



Title: **Vehicle Parking on Highway Grass Verges**

Public Agenda Item: **Yes**

Reason for Report to be Exempt: **N/A**

Wards Affected: **All Wards**

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

Key Decision: **No**

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 Vehicles parking on grass verges throughout Torbay are becoming an increasing issue, particularly in times of prolonged adverse weather as we are experiencing at present.

This practice causes damage with rutting on verges and can result in tracking mud off the verges onto carriageways or into properties. If the rutting becomes too severe it constitutes a safety hazard which if left untreated could lead to third party injury claims against Torbay Council.

Unless a vehicle is causing a physical obstruction, in which case the Police could intervene, parking on verges is not illegal. There are recently introduced powers available that would allow traffic regulation orders to be raised to restrict this practice, but in many locations displaced vehicles could create other difficulties, such as restricting access for emergency or service vehicles. Accordingly we wish to improve the ambience and visual amenity of many housing estates by reducing the prevalence of damaged verges but at the same time not create significant parking issues elsewhere.

2. Recommendation(s) for decision

- 2.1 That Members approve the priorities listed in Appendix 1 and officers continue to submit applications for potential funding where possible.

3. Key points and reasons for recommendations

- 3.1 Car parking demand on many local housing estates has increased. The 'Highways' office continually receives complaints of vehicles parking on footways or grass verges and consequentially damaging these.
- 3.2 A traffic order to make parking on verges and footways is now an option, but in many locations displaced vehicles would create access problems for larger vehicles.
- 3.3 Funding for reducing this type of problem was withdrawn some years ago and the problem is if anything now escalating.
- 3.4 The problem affects highway infrastructure meaning that reactive repairs to verges or footways become necessary which is an ongoing demand on the overall highway revenue budget.
- 3.5 Damaged verges quickly become unsightly and make maintaining these a challenge for the Council's contractors who are required to cut these on a cyclical basis. Major damage constitutes a safety hazard to these contractors and to local residents alike.
- 3.6 Unregulated, haphazard parking is often unsightly and untidy and can produce a run down appearance for a neighbourhood.
- 3.7 There are some estate roads that have no alternative solution other than to address off-street parking provision.
- 3.8 External funding opportunities for neighbourhood improvement schemes have not been identified, although representatives of Parking Services and Safer Communities have been contacted.

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

**Patrick Carney
Group Services Manager - Streetscene & Place**

Supporting information

A1. Introduction and history

A1.1 Parking on verges and footways is an increasing practice and causes damage to infrastructure and costs money to repair. Reports have been presented to Members on this subject in past years, most recently on 29th July 2005 when an Issues paper to the 'Transportation Strategy Working Party' did lead to some funding allowing some of the higher priority candidate sites to be treated.

The funding that was made available over a two year period permitted schemes to be put in at Willow Avenue and Dorchester Grove. Some partial schemes were implemented as traffic action zone schemes in Halsteads Road, Grenville Avenue and Raleigh Avenue.

There is an outstanding list of schemes remaining from the original list that are awaiting funding and it is anticipated that other candidate schemes could be identified elsewhere.

A2. Risk assessment of preferred option

A2.1 Outline of significant key risks

A2.1.1 The key risk to not addressing this problem is any third party claims from pedestrians walking on the verge areas. Although safety inspections are undertaken, the intervention level for treating rut damage is presently 150mm which is well in excess of that for footways.

Permitting vehicles to park on footways and verges could constitute a hazard for pedestrians and be contrary to the Disability Discrimination Act 1995.

The ways to address both of these is the introduction of a traffic regulation order; reduce the number of resident's vehicles or to provide additional parking. The first of these could produce significant risks elsewhere and the second is not something that can be directly influenced at a local government level. Therefore the third option is the only recommendation open.

A2.2 Remaining risks

A2.2.1 If the vehicles are relocated to a safe off-street location there are no remaining risks.

A3. Other Options

A3.1 Legally banning the parking of vehicles on verges and footways was considered but was not an option for the listed streets.

External funding opportunities have been investigated but did not produce any obvious opportunities. These have included the Resident and Visitor Services', Community Support Funding Officer, who routinely checks for any opportunities for external grants. There are no grants at this time to bodies other than for 'Social Investment Finance Intermediaries'. The definition of these will be investigated further but it does not look like a Local Authority would qualify at this time. Any grant from this type of source would probably require match funding.

Funding applications from the Council's capital budget or revenue budget could be made but these were not successful in the past.

A4. Summary of resource implications

- A4.1 The cost for each site varies but an outline estimate would be £50,000 per site. Highway maintenance is under severe budgetary pressures both in Revenue and Capital terms with a large backlog of surfacing schemes having been identified. Therefore, taking a proportion of the present highway budgets and investing this in off-street parking provision at this time of increasing maintenance demands is not an option.

The damaged verges and footways are a continual resource on the Highway Revenue Budget. If the off-street schemes were to be introduced the incidents of damage would be reduced. Similarly the grass cutting contractor would benefit and the safety of their operatives be enhanced.

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

- A5.1 The local environment would be greatly improved by regulating the parking of vehicles and removing unsightly damage to grassed areas. This should improve pride in the neighbourhood and community spirit. It would also reduce the number of neighbourly disputes that we frequently get drawn into as a result of neighbours complaining about parking of multiple vehicles outside their properties.

A6. Consultation and Customer Focus

- A6.1 Consultation for the possible introduction of banning parking on verges and footways was undertaken in 2007. This produced a 40% response with many people commenting on the need for additional parking if such a ban was to be implemented.

The results of this consultation on a bay wide ban on verge/footway parking were relayed to Members and a decision to reduce the coverage of this ban to target areas was agreed.

A7. Are there any implications for other Business Units?

- A7.1 The reduction of verge/footway parking would be expected to benefit, Parking Services, Safer Communities and Natural Environment as a result of the anticipated benefits.

Appendices

Appendix 1
List of Candidate Sites

Documents available in members' rooms

None.

Background Papers:

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