

Verge or footway parking restrictions

Guidelines



Introduction

This document is written to provide guidance on the application of verge parking prohibitions in three separate areas :

- The town of Immingham;
- The village of New Waltham; and
- The village of Waltham

It is anticipated that the type of restriction introduced in these areas will be available to be used, as described in this document, in other areas at the request of the relevant local community.

Legal Orders

To provide the means to enforce against verge and footway parking in the three areas Experimental Traffic Regulation Orders (ETRO) have been made for each. The ETROs were each made on 28th February 2013 and came into force on Monday 11th March 2013.

An ETRO allows any objection lodged to be considered as the experiment continues. This requires that, for an ETRO to be confirmed, any objection lodged has to be considered although this has the benefit of being considered alongside the results of introducing the restrictions. The Order has a natural life of no greater than 18-months. As a result, the three Orders will need to be confirmed on or before Monday 11th August 2014 for the restrictions, currently signed, to remain enforceable.

Each of the ETROs has been made on an area basis regardless of the actual status, width or other factors of the roads concerned.

Experience of the three ETROs will allow any future request for verge and footway parking restrictions to be addressed using a full Traffic Regulation Order. The process involved with this requires that objections must be sought and dealt with before any restriction is introduced.

Signing

To announce to drivers, that they are entering an area where verge and footway parking exist, signs are required to be displayed at each entry to the area. Likewise it is required that drivers be informed that they are leaving the area and hence the prohibitions no longer apply. Should there be a requirement to exclude streets from the prohibitions then under the requirements of the ETRO signs will need to be provided in these streets.

An alternative to signing the start and cessation of the prohibitions could be to allow verge and/or footway parking. This then requires signing of this exemption to be provided within the specified streets.

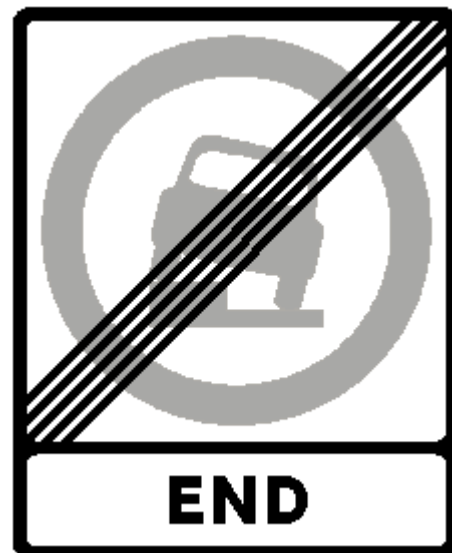
The type of signs approved by the Department for Transport show the national prohibition sign (a red circle on a white background) upon which a pictogram denoting a vehicle parked over a road edge is displayed. Beneath this a sub-plate is provided to give a plain English description of the meaning of the sign.

Exit signing shows a similar arrangement with a sub-plate announcing the end of restrictions. In this case the sign is predominantly grey with bars across it to denote that restrictions no longer apply. The type of approved signs are shown below in figure 1.

Figure 1 : DfT approved sign types



Entry sign

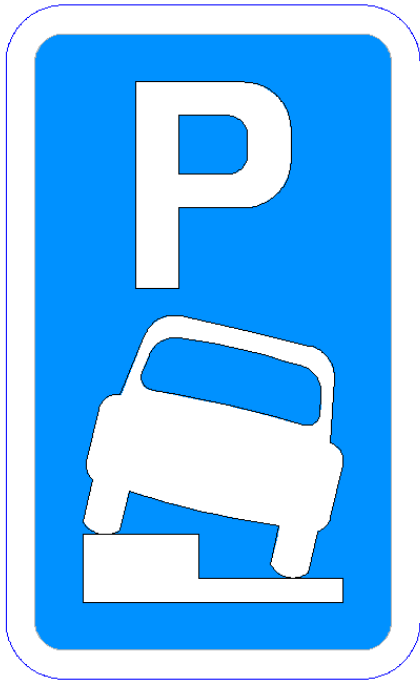


Exit sign

It is permissible to include the name of the area (village or town) on the entry sign to which the parking restrictions apply.

