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**REPORT FOR: CABINET**

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<b>Date of Meeting:</b>	14 September 2017
<b>Subject:</b>	Vehicle Crossing Policy
<b>Key Decision:</b>	Yes
<b>Responsible Officer:</b>	Venetia Reid-Baptiste, Divisional Director of Commissioning and Commercial Services
<b>Portfolio Holder:</b>	Councillor Graham Henson, Portfolio Holder for Environment
<b>Exempt:</b>	No
<b>Decision subject to Call-in:</b>	Yes
<b>Wards affected:</b>	All
<b>Enclosures:</b>	Appendix A – Vehicle Crossing Policy Appendix B – EqIA

**Section 1 – Summary and Recommendations**

The overarching efficiency review of Parking Operations includes the updating of a range of policies and procedures to meet new guidelines. This report covers the revised Vehicle Crossing Policy.

**Recommendations:**

Cabinet is requested to:

- Consider the draft revised Vehicle Crossover Policy attached to this report
- Adopt the revised Vehicle Crossing Policy
- Delegate to the Divisional Director Commissioning and Commercial Services, following consultation with the Portfolio Holder for Environment, to take the necessary steps to implement the Policy and to make amendments to the policy, for example, to take account of changes in legislation and guidance.

**Reason: (For recommendation)**

The above recommendations are made

To ensure that the Council fulfils its Highways Authority responsibilities in relation to vehicle crossings.

## **Section 2 – Report**

### **1. Introduction**

- 1.1. The Council is undertaking an efficiency review of its parking operations. This review will incorporate a number of key elements, including the introduction of virtual permits, the use of body worn cameras, back office administrative arrangements. This report covers the Vehicle Crossing Policy which is one integral element of the review. The council has listened to the views of residents regarding requirements for vehicle crossings as part of the development of this policy.
- 1.2. Section 184 of the Highways Act 1980 gives the Council the authority to construct crossings or to require the occupiers of premises to construct vehicle crossings in certain circumstances. In most instances the request comes from the resident to gain off-street access to their premises. In exercising this power the Council needs to have regard to safe access to the premises and the safe passage of vehicles and pedestrians on the highway, including emergency vehicles.
- 1.3. The Council will also provide a range of vehicle crossing services from design to full construction on request for a fee that will be included in the fees and charges.
- 1.4. In carrying out its remit, the Council seeks to ensure that there is clarity and consistency around the circumstances under which it will or will not grant permission for vehicle crossings.

## **2. Background**

- 2.1 The Community Directorate holds the function of the Highways Authority for the Borough and as such highways safety considerations are a key factor that drives any policy that impact on the highways infrastructure and the movement of vehicles and pedestrians on the highways.
- 2.2 The policy seeks to cover areas where there have been requests and queries relating to vehicle crossings. By doing so, it seeks to provide greater clarity and maximum flexibility on the matter. The detailed policy is set out in Appendix 1 and the key aspects covered by the report are:
- Allowing cars to park diagonally, with certain caveats
  - Providing an absolute minimum space required for different types of drive ways
  - Maintaining the hierarchy of policies around other highways assets and infrastructure such as trees, verges and drains.
- 2.3 The key differences from the previous policy are:
- Previous: maximum possible width of dropped kerb 3.6m
  - Revised: possible width of dropped kerb up to 4.5m depending on width of property
  - Previous: minimum depth of frontage to allow vehicle crossing 4.8m
  - Revised: if 5mx2m bay can fit within property boundary crossing can be provided
  - Previous: no control over property/highway boundary resulted in driving over footways
  - Revised: as part of permission process, customer may be required to build wall on boundary to prevent driving over the footway

## **3. Consultation Process and Results**

- 3.1 Consultations have taken place with members and colleagues in Highways, Traffic, Parking and Network Management.

## **4. Options considered**

### **Agree the Updated Vehicle Crossing Policy**

Following the efficiency review of this area and in consultation with stakeholders it is recommended that this policy be approved.

