

STATUTORY CONSULTATION - MINOR ON-STREET PARKING PROPOSALS

VARIOUS LOCATIONS - TRO 2013 AMENDMENT 25

Sevenoaks Joint Transportation Board - 5 December 2017

Report of Chief Officer, Environmental and Operational Services

Status: For Decision

Key Decision: No

Executive Summary: The consideration of the objections to the minor on-street parking proposals within The Kent County Council (Various Roads in the District of Sevenoaks) (Prohibition and Restriction of Waiting and Loading and Unloading and On-Street Parking Places)(Amendment 25) Order 2018 received during the statutory consultation

This report supports the Key Aim of

- Caring Communities
- Sustainable Economy

Portfolio Holder Cllr. Matthew Dickins

Contact Officer Jeremy Clark

Recommendation to Sevenoaks Joint Transportation Board: The Joint Transportation Board is asked to endorse the following recommendations, that:

- (a) the results of the statutory consultation regarding minor on-street parking proposals within The Kent County Council (Various Roads in the District of Sevenoaks) (Prohibition and Restriction of Waiting and Loading and Unloading and On-Street Parking Places) (Amendment 25) Order 2018 (known as "TRO 2013 Amendment 25" be noted;
 - (b) the relevant objections received to the parking proposals for Hartley - Wellfield and Hoselands View, Swanley - St Marys Road and Westerham - Oak Road be set aside;
 - (c) TRO 2013 Amendment 25 be made and the parking proposals therein be implemented as drawn; and
 - (d) the objectors be notified of the decision.
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Reason for recommendation:

The parking proposals are aimed at providing better management of the Public Highway, in line with the Highway Code and current legislation.

Background/Introduction

- 1 A statutory consultation was undertaken over a 3-week period from 5 October 2017 in respect of minor on-street parking proposals contained in a draft traffic regulation order entitled The Kent County Council (Various Roads in the District of Sevenoaks) (Prohibition and Restriction of Waiting and Loading and Unloading and On-Street Parking Places) (Amendment 25) Order 2017, hereafter known as “TRO 2013 Amendment 25”.
- 2 The parking proposals include changes to existing and/or new waiting restrictions in the following roads, which are shown on the plans and are described in Appendices 1 to 6:
 - Appendix 1 - Hartley - Wellfield and Hoselands View
 - Appendix 2 - Leigh - Crandalls and The Green
 - Appendix 3 - Otford - Station Road
 - Appendix 4a - Sevenoaks - Bradbourne Vale Road
 - Appendix 4b - Sevenoaks - Buckhurst Avenue
 - Appendix 4c - Sevenoaks - Gordon Road
 - Appendix 4d - Sevenoaks - Granville Road
 - Appendix 5a - Swanley - Goldsel Road
 - Appendix 5b - Swanley - St Marys Road
 - Appendix 6 - Westerham - Oak Road
- 3 The parking proposals also included a scale of charges for pay and display that would apply to the proposed pay and display parking bays for Swanley - St Marys Road.
- 4 For the statutory consultation, public notices describing the on-street parking proposals and inviting representations were published in the local press and were erected in each of the locations concerned.
- 5 Details of the proposals and a link for making representations online were also hosted on the District Council’s website.

- 6 During the 3-week statutory consultation period, which ended on 27 October 2017, objections/comments were received in respect the following parking proposals:
- Hartley - Wellfield and Hoselands View (Appendix 1)
 - Swanley - St Marys Road (Appendix 5b)
 - Westerham - Oak Road (Appendix 6)
- 7 The terms of reference for the Sevenoaks Joint Transportation Board allow it to provide advice to the Sevenoaks District and Kent County Councils, who will normally act in accordance with its views.
- 8 The purpose of this report is therefore for the Sevenoaks Joint Transportation Board to consider the relevant objections, together with Officers' comments and recommendations given in Appendices 1, 5b and 6, and to decide whether, before TRO 2013 Amendment 25 is made, to:
- Endorse the recommendation to set aside the objections and implement all of the proposals as drawn; or
 - Uphold some or all of the objections, and recommend to the Councils that some or all of the parking proposals for Hartley - Wellfield and Hoselands View, Swanley - St Marys Road and Westerham - Oak Road be modified (by reduction) or abandoned.
- (It should be noted that it is only possible to amend proposals by reduction. Any extension to the proposed restrictions or change of type of restriction would form a new proposal and require re-advertisement).
- 9 No objections were received in respect of the parking proposals in Appendices 2, 3 4a, 4b, 4c, 4d and 5a, and hence these can be implemented without a decision from the Board. These locations have been included for information.

