

Pavement Parking

To: Highways and Transport Committee

Meeting Date: 5th March 2024

From: Executive Director Place and Sustainability

Electoral division(s): Cambridge City and South Cambridgeshire

Key decision: No

Forward Plan ref: Not Applicable

Executive Summary: The key elements of the report are to give an update on pavement parking and propose that the committee request that the Greater Cambridge Partnership (GCP) take forward a pavement parking pilot scheme as part of their plans for delivery of an integrated parking strategy. Information is also provided in the report on Red Routes.

Recommendation: The Committee is recommended to

- a) request that Greater Cambridge Partnership develop and fund a pilot of pavement parking restrictions in Cambridge;
- b) note the decision-making process regarding this pilot as set out at paragraphs 3.3 and 3.4;
- c) agree that officers, in conjunction with the Greater Cambridge Partnership, investigate the feasibility of Red Routes

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1. Creating a greener, fairer and more caring Cambridgeshire

- 1.1 This proposal is in-line with ambition 2 of the Council's Strategic Framework 2023-28 that 'travel across the county is safer and more environmentally sustainable'. Introducing a pilot to ban pavement parking may help to make walking and wheeling on pavements less hazardous, particularly for blind and partially sighted people and those pushing buggies or using wheelchairs.

2. Background

- 2.1 On 19th July 2022, the County Council considered, and approved a Motion to assess potential pilot schemes in Cambridge City for the enforcement of pavement parking. One of the actions resulting from the motion was to propose a pilot scheme and to request funding from Strategy and Resources committee to cover the cost of the trial. Strategy and Resources committee were approached and requested that this motion was dealt with by Highways and Transport Committee.
- 2.2 Pavement parking is not illegal unless specifically regulated via a Traffic Regulation Order (TRO). Currently in Cambridge and South Cambridgeshire, unless there is yellow line restriction in place, Civil Enforcement Officers (CEO) cannot ticket a car for parking on a pavement or verge. They can ticket for parking out of a bay in a residents parking area, for example.
- 2.3 If there is not a restriction in place but a vehicle is obstructing the footway significantly then the Police may consider it sufficient to ticket it for obstruction. However due to resource constraints it is unlikely to form a high priority for policing. CEOs cannot ticket for obstruction.
- 2.4 Parking on pavements is not just inconvenient, it creates a hazard for people walking and wheeling, particularly those who are blind or partially sighted. It can block access along footways for wheelchair users and people pushing buggies, necessitating that they walk in the carriageway to get past, putting them in greater danger.
- 2.5 The Department for Transport (DfT) have been considering the issue of pavement parking for some time and ran a consultation on the issue between August and November 2020. An update was provided by DfT on 29th June 2023 to the document 'Pavement Parking: Options for Change' which set out possible options. To date there has been no announcement as to what DfT intend to do following the consultation.
- 2.6 The Chairman of this committee wrote to the Secretary of State and received a response from Richard Holden MP (Minister for Roads and Local Transport) in July 2023 setting out that the Department for Transport has consulted on possible solutions to the complex pavement problems and was working through the options and the possible legislative opportunities for delivering them. As soon as those matters are certain they will publish their formal response. The expected date of the formal response was not provided. See response in Appendix.
- 2.7 Pavement parking in Scotland was banned under the Transport (Scotland) Act 2019 and from 23rd December 2023 Local Authorities in Scotland were given the powers to enforce the ban.

- 2.8 The Greater Cambridge Partnership are currently developing an Integrated Parking Strategy and a holistic consideration of pavement parking would fit within the remit of the strategy.
- 2.9 There are currently no County Council funds available to trial a scheme using a specifically regulated TRO to ban pavement parking in a specific area. However, the Greater Cambridge Partnership (GCP) have indicated that they may be willing to develop and fund a small-scale trial in Cambridge City, in-line with the integrated parking strategy, in an area where pavement parking is a persistent concern.
- 2.10 Cambridge City Council have recently applied to the County Council to progress some verge parking Traffic Regulation Orders in the Hurst Park Avenue area of the city.
- 2.11 Red Routes are clearways where a vehicle cannot stop. The prohibition applies to the footway and verge as well as the carriageway and does not include any signed and marked lay-bys or bays. They can improve safety by making parking more difficult for those trying to illegally park and improve traffic movement. Red Routes are intended to be used strategically to deal with traffic problems assessed on a whole route basis, not to deal with issues on relatively short lengths of road.

