

TONBRIDGE & MALLING BOROUGH COUNCIL

JOINT TRANSPORTATION BOARD

13 June 2011

Report of the Director of Planning, Transport and Leisure

Part 1- Public

Matter for Recommendation to Borough Cabinet - Non-Key Decision (Decision may be taken by the Cabinet Member)

1 PARKING ACTION PLAN

Summary

This paper outlines the Borough Council's role in parking management aimed at achieving a fair balance of opportunity between competing demands and helping traffic to flow by promoting safe and considerate parking behaviour. Progress is reported on implementing the Parking Action Plan with a particular focus on the current initiatives, East Malling Local Parking Plan and Phases 5 and 6 of the general programme. The report also deals with a petition concerning the recently installed waiting restrictions in Admiral Moore Drive, Aylesford

1.1 Introduction

- 1.1.1 For the benefit of new Borough Council Members I am presenting broadly similar reports on parking management to the Planning and Transport Advisory Board (PTAB) and to this Board. They provide a little more historical background about the parking service than would be the norm for the regular reports on parking to each of the Boards thereby providing some context for the parking management service and an insight into the subtle differences between the parking remit of each Board.
- 1.1.2 Almost since its inception the Borough Council has operated car parks to support the local economy and to assist residents. A small team of parking attendants patrolled these car parks to ensure that they were being used properly. In parallel, on-street parking enforcement was for many years a matter dealt with by police traffic wardens. Then, in 2000, the traffic warden service was disbanded and for a period there was no on-street enforcement activity. The police decision to abandon on-street enforcement was prompted by the fact that the government of the day had introduced legislation allowing local highway authorities to adopt powers to carry out an enforcement service direct. In shire county areas, the local highway authority is the County Council.

- 1.1.3 The County Council wanted these new powers to be adopted for clear traffic and parking management reasons, given the serious risks associated with a complete lack of any on-street enforcement. However, it did not want to mobilise to carry out this role direct itself. Instead, it sought agency arrangements with the district councils to carry out the on-street patrolling work on its behalf. Subject to there being a proper financial basis, such an arrangement was well justified. The districts all had existing squads of parking attendants for their own off-street enforcement activities and these teams could be readily expanded to subsume an on-street service on behalf of the County Council. By so doing, it provided an integrated approach to on and off street parking management in each district. This therefore has been the model for off and on street parking management in Kent for most of the past decade.
- 1.1.4 Parking enforcement is carried out by a team of ten parking attendants operating out of their base in Tonbridge Castle, except that they are no longer called 'parking attendants' as a result of recent legislative change in the Traffic Management Act 2004. This renamed them as 'Civil Enforcement Officers' (CEOs), that some might consider to be a less than informative change.
- 1.1.5 The CEOs' role is to patrol and enforce parking restrictions both on and off street which are introduced by Traffic Regulation Orders (TRO). These Orders result from work by the Borough Council in its role as the local parking authority, under the previously mentioned agency arrangements with the County Council and also from work by Kent Highway Services on small improvement schemes that it promotes.

1.2 The Parking Action Plan

- 1.2.1 Some years ago, confronted by an almost overwhelming demand from the local community to resolve a whole range of parking related problems, the Borough Council resolved to adopt a **Parking Action Plan** to tackle these requests as systematically as possible. The Plan fell naturally into two discrete parts. The geographic concentration of many requests pointed to an area based approach best dealt with by creating an overall **Local Parking Plan** for the particular area and this was paralleled by a **Phased Programme**.

1.3 The Phased Programme

- 1.3.1 Other parking management interventions that are more 'stand-alone' in character can be dealt with individually, albeit as part of a suitably sized package of sites so that we are able carry out the work practically and economically. Several hundred individual sites have been dealt with in five distinct phases of this part of the Plan. The latest stage, Phase 6, contains some 40 further sites for consideration and this was endorsed at the last meeting of the Joint Transportation Board. The locations and a brief description are listed at **Annex 1**.
- 1.3.2 The way we tackle each phase is to conduct a preliminary stage of informal consultation to ascertain the depth of local feeling about the particular parking

problem. This informal stage allows us to seek views on suggested proposals and to engage with local Members for the particular ward. Once we have this feedback, we report to this Board and seek endorsement of a recommended proposal for each location. This will then be followed by a formal stage where we follow the statutory procedures required to introduce a TRO. If we receive objections these will be brought to this Board so that it can duly and fully consider how these should be dealt with.

1.4 Phase 5 – Parking Action Plan

1.4.1 Installation of the parking restrictions approved for Phase 5 are complete although the contractors work programme was delayed by the extended period of winter weather during December and January followed by cold and wet period during February.

