

Agenda Item No: 7
Report To: Joint Transportation Board
Date: Tuesday 15th June 2010
Report Title: Proposed Alterations to the Waiting & Parking Restrictions in Ashford Town Centre – Amendment 16
Report Author: Ray Wilkinson

Summary: This report details the results of the recent consultation in respect to the making of the Amendment 16 traffic order. The order, which relates to parking and waiting restrictions in Ashford town centre, consists in the main of administrative amendments to the existing traffic order intended to improve the accuracy of the descriptions of the restrictions marked on the ground - thereby facilitating the full enforcement of the shared space area and elsewhere in the town centre. In addition there are a small number of physical changes proposed within the order.

Key Decision: YES

Affected Wards: Victoria & Godinton Wards

Recommendations: **Subject to the views of the Board it is proposed that:-**

- 1. The Amendment 16 traffic order be made;**
- 2. All additional road markings and signage relating to the proposed physical changes in the Order be implemented.**

Financial Implications: Order received from Kent County Council. Works to be funded from Shared Space Project budget.

Background Papers: Amendment 12 Traffic Regulation Order, 'Bank Street Alterations' Report presented to Joint Transportation Board on 9th March 2010, Minutes of Joint Transportation Board Meeting held on 9th March 2010.

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Report Title: Amendment 16

Purpose of the Report

1. This report provides an explanation of both administrative and physical alterations to the existing traffic order as proposed in Amendment 16 and the representations received during the formal public consultation held on the proposals.

Issue to be Decided

2. As set out in the recommendations of this report, the Board is asked to approve the making of the Traffic Regulation Order and the implementation of the proposed physical changes within the Order.

Background

3. During the course of the Shared Space works, three traffic regulation orders (Amendments 5, 7 and 8) were made by KHS to provide the parking and waiting restrictions within the Shared Space's Restricted Zone. These traffic orders were presented to and approved by the Joint Transportation Board at the meeting of 4th March 2008. A number of issues were however subsequently identified in respect to these restrictions.
4. In order to address these issues KHS wrote the Amendment 12 traffic regulation order in 2009, effectively replacing the previous traffic regulation orders.
5. However a number of minor inaccuracies remained outstanding in relation to the Shared Space restrictions. Amendment 16 was therefore proposed in order to correct these remaining inaccuracies thereby facilitating the full enforcement of all restrictions within the Zone.

Proposals

6. The primary function of Amendment 16 is to correct the current administrative errors affecting the Zone as discussed above. However in addition the opportunity was also taken to carry out various other administrative and physical changes in the town centre area. These consist:
7. - Making a small number of minor physical changes within the Zone to correct noted issues – specifically slight modifications to 2 loading bays in Godinton Road to improve line of sight at the adjacent access/junction and the removal of the 1.5 tonne (unladen) weight limit on loading bays within the Zone to allow use by larger vehicles;
8. - Carrying out various administrative changes to tidy up descriptions of existing restrictions elsewhere in the town centre;

9. - Updating the length dimensions of various existing disabled persons' parking bays within the town centre in line with current legislation (the recommended bay length has increased from 6.0M to 6.6M to provide room for the loading and unloading of wheelchairs);
10. - Updating the restrictions in the southern end of East Street to reflect the physical alterations to the carriageway carried out as part of the Latitude Walk development;
11. - Extending the existing 'no waiting at any time' restrictions in Gasworks Lane in line with requests from Network Rail and SEEDA to better protect emergency High Speed One line-side access.

Consultation

12. Formal public consultation took place between Thursday 15th April and Friday 7th May 2010. At the commencement of this period a notice of intention was placed in the local papers, notices erected along the affected roads and a letter drop made to all businesses and residences within the affected area detailing the proposals. In addition copies of the notice, statement of reasons, traffic regulation order, plans and background papers were made available for viewing at County Hall, Maidstone, the Civic Centre, Ashford and in electronic format on the Ashford Borough Council's website.
13. In total 6 representations were received during the course of the consultation, including one relating to proposals in East Street and one to proposals in Gasworks Lane. The remaining 4 representations related to concerns in the Bank Street / Tufton Street / Middle Street area and consisted of 3 representations from individual businesses and a 4th representation made on behalf of 4 businesses including the 3 whom submitted the individual representations.
14. A break down of all comments made within these representations, along with the response of Officers is detailed in Appendix 1.

