

TONBRIDGE & MALLING BOROUGH COUNCIL

PLANNING and TRANSPORTATION ADVISORY BOARD

22 February 2011

Report of the Director of Planning, Transport and Leisure

Part 1- Public

Matters for Recommendation to Cabinet - Non-Key Decision (Decision may be taken by the Cabinet Member)

1 BOROUGH TRANSPORTATION MATTERS

Summary

The report provides an update on a range of current transportation issues that the Board has been focusing on over recent meetings.

1.1 Introduction

- 1.1.1 A number of factors have combined in recent times to create a significant focus on transportation within the Borough. For example, the County Council will publish in the next few weeks its third Local Transport Plan for Kent (LTP3) covering the period 2011 to 2016. This complements another transportation planning document recently issued by the County Council entitled 'Growth without Gridlock'.
- 1.1.2 Unfortunately, the A21 Tonbridge to Pembury dualling scheme has slipped in the programme yet again and is now in the pool of schemes for the years beyond 2015.
- 1.1.3 At the same time, analysis of reports on future budgets at recent meetings of the County Council's Environment, Highways and Waste Policy Overview and Scrutiny Committee (EHWPOSC) points to a harsher funding situation for highway improvement schemes over the next few years and this will inevitably have an adverse impact on the County Council's improvement programme.
- 1.1.4 In parallel with these road related matters, rail transportation issues have also continued to attract Borough Council attention, not the least because we can expect the Department for Transport (DfT) to begin fairly soon consulting on the next franchise for Kent.

1.2 Highways Update

- 1.2.1 **LTP3** - At its last meeting in November, the Board considered its response to the Kent Highway Services (KHS) consultation on LTP3. This was shared with Sir John Stanley MP and Tracey Crouch MP. Sir John subsequently wrote to the

County Council reinforcing the points made by the Borough Council and he urged a rebalancing of the focus of future investment towards the areas where growth is actually happening during the period of LTP3 such as within this Borough rather than an over-concentration in growth areas where development is planned for many years hence.

- 1.2.2 He asked me to make Members of the Borough Council aware of his letter and it is reproduced at **Annex 1**. The Board will see that it is a powerful endorsement of the position advocated by the Borough Council in its response to the consultation.
- 1.2.3 The report on LTP3 to the EHWPOSC meeting of 18 January suggests that the robust justification for a reconsideration of the prioritisation methodology has not been acceptable - see **Annex 2**. The County Council is persisting with the budget allocation and spatial distribution approach it outlined in the consultation document and this will be used to formulate the Implementation Plan.
- 1.2.4 This is disappointing, though it will not have such a significant impact in the early years of LTP3 for no other reason than the fact that the total funding for integrated transport measures across the whole of Kent for distribution, using whatever priority system is eventually adopted, is almost insignificant compared to the demand for schemes.
- 1.2.5 The total budget for 2011/12 is of the order of £8.2M of which £2.4 will be diverted towards capital maintenance. The Member Highway Fund (MFH) will require £2.2M and Crash Remedial Measures £2.3M. So this only leaves some £1.3M for all the integrated transport schemes in Kent next year. The budget profiles suggest this position is unlikely to alter before 2014/15 when the indicative allocation, that it should be noted is not firmly guaranteed at this stage, increases appreciably to £12.3M.
- 1.2.6 **A21 Tonbridge to Pembury dualling scheme** – This scheme has slipped back in the programme to the period beyond 2015 as a consequence of the major review of the national roads programme that accompanied the Comprehensive Spending Review. It is, therefore, competing with a range of other schemes to secure a place in the programme for the planning period beyond 2015 when the funding climate becomes clearer and that programme is reassessed.
- 1.2.7 What this does emphasise is the need to ensure that any barriers to achieving the scheme are removed. The most critical of these, after funding, are legal and technical processes associated with the highway orders, compulsory purchase orders and listed building consents. This is all the more so if the County Council succeeds in its ambition to promote this scheme as set out in its strategy document ‘Growth without Gridlock’.
- 1.2.8 These critical procedural matters are currently in abeyance as a result of the postponed Public Inquiry last summer. The A21 Reference Group, consisting of local Members of Parliament and Members from Councils along the route of the A21, collectively agreed that there should be representations to the DfT urging

that the Inquiry be resumed as soon as practicably possible so that this impediment to future progress is removed. **Annex 3** reproduces the letter from the Borough Council to the DfT and the Leader, in his capacity as Chairman of the Local Strategic Partnership, has also sent one in the same terms.