The Department for Transport specify signs to be used where footway parking is permitted and detail of these signs is shown in figure 2 below. These include a sign indicating that vehicles may be parked partially on a verge or footway and a sign indicating the end of an area where such an allowance exists. The signs must be accompanied by white road markings to define the extent of the footway where parking is permitted.

Figure 2 : DfT approved sign indicating verge or footway parking allowed



Vehicles may be parked partially on the verge or footway



End of area where vehicles may be parked partially on the verge or footway

Under the legislation allowing verge and footway parking vehicles parked outside the marked areas may be liable to the issue of Penalty Charge Notice (parking fine).

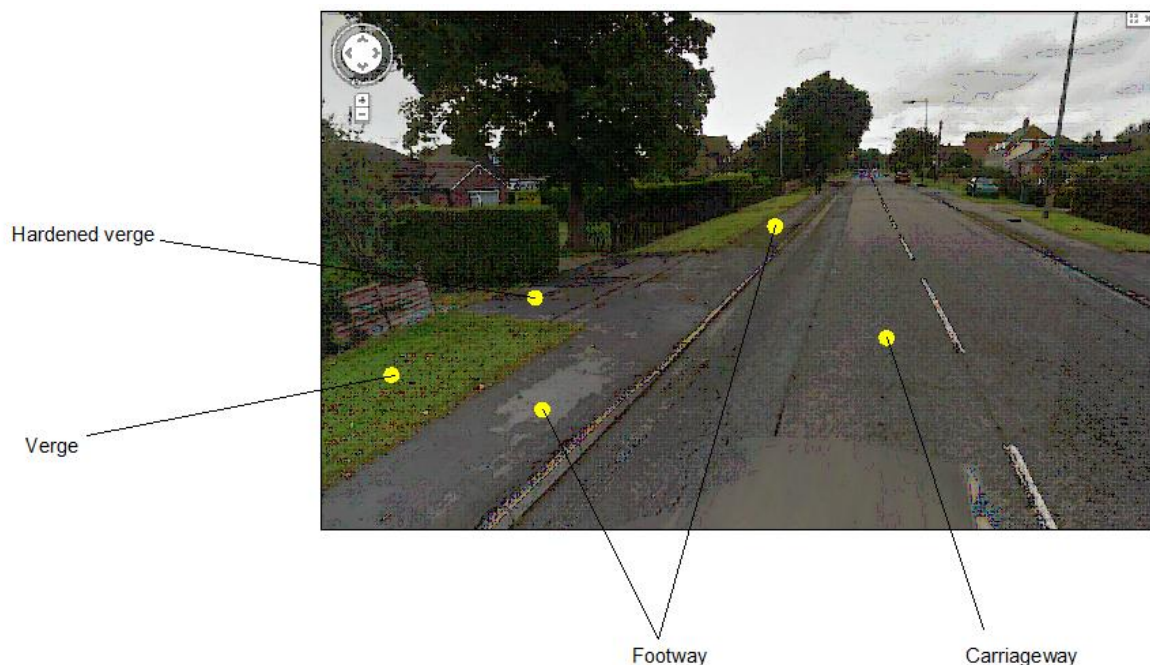
Definitions

In this document the following definitions are used to describe the various sections of a road onto which the verge and footway parking restrictions may apply.

- Highway – a way over which the public have the right to pass and repass
- Road – in England and Wales is any length of highway or any other road to which the public have access and includes bridges over which a road passes
- Carriageway – a highway or part of a highway which the public have right of way for vehicles

- Footway – part of a highway which also comprises a carriageway, over which the public have right of way on foot only
- Verge – any area of a highway :
 a) where footways are provided which separates the footway from the carriageway; or
 b) where no footway is provided the area between the carriageway and the highway boundary.
- Hardened verge – any metalled surface creating a vehicular access onto a public highway and across a verge or footway

Figure 3 : Schematic showing sections of a road



Where can vehicles be parked?