Analysis

15. The majority of comments received do not constitute valid objections because they do not relate directly to proposed changes to the traffic order. Only 2 of the 6 representations received contained comments considered to constitute grounds for formal objection.
16. The representations received can however be divided by location into 3 discrete groups – East Street, Gasworks Lane and the Bank Street / Tufton Street / Middle Street area.

East Street

17. A single representation was received relating to this location (detailed in Appendix 1). The issue of concern described related to the physical location of 2 of the on-street bays designed into the Latitude Walk development works. This was passed on to Planning & Development for their consideration and the issue has subsequently been resolved.

Gasworks Lane

18. A representation was received in relation to the proposed restrictions in Gasworks Lane from the adjacent motor dealership. The dealership in question currently utilises on-street parking both for customer needs and for short term storage of vehicles brought in for repairs prior to collection.
19. A site meeting was held subsequent to receipt of the objection at which the objector explained that while those vehicles currently placed on-street / in the Godinton Road Shared Space area for short term storage could be absorbed within the site, customer parking was likely to prove a problem.
20. The objector felt that while customers arriving by appointment were happy to park within the site, casual customers tended to feel uncomfortable in doing so and, if an on-street parking space was not available customers were likely to simply drive away.
21. The proposals extend the existing 'no waiting at any time' restriction to include the remainder of the road. This proposal was put forward at the request of Network Rail and SEEDA to protect both the emergency High Speed One line-side access and the accesses to the former Cattle Market Site and Godinton Way Industrial Site.
22. As illustrated in Appendix 2, the current 'no waiting at any time' restrictions extend from the Shared Space to a point in line with the two Industrial Site accesses. The proposed restrictions will protect the rest of these two accesses as well as the single lane section of carriageway to the south which leads to the High Speed One access gates. Obviously it is important to avoid obstruction of the two accesses, particularly because they also act as an unofficial turning head without which vehicles would be forced to reverse onto Godinton Road. Similarly the southern section of the carriageway is vulnerable to obstruction due to its extreme narrowness and, as an emergency access, must be kept clear at all times.
23. Although the northern section (already subject to waiting restrictions) is wider, due to the need to maintain access to the Industrial Sites for large vehicles this is also unsuitable for parking.
24. Lastly it is understood that one of the conditions on the motor dealership's planning permission was the provision of 7 parking spaces within the site to serve staff and customers. This condition was made in order to avoid the creation of parking congestion on-street. There is however currently no evidence of the provision of these bays.

Bank Street / Tufton Street / Middle Street area

25. Three representations were received from individual businesses, all located on the western side of Bank Street between its junctions with Tufton Street and Middle Street. An additional fourth representation was subsequently received from the Town Centre Partnership on the collective behalf of the 3 businesses and one other additional business within the same area.

26. Although a number of related concerns were raised within the representations, the majority of these issues did not relate directly to the proposed traffic regulation order and only one constituted grounds for a formal objection.
27. This objection was to the proposed extension of the row of 3 disabled persons parking bays in Middle Street. The reason cited for the objection was concern that there have been a number of vehicles parked within the westernmost bay which have been clipped by vehicles turning into / out of the Tufton Loading Area 2 – a problem which would be aggravated by the extension of the bays.
28. The extension of the bays in question is proposed in order to bring them in line with current legislation (increasing their length from 6.0M to 6.6M – a total increase of 1.8M to the length of the row). However the physical alteration to the bays was made some months ago, with the traffic order amendment simply intended to bring the description in line with the markings on the ground. Furthermore the row is extended to the east only - the location of the western extent of the bays remains unchanged.
29. The other concerns raised within the representations relate to the lack of loading facilities in the immediate vicinity of these businesses. These concerns can be divided into 2 main issues – the lack of on-street loading bays and the on-going parking issues concerning the Tufton Loading Area 2 and the adjacent accommodation road.
30. During the design phase of the Shared Space the provision of an additional loading bay in this area was investigated. However it was found that due to the tapering configuration of Bank Street extending north from its junction with Elwick Road, the footway was of insufficient width to accommodate a loading bay while maintaining the required pedestrian access.
31. In relation to the Tufton Loading Area 2, this loading area is privately owned by ING for the use of the County Square Shopping Centre and its tenants. At the request of the owner, a traffic regulation order has been in force in this area since 1986, prohibiting parking and restricting loading to authorised users only.
32. There is however an accommodation road to the rear of Nos. 18 – 26 Bank Street which abuts the loading area. This accommodation road is a public right of way but it is not publicly adopted highway (or registered with the Land Registry). As such it is not subject to a traffic regulation order although, as a public right of way it is an offence to cause an obstruction. Parking / loading currently occurs along this road – both by the abutting businesses and unknown town centre users. Due to the extreme narrowness of the accommodation road, and the configuration of the Middle Street footway, the accommodation road can only be accessed by vehicles via the Tufton Loading Area 2.
33. Discussions are currently underway between ING, Ashford Borough Council and Ashford Town Centre Partnership to resolve the current issues and to find a workable solution to the current situation.

