

ECONOMIC DEVELOPMENT, ENVIRONMENT AND INFRASTRUCTURE SCRUTINY PANEL

Date: Wednesday 18th November, 2020
Time: 10.30 am
Venue: Virtual Meeting

AGENDA

Please note: this is a virtual meeting.

The meeting will be live-streamed via the Council's [Youtube channel](#) at 10.30 am on Wednesday 18th November, 2020

1. Apologies for Absence
2. Declarations of Interest

To receive any declarations of interest.
3. Minutes - Economic Development, Environment and Infrastructure Scrutiny Panel - 7 October 2020 3 - 10
4. Parking On Grass Verges 11 - 26

The Environment Services Manager and the Head of Stronger Communities will be in attendance to provide information in relation to parking and associated damage to grass verges

Recommendation: for Panel to determine whether further information is required
5. Update on the Local Plan

The Head of Planning will be in attendance to provide an update on the Local Plan

Recommendation: Panel to determine whether further

information is required

6. Middlesbrough Regeneration Post Covid-19 Scrutiny Review

The Head of Planning will be in attendance to provide information in relation to Planning Reforms

Recommendation: Panel to determine whether further information is required

7. Overview and Scrutiny Board Update

The Chair will provide a verbal update on matters considered at the meeting of the Overview and Scrutiny Board held on 5 November 2020

8. Date of Next Meeting - Wednesday 16 December 2020 - 10.30 am

9. Any other urgent items which in the opinion of the Chair, may be considered

Charlotte Benjamin
Director of Legal and Governance Services

Town Hall
Middlesbrough
Tuesday 10 November 2020

MEMBERSHIP

Councillors M Saunders (Chair), B Hubbard (Vice-Chair), R Arundale, D Branson, D Coupe, T Furness, L Garvey, L Lewis and M Storey

Assistance in accessing information

Should you have any queries on accessing the Agenda and associated information please contact Susan Lightwing, 01642 729712, susan_lightwing@middlesbrough.gov.uk

ECONOMIC DEVELOPMENT, ENVIRONMENT AND INFRASTRUCTURE SCRUTINY PANEL

A meeting of the Economic Development, Environment and Infrastructure Scrutiny Panel was held on 7 October 2020.

PRESENT: Councillors Saunders, (Chair), Hubbard (Vice Chair), Arundale, Branson, Coupe, Furness, Garvey, Lewis and M Storey

OFFICERS: L Antill, S Bonner, C Breheny, B Cowell, S Gilmore, J Hedgley, D Johnson, S Lightwing, M McPhee

APOLOGIES FOR ABSENCE None submitted.

DECLARATIONS OF INTERESTS

There were no Declarations of Interest at this point in the meeting.

1 **MINUTES - ECONOMIC DEVELOPMENT, ENVIRONMENT AND INFRASTRUCTURE SCRUTINY PANEL - 8 SEPTEMBER 2020**

The minutes of the meeting of the Economic Development, Environment and Infrastructure Scrutiny Panel held on 8 September 2020 were taken as read and approved as a correct record.

2 **AIR QUALITY**

The Head of Public Protection was in attendance to provide an update on air quality in Middlesbrough and an explanation of information reported in local media in relation to the Centre for Cities Report 2020, which appeared to contradict evidence provided to the Panel previously.

In the UK, air quality was a contributory factor to between 28,000 and 36,000 deaths per year. There was strong evidence that poor air quality contributed to the development of coronary heart disease, stroke, respiratory disease and lung cancer and exacerbated asthma.

Historically, the main pollutants in Middlesbrough were Sulphur Dioxide (SO₂) and Particulate Matter (PM₁₀ and PM_{2.5}). These were microscopic particles that could be inhaled into the lungs and could enter the bloodstream. These pollutants primarily came from burning coal and oil. Nitrogen Dioxide (NO₂) and Carbon Monoxide and Dioxide (CO, CO₂) Volatile Organic Compounds (VOC) and Particulate Matter came predominantly from petrol and diesel road vehicles. Particulate Matter could come from other sources as well. There was also a range of pollutants from industrial processes, albeit these were strictly regulated and released at high level. Particulate Matter was also released from wood burning stoves in residential settings and this did have an impact in Middlesbrough.

The Centre for Cities Report 2020 referred to Middlesbrough as having the highest NO₂ emissions per 100,000 population. However, this calculation was not based on the Middlesbrough Local Authority area. In the Report, Middlesbrough was classified as an Primary Urban Area, which included Middlesbrough, Redcar and Cleveland and Stockton Local Authorities, giving a combined population of 474,000. In addition, the report was based on modelled data. As the report was based on the Primary Urban Area it did not differentiate where emissions were coming from, and included emissions from industry in all three Local Authority areas. Both Stockton and Redcar and Cleveland had large industrial complexes and the data took into account all the industrial releases. It was highlighted that the impact of Nitrogen Dioxide being emitted from a 70 metre high stack into the air was far less than the impact from emissions at ground level. Therefore the high value of NO₂ within this Primary Urban Area was skewed by the industrial releases at a high level which had very little impact at ground level where people breathe.

Every Local Authority in the country had to undergo an annual Air Quality Status Report to assess air quality and Middlesbrough had never had to declare a breach of any of the

objectives set nationally. Middlesbrough continued to meet all the national standards for air quality and it was always the intention to ensure that the air was as clean as it could be. It was noted that the World Health Organisation (WHO) had set stricter standards that stipulated that there was no safe level of air pollution.

The Panel were shown updated graphs of various pollutants and it was highlighted that the general trend of pollution was downwards, which reflected efforts carried out locally and nationally to reduce air pollution. Nationally there was a focus on reducing vehicle emissions, implementing greener transport schemes, power generation and greater fuel efficiency. There was a drive to increase the use of ultra low emission vehicles and build the required infrastructure to enable that development. Locally, there were various Tees Valley Combined Authority projects including an Integrated Transport Strategy and work was ongoing on producing a South Tees Clean Air Quality Strategy.

The Panel was also shown some data in graph form relating to air quality during the lockdown in 2020 due to the Covid-19 pandemic. Overall there was a 30% improvement in air quality throughout the period that traffic was restricted. It was clear that reducing the amount of transport had a considerable positive effect on air quality.

Reference was made to previous Government intervention when Middlesbrough was required to carry out monitoring in relation to NO₂ exceedences at two points on the A66 running through the town. Middlesbrough carried out some intensive work including an ANPR study and was able to establish that the NO₂ levels were not in fact exceeding the national requirements. The work carried out looked at actual evidence rather than just relying on modelling. Middlesbrough was not currently under any requirements from the Government as air quality was good. Consideration would only be given to a Clean Air Zone if the NO₂ levels were exceeding permitted levels and that type of strategy would have to be balanced against the potential impact on the economic viability of the town.

Concern was raised in relation to wood burning stoves and it was explained that stoves needed to meet Department for Environment, Food and Rural Affairs (DEFRA) requirements. Information was available on the Council's website to help people purchase the appropriate type of stove.

