



# Essex Act Policy

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## Essex Act Definition

The Essex Act 1987 allows for the prohibition of parking on grass verges, via installation of signage and subsequent civil parking enforcement, without the need for a Traffic Regulation Order (TRO). Below is an extract from the Essex Act 1987, Part III, Highways and Streets;

Grass verges etc.

6.- (1) This section applies to any of the following land in a district which, being in, adjoining or accessible from a highway, is mown or otherwise maintained in an ornamental condition:-

(a) a grass verge, garden, lawn or green managed by a local authority; or

(b) land laid out as a public garden or used for the purpose of public recreation which is vested in a person other than a local authority.

(2) (a) A local authority may by notice prohibit, either entirely or at such times or on such days as may be specified in the notice, doing any of the following things

on land to which this section applies:-

(i) driving, riding or leaving vehicles on the land:

....

(b) A parish council shall not exercise the powers of this section in relation to any land forming part of the highway without the consent in writing of the county council.

(6) A person who, without reasonable excuse, contravenes a notice displayed under this section shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 2 on the standard scale.

(7) (a) If a vehicle is left on any land in contravention of a prohibition under subsection (2) (a) (i) above, the local authority may cause the vehicle to be removed.

## Essex Act & TRO Based Usage and Enforcement

The installation of Essex Act measures can be facilitated in agreement with the applicable landowner if the criteria of the Act, as illustrated in section one, are met. This subsequently allows civil parking enforcement to take place against contravening vehicles and does not require a traffic regulation order (TRO) to facilitate changes, making it a useful remedy and relatively simplistic to install when compared with alternative measures.

Before proceeding with installation of Essex Act signage, full consideration must be given to the displacement of vehicles from these areas and the negative impact that it may have on the Highways network, creating or exacerbating issues such as obstruction or danger to other road users. There must also be an acceptance that enforcement of Essex Act would be deemed a low priority compared to other measures in place on the Highway, such as those which relate to safety and congestion. It should be noted that enforcement may not be as readily available or frequent as desired, and there will be some reliance on motorists adhering to any restriction in place.

Use of Essex Act measures would not be appropriate where other measures, such as double yellow lines, are already present on the Highway, as these would allow for enforcement of verge parking behind the restrictions in any case.

Consideration of a TRO-based verge and footway prohibition may also be considered when the introduction of measures on the main carriageway is implemented, particularly in the case of a Clearway restriction as this will not prevent verge or footway parking on its own. The usual TRO application process would need to be followed if this option was chosen.

## Requests for Essex Act

A request can be made by any person(s), agency or company. However, as with TRO applications, there is an expectation that locally led enquiries are conducted to ensure that political representatives, such as Parish & Town Councils, as well as Essex County or District/City Councillors for a particular area, are appraised of any request.

To satisfy audit and financial enquiries, an application form has been created to ensure that request details, including funding, can be recorded. This form is available at <https://north.parkingpartnership.org/essex-act-applications/>.

## Costs Matrix

There are various costs associated with the introduction of Essex Act measures, including purchase and installation of signs, posts and changes to mapping databases.



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These costs will not be funded by NEPP – they must be sought and accepted by the landowner or applicant prior to installation. A table of costs is included below.

Item	Price (exc. VAT)
Grey or black 3m post, supply and install	£125.00
Grey or black 1.5m post, supply and install	£125.00
Additional existing post removal (damaged)	£40.00
ParkMap Configuration Costs	£50.00 per hour
Verge signs (each, including 2x fixing brackets)	£35.00
Installation Costs (10 signs per hour)	£30.00 per hour

The costs detailed above are reflective of the charges levied by our contractors for post supply and installation, and the production of signage. The remaining costs are reflective of the NEPP's staffing requirements.

The introduction of Essex Act measures is not a statutory function, thus it is not deemed to be a priority above business-as-usual services undertaken by the NEPP, such as payment machine maintenance or ensuring compliance of existing on-street parking control measures. Essex Act signage will therefore be installed when officers are in the relevant area undertaking priority duties. Any requirement to have Essex Act measures installed as a priority, outside of usual working patterns, will attract additional costs to cater for officer expenses.

## Examples of Verge and Footway Prevention Measures in Place

Image 1 – Essex Act restriction



Image 2 – TRO-based restriction

