

## **Witney Traffic Advisory Committee**

**28 September 2021**

### **Verge Parking in Dangerous Locations**

With the absence of any formal parking restriction any enforcement activity against such parking by the police is limited, ranging from the offence of Causing a Unnecessary Obstruction to leaving a Vehicle in a Dangerous Position. In both of these cases it is necessary to provide a sufficient degree of proof to achieve a conviction. For instance the former offence requires evidence of actual rather than merely potential obstruction, whilst the latter requires evidence that there was a significant risk of injury due to the presence of the vehicle on the road.

An Obstruction must be more than trivial, e.g. causing a few seconds of delay for a couple of vehicles. Whether or not there was an obstruction is a question of degree for a court to decide. A complete blockage of the highway is not required, but there must be a regard to where it occurred, how long the obstruction lasted, its nature, extent and purpose.

Any action by the Police in response to this kind of parking is governed by many factors. These include the seriousness of the offence, the road and traffic conditions at the time and the existence of other more pressing commitments for local police officers.

In terms of operational priorities our officers are encouraged to give preference to offences which might directly affect public safety followed by those which have an impact on traffic flow on main traffic routes. However even those priorities must be viewed in the context of the many other more pressing and demanding commitments which our officers face.

It is very important that specific problems of obstructive parking are brought to the attention of the local police at the time for appropriate action, using the Non-emergency telephone number 101.

Evidence to support that obstruction may be required at a later date, and willingness to attend Court and give evidence may be necessary.