On behalf of the Panel, the Chair thanked the Officers for attending.

AGREED that the information provided was received and noted.

3 **MIDDLESBROUGH REGENERATION POST COVID-19 SCRUTINY REVIEW**

The Head of Economic Growth, Town Centre Manager and the Towns Fund Co-ordinator, were in attendance to provide an overview of the Future High Street and the Towns Fund Bids as an introduction to the Panel's Review of Middlesbrough Regeneration Post Covid-19.

In late summer 2019 an opportunity arose for town centres that were suffering slow decline to apply to a competitive process from the Government. Middlesbrough submitted an initial expression of interest to the Future High Streets Fund. The programme nationally was worth £3.6 billion and included the Towns Fund as a national programme. The Future High Street Fund was a discreet competitive process on its own. Approximately one hundred towns had been invited to develop a business case on how their town centre could be transformed in light of changes in the sector, the increase in online purchasing and changing uses in the town centre environment in general.

Since 2019, the outbreak of the Covid-19 pandemic had exacerbated many of the issues town centres were already facing. However, the general principle of the Future High Street Fund was to encourage towns to invest on a structural rather than cosmetic basis, in terms of how the purpose of the town centre would function in future. Whilst retail would always form a large component of what happened in town centres it was under distress in terms of the costs of maintaining a physical presence in the town centre compared to online retailers.

The way consumers lived and worked in town centres had changed over the last 20 years and

the rise of out of town shopping centres and commercial parks and slowly drained away from the town centre. Consumers were now more engaged by an experience led economy, where they could go out and shop, eat and visit a cinema or see a theatre show as part of an all-day event.

Middlesbrough currently had a vast oversupply of retail floor space of around 1.1 million square feet, within the definitions provided by the sector specialists. That retail space was spread over four disparate owners, and was fragmented in its ownership across the town. Whilst this was good for tenants, a long-term consequence of competitive rents was that landlords and owners could not invest because they were not making the required income from tenants.

There was a national push to bring residential offers into town centres and planning regulations had been adopted to allow for ease of conversion of retail units. There was a focus on bringing a new workforce with disposable income into the town centre environment. The average worker coming into the town centre spent approximately £20 per day.

Middlesbrough's bid was based on the Town Centre Strategy that was developed late on in 2018/19. Urban living in the town centre, curtilage and immediate environs of the centre formed a large part of the bid. This would drive in immediate footfall in terms of the residents and enliven the area, as well as providing an element of passive surveillance, which would reduce anti-social behaviour and crime in the long term.

The bid had also considered infrastructure: how cycle routes, bus superstops and Covid-19 network adaptations such as pavement widening, could be incorporated. Other measures included improved security and CCTV in car parks and along connecting routes and some modern automated features like the contactless car parking and pay on exit.

The main part of Middlesbrough's bid was focussed on converting some of the retail floor space into a leisure-dominated facility. The Council had recently acquired the Captain Cook Shopping Centre and the House of Fraser building for the purpose of long term intervention in the market, the restriction of the supply of retail floor space and to encourage a dedicated and focussed leisure hub at the centre Middlesbrough, as a way to drive up footfall and sustain the existing retail environment.

Some retailers had expressed interest in re-sizing or re-leasing but were looking for smaller units. With a vacancy rate across the town of approximately 18% in retail floor space, this approach would help to reduce the amount of vacancies in the town. This in turn would lead to a healthier environment, stabilise rents in the long term, and encourage owners to re-invest in their properties and ultimately halt the long-term decline of the town centre.

Since submitting the initial expression of interest, the effect of Covid-19 and the restrictions that had been placed on the leisure and hospitality trades had had to be reflected in the plans. Sector specialists were confident that these markets would return as restrictions eased over time and the virus was controlled. There was a three-year timescale for delivery of the Future High Streets Fund and the timing of a new leisure hub was not at odds with the cycle of the pandemic. People still wanted an experience-led economy and there was a lot of interest from service providers in the leisure sector to be part of this hub in the longer term. In general terms, Middlesbrough was well under-represented in terms of hospitality and leisure as a proportion of its footfall and its demographic and scale. Ten percent of the town centre floor space was dedicated to leisure and those activities, and the industry norm was about 20% of a town centre.

Another part of the strategy was investment in experiences. This was a wide-ranging ambition which aimed to give more people more reasons to be in central Middlesbrough and in the town centre specifically. Consideration was being given as to how a range of community services, cultural events and amenities could be integrated into the high street environment when the national conditions allowed. Also, how vacant properties in the street scene could be animated to ensure people had visual stimulus and a pleasant experience, rather than just coming to an area to be transactional, or for work or retail.

Finally, the programme had been adapted to look at direct intervention with businesses and existing retailers and any new retailers, for Covid-19 mitigation and preparedness. Businesses were keen to invest in the area but with the experience of Covid-19 and any future pandemic, there needed to be built-in resilience to ensure businesses were best structured and physically configured to be able to trade safely through any period of lockdown. A grant programme was being proposed which would be matched by businesses to enable them to make a long-term investment at a time when they would not necessarily have the cash flow to enable them to do that.

In total the bid was an ask of government of £20.5 million from the Future High Streets Fund and with leverage, other investments, and Council investment, in terms of the acquisition of the Captain Cook Shopping Centre and House of Fraser, this could lead to a programme worth over £140 million in total. That co-investment would form the basis of the long-term future of the town centre and help to draw in other services, other commercial properties and functions. Centre Square lettings were in progress and when that footfall arrived it would be extremely well received in the town centre. The presence of the Northern School of Arts in the town centre and the expansion of Middlesbrough College would also assist in giving the future economy the best possible chance of succeeding.

The focus was on a relatively tight high street area, which was defined locally, and was around the Captain Cook Shopping Centre feeding into the Linthorpe Road area and then picking up the House of Fraser area, so the vast majority of investment would fall within that boundary. With the urban living agenda and the options there, there was a 300 to 400 metre radius which was the area of influence at which those housing developments would drive footfall for the area.

As the Future High Street Fund was a competitive bidding process, Middlesbrough might not receive the full £20.5 million. Middlesbrough's bid was about changing the dynamics of the economy in the longer term and leading the way in terms of proof of concept for urban living products that there was not yet an established market for in the centre. Building on past experience, the public sector could prime the market and then allow private market forces to intervene, so that there was not a cycle of continuous public investment. The bid was formally submitted in July 2020 and it was hoped that the result would be known by the end of November.

It was suggested that a masterplan should be drawn up of all the initiatives and plans for town centre including cycle and public transport routes. It was confirmed that the Town Centre Strategy was being refreshed to show visually how developments across Middlesbrough were benefitting the town centre. Middlesbrough was a small, compact, highly dense authority and the town centre was the engine room.

It was clarified that the Captain Cook Shopping Centre and House of Fraser had been acquired by Middlesbrough Council as going concerns and were being managed by a company as part of a legacy agreement. The Business Case forecast a falling rent over the next 12 months to 2 years but the Council was satisfied that, assuming no other intervention, there was plenty of headroom in terms of the investment versus income. The bid that had been submitted was scalable and could be prioritised in line with the amount of money that was made available.

