

STATUTORY CONSULTATION - MINOR ON-STREET PARKING PROPOSALS

VARIOUS LOCATIONS - TRO 2013 AMENDMENT 31

Sevenoaks Joint Transportation Board - 6 March 2019

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 31) Order 2019 (known as “TRO 2013 Amendment 31”) 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 31) Order 2019 (known as “TRO 2013 Amendment 31”) be noted;
 - (b) the relevant objections received to the parking proposal for Hartslands Road, Sevenoaks in Appendix 9 of this report be set aside;
 - (c) the Board advises on whether the relevant objections received to the parking proposal for Vine Court Road, Sevenoaks in Appendix 9 of this report be upheld, either fully or in part, or set aside;
 - (d) the relevant objections received to the parking proposals for London Road, Sevenoaks and Squerryes Mede, Westerham in Appendices 10 and 11 of this
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report be set aside; and

- (e) 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 24 January 2019 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 31) Order 2019, hereafter known as “TRO 2013 Amendment 31”.
- 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 11:
 - Appendix 1 - Dunton Green - Rye Lane
 - Appendix 2 - Horton Kirby & South Darenth - Montgomery Road
 - Appendix 3 - Sevenoaks - Eardley Road
 - Appendix 4 - Sevenoaks - London Road (A224) outside Station Parade
 - Appendix 5 - Edenbridge - Forge Croft
 - Appendix 6 - Sevenoaks - Mount Harry Road
 - Appendix 7 - Sevenoaks - Seal Hollow Road (B2019)
 - Appendix 8 - Westerham - Delagarde Road
 - Appendix 9 - Sevenoaks - Hartslands Road & Vine Court Road
 - Appendix 10 - Sevenoaks - London Road (A224) near Argyle Road & Eardley Road
 - Appendix 11 - Westerham - Squerryes Mede
- 3 The proposals also included the addition of Squerryes Mede, Westerham as area W4 to Schedule 44 (List of Streets or Parts of Streets for the Issue of Permits) of the 2013 Consolidation Order

- 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 A link for making representations online was also hosted on the District Council's website.
- 6 During the 3-week statutory consultation period, which ended on 15 February 2019, objections were received in respect the following parking proposals:
 - Appendix 9 - Sevenoaks - Hartslands Road & Vine Court Road
 - Appendix 10 - Sevenoaks - London Road (A224) near Argyle Road & Eardley Road
 - Appendix 11 - Westerham - Squerryes Mede
- 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 9, 10 and 11 before TRO 2013 Amendment 31 is made, and to:
 - Endorse the recommendation to set aside the objections and implement the proposal for Hartslands Road, Sevenoaks in Appendix 9 and the parking proposals in Appendices 10 and 11 as drawn; or

Uphold the objections either in part or fully, reject the recommendation to set aside the objections, and formulate a new recommendation to modify or abandon the proposal for Hartslands Road, Sevenoaks in Appendix 9 and some or all of the parking proposals in Appendices 10 and 11; and
 - Advise on whether the relevant objections received to the parking proposal for Vine Court Road, Sevenoaks in Appendix 9 should be upheld, either fully or in part, or set aside, and hence whether the proposal should be modified, abandoned or implemented, as drawn.

(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 given in Appendices 1 to 8 inclusive, 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

- 10 The feasibility and desirability of upholding the objections to the parking proposal for Hartslands Road, Sevenoaks in Appendix 9 and the parking proposals in Appendices 10 and 11, either fully or in part, and amending or abandoning some or all of these parking proposals was considered. However, because the proposals are required to improve the safety and efficient movement of traffic, these options were not recommended.
- 11 The options, in the light of the relevant objections to the parking proposal for Vine Court Road, Sevenoaks are given in Appendix 9.

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 31 were taken forward, the estimated total cost would be in the region of £13,000.

KCC is funding the parking proposal given in Appendices 5, 9 and 10, through the Schemes Planning and Delivery budget. The estimated cost of these proposals is in the region of £5,500.

The parking proposals given in Appendices 3 and 6 are being funded by third parties at an estimated cost of £1,000.

The District Council can meet the cost of the remainder of the proposals from its parking account, at an estimated cost of £6,500.

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 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 Information - Dunton Green - Rye Lane - Description and plan of parking proposal and Officers' comments

Appendix 2 - For Information - Horton Kirby & South Darenth - Montgomery Road - Description and plan of parking proposal and Officers' comments

Appendix 3 - For Information - Sevenoaks - Eardley Road - Description and plan of parking proposal and Officers' comments

Appendix 4 - For Information - Sevenoaks -

London Road (A224) outside Station Parade -
Description and plan of parking proposal and
Officers' comments

Appendix 5 - For Information - Edenbridge - Forge
Croft - Description and plan of parking proposal
and Officers' comments

Appendix 6 - For Information - Sevenoaks - Mount
Harry Road - Description and plan of parking
proposal and Officers' comments

Appendix 7 - For Information - Sevenoaks - Seal
Hollow Road (B2019) - Description and plan of
parking proposal and Officers' comments

Appendix 8 - For Information - Westerham -
Delagarde Road- Description and plan of parking
proposal and Officers' comments

Appendix 9 - For Information - Sevenoaks -
Hartslands Road & Vine Court Road - Description
and plan of parking proposal,
objections/comments received and Officers'
comments/recommendation

Appendix 10 - For Decision - Sevenoaks - London
Road (A224) near Argyle Road & Eardley Road
Description and plan of parking proposal,
objection received and Officers' comments/
recommendation

Appendix 11 - For Decision - Westerham -
Squerryes Mede - Description and plan of parking
proposal, objections and other comments
received and Officers' comments/
recommendation

Background Papers:

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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