



OFFICER REPORT TO LOCAL COMMITTEE

Verge and Footway parking in Epsom and Ewell Borough

25 June 2012

KEY ISSUE

To update members about changes to national legislation that could help prevent verge or footway parking. To initiate a study into anti-social verge and footway parking in Epsom and Ewell that will identify locations for consultation and possible action.

SUMMARY

In 2011, the Department for Transport made it simpler for Local Authorities outside London to either prohibit or formalise parking on the verge or footway. Footway and verge parking can sometimes be dangerous, antisocial and also cause damage to verges and footways. This report proposes that locations where this may be the case are identified and consultation carried out about possible preventive action.

RECOMMENDATIONS

The Local Committee is asked to:

- a) Note the contents of the report and, following the meeting County Members put forward up to 3 locations each where verge and footway parking is a problem.
- b) Agree that these locations can then be investigated, prioritised and proposals drawn up for consultation.
- c) That a future report is brought to the committee outlining the consultation outcome and seeking approval to advertise a Traffic Regulation Order.

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INTRODUCTION AND BACKGROUND

1. Surrey County Council is the Traffic Authority in Surrey and responsible for managing the highway network including on street parking. Epsom and Ewell Borough Council act as agent for Surrey and carry out enforcement of the on street parking restrictions, as well as managing their own off street car parks.
2. In London, parking is not permitted on the footway or verge unless a resolution of the local authority authorises the provision of parking places, either partially or wholly on the footway.
3. Elsewhere (outside Greater London), vehicles are not specifically prohibited from parking on the footway or verge (although it is unlawful to drive on the footway), unless (a) an order has been made or (b) there is a waiting restriction which normally applies from the centre of the carriageway to the highway boundary.
4. Surrey Police do have powers to enforce footway parking when it causes an obstruction or safety hazard, however enforcement can also now be carried out by Civil Enforcement Officers on behalf of the Traffic Authority.
5. In many residential streets footway parking happens because residents do not have enough off street parking and the carriageway widths are such that parking fully on the road could prevent vehicles getting past.
6. Grass verges can become churned up by continuous parking or driving over them. As well as detracting from the appearance of the road, the verge parking causes damage to the highway that can then be the subject of complaints. In many cases repairs can be required or other preventative action (such as bollards or posts) to stop damage taking place.
7. Historically in Epsom and Ewell posts have been put into many grass verges to deter parking (or conversely the verges hardened to approve appearance), however these can themselves be obstructive and are a maintenance liability for Surrey Highways. They also make it more difficult to carry out routine maintenance such as grass cutting.
8. The Department for Transport now allow local authorities to implement footway or verge parking bans over an area with the imposition of a Traffic Regulation Order. Signs are needed to ensure the ban is conspicuous and can be adequately enforced.
9. In the same way footway parking can be formalised, again with a TRO and signs.
10. Annex 1 shows the type of signs that would be needed for a verge parking ban. They would need to be put up at the start of the restriction

and at regular intervals (fixed to lamp columns) within the area where the restriction was in force.

PROPOSALS IN EPSOM AND EWELL

11. At the moment the scale and severity of the problem in Epsom and Ewell is not entirely known. It is proposed, that following the meeting, members identify possible problem locations in their divisions. These can then be investigated to see if there is a solution and whether consultation should take place.
12. Following an initial consultation locations where proposals are needed can be brought to the Committee for approval to advertise a Traffic Regulation Order to formally consult about formalising or banning footway and verge parking in certain locations. Here is a summary of the proposed next steps:
 - Identify the locations where footway and verge parking is a problem.
 - Work up a solution for each area
 - Carry out an initial consultation
 - Report to Committee to advertise/make a TRO
 - Implement proposals
13. The enforcement implications of any sites identified would need to be discussed with our enforcement partners (Epsom and Ewell Borough) at an early stage to ensure the any proposals could be reasonably enforced.

FINANCIAL AND VALUE FOR MONEY IMPLICATIONS

14. Implementing verge or footway parking bans require the imposition of a TRO. This requires advertising in the press with the associated costs involved. Works on the ground would require signs and posts, however if footway parking were formalised it could require footway strengthening which could be very expensive.
15. Overall the costs are similar to those involved with the imposition of waiting restrictions, and depending on the number of locations, could be progressed via parking reviews with the budget the local committee sets aside for this purpose.
16. Enforcement costs would need to be carefully evaluated before sites were implemented to ensure residents expectations could be met and that an enforcement burden was not placed on the enforcement authority.

EQUALITIES AND DIVERSITY IMPLICATIONS

17. Footway and verge parking can be obstructive, particularly for wheel chairs and pushchairs. Damage and rutting to verges can cause trip hazards for all highway users.

LEGAL IMPLICATIONS

18. The County Council has the necessary legal powers to operate parking enforcement through the Traffic Management Act 2004 and introduce or amend orders to regulate parking through the Road Traffic Regulation Act 1984.
19. The Secretary of State for Transport wrote to all local authorities outside London in 2011 and gave authorisation to make footway and verge parking bans with a TRO and also allowed use of the signs in Annex 1. Previously this would have needed special authorisation by the DfT.

CONCLUSION AND REASONS FOR RECOMMENDATIONS

20. Footway and verge parking can be dangerous, obstructive and cause damage to the highway, resulting in increased maintenance costs. Prevention of this type of antisocial parking, (where necessary and following consultation) would lead to an improved and safer environment, helping to make Surrey a 'better place'.

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