

## THE EXECUTIVE

29 JUNE 2004

### REPORT OF THE DIRECTOR OF HOUSING AND HEALTH

<b>FRONT GARDEN PARKING</b>	<b>FOR DECISION</b>	
<i>This report seeks a decision from Members regarding a change to existing policy in relation to front garden parking.</i>		
<b><u>Summary</u></b>		
<p>This report suggests a change to the current policy made by the Housing (Management) Sub-Committee on 17 November 1981 to allow 1 private motor vehicle to be parked in a front garden. The report also suggests that the policy made by the Housing (Estates and Management) Sub Committee on 8 May 1990 which gave similar permission to tenants of ground floor flats be changed.</p>		
<b><u>Recommendation</u></b>		
<p>The Executive is asked to agree:</p>		
<ol style="list-style-type: none"><li>1. To amend the existing policy so that tenants and owner occupiers of houses and tenants and leaseholders of certain ground floor flats that have gardens with direct access to the highway, may with prior permission of the Council park more than 1 private motor vehicle in their front garden. This is subject to the garden being of a size able to accommodate this and where there is a carriage crossing in place and it is feasible, to extend or strengthen the footpath or if necessary to provide a second crossing. In the case of ground floor flats, permission would only be granted following consultation and the agreement of other residents in the block;</li><li>2. To amend the restrictive covenant in future Right To Buy sales to allow with the prior permission of the Council the parking of more than 1 private motor vehicle where the garden is of a size to accommodate this. The carriage crossing requirement will still apply; and</li><li>3. To delegate decisions regarding front garden parking and appeals to the Director of Housing and Health in conjunction with the Director of Leisure and Environmental Services.</li></ol>		
<b><u>Reason</u></b>		
<p>Many owner-occupiers and some tenants are already parking more than 1 vehicle in their front garden contrary to the existing policy. There is an on street parking problem in the Borough and amending the current policy would help to ease this and regularise what in many cases already happens.</p>		
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## **1. Introduction**

- 1.1 On the 17 November 1981 the former Housing (Management) Sub-Committee agreed subject to the Councils prior written consent to allow the parking of 1 private motor vehicle in the front garden of a Council House. This policy has conditions attached regarding the provision of a hard standing in the garden and a footpath crossing. These requirements are laid out within the existing conditions of tenancy and have been reviewed and strengthened in the new draft conditions. Similarly on 8 May 1990 the Housing (Estates and Management) Sub Committee approved front garden parking for tenants of certain ground floor flats subject to conditions. These conditions related to consultation and agreement from other residents of the block involved.
- 1.2 Since this policy was agreed action has been taken against both tenants and owners of former Council owned properties who park more than 1 car in their garden. However where injunctions have been obtained this only serves to move vehicles back onto the estate roads causing additional congestion and problems both for pedestrians and motorists. There is an on street-parking problem in the Borough and most of the roads were constructed at a time when future family car ownership could not have been anticipated. Many families now have more than 1 vehicle and in some cases where adult sons and daughters are still at home it is not uncommon for households to have 3 or 4 cars.
- 1.3 The Director of Environmental and Leisure Services has a strategy to manage on street parking and together with action being taken by this Department to introduce wheel clamping in some areas and encouraging the take up of empty garages, it seems that the time is right to review this policy as part of an overall approach to reduce on street parking. Where an application to park a second vehicle is received, the Director of Leisure and Environmental Services will require the applicant to pay for the provision of a centrally located single crossover which will ensure that on street kerbside parking can still be facilitated. Where there is an existing crossover this may need to be extended or the footpath strengthened and Housing Officers will liaise with the Technical Officers to provide individual solutions where necessary.

## **2. Conclusions**

- 2.1 Many of the front gardens on the estates are large enough to accommodate 2 vehicles and in many cases already do. Recent action taken as part of a drive to enforce the present policy has resulted in complaints to Ward Members that the policy is outdated and does not take account of present car ownership levels. The 6 Community Housing Partnership Boards have been consulted on this issue and are generally in favour of the proposals. Comments of each Board have been considered and where appropriate incorporated into this report.
- 2.2 If Members agree to the recommendations in this report to change the current policy then Officers will prepare the relevant procedure note for staff to follow. It is anticipated that the procedure will cover issues such as charging owner/occupiers and leaseholders a fee for investigating an application and procedures for dealing with appeals. It therefore seems that the time is right for the policy to be reviewed in conjunction with the other measures being taken to deal with on street parking problems.

### 3. **Consultation**

All 6 Community Housing Partnership Boards have been consulted and where they have made comments, these have been incorporated into this report. The Highways Section of the Regeneration and Environment Department have been consulted and their comments have been incorporated into the report. Property Services have also been consulted on this matter.

### **Background Papers**

None.