Conclusion

34. The Amendment 16 traffic regulation order is necessary to; enable enforcement of the new carriageway configuration in the southern end of East Street; protect emergency High Speed One line-side access and industrial accesses in Gasworks Lane and; to enable full enforcement of all restrictions within the Shared Space.
35. In respect to the objection received to the extension of 'no waiting at any time' restrictions in Gasworks Lane, while it is recognised that on-street parking is a valuable resource, such a provision simply cannot be accommodated within Gasworks Lane without compromising the emergency line-side access, access to the adjacent Industrial Sites and potentially forcing vehicles to back out onto Godinton Road.
36. As discussed, the objection to the extension of the disabled persons' parking bays in Middle Street relates to the western extent of the row only. It is the eastern extent of the row which is varied by the proposals and would therefore appear that the issue of concern is not affected by the proposed changes.
37. It is therefore the opinion of Officers that the 2 objections received should be set aside and the traffic regulation order made.

Portfolio Holder's Views

38. Portfolio Holder's views to be given in person at the meeting.

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Appendix No.1: Comments Made in Representations

Comment No.	Representation No.	Comment Made	Officer's Response
1	Am16/01	The proposed location of the 2 southern-most bays in East Street (installed as part of the Latitude Walk Development) will impede access to the rear off-street parking facility of No. 60 Godinton Road. This issue was raised at a Planning Committee meeting on 21/02/2007 when assurances were given that the issue would be looked into.	<p><i>This issue has subsequently been resolved.</i></p> <p>The location of the bays themselves has been agreed between the developer and Planning & Development. The Amendment 16 consultation only relates to the parking restrictions to be implemented within the bays. This matter was therefore passed on to Planning & Development for their consideration. Agreement has since been reached between all parties by which the developer has agreed to fund works to remove the existing access gate (which currently necessitates a wider turning circle to gain access) and replace it with a fence between the driveway and rear garden areas.</p>
2	Am16/03	The loading prohibition in Godinton Road / Gasworks Lane combined with the additional 'no waiting at any time' restrictions in Gasworks Lane will deter customers visiting the adjacent motor dealership and will therefore have a significant and detrimental effect on the business. A small number of limited waiting bays provided in Gasworks Lane could alleviate this problem by providing a parking space for customers.	<p>The proposed alterations in Gasworks Lane consist only of protection of the former Cattle Market Site and Godinton Way Industrial Site accesses and the remaining southern section (single lane) of carriageway extending to the High Speed One access gates.</p> <p>The former Cattle Market Site and Godinton Way Industrial Site accesses are both unsuitable for parking, not only because of the access</p>

