

## **Report to Cabinet**

**Report Reference: C/134/2005-06.**

**Date of meeting: 10 April 2006.**

**Subject: Parking in Residential Areas –  
Report of Task and Finish Panel on Register  
of Development Proposals.**



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### **Recommendations:**

#### **Loss of Highways Agency:**

- (1) That, although highways issues are now a matter for ECC Highways, parking is such an important issue and is likely to get worse, the District Council retain an interest in securing the improvements for residents;**
- (2) That the operation of the Highways Local Service Agreement be routinely monitored by the Overview and Scrutiny Committee;**
- (3) That consideration be given to the establishment of a local forum to discuss highways issues and managing a database of priorities, particularly parking schemes, within the District;**
- (4) That the Highways schedules of works in the District be published in the Members' Bulletin so that all members can keep abreast of planned works in their area;**

#### **The terms of the LSA:**

- (5) That the Portfolio Holder for Civil Engineering and Maintenance discuss the non specific nature of the LSA with the Head of Environmental Services and Highways in order to decide whether the following points should be raised in the local customisation section:**
  - (a) Paragraph 4.1 *County Routes* - The need for an additional sentence to read 'In particular the Highways Authority will consult with the District Council on major roads when up-grading or re-surfacing works are to be carried out so that the issue of on-street parking may be considered with a view to improving the flow of traffic, providing safe provision for pedestrians, and protecting the environment'.**
  - (b) Paragraph 4.2 *Local Roads* - The need for an additional sentence after '.....respective Councils' to read 'This includes considering changes to the road lay-out to improve on-street parking provision if thought desirable by the District Council'.**
  - (c) Paragraph 4.3 the last bullet point referring to items not included in the LSA merely says 'On street parking'. The need for clarification e.g. On street parking management and enforcement regulations'.**
  - (d) The need to address Highways approach to enforcement in the LSA e.g.**

where residents are crossing pavements illegally to park on their front drives.

**Residents Parking Schemes:**

- (6) That the Residents Parking Schemes in Epping, Loughton and Buckhurst Hill, approved by the Cabinet in 2003, be progressed as a matter of urgency and should take priority over traffic calming measures except when it may be more cost-effective as part of a traffic management scheme which includes parking considerations.
- (7) That wider parking reviews and residential parking schemes be funded and carried out systematically across the District in response to concerns expressed by residents and Councillors, especially in roads close to areas where approved parking schemes are being implemented;
- (8) That Housing Services liaise with Highways to progress parking schemes on Housing land as soon as possible and up-date their database accordingly;
- (9) That Housing Services review with Highways the sequence of decisions leading to highways improvements on Housing land, in particular, at what stage residents should be consulted;
- (10) That the annual budget for District funded traffic and parking schemes (currently £200,000pa) be maintained until the funding division between ECC and EFDC for such improvements becomes clearer.
- (11) That a database and recommendations be maintained by Environmental Services on non-housing land with priorities set along the lines of those for Housing land, and that the Portfolio Holder for Civil Engineering and Maintenance decide the priorities in liaison with the Head of Environmental Services.

**Cross-overs:**

- (12) That the maximum length of a cross over remain at 6 metres
- (13) That the specification for cross-overs on Housing land should include a requirement for surfacing to be porous and bound, but not shingle, so that surface water will not drain onto the road or, the drains and any remaining open area to be landscaped to minimise the impact on the street scene;
- (14) That Housing Services guidelines include a statement that when cross-overs are considered the overall impact on the street scene will be considered;
- (15) That Highways be encouraged by negotiation through the Joint Member Panel to adopt the proposals outlined in (12) and (13) above;

**Enforcement:**

- (16) That Highways and the District Council should be more pro-active in enforcing parking regimes and cross-overs to avoid damage to kerbs, pavements, statutory undertakings, verges and greenswards preferably through persuasion rather than legal proceedings or physical barriers, which should only be used as a last resort.

