

This Report will be made public on 31 August 2018



Report Number

C/18/33

To: Cabinet Member for Transport and Commercial
Date: 31 August 2018
Status: Non-Key Decision
Head of Service: Andy Blaszkowicz, Head of Commercial and Technical Services

Cabinet Member: Councillor Ann Berry, Cabinet Member for Transport and Commercial

SUBJECT: THE KENT COUNTY COUNCIL (THE DISTRICT OF FOLKESTONE & HYTHE) (SANDGATE EAST PARKING ZONE) (AMENDMENT 3) ORDER 2017. CONSIDERATION OF OBJECTIONS.

SUMMARY: This report considers the objections received in respect of the proposed amendment to the Sandgate controlled parking zone (CPZ) Traffic Regulation Order (TRO), to include other roads as shown in appendix 1.

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 extended zone 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/18 /33.
- b) Not to uphold the objections to the TRO.
- c) That officers proceed with making the TRO as advertised.
- d) That each household within the zone be restricted to two resident permits. That each tenant in multiple tenancy homes also be eligible to apply for up to two permits provided a tenancy agreement is submitted.

- e) That the number of residents' visitors' permits per household be limited to 50 in any year but this limit be extended in exceptional circumstances.
- f) That residents and businesses with more than one car be entitled to buy a shared permit for the number of vehicles registered to them.
- g) That the fees for permits replicate current arrangements for existing schemes in the district as follows:

Residents' Permit	£30 per year
Additional resident permit	£30 per year
Shared Resident permit	£30 per year
Resident Visitor permit	£5.20 per 5 sessions
Business permit	£60 per year
Replacement lost or stolen permit	£5.20
Special permit (Health & care workers)	Free

- h) That all permit charges be subject to an annual review.
- i) That the eligibility criteria be:
 - I. Resident permit
 - a) The applicant's usual place of residence should be in the CPZ
 - b) The vehicle is either a passenger vehicle or a goods vehicle of a height less than 3.2 metres (10ft 6ins) and length less than 6.5 metres (21ft 4ins) a gross weight not exceeding 5 tonnes. That officers discretion be applied in exceptional cases.
 - II. Resident visitor permits
 - Applicant's usual place of residence should be in the CPZ
 - III. Business permit
 - a) The business operates from an address within the CPZ
 - b) The vehicle is essential for the efficient operation of the business
- j) That the new extended zone be reviewed 12 months after implementation.

1. BACKGROUND

- 1.1. The Sandgate CPZ was introduced in November 2016. It was agreed by the Cabinet Member for Transport to review the parking in adjacent roads and if necessary, officers should seek to extend the zone to include additional roads.
- 1.2. The review was carried out in April/May 2017. The review confirmed that whilst the CPZ has successfully deterred congestive parking in the area where it operates, many of the adjacent roads remained heavily parked and in some of the roads, vehicles were seen to be parking obstructively.
- 1.3. In June/July 2017, an informal consultation was carried out to gauge support for a possible extension of the zone. This consultation took the form of a letter and questionnaire. A majority of respondents indicated they support the introduction of parking controls in their road.
- 1.4. Following the informal consultation, a decision was made (report number C/17/43) to proceed with a formal consultation on a proposed TRO for Phase 2 in November 2017 and phase 3 in July/August 2018.
- 1.5. Phase 2 of the CPZ was introduced in December 2017. The results of the formal consultation for Phase 3 are detailed below.

2. FORMAL CONSULTATION

- 2.1 The proposal is to extend the existing CPZ to cover other roads as shown in appendix 1. It includes 'permit holders only' parking between the hours of 11am and 3pm, Monday to Friday, and unlimited waiting for cars in a section of Enbrook Road (between Military Road and Chichester Road).
- 2.2 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 27th July 2018. Copies of this notice were also erected on all lamp columns in the areas that will be affected.
- 2.3 The closing date for responses was the 20th August 2018.
- 2.4 The council received 40 emails and two letters in response to this consultation. 40 of the 42 correspondence received were objections to either a particular aspect of the proposal or the entire scheme. It should be noted that many of the residents within the zone had made comments during the informal consultation last year so did not respond to this consultation. However, there were correspondence from two residents reiterating support for the scheme.
- 2.5 Kent Police responded stating that they 'have no specific observations to make but in general terms would expect the parking restrictions to comply with the traffic signs regulations and general directions (TSRGD) 2016 and that the introduction of such measures will not leave them with the task of carrying out constant enforcement issues'.

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.

