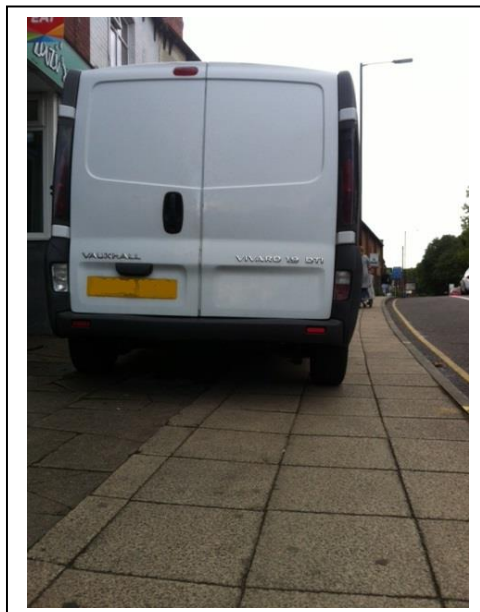


**Disability Sheffield, Disability Hub and the Access Liaison Group
Response to the Transport Committee Pavement Parking Inquiry**



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1. Introduction

1.1 **Disability Sheffield** and the **Disability Hub** have put together the following response on behalf of Sheffield's **Access Liaison Group** (ALG) pulling together the experiences of disabled people in Sheffield. Disability Sheffield are a membership and user led organisation, run and controlled by disabled people they promote independent living for disabled people in Sheffield.

1.2 Disability Hub is part of the Equality Hub network of groups based on protected characteristics under the Equality Act 2010 its aim is to achieve greater equality and fairness for disabled people in Sheffield.

1.3 The ALG are a pan-disability Group supported by Sheffield City Council (SCC) Development services looking at issues affecting the built environment.

1.4 The total population it is estimated from Census data as just over half a million (552,700) with some additional 3,400 non-UK short term residents. Estimates suggest that just under 104,000 people in Sheffield said their health condition or disability resulted in an effect on their normal day-to-day activities. Therefore, almost one-fifth (19%) of the population of the City is classified as a disabled person under the Equality Act (2010) definition.ⁱ

1.5 The right to independent living is enshrined in the [United Nations Convention on the Rights of People with Disabilities](#) (UNCRPD) byⁱⁱ *Article 9: Accessibility* seeks state/country "to enable persons with disabilities to live independently and participate fully in all aspects of life ", and "States Parties shall take appropriate measures to ensure to persons with disabilities access, on an equal basis with others, to the physical environment."

1.6 We are eager therefore to support the inquiry into '**pavement parking**' as it comes at a welcome time as many disabled people are facing additional problems as a result of the effects of austerity policy of Government and cuts in public spending.

1. 7 Transport and the built environment should take into account disabled people's feelings. This is important when thinking about the reasons why disabled people report that they have difficulties in their day-to-day lives, there are a number of barriers which they highlight as having the most limiting impact. As would be beautiful mind beautiful expected, cost is one which they share with non-disabled people to a large degree. However, the others – such as accessibility of information, facilities or transport – are much more commonly reported by disabled people

1. 8 Accessibility is often reported as one of eight most disabling barriers to disabled people's participation. Technically there are [12 pillars of independent living](#)ⁱⁱⁱ all of which need to be in place for disabled people to be fully included in society and have full choice what and control over their lives. Number five on the list demands **full access to the environment**.

2. Feedback from Disability Sheffield Supporters

2.1 We put together a call for information which was distributed electronically indicating our intention to respond on behalf of what disabled people in Sheffield are telling us about pavement parking.

2.2 We have gathered our day to day evidence into the ways inappropriate parking is affecting disabled people in Sheffield.

2.3 A selection of disability related third sector organisations were also asked to comment and they were encouraged to provide a response from their own organisation too.

2.4 **Sheffield Royal Society for the Blind (SRSB)** gave the following statement:

2.5 “Pavement parking is certainly an issue for our visually impaired clients. Sometimes, motorists may think they are being helpful by parking off the road, or sometimes it may be that they just don’t think at all. However, in either case, they may not realise the impact it can have on someone who has sight loss, as well as many other members of the community, such as wheelchair users, elderly people, or people with prams for example”.

2.6 “From the point of view of people with sight loss, we would urge people to consider that by parking on a pavement it blocks access. The person with sight loss may have to step out into the road to get around the vehicle, and obviously, with little or no sight, may then be in danger of not being able to allow for other moving vehicles. Or, imagine being someone with sight loss who has learnt a route, or indeed their guide dog has learnt a route, and then is suddenly faced with an unexpected obstacle”.