- 1.2.9 **Transportation Strategy** – It is ironic that this period of financial constraint should coincide with a time when new transportation policy formulation is carrying on with some intensity. The government has recently published a transportation white paper entitled ‘Creating Growth, Cutting Carbon’. This is set at a broad strategic national level and it is difficult to discern what impact it will have at a local level.
- 1.2.10 However, it does herald the introduction of a new funding stream, the Local Sustainable Transport Fund (LSTF) that could be a potential source of finance for some Borough transportation priorities over the next few years when LTP funding is going to be limited. The difficulties in securing access to funding will be profound because it requires submission of a bid with quite a mass of supporting evidence, business case, detailed design and proof of wide local non-public sector involvement and participation. Clearly, it will need to demonstrate close alignment with sustainable transport objectives. Importantly, it will not be directly open to the district tier to make bids. These will have to come from local highway authorities or local transport authorities.
- 1.2.11 So there will be competition for the finite funding available and a substantial investment within a tight bid timescale required to gain access to this funding source. As just mentioned, the bidders are deemed to be local traffic authorities and, for Kent, this means any submission will come from the County Council. It appears that only one bid can be made by each authority over the four year life of the fund. The County Council will be submitting a bid for funding but I do not have details what this will be and whether it will be across a ‘themed’ approach such as, for example, ‘sustainable interchange’, so that it could be an aggregate of many smaller constituent scheme proposals.
- 1.2.12 One particular initiative that we have been advocating for some time, remodelling the forecourt at West Malling station, would appear to align closely with the many desirable outcomes sought within the LSTF. It is focused on improved interchange for public transport, pedestrians and cyclists scheme at a station where planned developments in the area will contribute to an increase in passengers. There is confirmed development funding to contribute to the cost of improvement and the potential for private sector involvement to support the right bid.
- 1.2.13 The design concept is still at a basic level so there is no opportunity to include this in the early phases of bidding for the LSTF. However, depending on the nature of the County Council submission and its timing, this could be a good candidate for inclusion and County Council officers have been made aware of its potential. I will report further on this to future meetings of the Board.

- 1.2.14 In parallel with the publication of the government's sustainable transport strategy, the County Council has also just released the final version of its transport vision for the next 20/25 years entitled 'Growth without Gridlock'.
- 1.2.15 In broad overview, the document is pleasing in that it recognises a number of key transport issues for which this Borough has been advocating solutions for many years. The A21 Tonbridge to Pembury Dualling scheme is highlighted and there is an indication that the County Council wishes to progress this scheme direct itself, subject to funding issues being acceptable. This is part of a wider ambition for Highways Agency work to be carried out by local highway authorities. There is also mention of a range of other matters such as the Colts Hill Bypass on the A228, Borough Green Bypass, rail improvements such as peak city services on the Maidstone East/West Malling Line, direct access from Kent to Gatwick, Medway Valley Line HS1 services, Thameslink services from Maidstone East. There is also recognition of the key linkage between local spatial planning and transport planning, thought would that this had been properly taken on board by those dealing with LTP3.
- 1.2.16 Overall, Growth without Gridlock has, inevitably, to be a product of its time and it has had to reflect overtly the grim financial climate that unavoidably impacts on the scope for scheme implementation. This focus on conditions now is therefore likely to make it a 'dated' read fairly quickly in its 25 year lifespan and I expect it will need to be revised before too long.
- 1.2.17 I have placed copies of the government's white paper on transport and the County Council's Growth without Gridlock in the Members' Library for reference.
- 1.2.18 **Transport Programme** – Despite the disappointing outlook for scheme funding from the LTP over the next few years, the Borough Council continues to have ambitions for highway improvement. This is prompted in no small part by the significant activity engendered by development within the Borough, particularly the Medway gap where there is an intense and complex series of development obligations that we are coordinating with the County Council. The scale and complexity of this is set out in **Annex 4**.
- 1.2.19 While not of the same scale, there are potential development related works at other locations in the Borough, together with priorities unrelated to development, that we would wish the County Council to take on board and promote to the extent that funding will permit. I have set these out in **Annex 5** and I recommend that the Board endorses this as a potential schemes list that we can advocate and encourage the highway authority to implement when circumstances are right.
- 1.2.20 **Planning Policy Guidance 13 : Transport (PPG13)** - At the start of January, the Local Government Secretary and the Transport Secretary announced changes to PPG13 that purported to change parking standards for new developments and to alter the regime on charging for parking. The press release announcing the change is reproduced at **Annex 6**. The impression given is that announcement

signified considerable modification of current practice whereas, at least here in Kent, that is not so.

