

# **DRAFT GRASS VERGE GUIDANCE**

**November 2025**



## 1.0 Introduction

Higher car ownership has resulted in the increased use of grass verges for unregulated vehicular parking, particularly in residential areas. The council receives many requests to prevent parking on grass verges or remove the grass surface and replace it with a hard standing. The council does not promote or support parking on grass verges, this document gives direction on how parking on highway grass verges will be addressed and provides a process to determine the best solutions.

Vehicular damage to grass verges is a persistent problem. Not only can it reduce the verge to an unsightly state, but it can also obstruct the highway preventing pedestrians and wheelchair users from accessing roads and footways. Uncontrolled grass verge parking can also cause a hazard to other motorists, especially if the vehicle is parked on a bend, on a narrow road or at a junction.

Very wet winter weather does make matters worse and verge encroachment by even small vehicles will churn up grass areas where the ground is saturated, however, with drier weather the verge areas will start to recover.

## 2.0 Background

There are a significant number of issues raised by the public regarding the impact of vehicular parking on their daily lives. A large proportion of these arise from the growth in car ownership within residential streets, which were not designed for today's traffic demands. Although there are incidences of frustration and annoyance from inconsiderate parking practices the council does not have powers to intervene and must defer to the Police in these circumstances. The purpose of this document is to agree a framework to support decision making where parking on verges could give rise to road safety issues, and/ or access issues for emergency services and buses.

Parking on verges can cause obstruction, damage, access difficulties, road safety issues, neighbour disputes and general annoyance. The council receive many requests related to these issues from a variety of sources which can be categorised into two groups:

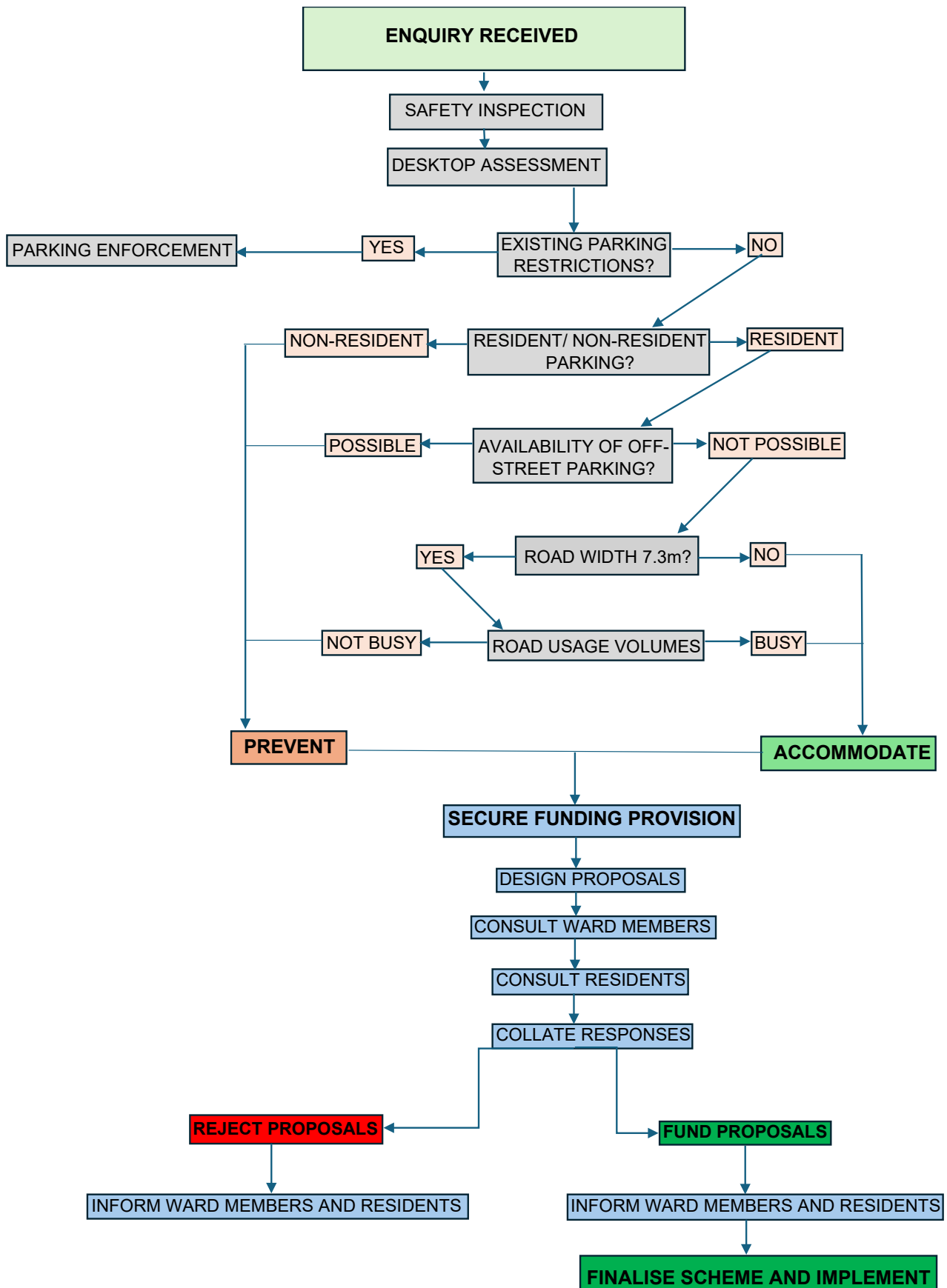
- Residents - where they or their visitors are parking on the verges in their street.
- Non-residents - where users of nearby facilities such as shops, schools, clinics or events park on verges in adjacent streets.

