

**MAIDSTONE BOROUGH COUNCIL**

**MINUTES OF THE REGENERATION AND SUSTAINABLE  
COMMUNITIES OVERVIEW AND SCRUTINY COMMITTEE  
MEETING HELD ON THURSDAY 23 APRIL 2009**

**PRESENT:** Councillor Sherreard (Chairman)  
Councillors English, Batt, Beerling, FitzGerald, Nelson-Gracie, Thick, Hinder and J.A. Wilson

**APOLOGIES:** There were none.

**146. Web-Casting**

**Resolved:** That all items on the agenda be webcast.

**147. Notification of Visiting Members.**

It was noted that Councillors Bob Hinder and John A Wilson were substituting for Councillors Stephen Paine and James Ross respectively.

**148. Disclosures by Members and Officers:**

It was noted that there were no disclosures.

**149. Exempt Items**

**Resolved:**

That all items of the agenda be taken in public.

**150. Amendment to the Order of Business**

It was agreed that items 7 Objection to Traffic Regulation Order Off-Street and 8 Objection to Traffic Regulation On-Street of the agenda be taken together.

**Resolved:** That items 7 and 8 of the agenda be taken together.

**151. Call-In: Objections to Traffic Regulation Order Off-Street and Traffic Regulation Order On-Street.**

Councillors Clive English and Ian Chittenden began by presenting their reasons for calling in the two decisions of the Cabinet Member for Environment with regard to "Objections to Traffic Regulation Orders On- and Off-Street".

**Consultation**

Councillor English was of the opinion that consultation demonstrated a lack of support from residents and businesses with regard to the decisions. He stated that it had previously been made clear that changes to parking regulations were only progressed where the public supported the proposals. Councillor Chittenden stated that it was an insult to the public to ask for their opinion and then simply ignore it. Only 2% of those who responded to the Council with regard to the amendments were in support of the proposals and the two petitions signed by 1500 people demonstrated significant opposition. It was suggested that these petitions had been 'airbrushed' out of the decision and that the decisions had ignored the advice of the Joint Transportation Board (JTB). It was noted that those who were not resident within the Borough but who had signed the petition were likely to be those affected by the proposal of Sunday car park charges.

In response, the Cabinet Member for Environment, Councillor Mark Wooding outlined that the statutory required consultation had been carried out with local residents and businesses. The response received to the official public consultation was much lower than had been expected and 93.5% of those consulted had made no attempt to respond. The consultation responses and the JTB had been listened to, which had been demonstrated by the deferral of the proposed reduction in waiting times and the introduction of visitor parking charges. Councillor Wooding suggested to the Committee that there had been no evidence of overwhelming opposition. The Parking Services Manager, Jeff Kitson, identified that there were situations in which decisions must be taken despite public opposition. As these decisions attempt to control parking demand, some opposition was expected. The Assistant Director of Environmental Service, Steve Goulette stated that objections had been given careful consideration.

With regard to the petitions, Councillor Wooding acknowledged that both petitions were submitted outside of the consultation period and so it was difficult to determine how much weight should be attributed to these. One petition had been submitted prior to the beginning of formal consultation and therefore the public were unlikely to have had sufficient information regarding the proposals. The second was facilitated by a political party and so was likely to have been politically biased.

A number of Members felt that it should not be assumed that all those who did not respond to the formal consultation were in favour of the proposals. Mr Stephen Pullen, a local resident, believed that a lack of response was more likely to be as a result of the general public disaffection with the political process at a local and national level. It was also suggested that the decisions to implement these changes had been made prior to the beginning of the consultation process. Councillor Wooding indicated that amendments which had been made to the proposals following consultation indicated that this was not the case.

Mr Ivan White, the Chair of the Maidstone branch of the Federation of Small Businesses informed the Committee that he felt businesses within the affected areas had not been sufficiently consulted with. Councillor

Wooding indicated that the statutory required consultation process had been followed and adverts regarding the proposals had been published in the local press.

