

Regeneration and Transport Select Committee

Parking on Pavements



April 2009

Regeneration and Transport Select Committee
Stockton-on-Tees Borough Council
Municipal Buildings
Church Road
Stockton-on-Tees
TS18 1LD

Contents

<u>SELECT COMMITTEE – MEMBERSHIP</u>	4
Foreword	5
Original Brief	6
1.0 Executive Summary	7
2.0 Introduction	14
3.0 Evidence/Findings	27
4.0 Conclusions	28
Appendix 1 – Highway Network Management scrutiny review: extract from Members’ questionnaire	30
Appendix 2 – Highway Network Management scrutiny review: extract from Parish and Town Council questionnaire	34
Appendix 3 – Notes from Focus Group meetings	36
Appendix 4 – Notes from Disability Advisory Group meeting	44

SELECT COMMITTEE – MEMBERSHIP

Councillor (Chair) Perry
Councillor (Vice-Chair) Cains

Councillor Faulks
Councillor Kirton
Councillor Salt
Councillor Walmsley
Councillor Fletcher
Councillor Noble
Councillor Smith

ACKNOWLEDGEMENTS

The Committee thank the following contributors to this review:

Mike Robinson, Head of Technical Services
Richard McGuckin, Built and Natural Environment Manager
Brian Buckley, Highway Network Manager
Bill Trewick, Traffic and Road Safety Manager
John McMahon, Highway Asset Manager
Richard Bradley, Care for Your Area Service Manager
Andy Bryson, Finance Manager
Graeme Small, Enforcement Surveillance Co-ordinator
Karen Smith, Enforcement Officer
PC Dawn Young, Cleveland Police
Ian McHugh, Cleveland Fire Brigade
Peter Whaley, Area Team Leader, Planning Services

The Committee would also like to thank SBC Viewpoint members representing local residents and representatives from the Disability Advisory Group who attended the Focus Groups and for their contributions to the review.

Contact Officer

Roy MacGregor Acting Scrutiny Officer
Tel: 01642 528159
E-mail: roy.macgregor@stockton.gov.uk

Foreword

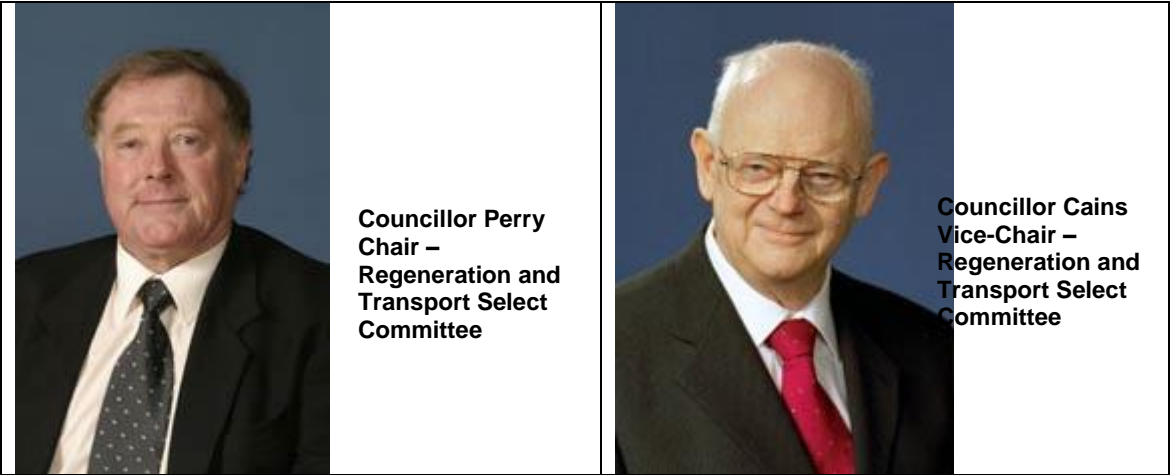
The request to carry out this review, originally included within the scope of the Highway Network Management review, had first been suggested by Members in 2008 in determining the areas to be considered for scrutiny. As a result, the Executive Scrutiny Committee included this topic in its Scrutiny Work Programme for 2008/09. However, the scrutiny review of Pavement Parking was considered too large to include in the highways review and has been undertaken and reported separately here.

During the course of the review the Committee considered a number of issues in relation to the problems caused by pavement parking including damage to pavements, kerbs and verges, the views of the emergency services. The Committee also engaged with local residents through the Viewpoint Panel and with the Disability Advisory Group in order to assess the impact of pavement parking on the local community.

It is clear from the review that pavement parking can have an adverse effect on the quality of life for local people and creates inconvenience to pedestrians. It also presents safety hazards, particularly for disabled, visually impaired and elderly people as well as wheelchair users or those with prams or pushchairs.

We hope this review offers some practical solutions and will help to raise awareness to some of the problems people encounter with pavement parking in their everyday lives.

On behalf of the Committee we would like to thank all the officers who attended meetings, provided information and supported the Committee; representatives from Cleveland Police and Cleveland Fire Brigade; representatives from the Council’s Viewpoint Residents’ Panel and the Disability Advisory Group who attended the Focus Groups and for their contributions to the review.



Original Brief

Scrutiny Chair/Project Director: Councillor Maurice Perry	Contact details: 01642 586914
Scrutiny Officer/Project Manager: Sarah Connolly & Roy MacGregor	Contact details: 01642 528159 roy.macgregor@stockton.gov.uk
Departmental Link Officer: Mike Robinson – Head of Technical Services Bill Trewick –Traffic & Road Safety Manager	Contact details: 01642 527028 01642 526716
1. Which of our strategic corporate objectives does this topic address? Council Plan 2008 -11: Ensure our residents are safe Provide a sustainable and effective transport framework to support economic regeneration Improve operational efficiency	
2. What are the main issues? Damage to pavements – caused by vehicles parking on pavements Cost – repairing damaged pavements Enforcement – what are the current rules on pavement parking and how are these enforced?	
3. The Thematic Select Committee’s overall aim/ objectives in doing this work is: To seek to establish smarter working practices; greater public awareness and understanding of problem of parking on pavements; enforcing the current rules on pavement parking; retaining awareness that residents have parking requirements near to their homes.	
4. The possible outputs/outcomes are: Greater public awareness and understanding of problems caused by parking on pavements; Smarter working practices; Improved pavement transit for residents.	
5. What specific value can scrutiny add to this topic? Detailed consideration of the issues. Contributes to the development of services provided and coordinated by Stockton-on-Tees Borough Council.	
6. Who will the panel be trying to influence as part of their work? Cabinet, residents of Stockton Borough.	
7. Duration of enquiry? 5-6 Months.	
8. What category does the review fall into?	
Policy Review ✓	Policy Development ✓
External Partnership	Performance Management ✓
Holding Executive to Account	

1.0 Executive Summary

Introduction

- 1.1 Pavement parking can cause inconvenience to pedestrians. It can create hazards for visually impaired, disabled and elderly people, wheelchair users or those with prams or pushchairs. It may also cause damage to the kerb, the pavement, or the services underneath. Repairing such damage can be expensive and local councils may face claims for compensation resulting from damaged and defective pavements.
- 1.2 This report presents Cabinet with the outcomes of the review of Pavement Parking that was undertaken by the Regeneration and Transport Select Committee. The review took place between September 2008 and March 2009.
- 1.3 This topic was originally included with the scrutiny review of Highway Network Management, which was identified as an area meriting a scrutiny review at a meeting of the Scrutiny Liaison Forum held on 25 March 2008. The issue was subsequently referred to the Regeneration and Transport Select Committee for approval, and passed to a meeting of the Executive Scrutiny Committee as part of the work programming procedure.
- 1.4 However, it was later considered by the Select Committee that the inclusion of parking on pavements would make the criteria too big for the Committee to undertake at the time and therefore was removed from the scope of the highways review.
- 1.5 A scope and project plan for the pavement parking review was created by the Chair, Vice-Chair, Cabinet Member, Link Officer and Scrutiny Officer at meetings held in September, and agreed by all Members of the Committee at a meeting held on 3 November 2008.

Legislation and guidance

- 1.6 Under current legislation and guidance there is no national prohibition on pavement parking except in relation to heavy commercial vehicles. These are defined as goods vehicles with an operating weight of more than 7.5 tonnes and are prohibited from parking on footpaths, verges or other road central reservations under Section 19 of the Road Traffic Act 1988. Parking in breach of this Section is a fixed penalty offence although there are exceptions including loading and unloading in specified circumstances and parking in an emergency to save life.
- 1.7 Previous attempts by Government to ban pavement parking have not come to fruition. Regulation to put into effect the national ban were not brought forward because of the potentially enormous cost to local councils and police of securing proper policing and enforcement of such a blanket ban.
- 1.8 Local councils may act over parking on pavements under current legislation covering obstruction and dangerous parking. They can designate limited areas of no pavement parking through a Traffic Regulation Order or can establish designated Special Parking Areas under the Road Traffic Act 1991. In these areas local councils are responsible for parking and cars parked on the pavement could be ticketed as contravening the parking regulations (e.g. by parking on a yellow line) rather than causing an obstruction.
- 1.9 Following the introduction from September 2005 of Decriminalised Parking Enforcement, the police have ceased to have any powers to enforce yellow lines or other parking restrictions and would enforce on the basis of obstruction.

- 1.10 In the absence of a general ban on pavement parking, a particular incident of pavement parking may therefore be considered dangerous or obstructive and may constitute an offence under one or other of the following pieces of legislation:
- Section 137 of the Highways Act 1980 – which makes it an offence to wilfully obstruct the free passage along a highway.
 - Section 28 of the Town Police Clauses Act 1847 – which deals with offences of wilfully causing an obstruction to any public footpath or public thoroughfare.
 - Regulation 103 of the Road Vehicles (Construction and Use) regulations 1986 – which makes it an offence for a vehicle to cause unnecessary obstruction of the road (including footpaths and grass verges).
 - Section 22 of the Road Traffic Act 1988 – which is concerned with the offence of leaving vehicles in dangerous positions on the road (includes footways).
- 1.11 Under the Road Traffic Act 1984, a highway authority can act to ban parking in a specific area. It is empowered to control traffic in its area by Traffic Regulation Orders. Section 2 of the Act sets out what TROs may be used for and includes almost anything prohibiting, restricting or regulating the use of a road by traffic or pedestrians; it also includes parking.
- 1.12 Set procedures have to be followed prior to implementation including consultation and publication of proposals and consideration of objectives. TROs are unlikely to be made unless there is a major problem and a lot of public support. TROs can only be used for specific roads and not as a blanket parking prohibition.
- 1.13 Where local authorities have assumed responsibility for on street parking under the Road Traffic Act 1991, cars parked on the pavement could be ticketed as contravening the parking regulations rather than for causing an obstruction.
- 1.14 Enforcement can be a problem for local councils in those areas where there are restrictions. The Department for Transport has advised that councils may prefer to introduce physical measures to discourage pavement parking rather than apply legislation. These include guardrails, tree planting and bollards on pavements. These measures have the advantage of being self-policing and self-enforcing.

