

1.0 Introduction

Increased car ownership has resulted in the increased use of verges for vehicular parking, particularly in residential areas. As such the council receives many requests to fund and implement the protection or hardening of verges. This document gives direction and guidance on how managing parking on highway verges will be addressed and provides a process to determine the best solutions.

Parking on and vehicular damage to grass verges is a persistent problem. It can not only reduce the verge to an unsightly state, but it can obstruct the highway preventing pedestrians and wheel chair users from accessing roads and footways. Verge parking can also cause a hazard to other motorists especially if the vehicle is parked on a bend, narrow road or junction. The Council does not promote or support parking on grass verges.

2.0 Background

There are a significant number of issues raised by the public regarding the impact of parking on their daily lives. A large proportion of these arise from the growth in car ownership within residential streets, which were not designed for today's traffic demands. Although there are incidences of frustration and annoyance from inconsiderate parking practices the Council does not have powers to intervene in these circumstances. The purpose of this document is to agree a methodology to address problems concerning road safety, accessibility for emergency services and buses and areas of damage to either grass verges or footways as a result of the regular occurrence of parked vehicles.

Parking on verges can result in causing obstruction, damage, access difficulties, road safety issues, neighbour disputes and general annoyance. The Council receive many requests related to these issues from a variety of sources which can be categorised into two broad bands;

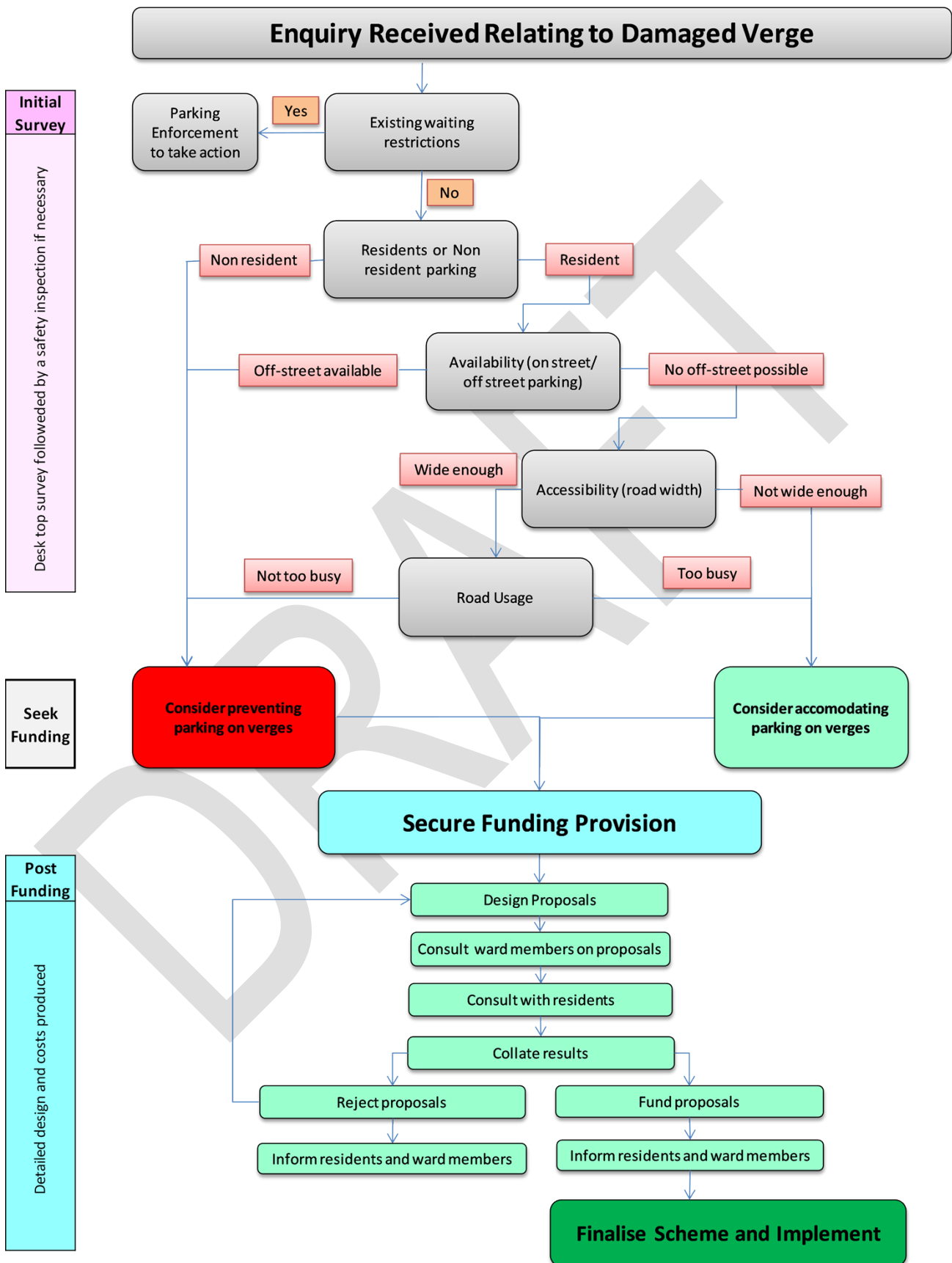
- **Residents** - where residents or their visitors are parking on the verges in their street.
- **Non-residents** - where users of nearby facilities such as shops, schools, clinics or events park on adjacent streets and verges.

