

## Parking on Footways – Implications for Safety and Accessibility



**Final Report of the Parking on Footways Working Party**

**March 2009**

## The Parking on Footways Working Party



***Cllr Bridges***



***Cllr Hout***



***Cllr Howe***



***Cllr Purver***

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## Summary, conclusions and recommendations

Following comments made at a meeting of the Council’s Opportunities for People with Disabilities Group, the Communities Scrutiny Committee established the Parking on Footways Working Party to examine “Parking on Footways – Implications for Safety and Accessibility”.

During the single hearing, the Committee had benefit of written evidence and a question and answer session with witnesses from Leicestershire Constabulary as well as the Council’s Planning and Street Scene Services.

We would also like to thank all those who sent us written details of local difficulties. This enabled us to assess the size and type of difficulties faced across the district.

From the beginning of our work, we were clear that we could not resolve specific local difficulties but that we would look at issues raised by the specific areas brought to our attention and try to find a common approach that would improve things for the people of North West Leicestershire.

Many of the problems arise from a lack of adequate parking provision but not all; some people are not prepared to park away from their home even when provision is available.

The legal position is complex with responsibility spread across the Police, district and county councils. This leads to some confusion and unrealistic expectations.

We welcomed the helpful and constructive approach taken by all those who attended our hearing and the willingness of the Police and district council officers to cooperate.

**R1 The Working Party recommends that the District Council, County Council and the Police work together to develop a joint, partnership approach towards providing information to drivers and publicising and tackling the problems caused by inconsiderate parking on footways.**


We feel confident that a joint approach will make progress but we also feel that progress should be monitored.

**R2 The Working Party recommends that a report on progress be given to the Communities Scrutiny Committee Meeting in February 2010.**

We feel that the group has now completed its work as defined in the remit for which it was established (Page 7) and we therefore feel that it should be dissolved.

**R3 The Working Party recommends that the Parking on Footways Working Party be dissolved.**

## Background

1. This examination arose following comments made at a meeting of the Council's Opportunities for People with Disabilities Group.
  2. The Group was concerned that parking on footways often made it difficult, if not impossible, for people using the footway to pass, often having to resort to walking in the road or crossing the road twice to get around the vehicles. This is even more difficult for people with mobility problems, using shopping trolleys or pushing pushchairs. It is often impossible for users of wheelchairs or mobility scooters who also rely more upon dropped kerbs to get onto the road.
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3. The subject is one that the Environment Scrutiny Committee would usually look at but at the request of the Chairman of the Communities Scrutiny Committee (Councillor Howe) and as the suggestion came from the Group, the Chairman of the Environment Scrutiny Committee (Councillor Saffell) agreed that the Communities Scrutiny Committee carry out the examination.
  4. We are very grateful to Councillor Saffell for his agreement to this arrangement.
  5. The issue fulfilled the following criteria;
    - 🔍 An issue of importance to the public
    - 🔍 An issue of importance to Councillors
    - 🔍 A major matter of local concern that may not be the responsibility or sole responsibility of the Council
  6. At a meeting on 25 November 2008, the Communities Scrutiny Committee established the Parking on Footways Working Party to examine "Parking on Footways – Implications for Safety and Accessibility".
  7. The Working Party undertook the examination in a single hearing on 11 March 2009. The Working Party was comprised of Councillors D Howe (Chairman), A Bridges, J Hault, and E Purver.
  8. During the hearing, the Working Party had benefit of written evidence and a question and answer session with witnesses from Leicestershire Constabulary as well as the Council's Planning and Street Scene Services.
  9. The Senior Scrutiny Officer told us that the County Council was not willing to send a representative to our hearing, as we had not been able to give six weeks notice as required by a protocol agreed just six weeks before our hearing. While respecting the adherence to the protocol, we think it unfortunate in these circumstances. We appreciate the help given by a county councillor in attempts towards a resolution.
  10. We would like to thank all those who sent us written details of local difficulties. This enabled us to assess the size and type of difficulties faced across the district.

11. From the beginning of our work, we were clear that we could not resolve specific local difficulties but that we would look at issues raised by the specific areas brought to our attention and try to find a common approach that would improve things for the people of North West Leicestershire.
12. We are grateful to all those who brought the issue to our attention, gave written evidence to the examination and attended the examination and gave evidence as witnesses.