1.5 Local Parking Plans

1.5.1 To date, 14 such area based local parking plans have been developed as follows:

- West Malling
- Borough Green
- Snodland
- Blue Bell Hill
- East Malling – the scheme being currently implemented.
- Tonbridge – nine separate Zones.

1.6 Phase 5 Petition Post Implementation – Admiral Moore Drive, Aylesford

1.6.1 A matter as arisen from Phase 5 that requires the Boards consideration and decision. Parking generated by the Medical Centre and Pharmacy had been taking place along Admiral Moore Drive in the Royal British Legion Village (RBLV) for a number of years and has been tolerated as the surgery car park is frequently full. Complaints about persistent obstruction to sight lines and junctions preventing access to dropped kerbs and wheelchair ramps, were brought to the attention of the Borough Council at a meeting with representatives of the Royal British Legion Village, KCC Highways, local Councillors and the Police

1.6.2 The meeting highlighted the increased difficulties experienced by RBLV residents in crossing the road safely to get to the medical centre and pharmacy due to the persistent high number of vehicles parked along this the road. Many RBLV residents do not have a car and rely on mobility buggies to get to the medical centre and pharmacy.

- 1.6.3 Given the volume of pedestrian activity in the area, the steep hill and bend in the road, it was clear that there were compelling safety reasons for keeping the whole area between the two junctions clear of parked cars. It was agreed by those attending the meeting that there was no reasonable opportunity to park in this section of road in a way that would not compromise safety for other road users and not lead to serious hazard and inconvenience for the many disabled people dependent on buggies for their mobility. It was noted there are two large off-road communal parking areas each side of Admiral Moore Drive just past the junction with McKenzie Close just a short walk away from the Medical Centre and its car park.
- 1.6.4 These circumstances provided the justification for including proposed parking control measures within Phase 5 of the Parking Action Plan and the Board duly approved this. Following our usual practice, Phase 5 was promoted in two distinct stages. There was a first informal fact finding and view gathering stage the results of which were reported to the Board. With the endorsement of the Board, there was then a second and formal stage to introduce the associated traffic regulation order for each of the schemes in Phase 5. Both the Pharmacy and Medical Centre were consulted with an informal letter and an outline plan at the first of these stages followed by a formal Notice at the second stage. Neither the Pharmacy nor Medical Centre took the opportunity to give their views to the proposal at either stage.
- 1.6.5 During the formal stage, Public Notices were prominently displayed around the site for the prescribed consultation period to give customers or patients visiting the Medical Centre or Pharmacy the opportunity to raise formal objections. No objections were raised during the consultation process, so the Traffic Regulation Order was sealed and the restrictions were installed during February thereby completing the legal process and establishing the new parking arrangements in the area.
- 1.6.6 In April, some 2 months after installation, a petition containing 566 signatures was received. It was organised by the Medical Centre on behalf of staff, patients and Pharmacy customers. The Petition will be tabled at the meeting and, in summary, it objects to the parking restrictions and requests their removal. Examination of the petition reveals the origin of the signatories to be widespread including locations as far afield as Dartford, Pluckley, Essex and Dorset. Most signatories are from the surrounding estates of Greenacres and Holtwood and would have parked on the road rather than use the nearby car parks. Only 16 of these signatures are from residents of RBLV. It should be borne in mind that it was RBLV resident concerns about mobility, access and safety that initially prompted the action by the Borough Council and this Board.
- 1.6.7 When the waiting restrictions were introduced they were focused on just the length of road where parking at any time, was creating serious access and safety problems for those RBLV residents with mobility problems and even for other able bodied residents either walking or driving in this neighbourhood. This view is

endorsed by the Police and supported in a letter from the RBLV **Annex 2**. I have seriously and carefully examined the request of the petitioners in conjunction with the Police and local Members. Based on their support for the waiting restrictions, my conclusion is that the inconvenience caused by more constrained parking capacity is substantially outweighed by the safety, accessibility and mobility problems that existed for the residents of the village before these restrictions were installed. For this reason I am recommending that the Board endorses the retention of the waiting restrictions in this area in their present form and the petitioners be advised of this decision.

1.7 The East Malling Parking Plan

- 1.7.1 Implementation of the approved on-street scheme started 9 May and was completed 16 May with enforcement patrols starting the following week to take action in areas where the restrictions are not observed.
- 1.7.2 There have been a few complaints from individual residents with specific issues. Mainly concerning the consultation process or details of the scheme requesting restrictions on the ground should be amended or revoked. This is not unusual at this stage and the scheme should be given time to settle down and monitored before we consider and necessary adjustments. The level of complaint does not represent the majority of residents who appear to be content with the overall plan.
- 1.7.3 The Village Field car park has new bay markings with the cycle stands and a disabled persons parking bay in place. The on-street order and the car park order have been advertised sequentially to protect the surrounding streets from transferred commuter parking. The car park Order received a single objection which will be considered by PTAB 14 June.
- 1.7.4 This means that, pending the decision at the PTAB about the points raised in the objection, enforcement cannot be carried out in the car park. It remains open for commuters use without sanction and the issue of season tickets by the Parish Council stays in abeyance.

