

Scrutiny Standing Panel Agenda



Register of Development Proposals Task and Finish Panel Tuesday, 18th October, 2005

Place: Committee Room 1 Civic Offices, Epping

Time: 7.00 pm

Democratic Services Officer: Zoe Folley, Democratic Services Assistant
e-mail: zfolley@eppingforestdc.gov.uk Tel 01992 564532

Members:

Councillors F Maclaine (Chairman), K Angold-Stephens (Vice-Chairman), Mrs D Borton, Mrs J Davis, A Green, J Hart, D Kelly, Mrs J Lea, Mrs S Perry, Mrs P Richardson, Mrs P K Rush, G Stollar, Mrs J H Whitehouse and M Woollard

<p>PLEASE NOTE THAT THIS MEETING IS OPEN TO ALL MEMBERS TO ATTEND</p>

1. APOLOGIES

2. SUBSTITUTE MEMBERS

To report the appointment of any substitute members for the meeting.

3. DECLARATIONS OF INTEREST

(Head of Research and Democratic Services) In considering whether to declare a personal or a prejudicial interest under the Code of Conduct, Overview & Scrutiny members are asked to pay particular attention to paragraph 11 of the Code in addition to the more familiar requirements.

This requires the declaration of a personal and prejudicial interest in any matter before an Overview and Scrutiny Committee which relates to a decision of or action by another Committee or Sub Committee of the Council, a Joint Committee or Joint Sub Committee in which the Council is involved and of which the Councillor is also a member.

Paragraph 11 does not refer to Cabinet decisions or attendance at an Overview and Scrutiny meeting purely for the purpose of answering questions or providing information on such a matter.

4. NOTES OF THE LAST MEETING - 30 AUGUST 2005 (Pages 3 - 6)

Attached.

5. TERMS OF REFERENCE (Pages 7 - 10)

The Panel is asked to consider the attached Terms of Reference.

6. PARKING POLICY IN RESIDENTIAL AREAS. (Pages 11 - 60)

Recommendations:

(1) To note and confirm the principles agreed at the last meeting of the Panel on 30 August 2005 set out in the attached documents

(2) To consider and agree proposals relating to:

(a) other general parking issues

(a) the approval of cross – overs on Housing and non Housing Land

(3) To note that the Head of Environmental Services and Area Highway Manager will be attending the meeting to advise on the above

(Councillor K Angold – Stephens) At the last meeting, the Panel formulated a series of principles and questions concerning parking in residential areas. Following the meeting, Councillor Angold – Stephens listed these matters and sent them out to Members for comments. This information is attached together with supporting documents.

Whilst considering the item, the Panel also agreed that responses be sought from other organisations. It became clear that certain points needed to be clarified following the transfer of the Highway Agency to the County. The Head of Environmental Services and Area Highway Manager for the District will be attending the meeting to advise on these outstanding matters.

7. ESTABLISHMENT OF REGISTER FOR SIGNIFICANT ISSUES (Pages 61 - 64)

(Councillor F Maclaine). To consider the attached report.

8. DATE OF NEXT MEETING

To determine the date of the next meeting.

**EPPING FOREST DISTRICT COUNCIL
NOTES OF A MEETING OF REGISTER OF DEVELOPMENT PROPOSALS TASK AND
FINISH PANEL
HELD ON TUESDAY, 30 AUGUST 2005
IN COMMITTEE ROOM 1 CIVIC OFFICES EPPING
AT 7.00 - 9.20 PM**

Members Present:	F Maclaine (Chairman), K Angold-Stephens (Vice-Chairman), Mrs J Davis, Mrs P Richardson, Mrs P K Rush, G Stollar, Mrs J H Whitehouse and M Woollard
Other members present:	(none)
Apologies for Absence:	Mrs D Borton and Mrs S Perry
Officers Present	J Scott (Joint Chief Executive) and Z Folley (Democratic Services Assistant)
Also in attendance:	(none)

8. SUBSTITUTE MEMBERS

The Sub-Committee noted that there were no substitute members appointed for the meeting.

9. DECLARATIONS OF INTEREST

No declarations of interest were made pursuant to the Council's code of Member Conduct.

10. NOTES OF THE LAST MEETING - 26 JULY 2005

Noted subject to 'formulary' being substituted for 'formally' in paragraph 4 (Terms of Reference)

11. TERMS OF REFERENCE

Noted.

12. REVIEW OF PARKING POLICY IN RESIDENTIAL AREAS - CURRENT POSITION

Cllr Angold-Stephens presented a report and photographs detailing parking problems within the District. He reported that the information was obtained during a site visit undertaken by a sub-group of the Panel on 23 August 2005. He explained that:

(a) There appeared to be no obvious solutions to most problems observed during the visits. All cases needed to be treated separately and on its own merits.

(b) In areas where there was only narrow strips of green swath which had already been destroyed, tarmacing might be necessary and improve the street scene. Large grass areas however should be preserved.

(c) In relation to vehicle cross over policy, attention needed to be paid to charges to be made to applicants, information supplied to households, whether the six metre rule needed to be changed, drainage issues and whether policies needed to be brought together in one document. Formulating policies for areas where there was a mix of Council owned and private land could be difficult. The Panel were able to change existing Council policy for land in Council ownership, however, would need information on statutory requirements and costs to fully consider the issue. More extensive negotiations would be needed for land outside the Council's control.

In response to the presentation, Members raised the following questions and points:

(a) A criteria/protocol could be established to guide action required for individual cases. Residents views should be sought on proposed solutions.

(b) Areas to be maintained could be protected by soft bollards or reinforced tarmac.

(c) Land Ownership - information needed to be ascertained about ownership before polices could be formulated. Cllr Angold – Stephens undertook to attempt to obtain a map.

(d) Should additional parking spaces be created on Council owned land? Can the Council take action to ease parking problems generally without jeopardising the green belt?

(c) Local Highways Agreement – information needed to be obtained about the scope of future discussions on parking issues between the Council and ECC Highways.

(d) Residential Permits – how can they be applied to ease congestion in particular areas?

(e) Can steps be taken to prevent the conversion of garages into living spaces where there is no driveway long enough to accommodate a car? What does current planning policy suggest in relation to this issue?

(g) Who funds facilities for mixed estates? (i.e. areas which consisted of both private and Council housing)

It was also suggested that car parking on pavements and painting on roads to control parking should be taken into account. It was also stated that cases to be dealt with should be prioritised and take note of LUL services and that a data base could be set up to list and prioritise problems.

Cllr Angold – Stephens agreed to list all points raised at the meeting and send them to members of the Panel for comment and then to all Members. It was agreed that responses would be considered by the next meeting. It was also agreed that questions which related to services under the remit of the County would be listed and sent to the Authority for their views. Noted that ECC highways were to make a presentation to November 2005 OSC.

ACTION:

Cllr Angold – Stephens to circulate report/questionnaires

13. ESTABLISHMENT OF REGISTER FOR SIGNIFICANT CONCERNS - CURRENT POSITION

Cllr Maclaine circulated a form he had produced to enable Members to report a concern. He stated that it was based on a pro forma previously used successfully by Environmental Services which he also tabled for elucidation. He envisaged that the proposed form would direct enquiries to Democratic Services who would allocate a number to each form, refer it on to the relevant service and keep an active list of reported issues. The Panel supported the proposals.

Cllr Maclaine anticipated that in time the pro-forma would be made available electronically to Members. This would contribute to the Council's implementing e-government strategy. It was stated that the proposals needed to identify resources implications and officers to be involved.

14. DATE OF NEXT MEETING

Noted that the next meeting would be held on 18 October 2005 at 7.00 p.m.

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TERMS OF REFERENCE – TASK AND FINISH

Title: Register of Development Proposals (incorporating roads/pavements and parking in residential areas).
Status: Task and finish
Terms of Reference: <ol style="list-style-type: none">1. To consider and recommend on ways that Members can formally register matters of concern within the Wards they represent.2. To devise a procedure whereby necessary or serious matters of concern can be raised for inclusion within the Overview and Scrutiny Committee's future work programme.3. To investigate and review the Council's existing policies for parking in residential areas and to recommend any changes in policy necessary to ensure equality of treatment across the district.4. To investigate and review the process by which roads and pavements are identified for maintenance works, then logged and prioritised and to put forward recommendations, if necessary, for onward discussion with the Highway Authority.
Source: <p>Overview and Scrutiny Work Programme for 2005/06 Item Numbers 5, 21 and 29</p>
Reporting Deadlines: <p>Final report to be ready for Overview and Scrutiny Committee meeting on 8 December 2005</p>

Work Programme 2005/6

First Meeting – Tuesday 26th July 2005 (7.30 p.m.)

1. Agree Terms of Reference and scope work to be undertaken.
2. Interview Housing Officers and County Highways' Officers to establish existing policy and procedures in relation to parking in residential areas (i.e. not commercial centres, transport hubs etc) and start to understand matters in relation to Terms of Reference (4).
3. Agree the nature of questions to be put to all Members of the Council in order to identify their proposals in respect of the register, parking in residential areas or the repair of roads and footpaths.
4. Consider the need for and if agreed the arrangements for site visits within the district and elsewhere and in particular take into account:
 - Locations where permission for parking has been given;
 - Locations where permission for parking has been refused;
 - Locations where parking decisions have been appealed to the Housing Appeals Panel.

Second meeting – whole day site visits Monday 22nd or Tuesday 23rd August.

5. Site visits take place and Members of the Panel note views/issues they wish to follow up.

Third meeting – Tuesday 30 August (7.30 p.m.)

6. Formal meeting:
 - To debate and agree on matters which arise from the site visits (parking in residential areas);
 - To consider, assess and prioritise comments received from Members in response to the consultation (all matters);
 - To identify any issues on which further advice or guidance might be necessary (all matters).

Fourth meeting – date to be agreed:

7. Start to draw up Panel recommendations in relation to each of the Terms of Reference and agreed process for further consultation.

Fifth and possibly final meeting:

8. Continue to refine final report and recommendations of the Panel taking account of any issues, which arise from the second consultation.

Item	Priority	Report Deadline
<p>Chairman:</p> <p>Chairman: Councillor Fergus Maclaine</p> <p>Vice-Chairman: Councillor Kenneth Angold-Stephens</p>		

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Task & Finish Panel

Register of development Proposals sub-group Roads and Pavement parking in Residential Areas

Report for the meeting on 18th October 2005

Introduction.

At the panel meeting on the 30th August we agreed some basic recommendations on parking in residential areas. There remained a number of areas that the panel needed to clarify, particularly as a result of the loss of the Highways Agency, and options that needed to be considered in more detail.

A spreadsheet was circulated with a number of questions for members to consider. Since then it has become clear that the loss of the Highways Agency raises a number of issues that need to be addressed and further evidence from other organisations has provided further background information.

As a result the Head of Highways, Paul Hardy, and the Head of Environmental Services, John Gilbert, have been invited to the next meeting on the 18th October. It has been agreed with the O & S Co-ordinating Committee that the panel will need one further meeting to consider its final proposals before they are presented to the O & S Co-ordinating Committee.

Supporting Documents.

