

TONBRIDGE & MALLING BOROUGH COUNCIL
JOINT TRANSPORTATION BOARD

04 March 2024

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

Part 1- Public

Matters For Decision

1 PARKING PROPOSALS AND CHANGES TO ON-STREET PARKING FEES AND CHARGES

Summary

This report presents Members with the outcome of the recent formal consultation on changes to the Traffic Regulation Order with regard to on-street parking fees and charges and makes recommendations to the Borough Council's Cabinet.

1.1 Introduction

- 1.1.1 At the October and November 2023 meetings of Cabinet, Members considered and approved a number of proposals relating to both on and off-street parking fees and charges subject to full formal consultation.
- 1.1.2 The details of the on-street proposals are shown in **Annex 2**. These proposals included amendments to on-street parking arrangements in Avebury Avenue, Tonbridge, the introduction of charges to the High Street and Swan Street in West Malling and changes to the loading bay in West Malling High Street.
- 1.1.3 To enable the charges to be introduced a new on-street Traffic Regulation Order amendment is required.

1.2 Changes to on-street fees and charges and parking arrangements – Formal Consultation

- 1.2.1 The statutory process for making a Traffic Regulation Order requires that the Borough Council undertakes a formal consultation on the proposed changes for a minimum of 21 days. In light of the wide-ranging nature of the changes, and to improve community engagement, the Council decided to extend the consultation period beyond the minimum requirements. The formal consultation was carried out between 24th November 2023 and 7th January 2024.
- 1.2.2 As part of the consultation process, the following actions were progressed, inviting comments or objection;

- Notices were placed in each on-street Pay & Display area and by each pay and display machine.
- Adverts were placed in the local media
- Letters were sent to each Member of the Borough Council and local Parish Councils
- Letters were sent to all statutory consultees (Police, Fire, Bus operators etc.)

1.2.3 Consultation information was also placed on the Borough Council's website which was linked to a comprehensive on-line consultation portal. A copy of the consultation questions are shown in **Annex 6**.

1.3 Consultation responses

1.3.1 Through the use of the on-line consultation portal we asked a series of 10 questions that covered the proposals linked to both the on and off-street parking fees and charges. Responses for consideration by this Board relate only to the on-street changes which have been broken down by question and subject area.

1.3.2 The consultation took advantage on an online response form to collect and collate responses. Direct email responses and replies in writing were also received and considered. All of the responses are included in **Annexes 9.1 to 9.4**.

1.3.3 One of the merits of the online consultation form is that it allows easy access and the public can comment on all of the issues. This has led to a number of situations where responders have commented several times, on differing questions, but answering in relation to one topic only – for example, commenting on the potential changes in Avebury Avenue or the on-street changes in West Malling, but “copy and pasting” the response in to every question.

1.3.4 The level of response and public engagement was significant for this sort of issue and the indications from the responders can clearly be seen.

1.3.5 Responses were also received from key stakeholders including Parish Councils, Chambers of Commerce, Churches, schools etc on the proposals. These are all included at **Annex 7** for Members consideration in the relevant sections later in this report.

1.4 Avebury Avenue

1.4.1 The proposals in Avebury Avenue are to remove the on-street parking machines in Avebury Avenue Tonbridge (west of Holford Street) and the area be changed to permit parking only to add capacity to the D1 permit parking area, as shown in **Annex 4**.

1.4.2 A Statement of Reasons for the proposal is shown in **Annex 3**, with the proposal aimed at better meeting the needs of town centre visitors and residents.

1.4.3 The number of respondents on this issue are shown below;

Object to proposal	Support proposal	Not specific
135	77	5

1.4.4 The 10 most frequent response categories for this issue are shown in the following table, with the full list of response categories and their frequencies are shown in **Annex 8**

Comment	Number of comments made	Rank
Non-specific comments (or not relevant to proposal)	28	1
Impact businesses / local services / Church	9	2
Deter visitors / customers	8	3
Favourable to residents	4	4
Not necessary / not wanted	3	5
Cost of living	3	5
Impact on school drop-off /pick up	3	5
Really useful parking keep as is	2	8
Money making	2	8
Seems sensible	1	10
Political comment	1	10
Suggest dual use Resident and P&D	1	10

1.4.5 Analysis

1.4.6 A significant number of comments in response to this element of the consultation relate to other proposals – for example, the comments relating to school pick-up and drop-off, or church attendees are not relevant as there are no schools or churches nearby that are affected by the changes.

1.4.7 There were also comments that the resident parking bays in Avebury Avenue should be made available to the residents of Iron, Steel and Copper Houses – developments on Avebury Avenue that are currently excluded from the D1 permit parking area. This could provide additional parking opportunities for the residents in the D1 area.

1.4.8 Recommendations

1.4.9 It is recommended that the proposals for Avebury Avenue are considered by members of the Board, including the potential inclusion of the residential

properties in Iron, Steel and Copper Houses and the on-street Traffic Regulation Order be amended to this effect.

