

Kent County Council

22nd December 2012

Dear Sirs

I wish to make a formal complaint with regard to the decision taken by Mr John Burr, Director for KCC Highways, in relation to the decision to defer the double yellow lines and school keep clear markings outside of Tunstall School.

I understood, when speaking with Mr Andy Padgham on Wednesday 19th December 2012, that this decision was in light of the recommendation made by Swale Joint Transportation Board, following their meeting on 10th December 2012.

There are a number of points that I wish to make, so please bear with me.

1. Swale Joint Transportation Board were aware at the December 2011 meeting of the proposed car park, when knowledge of the possibility of land available for a car park was discussed. (Appendix A)
2. This was also known in April 2012, when I received an email from Mr Paul Crick, Director KCC Planning) who told me that they were expecting a planning application. (Appendix B)
3. It has also been suggested that the KCC Consultation had been “flawed” in as much as the residents who voted in favour of these parking restrictions may have voted differently if they had known of the proposed 10 place car park, which is clearly not the case.
4. At the Swale Joint Transportation Board meeting on 10th September 2012, it was clearly stated that “ Members agreed that the preferred option of double yellow lines and zig-zag lines, as shown in the consultation document, be proceeded”, knowing that there was a planning application due for the proposed car park at the same meeting. (Appendix C – item 262)
5. In view of Mr Mike Knowles’ report for Swale Borough Council which clearly stated that Mr Burr was to make the decision which was published 26th November for the Swale Joint Transportation Board meeting dated 10th December 2012, why did members take the decision to discuss this anyway. (Appendix D5) On the 5th December 2012, I received an email from Mr Knowles which advised me that Mr Andy Padgham had submitted a report to Mr Burr, and that a decision was not needed by Swale Joint Transportation Board. (Appendix E)
6. Copies of documents taken from Tunstall Schools own website (Appendix F, G)
7. Photos taken to show the issues (Appendix H)
8. I am at a complete loss to understand why as a “supporter” of these restrictions I was not given the same opportunity of Mrs Hunter, who although a resident is also the Chairman of the Board of Governors of Tunstall School (Appendix I)
9. Copies of other supporting documents (Appendix J, K,L,M)

My final offering of support is an extract from the planning application for the proposed 10 car carpark,

“The parking that takes place outside of the school combines with this peak time traffic to the detriment of the free flow of traffic. It also acts as an inconvenience and nuisance to residents along this section of Tunstall Road”

It is clear that there is an issue with regards to Tunstall School, which is a constant source of disruption due to the number of staff and parents. It has been witnessed 170 cars trying to access the village hall 52 place car park.

The immediate consideration should be the number of cars that continue to park on the road, and continue to disrupt the safety of the highway and access to the school. This should be considered on its own merit as indeed should the planning application for the proposed car park, particularly in view of the fact that KCC Highways have objected. What will happen to

the lineage if the application is either passed or refused! The issue will be the same, cars will park on the road until such time as there are enforceable lineage in force, now.

I formally request that the decision made with regards to Traffic Order 2012, relating to Double Yellow and School Keep Clear markings is re-considered by Mr Burr, and his decision should reflect the issue of Highway Safety, to residents, children, staff and vehicle users.

Yours faithfully

APPENDICES

Appendix A: Minutes of Swale JTB 12 December 2011.

Appendix B:

Thank you for your email. We have already been in correspondence on Tunstall School and I refer you to my earlier letter of 20th March 2012. I'm afraid I was not aware that you had telephoned my office, which would explain why I did not return your call.

I realise that you see the school parking issue differently to ourselves, but your correspondence on this matter does not change our view. Planning consent is not required to park vehicles within the boundaries of individual properties, whether they are schools or houses, nor whether they are listed buildings or in conservation areas. Even if we were able to control such parking, it would be wrong to discriminate amongst those that use the buildings; employees and visitors could argue that they have no less a right to park in the village than the people who live there, especially if their presence is of lesser duration overall. Moreover, we cannot dictate that people who own vehicles cannot take them to settlements other than where they live, nor that people should only work where they live and that Schools should only employ staff who live in the same village.