This guidance provides a systematic approach to considering complaints or requests for service. The process will recommend one of three outcomes:

- Deterrent to parking,
- Provide facilities to accommodate parking, or
- No action.

When dealing with requests of this nature the following example decision tree will be used:

Fig 2. Verge Assessment Process



3.0 Options to Deter Parking

Below is a table of preferred options to reduce the occurrence of verge parking to prevent damage to the verge, impact on any street trees that may be present, or congestion in the street

Option 1 – Re-Soil and Seed existing verge



*£8/m²

Make grass verge safe by regarding with top soil and grass seed. This would enhance the look of the verge and could prevent the possibility of but cannot prevent further abuse, or the possibility of soil being deposited elsewhere on the highway surface, especially when used in conjunction with Option 2. The cost of these works would initially be met from the maintenance revenue budget.

Option 2 – Letters and Signs (1st Response)



*£20/sign

After re-soiling and seeding a verge, signs requesting that drivers do not park on verges can be erected on lamp columns. Where necessary residents may also be informed by letter. These signs have no legal standing but may, if used in the right location prompt drivers to behave in a more considerate manner. Signs will initially be used and the situation monitored to determine if this form of deterrent is sufficient to resolve any ongoing problems associated with verge damage.

Option 3 – Promote Pavement Crossings to allow off street parking provided by resident



Cost met by property owner
*£100/m²

The Highway Authority has powers under Section 184 of the Highways Act 1980 to construct a vehicle crossing on behalf of any resident who habitually crosses a grass verge to gain access or egress from their property and recharge its reasonable costs in doing so. To ensure this is done correctly we will work with the Environmental Enforcement Teams.

If after writing to the property owner/occupier to ask them to stop crossing the verge to gain access to their property or to request and construct a proper crossing point no change happened within a specified time. The Council would serve a notice under Section 184, Highways Act 1980, on the relevant property owner/occupier of our intention to provide them with a properly constructed vehicle crossing point. This would address only the issue of where a resident is crossing the verge to gain access/egress from their property (illegal crossing). It does not address the issue of those vehicles who drive/park on grass verges outside their property. There are no cost implications to the Council as the cost would be borne by the resident who benefited from the work. If no payment is forthcoming, a local land charge should be placed against the property, as this will ensure that the authority will eventually receive payment for the works. This approach should not preclude recourse to legal action to recover costs, where this is considered appropriate.

Option 4 – Edge treatments



*£115 each

4a. Provide Bollards

There are various solutions under this option, the main ones are as shown. They all include the cultivation of the verge area (including re-seeding) then protecting against damage by means of bollards, fencing, barriers or Trees.




*£43/m

4b. Install Birds mouth Fencing

This does not cure the problem of vehicle over-ride but attempts to prevent it. These solutions although effective whilst in place, can make grass cutting operations more difficult to carry out, as more strimming will be necessary. It should also be noted that isolated features unless used for a site specific problem e.g. overrun of a corner, only push the problem of verge parking further along the street, or access the same verge away from the feature. Use requires careful consideration as they can become unsightly and add to the existing maintenance liability.

