

From: Director of Highways & Transportation

To: Maidstone Joint Transportation Board

Date: 22nd January 2013

Subject: Yalding & surrounding area Experimental Weight Limit

Classification: Unrestricted

Summary: This report presents Members with the results of the public consultation for the experimental 7.5 tonne weight restriction implemented last year in the Yalding area. Members are asked whether to recommend the scheme be made permanent with the proposed changes or be abandoned.

Recommendations: That the Board recommends to the Cabinet Member for Highways, Environment and Waste that the scheme is retained with the inclusion of additional roads including Claygate Road, Darman Lane, Spenny Lane, Pikefish Lane and Laddingford and the agricultural activities exemption is extended to include HGV's travelling through the zone.

1. Background

Concern over the impact of Heavy Goods Vehicles (HGVs) in the south west of the Borough of Maidstone has been an issue for many years and been subject to numerous reports to and discussions at this board. A group called TRAMP was set up in approximately 2002 consisting of 14 parish councils from the area and two of their agreed strategic actions were to protect the medieval bridges in the area and for Heavy Goods Vehicle restrictions from Pattenden towards Collier Street. This issue has also been debated at the County Councils Highways Advisory Board in 2008 and at least six times since 2009 at this Board. In 2008 a petition was submitted to Kent County Council (KCC), signed by 570 local residents, requesting the implementation of a HGV restriction through Yalding. In November 2010 HGV surveys were carried out in the whole area which identified 53 HGV's over 7.5 tonnes going to / from Green Lane through Yalding / Collier Street without stopping to make a delivery or pick up.

In response to the results of these surveys in 2012 the local County Councillor agreed to contribute, along with Yalding Parish Council, to a scheme via her discretionary Member Highway Fund to restrict through HGV movements in the area. However due to potential issues with installing local weight limits such as:

1. HGV's potentially diverting to less suitable routes
2. Additional mileage and its effect on businesses
3. Potential increase in emissions

4. Lack of perceivable effect due to non-compliance & enforcement issues
5. Increased sign clutter

It was agreed to trial an experimental scheme which restricted vehicles over 7.5 tonnes to travel through Yalding instead of implementing a scheme on a permanent basis in the first instance. An experimental scheme differs from a normal scheme in the fact that the consultation period is the first 6 months of its operation as opposed to carrying out consultation in advance.

2. Consultation

Prior to the experimental scheme being implemented the County Council was legally required to follow procedures set down in the Road Traffic Regulation Act which necessitated the placing of a notice in a local paper informing residents and businesses of the intention to install a restriction. This notice appeared in the Kent on Sunday on the 8th December 2012. In addition KCC also wrote to local representatives and statutory consultees such as local Councillor's, Parish Councils, the Road Haulage and Freight Transport Associations informing them of our intentions on the 12th February 2013.

The signs required to make the scheme operational were installed in February 2013. In May 2013 additional advanced warning signs were implemented which would have potentially affected the results of the experiment so it was agreed that the consultation period should be extended until 7th November to ensure a full six months of the modified scheme being in operation.

The scheme originally had exemptions for vehicles if they were being used for the purposes of agriculture in connection with land adjacent to the roads or length of roads within the zone and for vehicles delivering to or accessing / egressing businesses, farms or land within the zone. A copy of the order and map of the area covered can be viewed at the following web link:-

<https://shareweb.kent.gov.uk/Documents/roads-and-transport/using-the-road/traffic-regulation-orders/maidstone/7point5TonneWeightRestriction.pdf>

Due to concerns raised by local businesses about the effects of the scheme it was subsequently agreed that in addition to the above exemptions and to minimise the effect of the scheme on local businesses an amendment was made to the weight restriction to allow businesses / farmers to apply for an exemption from the zone. Any applications were to be made to KCC Highways & Transportation and were to be determined on a case by case basis providing the applicant could evidence that they have been disproportionately affected by the weight limit.

