

Decision Maker: **Environment Portfolio Holder**

For Pre-Decision Scrutiny by the Environment PDS Committee on:

Date: **1st July 2014**

Decision Type: Non-Urgent Executive Non-Key

Title: **PARKING CONTROLS IN RESIDENTIAL AREAS**

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Chief Officer: Nigel Davies, Executive Director of Environment & Community Services

Ward: All

1. Reason for report

The purpose of this report is to examine the Council's approach to requests for various parking controls, including waiting restrictions (yellow lines) and to formalise current practice into policy. The report proposes criteria for determining where parking should and should not be permitted.

2.

RECOMMENDATION:

2.1 **That the Environment Portfolio Holder agrees to the adoption of the policies in respect of parking controls outlined in this report.**

Corporate Policy

1. Policy Status:
 2. BBB Priority: Quality Environment Vibrant, Thriving Town Centres:
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Financial

1. Cost of proposal: Not Applicable
 2. Ongoing costs: Not Applicable
 3. Budget head/performance centre: Minor traffic management scheme budget and TfL LIP funding for parking
 4. Total current budget for this head: £9,960 and £135,000
 5. Source of funding: Existing revenue budget 2014/15 and TfL LIP funding 2014/15
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Staff

1. Number of staff (current and additional): 2
 2. If from existing staff resources, number of staff hours: 6
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Legal

1. Legal Requirement: Statutory Requirement:
 2. Call-in: Applicable:
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Customer Impact

1. Estimated number of users/beneficiaries (current and projected): Residents, and visitors to the Borough
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Ward Councillor Views

1. Have Ward Councillors been asked for comments? Not Applicable
2. Summary of Ward Councillors comments:

3. PARKING CONTROL POLICY

- 3.1 This report outlines the design considerations for parking controls in residential areas across Bromley. This includes minor changes to the highway and incorporates:
- Waiting Restrictions (yellow lines)
 - Flank Boundary Parking
 - Footway Parking
 - White Bar Access Markings
 - Disabled Persons Parking Bays
- 3.2 The purpose of this report is to examine the Council's approach to requests for various parking controls and to reaffirm the Council's position on trying to provide suitable parking places on street. The report outlines where parking should and should not be permitted and proposes criteria for doing so.

Proposed Waiting Restrictions

- 3.3 Where a request is made by a resident, ward Member or other key stakeholder, consideration can be given to the introduction of restrictions to improve sight-lines or traffic flows. An engineer will visit the site to assess current parking problems, the demand for on street parking in the area and also any recorded collisions that have occurred at the location resulting in personal injury. The majority of these requests relate to junctions but some other locations, such as bends, can benefit from parking controls. The primary consideration before any controls are installed (or removed) is safety, but other considerations are also taken into account.
- 3.4 The Highway Code recommends that drivers should "*not park opposite or within 10 metres of a junction, except in an authorised parking space*". However, enforcement action can only be taken where waiting restrictions (yellow lines) are present with a formal Traffic Management Order (TMO) in operation.
- 3.5 Introducing waiting restrictions at every junction where a request is made would result in significant costs to the Council. Each site where restrictions are proposed requires a Traffic Management Order to be made at a cost of about £3,000. There is also the cost of staff time to design each scheme, plus the ongoing costs of enforcement. Whilst sites can be batched together in an Order that is advertised, introducing restrictions at every junction is not necessary. Waiting restrictions can be visually intrusive and have an impact on the street scene. The majority of junctions across the borough do not require restrictions.
- 3.6 At some locations displacing existing parked vehicles can create further road safety concerns. There may also be objections from residents, particularly in areas where no other waiting restrictions are present. Such restrictions can create local vehicle displacement and careful consideration is required for each site. This includes the road safety record and the demand for parking at the location. Where a request is made for such restrictions, an engineer will investigate. The Traffic team receives around 5 requests per week for junction treatments but only around 10% of these are currently deemed appropriate to progress.
- 3.7 At most junctions where restrictions are introduced, the standard approach is to install 10 metres of 'At Any Time' waiting restrictions (double yellow lines) to the junction. This is consistent with the highway code. This helps to protect sightlines and is usually equivalent to two car lengths. The standard design is shown in Appendix 1, Diagram A.

