

STATUTORY CONSULTATION - MINOR ON-STREET PARKING PROPOSALS

EYNSFORD, FARNINGHAM, OTFORD, SEVENOAKS AND SWANLEY

Sevenoaks Joint Transportation Board - 13 September 2016

Report of Chief Officer, Environmental and Operational Services

Status: For Decision

Key Decision: No

Executive Summary: The consideration of the results of the statutory consultation regarding minor on-street parking proposals for locations in Eynsford, Farningham, Otford, Sevenoaks and Swanley, 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 19) Order 2016

This report supports the Key Aim of

- Caring Communities
- Sustainable Economy

Portfolio Holder Cllr. Dickins

Contact Officer Jeremy Clark

Recommendation to Sevenoaks Joint Transportation Board:

- (a) the results of the statutory consultation in respect of the parking proposals and the Officer comments/recommendations given in Appendices 1 to 5 be noted;
 - (b) since no objections were received in respect of the Eynsford (Birch Close) parking proposals shown in Appendix 1 and described in the table in paragraph 14 of the report, it be noted that these will be implemented as drawn;
 - (c) the objections received to the Farningham (High Street) parking proposals shown in Appendix 2 and described in the table in paragraph 20 of the report be upheld in part, and the parking proposals be implemented over the extent drawn, but reduced from double yellow lines to a single yellow line, prohibiting parking from Monday to Saturday between 8:30am and 5:30pm;
 - (d) the introduction of double yellow lines in the section of Farningham (High Street) described in the table in paragraph 20 of the report be reconsidered,
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should the property continue to be damaged after the single yellow line has been introduced

- (e) the objections received to the Otford (Bubblestone Road) parking proposals shown in Appendix 3 and described in the table in paragraph 26 of the report be upheld, and the parking proposals be abandoned;
- (f) it be noted that the objections to the Sevenoaks (Hollybush Close) parking proposals were intended for, and will be considered as part of the off-street parking proposals for Hollybush recreation ground car parks. Since no objections were received in respect of the Sevenoaks (Hollybush Close) parking proposals shown in Appendix 4 and described in the table in paragraph 29 of the report, these be implemented as drawn; and
- (g) since no objections were received to the Swanley (Cherry Avenue) parking proposals shown in Appendix 5 and described in the table in paragraph 33 of the report, these be implemented as drawn.

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

- 1 Following requests for the provision of new on-street parking restrictions and/or changes to existing parking restrictions at locations in the Parishes/Towns of Eynsford, Farningham, Otford, Sevenoaks and Swanley, on-street parking proposals were developed by the District Council in liaison with the highway authority, Kent County Council.
- 2 The statutory consultation for these parking proposals was undertaken over a 3-week period during July 2016.
- 3 The purpose of this report is for the Sevenoaks Joint Transportation Board to consider objections, where received, and Officers' comments, and to decide whether or not to proceed with some or all of these proposals.

Introduction

- 4 On 7 July 2016, the statutory consultation commenced in respect of 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 19) Order 2016, hereafter known as "TRO 2013 Amendment 19".
- 5 TRO 2013 Amendment 19 contained a number of minor on-street parking proposals at locations in the Parishes/Towns of Eynsford, Farningham, Otford, Sevenoaks and Swanley that had been developed by the District Council in liaison with the highway authority, Kent County Council following requests received from the community.

- 6 Details of the parking proposals for each of the locations concerned and their objectives are described later in this report, and are shown on the plans in Appendices 1 - 5.
- 7 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 on 7 July 2016.
- 8 In the interests of added publicity, information on the proposals was also sent to local addresses, which included a link to the parking consultation page the District Council's website, providing an online method of responding to the consultation.
- 9 The 3-week statutory consultation period ended on 29 July 2016, and the responses received in respect of the parking proposals are detailed in Appendices 1 - 5, together with Officers comments/recommendations.
- 10 It should be noted that the representations received to the Sevenoaks (Hollybush Close) parking proposals were intended for the statutory consultation for off-street parking proposals for the Hollybush recreation ground car parks, which was being conducted by the District Council concurrently. The representations will therefore be discounted here, and considered as part of the statutory consultation for the off-street parking proposals.
- 11 The representation received to the Swanley (Cherry Avenue) parking proposals does not appear to be objecting to the parking proposals themselves, but instead is suggesting that more needs to be done to prevent commuter parking in the area. This should therefore be discounted as an objection.
- 12 The purpose of this report is for the Sevenoaks Joint Transportation Board to consider the results of the statutory consultation, together with Officers comments given in Appendices 1 - 5 of this report, and decide whether to:
 - (a) Uphold the objections, where received, and abandon or modify some or all of the proposals; or
 - (b) Set aside the objections, where received, and implement some or all of the proposals