1.5 West Malling High Street and Swan Street – introduction of charges

1.5.1 There are two proposals for West Malling; to introduce charges to on street parking bays in West Malling High Street and Swan Street and to amend the operation of the loading bay area to the front of Tesco on the High Street.

1.5.2 The proposals for the introduction of charges are shown on the plans in **Annex 4**

1.5.3 A Statement of Reasons for these changes are shown in **Annex 3** with the aim to address the abuse of the current arrangements and increase the opportunity for shoppers to visit the town centre.

1.5.4 The number of respondents on this issue are shown below;

Object to proposal	Support proposal	Not specific
682	39	5

1.5.5 The 10 most frequent response categories for this issue are shown in the following table, with the full list of response categories and their frequencies shown in **Annex 8**

Comment	Number of comments made	Rank
Impact businesses / local services / Church	294	1
Deter visitors / customers	199	2
Improved enforcement needed, should enforce the 1 hour existing	105	3
1 hour free very useful	68	4
Money making	55	5
Impact on school drop-off / pick up	55	5
Displace parking to free areas / residential streets	52	7
Not necessary / not wanted	33	8
15, 30 minute, 1 hour or 2 hour free tickets (high charges for longer parking)	33	8
Cost of living	26	10

1.5.6 Analysis

1.5.7 It is important to note that this proposal asks people if they want to pay for something that so far has been available to them for free. It is therefore not surprising that a majority of respondents stated that the changes were not wanted.

- 1.5.8 The highest ranked comments represented concerns about the impact of charges (and the removal of 1 hour free parking) on local businesses, closely followed by comments that the changes would deter visitors from visiting the town. There was a similar response when charges were introduced to the High Street short-stay car park in the town in 2016, which did not transpire.
- 1.5.9 It can also be argued that the proposals will enable more accessibility to High Street businesses which should increase footfall and turnover.
- 1.5.10 It is important to note that the proposal does not represent the complete removal of free parking in West Malling – unrestricted free parking will still be available for cars in St Leonards Street and Water Lane, and for up to 2 hours in Norman Road / Offham Road area to the west of the town and Town Hill and Nevill Court area to the north.
- 1.5.11 The Council currently permits a “walking bus” to operate from the High Street car park on school days in the mornings, and allows free parking from 3pm in the Ryarsh Lane car park to assist with the school pick-up time. No change to this arrangement that supports parents and the local school are proposed.
- 1.5.12 There was also significant comment that there should be more parking enforcement of the restrictions – not just the parking bays, but the double yellow lines, and that the enforcement should cover wider time periods than currently available. An increase in the level of parking enforcement is an issue that will need to be considered once final decisions have been taken by Cabinet on both on-street and off-street parking proposals.
- 1.5.13 68 responses indicated a wish to retain the 1 hour free parking. This is however difficult to enforce and is currently frequently abused by those wishing to stay longer. Tackling abuse of the bays in the central area of West Malling in High Street and Swan Street, to create a greater opportunity for shoppers and visitors was a key aim of the proposals.
- 1.5.14 It is also important to note that such an arrangement would create an inequity between the arrangements for West Malling and the current on-street parking arrangements in Tonbridge. The current on-street Pay & Display parking in Tonbridge does not include any free of charge arrangements.
- 1.5.15 **Recommendation**
The proposals for the introduction of on-street charges in West Malling High Street and Swan Street should be introduced as drawn and the on-street Traffic Regulation Order be altered to reflect this.

1.6 Changes to Loading Bay, West Malling

- 1.6.1 The proposals are shown on the plans in **Annex 5**.

1.6.2 A Statement of Reasons for the change are shown in **Annex 3**, with the aim to address significant problems with obstructive parking which impacts on buses and the ability for deliveries and collections to take place.

1.6.3 The number of respondents on this issue are shown below;

Object to proposal	Support proposal	Not specific
242	164	6

1.6.4 The 10 most frequent response categories for this issue are shown in the following table, with the full list of response categories and their frequencies shown in **Annex 8**.

Comment	Number of comments made	Rank
More enforcement needed / bigger signs	50	1
Not necessary / not wanted	48	2
Losing too many parking spaces / not enough spaces	39	3
Impact businesses / local services	21	4
Parking here is dangerous	20	5
Non-specific comments (or not relevant to proposal)	15	6
Support	15	6
Will affect carers / elderly visiting Tesco and Boots	8	8
Deter visitors / customers	6	9
More disabled parking, or parent and child parking	6	9

1.6.5 Analysis

1.6.6 The lead comment was that there should be more enforcement, and/or that the signs should be bigger.

1.6.7 The signs already meet the national requirements for this sort of restriction and the Council already carries out a high level of enforcement in this area, resulting in a high level of PCN issue for a short section of restriction.