We have yet to receive details of the alternative car park proposal, so have not been able to assess it in terms of its access and layout arrangements yet, but there is a general requirement to maintain continued access to any affected public footpaths, unless an acceptable formal diversion was to be promoted. The size of the parking area being envisaged is unlikely to render the rest of the field unsuitable for sheep grazing.

I trust that this email addresses your concerns. If you remain dissatisfied, please follow the next stage (step 3) of our complaints process. Details are available via

http://www.kent.gov.uk/your_council/have_your_say/complaints_and_comments/complaints_procedure.aspx.

Yours sincerely
Paul Crick
Director of Planning & Environment
Enterprise & Environment
Kent County Council

Appendix C: Minutes of Swale JTB 10 September 2012.

Appendix D: Report to 10 December 2012 JTB, agenda item 5.

Appendix E;

From: **Mike Knowles** <MikeKnowles@swale.gov.uk>

Date: 5 December 2012 09:57

Subject: RE: Order 2012

Dear xxxxx

Thank you for the e-mail.

The current situation is that the letters of support and objection have been passed to Andy Padgham at KCC (who we are doing the Traffic Order on behalf of). He has submitted a report to the Director of Highways & Transportation, as there has recently been a change in KCC's policy which allows the Director to make the decision whether a Traffic Order goes ahead where 5 or less objections are received. This means that this does not need a decision from the Joint Transportation Board. I am waiting for an update from Andy as soon as this decision has been made.

For information, a total of 7 letters were received in relation to the proposed restrictions near Tunstall School, 5 supporting the proposals and 2 objecting.

I hope this information is of assistance.

Kind regards

Mike Knowles

Engineer - Technical Services

Swale Borough Council

Appendix F;

18 October 2011

Dear Parents

To ease arrival and pick up times and following complaints from local residents, parish council and community wardens, may I urge you to adhere to the following:

- Please do not park on the main road outside the front of the school or in the lay-by opposite. These spaces are desperately needed by school staff who are not permitted to park in the Village Hall car park and for pupils being collected/returning during the school day e.g. Swimmers
- Do not park on the grass/mud verge in Hearts Delight Road.
- Please bring children into school from 8:45 – 8:55am. Gates are locked at 8:55am for the security of the children; therefore please vacate the premises before this time.
- Due to limited space within the school buildings, please leave pushchairs/prams outside.
- Please do not arrive in the Village Hall carp park before 3:10pm (KS1), 3:25 (KS2) and pick up by car 3:35pm. If no car parking space is available please do not double park, abandon your car blocking others, or send a non-driver to collect your son/daughter whilst the driver remains in the car blocking the outer queue – we will keep your KS1 children safely in class until you are able to park properly

Thank you for your support on these issues.

Yours sincerely

Mrs K Hutchings
Headteacher

Appendix G:

23 March 2011

Dear Parents

In order to comply with safeguarding procedures, we are making changes to our early morning arrangements to be in effect from Monday 28th March.

As from that date, all gates at the entrances to the school site will be locked until 08:45. Children attending Breakfast Club will be able to enter via the front entrance and will then need to press the bell situated to the left of the office hatch, which will silently trigger a pager held by a member of the Breakfast Club.

Parents needing to drop children at school prior to 08:45 will be pleased to know that there are spaces available at Breakfast Club and the sliding scale of minimal charges (dependant on time supervision is required to start) is available on request, Breakfast Club starting daily at 07:45.

I am sure that you will support this new venture aimed at ensuring that all children are safe before the start of school.