- (17) That the relevant Portfolio Holders monitor the progress made with the recommendations and report on a regular basis to the Overview and Scrutiny Committee.**

**Background:**

1. The inability to park at or close to home has become one of the major concerns of residents of our District. This is a national problem, not exclusive to parts of our district. The increase in car ownership is set to continue for some years to come and, in general, councils have been slow to recognise the importance of this issue to their constituents. The proportion of households owning two or more cars has risen from 6% to 28% (more in the SE of England) since the 1960s and this has had a major impact in residential areas.
2. On various public surveys, traffic congestion and lack of parking is the primary issue that people raise, followed by litter and anti-social behaviour etc. Whilst parking provision is not a statutory task of councils it would not be prudent to ignore the strength of public feeling on this issue.
3. The RAC Foundation report entitled 'Motoring towards 2050: parking in transport policy' highlighted the following issues:
  - 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 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 of car demand by 2030;
  - 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.

**Issues:**

4. The proposals are divided into general Highways issues (particularly the new arrangements for highways management under ECC) parking on Housing land and non-Housing land, residential parking schemes, cross-overs on Housing land non-Housing land and enforcement.

**General Highways Issues:**

5. Highways issues are now a matter for ECC Highways and parking issues on non-Housing land have to be dealt with through the relevant County Councillor or directly through the Highways Area Office in Harlow. Nevertheless this Panel regards parking as such an important issue that is likely to get worse in the future as car ownership rises, that the District Council should retain an interest in securing the improvements it deems important for residents, even though ultimate decisions rest with ECC Highways.
6. The Panel is concerned about the possible loss of a local focus and knowledge under the new arrangements through the LSA but noted assurances given by the Area Manager that this would not happen. It is also noted that telephone calls and e-mails to Harlow are now acknowledged and deadlines for replies are given. In time it is hoped that Members will be given specific telephone numbers of officers with the appropriate responsibilities for the Epping Forest District. We were assured that the

O & S Committee will be monitoring the effectiveness of the new arrangements.

7. The routine liaison meetings with Highways twice a year with all the District Councils through the Joint Member Panels is thought to be adequate for dealing with strategic issues but the Panel feels that another forum is needed to discuss issues specific to Epping Forest District. We suggest the O & S Committee take a view on how this should be carried out but suggest this could take the form of a routine meeting between Highways officers, the Portfolio Holder, the Head of Environmental Services, and a Housing Officer, initially at not less than three monthly intervals.
8. The Panel is further concerned about how Members will be informed of impending works in their area. The recommended procedure is that Highways inform the Head of Environmental Services and the Portfolio Holder as early as possible so that schedules can be included in the Members Bulletin sufficiently in advance for Members' to be able to consult with residents if they feel there is a need, or respond with any representations they may wish to make about the proposed works.
9. The Panel notes that the Cabinet minutes of the 27 May 2003 made the following decisions:
  - That where parking review and traffic management priorities coincide, the process be combined; and
  - That notwithstanding the agreed objective traffic management assessment criteria, where traffic management schemes would benefit from localised revised parking arrangements and parking review outcomes would benefit from localised revised traffic management, these be considered in any proposals put forward'

We see no reason for this to change now that highways are managed directly by ECC, even though the funding streams may be different. We therefore suggest that the LSA is clarified to take into account the view expressed in the above minute and specifically:

- (a) Paragraph 4.1 *County Routes*. An additional sentence to read 'In particular the Highways Authority will consult with the District Council on major roads when up-grading or re-surfacing works are to be carried out so that the issue of on-street parking may be considered with a view to improving the flow of traffic, providing safe provision for pedestrians and protecting the environment';
- (b) Paragraph 4.2 *Local Roads*. An addition sentence after '.....respective Councils' to read 'This includes changes to the road lay-out to improve on-street parking provision if thought desirable by Epping Forest District Council;
- (c) Paragraph 4.3 the last bullet point referring to items not included in the LSA merely says 'On street parking'. This needs clarification e.g. 'On street parking management and enforcement regulations';
- (d) There is no mention of Highways approach to enforcement in the LSA e.g. where residents are crossing pavements illegally to park in their front drives. We feel this should also be mentioned in the LSA.