3. Results of the Public Consultation

The public consultation on the experimental scheme effectively ran from the 8th December 2012 until the 7th November 2013. However, responses were generally received in two main batches. The first was between the end April &

beginning of June 2013 and then in October / November 2013. This was due to the original end of the consultation being set for 10th June 2013 however, as there were some issues with the signing for the scheme and amendments required the deadline was extended until the 7th November.

In total over a thousand representations have been made (1030 in total) which included two petitions with 341 combined signatures, 563 letters / emails from residents, 28 representations from the business community, 90 letters / pictures from pupils of Yalding Primary School, 7 from Councillors / Parish Councils and Kent Police. It should be noted that some of those who signed the petitions will have also written in separately.

Methodology of Analysis

Most of the responses received were in the form of emails or letters giving individual reasons for either supporting the scheme, requesting the scheme be amended or removed. The analysis of the responses had to be a subjective process with views being interpreted and then categorised to provide Members with a summary of the main points being made. Members can arrange to view all the representations made if required however due to data protection regulations they will not be on display or available to the public. The summary of responses are presented by the group that have made the comments as the views have tended to be similar subject to who made representation.

Responses by Residents

563 letters and emails were received mainly from residents who have been directly or indirectly affected by the implementation of the experimental scheme. Of the 563 letters received only 9 indicated that they objected to the scheme mainly on the basis that HGV's are now using other routes where these individuals live which are less suitable than the area which they are now prohibited from as part of the experimental restriction. 32 representations were made in full support of the scheme and requested it be made permanent. While the vast majority of respondents (516) indicated that they supported the scheme with conditions or would not support the scheme without certain conditions being met.

These conditions were mainly the inclusion of additional roads in to scheme to avoid them being used as an alternative route to the area prohibited under the experimental scheme as they are even less suitable than the roads now restricted. These roads were generally Claygate Road, Darman Lane, Spenny Lane, Pikefish Lane and Laddingford. A petition with 54 signatures was also submitted requesting these roads be included within the zone. 90 letters and pictures were also received from pupils of Yalding Primary School in support of the scheme. The other main comment made in the responses was about the associated signing for the scheme specifically requesting the erection of advance warning sign/s in Maidstone, in the area of Hayle Road Old Tovil Road.

The main reasons given for the retention of scheme were improvements to the quality of life of the residents due to the reduction in large HGV's which has resulted in less noise, pollution, vibration, improvements to safety and a reduction in environmental damage. In six of the responses it was unclear whether they supported or objected to the scheme.

Responses by the Businesses

28 representations were made by either local businesses or representatives of the business community. Of these 21 were from individual local businesses and 7 from groups representing the local business community. 25 of these representations indicated they objected to the scheme of which 19 objections were from individual local businesses.

By far the main reasons given by the businesses and business representative groups for objecting to the scheme was the impact on the businesses due to longer journey distances and times. The extra additional journey time and length has resulted in higher costs being borne by local businesses at a time of economic hardship. Some of the businesses have moved to using smaller vehicles which has led to more journeys and again increased running costs. It was also mentioned that increased journeys and mileage has led to more emissions which is worse for the environment.

Some of the businesses now report they have to use even less suitable routes than the B2162 and now have to travel through Marden, Maidstone Town Centre or other more minor rural lanes. Other comments received from the business community were that the scheme is unenforceable as it is too difficult for the Police to tell the difference between legitimate and non-legitimate journeys. The additional journey time and distance means more unreliable journeys and therefore ultimately reduces their productivity. The restriction to movement to and from Marden Industrial estate will also have a long term effect on the retention and attraction of new businesses to the estate which will ultimately lead to a loss of jobs in the area. Businesses making deliveries to and from premises just outside the zone are being most affected as the alternative route is disproportionately high compared to the length of the original journey before the experimental limit was installed.