Yours sincerely

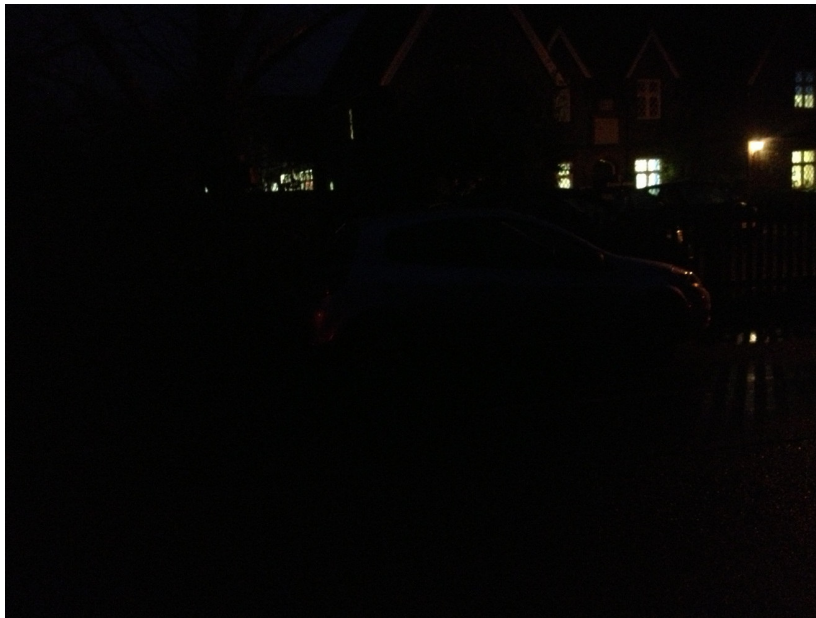
Mrs K R Hutchings
Headteacher

Appendix H:





These photos were taken on 19th December 2012 at 08.20 – This vehicle is at Coffin Pond, on the way to the school, with the backed up traffic as you can see behind it!



These photos were also taken on 19th December 2012. The first shows a vehicle (same as in 2nd photo) parked outside of Tunstall School, on the road, and with no lights. It was certainly there before 16.34, and still there at 17.16



Both taken at the same time, 7 cars parked outside of the school.
Would you consider this “traffic calming” if you were stuck behind these!



This last photo block the driveways of Nos 2 & 3 School View, and resulted in a 15 minute delay in leaving for work .

We do get significantly large vehicles that come through this village, and cars parked on the road should not be considered as “traffic calming”

Appendix I;

Dear xxxx

Thank you for your e-mails. I have read your comments and spoken to my colleague Jo Hammond, who clerked the meeting. I hope we are able to address some of the points you raise below.

With regard to the proposals made at the meeting, Cllr Alan Willicombe proposed that the double yellow lines be abandoned and that zig-zag lines be installed only once the planning application for alternative parking had been dealt with by KCC. It is in the clerk's minute book that this was seconded by Cllr Jean Willicombe, however, several Cllrs can second a motion at the same time so it is possible that Cllr Harrison also seconded this motion. Procedurally this is not a problem as the main concern is that the motion is seconded.

Following further discussion amongst the JTB Members, Cllr Barnicott proposed an amendment that a decision on any waiting restrictions be deferred until KCC had considered the planning application. As the original motion put forward by Cllr Willicombe had not been voted on it required Cllr Willicombe's agreement for the amendment to be put forward. Cllr Willicombe agreed this and the final motion put forward and agreed was proposed by Cllr Barnicott.

Mrs Hunter registered to speak on this issue as a resident, we were not aware of her involvement with the school. Under the public participation scheme for the JTB members of the public can register on any items to be considered on the agenda.

If you wish to refer this issue to the Monitoring Officer please contact Sue Revell, PA to the Monitoring Officer at suerevell@swale.gov.uk or 417269.

Kind regards

Philippa

Philippa Davies | Democratic Services Officer | Swale Borough Council

Appendix J:

Dear xxxx

Thank you for your email

You are correct dangerous parking, obstruction of footpaths, driving etc is enforced by the police have you contacted them.

If they are not responding to dangerous obstructions ,etc then we can speak to them to ask why they are not dealing with these issues.

As I have said we will bring this issue back if the school does not resolve it soon for the reasons I have stated in my previous email.

I personally have not made this resolution but the majority of the committee of the JTB. All committee members take road safety and free movement very seriously but have to work within the constants of budgets,law and professional advice.

Regards

John Wright

Sent: Sat 10/03/2012 17:00

Subject: Re: FW: JTB meeting Monday - Parking outside Tunstall School

Dear Mr Wright

This is, as you are fully aware, a rural community. Hearts Delight is a width restricted road, Tunstall Road through the village is not, therefore, large vehicles have no alternative but to use the "rat run", or in the case of the local agricultural community, their only way to access their fields.

