

Appendix 12 – Parking on footways and verges

Legal position

Parking on footways and verges whether wholly or partly is banned throughout London, unless signs are placed to allow parking.



667 – Vehicles permitted to park partly on the Footway



668- vehicles permitted to park wholly on the Footway

The ban requires that each road be reviewed on an individual basis to determine whether or not footway parking should be permitted, and a Council resolution passed in respect of any roads that are to be exempted from the general footway parking ban. The ban is specified in Section 15 of the Greater London Council (General Powers) Act, 1974.

Reasons for the footway parking ban

Many of Barnet's streets were laid out in the 1920's and 30's when there were many less cars than today and therefore parking on footways and verges has been a serious and growing problem. There are a number of reasons why the ban was introduced including:

- **Preventing obstruction to pedestrians.**
Cars and other vehicles parked on footways can make life difficult and dangerous for pedestrians. In particular causing obstructions for the partially sighted, parents pushing buggies, the elderly and disabled people in wheel chairs and electric carts; forcing them off the footway and requiring them to use the carriageway.
- **Preventing danger to other road users.**
Parking on footways especially near to junctions is a specific hazard for other road users. Not only can it block vehicular movement but there is potential for impairing the view of other drivers navigating the carriageway. Many junctions have double yellow lines and loading restrictions for this reason.
- **Preventing damage to the footway.**
Unlike road surfaces, footways and verges are not designed to take the weight of cars or other motor vehicles. Much of the damage to Barnet's footways (cracked or sunken paving slabs etc.) is caused by vehicles driving over or parking illegally on the footway. Repairs cost Barnet taxpayers millions of pounds each year, and tripping on damaged footways is the cause of many pedestrian injuries.
- **Maintaining footways as an amenity.**
The presence of cars and other vehicles parked on footways, verges and other pedestrian areas is detrimental to the urban environment. The pavement surface is often soiled by oil stains leading to an unpleasant walking environment.

How the Council controls footway parking

Footway parking is prohibited in Barnet with the exception of locations where either

- (a) Parking bays have been formally introduced (and backed by a Traffic Management Order) or
- (b) An informal amnesty applies.

When formally exempting roads from the footway parking ban, the Council will take into account the following criteria:

- The width of the road and the appropriate clearance widths required (this will vary on the type of road and its usage).
- The volume and nature of traffic using the road.
- Access requirements for emergency vehicles.
- The width of the pavement.
- Safety considerations for pedestrians and other drivers.
- The implications of any exemption for footway parking in terms of traffic and pedestrian movement.
- Whether or not there is off-street or alternative parking available nearby.
- Whether alternative measures can be introduced, such as –
 - Banning parking on one side of the street while permitting it on the other.
 - Introducing one-way working and permitting carriageway parking on both kerbs.

The desirability of allowing footway parking (both formal and informal) will be reviewed commencing during 2015/16 and formal signed parking arrangements put in place where required. This will ensure that all drivers and pedestrians are clear where parking on footways and verges is allowed. Details of the review methodology are given below.

Pending the review of footway parking within the Borough; which will result in clearly showing where vehicles can or cannot park via signage or bay markings, Civil Enforcement Officers will enforce against footway parking:-

- In any roads where the vehicle is seen to be seriously impeding the movement of pedestrians
- In roads where footway parking is prohibited
- In roads where signage or bays do not permit footway parking
- In roads with a wide carriageway where there is no objective reason why the motorist should have chosen to park on the footway

Footway Parking Review Methodology

A review of footway parking needs to operate within the context of the Council's wider approach to waiting restrictions and traffic management. The requirement for parking has to be balanced against the Council's Network Management Duty, which requires us to expedite the movement of traffic including pedestrians. Other policies and legislative requirements (e.g. Equality Act 2010) are applicable. The following sections lay out how the review will be implemented however as the changes would require funding the progress of the changes proposed will be planned over time.

This review therefore sets out an approach to easing parking problems in conjunction with ensuring traffic movement (including pedestrians) is given sufficient priority. The approach will involve the following steps:

- Establish criteria that a street must meet if footway parking is to be formally permitted, the criteria should allow the majority of cases to be assessed without additional work being required.
- Any street identified (either by the Council or residents) as potentially suitable for footway parking should be assessed against the criteria. This will include a preliminary bay layout design.
- Once a street has been confirmed to be suitable for exemption from the footway parking ban, residents are consulted on whether they would like bays to be marked out or whether they would prefer for the ban to be enforced.
- If the consultation outcome is positive the process for implementing bays will proceed. If not, residents will be informed that footway parking enforcement will commence.