A petition has also been received from the local businesses containing 287 signatures requesting the experimental restriction be removed as it is adversely affecting local businesses by increasing journey times and lengths which has increased costs. HGV's are now being diverted on to less suitable routes and due to the additional miles now being travelled the scheme has increased environmental harm due to greater emissions.

Responses by local Community Representatives

A number of responses from local Parish Councils and other community representatives have been received and summarised below. Full copies of

these representations are included in the background documents to this report.

Horsmonden Parish Council

At the present time the Parish Council cannot see that the restriction has been detrimental to Horsmonden, on the basis of the evidence currently available to them.

Yalding Parish Council

Since the inception of the weight limit, there is no doubt that the number of heavy lorries passing through without stopping has dropped substantially. This has resulted in a reduction in the noise, pollution, vibration, safety issues and environmental damage to our villages that local residents petitioned for. There are a few foreign lorries, guided by their sat navs, still coming through Yalding and advanced signing in Maidstone is suggested.

The Parish made other comments regarding;-

- Businesses have received planning permissions designating the A229/A262/B2079/A21 as their lorry route to and from Pattenden Lane. The B2162 is not referred to as a suitable route for HGV traffic. It is noted that there was no objection from Marden Parish Council to the proposed lorry routes under MA/11/1138.
- It has been suggested that Yalding and Collier Street have been relieved of a significant amount of HGV traffic due to the closure of the Syngenta Works Site. Evidence has been submitted that disputes this and that HGV traffic was, in the main, prohibited from travelling through the villages.
- It has been suggested that two companies on Pattenden Lane were to close due to the impact of the experimental weight restriction. The Parish have met with the Regional Logistics Director of ADL who confirmed that both companies had been bought out by a German company and this is the reason why they must move to premises close to the motorway network. It was also confirmed that notice had been given to the landlord prior to the inception of the weight restriction and that planning permission had already been submitted on land close to the M20, J8.
- It has never been the intention to cause hardship to businesses and it was with this in mind, that the Parish urged KCC to amend the scheme to allow companies who could demonstrate severe hardship to apply for an exemption through the area.
- It is the HGVs who leave the motorway and other major routes to short-cut through the rural lanes that the weight restriction is in place to stop, along with the foreign lorries who seem to find the most unsuitable and

long-winded routes to their destinations. It is understood that once this restriction is made permanent, it will appear on satellite navigation systems.

- The suggestion that HGVs would cause no problem if the parking in Yalding was sorted out is nonsense. Admittedly, there are forty four properties in the centre of the village with no off-road parking but this is aside from the environmental and safety issues already mentioned and the damage to the ancient bridges.

Yalding Parish Council believes the scheme can work if everyone will allow it to. Additional restrictions coupled with the exemptions permitted to businesses will achieve the aim of stopping the rat-running of heavy vehicles whilst allowing businesses to undertake necessary journeys through the area. The Parish respectfully urges Members of this Board to recommend that the scheme be made permanent.

Marden Parish Council

Are aware of the main responses from local businesses, especially those in Pattenden Lane, concerning the pressures they are now under following the implementation of the scheme and the views of residents living along the alternative routes on which larger lorries are now travelling to reach their various destinations. They are also aware of the views of the residents which are now subject to the weight restriction and thus have fewer lorry movements passing their properties.

However the Parish Council are very concerned over the increased number of larger lorries travelling along Maidstone Road and Goudhurst Road, especially (1) passing the primary school, and (2) in the centre of the village where lorries can experience difficulty turning at the junction of Maidstone Road and High Street. Both of which could have potential serious implications for both other drivers and pedestrians.

Collier Street Parish Council

Fully support the implementation of a weight limit but request that the zone be amended to include Claygate Road and Spenny Lane as these roads are being used as an alternative route avoiding the experimental restriction. This will lead to an increasing amount of damage to the road structure and verges. Many people use these lanes for recreation and are now fearful for their safety. It is also suggested that additional advance warning signage is erected and that the initial reduction in HGV's has dissipated which may well be due to lack of Police enforcement.