In relation to the House of Fraser building, it was acknowledged that it had a very particular configuration and it did not lend itself to conversion as it was a period building and protected by local planning laws. It was an iconic building and should have a fitting use. Similarly, it was also a gateway to the new quarter. Reference was made to a period building in Manchester called the Mackie Mayor which was a period building converted into a multi-unit artisan kitchen. The footplate of the House of Fraser building could potentially lend itself to something similar. Although the layout was awkward it was part of the charm and beauty of that building. It could also potentially be used for civic functions or as a base to provide other public services.

In terms of the Council's letting strategy, a concern was raised in relation to the number of fast food takeaways already operating in the town centre. It was highlighted that units in the

Captain Cook Shopping Centre were considered to be prime rents, which would hopefully attract national retailers rather than some of the lower grade uses.

It was also highlighted that Middlesbrough needed to improve its family friendly offer to enable families to enjoy a family activity and then have a meal or see a show. A Member urged caution in relation to the potential for increased traffic flow into the town centre which could in turn lead to more pollution and suggested that features such as a park and ride facility should be explored.

The Towns Fund was announced at approximately the same time as the Future High Streets Fund in 2019. The Towns Fund was a much broader and town-wide approach in terms of how local decision-making and the involvement of communities could influence investment in those areas that were of importance to the local economy and for local people.

Middlesbrough had been invited to bid for up to £25 million and had already received an advance settlement of £1 million which had been diverted immediately to delivery of the Boho Site. The advance settlement had to be spent by the end of this calendar year and the Boho Site was the only project ready to move forward.

There were five main themes in the Towns Fund: Transport and Connectivity, Urban Communities and Placemaking, the Middlesbrough Experience, Building a Knowledge Economy and Enterprise Infrastructure.

Transport and Connectivity was about making sure that people could get to and from where they needed to be within Middlesbrough. The Middlesbrough Experience was about making Middlesbrough the key destination in the Tees Valley. The Knowledge Economy involved engaging with Teesside University, Middlesbrough College and other training providers and education institutions. Enterprise Infrastructure was about building meaningful and long term employment in central Middlesbrough and making a thriving commercial environment.

The Towns Fund was also heavily predicated on the community and meeting community needs and a large part of the fund would be diverted to community uses and facilities. The Council was also keen to encourage local decision-making and participatory budgeting. This would involve people at ward level, stakeholders, and community, addressing issues of immediate local importance, with a budget of up to £50,000 per ward.

In total, contributions to the community infrastructure would be approximately £4 million of the programme. This would be used to improve the civic environment and how people engaged with the civic side, particularly the town hall, and also libraries, and some civic services could be incorporated into them as well. The Council was also looking at some of Middlesbrough's historic assets including the Captain Cook Pub and the Old Town Hall in Middlehaven. The old Town Hall was a jewel in the crown of the Authority's historic environment but was currently in a state of disrepair. A recent government scheme called #Mytown had picked up a lot of community interest and some good suggestions for community improvements.

With regard to Transport and Connectivity projects, infrastructure projects such as the Rail Station were currently being progressed on a Tees Valley basis. However, the Towns Fund would pick up issues such as pavement widening, cycle ways and bus routes.

The urban living and the place making agenda involved bringing urban and town centre areas together and making them into communities. There were a range of sites that could be brought together and it was about connecting them and making them areas to enjoy. So areas could be intertwined with green spaces, urban environments, spaces to breathe, to enable that urban density but also to improve people's wellbeing and mental health.

In terms of Building the Knowledge Economy, Middlesbrough College had ambition for the Middlehaven estate and was also looking to secure a town centre presence and bring some of the educational uses into an urban setting. The Council was working with the College on how to retain and attract more talent. The Council also worked closely with Teesside University although there was no financial ask from them from the Towns Fund.

In relation to Enterprise Infrastructure there was match funding available for conversion and restoration of some of the historic buildings around the Rail Station in addition to approximately £1 million funding secured from the Heritage Action Zone Fund. There was also the issue of connecting the Boho Campus to the town centre and the new school which would be built at Middlehaven.

Based on the success of those developments or how that market progressed there was potential for future expansions of commercial property in the Boho and Centre Square areas. Leases were progressing well on the Centre Square site and at TeesAMP, notwithstanding the Covid-19 pandemic. Both sites were ahead of their business cases in terms of their occupation.

The initial bid to the Towns Fund was submitted in July and the Council was waiting to hear back from Government during the next couple of months. A more detailed business case would be drawn up and a consultation phase prior to delivery, which was likely to commence in 2021.

A Town Deal Board had been established and included both Middlesbrough MPs, the Tees Valley Mayor, the Mayor of Middlesbrough, the Vice Chancellor of Teesside University, the Chief Executive of Middlesbrough College and stakeholders, business leaders and partners from across Middlesbrough and the Tees Valley. Their role was to agree a Town Investment Plan that would be relevant whether or not the funding was allocated. The Plan would detail how the economy would be reshaped, where investments would be targeted as a Local Authority, through third parties and as Tees Valley investors, to achieve common aims by 2030.

The Towns Deal Board would also have several themed groups and ultimately would be the decision making body to steer the investment of the Towns Deal funding and any other future private investment or funding that came along to align it. The minutes of all Board meetings were public and available online.

Regarding community engagement, potentially Community Councils could deliver the funding since most Councillors would be involved in those Forums. However, the Head of Economic Growth was keen to liaise with Councillors on the best way to engage with them and their communities to ensure participation. One suggestion was to have geographically based clusters: central, west, east and south, and have open forums where ward members could discuss local priorities with Council involvement. Another suggestion was that one such ward-based initiative could be the provision of superfast broadband. It was also noted that the Health Scrutiny Panel would be looking at inclusive growth and alignment of town centre regeneration and health goals as part of their work programme.

On behalf of the Panel, the Chair thanked the Officers for attending.

AGREED that the information provided was received and noted.

4 **REVIEW OF TEESSIDE CREMATORIUM - DRAFT FINAL REPORT**

A copy of the Draft Final Report on Teesside Crematorium had been circulated with the agenda. Draft conclusions and recommendations had been circulated to Panel Members prior to the meeting.

An additional recommendation was suggested and agreed at the meeting in relation to car parking provision at Teesside Crematorium.

The Democratic Services Officer agreed to add the additional recommendation to the Final Report and circulate the wording to Panel Members via email for information.

AGREED that the:

1. information provided, and amendments agreed at the meeting, would be incorporated into the final version of the report.

2. following conclusions were approved:

- TERM OF REFERENCE A - To explore the service offered by Middlesbrough Council and recent improvements at Teesside Crematorium.

Services offered at Teesside Crematorium are broadly comparable with those offered at Stockton and Kirkleatham Memorial Park and Crematorium. The Panel did note however, that one service not currently offered by Teesside is Direct Cremation.

