

| | |
|---|---------------------|
| SWALE JOINT TRANSPORTATION BOARD | Agenda Item: |
|---|---------------------|

| | |
|------------------------|--|
| Meeting Date | Monday 7 th September 2020 |
| Report Title | Formal Objections to Traffic Regulation Order – Swale Amendment 14 |
| Cabinet Member | Clr T Valentine |
| Head of Service | Martyn Cassell |
| Lead Officer | Mike Knowles (SBC) |
| Classification | Open |

| | |
|------------------------|--|
| Recommendations | <p>Members are asked to note the formal objections and comments received to the advertised Traffic Regulation Order and recommend that:-</p> <p>(1) the proposed loading ban in The Mall/Nelson Street, Faversham, be progressed;</p> <p>(2) the proposed double yellow lines in The Street, Oare, be progressed;</p> <p>(3) the proposed double yellow lines in Addington Road, Sittingbourne, be progressed;</p> <p>(4) the proposed double yellow lines in Coldharbour Lane, Kemsley, either be progressed or abandoned;</p> <p>(5) the proposed double yellow lines in Hilton Drive, Sittingbourne, be progressed;</p> <p>(6) the proposed formalising of the disabled bay in Harris Road, Sheerness, be progressed;</p> <p>(7) the proposed formalising of the disabled bay in Harold Road, Sittingbourne, be progressed.</p> |
|------------------------|--|

1. Purpose of Report and Executive Summary

- 1.1 This report provides details of objections received to the recently advertised Traffic Regulation Order, Swale Amendment 14, which covers various amendments to on-street waiting restrictions in the Swale area.

2. Background

- 2.1 A Traffic Regulation Order has been drafted for various proposed amendments to on-street waiting restrictions in Swale, and a copy of this Order can be found in Annex A. A Statement of Reason summarising the contents of the Order can be found in Annex B. A number of formal objections, and indications of support, have been received to some of these proposals, and these are discussed below.

3. Issue for Decision

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

Proposed Loading Ban – The Mall/Nelson Street, Faversham

- 3.2 The issue of a proposed loading ban for the junction of The Mall and Nelson Street in Faversham has been the subject of considerable reporting to the Swale Joint Transportation Board and substantial discussion with the nearby business.
- 3.3 Following a request for restrictions to prevent vans parking on the footway near the junction and obstructing sightlines, we included a proposed loading ban in our Traffic Regulation Order, Swale Amendment 1, last year and the formal objection received was reported to the Joint Transportation Board at their meeting in June 2019. Members recommended that the proposed loading ban be progressed but with the provision of either a loading bay nearby or double yellow lines in Nelson Street to allow the side access to the business to be used for loading and unloading. However, further discussions with Kent County Council and the business owner confirmed that neither option was viable, as a loading bay would not be permitted in The Mall and the side access to the property was no longer usable.
- 3.4 Further discussion took place with the business owner and an update report was presented to the Swale Joint Transportation Board in January 2020, documenting the history and suggesting a revised loading ban be implemented for a shorter length in The Mall with two windows to allow loading/unloading between 10am-11am and 4pm-5pm. Members recommended that this revised proposal should go ahead, and the restrictions were included in our latest Traffic Order. One objection was received to these proposals, stating that the loading ban will displace delivery vehicles to outside of their property, and suggested the installation of a loading bay outside the side entrance to the business in Nelson Street. The proposed loading ban will include the area outside of the objector's property, and as stated above the business have advised that the side access has been decommissioned.

- 3.5 Ward Member & Town Council Comments: The Ward Member stated that his comments made prior to the consultation have not changed and that he supports this TRO. At the time of writing this report, no further comments have been received.

Proposed Double Yellow Lines – The Street, Oare

- 3.6 A site meeting took place with representatives from Kent County Council and a local bus operator to look at issues around bus access through The Street, Oare, due to parked vehicles. At the meeting officers advised that any proposed waiting restrictions should be kept to a minimum due to the already limited on-street parking capacity for residents, and two 4 metre sections of double yellow line were proposed, one in Colegates Road and one in The Street.
- 3.7 An informal consultation took place with residents on both proposals, and the results of the consultation (5 responses from 11 letters, 3 supporting and 2 objecting) were reported to the Swale Joint Transportation Board at their meeting in January 2020, where Members recommended that the proposed restrictions should be progressed. The Traffic Regulation Order was subsequently drafted and during the formal consultation period one objection and one indication of support was received.
- 3.8 The formal objection stated that there is already insufficient on-street parking and suggested the Council look to purchase some nearby farmland to construct a car park for residents. The indication of support welcomed the restrictions, stating that the bus sometimes has to wait up to 15 minutes to get through The Street.
- 3.9 Ward Member & Parish Council Comments: The Ward Member stated that whilst he empathised with the issue the resident raises and would prefer a solution that is suitable to both the resident and the bus company if one could be presented, he did not think this should mean that the double yellow lines are not introduced.