Option 5 – Introduce new waiting restrictions or Pavement Parking Bans


 <p>*£3,000+ per Order</p>	<p>5a. Introduce new waiting restrictions (Traffic Regulation Orders)</p> <p>This is a legal process which may make any provision for prohibiting, restricting or regulating the use of a road or any part of the width of a road therefore allowing it to apply to the verge only and not preventing on street parking in general. The extents of the restriction should be carefully considered in each location</p> <p>This would require the erection of appropriate signs, however the proliferation of signs may clutter the streetscape and be considered unsightly. In addition the location would require the regular attendance of enforcement officers to deter parking. Also careful consideration needs to be given to the impact of moving the current parking to another location.</p>
<p>BYE-LAW for the good rule and government of the City of Leeds 1984</p>	<p>In order for the bye-law to be enforceable a sign needs to be erected in each individual verge. This will make parking on it an offence, which can result in a summary conviction. Enforcement is by prosecution through the courts (this requires the gathering of evidence suitable for presenting in court unlike Traffic Regulation Orders which are done by fixed penalty notice). This bye-law has never been applied and would require the development of a corporate policy and strategy for it to be implemented and a formal decision approved by the Executive Board.</p>

*indicative costs – these do not include for kerbs, edgings, traffic management or any works which may be required for Statutory Undertakers or to accommodate existing street furniture.


4.0 Options to accommodate Parking



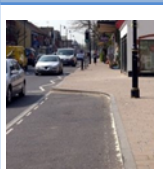
If through the verge assessment process a desire to accommodate parking, within the existing highway boundary is identified, then the following options will be considered with residents and elected members included in the final decision process. At locations where trees are planted they will be retained and any work will accommodate the need to keep vehicles away from the roots.

Option 6 - Strengthen Existing Verge

 <p>*£117/m2</p>	<p>Grass Strengthening measures - Reconstruct the grass verge and protect its structural integrity by placing polypropylene hexagonal honeycomb grid within the topsoil layer. This enables a reinforced solution with almost total grass cover whilst maintaining natural drainage rates and the performance of a hard paving layer. This scope of use is limited to occasional parking.</p> <p>Officers will continue to discourage parking on the grass verges but accept this is a difficult problem to stop and such a construction will allow vehicle over-ride whilst minimising loss of grass and rutting, which normally follows, when vehicles park on the grass verges. Despite the fact officers will continue to discourage parking on grass verges this solution may actually encourage more parking on verges throughout the City.</p>
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Option 7 - Pave Existing Verge

 <p>*£89/m2</p>	<p>7a. Resin Bonded Permeable Surfacing. - is an extremely porous, heavy duty, flexible paving system designed for low speed applications that include car parks, pavements, pathways for golf carts, bicycles, roller blades, jogging, etc. This material has an incredible porosity rate of over 800 litres per square metre per hour thus providing the natural flow of water into the earth (ground water re-charge) instead of alternative-drainage systems.</p>
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 <p>*£68/m²</p>	<p>7b. Bituminous Construction - Only recommended for small areas due to it not being a permeable solution, leading to additional surface water runoff and increasing the potential for flooding downstream. This practice would probably encourage even more cars to park on this area than do so at present and could present a hazard to partially sighted and blind people depending on the manner of parking as it could cause an obstruction on the footway.</p>
 <p>*£150/m²</p>	<p>7c. Permeable Block Paving – Similar to option 7b however this is a permeable solution so maintains a majority of natural drainage rates for grass verges. This will only be used where high aesthetic value is required and the available budget allows.</p>
<p>Option 8 - Provide Permeable Parking Bays</p>	
 <p>*£500/m²</p>	<p>The provision of permeable parking bays is the most expensive option and involves moving the kerb line to the rear of the grass verge and replacing the grass verge with carriageway construction (Options 6, 7a & 7c). The cost of this option together with any statutory undertaker diversions may make this option prohibitively high.</p>

*indicative costs – these do not include for kerbs, edgings, traffic management or any works which may be required for Statutory Undertakers or to accommodate existing street furniture.

