

KENT COUNTY COUNCIL

HIGHWAYS ADVISORY BOARD

MINUTES of a meeting of the Highways Advisory Board held in the Council Chamber, Sessions House, County Hall, Maidstone on Tuesday, 16 September 2008.

PRESENT: Mr W A Hayton (Vice-Chairman), Mr T J Birkett, Mr J R Bullock, MBE, Miss S J Carey, Mr D S Daley (substitute for Mr I S Chittenden), Mr C G Findlay, Mr C Hibberd, Mr J I Muckle, Mr R A Pascoe, Mr A R Poole, Mrs P A V Stockell, Mr R Truelove and Mrs E M Tweed.

IN ATTENDANCE: Mr G Mee (Director - Kent Highway Services); Mr D Hall (Head of Transport & Development); Lorna Day, Kent Parking Manager; Mr J Farmer, Regeneration & Projects Manager; Mr I Procter, Road Safety Manager; Mr J Whitehorn, Special Projects & Income Coordinator; and the Head of Democratic Services (represented by Mrs K Mannering).

UNRESTRICTED ITEMS

(Mr W A Hayton took the Chair for items 1, 2 and 3)

1. Membership
(Item 1)

The Board noted that Mr C Hibberd replaced Mr R A Marsh and Mrs E M Tweed filled the vacancy occasioned by the death of Mr C J Law.

2. Election of Chairman
(Item 3)

(1) Mr W A Hayton proposed and Mr C G Findlay seconded that Mr C Hibberd be elected Chairman.

Carried without a vote

(2) RESOLVED that Mr C Hibberd be elected Chairman.

Mr Hibberd thereupon took the Chair

3. Declarations of Interests by Members in Items on the Agenda for this Meeting
(Item 4)

(1) Mrs Tweed declared an interest in Item 11 as part of Victoria Way went through her Division.

(2) Mr Poole referred to the fact that he and Mr Muckle also served on the Planning Applications Committee and queried as to whether the report would be going to that Committee as well, and if so, what were the implications for Mr Poole and Mr Muckle concerning debate/voting.

(3) The Chairman and officers undertook to consult the Legal team and provide advice to Members.

4. Minutes

(Item 5)

RESOLVED that the Minutes of the meeting held on 8 July 2008 are correctly recorded and that they be signed by the Chairman.

5. Kent Highway Services - The Director's Update

(Item 6 – Report by Director, Kent Highway Services)

(1) Prior to presenting his report the Director informed Members that this would be his last Board meeting, prior to commencing work on the Transport Strategy for Kent. Mr Mee thanked the Board for their support and assistance during his time as Director, KHS.

(2) The Director's Update set out some of the key issues and developments going on in KHS.

(3) **Opening of the new Office/Depot at Ashford** – a successful opening took place at the end of July and in recent weeks staff from across the Alliance had been moving into the new building and depot and getting to grips with their new surroundings and co-working teams. We continued to look at options for the west of the County to deliver our plan of delivering most of the highway services from two primary operational centres and Invicta House. In the interim we would be moving staff to Doubleday House complex by October.

(4) **Highways Agency Area 4 Contract** – the tender was returned in August and we await, hopefully by Christmas, a decision from the Highways Agency. The tender was returned in the name of Ringway Jacobs with KCC acting as a key supply chain partner to the company. This had ensured that any commercial risk remained with the private sector companies but still allowed KCC to be part of, and influence, the delivery team and services to the public of Kent.

(5) **Performance** – monthly key performance indicators had dipped in recent months leading to a backlog in outstanding faults repairs, letters answered and increase in complaints. This was primarily due to bedding in of the new operational structure, accommodation moves and new IT system implementation. The Alliance wide Executive management team had developed an action plan to get the service back on track and we had seen the elimination of the backlog in Community Operations and Drainage.

(6) **New Contact Centre call logging system** – demand on the 08458 247 800 and kent.highwayservices@kent.gov.uk continued at over 15,000 calls/emails per month and the new system was helping us to identify, track and put in place specific improvements to deal with the back log in outstanding service requests that had been building up. We continued to encourage Members to recommend this point of entry to the public, Parish Councils and indeed themselves for all service requests so that they could be actively managed. There had been problems in recent weeks caused by a lack of agents to answer and handle calls but meetings

had taken place with the contact centre management team and we were assured that service would improve by the end of October.

