



Havering
LONDON BOROUGH

PLACES OVERVIEW AND SCRUTINY SUB COMMITTEE

Subject Heading:

Domestic Vehicle Crossover Policy

SLT Lead:

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Policy context:

The new draft policy seeks to replace the existing Vehicle Crossing Policy

Financial summary:

As this report is a briefing item to obtain comments and no decisions are sought, there are no direct Financial implications or risks.

The subject matter of this report deals with the following Council Objectives

Communities making Havering
Places making Havering
Opportunities making Havering
Connections making Havering

[x]
[x]
[x]
[x]

SUMMARY

- 1.1 The implementation of a Domestic Vehicle Dropped Kerb Policy is aimed at ensuring that the Council takes a consistent approach to decision making when assessing applications for domestic vehicle crossings under the Highways Act 1980, mainly regarding public safety and the impact on the street environment.
- 1.2 Whilst exact numbers fluctuate between years and even between months the Council would expect to receive between 500 and 1000 applications for dropped crossings per year. Whilst this is an important service for residents and brings benefits for increasing on street parking capacity there are instances where the introduction of a dropped crossing may not be appropriate due to adverse road safety, environmental and other implications.
- 1.3 This Domestic Vehicle Dropped Kerb Policy brings together current guidelines, good practice, and legislation with respect to applications for and the provision of vehicle crossings. As part of the policy the Council seeks to address any adverse effect of crossings on the street-scene and ensure that applications are considered in a consistent and fair manner.

RECOMMENDATIONS

- 2.1 In order to progress, comments are invited from the committee. These comments will then be considered and assessed in shaping any further amendments to the Dropped Kerb Policy. Subsequently the Dropped Kerb Policy will then be finalised and an Executive Decision prepared to adopt.

REPORT DETAIL

- 3.1 The existing dropped kerb policy was adopted in 2008 and is the document used to assess and either approve or reject dropped crossing applications. Whilst there is nothing fundamentally wrong with this policy it has now become quite dated and was therefore subject to review. From review Officers highlighted a number of areas where it was considered that changes could be made to introduce improvements. One issue is that the existing policy contains a certain level of subjectivity and interpretation. Therefore when an application was rejected this could sometimes leave the applicant with dissatisfaction as they have felt that the existing policy was not prescriptive

enough. Subsequently appeals have been made on this basis which in turn can also result in difficulties in the adjudication process. There were also areas of the policy that were outdated in terms of current wording, policies and procedures.

3.2 The new draft dropped kerb policy seeks to address these concerns. In summary the changes that have been made are:

- So that the new policy is clearer and more concise. Both for residents and also for Officers to interpret. Guidance is more prescriptive and easier to apply objectively.
- To update the policy in line with current standards and practices. An example of this would be how assessments are carried out where there are nearby trees.
- Whilst certain outdated standards and guidance have been removed from the old policy to the new policy there is also additional content on certain matters. The section on other related permissions (such as planning) and consents are expanded to assist applicants providing additional required detail. In particular the section on planning consents has been updated to include information surrounding forecourt paving and discharging water onto the highway.
- To limit subjectivity in the policy as far as possible with a view towards providing a fair and transparent policy that would cut down on any potential complaints and resident dissatisfaction.
- An expanded section on impacts for adjacent Controlled Parking Zones (CPZs) and the assessment of applications in relation to the loss of on street parking spaces which may cause dissatisfaction to other local residents.

3.3 The new Domestic Vehicle Dropped Kerb Policy is attached to this document as Appendix A for reference. Along with setting out the financial / legal implications, environmental implications and inter-relationship with the planning approval process, the core of the document sets out the assessment criteria for which Officers would use against each application. Further reference should be made to the new Domestic Vehicle Dropped Kerb Policy but in brief assessments for each application are made against the following criteria and appraisal areas:

Criteria	Assessment
Forecourt dimensions and the suitability of accommodating a vehicle off of the highway.	The applicant's off-street parking area must measure 2.4 metres wide by 4.8 metres deep and be achieved within the curtilage of a residential property.
To ensure that a standardised dropped crossing length can be achieved and is implemented.	4.5 metres in total made up of two 0.9 metre ramp kerbs, and a length of 2.7 metres of dropped kerb. This can be relaxed to a total of 4.2m owing to site constraints.
To assess the suitability for drainage requirements	The application may be refused if adequate surface water drainage is not provided. Water must not flow from the property directly onto the public highway and must drain onto a garden area or into a drainage channel.
To ensure appropriate siting of a dropped crossing in relation to other highway features such as pedestrian crossings, bus stops, bends and junctions.	A crossing application will not be approved if it is located within 10 metres of a junction due to highway safety concerns. A crossing application will not be approved if it has an adverse effect upon the operation and safety of a bus stop, width restriction, traffic island, pedestrian refuge, pinch point; or within the zig zags of a Zebra, Pelican, Puffin, Toucan or Pegasus crossing; or on a street with a posted limit of 40 miles per hour or more.
Impact upon trees	Street trees will not be approved for removal to facilitate crossings. In exceptional cases, approval may be considered, and this would be conditional upon the viability of replacement with another tree at the applicant's cost as well as compensation being paid by the applicant in accordance with the CAVAT valuation process.
Impact upon street lighting apparatus	All crossings should be sited 1.5m away from lamp columns. If this cannot be achieved the Council's Street Lighting Officers will assess impact and advise if a column can be relocated which will be at the applicant's cost.
Against adjacent on street parking bays and Controlled Parking Zones.	The Council would generally refuse applications which would result in the loss of on street parking or the functionality of on street parking bays within a current CPZ or an area formally agreed to become a CPZ. Where it is considered acceptable for bays to be removed this would be at the applicant's cost.
To assess the impact of affected statutory undertakers' apparatus.	Where an application involves the alteration of Statutory Undertakers' apparatus, and where a payment is required for its alteration, such costs will be passed on to the applicant as they are responsible for these costs.
To assess the impact of nearby or directly adjacent dropped kerbs.	New crossings must be sited at least 2.7 metres away from existing crossings. Where an existing shared crossing serves two properties, an extension may be allowed. Ideally this would be an extension of 7.2 metres offset equally between both properties.

3.4 It will be important to apply the above criteria consistently to applications in order to limit and minimise the level of complaints and provide fairness in the assessment process. It should be acknowledged that certain criteria can be relaxed in exceptional circumstances however. Such an instance may be where an applicant has significant mobility issues and the approval of a dropped crossing is considered warranted where road safety or operational issues can be slightly relaxed.

IMPLICATIONS AND RISKS

Financial implications and risks:

As this report is a briefing item to obtain comments and no decisions are sought, there are no direct Financial implications or risks.

Legal implications and risks: There are no apparent legal implications.

Human Resources implications and risks: There are no human resources implications.

Equalities implications and risks:

The Public Sector Equality Duty (PSED) under section 149 of the Equality Act 2010 requires the Council, when exercising its functions, to have 'due regard' to:

- (i) The need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
- (ii) The need to advance equality of opportunity between persons who share protected characteristics and those who do not, and;
- (iii) Foster good relations between those who have protected characteristics and those who do not.

Note: 'Protected characteristics' are age, disability, gender reassignment, marriage and civil partnerships, pregnancy and maternity, race, religion or belief, sex/gender, and sexual orientation.

The Council is committed to all of the above in the provision, procurement and commissioning of its services, and the employment of its workforce. In addition, the Council is also committed to improving the quality of life and wellbeing for all Havering residents in respect of socio-economics and health determinants.