Footway and Verge Parking Restrictions

A report by the Borough Councils Head of Housing and Wellbeing to the Tunbridge Wells Joint Transportation Board on 21 July 2014

Introduction

1. Six Tunbridge Wells streets have been the subject of an experimental prohibition on footway and verge parking since May 2013. The relevant Traffic Regulation Order expires in October 2014 and a decision needs to be made about it’s future.

Background Information

2. Concern about the adverse impact of footway and verge parking resulted in the introduction of an experimental ban starting on 7th May 2013. The supporting Traffic Regulation Order expires on 24th October 2014.

3. The roads involved in the experiment are:-
   - Park Road, TW
   - Culverden Down, TW – in the vicinity of Bennett Memorial School
   - Pembury Road, TW – in the vicinity of Beechwood School
   - Frant Road, TW – between Rodmell and Birling Roads
   - Howard Gardens, TW
   - Farmcombe Road, TW – between its two junctions with Cavendish Drive

4. As an associated experiment, parking on the footway in Eridge Road between Broadwater Lane and the railway bridge was regularised by an unofficial white line painted on the footway such that a minimum width was retained for pedestrian movement.

The Effect of Introducing the Ban

5. Prior to the implementation of the ban, vehicles regularly parked on footways or verges on parts of all the aforementioned streets. In some it was long term parking whereas in others it was short term, often associated with nearby schools.

6. Whilst there is no information available in respect of the number of vehicles which parked on the relevant footways and verges prior to the implementation of the ban, we do have data in respect of the numbers of Penalty Charge Notices issued since its introduction.

7. The effectiveness of the ban has been assessed in three ways
• Observation – all streets involved have been visited at key times to determine whether the ban is generally adhered to and whether there have been any negative impacts.
• Issue of Penalty Charge Notices – a reduction in the number of tickets issued would suggest that drivers are more aware of the restriction and are less likely to park on footways and verges.
• Comments received as part of the consultation process plus any issues raised at any time since the restriction was imposed.

8. **Observation** – In the early days of the experiment, there were still many instances of footway parking, in particular by drivers who were stopping for short periods by schools or shops. Although this still happens, it is to a noticeably reduced extent. Long stay parking in Park Road and Farmcombe Road is generally in compliance with the restriction.

9. **Issue of PCN’s** – The figures for this reinforce the view that compliance is greater, with the total number of contraventions recorded dropping from a peak of 123 in June 2013 to an average of 35 per month in the six month period between November 2013 and April 2014.

10. In the first 12 months of operation, a total of 579 penalty charge notices were issued, with over half (376) being for contraventions in Frant Road. Culverden Down at 122 and Farmcombe Road at 49 experienced the next highest levels of contravention.

11. **Comments Received** – These can be divided between the responses made during the first six months, which is the statutory period for comments or objections to an experimental traffic regulation order, and those made afterwards.

12. Only 4 formal responses were made during the consultation period, although there were a number of other comments made in emailed exchanges with TWBC staff. The 4 formal responses raised the following points:

   • (in respect of Farmcombe Road) – carriageway not wide enough to accommodate parking on both sides. Would like to see ban on all parking on one side of road.
   • Agrees with ban but questions whether remaining width of carriageway is adequate in some roads.
   • (in respect of Frant Road) – carriageway not wide enough. Drivers not aware of prohibition.
   • (in respect of Park Road) – cars parked fully on carriageway on both sides does not allow two cars to pass in the middle. More difficult for pedestrians to cross road.

13. A number of comments have been made outside of the formal consultation process and these mostly follow a similar theme. In respect of the six streets, the following is a summary of the various issues raised:
- Park Road – Footway parking previously allowed two way traffic in between but that can no longer happen. One resident has complained that it is now harder to use their driveway.
- Culverden Down – Complaints have mainly centred around increased congestion at school times because carriageway width is reduced.
- Pembury Road – No comments have been received.
- Frant Road – The main complaint is that signing has not been seen by those issued with PCN’s, although there have also been comments about road width.
- Howard Gardens – No comments have been received.
- Farmcombe Road – Has produced the most responses with many echoing the formal response about remaining carriageway width and several suggesting that a more extensive resident priority parking scheme would be beneficial. Other comments have been about lack of compliance and continued damage to grass verges.