(7) **EDF** – pursuit of a closer and more cohesive relationship between KHS and EDF was continuing. Contact was now at a weekly operational meeting together with regular meets at Senior Management level. Although the performance of EDF had shown some improvement, it was important that we continue to pursue both their own performance as well as the way that KHS and EDF were performing together. A standard needed to be achieved that County Members and the public were satisfied with. There was no doubt that neighbouring authorities had been suffering in the same way that Kent had in the past and we were pursuing a joint approach with them for future working relationships with EDF.

(8) **Tracker Survey 2008** – the 2008 resident, Member and Parish/Town Council tracker survey would take place in November. In 2007 only 23% of Members responded to the on-line survey and this year it was planned to undertake a telephone survey with each Member in order to increase the response rate. Parish/Town Council return rate was also low at 18% and more work would be done to ensure a more representative return rate was provided as with such a low response rate the validity of the results was often questioned.

(9) **Competitive Tendering** – tenders had been prepared and work would commence early in the new year for the delivery of £1.5 million of road resurfacing and £750k of integrated transport schemes. The market testing process was designed to ensure that information about current market rates was available to ensure the competitiveness of the long term Alliance arrangements with Ringway. It was important for all of us to ensure that the Alliance contracts drive benefit both in terms of the wider customer care and contractor design input from our commercial partners but this must be backed up by competitive prices.

(10) **Parish Council Seminars** – Kim Hills, Head of Community Operations had invited a representative from all Parish/Town Councils to seminars organised in Maidstone or Canterbury on 14 and 15 October. The events were designed to update them on the changes in KHS and provide them with a chance to meet their local liaison and engineering teams. The seminar would be a mix of providing information and listening to their views. On this occasion the meetings were targeted to Parish and Town Councils and would not involve local County or District Members.

(11) **Awards** – KHS had recently been highly commended in the National Transport Authority of the Year award and had been short listed for the British Quality Foundation Achievement Awards under Partnership Development category, we would find out the result in October.

(12) The Board noted the progress being made and supported staff as the organisational changes bedded in.

6. Disabled Persons Parking Bays

(Item 7 – Report by Parking Manager, Kent Highway Services)

(1) Disabled Persons Parking Bays may be introduced under a legal Traffic Regulation Order and were currently assessed, funded and managed by the 12

Kent District councils under guidelines set by Kent County Council. The introduction of the Disability Discrimination Act 2005 and the introduction of the Disability Equality Duty had necessitated a review of the existing guidance and policy. The report outlined the results of a consultation process carried out with a working party representing the County Council and the 12 District councils.

(2) The 12 Kent District councils currently accepted requests for disabled persons parking bays using application forms which required various criteria to be met. There were some differences in the assessment of the criteria, in that some district councils considered them to be mandatory and others used discretion based upon individual circumstances and local conditions. The majority of the 12 Kent District councils charged a £30.00 non-returnable administration fee which was paid upon submission of an application for a disabled persons parking bay. The cost of the necessary legal work, signage and lines were met by the District authorities.

(3) A Disabled Persons Parking Bay working party was formed, consisting of representatives of the 12 District councils and Kent County Council. Specialist advice was sought from partners and stakeholders as necessary. The aim of the working party was to achieve a streamlined and consistent application process making use of best practice across the County whilst ensuring that all necessary legislation was adhered to.

(4) Each individual criterion was examined and investigated, and it was found that with the exception of the administration fee, all other requirements of the application process met the demands of the new legislations and duties, although there were anomalies across the 12 district councils concerning the way in which the criteria were used.

(5) There was no current legislation that granted a Local Authority the power to charge an administration fee for applications for disabled persons parking bays. The Disability Discrimination Act 2005 provided that 'a person should not be treated less favourably than others who do not have a disability'. Additionally, it must be considered that the parking bay was not for the exclusive use of the applicant, but could be utilised by any driver holding and displaying a current blue disabled parking badge.

(6) Research was carried out into procedures used by other Local Authorities across the Country regarding applications for disabled persons parking bays. It was found that of all the authorities investigated, none made any charge for the provision of a disabled persons parking bay. Guidance was sought from the Kent County Council Legal Department to establish whether an administration charge would be within the terms of the relative legislation and duty. The advice that was received from the legal team stated that:

'A local authority has a duty to act reasonably and not to treat a disabled person less favourably. An administration fee is unreasonable in these circumstances and should not be charged.'

(7) A new application form and set of guidance notes for a disabled persons parking bay was drawn up making use of the best practice currently in use across the County of Kent. The revised application form and guidance notes were more 'user-friendly', easier to administer and require standard mandatory requirements to be met, whilst still allowing officer discretion for individual circumstance and local

conditions. The requirement for a £30 administration charge to be paid by the applicant was removed from the process.