The review

- 1.15 During the course of the review the Committee was presented with written and oral evidence from officers across the Council. The Committee also heard the evidence of expert witnesses from Cleveland Police and Cleveland Fire Brigade who attended the meeting on 15 December 2008.
- 1.16 The Committee received a report by the Traffic and Road Safety Manager that provided an overview of the issues that were caused by pavement parking. Additional contributions were received from Cleveland Police, Cleveland Fire Brigade, the Council's Enforcement Team, the Council's Viewpoint Residents' Panel and the Disability Advisory Group.
- 1.17 The Council's Care for Your Area/ Enforcement Services regularly receives requests to enforce pavement parking and it is clearly an issue for many residents. Ward Councillors and residents have also raised this as a significant issue in certain wards. The specific concern over pavement parking was also raised during the original Highway Maintenance Scrutiny.
- 1.18 The Committee noted that there was approximately £450,000 - £480,000 budgeted annually for repairs to pavements, and this came from the core budget rather than funding streams. It was noted that theoretically the Council could claim the cost of repairing a

damaged footpath from the owner of the vehicle that has caused damage, however in practice this proved to be very difficult.

- 1.19 Currently there are no pavement parking restriction orders within the Borough and as such Neighbourhood Enforcement Officers do not have the powers to deal with pavement parking unless there are waiting restrictions (yellow lines) on the highway adjacent to the pavement. In these instances, a Penalty Charge Notice can be issued, as the vehicle would be parking in contravention of a traffic order. Waiting restrictions cover the highway from the centre of the highway to the back of footway, but they do exclude any private forecourt that may be behind this.
- 1.20 A variety of physical measures are currently used to deter pavement parking. These include guard rails, bollards, raised planters, street furniture and formalised on street parking. The choice between these measures depends on: desired effect; location; funds available; safety factors; aesthetic considerations; access requirements; and the needs of disabled people.
- 1.21 The Council needs to take an even-handed approach in introducing parking controls and ensure that restrictions are introduced only where they are necessary and also need to consider granting exemptions where they are justified. Where restrictions and controls apply, the Council can enforce them effectively.
- 1.22 The Department for Transport's own Manual for Streets recognises that poor street design can lead to footway parking. A related document published by the Department for Communities and Local Government in May 2007, "Residential Car Parking Research", also suggests that local councils need to consider whether to count private garages as car parking spaces given the current trend for these being used as storage spaces by a significant number of residents.
- 1.23 There are currently 25 million cars nationally on our streets (approximately 400 per 1,000 population), and around 24 million of them can be parked at any one time. It is not surprising that as car ownership has increased, the pressure for parking spaces has also intensified. In many areas, the streets are not wide enough to accommodate all of the drivers who want to park there. Without proper restrictions, drivers can encroach on pedestrian space, causing nuisance and danger.
- 1.24 The Council can consider the restriction of pavement parking, in specific areas, to reduce environmental damage, to allow free passage for road users and to meet the needs of the people of Stockton. The guiding principle would then be a proportionate and reasonable approach by Civil Enforcement Officers, who will undertake enforcement action.
- 1.25 At its meeting on 15 December 2008, the Committee heard 'expert witness' evidence from Cleveland Police and Cleveland Fire Brigade, representing the emergency services, and from one of the Council's Enforcement Officers regarding issues they had with pavement parking.
- 1.26 The police outlined the existing legislation in relation to pavement parking and obstruction (see paragraph 1.8 above). Since the commencement of Decriminalised Parking Enforcement in September 2005, the Police have ceased to have any powers to enforce yellow lines and other parking restrictions and would only enforce on the basis of obstruction. This includes a vehicle, animal and an object causing obstruction on the public pavement. A Fixed Penalty Notice to the sum of £30 would be issued and if further action is needed, the obstruction would be removed e.g. a vehicle.

- 1.27 Cleveland Fire Brigade explained that the brigade does not really have problems with vehicles parked on the pavement. There had been no reports in the last 12 months from crews regarding difficulty accessing a job due to obstruction caused by vehicles. However, the Committee was informed that in cases of emergency, where a car was causing an obstruction, the fire crew would not be as careful over parked cars. For example, on previous occasions, door mirrors have been knocked off whilst attending an incident.
- 1.28 The Enforcement Officer representing the Council's Enforcement Team informed the Committee of the difficulty in applying enforcement measures around schools as there are only ten Enforcement Officers and over 90 schools; of these 60 are primary schools where there is a greater likelihood of problems due to parents/ guardians parking in the nearby area while waiting to collect their children. The Enforcement Team has a priority list of schools that cause more parking problems than others.
- 1.29 The scrutiny review of Highway Network Management included questionnaires that were issued to Members of Stockton Council and also to Parish and Town Councils within the Borough. Both questionnaires contained a section referring to pavement parking and these are reproduced in this report for information at Appendices 1 and 2.
- 1.30 The Committee agreed that the issue of pavement parking was important to examine as a result of the high level of residents complaints being received. Two issues appeared to be of particular concern to residents – first, obstruction on pavements caused by poorly parked vehicles, and second, damage to pavements, kerbs and verges caused by parked vehicles.
- 1.31 Accordingly, the Committee was keen to hear the views of local residents in relation to vehicles parking in and around their neighbourhood, of their own parking needs and of any specific problems they have encountered with parked vehicles and the impact this had on their quality of life.
- 1.32 Representatives from Viewpoint, the Council's Residents' Panel, were invited to attend one of three Focus Group meetings held on 9 December 2008 to obtain the views of local people. A series of set questions was put to each of the three Focus Groups. Scrutiny officers and the Viewpoint Panel Co-ordinator facilitated the Focus Group sessions.
- 1.33 The three groups identified a number of areas across the Borough where they felt they were pavement parking problems. In addition, some examples were given of the worst problems caused by pavement parking and these included parking on dropped kerbs, narrow roads, bad design of new housing developments, access problems for people in wheelchairs or those with mobility problems and inconsiderate parking in general.
- 1.34 There was broad agreement that an awareness raising campaign would be useful together with an explanation of the roles and powers of Civil Enforcement Officers, leading to publicity about pavement parking and the problems caused by poorly parked vehicles as well as enforcement action available to the Council.
- 1.35 There were mixed views over the efficiency of yellow lines using TROs and concerns whether they would be able to be adequately enforced.
- 1.36 Most of the group members had experienced some level of damage to the pavements, kerbs or verges in their areas, caused not only by cars but also by vans and commercial vehicles. The groups also recognised and commented on the problems caused by heavy goods vehicles as well as work vehicles parked outside residences during the evening.

- 1.37 Other general comments included recognising the impact on local businesses when siting TROs, planning issues, making people aware of the problems of pavement parking and residents knowing who to contact if they are having problems with poorly parked vehicles.
- 1.38 The Committee noted that there was approximately £450,000 - £480,000 budgeted annually for repairs to pavements, and this came from the core budget rather than funding streams. It was noted that theoretically the Council could claim the cost of repairing a damaged footpath from the owner of the vehicle that has caused damage, however in practice this proved to be very difficult.
- 1.39 Information collated from urban design schemes for minor works going back to the 1990s, facilitated more recently through the Community Participation Budget, shows that over £2.05 million was earmarked for various schemes, of which £1.3 million relates to parking bays, car lay-bys and spaces and verge treatment. The basis of allocation means that often the estimated value of improvement schemes to mitigate parking on pavements and verges is far outweighed by the resources allocated to Ward councillors for carrying out such improvements.
- 1.40 As part of the review, the Committee arranged a Focus Group meeting of the Disability Advisory Group. The group met on 11 December 2008 and the Chair of the Committee, Councillor Perry, gave a brief introduction to outline the main elements of the review, and invited comments about problems with pavement parking. The meeting was also attended by Bill Trewick, the Council's Road Safety Manager.
- 1.41 The group also highlighted many of the problems encountered by blind and partially sighted people, people with disabilities and the elderly due to vehicles parking on pavements including:
- manoeuvring around parked cars, particularly if the doors are left open;
 - damage caused by large vehicles (e.g. cracked and broken flagstones) making them dangerous to pedestrians;
 - access problems for wheelchair users and people pushing wheelchairs;
 - parking over dropped kerbs;
 - lack of awareness of the problems faced by people with disabilities; and
 - access for emergency vehicles.

Following the review, the Committee recommends:

- 1.42 Ward councillors and officers explore opportunities to use funding allocated under the Community Participation Budget scheme in conjunction with the Council's core budget for pavement repairs when considering applications to implement schemes to reduce damage and obstruction caused by parking on pavements and verges, ensuring funds are used effectively,**
- 1.43 A priority rating system is devised to identify the residential areas worst affected by parking problems and assess what parking solutions are required in those areas.**
- 1.44 The Head of Technical Services is requested to provide Members with details of the solutions currently available (including introducing or revoking Traffic Regulation Orders (TROs)), to address parking problems in areas where there is significant inconvenience to residents. In addition, request the Head of Technical**

Services to consider the effectiveness of existing TROs introduced in problem areas.

- 1.45 A briefing guide is produced for Members which provides details of the roles and powers of the Council's Enforcement Officers in relation to pavement parking, including statutory and discretionary powers, practical procedures and enforcement action available, and explains and clarifies the distinction between the roles of the Council's Neighbourhood and Civil Enforcement Officers
- 1.46 To further improve the safety of the Borough's footways for both pedestrians and road users, highways inspectors undertake sample inspections in known problem areas to determine the actual number of illegal footway crossings and assess damage to the highway. The results of the inspections to be presented to the Committee at a later date for further consideration and to look at providing potential solutions.
- 1.47 Incorporating into the Council's highways repairs policy, the current practice of replacing flagstone pavements with bituminous materials in cases where this is the most appropriate form of treatment.
- 1.48 Introducing a 'Think B4 U Park' campaign, to be promoted through Stockton News, public libraries, the Council's website, housing estate offices and other community outlets, to raise public awareness about the problems associated with pavement parking and damage to grassed areas, in particular:
- the damage it causes to footways;
 - the cost of repairing damage;
 - the inconvenience and risk caused to pedestrians, especially to older residents, the visually impaired, those in wheelchairs or mobility scooters and those using prams or pushchairs; and
 - emphasising the fact that enforcement action will be taken against offenders, including drivers of heavy vehicles and those who park vehicles on grass verges or whose vehicles traverse over grassed areas, wherever this is possible and practicable.
- 1.49 Through the campaign identified in the above recommendation:
- provide clear guidelines where people should and should not park
 - encourage drivers to park responsibly
 - pilot residential areas with suitable publicity that encourages residents to offer practical solutions
 - offer mediation in cases of dispute between parties requiring pavement parking in neighbourhood areas (e.g. in conjunction with UNITE, the mediation service)
 - educate people who think they may be helping other road users by parking on the pavement into making them more aware of the potential problems
 - encourage commercial vehicles (including Council vehicles where appropriate) to be left at business premises overnight rather than be brought home and parked on pavements in residential areas
 - the guidelines provided draw on best practice at other local authorities.
- 1.50 Through initial and ongoing training, drivers of Council vehicles are instructed not to park or manoeuvre vehicles on footways wherever possible.

