



**Open Report on behalf of Andy Gutherson, Executive Director - Place**

Report to:	<b>Highways and Transport Scrutiny Committee</b>
Date:	<b>19 July 2021</b>
Subject:	<b>Councillor Call for Action – Proposal to resolving obstruction of the highway on West Street, Barkston</b>

**Summary:**

On 28 January 2021, the Overview and Scrutiny Management Board considered a Councillor Call for Action request from Councillor R Wootten in respect of West Street, Barkston, and agreed to refer it to the Highways and Transport Scrutiny Committee for final determination with advice.

On 8 March 2021, the Highways and Transport Scrutiny Committee considered a Councillor Call for Action request from the Overview and Scrutiny Management Board in respect of West Street, Barston and agreed that support be given to further investigation being carried out on the Councillor Call for Action, prior to the Committee making any recommendation on a decision.

**Actions Required:**

The Committee is requested to:

1. Consider this proposal report which attempts to resolve obstruction of the highway and determine one of the following courses of action:
  - (a) To take no further action. The Committee is required to specify the reasons for this decision.
  - (b) To consider the proposals set out in this report and decide whether to support their implementation or recommend any further action.
2. Note that West Street, Barston is not regulated through any civil parking enforcement; and that the only means of enforcement is through the powers of the Police concerning obstruction of the highway.
3. Note the limitations presented to the highways team as the highway authority and that the introduction of the proposals outlined in this report are advisory

only and not enforceable.

## **1. Background**

### Background to the Councillor Call for Action Request as Reported to the Overview and Scrutiny Management Board on 28 January 2021

On 31 December 2020, Councillor R Wootten, who represents the Grantham North division, submitted a Councillor Call for Action in relation to resolving obstruction of the Highway / Creation of Parking Spaces on West Street, Barkston.

In summary, a farmer and businessman on West Street, Barkston has raised concerns with Councillor R Wootten over the obstruction of the road by parked cars, which in turn are restricting access to his private property. The situation has become worse during the Covid-19 pandemic due to increasing numbers of people following the Government's advice to exercise and this location has gained popularity as an area for countryside walking along the River Witham. There are no parking spaces along West Street and the passing point is also being used for parking.

Councillor R Wootten has attempted to resolve the matter by contacting the Lincolnshire Police Neighbourhood Team, Lincolnshire County Council officers in Highways and Countryside Services, the National Farmers Union, the local MP, and the Barkston and Syston Parish Council. The matter is therefore now being brought forward as a Councillor Call for Action by Cllr R Wootten who has identified some potential options that Lincolnshire.

### Response to the Councillor Call for Action from Highways and Countryside Services Submitted to the Overview and Scrutiny Management Board

Colleagues in both the Highways and Countryside Services have reviewed the submitted issues since they were first raised in May 2020, and the County Council's Traffic and Minor Works Team is currently looking to assist with the parking issues but this only centres on the parking within the two passing places. The Team is not currently looking at parking on any other areas at this end of West Street.

The farmer has placed white verge marker posts near to the entrance to his property and a sign in the verge asking people not to park in the passing places, all without formal permission. At this point in time, there are no immediate plans to have these removed, but the Team would not want to see more of either and it is not planning to place anything similar there. With regards to the suggestion of a layby, the Council could bid for funding to do this, but it does not normally provide on-street parking laybys and does not have any allocated funding within current maintenance budgets to do this.

Displacement of the parking would cause significant issues elsewhere in the village including within the residential part of West Street. The root cause of the problem is that the public are seeking to use the local Public Rights of Way network to undertake their

exercise and there is little here that can be regulated by the Council. This is currently a nationwide concern as rural areas are being accessed by the public for exercise and recreation during the Covid-19 pandemic. It is unclear whether the significant increase in usage will be sustained once the pandemic restrictions have been relaxed. This can only be evaluated against summer usage when children are not at school and the weather is more conducive.

The suggestions submitted thus far mainly focus on road management solutions except for the suggestion of moving the Section 34 notice advising traffic that motor vehicle use is not allowable on a bridleway. Moving this signage will have no material effect on addressing the problem as the parking occurs at locations that could not be covered by that informative sign.

#### Determination by the Overview and Scrutiny Management Board

On 28 January 2021, the Overview and Scrutiny Management Board unanimously agreed to refer the Councillor Call for Action to this Committee and has provided the following advice:

- The farmer must be able to carry out his job without any barriers to access. However, the importance of encouraging the public to take exercise, and not placing restrictions on this where possible, should also be acknowledged.
- Solutions should be cost effective and include any on-going maintenance.
- Parking in the passing place and on the verges of the road was a concern. The cost of providing the parking spaces requested was in the region of £30,000 - £40,000, which was not allocated for in the current budget. Prohibiting parking in the passing place would also require on-going enforcement.
- The impact on the verges had been exacerbated by the ditch which required maintenance by the landowner. The maintenance of the ditch by the landowner should be encouraged to mitigate the state of the verges.
- Remedial solutions, such as retractable bollards and widening the road, would be expensive, were not budgeted for and would incur on-going maintenance costs.
- Other potential solutions for consideration include:
  - the imposition of restrictions so that only residents could use the road;
  - a review of the use of verges generally in the County;
  - an additional passing place;
  - the introduction of grass verge meshing; and
  - relocation of the Section 34 notice on Drift Lane.