(8) Kent County Council had produced a standard application form and set of guidance notes which could be recommended for use by the 12 District Councils within Kent. If the requirement for an administration charge was included within the procedure, both Kent County Council along with the 12 District Councils should be aware that they may be open to a possible challenge under the Disability Discrimination Act 2005.

(9) Although the public highway was owned and maintained by Kent County Council, the process and management of disabled persons parking bays was carried out by the 12 District councils. Kent County Council may recommend the exclusion of an administration fee; however, each individual District council would choose whether or not to follow the recommended procedures. It was noted that if the local authority choose not to follow the advice given by Kent County Council, any legal challenge would be made to the District authority and not to Kent County Council.

(10) Mr J I Muckle moved, Mr A R Poole seconded as an amendment:-

“That no £30 administration charge be made by any District Council”.

Lost 5 for, 7 against

(11) The Board supported:-

- (a) the proposal that the process, application form and guidance notes for an application for a disabled persons parking bay be adopted by Kent County Council; and
- (b) that the procedures be reported through the local Joint Transportation Boards by the individual District Councils, with a recommendation that each individual council accept Kent County Councils recommended process and procedure.

Carried 8 for, 3 against

7. KHS Winter Service Review

(Item 8 – Report by Director, Kent Highway Services)

(1) Further to Minute 8 of 18 September 2007, the report gave information relating to the winter of 2007/08 and sought approval of the Winter Service Policy and Plan for 2008/09. The winter service policy required precautionary salting on ‘A’ and ‘B’ and other busy roads (as defined in the policy statement paragraph 2.1.2) where frost/ice was likely to form on road surfaces. An analysis of winter weather and the action taken by Kent Highway Services (KHS) for 2007/08 was contained in Annex A; a table of forecast accuracy and other performance indicators were given in Annex B; and a statistical comparison of winter activities for the 2007/08 winter with the preceding four years was given in Annex C of the report.

(2) On all occasions, during the winter of 2007/08, when frost was forecast and frost occurred, precautionary salting had taken place in advance of freezing

temperatures. There were instances during the winter service period where a frost was not predicted in the main forecasts issued at 14:00 hrs, but subsequent updates warned that frost was likely. This activated precautionary salting instructions where necessary. Overall the winter was mild but also with some very brief snow interludes. Appendix A of the report gave full details.

(3) The KHS winter service budget for 2007/08 was £2,225,000 and the out turn was £1,822,000. For 2007/8 there was no requirement for funding from the corporate emergency fund for snow emergency cost. The budget for 2008/09 had been set at £2,326,000.

(4) The KHS winter service contractor for the winter of 2007/08 was Ringway Infrastructure Services, within the alliance partnership agreement formed by Kent Highway Services. Ringway Infrastructure Services would be the service provider for the winter of 2008/09.

(5) The Meteorological Office supplied forecast services for the winter of 2007/08 under a five-year agreement, which the Board agreed in 2003. The agreement had now expired. There were other weather forecast service providers who had emerged over the last few years that provided a similar service to the Met. Office. These were private companies that had been winning tenders with local authorities in the UK and had gained credibility. An informal price was supplied to KHS by one of the market leaders, for road weather forecasting during the 2008/09 winter season. This indicated a substantial saving could be made. It was therefore decided to formally tender the winter forecasting service for the coming winter.

(6) The ice prediction service had been provided by Vaisala Ltd in the past and they had performed well again over the past winter season. It was therefore proposed to continue the relationship with Vaisala Ltd. for the coming winter.

(7) The Winter Service Policy 2008/09 was given in Appendix D of the report. There were no significant changes to the policy for the forthcoming winter. Copies of the Winter Service Plan for 2008/09 had been placed in the Members Room.

(8) Pre-wetted salt would be operated from the depots at Haysden and Ashford this coming winter. It was the intention to introduce pre-wetted salt at the other new or refurbished depots as they came on stream.

(9) The Board supported the proposals for recommendation to the Cabinet Member for Environment, Highways and Waste that:-

- (a) the contents of the report, particularly the decision to tender the winter weather forecasting service, be noted;
- (b) the Winter Service Policy and Plan for 2008/09 be approved; and
- (c) the continuation of the arrangement with Vaisala Ltd. for the provision of ice prediction computer services, be agreed.