- 1.51 Reviewing local planning discretion on governing the allocation of garage space and parking requirements when new developments are proposed by private developers.**
- 1.52 The Annual Parking Report provides supplementary information on the problems associated with pavement parking across the Borough with details of subsequent follow up action taken as necessary. Details to be provided include particular problem areas, parking near schools, the number of official complaints made by the public and the nature and level of enforcement activity undertaken including official notices issued.**
- 1.53 Providing suitable information so residents know who to contact if they are having problems with poorly parked vehicles (links to the recommendation at paragraph 1.45).**
- 1.54 The Council supports Help the Aged's National Falls Awareness Day by displaying the official falls day poster in key Council receptions.**
- 1.55 Highways inspectors and Council Enforcement Officers continue to assess the condition of road markings across the Borough relating to vehicle parking activity.**
- 1.56 The Council continues to promote its 'own brand' scheme notification signage to publicise the improvements being made to highways and footways for the benefit of local residents and the general public.**
- 1.57 Officers approach the Stockton Community Residents Group Association (SCRAGA) to obtain their views on issues related to pavement parking, with a view to advising local residents on possible solutions.**

2.0 Introduction

- 2.1 This report presents Cabinet with the outcomes of the review of Pavement Parking that was undertaken by the Regeneration and Transport Select Committee. The review took place between September 2008 and March 2009.
- 2.2 This topic was originally included with the scrutiny review of Highway Network Management, which was identified as an area meriting a scrutiny review at a meeting of the Scrutiny Liaison Forum held on 25 March 2008. The issue was subsequently referred to the Regeneration and Transport Select Committee for approval, and passed to a meeting of the Executive Scrutiny Committee as part of the work programming procedure.
- 2.3 However, it was later considered by the Select Committee that the inclusion of parking on pavements would make the criteria too big for the Committee to undertake at the time and therefore it was removed from the scope of the highways review.
- 2.4 A scope and project plan for the pavement parking review was created by the Chair, Vice-Chair, Cabinet Member, Link Officer and Scrutiny Officer at meetings held in September, and agreed by all Members of the Committee at a meeting held on 3 November 2008.
- 2.5 The objectives/aims developed by the Committee for the review were as follows: -
- to seek to establish smarter working practices;
 - greater public awareness and understanding of problem of parking on pavements;
 - enforcing the current rules on pavement parking;
 - retaining awareness that residents have parking requirements near to their homes; and
 - findings from the review to be reported to Cabinet/Council with recommendations
- 2.6 The review excluded the maintenance of pavements and footways, which were covered in the review of Highway Network Management.
- 2.7 The review addressed the following strategic corporate objectives:
- ensure our residents are safe;
 - provide a sustainable and effective transport framework to support economic regeneration; and
 - improve operational efficiency.

3.0 Evidence/ Findings

Methodology

- 3.1 During the course of the review the Committee received written and oral evidence from Council officers and also heard evidence from expert witnesses from Cleveland Police and Cleveland Fire Brigade who attended the Committee meeting on 15 December 2008.
- 3.2 An announcement that the Committee was to undertake a scrutiny review of parking on pavements was hosted on the Council website.

Summary of background documents

- 3.3 The Committee also received the following background documents in preparation for the review:
 - House of Commons Standard Note – Pavement Parking
 - Department for Transport Note – Pavement Parking
 - Obstruction of Street – Town Clauses Act 1847
 - Historic requests for highway improvements (highlighting parking improvements)
 - Residents' requests for parking permits
 - Minutes of the Mosque car parking meeting
 - Parking hotspots
 - Other authority examples

Summary of Evidence

- 3.4 During the review the Committee received a report by the Traffic and Road Safety Manager provided an overview of the issues that were caused by pavement parking. At its meeting on 15 December 2008, the Committee received information and presentations from representatives of Cleveland Police, Cleveland Fire Brigade and from one of the Council's Enforcement Officers regarding the issues the enforcement team had with pavement parking. In addition, three Focus Group meetings were held on 9 December 2008 to obtain the views of local residents in relation to pavement parking issues. The Disability Advisory Group also provided evidence to the Committee at a meeting held on 11 December 2008.
- 3.5 The scrutiny review of Highway Network Management included questionnaires that were issued to Members of Stockton Council and also to Parish and Town Councils within the Borough. Both questionnaires contained a section referring to pavement parking and these are reproduced in this report for information at Appendices 1 and 2.

Select Committee meeting 1 December 2008 – background information for Members

Background

- 3.6 The Committee received a report from the Traffic and Road Safety Manager that provided Members with an overview of the issues associated with pavement parking and details of the enforcement action currently taken by the Council. The Committee also received photographic evidence of pavement parking to illustrate the problems it caused.
- 3.7 All pedestrians using footways need an unobstructed, clear, and safe path of travel to avoid the need to walk on the carriageway. The impact of motor vehicles parking on the pavement / verge can cause damage, danger and obstruction to road user's especially

pedestrians, including disabled people, visually impaired, elderly and those with prams or pushchairs and can also cause environmental damage to kerb stones, grassed areas, pavements and to the services underneath the footway. Repairing such damage can be costly and there is potential for the Council to be faced with claims for injuries received resulting from damaged or defective pavements.

- 3.8 Damage to pavements by vehicular trespass can be assumed to be proportional to the fourth power of the axle weight and therefore the trend towards larger 4x4 vehicles is regrettable from a maintenance viewpoint. However, of more concern is that heavy goods vehicle trespass can cause the same damage as 10,000 instances of trespass by a small car. Problems are also caused by skips left on verges and the specialist HGVs used to drop/ collect them.
- 3.9 The practice of work vehicles being taken homes raises issues of insurance and vehicles parked outside residential properties.
- 3.10 The Council's Care for Your Area/ Enforcement Services regularly receives requests to enforce pavement parking and it is clearly an issue for many residents. Ward Councillors and residents have also raised this as a significant issue in certain wards. The specific concern over pavement parking was also raised during the original Highway Maintenance Scrutiny.
- 3.11 The Committee noted that there was approximately £450,000 - £480,000 budgeted annually for repairs to pavements, and this came from the core budget rather than funding streams. It was noted that theoretically the Council could claim the cost of repairing a damaged footpath from the owner of the vehicle that has caused damage, however in practice this proved to be very difficult.
- 3.12 Information collated from urban design schemes for minor works going back to the 1990s, facilitated more recently through the Community Participation Budget, shows that over £2.05 million was earmarked for various schemes, of which £1.3 million relates to parking bays, car lay-bys and spaces and verge treatment. The basis of allocation under the scheme means that often the estimated value of improvement schemes to mitigate parking on pavements and verges is far outweighed by the resources allocated to Ward councillors for improvements.

Current enforcement

- 3.13 The recent House of Commons Transport Select Committee on Parking Policy and Enforcement inquiry suggested that the Government must deal with the problem of pavement parking once and for all and ensure that it is made illegal throughout the country, with councils having the option of an 'opt out' of a national pavement parking ban where this is vital, rather than relying on the use of individual Traffic Regulation Orders (TROs) on specific streets and local Acts to impose a ban.
- 3.14 Currently, there are no powers for authorities outside of London to police the issue other than where an obstruction is being caused. However, Section 19 of the Road Traffic Act 1988 states that heavy goods vehicles (HGVs) are banned from parking on the pavement, although there are exemptions to this including loading and unloading at locations where it is necessary to mount the pavement.
- 3.15 Stockton Borough Council does not currently have the powers to introduce an area-wide ban on pavement parking due to no current legislation for enforcement outside London.

The only way to achieve a total ban would be to implement individual TROs and erect associated signage on every street in the Borough.

- 3.16 The Council needs to take an even handed approach in introducing parking controls and ensure that restrictions are introduced only where they are necessary and also need to consider granting exemptions where they are justified. Where restrictions and controls apply, the Council can enforce them effectively.
- 3.17 Under section 19 of the Road Traffic Act 1988, HGVs are banned from parking on the pavement, although section 19 is subject to a number of exemptions: in particular, an HGV may be parked on the pavement when loading/unloading is taking place and where it is not reasonably practical to park elsewhere.
- 3.18 Whilst the Highway Code rule 218 states “DO NOT park partially or wholly on the pavement unless signs permit it”, there is no national law that bans parking of cars and light goods vehicles on the pavement. The offence is purely one of unnecessary obstruction of the highway and is normally enforced by the police.
- 3.19 A local council can however use traffic regulation orders to ban pavement parking in a specified area or by introducing waiting restrictions that apply to the back of footway. The police or civil enforcement officers would then enforce as appropriate.
- 3.20 Cleveland Police are responsible for enforcing obstructions of the highway and footpaths where no other parking restrictions are in force e.g. yellow lines, however they will only enforce where a total obstruction is taking place, i.e. where people are forced into the road.
- 3.21 Since the commencement of Decriminalised Parking Enforcement in September 2005, Cleveland Police have ceased to have any powers to enforce yellow lines and other parking restrictions. It is also likely that highway obstruction offences are also a low priority for them now. To this end the Council has assumed certain police powers under the Clean Neighbourhoods Act that allows enforcement against vehicles obstructing pavements or damaging verges. Generally a gap of at least 0.9m is required for a wheelchair or pushchair to pass although some equipment can be wider.
- 3.22 Currently there are no pavement parking restriction orders within the Borough and as such Civil Enforcement Officers do not have the powers to deal with pavement parking unless there are waiting restrictions (yellow lines) on the highway adjacent to the pavement. In these instances, a Penalty Charge Notice can be issued, as the vehicle would be parking in contravention of a traffic order. Waiting restrictions cover the highway from the centre of the highway to the back of footway, but they do exclude any private forecourt that may be behind this.

Physical measures

- 3.23 A variety of physical measures are used to deter pavement parking. The choice between these measures depends on: desired effect; location; funds available; safety factors; aesthetic considerations; access requirements; and the needs of disabled people.

3.24 Current physical measures used include:

Guard rails – Standard guard rails can be used to prevent pavement parking. Their disadvantage is that they limit where pedestrians can cross a road or where people from parked vehicles can get onto the pavement. They are not generally suitable unless for safety reasons the aim is to channel pedestrians to particular crossing points.

More decorative or lower rails can be used in sensitive areas e.g. protecting village green areas in Norton High Street.

Bollards – These are particularly useful at raised junctions, where the carriageway is level with the pavement. They can be positioned to demarcate the edge of the carriageway, and provided gaps between bollards are not greater than 1.5m, vehicles are prevented from mounting the pavement. Where pedestrians are intended to cross, the gap may need to be greater to accommodate the pedestrian flow, or to meet the regulatory requirements of a controlled crossing.

