
By: Mike Austerberry - Executive Director of Environment, Highways & Waste

To: County Council
14th October 2010

Subject: A256 Tilmanstone and Eythorne – Gap Closures

Classification: Unrestricted

i) On the 16th July 2009 the Environment, Highways & Waste Policy Overview & Scrutiny Committee were asked to consider a report regarding proposed gap closures on the A256 and recommend to the Cabinet Member that:

(a) an Experimental Traffic Order be made for the closure of the gaps on the A256 at Eythorne and Tilmanstone, the latter having an exemption for buses and emergency vehicles (with consultation on the Order being carried out during the first six months);

(b) the crash record and traffic flows on the A256 and the surrounding road network be monitored;

(c) the results of the consultation and the monitoring be reported back to a future meeting of the Dover Transportation Board.

This was referred to the Policy Overview & Scrutiny Committee by the Dover Joint Transportation Board.

ii) It is highlighted within the report that two fatal crashes, resulting in 3 fatalities, had occurred at the gaps on the A256 dual carriageway. H.M. Coroner for Kent and the police also made representations to Kent County Council regarding concerns about the dangers of the gaps and supported the proposed closures.

iii) At the recommendation of the Policy Overview & Scrutiny Committee the Cabinet Member visited the A256 with the local Member. Following this visit the decision was taken to put an experimental order in place to close the gaps as the Cabinet Member felt that safety issues on this stretch of road should be quickly addressed to prevent further casualties.

iv) The experimental Traffic Order was made on 26 March 2010 and commenced on this date for a statutory period of six months. To date, 57 responses have been received, 24 of which were addressed to the Leader, the Cabinet Member for Environment, Highways and Waste, or the Director of Kent Highway Services.

v) A number of issues were raised in these responses regarding the closures and the impact and effect on the villages of Eythorne and Tilmanstone. The main concerns include:

- People are now 'forced' to use the Barville Roundabout which many people perceived as dangerous with poor sightlines.
- The gaps are safe, with very good sightlines. The Whitfield gap, which has been left open, is more dangerous due to poorer sightlines.
- Residents have to undertake lengthy detours with associated time and fuel costs
- Why is it safe for buses to turn right but not safe for cars to do so?
- Detours force residents to use minor country roads, which are narrow, and have poor street lighting
- There is an effect of increased traffic in Eythorne village

A number of additional comments and concerns have also been raised.

vi) The crash record on the A256 during the experimental period from 31 March 2010 to 24 September 2010 shows 1 slight personal injury crash since the closures (tyre blow-out). The crash record on surrounding roads for the same period is also low but exact figures are not yet available.

vii) Kent Police have inspected the Barville Roundabout and feel there are no problems with obscured sightlines. Kent Police have also indicated that they would "...support a Traffic Order to permanently close the crossover points at Dover Road, Tilmanstone and Kennel Hill, Eythorne" based on the potential for future serious or fatal crashes at these junctions.

Background documents

Environment, Highways & Waste Policy Overview & Scrutiny paper – 16th July 2009

By: Head of Transport and Development

To: Environment, Highways and Waste Policy Overview Committee - 16 July 2009

Subject: A256 Tilmanstone and Eythorne – Proposed Experimental Gap Closures

Classification: Unrestricted

Summary: The results of preliminary consultations on the proposed experimental gap closures were reported to the Dover Joint Transportation Board (JTB) on 25 June 2009, with a recommendation that an Experimental Traffic Order be made, with consultation on the Order during the first six months of the experiment.

The Dover JTB rejected the Officer recommendations and resolved that Officers be asked to look again at all possible options and report back to a future meeting of the Board giving the reasons why they are unacceptable. The JTB also resolved that, in the interim, temporary 'SLOW' signs should be erected.

As this decision reverses the Dover JTB's original decision to support the closures in principle, it has been referred to POC.