### Terms of Reference

13. Under the Terms of Reference, the Working Party was asked to;
  - 🔍 Investigate the extent of the problem of parking on footways in North West Leicestershire
  - 🔍 Establish the legal framework surrounding the issue
  - 🔍 Consider potential steps to alleviate problems
  - 🔍 Report within three months



### Evidence gathering

14. The Committee received an introductory report<sup>1</sup> that set the scene for the examination and included written evidence. This gave a background against which the group based its examination.
15. We were able to clarify and supplement the written evidence through a question and answer session with
  - 🔍 Mrs Cross a member of the Opportunities for People with Disabilities Group,
  - 🔍 Councillor G Allman, Chairman of the Opportunities for People with Disabilities Group,
  - 🔍 Inspector Chris Brown, Local Policing Unit Commander, Leicestershire Constabulary,
  - 🔍 Lindsay Weaver, Street Scene Manager, NWLDC and
  - 🔍 Chris Elston, Development Control Manager, NWLDC.
16. Councillors D Everitt, J Legrys and N Smith also told us about the situation in their wards and contributed constructively to the examination.
17. At the end of the meeting, we arrived at recommendations.

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<sup>1</sup> Report attached as an appendix to this report. Page 15

## Issues considered

### *The extent of the problem in North West Leicestershire*

18. Councillor Allman, Chairman of the Opportunities for People with Disabilities told us that the Group had set up a working party to look at the problems raised by its members. It was a problem throughout the district. People, particularly people with disabilities, suffered from this form of anti-social and inconsiderate parking.
19. Mrs Cross shared with us details of her medical condition that made walking difficult for her. She told us of parking in her area where families with several cars parked regularly on the footway.
20. People are frequently unable to pass singly, mobility scooter users find passage difficult when parking damages footways and have to use the road. This is dangerous and sometimes not possible at all, if there is no dropped kerb.
21. Mrs Cross suggested that conversion of property frontages could help avoid obstruction of footways. Parking problems also led frequently to conflict between neighbours.
22. Eleven parish/town councils provided us with details of problems encountered in their area.<sup>2</sup>
23. The number of comments received confirms that the problem is widespread across the district.
24. Most of the parishes identified specific areas where there were frequently problems, some short-term but many for longer periods.
25. The shorter periods of difficulty, such as school pick-up/drop-off times, are not to be dismissed lightly as at such times there are also more people about.
26. Councillor Legrys told us that he recognised that the matter was not easily resolved and he had sought the support of the local Member of Parliament to clarify legislation. He stressed that where areas had not been designed for the car, it created stress. Residents using mobility scooters had lobbied him about obstructed footways.
27. Councillor Legrys felt that the problem was on of anti-social behaviour and needed understanding between neighbours. The difficulties caused should be explained to drivers but who should do this, the Police, council officers or councillors?
28. Councillor Everitt told us that he felt that damage to verges resulted in costs to the council and could be a tenancy issue or criminal damage. People were often unwilling to walk a short distance to a parking area, preferring to park on a footway outside their home.



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<sup>2</sup> Parish Councils written evidence Page 26

29. Councillor Smith told us of roads in his ward that had considerable problems where pedestrians could not pass on the footway.

### Planning issues

30. Many of the areas are of older properties designed without appreciation of future car use leading to modern conflict but some parishes also mentioned modern development.
31. Kegworth Parish Council referred to current planning requirements for parking provision stating that;
32. *“Until the planners allow for more parking provision on new housing estates, then the difficulties experienced on Hollands Way will be experienced throughout the whole Country. Whilst Councils are working to improve community cohesion, these types of developments, with inadequate amounts of parking provision, will work against this, as it causes friction between neighbours, fear of not being able to access or egress their own garages and driveways, and the poor delivery of services because the roadways are inaccessible.”<sup>3</sup>*
33. Chris Elston explained that National and Regional Guidance required an average of 1.5 parking spaces per dwelling. The County Council, as Highway Authority adopted this standard and it reflected this in advice on planning applications. Future policy could be explored through the Local Development Framework process.
34. With regard to the recently granted planning permission referred to by Swannington Parish Council<sup>4</sup>, Chris Elston told us that it was very unusual for the Highway Authority to recommend parking over a footway. It was possibly unique in the district but justified in the particular circumstances of the site in question, the footway was over three metres wide and free passage would not be impeded.