		<p>Additionally, as discussed with the objector at a site meeting (17/05/10);</p> <p>Although the vehicles currently parked on the Shared Surface outside the dealership's frontage on Godinton Road can be accommodated within the site, customer parking is likely to prove a significant issue. Casual customers (i.e. those arriving to browse rather than having a pre-booked appointment) tend to feel uncomfortable parking within the site, preferring instead to park on-street. In addition on-street parking offers better flexibility for storage of those vehicles which have come in for repairs and are due for collection.</p>	<p>obstruction this would cause but also because they act as an unofficial turning head area without which vehicles would be forced to back onto Godinton Road. In respect to the southern section of carriageway, due to the extremely narrow width, any parking whatsoever would create an obstruction on what is a line-side access route for emergency vehicles.</p> <p>Although the northern section of the carriageway (which is already protected with a 'no waiting at any time' restriction) is somewhat wider, it is important to maintain access to both the Godinton Way and Old Cattle Market sites for larger vehicles particularly in view of the anticipated development at both these locations.</p> <p>In addition it is understood that the planning conditions placed on the motor dealership included the provision of 7 on-site spaces for staff and visitors which are currently not in evidence. Such provision would obviously offer customers currently parking on-street the opportunity to find parking within the site.</p>
3	Am16/06.2	<p>Object to the proposed increase in the length of the disabled persons parking bays in Middle Street. A number of vehicles parked in the westernmost bay have been damaged by delivery vehicles accessing the Tufton Loading Area 2. There is insufficient space for</p>	<p>The 3 bays are proposed to be increased from 6M to 6.6M (i.e. a total increase from 18M to 19.8M) in line with current legislation. These bays were in fact relined to bring them up to the new standard some months ago, Amendment 16 simply brings the traffic order description in line with the</p>

		<p>larger vehicles to turn safely into the loading area without clipping any vehicle parked in this space. Suggest that this bay could perhaps instead be re-designated as a loading bay.</p>	<p>markings on the ground. The westernmost extent of the bays has not however been altered, with the extension taking place instead at the eastern end of the row.</p> <p>In respect to the statement that a number of vehicles have been damaged while parked in the westernmost bay, we to date have no record of any such reported incidents. This concern will however be investigated as a separate issue outside of this consultation as any changes would require the formulation of a separate traffic order and consultation process.</p> <p>Lastly, the currently marked disabled persons parking bays measure 2M wide, however should they be replaced with a loading bay as suggested, the bay width would have to be increased in line with regulatory requirements to a minimum of 2.7M thereby further restricting the movement of any vehicles manoeuvring into / out of the Tufton Loading Area 2 .</p>
4	Am16/02	<p>Object to the designation of bays in Middle Street for disabled persons only. The location is not particularly suitable for disabled parking, not being especially close to any specific amenities while there are already a more than adequate number of disabled bays in the general vicinity with plenty of bays in Tufton Street.</p>	<p><i>The current designation of these will not be altered by the proposed traffic regulation order and this comment does not therefore constitute grounds for formal objection.</i></p> <p>The only physical alteration proposed in respect to the bays within the order is an increase in their length from 6.0M to 6.6M to bring the dimensions</p>

			in line with current recommendations (the additional length is intended to facilitate the loading and unloading of a wheelchair from the vehicle's boot).
5	Am16/06.2	The westernmost bay of the row of disabled persons parking bay in Middle Street could instead be converted into a loading bay to serve the businesses at 18-26 Bank Street.	<p><i>The proposed traffic order does not alter the designation of the bays at this location and this comment does not therefore constitute grounds for a formal objection.</i></p> <p>However in response to the suggestion, it should be pointed out that while a disabled persons' parking bay has a recommended length of 6.6M, this would inadequate to accommodate a commercial vehicle. Therefore to install a loading bay would potentially necessitate the loss of all 3 disabled persons' parking bays. In addition a loading bay would require a further 0.7M in width, which could not be safely accommodated within the relatively narrow carriageway.</p> <p>Lastly, larger vehicles, which would be attracted to use a loading bay would not be able to perform a multipoint turn within the carriageway and therefore would have to either encroach onto the privately owned Tufton Loading Area 2 to turn or reverse back onto Bank Street.</p>
6	Am16/02	The bays in Middle Street should be designated as loading bays in order to serve the Bank Street businesses in the northern	<i>The current designation of these bays will not be altered by the proposed traffic regulation order and this comment does not therefore constitute</i>