- 3.8 However, there are instances where slight variations may be required to take into consideration the road layout, driveways and other street furniture present. Whilst the Council seeks to take a consistent approach to the introduction of waiting restrictions at junctions (within 10 metres in all directions) there are locations where the length of restrictions need to be varied. An example is shown in Appendix 1, Diagram C. Whilst restrictions may need to be slightly extended to take into account the road layout or speed of traffic (Appendix 1, Diagram F), shorter lengths of restrictions are often required in one way roads as shown in Appendix 1, Diagrams D & E.
- 3.9 If it is considered restrictions are required, ward Members and the Environment Portfolio Holder are always consulted in advance of any proposal. Providing there are no objections, the necessary Traffic Management Order will be drafted and the directly affected residents informed of the changes proposed. Providing no objections are raised the amendments can be made on the ground and the Order allowing enforcement made. If objections to the proposal are received, but are not deemed to be valid, approval is sought before implementation. As the cost of such schemes is generally very low, decisions are often taken under Delegated Authority by the Executive Director of Environment and Community Services, following consultation with ward Members and the Environment Portfolio Holder. More extensive parking schemes that involve a number of roads, or cost over £5,000, are reported to the Environment PDS Committee for consideration before a decision is taken by the Environment Portfolio Holder.

Private Driveways – Requests For Waiting Restrictions

- 3.10 Residents may request waiting restrictions to protect individual driveways. The number of requests received for 'At Any Time' waiting restrictions (double yellow lines) to protect driveways is increasing. Introducing such restrictions to protect an individual driveway is usually not practical, would often have detrimental effects such as displacing parked cars to other driveways and could lead to many further requests borough-wide. Restrictions are therefore focused on areas where road safety is of concern and where the parking of vehicles needs to be managed and controlled effectively. As highlighted in paragraph 3.2 above, such restrictions are focussed at junctions to improve road safety. Introducing short lengths of restrictions borough-wide simply to protect driveway entrances and would be impractical to enforce effectively. There would also be a significant cost to the Council of introducing the necessary Traffic Management Orders to permit legal enforcement at each location where such lines are applied.
- 3.11 However, residents can request an individual visit by a Civil Enforcement Officer (traffic warden) to enforce parking restrictions, including a vehicle parked across the dropped kerb outside their property. Alternatively, if the resident is regularly inconvenienced by vehicles parking across their dropped kerb, they can register their address giving authorisation for routine parking enforcement. This achieves a similar outcome without a proliferation of yellow lines.
- 3.12 Short lengths of single yellow lines are also often requested. However the introduction of many short lengths of restriction with gaps would be confusing for motorists. It would also result in an increase in the number of signs required to make restrictions enforceable, contrary to the Council's policy aim to reduce street clutter. Local authorities are encouraged to ensure parking controls are kept as simple as possible in order to avoid complex restrictions, signs or road markings. Increased use of such restrictions would make effective enforcement difficult. Drivers might also expect to park on such restrictions with a low risk of receiving a penalty, undermining the effectiveness of parking restrictions in other locations borough-wide where road safety is the primary purpose. As yellow line waiting restrictions are not used to protect

individual crossovers and driveways, demand for white line bar markings has also increased; this is discussed in section 4 of this report.

Flank Boundary Parking

- 3.13 In 2010 a review of parking across Orpington was carried out (report ESD/10082). It was agreed that, where parking could be suitably accommodated and did not interfere with driveways and/or residents, additional parking should be provided. This mainly included areas that were adjacent to flank boundaries or along fences. It was seen as being preferable to allow parking in such locations, rather than adjacent to driveways which would create problems with gaining access and/or with sightlines. Hence, if parking controls are deemed necessary for an area, flank boundaries would be kept available for parking.
- 3.14 Flank boundary parking can maximise the space available to park on-street and prevents displaced parking. With the emergence of larger parking schemes across the Borough, and across London, a number of areas that could easily accommodate parking have been restricted by yellow lines. This can create further displacement, resulting in vehicles parking in even less desirable locations. This can include parking on the edge of controlled areas or just outside of Controlled Parking Zones (CPZ). This often results in further complaints and requests for restrictions to be extended.
- 3.15 Therefore, flank boundary parking can help to provide on-street parking within otherwise restricted areas and prevents the displacement of parked vehicles elsewhere. The purpose of any parking scheme is to control and manage parking and not simply to displace it.
- 3.16 Since 2010 the approach taken by the Council has been to allow flank boundary parking where it would not create access problems. However there are a number of areas where older parking schemes have been extended and flank boundary areas have been restricted. This can simply displace parking and reduce the number of locations where drivers could park on-street, without creating any parking problems. Consequently we will wherever appropriate introduce flank parking for new and existing schemes.