## 3.0 Procedure

This guidance provides a systematic approach to considering complaints or requests for service in relation to grass verge parking. The process will recommend one of three outcomes:

1. Seek to prevent parking,
2. Seek to provide facilities to accommodate parking, or
3. Take no action.

When dealing with requests of this nature the following decision tree will be used:



The decision tree will be used to make an assessment on the entire road not on individual or small sections of the road. The elements of the decision tree are explained in more detail below:

**Safety inspection** – To check for any trip hazards requiring immediate repair.

**Desk Top Assessment** – Covering all the criteria listed in the decision tree including accident analysis, the number of individual complaints and identifying the extent of the parking problem.

**Existing restrictions** – Confirm, if there are any existing or proposed parking restrictions on the road that can be enforced.

**Resident or non-resident** – Consider if nearby uses generate non-resident parking such as community buildings, religious centres, and the proximity to public transport links to routes into major retail centres.

**Availability of parking** – Consider the percentage of residents that park off and on street.

**Road width** – Assess whether two-way traffic can be accommodated, and if larger vehicles (such as refuse, emergency vehicles and buses etc) can safely pass parked cars.

**Volumes** – Use traffic counts to establish how busy the road is. The type of road i.e. residential road carrying residential traffic, local distributor roads providing a link between local streets, or main arterial roads.

## 4.0 Relevant Legislation

Legal advice has been sought in the preparation of this framework. Consideration has been given to two pieces of legislation that could, in theory, be used to address uncontrolled verge parking: the West Midlands County Council Act 1980 and the Anti-social Behaviour, Crime and Policing Act 2014. However, both legislative routes present significant limitations. Enforcement would require the identification of the individual offender to the criminal standard of proof, beyond reasonable doubt. As neither legislation permits the use of covert surveillance under the Regulation of Investigatory Powers Act (RIPA), enforcement would rely on credible witnesses who are willing to provide evidence. To date, there has been limited willingness among residents to come forward, meaning that effective enforcement action is unlikely. Furthermore, the maximum penalty of £100 is relatively low and unlikely to act as a meaningful deterrent.

