

APPENDIX 3

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

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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

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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

Initialed as original copy by Portfolio Holder:
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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.

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:

Priority List Details
JOINTLY FUNDED PARKING BAYS PRIORITY LIST DETAILS

2004/05									
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			
Deedene 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			

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

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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.

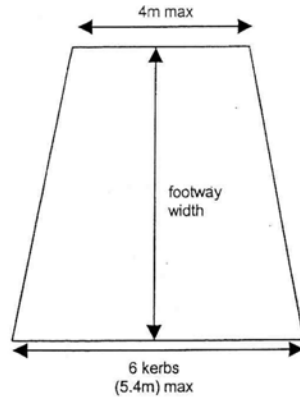
On classified roads, any gates should be set back a minimum of 4.5m from the edge of the carriageway. On all classes of road, gates, if present must open inwards and not out onto the highway.

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.

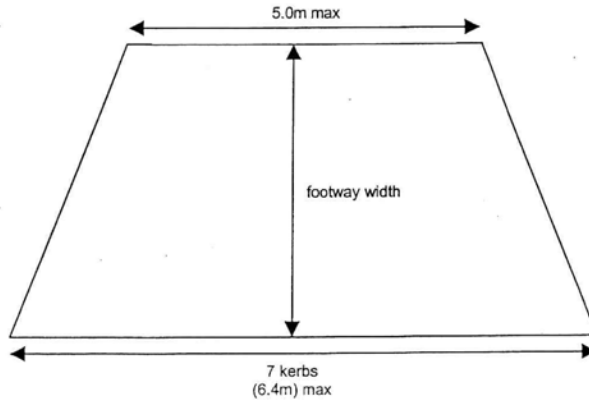
Any new access if it is part of a change of use of a property of to allow a private business from a residential premises it would require planning permission.

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.</i> <i>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: <i>Agreed.</i>	
Signed: <i>Stephen Murray</i>	Date: <i>1/7/02</i>
Personal interest declared by Portfolio Holder/ conflict of interest declared by any other consulted Cabinet Member: <i>N/A</i>	Dispensation granted by Standards Committee: Yes/No or n/a <i>N/A</i>
Office use only: Call-in period begins: <i>4 July 2002</i>	Expiry of Call-in period: <i>10 July 2002.</i>

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

2

Initialed as original copy by Portfolio Holder: <i>S.M.</i>

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.

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

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

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.