Response to Points Raised

14. Looking at the issues raised in each case, there are a number of common factors, irrespective of the particular road under consideration.

15. Taking each of the issues raised, the following comments are offered:-

- Resultant carriageway too narrow – The point has some validity in Farmcombe Road but only in respect of larger vehicles. Cars can still pass along the road in single file, and two way traffic was never possible in the sections where parking took place on both sides. On Frant Road this point is hard to understand since the carriageway is very wide and footway parking has tended to happen only on one side at any given place. In Culverden Down the issues are wider than just footway parking and need to be looked at with other factors in mind.
- Access to private driveways harder if people park on carriageway – This may be true to a limited extent in some situations although it is not considered to outweigh the benefits of keeping parked vehicles off footways and verges.
- Lack of compliance – All these restrictions are outside the immediate town centre and have, with the exception of Park Road, relied on mobile cctv for enforcement purposes. As indicated at paragraphs 9 and 10, compliance appears to have significantly increased but, as with all parking restrictions, there are always likely to be people who take a chance.
- Adequacy of signage – Guidance on positioning signs is limited and relies on individual opinion and judgement, a point which can cause problems at appeal if adjudicators have a different opinion. The only road where this has been raised as a particular problem is Frant Road.
Other Factors

16. A recent development, announced on 21st June by central government, is a ban on the use of cctv cameras for enforcement of traffic restrictions other than in certain specific instances.

17. The effect of this change is that we would no longer be able to use the Council’s cctv equipped safety car for the enforcement of footway and verge parking contraventions. This is a disappointing development since mobile cctv has been an efficient and practical way of enforcing restrictions which are outside of normal foot patrol routes.

Options Available

18. There are three basic options open to the Council at the present time:-

- Allow the present experimental traffic regulation order to expire at the end of its 18 month period.
- Make a permanent traffic regulation order to cover the extent of the existing restrictions.
- Expand the scope of a permanent traffic regulation order to include more streets.

19. The first option is self explanatory and would result in the end of any restriction on footway or verge parking resulting in a detrimental effect.

20. The second option would formalise what we already have but of necessity require a change to current enforcement practices once cctv is no longer an option. All enforcement would need to be carried out by foot patrols to maintain the current success of the restriction.

21. The third option would be the most onerous in respect of enforcement and, whilst it was a preferred option at an earlier stage, it has not been possible at this stage to pursue.

Eridge Road

22. Eridge Road is different from the other restrictions in that it is unofficial arrangement which relies on self-regulation. It consists of a white line painted along the footway which allows a minimum 1.2m wide strip for pedestrians on the inside whilst allowing vehicles to park partially on the footway outside of that line.

23. Observation has shown that this informal arrangement is generally well adhered to, with vehicles occasionally parking on the white line but generally staying on the road side of it. The undertaking given to residents at the time it was introduced was that, if it was abused, a more formal arrangement would need to be considered. There has been no need to contact residents during the past 14 months.
24. In view of the relative success of this arrangement, and its informal nature, there does not appear to be any reason to change it – nor is there a need for a formal recommendation to or resolution by this Board for its continued use.

Conclusion

25. Whilst the introduction of a ban on footway parking has had a positive effect in reducing the negative impacts arising out of this practice, recent central government intervention means that less efficient methods will need to be deployed in the future to maintain the level of success.

26. The 18 month experimental prohibition will end on 24th October 2014. Initially, the intention had been to make a permanent traffic regulation order, where appropriate, for those roads where an ongoing need existed and consider extensions into other roads as necessary. It has not been possible to consider other roads fully at this point.

27. To ensure that the positive effects of banning footway parking are not lost, the most practical way forward at present would be to make a permanent TRO in the six roads where the restriction has been trialled, and adjust patrolling methods to accommodate this.

Recommendation

28. That subject to the views of the board the existing experimental Traffic Regulation Order is made permanent.

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