

# Pavement parking: Questions and answers

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

No, it is illegal except

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

## What are the laws that prohibit parking on pavements?

- It is an offence to drive onto a pavement, contrary to s.72 of the Highway Act 1835 and s.34 of the Road Traffic Act 1988).
- It is an offence to leave a vehicle on a road (including the pavement) in a dangerous position, contrary to s.22 of the Road Traffic Act 1988.
- It is an offence to obstruct a pavement, contrary to Regulation 103 of The Road Vehicles (Construction and Use) Regulations 1986.
- Rule 145 of the Highway Code states “You MUST NOT drive on or over a pavement, footpath or bridleway except to gain lawful access to property, or in the case of an emergency”.

## Why does pavement parking matter?

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

## Legal pavement parking

The road sign needed:



The sign in use:



## Illegal pavement parking



## Who is responsible for enforcing the law?

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

## Where might parking on pavements be permitted?

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

## What is special about London?

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

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

- Merseyside Police have published a press release outlining the law
- The House of Commons Library has produced a report: *Pavement and on-street parking in England* (2015) <http://researchbriefings.parliament.uk/ResearchBriefing/Summary/SN01170>
- The Department for Transport *Traffic Signs Manual* (2008) (chapter 3 - Regulatory Signs) specifies signage for permitting pavement parking, and for local authority enforcement: [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/223943/traffic-signs-manual-chapter-03.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/223943/traffic-signs-manual-chapter-03.pdf)

## What should we expect from drivers?

Responsible drivers should set an example to others by parking safely and legally on the roads.

Companies using larger commercial vehicles should educate their drivers around the law, the impact that illegal parking can have, and the potential damage to their reputation.

## Walking is a healthy and sociable activity for all ages

