# Vehicle obstructions on the highway

**Purpose**

This information note aims to clarify the position with respect to dealing with vehicle obstructions on the highway. By doing this we should be more efficient by avoiding the repeated referral of concerns to a number of different teams or agencies.

**Context**

Problems such as:

* Vehicles blocking the highway
* Vehicles being sold on/from the highway
* Inconsiderate/ nuisance parking
* Vehicle repairs on the highway

**Background**

These types of enquiry are raised from time to time across the area. Often the same enquiry is received multiple times and by a number of different teams. Customers are often referred on to other teams / agencies, usually the officer is trying to help the customer by doing so. However, in many instances the team being referred-to do not have the powers to take the matter forward. Customer expectations are raised and then dropped. This can then lead to local member involvement and time consuming complaints, where ultimately we clarify what we can and can’t do in respect of the problem.

By providing information up-front we can be clear from the outset and hopefully reduce our workload overall. We should be able to stop customers being referred-on where there is no likelihood of positive action.

Please note that this area is not simple or straightforward and there are many nuances to consider in determining if action is possible or practicable. This note has tried focused on the main areas for clarity.

**Progress**

The following Council teams have been contracted: Trading Standards, Licensing, Street Care, Waste Management, Parking Services, Community Safety, Planning Enforcement and Legal Services, as well as the Police.

From the responses received from teams none have the resources to deal with these issues informally and in the majority of cases none have the legal power to deal with these issues formally, except in specific circumstances. These specific circumstances are further detailed in the Dos and Don’ts note.

If the vehicle has an owner, it is not abandoned and cannot be dealt with as such. If there are no waiting restrictions on the highway adjacent to the pavement (e.g. yellow lines or waiting limit signs), then the Local Authority have no powers to take action.

The Police can deal the following:

* Obstruction of the highway (including parking on advisory 'keep clear' markings, parking across dropped kerbs, parking across vehicle access like driveways or garages and parking in advisory 'disabled' parking bays)
* Pedestrian crossings and white zig-zag markings (although Local Authorities can also carry out enforcement of white zig zag lines at crossings, police enforcement carries a higher tariff)
* Pavement parking where there are no waiting restrictions for the local authority parking attendants to enforce; although there is no specific offence of “pavement parking”
* School entrance markings where there are no 'time plates' identifying that a Traffic Regulation Order supports the restrictions.

**Agreed approach**

The ‘Dos and Don’ts’ document will be the basis of a Webpage.

Officers and members will need to familiarise themselves with the responsibilities and limitations of other teams and agencies. Future customers raising these issues can then be directed to the Webpage. This will hopefully reduce the number of times the same enquiry is referred-on to different teams / agencies. It will also help manage expectations and in a number of cases make it clear that we don’t have the resources to respond to enquiries that are not supported by relevant evidence.