

# TONBRIDGE & MALLING BOROUGH COUNCIL

## CABINET

02 April 2024

### Report of the Director of Street Scene, Leisure & Technical Services & Director of Finance & Transformation and Interim Deputy Chief Executive

#### Part 1- Public

#### Executive Key Decisions

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

### 1.1 Introduction

1.1.1 At its October and November 2023 meetings Cabinet considered and approved a number of proposals relating to both on and off-street parking fees and charges subject to full formal consultation.

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

1.2.1 The Council's proposals represent a range of changes in the way that the Council delivers its parking services, most notably changes to both on and off-street parking charges and the associated on and off-street Traffic Regulation Orders.

1.2.2 To present a complete picture to the public of the Council's proposed changes, the on and off-street changes were both advertised at the same time. Following the consultation exercise, the procedure is that the outcome of the on-street changes are considered by the Joint Transportation Board for recommendation to Cabinet and the outcome of the off-street changes are reported direct to Cabinet.

1.2.3 The statutory process for making or amending Traffic Regulation Orders requires that the 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.

### 1.3 On-street consultation

1.3.1 The outcome of the on-street parking consultation was considered by the Joint Transportation Board on 4th March 2024.

1.3.2 The Joint Transportation Board report is shown in **Annex 1**. The Board made the following recommendations to Cabinet -

- The proposals for Avebury Avenue, Tonbridge to remove the current on-street Pay and Display be approved, 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 with the inclusion of no charge for up to 1 hour of parking 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.
- 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.

1.3.3 Cabinet are asked to consider the recommendations from the Joint Transportation Board.

#### **1.4 Off-Street Consultation**

1.4.1 The off-street proposals (shown in the previous reports Annexes 2A and 2B) include;

- The introduction of charges to Martin Square car park in Larkfield
- The introduction of parking charges into Bailey Bridge (East) and Bailey Bridge (West) car parks in Aylesford
- The extension of Bailey Bridge (East) car park in Aylesford
- The extension of Upper Castle Field car park in Tonbridge
- The change of use of parking spaces in Castle Grounds car park in Tonbridge
- Revisions to the off-street parking tariffs
- Revisions to the times of operation of the off-street parking arrangements, with charging periods extending until 8pm, and operating every day (including Sundays and Bank Holidays)

1.4.2 The public notice for the off-street changes is shown in **Annex 3**.

1.4.3 The proposed changes require a change to the Council's off-street Traffic Regulation Order, as shown in **Annex 4**.

1.4.4 Details of off-street parking charges applied by neighbouring local authorities are shown at **Annex 5**.

## 1.5 Parking Charges in Martin Square, Larkfield

1.5.1 The proposal for Martin Square car park in Larkfield is to introduce parking charges, payable by Pay & Display and by the Council's phone payment service.

1.5.2 The car park currently has no parking charges but is well used. Whilst it is intended to serve the shops, the car park experiences low turnover long-stay parking which reduces the availability of spaces for all users. This includes staff working in the local businesses and the nearby Medical Centre (even though this has its own parking facilities).

1.5.3 Season tickets for those requiring regular long-stay parking are also proposed, as this would help manage the usage of the car park. It would also act as a deterrent for those that do not need to be there, could travel by more environmentally friendly means or could park elsewhere, freeing-up parking opportunities for customers.

1.5.4 The proposed parking changes would apply 8am to 8pm every day, including Sundays and Bank Holidays.

1.5.5 The introduction of charges would assist in covering the costs of the management and maintenance of the car park, the provision of CCTV, parking enforcement and improvements.

1.5.6 The Council has had requests for additional disabled parking bays and motorcycle parking and is also looking to introduce electric vehicle charging facilities and provide CCTV to improve safety.

1.5.7 The full Statement of Reasons for all the proposals is shown in **Annex 6**.

1.5.8 As part of the consultation, the number of respondents on this issue are shown below.

Object to charges	Support charges	Object to season tickets	Support season tickets	Not specific
2029	195	995	261	29

1.5.9 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 for all the proposals are shown in **Annex 7**.