Carriageway Widths – Flank Boundary Parking

- 3.17 Generally if a carriageway is in excess of 6 metres in width, flank boundary parking can be provided, to allow parking to one side. This allows 2 vehicles to simultaneously pass a vehicle parked adjacent to the kerb. For short lengths this can be reduced to 4.2 m, which allows a vehicle to pass a parked vehicle in one direction. If the carriageway is narrower flank boundary parking is generally not permitted as this can interfere with the free flow of traffic, especially larger vehicles. Certain road layouts – such as a sharp bend in a road - can also make flank boundary parking less desirable, with a width in excess of 4.2 m required even for short lengths.
- 3.18 However if parking is necessary, consideration can be given to permit partial footway parking to continue, without the need for further restrictions to ensure access. As footway parking is not normally permitted on footways across London, careful consideration is required before allowing such an exemption, particularly in relation to whether the footway is of appropriate construction to withstand this use.

Footway Parking Exemptions

- 3.19 There is a London-wide ban on parking vehicles on the footway and verges. This is covered by Section 15 of the Greater London Council (General Powers) Act 1974, which came into effect in 1985.
- 3.20 Footway parking is a contentious issue, with many requests being received from residents to permit vehicles to be parked on the footway. However, the Council currently operates a policy which presumes against allowing footway parking. This is linked to the general principle that footways are for pedestrians, and is tied to the Council's policy of facilitating a wide range of choice in travel methods in addition to the use of private cars. Whilst some residents may consider that it is their right to park on the footway outside of their house, this can seriously impinge on other users of the footway. Vehicles on the footway can cause severe problems for the blind, those in wheelchairs and people with pushchairs. Therefore, if exemptions are permitted, sufficient widths for wheelchairs, pushchairs etc. need to be retained. Furthermore, footways are not normally constructed to take the weight of parked vehicles so they quickly become damaged, necessitating costly repairs.
- 3.21 There has previously been a general presumption against granting widespread exemptions. The following principles guide the approach taken by the Council:
- Footways are for pedestrians.
 - Verges are an amenity for the whole community to enjoy.
 - Parking should be on private property where possible.
- 3.22 Nevertheless, there are situations where it may be possible and appropriate to allow footway parking. Consideration can be given following representations from residents, and site observations by an engineer. Wider than usual footways, narrow carriageway widths and a lack of alternative facilities may mean that footway parking is the best solution to a particular parking problem. This has been observed where parking on both sides of the street restricts vehicle movement to such an extent that emergency vehicles are unable to gain access.
- 3.23 The standard method of signing footway parking, approved by the Department of Transport, is by small signs which indicate that either two or four wheels may be placed on the footway. These signs must be installed on any road allowing an exemption. Without such signs, footway parking is not permitted. Where possible, existing lamp columns are used for these signs to reduce street clutter.

Footway Widths – Footway Parking Exemptions

- 3.24 Currently any request for footway parking is investigated before a decision made on whether an exemption can be applied. Normally such footway parking would need to retain at least 1.2 m of footway to still allow pedestrians to pass. Examples are shown in Appendix 2. However, in special circumstances this may be varied. If footway parking is to only be permitted to one side of the road (leaving the other footway completely clear) or for only a short distance to avoid a pinch point, then footway parking can be varied.
- 3.25 Generally the Council does not mark bays on the footway to show the exemption or extents of the parking permitted. Marking such bays can have an impact on the visual outlook of a road and also create issues with refurbishment.
- 3.26 Consequently it is recommended that there should be a continuation of the existing parking procedures across the borough with the following approach to be taken:

- The standard length of junction treatment restrictions to be 10 metres, with authority to vary in special circumstances depending on individual site circumstances or for engineering / road safety issues.
- Where road widths permit, as described in 3.12, to allow flank boundary parking without restrictions.
- For any new scheme promoted or existing scheme reviewed, to assess locations where flank boundary parking can be provided and where restrictions could be removed to provide additional parking places.
- Footway parking is only to be introduced in special circumstances and where sufficient footway widths as described in 3.18 can be retained. This would only apply where footways are deemed sufficiently robust, or can be upgraded, to withstand the weight of vehicles without excessive damage.