1. The London Assembly Environment Committee report of September 2005 on the importance of front gardens and the problems associated with front garden parking. A summary of this report is enclosed (appendix 1). The full report is available on request.
2. RAC Foundation Report on parking. Summary enclosed (appendix 2).
3. Copy of e-mail dated 13/09/05 from Paul Pledger setting out procedures (prior to loss of the Highways Agency) for approving and implementing off-street parking schemes on Housing land (appendix 3).
4. Decision by the Housing Portfolio Holder reference E// /2004, dated 28 September 2004, including the priority database for parking on Housing land for 2004/5/6. (Appendix 4).
5. S. 6 of the Essex Act 1987 (cap xx) which prohibits parking on grass verges (Appendix 5).
6. The draft Highways LSA. This has not been circulated as it is 19 pages long but a copy can be if any Member requires one. A summary of issues relevant to parking provision is enclosed (Appendix 6).
7. The Highways standards for cross-overs, report to Cabinet C/109/2002-03 dated 25.11.02 (Appendix 7).
8. The Council proposed revision of standards for crossovers on Housing land.
9. Item 182 of Cabinet minutes of the 9th January 2003 'Review of Parking Restrictions'.
10. Decision by Pfh H/007/2001-2002 confirming phasing in of licenses for vehicular access across housing land.
11. Answer from Pfh to question in Council September 2005

General Principles.

The following principles were agreed on the 30th August:

1. Parking provision is at a premium across many parts of the District and is the source of much public discontent. This leads to damage to the verges and green swards, may cause dangerous obstructions in some locations and is detrimental to the local environment.
2. Whilst parking provision is not a statutory task of the Council it should be regarded as an important issue, not only to reduce the environmental impacts of parking, but to meet the aspirations of residents for their neighbourhoods.
3. There is no formula that can be devised to address every situation. Each needs to be addressed individually and a flexible approach may provide some unique solutions.
4. In view of the large number of problem areas across the whole of the District some system of prioritisation will be required, particularly as funding will never be enough to tackle all the problems in the short term.
5. In some areas the problems may be impossible or uneconomic to solve.
6. A teamwork approach by officers, Members and the Highway Authority working together will result in a more effective response to problems.
7. Land ownership is a key factor and where the land is in Council ownership it should be possible to implement schemes relatively quickly. More extensive negotiations will inevitably be required for land outside the Council's control, however there are no definitive plans outlining Housing land and that a search through Legal Department files is often required to establish ownership.
8. We agreed that a meeting should be sought with Highways to establish the principles of:
 - a. Recognising the need and working co-operatively to solve parking problems.
 - b. To establish whether it is possible to reduce the cost of providing parking/hard standing by relaxing the specifications in some circumstances.
9. We would wish to discourage the conversion of garages into living accommodation where there is no driveway long enough to accommodate a car, although it is accepted that this is a planning consent issue and has to be dealt with under current planning legislation.

10. Consideration should be given to combining the cross-over guidelines issued by the Council and the Highways Authority into one document and modified to include any proposals made by this panel (see point '18' below).
11. Where hard standing is agreed on front gardens the surface should be porous e.g. paved or drained, and should cover only the minimum area set out in the cross-over guidelines, and the remainder landscaped to avoid run-off on to the pavements and highway. Concrete should not be permitted because it is non-porous and unsightly. This should also be included in the cross-over document although advice would have to be taken on whether any or all of these conditions could be made mandatory or advisory only.
12. The use of bollards (preferably of Woodscape design), tasteful fencing, and raised kerbs should be considered where appropriate.

Outstanding Questions.

Committee members are asked to consider their views on the following:

On-road parking schemes

1. Is the current budget of approximately £100,000pa, made up of 50% from the HRA and 50% from the General Fund, adequate to meet the parking needs of the District, bearing in mind that currently each space can cost in excess of £5,000?
2. On mixed estates should the decision about whether to go ahead with a parking proposal be based on a simple majority of tenants/owner occupiers? Where this is agreed should the owner-occupiers be charged for their full contribution based on strict proportionality? Where home-owners have clear access to parking, research suggests the value of their property is enhanced by between 5-20% depending on other parking restrictions in the road.
3. Should privately owned houses within a 'reasonable distance' of newly created parking bays on open highways, not individually assigned to them, be asked to make a financial contribution to the cost or should this be funded from the General Fund and /or Highways on the grounds that anyone can use them and the flow of traffic generally is enhanced?
4. Housing Services maintain a database of parking proposals which Highways contribute to by surveying sites, setting Highways priorities, costing proposals and scheduling contractors. Since the loss of the Agency the future of the database has not been made clear. The database does not include non-Housing land. Should EFDC continue to maintain this database and seek the co-operation of Highways to include their involvement as before?
5. Should a separate database for non-Housing land be maintained? If so, should this be maintained by Environmental Services or should both databases be combined and agreement sought with Housing that they will maintain the whole database or jointly with Environmental Services?

6. Should environmental services review its residual responsibilities for Highways, including evaluating parking schemes and cross-over requests, channelling them to Highways and liaising with Highways on the progress of schemes, reporting to, and liaising with Members and the public on parking issues, managing the database, monitoring the LSA and proposing changes to improve its clarity and effectiveness, and emergency planning in conjunction with Highways as well as dealing with maintenance functions including verges, trees, lighting, weed control, public rights of way, sign cleaning etc.
7. Should there be a panel or committee that oversees proposals from the public or Members, and agrees which proposals should be added to the database and monitors the progress of schemes? (see Appendix 9). If so, how should it be constituted and who should it report to? On minor roads should priorities be set by Highways or EFDC? Should works, unless urgent, be prioritised to take place when the road is scheduled for re-surfacing work to keep costs down?
8. Are the procedures for entering a proposal onto the database in the correct order? (see Paul Pledger e-mail Appendix 3).
9. Should Housing land be prioritised over other areas, at least initially, because it will enable some quicker returns if these policies are adopted?
10. Commuter parking and parking in residential roads close to shopping centres is a problem in many areas. Should officers be tasked with proceeding with the residents parking schemes as a priority? A Cabinet decision of the 9th January 2003 (appendix 9) agreed that the database listing proposed parking schemes should be circulated to all members and that short-term solutions were needed pending the diversion of staffing resources from other Highways work to progress residents parking schemes such was the urgency then felt about addressing the issue. So far it is thought only Epping has been completed. Was the database ever circulated? The matter needs addressing urgently as it is the subject of much public disquiet and Council needs an explanation for this apparent failure to carry out its decision made in 2003.
11. Where small strips of green verge (less than 1m wide) have been destroyed by vehicles and are impractical to maintain or restore would this panel support losing this verge, providing a hard surface to take vehicles (perhaps 2-on, 2-off) or taking back the kerb in order to provide a partial lay-by?
12. The committee opposed the loss of significant amounts of green sward. Do you feel the current limit of 6m. for the length of cross-overs is about right? If not what would you change it to?
13. Should the Council seek greater clarity from clauses 4.1, 4.2 and 4.3 , as part of its LSA agreement with Highways, by additions as follows:
 - 4.1 In particular the Highways authority will consult with the District Council on major roads when up-grading or re-surfacing works are carried to examine the issue of on-street parking with a view to improving the flow of traffic, providing safe provision for pedestrians and protecting the environment.

- 4.2 After ‘.....respective Councils.’ This includes changes to the road lay-out to improve on-street parking provision if thought desirable by EFDC.
 - 4.3 last bullet point referring to items not included in the LSA merely says ‘On street parking’. Should this be clarified to read ‘On street parking management and enforcement of regulations’?
14. Should the provisions of the Essex Act 1987 which prohibits parking on grass verges be enforced where alternative parking within a reasonable distance is available (see enclosed extract)?

Cross-overs

15. Since the loss of the Highways Agency should EFDC be involved at all in cross-over decisions on non-housing land ie should all requests be directed straight to Highways? What system of appeals will be available to non-Housing land residents?
16. Since the loss of the Highways Agency, Environmental Services Highways Policy and procedure Handbook on Vehicle crossing applications needs to be revised (or removed), assuming that EFDC remains involved. Highways should be asked to re-confirm its current policy so that any EFDC policy is consistent with the Highways scheme.
17. Should the same EFDC Housing cross-over scheme apply to all properties in the District and not just Council or ex-Council properties?
18. Should the former Epping Forest District Council Vehicle Crossing Scheme be removed now that Highways has reverted to ECC control or should Environmental Services have a new scheme that should be available to all residents which is managed by the District Council but which is compatible with the Highways scheme? It follows that should EFDC have a local scheme, applications for cross-overs on non-highways land should be approved by EFDC prior to forwarding to Highways for their appraisal.
19. Should the current annual licence fee to cross Housing land, agreed by the Pfh on 1st July 2002, be re-confirmed?
20. Should Highways be encouraged to issue enforcement notices for illegal cross-overs bearing in mind the cost of taking legal action and manpower resources?

Matters for joint consideration/discussion with Highways

21. Where hard standing is being proposed is it reasonable for the minimum size as set out in the cross-over guidelines be enforced to ensure that cars of any size (up to a full-size saloon car) do not overhang the pavement? Current Highways standard is for a minimum of 4.8m between the front of the house and the back of the pavement but does not go so far as to say this is enforced. Is it reasonable to take into account that the current owner has a smaller car that will fit into the smaller space?

22. Should there be additional conditions for cross-overs eg hard standing for one car only and landscaping of remaining un-surfaced area? It is doubtful if some of these conditions are enforceable in law on owner-occupied land (except the condition on using porous surfaces as this could come under Department of the Environment Regulations, Design Bulletin 32 'No water from private property may be channelled onto the highway') but they could remain as recommendations. It could be mandatory on Housing land. Should a condition be added that cross-overs will not be approved in conservation areas, except in the most exceptional circumstances?
23. A typical cross-over loses about 1.5 road parking spaces. In considering an application for a cross-over should consideration be given to the effect on parking in the road generally i.e. applications could be refused where they might have a detrimental effect on the amount of available road parking?
24. There are currently fees of £20 for considering a cross-over (refundable if it goes ahead) and a further £100 for administration and inspection costs. These fees (or any revision considered by Highways) will presumably revert to Highways in the future. Should EFDC decide that it should oversee applications for cross-overs in the future should it also make a charge for its consideration of an application?

London Assembly Environment Committee

The environmental importance of London's front gardens

The following is a summary of parts of the London Assembly's environmental report of September 2005 on London's front gardens that are relevant to Epping Forest District. A copy of the full report is available for anyone wishing to see it. I have paraphrased in places in the interests of brevity.

Summary of recommendations.

1. The Mayor, in partnership with relevant stakeholders, should initiate an awareness-raising campaign to inform Londoners about the detrimental environmental impact of paving over front gardens, and to raise the profile of environmental sustainable alternatives to concrete and paving slabs.
2. Data
3. The revised London Plan should include consideration of the strategic importance of London's gardens as crucial environmental resources, wildlife habitat, amenity resource and flood protection system. It should set objectives for the promotion and protection of the large area of green space that is made up by front gardens.
4. The next Liveable London conference should host a seminar to share knowledge and experience using planning, transport and other policies to manage the numbers of new pavement cross-overs, enforce the law in relation to illegal cross-overs, take account of the likely impact on front gardens when introducing parking restrictions, and more generally promote the environmental significance of front gardens
5. We recommend that the Government amend the Town and Country Planning (General Permitted Development) Order 1995, to enable local authorities to require planning applications to be submitted for all proposals to install Pavement cross-overs.