The Highways Act 1980 says that a highway means the whole or part of a highway other than a ferry or waterway. This definition says nothing about the rights to use a highway, for which it is necessary to look at decisions of the common law Courts. From these decisions it emerges that a highway is a route which all persons, rich or poor, can use to pass and repass along as often and whenever they wish without let or hindrance and without charge.

The purpose of a highway is therefore to accommodate the movement of vehicles and pedestrians. It is not its primary function to be used as a place where vehicles may be parked, However, whilst it is recognised that highways are increasingly used as parking places, this should not be allowed to hinder its function of allowing users to pass and repass without hindrance.

The ETROs currently in place support the function of a highway by promoting parking away from footways. This is an area much used by motorists especially where the carriageway is narrow. In many streets motorists park partially on the footway in recognition of the need to allow other motorists to continue to use the carriageway without hindrance but this is only achieved by hindering pedestrians on their journeys along the footway.

A motorist is therefore required to park their vehicle totally off the footway and in such a position on the carriageway so as not to obstruct the free flow of other motorists.

The standard width of a parking place is 2.4 metres and it is considered that double this (4.8 metres) is the minimum width of a carriageway capable of accommodating a parked vehicle without such parking presenting an obstruction to other traffic.

Many roads are narrow and Appendix 1 lists section of certain streets in the three areas where road width is less than 4.8 metres. In these roads it is impossible to accommodate parking without causing obstruction to either the footways or carriageway. As a consequence consideration may be given at these locations to a number of options :

- introduce formal restrictions prohibiting parking to both sides of the carriageway (yellow line restrictions);
- permit footway parking by introducing a legal Order allowing such parking;
- alterations to the form of the highway to create a wider carriageway usually through removal of verge areas or footway narrowing or by changing the highway to a shared surface.

Each option has a financial consequence with the first two being the cheaper to introduce and therefore the more likely to be able to be provided.

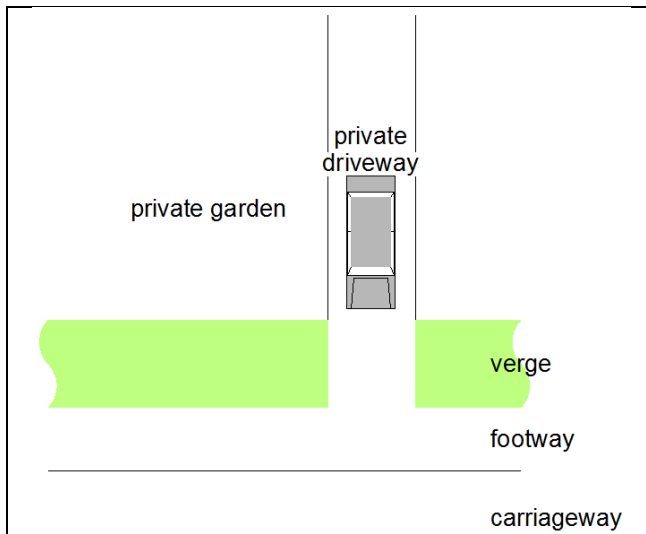
Driveway parking

Many residents view the hardened verge extending from their private driveway as a continuation of their property and consequently use this area as if it were part of this.

In the majority of cases parking on a hardened verge does not pose an obstruction to the free passage of pedestrians along the footway. In recognition of this action is not taken to enforce the verge parking restrictions when a parked vehicle is totally located off the both the footway and verge.

The following examples indicate situations where parking on the hardened verge is acceptable and where it is not. Where not acceptable the owner of the vehicle is liable to receive a parking fine.