4. PARKING CONTROLS TO BE REVIEWED

White Bar Access Markings

- 4.1 White bar markings are an advisory marking laid on the carriageway to indicate the presence of a driveway, an entrance to off-street premises or where the kerb is dropped to provide a convenient crossing place for pedestrians.
- 4.2 Such markings are not legally enforceable. However if used sparingly they can be helpful in discouraging inconsiderate parking, particularly where a problem is isolated and a Traffic Management Order (used with yellow lines) could not be justified or easily enforced. White bar markings may be used to mark gaps across driveways or between separate bays.
- 4.3 As yellow lines cannot be used to protect an individual driveway, residents often now request a white bar access marking where gaining access to or from a driveway or crossover has become difficult. Whilst these are effective at showing the presence of a driveway, particularly in a busy street, increased requests have resulted in a large number being installed borough-wide and at times there has been an inconsistent approach to implementation. The general principle currently employed is that, when requested, white bars will only be installed across communal entrances, driveways of disabled drivers, or business premises.
- 4.4 Given the increased number of requests for such markings, the cost is also increasing. Whilst there is no cost associated with signage or a TMO (as they are not required), there is a cost for the road markings and for the officer time to investigate, assess and process applications. As there is no legal order to enforce such markings, there are limited records to know where such markings have been implemented previously or the reasons why.
- 4.5 A new approach therefore needs to be taken to the implementation of such markings. This includes setting out agreed criteria for such changes, to allow a consistent approach borough-wide. A further report will outline such issues and recommend a new process for implementation. There is currently no fee charged to applicants.

Disabled Persons Parking Bays

- 4.6 The Council provides parking bays for disabled badge holders outside or near their place of residence, when a resident demonstrates that they hold a Blue Badge and have no suitable off-street parking facilities. The bays are covered by a Traffic Management Order to allow enforcement. Markings are introduced on the carriageway indicating that a disabled person lives close by and that the space is the most convenient place for them to park. The Council's

parking contractor enforces compliance in such bays, although the use of each bay is not restricted to an individual and can be used by any Blue Badge holder. Whilst the bay is implemented primarily to assist a particular resident, the intention of such bays is to maintain a parking place for any bona-fide disabled badge holder to use and not just the applicant.

- 4.7 All applicants for a disabled persons parking bay will have been given a medical assessment by the Council's doctor before being recommended for a bay. The traffic engineer only investigates the need for a parking bay, rather than the applicant's medical history. There is no fee charged to applicants.

Disabled Persons Parking Bays – Who Can Apply

- 4.8 Anyone can apply for a disabled parking bay who has a valid Blue Badge and is on the higher rate of mobility support.

In Bromley the number of bays on street are:

- 435 Disabled Parking bays (At Any time)
- 11 Disabled Parking bays (At Any time – Maximum stay 4 hours)
- 51 Disabled Parking bays (At Any time – Maximum stay 3 hours)

- 4.9 Time limited disabled parking bays are often located in town centre locations or near local shopping parades. This helps to provide a designated space where a disabled driver can park, but also encourages turnover to ensure that the bay is made available to other drivers. The vast majority of disabled persons' parking bays that operate 'at any time' will have resulted from a request by a resident to assist with parking. These are mainly located in residential streets.

- 4.10 Over the years the number of disabled persons parking bays across the Borough has increased, and the Council's costs to install, maintain and process applications for such bays have also increased. The existing process and criteria has been in place for a number of years without being reviewed.

- 4.11 A review of the current process is necessary and a further report will be compiled to examine the processes involved in implementing disabled drivers' bays, along with ways to address the escalating costs and time involved in assessing and implementing such schemes.

5. POLICY IMPLICATIONS

- 5.1 The Council's approved Local Implementation Plan (LIP) states that it is necessary for parking schemes to strike a balance between: the demand for parking; the need to support the local economy; and the need to provide for visitors generally.

- 5.2 The draft Environment Portfolio Plan 2014/17 includes the aims "Promote safe and secure travel and parking" and "Promotion of cycling, walking and public transport to: improve access to services, facilities, and employment; reduce peak time congestion; and lower carbon emissions".

- 5.3 The Council seeks to maximise the efficient use of on-street parking across the borough to benefit residents and other users of these roads.

- 5.4 Once Members have considered the supplementary report on disabled bays and white bar markings, a plain English downloadable policy leaflet will be produced for residents to explain our policies on parking restrictions.

6. FINANCIAL IMPLICATIONS

- 6.1 The costs of introducing parking controls in the Borough are met from the Minor Traffic management Schemes budget held within Traffic and Road Safety and the TfL Lip funding for parking. The Traffic budget currently has an allocation of £9,960 set aside for site investigations and schemes for 2014/2015 and the TfL LIP budget has an allocation of £135,000 for parking.
- 6.2 There are no additional costs required for enforcement of the footway parking as that falls under the existing parking contract.

7. LEGAL IMPLICATIONS

- 7.1 Any scheme is subject to consultation and the necessary Traffic Management Order is advertised to permit any changes to waiting restrictions (yellow lines.) Any objections are duly reported for consideration.

Non-Applicable Sections:	PERSONNEL IMPLICATIONS
Background Documents: (Access via Contact Officer)	Orpington Parking Review – ESD/10082