

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, 11 November 2008.

PRESENT: Mr C Hibberd (Chairman), Mr W A Hayton (Vice-Chairman), Ms S J Carey, Mr I S Chittenden, Mr R F Manning, Mr J I Muckle, Mr R A Pascoe, Mr A R Poole, Mrs E D Rowbotham (substitute for Mr T J Birkett), Mrs P A V Stockell, Mr R Tolputt, Mr R Truelove and Mrs E M Tweed.

ALSO PRESENT: Mr L Christie

IN ATTENDANCE: Mrs C Bruce (Interim Director Kent Highway Services), Mr D Hall (Head of Transport & Development), Ms L Day (Kent Parking Manager), Mr B Haratbar (Head Of Countywide Improvements), Amandeep Khroud (Solicitor), Mr G Mills (Democratic Services), Mr I Procter (Road Safety Manager), Mr P Slaughter (Transportation Engineer), and the Head of Democratic Services (represented by Mrs K Mannering).

UNRESTRICTED ITEMS

1. Declarations of Interests by Members in items on the Agenda for this meeting.
(Item 2)

(1) Further to Minute 3(2) of 16 September 2008, Members discussed the implications for those Members who served on both the Board and the Planning Applications Committee, in particular when matters were presented to both Committees. The clear advice from the Legal Unit was to avoid a conflict of interest and for individual Members to decide at which meeting they wished to speak/vote on the matter, and then absent themselves from the other meeting, at least for the duration of that particular item.

(2) Members were informed that guidelines were being drawn up and would be circulated shortly.

(3) Mr Hayton, Mr Muckle and Mr Poole declared an interest in Item 6 – Permanent Lorry Park – An update on progress as Members of the Planning Applications Committee.

2. Minutes - 16 September 2008
(Item 3)

RESOLVED that the Minutes of the meeting held on 16 September 2008 are correctly recorded and that they be signed by the Chairman.

3. Dates of Meetings - 2009

(Item 4)

RESOLVED that the dates of the meetings of the Board for 2009, as set out in the Agenda, be noted.

4. Kent Highway Services - The Director's Update

(Item 5 - Oral report by Interim Director, Kent Highway Services)

(1) Prior to presenting the report Caroline Bruce informed Members that she had taken up the post of Interim Director, Kent Highway Services. She would be working closely with Mike Austerberry, Interim Executive Director of Environment, Highways and Waste; and John Hobbs, Interim Director of Highways. A priority would be to bring stability to the Directorate and build staff confidence.

(2) During her report reference was made to:-

- Focus on customer care
- Tracker survey
- The success of the Ashford Depot and the need for a similar depot in the West Kent area
- EDF

5. Permanent Lorry Park - An update on progress

(Item 6 - Report by Head of Countywide Improvements)

(1) The report updated Members on progress towards developing a permanent lorry park for overnight lorry parking which could also be used in the event of Operation Stack. The Head of Countywide Improvements gave a verbal update at the meeting.

(2) There were two strands to current activity:-

Economic assessment:

KCC was in the process of commissioning an Economic Impact Study to ascertain the economic impact (in quantifiable terms) of Operation Stack to Kent business & residents and the public sector in its widest sense. Tenders had been issued to be returned by 14 November. It was hoped to award the contract on 1 December and the Study would be complete in approximately six months.

Survey & design:

Land entry had been negotiated on the majority of the land required for surveys – the environmental surveys extended beyond the site of the proposed lorry park itself. A topographical survey was about to start and should be completed by end of December. A preliminary geotechnical survey was planned to start in January.

The site had been visually assessed to scope the extent of the environmental surveys required. Environmental surveys were seasonal and the survey period varied according to species but the first were due to start in February.

(3) A meeting was planned with the Environment Agency because flooding and surface water disposal would be key issues, and talks would continue with key stakeholders such as Eurotunnel, the Port of Dover, the Highways Agency, Kent Police, Kent Fire & Rescue,

South East Coast Ambulance Service etc. to be clear about operational needs that would inform the design layout.

(4) The Board noted the report.

6. Mitigating the effects of HGVs on Leicestershire's Roads

(Item 7 - Report by Head of Transportation and Development)

(Mr J Wilson, Chairman of East Farleigh Parish Council and TRAMP, was present for this item)

(1) All Members of HAB had been provided with a copy of the Leicestershire County Council report on "Mitigating the effects of HGVs on Leicestershire's roads". The work would be helpful in aiding Kent County Council in shaping its Freight Strategy and revised lorry route plan.