### **Do Nothing**

This maintains the current policy leading to a continuation of queries and questions around flexibility and subjectivity.

## **5. Resources**

- 5.1 The functions associated with this policy will be undertaken by the Network Management and Parking Services team. No additional resources are required.

## **6. Performance Issues**

- 6.1 The policy will be reviewed on a regular basis and in particular in relation to new guidelines.

## **7. Environmental Implications**

- 7.1 The Vehicle Crossing Policy takes the environment into consideration and seeks to ensure that there is minimal environmental impact. It references the Tree Strategy as well as Drainage and Flood Risk Management matters.

## **8. Risk Management Implications**

- 8.1 This policy is not included on the Directorate or any other corporate risk register.

## **9. Legal Implications**

9.1 Under Section 184 of the Highways Act 1980, the Council has the authority to construct crossings or to require the occupiers of premises to construct vehicle crossings in certain circumstances. When exercising this power the Highway Authority shall have regard to the need to prevent damage to a footway or verge and to ensure safe access as well as the need to facilitate so far as practicable the safe passage of vehicular traffic in the highway.

## **10. Financial Implications**

- 10.1 The revised policy provides greater clarity and flexibility on vehicle crossings, which seeks to address queries, received in the past and provides clear guidance to officers when considering applications. There is currently a net income budget of £170k for fees (net of construction costs). The flexibility introduced in the revised policy may attract slightly more applications, the income from which will help reduce the service costs.

Any revision to the existing vehicle crossing charges will be included in the annual fees & charges report which is subject to a separate approval at full council.

## **11. Equalities implications / Public Sector Equality Duty**

The Equality Act 2010 outlines the provisions of the Public Sector Equality Duty which requires public authorities to have due regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it

The relevant protected characteristics are age, race, disability, gender reassignment, pregnancy and maternity, religion or belief, sex and sexual orientation. The duty also covers marriage and civil partnership, but to a limited extent.

The broad purpose of this duty is to integrate considerations of equality into day to day business and keep them under review in decision making, the design of policies and the delivery of services so that the potential impact on any protected groups is identified and steps taken to mitigate or remove them.

An Equalities Impact Assessment (EqIA) has been carried out in relation to the vehicle crossing policy and is attached to this report (Appendix B). The EqIA did not identify any (potential) adverse or disproportionate impact on any of the protected groups.

### **Council Priorities**

The Corporate Plan 2016-2019, entitled “Harrow Ambition Plan 2020” sets out the council’s vision of “Working together to make a difference for the vulnerable, communities, families and businesses”. The council’s strategy (priorities) to deliver its vision, between now and 2020 is to:

- Build a Better Harrow
- Be more Business-Like and Business Friendly
- Protect the Most Vulnerable and Support Families.

The council’s vision and the corporate priorities have been taken into account when developing this policy. In particular, “Build a Better Harrow” that includes a safe and clean environment. The Vehicle Crossing policy contributes to this priority.

### Section 3 - Statutory Officer Clearance

Name: Jessie Man	<input checked="" type="checkbox"/>	on behalf of the Chief Financial Officer
Date: 1 September 2017		
Name: Jimmy Walsh	<input checked="" type="checkbox"/>	on behalf of the Monitoring Officer
Date: 31 August 2017		

<b>Ward Councillors notified:</b>	<b>NO, as it impacts on all Wards</b>
<b>EqIA carried out:</b>	<b>YES</b>
<b>EqIA cleared by:</b>	Dave Corby, DETG Chair, Community Directorate

### Section 4 - Contact Details and Background Papers

**Contact:** Venetia Reid-Baptiste – Divisional Director Commissioning and Commercial Services [venetia.reid-baptiste@harrow.gov.uk](mailto:venetia.reid-baptiste@harrow.gov.uk)  
020 8424 2492

**Background Papers:** None.

<b>Call-In Waived by the Chairman of Overview and Scrutiny Committee</b>	<b>NOT APPLICABLE</b> <i>[Call-in applies]</i>
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