An extensive refurbishment programme has been carried out at Teesside Crematorium over the past few years which includes internal and external improvements to St Bede's and St Hilda's Chapels, the Chapel of Rest, the landscape around the Crematorium and also the drainage at the back of the site. These improvements have greatly enhanced Teesside Crematorium and the setting and services it provides for residents and non-residents of Middlesbrough.

Ninety car parking spaces are available on site and there are disabled parking spaces approximately 25 metres from St Hilda's Chapel and 50 metres from St Bede's Chapel. From their own experiences, Panel Members noted that, on occasion, the parking provided is insufficient to meet demand.

- TERM OF REFERENCE B - To examine the service offered by Stockton Council at Stockton Crematorium.

Stockton Crematorium is a brand new state-of-the-art building furnished to a high standard offering similar services to other local crematoria. Additional features include a viewing room into the crematory, removable benches to allow space for wheelchair users, and a voile curtain which is drawn around the catafalque at the close of the service.

The provision of dedicated Chapel Attendants, live webcast and music are all included in Stockton's offer and are also available at Teesside and Kirkleatham.

- TERM OF REFERENCE C - To investigate the potential financial impact of recently opened Crematoria at Kirkleatham and Stockton on Teesside Crematorium and any mitigation required.

Between 2008 and 2019 there has been a reduction of approximately 1200 cremations at Teesside Crematorium. There was a year-on-year reduction of 28 cremations in October 2019, and 88 in December 2019. £490,000 has been allocated in the Council's Medium Term Financial Plan for 2020/2021 by way of mitigation for potential loss of income. However, due to the current and ongoing Coronavirus Pandemic, it is not possible to make an accurate conclusion in relation to this term of reference.

3. Following recommendations were approved:

- A) A six-monthly update on income and any mitigation required should be provided to the Scrutiny Panel until further notice.
- B) The potential for Teesside Crematorium to offer a Direct Cremation Service should be explored.
- C) The possibility of voile curtains being installed around the catafalques in St Bede's and St Hilda's Chapels should be explored.
- D) Car parking arrangements should be reviewed to ascertain whether further spaces could be made available and whether the disabled parking spaces could be re-located nearer to the Chapel entrances.

4. The Final Report on Teesside Crematorium would be submitted to the Overview and Scrutiny Board for consideration.

5 OVERVIEW AND SCRUTINY BOARD UPDATE

The Vice Chair provided a verbal update on items considered at the Overview and Scrutiny

Board meeting held on 1 October 2020.

6 **DATE OF NEXT MEETING - WEDNESDAY 18 NOVEMBER 2020 AT 10.30 AM**

The next meeting of the Economic Development, Environment and Infrastructure Scrutiny Panel would be held at 10.30 am on Wednesday 18 November 2020.

MIDDLESBROUGH COUNCIL

AGENDA ITEM 4

**ECONOMIC DEVELOPMENT, ENVIRONMENT AND
INFRASTRUCTURE SCRUTINY PANEL**

18 NOVEMBER 2020

VERGE PARKING

**REPORT OF DIRECTOR OF ENVIRONMENT AND COMMUNITY
SERVICES: GEOFF FIELD**

1. PURPOSE OF THE REPORT

To set out the procedure used by the Council to respond to the demand for the provision or regulation of parking in residential areas, the current position in relation to the number of outstanding requests for action from the public and the powers available to the Council to address indiscriminate parking on grass verges.

2. BACKGROUND

Parking on and vehicular damage to grass verges is a persistent problem throughout the town. As levels of car ownership have increased with many households now owning two or more vehicles, so have demands and competition for available parking space.

Many older housing estates have narrow access roads and a significant number of amenity areas, houses in these cases can front onto large grassed areas without direct road frontages.

Narrow roads can result in drivers parking on verges in an effort to avoid obstructing the road for through traffic and, in particular, emergency services vehicles, refuse collection vehicles and removal/delivery vans.

The presence of traffic calming features can often displace vehicles from the carriageway onto adjacent verges and footways.

3. PROBLEMS

Parking on verges can cause both structural and environmental damage.

Where uncontrolled it can reduce the verge to an unsightly state, presenting a potential hazard to the public through deep rutting, making it difficult and more expensive to maintain, causing damage to trees, roots and to underground infrastructure such as cables.

It can cause a danger to pedestrians and other road users particularly at junctions or pedestrian crossing places blocking visibility and impede maintenance operations such as grass cutting and street cleansing. Conflict can arise between those residents who wish to park on the verges and those who would like to see the verges protected.

Residents are generally aware that they should not be parking on the verge but persist for various reasons:

- They desire front door access and will park as close to their property as physically possible
- They also fear that their vehicle will be vandalised if it parked too far away from their property
- They are concerned about damage to their wing mirrors and to their vehicle generally
- They lack the alternative facility of in curtilage parking coupled with the current rate of car ownership, the situation is worse in roads where there is more than one vehicle per household
- In some cases the vehicle owner can park on the road without causing obstruction or park on their drive but they choose to park on the grass verge because it is available and involves less effort

The Council receives many complaints from a variety of sources relating to obstruction, damage, access difficulties, road safety issues, neighbour disputes and general annoyance which can be categorised into two broad bands:

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

Often these complaints are associated with requests for:

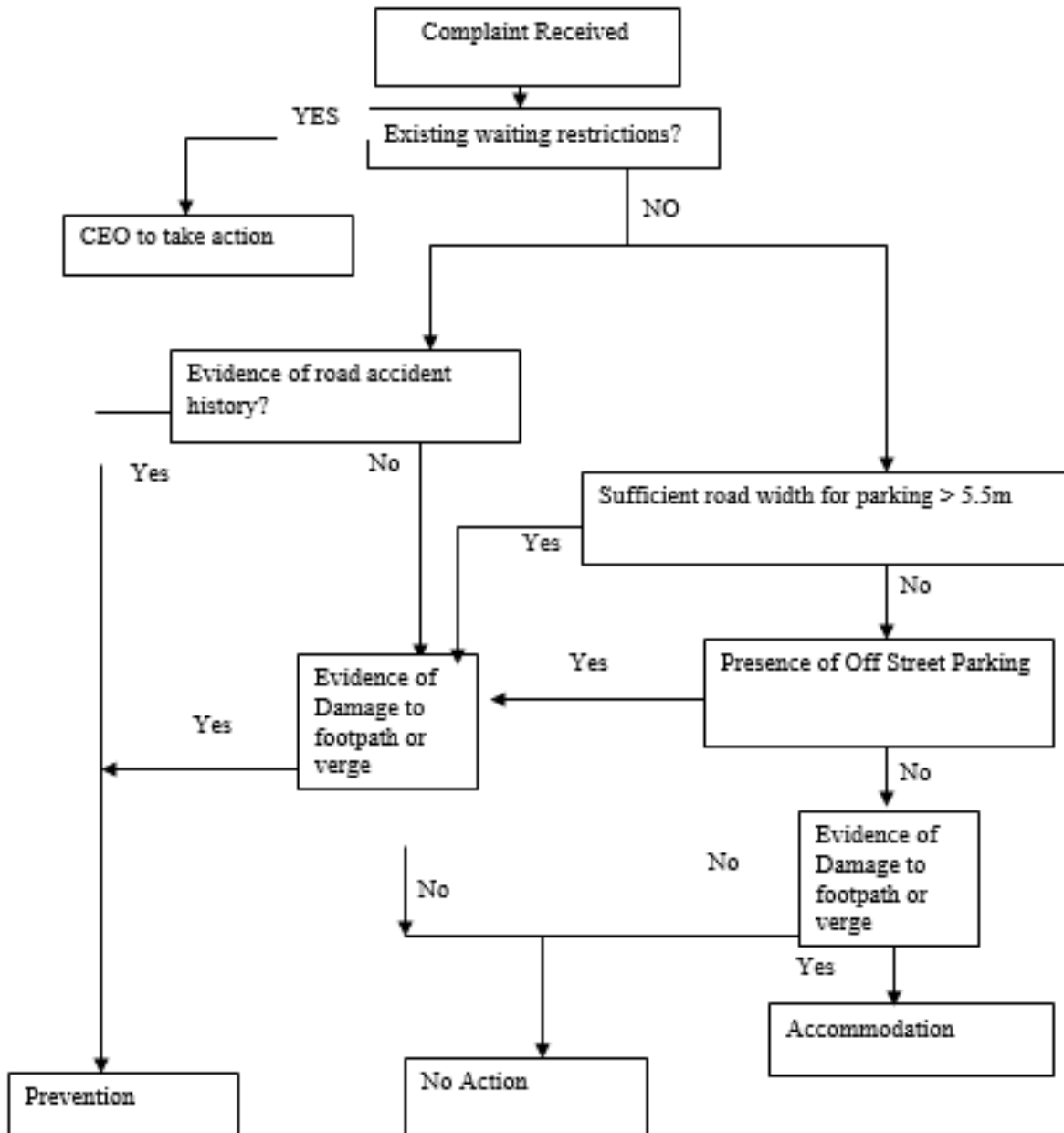
- verge hardening
- provision of new or additional parking facilities
- bollards or knee rail in the verge
- new or additional parking restrictions

4. CURRENT PROCEDURE

In October 2012 the Council's Executive formally approved a methodology and systematic approach for dealing with requests for parking interventions and to address problems concerning road safety, accessibility for emergency services, buses and areas of damage to either grass verges or footways as a result of the regular occurrence of parked vehicles.

The decision tree below recommended one of three outcomes prevention, accommodation or no action:

Decision Tree



|

Options for prevention include:

- Introduce new waiting restrictions
- Report to local neighbourhood policing team
- Introduce local pavement parking ban
- Provide Pavement crossing
- Edge Treatment – bollards, knee rail, barriers, planting
- Advisory road markings
- Mediation

Consideration needs to be taken regarding the impact of any displaced parking and the level of resources available to effectively enforce any new regulations.

Options for accommodation include:

- Provision of parking bays
- Strengthen/pave/existing verge

As the volume of requests from the public far exceeds allocated budget a system was established to prioritise and categorise all requests.

The prioritisation procedure which uses a specific system and set of criteria results in a 'score' being allocated and determines whether a request falls into the low, medium or high priority category. The higher the priority, the higher the priority for intervention.

The scoring parameters being 0-44 low priority, 45-59 medium priority, ≥ 60 high priority,

Should a funding contribution be made towards the cost of implementing a scheme at any given location then the score is increased by the percentage of the external contribution made.

The scoring method for assessing requests for verge removal/verge protection/provision of new or additional parking facilities is based on weighted points covering the following areas:

- Road safety
- Accessibility(road width)
- Accessibility (reason for trespass occurring) applicable to verge protection requests only
- On street capacity
- Off street capacity
- Road hierarchy
- Degree of existing damage
- Proximity to Local Amenity (presence of school, shops etc)
- Sustainability of verge
- Serviceability of verge
- Record of complaints

Each request received is assessed in accordance with the approved procedure, utilising either the verge damage template see **Appendix 1** or the verge and footway protection template see **Appendix 2**

The location is inspected, the request 'scored', categorised and then added to an ever changing, ever increasing schedule of 'outstanding requests for action' on a ward by ward basis with an approximate cost of works.

An assessment previously recorded in the system can be reassessed to take into account any significant changes that may have occurred since the original assessment was undertaken.

Should an increase in the number of complaints be received and/or more extensive damage to the verge be reported then the existing 'score' is updated accordingly.

The revision of a score may result in a low priority request being raised up into the medium priority category or a medium priority request being raised up into the high priority range.

5. CURRENT POSITION

Table 1 below shows the current level of demand for action, details the number of outstanding requests recorded on the schedule by ward, priority and number of roads affected.

TABLE 1

| WARD NAME | REQUESTS BY PRIORITY No. | | | TOTAL No. | No. OF ROADS SUBJECT TO REQUESTS |
|--|-----------------------------|----------------|---------------|----------------|--|
| | <i>LOW</i> | <i>MEDIUM</i> | <i>HIGH</i> | | |
| Acklam | <i>10</i> | <i>8</i> | <i>3</i> | 21 | <i>8</i> |
| Ayresome | <i>4</i> | <i>11</i> | <i>0</i> | 15 | <i>5</i> |
| Berwick Hills and Pallister | <i>10</i> | <i>27</i> | <i>9</i> | 46 | <i>24</i> |
| Brambles and Thorntree | <i>7</i> | <i>16</i> | <i>13</i> | 36 | <i>19</i> |
| Central | <i>1</i> | <i>1</i> | <i>0</i> | 2 | <i>2</i> |
| Coulby Newham | <i>2</i> | <i>4</i> | <i>0</i> | 6 | <i>4</i> |
| Hemlington | <i>11</i> | <i>3</i> | <i>1</i> | 15 | <i>13</i> |
| Kader | <i>10</i> | <i>9</i> | <i>0</i> | 19 | <i>8</i> |
| Ladgate | <i>6</i> | <i>14</i> | <i>2</i> | 22 | <i>12</i> |
| Linthorpe | <i>2</i> | <i>5</i> | <i>4</i> | 11 | <i>6</i> |
| Longlands and Beechwood | <i>16</i> | <i>16</i> | <i>4</i> | 36 | <i>22</i> |
| Marton East | <i>2</i> | <i>1</i> | <i>0</i> | 3 | <i>3</i> |
| Marton West | <i>3</i> | <i>0</i> | <i>0</i> | 3 | <i>2</i> |
| Newport | <i>1</i> | <i>0</i> | <i>0</i> | 1 | <i>1</i> |
| Nunthorpe | <i>6</i> | <i>0</i> | <i>0</i> | 6 | <i>5</i> |
| Park | <i>7</i> | <i>14</i> | <i>0</i> | 21 | <i>8</i> |
| Park End and Beckfield | <i>22</i> | <i>27</i> | <i>5</i> | 54 | <i>27</i> |
| Stainton and Thornton | <i>1</i> | <i>2</i> | <i>0</i> | 3 | <i>3</i> |
| Trimdon | <i>6</i> | <i>2</i> | <i>0</i> | 8 | <i>6</i> |
| TOTALS | 127 No. | 160 No. | 41 No. | 328 No. | 178 No. |

To date 328 outstanding requests for action are recorded on the schedule comprising 127 No. low priority, 160 medium priority and 41 high priority.

