

Norwich City Council
SCRUTINY COMMITTEE
ITEM 7

REPORT for meeting to be held on 25 February 2016

Council policies for the control of verge parking and A boards

- Summary:** The report sets out the council's existing verge parking policy and a draft revised policy for the control of A boards. Work to review the former will commence shortly, whereas public consultation is being carried out on the new A boards policy. It is proposed that revised policies for each will be recommended to cabinet in due course.
- Conclusions:** Scrutiny committee are asked to make recommendations to inform the verge parking review and revised A board policy for consideration by cabinet.
- Recommendation:** To determine any recommendations scrutiny would wish to make to cabinet.
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Report

Control of verge parking policy

1. The council's existing approach to the control of verge parking was agreed by the then Executive in 2006. A copy of the report is appended.
2. After the policy was adopted a number of Traffic Regulation Orders (TRO) to prevent verge parking were introduced following public consultation. In recent years, pressure on funds has not allowed any further areas to be controlled in this manner as with limited funds TROs have been focussed on providing waiting restrictions in areas where there are safety issues or problems with access to premises. During this time 37 requests for verge parking controls have been received.
3. It is intended to review the council's policy taking account of likely future budgetary constraints and other circumstances. It had been hoped to have commenced this work earlier but staff resources required on capital projects has not meant this has been possible. In addition it is understood that the government will publish revised guidance for local authorities on tackling verge parking in the spring. It would be sensible to wait for this guidance, therefore, before recommending any revisions to the present approach.
4. The views of the scrutiny committee are now sought to inform review of the council's approach to verge parking.

Control of A board policy

5. Officers have recently carried a review of options to control A boards and a revised approach is out to public consultation. A fuller description of the options considered and the recommended way forward is appended to this report. Please note that throughout this report the term 'A' board refers to any advertising feature on the highway.
6. The results of the public consultation will be analysed with a view to recommending a new policy for adoption by the cabinet early in the new civic year. To help shape the new policy, the views of scrutiny committee are sought.

Report for Resolution

Report to	Executive	Item
	20 September 2006	10
Report of	Strategic Director - Regeneration and Development	
Subject	Verge Parking	

Purpose

To review verge parking issues in the City and recommend solutions.

Recommendations

The Executive is recommended to:

- (1) support the use of Traffic Regulation Orders to control verge parking where alternative parking exists either on the carriageway, in adjacent streets or off-street;
- (2) note that where alternative parking does not exist verge reconstruction is the most feasible way to address verge parking problems;
- (3) consider the provision of funding towards verge reconstruction as part of future capital planning; and
- (4) support the use of bollards, ankle rails or other physical measures to address problems caused by motorists driving over verges; and
- (5) ask officers to report the Executive's views to Norwich Joint Highways Agency Committee.

Financial Consequences

The introduction of Traffic Regulation Orders and physical measures to control verge parking could be met from Norfolk County Council Highways Authority budgets although funding availability needs to be confirmed. Intervention to protect verges could save verge maintenance costs. Verge reconstruction works would require significant capital resources to provide a complete solution across the City.

Corporate Objective/Service Plan Priority

The report helps to achieve the corporate objective to make Norwich an exemplar of a modern, European, 'liveable' city, i.e. one that is clean, safe, attractive and able to manage transport issues effectively. The service plan priority is to review highway verge parking issues.