### The legal framework surrounding the issue

35. The legal situation is complex and leads to some public misunderstanding and unrealistic expectation.
36. Inspector Brown told us that inappropriate parking could be a clear breach of the Highway Code yet not be enforceable by law.
37. The enforcement position is not straightforward; this is clear from the evidence provided to us by the county council, the district council and the Police.<sup>5</sup>
38. The County Council, as highway authority, is responsible for the imposition of any parking restrictions (yellow lines etc.).

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<sup>3</sup> Kegworth Parish Council written evidence Page 27

<sup>4</sup> Swannington Parish Council written evidence Page 29

<sup>5</sup> Written evidence County Council, District Council and Police Pages 19, 20 and 21

39. The District Council, as agent for the highway authority, is responsible for enforcement of any parking restrictions in force.
40. The Police are responsible for enforcement of illegal parking (dangerous, causing obstruction etc.) where no parking restrictions apply.
41. Inspector Brown told us that his officers could walk past a vehicle parked where parking regulations prohibit parking. This could lead to misunderstanding by the public; leading them to believe that it is 'accepted'.
42. Lindsay Weaver told us that since 2007 the county council had delegated the enforcement of parking restrictions to the district council. The greatest parking problems were usually experienced around shops and banks. A period of observation was required before a penalty notice could be issued. She felt that issues were passed between agencies.
43. In response to a specific question asked by Councillor Meller in written submission<sup>6</sup> and at Community Scrutiny Committee, Lindsay Weaver explained that at the specific site mentioned, yellow lines were in force, a particular resident did park a car on the frontage of their property and sometimes the rear of the car overhung the footway. Penalty Notices had been issued and would be if warranted but enforcement action had to be proportionate and unless the overhang was sufficient to cause obstruction no action was warranted.

### ***Potential steps to alleviate problems***

44. Councillor Howe stressed that recognising that the issues were not simple; the Working Party was seeking, in a positive manner, steps towards resolution of the difficulties.
45. Councillor Allman drew attention to a photograph in the report that illustrated the blocking of the pavement and damage caused to a grass verge.<sup>7</sup> He felt that where verges were available they could be converted to parking spaces to help with the problem. This would address the issue raised by the Opportunities for People with Disabilities Group in the areas where it was possible.
46. Supporting Councillor Allman's suggestion, Councillor Everitt suggested the use of 'Grasscrete'<sup>8</sup> to provide protection to the verge while providing additional suitable parking.
47. We felt that while this might be suitable for some locations, we should try to keep green areas where possible, particularly in villages.

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<sup>6</sup> Councillor Meller written evidence Page 22

<sup>7</sup> Photograph shown on Page 16

<sup>8</sup> A registered trademark of Grass Concrete Limited; a cast-on-site cellular reinforced concrete system with voids providing reinforcement for grass grown within the voids, similar systems use pre-cast blocks.

48. Inspector Brown reiterated what he said in his written submission<sup>9</sup> and told us that he felt that there was an opportunity for the agencies to work together and ensure that the correct message was passed to the public.

## Conclusions

49. We felt that the problem was experienced nationally and was not a simple one to address. We needed a local means of addressing the local issues and welcomed the suggestion that the agencies were willing to work together in a joint approach and 'be seen' to be working together.
50. We agreed that publicity for the joint approach would raise awareness of the issue and the greater attention we are paying to it.
51. Approaching parkers together would emphasise that a concerted approach to enforcement was also taking place.
52. We feel that we have now completed our work as defined in the remit for which the Working Party was established (Page 7) and therefore feels that it should be dissolved.

## Recommendations

53. The Working Party recommends that;
- a. The District Council, County Council and the Police work together to develop a joint, partnership approach towards providing information to drivers and publicising and tackling the problems caused by inconsiderate parking on footways.
  - b. A report on progress be given to the Communities Scrutiny Committee Meeting in February 2010.
  - c. The Parking on Footways Working Party be dissolved.