In light of these constraints, enforcement under the above legislation has been discounted as a viable option. Consideration may instead be given to the introduction of formal parking restrictions where these are not already in place.

## 4.1 Parking Enforcement

Under the Traffic Management Act 2004, powers are available to enforce against vehicles who park on grass verges, but only if the area in question forms part of the adopted highway and there is an appropriate Traffic Regulation Order (TRO) in place. A TRO is a legal order which is only enforceable if supported by clear and correct road markings, kerb markings and the applicable kerb signage.

Yellow lines and kerb markings can be used to restrict parking on the highway, pavement and grass verges. These restrictions are applicable to all motorists, including residents. Dependant on the applicable road markings and signage, restrictions can prevent parking, loading and unloading 24 hours a day, seven days a week or during specified times.

If parking restrictions already exist, enforcement officers can visit the site, when resources allow, to issue Penalty Charge Notices (PCN's). Consideration can also be given to extending existing parking restrictions, although this would be subject to a statutory processes and public consultation.

Other councils have successfully introduced a "Prohibition of Verge and Footway Parking Order" in several locations where they met the required criteria which includes:

- Locations that fall within current existing Civil Enforcement areas
- Where there is recorded evidence of a problem, such as several complaints and/or damage to footways or verges
- Permitted on-street parking must not negatively impact on the highway
- The introduction of the scheme will not displace parked vehicles to surrounding streets
- The road width should not be less than 7.3 metres

Where a Prohibition of Verge and Footway Parking Order is in place enforcement action can be taken resulting in PCN's being issued.

A Prohibition of Verge and Footway Parking Order would usually only be considered on a whole length of road or a long continuous section. The restriction is marked on site by signage only; gated signs are installed at the start and end of the restriction with small repeater signs attached to lighting columns or poles at the distances specified. All signage is prescribed in the Traffic Signs, Regulations and General Directions 2016 as below (see Figures 1 and 2).



Figure 1 Gateway Sign



Figure 2 repeater sign

Enforcement of such a restriction would be carried out through foot patrol, although the enforcement team would issue an instant ticket with no observation period. The frequency of enforcement visits, undertaken by a Civil Enforcement Officer (CEO), will depend on the resources available and other demands or events taking place within the Borough. Any remaining on street parking following implementation would take place wholly on the carriageway.

Unfortunately, the width of many roads in Sandwell is insufficient for a prohibition of verge and pavement parking order. Introducing any other form of restriction will remove the on-street parking for residents, which is likely to be unpopular.

If a parking TRO is made, monitoring would be undertaken to determine the number of PCN's being issued to vehicles in this location to confirm if enforcement prevents parking and grass verge damage successfully. This would also enable an assessment of costs during the trial period allowing the council to better understand the potential future costs/ income from any scheme.

## **5.0 Proposed options to prevent parking**

### **Option 5a – Re-Soil and Seed existing verge**

Regrade verge with topsoil and grass seed. This would enhance the look of the verge but would not prevent further misuse. The cost of these works would initially be met from the maintenance revenue budget. Highways would only consider this option should the damage to the grass verge be considered a one-off event or if one of the other prevention methods listed below were deemed to be successful.

\* Estimated Cost (excluding officer time): £1.97/ m<sup>2</sup> (Based on an average depth of 50mm \* £1.69/m<sup>2</sup> of topsoil and 28p/m<sup>2</sup> of seed).

### **Option 5b – Letters**

The council can contact residents requesting that drivers cease to park or drive over the grass verge and to behave in a more considerate manner. The situation can be monitored to determine if this form of deterrent is sufficient to resolve any ongoing problems associated with verge damage. If parking on grass verges ceases, then Option 5a can then be considered. Example letter shown in appendix a.