Proposed Double Yellow Lines – Addington Road, Sittingbourne

- 3.10 A request was received from the developer of the properties on the corner of Park Road and Addington Road in Sittingbourne, for the existing single Residents' Parking Bay to be removed and replaced with double yellow lines to allow the new vehicle access to the property to be completed. As there is an existing garage entrance adjacent to the new development, the proposed double yellow lines extend to protect this access from parked vehicles, and there is no additional loss to the one Residents' Parking Bay space.
- 3.11 During the formal consultation period, the Traffic Regulation Order received one objection. The objector states that the continuous removal of Residents' Parking Scheme bays to accommodate vehicle access to properties is reducing on-street parking capacity for residents, who are having to park in adjoining roads.
- 3.12 It is understood that there is a legal right to vehicular access to a property with a suitably constructed vehicle crossing in place, and it could be difficult to regulate the number of new dropped kerbs constructed, although the highway authority would be able to advise further. There is also the argument that the construction of a driveway

entrance takes away one parking space that would otherwise be occupied by the householder in the absence of a driveway.

Proposed Double Yellow Lines – Coldharbour Lane, Kemsley

- 3.13 Following a request from the bus operator, proposed double yellow lines in the short section of Coldharbour Lane, Kemsley, between Ridham Avenue and Reams Way were included in the Traffic Regulation Order Swale Amendment 1. Formal objections received in relation to this Order, including one against the proposed restrictions in Coldharbour Lane, were reported to the Swale Joint Transportation Board in June 2019, and Members recommended that the proposed double yellow lines be abandoned and the issues reported by residents be referred to the bus operator for comment.
- 3.14 Comments were subsequently received from the bus operator and these were presented to the Joint Transportation Board in December 2019, where Members requested that the item be brought back to the JTB for further consideration. At their meeting in March 2020, the Swale Joint Transportation Board recommended that the previously proposed double yellow lines, which were removed from the Swale Amendment 1 Traffic Order, be progressed, and the proposals were added to our Traffic Regulation Order Swale Amendment 14. During the formal consultation period, one objection and one indication of support was received.
- 3.15 Various points have been raised in the formal objection, details of which can be found in Annex C. These include unsuitable alternative parking for residents, the fact that this section of road is not a turning head and concerns around highway safety.
- 3.16 Ward Member Comments: The Ward Members have discussed the matter and have provided the following comments: *"This is a long-standing issue. We both support the TRO for the following reasons:*

1. Loss of Service

- *Due to problems with turning round at the end of Ridham Avenue and a number of incidents, the bus company is planning to stop their service to the end of Ridham Avenue (already happening at some times during the day) by turning on the island at the top of Grovehurst Avenue (not unreasonably in our view);*
- *This effectively would mean removal of a bus service from six bus stops (three each way) along Ridham Avenue which puts a considerable number of people, particularly the elderly (about a third of Kemsley Village) and the whole of Kemsley Fields, at a disadvantage.*

2. Environmental

- *The objector mentions ".....raising issues on safety and the environmental impact".;*
- *In these times of Swale's Climate Change Emergency Policy, having a public transport service removed is not in the spirit of persuading people to use public transport rather than private cars so it is more environmentally sound to ensure that this bus service continues.*

3. Safety of vehicles, pedestrians, cyclists

- Any damage caused by buses turning is because there are vehicles where they should not be (See parking below) and the bus drivers have been having great difficulties in avoiding them;
- the statement that this is a "four way junction" is not correct. The "turning head" is actually blocked off with a No Entry sign meaning that vehicles are illegally entering the turning heads to park there. The turning head is therefore not a junction;
- the extension of Ridham Avenue behind their houses is not a through way and has no give way or stop sign so is not a junction;
- the only junction left, therefore, is the T junction from the other side of Coldharbour Lane onto Ridham Avenue, which is the only entrance/exit for vehicles from 36 households;
- any danger is far higher and disruption far greater, therefore, if the bus turns round into this road rather than having the ability to turn round in the turning head which has just 2 houses both of which have alternative allocated parking elsewhere;
- there are good wide pavements both sides of the turning head for pedestrians and cyclists crossing from Reams Way to Ridham Avenue and their visibility is clear for a bus reversing into the turning head, as long as there are no other vehicles in the turning head disrupting their view of the bus.