The Highways and Transport Scrutiny Committee was requested to consider the Councillor Call for Action request and decide whether to recommend any further action.

## Determination by the Highways and Transport Scrutiny Committee

The Chairman invited Councillor R Wootten to present his Councillor Call for Action in relation to resolving the obstruction of the Highway/Creation of Parking Spaces on West Street, Barkston.

The Committee noted that the Overview and Scrutiny Management Board had considered the Call for Action Request from Councillor R Wootten at their meeting on 28 January 2021; and had agreed to refer it to the Highways and Transport Scrutiny Committee for further consideration and advice. Details of the advice from the Overview and Scrutiny Management Board were provided on pages 15 and 16 of the report presented for the Committee to consider.

Overall, the Committee were in support of the Councillor Call for Action presented and agreed that further investigation need to be carried out, that before any further action was taken. That support be given to further investigation being carried out on the Councillor Call for Action, prior to the Committee making any recommendation on a decision.

### **2. Conclusion**

The Highways and Transport Scrutiny Committee is requested to consider the following proposals and decide whether to support their implementation or decide whether to recommend any further action.

#### Proposal 1

The introduction of a H bar marking at the location indicated by the black line below to deter parking and enable the farmer to access his road. It should be noted by the Committee that H bar markings are white lines which are marked on the road, usually across a dropped kerb, to highlight to other road users that they should not park but that it's not illegal to park on them.



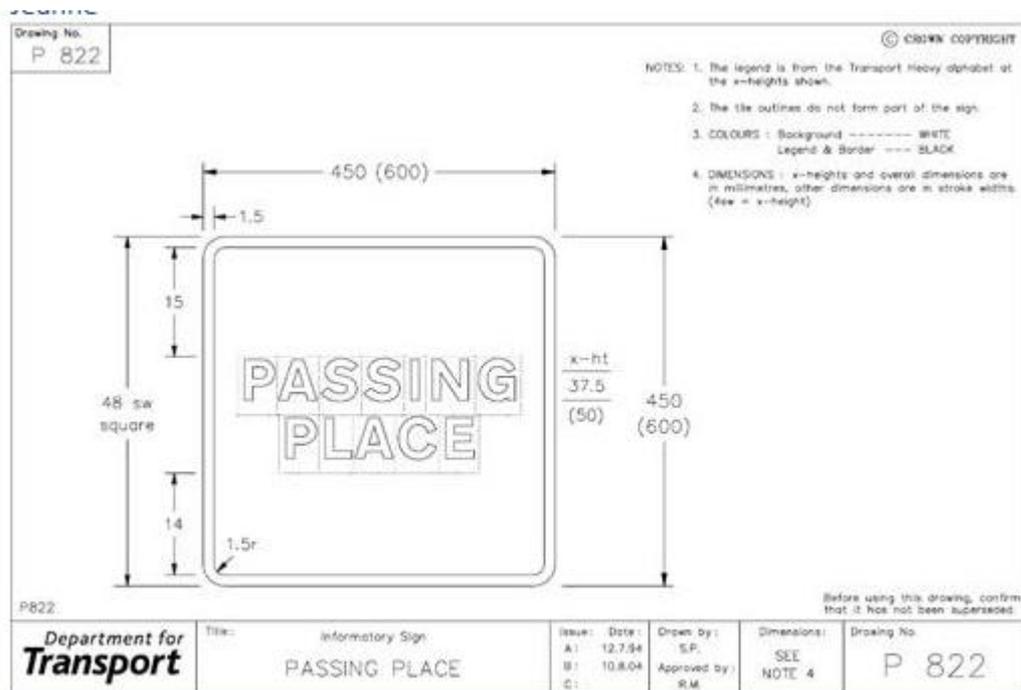
In addition, at this location we plan to introduce 2 x A4 size signs (black writing on a white background) saying 'soft verges – no parking'. The committee are asked to note that these signs are advisory and being used to deter parking, they are not legally enforceable.

Proposal 2

To supplement Proposal 1, we propose to increase the signage at the passing bays. In the picture below you will note a sign behind the vehicle and which states, 'Passing Place'. Our proposal is to add an additional post and sign of this type at each passing place to emphasise the post and supplement them with a white on red 'No Parking' plate. Examples of these signs are provided below.



Sign 1 – Passing Place



Sign 2 – No Parking



**4. Consultation**

**a) Risks and Impact Analysis**

Not Applicable

**5. Background Papers**

No background papers within Section 100D of the Local Government Act 1972 were used in the preparation of this report.

This report was written by Karen Cassar who can be contacted on 01522 554 848 or, by e-mail at [Karen.cassar@lincolnshire.gov.uk](mailto:Karen.cassar@lincolnshire.gov.uk).