

Scotland's pavement parking prohibitions: pre-implementation directions and regulations for local authorities

Consultation on regulations

Spokes response, 11.3.22

Pavements are essential infrastructure for people walking and wheeling in urban areas. They should be a space where those walking or wheeling are safe, and feel safe, from drivers. Legalising pavement parking reduces that safety. It is unacceptable to force people out into the street and into moving traffic to get around parked vehicles. Pavement parking prevents people from moving around their neighbourhoods, visiting friends and family, and accessing essential services and leisure activities.

Increasing the number of journeys made by active travel will help meet multiple Scottish Government policies and commitments (notably the Sustainable Transport Hierarchy within NTS2, and the commitment to a [20% reduction in car-km by 2030](#)), and pavement parking is a real barrier to active travel for many people. We were therefore delighted in 2019 when the Transport Act was passed with provisions to deal with this. However, the Ministerial Directions being consulted on here could actually make it more difficult for many people to use their local pavements, and we therefore strongly object to them.

Point A would allow people to park nose-to-tail the whole length of a street, as long as 1.5m of pavement space was left. Note that 1.5m is not a sufficient pavement width to allow two wheelchair users to pass each other. Point A is therefore unacceptable.

Point B would allow people to park on both pavements of a street simply because the carriageway is narrow, without any need to leave any pavement space at all. This would prevent many people from being able to safely use pavements. Point B is therefore unacceptable.

Therefore neither of these proposals is acceptable. Parking on the pavement should be banned outright and pedestrian space should not be used for parking vehicles.

The 1984 Road Traffic Act already prohibits driving on pavements except in specific circumstances (which don't include parking on the pavement). Anyone driving onto a pavement in order to park on it will therefore be doing so illegally.

There is a very real danger that allowing exemptions for the proposed reasons will make it far more difficult to enforce pavement parking in other situations. For example, while drivers may be told they have to leave a certain amount of space for pedestrians on a particular pavement, how will this be monitored and enforced? How can we trust drivers to leave this space when many drivers are demonstrating already that they are willing to block access? Visually impaired people, and those using mobility aids, need certainty that pavements will be accessible at all times. For simplicity of both understanding and enforcement, there should be no exemptions.

If streets are difficult to access for emergency vehicles, then parking on these streets should be reduced or removed completely, using local authorities' existing powers.

Pavement parking also damages pavements, which creates trip hazards. The damage also has to be repaired, putting unnecessary financial burdens on councils that are already strapped for cash. These burdens will be passed on to council tax payers, and there are far better uses for council funds than repeatedly repairing pavements damaged by people illegally driving on pavements.