1. Introduction

.....private gardens are a crucial component of London's ecosystem and, perhaps most significantly, in the city's ability to absorb rainfall. Whatever rain is not absorbed by the ground will run off into the underground drains, putting additional pressure on our already creaking Victorian sewerage and drainage system.

Parking bays in London's front gardens add up to an area of approximately 12 sq. miles.

- 1.5A better balance must be struck between the rights of individuals to do as they see fit with their property, and the need to protect the environment and minimise flooding risk. parking policies should more

effectively take into account the impact of controlled parking zones on the rate at which front gardens are turned into parking bays.

2. Why front gardens matter

- 2.4The Wildlife Trust states that the increased run-off from an impermeable surface such as concrete can be as much as three times greater than the run-off from porous surfaces.
- 2.5 ...the loss of green front gardens is having an impact on biodiversity, especially when the removal of hedges, trees and verges to make way for driveways is taken into consideration.
- 2.6the conversion of front gardens to driveways, especially in cases where the entire area in front of a house is paved over, can dramatically reduce the attractiveness of an area. The ODPM-commissioned review of permitted development rights, published in September 2003, noted that, ‘demolition of front garden walls to leave lengthy gaps for car parking and the loss of green areas harm the character of conservation areas and other areas, as well as reducing on-street parking’. The report goes on to state that, ‘where one or two adjoining properties remove front walls, this can cause an unsightly gap and begin to lower the general character and quality of a street and encourage others to follow’.
- 2.7 Streets without trees, hedges or other greenery are more noisy, windy and dusty. This makes for a much less pleasant living environment for residents.....
- 2.8 The Royal Horticultural Society has pointed out that if all front gardens are paved over not only does it make the road effectively wider, but it looks unattractive and can result in increased traffic speeds. One authority analysed traffic accidents and a high proportion involve vehicles emerging or reversing from private driveways or access points. ‘It is well-known that most traffic accidents do occur at junctions. What you are actually creating along the road is a series of mini-junctions when you put these in’.
- 2.9 Residents in streets with driveways instead of gardens will also suffer from a loss of on-street parking. ‘You are probably losing one-and-a-half spaces on the street, just to get one vehicle off the street’. The process can quickly become self-perpetuating: loss of on-street parking leads to more driveways being created, which leads to further loss of on-street parking...’ One resident stated ‘the use of gardens for parking is effectively giving the owner exclusive use of the road space outside the property because nobody can park there and the Council often put yellow lines to stop parking.

3. Why people pave over their front gardens

The loss of front gardens is linked to the availability of public transport, which impacts on car ownership and usage; availability of on-street parking;

the premium placed on off-street parking; and the trend towards low-maintenance, minimalist front gardens.

The proportion of households owning two or more cars has risen from 6% to 28% since the sixties (less in central London).

In controlled parking, a resident's parking permit does not guarantee a parking space near your home. Far from it – it is apparently common practice for Boroughs to over-issue parking permits. For example Kensington and Chelsea has about 40,000 permit holders for 27,000 spaces. Given that there is only a finite amount of road space the only way in the long term to reduce the pressure on parking spaces will be to reduce car ownership per household, which will only happen as and when public transport becomes a reliable alternative. ...there is work to be done by local authorities to ensure that their parking policies effectively take into account and plan for the impact of parking restrictions on the rate at which homeowners will seek to convert their front gardens into driveways.

In areas where there is significant pressure on on-street parking spaces, off-street parking is highly desirable for car owners.the value of a property on roads with no on-street parking (double yellow lines) could be increased by 15-20% by the addition of off-street parking, and the value of properties on roads with on-road parking could be increased by 5-7%; however once all the houses in the street have paved over their front gardens the reverse and the value of all the properties may be reduced because of the reduction in the attractiveness of the streetscape.

Another factor is the average discount on insurance premiums for off-street parking amounting to 5-10% because of the reduced risk of a car being hit by moving vehicles and a perceived reduction in vandalism.

People are not just paving over their gardens so they can park in their drive. They are also doing it for convenience. A 'minimalist' garden is seen by some as a statement of their style and sophistication. It may also be less time-consuming to maintain which is a priority for busy people not interested in gardening.

4. Can and should anything be done?

....there is clearly a balance to be struck between the rights of individuals to do as they see fit with their own property and the need to protect green spaces and to increase resilience against flooding.

There should be three elements to the strategy:

- a. Heightened public awareness of the cumulative environmental impact of impermeable surfacing, and promotion of less environmentally damaging alternatives, and support for those wishing to remove hard surfacing in their front gardens.
- b. Recognition in planning policies of the strategic importance of promoting and protecting the environmental importance of front gardens.

- c. Changes to planning regulations to enable local authorities to manage more effectively the protection of front gardens, if they wish to do so. There is a need for greater awareness in local authorities of the tools that already exist for managing the proliferation of cross-overs and new driveways, and effective use of those tools where local authorities wish to limit the spread of concrete front gardens.

Raising public awareness

Authorities can do more to promote awareness and do more to educate the public on how to minimise the impact through alternative surfaces to concrete.

- 4.4 Market Opinion and Research suggests that people do feel their little bit can make a difference, contrary to what might have been the attitude ‘there is no point in not paving my front garden, because it is not going to make any difference, because everybody else does’.
- 4.5 So what are the alternatives to paving slabs and concrete? They include:
 - a. Gravel, which costs £20 - £5 per sq.m;
 - b. Pavers with in-built vertical drainage channels (thus reducing run-off), which cost £50 - £60 per sq.m;
 - c. Slabs made from recycled plastic, gravel and crushed glass, which cost £70 - £125 per sq.m.;
 - d. Netpave, a synthetic net placed on areas of grass to prevent erosion through pedestrian and light vehicle traffic – Netpave 25, for light traffic, costs £15 per sq.m. and Netpave 50, the heavy-duty version which requires more arduous site preparation.
- 4.6 These alternatives are porous and should be promoted; however this will only address drainage issues and not serve to protect the character of the street or the greenery of front gardens.
- 4.7 A campaign along the lines of Britain in Bloom could be promoted by the authority to heighten awareness of the importance of front gardens to the street scene.
- 4.11 There is nothing in planning or any other law to prevent a homeowner from covering their front garden with concrete or any other surface. Nor should there be – it is for individuals to decide what to do with their own gardens. Local authorities do have some (albeit limited and difficult to enforce) powers under planning law and regulations and can use parking control policies to manage the numbers of new driveways that are installed. These powers seem to be the only available options for local authorities wishing to implement policies to promote and protect front gardens. The powers are complex and difficult and resource-intensive to enforce, which significantly detracts from a local authority’s ability to pursue policies to manage the numbers of new driveways that are created.

Permitted development rights

- 4.12 It is a legal requirement that anyone who wishes to use their front garden as a driveway must install a pavement cross-over at the point where the vehicles will cross the pavement. This involves the installation of a drop in the kerb. Outside conservation areas, the installation of a pavement cross-over in front of a single dwelling house is what is known as a permitted development – there is no need to apply for planning permission because it is deemed automatically to be granted.
- 4.13 Permitted development rights can be suspended by local authorities, using what is known as Article 4 Direction, which has the effect of suspending permitted development rights so that minor developments such as pavement cross-overs are subject to planning controls and require planning permission. Article 4 Directions are almost exclusively used in conservation areas, because they are expensive and difficult to enforce in non-conservation areas. Even within conservation areas, there are several factors which prevent widespread or effective use of Article 4 Directions to limit the number of cross-over applications that are granted, not least that the article provides for compensation to be paid to occupants.
- 4.14 Outside conservation areas, permitted development rights are in place for single-dwelling houses, so that the power of local authorities to limit the numbers of new driveways using planning law is effectively limited to houses of multiple-occupancy (ie flats or houses converted into flats).
- 4.15 Some authorities have extended such policies beyond the boundaries of conservation areas under the aegis of their unitary development plans. The City of Westminster has the following policies in its draft development plan:
- (A) The use of private forecourts or front gardens for parking vehicles will be resisted unless arranged as part of an approved overall development proposal or else within a comprehensive scheme of environmental traffic management or street scene enhancement.
 - (B) The City Council will encourage the removal of such parking provision from front gardens or shop frontages or forecourts where it currently exists and will seek to remove permitted development rights for such minor operations where the quality of the local landscape or street scene justifies such action.
 - (C) In the interests of maintaining the good appearance of new development and preventing loss of existing on-street parking provision, the Council may impose conditions to withdraw permitted development rights and to secure the permanent retention of authorised and integral off-street parking provision.
- 4.16 Camden sets out the following conditions when looking at planning application for the development of forecourt parking:
- a. The contribution which the existing forecourt or garden, and its means of enclosure, makes to the visual appearance of the area;
 - b. The cumulative visual impact of any existing roadside and / or forecourt and front garden parking in the area;

- c. The nature and extent of any landscaping, surfacing or other ameliorative workdss which may be proposed to off-set any adverse visual impact;
- d. The likely implications for the safe and fre flow of traffic on the highway network.

4.17 Camden also has criteria against which cross-overs applications will be assessed. There must be at least 4.8 metres between the front of the house and the back of the pavement; sight lines must be unobstructed from, for instance, trees and where a proposed cross-over is located within a current Controlled Parking Zone (CPZ) or an area which the Council has formally agreed will become a CPZ, the application will not be approved ifit requires any amendments to the CPZ that are detrimental to the acheme in Traffic/Parking management terms.

4.18 Such policies have to be based in the context of planning law, and authorities are therefore limited in the range of reasons they may cite for refusing planning permission for new cross-overs. The provision of the Highways Act for new cross-overs are;

- a. Prevention of damage to the footway;
- b. Safe access to and egress from premises; and
- c. The need to facilitate the passage of vehicular traffic on the highway

These provisions have been extended by case law where it was agreed that this list was not exclusive and that other considerations could be taken into account eg substantial gain as a result of one access point creating several spaces.

4.21 Since 2003 London local authorities have been empowered to take action against those who illegally cross the pavement in the absence of an authorised cross-over. This is a fairly lengthy procedure, including giving people notice and giving them the right to appeal against that notice, but the end product is if no other agreement or action is taken, councils can take physical steps to stop an unauthorised cross-over being used.

4.22 Prior to this legislation coming into force, and since, there has been minimal enforcement of laws against illegal cross-overs. The new powers have not been used much so far , because it takes time, and the end part is relatively draconian by making it at the occupiers expense. The cost of taking legal action is the main reason and a secondary one is lack of resources. The view is that it is not worth taking the risk on something that is likely to be overturned by a court or where the fine is derisory.

4.25 The power of local authorities to implement these policies is significantly restricted by the fact that for single-dwelling buildings, pavement cross-overs are a permitted development. This means that they may only apply their policies to planning applications that do not fall into this category.

RAC FOUNDATION REPORT

The following are selected extracts from a recent RAC Foundation report entitled 'Motoring towards 2050: parking in transport policy'. I have picked out sections in bold which I feel are relevant to our deliberations.

