

AGENDA ITEM

REPORT TO CABINET

13 DECEMBER 2018

**REPORT OF PLACE
SELECT COMMITTEE**

CABINET DECISION

**Access, Communities and Community Safety – Councillor Steve Nelson
Environment and Transport – Councillor Mike Smith**

SCRUTINY REVIEW OF PARKING ON GRASS VERGES (TASK AND FINISH)

1. Summary

The attached report presents the findings and recommendations of a Scrutiny Review of Parking on Grass Verges carried out by a Task and Finish Group appointed by the Place Select Committee.

2. Recommendations

- (1) That the flowchart (Appendix 1) setting out the steps to be followed when a service request in respect of verge parking is received be endorsed.
- (2) That the Enforcement Service investigate the feasibility of introducing, where appropriate, the approach adopted by Middlesbrough Council where persistent offenders are sent letters asking them to refrain from verge parking and recouping the repair costs if the verge parking continues.
- (3) That the use of Community Protection Notices, Public Space Protection Orders and Traffic Regulation Orders are in future considered as part of a range of measures to prevent verge parking.
- (4) That Supplementary Planning Documents incorporate detailed guidance and standards on visitor parking for new housing developments.
- (5) That funding of the measures to address verge parking issues be considered in the context of the overall financial position, particularly noting that the Ward Member Community Participation Budgets are included in the Medium Term Financial Plan until 2019/20.
- (6) That a publicity and awareness raising campaign is established highlighting the damage caused by verge parking and that Place Select Committee are consulted as part of the development of the campaign and all Members supplied with appropriate text and images/leaflets for them to raise awareness within their wards.

3. Reasons for the Recommendations/Decision(s)

The report presents the findings of the scrutiny review that took place as part of the agreed work programme for 2017/18.

4. Members' Interests

Members (including co-opted Members) should consider whether they have a personal interest in any item, as defined in **paragraphs 9 and 11** of the Council's code of conduct and, if so, declare the existence and nature of that interest in accordance with and/or taking account of **paragraphs 12 - 17** of the code.

Where a Member regards him/herself as having a personal interest, as described in **paragraph 16** of the code, in any business of the Council he/she must then, **in accordance with paragraph 18** of the code, consider whether that interest is one which a member of the public, with knowledge of the relevant facts, would reasonably regard as so significant that it is likely to prejudice the Member's judgement of the public interest and the business:-

- affects the members financial position or the financial position of a person or body described in **paragraph 17** of the code, or
- relates to the determining of any approval, consent, licence, permission or registration in relation to the member or any person or body described in **paragraph 17** of the code.

A Member with a personal interest, as described in **paragraph 18** of the code, may attend the meeting but must not take part in the consideration and voting upon the relevant item of business. However, a member with such an interest may make representations, answer questions or give evidence relating to that business before the business is considered or voted on, provided the public are also allowed to attend the meeting for the same purpose whether under a statutory right or otherwise (**paragraph 19** of the code)

Members may participate in any discussion and vote on a matter in which they have an interest, as described in **paragraph 18** of the code, where that interest relates to functions of the Council detailed in **paragraph 20** of the code.

Disclosable Pecuniary Interests

It is a criminal offence for a member to participate in any discussion or vote on a matter in which he/she has a disclosable pecuniary interest (and where an appropriate dispensation has not been granted) **paragraph 21** of the code.

Members are required to comply with any procedural rule adopted by the Council which requires a member to leave the meeting room whilst the meeting is discussing a matter in which that member has a disclosable pecuniary interest (**paragraph 22** of the code)

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SUMMARY

The attached report presents the findings and recommendations of a Scrutiny Review of Parking on Grass Verges carried out by a Task and Finish Group appointed by the Place Select Committee.

RECOMMENDATIONS

- (1) That the flowchart (Appendix 1) setting out the steps to be followed when a service request in respect of verge parking is received be endorsed.
- (2) That the Enforcement Service investigate the feasibility of introducing, where appropriate, the approach adopted by Middlesbrough Council where persistent offenders are sent letters asking them to refrain from verge parking and recouping the repair costs if the verge parking continues.
- (3) That the use of Community Protection Notices, Public Space Protection Orders and Traffic Regulation Orders are in future considered as part of a range of measures to prevent verge parking.
- (4) That Supplementary Planning Documents incorporate detailed guidance and standards on visitor parking for new housing developments.
- (5) That funding of the measures to address verge parking issues be considered in the context of the overall financial position, particularly noting that the Ward Member Community Participation Budgets are included in the Medium Term Financial Plan until 2019/20.
- (6) That a publicity and awareness raising campaign is established highlighting the damage caused by verge parking and that Place Select Committee are consulted as part of the development of the campaign and all Members supplied with appropriate text and images/leaflets for them to raise awareness within their wards.

DETAIL

1. The overall aim of the review was to identify the measures that could be put in place to deter inappropriate parking and clarify the actions that could be taken against those who inappropriately parked on and damaged grass verges. The review examined the cost of repairs, the extent to which preventative measures could reduce these costs and whether there was scope for generating income from fines etc.

2. The Task and Finish Group explored the following key lines of enquiry:

- What powers Local Authorities have under current legislation?
- When, how and why does the Council enforce?
- Where do problems arise across the Borough?
- What has been the value and effectiveness of repairs?
- What fines can be imposed?
- What other measures can be put in place to deter inappropriate parking?
- Who is responsible for repairs?
- What approach do other Local Authorities take?
- What can developers be asked to do?

COMMUNITY IMPACT ASSESSMENT

3. The recommendations seek to reduce the problem of verge parking and associated damage.

FINANCIAL IMPLICATIONS

4. All action to address verge parking will have to be carried within existing resources.

LEGAL IMPLICATIONS

5. Set out within the Select Committee report.

RISK ASSESSMENT

6. This review is categorised as low to medium risk. Existing management systems and daily routine activities are sufficient to control and reduce risk.

COUNCIL PLAN POLICY PRINCIPLES AND PRIORITIES

7. The review supports the following Council Plan Policy Priorities:

- **Developing strong and healthy communities** through the provision of mainstream and preventive services that are available to all those who choose to access them.
- **Creating economic prosperity** across the Borough

CONSULTATION INCLUDING WARD/COUNCILLORS

8. The Committee have received evidence as set out in the final report of the Select Committee and have sought feedback from all Council Members.

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Education related? No

Background Papers None

Ward(s) and Ward Councillors The proposals as a whole are not ward specific.

Property None