1. Introduction

- 1.1 At the meeting of the Dover Joint Transportation Board on 8 September 2008, the circumstances concerning the two recent fatal crashes, resulting in 3 fatalities, which occurred at the gaps (crossovers) on the A256 dual carriageway at Tilmanstone and Eythorne were reported. These were 2 out of 7 fatal crashes across Kent, that were all as a result of right turn or u-turn movements on high-speed 'A' class dual carriageways.
- 1.2 The Coroner, who investigated the fatal crashes, had written to the County Council stating her concerns about the potential risk of further fatal crashes occurring at these gaps on a high speed dual carriageway and requesting they be closed on safety grounds. (A copy of the Dover Joint Transportation Board Report on 8 September 2008, which includes the letter from the Coroner, is attached as Appendix A).
- 1.3 The Dover Joint Transportation Board resolved:-
 - (a) that the closure of the two crossovers on the A256 at Tilmanstone and Eythorne, under an Experimental Traffic Order, be supported in principle;
 - (b) that consultations take place with Tilmanstone and Eythorne Parish Councils, the emergency services and bus companies on the details and signing of diversion routes and traffic monitoring arrangements;

- (c) that an appropriate Experimental Closure Order be subsequently advertised and any objections reported back to a future meeting of the Board.

2. Crash Statistics

- 2.1. The crash statistics for the last three years (up until the end of February 2009) at the two gaps are given in Table 1. The main factor in the fatal crashes was the difficulty the driver turning right had in judging the high speed of oncoming vehicles. The closure of these two gaps would have prevented the manoeuvres at these locations which resulted in 3 deaths.

Table 1 – Crash Statistics at A256 Gaps at Tilmanstone and Eythorne

Location	Crashes Involving Injury (in the last 3 years)			
	Fatal	Serious	Slight	Total
Tilmanstone	1 (2 fatalities)	0	0	1 (2 fatalities)
Eythorne	1 (1 fatality)	0	1	2 (1 fatality)

3. Traffic Monitoring Surveys

- 3.1. Traffic Surveys have been carried out on the A256 and the surrounding road network in April/May 2009, and the results are given in Appendix B.
- 3.2. The amounts of right-turning traffic at the Tilmanstone and Eythorne gaps were 240 vehicles/day and 262 vehicles/day respectively. If these two gaps were closed, the Barville Road roundabout could provide access to reasonably convenient alternative local routes, increasing the distance travelled by no more than 2 miles.

4. Proposed Experimental Gap Closures

- 4.1. The proposed gap closures would be undertaken under an Experimental Traffic Order (as used recently on the A2 at Lydden Circuit), which will allow us to monitor the crash record and traffic flows on the A256 and the surrounding road network, before a final decision is made.
- 4.2. Experimental Traffic Orders are made and come into force at the same time as the statutory consultation begins. The consultation then lasts for the first six months of the experiment, and the experiment may last for up to 18 months.

5. Results of Preliminary Consultations

- 5.1. Preliminary consultations on the proposed experimental gap closures have taken place with the emergency services, bus company, six Parish Councils and local

County and District Councillors, and their comments and objections are summarised in Appendix C, along with my comments on the points raised.

- 5.2 We have also received comments and objections from 19 members of the public and these are summarised in Appendix D, along with my comments.
- 5.3 The Police support the proposed gap closures at Tilmanstone and Eythorne on safety grounds.
- 5.4 Stagecoach objected to the proposed gap closure at Tilmanstone because it is vital to the continued existence of bus route 88, which is a marginal rural route between Dover and Sandwich, and they have strongly advocated that the facility is retained as a 'bus only right turn'. It is therefore proposed that the Tilmanstone gap would be 'no right turn except for buses and emergency vehicles.
- 5.5 Four Parish Councils and 19 members of the public have objected to the proposed experimental closure because of their concerns about the negative effects on the villages, inconvenience to local residents and the suitability of the diversion routes (see Appendices C & D). It is understood that the proposed closures would cause some inconvenience to residents. However, the amount of diverted traffic would be small, being around 250 vehicles/day from each gap and one of the main reasons for proposing the closures on an experimental basis is that effects can be monitored and reported back to this Board before any decisions on permanent closure are made.
- 5.6 Tilmanstone Parish Council and six respondents were concerned that the diversion route at Tilmanstone would involve using Barville roundabout which is perceived to have a poor crash record. There have been 3 crashes involving injury at Barville roundabout in the last three years (which is in line with what would normally be expected at this type of junction). However, because speeds are generally lower at roundabouts and there have been no fatal crashes, it is considered that the potential for further fatalities is greater at the gaps, hence the proposed closures.
- 5.7 Seven respondents suggested that the fatal crash at Tilmanstone had not been caused by the junction because the driver had a heart attack. My understanding is that there were no medical factors involved in the crash.