- Parking is, quite simply, just about the hottest issue in motoring and **one of the subjects most likely to cause ill-feeling towards local authorities.**
- **Parking is fundamental to the lives of motorists: not only does parking (or lack of it) generate strong feelings, but it can also determine where we live, work, shop and play.**
- **Unless more on-street and off-street parking spaces are provided, there will not be adequate capacity to cope with the growth in car demand by 2030.**
- Councils capital spending on parking was only £29m last year, compared to £48m on cycling and £75 on pedestrian facilities.
- Typically, drivers spend around 6 minutes driving in the centre of town actively seeking a parking space.
- **As many cars as possible should be parked off-street to reduce danger and obstruction.**
- **For new housing developments, 1.5 spaces per residence should become a minimum standard rather than a maximum.**
- **If parking is provided under buildings, high densities can still be achieved.**
- The objective of parking enforcement should be to reduce dangerous and obstructive parking not to raise revenue.
- More on-street bays should be designated for use both by residents and visitors, to encourage optimum use of space.

Parking is an essential part of not just transport planning and policy but social and economic policy too. Local authorities should not underestimate its importance to their residents.

One assumes that the RAC Foundation may have a partisan view but its conclusions should not be ignored.

Ken Angold-Stephens

11/09/2005

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Extract from the Essex Act 1987

Part III

Highways and Streets

Grass verges etc.

6.- (1) This section applies to any of the following land in a district which, being in, adjoining or accessible from a highway, is mown or otherwise maintained in an ornamental condition:-

- (a) a grass verge, garden, lawn or green managed by a local authority; or
- (b) land laid out as a public garden or used for the purpose of public recreation which is vested in a person other than a local authority.

(2) (a) A local authority may by notice prohibit, either entirely or at such times or on such days as may be specified in the notice, doing any of the following things on land to which this section applies:-

- (i) driving, riding or leaving vehicles on the land:

....

- (b) A parish council shall not exercise the powers of this section in relation to any land forming part of the highway without the consent in writing of the county council.

(6) A person who, without reasonable excuse, contravenes a notice displayed under this section shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 2 on the standard scale.

(7) (a) If a vehicle is left on any land in contravention of a prohibition under subsection (2) (a) (i) above, the local authority may cause the vehicle to be removed.

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**Highways & Transportation
Local Service Agreement**

Summary relating to parking issues

2. Key Aims and Objectives of the LSA

.....

- To provide a seamless service to the public;
- Provide a better quality and more responsive service
- Provide a clear and long term structure for Local Members to have higher levels of involvement in decision making on Local Roads
- Implement local decision making on local issues and central decision making on cross-County issues
- Bring together the various parties involved in service delivery to achieve close co-ordination and collaboration
- Meet public expectations and Member requirements;

These aims recognise that there is a strong interface with District and Borough Council functions that have a significant bearing on the Highways and transportation service such as town planning, development control, parking and streetscene. The LSA, driven by the above aims and objectives, will enable the County Council and EFDC to work together in partnership and will provide a firm foundation for the delivery of services and respective responsibilities.

.....

Clearer accountability (division of the network into County Routes & Local Roads).

.....

Local District and Borough Members will have the authority under the LSA to make a range of decisions on Local Roads within the framework. The delivery of the service will be a separate matter and will be provided through the most efficient and effective means to meet local needs.

.....

Under the LSA individual authorities can elect to undertake certain functions that are best delivered locally and it has therefore been necessary to tailor the LSA to meet the needs and special circumstances of each authority.

Public Interface (seamless service).

.....

Enquiries from the public will continue to filter through from the County Council or the District and Borough Councils with protocols in place to ensure they are dealt with in a manner that is consistent across the County.

4. Decision Making Arrangements;

.....

4.1 County Routes

Decision on these roads will be made by the Cabinet Member for Highways and transportation. Consultation with the Local County Council Member will take place in accordance with existing County Council practices and procedures. ECC will engage the District Members on key issues

4.2 Local Roads

Decisions on these roads will be made by EFDC in consultation with the local County Member. Local Members will be able to initiate work on Local Roads, subject to available resources and with the approval of the respective Councils. There are some exceptions to the rule.

.....

4.3 Political Arrangements

Each individual authority will establish its own organisational arrangements for political decisions to be made and it is important that these arrangements & processes are transparent, accountable, auditable and effective and made in accordance with County Council policies and guidelines.

.....

However, there are some services which have not been included and fall outside of the LSA.

.....

- On street parking – *(editors note, presumably management and enforcement, not provision- needs clarification)*

4.5 Local County Council Members

On strategic issues affecting County Routes within County Council divisions, Local County Members and District Members will be consulted, as appropriate, allowing views and inputs to be addressed although the ECC will continue to make any final decision by due process.

5.2 Budget Setting

EFDC can continue to supplement the budget for services on Local Roads and County Routes as considered necessary (e.g. enhancement of grass cutting frequency).

5.5 Reporting Mechanisms

Area Highways Offices will provide regular reports to EFDC on the progress of scheme programmes and the development of future LTP programmes. This will be through the internal arrangements established by each authority and through the Joint Member Panels.

APPENDIX 3

From: Paul Pledger
To: Wilson, Roger
Date: 13/09/2005 15:51:10
Subject: Off Street Parking

X

Rog,

The procedures are generally the same as before, only we will assume responsibility for more of the stages.

Stage 1

Sites are nominated to or by Management Officers to consider off street parking.

Stage 2

The Management Officers will undertake their assessment, which includes whether the land is housing, how many Council / private dwellings there are in the street, and to assess whether there is adequate alternative parking in the local vicinity

Stage 3

Highways Officers at Essex CC will undertake a technical audit of the site, undertake a risk assessment and give an estimate for the works. They will then apply a score based on their findings and report back to EFDC

Stage 4

Housing Management will update the waiting / wish list and nominate the schemes for inclusion in the next years programme. Housing Management will maintain the register

Stage 5

Housing Management will undertake the necessary consultation exercise with the residents

Stage 6

To report to the relevant Portfolio Holder and then on to the Cabinet (Assuming it goes to cabinet as it is jointly funded)

Stage 7

Raise and order with ECC to design and tender the works and then to progress the works on site. If a further report to Members is necessary due to tender costs exceeding the Contract Standing Orders limits, EFDC will prepare this report.

7. Up until Highways responsibility went back to ECC, John Gilbert dealt with stages 3-7.

Hope this helps

Paul Pledger
Asst Head of Housing Services
(Property & Resources)

t - 01992 564281

f - 01992 564230

e - ppledger@eppingforestdc.gov.uk

File 92 Street Parking
Programme

Decision by Portfolio Holder
Report reference: E/ / /2004
Date of report: 28 September 2004



Epping Forest
District Council

Portfolio: Civil Engineering & Maintenance
Councillor R. Glozier

Author: Tom Izzard ext. 4021
Committee Secretary: Adrian Hendry

Subject: Off-Street Parking Bays

Decision:

1. That the current waiting list for off-street parking schemes be noted;
2. That the construction programme for off-street parking schemes in 2004/2005 and 2005/2006 attached as an appendix to the agenda be approved, subject to resident consultation; and
3. That in future, residents be consulted after detailed designs have been completed.

Reason for decision:

4. The programme for off-street parking schemes attached as an appendix to the report represents those schemes where there is the greatest need for additional parking on estates. It also takes into account the removal of two schemes which were rejected by local residents, the available budget, numbers of Council tenants in these areas, and the scores under the agreed formula. It is also proposed in future to undertake the scheme designs prior to any resident consultation to safeguard against raised expectations should any design result in the scheme being unviable, after resident consultation.

Options considered and rejected:

5. Not to provide off-street parking schemes.
6. To agree a different off-street parking programme.

1.

Initialled as original copy by
Portfolio Holder:

ADVISORY NOTICE:	
<p><i>A Portfolio Holder may not take a decision on a matter on which he/she has declared a prejudicial interest.</i> <i>A Portfolio Holder with a personal interest must declare that interest when exercising delegated powers.</i></p>	
I have read and approve/do not approve (delete as appropriate) the above decision:	
Comments/further action required: <i>CLIC Newman (Ms P/M) reports the proposal - decision to be made by C/E P/M. P. Mathew to check figures</i>	
Signed:	Date:
Personal interest declared by Portfolio Holder/ conflict of interest declared by any other consulted Cabinet Member:	Dispensation granted by Standards Committee: Yes/No or n/a
Office use only: Call-in period begins:	Expiry of Call-in period:

After completion, one copy of this pro forma should be returned to Democratic Services IMMEDIATELY

2

Initialed as original copy by Portfolio Holder:

Background Report:

1. In the past Members have agreed, on a discretionary basis, to undertake a programme of constructing off-street parking bays on Council estates where there are particular parking difficulties. The programme has been jointly funded by the Housing Revenue Account (HRA) and the General Fund, which is based on a "formula" which takes into account the number of tenanted and privately owned properties on estates. The annual budget is currently £80,000. During 2003/2004 some of the work was not completed and therefore £40,000 was carried forward. As result, the budget available for 2004/2005 is £120,000.
2. The schemes are expensive to construct and therefore are only being provided where there is an urgent need and are supported by local residents. Due to the contribution made by the HRA off-street parking would only be constructed where there are reasonable number of Council tenants.
3. Members agreed that prior to any scheme being approved a consultation exercise must be undertaken, with at least half of all residents affected being in favour. It is suggested that, in the future, the detailed design is undertaken prior to the consultation as occasionally the design identifies that problems like major removals of statutory undertakers' equipment, etc. may make the scheme unviable. The Portfolio Holder should be aware, however, that the design, if undertaken by a consultant could result in an abortive cost of approximately £1,000 if residents oppose the scheme or the scheme design identifies problems.
4. Schemes are provided in areas of most need and are assessed against an agreed criteria. Following the assessment schemes are placed on a waiting list. The current waiting list is shown as an appendix to the report. "Score 1" takes into account of the numbers of Council properties, whereas, "Score 2" is a secondary assessment which does not. The waiting list is then used to assist in assessing the order in which schemes should be considered and contracted.
5. Elm Close, Epping Upland was rejected by the Parish Council who opposed the loss of green area, and Ivy Chimneys, Epping was rejected by local residents therefore, these have been removed from the programme previously agreed by Members. In addition, it is suggested that as the current scheme at Audley Gardens, Loughton is poor value for money at a cost of £101,000 for 18 bays options for reducing the cost will be explored for possible inclusion in the 2006/2007 programme. Furthermore, it is suggested that the other scheme with 22 points being Harvey Gardens be kept on hold in case those schemes agreed are rejected by residents.
6. A proposed list of schemes for 2004/2005 & 2005/2006 is attached as an appendix to the report. The schemes for 2004/2005 are being suggested for the following reasons;

The Chestnuts, Willingale

7. This scheme has been top of the waiting list for some time has been designed, local residents are in favour, and it represents good value for money at a cost of around £7,100.

Initialed as original copy by
Portfolio Holder:

Queensway, Ongar

(next to be completed, ~~is~~ Due to start May 05)

8. This scheme has yet to be designed and residents have not been consulted. However, it would provide 24 much needed parking bays in an area where the East Thames Housing Group in partnership with the Council is constructing a Learning Disabilities Scheme on an existing garage site. During the consultation process for this scheme residents expressed a wish for additional parking. The off-street scheme would cost around £72,000.

