

This Report will be made public on 13 August 2019



Report Number

**C/19/18**

**To:** Councillor David Godfrey, Cabinet Member for Housing, Transport and special projects  
**Date:** 13 Aug 2019  
**Status:** Non-Key Decision  
**Head of Service:** Andy Blaszkowicz, Assistant Director - Environment & Corporate Assets

**SUBJECT:** THE KENT COUNTY COUNCIL (THE DISTRICT OF FOLKESTONE & HYTHE) (BELLEVUE STREET AREA PARKING ZONE) (AMENDMENT 1) ORDER 2019. CONSIDERATION OF OBJECTIONS.

**SUMMARY:** This report considers the objections received in respect of the proposed Traffic Regulation Order (TRO) for the extension of controlled parking zone (CPZ) G to include roads in Folkestone Central and Folkestone Harbour wards.

**REASONS FOR RECOMMENDATIONS:**

The Cabinet Member for Transport and Commercial is asked to agree the recommendations set out below because:

- a) The majority of residents within the proposed area have indicated they do experience parking difficulties and are in favour of parking controls.
- b) Parking controls will help to address the commuter/long-stay parking and traffic flow problems experienced by many of the local residents.

**RECOMMENDATIONS:**

- a) To receive and note Report C/19/18.
- b) Not to uphold the objections to the TRO.
- c) That officers proceed with making the TRO as advertised.
- d) That permit costs, provision and allowances replicate current arrangements for Zone G.
- e) That parking in the new extended zone and adjacent roads be reviewed 12 months after implementation.

## **1. BACKGROUND**

- 1.1. Following a successful application and petition from residents for parking controls to be introduced in some roads in Folkestone Central and Folkestone Harbour, an informal consultation was carried out in January this year to gauge support for a possible controlled parking zone extension to cover roads in the area shown in appendix 1. This consultation took the form of a letter and questionnaire.
- 1.2. A majority of respondents indicated support for the introduction of parking controls in their road. Report number C/18/76 provides details of the outcome of this informal consultation.
- 1.3. The Cabinet Member for Transport took the decision to proceed with a formal consultation on a proposed TRO for parking controls to be introduced in all but Harbour Way.

## **2. FORMAL CONSULTATION**

- 2.1 The proposal was advertised in accordance with The Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996. The 'Notice of Intention' (appendix 2) was sent to all stakeholders and advertised in the Kent Messenger papers on the 12<sup>th</sup> July 2019. Copies of this notice were also erected on all lamp columns in the areas that will be affected.
- 2.2 The closing date for responses was the 5<sup>th</sup> August 2019. The council received two formal objections and several enquiries/comments about the proposal. These are summarised below.
- 2.3 Kent Police responded stating

'Kent Police have no specific observations to make regarding the waiting restriction proposals, however in general terms we would expect the following:

- The application meets the necessary criteria
  - The introduction of parking restrictions complies in all respect with the Traffic Signs Regulations and General Directions (TSRGD) 2016
  - The introduction of such measures will not leave the Police with the task of carrying out constant enforcement issues
  - The safety of other road users is not compromised by the introduction of these measures
  - It is noted that a certain amount of displacement will be expected from the implementation of this scheme. Vehicles displaced should not be allowed to hinder the progress of the adjacent road network or surrounding roads as a result.
- Civil Parking Enforcement will require Local Authority to ensure resources are available to enforce these proposals'.

### Officers' comments

The parking signs and markings will comply with the TSRGD 2016, and will be enforced by uniformed Civil Enforcement Officers (CEOs) in accordance with part 6 of Traffic Management Act 2004. Officers will monitor parking in adjacent roads after the implementation of this scheme so that any displacement parking issues are addressed.

## 2.4 Formal Objections

One resident of Harvey Street objected to the proposals stating that his son had been diagnosed with a life limiting/muscle wasting disease with no cure and will be affected by the proposals. He states that his son must create memories with friends and family, and this will be affected as visitors will only have an hour to park. He also states that he would be forced to buy a permit as his son cannot walk long distances.

A resident of Tontine Street also objected to the TRO on the grounds that the proposed extension will create more pressure and further lack of parking for residents and businesses of Tontine Street. She states that there are only seven permit holder spaces in Mill Bay used by the residents of Tontine Street, but there are around 200 properties in the area. She states further that many of the residents currently park in the proposed extended zone as the area between The Grand and the coastal park is far from Tontine Street, and unsafe for people to walk home at night and leave cars for long periods unattended.