1.6.8 The signs also meet standards for a conservation area, so are similar in design but smaller than those normally used. Given the comments relating to the size of the signs, consideration should be given to any new signs at this location being at the standard size rather than the reduced conservation size, however, it is recommended that the views of the local Members are sought on this detail.

1.6.9 With regard to parking enforcement, this is an issue that needs to be considered as the current usage of the location is considered to be dangerous by respondents.

1.6.10 Recommendation

The proposal for the loading bay in West Malling High Street should be introduced

as drawn, the future level of enforcement and size of signs be reviewed and the on-street Traffic Regulation Order be altered to reflect this.

1.7 On-Street Fees and Charges

1.7.1 The proposals are shown in the advertisement at **Annex 2** and the Draft Traffic Regulation Order at **Annex 1** and cover two elements;

- increases to the on-street Pay & Display parking charges (T1.1, 1.2, 1.3, T2, T3 & T4 in **Annex 2**) collected through ticket machines and the phone payment system, and
- variations to the on-street parking permit charges (T7.3, 7.4, 7.5 & 7.6 in **Annex 2**).

1.7.2 The number of respondents on this issue are shown below;

Object to proposal	Support proposals	Not specific
394	26	4

1.7.3 The 10 most frequent response categories for this issue are shown in the following table, with the full list of response categories and their frequencies are shown in **Annex 8**

Comment	Number of comments made	Rank
Impact businesses / local services	69	1
Cost of living / too expensive	55	2
Deter visitors / customers	52	3
Non-specific comments (or not relevant to proposal)	37	4
Money-making	26	5
Not necessary / not wanted	19	6
Short free period needed	13	7
Price rises too frequent / too large / too high already	12	8
More parking enforcement needed	9	9
Displace parking to free areas	7	10
Want evidence of costs increasing	7	10

1.7.4 Analysis

1.7.5 Whilst it is never popular for any prices to increase, the Council's proposals are felt to represent a balanced set of changes, aimed at increases to cover the costs

of its services against increasing inflation costs, and to recognize that parking charges have not been increased for two years.

1.7.6 The costs for on-street P&D parking set by Cabinet mirror the proposals for off-street parking, so there is no differential between the two.

1.7.7 **Recommendation**

That the changes to the on-street fees and charges be implement as advertised, and the on-street Traffic Regulation Order be altered to reflect this.

1.8 Next Steps – Implementation

1.8.1 It is intended that the recommendations in this report will be taken forward to the Borough's Cabinet in April 2024, for consideration alongside the off-street parking changes that were consulted upon at the same time.

1.8.2 Subject to the outcome of the Cabinet meeting, the changes would be implemented through the summer of 2024, as some of the changes require the procurement of equipment and services that have variable lead-in times.

1.9 Legal Implications

1.9.1 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, 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.

1.9.2 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.

1.9.3 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.

1.10 Financial and Value for Money Considerations

1.10.1 Funding for the implementation of the proposals in this report will come from existing revenue budgets and capital funding which will be subject to the outcome of Cabinet.

1.10.2 The review of the on-street car parking fees and charges was progressed within the context of a set of guiding principles, the cost of the parking service to the Council and ongoing investment in the parking management service. Details were reported to the September and November 2023 meetings of the Community and Environment Scrutiny Select Committee.

1.11 Risk Assessment

1.11.1 The comprehensive assessment and consultation process applied to the review of on-street parking charges 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.

1.12 Equality Impact Assessment

1.12.1 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.

1.13 Policy Considerations

1.13.1 Asset Management

1.13.2 Communications

1.13.3 Community

1.13.4 Customer Contact

1.13.5 Health and Safety

1.14 Recommendations

1.14.1 It is RECOMMENDED to Borough Council Cabinet that:-

- The proposals for Avebury Avenue, Tonbridge be considered by Members of the Board, including the potential inclusion of the residential properties in Iron, Steel and Copper Houses, and the on-street Traffic Regulation Order be amended to this effect.
- The proposals for the introduction of on-street charges in West Malling High Street and Swan Street should be introduced as drawn, and the on-street Traffic Regulation Order be altered to reflect this.
- The proposal for the loading bay in West Malling High Street should be introduced as drawn, the future level of enforcement and size of signs to be reviewed and the on-street Traffic Regulation Order be altered to reflect this.
- That the changes to the on-street fees and charges be implemented as advertised, and the on-street Traffic Regulation Order be altered to reflect this.

Background papers:

Annex 1 Draft Traffic Regulation Order
 Annex 2 TRO Advertisement
 Annex 3 TRO Statement of Reasons
 Annex 4 Plan of on-street changes in Avebury Avenue,
 Tonbridge
 Annex 5 Plans of on-street changes in West Malling
 Annex 6 Consultation questions
 Annex 7 Stakeholder responses (on-street)
 Annex 8 On-street response frequency
 Annex 9 Consultation responses (redacted)

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