

STATUTORY CONSULTATION - MINOR ON-STREET PARKING PROPOSALS

VARIOUS LOCATIONS - TRO 2013 AMENDMENT 26

Sevenoaks Joint Transportation Board - 7 March 2018

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 26) Order 2018 (known as “TRO 2013 Amendment 26”) 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, Ext. 7323

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 26) Order 2018 (known as “TRO 2013 Amendment 26”) be noted;
 - (b) the relevant objections received to the parking proposals for Riverhead - Amherst Place, Church Field & Shoreham Lane, Riverhead - Cranmer Road, and Riverhead - London Road & Scotts Way given in Appendices 2, 4 and 5 of this report be set aside;
 - (c) the relevant objections received to the parking proposal for Westerham - Madan Road given in Appendix 8 of this report be upheld in part, and the proposal be amended, such that the proposed double yellow lines be implemented on both sides of Madan Road, from the eastern kerb line of
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London Road, eastwards for 10m.

- (d) the relevant objections received to the parking proposal for Riverhead - Chipstead Lane given in Appendix 3 of this report be upheld and the proposal be abandoned
- (e) TRO 2013 Amendment 26 be amended as described in recommendations (c) and (d) above and the parking proposals therein be implemented; and
- (f) the objectors be notified of the decision.

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 25 January 2018 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 26) Order 2017, hereafter known as “TRO 2013 Amendment 26”.
- 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 8:
 - Appendix 1 - Leigh - High Street, Hildenborough Road & The Green
 - Appendix 2 - Riverhead - Amherst Place, Church Field & Shoreham Lane
 - Appendix 3 - Riverhead - Chipstead Lane
 - Appendix 4 - Riverhead - Cranmer Road
 - Appendix 5 - Riverhead - London Road & Scotts Way
 - Appendix 6 - Sevenoaks - St Johns Hill
 - Appendix 7 - Swanley - Court Crescent
 - Appendix 8 - Westerham - Madan Road
- 3 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.
- 4 Details of the proposals and a link for making representations online were also hosted on the District Council’s website.

5 During the 3-week statutory consultation period, which ended on 16 February 2018, objections/comments were received in respect the following parking proposals:

- Appendix 2 - Riverhead - Amherst Place, Church Field & Shoreham Lane
- Appendix 3 - Riverhead - Chipstead Lane
- Appendix 4 - Riverhead - Cranmer Road
- Appendix 5 - Riverhead - London Road & Scotts Way
- Appendix 8 - Westerham - Madan Road

6 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.

7 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 2, 3, 4, 5 and 8, and to decide whether, before TRO 2013 Amendment 26 is made, to:

- Endorse the recommendation to set aside certain objections and implement all of the proposals given in Appendices 2, 4 and 5; and
- Endorse the recommendation to uphold some the objections, and to modify the parking proposal given in Appendix 8 and abandon the parking proposal given in Appendix 3.

(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).

8 No objections were received in respect of the parking proposals given in Appendices 1, 6 and 7, and hence these can be implemented without a recommendation to the Board. These locations have therefore been included for information.

Other Options Considered and/or Rejected

9 Officers have considered the feasibility and desirability of reducing the extent of or abandoning the proposals given in Appendices 2, 4 and 5 to which the objections were received, but considered this to be inappropriate.

10 Officers have also considered the feasibility and desirability of implementing, as drawn, the proposals given in Appendices 3 and 8 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 26 are taken forward, the estimated total cost would be in the region of £10,000.

The parking proposals given in Appendices 1, 2, 4, 5 and 8 are being funded by Kent County Council through the Combined Member Grant. If all these proposals were to be taken forward, the estimated cost would be in the region of £6,500.

The District Council can meet the cost of the remainder of the proposals from its parking account. If all these proposals were to be taken forward, the estimated cost would be in the region of £3,500.

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 information

Leigh - High Street, Hildenborough Road & The Green

Description and plan of parking proposals, details of objections/comments received and Officers' comments and recommendation

Appendix 2 - - For decision

Riverhead - Amherst Place, Church Field & Shoreham Lane

Description and plan of parking proposals, details of objections/comments received and Officers' comments and recommendation

Appendix 3 - For decision

Riverhead - Chipstead Lane

Description and plan of parking proposal, details of objections/comments received and Officers' comments and recommendation

Appendix 4 - For decision

Riverhead - Cranmer Road

Description and plan of parking proposal, details of objections/comments received and Officers' comments and recommendation

Appendix 5 - For decision

Riverhead - London Road & Scotts Way

Description and plan of parking proposals, details of objections/comments received and Officers'

comments and recommendation

Appendix 6 - For information

Sevenoaks - St Johns Hill

Description and plan of parking proposals and Officers' comments

Appendix 7 - For information

Swanley - Court Crescent

Description and plan of parking proposals and Officers' comments

Appendix 8 - For decision

Westerham - Madan Road

Description and plan of parking proposal, details of objections/comments received and Officers' comments and recommendation

Sources of Information:

The Traffic Signs Regulations and General Directions 2016

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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