- 1.2.21 The changes in PPG13 relate solely to parking. PPG13 merits a fundamental review to bring it into alignment with much other recent planning policy and no doubt this will occur with the review of National Planning Policy. For the time being changes to the wording on parking standards, essentially removes the word 'maximum' wherever it appears. That in itself is a helpful move to enable a more localised, pragmatic view to be taken on parking provision.
- 1.2.22 Changes to PPS3 Housing published in June 2010 also emphasises "*a design-led approach to the provision of car-parking space, that is well integrated with a high quality public realm and streets that are pedestrian, cycle and vehicle friendly*". It is helpful to have this now echoed in PPG13, notwithstanding its need for a more general revision. It should be noted that the PPG13 changes are focussed on residential parking standards and not parking standards in general - the annex on parking standards for non-residential uses remains unchanged in the PPG.
- 1.2.23 As far as parking charges is concerned, the original version of the PPG said

Car parking charges should also be used to encourage the use of alternative modes. The RTS should set out the context for parking controls and charges by each local authority. Within this context, Local Authorities should set out appropriate levels and charges for parking which do not undermine the vitality of other town centres. Controls over public parking (both on-street parking and in car parks) need to be backed up by adequate enforcement measures.

The new version reads:

Local authorities should set out appropriate levels and charges for parking which do not undermine the vitality of other town centres. Parking enforcement should be proportionate.

- 1.2.24 These changes are very much in line with what this Council has been practising consistently over many years to achieve a best balance between local parking management objectives, support for the local economy and obtaining a proper return for the use of the Council's assets.

1.3 Rail Update

- 1.3.1 Scrutiny of rail services in Kent has, if anything, intensified since I last reported on these matters to the Board in February last year. The issues remain the same but the impact has become more acute; the focus on service deterioration resulting from the removal of city services on the Maidstone East/West Malling line when Southeastern Railway introduced the new timetable in December 2009, the annual fare increase built around RPI+3%, restoration of direct services to Gatwick from Tonbridge and ultimately the rest of Kent. However, these have been augmented by a number of other considerations more recently such as the

extension of the current franchise from 2012 to 2014, SER performance over the winter crisis period, and service performance generally.

- 1.3.2 Sir John Stanley secured a Westminster Hall debate on train services in West Kent on 19 January and the transcript of the session at **Annex 7** serves an excellent précis of all the current rail issues confronting us.
- 1.3.3 Just before Christmas I learned about a request from Transport for London to divert Maidstone East service around the 'Catford Loop' to make additional stops at Peckham Rye or Denmark Hill. This appeared to be yet another potential threat to securing proper services from Maidstone and the Malling area into London, even though the final destination is Victoria station. It may only add a few minutes to the service but these are valuable minutes on trains that are already filled to standing room only by the time they get there.
- 1.3.4 I received a reply from the DfT that is far from satisfactory and I have followed this up with further representations. At the same time the Hansard abstract shows that Sir John took the opportunity to air this matter at the Westminster Hall debate. I hope that seeing it raised at such a high level is sufficient warning to the DfT that West Kent is now watching with great scrutiny to ensure that any potential threats to the quality of services on the line are identified early and that vigorous representations are made to ensure they are abandoned. To ensure a formal stance on any attempts to introduce unnecessary and diversions in London that would impact adversely on services, I am recommending that the Board endorses such a position.
- 1.3.5 During most of last year and the year before, the Borough Council advocated restoration of services to the City and, ideally, Cannon Street. The chances of this happening within the current franchise arrangements were almost negligible and it would have needed an instructed change in the specification by the DfT to achieve this, an unlikely result given the apparent cost of £637k for service reinstatement. In the West Minster Hall debate, it can be seen that there is work going on behind the scenes to examine options for some restoration of city service with a favoured one being peak time Thameslink services through Blackfriars station from 2012 onwards.
- 1.3.6 I have already responded to Sir John to signal that I believed this Council would be keen to support what I understand might be two additional trains during the peak period to Blackfriars, subject to them being truly peak services and not the pale reflection that we used to have with services travelling at what is termed the 'shoulder peak'. Coordinated services during the main morning and evening peaks to provide work and home journeys at a reasonable reflection of the normal working day would be a bonus and I recommend that this option be supported if that is what the Minister announces as an option at the end of February.
- 1.3.7 The rail franchise extension is also attracting a great deal of interest across Kent and there is a substantial lobby favouring no extension of the franchise so that it

terminates at the end of March 2012. The contractual provision is for a two year extension subject to parameters that we do not know about and a process that is open to neither scrutiny nor consultation.

