

Joint Transportation Board

Minutes of a Meeting of the Joint Transportation Board held in the Council Chamber, Civic Centre, Tannery Lane, Ashford on the **10th December 2013**.

Present:

Cllr. Heyes (Chairman);
Mr J N Wedgbury (Vice-Chairman);

Cllrs. Mrs Bell, Burgess, Claughton, Davey, Robey
Mr M J Angell, Mr P M Hill, Mr S J G Koowaree, Mr C Simkins, Mr D Smyth, Mr M A Wickham.

Mr K Ashby – KALC Representative.

Note: Councillor Heyes and Mr Wedgbury were not present until the resumption of the meeting in public. Councillor Mrs Bell was not present for items 248-249.

Apology:

Cllr. Yeo.

Also Present:

Cllrs. Davison, Galpin, Mortimer.

Lorna Day (Kent Parking & Enforcement Manager - KCC Highways & Transportation), Lisa Holder (Ashford District Manager – KCC Highways & Transportation), Mark Carty (Head of Cultural & Project Services – ABC), Ray Wilkinson (Engineering Services Manager – ABC), Jo Fox (Assistant Health, Parking & Community Safety Manager - ABC), Jeremy Baker (Principal Solicitor Strategic Development – ABC), William Train (Technical Administrative Assistant – ABC), Danny Sheppard (Senior Member Services & Scrutiny Support Officer – ABC).

Ross Garbutt – (Contract Manager – Amey).

245 Election of Chairman

In the absence of the Chairman and Vice-Chairman the Board was advised that there was a need to elect a Chairman of the Meeting from the Members present.

Resolved:

That Councillor Claughton be elected Chairman of the Meeting.

246 Order of Business

The Chairman of the Meeting proposed a change in the order of business on the Agenda to take Item E1 next. This was seconded and agreed.

247 Exclusion of the Public

Resolved:

That pursuant to Section 100A(4) of the Local Government Act 1972, as amended, the public be excluded from the meeting during consideration of the following item, namely 'Appeal Against Refusal of Disabled Parking Bay Application – DPPB/13/16 – Lockholt Close, Ashford', as it is likely in view of the nature of the business to be transacted or the nature of the proceedings that if members of the public were present there would be disclosure of exempt information falling within paragraphs 1 and 5 of Schedule 12A of the Act, provided that the Appellants may remain in the Meeting in order to address the Board and then they must leave.

248 Appeal Against Refusal of Disabled Parking Bay Application – DPPB/13/16 – Lockholt Close, Ashford.

In accordance with Procedure Rule 9.3, the Appellant attended with her husband and he spoke in support of the appeal. Once he had finished addressing the Board, he was advised by the Chairman of the Meeting that they would be informed of the Board's decision in due course, and he and the Appellant left the Chamber.

The Chairman of the Meeting directed Members' attention to the exempt tabled papers which included a correction to the report by Officers and the comments of an objector.

Following lengthy consideration of the report, the materials supplied and the comments of the Appellant and after taking legal advice, the Board unanimously agreed the following recommendation to the Executive of Kent County Council.

Recommended:

To the Executive of Kent County Council that the decision of the Panel be upheld as follows: -

The medical evidence provided demonstrated that the Applicant's daughter qualified for the provision of a Disabled Persons Parking Bay; but taking into account the road condition, it was determined that aside from the short spans of time at which the school was subject to heavy traffic, there was no parking problem evident in the area; therefore the application be declined on the grounds of traffic management.

The Board also agreed that there should be a review of the process for deciding Disabled Persons Parking Bay applications and a report should be

brought to this Board accordingly. Members were asked to forward their thoughts on the process to the Chairman of the Board, to assist in this review.

249 Resumption of Meeting in Public

Resolved:

That the Meeting be resumed in public.

After a five minute recess to allow people to return to the Council Chamber, the Meeting was resumed in public and the Chairman of the Board took the Chair.

250 Minutes

The Tabled Paper included a letter sent by the Chairman, and the letter of response from KCC Cabinet Member David Brazier on the Drovers Roundabout which was discussed at the last Meeting.

Resolved:

That the Minutes of the Meeting of this Board held on the 10th September 2013 be approved and confirmed as a correct record.