2.7 “We hope that a way will be found to resolve this issue and raise awareness, so that drivers who park on pavements realise the impact of their actions”.

“Pavement parked cars force people into the road to face oncoming traffic, which is especially dangerous for people with sight loss who are left feeling scared and reluctant to go out. Outside of London it’s the norm that drivers can legally park on pavements. We want to make this the exception”.

The Guide Dogs for the Blind Association

3. Responses

3.1.1 “I was once going down a road in my wheelchair when I came up to a car parked so far on the pavement my wheelchair couldn't get past. There were no dropdown kerbs nearby so I couldn't cross the road so I had to go right back to the end of the road just to find a drop kerb”.

3.1.2 “It's reasons like this that I setup my Facebook group and lately it's been getting quite popular. I think some people should try spending the day in a wheelchair and see how they feel when they get stuck behind a car”.

3.2 "I'm a carer and I often have push the wheelchair on to the road to get past numerous cars".

Okay yeah thanks all 3.3.1 "There are a couple of places where pavement parking really gets my goat".

3.3.2 "The first is at the top end of Greenhill Avenue alongside the traffic triangle with the B6054. Someone there regularly parks several cars completely on the pavement making folk with prams have to push them in the main road on a major road junction. The other is the top section of Whirlodale Road. The pavement is separated from the road by a 10 foot wide grass verge and yet loads of folk stick their cars slap bang in the middle of the pavement. Why, and how do they get away with it"?

3.4 "I have just read in the newspaper that Ministers are considering a total ban to parking on the pavement. How good this would be for Wheelchair users, disabled people and mothers with prams. Let's hope they do it".

3.5 "I hate cars parked on the pavement. They make it very tricky to pass if you have a relative in a wheelchair or a pram".

3.6 "I didn't realise the extent of this problem until I had a baby (and at that time didn't have a car so spent most time on foot pushing the pram). I found myself several times a day having to walk into the road to get round cars on the footpath".

3.7 "It is totally unacceptable for drivers to obstruct the pavement in this way".

3.8 "Shopkeepers and takeaway owners on Abbeydale Road routinely park entirely on the pavement while the bus lane is in operation. I have seen prams being pushed along the road on numerous occasions. As far as I know, nothing is ever done about it.

3.9 "I was trying to make my way along at Abbeydale Road when I was met by a large white van parked in the middle of the pavement obstructing my way past. Two workmen appeared five minutes later and said 'hello, we will be finished in a minute'. 10 minutes later the two workmen finished their unloading and I was allowed to continue".



Fig 1 and 2

3.10 "Pavement parking also links to bus stop obstruction and the current difficulties in enforcement being facilitated by agencies despite the massive impact it can have on disabled people. In this instance standing on the tactilely marked stop a Visually Impaired Person (VIP) should be able to hail a bus to stop and when holding an orange ticket wallet be told by the driver which service number it is. This breaks down where there is an obstruction such as this. Mobility impaired users are also affected by not having access to the raised curb too."

4. Conclusion

4.1 The aim of the [UK Disabled People's Manifesto: Reclaiming Our Futures](#) – developed by disabled people and their organisations across the UK - calls on the Westminster to recognise and act on their responsibilities in fully implementing the United Nations Convention on Rights of Persons with Disabilities (UNCRPD) effectively across the UK.

4.2 *Article 9* from the UNCRPD states measures should be taken to include the identification and elimination of obstacles and barriers to accessibility, and this should apply to buildings and roads amongst other things.

As a member state the UK government must take steps to outlaw parking on pavements to demonstrate their commitment to the UNCRPD.

4.3 The anomaly, as detailed by **The Local Government Association (LGA)**, where local authorities in the UK do not have the same powers as in London has to end we would therefore support the LGA call for a ban on parking on pavements throughout the whole country.

4.4 Currently in Sheffield, as long as there is a clear meter of footway remaining, no action is taken against pavement parking. This is a practical response to exceptions of minor residential roads where vehicles would not be able to pass if parked vehicles were wholly on the carriageway. The dimension of 1m is supported by the absolute minimum width of 1m (for a maximum length of 6m) given in the DfT's 'Inclusive Mobility', although a minimum width of 1200mm at 'occasional narrowings'/existing obstructions is given more recently in BS 8300-1.