#### **Residential Parking Schemes:**

10. The Panel notes that the Epping and Buckhurst Hill residential parking schemes are incomplete although both are now progressing to a conclusion by early 2006 but that the Loughton scheme has not commenced yet (other than considering roads directly affected by the TCE scheme).

11. Approval for carrying out all these works was agreed by the Cabinet in 2003 and it is of major concern that these have not progressed more quickly. Although the schedule of traffic calming and parking schemes were tabled at the Cabinet meeting on 27 May 2003, these were mostly confined to localised areas, such as High Streets, where complainants had been most vocal, but the same report also stated that 'in the past the Council had experienced difficulties which had arisen from undertaking a scheme in limited area, only then to receive complaints about effects in the surrounding area' and 'Whilst an area based approach altered individual priorities a little, the advantages of taking a holistic view were considered to outweigh the disadvantages'.
12. It is the source of considerable disquiet from residents in vulnerable roads, particularly Loughton residents who were promised action a long time ago, and this Panel expects that action will be taken to progress these schemes without further delay.

#### **Parking on Housing Land:**

13. Housing has a comprehensive database of schemes, surveyed, costed and prioritised, for roads on Housing land; however implementation has been slow with the result that budgets have been carried forward year on year. Current budgets are thought adequate at present but should it prove possible to speed up implementation of schemes the budget may have to be reviewed. It is noted that reassurances were given by the West Artea Highways Manager that the current underspends on these budgets, attributed to staff shortages and delays associated with the LSA implementation will be resolved in 2006/7.
14. One scheme seems to have been withdrawn due to residents' opposition despite compelling reasons for them to support the scheme and their initial enthusiasm. It is recommended that a housing Manager re-visits this scheme with a view to confirming, amending or deleting it as appropriate.
15. The Assistant Head of Housing Services has agreed to examine the database, look again at any anomalies or changes to the original priorities, re-issue the database and forward any revised proposals to Highways that are within the current budget provision. Monitoring the progress of schemes should be carried out routinely and any significant slippage reported to the O & S Co-ordinating Committee.
16. Highways do a technical audit of the site proposed by Housing, undertake a risk assessment and give an estimate for the works before Housing management prioritise schemes within the budget allocation and undertake consultation with residents. The Panel was asked to consider whether residents should be consulted first so that a negative response or an unreasonable cost does not lead to a waste of Highways and officers' time. Whilst this has obvious merit it does run the risk of raising expectations with residents, but handled sensitively it may be the better approach and we would recommend a discussion between Housing Officers and Highways Officers to re-examine the current procedure.

#### **Parking on non-Housing Land:**

17. There is no equivalent priority database for parking schemes on non-Housing land although a list of proposals is kept. It is not clear how the proposed schemes are identified. Prioritisation is carried out by the Portfolio Holder for Civil Engineering and Maintenance
18. We understand that highways has no funding available to provide parking bays or other improvements to create more parking on strategic or non-strategic roads although where costs are reasonable some contribution from Highways would not be ruled out.
19. There are many areas across the District where grass verges have been destroyed by

cars parked on them or where pavements are used, sometimes causing obstruction to pedestrians.

20. Unless funding is provided by the District Council these areas will continue to decline and parking on the verges will continue to have a detrimental impact on the street scene. As above, Highways do not have a budget for the additional work involved although a contribution towards the costs has not been ruled out if the work is simultaneous with other highways improvements.
21. It is therefore recommended that funding for kerb re-alignments or parking bays on non-Housing land should continue to be provided by the District Council and that this issue should receive a higher priority than it has received in the past in order to relieve congestion, improve parking provision and/or improve the street scene.
22. Once an improvement has been identified as worthwhile by the Portfolio Holder it is suggested that it becomes the responsibility of the Head of Environmental Services to obtain estimates from Highways and for the Portfolio Holder to then make a decision within delegated powers or a recommendation to Cabinet if the cost exceeds delegated powers.
23. We understand these proposals are consistent with the report C/082/2005-6 to Cabinet on the 14<sup>th</sup> November 2005.