- 1.3.8 The first thing to say from a technical procurement point of view is that any normal appointment of a new train operating company by April 2012 would be fraught with difficulty in the time that remains. The tendering processes and service specification requirements require much longer than this to set up and it does raise questions about the transparency of the current extension exercise there can only be one realistic answer to the review given the limited time left to run for the normal phase of the franchise. The only way the outcome could be any different from an extension would be as a result of the service being considered so bad that a catastrophic response is warranted. There is also the factor of cost because the DfT is unlikely to want to accelerate the end of the franchise. The appointment of a new operator carries with it a substantial cost in its own right and also there is the risk that the tender for the first two years could cost substantially more than the DfT is currently paying.
- 1.3.9 Nevertheless, there is a great depth of local sentiment about poor performance during the recent snow crisis, the absence of reimbursement of season ticket costs for cancelled services, the scale of increases on the line, the feeling that west Kent is suffering because of the focus and support for the High Speed service from mid and east Kent and the poor connections from the Malling area into London. In these circumstances the Board may take the view that it should align itself with and lend its support to the sentiment, widespread across Kent, that there should be a new operator sooner rather than later.
- 1.3.10 The realistic working assumption must be that, the depth of local feeling notwithstanding, that the extension will be granted for reasons that we shall not be privy to. This makes it all the more essential that everyone with a stake in the future quality of rail service provision in Kent takes an active part in the processes towards appointing a new operator for the next franchise, whether that be from April 2012 or from April 2014.
- 1.3.11 The latter date may seem some way off but the fact is that the task of identifying the service specification and carrying out a full exercise of consultation will occupy a substantial period. This will precede a tendering and appointment phase governed by the Public Contracts Regulations that will require advert in the Official Journal of the European Union and other associated procedures that require considerable time. Therefore I expect that we will be seeing the preliminary stages of the project beginning within this calendar year.
- 1.3.12 The County Council has already signalled its intention to 'ring-master' the Kent response to the new franchise. It is involving district councils and local rail user groups across Kent in the Kent Rail Summit and it has produced a 'Rail Action Plan for Kent'. It is currently out for consultation and I have reproduced it at **Annex 8** together with a draft reply recommended for endorsement at **Annex 9**.

This is an excellent document and it incorporates broadly what I believe this Council would wish to see included in such a wide ranging Plan for the next franchise.

1.4 Conclusions

- 1.4.1 This paper considers and analyses the impact of a considerable number of transportation issues currently applying in this Borough. It emphasises the need for continuing monitoring of the activities and intentions of the main players in transport provision to ensure that the interests of the local community are properly factored into their plans and investment proposals.

1.5 Legal Implications

- 1.5.1 None direct on the Borough Council.

1.6 Financial and Value for Money Considerations

- 1.6.1 Not applicable.

1.7 Risk Assessment

- 1.7.1 The main risk is that lack of involvement across a range of proposals by third party providers will result in this Borough missing out on opportunities to record its views and secure investment in local transportation services. The actions in the report address this.

1.8 Equality Impact Assessment

- 1.8.1 See 'Screening for equality impacts' table at end of report.

1.9 Policy Considerations

- 1.9.1 Community.

1.10 Recommendations

- 1.10.1 That Cabinet be recommended as follows;

- 1) That Sir John Stanley's letter as reproduced at **Annex 1** should be formally noted.
- 2) That the Borough Council should continue to press for early completion of the A21 Tonbridge to Pembury dualling scheme Public Inquiry and the letter at **Annex 3** requesting this be endorsed.
- 3) That the West Malling station forecourt remodelling scheme be confirmed as a project that the Borough Council wishes to be included in any future County Council bid for funding through the Local Sustainable Transport Fund.

- 4) That the schedule of schemes listed at **Annex 5** be endorsed as the Borough Council's priorities for future highways investment.
- 5) That objection to any further stops within the Capital that would further slow down services on the West Malling/Maidstone East line as set out in the Director's letter to the DfT should be endorsed.
- 6) That Cabinet considers its position on the extension of the current franchise for a further two years.
- 7) That peak period Thameslink services on the West Malling/Maidstone East line from April 2012 onwards should be welcomed and supported.
- 8) The reply to the consultation on the Rail Action Plan for Kent at **Annex 9** be endorsed.

The Director of Planning, Transport and Leisure confirms that the proposals contained in the recommendation(s), if approved, will fall within the Council's Budget and Policy Framework.

Background papers:

contact: Michael McCulloch

Nil

Steve Humphrey

Director of Planning, Transport and Leisure

Screening for equality impacts:		
Question	Answer	Explanation of impacts
a. Does the decision being made or recommended through this paper have potential to cause adverse impact or discriminate against different groups in the community?	No	The actions sought in the report involve the Council using its advocacy role on behalf of the local community to secure a better outcome for everyone irrespective of group.
b. Does the decision being made or recommended through this paper make a positive contribution to promoting equality?	Yes	It could provide better access for people with mobility difficulties if we manage to encourage the highway authority and transport operators to invest appropriately in better infrastructure.
c. What steps are you taking to mitigate, reduce, avoid or minimise the impacts identified above?		N/A

In submitting this report, the Chief Officer doing so is confirming that they have given due regard to the equality impacts of the decision being considered, as noted in the table above.