Estimated Cost (excluding officer time): Nominal (postage)

### **Option 5c – Promote Pavement Crossings to allow off street parking provided by resident with cost met by property owner**

The Highway Authority has powers under Section 184 of the Highways Act 1980 to construct a vehicle crossing on behalf of a resident who habitually crosses a grass verge to gain access to or egress from their property and to recover the reasonable costs incurred in doing so. To ensure that this process is managed appropriately and consistently, the Highway Authority will work in partnership with the Environmental Enforcement Teams.

Where a property owner or occupier is identified as routinely crossing a grass verge without an authorised vehicle crossing, the council may first write to the individual requesting that the practice cease or that an application be made for the provision of a properly constructed vehicle crossing. If no change in behaviour occurs within a specified timeframe, the council may serve a notice under Section 184 of the Highways Act 1980 on the relevant property owner or occupier, advising of its intention to provide a properly constructed vehicle crossing.

This intervention would address only the unlawful crossing of the verge for access to or egress from a property and would not apply to vehicles that drive or park on grass verges outside a property. There would be no cost implications for the council, as all costs associated with the works would be recoverable from the resident who benefits from the crossing. Where payment is not forthcoming, the council may place a local land charge against the property to ensure that costs are recovered upon its future sale. This approach does not preclude the council from pursuing legal action to recover costs where this is considered appropriate.

Estimated Cost to the council: nominal (except for potential legal costs should legal action be pursued).

\*Estimated Cost to the resident: £165/m<sup>2</sup>

### **Option 5d – Edge treatments**

There are various solutions under this option, the main ones being the provision of trip-rails or bollards as shown below. They all include the re-cultivation of the verge (including re-seeding) with protection against further damage by means of bollards, fencing, or barriers to restrict vehicular parking.

The provision of bollards, fencing and/ or barriers is not a sustainable solution although effective whilst in place, can make grass cutting operations more difficult to carry out, as more strimming will be necessary.

This type of preventative measure can be vandalised and removed, resulting in further costs to reinstate. The use of bollards, fencing, and barriers requires careful consideration as they can become unsightly and create an additional maintenance liability.

Another consideration is that the use of bollards, fencing and barriers, unless used for a site-specific problem e.g. overrun of a corner, can lead to the displacement of inconsiderate parking to other areas of the street or onto other verges.



Due to the maintenance considerations detailed above edge treatments will not normally be considered.



Figure 3 Trip rail



Figure 4 Bollards

The council have also considered the use of planting trees or shrubs in the grass verge to provide a physical barrier to prevent parking. Shrubs collect litter and debris from the street and become unsightly and would require regular cleansing. The primary drawback of planting more trees and shrubs is the ongoing maintenance cost, which include pruning, disease management, and the removal of dead or falling branches that can pose safety hazards. Currently, our resources are stretched to the limit in maintaining existing highway hedges and bushes, and adding more of these to the annual maintenance routine is not feasible with the existing workforce and financial resources.

\*Estimated Costs (excluding officer time): £183 per bollard and £50/m for trip rail.

### Option 5e – Trief Kerb/Double Kerb

A Trief or double kerb, provides a higher kerb edge to the standard kerb. The shape is designed to stop a vehicles wheel from riding over it and to guide it back onto the road. It forms a strong physical barrier and visual deterrent to prevent vehicles from mounting or overrunning pavements.

A technical assessment would be required to determine if this kind of kerb could tie into the existing footway transitions, radiuses etc. In addition, the footway will most likely need to be built up as these kerbs are much taller than a standard kerb. Considering the significant work that this would involve and the associated costs this solution would only be considered as part of a wider improvement scheme.



Where grass verges are proposed in new residential developments, The council will require the developer to install Trief / double kerbs. This kerbing detail will be agreed through the technical design approval through a section 38 agreement and be provided on site as part of the adoptable highway.