### Officers' comments

Residents who require frequent visits for support/care are entitled to apply for a special permit, which is free of charge. Disabled badge holders are allowed to park without permits in all permit holder and shared-use spaces. Disabled residents can also apply for a disabled bay to be installed in the vicinity of their property. The objector has now been advised about these concessions as he wasn't aware of them.

Tontine Street is within Zone C1, which covers roads in the Folkestone seafront. Like Sandgate Road in Folkestone, a decision was made to only install limited waiting spaces to aid vehicle churn. Permit holders parking would mean vehicles being left for long periods or even all day in an area where short stay parking for people visiting the businesses is critical. There is ample parking for permit holders along the seafront. Our records indicate there are currently 11 resident permit holders and 4 business permit holders in Tontine Street. The issue of safety whilst parking in the roads along the seafront is noted but this is a matter for the police.

## 2.5 General comments and enquiries

Comments were received from two residents of Harbour Way. They stated that they were dismayed and disappointed that Harbour Way had been excluded from the scheme.

One of the garage owners in Charlotte Street enquired about parking for his customers who will be dropping off their cars to be repaired. A number of enquiries ranging from permit allocations to type of restrictions were also received.

One resident responded stating that he fully supports the proposal but requested that the yellow lines around the corner into Queen Street be extended slightly to cover all garage entrances.

## Officers' comments

Responses received during the informal consultation indicated there was no majority support for parking controls to be introduced in Harbour Way hence the decision by the Cabinet Member for Transport to exclude Harbour Way. The residents have been advised to pursue another application for parking controls.

All enquiries were successfully resolved by officers. A minor modification will be made to the draft TRO to extend the yellow lines into Queen Street.

### **3 CONCLUSION AND RECOMMENDATIONS**

3.1 Officers believe that new controls will protect spaces for local residents and also contribute to the free flow of traffic in this area, which is usually congested. It is therefore recommended that:

- a) The objections are not upheld and that parking controls are introduced as advertised
- b) The extended zone and adjacent roads be reviewed 12 months after implementation in view of the comments received about possible displacement parking.

3.2 The recommendations represent the most appropriate action to balance competing requirements, meet the needs of local residents and facilitate the safe operation of the highway.

### **4. FINANCIAL IMPLICATIONS**

4.1 The costs of introducing the new on-street parking controls will be around £5000. This can be met from existing budgets. The costs include expenditure for new road markings and signage.

4.2 Enforcement of the extended zone would need the Civil Enforcement Officers to deviate from their current patrol routes and could not be easily absorbed within existing resources. The number of enforcement officers employed to patrol and enforce parking restrictions is currently under review. Additional administrative resource has recently been agreed.

4.3 Income generation from the scheme is anticipated to be very low as there are no 'pay & display' facilities with this scheme. It is therefore prudent not to allow for additional income in the budget at this stage.

### **5. LEGAL/FINANCIAL AND OTHER CONTROLS/POLICY MATTERS**

#### **5.1 Legal Officer's Comments (NE)**

Traffic Regulation Orders ("TROs") include but are not limited to residents' parking bays. Kent County Council ("KCC"), as the highways authority, has power to make TROs under sections 1 and 2 of the Road Traffic Regulation Act 1984. Any TROs proposed by F&H DC must be approved and made by KCC in order to be valid. Once the TRO has been made, a notice must be published confirming the making of the TRO and its effect and before it comes into force, the Council must ensure

that traffic signs are placed on or near the road which provide adequate information about the effect of the TRO.

**5.2 Finance Officer's Comments (ST)**

All the financial implications are covered in the body of the report and can be met within existing budgets.

**5.3 Diversities and Equalities Implications (FM)**

There are no diversity or equality implications directly affected by this report.

**6. CONTACT OFFICERS AND BACKGROUND DOCUMENTS**

Councillors with any questions arising out of this report should contact the following officer prior to the meeting

*Officer: Frederick Miller, Transportation Manager*  
*Telephone: 01303 853207*  
*E-mail: Frederick.miller@folkestone-hythe.gov.uk*

The following background documents have been relied upon in the preparation of this report:

None

**Appendices:**

Appendix 1 – Plan showing the extended zone

Appendix 2- Proposal Notice