A Councillor identified that the majority of the general public was not familiar with the formal consultation process. Therefore, those who signed the petitions may have believed they had made their opinions known and subsequently did not respond to the formal consultation process. Furthermore, it was proposed that inadequacies with the consultation process and the advertisement of relevant meetings may indicate problems with the consultation process adopted by the Council generally, but was not specific to this issue.

### **Objection to Traffic Regulation On-Street**

#### Cost

Councillor English suggested to the Committee that the proposal to charge residents for parking permits was effectively an additional tax imposed upon those who lived within inner Maidstone and some rural areas of the Borough. Councillor Chittenden was of the opinion that this represented a 16.4% Council tax increase. It was suggested that a large proportion of the affected residents fell into the lower income bracket. Nine of the areas fell within the top 20% of the most deprived areas in the Borough. Furthermore, almost all of those affected by the proposals did not have access to off street parking and so had no choice but to purchase a permit. Mr David Pickett, a local resident, questioned what residents would receive for the £25 charge, particularly as spaces were not being assigned to residents. Mr Pickett suggested that the first permit should be issued free of charge. Additionally, Mr Low, a member of the general public questioned what the percentage of parking spaces to cars was.

Councillor Wooding stated that the report outlined what would be received for the payment. Most notably, it was expected that parking spaces per car would increase as it was anticipated that not everyone would opt to pay for the permit. It would cost £16.05 in administration fees to produce the permits with the additional £8.95 covering maintenance costs, enforcement of the scheme and future inflation increases. During the formal consultation period, no objections had been made specifically with regard to the cost of the permit. A Committee Member questioned whether the charge of £25 for the permit was really expected to influence driver behaviour, as surely to do so, the price would have needed to be significantly higher.

In response to a question as to whether low income residents could be exempt from the scheme, Mr Kitson informed the Committee that this would result in the scheme becoming more costly. Mr Goulette indicated that a means tested system would be accompanied with difficulties. It was suggested that residents receiving benefits be considered exempt; however it was indicated that the qualification for different types of benefits complicated this proposal.

## North Zone Migration

Councillor English was of the opinion that insufficient evidential basis had been provided which demonstrated that the cessation of North Zone migration would increase the number of available parking spaces. Councillor English requested the opportunity to research and present evidence to the Committee with regard to this matter. It was suggested that this would be more beneficial than implementing the change and then discovering that it was not of benefit. In response, Mr Kitson indicated that data demonstrated that over the investigated period, 24% of cars were parked in a different zone to that which they were registered to. This figure decreased to 18% at night. Officer experiences had also helped to form the decision. Mr Michael Lowe indicated that he resided within the affected area and often was forced to park away from his home due to a lack of parking spaces. Mr Lowe questioned whether it would be possible for residents to use their permits to park in local car parks at night.

Councillor Wooding informed the Committee that residents within the North Zone were able to use their permits to park in certain car parks after 6.30 pm. A Councillor requested that it be investigated as to whether more car parks could be made use of for this purpose and highlighted the need to advertise this concession to residents.

## **Objection to Traffic Regulation Off-Street**

Councillor English stated that imposing additional charges on the retail and commercial heart of the Borough would have negative implications, particularly in light of the current economic climate and the decision of other authorities to suspend or decrease parking charges on Sundays. Councillor Chittenden questioned why £4 million was to be spent on the development of the town centre yet shoppers were to be discouraged from visiting the town. Further concern was raised with regard to the impact the charges would have on religious groups that worshipped on Sundays. It was noted that the JTB had no remit over off street parking and the decision to implement the charges did not have to be approved by KCC.

Mr Ivan White indicated that on a Sunday The Mall charged 50p for up to 4 hours. All car parks within the Borough that charged for Sunday parking were well lit, covered by closed circuit television and were close to retail services. This was not the case for the majority of the Council car within the town centre. It was also suggested that the implementation of Sunday charges was likely to be detrimental to employees, who on other days of the week were able to rely on the Park and Ride service or public transport to avoid parking within the town centre. It was requested that if Sunday charges were to be implemented the public must be made fully aware of these changes.

