

15th January 2013

16 JAN 2013

Dear Mr Burr,

I write to express my concern about and opposition to the proposed painting of zigzag and double yellow lines in Tunstall from The Cottage to the end of The Oast. This will mean that there can be absolutely no parking in this area and will have various effects.

First, traffic will be able to drive straight through, unchecked by parked cars. School children and their parents will therefore be in some danger when going to and from Tunstall School. Actually parked cars slow traffic down. There is a rather strange 30 MPH speed limit along the road on which Tunstall School stands. Further down the road there is a 20 MPH limit which is very sensible. I cannot see why this lower limit should not be extended to cover the road adjacent to Tunstall School.

Second, I understand that the proposal is to keep the road adjacent to Tunstall School free for traffic. However the proposed lines would have the effect of keeping the road free 24 hours a day for 7 days a week thereby encouraging a rat-run effect.

Third, they will be unsightly.

I do hope those who have responsibility in this matter will see that slower traffic opposite a school will mean a much safer environment for parents, pupils and school staff. Parked cars do cause a little inconvenience but do not block the road. However, they slow traffic down in a small area in which an accident caused by a car or lorry going too fast could be disastrous.

With good wishes

Thank you for your letter to the Director of Highways and Transportation dated 15 January 2013, which has been passed to me for response.

The proposed parking restrictions outside Tunstall School have come about following representations to KCC Highways and Transportation by a number of local residents. The issues are complex and include all-day parking by school staff on The Street.

The subject has been discussed at several Swale Joint Transportation Board (JTB) meetings, resulting in an informal public consultation in July 2012, the outcome of which was a majority in favour of a combination of 'school keep clear' (no stopping) markings and no waiting at any time (double yellow lines) markings. This proposal was formally consulted upon late in 2012. The final decision on whether or not to install the restrictions was deferred at the December 2012 JTB, pending the outcome of a planning application to construct a temporary of-street parking facility for school staff. No date has yet been set for that planning decision.

The proposed scheme has therefore been through due democratic process to get this far and continues to do so.

Regarding your suggestion for the introduction of a 20mph speed limit, below is the current situation in Kent on 20mph limits:

- Kent has introduced approximately fifty 20mph schemes in the last decade which includes nearly 800 roads across the county.
- KCC's current policy allows the introduction of 20mph limits or zones at any location where such measures can be justified in crash savings terms.
- The county is currently trialling a number of speed reduction measures outside 5 primary schools in Maidstone which includes two legally enforceable 20mph limits and two part time advisory 20mph limits.
- The results of this trial are expected to help inform the Councils review of its 20mph policy this summer.

There is no personal injury crash record at this site, which means that currently it does not qualify for the introduction of a 20mph speed limit.

Yours sincerely,

AJ Padgham

27th January 2013.

Dear Mr Burr,

Proposed Markings outside Tunstall School.

I understand that, in association with Mike Whiting you will be making the final decision regarding the markings outside Tunstall School once a decision has been made regarding a temporary car park. (Planning Application, KCC/SW/0342/2P012).

My comments regarding this matter are well documented and I enclose copies for your information. The formal consultation has shown that this is a very local problem and I hope that common sense will prevail because the case has been made that the combination of double yellow lines and zig-zags outside the school is not appropriate. It is also somewhat unusual and extreme. I write to confirm my thoughts.

1. I still believe the initial consultation paid for from a MHF was flawed in that it did not provide all the information, even if that regarding the temporary car park was only in the planning stage. The fact remains that it was known by the Member and should have been included, in some form, so that all the facts were in the public domain and consultees were able to make an informed decision based on all the possible information. Mr Corcoran has responded to my formal complaint regarding this matter and I understand the next stage is to yourself, prior to the LGO.
2. At the JTB Meeting in September to discuss the outcome of the informal consultation a recommendation was made to proceed with the implementation of double yellow lines and also zig-zags outside the school. I find this decision surprising. The outcome from the flawed consultation was 26 people in favour of double yellow lines and 23 for single ones. This is really too close to call and does not represent an overwhelming majority. (Out of 678 people consulted only 89 responded) Our local members, Cllrs. Jean and Alan Willicombe were not present due to Jean's ill-health or may have spoken on the matter thus effecting a different outcome. In the event a traffic order was made, (Amendment No.5b.) and posted outside the school.(Copy enclosed.) I would question whether such a formal notice should have been posted before the formal consultation had been started and any responses considered.
3. Following the formal notice, to implement double yellow lines and zig-zags the formal consultation began and comments were invited. (Copy enclosed of mine). These and others received were discussed at the JTB Meeting on 10th December 2012 and I understand that a representative of yours was present. The minutes of the discussion are enclosed.
4. At the meeting, Cllr Willicombe 'proposed that the proposed double lines should be abandoned and zig-zag lines be installed only once the planning application for alternative parking had been dealt with by KCC' Discussion then followed and various comments were made. These variously said that zig-zags could be policed better than yellow lines, double yellow lines would be detrimental to residents and encourage speeding, alternative arrangements are nearly in place and so no action should be taken until this has been resolved, were residents informed about the