Contact Officers

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Background Documents

None

Appendix A – Executive report on verge parking from 2006

Report

Background

1. Parking and driving over grass verges on a regular basis destroys the grass causing unsightly mud patches and uneven ground in the highway. This can present a hazard to pedestrians. In addition, the erosion of grass verges damages street trees through either ground compaction or the uncovering of tree roots.
2. The Council receives frequent complaints about the state of grass verges. In the last three years, officers have logged such complaints at 71 different locations from residents and Councillors.
3. Previously these problems have been addressed with a variety of solutions. This includes the use of physical barriers (bollards or ankle rail) or repairs involving filling in potholes and mud areas with granite chippings. The former allows the verge to be repaired and reseeded; however, the latter is temporary as the chippings soon disperse and as parking continues, verge repair is not worthwhile. Remaining grass areas become difficult to cut.
4. The Norfolk County Council Highways Authority budgets fund these repairs. This leaves less money for carriageway and footway maintenance. In the recent years, the implementation of physical barriers has been limited. The budget for repairs has varied between £5 – 10,000.
5. In addition to the above maintenance, grass-cutting costs in 2005/06 were £153,600 with an extra £10,000 spent on other verge maintenance.
6. The majority of damaged verges are in residential streets. In areas built before car ownership was common houses often do not have drives or space to provide off street parking. Where the carriageway is too narrow to accommodate parked vehicles motorists will often park partly or wholly on the verge. This prevents obstruction.
7. In other streets, the need to park on the verge is less great either because there is sufficient off-street parking or because the carriageway is wider. However, motorists may still choose to park on the verge perhaps thinking that they are helping other motorists and not realising the damage it causes. It appears that such locations generate the greater number of complaints.
8. In a handful of locations, there are problems with motorists driving over verges on a regular basis, for example, to cut a corner or avoid on-coming traffic.

Potential Solutions

9. Three options for protecting the verges have been examined as follows:

Driving over verges

10. Where motorists drive over a verge on a regular basis it may be because of parked vehicle limit manoeuvrability, vehicles are travelling too fast for the conditions or the motorist has misread the road geometry. In the former, the use of yellow lines or other waiting restrictions offers a solution by preventing

Appendix A – Executive report on verge parking from 2006

unsuitable parking.

11. In other situations, as it would be very difficult to prevent motorists driving over verges using enforcement (the motorist needs to be seen committing the offence) is impractical. Therefore, the use of physical protection such as timber bollards or ankle rail is appropriate. Such measures are relatively expensive to implement (£4,000 /100m) and represent a future maintenance liability. Therefore extensive use of this approach is not realistic.

Verge Parking – Traffic Regulation Orders

12. Verge parking can be prevented with Traffic Regulation Orders (TRO), which are enforced by the Council's parking attendants. These may either specifically prevent verge parking or may also ban carriageway parking (i.e. a yellow line). Both techniques have been tested as a solution to verge parking problems; the former on Earlham Road between the Outer Ring Road and Bluebell Road and the latter along Drayton Road between the Outer Ring Road and Whiffler Road. There is some evidence of motorists driving along Earlham Road, presumably to allow ambulances to pass, but otherwise the use of these Orders has proved successful.
13. This approach is relatively cheap. An individual site is likely to cost in the region of £2,000 but there are opportunities for significant cost savings if implementation of sites is grouped to minimise legal and advertising costs.

Verge Parking – physical reconstruction

14. The use of Traffic Regulation Orders is practical where motorists have reasonable alternative places to park, for example, on the carriageway, an adjacent street or off-street (a private driveway). However, as indicated in paragraph 6 there are many locations where alternative parking is not available. Whilst TROs could be introduced this is not considered to be realistic as it would have a major impact on car owning habits. Therefore, the alternatives are either to do nothing (other than undertake maintenance to maintain safety as currently carried out) or reconstruct the verges. The latter is preferable as it not only would enhance the streetscape but it would also provide a healthier environment for street trees.
15. Physical reconstruction may take a number of forms ranging from asphalt (e.g. as used on Woodcock Road) to a gravel surface (typically reinforced with polymer webbing and as used on parts of Bracondale). Use of material would depend on local circumstances. However, although asphalt is cheaper than other alternatives (at £38/m²), it is potentially more damaging to trees and would increase surface water drainage into sewers increasing the likelihood of flooding and pollution during storms. Only limited use could therefore be justified.
16. Gravel surfaces are less likely to damage trees and would reduce flood problems. The cost of gravel surfacing is £90/m².
17. The cost of physical reconstruction using gravel surfacing has been estimated for both an example location and across the City. On Drayton Road between Havers Road and Galley Road, the cost for verge reconstruction would be in

Appendix A – Executive report on verge parking from 2006

the region of £70,000. Across the City, this figure would rise to £3-4 million.

