

Overview and Scrutiny Committee

Minutes of a Meeting of the Overview and Scrutiny Committee held in the Council Chamber, Civic Centre, Tannery Lane, Ashford on the **11th June 2014**.

Present:

Cllr. Chilton (Chairman);
Cllr. Davison (Vice-Chairman);

Cllrs. Adby, Apps, Bartlett, Burgess, Clokie, Hodgkinson, Mrs Hutchinson, Miss J Martin, Mrs M Martin, Mortimer, Sims, Wedgbury, Yeo.

In accordance with Procedural Rule 1.2 (iii) Councillor Clokie attended as Substitute Member for Councillor Feacey.

Apologies:

Cllrs. Feacey, Marriott, Shorter.

Also Present:

Cllrs. Davey, Mrs Dyer, Galpin, Michael, Ovenden, Robey, Smith.

Head of Planning and Development, Policy Manager, Principal Solicitor (Strategic Development), Senior Scrutiny Officer, Member Services & Scrutiny Support Officer, KCC Major Projects Manager, KCC Head of Transportation.

31 Declarations of Interest

Councillor	Interest	Minute No.
Bartlett	Made a 'Voluntary Announcement' as he lived in Sevington, near to Junction 10.	32
Mortimer	Made a 'Voluntary Announcement' as he lived near to Junction 10, and was also the Ward Member for North Willesborough.	32
Wedgbury	Made a 'Voluntary Announcement' that he was a Member of the KCC Planning Committee. He said he would not be swayed by the view of Ashford Borough Council if an application came before KCC's Planning Committee, but would look at all the information available at that time.	32

32 Part I – Matters Referred to the Committee in Relation to Call-in of a Decision made by the Cabinet - To consider the Call-in of Cabinet Minute 397: M20 Junction 10A

The Chairman introduced this item. He said that a list of questions had been supplied by Cllr Bartlett and if any Members wished to have more information on Question 23, a pink paper was available to provide further details. However, because it would be necessary to exclude members of the public if it were discussed, he would circulate this paper at the end of the meeting if Members wished to see it.

The attending officers from KCC and ABC introduced themselves and explained their roles.

The Head of Planning and Development advised that this meeting had been called to review the decision made by Cabinet in April with regard to the J10A SELEP interim scheme. He explained that there had subsequently been developments in relation to the original full J10A scheme. Within the last week an announcement had been made that the Highways Agency Investment Board were to recommend to the Minister that the full J10A scheme was brought back into the government programme. This indicated a firm degree of commitment to the full scheme, subject to ministerial approval, which was believed to be a relative formality.

The Head of Planning and Development advised that the main issues for the Council related to guarantees regarding the delivery of the full scheme. The Council would need reassurance that there was a strong probability of the scheme being brought forward. The Council would also need clarification on how much funding would have to be provided from the private sector. The first indications from the Department for Transport were that the private funding level that was to support the SELEP scheme would be sufficient to bring forward the necessary public funding for the full scheme. He felt that it would be in the Council's best interests to maintain both schemes in case the funding for the full scheme did not materialise. In answer to a question, he clarified that the £20m available from the Local Enterprise Partnership would be considered public sector funding. He also explained that the Department for Transport had indicated that the absolute sum required from the private sector would remain the same for either the full or interim scheme.

During the ensuing discussion, the following points were covered:

- It was queried whether the Sevington East development was essential to support the interim scheme, and The Head of Planning and Development responded that there was no assumption that the Sevington East development would be necessary to fund the interim scheme. However, he could not give assurances about development contributions to the full scheme from future site allocations.
- There was concern that the full scheme would trigger larger developments, in view of the fact that the interim scheme was expected to give rise to 7,000 houses and 5,000 jobs. The Head of Planning and Development said that

there was no relationship between the size and capacity of the junction and the rate of development. The additional capacity of the full scheme would make life easier for residents throughout the Borough, but would not necessarily lead to greater housing development.

