

Proposed Revision to Waiting Restrictions Norfolk Road, Tunbridge Wells

A report by the Borough Council's Head of Customers and Communities to the Tunbridge Wells Joint Transportation Board on 19 October 2015

SUMMARY

1. At the July meeting, members sought clarification over the reasons for proposed revisions to waiting restrictions in Norfolk Road. This report explains in detail why these alterations are deemed appropriate.

BACKGROUND/INTRODUCTION

2. Creation of a revised vehicular access to a property in Norfolk Road apparently changed parking behaviour which, in turn, led to complaints from the nearby Grove Bowling Club about access difficulties to their car park.
3. Restrictions were proposed to prevent parking in a position which might cause difficulties with access to the Bowling Club and these were extended across the new driveway to the house in Norfolk Road.
4. The necessary order was made but the house owner objected to restrictions extending across their drive and it was agreed that they would be stopped short of it. The Bowling Club subsequently objected to this and have insisted that the restriction should be marked as per the original order.
5. A proposal to regularise the situation by amending the order to match what is on the ground has resulted in objections from Bowling Club members.

Sequence of Events

6. To be able to properly understand what the issues are, it is necessary to explain why problems have arisen and the actions that have been taken to date.
7. In 2010, consent was granted for an extension to 31 Norfolk Road, Tunbridge Wells. The proposal included a revised parking area and relocation of the existing access slightly to the north. The permission was duly implemented.
8. The property is situated on the western side of Norfolk Road. A resident priority parking bay extended to the northernmost point of the road on both sides. Prior to the access alterations at number 31 there did not appear to be any problem associated with the bay extending to the end of the road and, perhaps of greater significance, there had been no complaints from the Bowling Club or anybody else about vehicles parked where the access is now located.
9. The relocated access meant that cars parked north of it would potentially extend across part of Grove Hill Gardens which then gave rise to complaints from the Grove Bowling Club that their access was being impeded. Their car park lies to the north of

Grove Hill Gardens and has access from both that road, which is privately maintained, and Norfolk Road. The general layout is shown at Appendix A.

10. A proposal to introduce waiting restrictions at the northern end of Norfolk Road to address the issue was advertised with a batch of restrictions in 2014. The proposal involved double yellow lines on both sides of Norfolk Road at its northern end and these were extended on the western side to cover the newly formed access.
11. The extension across the driveway was not needed to preserve access to the Bowling Club and only served to protect the private driveway. During the statutory consultation process, the resident at number 31 had objected to the proposed double yellow lines, as had many other residents of the road. Unfortunately, in summarising the comments for a JTB report, no distinction was made between that objection and all the others which were against the principle of additional restrictions in Norfolk Road.
12. The order was duly made in an amended form after taking into account the weight of objection, acknowledging this by eliminating the proposal for restrictions on the eastern side (opposite the access to number 31).
13. Prior to marking the restriction, the resident at number 31 requested that the double yellow line did not extend across his driveway as proposed. It was explained that the order had been made but, with some discretion being allowed provided the order covers the area to be marked, it was agreed to terminate the lines to the north of the access. This amendment was verbally agreed with the Parking Manager at KCC Highways.
14. The restrictions were duly marked, at which point Mr Thompson from the Bowling Club contacted me to ask why the lines did not extend across the driveway as per the order. The circumstances outlined above were explained, but Mr Thompson was unhappy with this and insisted that the restriction should be marked exactly as per the order.
15. Whilst it is unusual to implement a restriction in any form other than per the order, it is not a unique situation to vary them to deal with conditions on site. It is important to stress that the lines as marked dealt with the issue originally raised by the Bowling Club – cars being parked partly into Grove Hill Gardens making access difficult to the Bowling Club car park. Until the current course of action commenced there had been no complaints from anybody about access being impeded with the lines marked in their present form.
16. To make the order as accurate as possible and also deal with Mr Thompsons objection that the definition did not match what had been marked, the way forward, as endorsed by the Highway Authority, was to formalise the shortened restriction by making a revision to the order. Accordingly, on 26th June this year, an advert was placed which sought to do this. During the consultation period objections were received from members of the Bowling Club, all but one of which was by standard letter – copy attached at Appendix B.
17. Mr Thompson wrote separately expanding on the points made in the standard letter – copy attached at Appendix C.
18. From the correspondence received, it can be seen that the objection appears to be largely related to the fact that a member of staff took the decision to amend the length of restriction on site rather than it being as the direct result of a Board recommendation. As explained earlier, however, the highway authority not only

considered this to be acceptable in principle but also, when asked about this specific case, supported the action taken. It should also be borne in mind that the JTB is not a decision making body and can only recommend that the highway authority take a particular course of action.

19. The driveway is covered by a white line access marking and one objection made to the current arrangement is that the resident uses this to his benefit by parking across his own access whilst effectively denying others the opportunity to do so. There is however, nothing illegal about this and it does of course mean that one less car is parked in the marked bay so it should be considered as a benefit of the current arrangement.
20. Although it is stated in the letters of objection that "Vehicles parked in this part of the road have frequently caused obstruction to Grove Bowling Club members..." it is not clear whether this relates to the period prior to introduction of any double yellow lines or since they were marked. The resident at 31 is adamant that no car parked across his driveway would cause an obstruction to the Bowling Club access and that view is shared by Council officers.
21. When objections to proposed new restrictions were considered at the July JTB, members requested clarification over the issues relating to the Norfolk Road proposal before making a recommendation.
22. One important consideration for members when making a recommendation is that the issue on which it should be made is proper traffic management and not any grievance against one officer of the Council. There is a complaints procedure which can be used to air grievances. The matter for JTB is whether the restriction is needed to prevent parking where it might have a significant adverse impact on highway safety or cause congestion.

CONCLUSIONS

23. The issue for members' consideration is whether the restriction as marked is adequate for its intended purpose. The view of both Borough and County officers is that it does achieve what was intended and that an extension across the driveway to number 31 serves no purpose other than to prevent obstruction to that property. Since the resident does not wish his access to be protected, in that way, there is no need for the double yellow lines to extend across it.

RECOMMENDATION:

24. That JTB endorse an amendment to the traffic regulation order.

Contact Officer: Nick Baldwin, Tunbridge Wells Borough Council 01892 526121