

**STATUTORY CONSULTATIONS - PROPOSED RAPID CHARGING POINT/PARKING BAY FOR ELECTRIC TAXIS - SOUTH PARK, SEVENOAKS**

**Sevenoaks Joint Transportation Board - 7 December 2021**

**Report of:** Deputy Chief Executive and Chief Officer - Finance & Trading

**Status:** For Comment

**Key Decision:** No

**Executive Summary:** The consideration of representations received during the statutory consultations in respect of the provision of a proposed rapid charging point/parking bay for electric taxis in South Park, Sevenoaks

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

- Sustainable Economy
- The Council's commitment to Net Zero 2030

**Portfolio Holder:** Cllr. Margot McArthur

**Contact Officer(s):** Jeremy Clark, Ext. 7323

**Advice to Sevenoaks Joint Transportation Board:** The Joint Transportation Board is asked to endorse the following recommendations, that:

- (a) the representations received during the statutory consultations in respect of the proposed conversion of an existing pay-&-display parking bay into a rapid charging point/parking bay for electric taxis and to granting a licence to install a charging point on the public highway in South Park, Sevenoaks, together with Officers comments, which are detailed in Appendix A to this report, be noted;
- (b) the relevant objections received during the statutory consultations be set aside;
- (c) 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 38) Order 2022 be made, as published, and a licence to install a rapid charging point for electric taxis on the public highway be granted; and
- (e) the objectors be notified of the decision.

**Reason for advice:**

The provision of charging points/parking bays for electric vehicles is aimed at supporting and promoting green travel and providing better management of the public highway.

**Introduction**

- 1 Kent County Council has received Government funding towards charging infrastructure for electric taxis in the County, and has commissioned a service provider to install and maintain the infrastructure.
- 2 A potential viable site for a rapid charging point/parking bay for electric taxis has been identified in South Park, Sevenoaks. The site uses an existing on-street pay-&-display parking bay.
- 3 Before the pay-&-display parking bay can be “converted” into a rapid charging point/parking bay for electric taxis, the traffic regulation order covering the bay must be amended and an associated statutory consultation undertaken.
- 4 The service provider would need a licence to install the charging equipment on the public highway, which also requires a statutory consultation.
- 5 Both statutory consultations were undertaken simultaneously during October/November 2021, and the purpose of this report is for the Board to consider the feedback from the consultations and Officers’ comments, which are detailed in Appendix A, and to consider the advice to endorse the report recommendations.

**Background**

- 6 Kent County Council has received a funding grant from the Government Office for Low Emission Vehicles (OLEV) towards charging infrastructure for electric taxis in the County, and has entered into a contract with a service provider for the provision and maintenance of the infrastructure.
- 7 A number of potential sites for a rapid charging point/parking bay in the Sevenoaks District have been identified and considered, but few of these were viable either on highways grounds or due to the absence of a suitable electricity supply nearby (it should be noted that charging points cannot be sited on existing taxi ranks for legal reasons).
- 8 However, a potential viable location for a rapid charging point/parking bay for electric taxis was identified, in liaison with the supplier, on the south side of South Park, Sevenoaks just east of the entrance to the South Park (Stag Theatre) car park.
- 9 This site uses an existing two-space on-street pay-&-display parking bay, and was chosen because of its proximity to the town centre and taxi ranks, and because it has a wide footway upon which to site a rapid charging point and a suitable electricity supply nearby.

- 10 The proposed parking bay would be available for use by licensed electric or hybrid electrically charged taxis only, with a maximum stay of 1 hour and no return within 2 hours
- 11 In order to “convert” the existing on-street pay-&-display parking bay into a parking bay for electric taxis, Kent County Council must make an amendment order, the effect of which will be to amend the parent traffic regulation order covering the parking bay, namely the Kent County Council (Various Roads in the District of Sevenoaks) (Prohibition and Restriction of Waiting and Loading & Unloading and On-Street Parking Places) (Consolidation) Order 2013, as amended.
- 12 Description of extent of the parking bay in the 2013 Consolidation Order to be amended to reflect extent of parking bay marked on the road.
- 13 The proposed amendment order would be entitled The Kent County Council (Various Roads in the District of Sevenoaks) (Prohibition and Restriction of Waiting and Loading & Unloading and On-Street Parking Places) (Amendment 38) Order 2022 (hereafter known as “TRO 2013 Amendment 38”).
- 14 In accordance with national legislation, this process requires a statutory consultation over a 21 day period and the consideration of any representations received, before TRO 2013 Amendment 38 can be made.
- 15 Additionally, national legislation requires that a statutory consultation be undertaken with frontagers over a 28 day period, before a licence can be granted to a service provider to install objects and structures on the public highway, such as a rapid charging point.
- 16 The statutory consultations for TRO 2013 Amendment 38 and for the proposal to grant a licence for installing the charging point on the public highway in South Park were undertaken simultaneously over a 28 day period from 21 October to 19 November 2021 by Sevenoaks District Council, as agent to Kent County Council.
- 17 During the statutory consultations, 5 responses were received; 2 objecting to 3 and in favour of the proposals, redacted details which are contained in Appendix A to this report.
- 18 The purpose of this report is for the Board to consider the objections received and Officers’ comments, which are detailed in Appendix A, and to consider the advice to endorse the report recommendations.

## **Other options Considered and/or rejected**

The feasibility and desirability of upholding the objections detailed in Appendix A, and abandoning the proposal was considered. However, because the proposals are support and promote green travel, and hence the District Council's Net Zero ambitions, this options was not recommended.

## **Key Implications**

### Financial

The costs incurred in undertaking the statutory consultations and in making TRO 2013 Amendment 38 can be met from Section 106 funding associated with the West Kent Cold Stores development in Dunton Green.

The costs incurred in installing the rapid charging point/parking bay for electric taxis can be met from Kent County Council's funding grant from OLEV.

### Legal Implications

Kent County Council must make traffic regulation order under the Road Traffic Regulation Act 1984 in order to "convert" the existing on-street pay-&-display parking bay into a parking bay for electric taxis.

Before making a traffic regulation order, a statutory consultation procedure must be followed in accordance with The Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996.

Objections made to the traffic regulation order received during this statutory consultation (other than frivolous or irrelevant ones) that are not withdrawn are reported to the Sevenoaks Joint Transportation Board for advice.

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.

Before a licence can be granted to a service provider under Section 115 of Part VIIA of the Highways Act 1980 to install objects and structures on the public highway, such as a rapid charging point, a statutory consultation must be undertaken with frontagers.

### Risk Assessment

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.

## Equality Assessment

The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users.

## Net Zero Implications

Members are reminded of the Council's stated ambition to be Net Zero with regards to carbon emissions by 2030. The decisions recommended in this paper directly impact on this ambition. The impact has been reviewed and there will be a decrease on carbon emissions produced in the district as a result of this decision.

### **Appendices**

Appendix A - Proposed rapid charging point/parking bay for electric taxis, South Park, Sevenoaks - Responses received during statutory consultations (redacted), Officers' comments and location plan

### **Background Papers**

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 Highways Act 1980

[www.legislation.gov.uk/ukpga/1980/66/contents](http://www.legislation.gov.uk/ukpga/1980/66/contents)

The Traffic Signs Regulations and General Directions 2016

[www.legislation.gov.uk/uksi/2016/362](http://www.legislation.gov.uk/uksi/2016/362)

The Highway Code

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

**Adrian Rowbotham**

**Deputy Chief Executive and Chief Officer - Finance & Trading**