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Emailed  
Transport Select Committee

14 May 2019

## Written evidence on the Pavement Parking Inquiry submitted by the British Parking Association

Dear Transport Select Committee

### 1. Introduction

#### The British Parking Association

We are the [British Parking Association](http://www.britishparking.co.uk), a not for profit organisation that represents, promotes and influences the parking and traffic management profession throughout the UK and Europe. Our membership of more than 900 organisations and individuals includes local authorities, car park operators, retail parks, healthcare facilities, universities, railway stations, technology providers, trainers and consultants. We work with our partners to support growth for our communities, improve compliance by those managing and using parking facilities, and encourage fairness to achieve our vision of excellence in parking for all. Any surplus income arising from our work is reinvested back into activities to support our members or put into a reserve fund to ensure we can continue to raise standards and encourage professionalism.

We welcome this inquiry into pavement parking.

### 2. Executive Summary

This report represents our local authority (LA) members experience and views, and also the campaign alliance<sup>1</sup> including Living Streets and Guide Dogs whom we have lobbied government with for over three years to prevent obstructive and dangerous pavement parking.

We recommend a clear and consistent UK-wide **common standard** is created to enable LAs to manage and enforce parking on footways, with the presumption being pavement parking is not allowed. Exemptions to this rule would then be made where local authorities access it to be safe, for example where there is a minimum clear footway width for pedestrians in wheelchairs or pushing buggies to pass and necessary to do so. It is important that the common standard is clear and easy to understand by motorists and

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The pavement parking campaign alliance includes: Guide Dogs, Living Streets, British Parking Association, Age UK, The Bicycle Association of Great Britain, British Cycling, Civic Voice, Cycling UK, Deafblind UK, Disabled Motoring UK, Independent Age, Leonard Cheshire, Macular Society, NFOP, The Ramblers, Royal National Institute of Blind People, Scope, SeeAbility, Sustrans and Thomas Pocklington Trust.

pedestrians. For example, 123cm or four feet of protection would be sufficient width for wheelchair users, people with visual and mobility impairment and pushchairs. Where the footway is narrower the pavement should be protected.

London has had a ban on pavement parking similar to this for 45 years and it would seem sensible to achieve consistency and for LAs to be able to make exceptions where necessary.

We have 265 LA members and most want a good common sense, clear national approach to tackle this issue and cannot understand why this hasn't already happened and they are keen to be part of how best to achieve it. There are some councils worried about the amount of patrolling that would be needed and so the introduction of a new standard would need to be managed carefully, others are worried about policy and some have declared they don't want or need the powers.

### **3. The impact of pavement parking**

Vehicles parking on pavements can make it dangerous for many types of pedestrians as it forces them to walk in the road:

- people with visual impairments – guide dogs are trained to return home if the pavement has an obstruction
- those pushing buggies and prams
- wheelchair users – if there is no dropped-kerb to allow them to cross the road they are prevented from continuing their journey
- those who are mobility impaired E.g walker and rollater users.

Pavement parking is a major concern for all these groups, and also the wider public. A Guide Dogs survey in 2014 found that 'seven out of 10 people want restrictions for the rest [outside of London] of the country and eight out of 10 Councillors would back a new law'.

Footway parking enquiries to one of our members, North Essex Parking Partnership (which comprises seven councils) is near the top of the top 10 of all enquiries, alongside school parking, and dropped kerbs that follow close behind.

Essentially pavements exist to enable pedestrians to travel safely on foot to their destination. Where parking is allowed on pavements it immediately becomes less safe for pedestrians to use them. Pavements have never been under so much pressure from being parked on or obstructed, and to illustrate this here are some statistics<sup>2</sup>:

- there are 34 million vehicles on our roads
- 39 million daily journeys end at a parking space
- road traffic increased by 18 percent in the last twenty years, and
- road traffic is predicted to rise by 43 percent by 2040

In addition, footway surfaces are not designed to carry the weight of vehicles and the damage that can be caused increases the risk of trips on these damaged surfaces and subsequent insurance claims.

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<sup>2</sup> A Blueprint for Parking 2017-2021, British Parking Association, 2017

#### **4. The enforcement of pavement parking offences**

Highways authorities outside of London use the Road Traffic Act 1984 to restrict or prohibit pavement parking on individual streets or defined area by making a traffic regulation order (TRO). Once a TRO is in place LA civil enforcement officers can issue a Penalty Charge Notice or PCN. In addition to TROs, LAs use single/double line restrictions and traffic and local pavement/verge parking bans to enforce pavement parking offences. However, creating a TRO to prohibit parking is:

- resource and time intensive<sup>3</sup>
- slow to implement
- expensive – it can cost several hundred pounds in signage alone just to ban parking on one street
- adds to the street clutter, and
- can tend to displace pavement parking to surrounding streets not covered by the ban.