Raised planters – If space allows, fixed or movable planters can be used to form an effective barrier to vehicles parking on pavements. The design should avoid causing problems for visually impaired pedestrians: the height and positioning are particularly important. The planters should not make it difficult for pedestrians to see or be seen by approaching traffic.

Textured surfacing – These can take a variety of forms, from large cobbles to brick on edge or special types of paving. The paving will need to be at least one metre in width.

Street furniture – Careful positioning of street furniture can often prevent vehicles getting onto pavements without inconveniencing pedestrians. Litter bins for example can be added to reduce gaps where vehicles would otherwise gain access to the pavement.

Formalised on street parking – On narrow streets where drivers tend to park partly on the pavement along both sides of the carriageway, it may be better to provide properly marked out spaces on one side only. If the marked out spaces are provided in short lengths along alternate sides of the road they can form a chicane and have the effect of reducing vehicle speeds.

- 3.25 The Committee also noted that residents' parking zones have been difficult to implement due to lack of agreement among residents over some of the resulting issues. For example, the zones often run down one side of the road only, leaving the other side clear to provide ample space. This often impacts badly on residents as well as 'problem parkers'. It is mainly as a result of this that many of the schemes have fallen through due to lack of support. One of the other reasons given is the cost of implementing schemes which can be as much as £15,000, mainly due to associated advertising costs.
- 3.26 Flagstone footways are particularly susceptible to damage, and footpaths in poor condition are generally replaced with bituminous materials (e.g. bitmac). Although this can be helpful on new estates, residents do not always like to have flagstones replaced with bitmac or similar. In some cases this would not be suitable, for example in heritage areas.

Car Ownership and Planning issues

- 3.27 There are currently 25 million cars nationally on our streets (approximately 400 per 1,000 population), and around 24 million of them can be parked at any one time. It is not surprising that as car ownership has increased, the pressure for parking spaces has also intensified. In many areas, the streets are not wide enough to accommodate all of the drivers who want to park there. Without proper restrictions, drivers can encroach on pedestrian space, causing nuisance and danger.
- 3.28 Planning Policy Guidance 13 sets out transport planning guidance including maximum and minimum standards for parking in residential areas and there is one school of thought that reducing provision could reduce car ownership. In practice, in Stockton, such under provision merely leads to more on-street parking and where streets are relatively narrow this parking often encroaches onto footways.
- 3.29 The Council's Sustainable Transport agenda is not aimed at reducing car ownership but at less usage of vehicles particularly for short journeys and single occupant commuter trips. Such a policy if successful would of course lead to higher demand for on-street parking during the working day but the greatest problems of obstruction in residential areas tend to be at night and at weekends.
- 3.30 The Department for Transport's own Manual for Streets recognises that poor street design can lead to footway parking. A related document published by the Department for Communities and Local Government in May 2007, "Residential Car Parking Research", also suggests that local councils need to consider whether to count private garages as car parking spaces given the current trend for these being used as storage spaces by a significant number of residents.
- 3.31 The Council in November 2006 adopted Supplementary Planning Guidance on Parking Provision for New Developments. This states that lack of adequate car parking provision results in uncontrolled on-street parking creating problems impacting on road safety, congestion and the quality of life of local residents.
- 3.32 There are consequently footways that clearly require some pavement parking to take place, such as residential areas where there is insufficient off street parking and/or narrow carriageways, and in areas where there is no off street parking and very wide footways.
- 3.33 Indeed the Council often strengthens parts of the footway or verge to encourage such parking. A pilot scheme of permitting parking on a wide footway on Portrack Lane has received no adverse criticism. The parking area is demarcated from the walking areas only by means of a white box.

Alternatives for Consideration by the Committee

- 3.34 The Council can consider the restriction of pavement parking, in specific areas, to reduce environmental damage, to allow free passage for road users and to meet the needs of the people of Stockton. The guiding principle would then be a proportionate and reasonable approach by Civil Enforcement Officers, who will undertake enforcement action.
- 3.35 At this present time a total ban on pavement parking would not be feasible due to the lack of current legislative powers. The only way forward would be to introduce TROs and

associated signs on every street within the Borough. This would however be an extremely resource intensive exercise and add significantly to street clutter.

- 3.36 One option would be to introduce a Traffic Regulation Order (TRO) at specific locations where it has been identified that footway / verge parking is causing a damage, danger and obstruction to other road users. However, it may be considered that existing Neighbourhood Enforcement Officer powers are sufficient.
- 3.37 The introduction of a "Prohibition of verge and footway waiting order" would mean that a vehicle parked on any part of the verge or footway in the length of road specified in the schedule of the Traffic Regulation Order, would be liable to receive a penalty charge notice. The aim would be to ensure that motorists park, legally on the highway without obstructing the footway in the areas where it is a problem/danger to other road users.
- 3.38 The Council's Legal Services would need to be consulted on the above but it is understood that a specific TRO for each location where a danger/obstruction/damage is being committed would be required. Justification is required for each selected location, prior to inclusion in the order. Consultation will take place with residents, Traffic, Emergency Services and other agencies, as with any Traffic Order, and there will be the opportunity for objections to be considered.
- 3.39 Prohibition of pavement parking at these locations would greatly improve pedestrian safety and benefit the environment. Pedestrians will be able to use the footway safely and not need to walk in the road to pass parked vehicles. Where a new TRO is implemented the normal practice will be to issue warning notices for a two-week period before a Penalty Charge Notice is issued. Signage will need to be erected at the start and end of the restrictions, and in-between if necessary.
- 3.40 Traffic Regulation Orders can usually be processed within a 16 week timescale, depending upon the level or type of objections that may be received.
- 3.41 The cost to promote an individual Traffic Regulation Order is usually within the region of £1,500, but clearly economies of scale can be applied where more than one order is being promoted at the same time.
- 3.42 The durability of flexible footways compared to paving stones, and how this can alleviate some of the costs associated with the upkeep of pavements.

Select Committee meeting 15 December 2008 – emergency services and enforcement

- 3.43 The Committee received 'expert witness' evidence from Cleveland Police and Cleveland Fire Brigade, representing the emergency services, and from one of the Council's Enforcement Officers, regarding issues they had with pavement parking.
- 3.44 PC Dawn Young, POP Co-ordinator, from Cleveland Police Stockton Office, gave a presentation to the Committee entitled the 'Wilful obstruction of a highway', which included

an explanation of each of the key pieces of legislation relating to obstruction as well as the legal definition of a road and a highway and the penalties that can be imposed.

- **Wilful obstruction of a highway** – under section 137(1) of the Highways Act 1980, 'If a person, without lawful authority or excuse, wilfully obstructs the free passage of a highway, an offence is committed'.
- **Wilful obstruction in any public footpath or public thoroughfare** – under Section 28 of the Town Police Clauses Act 1928, it is an offence to wilfully cause an obstruction in any public footpath or public thoroughfare. Under Section 28, this offence can only be committed in the street to the obstruction, annoyance or danger of residents or passengers. It includes a:
 - vehicle;
 - animal;
 - object;
 - projection over a footpath;
 - goods for sale; and
 - clothes line across the street.
- **Unnecessary obstruction by a motor vehicle/ trailer** – under Regulation 103 of the Road Vehicles (Construction and Use) Regulations 1986, section 42 of the Road Traffic Act 1988 and Schedule 2 to the Road Traffic Offenders Act 1988 a person in charge of a motor vehicle caused it to stand on a road so as to cause an unnecessary obstruction of the road commits an offence

A road is any highway and any other road to which the public have access; it is for the court to decide what is a road. There are a number of stated cases decided by the court.

Highways shall be understood to mean all roads, bridges, carriageways, cartways, horseways, bridleways, footways, causeways, churchways and pavements.

The penalties currently available include:

- a verbal warning;
- a Fixed Penalty Notice (FPN) to the sum of £30;
- a report for summons; and
- removal of vehicle.

- 3.45 Since the commencement of Decriminalised Parking Enforcement in September 2005, the Police have ceased to have any powers to enforce yellow lines and other parking restrictions and would only enforce on the basis of obstruction. This includes a vehicle, animal and an object causing obstruction on the public pavement. A FPN to the sum of £30 would be issued and if further action is needed, the obstruction would be removed e.g. a vehicle.
- 3.46 The difference between the powers of a police officer and a police community support officer is the latter cannot issue FPNs but would be able to gather evidence of the offence.
- 3.47 The Committee also heard from Mr Ian McHugh of Cleveland Fire Brigade. The brigade does not really have problems with vehicles parked on the pavement; the main priority is to attend incidents as quickly and as safely as possible. There had been no reports in the

last 12 months from crews regarding difficulty accessing a job due to obstruction caused by vehicles. However, the Committee was informed that in cases of emergency, where a car was causing an obstruction, the fire crew would not be as careful over parked cars. For example, on previous occasions, door mirrors have been knocked off whilst attending an incident.

- 3.48 A representative from the Council's Enforcement Team, Karen Smith, informed the Committee of the difficulty in applying enforcement measures around schools as there are only ten Enforcement Officers and over 90 schools; of these 60 are primary schools where there is a greater likelihood of problems due to parents/ guardians parking in the nearby area while waiting to collect their children.
- 3.49 The Enforcement Team has a priority list of schools that cause more parking problems than others. Following the decriminalisation of parking enforcement, Enforcement Officers now have the power to issue FPNs.
- 3.50 The Committee was informed that the police were working extensively with schools on the issues around parking and parking offences with the idea that by educating the children, they would hopefully educate their parents/ guardians about parking problems around schools.

Viewpoint Residents' Panel Focus Group meetings 9 December 2008

- 3.51 The Committee agreed that the issue of pavement parking was important to examine as a result of the high level of residents complaints being received. Two issues appeared to be of particular concern to residents – first, obstruction on pavements caused by poorly parked vehicles, and second, damage to pavements, kerbs and verges caused by parked vehicles.
- 3.52 Accordingly, the Committee was keen to hear the views of local residents in relation to vehicles parking in and around their neighbourhood, of their own parking needs and of any specific problems they have encountered with parked vehicles and the impact this had on their quality of life.
- 3.53 The Residents Panel Co-ordinator sent out a letter to Viewpoint members inviting them to attend one of three Focus Group meetings to be held on 9 December 2008:

Focus Group 1	10.00 – 11.30am	Municipal Buildings
Focus Group 2	1.00 – 2.30pm	Municipal Buildings
Focus Group 3	5.30 – 7.00pm	Town Hall

- 3.54 In total, 11 Panel members attended the three Focus Groups: Focus Group 1 (4); Focus Group 2 (5); and Focus Group 3 (2). Scrutiny officers and the Viewpoint Panel Co-ordinator facilitated the Focus Group sessions.
- 3.55 Set out below is a summary of the responses to questions put to the three Focus Groups. Full details of all the responses from each group are shown at Appendix 3.