		<p>end of the non-pedestrianised section of Bank Street. The existing loading bays are a considerable distance from these businesses.</p>	<p><i>grounds for formal objection.</i></p> <p>While the designation of the existing bays is not altered within the proposed traffic regulation order, and therefore not subject to consultation, this location would not in any case be suitable for a loading bay.</p> <p>The width of the carriageway (5.25M) is not considered to be sufficient to allow 2 commercial vehicles to pass and cannot therefore accommodate such a bay.</p>
7	Am16/06.2	<p>Further loading areas need to be identified within the northern end of the non-pedestrianised section of Bank Street / Middle Street / western end of Tufton Street area – the existing loading bays are too far removed to effectively serve the businesses in this area.</p>	<p><i>The physical location of the loading bays / loading restriction within Bank Street / Tufton Street is not altered by the proposed traffic order and therefore this comment does not constitute grounds for a formal objection.</i></p> <p>The decision taken at the design stage of the Shared Space project not to include a loading bay at this location was made on safety grounds. Due to the narrower footway width along this section of Bank Street there is insufficient room to accommodate a loading bay while also retaining the necessary clearance for pedestrian access.</p> <p>Furthermore there has for some years prior to the introduction of the Shared Space been a ‘no loading’ restriction in place extending in both directions from the Bank Street / Tufton Street</p>

			junction (see Appendix 3).
8	Am16/02	Once the Restricted Zone is enforced the lack of loading bays in the northern end of the non-pedestrianised section of Bank Street will pose both an inconvenience and security risk to the pharmacy's (24 Bank Street) home delivery driver(s) who make at least 5 deliveries 6 days a week, serving approximately 50 elderly / housebound customers.	<p><i>The physical location of the loading bays / loading restriction within Bank Street / Tufton Street is not altered by the proposed traffic order and therefore this comment does not constitute grounds for a formal objection.</i></p> <p>The decision taken at the design stage of the Shared Space project not to include a loading bay at this location was made on safety grounds. Due to the narrower footway width along this section of Bank Street there is insufficient room to accommodate a loading bay while also retaining the necessary clearance for pedestrian access.</p> <p>Furthermore there has for some years prior to the introduction of the Shared Space been a 'no loading' restriction in place extending in both directions from the Bank Street / Tufton Street junction (see Appendix 3).</p>
9	Am16/04	The distance between the florist's premises (18 Bank Street) and the nearest loading bay is considerable for staff carrying heavy floral tributes, arrangements in glass vases etc. Should the delivery element of the business be lost, trading would have to cease from the current premises. There has been a florists on this site for many years which even maintains the original shop frontage. The premises	<p><i>The physical location of the loading bays / loading restriction within Bank Street is not altered by the proposed traffic order and therefore this comment does not constitute grounds for a formal objection.</i></p> <p>The decision taken at the design stage of the Shared Space project not to include a loading bay at this location was made on safety grounds. Due to the narrower footway width along this section of</p>

