

## Managing Pavement Parking

### The Confederation of Passenger Transport UK response to the Consultation

The Confederation of Passenger Transport UK is the trade association of the bus and coach industry, representing over 1000 operators including large bus and coach companies and numerous SME companies

The Department for Transport's consultation document asks whether a change of existing pavement parking legislation should occur.

Three options are proposed:

1. Improving the Traffic Regulation Order (TRO) process, under which local authorities can already prohibit pavement parking
2. A legislative change to allow local authorities with civil parking enforcement powers to enforce against 'unnecessary obstruction of the pavement'.
3. A legislative change to introduce a pavement parking prohibition throughout England

Consultation questions:

13. Is pavement parking a problem in your area?

Yes

The problems that are caused by pavement parking are clear and obvious

Vehicles parked on the footpath can cause an obstruction for pedestrians, and in many situations force them off the footpath and onto the roadway. This is of course unsafe, and is particularly so for vulnerable people, including younger people who may be less aware of the potential dangers of walking on the roadway, and especially for older or disabled people with visual or mobility impairments

Pavement parking in residential areas, where roads are usually narrower can cause significant problems for larger vehicles, especially Buses which use these roads to provide necessary and essential services. CPT is aware of many situations where services have to be re-routed away from residential roads where vehicles parked partially on the footpath have blocked the Bus from passing safely.

In situations where operators are forced to re-route Buses at short notice it can cause passengers waiting at stops further along the route to miss the service as the Bus is unable to serve the stop where they are waiting. This of course can have many negative effects, including people being late for work or important appointments and also causes distress to vulnerable people who depend on being able to use the Bus to access important services.

In the longer term, operators are often forced to completely withdraw a route, or re-route it permanently away from residential areas which will have negative impacts on those who rely on the service.

We recognise that the Government want to promote active travel options, and we believe that pavement parking is a disincentive to walking, and is also a barrier to people accessing public transport

14. Your preferred option is:

Overall the preference of CPT is for Option 3, to introduce a pavement parking prohibition covering the whole of England in addition to Option 1 where the existing TRO process is improved. We would also suggest that within Option 3 any exemptions should not apply to narrow roads that are also recognised bus routes

View on Options

16. How would you define an 'unnecessary obstruction of the pavement'?

We believe that "unnecessary obstruction" is impossible to define and will always be open to interpretation, which will then lead different rules being applied in different areas

Where it is difficult or impossible to park on the roadway it cannot then be automatically necessary to park on the footway, and to try to define situations where it may be necessary will lead to confusion and make any ban difficult to enforce

Whether a parked vehicle is causing an obstruction is also open to too much interpretation to allow consistent enforcement

17. Do you think a warning notice should be given for first time offences of causing an unnecessary obstruction by parking on the pavement?

We do not believe that Option 2 is the correct approach to pavement parking, but to answer this particular question we would suggest that an extensive public information campaign will be required so that motorists are aware of the way their local council are interpreting and enforcing unnecessary parking and issuing a warning instead of a FPN will be a necessary part of that information campaign

18. What do you think are the advantages and disadvantages associated with this option 2?

The possible advantage of the approach detailed in Option 2 would be allow enforcement to be more targeted

It is also likely that Option 2 will not require primary legislation to be enacted

The obvious disadvantage of Option 2 is that the term “unnecessary parking” is very difficult to define and open to far too much interpretation

Currently parking offences are clearly defined and straightforward for motorists to understand and as long as signage is correctly in place there is little scope for confusion

Giving the option to decide whether the reason for parking the vehicle is necessary, or whether the vehicle is causing an obstruction to the individual motorist will not resolve the problems caused by pavement parking, and will make enforcement difficult and open to challenge

19. Do you think a national prohibition should apply:

CPT believes that a national prohibition should apply only on roads with speed limits up to 40mph, as the restrictions should be primarily intended to tackle the problem of pavement parking in urban areas where it is widespread

20. Should a national prohibition apply to:

We believe the prohibition should apply to both pavements and verges

21. CPT does not believe that we can comment on impacts to the built and historic environment

22. What do you think are the advantages and disadvantages of option 3:

for rural areas including villages?

CPT believes that while the restrictions may be less appropriate in rural areas, there will be narrow residential roads in many of these villages that are also bus routes and our comments about obstructions to bus routes will apply here

for suburban areas?

We believe that these restrictions are appropriate in suburban areas, especially where the roads are also bus routes

for town and city centres?

We believe that these restrictions are particularly appropriate for town and city centres

Overall we believe that the advantage of a national prohibition of pavement parking is easy to understand and easy to enforce

If the rule for motorists is that they cannot park on the pavement unless local signage permits, then this is easy to understand and should not cause confusion

A national prohibition of pavement parking would obviously be beneficial for pedestrians, particularly for those with visual and mobility impairments, young children, people with prams and pushchairs and people using shopping trolleys

Where pedestrians are forced into the roadway, there is potential for conflict with other road users and a benefit from the prohibition of pavement parking could include the prevention of injuries caused by pedestrians tripping and falling whilst stepping on and off the footpath

The prohibition should also result in an increase in the number of people walking and its associated health benefits due to an increase in perceived levels of safety and could promote independence amongst vulnerable groups, such as those with visual and mobility impairments

Stopping vehicles parking on footpaths will also reduce the level of damage to pavements and kerbs caused by vehicles and therefore reduce the cost to councils from having to make repairs. This will also reduce the risk of pedestrians tripping and falling due to the damage caused to pavements

23. Do you believe option 2 would have an impact on the environment?

CPT is not in a position to answer this question

25. Do you believe option 3 would have an impact on the environment?

CPT is not in a position to answer this question

Exceptions

CPT agrees with the proposed exceptions and does not suggest any additions

Final comments

Pavement parking is a problem that is increasing in many areas

CPT believes that there should be a national prohibition on pavement parking, with the ability of local councils to exempt certain roads that are not bus routes in specific circumstances, and with a requirement that where pavement parking is allowed it must be clearly signposted

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