Pavement Parking – Main Problems

**How many of you own cars? How many cars are there in your household?
If the answer to the above is yes, where do you park your car?**

Focus Group 1
<ul style="list-style-type: none">• All 4 attendees own cars – 7 in total spread over each household.• All made an effort to park in a non-obstructive manner.
Focus Group 2
<ul style="list-style-type: none">• Three of the 5 attendees own cars, with one car per household.• Cars parked on drives most times although visitors often park on pavement.
Focus Group 3
<ul style="list-style-type: none">• Two cars in the (one) household – both of which are parked in the garage.

Which parts of Stockton Borough do you think has the most problems caused by cars parking on pavements?

Focus Group 1
<ul style="list-style-type: none">• Station Road.• Older parts of Stockton, and parts with terraced housing, and/or no garages.• Houses with back lanes.
Focus Group 2
<ul style="list-style-type: none">• Norton Green (near Redhouse & St Joseph schools) and the Spiritualist Church.• Ingleby Barwick and Westbury Street, Thornaby (due to narrow roads).• Chesterton Avenue (cars left parked from 8am – 5pm).• Darlington Lane (parking close to junctions and at dropped kerbs).• At schools across the Borough (at dropping off/picking up times).• Hartburn Lane/ Marlborough Road (vehicles being parked dangerously on ‘raised’ sections of the road).• Low Lane near Leven Bridge (dangerously parked cars near the bridge).
Focus Group 3
<ul style="list-style-type: none">• Town centre• Ingleby Barwick – Lowfields, Stonebridge Road• Teesside Park

What are some of the worst problems caused by cars parking on pavements?

Focus Group 1
<ul style="list-style-type: none">• Inconsiderate parking; not enough room for access.• Cars parked over dropped kerbs are a problem for people in wheelchairs.• Cars parked on both sides of the road.• Roads are very narrow in some of the new estates.• Bad design of new housing developments as there seemed to be no consideration given to parking.• Garages underutilised/ too small for modern cars.
Focus Group 2
<ul style="list-style-type: none">• Access issues are the main problem – particularly allowing space for people in wheelchairs, or with other mobility problems, or with pushchairs, to get past.• If new estates were better planned, this would not be an issue.• In certain areas there are no solutions other than awareness raising and education.

Focus Group 3
<ul style="list-style-type: none"> • Inconsiderate parking. • Safety issues – dangerously parked vehicles; pedestrians having to walk on the road to pass parked cars. • Commercial vehicles parked in residential areas. • Planning – roads too narrow on new estates. • Garages converted into living space and its impact on the availability of parking in estates.

Do you think there are times when it is essential for people to park on the pavement?

Focus Group 1
<ul style="list-style-type: none"> • Essential at times for cars to be able to park on pavements. • Where car user is disabled and requires easy access to the pavement and house. Safer to park halfway between the road and pavement, particularly where the vehicle might block access to the road.
Focus Group 2
<ul style="list-style-type: none"> • It is essential to park on the pavement in certain areas of the Borough, particularly where space is an issue.
Focus Group 3
<ul style="list-style-type: none"> • To allow the passage of emergency service vehicles, or as a short-term emergency solution, but as general rule no-one should ever have to park on the pavement. • Planners should allow space for pedestrian and vehicle access on new developments. This is a long term planning issue, as it is deflecting from people's enjoyment of their personal space.

Enforcement Issues

Do you have a clear understanding of the rules governing parking on pavements?

Focus Group 1
<ul style="list-style-type: none"> • Only one of the attendees claimed to have a clear understanding of the rules. • There was general consensus that most people have no clear idea of what constituted an obstruction, or who to contact to raise problems regarding problems with parking issues locally. • It was agreed that an awareness raising campaign would be very useful.
Focus Group 2
<ul style="list-style-type: none"> • None of the attendees claimed to have a clear understanding of the rules. • It would be useful to have a leaflet outlining the rules, which would be helpful when tackling neighbours.
Focus Group 3
<ul style="list-style-type: none"> • One attendee yes, the other attendee no.

Do you understand the roles of the following people in parking enforcement?

- **The police**
- **Civil Enforcement Officers**

Focus Group 1
<ul style="list-style-type: none"> • There was a general understanding, but still confusion existed over the roles, powers and division of duties between the police and Enforcement Officers.
Focus Group 2

<ul style="list-style-type: none"> No-one could outline the powers & roles of the separate officers, but expressed interest in receiving further information.
Focus Group 3
<ul style="list-style-type: none"> Had a general understanding, but were not clear on the differences between the two.

Physical measures to prevent pavement parking

A variety of physical measures are used to help prevent pavement parking. What are your thoughts on the following measures?

Focus Group 1
<p>Guard rails: not generally in favour and some health and safety concerns.</p> <p>Bollards: considered ineffective as cars can park round them.</p> <p>Street Furniture (e.g. litter bins): concerns that too much could cause obstruction, particularly in narrow streets.</p> <p>Formalised on street parking (marked spaces): may be useful in certain areas; care needed to be taken over enforcement. Uncertain where visitors would park.</p>
Focus Group 2
<p>Guard rails: not particularly effective at deterring parking; vehicles can park in space in between.</p> <p>Bollards: can be quite effective at preventing people parking and also slowing cars down.</p> <p>Textured paving: Might not be successful in preventing pavement parking but might alert people to areas where parking is prohibited.</p> <p>Street Furniture (e.g. litter bins): feel there is already too much clutter on the pavements, and that planters would be too expensive to maintain.</p> <p>Formalised on street parking (marked spaces): might be very helpful in certain areas, particularly around schools, but must ensure that it is properly enforced. Has value for managing residential parking, except where there are no drives.</p>
Focus Group 3
<p>Guard rails: Difficult to apply through the whole Borough and are a problem aesthetically.</p> <p>Bollards: Not particularly keen on wide scale use, and might cause problems for pedestrians as well as vehicles.</p> <p>Street Furniture (e.g. litter bins): Difficult to maintain in a large number.</p> <p>Formalised on street parking (marked spaces): Streets would have to be wider, and it would therefore be more sensible to evaluate the initial design of the streets, and to undertake more education and awareness raising, through, for example, Parish/Community Councils, media, etc.</p>

Traffic Regulation Orders (yellow lines):

Would you support the introduction of Traffic Regulation Orders at specific locations?

Focus Group 1
<ul style="list-style-type: none"> Mixed views on the efficiency of yellow lines. Too much enforcing required. One side of Station Road in Norton would be an excellent position for yellow lines.
Focus Group 2
<ul style="list-style-type: none"> Some confusion concerning the different regulations for different type of line. Yellow lines are useful at specific locations, but could cause the problem to go elsewhere. Enforcement becomes an issue, and prioritisation is the key to ensure that the areas can be properly enforced.

Focus Group 3
<ul style="list-style-type: none"> • Would like to see the use of yellow lines more extensively at problem areas across the Borough, and think that it could be successful with the right consultation.

Damage to Pavements

Do you have any experience of vehicles causing damage to the pavements where you live?

Focus Group 1
<ul style="list-style-type: none"> • All attendees had experienced some level of damage to the pavements, kerbs or verges in the areas where they live. Knapton Avenue was identified as being a particular problem.
Focus Group 2
<ul style="list-style-type: none"> • All attendees had experienced some level of damage to the pavements, kerbs or verges in the areas where they live. • Problems caused mostly by larger vans and commercial vehicles, particularly those delivering building materials • Problems where cars consistently park on same part of pavement. • Mixed views over use of tarmac – better for being more hard wearing but can look ‘tatty’. • Damage to houses and utilities caused by vibrations when large vehicles driving through residential estates. • Skips should not be left on pavements but parked on driveways or on the road as they have been known to cause damage to pavements and verges.
Focus Group 3
<ul style="list-style-type: none"> • Damage to pavements is not a huge problem where attendees live, with most damage occurring on grass verges.

Heavy Goods Vehicles cause particular problems. Is this a problem where you live (for example, people bringing home work vehicles, skips, and tradespeople)?

Focus Group 1
<ul style="list-style-type: none"> • Builders and tradespeople using HGVs were identified as being the main cause of damage to footways. • One attendee experienced 3 bad falls as a result of damaged paving stones. • Damage to grass verges. • Bin lorries in particular were identified as being the cause of some damage, but it was suggested that they had to drive over grass verges and pavements as a result of heavily parked-up streets and badly parked cars. • Work vehicles being parked outside homes on an evening causing access problems.
Focus Group 2
<ul style="list-style-type: none"> • Similar comments to Focus Group 1
Focus Group 3
<ul style="list-style-type: none"> • Larger vehicles often have difficulty accessing the street because of poorly parked vehicles. • Retail vehicles and building supply vehicles delivering materials are the two main problems. • Commercial vehicles are also a huge problem and should be a focus for the Council as it is dangerous and degrades the quality of the road and pavement.

Overall

Are there any other comments you would like to make about parking on pavements in the Borough?

<p>Focus Group 1</p> <ul style="list-style-type: none"> • Parking on cycle paths and parking outside schools. • Residents leaving commercial vehicles in residential areas for long periods of time. • Parking across the footpath at the end of the drive. • An awareness raising campaign. • Name and shame consistently offending commercial vehicles. • Access for emergency vehicles • Strengthening grass verges. • Residents should know who to contact if they are having problems with poorly parked vehicles • Take care when deciding where to site TRO's – e.g. those near retail outlets may affect trade, and also may displace traffic into other areas. • Residents on Whitehouse Lane should be utilising driveways rather than parking on the pavement. This is definitely an area where a TRO should be considered.
<p>Focus Group 2</p> <ul style="list-style-type: none"> • Parking on road humps. • High pavements are a problem for people with low slung cars, and don't prevent parking, it just damages the car. • Chicanes not adequately illuminated on Trenchard Avenue. • Disabled drivers should be able to park anywhere.
<p>Focus Group 3</p> <ul style="list-style-type: none"> • Could the land between Ingleby Barwick 'villages' be used to provide better parking facilities for the estate? • Planning issues are fundamental.

Disability Advisory Group Focus Group meeting 11 December 2008

3.56 As part of the review, the Committee arranged a Focus Group meeting of the Disability Advisory Group. Councillor Perry gave a brief introduction to the Group to outline the main elements of the review, and to ask for comments from attendees regarding problems experienced relating to pavement parking. The meeting was also attended by Bill Trewick, the Council's Road Safety Manager.

3.57 The group highlighted many of the problems encountered by blind and partially sighted people, people with disabilities and the elderly due to vehicles parking on pavements including:

- manoeuvring around parked cars, particularly if the doors are left open;
- damage caused by large vehicles (e.g. cracked and broken flagstones) making them dangerous to pedestrians;
- access problems for wheelchair users and people pushing wheelchairs;
- parking over dropped kerbs;
- lack of awareness of the problems faced by people with disabilities; and
- access for emergency vehicles.

3.58 The Road Safety Manager commented that it is not actually illegal for cars to park on pavements, except in London, although it is illegal for HGVs (over 7.5 tonnes) to park on

pavements. In the case of large HGVs, though, there are exemptions in certain situations, such as when the vehicle is loading / unloading.

