



Department
for Transport

From the Parliamentary
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Councillor Alex Beckett
Chair of Highways and Transport Committee
Cambridgeshire County Council
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20 July 2023

Dear

Thank you for your letter of 11 July to the Secretary of State, about the pavement parking consultation. I am replying as the Minister for Roads and Local Transport.

The Government recognises that vehicles parked on the pavement can cause serious problems for pedestrians, particularly people with mobility or sight impairments, as well as those with prams or pushchairs. However, it also acknowledges that in some areas, for example in narrow streets with no off-street parking, pavement parking can be necessary to maintain the free passage of traffic, and access for emergency services.

In general, it is an offence to park in such a way as to cause danger or obstruction. Enforcement of the law relating to dangerous or obstructive parking is a matter for the police, and it is for them to decide whether an obstruction is being caused based on the circumstances in which the vehicle is parked. Drivers who commit this offence will be liable to be charged accordingly.

Since 1974, a blanket pavement parking prohibition has been in force within Greater London, except at locations where such practice is specifically permitted by the appropriate local authority and indicated by the appropriate permissive (blue) traffic signs, to tell drivers where they may park on the pavement. Elsewhere the reverse applies, whereby parking on the pavement is generally tolerated unless the local authority has specifically prohibited it. Local authorities have existing powers under the Road Traffic Regulation Act 1984 to prohibit pavement parking by introducing local laws through Traffic Regulation Orders (TROs); and the Department looks to local authorities to use these traffic management powers where problems occur.

Before a TRO comes into force, the appropriate prohibitory (red) traffic signs, prescribed by TSRGD, must be in place to tell drivers where they must not park on the pavement.

As your constituent notes, Rule 244 of the Highway Code states: "You MUST NOT park partially or wholly on the pavement in London, and should not do so elsewhere unless signs permit it." The word 'should' is used because the advice is advisory as, whilst there may be local TRO restrictions on pavement parking in some places outside London, there is no national legislation that explicitly bans parking on the pavement.

The Department has consulted on possible solutions to the complex pavement parking problem. We received over 15,000 responses, every one of which has been read and analysed. We are working through the options and the possible legislative opportunities for delivering them and as soon as those matters are certain we will publish our formal response. The formal consultation response will be available to view at:

www.gov.uk/government/consultations/managing-pavement-parking.

Turning to your concerns about the TRO process, in 2019, the Department began a review of Traffic Orders, the legislation that underpins the current regime and how the data contained within them could be made available. A discovery research report was published and is available here:

www.geoplace.co.uk/trodiscovery.

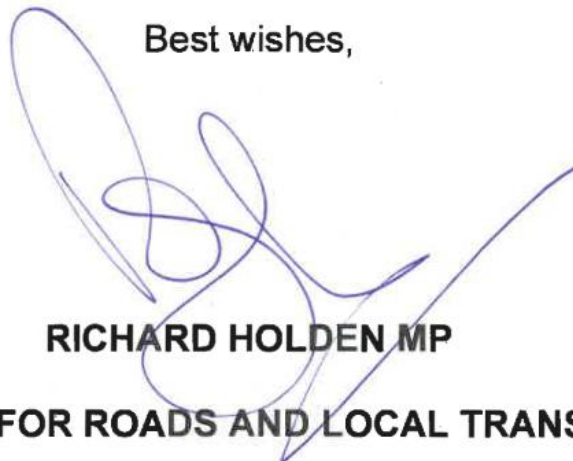
It made recommendations about newspaper advertising. This project was followed by an Alpha design phase which can be found here:

www.gov.uk/government/publications/traffic-regulation-orders-identifying-improvements-to-the-legislative-process-in-england.

The Department consulted further on proposed reforms in 2022. Government response is expected later this year and will be available at:

www.gov.uk/government/consultations/traffic-regulation-orders-changes-to-publishing-requirements-and-special-events-order-approvals.

Best wishes,



RICHARD HOLDEN MP

MINISTER FOR ROADS AND LOCAL TRANSPORT