

## **Traffic Management - Parking & Waiting Restrictions - Thanet**

### **Meeting – Thanet Joint Transportation Board - 15 December 2016**

Report Author                      Civil Enforcement Manager

Portfolio Holder                  Cllr S Brimm

Status                                **For Recommendation**

Classification:                    **Unrestricted**

Key Decision                        **No**

Reasons for Key                  N/A

Ward:                                 Across the District - Various

#### **Executive Summary:**

The report presents the results of investigations at various locations where parking restrictions have been requested over the last four months.

#### **Recommendation(s):**

That subject to the views of this Board the recommendations shown in appendix 1 are approved and

That the proposals which require statutory consultation are advertised and that any traffic related objections are reported back to a future meeting of the Board.

#### **CORPORATE IMPLICATIONS**

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| <b>Financial and Value for Money</b>                         | Parking and waiting restrictions are funded, managed and enforced by the Thanet District Council using the decriminalisation budget. No additional staffing resources are proposed, as the majority of the controls should be self-enforcing and are covered within our existing patrols. As a result there are no financial implications arising directly from this report.  |
| <b>Legal</b>   | There are no legal implications arising from this report.   |
| <b>Corporate</b>   | The proposals are intended to improve access, sightlines and the free flow of traffic. This is applicable not only to residential traffic but also to Emergency Service vehicles and stagecoach. If controls are not introduced, having identified a problem and proposed a solution and if an incident were to occur, it is possible that Members could be challenged for a failure to discharge their duty of care. This fits in with the councils Priorities and Values. |
| <b>Equalities Act 2010 &amp; Public Sector Equality Duty</b> | Members are reminded of the requirement, under the Public Sector Equality Duty (section 149 of the Equality Act 2010) to have due regard to the aims of the Duty at the time the decision is taken. The aims of the Duty are: (i) eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act, (ii) advance equality of opportunity between people who share a protected characteristic and  |

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|  | <p>people who do not share it, and (iii) foster good relations between people who share a protected characteristic and people who do not share it.</p> <p>Protected characteristics: age, gender, disability, race, sexual orientation, gender reassignment, religion or belief and pregnancy &amp; maternity. Only aim (i) of the Duty applies to Marriage &amp; civil partnership.</p> <table border="1" style="width: 100%;"> <tr> <td colspan="2">Please indicate which aim is relevant to the report.</td> </tr> <tr> <td>Eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act,</td> <td></td> </tr> <tr> <td>Advance equality of opportunity between people who share a protected characteristic and people who do not share it</td> <td style="text-align: center;">✓</td> </tr> <tr> <td>Foster good relations between people who share a protected characteristic and people who do not share it.</td> <td></td> </tr> </table> <p>Some proposals will improve sightlines for drivers and pedestrians. Additionally, some waiting restrictions on corners and at junctions will discourage inconsiderate parking and improve pedestrian access to footways which can cause particular difficulties for those with restricted mobility, wheelchair users and parent with pushchairs or prams. This will be of benefit to both able bodied and disabled road users.</p> <p>The proposals allows for disabled badge holders to park within any pay and display bay by using their blue badge meeting the needs of persons with a protected characteristic.</p> <p>If any changes are made to the current legislation, parking areas or representations are received with a relevance to the Public Sector Equality Duty we will review our impact assessment. Officers will review consultation feedback for any comments relevant to the Equality Act 2010 and Public Sector Equality Duty.</p> | Please indicate which aim is relevant to the report. |  | Eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act, |  | Advance equality of opportunity between people who share a protected characteristic and people who do not share it | ✓ | Foster good relations between people who share a protected characteristic and people who do not share it. |  |
| Please indicate which aim is relevant to the report.   |  |  |  |   |  |  |   |   |  |
| Eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act,              |  |  |  |   |  |  |   |   |  |
| Advance equality of opportunity between people who share a protected characteristic and people who do not share it | ✓  |  |  |   |  |  |   |   |  |
| Foster good relations between people who share a protected characteristic and people who do not share it.          |  |  |  |   |  |  |   |   |  |

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| <b>CORPORATE PRIORITIES (tick those relevant)✓</b> |   |
| A clean and welcoming Environment                  | ✓ |
| Promoting inward investment and job creation       |   |
| Supporting neighbourhoods                          | ✓ |

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| <b>CORPORATE VALUES (tick those relevant)✓</b> |   |
| Delivering value for money                     | ✓ |
| Supporting the Workforce                       |   |
| Promoting open communications                  | ✓ |

## 1.0 Introduction and Background

- 1.1 Since 2005 the responsibility for parking matters in the Thanet District is spilt between Kent Highways and Transportation for requests relating to safety and Thanet District for amenity requests. Requests that both councils have received over the past three months have been investigated and those that are considered to be viable are shown with recommendations in appendix1.
- 1.2 Making changes to Traffic Regulation Orders is a lengthy and costly process involving changes to legal documents and thorough public consultation. In order to optimise the handling of these changes, the requests are consolidated into a quarterly review. Objections that are received on traffic related matters during the public consultation will be brought back to the Board later in the year for a decision about whether to implement the proposed changes.

- 1.3 The officers' recommendations as to whether each proposal should be implemented are based on the General Provision for Traffic Regulation in the Road the Road Traffic Regulation Act 1984. Within the Act changes are considered to be justified:
- a) where a road safety hazard exists;
  - b) where traffic flow on main roads is impeded;
  - c) where access is seriously obstructed, particularly for emergency vehicles;
  - d) where damage to the highway or to buildings is caused by particular classes of vehicle;
  - e) where serious loss of amenity is caused.
- 1.4 Additionally, as a general rule, parking restrictions are not recommended in remote locations where there is little chance of enforcement. The opportunity has also been taken to review locations where parking restrictions can be removed.

## 2.0 Options available

- 2.1 Members of the Board can:
- 2.11 Support the officers' recommendations about whether to consult on each of the proposals,
  - 2.12 Make a different recommendation about whether to consult on individual proposals,
  - 2.13 Recommend amendments to any of the proposals to be advertised.

## 3.0 Next Steps

- 3.1 That the proposals as list in appendix 1 are advertised for public consultation and that any traffic related objections are reported back to a future meeting of the Board.

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| Contact Officer: | Robin Chantrill-Smith, Civil Enforcement Manager         |
| Reporting to:    | Trevor Kennett, Operational Services Enforcement Manager |

## Annex List

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| <i>Annex 1</i> | List of sites and site plans to be advertised. |
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**Background Papers** None

## Corporate Consultation

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| <b>Finance</b> | Matthew Sanham, Corporate Finance Manager   |
| <b>Legal</b>   | Colin Evans, Assistant Litigation Solicitor |