18. It is unlikely that the County Council as Highway Authority would contribute to major and widespread verge reconstruction. The present maintenance regime ensures safety and the County Council's Local Transport Plan prioritises other areas of expenditure. Cost would therefore fall to the City Council. Members would need to consider whether to make any provision as part of future capital planning. Members will be aware, however, that both the Council's 'housing' and 'non-housing' capital programmes are fully committed at present in other areas.
19. Should funds become available prioritisation of expenditure could be assisted by the information collected by the Council's housing stock survey
20. In a limited number of locations such as where there is an individual house with a relatively large front garden, it would be possible for residents to park on their own land. This would require, for example, a hard standing in the front garden and a vehicle crossover from the carriageway. These costs could be passed on to the residents affected thereby helping to reduce verge reconstruction costs to the Council. However, even if there is space for a vehicle off the highway such provision can be unsightly. This approach is therefore not likely to offer other than a limited solution in isolated circumstances.

Conclusions

21. The use of TROs and physical measures is to be recommended to Norwich Joint Highways Agency Committee in November as the basis of a verge parking strategy for use in the circumstances described. Members should be aware that decisions on such matters rest with this Committee.
22. As the report shows, such an approach leaves out a large number of locations that would continue to have verge parking problems. Where there is no alternative parking then the use of TROs is unlikely to be practical. Verge reconstruction is the preferred approach but this would require significant investment by the City Council.
23. Appendix 1 indicates a likely recommended approach for each of the 71 locations where complaints have been received.

Appendix A – Executive report on verge parking from 2006

Appendix 1

Location	Condition	Recommendation
Appleyard Crescent	Isolated damage	Verge TRO
Barclay Road	Isolated damage	Hard standing
Barrett Rd	Isolated damage	Hard standing
Beecheno Road	Poor	Hard standing
Bignold Road	Isolated damage	Hard standing
Bowers Ave	Isolated damage	Hard standing
Brian Avenue	Isolated damage	Verge TRO
Bullard Road	Poor	Hard standing
Camberley Road	Isolated damage	Verge TRO
Cecil Road	Isolated damage	Verge TRO
Coleburn Rd	Poor	Hard standing
Colman Rd	Poor	Hard standing
Constitution Hill, Wall Rd to outer ring road	Isolated damage	Verge TRO
Cotman Road	Good	No action necessary
Cunningham Road	Isolated damage	Hard standing
Dereham Rd opposite Norwich Rd (access Rd for residents)	Poor	Verge TRO
Drayton Rd / Whiffler Rd	Isolated damage	No action necessary
Drayton Rd Galey Hill to Havers Rd	Poor	Hard standing
Elizabeth Fry Rd	Isolated damage	Hard standing
Elm Grove Lane	Isolated damage	Verge TRO
Friends Road	Isolated damage	Hard standing
Fugill Road	Isolated damage	Hard standing
George Pope Road	Isolated damage	Hard standing
Gilbard Road	Isolated damage	Hard Standing
Glenmore Gardens	Isolated damage	Verge TRO
Grove Ave	Isolated damage	Hard standing
Hall Rd o/s Hewitt School	Isolated damage	Hard standing and TRO
Hall Rd opposite livestock market	Poor	Hard standing

