ie Southwark Highways Department) state that the legal requirement is for a minimum width of 1.25 metres of unobstructed pavement, although they prefer to have a minimum of 1.5 metres.

LIVERPOOL APPROACH

Rathbone Road - Liverpool City Council

2. The Issue

Liverpool City Council (LCC) identified the residential area of Rathbone Road as a hot-spot for pavement parking in 2003. With no access to off-street parking, residents living on the eastern side of the road parked partly or wholly on the pavement, despite the marking of waiting restrictions in the form of yellow lines. As a result, pedestrian access to the pavement was severely restricted, whilst traffic safety concerns were also raised as LCC Traffic Management Engineer Jamie Povall describes:

"The parking of vehicles on the pavement in Rathbone Road was clearly causing road traffic hazards: space on the pavement was substantially reduced and drivers' views of the road were impaired"

3. Consultation

Having found that the parking of vehicles on the pavement in Rathbone Road was due largely to the habits of local car owning residents, LCC held a series of open meetings with residents to discuss possible solutions to the issue.

4. The Solution

After consulting with the residents of Rathbone Road, LCC took the approach of converting part of the footway into hard standing parking bays, identifying this as a solution that would solve the problems caused by pavement parking and meet the parking needs of local residents. In June 2003, LCC introduced an experimental Traffic Regulation Order (TRO) to this effect. When creating the new pavement parking bays, LCC followed the guidelines below:

- Areas of the pavement covering Statutory Undertakers apparatus were deemed as being unsuitable for pavement parking due to the risk of damage to the Statutory Undertakers apparatus
- A minimum pavement width of 1.5m was left for pedestrians, not including a minimum of 1m width of the pavement needed for clearance from opening/closing car doors
- Parking bays were designed to be 6m in length and 2m in width to accommodate a single vehicle
- Areas of the pavement covered with bitmap material were converted into pavement parking bays because this surface was deemed as being suitable for sustaining vehicle weight
- Parts of the pavement made up of concrete paving flags were deemed unsuitable for parking bays as they would begin to break under the pressure of vehicle weight
- Kerb heights in areas of the road adjacent to the parking bays were no more than 100mm so as to reduce the risk of vehicles incurring damage when moving onto the kerb

5. Signage

LCC use Regulatory Signs 668.1 and 668.2 to identify the pavement parking ban zone in Rathbone Road.

The Outcome

As a result of the measures taken in Rathbone Road, residents are able to park their cars near to their homes without causing road safety hazards or restricting pedestrian access to the pavement. The original TRO that had been put in place for a six-month experimental period was later established on a permanent basis with the support of the residents in Rathbone Road. LCC Traffic Management Engineer Jamie Povall clearly believes that the pavement parking problems identified in Rathbone Road have been resolved as a result of the action taken by LCC:

"As a result of the measures introduced in Rathbone Road, we have reduced the risk of traffic safety hazards from parked vehicles and at the same time, we have been successful in meeting the parking needs of local residents"

LIVING STREETS VIEW ON PAVEMENT PARKING (National Charity campaigning on behalf of Peds)

Context

Pavement parking is a major problem outside London. Not only does pavement parking restrict accessibility and create car dominated streets, but it is also a drain on scarce maintenance budgets with regular damage to pavements (Ealing Council estimates that it spends £39,000 annually repairing pavements damaged by parked vehicles). We need a new legal framework to prevent pedestrians from being marginalised by inconsiderate parking.

Why it matters

1. Increased car ownership increases demand and pressure on parking;
2. We have an ageing population with increasing levels of mobility and visual impairments;
3. People with disabilities, and parents with children in pushchairs are those most affected by vehicles blocking the pavement;
4. The damage from pavement parking costs every local authority thousands of pounds every year in maintenance and repair;
5. Any signs and physical prevention measures are both expensive and serve only to clutter the street environment;
6. Enforcement of the laws can be self-financing, with no cost to the public purse;
7. We should be taking pride in our streets rather than cluttering and damaging the pavements through inconsiderate parking.

Local authorities have powers under the Road Traffic Regulation Act 1984 to restrict or prohibit pavement parking on individual streets by the making of a Traffic Regulation Order (TRO) but this is an expensive, laborious process to go down on a street by street basis and creates additional clutter through street signs. Exeter, Hereford, and Worcester councils are the only local authorities of which Living Streets is aware to have a similar framework to that in London, achieved through separate Acts of Parliament.

Action

We would like to see a national framework that a) assumes a general prohibition of pavement parking with powers for Local Authorities to designate exemption areas if necessary and desirable; and b) encourages and supports the decriminalisation of enforcement. In Greater London, this framework broadly exists, and we believe rolling this out nationally is the most effective way of dealing with this problem. Specifically, we recommend that:

1. UK Government to make pavement parking illegal throughout the UK;
2. All local authorities to decriminalise and take on the civil enforcement of parking offences;
3. While police are still responsible for enforcement, to take the issue more seriously and enforce all instances of pavement parking.
4. UK Government to lead a wider national “pavement education” campaign on all aspects of using our pavements –including anti-social parking and cycling;