Keith Gordon  
Senior Scrutiny Officer  
March 2009

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<sup>9</sup> Written evidence Page 21



## Evidence





## Appendices

# Communities Scrutiny Committee Examination: Parking on Footways Working Party

## *Parking on Footways – Implications for Safety and Accessibility*

### Proposal

- 1 Following a discussion at a meeting of the Opportunities for People with Disabilities Working Party and a request by the Chairman, the Communities Scrutiny Committee, at its meeting on 25 November 2008, has established this working party to explore the impact of parking on footways on safety and accessibility. This issue was brought forward fulfilling the appropriate criteria as;
  - 🔍 An issue of importance to the public
  - 🔍 An issue of importance to Councillors
  - 🔍 A major matter of local concern that may not be the responsibility or sole responsibility of the Council
- 2 In response to a request by the Chairman of the Communities Scrutiny Committee, the Chairman of the Environment Scrutiny Committee agreed that the Communities Committee consider the topic.
- 3 The Communities Scrutiny Committee appointed Councillors D Howe (Chairman), A Bridges, J Hault, E Purver and A Saffell to the working party.

### Terms of Reference

- 4 The Communities Scrutiny Committee agreed that the Working Party;
  - 🔍 Investigate the extent of the problem of parking on footways in North West Leicestershire
  - 🔍 Establish the legal framework surrounding the issue
  - 🔍 Consider potential steps to alleviate problems
  - 🔍 Report within three months<sup>10</sup>

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<sup>10</sup> The Communities Scrutiny Committee established this working party at its meeting on 25 November 2008. A Working Party Report to the Communities Scrutiny Committee is programmed in the Committee work plan for the Meeting on 26 May 2009.

## Background

- 5 In many places in North West Leicestershire (and across the country as a whole), there are many streets where homes do not have provision for the parking of residents cars. Commonly comprised of older, largely terraced houses these streets are often narrow and present problems for residents in parking of cars.
- 6 The narrowness of the roads often leads to vehicles being parking partly on the footway to allow passage of vehicles along the middle of the road. Depending upon the extent to which vehicles restrict the use of the footway this can create difficulties for the users of pushchairs or wheelchairs amongst others.
- 7 In some areas, usually within cities, parking is permitted, often within bays, either “two wheels on” or entirely on the pavement.
- 8 There are no such areas where footway parking is permitted in North West Leicestershire although a parish council has drawn our attention to a specific planning application that includes proposals to permit the parking of two cars partly over an area of footway.<sup>11</sup> It is possible that there are other individual examples where local conditions have made this possible.



## The legal situation

- 9 The legal situation is complex in that enforcement is now spread between three authorities;
  - 🔍 The County Council, as highway authority, is responsible for the imposition of any parking restrictions (yellow lines etc.).
  - 🔍 The District Council, as agent for the highway authority, is responsible for enforcement of any parking restrictions in force.
  - 🔍 The Police are responsible for enforcement of illegal parking (dangerous, causing obstruction etc.) where no parking restrictions apply.

## Issues

- 10 The working party, while not being able to adjudicate on individual instances, will need to address the following issues together with others that arise as the examination progresses.
  - 🔍 Residents will need to park cars close to their homes and older properties and street design do not cater for current car ownership and use.

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<sup>11</sup> Swannington Parish Council written submission, page 29

- 🔍 Footway users need adequate access for clear and safe passage including pushchair, wheelchair and mobility scooter users.
- 🔍 In considering any improvement to the service, it should be possible to build upon those aspects of the service that are already working well.
- 🔍 Parking on roads with restricted width creates difficulty for access by emergency and service vehicles.
- 🔍 Damaged footways (and verges) dissuade people from walking and lead to renovation costs.
- 🔍 Vehicles driven over or along raised footways can damage equipment belonging to public utilities (e.g. gas mains, water mains, sewer connections, telecoms services).
- 🔍 Investigate possible steps, including possible enforcement, to address the issues, including that of persistent offenders.

### Written evidence

- 11 The Senior Scrutiny Officer has invited the following representative bodies to submit written evidence to this examination;
  - 🔍 Leicestershire County Council (Transportation, Highway Authority)
  - 🔍 Director of Environment (Planning, Environmental Health, Street Management)
  - 🔍 The Police
  - 🔍 Ward Members
  - 🔍 Other Local Authorities
  - 🔍 The Opportunities for People with Disabilities Group
  - 🔍 Parish councils
- 12 The written evidence, particularly Ward Members and Parish Councils, identifies a number of specific locations where they are aware of difficulties. It is not appropriate, or within the terms of reference, for the working party to explore resolution of problems in individual locations but this evidence does assist in the aim of exploring the extent of the problem in the district.
- 13 Councillor Meller also raised the issue of persistent offenders, to which he refers in written evidence, at a meeting of the Communities Scrutiny Committee. The Committee agreed to bring the specific matter to the attention of the Council's Enforcement Officers (which the Senior Scrutiny Officer has done) and the concern to the attention of the Working Party.