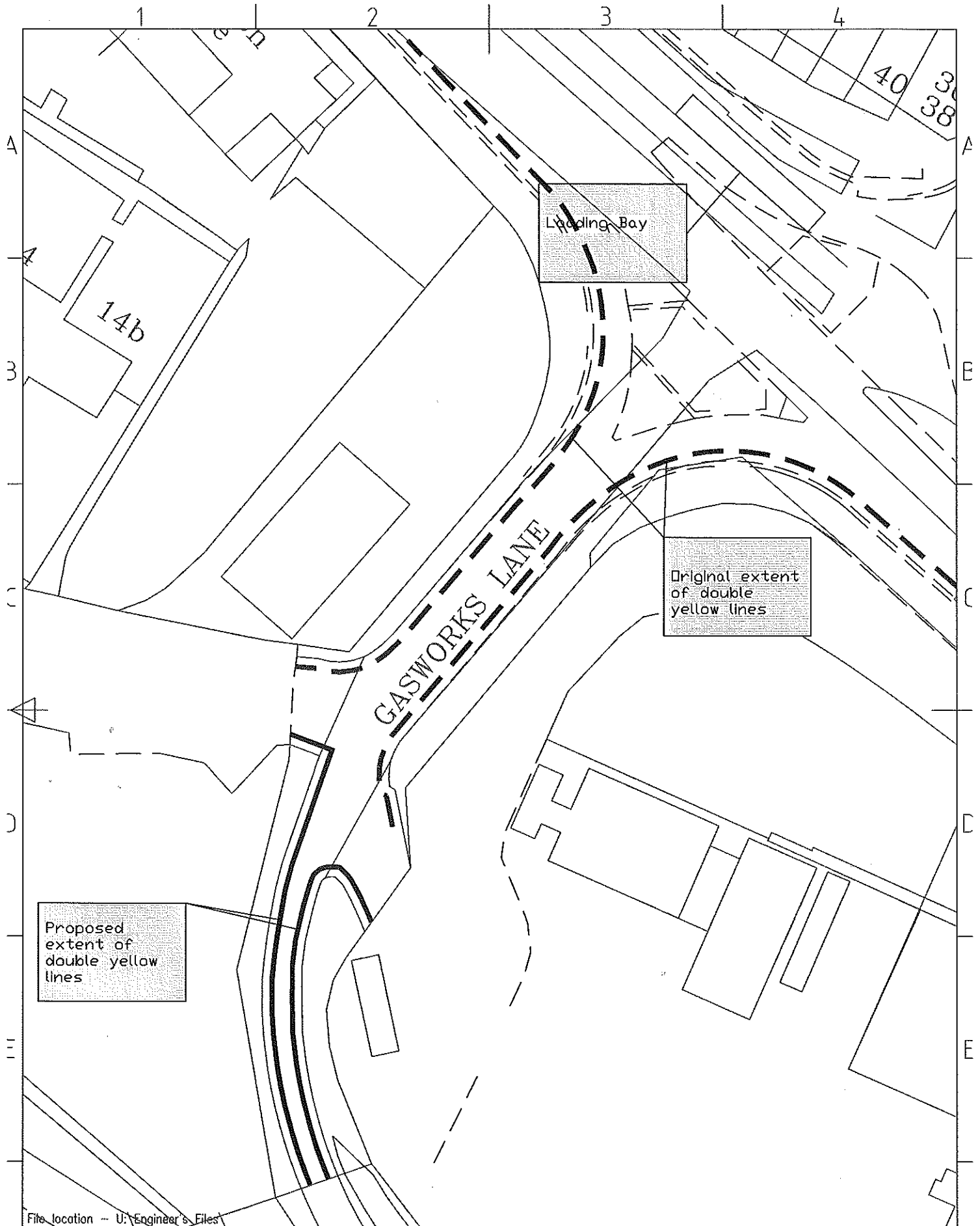
		therefore adds character to the town centre being a rare example of an earlier era.	<p>Bank Street there is insufficient room to accommodate a loading bay while also retaining the necessary clearance for pedestrian access.</p> <p>In addition it is unclear from the representation as to what arrangements the florist has made in the past for such deliveries / collections. There has for some years prior to the introduction of the Shared Space been a 'no loading' restriction in place extending in both directions from the Bank Street / Tufton Street junction (see Appendix 3).</p>
10	Am16/04	The lack of loading facilities in the vicinity of the florist's premises (18 Bank Street) would appear to give an unfair advantage to their competitor in the High Street which is granted an entry permit to allow loading / unloading to take place directly outside the shop.	<p><i>The physical location of the loading bays / loading restriction within Bank Street is not altered by the proposed traffic order and therefore this comment does not constitute grounds for a formal objection.</i></p> <p>The access permit available to businesses within the town centre's pedestrianised area entitles them to exemption from the prohibition of driving order during hours of operation, it does not however entitle the holder to a loading place. The permit holder once within the pedestrianised zone must obey the parking and waiting restrictions in place just as any vehicle outside the zone must.</p>
11	Am16/04	Many small shops in Bank Street have already suffered as a result of the current economic climate and the upheaval caused during both the County Square development works and the Shared Space scheme. It is	<p><i>This comment relates specifically to the lack of loading facilities in Bank Street between its junctions with Tufton Street and Middle Street. The physical location of the loading bays / loading restriction within Bank Street is not altered by the</i></p>

