

Inconsiderate Pavement Parking - Options Paper - The Department for Infrastructure (DfI)

Response from the Commissioner for Older People for
Northern Ireland

March 2022

Traffic & Development Control Policy Branch
Room 2.11
Department for Infrastructure
Clarence Court
10-18 Adelaide Street
Belfast
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Via email.

22 March 2022

This is a response to the Department of Infrastructures (DFI) inconsiderate pavement parking options paper.

Consultation Questions and response

COPNI welcomes the opportunity to respond to the Department of Infrastructure's (DFI) inconsiderate pavement parking options paper.

What is your name? Commissioner for Older People Northern Ireland (COPNI)

What is your email address? info@copni.org

What is your organisation / group?

Commissioner for Older People Northern Ireland (COPNI).

If responding on behalf of a larger organisation, please make it clear who the organisation represents and, where applicable, how the views of members were assembled.

The Office of the Commissioner for Older People for Northern Ireland is an independent public body established under the Commissioner for Older People Act (Northern Ireland) 2011.

The Commissioner has an extensive range of general powers and duties which provide the statutory remit for the exercise of the functions of the office. In

addition, the Commissioner may provide advice or information on any matter concerning the interests of older people.

The wide-ranging legal powers and duties include:

- To promote and safeguard the interests of older people (defined as being those aged over 60 years and in exceptional cases, those aged over 50 years).
- To keep under review the adequacy and effectiveness of law and practice relating to the interests of older people.
- To keep under review the adequacy and effectiveness of services provided for older persons by relevant authorities (defined as being local councils and organisations including health and social care trusts, education boards and private and public residential care homes).
- To promote the provision of opportunities for and the elimination of discrimination against older persons
- To review and where appropriate, investigate advocacy, complaint, inspection and whistle-blowing arrangements of relevant authorities.
- To assist with complaints to and against relevant authorities.
- The power to bring, intervene in or assist in legal proceedings in respect of relevant authorities.
- To issue guidance and make representations about any matter concerning the interests of older people. The Commissioner's powers and duties are underpinned by the United Nations Principles for Older Persons (1991) which include Independence, Participation, Care, Self-fulfilment and Dignity.

1. Do you think that pavement parking is a problem?

Yes. The issue of inconsiderate parking is one that can have a significant impact on older persons with mobility issues, and those living with disabilities.

2. Do you think action is necessary to manage pavement parking differently to the current approach?

Yes. As recognised in the Department's introduction to the options paper, parking on the pavement can often create accessibility and safety issues for older people. Older pedestrians can be forced onto the carriageway and into the flow of traffic. This is an issue of safety for all people but especially for those who are blind or partially sighted and for those with mobility difficulties.

3. Do you think a general ban on pavement parking is necessary?

COPNI would support measures which support priority for pedestrians, particularly older residents living with disabilities and mobility issues.

4. Do you think that pavement parking would be better handled on a more targeted street-by-street basis?

Pavement parking should be addressed in a practical and reasoned basis with the needs of vulnerable pedestrians considered. However, it is necessary that there is an unambiguous restriction on any parking practices that endanger the safety of pedestrians.

5. Do you think exceptions could be allowed for pavement parking under specific circumstances?

Yes. However, such exceptions should be limited, for example, as detailed above in circumstances of illegitimate need, such as the provision of essential services or health and emergency services.

6. Do you think marking out parking bays that are partially on the pavement would help to manage pavement parking?

In some circumstances this may be helpful. However, any provision of parking bays on pavements should be allocated with accessibility for those with mobility and visual impairment problems in mind. If parking bays do not represent any accessibility issues they should be clearly marked.

7. If in some limited circumstances pavement parking is allowed, how much space should vehicles be allowed to take up?

These conditions should be dependent on location, and as with the above responses the needs and safety of pedestrians with accessibility issues should take precedence.

8. Do you think that inconsiderate parking across dropped kerbs is also an issue that needs addressed?

Yes. Dropped kerbs are an important aspect of facilitating accessibility for wheelchair users, those using mobility aids, and those using trolleys or prams. It is important that this issue is included in any remedial actions

9. In the options paper, three options are proposed, namely:

Option 1- Introduce individual bans using the Department's existing powers.

Option 2- Introduce an outright ban on pavement parking, possibly with some exceptions.

Option 3- Introduce powers that would allow the Department's Traffic Attendants to enforce against vehicles found to be parked on the pavement and causing an obstruction.

Please tell us which option you think would be most suitable to address pavement parking in Northern Ireland?

Option 2, with options 1 and 3 being implemented as an interim measure until the necessary legislation can be put in place.

Please use the following text box should you wish to provide some reasoning for your choice.

COPNI supports option 2 as legislative changes are required to ensure the protection of vulnerable pedestrians. However, as legislative changes can potentially take some time to be enacted, COPNI would also propose that options 1 and 3 be implemented as an interim measure pending the enactment of option 2. This will allow the problem to be addressed using extant resources pending the required changes in legislation.

10. If you have any further views, thoughts or input which you would like to share, please detail below

COPNI welcomes the Departments move to address what for many older and people living with disabilities is a significant problem and looks forward to the achievement of the goals of the proposed options.