Something, I think the SJTB seem to ignore, is the Highway Code. It clearly states,that you should not park near a school, or indeed
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You MUST NOT leave your vehicle or trailer in a dangerous position or where it causes any unnecessary obstruction of the road.

[Laws RTA 1988, sect 22 & CUR reg 103]

It certainly appears that one persons definition of "traffic calming" is another persons obstruction. If you had asked any of the drivers caught up in Fridays fiasco, I think you would find that they would have said it was an obstruction, and certainly for my neighbour who was

forced into staying at home longer than she needed to be, not to mention her husband who was also caught up trying to get their children to school.

If this had happened on Thursday, then I too would have had a problem getting into my driveway, as the Jewson lorry had no choice but to block our driveways, the blocking of which is not a "one off" but we regularly get blocked by deliveries to the school, see attached photos.

The parking outside of the school on the road, needs resolving now, for the safety of children, staff & parents of the school, residents and indeed motorists!

Appendix K:

Dear Mr Whiting,

I, like my neighbour had requested that the issue of Zig Zag lines be put on the agenda, and I did receive confirmation that this would happen.

Following on from previous emails regarding the issue at Tunstall Village, I submitted an email (as detailed below) and as you can see it was requested by me to be included at the Swale Joint Transportation Board as I was unable to attend the meeting.

I phoned Philippa Davies in advance, to confirm that my statement could and would be included, and also requested confirmation that this would be circulated at the meeting.

As you can see from the attached emails, my letter and photographic evidence plus Ms Davies' reply was supplied in advance of the meeting.

I would now like formal clarification that my letter & photos were submitted, and that as the newly appointed Chairman you were aware of my submission. If not, I shall be taking this up as a matter of some urgency directly with Ms Davies.

I have included the offices at Swale House in my email to you, as I am most disgusted that once again the views of the residents of Tunstall Village are being ignored, and indeed as you are well aware, from my previous emails to you, the diocese and the planning department of KCC, the staff cars currently parked outside the front of the school were advised by KCC to "actively" find alternative staff parking, having had their planning application turned down by KCC.

The fact is, the school was told they could not turn the front lawned area into a "car park", and as far as I am concerned, wether this area is tarmaced or not, the placment of motor vehicles should be considered to be a CAR PARK. If a resident had applied and been turned down, I am convieniced that we would not have 7 years after the refusal to continue to park in the same manor as the school.

xxxxx

Forwarded conversation

Subject: **Swale Joint Transportation Board**

Date: 7 June 2011 17:38

To: democraticservices@swale.gov.uk

Dear Sirs

Further to my telephone conversation earlier today, please find attached a statment that I wish to submit to the newly elected Chairman of the Swale Joint Transportation Board, for their meeting to be held on Monday 13th June 2011, covered under Agenda, section 11

I would appreciate your confirmation of receipt & inclusion at the meeting.

Thank you

xxxxx

From: **Philippa Davies** <philippadavies@swale.gov.uk>

Date: 8 June 2011 08:44

Cc: Joanne Hammond <JoanneHammond@swale.gov.uk>, Kellie MacKenzie

<KellieMacKenzie@swale.gov.uk>

Dear xxxx

Thank you for your email. I will circulate your letter and photos to the members of the JTB, to be considered under item 11 of the agenda.

You are welcome to attend the meeting which starts at 5.30pm on Monday. If you wish to speak at the meeting on this item you will need to register with Democratic Services by noon this Friday.

Thank you.

Kind regards


Philippa

Sent: 07 June 2011 17:39

To: Democratic Services

Subject: Swale Joint Transportation Board

2 attachments — [Download all attachments](#)

 **SBC 1.docx**

12K [View as HTML](#) [Download](#)

 **SBC 2.docx**

2228K [View as HTML](#) [Download](#)

Mike.Whiting@kent.gov.uk

22/06/2011

to **Alan.Willicombe, johnwright**, me, democraticserv., john.a.mills

Dear xxxx,

Thank you for your email. There seems to be a little misunderstanding which I shall try to clarify.