3. Main Issues

- 3.1 Local Authorities in England can restrict pavement parking on individual streets or by area using a TRO and marking out the areas with the appropriate signs and lines. The approximate cost of implementing these restrictions is £7k per 100m length of restriction, to include staff costs, the TRO process and the signs and lines. A ban in one area however may just shift the problem elsewhere.
- 3.2 Current areas that have been raised by Members as having a concern with pavement / verge parking in Cambridge are:
- Roads affected by The Abbey Stadium, (e.g. Whitehill/Barnwell Road area) Cambridge
 - Queen Ediths, near Netherhall School
 - Gunhild Way, near Queen Emma School
- 3.3 The pilot, if agreed by the GCP, would be subject to an assessment of suitability and feasibility along with consultation and detailed design. It is proposed that if the GCP agree to develop a pavement parking pilot it is implemented using an Experimental Traffic Order (ETO) for a period of up to 18 months. The area would be monitored, and consultation would be carried out as part of the ETO. The GCP would be asked for its recommendations to the Highways and Transport committee on future parking policy informed by the pilot, and by the results of the consultation.
- 3.4 The process to consider objections and the ETO would be the same as for TROs and other ETOs. A report would be taken to Cambridge Joint Area Committee (CJAC) to consider objections and then the ETO would be determined via the delegated decision process, that being the local Member in discussion with appropriate officer.

4. Alternative Options Considered

- 4.1 The Department of Transport have been considering the issue of pavement parking for some time and ran a consultation on the issue. Possible options they may consider would be a total national ban on pavement parking, unless it was specifically allowed via an Order or allowing Highway Authorities with civil enforcement powers to ban pavement parking and enforce it.
- 4.2 An alternative option to the proposal in this report, to request that the GCP take forward and fund a pilot scheme for pavement parking restrictions in Cambridge, is to wait until DfT make an announcement on pavement parking. This has been discarded as a pilot scheme on pavement parking was an approved full Council motion.

5. Conclusion and reasons for recommendations

- 5.1 Local authorities can restrict pavement parking on individual streets (or by area) by making a traffic regulation order (TRO). The drawback is that this can shift the problem elsewhere. It is therefore proposed to test the effectiveness of localised restrictions. The recommendation proposed to request that GCP develop and fund a pilot scheme on pavement parking will provide useful evidence of the viability to expand such schemes in future if funds become available. It is also recommended that further investigation into the feasibility of Red Routes is undertaken in conjunction with GCP.

6. Significant Implications

6.1 Finance Implications

There would be a cost to the pilot as set out in paragraph 3.1. The recommendation is that GCP funds the pilot scheme.

6.2 Legal Implications

An Experimental Traffic Order (ETO) for a pavement parking trial would require the relevant legal process to be followed which includes consultation.

6.3 Risk Implications

The risks are that GCP is unable to take forward the pilot scheme. The implications would be that the Council would need to consider other options to conclude the motion.

6.4 Equality and Diversity Implications

The equality and diversity implications are that there is a potential for a positive impact for blind and partially sighted and other vulnerable road users if the ban on pavement parking is trialled. An initial EqIA is in the appendix. A more detailed Equality Impact Assessment (EqIA) will be carried out as part of the development of a pilot scheme if GCP agree to take this forward.

6.5 Climate Change and Environment Implications

Not applicable

7. Source Documents

7.1 Full Council Motion 19 July 2022

[Document.ashx \(cmis.uk.com\)](#)

DfT Pavement Parking Consultation

[Managing pavement parking - GOV.UK \(www.gov.uk\)](#)

Government update on Pavement Parking Options for Change 29th June 2023

[Pavement parking: options for change - GOV.UK \(www.gov.uk\)](#)

Government circular referencing Red Routes

[tsrqd2016-circular-01-2016.pdf](#)

Appendix

- Equality Impact Assessment - separate document
- Response from Minister for Roads and Transport – separate document