(2) Leicestershire was centrally located within the UK; it had high mineral output and a multitude of industrial estates, particularly in the North West of the County. Increasing levels of HGV movements were generated by the industries resulting in greater use of rural roads to access the motorway and trunk road network. Many of the rural roads were unsuitable for such traffic and Heavy Goods Vehicles (**HGV's**) were causing extensive damage to roads. Problems encountered included: - rural roads/verges, noise, vibration, road safety issues, pollution and dirt on the highway network.

(3) The initial public pressure came from residents in the north-west of the county. North West Leicestershire was home to several of the largest coalmines in England. The majority of the outputs of the sites (pre1990) were transported by rail network. Due to rail strikes in the late 1980's, the cost of railway links to shipping ports was high resulting in the road haulage industry expanding significantly. The modal shift in transport created implications within Leicestershire mainly due to the industrial areas and coal-mines being sited well away from the main trunk roads and motorways. This meant that travel through villages and other small hamlets (**approx 700 a day**) was inevitable as drivers would take the most direct and fuel efficient route to the primary road network.

(4) Public pressure for remedial action to alleviate the HGV situation grew in the late 1980's. As a result, the County Council undertook a review and came up with a proposed area wide 7.5Tonne (Except for loading and unloading) weight restriction, bounded by non weight restricted 'peripheral' routes. The initial scheme was a success resulting in Leicestershire County Council proposing an extension which also proved a success. The scheme now covered the whole of Leicestershire.

Benefits of Lorry Restrictions – Based on Leicestershire County Council's HGV Scheme

* **Improved Road Safety** – decrease in HGV related accident statistics on rural routes within Leicestershire.

* **Improved Environment** – Reduction in HGV result in Lower vehicle emissions within the rural areas.

* **Maintenance Costs** – reduced damage to minor carriageways caused by HGV's resulting in less frequent repair work.

* **Improved Signage** – Signage directing HGV's on certain routes could be coupled with directional signage to smaller villages.

* **Better communication with Highway Authority** – Public relations could improve as dedicated personnel were able to act as a contact to solve Lorry related issues.

* **Improved Image** – Successful Lorry restrictions would enhance the image of the rural nature of roads, offering more protection to both the environment and wildlife in the TRAMP area.

* **Less damage to vehicles** – Taking HGV's off of unsuitable routes reduced maintenance costs on the carriageway.

* **Improved/Safer environment** – Restricting roads within rural areas would improve the environment for residents within the affected villages.

Negatives of Lorry Restrictions based on Leicestershire County Council's HGV Scheme

* **Concentration of HGV movements through villages** – residents would be pleased with lorry ban on their route/road, however, the problem was not alleviated, effectively, the HGV traffic was simply moved onto a neighbouring route resulting in a problem for somebody else.

* **Capital Cost** – initial outlay of the cost, TRO's, Signage, and Diversion Routes. Leicestershire was smaller than Kent, to date, the cost of the Lorry ban was £2 million solely on signage.

* **Additional Staff** – FT employment would need to be undertaken to control the Lorry restrictions. Leicestershire had at one time a team consisting of 5 F/T employees dealing with the work. There were 2 F/T employees covering the Lorry Ban today.

* **Additional Fuel Costs** – Due to the fact that drivers could no longer take the 'shortest route' to join onto the major road network, fuel costs might increase due to excessive mileage undertaken to do this. This also posed damage to the surrounding environment as drivers would in fact be covering more miles than need be.

* **Removal of Freedom of Routes** – Many local residents would feel restricted to join major routes as these would predominantly be served for HGV purposes.

* **Greater Route Planning Required** – Easy task for local drivers who were familiar with local routes. Potential hazard for foreign lorry drivers, who were dependant of Satellite Navigation Systems.

* **Prosecution** – Enforcement was initially imposed by Leicestershire CC's Trading Standards dept. reporting to Haulage companies of driver activity. This proved unsuccessful due to letters being ignored. LCC now paid local Police £60k annually to enforce the ban.

(5) The Leicestershire work was clearly an example of good practice and this would be used in the Freight Strategy work being undertaken by the County Council's Transport Strategy team. The key issue in Leicestershire was 700 HGV movements daily travelling from the NW of the County mainly in a westerly direction to join onto the M1. These HGV's were travelling to/from a busy national/international industries located in a fixed place within the county.

(6) Leicestershire's costs were in the region of £2 million purely for signage; this did not include the maintenance costs. The £2 million had been contributed over 15 years and was still using public funding to date. Kent was larger in scale compared to Leicestershire so funding would be a key issue in this regard.