Appendix A – Executive report on verge parking from 2006

Location	Condition	Recommendation
Harwood Rd	Isolated damage	Hard standing
Hilary Avenue	Isolated damage	Hard standing
Jessop Rd	Isolated damage	Hard standing and TRO
Kirkpatrick Road	Isolated damage	Hard standing
Larkman Rd	Poor	Verge TRO
Lefroy Road	Good	No action necessary
Locksley Rd	Isolated damage	Hard standing
Maid Marion Road	Isolated damage	Hard standing
Mansfield Lane	Isolated damage	Hard standing
Margaret Paston Ave	Isolated damage	Hard standing
Milton Close	Isolated damage	Hard standing
Morse Road	Poor	Hard standing
Mottram Close	Isolated damage	Hard standing
Mousehold Ave	Poor	Hard standing
Mousehold Street	Good	No action necessary
North Park Avenue	Isolated damage	Verge TRO
Palmer Road	Isolated damage	Hard standing
Pilling Park Road	Isolated damage	Hard standing
Plumstead Road East	Isolated damage	Verge TRO
Romany Road	Isolated damage	Hard standing
Rye Ave	Isolated damage	Hard standing
Salhouse Road, Heartsease Lane to Watling Road	Poor	Hard standing
Sandy Lane	Isolated damage	Verge to be maintained
Sotherton Road	Isolated damage	Verge TRO
South Park Ave	Isolated damage	Verge TRO
St Clements Hill	Isolated damage	Verge TRO
Stanley Avenue	Isolated damage	Verge TRO
Stevenson Road	Isolated damage	Hard standing
Telegraph Lane East	Good	No action necessary
Templemere	Good	No action necessary
The Avenues inside outer Ring Road	Isolated damage	Verge TRO
The Avenues outside	Isolated damage	Hard standing

Appendix A – Executive report on verge parking from 2006

Location	Condition	Recommendation
Outer Ring Road Theobald Rd	Isolated damage	Hard standing

Appendix B – Proposed ‘A’ board policy

Discussion paper on options for A board policy

‘A’ boards have been a contentious issue in the city for some time and recent years have seen a proliferation in the number of ‘A’ boards – especially in the city centre.

The large number of ‘A’ boards creates a hazard for disabled and visually impaired people and impact on the quality of the street environment. Certain streets in the city, for example, London Street and Gentleman’s Walk now have significant numbers of ‘A’ boards creating obstruction to pedestrians.

Broadly speaking, they are supported by local businesses (especially small businesses) who believe they encourage trade and are opposed by disability advocacy groups and civic society organisations who are concerned that they limit accessibility for disabled, visually impaired and elderly people and for those with pushchairs.

The council is keen to support local business whilst also ensuring that the city’s highways are fully accessible and pleasant to walk around. The issue of ‘A’ boards has been delegated to district councils by the county council.

Analysis of options considered

Several options were considered for tackling ‘A’ boards in the city centre.

Following on from preliminary research into various ‘A’ board policies and meetings with various stakeholders this document lays out and analyses several policy possibilities. We have identified seven policy options to be discussed in this document;

1. No Action
2. Complete ban – the complete banning of ‘A’ boards
3. A citywide policy applicable in all areas
4. Licensing – introduce a licensing system for ‘A’ boards
5. A street by street assessment
6. A city wide policy with exemptions for certain locations
7. Minimum highway width

These policy ideas are not necessarily mutually exclusive (although some are) and the final policy recommendation is a blend elements of several of these.

In assessing each of these possible policies a number of factors have been considered, including; legal requirement, cost, enforceability, impact on people with disabilities and impact on local businesses.

Policy Option 1: No action

One option is to allow the proliferation of ‘A’ boards. The council does, at the moment have the power to remove ‘A’ boards under the Highways Act 1980.

Appendix B – Proposed ‘A’ board policy

However, the lack of a clear policy means that local businesses would be unclear on the reasons for the removal of their ‘A’ board as well as the fact that this would lead to conflict between traders and the council as traders may feel that they are being victimised if their ‘A’ boards are removed when there are so many in the city centre. This option would have no financial cost unless there was an injury for which the council was considered liable. This policy option would obviously do nothing to improve accessibility in the city.

Policy Option 2: Banning all ‘A’ boards

This policy has been implemented by a number of councils including Hull City Council. This policy has the advantage of being simple to understand and enforce.

This policy would likely be popular with several stakeholders. However, given that a majority of ‘A’ Boards do not cause a problem and that small business believe they do help them it is suggested that this policy is overly punitive on small businesses. There is also a risk that in areas where ‘A’ boards actually add character to a street (such as in the Lanes) that this policy may result in an ‘overly sterilised’ street environment. It should also be noted that both accessibility groups and the Norwich Society accept that this option is not feasible.

Whilst this policy is easy to enforce in that it is obvious if a business is contravening the policy there are legitimate concerns over the amount of officer time (and therefore cost) of constant enforcement of the policy. A system based on reporting of ‘A’ boards rather than on council monitoring would leave the council open to allegations of unfair enforcement.