I have checked with officers and can find no evidence that you wrote to the JTB and "requested that the issue of zig zag lines be put on the agenda" prior to the agenda for the 13 June meeting being published. If you have copies of any such earlier requests I will happily investigate the matter further.

In my capacity as Chairman of Swale Joint Transportation Board I met with officers on 27 May to agree the agenda items for the JTB meeting to be held on 13 June.

At that meeting, the officers provided me a letter from a Tunstall resident requesting that zig-zag lines be put outside the school in Tunstall. I agreed that it would appear as item 11 on the agenda, and asked officers to prepare a report for Members' consideration.

Your email, below, arrived 10 days later, after that agenda was published. It does not ask for the item to be put on the agenda, it asks that your views and photographs be included for consideration by the Board. These are two very different things.

There is no question that you corresponded with officers after the JTB agenda was published and before the meeting took place, and that it was agreed that your letter and photographs would be made available to Members for their consideration. However, as I have said above, the decision to include the item on the JTB agenda had been made ten days before your email was sent, and your reference to the item as "section 11" in your email, illustrates that fact.

I was not made aware of your specific letter and photographs prior to the meeting. This is in line with normal practice. Important submissions such as yours are regularly received by officers after an agenda is published and prior to the meeting taking place. As chairman I would only normally be advised if submissions arrived after the deadline set. In those cases, I am asked to decide whether those late papers can be considered by the Board. I was not asked in relation to your letter and photographs as they had arrived two days before the deadline and were included in the papers made available to Members as a matter of course.

At the JTB meeting on 13 June, your views and photographs were well received by Members and did, I believe, influence their decision to request a further report be brought back to a future JTB meeting.

Moving to the second part of your email, I can assure you that the views of Tunstall residents are not "being ignored" and that I and others have taken the matter of parking in the village very seriously since I was elected two years ago.

I have had numerous KCC officers involve themselves and try to find solutions and I believe Swale Borough Councillors and staff have also tried to broker some sort of way forward. All have been unsuccessful.

I have asked and have been assured by KCC officers that there is nothing that can be done on planning grounds to stop the school staff parking in the land to the front of the school. The matter has been reported to the County Council's powerful Regulations Committee, and the same advice given. See <http://democracy.kent.gov.uk/ieListDocuments.aspx?CId=140&MId=3420&Ver=4>, scroll down to Item 15, 08 Appendices.

I have asked and have been advised by Kent Highways that the road is considered safe following the extensive traffic calming that has taken place over recent years.

I have paid £10,000 from my KCC Members' Highway Fund to make good a section of pavement along the road through the village at the request of the Parish Council who thought it to be a hazard.

I have asked and have been assured by KCC officers that there is no legal grounds on which KCC or the school can force the Village Hall committee to allow staff to park in the village hall car park. I have expressed my own concern that a large amount of money was paid by KCC toward the car park, but that no enforceable condition about allowing staff to park there was included in that deal. The running of the car park is a matter for the Trustees of the Hall trust.

I have asked and have been assured by the school, which is run by the head teacher and governors and not by KCC, that they stopped children attending Breakfast Club from walking unaccompanied into the school using the front entrance, as a safety measure - bearing in mind that staff are driving their cars into that area at that time, and that they were in contact with the Health and Safety Executive following concerns over this mixed use that had been reported by a resident. I have to the head teacher suggested ways in which cars and pupils may be better separated within the school precincts but, as I have said, the running of the school is a matter for her and the governors.

Four specific things that are within my powers as a Kent County Councillor are ongoing.

1) I have identified land owned by KCC (the old school playing field) and asked KCC officers to establish its suitability as an alternative car park in the village. That work is continuing and I have made the Parish Council, the School, Swale Borough Council and others aware of those investigations. I will report any progress as soon as there is something to report. I believe that if this does prove a suitable alternative then we may be successful in persuading some staff and visitors at the school to use it and reduce the traffic parked in the main road.

2) I have previously suggested to the Parish Council and to the Chairman of the Governing Body at the school that an all-party meeting take place. That has not happened to date so I will be sending invitations to the Chairman of the Village Hall Committee, the Chairman of Governors at the school, a representative of the Diocese and the Chairman of the Parish Council to join me in a round table meeting to try and break the impasse. I will be sending out invitations to that meeting shortly. I believe a round table discussion might assist everyone's understanding of the issues, the factors causing those issues and help identify some solutions that all parties can buy into.