8. Safety Cameras

(Item 9 – Report by County Network Manager)

(1) The Kent and Medway Safety Camera Partnership (K&MSCP) was launched in 2002. The partnership operated across the Kent Police area covering both Kent and Medway and its sole purpose was to reduce road crash casualties.

(2) The K&MSCP produced an annual report for each Partner organisation setting out progress to date and challenges for the future. Each year the report was presented to the Board and considered issues associated with safety cameras in the county and the Kent Police area as a whole:-

- An overview of the partnership and its structure
- Funding
- Operations during 2007/08
- Casualty reduction
- Communications
- Future activity and funding arrangements

(3) In recent years road crash casualties in Kent had reduced overall. The success was due to a variety of factors involving many areas of work undertaken and supported by various partners and stakeholders. Much of this had been achieved through a wide range of KCC led road safety interventions including education, training and publicity, as well as engineering measures. Much of the work over the last few years had been funded through the PSA Performance Reward Grant (PRG), awarded based on KCC's notable success in reducing casualties in a targeted way.

(4) The Partnership had been in existence for six years, during this time its work had reduced total casualties by 36% at camera sites across the KCC network, consistently performing above the national average. The contribution of the work of the Kent and Medway Safety Camera Partnership to overall reductions in casualties had been substantial.

(5) As reported to the July meeting of the Board, KCC was making significant progress in reducing casualties. A reduction of 471 KSI per year was achieved by the end of 2007, which included 73 at safety camera sites at known crash sites. At the sites where cameras were now used there had been 14 fatalities per year between them, but now four or five per year were recorded since the introduction of the devices.

(6) The Board acknowledged:-

- (a) the annual report of the Kent and Medway Safety Camera Partnership;
- (b) the success of KCC's Road Safety activities and the Partnership; and
- (c) the hard work and commitment of the Road Safety Manager and his team to reduce road crash casualties.

9. Progress Report on Major Capital Projects
(Item 10 – Report by Head of Countywide Improvements)

(1) Further to Minute 7 of 4 March 2008, the report provided an update on progress of the major transport and highway schemes. The last six months continued to be dominated by the considerable efforts of the Team in progressing the growth area schemes in Kent Thameside and Ashford within the funding and time constraints; and progressing other schemes, mainly in East Kent. All of this had been made more difficult than usual against the inevitable settling in period involved in the KHS Transformation.

(2) Everards Link Phase 2 was completed in July, in accordance with the revised timetable and spend profile agreed with DCLG.

(3) The Public Inquiry into the statutory Orders for Sittingbourne Northern Relief Road commenced on 8 July and sat for seven days. Preparation beforehand and attendance at the Inquiry required the intensive participation of Jacobs staff and County Council staff across a number of Divisions.

(4) East Kent Access Phase 1C received the Institution of Civil Engineers South East Association Brassey Awards 2008 in the Transport Project category and as Overall Winner. The scheme also received the Jacobs Performance Excellence Award 2008 which was a European award that won against a wide range of projects. This was a challenging scheme and the awards were a deserved recognition for the Project Manager, Jacobs and the contractor May Gurney.

(5) The Board would be aware that Union Railways/London & Continental Railways had made a substantial claim against the County Council in connection with the South Thameside Development Route Stage 4. Following the Lands Tribunal hearing into Preliminary Issues in December 2007, the decision was issued in June and the President found for the claimants. However, the County Council had been granted leave to appeal in the Court of Appeal which would probably be heard later in 2008/early 2009.

(6) The issue of construction inflation being significantly higher than retail price inflation remained a major concern for the funding of the larger LTP projects such as East Kent Access Phase 2 and Sittingbourne Northern Relief Road. DfT funding was on a cash basis and the County Council was obliged to make judgements about inflation over the development and construction period of the project.

(7) A progress or status report on Fastrack Everards Link Phase 2, Sittingbourne Northern Relief Road, Rushenden Relief Road, Ashford Ring Road, Newtown Road Bridge, Other Ashford Schemes, Eurokent Phases 4 & 5, Fort Hill De-dualling, East Kent Access Phase 2, other schemes and Land matters was set out in the Appendix to the report. For brevity, only some of the background provided in previous reports was provided with the focus given to activity in the last half year.

(8) The Board noted the report.

10. Victoria Way Phase 1, Ashford - Approval to Scheme Outline Design and Implementation Strategy

(Item 11 – Report by Head of Countywide Improvements)

(1) The transformation of the old ring road would be substantially completed in November 2008. One of the key priorities for the newly created Ashford's Future Company and Ashford Future Partnership Board was now the implementation of Victoria Way Phase 1 which would create a new 'town centre' street and transport link between the International Station and A28 Chart Road via Leacon Road and Brookfield Road.