Comment	Frequency	Rank
Negative effect on local businesses / services / library	667	1
Deter customers	393	2

Comment	Frequency	Rank
Should offer free short period - or reduce time limit	370	3
Displace to Morrisons / local streets	273	4
Effect local residents / increase parking on local roads	184	5
Not needed	138	6
Money-making / unnecessary	125	7
Can't afford to pay for parking / cost of living	124	8
Lack of parking at Doctors	123	9
School pick-up problem	114	10

1.5.10 Stakeholder responses to the consultation for all the proposals are shown in **Annex 8**.

1.5.11 A full breakdown of the responses received to the consultation are shown in **Annex 9**.

1.5.12 Amongst the stakeholder responses, East Malling & Larkfield Parish Council responded with a number of points relating to the proposals, expressing concerns over potential displacement parking to the grassed areas near the toilet block, to the rear accesses to the shops and to Magpie Close.

1.5.13 It also commented that the proposals may deter visitors or create problems for those wishing to use the local facilities. This was also a comment made by the local trading association in a meeting with the Leader of the Council. The full text of the Parish Council's response is contained within **Annex 8**.

1.5.14 Officers have carefully considered the Parish Council's response, and whilst there is understanding for the concerns raised in relation to displacement parking and the potential deterrent of users, any deterrent is likely to be short-term, as users will still need to access the local services.

1.5.15 The comments relating to the planning permission from 1964 that the car park was to serve the shops and the flats above is supported by the Council's current proposals as the proposals include facilities for the occupants of the shops and residential properties to obtain season tickets, at rates that are significantly advantageous when compared to the other proposed charges.

1.5.16 The other issues raised in the Parish's response are beyond the Borough Council's control – for example, operation of the Health Centre. It should be noted that the Health Centre has chosen to sacrifice some of its own parking facility to expand their operation through the use of temporary buildings, and this is placing more parking demand on the Borough Council's car park, with a resultant impact on the nearby shops and accessibility for customers.

1.5.17 The consultation shows respondents concerns over the introduction of charges and fears that charges would have a negative effect on visitors and businesses, and that there was support to retain an element of free parking for short duration

visits, whether to visit the shops and takeaways, or to drop-off and pick up at the local schools.

- 1.5.18 This is an issue that Cabinet may wish to consider due to the specific circumstances of the car park. If an element of free parking is considered appropriate this will require this aspect to be subject to a further consultation.
- 1.5.19 At present there are three disabled parking places in Martin Square car park at the end closest to the medical centre and chemist (there are also two disabled parking spaces at the other end of the car park). The disabled parking provision near to the medical centre and chemist could be increased, providing more facilities for Blue Badge holders that use the medical centre and chemist. These would provide more priority parking for those in need.
- 1.5.20 It should also be considered that blue badge holders would be exempt from the parking charges and time limits, as they are across the whole of the Borough.
- 1.5.21 There would also be an opportunity to adjust the layout to create a motorcycle parking area as this has also been raised separately.

## **1.6 Parking Charges in Bailey Bridge (East) & Bailey Bridge (West), Aylesford**

- 1.6.1 The proposal for Bailey Bridge (East) & Bailey Bridge (West) car parks in Aylesford is to introduce parking charges, payable by Pay & Display and by the Council's phone payment service.
- 1.6.2 The car parks currently have no parking charges but are well used. The car parks suffer from a low turnover of long-stay parking which reduces the availability of spaces for all users.
- 1.6.3 Season tickets for those requiring regular long-stay parking are also proposed, as this would assist in managing the long-stay parking issue.
- 1.6.4 Concerns over capacity in the car parks has also been raised, and this is covered in a separate proposal in this report, where a potential extension to the Bailey Bridge (East) car park is discussed.
- 1.6.5 The proposed parking changes would apply 8am to 8pm every day, including Sundays and Bank Holidays.
- 1.6.6 The full Statement of Reasons for all the proposals is shown in **Annex 6**.
- 1.6.7 As part of the consultation, the number of respondents on this issue are shown below.

Object to charges	Support charges	Object to season tickets	Support season tickets	Not specific
1343	230	733	242	27

1.6.8 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 for all the proposals are shown in *Annex 7*.

