



Item

Parking on Verges

To:

South Area Committee 8 April 2019

Report by:

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Wards affected:

Cherry Hinton, Queen Ediths, Trumpington

Key Decision: No

1. **Executive Summary**

1.1 This report responds to South Area Committee's request for an update on the Council's investigation work to better manage damage to highways verges, in particular through vehicular parking.

2. **Recommendations**

The South Area Committee is recommended to:

1. Note the findings from the investigation undertaken, and the potential options available to limit damage to, and improve, verges
2. Consider the value of highways verges as a public realm amenity
3. Note the need for a shared approach working with residents and other organisations with a vested interest
4. Support the proposal to trial further interventions during 2019/20 with a view to establishing a preferred approach.

3. Background

- 3.1 Many streets in Cambridge, particularly radial routes in and out of town, the outer ring road and pre and post war residential estates, are blessed with generous verge areas that contribute significantly to the city's green open spaces. Predominantly grass, these areas often incorporate trees and in some cases shrub planting. Historically, they have formed effective environmental buffers between buildings and passing traffic, and provided opportunity for recreation, biodiversity and occasional need for vehicle parking.
- 3.2 In most cases these areas form part of the adopted public highway network and are the responsibility of Cambridgeshire County Council, with seasonal maintenance activities undertaken by the City Council acting on the County's behalf. Given their value to Cambridge, the City invests additional revenue funding to secure a standard of maintenance higher than that provided in other Cambridgeshire towns and cities, beyond that provided by the County Council.
- 3.3 However in recent decades, many of these verge areas have come under increasing pressure from a variety of sources, including new development works, road widening and junction schemes, expanding public utility apparatus (particularly telecoms), and a huge increase in motor traffic (both service, and domestic). The latter has involved the establishment of vehicle driveways into properties, and more frequent driving, and parking, on and across verges. Increasingly, such activity is leading to rutting, damage to and loss of grass, trees and other green landscaping.

4. Environmental Amenity

- 4.1 The environmental (recreational and visual) and social value offered by green landscaping cannot be underestimated (extensive studies evidence the broad benefits to physical and mental well-being and health). It can be very effective at improving air quality, absorbing rainfall (and heat in summer), and reducing flood risk and reliance on

engineered drainage systems that can prove expensive to provide and maintain.

- 4.2 As a consequence of concerns raised by residents and Councillors, the Council has, over a period of years, committed both capital and revenue resources towards effecting limited improvements. These typically fall within two categories; physical works to either remove, repair or strengthen verges, and the introduction of fences, bollards, bye-laws and Traffic Regulation Orders to restrict driving and parking on them.
- 4.3 Most of these latter physical interventions have been at a local area level and on a case by case basis; identified, agreed and funded predominantly through the Council's Environmental Improvement Programme (EIP) allocations. Revenue costs have also been incurred; particularly in enforcement activity. The County Council, too, has undertaken improvement work where damage is severe and impacting upon public safety.
- 4.4 Such measures have differering objectives dependent on specific local needs and value placed on the amenity each verge offers. In some instances, for example where limited off-road parking opportunity exists, verges have been viewed by residents as a valued local parking resource. Whilst problems exist and concerns have been raised across most areas there has not, thus far, been opportunity to take a more holistic, city-wide, view.
- 4.5 That opportunity is now offered by the new Environmental Improvement Programme available for the period 2019-21, where a proportion of total annual funding will be directed towards reviewing needs on a more strategic basis. A number of potential investment themes are under development, including options to better protect verges from parking. Such work will need to be closely aligned with County Council proposals to introduce further Residents' Parking Schemes in many areas of the city.

5. Regulation and Enforcement

- 5.1 Other than in London, the driving, or parking, of motor vehicles (other than heavy commercial vehicles) on highway verges does not normally constitute an offence; unless the act causes specific obstruction or is in contravention of a made Traffic Regulation Order (TRO) or bye-law.

Highway damage

- 5.2 In instances where no such regulation is in place, the Highway Authority for Local Roads (Cambridgeshire County Council) is, under the Highways Act 1984, only able to take action where 'wilful (*physical*) damage' is caused. This normally involves trying to identify the perpetrator(s), so that the costs of necessary repair work can be recovered. Even in instances of successful prosecution, the low-level penalties imposed (typically <£100) have rarely proved an effective on-going deterrent.

Bye-laws

- 5.3 The City Council has, over time, introduced various bye-laws to discourage driving and parking on verges within Cambridge. However, a lack of understanding and support from the public, along with practical difficulties in enforcement has reduced their current coverage to just Fendon Road and Mowbray Road (Queen Edith's ward). Successful prosecutions through the courts are rare and penalties (generally < £100) provide little discouragement to offenders, not encouraging to local authorities to invest further resources.
- 5.4 The costs of introducing the most recent bye-law in these two roads were in the region of £8,500. This included consultation with the public and stakeholders, education and legal work, and installation of suitable warning signage. In order to provide some effective deterrent and demonstrate a presence, City Council officers patrol the area (including out of hours) at a cost of approximately £3,000 per year. Given the practical difficulty in enforcement, however, recovery of costs incurred is minimal.