### **Witnesses**

- 14 The working group can invite witnesses to attend the meeting to expand upon written submissions and answer members' questions.
- 15 After consultation with the Chairman, the Senior Scrutiny Officer has invited the following witnesses; the County Council, Director of Environment, the Police and representatives of the Opportunities for People with Disabilities Working Party.
- 16 In addition, the Senior Scrutiny Officer has informed all those making submissions of the arrangements for the meeting of the Working Party.

### **Options**

- 17 After consideration of all the evidence before the working group, members should consider whether there are any recommendations the working party would make and to whom.

Keith Gordon  
Senior Scrutiny Officer  
March 2009

## Written Evidence

### *Leicestershire County Council (Transportation, Highway authority)*

Thank you for your email.

As you indicate parking enforcement is generally split between the District Council wardens (coordinated by the County Council), where there are waiting restrictions (double yellow lines, limited waiting, permit parking etc.) and the police, where there are no restrictions (obstruction of the highway). No doubt, your colleagues managing the warden service can advise if they are best placed to respond and/or County colleagues involved in the coordination of the service.

Although not directly related to parking on footways I could comment on the following:

If it would be helpful I can provide details of how we work to improve access through provision of pedestrian dropped crossings along key routes, advisory disabled parking bay markings and advisory entrance markings, although this does not directly relate to parking on footways?

I could also provide details of how we consider waiting restrictions (double yellow lines, limited waiting, permit parking etc.), although again that does not directly relate to parking on footways.

The County Council as highway authority does not provide any parking facilities, other than the waiting restriction control of on-street parking as described above. Wherever we have the opportunity to improve the layout of the highway through our maintenance and improvement works we will of course be mindful of on-street parking arrangements. Again, I am not sure this relates directly to parking on footways.

Perhaps you could let me know which if any of these points it would be useful for you to have a written statement on.

Alternatively, if it would be helpful to meet briefly to consider these further please let me know.

Regards

Andy Warrington  
Highway Manager

## **Director of Environment**

### **Parking on pavements**

#### **Statement of the Director of Environment**

Having delegated responsibility from the Highway Authority, Leicestershire County Council, for the enforcement of parking on street, the District Council can only enforce pavement parking if there is an actual parking restriction on street. Any parking restriction does cover the width of the highway and that includes the pavement. If there is no on street parking restriction then the offence is that of 'obstruction of the highway' - the Council does not have enforcement powers in this instance; it is a matter for the police and is an endorsable offence.

Of course parking on footpaths can cause obstruction and will be a particular concern for disabled persons or parents with pushchairs or other people with mobility problems.

There are no retrospective planning controls that can be applied where existing problems are experienced.

Where new developments are proposed, it may be possible to consider, as part of an overall development, the improved provision of off-site parking. However, the Council's approach to parking within new developments is currently governed through the County Council's highway standards and the most appropriate route for adopting alternative standards would be to investigate through the Local Development Framework process.

There has also been reference made to existing planning application for the conversion of the former chapel at Swannington into two residential units.<sup>12</sup> This application is still pending and therefore it would not be appropriate for the Committee to discuss the detail of the proposal. However, the proposal, application no. 08/01655/FUL is essentially an amended scheme to an earlier scheme that was approved under application reference 07/01796/FUL in February 2008. The parking details were agreed under that scheme and the current proposal shows the same previously agreed parking scheme.

The approved parking scheme comprises two spaces located to the front of the building and approximately two-thirds of the spaces are located within the public highway (just the front of each space would be demarcated within land owned by the applicant). Consideration of the parking scheme was carried out in consultation with the County Highway Authority (CHA) and it was considered to be the best solution for the site having regard to the lawful use of the building as a warehouse. The public footway is very wide at this point and it was not considered that the free flow of pedestrians would be impeded by the approved scheme. Ultimately, the CHA were happy in this specific case for the parking scheme to encroach into the highway, although they would not normally advocate parking in the public highway.

Steve Bambrick  
Director of Environment

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<sup>12</sup> Written evidence from Swannington Parish Council, page 29

## The Police

- It would be fair to say that the police service has received very few reports from the public regarding the problem of parking on the footway. I am sure this is partly due to the fact that there has been a great deal of publicity regarding the transfer of enforcement from the police to the council.