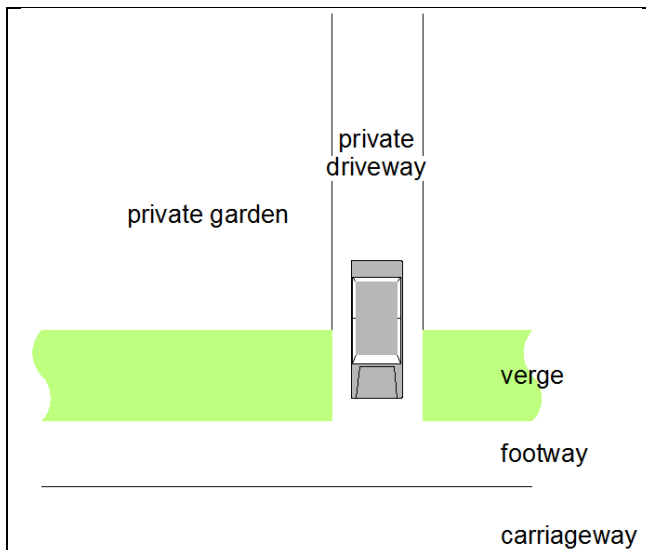
Verge adjacent to private properties



Example A

ACCEPTABLE

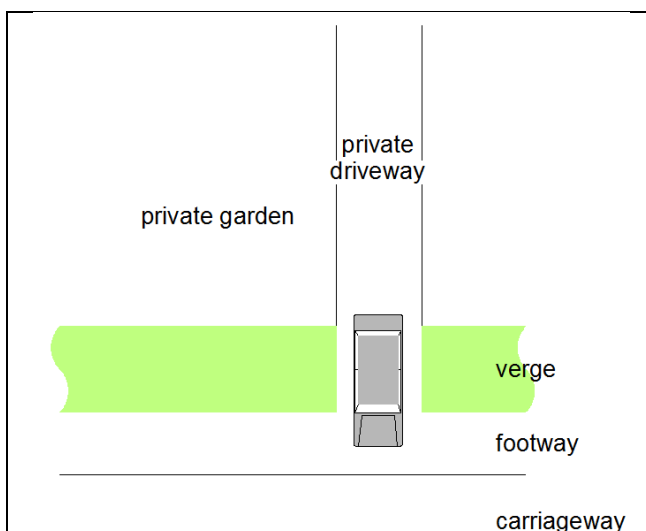
With a vehicle parked fully within the private property no obstruction is caused to other vehicles or users of the footway.



Example B

ACCEPTABLE

The vehicle may be parked on the hardened verge (the extension of the private driveway) and, as long as no part of the vehicle extends over the footway, no obstruction will be caused to pedestrians.

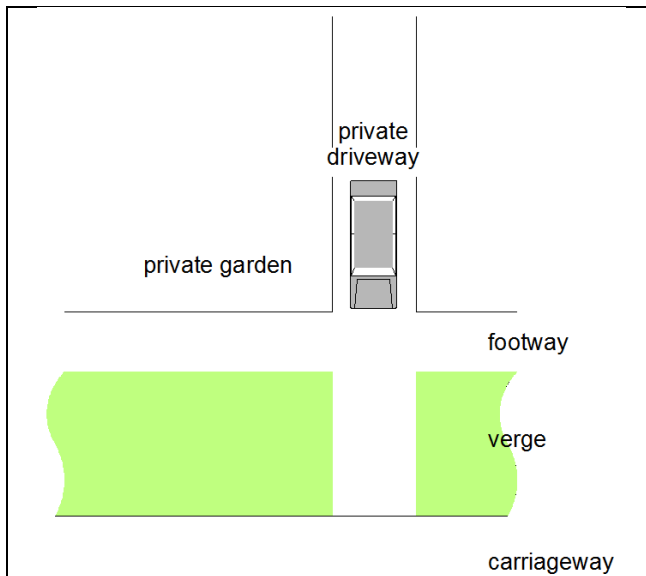


Example C

NOT ACCEPTABLE

By parking on the hardened verge but extending into the footway an obstruction exists to footway users. Pedestrians may be forced to walk onto the carriageway to pass the obstruction.