- 2.5 Stagecoach commented on the markings at the bus stop at Meadowbrook, and suggested that it is upgraded to a full bus stop clearway. They also asked for restrictions to apply at any time similar to double yellow lines.

Officers comments

Bus Stop clearways do not require a traffic regulation order. Officers accept that the bus stop should be upgraded and this will be carried out at the time of implementation.

- 2.6 Sandgate Parish Council objected to the proposed unlimited waiting in the section of Enbrook Road between Military Road and Chichester Road.

Officers comments

The unlimited waiting restriction for cars in this section of Enbrook Road was included in the proposal to allow Saga staff some free on-street parking at the back of their property. It was agreed during the informal consultations that this proposal will be included in the draft TRO.

The spaces will allow parking for around 20-25 cars, and residents living nearby will be still be free to use them.

A summary of all other comments and objections received are detailed below. All correspondence received are shown in appendix 3.

- 2.7 The vast majority of the emails received were from Saga employees. Many simply objected to the proposals but did not state any reasons for their objection. Others indicated that the proposed restrictions will make it more difficult for staff who are already struggling to park, and parking will simply be displaced into other roads.

Officers comments

Officers have been informed of the completion of the extension of Saga's car park, which provides additional parking spaces for staff. There is also an agreement with the council for the use of 30 spaces in Castle Road car park. Saga employees can book online or via their mobile phones to use this car park.

This proposal also includes free unlimited waiting for cars in a section of Enbrook Road, which will provide parking for around 20-25 cars.

- 2.8 Residents living opposite the proposed unlimited waiting parking bays in Enbrook Road expressed grave concerns over this particular proposal. They state that they have endured the long-term parking by Saga workers for many years, and this area has become the 'de facto free car park in the area'. The residents have asked for permit restrictions similar to the other roads to be introduced. They state that permit restrictions would encourage workers who are entitled to use their on-site parking facilities to actually use them.

Officers comments

As stated in 2.6, during the informal consultations, Saga indicated they would still require some on-street parking for their workers, and that the back of their property in Enbrook Road would be suitable. As a compromise, it was agreed that officers would consult on this proposal. The Cabinet Member should now consider whether Saga staff should be allowed free use of these spaces. The council has a responsibility to provide parking for those mostly in need but should not ignore the broader requirements of all road users.

The issue of the abandoned vehicles can be addressed by prompt reporting to DVLA. The TRO also limits parking to 24 hours so parking officers will also be able to take enforcement action if necessary.

- 2.9 A few residents have commented that there are no parking issues in Meadowbrook, Darnley Close and the upper part of Chichester Road. They state that these roads should be excluded from the scheme.

Officers comments

During the informal consultations, residents were asked whether they would like to see their road included in the extended CPZ. The majority of respondents living in these roads indicated support for parking controls.

- 2.10 One of the business owners in Enbrook Valley Shopping Precinct who is also a resident has suggested that Golden Valley car park be restricted to a maximum of 3 hours. He states that the businesses rely on their customers being able to park but the spaces are now taken by Saga staff and expects the situation to get worse if the proposed restrictions are implemented.

Officers comments

A full review of all council car parks was carried out early this year. Cabinet agreed in February this year not to make any changes to this particular car park. However, officers will monitor use of the car park and make recommendations to the Cabinet Member for Transport next year.

- 2.11 There were a several comments about the cost of permits, and that the scheme was purely an attempt to raise revenue for the council. One resident objected to the proposal citing the cost of resident visitor permits. She states that she relies on her parents for childcare.

Officers comments

The scheme will cost money to set up, run and enforce. The permit charge, which is currently one of the lowest in Kent, will cover some of administration of the proposed system. By law, the costs need to be met by the scheme itself through selling of permits. Free special permits are also available to residents who require regular visits from care or other support service organisations, like home helps and carers. There is currently no provision for childcare but this will be part of the next permit review.

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. The free unlimited waiting bays proposed in Enbrook Road will help to accommodate some of the on-street parking requirements of Saga staff. It is therefore recommended that:
- a) The objections are not upheld and that parking controls are introduced as advertised
 - b) The extended zone be reviewed 12 months after implementation
- 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 £3000. This can be met from existing budgets. The costs include expenditure for new road markings and signing.
- 4.2 Enforcement of the extended zone would not need the Civil Enforcement Officers to deviate from their current patrol routes and could be absorbed within existing resources. The proportion of time spent at each road would be adjusted accordingly. Additional administrative work will be absorbed within existing resources.
- 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 (DK)

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 SDC 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 (RH)

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
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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
Appendix 3- Consultation responses