6. Decision of Dover Joint Transportation Board on 25 June 2009

- 6.1 At the Dover JTB meeting on 25 June 2009, 5 further letters of objection (which had been sent to Dover District Council) were circulated to the Board. The JTB were informed that these letters did not appear to raise any new issues that were not already covered in my report and appendices.
- 6.2 The recommendations to the Dover Joint Transportation Board were:-
 - (a) an Experimental Traffic Order be made for the closure of the gaps on the A256 at Eythorne and Tilmanstone, the latter having an exemption for buses

and emergency vehicles (with consultation on the Order being carried out during the first six months);

- (b) the crash record and traffic flows on the A256 and the surrounding road network be monitored;
- (c) the results of the consultation and the monitoring be reported back to a future meeting of the DoverJTB.

6.3 The Dover JTB rejected the Officer recommendations (by 7 votes to 6) and resolved that Officers be asked to look again at all possible options and report back to a future meeting of the JTB, giving the reasons why they are unacceptable. The JTB also resolved that, in the interim, temporary 'SLOW' signs should be erected.

6.4 As this decision reverses the Dover JTB's original decision to support the closures in principle, it was decided to refer the matter to the Highways Advisory Board.

7. Conclusions

7.1 The proposed gap closures on the A256 at Tilmanstone and Eythorne are supported by the Police and the Coroner on safety grounds.

7.2 In response to concerns raised by Stagecoach about the effect on bus route 88, it is proposed that the Tilmanstone gap would be 'no right turn except for buses and emergency vehicles'.

7.3 Four Parish Councils and 19 members of the public have objected to the proposed experimental closures (see paragraphs 13 to 15 and Appendices C and D).

7.4 The County Council's primary objective is road safety, and therefore the gaps should be closed. Implementing the closures on an experimental basis would enable the effects to be monitored before any decisions on permanent closures are made.

8. Recommendations

8.1 Subject to the views of this Committee, it is recommended to the Cabinet Member for Environment, Highways and Waste that:

- (a) an Experimental Traffic Order be made for the closure of the gaps on the A256 at Eythorne and Tilmanstone, the latter having an exemption for buses and emergency vehicles (with consultation on the Order being carried out during the first six months);
- (b) the crash record and traffic flows on the A256 and the surrounding road network be monitored;

- (c) he results of the consultation and the monitoring be reported back to a future meeting of the Dover Joint Transportation Board.

Background Documents:

Appendix A – Dover Joint Transportation Board Report – 8 September 2008

Contact: Mike Smith

Transport and Development Manager

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Dover Joint Transportation Board Report – 8 September 2008

A256 Whitfield to Eastry – Fatal Crashes

A report by the KCC Head of Transport and Development to the Dover Joint Transportation Board on 8 September 2008.

Introduction

1. In the last 3 years across Kent, there have been 7 fatal crashes as a result of right turn or U-turn movements on high speed 'A' class dual carriageways. Two of these fatal crashes, resulting in 3 fatalities, occurred on the A256 dual carriageway section between Whitfield and Eastry.

2. For some years now, on new highway schemes, the County Council's practice, whenever possible, is not to permit right-turn or U-turn movements on high speed dual carriageways at 'at grade junction/crossover' locations. This positive measure prevents this type of manoeuvre and thus the potential for a fatality.

3. The Coroner, who investigated the fatal crashes on the A256, has written to the County Council stating her concerns about the potential risk of further fatal crashes occurring at grade crossovers and requesting that they be closed on safety grounds (see Appendix 1). The Police have also indicated that they would support these closures on safety grounds.

Crash Statistics:

4. The A256 Whitfield to Eastry dual carriageway was constructed in the 1990s, and it carries around 12,000 vehicles per day. Although right turn movements onto the A256 are not possible, there are 3 locations where right turn movements off the A256 are permitted (Tilmanstone, Eythorne and Whitfield – see Appendix 2).

5. These locations have full width right-turning lanes and are designed to an adequate standard. However, there was a fatal crash (involving 2 fatalities) at Tilmanstone in June 2006 and another fatality at Eythorne in August 2007. The closure of these two crossovers would have prevented the manoeuvres at these locations which resulted in 3 deaths. The crash statistics for the last three years at the three crossover locations are given in Table 1.