3) I have lobbied to ensure that if/when KCC has the necessary funding for new-build primary schools in Kent, that Tunstall School is given top priority. Ideally, if the school has outgrown its current site, then a new purpose built school with adequate space might solve the issue of parking in the village.

4) Assuming that there will be no KCC money in the medium-term, I am investigating other ways to get a new school built.

Parking in the village is, without doubt, an issue for many people and it is a constant frustration to me that I cannot simply wave a magic wand and solve it to their satisfaction. However, I hope that the above clarifies some matters for you and assures you that I am not sitting on my hands doing nothing.

If you or any other resident or group has information which suggests that any of the assurances I have been given or the assumptions I am being asked to accept are not accurate or a true reflection of the situation on the ground, then please let me have that information with supporting evidence and I will, of course, follow it up on your behalf.

I have copied Swale Councillor John Wright into this mail. My year-long tenure as Chairman of the JTB ended last month, and Cllr Wright has taken over for the next 12 months.

Kind regards

Mike

MIKE WHITING

County Member for Swale Central

Deputy Cabinet Member for Education, Learning and Skills

Room 1.69, Sessions House, Kent County Council,

Appendix L:

Dear Mr Whiting

I have now for a long time, complained to Kent County Council, Swale Borough Council and Kent Police regarding the parking issues caused by Tunstall School.

Firstly, over 6 years after a KCC Planning application was REFUSED, to turn the front lawn of the school into a carpark, and the Diocese was told to advise the school "that the temporary car parking can no longer be tolerated" then why are they still parking on the lawn, and infact earlier this year

the school caretaker was spreading aggregate over the area because some of the teachers had complained about the mud!

Secondly, I understand that the school have stated that the "front" of the school is infact the "rear" of the school, which is why I understand the yellow keep clear markings have not been a priority. Can I point out that the school has three access points, front, rear and side of the property. The actual Rear and Side are accessed by gates, which are locked from 08.55am and these gates both show a sign telling that anyone on the property after this time, should leave by the actual Front Door. This Front Door is also used during the day for deliveries, infact anyone visiting the school.

As a resident of the village, I should like to be able to gain and exit my property without having to take my life in my hands, which as things stand, I do. Seven cars parked one behind the other leaving anyone trying to overtake, is forced to overtake the lot, to then be faced with something coming the other way! The answer, reverse into the only "gap" the dropped kerb between mine and my neighbours driveway, which has on occasion caused damage to our front fence and trees. I have emailed Mr Foulkes at the Diocease, who advises that he is due to meet representatives of KCC, and I for one, would like to find someone on the side of the villagers, we live here, and as far as I know, no one from the school does.

First photo, is actually the seven cars, but in order for you to see what happens lower down the road, I have zoomed in, but have another picture of the seven.

The second is a coach, having arrived early to collect about a dozen children from the school, blocking the road, another picture I have is it actually has its rear wheel on the kerb, blocking a neighbours driveway, which I gather are both road infringements, bearing in mind there are cars in the layby, extra school staff cars parked on the road outside the school, ,and the blue car is trying to get past those in order to continue. Cars coming up the road (behind the coach) wouldnt have a clue that children would be trying to cross the road until they got past. and this is in a very short space. This is not acceptable.

xxxxx

Tunstall Village Resident

Appendix M:

For the attention of The Chairman
Swale Joint Transportation Board

29th November 2011

Meeting Monday 12th December 2011

Dear Sir

Re: Agenda Item No 6 Tunstall C E (Aided) Primary School, Tunstall - traffic and parking issues

Further to my previous submission, I have read the reports from Kent Police Officer PC Warren Jarvis, and KCC Traffic Engineer Mr Steve Darling, and wish the board to take into account, that this was following their attendance for less than 1 hour.

With regard to the report by PC Jarvis, It is most unusual for residents in the village to use the layby, as normally school staff start arriving by 7am (sometimes earlier), and I have offered to supply PC Jarvis photographic evidence of vehicles parked in the layby during the day so that PNC checks could confirm who is using the layby, however, he stated that the Police are only able to enforce, and I should direct my enquires to yourselves.