		<p>therefore important that assistance is available to ensure these businesses have all the facilities available that they require to continue to offer an alternative to the larger national chain stores and thereby provide greater consumer choice.</p>	<p><i>proposed traffic order and therefore this comment does not constitute grounds for a formal objection.</i></p> <p>The decision taken at the design stage of the Shared Space project not to include a loading bay at this location was made on safety grounds. Due to the narrower footway width along this section of Bank Street there is insufficient room to accommodate a loading bay while also retaining the necessary clearance for pedestrian access (see Appendix 3).</p> <p>Furthermore there has for some years prior to the introduction of the Shared Space been a 'no loading' restriction in place extending in both directions from the Bank Street / Tufton Street junction (see Appendix 3).</p>
12	Am16/04	<p>Bank Street businesses risk issue of a PCN if they park in the Tufton Loading Area 2 despite traffic access being allowed and (No. 18) having always maintained historical access to this area.</p>	<p><i>This comment does not relate to any physical changes proposed within the Amendment 16 traffic regulation order and therefore does not constitute grounds for a formal objection.</i></p> <p>The Tufton Loading Area 2 is a facility privately owned and maintained by ING for use of County Square and its tenants. Ashford Borough Council has enforced parking in this area by agreement with ING since 1986, with loading permitted to authorised vehicles only. There is an accommodation road extending from Tufton Street stub arm between the rear of No.s 18 – 26 Bank</p>

			<p>Street and Tufton Loading Area 2. This accommodation road is not adopted highway (and therefore not subject to a traffic regulation order) nor is there ready evidence of its ownership status. However it is a public right of way and as such access along it should be maintained at all times. It is on this accommodation road that parking currently takes place – effectively obstructing the right of way. Furthermore the accommodation road cannot be accessed by vehicles except via Tufton Loading Area 2.</p> <p>In respect to the issue of PCNs issued to vehicles parked along the accommodation road, PCNs are issued only to vehicles parked with a least one wheel clearly within the Tufton Loading Area 2 and therefore in contravention of the traffic regulation order covering this area.</p> <p>Discussion is however underway between ING, ABC and Ashford Town Centre Partnership (representing the Bank Street businesses) to find a workable solution to the various issues involved.</p>
13	Am16/05	The property known as No. 22 Bank Street has a small private strip of land to the rear with vehicular access rights. Despite this PCNs have been issued to bona fide delivery vehicles to both No. 22 and neighbouring properties. Parking by unknown individuals also takes place on the private area to the	<p><i>This comment does not relate to any physical changes proposed within the Amendment 16 traffic regulation order and therefore does not constitute grounds for a formal objection.</i></p> <p>The private strip of land described is assumed to be reference to the accommodation road to the</p>

		rear of the property, thereby blocking the loading doors and exacerbating delivery problems.	rear of No.s 18 -26 Bank Street. This accommodation road is not adopted highway (and therefore not subject to a traffic regulation order) nor is there ready evidence of its ownership status. However it is a public right of way and as such access along it should be maintained at all times. Parking on this road therefore represents an obstruction to the Right of Way. Furthermore the accommodation road cannot be accessed by vehicles except via Tufton Loading Area 2.
14	Am16/06.2	An additional loading bay (short term 15 mins) could perhaps be provided immediately south of the Bank Street gate, in the location commonly used by Royal Mail vehicles serving the post office.	<p><i>The proposed traffic order does not alter the loading restriction at this location and this comment does not therefore constitute grounds for a formal objection.</i></p> <p>Although illegal parking and loading / unloading does currently take place in this location, such parking presents a safety hazard. This location falls within the swept path of larger vehicles making the right turn into Tufton Street and is necessary to accommodate the front nearside overhang of such vehicles to avoid the rear offside wheels overrunning the footway outside 17 Bank Street (Cheltenham & Gloucester).</p>

