

## Consultation Options

Option	Advantages	Disadvantages	Comments
<p><b>Option 1</b></p> <p>Relying on improvements to the existing Traffic Regulation Order (TRO) system.</p>	<p>Will apply to all TRO activity.</p> <p>Streamlining the TRO process would reduce time to installation of measures to control pavement parking and other TRO changes.</p> <p>Changes in approach to advertising TRO's, reflecting use of modern forms of communications (e.g. using online platforms) could save significant costs.</p> <p>Officer time will be reduced – level of reduction can be determined once further detail known.</p>	<p>Area wide signing requires entry/exit terminal signing rather than just signing bays that are permitted to park on footways</p> <p>Could raise public expectations that pavement parking bans will be introduced quickly - giving authority a large short term administrative and cost burden or face public complaints.</p> <p>Likely to raise confrontation between those calling for these quick pavement parking bans and those opposing them – leading to protracted public consultation in many areas of the city and slowing the process down anyway.</p> <p>Despite the TRO process being streamlined (which we would welcome), each TRO would be implemented on a case by case basis which could still prove costly to local authorities.</p>	<p>Streamlining the process and reducing the time and costs required taken to introduce TRO's is supported and should be implemented for all TRO activity, not just for pavement parking measures.</p> <p>The actual details regarding how the process will be streamlined are unclear and so it is difficult to properly quantify savings.</p> <p>There is an issue of sign clutter for terminal signing when linked with zonal permit parking and/or 20 mph zones.</p> <p>We will still have the cost to process TRO and install traffic signing for pavement parking bans even when simplified.</p> <p>Newspaper advertising costs could be reduced (online legal notice only), if this is included as part of the option.</p>

<p><b>Option 2</b></p> <p>Allow local authorities with Civil Parking Enforcement (CPE) powers to enforce against 'Unnecessary Obstruction of the pavement'.</p>	<p>A long-needed change to legislation to enable highway authorities to more easily address obstruction of the highway in a timely manner.</p> <p>Would enables the council to issue parking fines to vehicles which are deemed to be causing an unnecessary obstruction of the pavement, without the need to prohibit pavement parking nationally or locally.</p> <p>Pavement parking would not become an offence in all cases, so local authorities would not need to carry out costly and time-consuming audits of their road networks; nor would it be necessary to place traffic signs and bay markings to indicate where pavement parking would need still to be permitted.</p> <p>Enforcement against this offence would be more targeted than a general prohibition of pavement parking.</p> <p>Local authorities would be able to penalise pavement parking where the pavement has clearly been blocked unnecessarily.</p> <p>CEOs can act when either observing or receiving a complaint by a</p>	<p>Defining "Unnecessary Obstruction" and establishing balance between objective and subjective criteria.</p> <p>Parking offences currently subject to local authority civil enforcement are violations of clearly defined restrictions indicated by traffic signs and road markings, for example, yellow lines or white bay markings. By contrast, 'unnecessary obstruction' is more difficult to define, vulnerable to misinterpretation and would require detailed assessment in each case by the enforcement officer.</p> <p>Unlike most other parking offences, there would be no traffic signs or bay markings informing motorists of local regulations: 'obstruction' is a general offence that may occur anywhere so it cannot be indicated by traffic signs or bay markings.</p> <p>Expect many drivers will challenge fines where they do not appreciate the level of obstruction caused.</p> <p>Exemptions for loading and unloading could lead to pedestrian safety concerns.</p> <p>Permitting loading and unloading on</p>	<p>This option is a potential welcome improvement to the legislation and may help with managing pavement parking during the lengthy implementation phase of any national ban on pavement parking.</p> <p>Training for the enforcement officer in the rules in which they can issue fines can be set out in line with the guidance and the Authority's conditions.</p> <p>Having a prescribed minimum width of clear unobstructed footway of say 1.5m would remove a significant degree of subjectivity.</p> <p>Alternatively, approach may be to deal with actual obstruction and not potential obstruction, i.e. where a pedestrian, including those using mobility aids and prams, cannot get past a parked vehicle on the footway.</p> <p>Photos would be taken of the parked vehicle. These can be passed to adjudication if case was challenged at a tribunal.</p> <p>Majority of unnecessary obstruction tickets likely to be issued to an unattended vehicle. If the driver is present and refuses to move then may be classed as "Wilful</p>
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	<p>member of the public.</p> <p>Currently this is not a police priority and is rarely enforced at present by the police.</p>	<p>the footway does not reduce risk of highway damage.</p>	<p>Obstruction”, which is an arrestable offence.</p> <p>The loading/unloading exemption would need clarifying and our concerns raised during further consultation.</p>
<p><b>Option 3</b></p> <p>National pavement parking prohibition (with power to introduce exemptions by administrative resolution)</p>	<p>This option would establish a general rule against pavement parking except where there is specific permission for it.</p> <p>Motorists would benefit from a consistent rule: ‘you must not park on a pavement except where signs permit’.</p> <p>Traffic signs and bay markings would show drivers where pavement parking was still allowed.</p> <p>Local authorities could introduce exemptions to permit pavement parking by the simpler means of administrative resolution instead of promoting TROs to prohibit pavement parking. This is because the default position is an enforceable pavement parking prohibition whereas the exemption is a simple ‘permission’ that requires signing but no enforcement.</p> <p>This approach would foster active</p>	<p>Most significant change to English parking law in several decades, and local authorities would need to undertake a substantial amount of work to prepare for it.</p> <p>In many areas pavement parking may be essential and need to continue to be allowed. Council will need to survey the road network, identify areas where pavement parking is routine, determine where it remains necessary, pass resolutions to permit it, and place traffic signs and bay markings to inform drivers where pavement parking is still permitted.</p> <p>Will require significant implementation period to assess streets for permitted pavement parking where appropriate with attendant funding demands.</p> <p>Could lead to sign clutter where pavement parking permitted and needs bay markings to control where</p>	<p>Clear, unambiguous message.</p> <p>Rules apply to the whole country and so harder for the public to argue and challenge a parking fine.</p> <p>Perhaps less onerous to this authority than option one as due to the road make-up in the city we have less areas we would like to allow pavement parking than where we might want to ban pavement parking.</p> <p>Assessment of streets and the measures required will need to ensure safe passage for large vehicles, including for emergency services and refuse collection.</p>

	<p>management of pavement space. It would require local authorities to decide where vehicles should have priority over pedestrians and vice versa.</p> <p>No terminal signing needed for footway parking ban, reducing sign clutter.</p> <p>No need to create footway parking ban type of TRO.</p> <p>Government undertaking national consultation with the public on footway parking. This would promote a consistent national understanding by the public.</p> <p>Central government consultation would also remove the need for us to consult (cost saving).</p> <p>Option potentially includes ability to permit pavement parking in streets to maximise on-street parking capacity where conditions allow. Could be combined with introduction of one-way streets and other measures to address speeding and rat running through neighbourhoods.</p>	<p>vehicles park.</p> <p>Could likely raise public expectations that pavement parking measure will be introduced quickly.</p>	
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