4.5 We would like to see a total ban on pavement parking as the default in all urban areas. We understand that there are narrow terraced streets where this might not be practical. However, we feel councils should have a duty to only allow this where it is essential for residents on back, low speed roads. Such exemptions should be:

- Subject to consultation with disability groups to define policy.
- Clearly signed and bays and remaining protected pavement space marked out.
- Accompanied by a requirement for a 20mph zone in statute.

4.6 Our hope is that if the process is standardised nationally to protect disabled people but allow for local easements in historically compact areas this will be simpler for both motorists and disabled people to understand. **Legislative changes are key both for councils to act and proactively reduce issues and such that enforcement where there are complaints are actioned not ignored.** We would also like to see improvements in how enforcement might operate to remove cyclists from the footway as this seems to fall in a similar gap.

4.7 **Enforcement is the key issue** and must be easy and cost effective for a council to both bring in a ban to pavement parking and act on contraventions. It is important that it is straightforward to report contraventions for disabled people and the potential to photograph the vehicle to report and seed enforcement would be useful.

Development of a national App for smartphone users that can incorporate location, time, and a photograph that can be directed based on this information to the relevant authority would be a real national government

contribution to this cause. We do acknowledge that other forms of reporting are essential as not all will have a smartphone.

4.8 Disabled people should be included in developing/implementing exemption processes/policy in all local authorities. This should include the ability to challenge exemptions as it is reasonable to anticipate that some people may acquire a disability or move in to an area where an exemption is problematic. By ensuring councils have to re-evaluate this should provide a fair hearing and decide to either remove all or part of an exemption, or apply further safety measures either physical or speed etc.). This measure is of particular significance compared with other vulnerable groups as many may need dropped curbs whereas prams can do steps etc.

4.9 We would welcome guidance setting out maximum response time targets for urgent/repeated offences which block or put a person in danger due to a parking contravention. This target clearly would vary depending on how urban or rural an area is but cities would reasonably benefit from a 1 hour target. There should also be Guidance for local authorities on publishing statistics relating to the number of complaints and number of tickets issued, and number of successful enforcements etc. might be helpful to understand LA effectiveness in enabling disabled people to be able to safely move around their communities.

4.10 We envisage a PCN notice being discharged to drivers parking illegally. **Preferably this should be issued in a manner which includes educational information on the barriers and dangers that pavement parking poses for disabled people in particular.** We would like guidance to emphasise that “informal challenge”¹ and any cancellation should only be in exceptional circumstances and should still be recorded as a contravention for statistical purposes.

5. Summary

5.1 Disability Sheffield, the Disability Hub and Access Group would support a nationwide ban on parking on pavements and dropped kerbs. In implementing this recommendation, we would also support people being issued with a Parking Charge Notice (PCN).

5.2 **The Guide Dogs for the Blind Association** conducted a [survey](#) which found that 97% of blind people have had problems with obstructions and 90% of these have been because of cars parked on the pavements. A study into the attitudes of parking also revealed that 17% of drivers admitted to parking on the pavement once a week or more often.

5.3 **Disabled Motoring UK** have also published their own policy about a potential nationwide ban on parking at dropped kerbs, on the pavement and double parking. They state that they would like to see people being issued with a penalty charge notice (PCN) if they obstruct a dropped kerb or block a pavement as it is anti-social, can be illegal and both the highway authority (usually the council) and the police can and should take action.

¹ <https://www.trafficpenaltytribunal.gov.uk/the-appeal-process/>

5.4 We would like to commend the **Living Streets** call for the UK Government to bring changes to the law for legislation to make it easier for councils to control pavement parking. Their research in 2014 revealed that 73% of people aged 65 and over said that pavement parking was a problem in their local area. See: <https://www.livingstreets.org.uk/get-involved/campaign-with-us/pavements-for-people>

5.5 We don't want any residents In Sheffield, whether they are wheelchair users, parents with prams, blind people or those with other impairments taking needless risks when exercising daily routine tasks. Parking on pavements should be outlawed and Sheffield City Council should be given more powers to bring about outright ban on Pavement parking.

ⁱ Developing 'Voice/Influence' for disabled people in Sheffield, Grahame Whitfield, June 2014

ⁱⁱ United Nations Convention on the Rights of People with Disabilities (A/RES/61/106) 2006

ⁱⁱⁱ <https://www.disabilityrightsuk.org/independent-living-0>