

GRASS VERGE MANAGEMENT – REVIEW GROUP

9 APRIL 2021

PRESENT – Councillors Renton (Chair), Barch, Culley, Donoghue, Haszeldine, McCollom and Tait

APOLOGIES – Councillors Cossins and Durham

OFFICERS IN ATTENDANCE – Dave Winstanley (Assistant Director – Transport and Capital Projects), Steve Pryke (Head of Highways Asset Management), Andrew Casey (Head of Highways Network Management), Andrew Cruddace (Surveying and Street Works Manager), Anna Willey (Anti Social Behaviour and Civic Enforcement Manager), Melanie Emmerson (Highways Inspector) and Hannah Fay (Democratic Officer)

Following a query from a Member regarding enforcement and legal matters, reference was made to the summary note circulated to Members prior to the meeting which outlined the general highway legislation and traffic regulation orders, byelaws, community protection notices, PSPO and the highway code in relation to parking on grass verges.

A discussion ensued in respect of the options available to deter, prevent or accommodate parking and enforcement options:

- Members were in favour of a number of options to deter and prevent parking including the use of signs; planting of wildflowers, however as this was seasonal it would not address the issue in the winter months; the use of temporary markers, however these could be subjected to vandalism; and the use of fake parking tickets. Members felt that tree planting should be considered but noted that this was not suitable in many residential areas.
- It was highlighted that the use of planters was a good option as these would act as a direct deterrent to parking on verges. In rural areas residents often placed stones on grass verges however these could be replaced with planters. Members queried whether the Council would be required to install planters or whether residents could be provided with a list of approved planters that they could purchase and maintain. The Assistant Director, Transport and Capital Projects advised that the Council may need to provide the service; assessments would be required for each location identified; would require liaison with streetscene regarding maintenance; and further investigation into the legalities surrounding the purchase and maintenance of planters by residents. It was highlighted that planters would need to be heavy duty to ensure these could not be moved or vandalised and that planters were not a viable option in some streets.

- It was highlighted that residents would either take pride in their street or they wouldn't and it was suggested to offer free garden waste bins to those residents who agreed to maintain the grass verge outside their property.
- Members felt that verge hardening should be avoided where possible and that prevention and deterrent measures were preferred. Members were informed that Grasscrete blocks had been used in the past however these were very expensive.
- Members highlighted that many of the options discussed would only displace the issue of parking on verges however were assured that a robust assessment process should identify any impacts.
- Members also highlighted the need to consider residents with disabilities, some residents need to be able to park close to their property; and Members needed to be mindful of access to utilities that were held in grass verges.
- Members felt that there was a role for enforcement, however the layout of some residential streets meant that parking on the paths and verges was a necessity. If enforcement action was taken this may cause obstructions in these streets. It was felt that for streets where the majority of residents looked after their verges and a small minority of residents caused damage, then enforcement could be the way to go.
- In relation to the general byelaw that was in place, the maximum penalty for a breach was £20; due to the time and effort involved in bringing a prosecution it would not make commercial sense and would not be in the public interest to enforce this. Members noted that currently the enforcement around parking on verges was sporadic and undertaken as and when requested.
- The Anti Social Behaviour and Civic Enforcement Manager advised Members that other local authorities had used community protection notice (CPN) warnings and CPNs; the warnings gave residents the opportunity to change their behaviour before a fine was issued; and Stockton had used this approach with a 90 per cent success rate. Members were informed that this approach may have resource implications for the enforcement team.
- In relation to the budget for grass verge management Members noted that there was previously a small budget, however this was no longer available and repairs to verges were included in the reactive maintenance budget which was £400k.
- In terms of the scale of the problem Members noted that there was 17,000 km of footway, not all had verges but many residential streets had verges and trees; and complaints in respect of damage to verges were seasonal with more received in the Autumn/Winter time. Reference was made to a rough

costing exercise undertaken a number of years ago in relation to verge hardening which identified the cost to be in the millions; however there were now a number of alternative options available for at least half of the streets in Darlington.

Discussion also ensued on the draft assessment process and Members reviewed the draft verge damage assessment form. Members agreed that the form was comprehensive and noted that this would be available as an online form once the assessment process had been agreed.

Members discussed the next steps and agreed to undertake a table top exercise to trial the draft verge damage assessment form on a number of locations in their wards, covering various circumstances. The task and finish group would be reconvened to review the results of this exercise and finalise the assessment process.

Future steps included a trial of the assessment process on a small number of pilot areas and Members were informed of a small pot of money available for this pilot.

Members held a discussion in respect of an assessment process to future proof housing estates and how this could be embedded in the planning process; a Briefing note would be circulated to Members to provide context in respect of planning policy and parking standards.

IT WAS AGREED – (a) That the draft verge damage assessment form be circulated to members, along with a list of options to deter, prevent or accommodate verge parking, to enable Members to undertake a table top exercise to trial the draft verge damage assessment form on a number of locations in their wards, covering various circumstances.

(b) That a further meeting be arranged in June for Members to review the results of the trial of the draft verge damage assessment form and to finalise the assessment process.

(c) That a briefing note in respect of planning policy and parking standards be circulated to members.