

STATUTORY CONSULTATION - MINOR ON-STREET PARKING PROPOSALS

VARIOUS LOCATIONS - TRO 2013 AMENDMENT 29

Sevenoaks Joint Transportation Board - 11 September 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 29) Order 2018 (known as “TRO 2013 Amendment 29”) received during the statutory consultation

This report supports the Key Aim of

- Caring Communities
- Sustainable Economy

Portfolio Holder Cllr. M 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 29) Order 2018 (known as “TRO 2013 Amendment 29”) be noted;
 - (b) the relevant objections received to the parking proposals given in Appendices 1, 3, 7, 8 and 11 of this report be set aside;
 - (c) the relevant objections received to the parking proposal given in Appendix 14 of this report be upheld in part, and the proposal be modified in accordance with the Officers’ recommendation;
 - (d) TRO 2013 Amendment 29 be amended to reflect recommendation (c) above, and be made, and the parking proposals therein be implemented; and
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(e) 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 26 July 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 29) Order 2018, hereafter known as “TRO 2013 Amendment 29”.
- 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 15:
 - Appendix 1 - Cowden - Blowers Hill
 - Appendix 2 - Dunton Green - Station Road (road serving Crescent Cottis)
 - Appendix 3 - Edenbridge - High Street
 - Appendix 4 - Edenbridge - Station Road
 - Appendix 5 - Hextable - Rowhill Road
 - Appendix 6 - Horton Kirby & South Darenth - Forge Lane
 - Appendix 7 - Otford - The Charne
 - Appendix 8 - Riverhead - Shoreham Lane
 - Appendix 9 - Sevenoaks - Bradbourne Road/Camden Road
 - Appendix 10 - Sevenoaks - Buckhurst Avenue (western section)
 - Appendix 11 - Sevenoaks - Lea Road/Weald Road
 - Appendix 12 - Sevenoaks - Mount Harry Road
 - Appendix 13 - Sevenoaks - Solefields Road
 - Appendix 14 - Shoreham - High Street
 - Appendix 15 - Swanley - Pucknells Close

- 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 17 August 2018, objections/comments were received in respect the following parking proposals:
- Appendix 1 - Cowden - Blowers Hill
 - Appendix 3 - Edenbridge - High Street
 - Appendix 7 - Otford - The Charne
 - Appendix 8 - Riverhead - Shoreham Lane
 - Appendix 11 - Sevenoaks - Lea Road/Weald Road
 - Appendix 14 - Shoreham - High Street
- 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 1, 3, 7, 8, 11 and 14 to decide whether, before TRO 2013 Amendment 29 is made, to:
- Endorse the recommendation to set aside the objections and implement the proposals given in Appendices 1, 3, 7, 8 and 11; and
 - Endorse the recommendation to uphold the objections in part, and to modify the parking proposal given in Appendix 14.
- (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 2, 4, 5, 6, 9, 10, 12, 13 and 15, 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 amending or abandoning the proposals given in Appendices 1, 3, 7, 8 and 11, 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 proposal given in Appendix 14 to which the objections were received, but in this case, considered it appropriate to modify the proposal to reflect the views of the local community.

Key Implications

Financial

The costs incurred in implementing the proposals will vary depending on the decision, but if all the proposals in TRO 2013 Amendment 29 are taken forward, the estimated total cost would be in the region of £17,000.

Kent County Council is funding the parking proposals given in Appendices 1, 8, 9, 11 (50%), 14 and 15 through the Combined Member Grant. If all these proposals were to be taken forward, the estimated cost would be in the region of £9,000.

KCC is also funding the parking proposal given in Appendices 11 (50%) and 13, through the Schemes Planning and Delivery budget. The estimated cost of these proposals is in the region of £2,500.

The parking proposals given in Appendix 4 is being funded by a third party at an estimated cost of £1,500.

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 £4,000.

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 were minded to act otherwise, no decision would 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 - Cowden - Blowers Hill
- Description and plan of parking proposals, objections and other comments received and Officers' comments/recommendation

Appendix 2 - For Information - Dunton Green - Station Road (road serving Crescent Cott's) - Description and plan of parking proposal and Officers' comments

Appendix 3 - For Decision - Edenbridge - High Street - Description and plan of parking proposal objection received and Officers' comments/recommendation

Appendix 4 - For Information - Edenbridge - Station Road - Description and plan of parking proposal, comments received and Officers' comments

Appendix 5 - For Information - Hextable - Rowhill Road - Description and plan of parking proposal and Officers' comments

Appendix 6 - For Information - Horton Kirby - Forge Lane - Description and plan of parking proposal and Officers' comments

Appendix 7 - For Decision - Otford - The Charne - Description and plan of parking proposal, objection received and Officers comments/recommendation

Appendix 8 - For Decision - Riverhead - Shoreham Lane - Description and plan of parking proposals, objections and other comments received and Officers' comments/recommendation

Appendix 9 - For Information - Sevenoaks - Bradbourne Road/Camden Road - Description and plan of parking proposals and Officers' comments

Appendix 10 - For Information - Sevenoaks - Buckhurst Avenue (western section) - Description and plan of parking proposal and Officers' comments

Appendix 11 - For Decision - Sevenoaks - Lea Road/Weald Road - Description and plan of parking proposals, objections and other comments received and Officers' comments/recommendation

Appendix 12 - For Information - Sevenoaks - Mount Harry Road - Description and plan of parking proposal and Officers' comments

Appendix 13- For Information - Sevenoaks -

Solefields Road - Description and plan of parking proposal and Officers' comments

Appendix 14 - For Decision - Shoreham - High Street - Description and plan of parking proposals, objections received and Officers' comments/recommendation

Appendix 15 - For Information - Swanley - Pucknells Close - Description and plan of parking proposals and Officers' comments

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

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