

SWALE JOINT TRANSPORTATION BOARD	Agenda Item:
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Meeting Date	Monday 5 th December 2022
Report Title	Formal Objections to Traffic Regulation Order – Swale Amendment 39 2022
EMT Lead	Emma Wiggins, Director of Regeneration and Neighbourhoods
Head of Service	Martyn Cassell, Head of Environment and Leisure
Lead Officer	Mike Knowles (SBC)
Classification	Open

Recommendations	<p>Members are asked to note the formal objections, indications of support and comments received to the advertised Traffic Regulation Order and recommend that:-</p> <p>(1) the proposed double yellow lines in Monks Close, Faversham, be abandoned;</p> <p>(2) the proposed double yellow lines in Recreation Way, Kemsley be removed from the current Traffic Regulation Order and an informal consultation be undertaken with residents on revised proposals following comments received;</p> <p>(3) the proposed double yellow lines in Bramley Avenue, Faversham <u>either</u> be progressed <u>or</u> abandoned;</p> <p>(4) the proposed formalising of the disabled persons' parking bay outside 18 Jubilee Crescent, Queenborough, be abandoned and the blue badge holder currently using the bay be asked to apply for a bay outside of their property.</p>
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1. Purpose of Report and Executive Summary

- 1.1 This report provides details of objections, comments and indications of support received in relation to the recently advertised Traffic Regulation Order, Swale Amendment 39 2022, which covers various amendments to on-street waiting restrictions in the Swale area. The proposals detailed in this report have been requested by Ward and County Members, to be funded through the County Members' Grant Scheme, with the exception of the proposed formalising of a disabled persons' parking bay in Queenborough.

2. Background

- 2.1 A Traffic Regulation Order has been drafted for various proposed amendments to on-street waiting restrictions in Swale, and the formal consultation took place between 2nd September 2022 and 23rd September 2022. Extracts from this Order where objections and comments have been received can be found in Annex A. A Statement of Reason summarising the relevant contents of the Order can be found in Annex B. A number of formal objections, comments and indications of support, have been received to some of the proposals in the Traffic Order, and these are discussed below.

3. Issue for Decision

- 3.1 A copy of the formal objections, indications of support and comments received can be found in Annex C, and plans for each of these areas can be found in Annex D.

(1) Proposed Double Yellow Lines – Monks Close, Faversham

- 3.2 A Ward Member for the area has requested the installation of double yellow lines outside Nos.4 to 6 Monks Close in Faversham. This follows reported issues with refuse freighters and other larger vehicles having to drive over the corner of the grassed verge to negotiate access past parked vehicles near the narrow entrance to the close. The proposed double yellow lines are supported by the County Member and are being funded through the County Members' Highway Grant Scheme.
- 3.3 During the formal consultation process, we received 18 formal objections and 2 indications of support, one with a comment requesting the extension of the proposals should they be progressed. The main theme of objections was the lack of on-street parking and the need for elderly residents to be able to park close to their properties, with one objection coming from a Support Officer of Hanover Court. 14 of the formal objections received were in the form of a generic letter, signed and sent individually by residents.
- 3.4 Ward & County Member Comments: The Ward Member who requested the proposed restrictions has commented as follows: *"My initial reaction is that it needs to be abandoned, but I would like to talk to the resident who put it forward initially."* Having spoken to the resident who requested the restrictions, the Ward Member

stated they were accepting, if not happy about the abandonment of the proposals and still identified a problem. The County Member who is funding the Traffic Regulation Order through the County Members' Grant has commented that "*I am in agreement with [the Ward Member] that in light of the responses this probably cannot be progressed.*"

(2) Proposed Double Yellow Lines – Recreation Way, Kemsley

- 3.5 The County Member for the area has requested the installation of double yellow lines on the corner outside 62 Recreation Way in Kemsley following issues with vehicles parking close to corner, hindering the safe movement of vehicles.
- 3.6 During the formal consultation, we received 2 formal objections and 1 comment supporting the proposals but stating that the proposals should be extended to prevent the problem being displaced into nearby areas. One objector stated that the proposed double yellow lines would displace the vehicles to the opposite side of the road, and the other objector felt that waiting restrictions would increase traffic speeds.
- 3.7 Ward & County Member Comments: A Ward Member for the area has stated that he is "*in total agreement with the yellow lines on the corner of 62 Recreation Way in Kemsley*" and added that he uses the road regularly and it can be dangerous with all the parked cars. The County Member for the area feels that in light of the comments and objections received, rather than progressing the current proposals included in the Traffic Regulation Order, we should undertake informal consultation with residents on all three sets of suggested double yellow lines and seek further comments/objections when residents can see all three proposals together.

