

Traffic & Development Control Policy Branch
Room 2.11
Department for Infrastructure
Clarence Court
10-18 Adelaide Street
Belfast BT2 8GB
Via: RoadsEngineeringServices@infrastructure-ni.gov.uk

2 March 2022

Dear Sir/Madam,

Re: Inconsiderate Pavement Parking Options Paper

The Equality Commission for Northern Ireland welcomes the opportunity to respond to the Department's consultation on the above-mentioned policy and procedure¹.

The Equality Commission, together with the Northern Ireland Human Rights Commission, has been designated, under Article 33 (2) of the United Nations Convention on the Rights of Persons with Disabilities (UNCPRD), as the Independent Mechanism for Northern Ireland (IMNI) 2 to promote, protect and monitor the implementation of the Convention in Northern Ireland.²

¹ [Inconsiderate Pavement Parking - Options Paper | Department for Infrastructure \(infrastructure-ni.gov.uk\)](#)

² [ECNI - UNCPRD - Addressing Inequality, Equality Commission NI \(equalityni.org\)](#)

Together with the Scottish Human Rights Commission and the Equality and Human Rights Commission we comprise the United Kingdom Independent Mechanism (UKIM).

United Nations Convention on the Rights of Persons with Disabilities (UNCRPD)

Article 9 of the UNCRPD addresses the issue of Accessibility and states the following:

1. To enable persons with disabilities to live independently and participate fully in all aspects of life, States Parties shall take appropriate measures to ensure to persons with disabilities access, on an equal basis with others, to the physical environment, to transportation, to information and communications, including information and communications technologies and systems, and to other facilities and services open or provided to the public, both in urban and in rural areas. These measures, which shall include the identification and elimination of obstacles and barriers to accessibility, shall apply to, inter alia:
 - a) Buildings, roads, transportation and other indoor and outdoor facilities, including schools, housing, medical facilities and workplaces;
 - b) Information, communications and other services, including electronic services and emergency services.

2. States Parties shall also take appropriate measures:

a) To develop, promulgate and monitor the implementation of minimum standards and guidelines for the accessibility of facilities and services open or provided to the public;

b) To ensure that private entities that offer facilities and services which are open or provided to the public take into account all aspects of accessibility for persons with disabilities;

c) To provide training for stakeholders on accessibility issues facing persons with disabilities;

d) To provide in buildings and other facilities open to the public signage in Braille and in easy to read and understand forms;

e) To provide forms of live assistance and intermediaries, including guides, readers and professional sign language interpreters, to facilitate accessibility to buildings and other facilities open to the public;

f) To promote other appropriate forms of assistance and support to persons with disabilities to ensure their access to information;

g) To promote access for persons with disabilities to new information and communications technologies and systems, including the Internet;

h) To promote the design, development, production and distribution of accessible information and communications technologies and systems at an early stage, so that these technologies and systems become accessible at minimum cost.

Kerb Parking & Proposed Options

The Commission welcomes the Department's plans to address difficulties caused by pavement parking in Northern Ireland and would view this as consistent with the Northern Ireland Executive's commitment to implement the Convention in full.

The Commission does not have a specific view on which option should be adopted. We note that in 2020 The Inclusive Mobility and Transport Advisory Committee (IMTAC) sought views on pavement clutter from disability stakeholders³ and recommended that the default position in Northern Ireland should be that pavement parking be made illegal, stating the following:

Imtac recognises that the design of our streets and the nature of our travel patterns mean that a complete ban on all pavement parking is currently unrealistic. However we should send out a clear message through legislation that as a society it is something that we should be working towards eradicating. Learning lessons from Scotland, bringing forward legislation that makes pavement parking illegal as the default position, whilst permitting exemptions in certain circumstances, is the starting point to this process.

³ [Microsoft Word - Pavement workshop report \(Final Version\).docx \(imtac.org.uk\)](#)

We acknowledge the complexity of the issues involved, the importance of establishing public support and that the implementation of solutions will require short, medium and long term goals.

Yours sincerely,

Paul Noonan

Senior Policy Officer