Figure 5 Trief kerb



Figure 6 Double kerb

\*Estimated Cost (excluding officer time): Minimum £150/m

### **Option 5f – Introduce new waiting restrictions or Pavement Parking Bans**

The introduction of new waiting restrictions or pavement parking bans is a statutory process that would prohibit the use of a footway or grass verge for parking on specified sections of the highway. The extent of any proposed restrictions would need to be carefully assessed on a site-by-site basis, taking into account the number of verges affected and whether damage is occurring along the entire length of the road or only in isolated locations.

The implementation of such restrictions would require the installation of appropriate signage. However, excessive signage may result in visual clutter within the streetscape and could be considered undesirable. In addition, effective implementation would necessitate regular enforcement activity to deter non-compliance.

Careful consideration would also need to be given to the displacement of parking to surrounding streets and the potential impact this may have. The Highway Authority considers that carriageways with a minimum width of 7.3 metres are generally capable of accommodating on-carriageway parking. An additional benefit of permitting carriageway parking is that it can introduce an element of informal traffic calming through “give and take” movement, which may help to reduce vehicle speeds.

\*Estimated Cost (excluding officer time) - £6000 per order.

## 6.0 Proposed options to accommodate parking

The following options will be considered with residents and elected members in the final decision process. At locations where trees are planted, they will be retained, and any work will accommodate the need to keep vehicles away from the roots.

### Option 6a - Strengthen Existing Verge

Grass Strengthening measures - Reconstruct the grass verge and protect its structural integrity by placing polypropylene hexagonal honeycomb grid within the topsoil layer. This enables a reinforced solution with almost total grass cover whilst maintaining natural drainage rates and the performance of a hard paving layer.

This scope of use is limited to occasional parking, as regular parking will still have the same effect removing grass.

This construction will allow vehicles to over-ride the area whilst minimising the loss of grass and prevent rutting. This solution may encourage more parking on verges. Parking on grass verges will still be discouraged as surface will only withstand occasional use.



Figure 7 grass strengthening

\*Estimated Cost (excluding officer time) - £83/m<sup>2</sup>.

### Option 6b - Resurfacing Existing Verge with Bituminous or Paving construction

This option would lead to additional surface water runoff and increasing the potential for flooding downstream. This practice would probably encourage even more cars to park on this area than do so at present and could present a hazard to partially sighted and blind people depending on the manner of parking as it could cause an obstruction on the footway.

The council declared a Climate Emergency in 2020. From the start of observational records, six of the ten wettest years across the UK have occurred since 1998. Flooding is becoming an ever-increasing problem, with widespread flooding at the start of January 2024 generating over 240 flood warnings for England alone.

For the above reasons highways would not normally consider resurfacing of existing grass verges with these materials unless part of a larger road improvement scheme where suitable drainage is considered.

\*\*Estimated Cost (excluding officer time) - £70-90/m<sup>2</sup>.

### Option 6c - Provide Permeable Parking Bays

The provision of permeable parking bays is the most expensive option and involves moving the kerb line to the rear of the grass verge and replacing the grass verge with carriageway construction using permeable materials. The cost of this option together with any statutory undertaker diversions may make this option prohibitively high.

**\*\*Estimated Cost (excluding officer time) - £500/m<sup>2</sup>.**

### Option 6d - Resin Bonded Permeable surfacing half on half off parking

This is an extremely porous, heavy duty, flexible paving system designed for low-speed applications that include car parks, pavements, pathways for golf carts, bicycles, roller blades, jogging, etc. This material has an incredible porosity rate of over 800 litres per square metre per hour thus providing the natural flow of water into the earth (ground water re-charge) instead of alternative-drainage systems.

The material would be used to resurface the grass verge; lining would be installed to mark out 2m width of parking space spanning both the carriageway and the footway, example Fig 8.

Sufficient space should be retained on the footway to allow pedestrian access which should be an absolute minimum of 1.2m in width.



Figure 8 Image of half on half off parking

While it's not illegal everywhere, the Highway Code advises against parking on the footway unless signs indicate otherwise. The appropriate signage is shown in Fig 9.