Furthermore, his report also states that it's the parents who are dropping off/collecting children who are parking on the road, directly outside the school. This is not the case, as once again, it is school staff who park outside the school, some of which are there all day. There may be the odd occasion when parents are dropping off, but mostly this will be before 9am.

If, as stated PC Warren it is the residents using the layby, may I suggest two alternatives.

- 1) Close the Layby
- 2) Put timed parking restrictions on the layby, say 30mins maximum, with no return within 3 hours

Again, if it is supposed to be parents that are dropping off/collecting outside the school, then yellow zigzag lines would not stop them from dropping off etc, but would stop vehicles parking all day.

One other thing that is worth mentioning, is that the 6 houses opposite the school are not on mains drainage. We have a cesspit and trying to get this drained without blocking driveways is a nightmare.

Please find a copy below of a letter which can be obtained by accessing Tunstall School website, <http://www.tunstall.kent.sch.uk/letters.asp>. It clearly states that parents should not use the layby or on the road outside of the school!

18 October 2011

Dear Parents

To ease arrival and pick up times and following complaints from local residents, parish council and community wardens, may I urge you to adhere to the following:

Please do not park on the main road outside the front of the school or in the lay-by opposite. These spaces are desperately needed by school staff who are not permitted to park in the Village Hall car park and for pupils being collected/returning during the school day e.g. Swimmers

Do not park on the grass/mud verge in Hearts Delight Road.

Please bring children into school from 8:45 – 8:55am. Gates are locked at 8:55am for the security of the children; therefore please vacate the premises before this time.

Due to limited space within the school buildings, please leave pushchairs/prams outside. Please do not arrive in the Village Hall carp park before 3:10pm (KS1), 3:25 (KS2) and pick up by car 3:35pm. If no car parking space is available please do not double park, abandon your car blocking others, or send a non-driver to collect your son/daughter whilst the driver remains in the car blocking the outer queue – we will keep your KS1 children safely in class until you are able to park properly

Thank you for your support on these issues.

Yours sincerely

Mrs K Hutchings

Headteacher

As you can see, the school themselves are advising parents not to use the layby or park on the road outside of the school, including this week, when we have traffic lights in the village, the school staff have continued to park on the road outside the school, giving other traffic the impression that they are “cueing” up when infact, they are waiting behind parked cars.

With regard to the report submitted by Mr Darling, I should like to point out various queries under the following item numbers on his report.

2.2 (It is not just local “Sittingbourne” children that attend, it is Kent wide)

2.3 (Staff had been allocated 6-8 parking spaces in the new village hall, but abused the offer by taking more spaces and lost the allocation. Further spaces have been offered and refused)

- 3.6 (Hardly surprising that with two highly visible police officers standing on a high verge, that drivers behaved themselves. It was a shame that once the officers had left, the staff cars exited the village hall car park and reverted back to their normal positions)
- 3.7 (The school hold a key for the padlock for the gated entrance to the village hall car park)
- 3.8 (Mr Darling has been receiving regular photos from residents. May I again submit a few of mine taken recently)
- 4.4 (The planning application for the front of the school was not withdrawn, but REFUSED by KCC
2. I have to inform you that the County Planning Authority under the Town and Country Planning Act on 14 June 2005 has **REFUSED PERMISSION** for development of the above proposal.

The grounds for such refusal are:

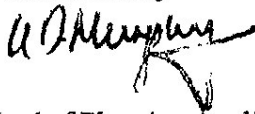
1. The proposal would harm the character of a Conservation Area and would not serve to ensure that the special character and appearance of the Conservation Area is preserved and enhanced, contrary to Policies ENV15 and ENV17 of the Kent Structure Plan 1996, Policies QL1 and QL7 of the Kent and Medway Structure Plan (Deposit) September 2003 and Policy E36 of the Swale Borough Local Plan 2000.

And

In addition please be advised of the following informative:

The School is to be advised that the current temporary car parking at the front of the school can no longer be tolerated and negotiations should be actively pursued to find alternative staff parking facilities.

