

Appendix 13: Dropped kerb enforcement

Locations covered by the procedure are as follows:

At any locations where the kerb has been lowered to the carriageway for the purpose of;

- assisting pedestrians crossing the carriageway,
- assisting cyclists entering or leaving the carriageway, or
- Assisting vehicles entering or leaving the carriageway across the footway, cycle track or verge.

A Penalty Charge Notice can be issued if a vehicle is parked adjacent to a dropped footway where the following circumstances occur:

- Resident/Business footway is dropped to allow vehicular access to their property.
- Where the dropped footway provides access to a resident's or business premises, written permission must be given by the resident/business to allow the Council to take enforcement action (this exception does not apply in the case of a shared driveway).
- Any dropped kerb that is placed for reasons other than the above (for instance where the kerb is lowered to assist pedestrians to cross the road) may be enforced as part of Civil Enforcement Officers normal duties.

Exemption to enforcement will apply in the following circumstances:

Cleansing and refuse vehicles collecting rubbish from the side of the road. This applies to the Council's refuse vehicles and commercial refuse company vehicles.

Evidence of picking up or setting down passengers and their luggage is observed. The driver should remain with the vehicle at all times. If upon further observation it is identified that the vehicle remains parked after the picking up/setting down activity has ceased, a PCN may be issued

Emergency Service vehicles during the course of their duties (Fire, Police, London Ambulance – including private vehicles).

If a Vehicle is involved in building operations; demolition, excavation, road maintenance and construction; traffic sign and sewer works; any mains, gas, electricity or water works; telephone wire, cable and support work. Prior consent for this activity should have been obtained from the Council.

With a dropped kerb we can enforce an obstruction whether there is a car on the drive or not.

Even without any restrictions parking adjacent to a dropped kerb is an offence.

Where a CEO comes across a vehicle parked obstructing a dropped kerb a PCN will be issued. However, in cases where there is evidence that the dropped kerb is redundant the CEO will exercise discretion and not issue a PCN. This would for example occur where an access to a resident's or business' premises has been removed by a permanent or temporary construction.

How to report an obstruction:

Where a resident or business is inconvenienced by a vehicle parked across or impeding a dropped kerb, they can request the Council via NSL (the Councils enforcement partner) to attend and enforce as appropriate.

Contact can be made to NSL directly on **0208 375 4242** between 7am - 10pm 7 days a week. This must be done at the time the vehicle is obstructing the drive way and the person making the request must be present at the location to complete the required forms.

During the call NSL will ask for a number of details and information regarding the offending vehicle. Then a Civil Enforcement Officer will attend and request you to sign a Witness Statement (this must be signed for us to issue a notice). The officer will then proceed to issue a Penalty Charge Notice.