

TONBRIDGE & MALLING BOROUGH COUNCIL

JOINT TRANSPORTATION BOARD

07 March 2022

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

Part 1- Public

Matters For Decision

1 PARKING ACTION PLAN, PHASE 13

Summary

The Borough Council has for many years divided requests for new and revised parking restrictions into separate phases of the “Parking Action Plan”.

This report covers the investigation and informal consultation stage of the parking restriction proposals contained in Phase 13 of the Parking Action Plan, and seeks approval to proceed to formal consultation.

1.1 Introduction

- 1.1.1 Following the September 2021 meeting of the Joint Transportation Board, investigations into proposed parking changes have been undertaken at 33 sites across the Borough.
- 1.1.2 Initial assessment of the locations was carried out and where appropriate, proposals were drawn-up.
- 1.1.3 One location (Ph13-32 Tonbridge – Lawrence Road) could not be assessed in the timeframe between reports as the issue related to school traffic that has been significantly affected by the Covid-19 pandemic. It is being held-over to the next Phase of the Parking Action Plan.
- 1.1.4 Another location (PH13-33 Leybourne – Roundhay and Oxley Shaw Lane) was assessed but no evidence of the reported issue was observed so wasn't taken forward to informal consultation.

1.2 Phase 13 - Informal Consultation

- 1.2.1 Informal consultation was carried out on the remaining 31 locations from 7th to 30th January 2022 and letters were sent directly to the frontagers affected.
- 1.2.2 A list of all the locations, the issues raised and a recommendation for each is included in **Annex 1**.

- 1.2.3 **Annex 2** contains each location summary, with more detail as to the response rate, analysis and recommendation.
- 1.2.4 **Annex 3** contains plans of the Phase 13 proposals that were circulated for as part of the consultation.
- 1.2.5 **Annex 4** contains a revised plan in relation to Mill Street in East Malling, reflecting the recommendations set out in Annexes 1 & 2
- 1.2.6 **Annexes 5-1 to 5-31** contains a redacted copy of all the consultation responses relating to the Phase 13 proposals that have been received within the consultation period.

2 LEGAL IMPLICATIONS

- 2.1.1 The powers allowing the Borough Council to carry out parking management activity are contained in the Road Traffic Regulation Act 1984, supplemented by formal agreement with Kent County Council as the Local Highway Authority, in respect of its powers under the Traffic Management Act 2004. In particular, Page 15 4 JTB - Part 1 Public 21 September 2020 section 122 of the Road Traffic Regulation 1984 Act imposes a general duty on local authorities exercising functions under the Act to secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians) and the provision of safe and adequate parking facilities on and off the highway.
- 2.1.2 The Borough Council carries out parking enforcement under an Agency agreement with Kent County Council by way of a Traffic Regulation Order, under the terms of the Road Traffic Act 1988 (and its amendments), the Road Traffic Regulation Act 1984 and the Traffic Management Act 2004.
- 2.1.3 Changes to parking charges are made via an Amendment Orders to the Council's on and off-street parking Traffic Regulation Orders, using the procedures set out in the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 and will reflect any temporary amendments to procedures introduced to address Covid-19 restrictions. The proposals have followed and exceeded the requirements of the Local Authorities' Traffic Orders (Procedure) (England & Wales) Regulations 1996
- 2.1.4 The matters raised in this report are considered to be routine, uncontroversial or not legally complex and a legal opinion has not been sought on these proposals.

2.2 Financial and Value for Money Considerations

- 2.2.1 Funding for the development of the Parking Plan is provided within existing revenue budgets.

2.3 Risk Assessment

2.3.1 The comprehensive assessment and consultation process applied to Parking Action Plans provides the assurance that the Borough Council has the will and ability to adapt proposals brought forward, in the light of comment and circumstances, and to ensure that it achieves a best balance of local parking needs. A regular review of the schemes is crucial to ensure that the Council correctly and effectively manages 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.

2.3.2 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 both informally and formally.

2.4 Equality Impact Assessment

2.4.1 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.

2.5 Policy Considerations

2.5.1 Asset Management

2.5.2 Communications

2.5.3 Community

2.5.4 Customer Contact

2.5.5 Health and Safety

2.6 Recommendations

It is **RECOMMENDED** that the recommendations for each location for Phase 13 shown in **Annex 1** to the report be adopted and where appropriate the proposals be taken forward to formal consultation.

Background papers:

Annex 1 – List of locations and recommendations

Annex 2 – Location summaries

Annex 3 – Plans of proposals at consultation

Annex 4 – Revised plan DD/591/12A

Annexes 5-1 to 5-31 – Redacted consultation response

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