(7) An issue evident in Leicestershire was higher vehicle emissions due to extra mileage on diversion routes. In some cases the routes were in excess of 15 miles. This needed careful thought in a Kent context.

(8) During debate the following issues were referred to:-

- The report was pertinent to Kent – benefits outweighed dis-benefits – look at pilot in Kent
- Would Leicestershire's project work in Kent – higher percentage of foreign drivers/signage implications
- Need policy and need to include rail freight
- Question of managing restrictions; added problem of sat navs
- Width an added problem. Lorries should be told which route to take
- Look at on area basis, not individually

(9) The Board noted the contents of the report, and advised that the contents should be used during the preparation of the KCC HGV policy document.

7. KCC Permit Scheme Application and Implementation

(Item 8 - Report by Permit Scheme Project Manager)

(1) The report sought to update Members on progress in implementing the Permit Scheme. The second consultation with external stakeholders concluded on 19 September 2008. In total there were nearly 300 responses from 8 sources. The comments had been reviewed and assessed and the Permit Scheme and application were being developed in consideration to these.

(2) To date, the Department for Transport (DfT) had only received one Permit Scheme application. The application was from the London Authorities under a common scheme named the "London Permit Scheme".

(3) In discussions with the DfT it had become apparent that they required clear substantiation of any proposed permit scheme, including cost benefit analysis, how objectives would be realised, and detailed operational information. Kent had taken many of the comments from the DfT into consideration and the Permit Scheme application was being developed accordingly.

(4) The project was still on track to submit a Permit Scheme application to the Secretary of State (SoS) in early November. The DfT required up to 4 months to review the application, so it was estimated that, if KCC was successful, the legal order to operate the scheme would be received in February 2009. At that point Kent would issue a communication to all works promoters stating the intent to introduce operational permitting from April 2009.

(5) Whilst waiting for approval by the SoS, KCC would be progressing with developing the resources for operational permitting, including recruiting and training staff, developing systems and engaging with external stakeholders. Initially Kent would be operating permitting within the KHS Alliance for its own work. As there was no associated permit fee to the operation, Kent were not constrained by the SoS Permit Scheme approval to introduce the new way of working. Based on the current project schedule, permitting of KHS' own work should commence in February 2009.

(6) The period between own works permitting (Phase 1) and full Kent operational permitting (Phase 2) would provide an opportunity to review and embed permitting working practices; organisational capability and systems. This would ensure KHS was operationally

stable to commence permitting with external works promoters and any initial operational issues were highlighted and resolved. In addition Kent would conduct a *readiness review* with external works promoters to ensure a successful transition into operational permitting was achieved.

(7) An operational permit scheme provided KHS with an increased level of control in relation to disruption within the network, but also represented the introduction of constraints to the works promoters whose primary concern was to maintain their supply of services. KHS currently had a positive relationship with works promoters and the National Joint Utility Group (NJUG). The works promoters acknowledged that KHS intended to apply and run a permit scheme and were in support of the open approach.

(8) A communications strategy to maintain and build on the positive relationship with the works promoters was underway. As part of the implementation KHS would be developing working practices with the work promoters and sharing experiences and knowledge from the Phase 1 own works permitting. In addition, the Chair of NJUG was a member of the Project Board.

(9) The business case and associated application for the Permit Scheme contained very clear strategic objectives to be realised from the implementation of operational permitting:-

- To ensure safety – for those, living or working in the street, including those engaged in activities controlled by the Scheme;
- To minimise inconvenience and disruption caused by activities to people using the streets;
- To protect the structure of the street and integrity of apparatus in it.

KHS had produced a detailed benefits matrix, including methods of measurement, to provide analysis and data to justify and validate the implementation and continued operation of a Permit Scheme. The high level method and measurements for realising the objectives were set out in Appendix 1 of the report.

(10) The report had been produced to provide information in relation to the progress of the Permit Scheme application and associated implementation.

(11) The Board noted the report and recommended that work should proceed as soon as possible.

8. Maidstone District Casualty Numbers and Progress against National 2010 Casualty Targets

(Item 9 - Report by Head of Network Management)

(1) The number of people killed or seriously injured in Kent had shown an overall downward trend compared with recent years. Kent had recorded a 40% reduction in killed or seriously injured (KSI) casualties for 2007, compared with the 1994-1984 average and was on line to meet the Government' 2010 target.

(2) However, against the 40% county reduction, Maidstone District had shown only a 15% reduction in KSI casualties compared with the 1994-98 average. Dover and Tunbridge Wells also indicated upward trends, and Dartford and Sevenoaks had less well defined trend patterns which would need to be monitored. The remaining districts did not indicate an upward trend and were below or on target for a 40% reduction in KSI casualties by 2010.