Deepdene Path, Loughton

Due to be completed May 05. (overspend)

9. This scheme would provide 24 bays at a cost of around £36,000 which is considered good value for money although no design or consultation has been undertaken.

10. The schemes for 2005/2006 are being suggested for the following reasons;

School Lane, Abbess Roding

11. This scheme will provide 5 bays at a cost of around £4,500, has been designed, but no consultation undertaken. Should the costs of the scheme planned for 2004/2005 be within budget the scheme could be moved forward one year.

Hillcroft, Loughton

12. No consultation or design has been undertaken for this scheme which would provide around 33 bays at a cost of around £59,000. Due to the amount of work still outstanding it is suggested that this be constructed in the next financial year.

Chester Close, Loughton

13. This scheme has been designed but no consultation has been undertaken. It would provide 10 bays at a cost of around £8,000. As parking problems in the area are not as poor as those in areas proposed for this financial year, it is suggested this scheme is constructed next year.

Consultation undertaken:

14. Consultation with local residents and town & parish councils have been or will be undertaken at each of the sites. Schemes will only go ahead if more than 50% of all residents are in favour.

Resource implications:

Budget Provision: £120,000 for 2004/2005 £80,000 for 2005/2006

Personnel: N/A

Land: Parking bays on Housing land

Community Plan/BVPP Ref:

Relevant statutory powers: Housing Act 1985

Background papers: Various scheme designs

Environmental/Human Rights Act/Crime and Disorder Act:

Initialled as original copy by
Portfolio Holder:

2004/05
 2005/06
 JOINTLY FUNDED PARKING BAYS PRIORITY LIST DETAILS

Location	Comments/Current Situation	Consultation	Ranking	Design	Cost Estimate - These prices are two years old and require adjustment	Safety Audit
The Chestnuts, Willingale	Stats consulted. Results back <i>mixed results from consultation</i>	Formally consulted. Majority in favour. Letters sent 22-9-04. Replies to be returned 14-10-04	1	May Gurney design on file	£7,057.59	No safety audit has been undertaken
Queensway, Ongar <i>done</i>	Stats consulted. Results back	Letters sent 23-0-04. Replies to be returned by 1-10-04	2	Mouchel design on file	£72,000.00	Safety Audit undertaken
Deepdene Path, Loughton	Stats consulted. Results back		3	Mouchel design on file	£36,482.00	Safety Audit undertaken
2005/06						
School Lane, Abbess Roding	Stats consulted. Results back	No consultation taken place	4	May Gurney design on file	£4,467.67	Safety audit has been undertaken
Hillcroft, Loughton	Stats not consulted	No consultation taken place	5	WS Atkins design on file	£58,489.00	No safety audit has been undertaken
Chester Close, Loughton	Stats consulted. Results back	No consultation taken place	6	May Gurney design on file	£8,049.00	Safety audit has been undertaken
Reserve						
Harvey Gardens, Loughton	Stats not consulted	Formally consulted. Majority in favour	7	May Gurney design on file	£79,464.65	Safety audit has been undertaken

Dave Lane 25-8-04

Johnny Runtee Parking Bays Waiting List

Job No.	Site	Parish	Score1	Score2	Bays	Consultation result	Design Y/N	Estimate £	Notes
110	The Chestnuts	Willingale	31	21	5	For	Y	7,057.59	
123	Queensway	Ongar	22	14	24	Not Done	N	72,000.00	
124	Deepdene Path	Loughton	22	18	24	Not Done	N	36,482.00	
115	School Lane	Abbs Roding	25	15	5	Not Done	Y	4,467.67	
114	Hillcroft	Loughton	25	21	33	Not Done	Y	58,489.00	
119	Chester Close	Loughton	22	19	10	Not Done	Y	8,049.00	
120	Harvey Gardens	Loughton	22	19	20	For	Y	79,464.65	
121	Audley Gardens	Loughton	22	19	18	For	Y	101,444.69	
116	Ivy Chimneys Road	Epping	24	16	16	Against	Y	48,000.00	Dedication issues?
125	Stanway Road	Waltham Abbey	21	16	5	Not Done	N	15,750.00	
126	Millhoo Court	Waltham Abbey	21	15	19	Not Done	N	21,000.00	
130	Barburgham Court	Waltham Abbey	20	13	13	Not Done	N		
127	Park Square	Abridge	20	17	17	Not Done	N	10,500.00	
129	Brooker Road	Waltham Abbey	20	15	15	Not Done	N	23,100.00	
128	Queens Road	North Weald	20	16	16	Not Done	N	69,300.00	High Stats costs
131	Graylands	Theydon Bois	19	15	15	Not Done	N		No File
132	Coopers Close	Ongar	19	13	13				No File
133	Stewards Green Road	Epping	18	14	14				No File
134	Morris Court	Waltham Abbey	18	14	14				No File
135	Skarnings Court	Waltham Abbey	17	13	13				No File
137	Mowbrey Gardens	Loughton	16	10	10				No File
138	The Croft	Loughton	15	10	10				No File
139	Shrublands Close	Chigwell	15	10	10				No File
143	St Peters Avenue	Ongar	14	9	9				No File
588	Pyrlles Green	Loughton	14	9	9				No File
140	Winters Way	Waltham Abbey	14	9	9				No File
142	Borders Lane	Loughton	14	9	9				No File
144	Bridge Hill	Loughton	13	9	9	Not Done	N		
145	Walton Gardens	Epping	12	12	12				No File
147	Loughton Court	Waltham Abbey	12	10	10				not h&h No File
148	Green Glade	Theydon Bois	12	8	8				No File
149	Colson Path	Loughton	12	7	7				Traffic file TM/09/18
150	Millfield	High Ongar	12	7	7				No File

Jointly Funded Parking Bays Waiting List

JOINTLY FUNDED PARKING BAYS WAITING LIST

146	Loughton Court	Waltham Abbey	12	12				No File
151	Sudicamps Court	Waltham Abbey	11	6				No File
152	Foxley Close	Loughton	9	7				No File
153	Princesfield Road	Waltham Abbey	9	5				No File
154	Buxton Road	Waltham Abbey	9	4				No File
155	Tillingham Court	Waltham Abbey	8	8				No File
156	Bromesfield Court	Waltham Abbey	8	5				No File
157	Wrangley Court	Waltham Abbey	8	4				No File
158	Fullers Court	Waltham Abbey	8	1				No File
159	Fullers Close	Waltham Abbey	8	0				No File
160	Blackmore Court	Waltham Abbey	6	3				No File
162	Theydon Court	Waltham Abbey	5	1				No File
161	Monkswood Avenue	Waltham Abbey	5	5				not h&h No File
176	Coles Green	Loughton	0					awaiting housing assessment
177	Colebrook Gardens	Loughton	13	12				No File

Report to Cabinet

Report reference: C/109/2002-03
Date of meeting: 25 November 2002



Portfolio: Civil Engineering and Maintenance/Housing

Subject: Vehicle Crossing Schemes for Highways and Housing Land

Officer contact for further information: T Barnard (Highways), R Wilson (Housing)
Committee Secretary: Miss A Thompson

Recommendations/Decisions Required:

- is agreed*
- (1) That the Highway Vehicle Crossing Scheme be adopted as set out at Annex 1 to this report;
 - (2) That vehicular crossovers to current and former Council-owned properties, and those relating to housing land, must comply with the Highway Vehicle Crossing Scheme;
 - (3) That the current housing scheme be amended as appropriate to take account of this requirement;
 - (4) That Housing related vehicle crossover applications no longer be refused if there are suitable lock up garages available for letting in the applicant's area (i.e. 200 metres from their home); and
 - (5) That all the other existing conditions relating to vehicular crossovers to housing land and Council and former Council properties continue to apply and, in particular, the maximum length of a vehicular crossover remain at 6 metres.

Report:

1. Section 184 (11) of the Highways Act 1980 allows any person to request the Highway Authority (or it's agents) to construct a vehicle crossing. Under the specification of the highways agency agreement with Essex County Council, this function is delivered by the District Council.
2. The County Council scheme has recently been amended to allow private contractors to construct vehicle crossings for residents, albeit under certain controlled conditions. Provisions have therefore been made to allow private contractors to register with the Council and therefore be enabled to work on the highway.
3. In order to properly deliver this function a proposed scheme has been produced to cover all aspects of the construction of a vehicle crossing. The scheme is detailed at Annex 1 and a procedural guide is detailed at Annex 2.

Current Policy for Housing related crossovers

- I*
- 4.. Housing Services also receive requests for crossover schemes for current and former Council properties. The current Housing policy set out in the leaflet attached as Annex 3 to the report, agreed by Housing Committee on 23 March 1999 (minute 136 refers) is as follows:
 - (a) The maximum length of crossovers is 6 metres, and the maximum width 3 metres.

- (b) Applications will only be approved if there are no suitable lock up garages available for letting in the applicant's area (i.e. 200 metres from their home).
- (c) Proposed crossovers must not lead to the loss of car parking spaces in lay-bys.
- (d) Applicants must pay for the cost of the works (and any future maintenance) to the satisfaction of the Council.
- (e) The crossover must be in a safe position, and the Council must be satisfied with the provision of boundary walls, hedges and other necessary work.
- (f) Applicants must use any parking space available to the side of their property, rather than any space in front of the building line if possible.
- (g) There must be no other housing management reason to refuse the application.
- (h) Crossovers must not lead to the damage, or removal of healthy trees, unless there are special circumstances, such as when a tree is near the end of its useful life. Exceptions are sometimes made. If a crossover involves the removal of a tree, a condition of approval could be the planting of a new tree at a different location at the applicant's expense.
- (i) No commercial vehicles, caravans, boats etc are allowed to be parked on the property, and no vehicles are to be parked on driveways leading to the hardstanding area, and any maintenance must be restricted to the applicants own private vehicle.
- (j) All applicants are given the right of appeal against refusal of permission for a vehicular crossover to the Housing Appeals Panel.

Consistency with Highway Authority Scheme

- 5. Annex 1 sets out a number of proposed changes to the scheme of the Highway Authority relating to vehicular crossovers. Since the proposed scheme would conflict with current housing policy, which would result in different policies being applied dependent on whether the crossover relates to housing land or private land, it is suggested that the current housing policy be amended to comply with the proposed highway scheme.
- 6. It is also suggested that the requirement that applications for vehicular crossovers be refused if there are suitable lock up garages available for letting in the applicant's area (i.e. 200 metres from their home) be discontinued, since this has not worked in practice.
- 7. It is suggested that all the other existing conditions relating to vehicular crossovers to housing land and Council and former Council properties continue to apply and that, in particular, the maximum length of a vehicular crossover remains at 6 metres, in order to protect housing amenity land.

Options for Action- Highways Vehicle Crossing Scheme

- 8. For the Vehicle Crossing Scheme, the Cabinet have the option of either adopting the proposed scheme as set out in the annex or to making amendments

Options for Action – Housing Scheme:

- 9. The main options appear to be:
 - (a) That the existing policy for crossovers to current and former Council properties

be changed to comply with the proposed Highway Authority's policy, as recommended.

(b) That the existing policy for vehicular crossovers for current and former Council properties remains the same.

