

Proposed New Waiting Restrictions – Various Streets, Tunbridge Wells, Rusthall and Pembury

For Joint Transportation Board on 2 October 2023

Summary

Lead Member: Peter Lidstone

Lead Director: Lee Colyer

Head of Service: Jane Fineman

Report Author: Nicholas Baldwin

Classification: Public document (non-exempt)

Wards Affected: Rusthall, Park, Pembury, St James, Sherwood, Pantiles & St Marks

Recommendations

Officer / Committee recommendations as supported by the Portfolio Holder:

1. That the Joint Transport Board endorse the making of traffic regulation orders for the proposed restrictions without amendment.

1. Introduction and Background

- 1.1 Following requests for new or amended waiting restrictions, as detailed in this report, a traffic regulation order was advertised, with representations being made in respect of some of them.
- 1.2 Where objections are made to proposed waiting restrictions, it is standard practice to bring these before this Board, where issues raised can be discussed prior to any order being made.

2. The Restrictions Proposed

- 2.1 Traffic Regulation Orders (TRO) were advertised on 23 July with the three week consultation period running until 10 August.
- 2.2 The restrictions proposed were the result of approaches from a number of sources. Some originated from concerns being expressed by the Borough Council's contractors, others from the Council's Property Services team, one to resolve an anomaly, one to address access issues and one request from a developer seeking changes to address issues arising out of the creation of a new vehicle access.
- 2.3 It should be emphasised that, whilst most of these proposals involve the introduction of yellow line waiting restrictions, that would normally be a KCC function as highway authority. Exceptionally, however, where TWBC services or operations are compromised, or where a developer funds restrictions, they can be promoted by the Borough Council
- 2.4 TWBC's Contract Services requested restrictions in the following locations
 - Junction of Henwood Green Road and Stanam Road, Pembury
 - Junction of Erskine Park Road and Hill View Road, Rusthall
 - Junction of Erskine Park Road and Manor Road, Rusthall
- 2.5 Whilst each of the junctions listed above were raised as being accessibility issues for refuse collection, it must be remembered that the Highway Code indicates that parking should not take place within 10m of a junction. There is, therefore, a safety reason for not having parked cars too close to an intersection.
- 2.6 TWBC's Estates team requested parking controls be introduced to the driveway and parking area beside Age UK in Wood Street, Tunbridge Wells. The land in question is owned by the Borough Council. The restrictions proposed are No Waiting At Any Time over all but a short section beside the Age UK building where permit parking is proposed.

- 2.7 A discrepancy between the restrictions marked on site and those detailed in the current TRO for double yellow lines in Linden Park Road, Tunbridge Wells was identified and the dimensions measured on site have been included in the proposed order.
- 2.8 A long-standing request to amend restrictions in St James Road to assist with deliveries to commercial premises has been included through the proposed introduction of a short length (12m) of 7am to 4pm Monday to Friday restriction where parking is currently unrestricted,
- 2.9 7m of double yellow line are proposed in Brook Road across an access used by TWBC Contract Services when maintaining open space at Oak Road, Tunbridge Wells.
- 2.10 Development in Windmill Street has resulted in the creation of a new access to off-street car parking on a section of the road currently subject to permit parking restrictions. Double yellow lines are proposed to maintain safe access to the site.
- 2.11 The Appendix to this report contains drawings showing the restrictions proposed.

