

PARKING DELIVERY PROTOCOL

In Kent the district councils are responsible for the practical application of parking policy within a framework set by the County Council. This framework consists of policies in the Local Transport Plan (LTP) and Agency Agreements with each authority for the enforcement of decriminalised parking controls. Practical support and the promotion of best practice is through the Kent Parking Group (KPG).

This protocol sets out a framework of common principles for the management of parking, following the ending of the Kent Highways Partnership Agency. It is not intended to be a detailed document.

1. Policy/Strategy

1.1 A balanced integrated transport system, with good quality travel options for all is essential to counter the negative impacts of traffic growth. Effective management of parking is central to this effort to deliver the outcomes set out in the joint Vision for Kent (Keeping Kent Moving). These objectives, and measures to achieve them, are detailed in the LTP. Broadly this comprises:

- implementation of Local Parking Plans (LPP) and
- promotion of best practice through the KPG.

2. Local Parking Plans

2.1 The best way of developing effective local parking systems and ensuring they are fully integrated with transport (LTP/ District Transport Strategy) and planning (Local Plan/ Local Development Framework) objectives and policies is through a Local Parking Plan. To date five have been developed. Other districts have action plans although these have yet to be grouped within a common document covering policies through to delivery. Given changing policies, particularly a new LTP, it is timely for LPP/ action plans to be reviewed.

2.2 The LPP/ action plan process should be led by the district and supported by the County. To help develop parking policies it is proposed to:

- Set up a new structure for the KPG with separate strategic and operational groups covering responsibilities for the development of parking policy, reporting of benchmarking data and promotion of best practice. Strategic group to report to KTOA/ KPOG.

3. Division of Responsibilities

3.1 For clarity it is essential that the division of responsibility be maintained as closely as possible between parking (district) and moving (County).

For example:

- Enforcement matters - district.
- Residents parking - district (common Kent guidelines).
- Parking restrictions to regulate demand - district.
- Limited waiting/ loading - district
- Disabled parking bays - district
- Parking restrictions for movement/ safety - county
- Traffic calming – county

3.2 If any district has difficulty in covering an area of responsibility then the County may be able to assist for a transitional period. Districts should contact their Divisional office to agree short term arrangements.

4. Legal Agreement

4.1 The Agency Agreement for Parking Enforcement does not contain formal powers for political reporting, for the drafting, consulting or the sealing of Traffic Regulation Orders (including those for off street car parks) or for districts to carry out work on the highway.

4.2 Section 3(4) covers TROs: *For the avoidance of doubt this agreement does not confer upon the District Council the power or right to make Traffic Regulation Orders and does not prevent the County Council at its own expense from amongst other things installing and carrying out any related work in respect of signs plates and roadmarkings within the Permitted Parking Area and Special Parking Area.*

4.3 Off Street charges need approval under Section 39 (3) if the charges are made by TRO as follows: *Notice is hereby given that (district) propose to make the above order under section 35 of the Road Traffic Regulation Act 1984, having obtained the consent of the Kent County Council in accordance with Section 39(3) of the Act.*

4.4 Delegation powers were contained within the Agency Agreement for Highways. Some, or all of these, should be formally enabled as part joint systems to ensure the effective delivery of co-ordinated parking schemes (see flow chart in 4.1 below). Further clauses to be prepared additional to the current agency agreement for parking.

5. Traffic Regulation Orders

5.1 The County Council retains responsibility for the sealing of TROs. A district will still be able to undertake development work on a TRO it is promoting, but will need to gain County Council approval for a formal consultation. A flow chart (below) summarises the approval process:

1. Undertake programme development work including new requests
2. Review schemes at regular joint liaison meeting
3. Report and recommend programme to Joint Transportation Board (JTB)

4. JTB to approve programme to consult/ advertise(*)
5. Develop scheme considering representations
- 5a) If no objections proceed with scheme as advertised
- 5b) If objections report to JTB with recommendation to proceed, amend or abandon scheme.
6. Final approval by District Executive or County Council cabinet (or delegated authority) as appropriate.
7. Order sealed by County Council.

(*) Some schemes may require more than one stage of public consultation prior to advertising and approval.

- 5.2 Approval of TROs or consideration of objections may also be dealt with by the chair/ vice chair of the JTB in liaison with relevant ward members.

6. Joint Working

- 6.1 The effective management of parking systems is closely related to the effective management traffic systems and visa versa. It is critical that close links are maintained at officer level to develop integrated programmes and for there to be a common member reporting process for their approval.

- Officer level liaison to be formalised by way of regular meetings (discussions to cover future plans, identifying possible conflicts, availability of resources, liaison with emergency services, agreeing time scales, consultation requirements etc...)
- Member approval to be sought through Joint Transportation Boards

7. Development of Schemes

- 7.1 The lead authority promoting a scheme is responsible for ensuring its development whether in house or via consultants. A district would be able to commission design work from the County Council's retained consultant if it so wished.

8. Funding

- 8.1 In principle the lead authority promoting a scheme is responsible for any costs associated with the scheme, including development, implementation, administration and maintenance. For example, residents parking schemes are a district responsibility, where income can be generated by the issuing of permits and enforcement action.
- 8.2 Any maintenance costs are also to be funded by the lead authority. This may be via a commuted sum.

9. New Works

- 9.1 All scheduled new works on the highway are to be organised through joint County/ District working arrangements outlined in 6.1.

10. Maintenance

- 10.1 Renewal of existing signs and lines needed for effective enforcement can be undertaken directly by the district or by a contractor approved by the County. This covers reinstatement of unsatisfactory works carried out by statutory Undertakers with costs recouped from the body responsible.

11. Public Contact

- 11.1 For clarity it is essential that the division of responsibility be maintained as closely as possible between parking (district) and moving (County). Key areas are outlined in 3.1.
- 11.2 For requests where responsibility is not immediately clear it is essential not to pass the buck but to say this will be considered with a response to follow shortly. The regular officer liaison meeting will review these and agree response from the lead authority.
- 11.3 Policies for future development of parking (assessing parking need, park & ride, business parking etc...) should be jointly agreed through a Local Parking Plan. This process will be led by the district and supported by the County.

12. Resolving of difficulties

- 12.1 The Joint Transportation Board and the Local Parking Plan will be important for addressing any difficulties between County and district. For example reconciling potentially conflicting desires for maximising parking provision compared to objectives to facilitate movement.
- 12.2 In the first instance agreement should be sought via officer working group. It is proposed that the new KPG will monitor how this is working in practice and make recommendations for future.