

Pavement parking: Questions and answers

Is it legal to park a motor vehicle on a pavement?

No, it is illegal except

- where signs permit it - local councils can permit parking on the pavement on specified roads via signs on posts and white lines on the pavement - see panel
- in an emergency
- if the vehicle (e.g. a motorbike) is pushed on to the pavement rather than driven on, provided that it does not obstruct pedestrians.

What are the laws that prohibit parking on pavements?

- It is an offence to drive on to a pavement (the Highway Act 1835 and Road Traffic Act 1988 - see the Highway Code section 145).
- It is an offence to obstruct a pavement - via Regulation 103 of The Road Vehicles (Construction and Use) Regulations 1986. The definition of obstruction is not spelt out, but many vulnerable people need a pavement width of 2 metres, e.g. someone needing a guide dog, or in a wheelchair, or groups of parents with buggies.

Why does pavement parking matter?

- Two children have died when vehicles were driven on to a pavement to park: Esmé Weir aged 4 was killed by a Merseyside driver while on her scooter on her way to pre-school; Lennon Toland aged 5 was killed in Glasgow while walking home from school.
- Many pedestrians have had dangerous and very unpleasant near misses when drivers have mounted the pavement at speed to park - some drivers even hoot at pedestrians to get out of their way.
- Pavements can be obstructed causing problems for people with disabilities, especially those needing a guide dog or wheelchair - some can no longer leave their homes independently.
- Pavements are damaged since they are not constructed to carry the weight of vehicles, causing a tripping hazard for elderly people.
- Walking safely is a basic human right and the space allocated to pedestrians should be respected.

Legal pavement parking

The road sign needed:



The sign in use:



Illegal pavement parking



Who is responsible for enforcing the law?

- The police are responsible for enforcing the laws prohibiting driving on the pavement and obstruction of the pavement.
- Local councils can take on the enforcement on specified roads via a Traffic Regulation Order enforced by traffic wardens.

The law is currently poorly enforced and this is causing problems for many people.

Where might parking on pavements be permitted?

A minority of roads, such as those with terraced housing, where there is limited off-road parking, can be considered for legalised and regulated pavement parking provided that the pavement is (a) wide enough and (b) strong enough to take the weight of motor vehicles. The areas where pavement parking is permitted are indicated by signs and by white lines on the pavements.

What is special about London?

As well as the national legislation, there is an additional law that applies to London that *being parked* on a pavement is illegal, whether or not the vehicle was driven on to the pavement and whether or not it is causing an obstruction. This is enforceable by councils and means that pavement parking is easier to prevent in London, although it is still a problem in some areas.

What official sources are there for the law on pavement parking?

- Merseyside Police have published a brief summary on their website - see <https://www.merseyside.police.uk/advice-and-protection/policing-the-roads/pavement-parking/>
- The House of Commons Library has produced a report: *Pavement and on-street parking in England* (2015) <http://researchbriefings.parliament.uk/ResearchBriefing/Summary/SN01170>
- The Department for Transport *Traffic Signs Manual* (2008) (chapter 3 - Regulatory Signs) specifies signage for permitting pavement parking, and for local authority enforcement: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/223943/traffic-signs-manual-chapter-03.pdf

Do we need a law "to ban pavement parking"?

Pavement parking is already illegal, so we do not need a law to ban it. Extending the law covering London to the rest of the UK so that councils can enforce the law would help, but the highest priority is to educate drivers that they must not park on pavements except where signs permit it.

What should be done about pavement parking?

- Drivers should be educated, for example by the Merseyside Police flyers and posters, or the Thames Valley Police windscreen stickers.
- Members of the public should help distribute the Merseyside Police flyers if living in Merseyside, or work with their local police force to educate drivers similarly if elsewhere.
- Councils should specifically legalise pavement parking on streets where there is a community consensus that this should be done - just turning a blind eye causes confusion, chaotic parking and danger for vulnerable pedestrians.
- The police should prosecute persistent or particularly bad cases of illegal pavement parking.
- The Government should ensure that ring-fenced funding is provided to police forces for effective education and enforcement regarding pavement parking.