3.59 In terms of enforcement, a gap of at least 0.9m, or the space required for a wheelchair or pushchair to pass, is required. Any less than this and a vehicle is considered to be obstructive. It is also now an offence to park across a dropped kerb, and anyone doing so may be liable for a fixed penalty notice. This may mean, though, that it is potentially illegal to park across your own drive. It was suggested that one of the main problems is often lack of courtesy and selfishness of some drivers.

3.60 In addition to highlighting some of the problems, the group also provided comments on a number of other areas including:

- problems encountered when trying to access disabled bays in car parks;
- the Council's excellent parking policies for disabled people, particularly in relation to car parking charges; and
- whether disabled people could be issued with a card to leave on car windows when they come across an obstructively parked car.

Full details of the issues raised at meeting are included at Appendix 4.

4.0 Conclusions

- 4.1 Pavement parking is a problem. It is causing obstructions for pedestrians (including those with pushchairs and prams), the disabled and causing damage to the footways. Planning standards for off-street parking could be exacerbating the problem.
- 4.2 If a vehicle is parked on the pavement and causing an obstruction but there is no TRO (yellow lines) then civil enforcement officers cannot issue a penalty charge notice. This will then become a Police matter and Cleveland Police will not categorise this type of incident as a priority. The Council's Neighbourhood Enforcement Officers do have some limited additional powers to control these offences.
- 4.3 Pavement parking banning orders should be used proportionally and only where appropriate. It is clear that in many locations banning parking on pavements would create many more problems including congestion and loss of parking.
- 4.4 A method of assessment and prioritisation would need to be developed when considering which roads would be appropriate for a pavement parking restriction order. Such an assessment would need to consider the classification of the road, the width of the road and footpath, the availability of residential parking, the amount of pedestrian activity and impact on the streetscene.
- 4.5 The reduction in pavement parking will ensure that important pedestrian routes are kept clear for vulnerable road users and will help to develop and sustain a healthy, safe and attractive local environment which contributes to economic and social well being.
- 4.6 The cost of providing Traffic Regulation Orders and on-street signing to restrict pavement parking would need to be considered in each individual case before inclusion in future highways capital programmes.
- 4.7 The Viewpoint Focus Groups giving their views as Borough residents identified a number of issues:
 - inconsiderate parking by motorists in not allowing sufficient access to footways for pedestrians, wheelchair users, those with pushchairs and disabled and elderly people;
 - safety issues arising from poorly parked vehicles;
 - bad design on new housing developments leading to an increase in parking on pavements (e.g. narrow roads);
 - garages that are too small for modern cars, are under used or have been converted into living accommodation; and
 - commercial vehicles, including HGVs, parked in residential areas, often overnight.
- 4.8 Similarly, the Disability Advisory Group also highlighted many of the problems encountered by blind and partially sighted people, people with disabilities and the elderly due to vehicles parking on pavements including:
 - pedestrians manoeuvring around parked cars, particularly if the doors are left open;
 - damage caused by large vehicles (e.g. cracked and broken flagstones) making them dangerous to pedestrians;
 - access problems for wheelchair users and people pushing wheelchairs;

- parking over dropped kerbs; and
 - lack of awareness of the problems faced by people with disabilities;
- 4.9 Of the various physical measures available to restrict or prevent pavement parking considered by the Focus Groups, guard rails and bollards were not seen as being a particularly effective deterrent. There were concerns also that too much street furniture, such as litter bins and planters could cause obstruction, be difficult to maintain in large numbers and be expensive to upkeep. However, formalised street parking (marked spaces) may be useful in certain areas such as around schools and for managing some aspects of residential parking.
- 4.10 Residents had experienced some level of damage to pavements, kerbs and verges near to where they live as a result of poorly parked vehicles. The groups recognised various problems caused by HGVs parking on pavements and verges, for example those used by builders and tradespeople to supply building materials or make retail deliveries. Commercial vehicles left overnight at residential addresses can cause damage to footways and restrict access along roads in built up areas.
- 4.11 Drivers of commercial and Council vehicles such as refuse collection lorries can sometimes experience access problems themselves when negotiating residential areas due to parked vehicles narrowing the width of available road space.
- 4.12 Residents' views were mixed over the use of tarmac in place of flagstones to repair damage to pavements. Although it can make the footway surface more hard wearing, it can in some cases spoil the 'look' of the neighbourhood.
- 4.13 From discussions with the residents' groups, it was considered that an awareness raising campaign would be beneficial in highlighting the problems caused by pavement parking and the problems created for pedestrians, particularly disabled and elderly people and those using wheelchairs and prams/ pushchairs. In addition it was felt that it would be useful for residents to have details of who to contact if they are having problems with poorly parked vehicles.

Highway Network Management scrutiny review: extract from Members' questionnaire re Pavement Parking

Pavement parking

The Council operates a pragmatic approach and tolerates pavement parking where it allows reasonable pedestrian passage along the footpath, in order to keep residential streets unobstructed for emergency vehicles and public transport.

19. How far do you agree with the following statement:

Parking on pavements is a problem in the Borough.

Response	Number	Percentage
Strongly agree	6	40%
Agree	5	33.3%
Neither agree nor disagree	1	6.7%
Disagree	0	0%
Strongly disagree	2	13.3%
Don't know / no opinion	1	6.7%

Please explain why you think this below.

- Road looks untidy, impedes pedestrians, cracks flagstones and ruins grass verges.
- Many roads in our ward predate the internal combustion engine.
- Pavement and verge parking is a very regular complaint.
- Roseworth ward was never built for level of car ownership.
- Where and how are pedestrians/ disabled supposed to access/ egress?
- Residents' inability to understand that they should inconvenience other road users rather than pedestrians.
- I am not in favour with this pragmatic approach. It gives drivers the right to park their vehicle anywhere they wish on pavements without regard to safety of pedestrians and disregard the requirement for emergency vehicle access.
- Helpful with some narrow carriageways but many footways obstructed by parked vehicles for wheelchairs etc.
- Subsidence of pavements due to parking of vehicles.
- Almost every estate road has pavements damaged by pavement parking. People pushing wheelchairs and prams or using mobility scooters sometimes have to cross the road or even go on the road in order to pass parked vehicles. Sometimes drivers of council vehicles and Tristar vehicles are the culprits.
- Far too many pavements and verges are in a bad state because of pavement parking.
- Access on footpaths denied to pushchairs/ wheelchairs and even to pedestrians at times.
- Even allowing for the Councils pragmatic approach there are numerous cases of irresponsible car owners that make life difficult for the pedestrian, fellow care owners and councillors!!
- When development has taken place they have not given sufficient width on roads for parking. It is safer to park partly on pavements – for traffic to keep moving safely. We do not have many problems or complaints about it.
- Cars parked on pavement to the inconvenience of pedestrians.

20. How far would you agree with the following statement:

I have a clear understanding of the rules governing parking on pavements.

Response	Number	Percentage
Strongly agree	2	13.3%
Agree	1	6.7%
Neither agree nor disagree	4	26.7%
Disagree	6	40%
Strongly disagree	2	13.3%
Don't know / no opinion	0	0%

Please explain why you think this below.

- Seems to vary on a case by case basis.
- Never really thought about this but I don't know the rules.
- Documents and legislation from Council and police.
- Inconsistent interpretation.
- In my opinion there is no clear understanding of the rules governing parking on pavements. Without exception I have asked many people in the Council, councillors and police and they can't give a true definition on the rules or legality on this issue. This should form a wider/ global debate on the parking on pavements and its legality from Council to government.
- Unclear what is an obstruction.
- I think I understand but unless someone tests me on them I shan't know for certain!
- I understand about rules on obstruction.
- I have some knowledge that gets me by but an update would not go amiss.
- I have some understanding e.g. obstruction for pedestrian use of footpaths – I am unsure of the 'legal' aspects – or rules.

21. What measures would you like to see implemented in order to reduce parking on pavements.

- When there are more cars in a household than available parking within the curtilage of the property there will always be a problem.
- Impossible without causing a riot. The financial downturn coupled with increased fuel costs will make an impact – more than anything SBC can do.
- More parking bays in neglected roads; free drop kerbs to get vehicles within people's properties; more hard standing areas off road.
- More lay-bys and verge treatment – not just dependent on our small environmental improvements budget – or make it much bigger.
- Enforcement to be active.
- Residents/ tenants to know to park.
- Council to enhance parking schemes.
- Dropped kerbs initiatives (disabled and elderly free).
- Strict enforcement.
- Remove pavement parking to (reduce cost of repairs), provide more parking bays at every road location. Enforce the restrictions of pavement parking by police and enforcement officers.
- Article in 'Stockton News' on do's and don'ts.
- Warnings followed by ticketing by police where it is obstructive.
- Education and enforcement.
- 'Advisory' notices to put on car windscreens saying something like 'People could not get past your car because' and 'the reason why this pavement is eroded is because.....'
- More lay-bys for parking need to be provided in some areas and these are too expensive to come out of our SEIB.
- Difficult to say, particularly when we have families with more than one vehicle to house. There are many cases however where owners do not make full use of the drive, perhaps through the inconvenience of moving vehicles to keep them off the road. Don't have a ready-made answer but perhaps we should be less tolerant in areas where residents constantly park at an inconvenience to others. Concern for others is not high on people's agenda perhaps we should use more enforcement to offset this intolerance.
- Where possible make 'lay by' parking outside people's homes – where there is a path, some grass, then the road. It would also help CFYA with grass cutting on these narrow strips. Some residents need drop-down kerbs for access to their drives – we have requested this in the past!
- Getting residents to use their garage or driveways.

22. If you have any other comments or suggestions you would like to make about any of the topics covered in this questionnaire, please give them below.

- Grass verges could have been included in this survey.
- We need parking – (see 21 re parking bays) – no good saying such budgets are with members. It needs a huge initiative to clear highway by getting cars off them.
- The roads and paths mentioned in Q2 I would consider a health and safety issue.
- I would like to have a chance to input into the decision as to which footpaths are to be re-laid rather than just be given the list for the year.
- There needs to be a bigger budget for repairs to pavements.
- Points in 21 crucial:-
'Advisory' notices to put on car windscreens saying something like 'People could not get past your car because' and 'the reason why this pavement is eroded is because.....'
More lay-bys for parking need to be provided in some areas and these are too expensive to come out of our SEIB.
Clamp down harder on public utilities that do not do adequate reinstatements. If necessary, involve Councillors/ public in inspection before the time is up.
- I would like more communication with the departments if there is work about to start – residents ask and I do not know what is being done so usually try to find out after something has begun. We are not always consulted.

Highway Network Management scrutiny review: extract from Parish and Town Council questionnaire re Pavement Parking

Pavement parking

The Council operates a pragmatic approach and tolerates pavement parking where it allows reasonable pedestrian passage along the footpath, in order to keep residential streets unobstructed for emergency vehicles and public transport.

19. How far do you agree with the following statement:

Parking on pavements is a problem in the Borough.

