

EAST AYRSHIRE COMMUNITY SAFETY FORUM – 3 MARCH 2004

PARKING OF MOTOR VEHICLES ON FOOTPATH

Report by Director of Community Services

1. PURPOSE OF REPORT

- 1.1 To advise the Forum of the findings in relation to vehicles parking on public footpaths.

2. BACKGROUND

- 2.1 At a previous meeting of the Forum, Councillor Harry Wilson raised the subject following a newspaper article that had appeared in several national newspapers in relation to the parking of motor vehicles on footpaths. The senior police officer who had been asked to comment for the report had stated that there was `no offence` for anyone to park their vehicle wholly on a footpath.

3. DISCUSSION

- 3.1. The Forum members discussed the subject at length but it was agreed that the matter be investigated further.

4. INFORMATION RECEIVED

- 4.1. Definition of a Road under the Road (Scotland) Act, 1984 means any road within the meaning of the Roads (Scotland) Act 1984 and any other way to which the public have access and includes bridges over which a road passes.
- 4.2 ***While there is no specific legislation covering the parking of vehicles on footpaths, other than Large Goods Vehicles, a local police source considers that the following legislation may be used.***
- 4.3 Road Vehicles (Construction and Use) Regs.1986 Reg.103-Obstruction-no person in charge of a motor vehicle or trailer shall cause or permit a vehicle to stand on a road (which includes a part thereof) so as to cause any unnecessary obstruction of the road.
- 4.4 It should be noted that any member of the public who reports the owner of a motor vehicle not complying with the offences listed above should provide the police with their:

- Personal details, including address
- An accurate description of the location of where the offending vehicle was observed.
- If the vehicle is partially or wholly parked on the footpath
- What direction the vehicle is facing
- An accurate but simple statement outlining why the reporter feels that the vehicle is causing an obstruction.
- Date and time of observations.
- Most important of all the ***Registration Number of the vehicle, model and colour.***

5. FINANCIAL/LEGAL/POLICY IMPLICATIONS

5.1 Nil

6 CONCLUSIONS

6.1. While there would appear to be no direct legislation regarding parking wholly on a footpath, if the police receive a report from a concerned member of the public they will assess and deal with the situation accordingly. The local authority has already taken steps to provide information leaflets encouraging motorists not to park their vehicles in such a manner.

7. RECOMMENDATIONS

7.1. The Forum is invited to note the contents of this report.

W. Stafford
Director of Community Services

WS/BP
18TH February 2004

LIST OF BACKGROUND PAPERS

For further information contact John Crawford, head of protective services on 01563 576111 or email john.crawford@east-ayrshire.gov.uk