4. Safety of householders

- The objector says "We park directly outside of our home as the area towards the back of our home does not have good street lighting and is a well known hot spot for drug users, drug dealers, illegal vehicle activity, anti-social behaviour and being able to park outside home allows us to feel safe and secure when exiting our car to our home."
- we agree that the alleyway between Ridham Avenue and Recreation Way and the closed off part of Ridham Avenue further down is a favourite place for some of the activities mentioned. However, both the alleyway and the closed off area are further down than the objector's house and in the experience of both the police and ourselves, the perpetrators tend to keep to those areas and away from the houses for obvious reasons;
- the walk from allocated parking spaces behind their houses to their front doors is very short (length of small garden plus length of the house) inherently unsafe and there is pavement lighting on that walk;
- the allocated parking spaces behind their house are immediately adjacent to their garden fences and there is kerb parking next to that. If they are seriously concerned with walking the short distance, they could install secure garden gates to give access to their back gardens and to the back door of their houses.

Proposed Double Yellow Lines – Hilton Drive, Sittingbourne

- 3.17 Following a request from a Ward Member, proposals were included in our latest Traffic Order for a short section of double yellow lines across the garage entrance between Nos.32 and 34 Hilton Drive in Sittingbourne. During the formal consultation one objection was received. The objector requested details of the proposed length of the double yellow lines, which were provided, and stated that there has rarely

been a problem with getting access to the garage area and that parking problems are already experienced due to the presence of the single yellow line on the opposite side of the road.

Proposed Disabled Bay – Harris Road, Sheerness

- 3.18 A disabled persons' parking bay was installed some time ago at the end of Harris Road, Sheerness, following an application from a nearby resident. The bay was an advisory bay only, and following reported problems of non-blue badge holders parking in the bay it was added to the Traffic Regulation Order to formalise it and make it enforceable.
- 3.19 During the formal consultation, one objection was received. The objection is raised because the bay cannot be used by non-blue badge holders and states that it is rarely used, and also that the applicant does not require a bay.
- 3.20 It should be noted that applicants are required to meet specific criteria, set out by Kent County Council, and whilst the Traffic Regulation Order process states that any formal objections received must be considered by the Joint Transportation Board, there would need to be substantial evidence to back up any recommendation not to include a disabled persons' parking bay in the Traffic Regulation Order.

Proposed Disabled Bay – 60 Harold Road, Sittingbourne

- 3.21 A disabled persons' parking bay was installed in Harold Road, Sittingbourne, following an application from a nearby resident. This was an advisory and unenforceable bay, and a request has now been received to formalise the bay following reported issues of non-blue badge holders parking in the bay.
- 3.22 Two formal objections have been received in relation to this bay, details of which can be found in Annex C. As in paragraph 3.20 above, any recommendation not to include the bay in the Traffic Order would require substantial evidence.

4. Recommendation

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

(1) the proposed loading ban in The Mall/Nelson Street, Faversham, be progressed;

(2) the proposed double yellow lines in The Street, Oare, be progressed;

(3) the proposed double yellow lines in Addington Road, Sittingbourne, be progressed;

(4) the proposed double yellow lines in Coldharbour Lane, Kemsley, **either** be progressed **or** abandoned;

(5) the proposed double yellow lines in Hilton Drive, Sittingbourne, be progressed;

(6) the proposed formalising of the disabled bay in Harris Road, Sheerness, be progressed;

(7) the proposed formalising of the disabled bay in Harold Road, Sittingbourne, be progressed.

5. Implications

| Issue | Implications |
|---------------------------------------|--|
| Corporate Plan | Improving Community Safety through safer Highways. |
| Financial, Resource and Property | Cost of Advertising Made Order, Cost of Installing Double Yellow Lines. |
| 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 | The introduction of a loading ban in The Mall/Nelson Street, Faversham should decrease driver stress by maintaining safe sightlines at the junction, whilst the specified windows to allow loading/unloading should support local business and the local economy. The installation of double yellow lines to assist with bus routes could improve air quality by providing an alternative to private car use, although equally it could be argued that air quality in the vicinity of the properties in Kemsley may be negatively impacted by buses manoeuvring in the close vicinity. The installation of double yellow lines to prevent obstruction could have a positive impact on stress caused to drivers, and the formalising of disabled persons' parking bays will ensure only those vehicles displaying a blue badge will be able to park in the designated |

| | |
|--|--|
| | space, assisting those with mobility issues. |
|--|--|

6. Appendices

- 6.1 Annex A – Copy of Traffic Regulation Order Swale Amendment 14
- Annex B – Statement of Reason
- Annex C – Copy of Formal Objections & Indications of Support Received
- Annex D – Plan of Proposals Subject to Formal Objections

7. Background Papers

- 7.1 None