#### **5. Evidence from Local Authorities**

Most of our LA members want to have more powers to manage and enforce pavement and obstructive parking. A 2015 survey of LAs (130 responded) at the time the Pavement Parking Bill was going through Parliament) found:

- 25% enforced pavement parking already
- 42% would consider enforcing with new powers
- 53% were undecided, waiting to see the detail of the powers.

Also 40% of LAs had experienced problems enforcing parking through the existing powers of using single/double line restrictions, traffic regulation orders and pavement/verge parking bans. In the intervening years there has been an increasing number of LAs keen to be given new powers to manage this ever-growing problem. Some have resorted to having local consultations on pavement parking. Devon for example set up a portal for residents to report evidence of pavement parking. Northumbria Police trialled issuing leaflets and posting warning notices to raise awareness of unsafe pavement parking and the impact it had on pedestrians. Some LAs report they often have to refer complaints of nuisance pavement parking to the police to deal with, as some obstructive/pavement parking is not enforceable by civil enforcement officers.

Clearly one of the things that makes it complicated when prohibiting pavement parking is the pavement width and dimension of the carriageway, often this is characterised by there being very different circumstance in urban and rural areas. Many residential streets for example have narrow footways and are not suitable for any footway. Some LAs mark bays to allow parking to take place on footways, but only where there is adequate footway width. Waiting restrictions, typically using double yellow lines, are also used to prohibit parking for example on shared pedestrian and cycle footways.

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<sup>3</sup> The DfT funded TRO Discovery Project which we are working on jointly with Geoplace and Ordnance Survey has researched the process of how LAs create TROs, confirms this. This project will help LAs make their TROs fully digital and machine-readable <https://www.geoplace.co.uk/trodiscovery>

There are pressures on many of our LAs members to act due to decreased police capacity, as they would otherwise be more active in promoting clear footways. If the highway has a form of restriction on the road such as a yellow line, a TRO or within a controlled parking zone, a PCN can be issued by a CEO and otherwise it is termed on obstruction and the matter is generally referred to the police.

There is also pressure from people walking to school or work and the rapid increase in locally-owned vehicles due to increasing car ownership and rapidly increasing dwelling density, especially common to the south-east all contribute to LAs calling for a common standard to the issue of pavement parking.

At a LA members Interest Group meeting attended by over 45 LAs, we held last year, the clear favourite 'solution' to this issue was for LA's to be given wider powers to enforce obstructive parking as well as pavement parking. This would not only enable them to tackle inconsiderate/obstructive pavement parking but also to address other examples of parking causing an obstruction. We know that there are more places outside of London which would need to permit non-obstructive considerate pavement parking.

Clearly identifying the areas/roads where exemptions might be allowed would be a challenge for LAs, as was the case in London too originally, however this would be largely a one-off exercise.

We support and assist The Positive Parking Agenda (PPA)<sup>4</sup>, an initiative started by a group of local authorities, including Bristol, Essex, Gloucestershire, Liverpool, Oxfordshire, York and London Councils which is a national campaign to deliver build public confidence in the parking sector. The government supports this initiative and many of its campaign priorities support the safe, fair and consistent management of the footway.

## **6. Public awareness**

We recommend a national awareness campaign is run to inform the public before any change is implemented to highlight that pavement parking is unsafe for many pedestrians and therefore antisocial and will be enforced.

Once the public are aware of the need to comply otherwise they risk receiving a PCN, most people will eventually comply, as was the case when the pavement parking ban was introduced in London. Some local authorities may choose to issue a warning letter for a first offence for example. Patrolling is likely to be localised to hot spots and areas where it's very important to enforce. This is indeed true of all enforcement action, so it's not perhaps as challenging as it may first appear.

We would be happy to work with our preventing unsafe pavement parking campaign alliance organisations to develop campaign messages to include in warning notices, a social media campaign and supporting materials for LAs to run local campaigns.

Examples of campaign messaging:

- Footways for feet

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<sup>4</sup> The Positive Parking Agenda website <https://www.positiveparkingagenda.co.uk/>

- Keep clear 123cm/four feet of footway
- 1 2 3 steps to clear pathways

LAs would of course need time to prepare for any changes identify where the hotspots are and deploy resources to patrol these areas/streets. Indeed, some LAs run campaigns and produce their own leaflets on this.

## 7. In Summary

We recommend a clear and consistent UK-wide **common standard** is created to enable LAs to manage and enforce parking on footways, with the presumption being obstructive/pavement parking is not allowed.

We work closely with government, especially the Department for Transport and the Ministry of Housing, Communities and Local Government, as well as recently with the Department of Food and Rural Affairs, to develop parking policy and traffic management. We are happy to assist you with any further information in relation to this very important area of parking management.

Please do not hesitate to contact my colleague **Sarah Greenslade** by emailing [consultations@britishparking.co.uk](mailto:consultations@britishparking.co.uk) or calling **01444 447 300** if you need more information.

Yours faithfully



**Kelvin Reynolds**  
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