Residents in the Park End and Beckfield ward have submitted the most requests for action and residents in Newport ward the least.

The number of roads in the town subject to requests for action is 178.

Table 2 (**see Appendix 3**) shows the most requested treatment solution being verge hardening at 77% followed by verge protection at 13% and finally parking facilities at 10%.

Table 3 below shows that the approximate cost to accommodate all outstanding requests by ward is £4,412,600

TABLE 3

| WARD | APPROX. COST OF WORKS £ | WARD | APPROX. COST OF WORKS £ |
|-----------------------------|-------------------------|--------------------------------|-------------------------|
| Acklam | 380,000 | Longlands & Beechwood | 538,000 |
| Ayresome | 171,000 | Marton East | 10,000 |
| Berwick Hills and Pallister | 770,500 | Marton West | 31,000 |
| Brambles and Thorntree | 517,000 | Newport | 10,000 |
| Central | 13,000 | Nunthorpe | 21,000 |
| Coulby Newham | 30,000 | Park | 204,500 |
| Hemlington | 141,000 | Park End and Beckfield | 807,600 |
| Kader | 170,000 | Stainton and Thornton | 14,000 |
| Ladgate | 385,000 | Trimdon | £90,000 |
| Linthorpe | 109,000 | GRAND TOTAL £ 4,412,600 | |

6. FORWARD PROGRAMMING

The prioritisation process enables the formation of a prioritised list of locations and works for input into future forward programmes, allows the planning of phased works to facilitate a progressive improvement in local conditions for residents and ensures that available resources are put to best use.

Those locations assessed as being high priority for intervention, scoring 60 and above are put forward for consideration for inclusion in a 3 Year Forward Programme of Verge

Remedial Works. The number of locations able to be included being dependent on capital budget allocation currently set at £150k per annum.

There are sixteen number high priority locations recorded on the schedule at an approximated cost of £709,000. See Table 4 below.

TABLE 4

| <u>WARD NAME</u> | <u>LOCATION</u> | <u>PROPOSED TREATMENT</u> | <u>APPROXIMATE COST £</u> |
|------------------------------------|--|----------------------------------|----------------------------------|
| ACKLAM | Green Lane in the vicinity of Green Lane Primary Academy | Verge Protection | £30,000 |
| AYRESOME | N/A | N/A | N/A |
| BERWICK HILLS AND PALLISTER | Bradhope Road Phase 3- various locations | Verge Hardening | £40,000 |
| | Cranmore Road Phase 2 - various locations | Verge Hardening | £30,000 |
| | Crossfell Road Phase 3 - various locations | Verge Hardening | £35,000 |
| | Kentmere Road Phase 2 - various locations | Verge Hardening | £26,000 |
| BRAMBLES AND THORNTREE | Barrington Crescent Phase 3 - various locations | Verge Hardening | £25,000 |
| | Grantley Avenue - full length | Verge Hardening | £60,000 |
| | The Greenway - various locations (phased) | Verge Hardening | £115,000 |
| CENTRAL | N/A | N/A | N/A |
| COULBY NEWHAM | N/A | N/A | N/A |
| HEMLINGTON | Viewley Centre Road opposite the Huntsman Public House (heavy vehicle overrun) | Verge Hardening | £10,000 |
| KADER | N/A | N/A | N/A |
| LADGATE | Broadwell Road Phase 2 - various locations | Verge Hardening | £20,000 |
| LINTHORPE | Harrow Road | Verge Hardening | £58,000 |
| LONGLANDS AND BEECHWOOD | Keith Road Phase 2 - various locations | Verge Hardening | £20,000 |
| | Marton Burn Road - various locations | Verge Hardening | £30,000 |
| MARTON EAST | N/A | N/A | N/A |
| MARTON WEST | N/A | N/A | N/A |
| NEWPORT | N/A | N/A | N/A |
| NUNTHORPE | N/A | N/A | N/A |
| PARK | N/A | N/A | N/A |
| PARK END AND BECKFIELD | Evesham Road (No's. 65-79) | Parking Facilities | £90,000 |
| | Overdale Road Phase 3 - various locations | Verge Hardening | £60,000 |
| | Wilstrop Green/Wibsey Avenue | Parking Facilities | £60,000 |
| STAINTON AND THORNTON | N/A | N/A | N/A |
| TRIMDON | N/A | N/A | N/A |
| GRAND TOTAL | | | £709,000 |

A number of wards currently have no locations situated within the high priority range.

As the figure £709,000 exceeds allocated budget not all high priority locations can be accommodated in the programme, this being the case those locations situated at the upper end of the high priority range are targeted first.

Those locations falling at the lower end of the high priority range and unable to be included in the current forward programme will be carried forward for consideration for inclusion in the next 3 Year Forward Programme of works.

At some locations it may become necessary to implement works on a phased basis, this generally applies to longer stretches of road where a high proportion of residents have requested that the verge outside their home be removed. These roads tend to be bus routes and/or traffic calmed and to accommodate all requests as part of an individual scheme would significantly impact on available budget.

A programme of phased works allows scope for the implementation of schemes at several high priority locations during the course of a financial year, resulting in a continuing improvement in local surroundings on a number of roads, an approach which generally satisfies the majority of residents who can see that progress, albeit gradual is being made. Further phases of work are implemented as soon as funding allocation allows.

The installation of parking facilities can also have a major impact on available resources, especially at locations where houses are set back off a green area. These often entail major construction works by way of an access road which requires more detailed design consideration such as street lighting, drainage and possible diversion of underground cables which can ultimately prove cost prohibitive.

7. LEGAL POSITION

Under current legislation and guidance there is no national prohibition on verge parking.

It is not an offence to park a motor vehicle, other than a Heavy Goods Vehicle (HGV) on a grass verge unless:

- it causes an obstruction
- a local byelaw is in force prohibiting it
- there are waiting restrictions on the road (which also apply to the highway verge)

8. POWERS AVAILABLE TO THE COUNCIL

Traffic Regulation Orders (TROs) (Traffic Management Act 2004)

Where yellow line waiting restrictions are in force on the adjacent highway then the restrictions are deemed to apply from the centre line of the road to the back of the public footway. If someone parks on the verge/pavement in a location such as this then the Council's Civil Enforcement Officers (CEOs) can issue a £50 or £70 Penalty Charge Notice

(PCN) depending on the seriousness of the parking contravention. PCNs are dealt with outside of court and ultimately result in a referral to the bailiff if no payment is received.