Traffic Regulation Orders

- 5.5 Under arrangements for Civil Parking Enforcement, as adopted within Cambridge in 2005, Cambridgeshire County Council took on responsibility for enforcing TROs on highways and Pay & Display car parks. Some 24 Civil Enforcement Officers (CEOs) are able to issue Penalty Charge Notices (PCNs) against keepers of vehicles parked in contravention of a TRO. The current charge levels are circa £35 where paid within 14 days, c£70 where not, per event.
- 5.6 Given the difficulties in practically enforcing bye-laws, the City Council has worked with the County Council to introduce a number of verge parking prohibition TROs that can then be directly enforced by CEOs through issue of PCNs. The statutory process involved in creating Orders can be time consuming although, once in place, the infrastructure changes needed are relatively minor and not overly cumbersome. Recent examples include residential roads in the north-east of the city in Kings Hedges (parts of Campkin Road, Kings Hedges Road, Ramsden Square and Lovell Road).

6. Review and Scrutiny

- 6.1 Officers have been undertaking a review of the effectiveness of, and public support for, various intervention measures previously employed. This has been linked with operational service reviews for Streets and Open Spaces and overseen by successive Executive Councillors. In summary, the situation is not a straightforward one to address – with most treatment options requiring ongoing resource support and management.
- 6.2 Physical improvement work to strengthen and restore verges can be short-lived; particularly when not accompanied by restrictions to limit parking activity. Regular parking activity restricts light and air reaching the ground, and the surface itself can become rutted and/ or compacted - damaging tree roots and preventing them sourcing the nutrients they need to survive.

6.3 Fences, and bollards, too increase maintenance needs; more-so where grass needs to be cut and weeds treated. The Council has an objective to limit use of glyphosphate weed killers and operational staff are investigating what alternatives may be available. Designing out the need to spray around post bases wherever possible will enable better use of resources, and benefit local ecology and biodiversity.

7. Proposed Way Forward

7.1 Officers are investigating how the new EIP might support more effective management of the City's verge assets, working in conjunction with Cambridgeshire County Council, Ward Councillors and residents. Greater use of TROs would offer significant advantages at minimal environmental impact (when compared with fences, or bollards) and cost to the City Council.

7.2 The County Council and Greater Cambridge Partnership have had a mixed response to their plans to introduce further Residents' Parking Schemes. It would subsequently seem premature for the City Council to commit to further costly improvement works until such time as local area needs have been properly assessed and an informed view might be taken on how best to balance need for on-highway parking with environmental amenity. This is likely to take most of 2019/20 year to develop, so other options for in-year 'quick-fixes' are under review.

7.3 A programme of seeded seasonal wildflower meadows has been introduced across various locations (including some highway verge areas) over the past two years, with great success. Local biodiversity has been enhanced, with flowering areas adding much to seasonal colour to the delight of Cambridge's residents and visitors. Such activity is also very good value for money, with relatively small up-front costs and ongoing savings from reduced grass cutting.

7.4 It is therefore proposed to continue monitoring the effectiveness of verge improvement measures previously introduced, supplemented with a small scale trial programme of restricted interventions during 2019/20; initially focusing on one or two locations within each of the city's four areas – and where seasonal grass cutting/ spraying would

not be undertaken. This should allow native wildflower species to come through and establish; helping to dissuade parking. The precise locations for the trial would be identified through engagement with City and County Council officers, Ward Councillors and residents.

- 7.5 Feedback from such a trial will be used to inform decision making on future investment options and further improvement works. Area Committees will be kept updated with progress.

8. Implications

(a) Financial Implications

Further interventions to prevent parking on, and protect, verge areas need to provide good, long-term, value – both in their initial introduction and ongoing management costs. A new capital funded Environmental Improvement Programme has been identified for the period 2019-21. Where improvements are on adopted public highway, ongoing management and maintenance is generally the responsibility of Cambridgeshire County Council.

(b) Staffing Implications

Historically some improvement projects have proven difficult to develop and deliver, and have had a disproportionate impact on staffing resource in comparison with other work. The programme has therefore been reviewed to ensure it can be managed and delivered without the requirement for additional staffing resource.

(c) Equality and Poverty Implications

Damage to verges has been a problem across most areas of Cambridge, with complaints from the public commonplace. Improvements have similarly been undertaken across most areas, targeted towards locations most in need. Whilst environmental improvements can generally be enjoyed by all and do not discriminate between any particular groups, care will be needed where these involve restrictions to access and parking. An Equalities Impact Assessment is under development, with the overall impact of investment in such facilities likely to be either neutral, or positive.

(d) Environmental Implications

The proposals aim to preserve and improve the quality of the natural and built public realm environment across Cambridge, in a manner that does not

contribute towards climate change and leaves a positive legacy for future generations. The overall impact on the environment within Cambridge is therefore rated as +M (positive; Medium).

(e) Procurement Implications

Improvement to infrastructure facilities within Cambridge are, dependent on their nature, scope, scale and complexity either delivered in-house utilising existing resources within the Streets & Open Spaces service, through local volunteers or via existing framework contract arrangements (such as with Skanska for highways related services). Other schemes may best be procured and constructed via individual competitive tender processes.

(f) Community Safety Implications

Environmental improvement of the outdoor public realm encourages use and promotes face to face contact, reducing social exclusion and isolation. The programme is thus considered to have a positive impact on community safety.

9. Consultation and communication considerations

Professional and public stakeholder engagement and consultation will take place, as appropriate, to help shape the recommended improvements and ensure they are fully focused on and targeted towards local needs.

10. Background papers

Background papers used in the preparation of this report:

Environmental Improvement Programme - Environment and Community Scrutiny Committee 21/03/19 – Report and Decision Notice.

11. Appendices

None.

12. Inspection of papers

To inspect the background papers or if you have a query on the report please contact John Richards, Senior Engineer, tel: 01223 458525, email: john.richards@cambridge.gov.uk.