In response, Councillor Wooding stated that Maidstone was the last major retail town within the Kent which did not employ Sunday charges. Additionally the Mall, the Fremains Walk car park and Sainsbury's car park all employed Sunday parking charges. Night time charges were

implemented some time ago, however the town continued to have a thriving night time economy. The report had considered the possibility of an initial decrease in the number of visitors to the town on a Sunday, nevertheless it was expected that this would be overcome relatively quickly as had happened following the introduction of Sunday parking charges in other towns.

Finally, it was suggested that a reduced parking rate on Sundays would not be favoured by the independent parking adjudicators who had previously asked for simplification of the parking charges imposed within the Borough.

### **Objection to Traffic Regulation On-Street**

1. The Committee voted to take no action with regard to the proposal for resident parking permit charges decision, with five votes for this and three against.
2. The Committee voted unanimously to take no action with regard to the decision to defer the proposed reductions in waiting times and the introduction of visitor parking charges.
3. The Committee voted to take no action with regard to the decision to allow the cessation of north zone migration, with five votes for this and three votes against.
4. The Committee voted unanimously to take no action with regard to the proposal to increase the number of on Street Pay and Display bays.

### **Objection to Traffic Regulation Off-Street**

1. The Committee voted to take no action with regard to the decision to extend the current Pay and Display tariff to all days, with five votes for this and three votes against. Councillor English requested that it be formally noted that he dissented from this decision.
2. The Committee voted to take no action with regard to the decision to implement orders as outlined in Appendix A of the Report of the Assistant Director of Environmental Services and the objectors informed of the outcome, with five votes for this and three votes against.

**Resolved:** That:

- a) The Cabinet Member for Environment investigate the possibility of residents being able to park in all those Council car parks that are in the vicinity of their parking zones;
- b) The concessions for residents with parking permits be promoted;

- c) The decision on north zone migration be monitored and reviewed during the first six months of its implementation; and
- d) The Cabinet Member for Environment investigate the possibility of residents on income-based benefits being exempt from parking permit charges or charged a reduced rate.

## **152. Road Safety Report**

Members considered the Road Safety Report and agreed that they would contact the Overview and Scrutiny Officer, Mrs Bell, with any further comments by Friday 1 May 2009. The Committee made the following initial comments and suggested amendments:

- That the report be amended to include a recommendation for an annual road safety day with key stakeholders;
- That a recommendation be made to the Crime and Disorder Reduction Partnership regarding the importance of urging all partners to be actively involved in promoting road safety;
- That recommendation (a) (ii), 'Allowing the police to breathalyse more drivers using intelligence led breath testing' be clarified;
- That with reference to the witness session with the Executive Director of the Parliamentary Advisory Council for Transport Safety, a recommendation be included to lobby Central Government with regard to keeping British Summer Time all year round; and
- That a recommendation be included with regard to raising awareness of the impact of tiredness.

The Committee agreed that the final draft of the report would be approved by the Chairman in consultation with the road safety working group Chairman, Councillor FitzGerald, prior to its submission to the Cabinet Member for Environment. The Committee agreed that the report should be presented to the Joint Transportation Board and the Local Strategic Partnership.

### **Resolved: That**

- a) The Committee submit further comments with regard to the Road Safety report to the Overview and Scrutiny Officer by Friday 1 May 2009;
- b) The Chairman approve the final draft of the Road Safety report for submission to the Cabinet Member for Environment in consultation with the Chairman of the Road Safety working group;
- c) That the final report be presented to the Joint Transportation Board and the Local Strategic Partnership; and
- d) The report be amended to include the following:
  - i. A recommendation that the Council hosts an annual road safety day with key stakeholders;

- ii. A recommendation be made to the Crime and Disorder Partnership regarding the importance of urging all partners to be actively involved in promoting road safety;
- iii. Recommendation a (ii), 'Allowing the police to breathalyse more drivers using intelligence led breath testing' be clarified;
- iv. A recommendation that Central Government be lobbied with regard to keeping British Summer Time all year round; and
- v. A recommendation with regard to raising awareness of the impact of tiredness.

**153. Duration of Meeting**

6.30 p.m. to 9.25 p.m.

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