

## STATUTORY CONSULTATION - MINOR ON-STREET PARKING PROPOSALS

### VARIOUS LOCATIONS - TRO 2013 AMENDMENT 33

Sevenoaks Joint Transportation Board - 3 December 2019

Report of Chief Officer, Finance & Trading

Status: For Decision

Key Decision: No

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**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 33) Order 2020 (known as “TRO 2013 Amendment 33”) received during the statutory consultation

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#### **This report supports the Key Aim of**

- Caring Communities
- Sustainable Economy

**Portfolio Holder** Cllr. Margot McArthur

**Contact Officer** Jeremy Clark

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#### **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 33) Order 2020 (known as “TRO 2013 Amendment 33”) be noted;
  - (b) the parking proposal for West View Road, Crockenhill in Appendix 3 be withdrawn;
  - (c) the relevant objection received to the parking proposal for Amherst Hill in Riverhead in Appendix 8 of this report be set aside; and
  - (d) the objector 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.

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**Background/Introduction**

- 1 A statutory consultation was undertaken over a 3-week period from 24 October 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 33) Order 2020, hereafter known as “TRO 2013 Amendment 33”.
- 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 14:
  - Appendix 1 - Chevening - Witches Lane, west side, outside nos. 24a & 26
  - Appendix 2 - Crockenhill - Church Road, east side, outside nos. 1 & 3 and 5/6 The Almshouses
  - Appendix 3 - Crockenhill - West View Road, east side, near Main Road
  - Appendix 4 - Edenbridge - High Street (B2026), east side, outside nos. 113 & 127
  - Appendix 5 - Edenbridge - Forge Croft, both sides, near Croft Lane
  - Appendix 6 - Hartley - Round Ash Way, both sides, near Hartley Primary Academy
  - Appendix 7 - Penshurst - High Street (B2188), northwest side, outside Forge Close
  - Appendix 8 - Riverhead - Amherst Hill (A224), northeast side, outside Montreal Cottage
  - Appendix 9 - Sevenoaks - Bradbourne Road, southwest side, outside nos. 83-89
  - Appendix 10 - Sevenoaks - Holly Bush Lane, northwest side, between Park Lane & Holly Bush Close
  - Appendix 11 - Sevenoaks - South Park, south side, near London Road (A224)

- Appendix 12 – Sevenoaks - Suffolk Way, both sides, for its entire length (including service roads)
  - Appendix 13 – Sevenoaks - Vine Court Road, southeast side, outside no. 12
  - Appendix 14 – Westerham - Ash Road, both sides, outside nos. 77/79
- 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 A link for making representations online was also hosted on the District Council’s website.
- 5 During the 3-week statutory consultation period, which ended on 15 November 2019, the only objection received was in respect the following parking proposal:
- Appendix 8 - Riverhead - Amherst Hill (A224), northeast side, outside Montreal Cottage
- 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 objection, together with Officers’ comments and the recommendation given in Appendix 8 before TRO 2013 Amendment 33 is made, and to:
- Endorse the recommendation to set aside the objections and implement the proposals for Amherst Hill, Riverhead in Appendix 8 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 Amherst Hill, Riverhead in Appendix 8
- (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, 2, 4, 5, 6, 7, and 9-14, and hence these can be implemented without a recommendation to the Board. These locations have therefore been included for information.
- 9 Whilst, no written objections were received to the parking proposal for West View Road, Crockenhill given in Appendix 3, it came to light during the consultation that the disabled persons parking bay that was going to be

removed may still required by a blue badge-holding resident. This proposal will therefore be withdrawn from TRO 2013 Amendment 33.

### **Other Options Considered and/or Rejected**

The feasibility and desirability of upholding the objection to the parking proposal for Amherst Hill, Riverhead in Appendix 8, either fully or in part, and amending or abandoning some or all of these parking proposals was considered. However, because the proposal is required to remove a short section of parking bay in order to protect a new vehicular access on to the public highway from parked vehicles, these options were not recommended.

### **Key Implications**

#### Financial

The estimated cost of promoting and implementing the parking proposals in TRO 2013 Amendment 33 is in the region of £3,500.

Those given in Appendices 8 and 10 are being funded by third parties, at an estimated cost of £1,200.

The District Council can meet the cost of the remainder of the proposals, estimated at £2,300, 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 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 - Chevening - Witches Lane - Description and plan of parking proposal and Officers' comments

Appendix 2 - For Information - Crockenhill - Church Road - Description and plan of parking proposal and Officers' comments

Appendix 3 - For Information - Crockenhill - West View Road - Description and plan of parking proposal and Officers' comments

Appendix 4 - For Information - Edenbridge - High Street (B2026) - 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 - Hartley - Round Ash Way - Description and plan of parking proposal and Officers' comments

Appendix 7 - For Information - Penshurst - High Street (B2188) - Description and plan of parking proposal and Officers' comments

Appendix 8 - For Decision - Riverhead - Amherst Hill (A224) - Description and plan of parking proposal and Officers' comments

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

Appendix 10 - For Information - Sevenoaks - Holly Bush Lane - Description and plan of parking proposal, objection received and Officers' comments/ recommendation

Appendix 11 - For Information -Sevenoaks - South Park - Description and plan of parking proposal, objections and other comments received and Officers' comments/ recommendation

Appendix 12 - For Information -Sevenoaks - Suffolk Way - Description and plan of parking proposal, objections and other comments received and Officers' comments/ recommendation

Appendix 13 - For Information -Sevenoaks - Vine Court Road - Description and plan of parking proposal, objections and other comments received and Officers' comments/ recommendation

Appendix 14 - For Information -Westerham - Ash Road - Description and plan of parking proposal, objections and other comments received and Officers' comments/ recommendation

**Sources of Information:**

The Traffic Signs Regulations and General Directions 2016  
[www.legislation.gov.uk/uksi/2016/362](http://www.legislation.gov.uk/uksi/2016/362)

The Road Traffic Regulation Act 1984, as amended.

[www.legislation.gov.uk/ukpga/1984/27](http://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](http://www.legislation.gov.uk/cy/uksi/1996/2489/made)

The Highway Code.

[www.gov.uk/browse/driving/highway-code](http://www.gov.uk/browse/driving/highway-code)

**Adrian Rowbotham**

**Chief Officer, Finance & Trading**