

Report to Housing Services Scrutiny Standing Panel



SCRUTINY

Date of meeting: 23 March 2009

Subject: Parking Enforcement on Housing Estates



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Committee Secretary: Mark Jenkins, Office of the Chief Executive (01992-56 4067)

Recommendations/Decisions Required:

1. That the Housing Scrutiny Panel considers the approach to parking enforcement on housing estates, and recommends to the Housing Portfolio Holder that:

- (a) In accordance with Option Four in the report, enforcement measures are undertaken on an ad hoc basis where problems are particularly bad, following consultation with local residents and Ward Members; and**
- (b) That the position is reviewed at a future date to be agreed.**

Report:

Vehicular Crossovers & Off-Street Parking Schemes

1. At its last meeting on 3 July 2008, the Housing Scrutiny Panel considered a report on options to resolve the increasing problems with parking and increased congestion on housing estates. In order to ease the parking problems, the Housing Portfolio Holder and the Panel agreed that the following recommendations be made to the Cabinet.

- That the maximum amount of grassed verge to be removed in order to construct a vehicular crossover to allow residents to park their vehicle/s in their front garden be increased from 6 metres to 12 metres in length; and
- That the additional £300,000 budget available in the Housing Revenue Account (HRA) Capital Programme from 2009/2010 be made available to fund further off-street parking schemes and match funded from the General Fund.

2. At its meeting on 1 September 2008 (Minute 60 refers) the Cabinet agreed both of the above recommendations. However, on the recommendation of the Housing Portfolio Holder, it was further agreed that, for any proposed crossover in excess of 6 metres, a consultation exercise involving local residents and Ward Members be undertaken prior to approval and construction.

Parking enforcement on Housing Estates

3. The Housing Scrutiny Panel also considered at the July 2008 meeting, the increase in complaints from the public about unauthorised parking; these include increased telephone calls, letters and occasionally petitions.

4. The complaints are about two main issues. Firstly, residents are unhappy that more vehicles are being parked on grass verges causing damage to the open green spaces, which are costly to repair and can be dangerous to pedestrians and children playing. When, in response, enforcement action is taken by the Council, in the form of installing bollards, jockey

rails or shrub planting, other residents complain about having nowhere to park, with cars being displaced into already heavily congested side streets.

5. In addition to receiving complaints from the public, officers receive enquiries from Members. Some Members ask that enforcement action be taken to prevent vehicles from parking on the grassed verges, with other Members asking officers not to take action as it will displace vehicles and cause problems in side streets.

6. The Housing Scrutiny Panel therefore asked officers to draft a policy on the approach to be taken on unauthorised parking. The draft policy was considered by the Panel at its meeting on 9 October 2008, and its comments were incorporated. Both the Panel and the Housing Portfolio Holder suggested that the policy, which is attached as an appendix to this report, be reviewed by the Panel one year after its implementation.

7. Subsequently, the (officer) Corporate Executive Forum had concerns that the proposed policy may be difficult to enforce, but as the report had been considered by the Housing Scrutiny Panel and the Housing Portfolio Holder it was agreed it should be submitted to the Cabinet on 15 December 2008 for consideration. However, prior to the Cabinet meeting, the Housing Portfolio Holder decided that the report should be deferred and officers be asked to consult with other enforcement officers within the Council to seek their views on the policy.

8. This consultation has been undertaken. Unfortunately, it has not been very helpful as they also see the difficulties with enforcing any policy. Indeed, the two Area Housing Managers responsible for housing management in the north and the south of the District have been consulted on the draft enforcement policy and asked that the Panel consider their concerns which are as follows:

- Any enforcement policy will be difficult to apply, as it is always going to be unclear and difficult to interpret.
- An enforcement policy could be subjective in its application and difficult decisions will need to be made by officers which, as with the current arrangement, some will be in favour and others against.
- When a decision is made, the Council may have difficulty explaining to residents why it is allowed in one area and not another.
- The Council could not allow cars to cause an obstruction, damage grass verges, or cross pavements where kerbs have not been dropped.

9. The Tenants and Leaseholder's Federation was consulted on the policy at its meeting on 23 September 2008; by a majority of 5 in favour and 2 against they concluded that unauthorised parking on housing-owned grass verges should generally not be permitted across the District.

10. The Housing Portfolio Holder requested that other councils be contacted and asked about their policies. A summary of the responses is attached as an appendix to the report.

11. There appear to be the following four options:

Option One – Unauthorised parking is fully enforced

12. If all unauthorised parking on estates was fully enforced, a programme of works could be undertaken on housing-owned grass verges, either installing jockey rails, bollards or the planting of shrubs, which would be costly. Although this would solve the problems of damage being caused to the grassed areas, due to the large numbers of vehicles being parked on grass verges, this would cause further congestion in side streets.

Option Two – Postponement of parking enforcement in identified priority areas

13. Any parking enforcement could be postponed in identified priority areas, where off-street parking schemes have been agreed, until the schemes have been constructed, or residents have had the opportunity to construct a new vehicular crossover (particularly under the new 12 metre rule). However, Members would need to consider the action to be taken in areas which are of a less priority.

Option Three – Continue with the Parking Enforcement Policy

14. The Housing Scrutiny Panel could consider recommending to the Housing Portfolio Holder that, following consultation with the Council's enforcement officers, the policy previously proposed by the Scrutiny Panel attached as an appendix to the report, be submitted to the Cabinet for consideration.

Option Four – Carry out enforcement measures on an ad hoc basis

15. Carrying out enforcement measures on an ad hoc basis is the current practice of housing management. Jockey rails or shrubs are installed at sites where the problem is particularly bad and the most complaints are received following a local consultation exercise. If this option was continued, it is suggested that all Ward Members are also consulted in the future, prior to any enforcement measures being undertaken.

16. It is suggested to the Panel that Option Four would be the most appropriate course of action. Although this is the current policy, it could be recommended to the Housing Portfolio Holder that in the future, in addition to local residents, Ward Members be consulted on any proposed enforcement action. In addition, it is suggested that the Housing Scrutiny Panel agrees a date to review the position.

APPENDIX

Summary of responses on the approach taken by other Council's on parking enforcement

| Authority | Response |
|--------------------------------------|---|
| Harlow District Council | Do experience problems with parking on estate greens. Ad hoc approach taken some letters sent some vehicles stickered and jockey rails installed at some locations. No formal policy. |
| Brentwood Borough Council | Same approach as Harlow District Council. |
| Uttlesford District Council | Same approach as Harlow although no parking signs are installed and off street parking schemes have been constructed. They have a Corporate enforcement team who take action against residents who illegally park. No formal policy. |
| Welwyn and Hatfield District Council | Bollards and jockey rails are installed at some locations and they have a bye law which prohibits parking on Council land which is difficult to enforce. No formal policy. |
| Stevenage Borough Council | Have a parking strategy being trialed across half the Borough including a local traffic order prohibiting parking on Council greens which is enforced by parking attendants. Where there are major parking problems parking schemes are being constructed prior to traffic orders being put in place. |