

Thank you for all your responses to the survey. I think that I have received all that I am going to – and with very little nagging! I have not had responses from 2 or 3 houses but I have consulted neighbours to take a view on these residents’ requirements and usage. I have a small concern that I may not have been told the whole truth – for example there are spots to which no-one makes a claim but which are plainly in regular use – but overall I’m pretty confident that we will be able to draw valid conclusions.

Residents pointed out 2 extra potential parking spots bringing the total excluding garages to 147. 115 of these were claimed as customary parking spots as follows:-

No. of spots claimed/house	No. of houses	Total spots claimed
0	2	0
1	26	26
2	38	76
3	3	9
4	1	4
Total	70	115
Unused/unusable		32
Total spaces		147

So there are more than enough spaces. But it is clear from residents’ comments that we have some sizeable, but in my view soluble, problems. There was quite a lot of comment about inconsiderate neighbours, yet almost all the responses were pretty considerate. This sounds to me as though we have some misunderstandings which we ought to be able to address with clear information, straight talk and tolerance.

I plan to present my findings in four stages:-

1. This first report gives an overview but focuses mainly on the “Big Issue” of whether actually we are legally able to make any kind of allocation of spaces at all. I will need some further response from you on that before I can make much progress elsewhere.
2. Immediately after this report I will issue e-mail discussion documents to several groups of residents where there is a local issue that needs to be sorted out but which does not require the attention of the whole estate. No-one will see all of these and some of you will see none because you live in a state of blessed harmony and peace.
3. When we have resolved the Big Issue in 1 above, there will be a consultation on a whole host of very constructive and interesting – but often completely contradictory – issues that you have raised. Do we ban visitors or earmark spaces for

them; do we tinker with roads or would this be done only over some residents’ dead bodies; do we delineate parking spots, print car window stickers, and so on.

4. And then, if all goes swimmingly, I will issue the final report with conclusions noting that we have achieved complete agreement on all issues and that good neighbourly relations might now be expected to continue long into the future. There might be a little work to do before we get there.

The Big Issue

So what is this Big Issue? It is clear from the responses that, while most people want to achieve some form of allocation or reservation of spaces, for a minority any form of allocation is onerous and will be resisted. There are two groups of residents each playing to different and incompatible rules and this causes conflict. It is therefore unclear whether or not we will be able to set up any kind of space allocation at all. Let us explore this.

45 residents have a spot in front of their house where they normally park. The other 25 residents have no natural parking space on the road outside their houses and for some of these the space outside their garage is also unusable because it would block access to other garages. So for some residents, it is somewhere between a nuisance and a battle every night to find a parking slot while trying not to annoy too many snappy, fiercely defensive neighbours. For many others the situation is fine as it is. For some residents any guideline that gives preference to spots outside houses is oppressive. They would prefer a system under which no-one can claim any road space as their own, even if it is outside their house, and which allows you to park wherever you like so long as you don’t cause an obstruction - ie a normal “London Rules” free for all. Meanwhile other residents would like strictly allocated spaces.

If we fail to find a solution that satisfies the 25 residents with no natural spot then we are likely to have continued tension. Attitudes like “they should have thought of that when they bought the house” are not helpful. And, there is confusion over legal rights with some believing that the covenants do not allow the reservation of spaces outside houses.

So what are our legal rights? The roadways and forecourts are owned by Lynden Gate Residents Ltd. Nobody has any right to park on the roadways or forecourts at all without the permission of the management company which is authorised to make and enforce regulations for the good management of the estate. You have the right to unobstructed

access to your garage and so, in practice, you may park in the spot in front of your garage so long as that does not obstruct access to another garage.

We residents, as the owners of the management company, can agree whatever further regulations we like - anything from forbidding all parking except in garages to setting up parking meters. But obviously the emphasis is on agreement and a majority cannot oppress a minority.

In the early days we had normal "London Rules" and residents could park anywhere. Later we introduced a Parking Code of Conduct which, with minor amendments, remains in force. This says that, while there are no specific rights to any spaces on the roadways, one should avoid parking in front of other people's houses, as far as possible giving priority to the nearest resident. However that is not a right and when this isn't possible we should be tolerant and cooperative with our neighbours. And that asking visitors to park outside the estate ensures there is more parking for residents inside.

Many of the comments I received suggested a wide variety of schemes for making firmer allocations of spaces. There is obviously an appetite for permanent rights for all. However, there are many ways of skinning this cat and many problems of design and implementation not least in how to enforce the rules.

Excluding forecourt spaces (which are clearly settled), I see three possible approaches to roadway parking, any of them acceptable so long as everyone understands the nature of the game:-

London Rules: We would have no allocated spaces on the roadway and there would be no preference given for spots outside houses. Residents would be free to park wherever was available. There are plenty of spaces to go round (particularly since none would be reserved for residents who are not on the estate at the time) and probably most people would continue usually to park where they do now. The code would say that you can't complain at anyone else's use of roadway parking spaces, if your customary spot is taken, and you have to park away from your house, don't get snappy, just park in one of the other 146 spaces; OR

Code of Conduct: We would continue to operate with a code of good practice that we would expect people to follow. Under normal circumstances, preference would continue to be given for the spot outside your house although this would not be an absolute right. Practical solutions to individual local difficulties would be sorted out periodically among the parties concerned. The code would be

amended to address the difficulties of those houses without a road spot and to advocate tolerance; OR

Allocated Spaces: If we go for a firmer allocation of spaces we will need extensive consultation to work out which scheme best suits. For example we could use the roadway map to allocate each house one numbered spot on the roadway or garage forecourts. Remaining spaces might be reserved for particular uses (such as visitors or disabled) or left as free-for-all. A new parking code would make it clear that these allocations are not, and cannot ever be, legally binding (so they can't be sold with the house). The details of this option would require considerable debate, not least on how to make the allocations and how to enforce them.

We have a major decision to make here. If we fail to agree an approach then IMHO we will have continual tension. And we have to deal with this first before we can really address any of the other issues raised by the survey.

For what it's worth, and so you can correct for any bias in my report, my own opinion is that the "London Rules" solution is a heck of a lot easier, would remove tensions at a stroke and would make it easier for everyone to park. I am doubtful that the "Code of Conduct" approach can provide a lasting solution although it might keep a majority of residents happy (and I know that others think it is the answer). If a clear majority want "Allocated Spaces" and are willing to be flexible and accommodating enough to make it work then we can give that a try but there would be many, perhaps too many, difficulties to overcome.

So, another piece of consultation. Please e-mail me at neil.chisman@btopenworld.com (or write via Nick Bedford) to answer the two questions below:-

1. ***Which broad solution to the parking issue do you favour? Please rank them 1, 2, 3.***

London Rules	
Code of Conduct	
Allocated Spaces	

2. ***What comments do you wish to make on the issue?***

Thanks. We're getting there!

Neil Chisman