<b>Comment</b>	<b>Frequency</b>	<b>Rank</b>
Impact businesses and community	178	1
Non-specific / not relevant	99	2
Displace parking to other roads / private car parks	91	3
Free parking for school drop-off / school drop-off issues	77	4
Deter visitors	71	5
Needs 30 mins free parking or 1 hour parking	43	6
Money-making	42	7
2 hrs / 3hrs or 4hrs free parking (charges after?)	42	7
Cost of living crisis	38	9
Free residents & business permits	28	10

1.6.9 Stakeholder responses to the consultation for all the proposals are shown in **Annex 8**.

1.6.10 A full breakdown of the responses received to the consultation are shown in **Annex 10**.

1.6.11 Amongst the stakeholder responses, Aylesford Parish Council commented that there should be consideration given to a free period to support short retail visits, and that free parking ought to be provided for those attending weekend events.

1.6.12 It is not felt possible to provide balanced parking management across the Aylesford car parks that gives free parking for attendees at weekend events, as it is not possible to differentiate between attendees and other users.

1.6.13 The consultation shows respondents concerns over the introduction of charges and fears that charges would have a negative effect on visitors and businesses, and that there was support for retaining an element of free parking for short duration visits, mainly to drop-off and pick up at the local school.

1.6.14 The concerns about the charges and potential displacement, and the concerns that the proposals are “money-making” needs to be considered against the Council’s proposal for the extension of the Bailey Bridge (East) car park, which would require significant capital investment by the Council.

1.6.15 Officers have sympathies with parents that need to pick-up and drop-off at schools that are located in areas with parking and access problems.

## 1.7 Extension of Bailey Bridge (East) car park, Aylesford

- 1.7.1 The proposal is to extend the Bailey Bridge (East) car park in Aylesford, constructing a new surface car park to the west of the existing car park area. This would provide approximately 15-30 additional parking spaces and be operated and managed in the same way as the existing car parks.
- 1.7.2 The full Statement of Reasons for all the proposals is shown in **Annex 6**.
- 1.7.3 As part of the consultation, the number of respondents on this issue are shown below.

Object to proposal	Support proposals	Not specific
591	783	1

The 10 most frequent response categories are shown in the following table, with the full list of response categories and their frequencies for all the proposals are shown in **Annex 7** and full breakdown of the responses received to the consultation are shown in **Annex 11**.

Comment	Frequency	Rank
Agree	107	1
Non-specific / not relevant	60	2
No charges	54	3
Need evidence of the need for extra parking	18	4
Climate issue	16	5
Impact businesses / visitors	15	6
Money-making	12	7
No need for it if charges introduced	10	8
Free parking for short stay (1-2) hours	10	8
Displace parking to nearby streets / private parking	5	10

- 1.7.5 Cabinet will note that the majority of respondents support the proposal and it is felt it would be a positive addition to parking arrangements in the village. If Cabinet wish to support the proposal it would seem appropriate that this only proceed if charges are introduced due to the significant capital cost required and associated ongoing revenue costs.

## 1.8 Extension of Upper Castle Field car park, Tonbridge

- 1.8.1 The proposal is to extend the Upper Castle Field car park in Tonbridge, constructing a new surface car park to the west of the existing car park area. This would provide approximately 28 additional parking spaces and be operated and managed in the same way as the existing car parks. Demand for parking in this area is high particularly to serve the popular leisure facilities in this area of town

including the Castle and Tonbridge Racecourse Sportsground. The full Statement of Reasons for all the proposals is shown in **Annex 6**.

1.8.2 The number of respondents on this issue are shown below.

Object to proposal	Support proposal	Not specific
866	877	19

1.8.3 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 for all the proposals are shown in **Annex 7**.

Comment	Frequency	Rank
Climate comments/green spaces/play park/heritage site	345	1
No evidence for the need for extra parking	97	2
Non-specific / not relevant	71	3
Agree	71	3
Healthy and safety risk	52	5
Improve public transport / cycling options	33	6
Money-making	26	7
Safe footpath must be maintained and crossing	23	8
Displace vehicles to Zone J / improve enforcement in area	20	9
Economic argument, large outlay against small gain	7	10

1.8.4 Stakeholder responses to the consultation for all the proposals are shown in **Annex 8**.

1.8.5 A full breakdown of the responses received to the consultation are shown in **Annex 12**.

1.8.6 Cabinet will note that marginally more respondents supported the proposal.

1.8.7 Amongst the responses, the local Member suggested that the parking charges in nearby car parks should be increased to match those in the Upper Castle Field car park, rather than extend the Upper Castle Field car park, and that there was sufficient spare capacity in car parks nearby.