(2) The report set out the background, design principles, funding and implementation strategy and governance issues. It also sought approval to an initial outline design for the scheme as a basis for moving forward to public consultation, negotiations over land assembly and a planning application.

(3) The transformation of the old ring road had removed unnecessary road space and some traffic capacity. Plans were being progressed as part of the approved Transport Strategy for Ashford, that included Park & Ride and a new SMARTLINK bus rapid transit scheme, to limit traffic flows on the old ring road to about 85% of 2003 flows. The Borough Council's plans for the first Park & Ride on land near M20 junction 9 that included an enabling development proposal had been delayed and this increased the importance of implementing Victoria Way. In addition to the need to provide an alternative route for some through traffic, Victoria Way provided an essential route to support the expansion of the town centre, that included plans for a new Learning Campus (14,000 students), new housing (about 1500 dwellings), car parking and other mixed commercial uses.

(4) The concept for Victoria Way was established in planning policy terms through the Greater Ashford Development Framework (GADF), the Local Development Core Strategy (adopted in July 08), the Ashford Town Centre Area Action Plan (ATCAAP), a draft Public Realm Strategy and a Concept Design Study Report.

(5) The town centre was planned to grow to reflect the growth of Ashford as a whole and in particular to the south and southeast and extending beyond the railway corridor to the area around the existing Victoria Road. The concept for the new Victoria Way was the development of a quality street that provided a new multi-purpose street and transport route between Beaver Road and A28 Chart Road taking some traffic pressure off the transformed old ring road. A complementary but separate proposal was for the Learning Link that aimed to improve the pedestrian and cyclist links across the railway corridor from South Ashford to the town centre. The interchange between the Learning Link pathway and Victoria Way would become a focal hub not dissimilar to Elwick Square on Elwick Road.

(6) Whitelaw Turkington with Jacobs as a sub-consultant, and working with artists within a multi-disciplinary team had produced a Concept Design Study for Victoria Way and the Learning Link. Work to develop the scheme was currently funded from Growth Area Funding – round 3 (GAF3) and DfT had invited, following a preliminary submission, a detailed bid for £16m of Community Infrastructure Fund (CIF) funding for 2009/10 and to be spent by March 2011. A combination of GAF3

and CIF funding was consistent with the current £17m indicative cost estimate for the Victoria Way scheme.

(7) The transport modelling work and strategy considerations had identified that:-

- Victoria Way should be a single carriageway
- No long term need to upgrade to dual carriageway.
- Traffic signals at Leacon Road/Brookfield Road junction.
- Provided the planned improvements to the A28 Chart Road were undertaken within a reasonable period (by about 2016), there was no need in traffic terms, to provide a Phase 2 extension of Victoria Way over the railway to Cobbs Wood within the period to 2031.

(8) Climate change, rising fuel costs, working practices and the anticipated modal shift to public transport through the SMARTLINK bus rapid transit scheme for Ashford reinforced the unlikely need to upgrade capacity beyond a single carriageway road. Although there was no immediate need to improve the A28 'Matalan' roundabout, this should follow as part of A28 Chart Road improvements and timing would be related to the rate of house building in south west Ashford and Chilmington Green.

(9) The Concept Design Study had proposed a general 24m wide corridor over the eastern section between Beaver Road and Gas Works Lane. This was considered essential to create the high quality street scene for the new multi-purpose street including cycle and service facilities, turning lanes for traffic, trees and a significant pedestrian area as well as the built in flexibility if at any time in the future some additional transport facilities such as bus lanes, and waiting and loading areas were considered necessary.

(10) Between Gasworks Lane and Leacon Road a transitional corridor dictated, by the ZED Homes development boundary to the south and the National Grid land to the north, was considered suitable where there was less emphasis on street scene as the road connected into the more established and traditional development area at Leacon Road. Leacon Road would remain as it was serving the business premises along its length. A new traffic signal junction was proposed at Brookfield Road with local widening to provide turning lanes and safeguard future SMARTLINK bus turning movements as well as crossing facilities for pedestrians and cyclists.

(11) It was considered that Victoria Way should be seen as a new area of integrated public realm supporting new developments that would follow the construction of the Phase 1 scheme at a later date. However, the corridor was well defined by the end points, existing land use, an EDF sub-station constraint and ZED Homes planning consent - following an appeal against non-determination by Ashford Borough Council. Previous work by Urban Initiatives following the GADF, established the planned corridor width and tested a range of alignment options following consultation with local residents and business groups in 2005/6.