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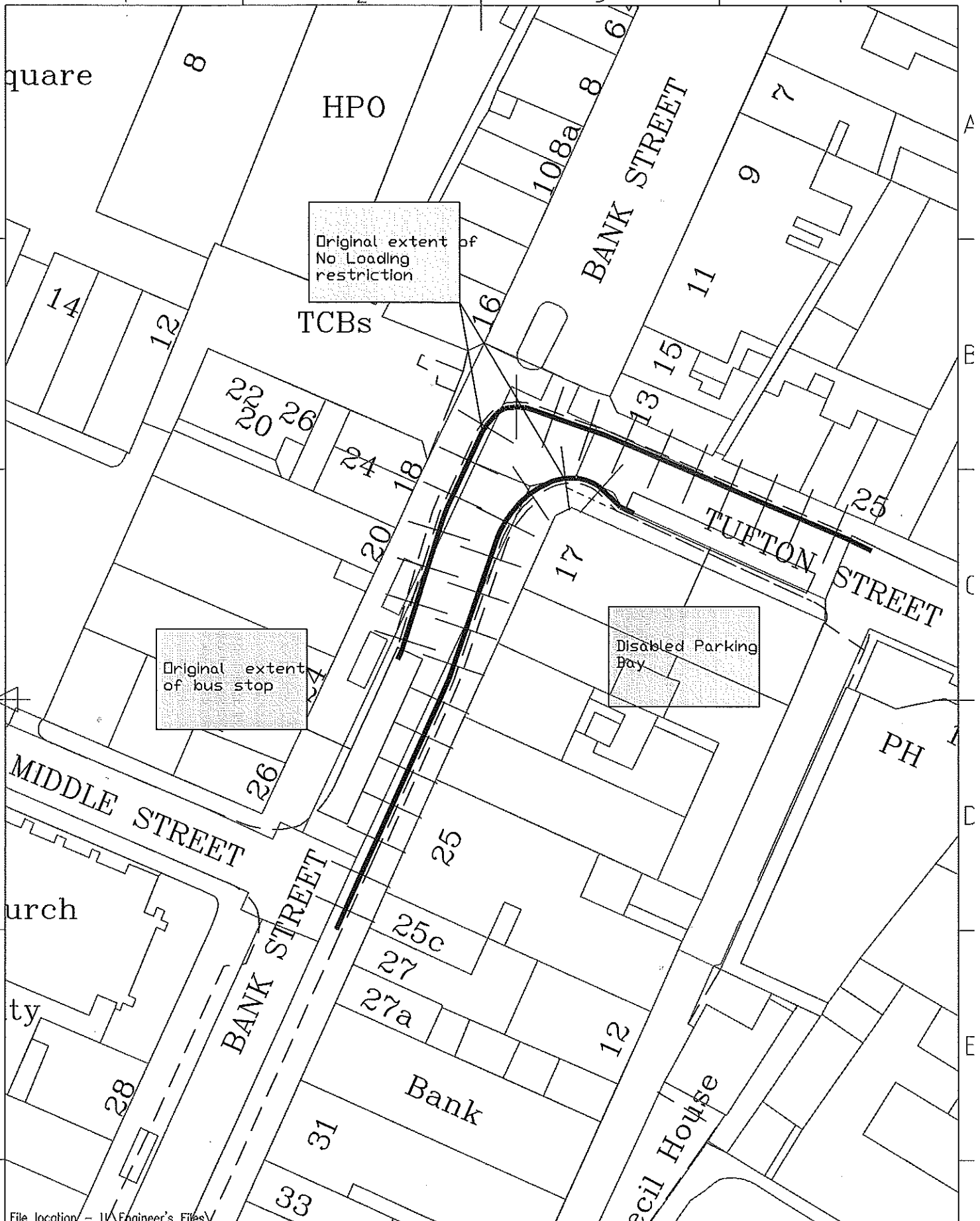
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PROJECT
 AMENDMENT NO.16 ASHFORD TOWN CENTRE

DRAWING TITLE
 APPENDIX 2

DRAWN	AUTOCAD FILE	DATE	SCALE	DRG.No.	REV.
RJW	FILE No.	03/06/10	1/500	APP 2	-



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PROJECT
 AMENDMENT NO.16 ASHFORD TOWN CENTRE

DRAWING TITLE
 APPENDIX 3

DRAWN	AUTOCAD FILE	DATE	SCALE	DRG.No.	REV.
RJW	FILE No.	03/06/10	1/500	APP 3	-