## 1.9 Change of use of Castle Grounds (Tonbridge) parking spaces

1.9.1 The proposal is for the existing 9 “Gateway” parking places already located in the Castle Grounds car park in Tonbridge to become available for general use. These would be subject to the same parking conditions and requirements for payment as the rest of the Castle Grounds car park.

1.9.2 The existing disabled parking arrangements in the car park remain unchanged.



1.9.3 A Statement of Reasons for the proposal is shown in **Annex 6**.

1.9.4 The number of respondents on this issue are shown below.

Object to proposal	Support proposals	Not specific
620	1086	16

1.9.5 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 for all the proposals are shown in Annex 7.

Comment	Frequency	Rank
Will help parking issues	69	1
Non-specific/relevant	40	2
Affecting local trade/businesses/deterrent to visit	19	3
Not enough disabled parking	16	4
Loss of play facilities / green space	16	4
Objection to charge	13	6
Should be free for those using Council services at the Castle	9	7
Money-making	8	8
There is enough parking in Tonbridge	6	9
Discourage driving / encourage public transport / cycling	6	9

1.9.6 Stakeholder responses to the consultation for all the proposals are shown in **Annex 8**.

1.9.7 A full breakdown of the responses received to the consultation are shown in **Annex 13**.

1.9.8 Cabinet will note that a majority of respondents support the proposal.

### **1.10 Revision to Off-Street parking tariffs**

1.10.1 The proposal is for a revision to the Council's tariff of charges for off-street parking.

1.10.2 The full Statement of Reasons for all the proposals is shown in **Annex 6**.

1.10.3 The number of respondents on this issue are shown below.

Object to proposal	Support proposal	Not specific
1942	206	8

1.10.4 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 for all the proposals are shown in **Annex 7**.

<b>Comment</b>	<b>Frequency</b>	<b>Rank</b>
Cost of living / can't afford parking / too expensive	272	1
Deter visitors / shoppers	255	2
Impact business / local services	250	3
Money-making	98	4
Not specific / not relevant	69	5
There should be a short free parking period	45	6
Shoppers will go elsewhere, out of town or shop online	42	7
I support the charging proposals / seems reasonable	33	8
No problem / No need	30	9
Not evenings and Sundays	23	10

1.10.5 Stakeholder responses to the consultation for all the proposals are shown in **Annex 8**.

1.10.6 A full breakdown of the responses received to the consultation are shown in **Annex 14**.

1.10.7 West Malling Parish Council commented in their response that the Borough Council should consider options for making the Ryarsh Lane car park operate more efficiently, to make better use of unused spaced.

1.10.8 This is beyond the scope of the proposals at this time, but the Council may look to review the management principles of the Ryarsh Lane car park as a separate issue.

1.10.9 Cllr Hood also commented on the proposal, that his support was contingent on the car parking charges proposals being introduced to all car parks where it is financially sustainable. However, he also commented that there should be free or reduced-price parking near places of worship.

1.10.10 Increases in car park charges are understandably not popular amongst the public but Cabinet will be aware of the growing cost of managing this Council's car park stock, ranging from business rates to enforcement and maintenance to improvements.

## **1.11 Revision to time of operation of parking charges (until 8pm, Sundays and Bank Holidays)**

1.11.1 The proposals are for the Council's off-street parking charges to extend until 8pm (save for in West Malling High Street car park, where restricted by covenant), to apply on Sundays and to apply on Bank Holidays.

1.11.2 The full Statement of Reasons for all the proposals is shown in **Annex 6**.

1.11.3 The number of respondents on this issue are shown below.

Object to Sunday charges	Support Sunday charges	Object to Bank Holiday charges	Support Bank Holiday charges	Object to Evening Charges (until 8pm)	Support Evening Charges (until 8pm)
2180	83	2096	83	2247	17

1.11.4 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 for all the proposals are shown in **Annex 7**.