(12) It was therefore reasonable to establish the road corridor now but with the pragmatism that changes could be considered to accommodate the evolving public realm ideas.

(13) The Elwick Road, West Street and Bank Street works had followed the Public Realm Strategy and undoubtedly looked attractive and created distinctiveness for Ashford. However, there were concerns about the use of expensive materials, that either required a high degree of laying accuracy or which were not dimensionally consistent and raised issues of laying quality.

(14) The implementation of high quality public realm could not be considered in isolation from realistic needs of future maintenance, new development and statutory undertakers plant. A public highway including road and pedestrian areas was both a traffic and utility corridor and constantly vulnerable to excavation particularly along Victoria Way where developments and utility provision was as yet largely undefined. Construction of development sites would also cause damage. High quality materials with tight dimensional accuracy were difficult to lift and reinstate or repair to the original standard. Buildability was also a factor and occupation of the highway for longer than necessary, laying difficult materials involving lots of disk cutting with noise and dust was not sensible.

(15) In a town street environment, large clear areas of public realm were rarely achievable and paving regularly needed to accommodate utility covers, signage and street furniture that could detract from the high standards aspired to. However, the design must cater for all users and careful detailing would be required to ensure that Victoria Way was a high quality scheme that provided Ashford with a vibrant new street.

(16) It was therefore proposed that the carriageway surface should be largely conventional 'blacktop'. The additional public realm should use a simple palette of materials that did not demand a high standard of dimensional accuracy for laying and that came from proprietary sources that did not require spare materials to be stored. It was far better to have a public realm that could be maintained than one that in practice could never be maintained to the original standard.

(17) It was accepted that street furniture such as street lights and benches that gave that visual distinctiveness were required and might not be available from proprietary sources, e.g. the bespoke artist designed street lighting columns developed for Elwick Road, that could be very expensive and their maintenance and replacement cost must be funded from the scheme budget. Indeed all operation and maintenance costs over and above that for a conventional highway improvement must initially be funded from the scheme budget. Provision for the long term maintenance of quality town centre public realm across the County was also an issue that needed to be addressed and to offset criticism from residents and the business community of what they would see as failing maintenance standards.

(18) A two-stage approach was proposed to acknowledge the likelihood that a final public realm scheme would be vulnerable to damage from utilities and development construction, if installed now. The full proposals including the full public realm scheme would however, be developed as a whole and submitted for planning consent.

(19) The scheme for Phase 1 to be funded by the anticipated CIF funding and completed by 2011 would include the following (from east to west):-

- (a) Beaver Road to Victoria Road School - The works to the junction of Victoria Way and Beaver Road (currently being completed as part of the Ring Road contract), would have some minor amendments to it to provide improved turning facilities at George Street. The road would be laid out in black top on a resurfaced carriageway, new kerblines and footways all within existing property constraints, and taking account of the current uses along the length as far as Victoria Road School.
- (b) Victoria Way School to ZED Homes site – a wider footway area was proposed fronting the school, and a school safety zone/traffic calmed area would be set out in changed carriageway materials to restrict traffic speeds to 20mph along the school frontage and extending west to include the crossing point of the Learning Link pathway. Victoria Square would be established in temporary, but good quality materials, through which the road route would pass over, requiring the demolition of the two Cherry Court office blocks. Some interim boundary treatments were proposed but respecting the existing uses.
- (c) The ZED Homes eastern site - the full 24m corridor width of highway route could be implemented, as land had been set aside for this within the ZED Homes planning permission. The route would include a single black top carriageway construction, with interim footway paving (that could be replaced with a higher quality scheme as development progressed). A new junction would be created at Gasworks Lane with turning lanes to provide access to and from the northern ZED homes site that included a proposed multi storey car park.
- (d) The ZED Homes western site – west of Gasworks Lane junction the road would be laid out as above but with a reduced width corridor to reflect the ZED Homes housing scheme on the south side, an amended access to the Southern Gas Networks Depot (National Grid Property) site to the north, and a transition to a standard road layout at Leacon Road.
- (e) Leacon Road would remain largely unaltered but a new traffic signal controlled junction with turning lanes, provision for pedestrians/cyclists to cross and safeguarding the route of future SMARTLINK buses would be installed at the junction of Brookfield Road.

(20) Along development frontages, the wider public realm enhancement beyond the basic footway and cycleway provision would be regarded as a planning obligation on the respective developers and to be constructed with the development.