Heavy Commercial Vehicles (Section 19 Road Traffic Act 1988)

Prohibits Heavy Goods Vehicles with an operating rate of more than 7.5t from parking on the verge/pavement and CEOs can issue PCNs to offending vehicles, although there are specific exceptions to the general prohibition include loading or unloading in specified circumstances and needing to park in an emergency. This is a national ban and does not require a TRO or signs.

New Traffic Regulation Orders (TROs) (Road Traffic Act 1984)

Traffic Regulation Orders (TROs) can be made to address road safety or traffic management issues caused by verge/pavement parking e.g. outside schools or close to main road junctions or bus stops. There are three types of TRO, permanent, experimental or temporary. While permanent TROs require a lengthy consultation/objection process, experimental orders, as precursors to permanent orders, can be implemented more easily and quickly.

This measure is generally not recommended for isolated locations in housing estates where regular enforcement will not be sustainable.

Highways Act 1980 (Section 131)

Damage to the Highway

It is not an offence to park on a verge, however under Section 131 of the Highways Act 1980 it is an offence to damage the highway '*makes a ditch or excavation in a highway which consists of or comprises a carriageway*'.

If it can be proved that damage has been caused to the verge by a particular vehicle driver, then the Council can take action to recover the cost of the repairs through the Magistrates Court and if the person is found guilty, they are liable to a fine.

There are difficulties in generating sufficient evidence to determine that the actual damage caused to a verge has been done by an individual if the incident is not witnessed by a Council Officer or caught on CCTV. If a vehicle is parked on a damaged verge, it cannot be assumed that the parked vehicle caused the damage; it could have been caused by any number of previous vehicles. In addition in many cases vehicle owners may have more than one authorised driver and proving that all the damage was done by one individual can be somewhat more difficult.

If a vehicle is continually being parked on a verge causing damage and we can **clearly** identify that an individual is causing the issue, then the Council currently take the following actions:

- obtain clear, dated photographic evidence showing number plates of the vehicle
- obtain details of the registered keeper from the Driver Vehicle Licensing Agency (DVLA)
- write a letter to the registered keeper with photographic evidence enclosed asking them to refrain from parking on the verge
- if reports are received that the verge parking is continuing or we are specifically requested to monitor the situation and one party is involved, a stronger worded letter is sent, with new photographic evidence and a bill for repairing the damage

done to the verge. The Council can only bill if there is clear evidence of damage to the highway by the same vehicle and there must be an audit trail to prove it

- a letter is sent billing for the repair works with a warning that a debtor's invoice will be issued if payment is not received
- repair costs are based on their schedule of rates based on normal repairs plus administration costs. Costs tend to range from between £80.00 to £180.00.

Dangerous or Obstructive Parking

In the absence of a TRO, an incident of verge or pavement parking may be considered dangerous or obstructive and may constitute an offence under one of the following pieces of legislation:

- ***Highways Act 1980 (Section 131)*** – Penalty for damaging Highway '*makes a ditch or excavation in a highway which consists of or comprises a carriageway*' – as mentioned above.
- ***Highways Act 1980 (Section 137)*** – makes it an offence to '*wilfully obstruct the free passage along a highway.*' These offences can only be enforced by a uniformed Police Officer who can issue a £50 Fixed Penalty Notice to the offending vehicle. Fixed penalty notices are issued as a way of discharging liability for a criminal offence. If no payment is made then a case can be put in front of a magistrates' court for prosecution for the offence. In extreme cases the Police also have the power to have the vehicle removed. The interpretation of what constitutes obstruction is at the discretion of the Police, most instances of verge parking would, however, be unlikely to cause an obstruction as the verge and pavement must be 'fully' obstructed, blocking free passage to pedestrians, in particular those using mobility scooters, wheelchairs or with pushchairs.

Highways Act 1980 (Section 184)

Vehicle crossings over footways and verges

Under Section 184 of the Highways Act 1980 the Council has powers to construct a vehicle crossing on behalf of any resident who habitually crosses a grass verge to access or egress from their property and recharge its reasonable costs in doing so.

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 has happened within a specified time, the Council can serve a notice under Section 184 of our intention to provide them with a properly constructed crossing point.

This would only address 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 residents who drive/park on the verge 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 can be placed against the property, this will ensure that the Council eventually receives payment for the

works. This approach should not preclude recourse to legal action to recover costs, where this is considered appropriate.

A crossing is deemed to be illegal where it is either:

- Of unknown construction (constructed without our consent); or
- Not constructed (residents driving over existing verge/footway);

Road Traffic Act 1984 (Sections 64 and 65)

Local Pavement Parking Ban

In February 2011 the Secretary of State for Transport issued new guidance to all English traffic authorities on pavement parking, including a special authorisation to use new signs prohibiting parking on verges and footways. With these new signs detailed below Councils can now introduce local pavement parking bans with a TRO.

Individual locational signage approach



These bans can be enforced by the Council's CEOs issuing PCNs to anyone parking on the footway or verge within the designated area. This measure is generally recommended for more rural areas and isolated streets.

Each road subject to the verge/pavement parking ban must be clearly signed with regular repeater signs (approximately every 30 metres) throughout the zone which can incur high costs and considerable maintenance works

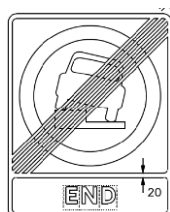
Careful consideration needs to be taken regarding the impact of any displaced parking leading to roads being obstructed by parked cars and the level of resources needed to effectively enforce any new regulations.

On roads that do not have waiting restrictions, but where it is desirable to prohibit parking on footway and verges, new zonal signing has been prescribed.

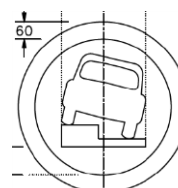
Zonal signage approach



Entry sign



Exit sign



Repeater sign

A zonal signage approach involves the erection of 'entry' and 'exit' signs at the start and end of the restriction zone, with repeater signs in between.

The order for the prohibition of parking on the verge or footway should cover both sides of the road. This is because a single entry sign is normally used to reduce environmental impact and there should not be any confusion as to whether it applies to one side or both sides of the road. The general principle is that the prohibition of verge and footway parking applies to the whole road.

The zonal approach works better for larger areas, as it requires less signage than the individual locational signage approach, given that repeater signs are only required every 300 metres. This also makes it a less expensive option.

Once again careful consideration needs to be taken regards the implications of any displaced parking and resources needed to effectively enforce the ban.

