

TONBRIDGE & MALLING BOROUGH COUNCIL

PLANNING and TRANSPORTATION ADVISORY BOARD

14 June 2011

Report of the Director of Planning, Transport and Leisure

Part 1- Public

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

1 PARKING MANAGEMENT

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. Past and current parking initiatives are reviewed. Current work at East Malling is examined in detail, including consideration of an objection to the recently advertised Traffic Regulation Order for the village car park.

1.1 Introduction

- 1.1.1 To obtain an understanding of how parking management is carried out in the Borough it is helpful to explore the history of the way that the current service has evolved. Almost since its inception the 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.
- 1.1.2 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 Kent 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.

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.

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 the Joint Transportation 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 the JTB so that it can duly and fully consider how these should be dealt with.

1.4 Local Parking Plans

1.4.1 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 current implemented.
- Tonbridge – nine separate Zones.

1.5 Next Steps

1.5.1 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.

1.5.2 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.

1.5.3 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.

1.6 The East Malling Local Parking Plan

1.6.1 The Local Parking Plan for East Malling is noted above as the scheme we are currently implementing. It has been the focus of over a year of detailed consultation and consensus building and it was adopted by the Council a few months ago. Since then, the on-street TROs for the Plan were advertised. This stage drew some local objections that were considered at the last meeting of the JTB. What the Board agreed has now been implemented over recent weeks.

- 1.6.2 The Plan also required the introduction of a separate TRO to cover the changes required to the off street parking order and to make the changes in the conditions of use of the village car park legally enforceable. For operational reasons, this had to be carried out sequentially with the on street order. The new arrangements in the car park will have the inevitable result of curbing a substantial amount of all day commuter parking so the on street changes needed to be in place first to prevent the drivers of these vehicles from simply parking on street and exacerbating the already difficult local parking conditions.
- 1.6.3 The car park is owned by East Malling and Larkfield Parish Council and it was built on land formerly known as The Village Field to provide additional parking facilities for local people. Many of the residential properties in the centre of the village do not have off road parking available and the Planning Conditions required the car park to be preserved for the use of villagers and allotment holders.
- 1.6.4 The Parish Council initially operated a permit scheme for the car park to serve local residents but this was difficult to maintain and lapsed some time ago. As a result, enforcement of the Conditions of Use by the CEOs became impossible as they had no valid means of identifying which vehicles were permitted to park. Over time it became institutionalised as the 'station car park' with all 44 bays regularly occupied by commuters, attracted by the ability to park free all day next to a mainline rail station.
- 1.6.5 The consultation responses highlighted the strong local sentiment about this situation. There was a real feeling of resentment about the domination of the car park by commuters and the loss of an important local amenity for residents and businesses in the village. The proposal that came from the local parking plan consultations was that the proposed on-street residents' preferential permit should apply in the car park and that a four hour limited waiting period for non permit holders should be introduced during the working day to create an effective turnover of car park spaces. This is what was eventually endorsed by the Steering Group that oversaw the development of the Plan and it now features as an important element in the adopted Local Parking Plan. The recently advertised TRO to amend the off street parking order reflected this.
- 1.6.6 One objection has been received to the advertised Order and, as it relates to off street parking, it is for this Board rather than the JTB to advise the Cabinet Member about how it considers this matter should be dealt with. The objection will be tabled at the meeting but, in essence, it is from a commuter who wishes to continue to use the car park for all day parking. The objector makes a specific reference to commuters being pushed out to West Malling station where he asserts that 'facilities are already stretched '. This is not so because a new car park opened at West Malling station last September introducing another 260 or so spaces. It is currently 40% to 50 % filled each day so there is ample additional capacity to cater for any transfer of commuters from the Village Field car park in East Malling.

- 1.6.7 One of the prime aims of the Local Parking Plan was for the Parish Council to retrieve the use of the car park that it owns for the benefit of the local community and discouraging commuter use is a clear and deliberate intention of the adopted Plan. However, the Parish Council in particular and the Steering Group in general recognised that the rail station is important in supporting the vitality of village life and sought to avoid fully excluding all commuter parking. This is why there will be a limited number of season tickets available for use in the car park. This has initially been set at 15 but will be reviewed in the light of experience as the parking plan settles down and the level of local use becomes clear.
- 1.6.8 Given that an essential and critical aim of the Local Parking Plan is to achieve exactly what the person making the representation is objecting to, that is, retrieving the car park from total commuter use, it would be perverse to recommend anything other than that the objection be set aside and the amendment to the order be approved as advertised.

1.7 Legal Implications

- 1.7.1 The recommendation relates to the off street parking order. As such, the legal process is Borough Council business, subject to following the requirements in the relevant sections of the Road Traffic Regulations Act 1984.

1.8 Financial and Value for Money Considerations

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

1.9 Risk Assessment

- 1.9.1 Risks to the smooth implementation of schemes in the Parking Action Plan are mitigated by a clear and sustained emphasis on public consultation and engagement through all stages of scheme development.

1.10 Equality Impact Assessment

- 1.10.1 See 'Screening for equality impacts' table at end of report.

1.11 Policy Considerations

- 1.11.1 Community.

1.12 Recommendations

- 1.12.1 That Cabinet **BE RECOMMENDED** to approve the Tonbridge and Malling Borough Council (Off street Parking Places) (Amendment No 1) Order 2011 as advertised and that the objector be informed accordingly.

The Director of Planning, Transport & Leisure 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 & 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	
b. Does the decision being made or recommended through this paper make a positive contribution to promoting equality?	N/A	
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.