5.0 Funding Options

The cost of verge works will vary from a few hundred pounds for simple reinstatement repair to hundreds of thousands of pounds for building a parking bay scheme for a whole street. It is not possible to determine precise costing for each of the options as each site will vary depending upon a number of factors such as extent, location and type of treatment. The previous tables give indicative costs for various options.

Leeds City Council's highways maintenance budget does not currently contain provisions for specifically making verge improvements and is already stretched to meet routine maintenance demand. The general presumption will be that the council will not fund verge hardening from local transport capital allocations. It is possible, however, that if the right situation arises that elements of the budget could be utilised to make changes. For example;

Highway Maintenance Revenue - Where the work is necessary to reduce the risk of injury to pedestrians or damage to vehicles (Options 1 and 2) the funds to either repair or temporarily make safe (with barriers) may be incorporated in the existing revenue funding. It should however be recognised that this budget is severely stretched and that work of any nature supported by revenue budgets has to be prioritised to ensure that this money is spent wisely

Highway Maintenance Planned Programme - Where work can be accommodated within other highway refurbishment work, then this work again may already funded be funded. However additional costs of providing sustainable drainage solutions for these alterations means that far less work can be accommodated in maintenance work than was previously envisaged. Therefore, verge work associated with highway maintenance will be limited to localised alterations rather than

whole street treatments. An example of what can be included would be the removal of grass to create overrun strips at junctions where typically damage is caused by large vehicles. In order to provide solutions that provide enhancements to the street scene the need for additional funds from third parties is more crucial than ever. These include;

- Housing revenue or capital budgets might be used for the benefit of their tenants.
 - Community Committees may contribute to schemes where it matches their priorities for the locality. Similarly there may be scope for ward based initiative funding.
 - Section 278 agreements could include for contributions of funding of works in affected or nearby streets
 - Section 106 moneys from larger developments could be used to fund such improvement (accommodation) works.
 - In circumstances where external funds are not sufficient, highways will contribute a sum equal to the maintenance savings made by removal or alteration to the grassed area accrued over 10 years.
3. **Standalone Scheme** – One of the Councils key priorities is to make the City a safer place and reduce the number of casualties on the highway. It is therefore accepted that there may be exceptional circumstances whereby hardening of verges may be considered as part of a wider package to improve safety in a street or location. Any scheme will have to compete for its own capital funding. A business case for a project will have to identify all the benefits. Where road safety issues may be involved then the Integrated Transport Fund might contribute.

High costs are associated with converting verges to purpose built parking facilities. One of the major factors is the cost of altering the position of utility equipment such as telecommunication companies. Recent quotes (2015) have been as high as £50,000 per utility per 100m of verge. Actual costs will vary from scheme to scheme justification for the whole scheme should be clearly identified before approaching the utility companies.

6.0 Additional Verge Management

Verges form an important aspect of our cityscape and it is important to the council to maintain / enhance the green environment. In addition to the damage caused to verges by vehicles they also suffer from additional problems which also require management, shown in the table below.

Item	Relevant Part of Highways Act 1980	Managed By
Verge Planting	This is managed by licence (Highways Act 1980 S142 - licence to cultivate) with terms and conditions and an administrative fee..	Network Management
Advertising 'A' Boards	These are unlawful under section 132 of the Highways Act 1980 and should be dealt with as the same way as 'A' boards on Footway.	Enforcement Team
Election Posters	These are allowed, subject to clear rules set out by the chief elections officer	Enforcement Team
Stones etc.	These are often placed on verges by residents who wish to deter parking on the verge in front of their home. This is not to be encouraged and is covered by s148 and 149 S148 makes it an offence to deposit materials on the highway without lawful authority, and S149 gives the Council powers to serve notice to remove or for them to remove forthwith if considered a danger	Enforcement Team
Sale of Vehicles	S147 makes it an offence for anyone for the purpose of selling anything, or offering or exposing anything for sale, use any stall or similar structure or any container or vehicle, kept or placed on a highway verge without lawful authority.	Enforcement Team
These relate to the highway in general of which the verge is part and do not put a duty on the authority to act.		