



Title: **The Willows, Torquay – Verge/Footway Parking Ban**

Public Agenda Item: **Yes/No**

Reason for Report to be Exempt:

Wards Affected: **Shiphay with the Willows**

To: **Transport Working Party** On: **2 August 2012**

Key Decision: **Yes – Ref.** How soon does the decision need to be implemented

Change to Budget: **No** Change to Policy Framework: **No**

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## **1. What we are trying to achieve and the impact on our customers**

1.1 To review whether a trial footway parking ban should be introduced to the Willows estate. The ban needs to be considered in the context of improved access for pedestrians against the effects of vehicle movements.

## **2. Recommendation(s) for decision**

2.1 The preferred recommendation is to consider dropping the long term aspiration for introducing a Bay wide verge/footway parking ban or indeed initially even on a trial estate as large as 'The Willows'. With the developing legislation and the knowledge that individual streets can now be targeted, the recommendation is therefore, to produce a TRO covering two or three such problem streets where on-street parking would not produce congestion or safety concerns.

2.2 That the council continue to support the Police, who can carry out enforcement under powers relating to obstruction, with education campaigns.

## **3. Key points and reasons for recommendations**

3.1 The introduction of a verge/footway parking ban would be expected to produce compliments and complaints in equal proportions due to considerations of

pedestrian accessibility versus vehicle owners having inadequate on-street parking provision.

- 3.2 Additional parking provision comes at a substantial cost and is currently not being supported financially.
- 3.3 Evolving legislation and decriminalised parking is making the introduction of bans on individual streets simpler and no longer requires special authorisation from a central agency.
- 3.4 Some modern housing developments were intentionally being built with lesser car parking provision than used to be the case. The expectation that households would make more use of public transport rather than to rely on using multiple vehicles has not yet happened.
- 3.5 If a verge/footway parking ban is introduced without taking into account displaced vehicles the impact and complaints generated could be excessive.
- 3.6 The level of signing will have a significant visual impact on residential areas.

**For more detailed information on this proposal please refer to the supporting information attached.**

**Patrick Carney**  
**Group Manager (Streetscene and Place)**

## Supporting information

### A1. Introduction and history

- A1.1 There have been reported concerns from some sections of the public regarding the inappropriate parking of vehicles on footways or grass verges. These concerns are predominantly from pedestrians with prams or buggies, visual impairment, or users of mobility scooters. However in addition to these reported concerns, continually damaged verges and the premature failure of footway surfaces is an ongoing maintenance liability and detracts from the visual amenity of some streets.
- A1.2 Outside of London and a very few other select locations, where parking on footways or verges is an automatic offence, any other authorities that wished to ban this practice required experimental 'traffic regulation orders' (TROs) to legally enforce this.
- A1.3 A previous attempt to introduce a Torbay wide ban on verge/footway parking led to a public consultation that had closely balanced feedback. People both for and against the ban were extremely worried about the matter, one group demanding better facilities for pedestrians, with the other lobby being concerned that parking vehicles wholly on the carriageway could restrict access for emergency vehicles and refuse collection. In view of the balanced outcome, trial zone areas were suggested to be used as a sample operation to assess the effectiveness of such a ban. There were two areas offered, these being 'The Willows' and 'Great Parks' as they were both relatively new build self contained estates.
- A1.4 Since the decision to implement trial zones was taken, it was necessary to obtain special authorisation from the Department for Transport (DfT) and to agree the appropriate level of signing. The initial Bay wide proposal was based on only using zone entry and exit signs, but subsequent changes to national legislation meant that all streets where verge/footway parking was to be prohibited would have to have repeater signs displaying the ban. Indeed it is theoretically possible to introduce bans on any individual streets with entry/exit signs and repeaters at intervals. The DfT consent for a zone in Torbay has been granted in a compromise format meaning that potentially there will be less signs than would be expected from the 'Traffic Signs Regulations and General Directions' (TSRGD). However, there would still need to be signs clearly displayed in all streets in which such a ban applies to.
- A1.5 Although the number of signs has been reduced from that typically required, the plan in **Appendix 1** shows how many additional signs will be needed to implement the ban. Furthermore, as legislation has changed, the TRO that will be required for the ban, no longer has to be experimental, so it is suggested that the proposal be advertised and thus invite comments in the normal manner.
- A1.6 What officers would wish to achieve longer term, would be to rationalise on-street parking and where necessary increase the provision of localised off street provision where space permits. However, schemes of this nature are expensive and have been temporarily stopped as part of the financial moratorium. By increasing off street parking provision and removing vehicles from footways and verges it would make them both easier and safer for pedestrians and grass cutting operatives and improve the visual amenity of people's homes.

A1.7 The proposed option of introducing a ban on verge/footway parking in 'The Willows' as a trial zone would allow the impact of this and similar schemes to be determined. It could free up footways for users and stop verges being damaged with the consequential loss of visual amenity and mud being tracked onto roads and footways. The converse argument however is that people will not want to give up their vehicles and with on-street parking being at a premium on many narrow estate roads, this could lead to congestion and neighbourly disputes over parking.

## **A2. Risk assessment of preferred option**

### **A2.1 Outline of significant key risks**

A2.1.1 The preferred option fits wholly into existing legislation requirements and allows Torbay Council to produce TRO's targeted as streets on which there is an established problem with verge/footway parking. If the selection criteria is robust there should be no knock on risk of congestion issues that could be a factor on some minor residential streets. Therefore there are no significant risks.

### **A2.2 Remaining risks**

A2.2.1 As this has been an aspiration for so long there is a public expectation that some action will be taken. Failure to do so could be seen as a risk to the Council's integrity.

## **A3. Other Options**

A3.1 Implementing the trial gives a significant risk of creating access problems on narrow residential roads or for increasing the prevalence of illegal vehicle crossovers onto private property. The Willows already has a significant shortage of residential parking opportunities and the width and alignment of some streets does not lend itself to additional on-street parking.

## **A4. Summary of resource implications**

A4.1 To introduce a verge/footway ban in a single zone at 'The Willows' would require £5,582.63 for the provision of the 101 road signs associated. In addition there will be a further £1,000 to £1,500 for advertising the Traffic Regulation Order

## **A5. What impact will there be on equalities, environmental sustainability and crime and disorder?**

A5.1 Reducing the practice of vehicles being on the footway would be expected to produce an improved local environment and reduce damage to verges.

It will certainly improve accessibility for footway users and reduce positive discrimination for disabled people using them.

If the reduction in inappropriately parked vehicles can be sustained it may lead to improved community spirit and a consequential lessening of vehicle crimes.

## **A6. Consultation and Customer Focus**

- A6.1 The subject of introducing a ban of this nature was widely consulted on in 2007. However, there is still a legal requirement to further advertise the TRO as part of the implementation process.

The original consultation as mentioned previously did produce a finely balanced response with both sides of the argument expressing strong views for and against. This has influenced the recommendation for a more targeted approach to take benefit of evolving legislation.

## **A7. Are there any implications for other Business Units?**

- A7.1 Parking Services would be expected to enforce the ban if it came into force. If the ban is targeted on problem streets it should prove to be a positive asset. If however, an inappropriate area or zone was to be involved the scheme would rapidly generate ill feeling and public criticism.

## **Appendices**

- Appendix 1 Plan of 'The Willows' verge/footway parking ban zone showing associated signage.

## **Documents available in members' rooms**

None

## **Background Papers:**

The following documents/files were used to compile this report:

None