(c) That different conditions are applied to vehicular crossover applications.

Statement in support of recommended action

Highways Vehicle Crossing Scheme

10. In order to properly deliver this service a formal scheme controlling the construction of vehicle crossings needs to be ratified. The Highways Service has recently formed an enforcement team, one of whose functions will be to deal with residents illegally accessing the highway without a properly constructed vehicle crossing. Enforcement of this issue will be easier to achieve when an incident can be judged against a formal scheme.
11. With the change in ECC scheme to allow construction of vehicle crossings by private contractors, a scheme for dealing with the control of such contractors needs to be adopted.
12. The scheme relating to off-street parking within the curtilage of current and former Council dwellings, and vehicular crossovers relating to housing land has been considered on many occasions by the former Housing Committee. This was due to levels of car ownership increasing and problems of car parking on estates worsening.

Housing Policy:

13. The proposed recommendations will ensure a consistent approach between vehicular crossovers to private properties and to Council and former Council properties.

Consultation undertaken:

14. The Tenants and Leaseholders Federation were consulted on the proposals relating to the change in housing policy set out in this report, at their meeting held on 12 November 2002. They were in agreement with the recommendations.

Resource implications:

Budget provision: Within existing budgets
Personnel: Within existing resource
Land: None

Community Plan/BVPP reference:
Relevant statutory powers:

Background papers: ECC Vehicle Crossing Policy and Charging Policy, EFDC proposed guidance leaflet

Environmental/Human Rights Act/Crime and Disorder Act Implications:

Key Decision reference: (if required)

Appendix 1: Approval Requirements For New Accesses Onto The Highway

Sight lines need to comply with the requirements laid down in the *Department of the Environment Department of Transport, Design Bulletin 32*.

Where do I measure a sight line from?

For a residential access the sight line is taken from 2.4m back from the edge of the carriageway, in some instances it may be reduced to 2m. If the access is for large vehicles the sight line should be taken from 4.5m.

What is the length of a sight line?

Speed Limit	Sight Line Required
30mph	90m
40mph	120m
50mph	160m
60mph	215m

The sight line is measured to the near side kerb in each case, this allows for traffic overtaking.

If speed readings are carried out, the sight line may be reduced if the 85 percentile speed is less than the speed limit.

What is classed as an obstruction?

If the sight line is over land that is not in the ownership of the applicant, or over public highway (even if it is clear to ground level), then this is not acceptable as an obstruction may occur at a later date which is outside the control of the applicant.

Anything above 1m in height (vegetation, walls etc.)

Bend or hill on the road where vehicles disappear from sight, even if for a short time.

Notes:

Although vegetation may be removed to provide a sight line it is not always acceptable in planning terms, therefore this should be checked with a planning officer.

Gates and walls over 1m in height adjacent the highway require planning permission.

"A" roads and other main routes require approval from ECC, we do not recommend approval or refusal on these roads.

No water from private property may be channelled onto the highway.

To approve an access there should be adequate provision on site to park the car presently owned by the occupier, the location should not obstruct the door to the

property.

On heavily trafficked roads vehicles need to be able to turn within the site to exit in forward gear and at right angles to the road.

The gradient of a driveway/parking area should not be greater than 1/10.

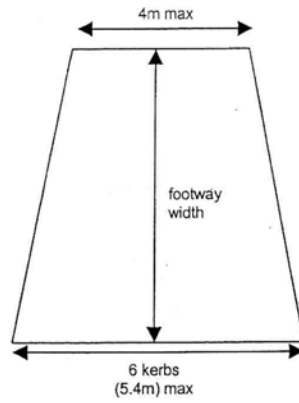
On classified roads, any gates should be set back a minimum of 4.5m from the edge of the carriageway. On all classes of road, gates, if present must open inwards and not out onto the highway.

The surface material of the driveway/parking area should be such that it does not drag onto the highway i.e. if shingle is used it should be laid on a tack coat rolled and then swept. Approval for the crossing may be given in advance of construction of a hard standing on the customers property however construction of the crossing cannot commence until the hard standing has been constructed.

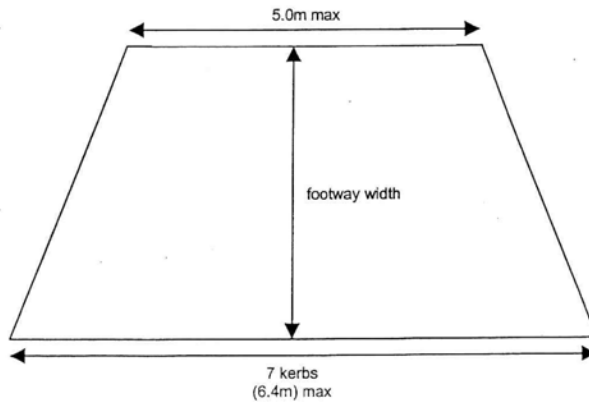
Any new access if it is part of a change of use of a property of to allow a private business from a residential premises it would require planning permission.

Appendix 2: Recommended standard layouts for vehicle crossings

Recommended standard layout for a single vehicle crossing:



Recommended standard layout for a double vehicle crossing:



This is the maximum size of crossing allowable

Epping Forest District Council Vehicle Crossing Scheme.

As agents to the highway authority (Essex County Council) the District Council is bound by the policies of the County Council.

Section 184 (11) of the Highways Act 1980 allows any person to request the Highway Authority (or its agents) to construct a vehicle crossing. Applications are processed in accordance with the District Council's administrative procedure.

1. Statutory Undertakers and NRSWA 1991

The District Council (or its contractor) will:

Obtain details of any apparatus in the location from statutory undertakers and licensees.
Issue the relevant New Roads and Street Works Act notices to the statutory undertakers and licensees prior to the commencement of work on site.
The notice periods for vehicle crossings are as follows:
traffic sensitive streets – 1 month advance notice and 7 days notice of start date
non-traffic sensitive streets – notify by daily whereabouts
Arrange for any necessary relocation or protection of apparatus.
Arrange for any necessary relocation or protection of apparatus.
Responsibility for the cost of this operation will be determined on a case-by-case basis.

In the case of residents electing to use their own contractor, the above process will be undertaken by that contractor but must be verified by the Council before construction can commence.

2. Street Furniture

Street furniture will only be relocated when absolutely necessary. There should be a minimum clearance of 450mm between the vehicle crossing and any street furniture.
The District council will:
Arrange any necessary relocation of street furniture.
Responsibility for the cost of this operation will be determined on a case-by-case basis.

In the case of residents electing to use their own contractor, the above process will be undertaken by that contractor but must be verified by the Council before construction can commence.

3. Charging

The applicant will be charged £20 for the consideration of the application and the provision of a quotation. This sum will be refunded if the applicant asks the Council to go ahead with the crossing.
The applicant will be charged the quoted cost of the works plus £100 to cover the cost of administration and inspection. VAT is payable on the construction cost of the crossing.

Residents electing to use their own contractor will be entirely responsible for meeting any payment requirements made by their contractor. Their crossing will still be subject to the inspection / administration fees as detailed above.

Applicants electing to use the council's own contractor may pay by instalments if the cost of the crossing is over £150. Arrangements for payment by instalments can be made by contacting Financial Services.

If applicants are paying by instalments, this must be registered as a local land charge against the property. Details of the property, work and amounts of debt should be forwarded to the Head of Legal & Admin as soon as works start so that a land charge entry can be made.

4. Available space off highway

When considering new vehicle crossing applications checks should be made to ensure that the parked vehicles will not overhang the highway. A typical car will require a space of 4.8m length by 2.4m width ~~but there are smaller vehicles available which require considerably less space.~~

Vehicles must be parked entirely within the applicants property boundary, parking on the crossing itself is not permitted.

Vehicle crossings will not be permitted into laybys or authorised parking facilities if their presence means that an on-street parking space will be lost.

5. Second and double crossings

There is no restriction on
Applications for second crossings, double crossings or extensions to existing crossings will not be allowed unless there are safety benefits and then at the discretion of the Head of Environmental Services.

6. Vehicle crossings in association with footway and kerbing works

When a householder requests a vehicle crossing to be installed at the same time as footway and kerbing works (or footway work without kerbing work) are being done the householder should be charged for any additional costs in providing the crossing over the cost of the footway works themselves.

Prior to starting work on a crossing:

- ▣ payment must be received from the householder
- ▣ planning consent for classified roads (A, B or C roads) must be obtained
- ▣ consent of the Head of Housing Service must be obtained if the property is or has been a council house.

7. Agricultural and rural accesses

All the above procedures apply equally to requests for agricultural and rural accesses where frequent and regular use of the access is made. In cases where use is infrequent and intermittent, then local arrangements for the protection of the verge are not precluded by these procedures.

8. Non-authorised crossings

If it is found that a non-authorised crossing has been constructed or is under construction the Head of Planning Services should be advised in the first instance for a determination on planning consent requirements.

In the event of the Planning Authority being satisfied and the vehicle crossing satisfactory and in line with the County Council's specification, only an inspection and administration charge of £50 should be recovered from the householder. However, if the crossing construction is found to be unsatisfactory the householder should be advised of this in writing and told to rectify. The procedure for a new crossing application should then be followed. If the property is or has been a council house, then the Head of Housing Services should be consulted for any objections to the location of the crossing.

If the householder refuses to carry out the work to rectify to the satisfaction of the Council's representative the Council's contractor should be instructed to undertake the works and the cost of the works together with inspection and administration costs recovered from the householder.

9. Mandatory Crossings

Where the householder habitually drives a vehicle across a kerbed footway or a verge in the highway the Highway Authority may serve notice on the householder under Section 184 of the Highways Act stating that they propose to execute such works for the construction of a vehicle crossing for the protection of the footway or verge and recover all of the costs of doing so.

10. Loss of on-street parking due to new vehicle crossings

There is no right to park on the highway and the loss of on-street parking space is not a factor to be taken into account when considering a vehicle crossing application. However, where a proposed access would seriously affect other resident's parking, leading to them having nowhere else to park or causing a safety concern, the proposal should be referred to the Head of Environmental Services for a final decision.

Epping Forest District Council, Environmental services Highways Policy and Procedure Handbook

Section: Licencing
Subject: Vehicle crossing applications

Effective:

Policy: See separate document

Procedure:

I Following receipt of request for vehicle crossing an application form (*) is sent to the customer by the admin team. If the property is or has been a council house then permission from the head of housing services will be required prior to construction. An application for this permission will be included with the main application form. If the property is situated on a classified (A, B or C) road (this detail is available on Confirm) the planning permission will also be required. The relevant forms for planning permission will be included with the main application form if required.

I The customer now completes part 1 of the application form and returns it to the admin team including a cheque for £20 to cover the initial consideration of the application. At this stage the customer if required applies for the housing and planning permissions. Currently there is no charge for permission from the housing department therefore in the event of a customer requiring both planning and housing permission, the customer should be advised to obtain housing permission first to avoid any abortive costs arising if planning permission were granted and housing permission refused.

I If the customer has elected to use the councils own contractor (see application form) then the admin team will request an estimate from May Gurney using form (*), when complete May Gurney will send the estimate straight to the customer. If the customer elects to use a private contractor then a list of approved contractors will be sent to the customer. It is up to the customer to contact one of the companies on the list, council staff must not recommend any of the companies involved.