#### **Cross-overs on Housing Land:**

24. Housing have comprehensive policies on the approval of cross-overs on Housing land. They are being revised to take into account the new arrangements with Highways.
25. On Housing Land, it is recommended that the policy makes clear the need for front garden surfacing to be porous (but not shingle which tends to drag on to the road) in order to limit the amount of surface water entering the drains. A number of alternatives are available.

Landscaping of the remaining unsurfaced area should be emphasised to minimise the impact on the street scene and to retain as much green area as possible.

26. It is also recommended that when cross-overs are considered the overall impact on the road is also considered, bearing in mind that one cross-over loses on-street parking equivalent to approximately one and a half spaces. In a worst case scenario a large row of cross-overs can lead to no available parking on the road for visitors or for other residents with no cross-over.
27. Highways criteria states that cross-overs will not be agreed to where the length of the front garden from the house wall to the pavement is less than 4.8m. This should also be made clear in the Housing policies.
28. We believe the maximum length of a cross-over across greensward should remain at 6m.

#### **Cross-overs on non-Housing Land:**

29. This is no longer a matter for the District Council and residents should be advised to channel their requests directly to Highways although, of course, Members will be available to residents in their area to give advice.
30. We suggest that Highways should be recommended, as on Housing land, to incorporate in their policies that when cross-overs are considered the overall impact on the road is also considered, bearing in mind that one cross-over loses on-street

parking equivalent to approximately one and a half spaces. In a worst case scenario a large row of cross-overs can lead to no available parking on the road for visitors or for other residents with no cross-over.

31. Within reason, residents can, do what they like on their own land, but the Panel recommends that Highways should insist that porous surfacing (other than shingle), must be used to avoid drainage on to the highway or into the drains. This may be enforceable through the Department of the Environment Regulations, design Bulletin 32 ' No water from private property may be channelled on to the highway'.

#### **Enforcement:**

32. In theory, enforcement, can be applied to residents who cross the pavement illegally to park in their front drives or who park persistently on grass verges, causing consequential damage. In the latter case the Essex Act which forbids parking on verges and common land could be invoked.
33. Illegally crossing pavements is a matter for Highways, whereas damaged verges and greenswards are the responsibility of the District Council.
34. In both cases enforcement is likely to be difficult and costly with minimal fines being imposed.
35. The preferred route is to use persuasion and both the District Council and Highways should be encouraged to be more pro-active in this area.
36. Where persuasion has failed, physical means could be used such as barriers to deny access but this would be a last resort and very unlikely to be used except in the most serious situations.

#### **Conclusions:**

37. The introduction to this report highlighted the importance of parking to residents near to their homes as well as when they go about their business, but equally residents value our open spaces and want to see them well-managed, preserved as far as possible and safe from environmental damage. We believe that the Council, needs to tread very carefully between these two conflicting demands and solutions will have to be tailor-made for each location, sometimes using imaginative solutions.
38. This Panel feels that parking issues within the District have not had the attention they deserve and that this needs addressing if severe congestion or gridlock in some roads, both primary and local, is to be avoided in the future.
39. The Panel is of the opinion that the Council ignores tackling this issue at its peril as many roads have already exceeded or are at saturation level in terms of parking. If a more determined effort is not made in this area we will face a situation of an ever deteriorating environment and the destruction of our green spaces as well as serious public discontent with the Council.

#### **Views of the Overview and Scrutiny Committee:**

40. The Overview and Scrutiny Committee considered and supported this report at its meeting on 8 December 2005 subject to a number of changes. These changes made clear that the current maximum length for crossovers should remain at 6 metres, that the proposed surfacing for vehicle crossovers be porous and bound to allow drainage and facilitate maintenance work. The Committee also amended the recommendations to propose that progress made with the proposals be reviewed on a regular basis by the Portfolio Holder and reported to the OSC.