Table 1 – Crash Statistics at A256 Crossovers

Location	Crashes (in last 3 years)			
	Fatal	Serious	Slight	Total
Tilmanstone	1 (2 fatalities)	0	0	1 (2 fatalities)

Eythorne	1	0	0	1
Whitfield	0	0	1	1

Diversion Routes:

6. The amounts of right-turning traffic at the Tilmanstone and Eythorne crossovers are both less than a thousand vehicles per day. If those two crossovers were closed, the Barville Road Roundabout, which is situated mid-way between them, could provide access to reasonably convenient alternative local routes, increasing the distance travelled by no more than 2 miles.

7. The amount of right-turning traffic at the Whitfield crossover is higher at around three thousand vehicles per day and the diversion route via the A2/A256 grade-separated junction, and possibly also the A2 Whitfield roundabout, could increase the journey distance by up to 3 miles.

Proposed Experimental Closure

8. I agree with the Coroner that there is a potential risk of further fatal crashes occurring at these crossovers, in particular at the two locations where the previous fatalities occurred. At these two locations, the right turning traffic flows are relatively small and the alternative routes reasonably convenient.

9. I therefore propose that the crossovers at Tilmanstone and Eythorne be closed on an experimental basis under an Experimental Traffic Order (as used recently on the A2 at Lydden Circuit). This would allow the traffic situation to be monitored over a period of six months and the results of this monitoring be reported back to this Board for a final decision on a permanent scheme within the next 12 months.

10. With regard to the Whitfield crossover, there has been one slight crash in the last three years. However, there have been no fatal crashes. Also, the diversion route is likely to be longer. I therefore propose that no further action is taken at this time and the safety record continues to be monitored.

11. I also propose that consultations take place with Tilmanstone and Eythorne Parish Councils, the emergency services and bus companies, on the details and signing of diversion routes and the traffic monitoring arrangements, with a view to introducing an Experimental Closure Order for the two crossovers as soon as possible.

Recommendations

12. I recommend that:-

- (a) The Board supports in principle the closure of the two crossovers on the A256 at Tilmanstone and Eythorne under an Experimental Traffic Order;

- (b) Consultations take place with Tilmanstone and Eythorne Parish Councils, the emergency services and bus companies, on the details and signing of diversion routes and the traffic monitoring arrangements;
 - (c) An appropriate Experimental Closure Order be subsequently advertised and any objections be reported back to a future meeting of this Board.
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Accountable Officers:

Mike Smith, Transport and Development Planning Manager 08458 247 800

Ray Ball, Transportation Engineer 08458 247 800

Background Documents:

Appendix 1 Letter from HM Coroner dated 9 April 2008

Appendix 2 Location Plan

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Recd 29/4/08



**H.M. CORONER FOR KENT
NORTH EAST KENT DISTRICT**

Coroner: **REBECCA COBB LL.B.**

Deputy Coroner: **IAN GOLDUP LL.B.**

Assistant Deputy Coroners: **JAMES DILLON LL.B. and ROGER HATCH**

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Our Ref: RC/JO/MAS

Your Ref:

9th April 2008

G. Harrison-Lee Esq.,
Director of Highways,
Kent Highways Services,
Invicta House,
County Hall,
MAIDSTONE,
Kent. ME14 1XX

Dear Mr. Harrison-Lee,

Re: Frederick Herbert MASON deceased

Mr. Mason died on 9th August 2007 at the junction of the A256 with Kennel Hill at Eythorne as a result of injuries received when the car he was driving to make a right turn across the A256 to Kennel Hill was impacted by a vehicle travelling in the outside lane of the A256.

At the conclusion of the Inquest I announced that I would be making a report under Rule 43 of the Coroners Rules 1984 concerning the potential danger of the availability of gaps in central reservations on dual carriageways enabling traffic to cross the main stream of traffic.

Since the Inquest I have ascertained that this is a matter that has already been discussed at the highest Kent County Council levels and that an independent study has been commissioned from consultants and that their report has recently been completed.

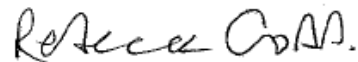
I should be very interested to be informed of the outcomes of the study and the consideration of it by Kent Highways and I would wish to pass a copy of your

response to the deceased's widow for onward transmission to his children, and also to the other driver involved in the collision. Perhaps when writing you will confirm that you have no objection to this.