251 Transportation, Highways & Engineering Advisory Committee – 28th October 2013

Resolved:

That the Minutes of the Meeting of the Transportation, Highways & Engineering Advisory Committee held on the 28th October 2013 be received and noted.

252 Tracker Report

The Chairman drew Members attention to the Tracker of Decisions.

In response to a question about the proposed traffic calming measures in Bluebell Road and Roman Way Park Farm and Church Hill Kingsnorth, Mr Wilkinson advised that Officers were awaiting a response from ABC's Planning Department on whether this expenditure was an appropriate use of the Section 106 money and they would keep the County Member informed of developments.

The Chairman advised that the issue of rail franchising would be discussed at the Meeting of the Transportation, Highways & Engineering Advisory Committee on the 17th January 2014.

Resolved:

That the Tracker be received and noted.

253 Update from Truck Stop Pilot Task Group

Councillor Burgess, as Chairman of the Truck Stop Pilot Task Group, gave an update on recent activity from the Group. He advised that KCC had undertaken a consultation on this matter but they had advised that they were not in a position to share the outcome with the Task Group members at this stage, which was disappointing. The Task Group had continued to study the requirements of operating a Truck Stop and the necessary enforcement procedures required to ensure that the ultimate aim was achieved. At meetings with the KCC Cabinet Member David Brazier and Anne Carruthers, all had agreed what was required – sites, funding, enforcement etc. but as the final report was not forthcoming they were only reiterating what the Task Group had been discussing for the previous year. During the time the consultation was in progress, members of the Task Group had visited the Freight Transport Association, the Road Haulage Association, the Institute of Business Ethics, and Stop 24 Truck Stop in order to gain knowledge of the requirements of running a commercial Truck Stop. At present the Task Group was looking at ways of speeding up the whole process by retaining existing and starting new Truck Stops, probably with the help of adjoining Districts, and he looked forward to being able to deliver a more constructive report at the next Board Meeting.

In response to a question Councillor Burgess advised there was no indication yet as to when the consultation report would be able to be shared by KCC.

Resolved:

That the update be received and noted.

254 Ashford Shared Space Review

KCC had commissioned Amey to undertake the Ashford Shared Space Study and the full report had been distributed to Board Members. The Study included remedial options for Bank Street and estimated costs. Ross Garbutt – Contract Manager for Amey, was present to answer questions. The tabled papers included a letter sent by the Chairman on this issue, and the letter of response from KCC Cabinet Member David Brazier.

In accordance with Procedure Rule 9.3 Mr Appelt of Atrium Chartered Surveyors attended and spoke on this item. He said that Atrium was based in Bank Street in the area of the Shared Space and he had been approached by neighbouring occupiers and property owners as there had been a lot of concern about the state of the Bank Street Shared Space. He said he understood that ABC was pressing KCC to bring the area back in to a satisfactory condition. He read excerpts from communications he had received from the Manager of Debenhams and the County Square Centre Manager which stated that the current condition of the roads and pathways in the area were devaluing the offer of the retailers. It was considered no surprise that

there were empty units in the area as no reputable business would choose a site in Bank Street in its current condition. The Manager of Debenhams had said they were not sure if they would have chosen to open there if they had known what was going to happen. Occupiers had faced considerable disruption in 2007 during the original works, with the promise of better times to come, but the area was still not fit for purpose and more remedial works, and subsequent disruption, would now be necessary. Mr Appelt said that as a commercial surveyor he had seen many businesses fold in recent years and the businesses in this area in particular had suffered for far too long. He said he considered the occupiers of the units in Bank Street should be due some sort of compensation before they saw more of them go out of business.