Sign table — Schedule 4, Part 4



(1) Item	(2) Description	(3) Symbol	(4) Required legends	(5) Variants to column 4 legends, or legends that may be included	(6) Legend height (by reference to x-height)	(7) Applicable Part 5 item
3	Parking place where vehicles may be parked partially on the verge or footway (Alternative types)	 157.5 min 420 max 		1. A time period may be included 2. A permitted parking expression may be included 3. A type or types of user may be included and, where the user is a type of permit holder, a permit identifier may be included 4. A legend provided for at 3. above may be varied by the addition of "only" or "only at all times" 5. The name of the traffic authority may be included in the sign 6. A parking place identifier or a zone identifier may be included in the sign	Not less than 15 mm and not more than 40 mm	2, 4, 5, 7, 8

Figure 9 extract from TSRGD

**\*\*Estimated Cost (excluding officer time) - £80-120/m<sup>2</sup>.**

**Options 6c & 6d** This guidance will be considered in conjunction with our Council Plan and other relevant policies set by other departments, including the Sandwell Local Plan (SLP) which guides new developments towards sustainability goals. The council aims to integrate growth within the existing urban area, protect and enhance the environment, and address climate change. Key aspects include promoting green infrastructure and reducing car dependency and car ownership.

By providing a half on / off parking the council will provide additional areas to accommodate parking, which may increase resident car ownership.

\* indicative costs - each site assessed on an individual basis and exact costs assumes good access and soft dig, calculated prices will change year on year due to price changes in materials etc. Prices may not include the labour costs associated to the works or any temporary traffic management deemed to be required to complete the works. Works which may be required for Statutory Undertakers or to accommodate existing street furniture also is not included.

\*\*indicative costs – these do not include for kerbs, edgings, traffic management or any works which may be required for Statutory Undertakers or to accommodate existing street furniture

## 7.0 Unauthorised verge management

Other items are often placed on verges by residents who wish to deter parking on the verge in front of their homes. These obstructions will have the same effect 5d Edge Treatments above this practice should not be encouraged and is covered by section 148 and 149 of The Highways Act 1980. It is an offence to deposit materials on the highway without lawful authority and the council have powers to serve notice to remove them should they be considered dangerous.

The council will consider on a case-by-case basis whether the obstruction is dangerous and if a notice will be served.

## 8.0 Funding

The cost of verge works will vary from a few hundred pounds for simple reinstatement repair to thousands of pounds for building a parking bay scheme for a whole street. It is not possible to determine precise costing for each of the options as each site will vary depending upon several factors such as extent, location and type of treatment. The council's budget is already stretched to meet routine maintenance demand; there is currently no provision for specifically making grass verge improvements.

Any proposed scheme will have to compete for its own capital funding.

A business case has recently been approved, funding has been secured to provide £100k per financial year for the next 5 years.

## Appendix A

### Example Resident Letter



My Ref:

Your Ref:

Please ask for:

Telephone No:

Date:

Dear Sir/Madam,

Parking on grassed verge – ~~XXXXXX~~ Road

During a recent highway safety inspection of ~~XXXXXX~~ Road, carried out by a council highway inspector, it is apparent that vehicles are driving over and parking on the grassed verges in several areas along ~~XXXXXX~~ Road.

The damage which this is causing is now clearly visible and if this continues it will become more severe and is likely to become a potential hazard. Grass verges are provided to enhance the appearance of the street in which you live. However, if the verges are damaged the opposite applies, and they will very soon start to detract from the general appearance of the road.

I am certain that you value the appearance of the immediate environment in which you live and do not wish to see this happen. I am writing to remind all residents and visitors associated to their properties to ask that the grass verges are respected and that vehicles are not parked on or being driven on them.

I look forward to your co-operation in this matter.

Yours faithfully,

~~XXXXXX~~ ~~XXXXXX~~  
Highway Services

[ILO: UNCLASSIFIED]

Directorate of Place  
Highway Services

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