1.8 Next Steps

- 1.8.1 The stream of requests for parking interventions continues unabated and it appears to be continuing as steadily as ever. They come from local residents and businesses, Parish Councils and also derive from our own observations and experiences. Many of the requests we receive do not find their way onto any schedule because, even on the most preliminary of assessments, experience indicates a problem without solution or, in some cases, no real problem in the first place. In contrast, those requests where there might be a solution are logged on a holding list and brought forward in manageable batches in future tranches of the phased programme.
- 1.8.2 While the day-to-day flow of general parking requests remains undiminished, the local parking plan work must logically, at some finite time, reach a conclusion.

What will happen then is that, from time to time, each of the plans will need to be periodically revisited and reviewed to ensure that it continues to achieve the parking management objectives that it was set up to achieve in the context of possible changes in parking patterns, new developments or other relevant factors.

- 1.8.3 The immediate programme of such revisits includes West Malling, Borough Green and Snodland and these will be assessed and adjusted after a Local Parking Plan for Aylesford has been completed.

1.9 Management of Double Parking and Dropped Kerb Enforcement

- 1.9.1 The final item for the Board's consideration relates to an operational enforcement matter. The County Council has elected to adopt powers to carry out enforcement of dropped kerbs and against double parking. A paper to the Environment, Highways and Waste Policy Overview and Scrutiny Committee was presented to the last meeting of the Board for information. It is reproduced at **Annex 3**.

- 1.9.2 To ensure a consistent approach to these new enforcement powers across Kent, the County Council is requesting that they be endorsed by each of the JTBs. A recommendation has been framed for the Board accordingly and information on the detailed implications will be included on the Borough Council's website.

1.10 Legal Implications

- 1.10.1 The on-street parking service is undertaken by the Borough Council on behalf of the County Council under the terms of the formal legal agreement.

1.11 Financial and Value for Money Considerations

- 1.11.1 Funding for the implementation of the Parking Action Plan as described in this paper is fully met from existing capital and revenue budgets.

1.12 Risk Assessment

- 1.12.1 The assessment and consultation process applied to parking management should provide the assurance that the Borough Council has the will and ability to adapt the Parking Plans in the light of comment and circumstances to ensure that it achieves a best balance of local parking needs. A regular review of the schemes is crucial to ensure that we can correctly and effectively manage on street parking in these areas as the proposals are either introduced for safety reasons or to provide a more appropriate balance of parking needs

- 1.12.2 A major risk is that scheme proposals encounter significant lack of local support. This risk is mitigated by the considerable effort devoted to ensuring there is widespread consultation on proposals through two stages of informal consultation before any formal stage of consultation is reached. There is also care given to ensuring that schemes are adjusted and adapted in the light of comments and

observations received from the local community without compromising safety of the Council's commitment to deal appropriately with identified safety concerns.

1.12.3 This risk to the smooth implementation of schemes in the Parking Action Plan is mitigated by a clear and sustained emphasis on public consultation and engagement through all stages of scheme development.

1.13 Equality Impact Assessment

1.13.1 See 'Screening for equality impacts' table at end of report

1.14 Recommendation

1.14.1 That the Cabinet be recommended to;

- 1) Note the petition to remove the waiting restrictions that were installed in the RBLV as part of Phase 5 of the Parking Action Plan and, after careful consideration, to endorse retention of the waiting restrictions as installed and that the petitioners be advised accordingly.
- 2) Endorse the enforcement powers on dropped kerbs and double parking set out in Annex 3.

The confirms that the proposals contained in the recommendation(s), if approved, will fall within the Council's Budget and Policy Framework.

Background papers:

contact: Michael McCulloch

Nil

Steve Humphrey

Director of Planning, Transport and Leisure

Screening for equality impacts:		
Question	Answer	Explanation of impacts
a. Does the decision being made or recommended through this paper have potential to cause adverse impact or discriminate against different groups in the community?	No	The required decision makes a positive contribution to the mobility needs of disabled people on the BLV estate.

Screening for equality impacts:		
Question	Answer	Explanation of impacts
b. Does the decision being made or recommended through this paper make a positive contribution to promoting equality?	Yes	See previous answer.
c. What steps are you taking to mitigate, reduce, avoid or minimise the impacts identified above?		

In submitting this report, the Chief Officer doing so is confirming that they have given due regard to the equality impacts of the decision being considered, as noted in the table above.