Potential benefits of the approach

Establishing consensus amongst residents will allow positive action to be taken. Maintaining sufficient road width will help to reduce congestion and improve safety – this will be particularly beneficial on roads with bus services and where emergency service vehicles are at risk of delay. Clearly marked bays and enforcement will result in better management of parking and less obstruction of footways. Resolving the current uncertainty will

make it easier for Civil Enforcement Officers to know where to enforce and for residents to know where they can and cannot park.

Practical considerations

The primary reason for considering footway parking would be where there is a demand for on-street parking and the road isn't wide enough to permit parking on one or both sides of the carriageway without traffic movement being obstructed. It therefore follows that the review of footway parking, as with other parking restrictions, needs to be based on an assessment of carriageway width for different types of road. Busier roads will require a greater width of clear carriageway to reduce the risk of vehicles being unable to pass each other without having to stop. On quieter roads, where residential amenity may be more important than through movement of traffic, reduced carriageway widths may be acceptable as long as they are still accessible to vehicles such as dustcarts and emergency services.

The following table sets out the minimum clear carriageway widths – these are widths which will be sought as minimums when considering the introduction of parking controls (including footway parking) on existing streets and are not intended to be used for any other purpose.

Table 1 – Minimum clear carriageway width (two-lane roads only*)

| Road types | Type 1 | Type 2 | Type 3 | Type 4 |
|---|---|---|---|---|
| Road class | All 'A' roads including those included within the Strategic Road Network (SRN). Also 'B' roads and unclassified roads with higher volumes of traffic, including a high proportion of larger vehicles. | | Other 'B' roads and unclassified roads, especially those providing access to other residential areas. | Other roads. |
| Typical examples | SRN Most bus routes | Busy urban roads with substantial volume of non-residential traffic. Low frequency bus routes. | Busier residential roads | Low traffic volume Cul-de-sacs Serves less than 100 dwellings if not a cul-de-sac |
| Minimum clear carriageway width | 6.0m | 6.2 | 4.8 | 3.7 |
| Notes | Suitable for high volumes of larger vehicles. | Enables the larger vehicles to pass each other. | Allows 2-way residential traffic. | A sufficient number of passing places (min width 5.5m) must also be available. |
| *Roads with more than two lanes are likely to require the additional capacity to cater for the volume of traffic or traffic control measures (e.g. traffic signals, bus lanes). Special consideration will be required. | | | | |

Where the minimum clear carriageway width shown in table 1 cannot be achieved with on-street parking, consideration will be given to the introduction of footway parking and/or parking controls. A standard width of 1.8m to be allowed for parked vehicles (3.6m where parking will be on both sides of the road).

Footway parking will only be considered in areas where this is an appropriate solution. It will normally be necessary for the following conditions to apply:

- Vehicles parked on the footway would not cause undue problems for pedestrians
- There is a history of significant levels of parking on the footway
- Parking demand cannot be met by on-carriageway parking (while maintaining the required minimum clear width)
- There is insufficient private off-street parking space available.
- There is insufficient spare on-street parking capacity on immediately adjacent roads.

In addition, where parking demand is lower, but on-carriageway parking may obstruct access by the emergency services or impede movement of buses and larger vehicles, footway parking will be considered even if the other conditions are not met.

Consideration also needs to be given to achieving consistency with surrounding roads to avoid confusing residents. Although footway parking areas will be clearly signed, some drivers may not understand why footway parking is allowed on one road, but not another. The application of this policy using agreed criteria will help to address this issue.

Design considerations

Where a street has met the conditions for footway parking to be considered as an option, the following design criteria will need to be met.

Footway requirements:

| Footway type | High footfall | Medium/Low footfall |
|---|---|---------------------|
| Location | Town centres or within 200m of a station entrance | All other locations |
| Normal minimum footway width to be maintained | 2.0m | 1.5m |
| Exceptional minimum footway width (to overcome obstacles or pinch points – max length 6m) | Not appropriate | 1.0m* |
| *Where the footway width is less than 1.2m the passage of wheelchairs and prams/pushchairs requires special consideration. Some users may need to enter the carriageway to pass parked vehicles – the appropriateness of this needs to be assessed on a case by case basis with particular consideration for safety issues. Any sections of footway less than 1.2m wide should start and end with a section of dropped kerb in order to allow affected users to leave and rejoin the footway. | | |

Parking bay requirements:

Bays must be marked and signed in accordance with the Traffic Signs Regulations and General Directions.