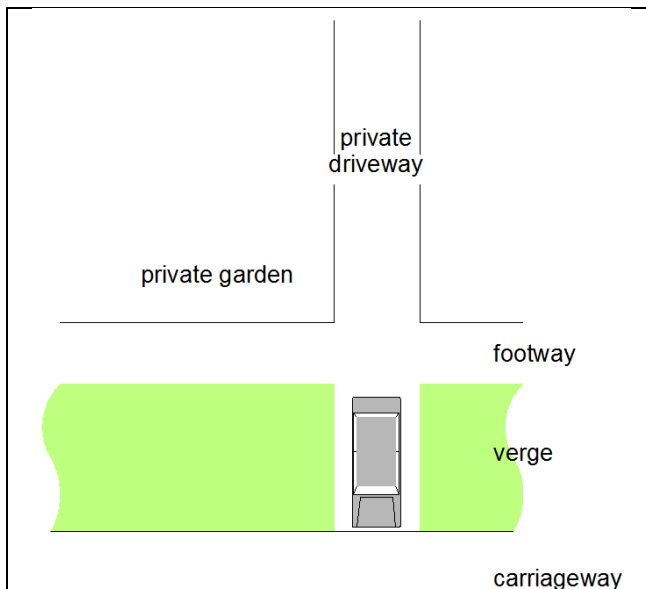
Verge adjacent to carriageway



Example D

ACCEPTABLE

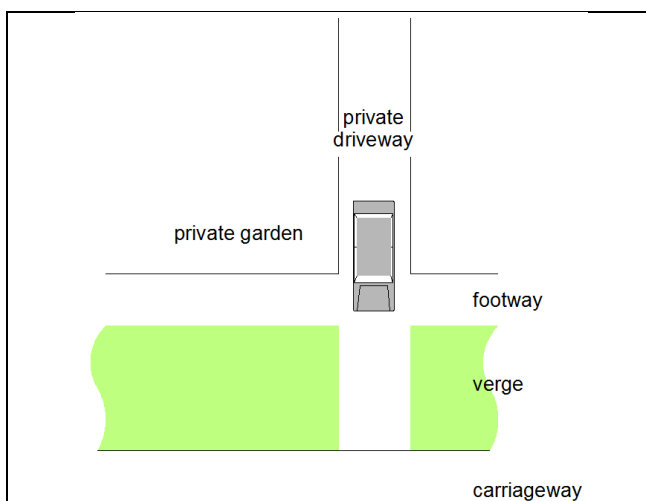
With a vehicle parked fully within the private property no obstruction is caused to other vehicles or users of the footway.



Example E

ACCEPTABLE

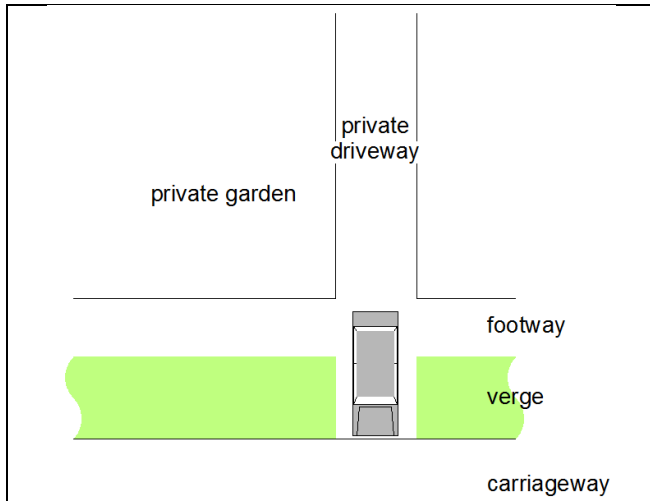
The vehicle may be parked on the hardened verge and as long as no part of the vehicle extends over the footway no obstruction will be caused to pedestrians. Users continue to be able to enjoy the full width of the footway without hindrance.