The item was then opened up to Members and the following responses were given to questions and comments: -

- The report had tried to cover the issue of accountability in as much detail as it could, however there was a lot of ground to cover going back a number of years. It was important to consider the two separate parts of the scheme (the old Ring Road and Bank Street). The failures identified in the report were twofold. Firstly that the idea in designing Bank Street was that the footfall would be higher and turn the area into more of a pedestrian area. The shared pathways were not designed for vehicles to be parked on them and this had unfortunately happened. Mr Garbutt considered that a potential 'quick fix' would be to better delineate between pedestrian and roadway areas in Bank Street although he was not sure how this fitted in with the original ethos of Shared Space. Secondly there had been a failure of ongoing maintenance. The high design of the materials had been the driver and this did require a high level of ongoing maintenance, but there had been no single ownership of this and no enhanced budget made available. Lessons had been learnt as a result of Ashford's experience and there had been development of new cleaning materials and methods in the last few years. Strategically it had been a good scheme but these two aspects had been the main identified failures. The advice in the report was that rather than spending too much time and resource trying to apportion blame, it would be better to rectify the problems.
- In hindsight the design of the flume had been a mistake, but it should not or would not have been envisaged that it would have been trafficked as much as it had which had obviously contributed to its failure. All three potential proposed remedial solutions mentioned either repair or replacement of the flume. The choice of the expensive lighting columns had also made them expensive to maintain or replace like for like.
- KCC were moving forward with the remedial works, and in turn the general maintenance of the Shared Space, and were committed to rectifying the problems that had been experienced. They would also continue to rectify any safety critical factors on an ongoing basis and the major remedial works would commence in the new financial year. It was hoped that a full project plan, including timings, could be submitted to the next Board Meeting in March 2014. By that time it was hoped that the issues identified for further investigation in Amey's report would have also taken place and could be

taken into account. In terms of which of the outlined remedial options would be taken forward, Mrs Holder said that KCC Officers would work with ABC on that outside of this Board. The Chairman asked that ABC Members also be involved in that process.

- In terms of compensation, it was considered that it would be difficult to apportion sufficient blame to any particular group as this had been a multi-agency project. It had also been difficult to access a full range of evidence as time had passed. Where materials had failed this was not necessarily the fault of the materials themselves as design standards had changed since the contract was let and the areas were not necessarily being used as initially envisaged. He reiterated his previous comments that in his view rather than spending too much time and resource trying to apportion blame, it would be better to rectify the problems.
- Mr Baker clarified that ABC's Legal Service had not considered the question of legal responsibility for the failures identified because ABC had not been the employer of the designers and contractors involved in the scheme. As the tenders had been sought, and contracts let, by KCC, these were matters which only KCC could consider.
- In terms of looking to the future, Members hoped that both Councils had learned lessons in terms of Project Management. As far as ABC was concerned, the Portfolio Holder for the Town Centre & Urban Economy said that they were currently pulling together a protocol to provide leadership on future projects involving ABC and he hoped this would be reported to Cabinet in spring 2014.

Members agreed that the most important thing for the future was to fix the existing problems and get the area right going forward. With regard to the summary of the remedial options put forward and the estimated costs, the Board considered there should not be a 'cheap fix' and Ashford deserved a full high quality fix. In a way Ashford might have been disadvantaged by the being the 'pioneers' for such a scheme and it was important to learn from the lessons, particularly with regard to proper ongoing maintenance arrangements.

Resolved:

That the report be received and noted.

255 Camera Enforcement in Ashford

The report set out the latest position with regard to the introduction of camera enforcement in Ashford. The project sought to introduce camera enforcement to replace the existing rising bollard in Beaver Road and improve compliance at the Godinton Road Bus Gate. Mrs Day advised that a pilot scheme for Kent had commenced that week in Tunbridge Wells, although this was not using static cameras as proposed for Ashford and was about enforcing bus lanes rather than purely bus gates as in Ashford. The proposed timeline was set out in the report and although there were issues to consider such as the legal agreement and

procurement, it was considered that the planned scheme commencement in June 2014 was achievable.

In response to a question Mrs Fox advised that the cameras would be connected to the existing Parking Gateway back office systems at ABC and the pictures would be taken and sent back to the Council so there was no additional training requirement. Contravention notices would be sent out by post.

Resolved:

That the report be received and noted.

256 Permanent Closure of Mace Lane Subway

The report detailed the background to the decision by Kent County Council Highways & Transportation to permanently close the subway beneath Mace Lane.

