

From: **Michael Payne, Cabinet Member for Highways and Transport**
Mike Hill, Cabinet Member for Community and Regulatory Services
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To: **Cabinet – 15 March 2021**

Decision No: **N/A**

Subject: **Port of Dover Closure incident follow-up and EU Transition update**

Classification: **Unrestricted**

Summary: This report updates Cabinet on how lessons learned by KCC from the 48-hour total border closure and introduction of new Covid-19 testing regime for all travellers in the week leading up to Christmas 2020 are being taken forward.

There is also an update on traffic management following the end of transition on 1st January 2021 and a look ahead to July 2021 when national import controls will be introduced on the UK side of the border.

Recommendation(s):

Cabinet is asked to:

- a) **Note** the lessons identified and actions underway in response to the port closure incidents before and over Christmas 2020.
- b) **Note** the latest update regarding the border situation now and for the immediate future in Kent post EU Transition.

1. Border Closure December 2020 - Background

- 1.1 On December 19th, 2020, the Prime Minister announced tougher restrictions for large parts of South East England with a new Tier 4: 'Stay at Home' alert level, following a rapid rise in infections attributed to the spread of a new variant of COVID-19. Following this, on Sunday 20th December, the French Government announced it would not accept any passengers arriving from the UK for a minimum 48-hour period.
- 1.2 France subsequently reopened its borders to vehicles travelling from the UK on Wednesday 23rd December but with a new requirement for all travellers, including HGV drivers, to have a negative COVID-19 test prior to travel.

- 1.3 This unprecedented and rapidly evolving situation threatened to cause gridlock on Kent's roads and put hauliers and other travellers at real risk of being stranded in the UK for the Christmas period. Furthermore, the disruption occurred while the Council was still working with partners to deal with the broader Covid-19 response and recovery effort, including moving into 'Tier 4' restrictions and finalising preparations in the county for the end of the UK/EU Transition period, as well as preparing for disruption from Storm Bella (which hit Kent on 26th December). Resources were also stretched as many staff from across all local partners were taking leave over the holiday period before "standing up" ahead of the EU Transition end date on 1st January 2021.
- 1.4 From a KCC perspective, officers involved with the response went above and beyond normal working practices, working excessive hours through the Christmas period to manage the impact of a combination of events that were outside the usual remit of a Local Authority. There was severe disruption for days before the situation began to ease.
- 1.5 The readiness to deal with an event of this magnitude was aided by the *Operation Fennel* traffic management plans and testing and exercising that had taken place over the previous two years. These trusted working relationships between partners were key in forming an effective response to this event, which drew praise from the Secretary of State for Transport, who expressed his gratitude for the work carried out by KCC and all partners of the Kent Resilience Forum to help ease the significant disruption during this period.

2. Positives, Lessons Learned and Actions Arising from Border Closure Incident

- 2.1 As is usual after such events, KCC and partners in the Kent Resilience Forum have been reviewing the local response to enable the learning of lessons which in turn helps in planning future responses to any similar incidents that occur. As well as a number of positives to take from the incident response, it is accepted that there were several aspects of this incident where lessons need to be learned. Positive aspects and areas for improvement in future are summarised below from a KCC perspective:

2.2 Lessons

- (i) Traffic congestion and community impacts in Dover Town and the surrounding areas as many vehicles rushed to the area to try to beat the 48-hour closure and/or to be early in the queue for when the borders reopened.
- 2.2.1 KCC and partners were able to respond quickly to the growing queues of HGV's (accepting that response to LGVs/passengers was less effective) while the new requirement to overlay COVID-19 testing was resolved. Great agility, flexibility and support was shown to develop and implement a testing policy and approach, acceptable to the French, within 24 hours. The availability and readiness of the Manston site ahead of EU Transition was also important.

2.2.2 However, following the announcement of the French port closure on 20th December, traffic quickly built up in Kent and particularly in Dover Town and the surrounding roads, which had detrimental impacts on the community in the days that followed. Traffic management plans in existence at the time did not give consideration to a complete closure of the border nor provision for the volume of non-HGV traffic that could accumulate in Dover if that occurred. Initially, lateral flow Covid testing took place at Manston and on the M20 motorway, but once it was apparent that congestion at the Port could not be resolved without clearing the gridlock in Dover, testing was set up in Dover too.

(ii) Driver welfare provision for all travellers caught up in the incident.

2.3.1 KCC, with crucial support from local partners, provided hot meals to those caught up in the disruption on an unprecedented scale, with 12,000 hot meals given to stranded travellers in one day. Ongoing arrangements and involvement of local charities and caterers resulted in a minimum of two meals per day being provided. Any spare food was redistributed to relevant charities. The logistics to deliver welfare provision on such a large scale required specific expertise that is not currently available internally and so support provided by the Armed Forces was of great assistance in the response effort.