Yours faithfully



Head of Planning Applications Group ^{SS}

The situation is getting worse as residents are regularly having to take abuse from parents and in some cases staff. The reason for the traffic is are the mobile classrooms at the school, the single one (planning application pending) was where some of the school staff parked.

Following a parish council meeting the school sent a letter to parents advising that the side & rear gates would only be open from 8.45 – 8.55am so as to allow staff cars to drive through the playground to gain access to the front of the school for parking, under Health & Safety for the children) despite being advised that they should not be parking there anyway!. The school operates a “breakfast club” open from 7.45 am which access is also via the front of the building, whilst staff cars are being parked.

The schools own travel plan states that “The road is too restrictive, busy and dangerous to encourage any cycling to school” and also states that only 18 staff drive to school. If this is so, how come on 30th November 2011 for instance, there were 9 cars at the front of the school, 7 cars in the layby and still 5 on the road outside on the road.

There is one other alternative which Mr Darling has not mentioned. The “old” school field, the land is owned by KCC, and although there is a public footpath round three of its four sides, why can the “fourth” side not be turned into a car park for the school. KCC are still funding it being cut, as well as cutting the leased field that the school use. As some staff are already supposed to use the church car park, it would seem to be an obvious solution.

Yours sincerely

XXXXX
Tunstall





Dial: 08458 247 800
Ask for: Andy Corcoran
Your ref:
Our ref:
Date: 11th January 2012

Dear xxxxx,

Formal complaint regarding the decision to defer a decision on implementing parking restrictions outside Tunstall school

I refer to your complaint dated 22nd December 2012 concerning the decision to defer a decision on installing parking restrictions outside Tunstall school. As I understand it the nature of your complaint is that you do not agree with waiting until a decision is made regarding the planning application for parking spaces at Tunstall school and that the restrictions should be implemented without delay.

As part of my investigation in to this complaint I have considered the correspondence received from you, read all the associated Swale Joint Transportation Board (JTB) reports and minutes and discussed the issues with colleagues in my team who have been involved with this project and attended the JTB's.

What I have found is that at the meeting of the Swale JTB held on the 12th December 2011 (minutes amended and approved at the 12th March JTB) it was agreed for the County Council to carry out a consultation with local residents to look at options for parking restrictions outside the school so that options were available to take forward when a decision

had been made by the school on any additional land that was available for parking. This original recommendation that the options should not be taken forward until a decision has been made on the school providing additional off street parking has been recently reaffirmed by the Joint Transportation at their meeting dated 10th December 2012.

At the time the consultation results were clearly intended for use only once a decision had been made on any potential provision of off street parking and therefore, in my opinion it is only correct that any subsequent decision informed by the results of the original consultation is deferred until a decision has been made on the off street parking. This position is also supported by your local County Councillor, Mike Whiting, who generously promoted this project via his Member Highway Fund. The County Council's procedures for making decisions on Traffic Regulation Orders when five or fewer objections has been received clearly states that the local County Councillor has to in full support to proceed before a decision is made. As the County Councillor supports waiting until a decision on the off street parking has been made no decision can be made by the Director under delegated authority.

With regards to the some of the other points you have made in your complaint that have not been covered above I can confirm the County Council is fully satisfied that the consultation processes have not been flawed. The report to the Joint Transportation Board on the 10th December 2012 was an update report and therefore as this was on the agenda I see no reason why the Joint Transportation Board could not discuss the issue. The issue of being able to speak at the Joint Transportation Board has been addressed by Swale Borough Council in your Appendix I and if your still not happy with this they have provided you with details of how to pursue this issue.

Whilst I agree with the statement you included in your complaint that the parking that takes place outside the school is detrimental to the free flow of traffic at peak times and an inconvenience and nuisance to residents the County Council do not have any records of any personal injury crashes relating to the school or parking since our records began in 1994. Therefore I do not see any grounds that deferring the decision on the lining for a little while longer to await the decision on the off street parking planning application will have any detrimental effect to road safety. I will also ensure that when a final decision on whether the restrictions should proceed or not full details of your complaint will be reported.

Yours sincerely,

Andy Corcoran

Traffic Schemes & Member Highway Fund Manager