- Bays must be no less than 1.8m wide
- No part of the bay may be more than 30m from a sign (i.e. the maximum distance between signs is 60m)
- Kerb face height shall be 75mm or less
- Bay layouts will need to protect existing accesses, trees and street furniture

- Where the road is marked with a centre line, this may need to be moved to reflect the centre of the clear carriageway

In addition, the footway construction type and materials will need assessment to confirm whether they can sustain loads resulting from footway parking. Where this is not the case, strengthening of the footway may be necessary. Footways which are not designed to take vehicle loadings may be more prone to damage. However, in many roads, unauthorised parking on the footway has been taking place for a number of years, often with little or no damage to the footway. Therefore, on roads where footway parking already occurs, or in locations where the footway is unlikely to need strengthening work, formalised footway parking may be introduced without strengthening work being carried out at first, but the footway must be inspected after one month (and thereafter in accordance with the cyclic inspection regime) to confirm that footway parking is not resulting in damage. Full or potential reconstruction of the footway should also be considered where work is required to achieve the maximum 75mm kerb height.

Enforcement requirements:

Footway parking requires signage which may be visually intrusive. Bay layouts should consider the need to reduce signage wherever possible. Mixing footway parking and on-carriageway parking along a length of road may lead to an unattractive street scene and confusion of motorists. If isolated sections of the carriageway on a street are wide enough to permit on-carriageway parking, consideration should be given to whether continuing the footway parking would be appropriate to maintain consistency. If all or part of the road is in a conservation area additional design and layout considerations may apply. Liaison with the Council's Design and Heritage Group may be necessary as part of the initial process.

Parking on one or two sides:

Where the combined footway and carriageway width does not permit parking on both sides of the road an assessment must be made on which side the parking should be placed. This assessment will depend on footway widths, off-street parking (crossovers) and maximising the availability of parking. The decision will depend on the individual circumstances of each case. Waiting restrictions will usually be required on the opposite side of the road. Alternating parking from one side to the other should generally be avoided.

Where circumstances would permit parking on both sides of the road an assessment should be made of the best distribution of space across the width of the road. For example, having partial footway parking bays on both sides of the road may give a more balanced appearance and be less disruptive for footway users than having full-footway bays on one side of the road and on-carriageway parking on the other.

If unacceptable levels of displaced parking would result from removing parking on one side of the street, this may constitute an exceptional circumstance (see below). Alternatively, enforcement (and/or waiting restrictions on both sides) may be the only option.

Exceptional circumstances

Where a street does not meet the criteria for footway parking but where any enforcement action would create a situation where access for emergency vehicles is obstructed and/or the capacity of the highway is reduced below its functioning level then other options may need to be considered. In very exceptional circumstances it is possible that a 'shared surface' approach may be considered.

Review delivery

The following actions will be required to deliver the review of footway parking. A programme will be drawn up setting out the roads to be considered and in which order:

- The first roads will be those currently on the informal 'do not enforce' list drawn up following complaints from residents and members.
- The second priority will be roads where 'legal' footway parking already exists, but where markings, signs and bay layouts need amending.
- The third priority will be roads identified following consultation with the emergency services, parking enforcement and refuse, as well as locations identified as pinch points.

The programme will take into account the footway resurfacing programme wherever possible, to avoid any duplication of works. A formal process will be required to consult residents and for a formal decision to be made on whether or not to proceed with any scheme.

Where physical works are required to implement a scheme, an appropriate funding source will be identified. In order to control overall costs, an annual budget for schemes will be established from existing highways expenditure and schemes will then be prioritised for implementation within this budget as part of the annual programme.

Environmental issues

In some locations it may be deemed appropriate or necessary to utilise grass verges to facilitate parking where it would not be desirable to convert these verges to hard surface areas. Wherever possible, grass verges in the borough should be preserved to maintain the character of Barnet roads. However, where off-carriageway parking is necessary, consideration needs to be given to maintaining rain permeable areas and green areas within the street scene. The most appropriate solution will depend on the circumstances at each location. However, solutions may include the use of 'hardened' grass surfaces, or establishing grassed areas that are currently paved. In developing any solution, it will be important to give due consideration to the on-going maintenance obligations and physical appearance of any such conversion to ensure minimal future costs are incurred. Footway parking bay layout will be designed to ensure the protection of street trees.