

Appendix 3 - Policy for the management of vehicles crossing footways and verges without a properly constructed footway crossover

1 Enforcement where residents drive over the footway without a properly constructed footway crossover:

- 1.1 Where it is observed that vehicles are being driven across a footway or verge without a properly constructed footway crossover, in the first instance, the resident will be written to and advised that they are contradicting the Highways Act and that they should stop immediately.
- 1.2 The Council will make an initial assessment of whether the construction of a crossover would be appropriate and, if so, the resident will be sent an application form. If the resident applies, the application will be considered and progressed in accordance with the Council's footway crossover policy.
- 1.3 Where a resident chooses to ignore the Council's letter, a subsequent letter will be sent. If the resident still does not apply, the Council will consider whether to install a crossover and recharge the resident in accordance with s184 of the Highways Act. Alternatively the Council may choose to pursue alternative options as describes in 1.4 below.
- 1.4 Where the Council judges that a potential crossover will not be able to meet the technical standards, it may advise the resident that it intends to install preventative measures or, where appropriate, serve a s16 Notice (of the London Local Authorities Act), which requires the occupier to stop taking a vehicle across the footway or verge. If the occupier ignores the notice, the Council may choose to prosecute or to install physical preventative measures for which it may seek to recover its costs.
- 1.6 Although enforcement action will be undertaken on a borough-wide basis, it will be prioritised in accordance with the principles cited in the Highways Act and the resources available. The Council will take a proactive approach to dealing with the highest priority situations first, ie:
 - where there is a risk to the safety of pedestrians and other users of the footway due to footways/verges being damaged by vehicle over-runs;
 - where there is a risk to the safety of pedestrians and other users of the footway or carriageway due to vehicles driving across the footway without a crossover;
 - where the Council is repeatedly repairing damage caused by vehicle over-runs;
 - the highest priority areas will be based on the greatest risk, ie:
 - the highest use footways (category 1 and 2, ie around shops and schools etc),
 - Classified roads (Class A, B and C);

- locations that are brought to the attention of the Council as causing a major concern to residents.
- Where footways have been recently re-newed;
- Where footways are being renewed.

2 Where residents have constructed illegal crossings:

- 2.1 Where it is evident that a resident has constructed their own arrangements to facilitate vehicular movements across a footway/verge, the Council will remove the illegal construction and, where appropriate, seek to recover its costs from the resident. The Council will adopt the management arrangements described in section 1 above.