Policy Option 3: A citywide policy applicable in all areas

A citywide policy would enable an equitably applied policy. However, there remain concerns that the cityscape varies massively and what is reasonable in one area may be impractical in another. Also, potentially causes the issue where the Council’s policy is not the same as Broadland’s and South Norfolk’s causing confusion to business owners and members of the public.

There is also the point that a vast majority of the concerns raised about ‘A’ boards concern those in the city centre. There is also the difficulty of enforcing a citywide policy as opposed to one that applied, for example, only in the city centre.

Policy Option 4: An ‘A’ board licencing system

By consulting on what would be a reasonable charge we may be able to get a sense of a monetary value that businesses place on their ‘A’ boards, although this is doubtful. It could be seen as unnecessarily punitive on small businesses but on the flip side might enable the Council to recoup the costs of the policy and would prevent the accusation that businesses are getting to use public land (the highways) for free.

There is also the fact that licensing has been tried by several other councils with, at best, limited success.

Appendix B – Proposed ‘A’ board policy

Policy Option 5: A street-by-street assessment (similar to Nottingham’s policy)

At first glance could be difficult to implement. However, Nottingham appears to have done it relatively successfully. An advantage of this is that it recognises and factors in the fact that streets in Norwich are extremely varied and that what is most applicable in a medieval street is not necessarily appropriate for a modern shopping centre. An example of this system is shown below (a map from Nottingham’s policy).

However, this policy risks leaving the Council open to allegations of unfairness, would be difficult to enforce and could end up disproportionately impacting upon small businesses in some of the city centre (especially the Lanes). A better system may be to trial the policy in an area – probably the city centre (rather than a street by street basis).

Scale:
0 10 20 metres

Walking distance:
It will take approximately 6 minutes to walk this far.

KEY

- City Centre Boundary
- A Boards not automatically permitted.
- No A Boards permitted.

The map shows the city centre boundary as a grey outline. Blue shaded regions indicate where A-boards are not automatically permitted, while red shaded regions indicate where they are not permitted at all. Key locations like Victoria Bus Station, Victoria Shopping Centre, and Nottingham Railway Station are labeled. The River Trent flows through the southern part of the city.

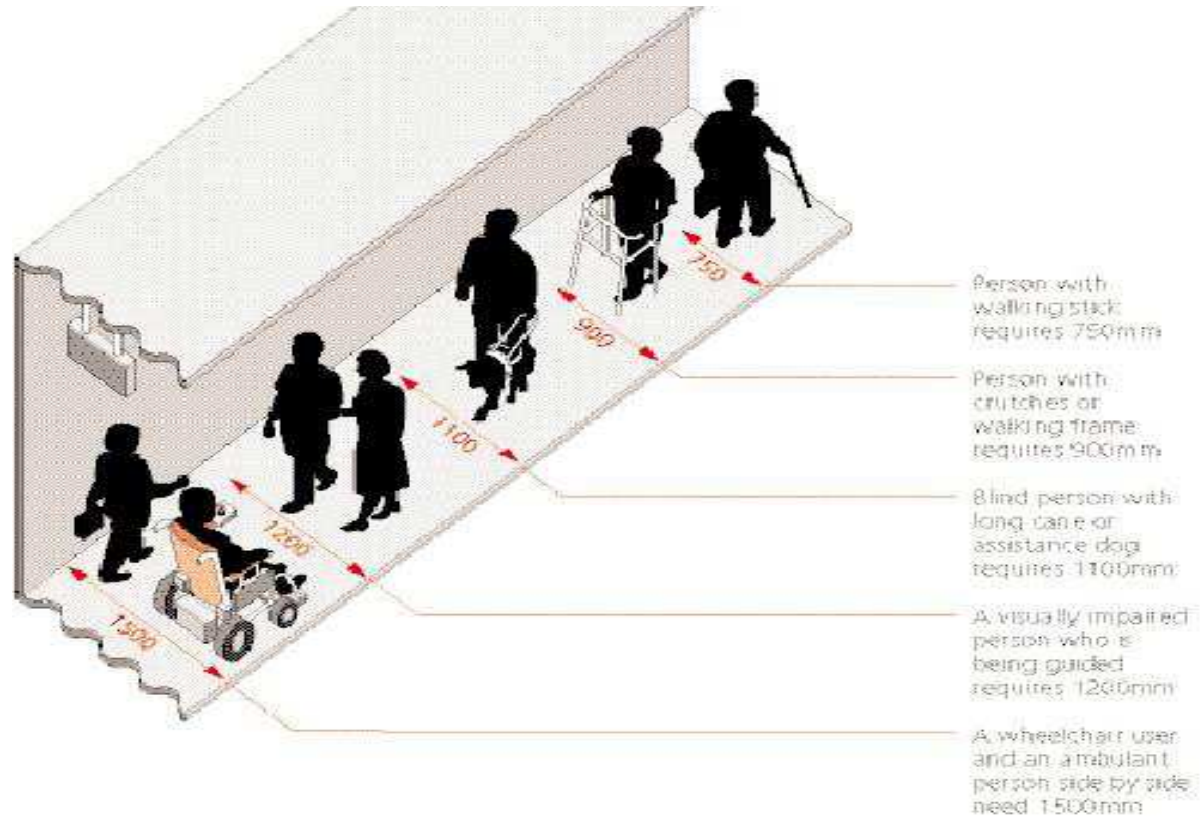
Similar to the idea of having different rules for different areas this idea would take the approach of implementing a particular citywide policy (for example a ban) and then exempting certain designated areas (e.g. The Lanes, the Market) where 'A' boards were considered by the Council to be beneficial.