Response	Number	Percentage
Strongly agree	2	20%
Agree	3	30%
Neither agree nor disagree	2	20%
Disagree	3	30%
Strongly disagree	0	0%
Don't know / no opinion	0	0%

Please explain why you think this below.

- Damage to verges/ kerbs & vehicle access/ parking. Danger to/ facilitating pedestrian use & cycling.
- There are problems in small areas at certain times but overall no major problems have been noticed.
- The roads (internal) in Redmarshall are narrow and if the parking was completely on the highway it would make passing difficult.
- This is a cause for concern, especially with the narrow roads. Parking on pavements causes great danger.
- Based on personal observation both as a pedestrian and motorist, I have not noted any problem.
- Need more off road parking. Suggestion grass verges be used for parking bays.

20. How far would you agree with the following statement:

I have a clear understanding of the rules governing parking on pavements.

Response	Number	Percentage
Strongly agree	0	0%
Agree	3	30%
Neither agree nor disagree	4	40%
Disagree	0	0%
Strongly disagree	2	20%
Don't know / no opinion	1	10%

Please explain why you think this below.

- Information from officers.
- Members feel they are aware of the risks regarding this issue.
- Where do you find out what these rules are?
- I have been given details from the now defunct Stockton South Road Safety Forum.
- We are not aware of this issue.

21. What measures would you like to see implemented in order to reduce parking on pavements.

- Parking bays where appropriate and acceptable to residents.
- Mesh reinforcement of grassed areas where appropriate.
- More parking spaces.
- None.
- Members do not see it as a significant problem so would prefer to see resources used elsewhere.
- More off street parking areas, but this would be difficult to provide and owners are also aware of security of vehicles.
- People should be encouraged to park on their own property – even if it means sacrificing their front gardens. This is one reason why Ingleby Barwick Town Council does not support the conversion of garages to habitable rooms.
- We have to rely on the local police officers to deal with our complaints, but, due to this parking taking place in the evening, police cover is restricted.
- I don't see the need to do so.
- More off road parking. Covert grass verges to parking bays.
- Not necessarily yellow lines all over the village, but targeted areas near to awkward junctions (Ash Grove/ Forest Lane) at east of village (Springfield Grove (problem due to pub patrons)/ Forest Lane) at west end of village (Pump Lane/ Forest Lane).

22. If you have any other comments or suggestions you would like to make about any of the topics covered in this questionnaire, please give them below.

- Dedicated cycle paths are disconnected and do not yet meet the aspirations of the Council for a proper network.
- There should be a more strict enforcement of rules relating to yellow lines.
- No further comments. I think our main concerns relate to recent increase in heavy goods traffic through villages and down country lanes causing heavy wear and tear on our roads in the area.

**Review of Pavement Parking
9 December 2008**

Focus Group 1

Pavement Parking – Main Problems

How many of you own cars? How many cars are there in your household?

If the answer to the above is yes, where do you park your car?

- All four attendees own cars – 2 in one household (married couple), 2 in the second household and three in the third household. All four parked their cars off-road, on drives or other land. All attendees made an effort to park their vehicles in a non-obstructive manner.

Which parts of Stockton Borough do you think has the most problems caused by cars parking on pavements?

- Station Road, Older parts of Stockton, and parts with terraced housing, and/or no garages. Houses with back lanes.

What are some of the worst problems caused by cars parking on pavements?

- Most people park well, but there are some very inconsiderate drivers who park poorly.
- Cars parking too close to walls and fences, therefore not leaving enough room for access.
- Cars parked over dropped kerbs are a problem for people in wheelchairs. (Although the attendee advised that police had responded positively to a complaint she had made regarding a car parked over a dropped kerb, and had ensured the vehicle was removed.
- Cars parked on both sides of the road, that don't allow enough space for access down the centre of the road.
- Roads are very narrow in some of the new estates, and one of the attendees had been unable to drive up a cul-de-sac on one of the new estates to drop her daughter off, as there was not enough room due to parked cars.
- Attendee's disabled friend had been forced to give up her car as she was unable to get parked near to her home.
- There was also a feeling that there is a lack of consideration where parking is concerned, with able-bodied people being unwilling to park away from their homes.
- The 'red or dead' development in Gateshead was cited as an example of a possible solution to the problem of car parking facilities on new estates, which were generally felt to be crammed together, with little thought for parking needs of the residents. The new development on Junction Road was cited as an example of bad design, as there seemed to be no consideration given to parking at all. Attendees wondered if the Council could do better work with developers to ensure that adequate parking is provided.
- People do not use garages enough, but fill them with junk, or new garages are too small to park modern cars.

Do you think there are times when it is essential for people to park on the pavement?

- All attendees felt that it was essential at times for cars to be able to park on pavements, particularly on estates with narrow roads, or where the car user is disabled and requires easy access to the pavement and house. It is often also safer to park halfway between the road and pavement, particularly where the vehicle might block access to the road.
- Although it was felt that people now believe it is a right to park exactly where you want, and that this lack of consideration can lead to poor and obstructive parking.

Enforcement Issues

Do you have a clear understanding of the rules governing parking on pavements?

- Only one of the attendees claimed to have a clear understanding of the rules governing pavement parking, as she had taken advice from the police regarding vehicles parked obstructively over a dropped kerb she had had installed outside her home.
- There was general consensus, though, that most people have no clear idea of what constituted an obstruction, or who to contact to raise problems regarding parking issues locally. It was agreed that an awareness raising campaign would be very useful.

Do you understand the roles of the following people in parking enforcement?

- **The police**
- **Civil Enforcement Officers**
- There was a general understanding, but still confusion existed over the roles, powers and division of duties between the police and Enforcement officers.

Physical measures to prevent pavement parking

A variety of physical measures are used to help prevent pavement parking. What are your thoughts on the following measures?

Guard Rails

- Not generally in favour of guard rails as a tool, and there were some concerns about health and safety, as one of the attendees had a relative that had been hurt after being knocked into a guard rail.

Bollards

- There was agreement that bollards are not effective at preventing parking, as car users can simply park around them.

Street Furniture (such as litter bins)

- There were concerns that street furniture, if used in abundance, might also cause obstructions to pedestrians, especially where the streets themselves aren't very wide, so there use was not supported in general. Marsh House was cited as a road where there had been particular problems.

Formalised on street parking (properly marked out spaces on one side of the road) This might be very helpful in certain areas, but must be very carefully enforced. There were also uncertainties as to where visitors would park.

Traffic Regulation Orders (yellow lines)

Would you support the introduction of Traffic Regulation Orders at specific locations?

- Mixed views on the efficacy of yellow lines, with two attendees feeling that they take too much enforcing to be worthwhile.
- Attendee suggested that one side of Station Road in Norton would be an excellent position for yellow lines.

Damage to Pavements

Do you have any experience of vehicles causing damage to the pavements where you live?

- All attendees had experienced some level of damage to the pavements, kerbs or verges in the areas where they live. Knapton Avenue was identified as being a particular problem.

Heavy Goods Vehicles cause particular problems. Is this a problem where you live (for example, people bringing home work vehicles, skips, tradespeople)?

- Builders and tradespeople using HGVs were identified as being the main cause of damage to footways.
- It was felt that tarmac is a better solution than paving stones in preventing damage to pavements.
- Attendee advised that she had had three bad falls in the previous 18 months as a result of damaged paving stones.
- Damage to grass verges was also identified as a problem, and this is also exacerbated by HGVs driving and parking over them. Bin lorries in particular were identified as being the cause of some damage, but the attendee did suggest that bin lorries were having to drive over grass verges and pavements as a result of heavily parked-up streets and badly parked cars.
- Although one attendee felt that grass verges are nice, they did question the point in maintaining them where they had been damaged from over parking, or whether it might be better to concrete/tarmac over them? Would this result in less drainage of rainwater?
- It was suggested that plastic grass reinforcement might be a useful addition, and allow for extra parking spaces without wearing the grass away.
- Work vehicles being parked outside homes on an evening was felt to be a particular problem for all attendees, and had caused significant access problems for two people, in particular relating to access problems for people with disabilities.

Overall

Are there any other comments you would like to make about parking on pavements in the Borough?

- Parking on cycle paths is an issue, and had been witnessed by one of the attendees
- Parking outside schools is also a huge problem in certain parts of the Borough
- Residents leaving commercial vehicles in residential areas for long periods of time. This causes dangerous obstructions.
- Residents on Whitehouse Lane should be utilising driveways rather than parking on the pavement. This is definitely an area where a TRO should be considered.
- Parking across the footpath at the end of the drive is a problem that has been increasingly identified, and is very obstructive and dangerous, especially for people with a disability, or with a pushchair.
- At Neasham Road shops, parking bays have been marked out, but a kerb has also been put in which makes accessing the bays very difficult.
- An awareness raising campaign, perhaps with an article in Stockton News, providing a definition of obstructive parking and how the problem will be enforced, would be very useful.
- Would it be possible to name and shame consistently offending commercial vehicles?
- Access for emergency vehicles on the road must be considered when removing vehicles from pavements.
- Attendee felt that grass verges should be 'strengthened' and used for additional parking where possible – would this offer a viable solution to the problem across the Borough?
- More should be done to ensure that residents know who to contact if they are having problems with poorly parked vehicles.
- Traffic Regulation Orders near retail outlets might affect trade, and also might displace traffic into other areas. This must be considered when deciding where to site yellow lines.

Focus Group 2

Pavement Parking – Main Problems

How many of you own cars? How many cars are there in your household?

If the answer to the above is yes, where do you park your car?

- Three out of five of the attendees owned a car, and there was only 1 car in the households of attendees.
- Attendees also advised that they mostly park their vehicle on their drives, but that visitors often parked on the pavements

Which parts of Stockton Borough do you think has the most problems caused by cars parking on pavements?

- Norton Green area was advised to be very problematic, being close to two schools (Redhouse & St Joseph) and the Spiritualist Church, all of which create large volumes of traffic at certain times of the day. Two of the attendees advised that they regularly have problems getting into and out of their houses due to cars parked on the pavement.
- Ingleby Barwick was also identified as a problem area, as a result of narrow roads throughout the estate, and residents parking cars on the pavements rather than their own drives, and visitors to the estate parking outside attendee's house. The attendee said that the road is 'littered' with cars, which often cause an obstruction and visibility problems.
- Chesterton Avenue was identified as a result of fishermen coming from out of the Borough and parking through the day from 8 in the morning to 5 at night.
- Darlington Lane was also identified as a problematic area, particularly as a result of people parking dangerously close to junctions and on dropped kerbs.
- Westbury Street in Thornaby is very narrow and parked cars have been witnessed to cause problems
- Mostly witnessed problems around schools in the Borough – think that most schools have some problems at dropping off/picking up time.
- Hartburn Lane/ Marlborough Road – attendee has noticed an increasing problem in this area, with vehicles being parked dangerously on 'raised' sections of the road.
- Low Lane near Leven Bridge – dangerously parked cars been witnessed near the bridge.

