

JOINT TRANSPORTATION BOARD

22 September 2020

DEPARTMENT FOR TRANSPORT - CONSULTATION

1. SUMMARY

The Department of Transport (DfT) launched an open consultation on the 31st August 2020 on whether there should be a change in the existing pavement parking legislation. The consultation closes on the 22nd November 2020. This report outlines options being considered by DfT.

2. RECOMMENDATION

That the Board note the options and make recommendations on a way forward to Cabinet.

3. Background and Discussion

3.1. In England, parking on verges and pavements is allowed unless specifically prohibited by a local authority under a Traffic Regulation Order (TRO). In London, pavement parking has been prohibited since 1974 unless exempted at specific locations with the use of traffic signs. In Scotland a national prohibition was enacted in 2012, however, this has not yet come into force. Outside London including Kent, local authorities may choose to take on civil parking enforcement powers by applying to the Secretary of State for the power to enforce parking restrictions within their local areas. Specifically, local authorities outside London:

- can enforce where vehicles are parked in contravention of existing waiting restrictions
- can enforce where a designated prohibition has been implemented through a TRO with prescribed traffic signs and bay markings
- can enforce where the vehicle parked is a 'heavy commercial vehicle' operating weight of over 7.5 tonnes.

The enforcement of unnecessary obstruction on the highway (road and pavement) already exists but as criminal offence and therefore enforced by the police.

3.2. DfT has embarked on a wider agenda to improve accessible transport with a commitment to review laws on pavement parking as part of the 'Cycling and Walking Investment Strategy safety review' published in March 2018. Related work was undertaken by DfT in September 2019 to gather evidence on the problems pavement parking cause, the effectiveness of current legislation and the case for reform. As a result, DfT are seeking views on three options for improving accessible transport and to tackle obstruction issues experienced by pedestrians,

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wheelchair users, people with visual impairment and those with prams and buggies.

Consultation Options

3.3. The consultation is examining whether there should be a change to the existing pavement parking legislation considering the following options:

- Option 1 – Improve the TRO process under which local authorities can already prohibit pavement parking.
- Option 2 – A legislative change to allow local authorities with civil parking enforcement powers to enforce against unnecessary obstruction.
- Option 3 – A legislative change to introduce a London style pavement policy prohibition throughout England.
- Alternative proposals for managing pavement parking are also welcomed.

3.4. The consultation closes on the 22nd November 2020. DfT will publish a summary of responses within three months of the consultation closing.

4. Relationship to the Corporate Plan

ET4 – Ensure a high quality street scene.

5. Financial, legal, staffing and other implications and risk assessments*

Financial Implications	None specific.
Legal Implications	None specific.
Staffing Implications	None specific.
Administrative Implications	None specific.
Risk Assessment	None specific.

6. Details of Exempt Information Category

Not applicable.

7. Appendices

None.

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BACKGROUND PAPERS

<u>Documents consulted</u>	<u>Date / File Ref</u>	<u>Report Author</u>	<u>Section and Directorate</u>	<u>Exempt Informatio n Category</u>
DfT consultation website – Pavement parking: Options for change: https://www.gov.uk/government/consultations/managing-pavement-parking/pavement-parking-options-for-change	22/9/20	Full name: Lukman Agboola Principal Transport Planner (01322) 343410	Planning Services, Regeneration	N/A