- There was a question about the implications of taking no action. The Head of Planning and Development explained that the Highways Agency would object to the Local Plan if it was considered that the strategic road network could not cope with proposed development. However, future housing numbers were not influenced by one junction alone, and the Local Plan included all types of access, including railway networks.
- It was noted that the Council was only a consultee and had no major role in making the final decision. Not all of the town's residents were concerned. One Member asked what useful action the Overview and Scrutiny Committee could take. The Head of Planning and Development acknowledged that permission for the full scheme to be constructed would be sought via a Highways Agency application to the Planning Inspectorate, which would effectively remove local decision-making. However, he pointed out that the Council was an important consultee and would need to be part of the decision making process, especially with regard to more detailed local issues. He considered the Council had a credible voice to influence the scheme, especially working together with KCC, who also wanted to achieve the full scheme.
- A Member welcomed the news about the full junction scheme, although felt that more commitment and reassurance was needed from government and was concerned that the Council would be open to challenge regarding the Duty to Cooperate. The Head of Planning and Development agreed that this was an important consideration, and the Council should consider all requests very carefully. Infrastructure was important, but there were other critical issues to be considered, such as environmental impact, employment development, availability of services, and impact on villages.
- In answer to a question about traffic flow to the William Harvey Hospital, KCC Major Projects Manager responded that more in-depth surveys would be taking place, lasting between 6-10 months, to get a full picture with regard to where vehicles were travelling to and from.
- A Member noted that the call-in meeting had originally been convened to discuss the interim scheme, but the recent press release had clouded discussion. The Council's Core Strategy stated that the Council wanted a full scheme at J10A, and it was a very different proposition to build an interim junction. The Member considered that the interim scheme failed on many levels. There were concerns with regard to increased traffic congestion on the Hythe Road approach to the M20 London bound on-slip, as well as the danger of Kingsford Street becoming a 'rat run', and that the Cabinet had moved from the agreed and accepted policy by supporting the interim scheme. The Head of Planning and Development responded that although there was no interim scheme envisaged in the Core Strategy, it was referred to in the Urban Sites Development Plan Document, which was produced after the Core Strategy. He considered that for this reason it was recognised in

Council policy. He also pointed out that the issues in relation to M20 access at Hythe Road had been dealt with in the Highways Agency's presentation earlier in the evening. KCC Major Projects Manager said that with regard to either the interim or full scheme there would be full consultation with affected residents, when both sides of the argument would be taken into consideration, and it was early days at present. The Member reiterated that the policy of the Council was a full junction, and the Urban Sites Plan should not be used as an excuse to support the interim scheme. He considered that this was such an important development issue that it should not have been agreed by Cabinet without recourse to Council. He considered that it did not reflect well on Cabinet that Overview and Scrutiny had to call-in their decision.

- Several Members considered that there was a need to understand the issues better in relation to the interim scheme, and to validate the traffic figures quoted by the Highways Agency. There was some discussion about the benefits of considering other options and the possibility of commissioning a consultant to identify and evaluate other solutions. The Policy Manager assured the meeting that many options had been considered over the years, including a flyover, tunnelling and different locations for the scheme. The full scheme had been considered the best option in terms of environmental impact, value for money and traffic management. He said it might be helpful to recirculate details of all the previously considered options for the sake of transparency and to set Members' minds at rest that all alternative solutions had been considered.
- Some Members felt that both schemes should be pursued in parallel; others that the full scheme alone should be sought.

After further debate, it was resolved that:

This Committee notes that

- (a) **the interim scheme is fundamentally different from the full scheme for 3 reasons:-**
 - 1 **Highfield Lane**
 - 2 **Hythe Road**
 - 3 **Single carriageway rather than dual carriageway**
- (b) **The interim scheme poses a risk to the Council because it is so different and could have a negative effect on the quality of life of the residents of the whole Borough.**
- (c) **Council policy is for a full scheme at Junction 10A.**

This Committee refers the Cabinet's decision to support the interim scheme to full Council under part 4 of the Overview and Scrutiny Procedure Rules.

This Committee believes that further consideration at full Council should include the following items:-

- **Independent traffic data**
- **A report on alternative options for Junction 10A**
- **A traffic census on the impact of the interim scheme**
- **Details of compulsory purchase**
- **Details of the funding scheme**
- **Full and detailed consultation with affected residents Borough-wide (only if a planning application for the interim scheme is submitted).**

Queries concerning these Minutes? Please contact Rosie Reid:
Telephone: 01233 330565 Email: rosie.reid@ashford.gov.uk
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