(3) Proposed Double Yellow Lines – Bramley Avenue, Faversham

- 3.8 A request was received from a Ward Member for a section of double yellow lines to be installed in Bramley Avenue, Faversham. The proposals were supported by the County Member for the area, to be funded through the County Members' Grant Scheme.
- 3.9 An initial informal consultation on the proposals took place with residents in May 2022 when 7 responses were received, 3 supporting the proposals, 2 objecting and 2 providing comments both for and against the proposals. The results were reported to the Swale Joint Transportation Board in June 2022, and the recommendation was to include the proposals in our next Traffic Regulation Order which has now been drafted and formally consulted on.
- 3.10 During the formal consultation, 4 formal objections were received, 2 indications of support and 4 comments requesting that the proposed lines be extended further. The main subject of the objections was around traffic speeds and the preference for traffic calming to be introduced, which would be something for the County Council to consider.
- 3.11 Ward & County Member Comments: One of the Ward Members has provided the following comments in response to the formal responses received during the

consultation: *“My comment as Ward Member is that the reason for this proposal is to reduce the potential risk of a head on collision on the blind bend between Preston Avenue and Bramley Avenue. On walking this section of road it was clear to me that some on street parking actually assists in traffic calming, hence why only a short stretch of double yellows is proposed. The purpose of this short stretch of double yellow lines is to provide a safe passing point for drivers on what is a blind bend. I believe that this proposal tackles the concerns of speeding, need for parking and the potential hazard of parking on a blind bend currently without a passing point.”*

(4) Proposed Formalising of Disabled Persons’ Parking Bay – 18 Jubilee Crescent, Queenborough

- 3.12 A request was received from a blue badge holder in Queenborough for the existing disabled persons’ parking bay outside of 18 Jubilee Crescent to be formalised and added to the Traffic Regulation Order to enable enforcement against non-blue badge holders parking in the bay.
- 3.13 During the formal consultation, 4 formal objections were received to the proposals. The objections related to the fact that the original applicant for the bay had sadly passed away, and the blue badge holder who had requested the formalising of the bay did not live in the immediate vicinity of the bay and frequently parked outside of their own property.
- 3.14 This particular situation has highlighted a potential anomaly in the process for applying for an existing disabled persons’ parking bay to be formalised. Previously, any objections to the formalising of a bay have not been reported to the Swale JTB for consideration, as if the applicant meets the necessary criteria stated by Kent County Council, we are not in a position to turn down the application.
- 3.15 However, in this instance, the blue badge holder requesting the bay formalisation is not the original applicant but another resident who currently uses the bay, which is not located outside of their property. As they were not the original applicant, they are not required to submit evidence that they meet the KCC criteria for a bay application, and the bay is located outside of the original applicant’s former property.
- 3.16 Members are therefore asked to note the contents of the objections, and recommend that the blue badge holder be requested to apply for a disabled persons’ parking bay outside of their property, and that the current bay be left in position for a period of 3 months but not be formalised in the current Traffic Regulation Order.
- 3.17 An indication of support has also been received for proposed double yellow lines on the junction of Windsor Drive and Hill Brow in Sittingbourne, but as there were no formal objections received this will not require a recommendation from the Board and has been included for completeness.

4. Recommendation

4.1 Members are asked to note the formal objections, indications of support and comments received to the advertised Traffic Regulation Order and recommend that:-

(1) the proposed double yellow lines in Monks Close, Faversham, be abandoned;

(2) the proposed double yellow lines in Recreation Way, Kemsley be removed from the current Traffic Regulation Order and an informal consultation be undertaken with residents on revised proposals following comments received;

(3) the proposed double yellow lines in Bramley Avenue, Faversham **either** be progressed **or** abandoned;

(4) the proposed formalising of the disabled persons' parking bay outside 18 Jubilee Crescent, Queenborough, be abandoned and the blue badge holder currently using the bay be asked to apply for a bay outside of their property.

5. Implications

Issue	Implications
Corporate Plan	Improving Community Safety through safer Highways.
Financial, Resource and Property	Cost of Advertising Made Order, Cost of Installing Lines and Signs on site. Charge from Kent County Council for Sealing or Traffic Order.
Legal and Statutory	Sealing of Traffic Regulation Order by Kent County Council.
Crime and Disorder	None at this stage.
Risk Management and Health and Safety	None identified at this stage.
Equality and Diversity	None identified at this stage.
Sustainability	None identified at this stage.

Health Implications	<p>The introduction of double yellow lines to improve sightlines and vehicle movements could have a positive impact on the mental health of drivers by reducing stress levels and potential incidents of road rage.</p> <p>However, where on street parking capacity is limited there may be some negative mental health effects on residents who may be forced to park further away from their properties, potentially increasing the distance to walk at night.</p> <p>In the case of the disabled persons' parking bay, there could be a negative impact on the person requesting the bay to be formalised as they would need to apply for a bay closer to their property and may not meet the KCC criteria, but by formalising the bay at the current location this could negatively impact on the nearby residents who would have to find alternative parking.</p>
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6. Appendices

- 6.1 Annex A – Extract from Traffic Regulation Order Swale Amendment 39 2022
- Annex B – Extract of Statement of Reason
- Annex C – Copy of Formal Objections, Indications of Support & Comments
- Annex D – Plans of Proposals Receiving Objections and Support

7. Background Papers

- 7.1 None