It would be fair to say that there is a problem with motorists parking on the footways, parking in restricted areas and on occasions parking inappropriately, but not unlawfully, which ideally need addressing. I am aware that the council can, and I believe do, deal with parking on the footway where there are road restrictions, and I would certainly encourage further enforcement.

- Police enforcement presents certain difficulties with inappropriate parking where there are no road restrictions. Parking near junctions, parking on the footpath can be a clear breach of the Highway Code but not necessarily enforceable by law. There are a number of issues for the police when offering up solutions for parking on footways, Which are as follows:
  - 1) **Inappropriate parking.** We have on previous occasions given out advice and warnings where people have been parking inappropriately, but not necessarily unlawfully, we will continue to adopt this approach.
  - 2) **Driving on footways.** Where vehicles are parked on the footways we are able to enforce driving on the footways but the driving needs to be witnessed to enable us to positively deal with this specific issue.
  - 3) **Obstruction.** Evidence is required that there is in fact an obstruction to the highway. This can be done where there is in fact someone who has been inconvenienced, however there are times where the footway is so wide that we would be unable to prove that there was in fact an obstruction.
- I would be supportive of a partnership approach when dealing with this issue and would, where necessary, work with our traffic department to assist in new controls being considered to alleviate the problem. I would have some concern with residential parking schemes, where there are not clear enforcement powers and enforcement agencies as some have failed in other counties at the enforcement stage, thus making them unworkable.
- I believe a clear understanding of responsibility needs to be agreed, specifically where there is an overlap in responsibilities, here we need to work together rather than referring the complaint to a different organisation.

Inspector Chris Brown,  
Local Policing Unit Commander,  
Leicestershire Constabulary

## **Ward Members**

### **Councillor Blunt**

Yes – Staples Drive Estate (off Waterworks Lane). The roads and paths are virtually impassable in the evening and weekends.

### **Councillor Everitt**

Concerned about parking on Woodside Estate, Thringstone. Parking on both pavements and grass verges that are maintained at council expense. Causing considerable damage while parking areas are available but not used.

### **Councillor Hoult**

In response to your request that the working party examine the severity of parking on footways in our wards, please see below for my findings:

#### **Ivanhoe Ward**

Lower Packington Road between 52 - 68

Avenue Road -both sides of the road and if a wheelchair user or have a pushchair impossible to get by without going onto the road in several places.

Tamworth Road - entering Ashby close to the sharp bend, parking on the footpath is particularly bad, making the bend dangerous for drivers as well as pedestrians.

#### **Hollywell Ward**

Nottingham Road between 59-79 opposite chevrons

Wood Street between 3-59 both sides of the road

### **Councillor Meller**

A particular problem in the ward. A street with double yellow lines is a problem with cars parked half-on half-off the footway. The Council wrote to all residents and all except one have ceased the practice.

The one remaining parker has received two parking tickets (PCN?) and paid the penalty fee without complaint but persists in parking in front of the house but with the car's back end still on the footpath; this blocks the footpath with a bus stop outside the house. This is leading to resentment along the street, "Why are they getting away with it when we can't park?"

What steps can be taken beyond repeated issue of parking tickets?

### **Councillor N Smith**

Problems are particularly bad in areas of my Ward including;

Church Lane, Ravenstone

Main Street, Ravenstone

Swannington Road, Ravenstone

## ***Other Local Authorities***

### **Hinckley and Bosworth Borough Council**

With regards to your recent email. This is not a major problem in the Hinckley & Bosworth area, however I can confirm that certain streets (predominantly residential), do have vehicles parked fully on the footpath leaving little room for pedestrians to pass. At present unless there is a restriction on the road (single or double yellow line), we would refer these instances to the Police to deal with as obstruction.

## **Representatives from the Opportunities for People with Disabilities Group**

1 **A Resident of Glebe Road, Thringstone** (by telephone) reported a particular problem of parking of cars on grass verges leading to disputes between neighbours, not over parking directly but from issues arising such as alleged damage to cars that could be caused inadvertently by footway users having trouble in passing. Also reported knowledge of parking on footways in Brooks Lane and Church Lane.