Comment	Frequency	Rank
Deter visitors / shoppers	584	1
Impact business	368	2
Money-making	180	3
Impact village / town life	177	4
Cost of living / can't afford parking	129	5
Effect church-goers	73	6
Not specific / not relevant	62	7
Displace parking to other areas / roads	44	8
Short free parking period	29	9
No problem / no need	26	10

1.11.5 Stakeholder responses to the consultation for all the proposals are shown in **Annex 8**. Within the consultation responses received Cabinet would be interested to note the Leisure Trust has raised concern over extension of hours and the impact this will have on usage of the Angel Centre and Tonbridge Swimming Pool.

1.11.6 A full breakdown of the responses received to the consultation are shown in **Annex 15**.

1.11.7 Similar to the increase in existing charges it is understandable that the extension of times to charging periods is not popular. The proposal will however reflect the changing shopping habits of the public and allow the Council to fund changes and improvements to the parking service to meet those needs.

## 1.12 Next Steps – Implementation

1.12.1 Subject to the views of this Cabinet, the changes would start to be implemented as soon as possible. Some of the changes require the procurement of equipment and services and capital works. This results in variable lead-in times so implementation dates will vary, however, it is hoped that changes that relate to

existing tariffs or do not require significant physical works could be implemented by June/July this year.

- 1.12.2 With variable implementation dates, the Council may need to introduce the elements covered in the Traffic Regulation Order in stages.

### **1.13 Legal Implications**

- 1.13.1 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.
- 1.13.2 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.
- 1.13.3 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. The proposals have followed and exceeded the requirements of the Local Authorities' Traffic Orders (Procedure) (England & Wales) Regulations 1996.

### **1.14 Financial and Value for Money Considerations**

- 1.14.1 Funding for the implementation of the proposals in this report will come from existing revenue budgets and capital funding. The capital funding will require the consideration and approval of a number of capital schemes currently sitting in List C of the Capital Plan.
- 1.14.2 The review of the 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.

### **1.15 Risk Assessment**

- 1.15.1 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.

## **1.16 Equality Impact Assessment**

1.16.1 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.

## **1.17 Policy Considerations**

1.17.1 Asset Management

1.17.2 Communications

1.17.3 Community

1.17.4 Customer Contact

1.17.5 Health and Safety

## **1.18 Recommendations**

It is RECOMMENDED that Cabinet --

- 1) considers the recommendations made at the recent meeting of the Joint Transportation Board in regard to on street parking charges, as stated in the report,
- 2) considers the introduction of parking charges to Martin Square car park as stated in the report,
- 3) considers the introduction of parking charges to Aylesford Bailey Bridge (East) and Bailey Bridge (West) car parks as stated in the report,
- 4) considers the extension of the Bailey Bridge (East) car park, subject to the introduction of car parking charges in Bailey Bridge (West) and (East) car parks,
- 5) considers the extension of Upper Castle Field car park,
- 6) supports the extension of charges to the Gateway parking bays at Tonbridge Castle as outlined in the report,
- 7) considers the revision to off-street parking tariffs as stated in the report, and

- 8) considers the revisions of times for the operation of the car parks including evenings up to 8pm, weekends and bank holidays.

Background papers:

contact: Andy Bracey  
Parking Manager

Annex 1 – On-Street Parking Changes - Joint Transportation Board report

Annex 2a – Off-Street Parking Proposals Report Sep 2023

Annex 2b – Off-Street Fees and Charges Report Nov 2023

Annex 3 – Off-street proposals – TRO Advertisement

Annex 4 – Off-street proposals – Draft Traffic Regulation Order

Annex 5 – Comparative Charges

Annex 6 – Off-street changes – Statement of Reasons

Annex 7 – Off-street Consultation - Response frequencies

Annex 8 – Stakeholder Responses

Annex 9 – Responses (Martin Square)

Annex 10 – Responses (Bailey Bridge East & West)

Annex 11 – Responses (Bailey Bridge East extension)

Annex 12 – Responses (Upper Castle Field extension)

Annex 13 – Responses (Castle Grounds)

Annex 14 – Responses (Revision to Off-Street tariffs)

Annex 15 – Responses (Evenings, Sundays and Bank Holidays)

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