(21) It was hoped that land for the scheme could be secured by voluntary negotiation but a Compulsory Purchase Order (CPO) would be promoted to give programme certainty. It was not necessary to acquire all of the land for the full scheme, and therefore became legally and financially liable for its acquisition, in order to build Phase 1. It was desirable that the onus was placed on developers of the land fronting Victoria Way to not only fund and build their frontage public realm but also to transfer the land at zero cost. The situation in reality was not that

simple. A considered view would have to be taken in due course about the extent of the planning application and CPO because including land along the south side of the Victoria Road which had several houses and commercial development might be inappropriate initially because of the Blight and associated cost implications.

(22) ZED Homes had recently achieved a planning consent and they proposed building short isolated sections of Victoria Way to access their development. The planning permission allowed for the full Victoria Way corridor to be safeguarded, but an interim scheme in order to meet their planned development phasing was proposed to be delivered by ZED Homes, not the Phase 1 scheme described above. Ashford Borough Council was in negotiations with ZED Homes regarding the consent and the outcome might also have implications for the Victoria Way implementation.

(23) The old ring road transformation was being successfully achieved, but not without issues of substantial increased cost, delay to programme and governance. The difficulties had been a consequence of having a complex innovative scheme within a town centre environment where the design programme slipped and overlapped construction procurement because of the overarching constraint of achieving spend within a funding deadline. This was not to deny some project management difficulties but they must be seen against the wider picture.

(24) Experience had shown:-

- The need for absolute clarity and sign off of the roles, responsibilities and scheme details between Chief Officers and Members within the County Council, Ashford Borough Council, Ashford's Future Company and Ashford's Future Partnership Board.
- Clarity on budget and deadlines for spend and realism of what could be achieved within the CIF 2 year funding window ending in March 2011 reflecting the processes and statutory procedures and external influences that could affect the delivery of a major highway scheme. The use of further GAF 3 support beyond March 2011, or other Ashford's Future partners' budgets might be able to assist in reducing any risks for the County Council around the spending deadline.
- The need to progress the scheme within the budget allocated and for all parties involved to fully respect the agreed programme for delivery.

(25) Achieving the above would allow the normal project management processes to function effectively and not be compromised notwithstanding the need for clear management of the Integrated Design Team that set it apart from the traditional management of a Major Scheme.

(26) The Ashford's Future company had been set up by the main Ashford Future partners - Ashford Borough Council, the County Council, SEEDA and English Partnerships, specifically to take the lead on the delivery of the key projects required to deliver growth in Ashford. The concept of the new Victoria Way was one of the key priority projects and involved bidding for finance, enabling individual projects such as the 'quality street', car parking and development to all come forward in a co-ordinated way involving cross partnership co-operation to deliver the agreed vision.

(27) Victoria Way was a major regeneration scheme but it was also recognised that the road scheme would be 'public highway' and as such Kent Highway Services would have statutory operational and maintenance responsibility. While working fully with partners to achieve the mutual objectives for Victoria Way the legal responsibility was recognised and hence ultimate decision making on the highway scheme rested with the County Council.

(28) Put simply, the Ashford's Future Company had the overarching interest and responsibility for delivering the wider Victoria Way vision of which the Victoria Way highway/public realm scheme was only one, albeit key, element and was the direct responsibility of Kent Highway Services. The report was the basis of a cycle of reports and meetings with the partner organisations aimed at achieving this clarity of scheme vision and management responsibilities.

(29) The programme was aimed to achieve construction completion by March 2011 consistent with the funding timescales for CIF 2. The main risks to achieving the programme were the conclusion of environmental and ecology survey and mitigation proposals and the successful acquisition of the land being achieved in time. The programme therefore relied on land being secured by voluntary agreement and without protracted negotiation, and no major ecological or design issues that in turn would delay consideration of the planning application.

(30) The programme was optimistic but the Ashford's Future Company and Ashford's Future Partnership Board had accepted the risks involved. The immediate activities were to progress the ecological and engineering surveys, develop the public realm design and consult with the local community and businesses with the objective of submitting a planning application in Spring 2009.

(31) Jacobs had been appointed as the Lead Consultant and an Integrated Design Team was proposed to ensure input from all disciplines. Jacobs now had an in-house urban design capacity in the Maidstone Office and work on projects such as Dover Priory had been impressive. Whitelaw Turkington had been involved in the old ring road transformation scheme and were lead consultants for the Victoria Way Concept Design Study so they clearly had acquired knowledge. In the interests of the project and fairness to both consultants, a mini - design competition was being held to choose between them. Opening out the public realm procurement to other untried consultants was not considered to be in the best interests of the project and its timetable. Competition, albeit limited, would also give confidence about securing value for money.