2 **A Resident of Breach Road, Hugglescote** (by letter)

*"The problem has eased slightly after a letter to the residents of Breach Road was received from the Leicestershire Constabulary dated 4 November 2008 (copy provided page 25).*

*The only problem seems to be with one vehicle, which parks on the footpath\*, although not as often since this letter was received, making it difficult to exit driveway by obstructing the view of road in each direction, being on a bend and access to Moreton Court.*

*Vehicles parked on both sides of pavement, makes it difficult entering the driveway from North Avenue.*

*A letter was received from Coalville Council (25/10/08 copy not available) re parking affecting refuse collection. Refuse vehicles were unable to empty bins until they returned later in the day.*

*Parking has not been such a problem since this letter was received, the vehicle usually parked overnight leaves before 6.00 am, refuse is collected on a Friday morning.*

*On 18 November 2008, a fire engine was unable to get by parked cars resulting in having to reverse out of Breach Road back onto Forest Road.*

*People with pushchairs, mobility scooters etc. have to walk on the road as they are unable to get by these parked vehicles due to 'green box' being located on edge of driveway/boundary.*

*Yours faithfully*

*\* NB Vehicle has not parked on footpath since police notice/ticket issued 22/12/08."*

Copy of Letter referred to in written evidence 2 page 24

## Leicestershire Constabulary



Leicestershire  
Constabulary

04/11/2008

### Parking on Breach Rd

Dear Residents,

I am writing to you to inform you that I am looking into the issues of obstructive and dangerous parking on your road. I am working with both Leicestershire County Council and North West Leicestershire District Council to address the issues.

After receiving several complaints from members of the public, Residents & the Emergency services I have to make it clear that under no circumstances should there be any double parking which causes an obstruction and this is nearly always in these circumstances. This situation could lead to serious consequences where access is restricted for Emergency services vehicles.

There should be no parking on the footpaths as this can cause pedestrians to walk onto the road. I'm sure you don't need reminding that you should not be parking on double yellow lines. Your local neighbourhood Policing team and North West Leicestershire District Council parking attendants do work in the evening and are aware that this location has been highlighted as a problem road. Offending vehicles will be liable to fixed penalty notices.

I am seeking your co operation in resolving this matter and making your road a safer place.

PC L Smith  
PCSO R Forster  
PCSO J Gadsby  
PCSO P Cotton

Yours Sincerely

## **Parish Councils**

### **Appleby Magna Parish Council**

Thank you for your letter dated 27 November 2008, which was discussed at the Parish Council's recent meeting.

Appleby Magna does have a problem with parking on footways and verges in and around the village.

The main areas of concern are:-

- Church Street/Top Street junction
- Top Street outside Doctor's surgery
- Church Street outside the church

The parish Council would welcome any assistance with this issue from the Communities Scrutiny Committee.

### **Ashby de la Zouch Town Council**

The Town Council's Planning Committee highlighted problems caused by parking on footways in Trinity Close in Ashby. The problems occur mainly during school drop-off/pick-up periods.

### **Heather Parish Council**

In response to your letter of 27 November, we have discussed the content at our Parish Council meeting and would like to bring the following areas to your attention:-

Sweepstone Road/Sparkenhoe Service road where a 4x4 is regularly parked on the footpath;

The island around the village shop in the morning and evening when people just park up to pop into the village shop; (Whilst we are pleased that people are using our village shop, it can be a bit dangerous at going to and from work time)

The corner of Mill Lane/Main Street

I trust this information will be of some help to you.

### **Ibstock Parish Council**

Ibstock has a particular and long-standing problem, being an older village with several streets with terraced housing with no off-street parking facilities. In particular, Pretoria Road, Cropson Street experience problems. Gladstone Street despite being one-way also has a problem and the clerk recently witnessed an incident when a lady, pushing a pushchair had no alternative but to walk in the road to get past a car parked on the footway.

### Kegworth Parish Council

With reference to your letter dated the 27th November, 2008, I have been asked by Kegworth Parish Council to write to let you know about the problems being experienced in Kegworth by cars being parked on footways throughout the whole village.

Everywhere, people seem to think that they are making the passage along roadways easier by their parking on pavements. They do not seem to realise that they are making the passage for pedestrians along the pavements impossible, hence putting them in danger of being hit by a passing car when they have to walk on the road. Poorly sighted people are bumping into cars parked on pavements and people with pushchairs, wheelchairs and mobility scooters find it impossible to make any headway on the pavements. Mobility scooters often get as far as a parked car which is blocking a pavement, and then they cannot turn around, they cannot get down the kerb, so they become stuck and have to wait for help.