Removal of vehicles on the highway

Refuse Disposal Amenity Act 1978 (Section 3)

Abandoned or nuisance vehicles

There is no legal definition of what constitutes an abandoned vehicle, Council officers use their own judgement to decide whether a vehicle is abandoned or a nuisance, by taking into account whether or not the vehicle:

- is taxed
- has a registered owner
- is damaged, rundown or un-roadworthy
- has been burnt out
- is missing one or more number plates
- contains rubbish/waste
- has a Statutory Off Road Notification (SORN)
- is one of two or more vehicles for sale, parked on a road within 500m of each other, which are being sold as part of a business
- is being repaired on a road (exemptions apply)

The Council's Community Protection Enforcement Team have powers to remove:

- abandoned vehicles on the highway (this includes private roads and estates), if the vehicle is on private land the Council will serve a 15 day notice of removal on the owner/occupier.
- in all other cases a card is left on the vehicle advising the owner to contact the Council. If no contact is made, the Council attempt to contact the registered owner giving them the opportunity of moving the vehicle. Should no contact be made the Council have powers under this act to remove the vehicle.
- trailers with or without advertising boards and impound them
- caravans if they are causing an issue or have been abandoned

The Council's Community Protection Team have powers to:

- immediately dispose of abandoned vehicles of no value. If vehicles are considered to be of some value, the council will send a written notice of destruction to the owner. If at the end of this notice period the vehicle is unclaimed, the council can dispose of it.
- trace vehicle ownership and impose fines on those abandoning vehicles by working with the Driver and Vehicle Licensing Agency (DVLA)

Untaxed vehicles

The Council has also been given powers by the DVLA to remove and dispose of untaxed vehicles.

The Council's Community Protection Enforcement Team can remove:

- untaxed vehicles parked on the highway, the vehicle must be two months and one day out of tax. Vehicles meeting this criteria can be removed immediately and the registered keeper does not have to be contacted before action is taken. There is a cost incurred to the keeper if they choose to claim the vehicle back.
- remove Statutory Off Road Notification (SORN) vehicles parked on the highway. Vehicles can be removed immediately to the same details as mentioned above.

Clean Neighbourhoods and Environment Act 2005

Vehicles for sale on the Highway (Section 3)

A person is guilty of an offence if at any time;

- *he leaves two or more motor vehicles parked within 500 metres of each other on a road or roads where they are exposed or advertised for sale;*
or
- *he causes two or more motor vehicles to be so left*

Definition of road being 'any length of highway or of any other road to which the public has access'.

This offence is not intended to target individual private sellers of single vehicles, but the nuisance that is caused by the presence of numbers of vehicles being offered for sale by the same person or business. This is why the offence may only be committed where there are two or more vehicles being offered for sale.

It is recognised that a private individual may at one time or another have more than one car to sell and decide to offer them by parking them close together on a road, but it is anticipated that this will only happen on rare occasions.

If the vehicles are marked for sale and clearly attached to a particular business the Council's Community Protection Enforcement Team will make direct contact with the business and ask them to move the vehicles from the highway.

In the vast majority of cases this measure will result in the vehicles being removed.

Should the vehicles not be removed and/or they are not clearly marked for sale the Council has powers under abandonment legislation to remove them.

9. OTHER MEASURES THAT COULD BE CONSIDERED

Community Protection Notices (CPN) - Contrary to Anti-social Behaviour, Crime and Policing Act 2014

Whilst the primary legislation for highway issues in the Highways Act 1980, enforcement may be supplemented by the use of a Community Protection Notice (CPN).

The CPN is intended to deal with unreasonable, ongoing problems or nuisances which negatively affect the community's quality of life, it is **served on an individual** and there must be evidence to support its use.

Police officers, Local Councils and police community support officers can issue CPNs but before doing so they must consider two things:

- whether the conduct is having a detrimental effect on the community's quality of life
- whether the conduct is considered unreasonable.

The individual must be given a written warning beforehand stating that if the behavior doesn't cease, the CPN will be issued.

The notice can be appealed in the Magistrates Court within 21 days. Failure to comply is an offence and may result in a fixed penalty notice or fine.

Stockton Council have recently introduced a process that allows them to issue a CPN to tackle verge parking problems. The process initially involves issuing two warnings, firstly a removal notice posted on the vehicle, which is then followed up by a CPN warning. On the third occasion for repeat offenders a CPN is issued, should the offender have caused significant damage to the verge they are then recharged the cost of repair works.

To date Stockton Council have issued 261 removal notices, 20 CPN warnings and only 1 full CPN which suggests the process has been very successful in stopping repeat offenders.

Public Space Protection Orders (PSPOs) – Contrary to Anti-social Behaviour, Crime and Policing Act 2014

Public Space Protection Orders are another solution that could be considered for tackling inconsiderate verge parking **in a particular area** and have become a more popular approach than byelaws as they afford greater powers.

Orders can be introduced in a specific public area by the Council to target a range of different anti-social behaviour issues. PSPOs are intended to deal with a particular nuisance or problem in an area that negatively affects the local community's quality of life by imposing restrictions on certain types of behaviour.

PSPOs can only be introduced by the Council after necessary consultation, legal notification and adequate publicity and can last a maximum of three years, although they can be extended or varied during the course of their life.

PSPOs apply to everyone when they're in an area where a PSPO is in place, the Council can introduce a PSPO on any public space within its boundaries. The definition of a public

space is wide and includes any place where the public or any section of the public has access to, whether this is by payment, by right or by express or implied permission.

A PSPO is currently in place in all council owned cemeteries, Acklam crematorium and more recently in the TS1 area of the town.

PSPOs can be enforced by Police Officers, Police Community Support Officers or any Officer designated by the Council for example; Street Wardens. If you breach a PSPO, you could receive the following penalties:

- A £25 fine on the spot, known as a Fixed Penalty Notice
- A fine of up to £1,000 if the charge goes to court

The Home Office statutory guidance re-issued in December 2017 states that proposed restrictions should focus on specific behaviours and be proportionate to the detrimental effect that the behaviour is causing or can cause, and are necessary to prevent it from continuing, occurring or recurring.

10. THE FUTURE

Department for Transport consultation on pavement parking

The Government has launched a consultation into pavement parking in a bid to solve a problem that brings “inherent dangers for all pedestrians”, particularly those with disabilities.

It outlines three options:

- improving the TRO process under which Councils can already prohibit pavement parking
- a legislative change to allow Councils with civil parking enforcement powers to enforce against ‘unnecessary obstruction of the pavement’.
- a legislative change to introduce a London-style pavement parking prohibition throughout England (pavement parking has been prohibited in London since 1974 unless there is signage in place that specifically permits it.)

The proposals are designed to improve the lives of people with mobility or sight impairments, as well as parents with prams who may be forced into the road to get around parked cars.

The consultation period began on 31 August 2020 and runs until 22 November 2020.

Impact(s) of recommended decision(s)

Legal

N/A

Financial

N/A

Policy Framework

The report does not impact on the overall budget and policy framework

Equality and Diversity

N/A

Risk

N/A

Actions to be taken to implement the decision(s)

Implement any decision of the Economic Development, Environment and Infrastructure Scrutiny Panel with regard to this report

Appendices

Appendix 1 Damaged Verge Assessment Template

Appendix 2 Verge and Footway Protection Assessment Template

Appendix 3 Table 2 Requested Treatment Solution by Ward

Background papers

Executive report and minutes Pavement and Verge Parking 9 October 2012

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