planning application for the temporary car park as it may have affected the responses, parking would continue unless parking restrictions were installed and zig-zags do not work unless policed. In the event, all was put on hold pending the decision on the temporary car park.

5. Following full discussion, the unanimous cross-party outcome appeared to be that there should not be yellow lines because it was accepted that this was unreasonable, impractical and unnecessary for a number of reasons.
6. Since there would now appear to be a consensus from Swale that double yellow lines should not be implemented I hope that this will influence your final decision.
7. Even if planning permission for the temporary car park is refused, I hope double yellow lines will not be implemented outside the only two adjoining properties to the school. These two properties have no objection to cars parking outside and recognise that it has a traffic calming effect.
8. Furthermore, double lines are not appropriate because the school is not in session outside the hours of 9 – 3.30 and only for 40 weeks of the year. It would be prejudicial to me and coupled with the zig-zags a draconian measure which has not worked outside, for example, the Oakwood Park complex where it penalises local residents.
9. Case law has shown that even if double yellow lines or single ones were to be implemented, members of the public could still park for dropping off etc thus nullifying their effect.
10. This is a conservation village and I believe we should be cautious before installing unsightly parking restrictions and additional street 'furniture'.
11. Zig-zag lines, however, are legally enforceable and would be a compromise solution if there has to be any form of marking/restriction. They would resolve the issues only two residents in particular, opposite the school, have with cars parking outside the school and also serve the needs of the two properties either side of the school..

Resolution.

If the scheme is not to be abandoned, as was suggested at the JTB Meeting on 10th December 2012, and which I would naturally prefer, and some solution is essential, please may I make a plea for the compromise solution of zig-zags only outside the school. Parking on these is legally banned and as stated previously, would resolve the problem for the residents opposite and appease the two households either side of the school.

At the time of writing a decision is still pending on the temporary car parking application and unlikely before March. If the application is approved then, hopefully the situation will generally be resolved and whilst I would prefer to see no restrictions, you may still consider zig-zags to be appropriate. If the temporary application is rejected, then I make a further plea for you to hesitate before installing double yellow lines for the reasons stated above. Even if single lines were to be introduced for the times the school is in session, case law has shown that these would not prevent anyone 'dropping off' thereby nullifying their effect whilst restriction notices would add to the street furniture in this conservation village.

I do hope there is a satisfactory solution to this local problem.

Yours sincerely



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Telephone: 08458 247 800
Ask for: A.J. Padgham
Reference: MHF/EK/12/SW/13
Date: 31 January 2013

Dear xxxxx,

PROPOSED MARKINGS OUTSIDE TUNSTALL SCHOOL

Thank you for your letter to the Director of Highways and Transportation, dated 27 January 2013, which has been passed to me for response.

When Mr Burr makes his decision on whether or not to install the parking restrictions, he will take into consideration all representations made during the whole process.

In paragraph 2 of your letter, you question whether a formal notice should have been posted before the formal consultation had started and responses considered. Please note the notice, a copy of which you enclosed with your letter, was of a proposed traffic order. The legal process with all traffic orders requires such notices to be posted on site at the start of the formal consultation in order to inform passing public of the proposal. The notice was not informing of an order having been made, indeed the order would not be made until a decision to proceed with implementation had been made.

In paragraph 9 and the resolution paragraphs, you refer to case law showing that motorists are not prevented from loading and unloading on single and double yellow lines. When the informal consultation document was compiled it was identified that fact needed to be conveyed to consultees. The text therefore included information on the distinction between the ability to drop off and collect passengers on yellow lines and the inability to stop on school keep clear markings. The combination of both types of restriction was included as options to prevent both short term stopping at school times and all day parking which had been proposed as one of the problems to be addressed. Neither type of restriction on its own would achieve both outcomes.

Yours sincerely,

Traffic Engineer
Member Highway Fund Team
KCC Highways and Transportation