This approach risks alienating businesses outside of these designated locations and would require detailed explanation as to why some areas were deemed to be good for 'A' boards as opposed to others. It would also lead to accusations that accessibility is only a priority in certain areas.

Appendix B – Proposed ‘A’ board policy

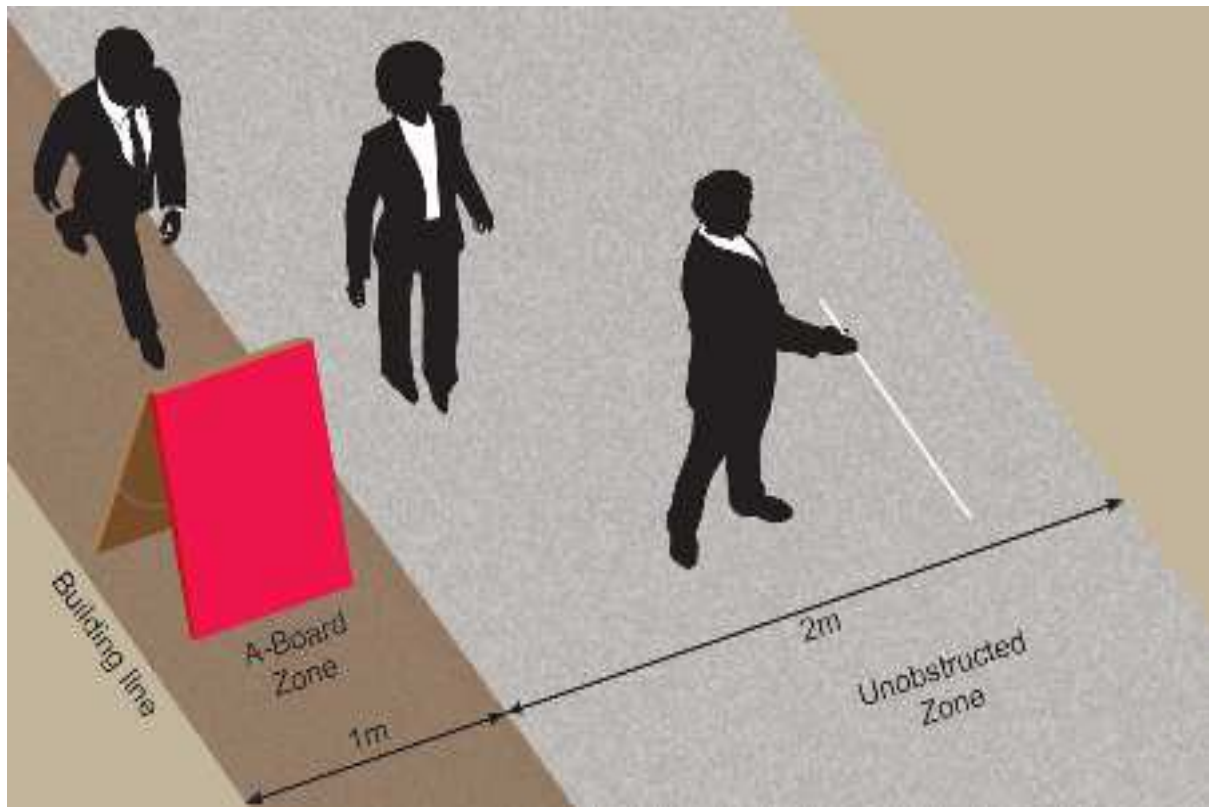
Policy option 7: Minimum highway width

The Department for Transport document ‘Inclusive mobility – a guide to best practice on access to pedestrian and transport infrastructure’ gives best practice guidelines for the minimum footway width required by people with mobility difficulties (see below).



Several local authorities have integrated this recommendation into the ‘A’ board policy by making it a requirement that and ‘A’ boards a business has leave a minimum specified unobstructed zone. For example, Essex County Council requires that a 2m wide unobstructed zone is left free when ‘A’ boards are positioned (although they do include exemptions where this can be decreased to 1.8m).

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There is a risk of adopting minimum standards to minimise the impact of obstruction e.g. stating that footways must be unobstructed by X metres or that junctions must be kept clear by Y metres due to wide differences in street geometry, capacity and traffic volumes and the characteristics of the object e.g. height or width. For example a single 'A' board on a wide pedestrianised street such as Gentleman's Walk may be considered de minimis but the same 'A' board on a narrow alleyway such as Back of the Inns may be considered to cause nuisance.

Recommendations

The policy recommendations are based on what is achievable, enforceable and acceptable to all groups. This section will also play out how the policy will be enforced and how the costs will be met.