In accordance with Procedure Rule 9.3 Mr Cufley, Director of Operations at Ashford School, attended and spoke on this item. He said he wanted to give the school's position on the closure of the subway and the impact it would have on them. He had taken up his position in the summer and the status of the subway was something he had been given to investigate. At that time Toby Howe at KCC explained the reasons that it had been closed for a number of months and permanent closure had been presented as a *fait accompli*. The school was encouraged to use alternative crossings at each end of Mace Lane. This had been reluctantly accepted at the time but as a growing school with real estate on either side of Mace Lane, the safety of pupils crossing the road to use the adjacent playing fields had to be the most important consideration. As Members may know, the School had ambitious expansion plans, which included their ownership of the Flour Mills site, and they were committed to their existing location. He therefore asked the Board to lobby KCC to keep the subway open.

Mrs Holder advised that unfortunately Mr Howe could not be present at the meeting this evening, but he had been in contact with Ashford School and explained the reasons why they had decided to close the subway – problems with flooding, the increasing costs involved with replacing the pumps and maintenance of the subway, undesirable usage of the subway and the fact that there were two traffic signal controlled crossings nearby.

One of the ABC Ward Members for the area said he was dumbfounded when he had been told that the subway was to close. A very limited consultation had taken place which did not involve all local stakeholders. He quoted from the report and said that if the cost of closing the subway was likely to be similar to the cost of replacing the pumps, then the pumps should be replaced and it should be kept open. There was going to be increased footfall in and around the town and it was part of an important route for the school. The comments were echoed by two of the KCC Division Members. Ultimately the subway was already there and it was a safer crossing option. If there were concerns about anti-social behaviour, the subway could be secured by gates at certain hours, although it was generally considered that the impact of undesirable use had been overplayed.

Mr Carty advised that Ashford was currently working on a whole range of community and sporting initiatives and one of those was a major international Ironman Triathlon next summer. The aim was for the marathon element of that event to take place completely off road to minimise disruption to traffic and that particular underpass was part of the proposed route. He said it was a busy road that was only going to get busier as Ashford developed and he asked KCC to re-think this closure.

Mrs Holder said that in terms of the consultation, it was accepted that there had been an oversight in the e-mail distribution whereby a Borough Councillor had been missed, however the subway had been closed since February 2013 and the only enquiry had been received from Ashford School. With regard to the Ironman competition, she knew Mr Howe was in correspondence with the event organisers and there was time between now and next summer to plan an alternative route. She also emphasised that although the initial cost of closing the subway was likely to be similar to the cost of replacing the pumps, there were also the ongoing maintenance costs to consider and this decision had been taken with financial and value for money considerations firmly in mind. The installation of any gates would have a financial impact including the hidden cost of opening and closing the gates on a daily basis.

Resolved:

That the Board ask KCC Highways & Transportation to consider keeping the Mace Lane Subway open and installing a replacement pump in order to improve the safety and general amenity of the area.

257 Highway Works Programme 2013/14

The report updated Members on the identified schemes approved for construction in 2013/14.

Officers agreed to feed back more information to Members on the following matters that appeared on the Highway Works Programme: -

- Progress with the electrical connection work for the eastern interactive warning sign at the A20/Sandyhurst Lane which was currently being delayed by UK Power.
- Whether all agreements had now been completed regarding the access road and additional parking at 12-20 Hawthorn, Appledore.
- The likely timescale for work on secondary traffic signals at Station Road/Beaver Road approaches at the Station Road/Elwick Road junction to allow all traffic to turn right from Elwick Road.
- Works at the pinch point on the Kennington Road, Willesborough which appeared to have disappeared from the programme.

A Member referred to the new cycleway/bridleway which would eventually link Pound Lane, Kingsnorth all the way to the new development at Chilmington Green. He was pleased to report that this exciting project had now commenced and that the funding was all in place for delivery.

With regard to the flooding problems at Willesborough Road, Kennington close to the bridge, Mr Wilkinson advised that ABC had agreed that KCC could temporarily discharge surface water on to nearby ABC amenity land, to allow KCC more time to design a permanent replacement highway drain.

A Member said he was pleased to note the installation of new gullies and pipework at Church Road, Ashford which would alleviate flooding outside the British Legion building and Flats.

Resolved:

That the report be received and noted.

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