

LYNDEN GATE - CODE OF PRACTICE FOR PARKING

One of the keys to a quiet life here is considerate parking. This Code of Practice for Parking has been agreed by residents as “the way we do things round here”. Please respect the code and contribute towards making Lynden Gate a pleasant and enjoyable place to live.

INTRODUCTION AND BACKGROUND

Lynden Gate Design

Lynden Gate was originally designed with the intention that residents would park one or two cars in their garage or garage forecourt. Including garages there is room for over 200 cars to park on the estate, which is far more than in other areas locally or in many similar developments in Central London. However it was not designed for all residents to park a car on the road outside their house. So while there is plenty of parking space within the estate, it is physically impossible for everyone to park on the roads. Clearly this can lead to potential conflicts of interest between neighbours. With courtesy, some simple rules and a little common sense it is possible for these to be avoided.

Your Individual Rights

The only space in which you are exclusively entitled to park your car is your garage.

The roadways (including the forecourt areas) are owned by Lynden Gate Residents Ltd (the Company). No individual resident owns or has parking rights to any specific space on the roadways. The Company cannot give legal rights to particular spaces. However, subject to not causing an obstruction and to the rules of the Company, residents are permitted to park on the roadways.

From time to time estate agents claim that houses at Lynden Gate come with dedicated parking spaces. This is not true. Such claims are a misrepresentation and should be challenged. If you know of estate agents making these claims please inform us and we will take appropriate legal action.

The Company's Authority

The Company is the owner of the roadways. The Board has the authority to make regulations as required for the management of the estate.

The residents have considered on a number of occasions since the estate was built whether to apply strict parking regulations. In 2002 and again in 2009 major reviews of parking and consultation with all residents took place. All the possible schemes contain significant drawbacks, as well as advantages, in particular the enforcement measures required. We value the relaxed and friendly atmosphere at Lynden Gate and have consistently decided to retain the Code of Practice as a fair, practical and cooperative approach to the management of parking.

It is an offence to obstruct the roadways and we do have the legal authority to move your car if you cause an obstruction. Parking a car that is never or seldom used on the roadways may be considered an obstruction. We will take action if necessary. We would rather not have to use this power as we believe that it should not be necessary among friendly and cooperative neighbours.

Tolerance

Sometimes the estate is busy and parking spaces just fill up, for example when people come home from abroad or cars that are usually parked in garages are on the roadway. It doesn't happen very often but when it does the last person in at night may be unable to find a parking space. Please try to be tolerant of occasional inconveniences. If it occurs frequently then seek to discuss suitable arrangements with your neighbours.

THE PRINCIPLES OF THE USE OF SPACES

There is enough room on the estate for every house to have one parking space but not quite enough for everybody to have two. This simple fact and an extensive consultation led to the following principles on use of spaces. For a discussion on the rationale of these principles see the report "Lynden Gate Parking Survey – Second Report" of 11 June 2009.

Principle 1: Everyone has a garage to which they have the absolute right of unobstructed access.

Principle 2: It is the responsibility of neighbours to agree the orderly arrangement of parking spaces on the roads and in forecourts as needed.

Principle 3: Every house should have the use of one space that is recognised by their neighbours as for their regular use.

Principle 4: Residents should use, or release for others to use, forecourt spaces before parking on the road. Spaces for residents' first vehicles should be used in the following priority order:-

- First, spaces outside garages are kept free for use by their owners - either spaces that are used themselves or those that are required to be left empty because the owner uses the garage;*
- Second, spaces on the road are kept free for use by those houses who have no usable forecourt space or who release their forecourt space for the use of others.*

Principle 5: Second spaces, as close to residents' houses as possible, should be left available if possible for those houses that regularly park a second car. Temporary use of a second space may be made by residents whose second car is only occasionally parked (typically for a child at university).

Principle 6: Third vehicles and visitors take the same priority – ie that they can use any spaces not identified under Principles 4 and 5 on a first come first served basis and if there are not enough spaces to go round then such vehicles will have to be parked outside the estate.

Principle 7: Where there is conflict between two or more residents for a particular spot, usage should be decided on a judgement of aggregate overall convenience.

OTHER PARKING CODE MATTERS

Visitors and Tradesmen

It is always helpful if visitors are encouraged to park outside the estate particularly for events such as parties. But spaces not identified as in regular use by residents are designated as for "Occasional Use" and visitors may use these. The resident being visited must take responsibility for ensuring that the visitor parks in one of the "Occasional Use" spots and if no such space is available visitors (and third cars) should park in Portsmouth Road. Letting a visitor park in a neighbour's regular spot is very high on the antisocial behaviour scale!

Tradesmen are permitted to park inside the estate during the day only so long as they do not cause a substantial inconvenience; such parking is at the discretion of the Estate Manager. It is the responsibility of the resident to ensure that their tradesmen are suitably parked and that a notice is displayed in the windscreen indicating which house is being attended.

Obstruction – corners and pinchpoints

Some parking spaces, usually on corners or pinchpoints, are not designated for customary resident parking but nonetheless may be occasionally used. The designation of such spaces is typically “Obstructive - only for emergency use.” Vehicles should not be parked long term (say longer than overnight) in such spaces.

The role of the Board and the Estate Manager

It is not for the Board to determine who shall park where – that is to be agreed among neighbours as circumstances change - but if there is a dispute between neighbours the Board can be asked for an opinion on what a reasonable agreement might be. Such an opinion will strictly follow the principles above but it cannot be binding. From time to time the Board will publish its opinion in relation to the whole estate.

Questions on parking issues should be addressed in the first instance to the Estate Manager, Nick Bedford, who is empowered to resolve most issues. In particular he can deal with requests for the temporary reservation of a second space by putting out a cone alerting neighbours to the temporary reservation of an “Occasional Use” space.

Discuss problems tolerantly with neighbours

Most problems can be resolved by courtesy and calm negotiation between neighbours. Be polite. Nobody likes aggressive behaviour and perhaps you do not realise that you may be causing problems for your neighbour. The principles have been set to help you reach reasonable agreements.

If you really can't reach an agreement, try asking other neighbours to help. You may be surprised how easily parking problems can be resolved when we all cooperate. As a last resort you can ask the Board for an opinion.

REMEMBER:

If you follow this code then there should be few problems
If you don't follow the code then the problem is probably **you!**

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