1. The Council may require the immediate removal of any sign, board, display etc. if required by a Police Officer/ Police Community Support Officer or with other reasonable cause including the need for access to maintain the highway or if it is deemed an obstruction.
2. Each business will only be permitted one 'A' board in order to minimise the obstruction to pedestrians and other highway users.
3. All 'A' boards must adjoin directly to the premises.
4. 'A' boards must not exceed a specified size

Appendix B – Proposed ‘A’ board policy

5. Businesses that put out ‘A’ boards must have public liability insurance of a minimum of £5 million.
6. The ‘A’ board must be removed when the business is closed.
7. The signs or displays must be robust and self-weighted. The use of sand bags to stabilise signs will not be permitted.
8. ‘A’ boards will not be permitted to be tied/ chained or any anyway attached to other street furniture (lamp posts, trees etc.).
9. The ‘A’ board must be removed when the property is closed or when street cleansing/ street works are being carried out.
10. All ‘A’ boards must be temporary in nature and cannot be fixed into or on the highway and no excavation will be permitted to install or remove the item.
11. ‘A’ boards must not obstruct the sight lines of vehicle drivers.

Enforcement

Enforcement of the new rules on ‘A’ boards will be a dual enforcement mechanism;

1. Highways officers will monitor ‘A’ boards as part of their current duties monitoring the highway.
2. Reactive – we will respond to complaints about ‘A’ boards breaching the new regulations.

Shops that break the new policy will receive a written warning that their ‘A’ boards are in breach of the regulations and on a second occasion the sign will be taken away and the business will be charged– if the business does not want the sign back we will dispose of it.

Costs

The administrative costs of the new policy will be absorbed into streetworks. The total cost for the removal, storage and disposal of an ‘A’ board is £50 and businesses would be required to pay this if their ‘A’ board was removed.