Examples of parking on pavements can be seen over the whole village. I enclose a photograph that was taken recently of Hollands Way, which is a new estate off Derby Road, in Kegworth. I have recently written to every property on Hollands Way to ask the residents if they will park in a way that does not either block the pavement or the roadway. Refuse collection lorries often find it difficult to get along this road and residents are concerned about the inability of an ambulance or fire engine to access the properties.

When the Hollands Way development was proposed, at the planning application stage, Kegworth Parish Council expressed its concern about the difficulties that would be experienced due to the lack of parking provision that was proposed. This has now come to fruition. Until the planners allow for more parking provision on

new housing estates, then the difficulties experienced on Hollands Way will be experienced throughout the whole Country. Whilst Councils are working to improve community cohesion, these types of developments, with inadequate amounts of parking provision, will work against this, as it causes friction between neighbours, fear of not being able to access or egress their own garages and driveways, and the poor delivery of services because the roadways are inaccessible.

Anything that the District Council could do to improve the situation would be greatly appreciated by Kegworth Parish Council. The Community Beat Officer for Kegworth, PC Jason Underwood, No. 1760, has as his first priority for the next six months, parking of vehicles on pavements where there is not enough room left to pass along the pavement with a pushchair or a wheelchair.

Anything that you can do to help to improve the situation would be very much appreciated.

### **Long Whatton and Diseworth Parish Council**

The Council thanks you for your letter of 27 November which was considered at a recent meeting.

On the specific matter you raise about parking on footpaths, it was generally considered that this was not a major problem. Inevitably, it occurs occasionally. A specific area – Barnfield Close in Long Whatton was mentioned.

### **Measham Parish Council**

The following areas have been highlighted by Measham Parish Council:

Tamworth Road (Birds Hill) - on auctions days, Tues and Fri

New Street – cars for sale

Ashby Road – cars for sale

Iveagh Close on entrance corner

Wilkes Avenue/Mannings Terrace

Chapel Street – outside Tesco Express

### **Oakthorpe, Donisthorpe and Acresford Parish Council**

The Parish Council wishes to report the following areas of concern:

Moira Road, Ashby Road, Measham Road, New Street and Chapel Street – all in Donisthorpe or Oakthorpe villages. The vehicles park so far onto the footpath that a wheelchair or pushchair would not be able to gain access.

### **Osgathorpe Parish Council**

A large van (larger than Transit type) parks regularly both overnight and daytime in Main Street, Osgathorpe half on the pavement, restricting access. This street is on a route to the bus stop in the village.

There is a BT building opposite and sometimes the van is parked in the access to this but this restricts BT access to the building.

### **Packington Parish Council**

Packington has a problem with people parking on footways on High Street Packington: especially at the end nearest to the junction with Ashby Road.

### **Swannington Parish Council**

We have a problem with cars parking on footways at the following locations;

Outside the Village Hall, Main Street. An Audi car is parked there on a regular basis, causing disruption at the time the Playgroup is finishing around 12.15 p.m.

Other locations are - On St Georges Hill and outside the Robin Hood pub on Spring Lane

When we discussed your letter at our meeting we were very disappointed to learn that on Planning Application 08/01655/FUL, 2 Main Street, Swannington, provision had been made for 2 parking spaces, to be marked P, on the footway. This goes against what you are looking to solve surely?

### **Swannington Parish Council - Supplementary submission**

Thank you for sending details of the working party agenda for Wednesday 11th in the Council Chamber.

At last night's meeting of the Parish Council I read to members a reply I received from Hannah Beardsley to our question as to why on planning application 08/01655 2 designated parking spaces on the footway, had been approved by LCC Highways and NWLDC. The reply states that "2 parking spaces to the front of the building that would extend into the public highway". Two thirds of these spaces in fact are on the public highway!!.

Our members and also local residents are incensed at this decision, as are the owners of the joinery workshop to the rear of No. 2 Main Street, and the resident of No. 1 Spring Lane who needs access at all times to the rear of his property off Main Street.

I see from the agenda that numerous parish councils have similar problems but would you please raise at the meeting how much we are upset at this ludicrous decision for we know it will lead to all sorts of complications