3. Comments Received

- 3.1 22 responses were received to the statutory consultations. These can be summarised depending on the specific restriction proposed as follows:-
- 10 in respect of the two proposals for Rusthall
 - 7 in respect of the proposals for Wood Street
 - 4 where objections raised but no indication as to which part of the Order concerns related to – i.e. no streets mentioned, just objections to loss of parking.
 - One comment in respect of Stanam Road but not phrased as an objection.
- 3.2 The proposed restrictions for two junctions in Rusthall have resulted in the greatest level of comment and objection. It is also assumed that some of the comments where no roads are mentioned related to these locations, but that cannot be taken as definite, so a response is provided below in respect of each location where yellow lines are proposed.
- 3.3 The two junctions in Rusthall at Erskine Park Road/Hill View Road and Erskine Park Road/Manor Road are where refuse collection has been compromised by vehicles parking at junctions. The restrictions proposed are for 10m of double yellow lining on the inside of each junction (i.e. not opposite the side road).
- 3.4 Objections have been raised to these on the basis that parking space would be lost in an area where demand is high. Whilst that concern is acknowledged, it is important to remember that there is no right to park on a public highway. Furthermore, parking at junctions is never appropriate, as reinforced by the Highway Code where drivers are told not to park within 10m of a junction. This both helps to ensure that vehicles can

negotiate the turn without having to reverse and also provides intervisibility between drivers and pedestrians, which is an important safety consideration.

- 3.5 The extent of proposed restrictions has been queried but the 10m proposed is at the minimum amount normally recommended, and suggestions that it is unparalleled in Rusthall, are simply incorrect. Others are the same or longer. Measurements are, in any event, taken from the intersection of centrelines at junctions so the amount of kerbside space 'lost' is less than 10m.
- 3.6 The same reasoning applies to the other junction where restrictions are proposed – Henwood Green Road/Stanam Road, Pembury, although there are no specific objections lodged in respect of that location.
- 3.7 The proposal for St James's Road has resulted from requests over a period of years from a publican to assist with difficulties arising with commercial refuse collection and access to their cellar in a location where vehicles are frequently parked. It is unusual to promote restrictions for this reason, but it was eventually agreed that we would promote a restriction and see what response was made. In the event, only one response was specifically related to this proposal, raising objections on the loss of parking, although other comments were ambiguous since they did not specify which road they were concerned about the loss of parking.
- 3.8 The St James's Road restriction covers the periods of 7am to 4pm Monday to Friday so evenings and weekends remain unrestricted. It is also worth noting that parking can only take place on both sides of the road if drivers park partly on the footway, a practice that is to be discouraged where possible. On balance, it is considered that the restrictions proposed are proportionate.
- 3.9 There appear to be no objections to the Linden Park Road restriction, presumably in part at least because the restriction is already marked on site and has been for several years. The proposal simply removes the anomaly.
- 3.10 No objections appear to relate to the Brook Road proposal, which is only very short, but will help to ensure access is available for maintenance work.
- 3.11 The proposals for Windmill Street are needed since development of the old school playground have resulted in the creation of a new vehicular access to their car park. Three potential spaces in the permit parking bays would be lost and efforts are being made to replace these elsewhere in the vicinity, but do not form part of the current proposal. Although it would appear that objections have been raised, which don't specifically mention Windmill Street, the change is inevitable as a result of the development having been granted consent.
- 3.12 Proposals for restrictions in the TWBC owned driveway beside Age UK have been commented on, with no objections raised. The comments made are queries as to whether access to parking spaces would be maintained with none of those spaces being subject to restriction. We are not seeking to control parking on anything other than TWBC owned land so no currently designated parking bays are affected.

4. Conclusion and Recommendation

- 4.1 Although there have been a number of objections, in particular to the two proposals for restrictions at junctions in Rusthall, part of the reasoning behind these seems to have been based on a misunderstanding of what the proposals entailed. The 10m distance quoted is measured from the centreline of the intersection of two roads so the actual amount of roadside space involved is much less, being only about 7m at a typical junction, which equates to less than two car lengths. When combined with the wording in the Highway Code, there is no justification for dropping the proposals or reducing the extent of the restrictions proposed.
- 4.2 As far as the other comments and objections are concerned, none raised issues which were unexpected. Restrictions on parking on a public highway are often unpopular but it must always be remembered that nobody has a right to park, it only being tolerated where it does not cause a safety or congestion issue. Restrictions are only proposed when problems are highlighted and no other reasonable course of action is appropriate.
- 4.3 Members are, therefore, recommended to endorse the making of traffic regulation orders as advertised.