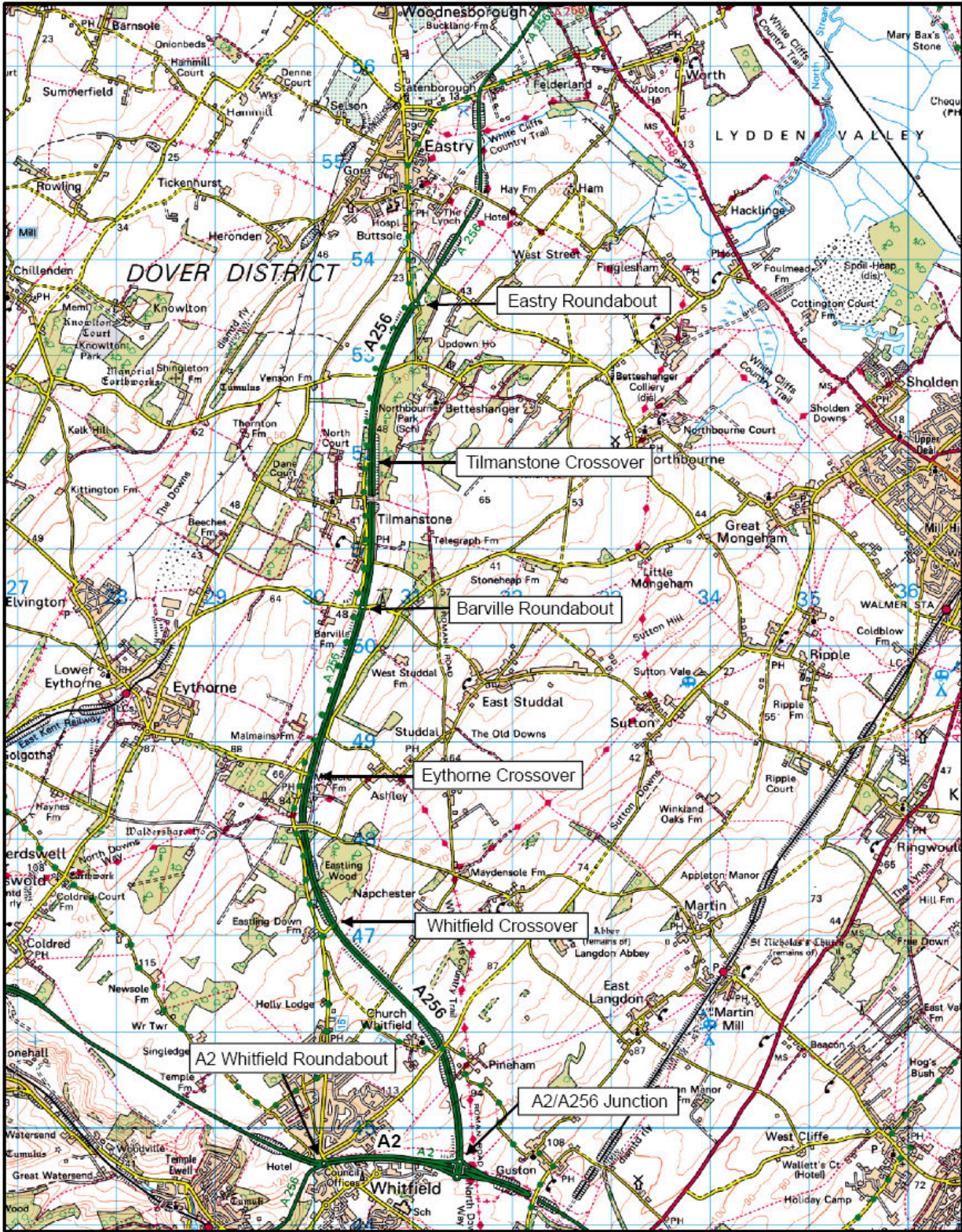
My decision to make a Rule 43 report as a result of this Inquest was in part because of other Inquests that I have held into deaths in similar circumstances, most recently those of Darryl Peter Hughes Key on 8th October 2006 on the A28 at St. Nicholas at Wade, Birchington (where the judge at the Crown Court hearing expressed concerns) and of Daphne Diana Florence Swanson and Reginald Herbert Post following a collision in very similar circumstances to that of Mr. Mason being on 16th June 2006 also on the A256 but at a different crossing.

I look forward to hearing from you.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Rebecca Cross". The signature is written in a cursive style with a large initial 'R' and 'C'.

c.c. Mrs. J. E. Mason, K. A. Mayes Esq.



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