2.3.2 However, the existing Driver Welfare Plan is based on port disruption with people in queues and so did not initially consider non-HGV traffic already in Dover. There were challenges with availability of caterers listed in the 'KCC Crisis Manual' which were exacerbated by being in Tier 4 lockdown; this impacted on the food that could be provided quickly. In addition, existing plans have food provision as a last resort, the focus being to get traffic moving, hence the provision of food in first 24 hours was limited to a high energy cereal bar for HGV drivers, alongside provision of water.

(iii) Dealing with a far greater number of Light Goods Vehicles and other passenger traffic who are not necessarily in a known queue.

2.4.1 The multi agency Vulnerable People and Communities Cell (VPCC) engaged with the District Council and local volunteers to provide support and made use of community volunteers to locate the smaller vehicles. Welfare was provided in Dover's main car parks and communications advised where welfare was available.

2.4.2 However, linked to the congestion points in section 2.2 above, Dover Town Centre quickly became gridlocked with non-HGV traffic, consisting mainly of travellers wanting to return to Europe for Christmas along with smaller goods vehicles and local traffic. The Driver Welfare cell had little capacity to support the non-HGV traffic due to the volumes of HGVs they were dealing with. Travellers were reluctant to move their vehicles for fear of losing their place in the queue for the Port and therefore did not want to take up offers of welfare at Lydden Hill and other areas. The gridlock impacted on welfare being provided as volunteers could not get through into Dover Town Centre freely.

(iv) Communication flow with those directly caught up in the incident, and with local and national stakeholders.

2.5.1 On a positive note, there was consistent messaging to advise the border was closed. An *Operation Fennel* Communication Plan was ready for implementation which meant this was already in place to notify traffic about potential hold ups on the M20 and at Dover. In addition, messages were sent to hauliers and the travelling public informing them to get a negative COVID-19 test before coming to Kent. Various technologies were used to overcome language barriers. KCC's Contact Point was also used to coordinate offers of help from the public and there was good engagement with communications team at the Department for Transport.

2.5.2 It is acknowledged, however, that earlier communication with local members could have been better. There were also challenges in communicating with drivers that were not in a queue. Engagement from foreign embassies was not managed centrally, with no central contact point. There was an additional complication of communicating technical information about the border closure and the requirement for COVID-19 testing to drivers whose first language was not English. In addition, there was significant impact on "business as usual" activity for the KCC Contact Point with out of hours Highways lines particularly impacted.

b) Actions

2.6 Consequently, a number of actions have been recommended and are being taken forward by the Council and its partners:

i) Keeping Dover Clear and LGV / other passenger traffic considerations

- KCC input into the multi-agency *Keep Dover Clear* plan, which will include consideration of how and where non-HGV traffic will be supported. Productive meetings involving KCC, Highways England, Kent Police and Dover District Council have been held and a plan is being developed identifying short term, medium term and longer term actions.
- Consider increasing the size of the pool of specialists from KCC available, (where capacity will allow) involved in response, to allow time for recovery and reflection for those leading the response for consecutive days.
- Review the Kent wide traffic management plans to include the management of non-HGV traffic in the event of port closure or delays.
- Consider the approach for driver welfare for non-queuing traffic.
- Review the approach for supporting people who are not residents of Kent but require welfare

ii) Driver welfare

- Extend the existing Driver Welfare Plan to cover all types of traffic potentially impacted by incidents such as this.

- Engage with Department for Transport on the level of provision of driver welfare for events of this nature which have severe and far-reaching impacts.
- Review what is an acceptable level of welfare provision to meet not only KCC's responsibilities in this regard, but also stakeholder expectations.
- Ensure emergency plans consider the management of spontaneous volunteers in future emergencies.
- Review suppliers listed in the KCC Crisis Manual to ensure that all listed are able to provide support when required.

iii) Communications

- KCC are actively involved in the Communications and Driver Welfare cells of the KRF that have been reviewing and discussing messaging for future events.
- Review the potential to use emergency text messaging mechanisms to communicate in a particular geographical area.
- Formalise the appropriate use of the KCC Contact Point to coordinate offers of help from the public.
- Continue to explore various technologies available to overcome language barriers of those in the area looking to cross the border.
- Coordination and management of communication with any Foreign Embassies will be done centrally.
- Look at how best to engage local Members earlier in similar events in future.