I If planning permission is not required the area inspector is now given the application to consider on highway grounds (as detailed in vehicle crossing policy document). If planning permission is required then highway consideration is undertaken as part of this.

I When all permissions and estimates have been received and accepted by customer they return part 2/2a of application form.

I If form is part 2 then the admin office will issue an order to May Gurney for construction of the crossing.

I If form is part 2a then the customer is issued with a public utility data collection sheet, which they must forward to their contractor. Their contractor will now obtain locations of apparatus from all relevant statutory undertakers. Once this form has been completed it is returned to the admin office who will get the form approved by the inspector for the area concerned. Any problems arising from the provision of this data must be discussed with the NRSWA engineer.

I Once the data collection sheet has been approved the admin office will issue a permit to construct the crossing along with a commencement & completion notice. The contractor must submit the commencement notice at least three working days prior to commencement of the crossing and then the completion notice no more than three days after completion of the crossing.

housing applications, the Cabinet considered changing the housing scheme to allow applications where suitable lock-up garages were available within the applicant's area.

Decisions:

- (1) That the Highway Vehicle Crossing Scheme be adopted as set out in Appendix 5 to these minutes;
- (2) That the vehicular crossovers to current, and former Council owned properties, and those relating to housing land, must comply with the Highway Vehicles Crossing Scheme;
- (3) That the current housing scheme be amended as appropriate to take account of this requirement;
- (4) That housing related vehicle crossover applications no longer be refused if there are suitable lock-up garages available for letting in the applicants' area (i.e., 200 metres from their home); and
- (5) That all other existing conditions relating to vehicular crossovers to housing land and Council and former Council properties continue to apply and, in particular, the maximum length of a vehicular crossover remain at six metres.

Reason for Decision:

In order to deliver the Highways Vehicle Crossing Scheme, a formal scheme of controlling construction of vehicle crossings needed to be agreed. Highway Services had recently formed an enforcement team, whose function was to deal with residents illegally crossing the highway without a properly constructed vehicle crossing. Enforcement of this issue would be easier to achieve when an incident could be judged against a formal scheme. With a change to the County Council scheme for allowing construction of vehicle crossing by private contractors, a scheme for dealing with the control of such contractors needed to be adopted. In relation to housing policy, it was thought that the proposed recommendations would ensure a consistent approach between vehicular crossovers to private properties and those to Council and former Council properties.

Other Options Considered and Rejected:

- (a) Not to adopt the proposed Highway Vehicle Crossing Scheme or to make amendments to it;
- (b) That the existing housing policy for vehicular crossovers for current and former Council properties remain the same;
- (c) That different conditions are applied to vehicle crossover applications for housing purposes.

APPENDIX 8

DRAFT

How to apply for off-street/garden parking outside your own home

Off-Street/Garden Parking

A Guide for Residents of Council Estates

Most of the Council's estates were built when fewer cars were on the road. They were not designed to deal with the huge number of cars around today. This leaflet has been produced to help residents overcome the problems of congested estates by using their gardens for off-street parking. It is intended to help you park as close to your home as possible, ease traffic congestion and improve the appearance of Council estates.

The conditions set out below apply if you are a Council tenant or if you are a freehold or leasehold owner of a former Council property bought under the Right to Buy or any other scheme.

If your home has never been a Council property you must still apply to the Highways and Transportation Service at Essex County Council seeking permission for a dropped kerb/vehicular crossover.

To safeguard the interests of your neighbours, highway safety, the Council and the appearance of the estate, you must comply with certain conditions before permission can be given.

The conditions are:-

1. Proposed crossovers must not remove more than 6 metres in length of grassed area;
2. A standard width crossover will be no more than 3.6 meters at the property boundary and 5.4 meters at the kerb;

3. Applicants must pay for the cost of the works (and any future maintenance), which must be undertaken by a Council approved contractor, to the satisfaction of the Council;
4. Proposed crossovers must not lead to the loss of car parking spaces provided in lay-bys;
5. The crossover must be located in a safe position;
6. The Council must be satisfied with the provision of boundary walls, hedges and other necessary work;
7. You must use any parking space available to the side or rear of your property, rather than any space in front of the building line if possible;
8. Any permissions will be subject to a properly constructed hardstanding being provided in your garden for each car parked on the property **before** the crossover is constructed;
9. There must be no other housing management reasons to refuse your application.

Note: In most circumstances, crossovers must not lead to the damage or removal of healthy trees. However, in special circumstances, such as where a tree is near the end of its useful life, exceptions are sometimes made. If your plans include the removal of a tree, a condition of Council approval could be the planting of a new tree in a different location at your expense.

Co-operating with your neighbours

Rather than creating several crossovers you and your neighbours may wish to share a crossover. You can do this where practical and there are not detrimental effects to the Council. Sharing a crossover may save you money.

Once the crossover and hardstanding are in place

Only private vehicles may be parked on your property – no commercial vehicles, caravans or boats etc. are allowed.

Vehicles must not be parked on driveways leading to the hardstanding area.

Repairs and maintenance must be restricted to your own private vehicles.

You will be responsible for the maintenance of the crossover.

Your car must not overhang the footpath. It is dangerous to pedestrians.

Any gates erected must open inwards and not out onto the public highway.

You must not block the path to your front door – you might need to get out in an emergency.

How to apply

If your home is a current or former council property, you will be required to complete a Housing Services application form. This form may be obtained from your local Area Housing Office. Once completed, the form should be returned to this Office for consideration. To safeguard the appearance of the estate, the interest of the Council and the interests of your neighbours, the Housing Management Officer dealing with your application will conduct an inspection and will write to your neighbours asking for their comments. The Housing Management Officer will write to you with their decision.

If the Housing Management Officer is satisfied with your proposal, permission will be granted in writing, subject to conditions. A copy of this letter will be sent to the Highways Authority at Essex County Council for their information. Once you receive permission from

Housing Services, you must obtain and complete a 'Highways Crossover Application Form' from Essex County Council. If your property is adjacent to a classified road (A, B or C road) you will need to complete a 'Householder Planning Application Form'. Highways can advise you whether planning permission is necessary or you may contact Planning Services directly.

Appeals

If your home is a current or former council property and your application is refused but you think you have been treated unfairly, you have a right of appeal. Your first step should be to write to the Assistant Head of Housing Services (Operations) at the Civic Offices, Epping. When appealing please give details of why you think the original decision was wrong.

If your application is still refused and you wish to take the matter further you can proceed to the Housing Appeals Panel. The Assistant Head of Housing Services (Operations) will give you details of how to do this. The Panel is made up of elected Councillors who will review your case.

Landscaping

When planning your parking area there are several ways in which you can enhance its practicality and appearance.

A variety of plants make excellent screens to protect your car, improve the appearance of the parking area and enhance your property. They also keep weeds down and require very little maintenance. However, care should be taken to make sure you can see clearly when entering or leaving your driveway. For general advice on the selection and care of plants you should talk to your local garden centre.

Hard surfaces

Choice of materials can make a big difference to the practicality and appearance of the parking area. Price may also be a factor in your choice.

Large areas of plain concrete or tarmac can look very unattractive. Brushed concrete (created with a stiff broom while the concrete is still wet) can make a much better appearance. Small concrete slabs can work well but larger slabs tend to crack under the weight of a car.

Vehicular crossovers are permitted subject to a properly constructed hardstanding being in place for all vehicles.

A small area of gravel can be useful as an oil trap, but large areas are not permitted since the tyre tread of the car tends to pick it up and spread it over the road. Gravel (or shingle) can also be very inconvenient to the householder since it tends to get walked into the house. Hard bricks are probably the best material and look attractive. They come in many colours and textures but are expensive. In most cases a combination of materials produces the best result.

Useful Contacts:

Area Housing Office (North). Civic Offices, High Street, Epping, Essex CM16 4BZ.
Tel: 01992 564000

Area Housing Office (South). 63 The Broadway, Loughton, Essex IG10 3SP. Tel:
01992 564000

Lime Farm Housing Office. 661a Copperfield, Limes Farm, Chigwell, Essex IG7 5LA.
Tel: 020 8559 8883

Planning Service Epping Forest. Civic Offices, High Street, Epping, Essex CM16
4BZ. Tel: 01992 564000

Highways and Transportation Division. Essex County Council, West Area Office,
Warwick Road, Harlow, Essex, CM19 5DX. Tel 01279 642500

Cabinet

9 January 2003

place by 1 July 2003, the timescale was too short to adequately assess all the possibilities in advance of this date. A multi disciplinary officer working group had been established to review existing policy and the Cabinet agreed that the results should be considered by Overview and Scrutiny Committee 1.

In the meantime, the Cabinet accepted the case for re-affirming the Council's present policy.

Other Options Considered and Rejected:

No other options were considered and rejected as this was a statutory requirement, and there was insufficient time to compile a new policy by 1 July 2003.

182. REVIEW OF PARKING RESTRICTIONS

The Civil Engineering and Maintenance Portfolio Holder reported that following the induction of decriminalisation, there had been considerable and growing demand for a review of parking, or the introduction of residents' parking zones in various locations throughout the District. A report was considered by Overview and Scrutiny Committee 2 at its meeting on 28 November which set out some suggested priorities for a district review. However, it had become clear that members wished to see some particular local problem areas dealt with more urgently, with the larger and more comprehensive reviews being undertaken later in the process. Two motions were also put forward to the Extraordinary Council meeting on 26 November seeking early reports on short-term solutions, especially for residents badly affected by the current enforcement of restrictions.

The report before members detailed those areas which were recommended for the shorter review process. Larger scale effects and more sophisticated solutions would be considered as part of the longer term more fundamental review process which would follow. All members had been consulted through the Members' Bulletin seeking information on those parts of their wards where the shorter-term solutions might be deliverable.

Decisions:

- (1) That the following types of restriction categories be considered through the short-term review process:
 - (a) individual streets or small areas;
 - (b) where parking restrictions had been imposed to deal with commuter/shopper parking issues (i.e. not safety related restrictions);
 - (c) where the solution is relatively simple (e.g. remove, add or amend but not implement control parking or residents' zones); and
 - (d) where there is a strong local consensus as to the available solution.
- (2) That the inclusion of Palace Gardens, Buckhurst Hill and Bower Vale, Epping be reviewed as the solutions were not considered to command support among local residents;

(3) That members be given the opportunity by 31 January 2003 to either add or delete schemes from the list via the item in the Members' Bulletin based on their knowledge of the views of local residents and that this information be reported back to the Cabinet;

(4) That the recommendations of OSC2 on 28 November 2002 be agreed as follows:

(1) That given the inability to grant exemptions in relation to yellow line parking restrictions, appeals from key workers against penalty charge notices be determined having regard to the existence of viable and practicable alternatives;

(2) That the applicability of the Enforcement Concordat to the parking service be noted;

(3) That the available options for short-term solutions be noted;

(4) That in relation to short-term solutions, officers present a single recommended course of action for consideration, with issues being dealt with through the objection process in order to reduce the time for implementing the proposals;

(5) That the additional resources being provided by Essex County Council be accepted and welcomed;

(6) That the officers in consultation with the Portfolio Holder for Civil Engineering and Maintenance agree 10/15 schemes which can be progressed without delay and that these schemes be pursued in accordance with (4) above;

(7) That all members be advised of the 10/15 schemes selected; and

(8) That the officers and the Portfolio Holder for Civil Engineering and Maintenance consider the re-deployment of District Council staffing resources from other highway work in order to enhance the resources available for proceeding with the review of parking restrictions, and report to a future meeting on priorities for the outstanding schemes other than those agreed under 6 and 7 above.

