

**TITLE OF REPORT: Pavement Parking**

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**Purpose of the Report**

To advise the Housing, Environment and Healthy Communities OSC on Pavement Parking within Gateshead

**Background**

Since 1974, parking on pavements, with certain exceptions, has been prohibited in Greater London by the [Greater London Council \(General Powers\) Act 1974](#).

At present, enforcement of parking on footways outside Greater London would require a Traffic Regulation Order (TRO) for every street where pavement parking is barred (or a Borough wide TRO with individual streets exempted). It is for this reason that there are no other Local Authorities nearby that currently perform this function.

The Department for Transport is currently running a project looking at how the TRO legislative framework can be improved to make TROs easier to implement; including for pavement parking.

The exception to this is where double and single yellow line restrictions are in place. During their hours of operation, these restrictions cover the centre of the carriageway to the building line and so the footway is automatically covered.

**Proposal**

DfT plans to introduce legislation to allow all English highway authorities to adopt new footway enforcement powers, although the timeline for that is still unclear, as are the details about how it will work.

DfT conducted a consultation on pavement parking in 2020 and are still considering the responses to that. The Council submitted a response as agreed by Cabinet on 17<sup>th</sup> November 2020.

If the Council did adopt the powers, once granted, it is likely that a clear and robust policy would be required setting out the type of circumstances in which we would enforce and (equally importantly) *those in which we wouldn't*. Without this we would be overwhelmed with requests and complaints.

It is also important to note that, in some (particularly urban) areas, parking partly on the footway (so that people can still safely get past) is sometimes the pragmatic solution.

It is also likely, given government's previous approach and the practicalities involved, that footway enforcement would need to be undertaken by Civil Enforcement Officers (CEOs) in person, rather than by "approved device" (e.g. the camera car).

This implies the need for a significant uplift in the CEO establishment, at time when we are finding it difficult to maintain staffing levels within enforcement. This would therefore involve significant additional costs, including additional supervision and back-office support to support these additional duties.

### **Recommendations**

The Housing, Environment and Healthy Communities OSC is asked to note the report.

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