(3) In response to concerns regarding the 2007 KSI casualty record in Maidstone and in particular, concerns regarding an increase in fatalities in 2007, a summary report which looked at all injury casualties was produced; and formed the basis of discussions with the Maidstone Borough Council's Assistant Technical Director, Regulatory and Environmental Services, to agree a joint action plan to tackle identified issues.

(4) The casualty data indicated that young car drivers and passengers aged 17-24 years; motorcyclists riding 500cc and above bikes; and 12-16 year old pedestrians had trends significant to Maidstone. The fatal record for Maidstone over the past decade was also reviewed and no trend or pattern was identified. Data available for this year showed that the number of fatalities for the Jan to June 2008 was five – fewer than half the number of fatalities for the same 6-month period in 2007.

Proposed Joint Action Plan MBC and KCC :-

Road user Influences:

(5) To influence the road user groups identified at a greater risk, and **in addition to** the countywide education, publicity and enforcement initiatives, specifically for Maidstone it was proposed that KCC would:-

- Increase the current activities by re-inviting Maidstone schools, which had previously not responded, to have a young driver education course in their school.
- Deliver 3 road safety campaigns, during December 2008 and early 2009, aimed at the three identified road user groups: young drivers and passengers (17-24yrs); 500cc and above motorcycle riders; 12-16 pedestrians.
- In addition to the normal county wide tours of road safety 'Theatre in Education' activities in schools, it was proposed to have an extra week in Maidstone of an anti drink/drug driving play aimed at young drivers, and a specific week for each of the child pedestrian performances – 'The Smart Brothers' (primary schools) and 'It's Up To You' (lower secondary school).
- Maidstone was one of only six districts where a "Small steps" programme was provided within infant schools aimed at pedestrian safety.
- Maidstone was most commonly the base for county wide campaign launches involving the media, which may have added benefit for Maidstone.
- MBC to assist with road safety messages via LED signs Lock Meadow at car parks and park and ride sites.

. Physical measures

(6) Maintain the methods of physical remedial works for casualty reduction and in addition to reporting to the Maidstone Joint Board locations with the potential for casualty reduction measures included; all locations reviewed as part of the Annual cluster site review.

Road safety awareness

(7) It was proposed to host a joint Maidstone Borough Council/KCC event where members and others could come to form a common understanding of the road safety within Maidstone and mitigations, and to provide an opportunity for constructive debate.

Roles and Liaison

(8) KCC Road Safety would lead and progress road safety activities, acting as a liaison between Police and other emergency services and involving others as appropriate. MBC's Assistant Director would lead on organising a members' road safety awareness event.

(9) It was considered that physical interventions must continue to be introduced where appropriate. However, to achieve significant casualty reductions for 2010, it was essential to influence road user behaviour.

(10) The Board:-

(a) continued to support Road Safety as a high priority; and

(b) supported the proposed joint action plan between KCC and Maidstone Borough Council.

9. Downs Road and Hog Lane, Northfleet

(Item 10 - Report by Head of Transport and Development)

(Mr L Christie was present for this item)

(1) A report on Downs Road and Hog Lane, Northfleet was considered by the Board on 8 May 2008. These were narrow country lanes linking the hamlet of Northfleet Green and Istead Rise (south of A2) with the Pepperhill and Painters Ash estates in Northfleet; linking residents with the primary school at Painters Ash and local shops and doctors surgery.

(2) The section of the route from Northfleet Green Road (just south of the Channel Tunnel Rail link) had been closed since August 2006 and under the A2 widening permission it was due to reopen later in the year with no restrictions as to its use. It had been thought that the road would reopen in October but works had taken longer in that area than previously expected.

(3) The temporary closure of the road was an opportune time to carry out Public Consultation as to its future use. There were marginally more people wanting the road closed to motorised vehicles than those wishing it to be kept open for cars, vans and motor cyclists. However, the route had been a public highway for well over 100 years, was more convenient and shorter for local people and avoided the need for them to tangle with main road traffic. It was particularly important for residents of Northfleet Green who would otherwise have to use a blind junction onto New Barn Road to go to Painters Ash. On the other hand the lanes were used recreationally by walkers, cyclists and horse riders.

(4) The decision resulting from the earlier Board meeting was a compromise in that the road should be kept open for vehicles less than 7 ft wide which would be enforced by physical width restrictions; the use of the road would then be monitored for a year after reopening and the restrictions reviewed.

