

**TONBRIDGE & MALLING BOROUGH COUNCIL**

**STREET SCENE and ENVIRONMENT SERVICES ADVISORY BOARD**

**31 August 2021**

**Report of the Director of Street Scene, Leisure & Technical Services**

**Part 1- Public**

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

**1 TONBRIDGE TOWN CENTRE - RESIDENTS PARKING SEASON TICKET**

**Summary**

**This report brings forward the outcome of a formal consultation on a one-year trial proposal to reduce the cost of Season tickets in Tonbridge town centre for residents.**

**1.1 Background**

- 1.1.1 At the last meeting of this Board Members considered a proposal to introduce a more affordable Residents Parking Season ticket in Tonbridge on a trial basis, available to those residents in the area shown on the attached plan at **Annex 1**. The proposal aims to address significant obstructive and unlawful parking problems in the area, improve utilisation of the Council's car parks and generate additional income.

**1.2 Proposal**

- 1.2.1 The proposal approved for consultation is for a more affordable season ticket priced at £350 per annum (inc. VAT). The season ticket enables parking by local residents in Sovereign Way North, Sovereign Way East and Vale Road car parks. The proposal will offer a limited number of 100 season tickets to gauge demand and the impact on the car park capacity. This could generate up to £29,000 of additional income to the Council if all the tickets were purchased. It is also based on a one-year trial.

**1.3 Consultation process**

- 1.3.1 Off Street parking places may be provided by the Borough Council under section 32 of the Road Traffic Regulation Act 1984. Under section 35 of the 1984 Act, the Council is further empowered to make provision for such matters as-

(i) the use of the parking place, and in particular the vehicles or class of vehicles which may be entitled to use it,

- (ii) the conditions on which it may be used,
- (iii) the charges to be paid in connection with its use

- 1.3.2 The use of parking places within these car parks is governed by an existing car parking order under the 1984 Act, namely the Tonbridge & Malling (Off Street Parking Places) Order 2021. This order provides that season tickets may currently be purchased at an annual price of £1020 (monthly cost £120), with off-peak season tickets (4pm to 9am the following day) available at an annual cost of £290. Season tickets in the Sovereign Way East & Vale Road car parks are available at the same cost, with season ticket holders in these 3 car parks (collectively known as the Sovereign Way complex) able to park in any of the 3 car parks Monday to Saturday.
- 1.3.3 To alter or introduce new charges for parking the Council must promote a revised Traffic Regulation Order or make an Amendment to its existing Orders, in accordance with the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996.
- 1.3.4 In order to make these changes, the Council will be required to undertake a prescribed procedure (as set out in the 1996 regulations), including a statutory consultation and invite objections, and any objections can then be considered by Member of this Board. At the last meeting of this Board it was recognised that given that the proposal is to offer a reduced price season ticket to residents within a restricted locality, with season tickets elsewhere remaining at their existing rates i.e. the creation of a preferential parking rate, a wider consultation (i.e. over and above the minimum statutory consultation) should be undertaken. This allows Members to consider the potential impact of the proposals upon parking provision generally, and to ensure that it approaches the exercise of its parking functions fairly and consistently across the Borough.
- 1.3.5 The statutory consultation took place between 9<sup>th</sup> July and 1<sup>st</sup> August 2021 and was conducted in accordance with the usual legal principles. This included the following-
- Notices in the car parks and in local newspapers, inviting objections
  - Letters to residents that would be affected by the proposals
  - Documents placed on-deposit at Council Offices and on the Council's web pages for comment and invitation of objections

## **1.4 Outcome of consultation**

- 1.4.1 The statutory consultation and invitation of objections produced the following responses.

- 1.4.2 38 responses were received during the consultation, with the majority through the Council website's online reporting form.
- 1.4.3 Of the 38 responses, 35 were in support of the proposed changes, and 3 were objections. The details of each response (redacted of personal information) are included in **Annex 2**.
- 1.4.4 The three objections were each from residents of Tonbridge, but notably they were from addresses a considerable distance from the town centre, and none would be eligible for a town centre resident season ticket under this proposal. The details of the objections and the Council's response to those is shown in **Annex 3**.
- 1.4.5 Taking into account the outcome of the consultation it is proposed that the proposals be implemented for a one year trial from 1<sup>st</sup> October 2021.

## **1.5 Legal Implications**

- 1.5.1 As outlined in the report

## **1.6 Financial implication**

- 1.6.1 The proposal could generate up to £29,000 of additional income to the Council.

## **1.7 Risk Assessment**

- 1.7.1 The impact of the trial will be assessed after a full year to enable Members to consider whether it is appropriate to continue with the reduced charge for residents. The temporary nature of the proposal will also enable the car park to be considered as part of any future development opportunities for the town centre.

## **1.8 Equalities Impact Assessment**

- 1.8.1 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. A number of positive comments were received from pensioners regarding making the season ticket affordable to them.

## **1.9 Policy considerations**

- 1.9.1 Asset Management, Community, Customer Contact, Health and Safety

## **1.10 Recommendations**

It is **Recommended to Cabinet that-**

1. the objections be noted but set aside, in light of the Council's responses to those objections,

2. the proposal for a one year trial of a Tonbridge Residents Season ticket be introduced from 1<sup>st</sup> October 2021 as advertised, and
3. a review after one year be reported to this Advisory Board.

The Director of Street Scene, Leisure & Technical Services confirms that the proposals contained in the recommendation(s), if approved, will fall within the Council's Budget and Policy Framework.

Background papers:

contact: Andy Bracey

Annex 1 – Plan of area covered by proposals

Annex 2 - Consultation responses

Annex 3 – Objections and the TMBC responses

Robert Styles

Director of Street Scene, Leisure & Technical Services