Reasons for Decision:

Overview and Scrutiny Committee 2 had resolved that a report be brought to the Cabinet as soon as possible in order that some problem areas could be dealt with more urgently. The Cabinet reached the conclusion that a system was needed for deciding which schemes should be included in the programme. They felt that they needed the advice of local ward members on the level of support likely as priorities should be based on public need.

Other Options Considered and Rejected:

No other options were considered and rejected.

APPENDIX 10

Decision by Portfolio Holder

Report reference: H/007/2001 -2002
Date of report: 1 July 2002



**Epping Forest
District Council**

Portfolio: Housing – Councillor S Murray

Author: Roger Wilson

Committee Secretary: Amanda Thompson

Subject: Licences for Access Across Housing Land

Decision:

1. That, with immediate effect, the charge for licences for vehicular access across housing land be set at £80 per annum, increased in line annually with other housing related fees and charges subject to (3) below;
2. That, licensees pay the Council's reasonable legal fees for the licences subject to (3) below;
3. That the increase be applied on a phased basis for existing licensees as follows with the Council meeting the legal fees for preparing the new licences; and
 - (a) 2003 increase to £40
 - (b) 2004 increase to £50
 - (c) 2005 increase to £60
 - (d) 2006 increase to £70
 - (e) 2007 increase to £80
4. That the Head of Housing Services be given delegated authority to sign licences for access across housing-owned land.

Reason for decision:

1. To charge a more realistic fee (including the Council's reasonable legal fees for new licensees) for licences to allow access across housing-owned land, whilst increasing charges for existing licensees over a number of years. For the Head of Housing Services to be given delegated authority to sign licences.

Options considered and rejected:

2. Not to increase the charge for access licences.
3. Not to apply the new charge to existing licensees on a phased basis.
4. Not to charge new licensees the Council's legal fees.
5. To charge existing licensees the Council's legal fees for preparing new licences.
6. Not to give the Head of Housing Services delegated authority to sign licences.

1

Initialed as original copy by
Portfolio Holder:

S.M.

Portfolio Holder Decisions – Record of Reported Items

ADVISORY NOTICE:	
<i>A Portfolio Holder may not take a decision on a matter on which he/she has declared a prejudicial interest. A Portfolio Holder with a personal interest must declare that interest when exercising delegated powers.</i>	
I have read and approve/ do not approve (delete as appropriate) the above decision:	
Comments/further action required: Agreed.	
Signed: Stephen Murray	Date: 1/7/02
Personal interest declared by Portfolio Holder/ conflict of interest declared by any other consulted Cabinet Member: N/A	Dispensation granted by Standards Committee: Yes/No or n/a N/A
Office use only: Call-in period begins: 4 July 2002	Expiry of Call-in period: 10 July 2002.

*After completion, one copy of this pro forma should be returned to
Democratic Services IMMEDIATELY*

2

Initialed as original copy by Portfolio Holder: S.M.

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3

Background Report:

7. At the meeting on 31 May 2002, the Portfolio Holder considered a report on licences for access across housing land. A number of owner-occupiers across the District have built garages in their rear gardens, (the Head of Planning Services advises that planning consent is not required for garages provided the structure is more than five metres from the dwelling-house). In many cases, access to the garage across housing-owned land is required. The Head of Housing Services has in the past identified some properties where such access is being gained without permission.

8. For those sites currently identified, a licence has been granted with an annual fee of between £12 and £25 being charged. In the future, it is intended through estate inspections that all sites should be identified.

9. As this practice has evolved over many years, with no inflationary increase applied, the Head of Planning Services has undertaken a valuation and advises that a charge of £80 per annum would be appropriate.

10. At the Portfolio Holder meeting on 31 May 2002, it was agreed that all new licensees should be charged this amount (in addition to the Council's legal fees) in the future, and that this cost be reviewed annually at the same time as other Housing related fees and charges. However, the Portfolio Holder requested that the increased existing charge should be phased in over a five-year period for existing licensees as follows:

- (a) 2003 increase to £40
- (b) 2004 increase to £50
- (c) 2005 increase to £60
- (d) 2006 increase to £70
- (e) 2007 increase to £80

11. The Head of Legal and Administration advises that as the current documentation has been in place for many years a new licence should be drawn up for accesses across housing land. It is suggested that new licensees pay the Council's legal costs for the licence. This is estimated at around £75.00. Current licensees would have their licences determined and be issued with the new updated version. It is suggested that the Council meets the legal costs for existing licensees.

12. Furthermore, it has come to light that the Head of Housing Services does not have delegated authority to sign licences for access across housing-owned land. In order to save Portfolio Holder and officer time and avoid any unnecessary delay, it is suggested that the Head of Housing Services be given delegated authority to sign licences in the future.

3

Initialed as original copy by
Portfolio Holder:

S.M.

:271108

4

Consultation undertaken:

13. Consultation will be undertaken when appropriate with local residents views being taken into account prior to any licence being granted.

Resource implications:

Budget Provision: Income to the Housing Revenue Account of £80 per annum for each licence plus re-imburement of any legal costs.

Personnel: N/A

Land: Access licences across housing land.

Community Plan/BVPP Ref : N/A

Relevant statutory powers: Housing Act 1985

Background papers: N/A

Environmental/Human Rights Act/Crime and Disorder Act: N/A

4

Initialed as original copy by
Portfolio Holder:
S.M.

:271108

5

Question for Council

The Cabinet has approved the principle of a Local Service Agreement with ECC Highways. According to Highways officers the LSA has now been drafted and ready to be signed off by this Council. Can the Pfh advise when detailed discussions of the content of the LSA will take place within the Council, what the forum for the discussion will be, and who will be negotiating the agreement with Highways on behalf of the Council?

Ken Angold-Stephens

Answer

The draft LSA was agreed by Cabinet in December 2004. The LSA agreement was appended to that agenda, and Members had the opportunity to consider its detail and operational effects. Cabinet resolved to:

- (1) note the receipt of the draft LSA*
- (2) participate in the LSA, subject to the conclusion of negotiations, and retain a local political interest in the "non strategic network"; and*
- (3) delegate decision making, where appropriate, to the Area Office*

Whilst the LSA has evolved since then, its content and approach has remained the same, save for some changes to the arrangements for development control (DC) advice. The 'final' version however is still awaited. It will only be necessary to report back to Cabinet if negotiations are not satisfactorily conclude. There is no reason to suggest that the final version of the LSA will be such as to require Cabinet to reconsider or that it will be necessary to re-negotiate the LSA as the question suggests.

It is important to note that having agreed the draft LSA and its fundamental principles earlier, there is a clear expectation that the Council will remain committed. The County, on the basis of that acceptance, has agreed to fund, over 3 years, the Council's residual costs. This amounts to a sum of £350,000 decreasing by thirds over that three year period. The Council is receiving this payment through reductions in precept payments.

All highway functions, save parking, have reverted to the County, and services are being delivered from their new offices at Harlow. The public are being referred to those offices in respect of highway enquiries. All except 2 technical officers transferred to the County as part of that process. The formal member liaison arrangements have yet to be put into place, but Overview and Scrutiny Committee has decided that it will undertake the scrutiny of the LSA and resulting highways service. As soon as the formal arrangements have been established, members will be informed.

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Report to Task and Finish Panel on Register of Development Proposals

Date of meeting: 18 October 2005

Subject: Establishment of Register for Local Concerns

Member contact for further information: Councillor F Maclaine

Committee Secretary: Z Folley (ext 4532)



Recommendations:

- (1) That a formal means of registering matters of concern affecting the Wards in the District be adopted;**
- (2) That the means of registering such matters with the Council be done by means of a specific Form (Appendix 1);**
- (3) That each Registration is numbered to facilitate a trace of action/decision taken by the Council, and**
- (4) To provide a record of outstanding issues affecting a Ward.**

Report

1. Over the years there has been a marked tendency for certain issues of concern in a Ward to 'suffer slippage'. This is to be expected given the scale of priorities. What is not acceptable is that such issues should 'disappear' and fail to be accounted for in successive Work Programmes. The perception is that each Financial Year starts afresh and issues have to be repeated.
2. The effects of these 'omissions' have the effect of distorting budgetary considerations and compound the problems of their resolution. It also gives the Public a distorted perception of the Council's Administration.
3. A very important factor in this regard is the Government's directive to implement Electronic Government. **Requirement 7** states:
Online public reporting/applications, procurement and tracking of environmental services, includes waste management and street scene (e.g. abandoned cars, graffiti removal, bulky waste removal, recycling)
4. This may result in substantial increase in demand which will impact on Administrative operations and Budget provisions.

Options Considered

5. Since implementation of **Requirement 7** will not be resolved until 2006 the Panel is not able to issue guidance on how the Registry might operate.
6. In spite of this limitation, it is felt that a **manual** Registry 'system', utilising a specific Report Form, should be put into operation as soon as possible.

7. The system will easily convert to e - Government once the technology is brought on stream and facilitate Member search/submission online.
8. Operation of such a 'system' will assist in better determining budgetary demands in the future.

Reasons for Recommendation

9. It is essential that Ward Members are able to demonstrate to their constituents that issues of concern, ranging from highway matters to environmental issues, have been properly addressed.
10. Implementation of e - Government will lead to the Public being able to monitor progress of such issues in the future.
11. In addition it is important that such matters continue to feature in Annual Work Programmes until they have reached resolution.

Community Impact

12. Ward Residents feel that the Council disregards matters that impact on the quality of their environment. The introduction of Requirement 7 will significantly empower the Public to register their concerns, and the Council needs to be ready to account for it.

Resource Implications

13. Unable to quantify at the present time, but unlikely to be significant.

Wards affected All Epping Forest

Corporate Objectives

14. To be able to demonstrate to Ward Residents that issues of concern have been properly lodged with the Council for assessment and consideration.
15. To ensure that issues outstanding at the end of each Financial Year are carried forward for inclusion in the Annual Work Programme of each succeeding year.
16. To facilitate the on-line integration of reporting matters of concern by members of the Public under the Government's Electronic Government proposals (see Para 3.3).

EPPING FOREST DISTRICT COUNCIL

WARD REPORT FORM

REGISTER ACTION NUMBER: (Entered by Member Services)

WARD:

REPORTING MEMBER: **Date:**

SERVICE CATEGORY:

(e.g. Building Services : Environmental : Highways : Housing : Leisure, etc)

DETAILS OF CONCERN (attach any supporting documentation e.g. letters, petitions, photographs, etc) :

HISTORY OF CONCERN (if any) :

RESPONDING OFFICER: **Date received:**

ACTION TAKEN:

FORM RECORDED: (Date)

COMPLETED FORM COPIED TO REPORTING MEMBER : (Date)

MEMBER'S FOLLOW-UP NOTES (as necessary)

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