(5) Traffic Regulation Orders for the road, for a '30 mph speed limit', 'No stopping' and '6 ft 6" width restriction' (to be enforced by 7 ft wide physical measures at either end of the road) were advertised towards the end of September. The closing date for Objections to the Orders was 13 October and resulted in one Objection from the Highways Agency and, although not a formal objection to the Orders, two letters from residents of Downs Road, one from a resident of an adjacent road and a 107 signature petition from a mixture of other residents of Downs Road and mainly walkers against reopening the road.

(6) The letters and petition contrast the 148 signature petition reported to the Board in May from local residents who wanted the road to remain open as it was their most convenient link for facilities.

(7) The Board agreed that with opposing views remaining as to whether the road was reopened or not, a year's trial period with the road open appeared to still be the best compromise.

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

- (a) the Traffic Regulation Orders for a '30 mph speed limit', 'no stopping' and '6ft 6inch width restriction' on the sections of Hog Lane and Downs Road between Northfleet Green Road and just north of old A2 be confirmed for a trial period of 12 months; and
- (b) the appropriate signing and physical width restrictions to be in place on the reopening of the road later in the year.

10. Decriminalised Parking: The Traffic Management Act 2004 Changes to legislation and revision of the District/Borough Agency Agreements
(Item 11 - Report by Kent Parking Manager)

(1) The Traffic Management Act 2004 (Part 6) Civil Enforcement of Parking took effect in April 2008, introducing new legislation and statutory requirements for all local authorities in England and Wales. Within Kent, the 12 District/Borough and City Councils were responsible for the practical application of parking policy within Agency Agreements negotiated between the County Council and the 12 District/Borough authorities. The report summarised the current situation with regard to the Agency Agreements and the management of parking and provided information as to the future arrangements between the 12 District/Borough Councils and Kent County Council.

(2) Currently, the 12 District/Borough Councils carried out the functions for on-street parking on behalf of the County Council under 12 individual Agency Agreements. However, under new legislation contained within the Traffic Management Act 2004, Kent County Council were now fully liable and responsible for meeting the requirements of the Traffic Management Act and may be audited by the Department for Transport with regard to meeting the necessary obligations under the new legislation.

(3) The current Agency Agreements were negotiated with each individual District/Borough Council between 1997 and 2001, dependent upon when each District/Borough Council took on powers under decriminalisation and were written under previous legislation relating to The Road Traffic Act 1984 and The Road Traffic Act 1991.

(4) As a result of the changes in legislation due to the advent of the Traffic Management Act 2004 and the associated Network Management Duties, the 12 current Agency Agreements were no longer legally fit for purpose and may leave both the County Council and the District/Borough authorities open to challenge by a Member of the Public, possible judicial review or potential intervention by the Department for Transport acting on behalf of the Secretary for State. It was therefore necessary to fully review the current Agency Agreements with all the 12 District/Borough authorities.

(5) Although all District/Borough Councils across Kent worked closely together with regard to best practice, there still remained a wide variation in the way parking was enforced across the County of Kent. This caused unnecessary confusion for the general public, residents and visitors to the County. Coupled with the new statutory responsibilities of Kent County Council brought about by the Traffic Management Act 2004, it was proposed that the current Agency Agreements were renegotiated with all 12 District/Borough Councils to allow the opportunity for consistent management procedures

with regard to parking requirements in Kent and to ensure that Kent County Council met all statutory requirements necessitated by the Traffic Management Act 2004.

(6) It was proposed that the new Agency Agreements would operate alongside a Local Operating Agreement containing required policies, procedures and actions which would allow Kent County Council to meet its statutory requirements under the Traffic Management Act 2004 as well as allowing for new innovations to be put into place to assist in the efficient enforcement of on-street parking controls across the County.

(7) Any future changes to legislation would only require the rewriting of the Local Operating Agreement. This would prevent unnecessary delays in renegotiating the Agreements and no longer leave the County Council or any of the 12 District/Borough authorities in a position where they might be subject to a legal challenge whilst negotiations took place.

(8) Due to changes in legislation it was necessary to commence immediate renegotiations of the 12 Agency Agreements between the County Council and the District/Borough authorities. A report was submitted to the Leaders and Chief Executives of the 12 District/Borough authorities on 22 September 2008 requesting agreement to the full renegotiation of the current Agency Agreements and the introduction of a Local Operating Agreement within each District/Borough Council. The 12 District/Borough Leaders and Chief Executives instructed Kent County Council to commence negotiations with no further delay.

(9) The Board:-

(a) noted the content of the report; and

(b) recommended to the Cabinet Member that paragraph (8) above should commence as soon as possible.