

STATEMENT BY THE WELSH GOVERNMENT

TITLE **Tackling Pavement Parking**

DATE **13 October 2020**

BY **Lee Waters, Deputy Minister for Economy and Transport**

For parents with pushchairs, or people in wheelchairs, pavement parking is not just a nuisance, it's a danger.

I have accompanied a blind person on a journey around their housing estate, and when faced with a car taking up most of the pavement their guidedog did as it was trained to do – it led them onto the road, rather than try and squeeze through the small gap.

This is an everyday occurrence for many vulnerable people. When faced with cars parked on the space meant for them they are forced onto the road. And it is no surprise that some report that the fear of facing this danger causes them to stay indoors.

The anti-social behaviour of a few causing harm for many.

We want more people to walk for short journeys and yet we tolerate an environment that is often not pedestrian friendly; too many routes are cluttered or blocked. A recent survey found that 83% of people in Wales view it as a common, large or very large problem.

The current law on parking on pavements is not as clear, or helpful, as it could be. There is no specific offence of parking on pavements. The Police can enforce the existing criminal offence of causing “unnecessary obstruction” of any part of the highway, but this offence is rarely enforced.

I'm glad that the Government in England have launched a consultation on what they might do to strengthen the law.

The Welsh Government are further ahead. Last summer I convened an expert taskforce to come up with practical recommendations for tackling the problem.

I was pleased that Phil Jones took on the task of chairing the group in parallel with the panel on 20mph speed limits that he also led. I am grateful for all the work that he and his task force members have done. Taken together these two initiatives have real potential to save lives, and rebalance the environment in favour of pedestrians to create communities that people before cars.

My brief to the group was clear – find a way forward that will work in practice. I don't want to create even more problems for the police or local authorities, I want something that is going to help on the ground.

The expert group included the police and fire service, the Welsh Local Government Association, the Federation of Small Businesses, the Road Haulage Association, the British Parking Association and the Freight Transport Association, alongside campaigning groups like Disability Wales, Guide Dogs, Living Streets and Sustrans.

The report, which we are publishing today, has been tested by these key groups.

The Welsh Pavement Parking Taskforce makes 10 recommendations and we accept all of them.

The taskforce does not favour an outright ban on pavement parking. They looked at the experience in Scotland where a prohibition has been created in primary legislation and concluded that this an overly complex process and could take several years to introduce.

A quicker and better way of tackling pavement parking is to give extra powers to local authorities to tackle the problem.

The taskforce report recommends that Welsh Ministers should make subordinate legislation to add 'parking on a footway' to the list of parking contraventions in the Traffic Management Act 2004. This will enable Councils to carry out civil enforcement of pavement parking.

We recognise that in some streets there are too many cars for the space available. We'll be setting out in the new Wales Transport Strategy how we want to encourage modal shift to make it easier for people to rely less on cars for everyday journeys. But in the meantime we don't want to penalise people who have no alternative.

By giving local authorities civil enforcement powers they can make judgements of where to clamp down. They can target hotspots like schools, and respond to local circumstances.

We intend for these new powers of 'civil enforcement of unnecessary obstruction' to commence by July 2022.

We will now set up an implementation group with local government representatives and stakeholders to develop enforcement guidance to help ensure a consistent approach is taken across Wales.

This work will sit alongside the work we are doing to introduce a 20mph default speed limit in residential areas from April 2023. And as I previously highlighted to the Senedd in July, this is as much about changing hearts and minds as it is about hard enforcement, and we'll be developing a communications campaign rooted in values to make the case for change.

Over time, this will become the norm. Just as with smoking in restaurants, organ donation, and recycling our waste, I'm convinced that this will quickly become seen as a common sense measure. And I appreciate the cross-party support that there is for taking this forward.