Other Options Considered and/or Rejected

- 10 Officers have considered the feasibility and desirability of reducing the extent of or abandoning the proposal to which the objections were received, but considered this to be inappropriate.

Key Implications

Financial

The costs incurred in implementing the proposals will vary depending on the Board's decision, but if all the proposals in TRO 2013 Amendment 25 are taken forward, the estimated total cost would be in the region of £6,000.

The parking proposals for Sevenoaks - Bradbourne Vale Road, Sevenoaks - Gordon Road, Sevenoaks - Granville Road and Swanley - Goldsel Road, which are required

due to the creation of new and/or changes to existing vehicle accesses on to the public highway, are each being met by third parties, and an estimated total cost of £2,000.

The parking proposals for Hartley - Wellfield and Hoselands View are being funded by Kent County Council through the Combined Member Grant at an estimated cost of £1,500.

The District Council can meet the cost of the other proposals, estimated at £2,500, from its parking account.

Legal Implications

A traffic regulation order (TRO) must be made under the Road Traffic Regulation Act 1984 (RTRA 1984) to cover the proposed on- and off-street parking changes.

Section 1 of the RTRA 1984 states that a TRO may only be made for the following purposes:

- avoiding danger to persons or traffic (including for anti-terrorist purposes);
- preventing damage to the road or to buildings nearby (including for anti-terrorist purposes);
- facilitating the passage of traffic;
- preventing use by unsuitable traffic;
- preserving the character of a road especially suitable for walking or horse riding;
- preserving or improving amenities of the area through which the road runs; and
- for any of the purposes specified in paragraphs (a) to (c) of the Environment Act 1995 (air quality).

To meet one or more of the above, a TRO may prohibit, restrict or regulate the use of a road or any part of the width of a road by vehicular traffic of any class. It may have effect at all times or at specified periods or times. Specific classes of traffic may be excepted.

Before making a TRO, a formal (statutory) consultation procedure must be followed in accordance with The Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996.

Any objections made to the TRO received during this statutory consultation (other than frivolous or irrelevant ones) that are not withdrawn are reported to the Sevenoaks Joint Transportation Board.

The terms of reference for the Sevenoaks Joint Transportation Board allow it to provide advice to the Sevenoaks District and Kent County Councils, who will normally act in accordance with its views. If the Councils are minded to act otherwise, no decision will be taken until after a discussion with the Chairman and Vice Chairman of the Board.

Equality

The decisions recommended in this report have a remote or low relevance to the substance of the Equalities Act. There is no perceived impact on end users.

Risk Assessment Statement

There are no additional risks identified that are outside those already covered within the standard Risk Assessment for carrying out parking enforcement on the Public Highway.

Appendices:

Appendix 1 - For decision
Hartley - Wellfield and Hoselands View
Description and plan of parking proposals, details of objections and Officers' comments and recommendation

Appendix 2 - - For information
Leigh - Crandalls and The Green
Description and plan of parking proposals

Appendix 3 - For information
Otford - Station Road
Description and plan of parking proposal

Appendix 4a - For information
Sevenoaks - Bradbourne Vale Road
Description and plan of parking proposal

Appendix 4b - For information
Sevenoaks - Buckhurst Avenue
Description and plan of parking proposals

Appendix 4c - For information
Sevenoaks - Gordon Road
Description and plan of parking proposals

Appendix 4d - For information
Sevenoaks - Granville Road
Description and plan of parking proposal

Appendix 5a - For information
Swanley - Goldsel Road
Description and plan of parking proposal

Appendix 5b - For decision
Swanley - St Marys Road
Description and plan of parking proposals

Appendix 6 - For decision
Westerham - Oak Road
Description and plan of parking proposals

Sources of Information:

The Traffic Signs Regulations and General Directions 2016
<http://www.legislation.gov.uk/uksi/2016/362>

The Road Traffic Regulation Act 1984, as amended.
www.legislation.gov.uk/ukpga/1984/27

The Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996.
www.legislation.gov.uk/cy/uksi/1996/2489/made

The Highway Code.
www.gov.uk/browse/driving/highway-code

Richard Wilson
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