3. End of UK/EU Transition Period Update

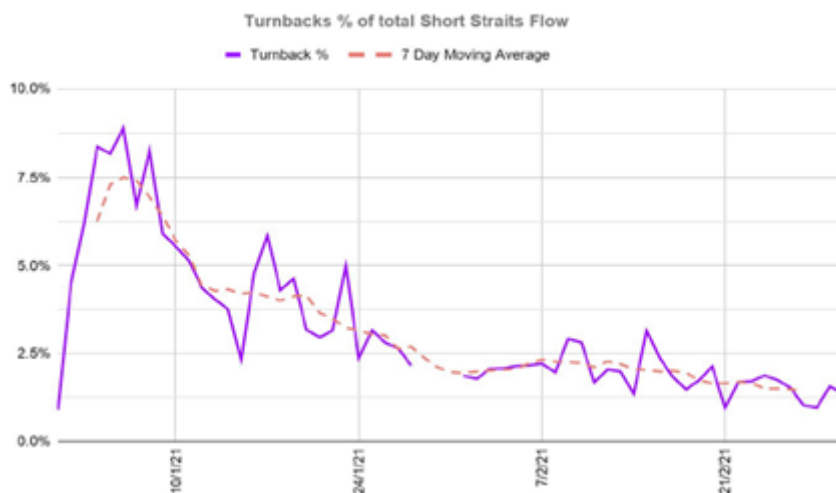
- 3.1 Following the events pre-Christmas, the situation on Kent's roads since the end of transition on 1st January can be described as very calm. Due to the continuing testing requirements and to ensure appropriate flow rates to both portals it has been necessary to split Europe bound traffic between two routes. All Port of Dover traffic has been directed to use Manston (splitting at M20 Junction 7, A249, A299) whilst Eurotunnel traffic has used the M20 and the Sevington site. Domestic traffic has been free to use all routes with the only restriction being the continued use of M20 Brock contraflow for both coastbound and London bound traffic.
- 3.2 Deploying this plan has meant little or no disruption on the main routes in Kent. This was largely due to:
- a) lower flows of HGVs than seen in previous years (reflecting the level of stockpiling witnessed at the end of 2020) but flow rates are now increasing closer to the seasonal average
 - b) efficiency of the military led testing regimes at both Manston and Sevington. To illustrate this, over 100,000 tests have been carried out over the two months between 4th January and 3rd March - 45,840 tests have been carried out at Sevington of which 79 have been positive and at Manston, for

the same time period, 62,658 tests have been carried of which 70 have been positive.

- c) the low level of non compliance with Kent Access Permit and M20 Brock restrictions. Between 1st January and 3rd March the total offences are as shown below and the daily total is currently running at about 2% of HGVs:

Volume KAP offences = 1817
Brock (TTRO) offence = 1398
Total Kent Offences = 3215

- d) the low level of HGV 'turnbacks' at both the Port of Dover and Eurotunnel – the percentage of turnbacks peaked at 8% of total outbound flow at the beginning of January; however, the 7-day rolling average has dropped to below 2%, as shown below



- 3.3 At the same time significant progress has been made on the construction of the Sevington site, with buildings for HMRC and DEFRA use now clearly visible on site, as well as parking 'swim lanes', entrance booths and access and exit arrangements.
- 3.4 There were some teething issues with signage and sat nav directions and some HGVs were going to wrong locations for the Waterbrook site and diverting from the main route to Manston. There are now very few issues with routing to Manston. However, for the Waterbrook site, despite many direction signs a few HGV drivers do persist in following their sat navs and causing congestion in local areas. The numbers are much lower than they were but when it happens it does cause disruption to local communities and businesses.

- 3.5 KCC also introduced the HGV clamping system prohibiting any heavy goods or large goods vehicle which has a gross vehicle weight in excess of 5 tonnes from parking anywhere within 7 districts and boroughs, likely to be most impacted by the traffic management plans, namely Ashford, Canterbury, Dover, Folkestone & Hythe, Maidstone, Swale and Thanet. The restriction covers all the areas within these districts and boroughs with the exception of lay-bys located along the A249, A299 and A256. Also exempted from enforcement are drivers who take their short statutory break (45 minutes), anywhere within the zone, in safe roadside locations.
- 3.6 Hundreds of signs have been deployed around the 7 named districts and boroughs to define the zonal parking restriction, using entry and exit signage to inform drivers when they are entering and leaving the areas to which the restriction applies.
- 3.7 Whilst the restriction came into force early January, KCC's enforcement agent carried out a period of "soft enforcement" by speaking to drivers and handing out over 500 multi-language warning leaflets. Enforcement by the application of a PCN and Clamp commenced 11th January 2021.
- 3.8 For the first 6 weeks of the scheme (11th January – 21st February 2021), KCC have issued a total of 1098 PCNs and clamps, with weekly distribution as follows:

Week Ending	No of clamps issued in week	Running total
17 th January	162	162
24 th January	186	348
31 st January	172	520
7 th February	172	692
14 th February	218	910
21 st February	188	1098

- 3.9 In addition, Ashford Borough Council continued with their existing clamping enforcement operation between 11th and 20th January 2021 and issued a total of 66 PCN and clamps.
- 3.10 Of the total PCN and clamps issued to date, the majority have been along the M20 corridor from Maidstone towards Eurotunnel and the Port of Dover. Dover (31%), Ashford (30%), Maidstone (17%) and Folkestone & Hythe (13%) account for over 90% of the total volume of clamps issued. Furthermore, 17% have been applied to UK registered vehicles with 83% made up of EU and International registered vehicles. Nearly 70% of clamps have been issued between the hours of 2200 and 0600.