(32) The Integrated Design Team would include a public art involvement but this was low cost and the current commissions within the Concept Design Study would be extended. A further report would be brought to the Board after public consultation and after the public realm proposals had been developed as a precursor to obtaining Cabinet Member authority to submit a planning application. However, if programming priorities did not tie up with the Board schedule of meetings then any reporting may of necessity be a retrospective report.

(33) Scheme development was currently funded from GAF(3) which was held by Ashford Borough Council on behalf of the Ashford's Future Partnership Board. The Ashford's Future Business Plan had allocated £1.0m over 2007/08 and 2008/09. Any CIF2 funding award was likely to be direct to the County Council and a

decision was likely in March 2009. Unlike the ring road project, Ashford Borough Council (rather than the County Council) was the Lead Body for GAF(3) and a formal funding agreement needed to be put in place. DfT had invited Ashford's Future to submit a bid for £16m of Community Infrastructure Fund (CIF) funding by October 2009. A combination of GAF3 and a successful CIF2 funding bid was consistent with the current £17m indicative cost estimate.

(34) The issue of future maintenance liability was accepted as an implicit factor in any new conventional highway infrastructure. However, the high quality public realm aspects of the ring road, Bank Street and now Victoria Way were a major concern. Public realm had higher maintenance costs and needs stocks of materials to be held e.g. paving materials and lighting columns. If the high quality objectives were to be sustained then maintenance also had to take place quickly after the need was identified. It was not just operational and structural maintenance that needed to be considered but the Borough Council would also need increased resources to maintain the quality environment e.g. graffiti removal, litter clearance and chewing gum clearance.

(35) GAF and CIF funding supported the capital cost but would not support the revenue implications of maintenance. These aspects were recognised by the partners and a protocol and appropriate funding mechanism would need to be established before the commitment was made to construct Victoria Way so that the County Council had the required confidence.

(36) During discussion, the Board requested a site visit to see the Ring Road scheme.

(37) The Board supported the proposals for recommendation to the Cabinet Member for Environment, Highways & Waste that:-

- (a) the outline design for Victoria Way Phase 1 including the junction improvement for Leacon Road/Brookfield Road shown on Drg. No. B0501400 and H010 RevA be approved for development control and land charge disclosures;
- (b) the general public realm and implementation strategy be noted;
- (c) an Integrated Design Team be commissioned to develop the scheme proposals;
- (d) 'in principle' negotiations be commenced with the commercial sector land owners to explore the potential for voluntary land acquisition; and
- (e) a Compulsory Purchase Order be progressed to ensure assembly of the land required for the scheme;

and that the public should be consulted during the development of the scheme proposals.

11. Amended Fees and Charges for 2008/09 and 2009/10
(Item 12 – Report by Director of Kent Highway Services)

- (1) The report sought approval of amended fees and charges for 2008/09 (and 2009/10) in respect of a wide range of services provided by Kent Highway Services. The Local Government Act 2003 (Section 93) provided the power for charging for discretionary services but also stipulated that local authorities may only cover their reasonable costs in providing such services. This year fees were originally set for 2008/9 based on an approximate increase of 3%. This was in line with the anticipated rise in staff and administration costs. It had now become necessary to amend the charges due to additional increases in energy and other extraordinary costs. The current fees and charges would increase by approximately 10% and incorporate a degree of rounding up.
 - (2) In order to prevent undue additional administration costs it was intended that the proposed new charges would be maintained through to March 2010. The increase was in line with the anticipated E&R budget increases for 2009/10.
 - (3) The report was supplementary to the original report by the Director of Highways to the Board on 8 January 2008 and the report 'Income for Kent Highway Services' by the Alliance Executive to the Alliance Board on 28 August 2008.
 - (4) Mr Whitehorn advised the Board of two minor amendments to the Appendix relating to traffic count charges and pavement licences; he also recommended that the Speed Awareness Course fee should be increased to £110.
 - (5) The Board supported the proposal for recommendation to the Cabinet Member for Environment, Highways and Waste that the proposed amended Fees & Charges for 2008/09 and 2009/10 as set out in Appendices 1 and 2 of the report, including the minor changes reported verbally at the meeting, be implemented with effect from 1 December 2008.
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