

# **An examination and consideration of road/pavement blocking by parked cars**

## **1. Background**

A photographic study was undertaken in Balsall Common on 17<sup>th</sup> and 20<sup>th</sup> August 2018 to provide more direct evidence of the impact of inadequate on-site parking for houses. A total of over 120 photographs were taken to demonstrate the issues involved, covering both good and poor practice. Some residents were also given an opportunity to explain their actions.

## **2. Results**

The photos show a high degree of pavement parking where residents have inadequate parking on their property. Examples are given at the end of this report. On discussion with residents the following reasons were given

- Nowhere to park on their property
- A felt need to park their car near their home for security and convenience purposes
- Parking on the pavement permits other vehicles to pass unhindered
- Parking on the pavement reduces the likelihood of damage to the parked car
- Everyone parks on the pavement
- Cars need to be parked on both sides of the road and the road is not wide enough

In many cases, cars/vans were parked in a manner that blocked the use of the pavements by scooters used by the disabled, wheel chairs and those with prams, particularly double buggies. Some demonstration shots were organised with a disabled volunteer who regularly encounters problems. He reported that when a pavement is blocked it is hard to get his scooter down the kerb onto the road to avoid the obstruction and impossible to get back onto the pavement afterwards up the kerb. Pushchair users do not generally experience physical difficulties moving up and down kerbs. However, it was reported by the parents that they are sometimes reluctant to push their child ahead of them into the road around a parked vehicle due to concerns about being concealed from traffic. That is particularly the case with high vehicles e.g. 4X4s or vans.

One final problem identified, was the issue of charging electric vehicles (EVs). These require parking proximity to a power source. On road parking and remote communal parking were not seen as adequate to meet this need. Running an electric lead across a pavement to a parked car to charge it is seen as unacceptable and current shared parking facilities on newer estates do not have remote charging points in Balsall Common.

## **3. The Legislative framework**

The Equality Act 2010 provides protection from direct and indirect discrimination for a range of “protected characteristics” including disability and age. These mirror and expand on the provisions of Article 14 of the Human Rights Act 1998. Indirect discrimination occurs where a practice, policy or rule which applies equally to everyone has a worse effect on some people than others. It is clear that pavement parking has a disproportionate impact on those with visual and physical disabilities and

those so young that they have travel in push chairs or prams. As such it is practice that indirectly discriminates on the basis of age and disability. A planning regime that fails to take account of the need for adequate and convenient parking for residents' cars that give rise to pavement parking is therefore indirectly discriminatory.

Part 11 chapter 1 of the Equality Act requires public authorities to act to eliminate discrimination and remove disadvantages of those with a "protected characteristic" under the Equality Act. As a matter of public policy local authorities should therefore seek to plan public space in a way that removes the indirect discrimination.

#### **4. Impact on the NDP**

All Council policies should be subject to an equality review to ensure that the provisions of the Equality Act are being met. The nature and frequency of pavement parking in Balsall Common is so significant that it should be recognised as an issue that an NDP should address for new developments. New housing development within Berkswell Parish must therefore take account of the need to secure, as far as is practical by design and layout, that future residents will not block the pavements in seeking to park their cars.

As a subsidiary point, the design and layout should not as far as is practical result in resident parking patterns that will block emergency service vehicles.

Andrew Burrow/Geoff Wheeler

26<sup>th</sup> August 2018



Inadequate on-site parking causing van overhang of pavement and parking of 4<sup>th</sup> car on pavement



On pavement and close to junction causing hazard



Pavement blocked to prams and disabled scooters



Good parking provision results in no on road parking



Inadequate on-site parking resulting in pavement parking



Inadequate parking provision causing overhang of parked car onto pavement



Pavement blocked both sides



Pavement parking with just 2 on property parking spaces per house



Overhang blocking pavement due to inadequate on-site parking



Parking on pavement to allow other vehicles access





Blocked pavement for prams and disabled scooters



Same blockage from further back



Adequate parking results in clear road/pavement



Not enough room so 4x4 parked on pavement



This car is a Tesla EV which costing £100k. It needs power and security



This is where the Tesla could park but it is 100 metres away



New estate with only 2 parking spaces per house and remote communal parking



More blocked pavements



Blocking pavement and turning circle



Pavement impassible to disabled scooters and prams caused by 3 car and only 2 parking spaces



In order to leave room for passing vehicles the pavement on the left is blocked to prams and disabled scooters



Clear example of pavement blocking due to inadequate on site parking



One space so 2<sup>nd</sup> car goes on the road/pavement



The gap between the two vehicles was 2.61 metres. Inadequate to allow a fire engine through (both vehicles belong to residents)





Adequate on site parking with no cars on the road/pavement



Inadequate on-site parking results in this



Wide road encourages sensible parking



Lack of onsite parking causing pavement parking blocking pavement to disabled scooters – gap between car and lamp post too narrow



A tight squeeze. The mirrors collide and he brushes into hedge to get through.

A blind person with a cane follows the kerb edge.



No way through. Just one example of many. This shot was on a different road within 30 metres of the picture on the left.