

Part I  
Item No: 0  
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Wards: ALL

WELWYN HATFIELD BOROUGH COUNCIL  
REPORT OF THE CORPORATE DIRECTOR (RESOURCES, ENVIRONMENT AND  
CULTURAL SERVICES)

**APPENDIX B - EOSC SCRUTINY ON VERGE PROTECTION ORDERS- FINAL  
REPORT**

**1 Executive Summary**

- 1.1 At the Environment Scrutiny Overview Committee held on the 13<sup>th</sup> November 2018, a request was supported for a Scrutiny Panel to look at verge and footway parking. Specifically, the request was, 'We request a scrutiny into how the Council can move forward with restricting parking on verges and footpaths given the impracticability of the current by-law'.
- 1.2 As part of the scrutiny, three Scrutiny Panels were held on the 5<sup>th</sup>, 27<sup>th</sup> February and 30<sup>th</sup> April 2019, minutes can be found in Appendix A.

**2 Recommendation(s)**

- 2.1 It is recommended that the Committee note the contents of the report and Appendix A which advises officers to continue consulting residents on Verge Protection Orders at the same time as other parking proposals on the approved work programme.
- 2.2 The Panel to agree to the Communication plan outlined in 3.7.

**3 Explanation**

- 3.1 During the two meetings, the Panel requested information on the following options/solutions:
- a) **Re-profiling the road** by removing the verge completely was often an appropriate but extremely expensive option and a loss of soft landscape. Additionally, residents could still park on the highway and footpath but the issue of an unsightly churned up verge would be removed.
  - b) **Creating parking bays** was also often a possible solution, but expensive option.
  - c) **Targeting delivery vans** that caused a disproportionate amount of damage would not be possible as they had a legal right to repass and pass.
  - d) **Strengthening verges with grasscrete** (a cellular grassed paving in concrete or plastic) has its difficulties. Utility and service providers may be required to "drop" their services underneath the grasscrete to prevent potential damage. The process would cost a significant amount, without including the Council being liable for any for future damage created by the grasscrete. It was also questioned whether the Council should be spending money to enhance or protect verges

owned by Hertfordshire County Council (HCC). Plus, there is evidence that grass fails to grow very successfully, where cars are parked regularly on grasscrete. Possibly more importantly parking on grasscrete could signal conflicting messages about parking on verges.

- e) **Section 106 monies** from new developments could help with parking provision. This was already sought if the development did not provide enough parking provision as outlined by the Council's Parking Standards.
  - f) **The current verge byelaw** has been shown to be almost unenforceable, and not considered viable even if altered as a deterrent; as it wouldn't cover parking on footpaths or the pavement.
  - g) **Verge Protection Orders (VPOs)** in isolation would more than often just encouraged residents to park somewhere else and can transfer the issue of verge parking to another area. However, it was agreed as a more practical deterrent as the TRO if consulted holistically making sure other parking issues were captured at the same time. Civil enforcement officers would then have the ability to issue a parking ticket to vehicle that contravene the restrictions.
  - h) **Exemptions to schemes** where residents would be permitted to park on extended drop curbs since there was nowhere else to park. There could also be exemptions if there was a single carriageway. In addition Blue Badge holders would be exempt, since they could park in contravention of most restrictions including verges for up to three hours.
  - i) **A strategy to target roads where verge damage was high**, would likely shift the issue of verge parking to nearby roads, so a holistic approach would be more appropriate such as that taken by Stevenage Borough Council.
- 3.2 Officers explained to the Panel the rationale of the on-street parking consultation process; crucially, that if the verge protection consultation was done separately to other parking consultations, residents would be more likely to object. This is due to the Council not addressing all of the other parking issues at the same time, as it could make it more difficult for residents to be able to find legal available parking.
- 3.3 Also, different consultations may confuse residents and the Council can experience minimal resident engagement for areas of the Borough. A comprehensive parking consultation covering all aspects of parking encourages residents to respond to all points.
- 3.4 Further, if the proposals include more than one restriction; for example verge protection and a resident parking scheme; this is more cost effective. If these two schemes were introduced separately, it is highly likely the Council would incur additional costs for signage; based on the need to erect two signs on two separate occasions rather than one slightly larger signs on one occasion.
- 3.5 The Panel requested that officers look at other boroughs/districts to see if there is an alternative to addressing verge and footway parking other than consulting residents at the same time as other parking restrictions. Would this speed up the process? Discussions were had with The British Parking Association (BPA), which is a non-profit organisation, representing, promoting and influencing the

parking and traffic management profession. Their membership consists of over 750 organisations, including local authorities, car park operators and retail parks. BPA regularly ask questions to the membership on behalf of local authorities on specific topics. BPA sent my request for information on verge parking to all the local authorities. I received seven responses, all of which stated they were also having issues with verge and footway parking and would be interested to understand how Welwyn Hatfield Council were looking to address this.

3.6 The Panel also requested meeting with Herts County Council (HCC) to see if there was any joint working which could help speed up. A meeting took place with officers which discussed the following:

- Bollards and other physical measures to prevent parking in these locations
- Other engineering solutions such as raised kerbs to prevent parking
- Traffic Regulation Order process

The following information was advised to members and officers. Each elected County Councillor has a Highways Locality Budget each year for all types of works which can include Traffic Regulations Orders and other parking improvement schemes such as removing verges and green areas to create additional parking and erecting bollards in locations the prevent parking.

HCC have confirmed that this budget (subject to Councillor approval) could be used towards traffic regulations orders, but would recommend these are carried out at the same time as any other consultations for the reasons mentioned in 3.1.

3.7 With regards other options, it was recognised that a borough wide communication to as many residents as possible on the concerns of grass verge parking may help discourage parking on verges. Based on this view, communications will arrange for an article in summer edition of Life magazine, specifically to inform residents of the environmental and financial impact when parking on the verge and footways. A separate Verge Parking leaflet will be produced to be delivered along with the Council's readily recognised recycling leaflets, which will be delivered in October 2019. In addition, reference on how to address damaged verges would be added to the 'adopt a road' scheme so that those residents who wanted to help repair damaged verges would have the relevant information on how they could do this.

#### **4 Legal Implication(s)**

4.1 There are no legal implications inherent in relation to this report

#### **5 Financial Implications**

5.1 There are no direct financial implications for the Council arising from this report.

#### **6 Risk Management Implications**

6.1 There are no significant risks inherent in this report.

**7 Security & Terrorism Implication(s)**

7.1 There are no known Security & Terrorism implications inherent in relation to the proposals in this report.

**8 Human Resources**

8.1 There are no known Human Resources implications in relation to the proposals in this report.

**9 Communication and Engagement**

9.1 As outlined in 3.6 further communication will take place with residents in the summer edition of Life magazine and through a Verge Parking leaflet delivered to residents in October 2019.

**10 Procurement Implication(s)**

8.1 There are no procurement implications inherent in relation to the content of this report.

**11 Health and Wellbeing**

11.1 There are no known Health and Wellbeing implications in relation to the proposals in this report

**12 Climate Change Implication(s)**

12.1 There are no known climate change implications inherent in relation to this report.

**13 Link to Corporate Priorities**

13.1 The subject of this report is linked to the Council's Corporate Priority; Protect and Enhance the Environment and specifically to the achievement of Developing the Provision of Bereavement Services.

**14 Equality and Diversity**

14.1 An EqIA was not completed because this report does not propose changes to existing service-related policies or the development of new service-related policies

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Date	26 April 2019