(It should be noted that it is only possible to amend proposals by reduction only. Any extension to the proposed restrictions or change of type of restriction would form a new proposal and require re-advertisement.)
- 13 No decision is required from the Board in respect of the parking proposals for Eynsford (Birch Close), Sevenoaks (Hollybush Close) and Swanley (Cherry Avenue), where no objections were received, but these locations have been included for information.

In the Parish of Eynsford

- 14 The parking proposals for Eynsford included in the statutory consultation for TRO 2013 Amendment 19 are shown on the plan in Appendix 1, and consisted of the following:

Road		Proposed changes
Birch Close	North and northwest side, from a point 10m east of the eastern kerb line of Station Road eastwards to the boundary of 5 & 6 Birch Close	New parking restriction prohibiting waiting between 11am and 12 noon, Monday to Friday
Birch Close	South and southeast side, from a point 15m east of the eastern kerb line of Station Road eastwards to the boundary of 5 & 6 Birch Close	New parking restriction prohibiting waiting between 11am and 12 noon, Monday to Friday
Birch Close	North side, from points 10m and 11m east of the eastern kerb line of Station Road (1m length)	Remove existing parking restriction prohibiting waiting at any time
Birch Close	South and southeast side, from points 15m and 16m east of the eastern kerb line of Station Road (1m length)	Remove existing parking restriction prohibiting waiting at any time

- 15 Birch Close is a quiet cul-de-sac located near Eynsford railway station. Much of the kerbside road space has no parking controls, which attracts all-day parking by rail commuters.
- 16 The parking proposals were requested via a small petition signed by residents of Birch Close to improve the safety and efficient movement of traffic which is sometimes compromised by inconsiderately parked vehicles.
- 17 In response to the statutory consultation, 3 responses were received, none of which were opposed to the proposals. A summary of the responses is contained within Appendix 1 of this report, together with Officers' comments/recommendations.
- 18 One of the responses was from Eynsford Parish Council, raising concerns about possible displacement of parking.
- 19 The Ward Councillor, Councillor Horwood has indicated his support for the proposals.

In the Parish of Farningham

- 20 The parking proposals for Farningham included in the statutory consultation for TRO 2013 Amendment 19 are shown on the plan in Appendix 2, and consisted of the following:

Road		Proposed changes
High Street	Northeast side, from a point 54m north west of the northern kerb line of Dartford Road north westwards for 15m	New parking restriction prohibiting waiting at any time to replace section of existing limited wait restriction prohibiting parking for longer periods than 1 hour (with no return within 1 hour) between 8:30am and 5pm, Monday to Saturday

- 21 These parking proposals were developed in response to concerns raised by a resident of the High Street about damage that is frequently being caused to his property by passing vehicles.
- 22 The parking proposals are required to prevent parking in this narrow section of the High Street opposite the property, by replacing a short length of limited wait parking bay with double yellow lines.
- 23 The width of the carriageway at the narrowest point is 4.74m, but the current width available to passing traffic between the parking bay and the property that is just 2.85m. The proposal would therefore reduce the risk of damage to the property by increasing the road space available to passing traffic.
- 24 In response to the statutory consultation, 7 responses were received, of which 5 were opposed to the proposals. A summary of the responses is contained within Appendix 2 of this report, together with Officers' comments/recommendations.
- 25 One of the responses was from Farningham Parish Council, and requested that a single yellow line restriction be introduced instead of the proposed double yellow line restriction, to reduce the impact of the proposals on parking availability in the village.