What are some of the worst problems caused by cars parking on pavements?

- Access issues are the main problem – particularly allowing space for people in wheelchairs, or with other mobility problems, or with pushchairs, to get past.

Do you think there are times when it is essential for people to park on the pavement?

- There was a consensus that it is essential to park on the pavement in certain areas of the Borough, particularly where space is an issue. There was a feeling, though, that if newer estates had been better planned, this would not be an issue at all. Attendees felt that in certain areas there are no solutions other than awareness raising and education.
- Attendees did concede that pavement parking is essential on narrow roads to avoid having your car damaged by passing vehicles.

Enforcement Issues

Do you have a clear understanding of the rules governing parking on pavements?

- None of the attendees had an understanding of the rules governing pavement parking, but all indicated that they would be interested to see a leaflet outlining the rules, and felt that it would be helpful when tackling neighbours.

Do you understand the roles of the following people in parking enforcement?

- **The police**
- **Civil Enforcement Officers**
- No-one could outline the powers & roles of the separate officers, but expressed interest in receiving further information.

Physical measures to prevent pavement parking

A variety of physical measures are used to help prevent pavement parking. What are your thoughts on the following measures?

Guard Rails

- The group felt that they were not particularly effective at deterring parking, as vehicles can be parked in the spaces in between.

Bollards

- General consensus that bollards can be quite effective at preventing people parking and also slowing cars down.

Textured Paving

- Might not be successful in preventing pavement parking but might alert people to areas where parking is prohibited.

Street Furniture / Planters

- Attendees felt that there is already too much clutter on the pavements, and that planters would be too expensive to maintain.

Formalised on street parking (properly marked out spaces on one side of the road)

- This might be very helpful in certain areas, particularly around schools, but must ensure that it is properly enforced. Attendees did not feel that this has any value for managing residential parking, except where there are no drives.
- It was pointed out that all of the above options might be useful in certain areas, and that what is needed is a proper assessment of all of the problem areas in the first instance, before any decision about how to manage the problem is made.

Traffic Regulation Orders (yellow lines)

Would you support the introduction of Traffic Regulation Orders at specific locations?

- There was some confusion amongst attendees concerning the different regulations for different types of line.
- There was also agreement that yellow lines are useful at specific locations, but a feeling that the problem might just be pushed to another area as a result. It was also emphasised that enforcement becomes an issue, and prioritisation is the key to ensure that the areas can also be properly enforced.

Damage to Pavements

Do you have any experience of vehicles causing damage to the pavements where you live?

- All attendees had experienced some level of damage to the pavements, kerbs or verges in the areas where they live, but were agreed that the problems are caused mostly by larger vans and commercial vehicles – particularly those delivering building materials, rather than cars. Problems were caused mainly where cars consistently parked on the same part of the pavement.

- There were mixed views about the use of tarmac, with some residents agreeing that it is better for being more hard-wearing, and others feeling that it can look 'tatty'.
- One attendee also suggested that damage did not only occur to pavements, but also to houses and utilities when large vehicles drive through residential estates. The damage occurs as a result of vibrations.
- One commented that skips should not be left on pavements, but should be parked on driveways or on the road, as they have been known to cause damage to pavements and verges.

Heavy Goods Vehicles cause particular problems. Is this a problem where you live (for example, people bringing home work vehicles, skips, tradespeople)?

- Builders and tradespeople using HGVs were identified as being the main cause of damage to footways.
- It was felt that tarmac is a better solution than paving stones in preventing damage to pavements.
- Attendee advised that she had had three bad falls in the previous 18 months as a result of damaged paving stones.
- Damage to grass verges was also identified as a problem, and this is also exacerbated by HGVs driving and parking over them. Bin lorries in particular were identified as being the cause of some damage, but the attendee did suggest that bin lorries were having to drive over grass verges and pavements as a result of heavily parked-up streets and badly parked cars.
- Although one attendee felt that grass verges are nice, they did question the point in maintaining them where they had been damaged from over parking, or whether it might be better to concrete/tarmac over them? Would this result in less drainage of rainwater?
- It was suggested that plastic grass reinforcement might be a useful addition, and allow for extra parking spaces without wearing the grass away.
- Work vehicles being parked outside homes on an evening was felt to be a particular problem for all attendees, and had caused significant access problems for two people, in particular relating to access problems for people with disabilities.

Overall

Are there any other comments you would like to make about parking on pavements in the Borough?

- Parking on road humps had been identified as a problem.
- High pavements are a problem for people with low slung cars, and don't prevent parking, it just damages the car.
- Chicanes not adequately illuminated on Trenchard Avenue
- Disabled drivers should be able to park anywhere
- Account must be taken of the surrounding areas when deciding to site tarmac, street furniture, etc. Norton, for example, is a historical area, and sympathy must be shown for this in parking planning.

Focus Group 3

Pavement Parking – Main Problems

How many of you own cars? How many cars are there in your household?

If the answer to the above is yes, where do you park your car?

- Two cars in the (one) household – both of which are parked in the garage, which has been extended to accommodate them.

Which parts of Stockton Borough do you think has the most problems caused by cars parking on pavements?

- Town centre
- Ingleby Barwick – Lowfields, Stonebridge Road
- Teesside Park

What are some of the worst problems caused by cars parking on pavements?

- People often disregard the needs of others when they park.
- Safety is an issue – people often park obstructively and as a result, dangerously. It is a particular hazard for attendee – who had difficulty exiting driveway as a result, and also for pedestrians who have to walk onto the road to pass parked cars.
- Commercial vehicles being parked in residential areas are a huge problem.
- Council Planning is an issue – attendee felt that roads on new estates are created too narrow.
- Converting garages into living spaces decreases the amount of parking available on estates. Attendee wondered if there was a possibility of offering incentives for residents to retain garage as a parking space – perhaps tax incentive?

Do you think there are times when it is essential for people to park on the pavement?

- Perhaps for the passage of emergency service vehicles, or as a short-term emergency solution, but as general rule attendees agreed that no-one should ever have to park on the pavement. Both ensured that their cars were parked off-street, in a garage.
- Planners should allow space for pedestrian and vehicle access on new developments. Both attendees felt that this is a long term planning issue, as it is deflecting from people's enjoyment of their personal space.

Enforcement Issues

Do you have a clear understanding of the rules governing parking on pavements?

- One attendee yes, the other attendee no.

Do you understand the roles of the following people in parking enforcement?

- **The police**
- **Civil Enforcement Officers**
- Had a general understanding, but were not clear on the differences between the two.

Physical measures to prevent pavement parking

A variety of physical measures are used to help prevent pavement parking.

What are your thoughts on the following measures?

Guard Rails

- Difficult to apply through the whole Borough and are a problem aesthetically.

Bollards

- Not particularly keen on wide scale use, and might cause problems for pedestrians as well as vehicles.

Street Furniture / Planters

- Difficult to maintain in a large number

Formalised on street parking (properly marked out spaces on one side of the road)

- Streets would have to be wider, and it would therefore be more sensible to evaluate the initial design of the streets, and to undertake more education and awareness raising, through, for example, Parish/Community Councils, media, etc.

Traffic Regulation Orders (yellow lines)

Would you support the introduction of Traffic Regulation Orders at specific locations?

- Would like to see the use of yellow lines more extensively at problem areas across the Borough, and think that it could be successful with the right consultation.
- A variety of carrot (education) and stick (regulations) are needed.

Damage to Pavements

Do you have any experience of vehicles causing damage to the pavements where you live?

- Damage to pavements is not a huge problem where attendees live, with most damage occurring on grass verges.

Heavy Goods Vehicles cause particular problems. Is this a problem where you live (for example, people bringing home work vehicles, skips, tradespeople)?

- Larger vehicles often have difficulty accessing the street because of poorly parked vehicles.
- Retail vehicles and building supply vehicles delivering materials are the two main problems. Commercial vehicles are also a huge problem and should be a focus for the Council as it is dangerous and degrades the quality of the road and pavement.
- Might be solved with greater awareness-raising (amongst residents?)
- Perhaps could complain to operating centres about badly parked commercial vehicles?
- Companies that do not operate from a residential area should not allow vehicles to park there, and this issue should be dealt with as a priority.

Overall

Are there any other comments you would like to make about parking on pavements in the Borough?

- Could the land between Ingleby Barwick 'villages' be used to provide better parking facilities for the estate?
- Problems with accountability in houses that are let to tenants – how do the Council get round this?
- Planning issues are fundamental, and there was a general feeling that space issues are mostly due to the greed of the developers, and particularly that builders had done nothing but take money from the development at Ingleby Barwick.

**Review of Pavement Parking
11 December 2008****Disability Advisory Group****Notes from the meeting**

Councillor Perry gave a brief introduction to the Group to outline the main elements of the review, and to ask for comments from attendees regarding problems experienced relating to pavement parking. Bill Trewick (BT), the Council's Road Safety Manager, also attended the meeting.

The following comments were received:

- Blind and partially sighted people using canes can find it difficult to manoeuvre round vehicles parked on pavements, particularly if they leave the car doors open.
- Large vehicles parked on pavements cause considerable breakdown in the quality of the footway, making access dangerous (due to cracked and damaged paving stones) for disabled and elderly people.
- Vehicles parked on pavements make access very difficult for people using wheelchairs and for people pushing wheelchairs. Problems are most severe in narrow roads.
- Parking over dropped kerbs is a particular problem for people with disabilities
- One of the main problems is lack of awareness of the problems faced by people with disabilities, and an awareness raising campaign would be very useful.
- SBC should be setting an example by ensuring that the organisations vehicles are always parked appropriately.
- Access for emergency vehicles can be a problem when cars are parked obstructively
- Motorists can be very helpful, and often don't deliberately park obstructively, but are usually just not thinking about the needs of others. Could disabled people be issued with a card to leave on car windows when they come across an obstructively parked car? This would be a way to address awareness raising.
- Problems often encountered when trying to access disabled bays in car parks.
- SBC appear to be discouraging disabled people from parking on yellow lines by imposing a 10 minute waiting limit. BT explained that this was for the benefit of retailers, who like to encourage a high turn-over of customers. Attendee explained that 10 mins may not be enough time for a disabled person to access the services.
- Attendee suggested that SBC have excellent parking policies for disabled people, particularly in relation to car parking charges.

BT made the following comments in response:

- It is not actually illegal for cars to park on pavements, except in London, although it is illegal for HGVs (over 7.5 tonnes) to park on pavements. In the case of large HGVs, though, there are exemptions in certain situations, such as when the vehicle is loading / unloading.
- BT advised that, in terms of enforcement, a gap of at least 0.9m, or the space required for a wheelchair or pushchair to pass, is required. Any less than this and a vehicle is considered to be obstructive. It is also now an offence to park across a dropped kerb, and anyone doing so may be liable for a fixed penalty notice. This may mean, though, that it is potentially illegal to park across your own drive.
- BT suggested that one of the main problems is often lack of courtesy and selfishness of some drivers.