4. Proposal for Immediate Changes to Traffic Management

- 4.1 Currently, approximately 2,000 Covid tests per day are being completed on freight across the two existing sites at Manston and Sevington. The testing rate ebbs and flows across the 24-hour period and across the days of the

week. The traffic management plan in place is predominantly to service the testing requirements, not the border flow issues as originally planned, with freight demonstrating a high rate of border readiness.

- 4.2 Since 21st February 2021 there has been an amendment to the UK France protocol and there are now concessions relative to the previous testing requirements which enable the following:
- Freight from France which spends less than 48 hours in the UK is exempt from provision of a test
 - Freight from Republic of Ireland to France via the land bridge can rely upon a test taken in Ireland if taken within 72 hours of departure from a UK port.
- 4.3 This change is serving to reduce the level of testing required at Kent sites. This now means that the traffic plans can be revised. It is proposed to route all freight via M20 reverting to the original Op Brock plan – traffic to be filtered by infrastructure and signage only prior to J8, split by portal, with ability to instigate controls of both or either lane at the front of the queue.
- 4.5 At the current level of demand for tests the likelihood of queues within Brock and therefore restricted access to both portals is low. This system does provide the ability to hold queues by portal in the case of disruption or flow restriction however if Sevington capacity becomes overwhelmed then there will be a need to hold both lanes of traffic and manage the flow through accordingly.
- 4.6 Key dependencies of this change will be the transfer of HMRC from the Waterbrook site onto Sevington (planned for 12th/13th March) and a good national and local communications plans informing HGV drivers and hauliers of the changes.
- 4.7 Changing the traffic management is not without a risk of congestion as the new system ‘beds in’ but traffic/queue lengths/flow rates will be closely monitored. Furthermore, although Manston will not be used it will be kept open for the first few weeks just in case it has to be stood up again in short order.

5. Planning for Day 200 and Managing Future Congestion

- 5.1 Working with Government departments including DFT, HMRC, DEFRA, MHCLG, local partners are preparing for two future scenarios:
- Plans for ‘Day 200’ - the proposed introduction of import controls from 1st July 2021
 - Future plans for managing large scale issues at the ports, particularly as the Manston site is only available until the end of June 2021.

a) Day 200 Planning

- 5.2 Import controls are due to be introduced from 1st July 2021. Full implementation will rely on the supply of Border Control Posts across the UK. In Kent, the

Sevington site will be available on a phased basis from July with full completion scheduled for August/September 2021. The BCP at White Cliffs site in Dover is further back in its delivery. The SDO has yet to be submitted to MHCLG for approval and works can only start on site once approvals are in place. The current timetable shows a completion date of spring 2022.

- 5.3 We are awaiting further detail about the introduction of controls. Once we know more detail alongside the national planning assumptions we will plan traffic management as well as the deployment of Trading Standards staff across the 2 sites, as appropriate, to work alongside the key Government agencies as well as the district Port Health Authority staff.

b) Future Traffic Management Plans

- 5.4 Local partners are working with DFT on reviewing and revising traffic management plans for coping with any large scale issue at the portals or in the Straits. Historically 'Op Stack' was deployed which had impacts on the M20 corridor and the communities of Ashford, Maidstone, Folkestone and Hythe and Dover. With DFT leasing the Manston site and deploying M20 Brock the plans then evolved into Op Fennel which whilst not perfect do serve to keep the M20 open for local residents and businesses but it does create new impacts, particularly for Thanet.
- 5.5 DFT currently have no plans to extend the lease of the Manston site which will leave Kent without the necessary infrastructure to respond to large scale congestion. The deployment of all stages of Op Stack is compromised by the inclusion of the Sevington site. So a new plan is required. Officers are working with DFT and Highways England to identify options and these will be reported to Members as they are developed.

6. Conclusion

- 6.1 The events before and over Christmas could be rightly termed 'unprecedented'. But it is important that we learn key lessons that can help shape our response to future incidents. Alongside this we now need to turn our attention to planning for the introduction of import controls as well as the future traffic management plans.

7. Recommendation(s)

Cabinet is asked to:

- a) **Note** the lessons identified and actions underway in response to the port closure incidents before and over Christmas 2020.
- b) **Note** the latest update regarding the border situation now and for the immediate future in Kent post EU Transition

8. Contact Details

Report author and Relevant Director