Example F

NOT ACCEPTABLE

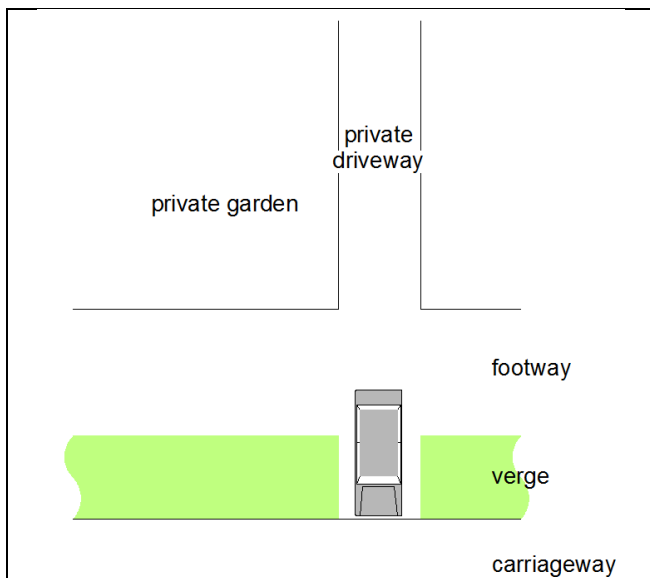
By parking on the hardened verge but extending into the footway an obstruction exists to footway users. Pedestrians may be forced onto the verge which may not be in a fit state to be walked on.



Example G

NOT ACCEPTABLE

Where the width of the verge is less than the length of the vehicle any parking on the hardened verge will present an obstruction to users of the footway.



Example H

NOT ACCEPTABLE

Even where the footway is wide parking on the hardened verge may continue to present an obstruction to some users of the footway.

Narrow streets :

Town of Immingham

<u>Street</u>	<u>Section</u>
Chilton Close	the whole length
Clyfton Crescent service loop fronting 21 to 33 (odd numbered)	the whole length
Craik Hill Avenue	the whole length
Helen Crescent	the whole length
Highfield Avenue	from Pelham Road to Lindum Avenue
Mayflower Avenue	the whole length
Mill Lane	the whole length
Princess Street service loop fronting 14 to 34 (even numbered)	the whole length
Robert Close	the whole length
Roundway	the whole length
Sonia Crest	the whole length
Thornton Place	from outside 6 Thornton Place to outside 44 Thornton Place
Valda Vale	the whole length
Winslow Drive service loop fronting 16 to 32 (even numbered)	the whole length
Worsley Close	the whole length

Parish of New Waltham

<u>Street</u>	<u>Section</u>
Anningson Lane	the whole length
Baron Avenue	the whole length
Charles Avenue service loop road fronting houses 9 to 27 (odd numbered)	the whole length
Countess Close	the whole length
Crofters Grove	from outside 60 Rutland Drive to the northern extremity of the cul-de-sac
Deaton Lane	the whole length
Earl Avenue	the whole length
Holme Avenue	from Peaks Avenue to outside 8 Holme Avenue
Holme Avenue	from outside 10 Holme Avenue to outside 20 Holme Avenue
Holme Avenue	from outside 29 Holme Avenue to the northern extremity of the cul-de-sac
Un-named access road connecting Station Road and Louth Road at Toll Bar	the whole length
Weelsby View	the whole length

Parish of Waltham

<u>Street</u>	<u>Section</u>
Brian Avenue	the whole length
Cheesemans Close	the whole length
Cheesemans Lane	from outside number 8 Cheesemans Close to the southern extremity of the cul-de-sac
Church Lane	from Skinners Lane to outside 19 Church lane
Cotswold Drive	the whole length
Dorothy Avenue	the whole length
Elm Road	the whole length
Greenway	the whole length
Grove Lane	from outside 15 Grove lane to Cheapside
Home Paddock	the whole length
Ings Lane	from outside 'Littlebeck', Ings Lane to the southern extremity of the cul-de-sac
Ings Lane	from outside 'Bon Accord', Ings Lane to Grove Lane
Laburnham Avenue	the whole length
Laburnham Close	the whole length
Leas Close	the whole length
Ludgate Close	the whole length
Mill Close	the whole length
New Road	from outside 28 New Road to Skinners Lane
Philip Avenue	the whole length
Salisbury Avenue	from outside 5 Salisbury Avenue to Salisbury Drive
Salisbury Drive	the whole length
Skinners Lane	from outside 34 Skinners Lane to outside 36 Skinners Lane
Skinners Lane	from outside 'Leabrooks', Skinners Lane to Ings Lane
Skinners Lane	from Cheapside to Buck Beck
Summerfield Avenue	from Summerfield Close to Norsefield Avenue
Summerfield Close	the whole length