

Extract from Sandwell 2017 Parking and Traffic Enforcement Policy

4.8 Enforcement of Pavement Parking and Footway Crossings

The Council is mindful of the issues caused by pavement parking and must consider the preferences of all road users. The Council must balance competing demands within the Parking Enforcement Policy to achieve optimum benefits for all of the functions of the highway network.

The Root Cause

The majority of roads in Sandwell were originally designed and built between 80 and 180 years ago and do not efficiently accommodate modern transport systems. The Council is aware of a variety of problems caused by limited road space and the increasing ownership.

Interest Groups

It is recognised that road users such as pedestrians including disability groups such as the blind and partially sighted experience some of the consequential effects of limited road space such as pavement parking. Other road users such as car drivers, residents, delivery drivers, bus companies, taxis, cyclists, road haulage, freight associations etc. are reliant on the extra carriageway space generated by pavement parking particularly on the many narrow roads in the Borough.

Policy for Pavement Parking

The Council has given consideration to policy changes and regulations that would allow appropriate enforcement of parking on pavements in specific circumstances. Such enforcement would not be practical or appropriate for all footways because of the consequential effects on traffic flow congestion and carriageway safety on many narrow roads. The implementation of pavement parking restrictions, meeting policy requirements, at specific problem locations would be subject to public consultation and the consideration of objections. The policy of another Black Country Authority has been considered. It would be regionally consistent for Sandwell to apply the following criteria for the enforcement of pavement parking.

- A number of written complaints at the same location over several months
- Repeated damage to footways or verges;
- Permitted on-street parking would not adversely affect traffic flow;
- No risk of displacing parking to surrounding streets;
- The road width exceeds 7.4 metres;
- The problem cannot be solved by cost effective physical measures;
- Locations fall within current existing Civil Enforcement areas.

Public Consultation

The Council is required to take account of the needs of all road users when considering the implementation of parking restrictions of any kind. The necessary enforcement policy changes would need to accommodate a number of constraints and set out specific requirements for a balanced and measured application of parking restrictions.

Legislation and Regulation

Appendix 1

The Council is considering the current legislative powers, statutory duties and regulations. For example the Council has a duty to balance the requirement for expeditious movement of traffic on the network with safety and environmental considerations. The Council will need to consider any new regulatory requirements or new guidance and the associated implications. A private members bill on pavement parking was recently withdrawn following debate including issues such as narrow streets, partial implementation, confusion for motorists, obstruction of emergency and refuse vehicles, cost of administration/signage/implementation, alternative options etc. The relevant government department could not support the bill for these reasons but gave a commitment to meet key groups and consider possible changes to existing legislation and regulation.

Council Responses to Government

The Council must give consideration to the different needs of all road users. The Council and Local Government Association regularly respond to Government consultation on proposed changes to legislation, regulation and statutory guidance.