In the Parish of Otford

- 26 The parking proposals for Otford that were included in the statutory consultation for TRO 2013 Amendment 19 are shown on the plan in Appendix 3, and consisted of the following:

Road		Proposed changes
Bubblestone Road	North side, from a point 37m east of the front wall of the parade of shops (nos. 1-7 Sevenoaks Road), eastwards for a distance of 14m	New parking restriction prohibiting waiting between 7:30am and 8:30am, Monday to Friday
Bubblestone Road	North side, from a point 51m east of the front wall of the parade of shops (nos. 1-7 Sevenoaks Road), eastwards for a distance of 5m	New parking restriction prohibiting waiting at any time

- 27 The parking proposals were requested by local representatives to improve the availability of free on-street parking spaces for local workers and visitors to the village, and to protect a private entrance from parked vehicles, and were approved for statutory consultation by the Joint Transportation Board in March 2016.
- 28 In response to the statutory consultation, 23 responses were received, of which 6 were opposed to the proposals. A summary of the responses is contained within Appendix 3 of this report, together with Officers' comments/recommendations.

In the Town of Sevenoaks

- 29 The parking proposal for Sevenoaks that was included in the statutory consultation for TRO 2013 Amendment 19 is shown on the plan in Appendix 4, and consisted of the following:

Road		Proposed changes
Hollybush Close	Both sides of north-south (block paved) cul-de-sac fronting 1-6 Holly Bush Close, for its entire length	New parking restriction prohibiting waiting at any time

- 30 Holly Bush Close is a quiet cul-de-sac located near the Holly Bush recreation ground and is a short distance from the town centre. Much of the kerbside road space in the block-paved cul-de-sac fronting nos. 1-6 has no parking controls, which attracts some all-day parking.
- 31 The parking proposal was requested by a local representative to supplement improved parking controls on the District Council's off-street parking facilities at the recreation ground, and to mitigate the possible resultant effects of displaced parking. The parking proposals were approved for statutory consultation by the Joint Transportation Board in March 2016.
- 32 This location has been included for information, as the representations that were intended for the statutory consultation for off-street parking proposals for the Hollybush recreation ground car parks, which was being conducted by

the District Council concurrently. The implementation of this parking proposal can therefore proceed without the need for a decision from the Board.

In the Town of Swanley

- 33 The parking proposal for Swanley that was included in the statutory consultation for TRO 2013 Amendment 19 is shown on the plan in Appendix 5, and consisted of the following:

Road		Proposed changes
Cherry Avenue	Both sides, from a point 15m west of the western kerb line of the north-south section of Cherry Avenue fronting nos. 59-67, to a point 15m east of the eastern kerb line of the north-south section of Cherry Avenue fronting nos. 59-67	New parking restriction prohibiting waiting at any time

- 34 This section of Cherry Avenue concerned is a road junction on a bend in the road, and due to its proximity to Swanley railway station and with no parking controls, it attracts some all-day parking by commuters. There is also a religious building, which attracts parking at the junction.
- 35 The parking proposal was requested by a local representative to improve the safety and efficient movement of traffic by prohibiting parking at the junction.
- 36 In response to the statutory consultation, 4 responses were received, a summary of which is also contained within Appendix 5 of this report, together with Officers' comments. It should be noted that, although one of the responses was cited as an objection, it does not appear to be objecting to the parking proposals, but instead is suggesting that more needs to be done to prevent commuter parking in the area.

Other Options Considered and/or Rejected

- 37 Officers have considered the feasibility and desirability of reducing the extent of or abandoning the proposals to which representations were received, and have made recommendations in the Appendices where this is considered appropriate.

Key Implications

Financial

The costs incurred in implementing the proposals will vary depending on the Board's decision, but if all the proposals are taken forward, the estimated total cost would be in the region of £5,000. The District Council can meet this cost 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 formal objections received during this statutory consultation would be reported to the Sevenoaks Joint Transportation Board for a decision to be made on whether to make the TRO as proposed, to vary it (by reduction) or to abandon it.

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 - Eynsford (Birch Close) parking proposals - plan, statutory consultation responses and Officers' comments/recommendations

Appendix 2 - Farningham (High Street) parking proposals - plan, statutory consultation responses and Officers' comments/recommendations

Appendix 3 - Otford (Bubblestone Road) parking proposals - plan, statutory consultation responses and Officers' comments/recommendations

Appendix 4 - Sevenoaks (Holly Bush Close) parking proposals - plan, statutory consultation responses and Officers' comments/recommendations

Appendix 5 - Swanley (Cherry Avenue) parking proposals - plan, statutory consultation responses and Officers' comments/recommendations

Background Papers:

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

Chief Officer, Environmental and Operational Services