Hunton Parish Council

Supports the Experimental Order except the restriction should be extended up East Street and George Street and that Hunton Hill should be included up to Heath Road.

Cllr Steve McLoughlin, Maidstone Borough Councillor for Marden & Yalding

As a Borough Councillor for the Marden & Yalding Ward I strongly support the weight restriction order that has been in trial operation this year. There can be little doubt that this has resulted in fewer heavy vehicles passing through the village lanes that, for many years, residents have asserted are quite unsuitable for this type of traffic. There has, as a result, been a marked reduction in noise levels, air pollution and environmental damage to our ancient bridges and grass verges and a corresponding improvement in resident's quality of life. It was right to amend the original order to enable local businesses in Marden, and particularly Pattenden Lane, to pass through the restricted area by exemption as Marden is very dependent on these businesses for local employment.

Cllr Malcolm Greer, Cabinet Member for Economic & Commercial Development - Maidstone Borough Council

Based on the correspondence and information Malcolm had received, mainly from the business community, he recommended the Order should be either permanently removed or serious consideration be given to amending it positively to address the concerns expressed by both businesses and residents.

Kent Police

In principle offered no objection to the proposed scheme, provided it is implemented to the current guidelines. However they made the following observations:

Kent Police would seek that the legislation and advice given in the Traffic Signs Regulations and General Directions 2002 is complied with in relation to the proposed scheme.

It is also pointed out that as with all new Traffic Regulation Orders they would look for their introduction to be in the main self-enforcing. This fact needs to be taken into account when making new orders and methods to ensure self-enforcement must be provided to maintain credibility of the order. The demands on Kent Police are becoming ever greater, enforcement is labour intensive and competes with other important policing issues of public concern, therefore the deployment of resources must be prioritised and this means in real terms that the enforcement of this weight restriction is likely to receive a low priority.

4. Discussion

As predicted, the implementation of this experimental weight limit in the Yalding area has proved very contentious, justifying the experimental nature of the scheme. The results of the consultation have shown a clear difference

in views between local residents and the local business community. The directly affected residents generally feel that the scheme has had a benefit in reducing the volume of large HGV's running through the area which has improved safety and the quality of life of residents by reducing noise, pollution, vibration and damage to the road and properties. Local residents have highlighted the problem of Heavy Goods Vehicles using even less suitable alternative routes to avoid the current experimental restriction and many respondents will not support the scheme unless additional roads are included within the zone such as Claygate Road, Darman Lane, Spenny Lane, Pikefish Lane and Laddingford.

Lorry surveys were carried out in November 2010 before a scheme was proposed in the area and these have been replicated in November 2013 with the addition of a couple of new sites to measure the highlighted alternative route HGV's are using to avoid the experimental weight limit. Ideally an Origin and Destination (O&D) survey would have been carried out to analysis the effects of a scheme of this nature but this requires HGV's to be stopped and the driver interviewed as to their purpose, origin and destination. Unfortunately due to the nature and geometry of the local roads in the area it would not have been safe to conduct an O&D survey. Instead the details of every HGV were logged as they passed through a number of junctions in the area and the time it took the HGV to reach the next junction was measured and recorded. By analysing this data it could be determined whether the vehicle had stopped in the area to carry out a delivery or was driving through the area without stopping. Due to the cost of the survey it was only possible to obtain one days' worth of data and while this type of survey is not 100% accurate it does give a useful snap shot as to the effect of the scheme.

When comparing the before and after HGV surveys it has not shown any statistically significant reduction in the number of HGV's travelling through the area. There is also no evidence from the surveys to show that HGV's are now using Claygate Road, Darman Lane, Spenny Lane, Pikefish Lane and Laddingford as an alternative route to avoid the experimental restrictions. This is not to say that the resident's perceptions are incorrect as they live in the area and experience conditions on a daily basis, merely that these perceptions are not collaborated by our survey data.

The local businesses and their representatives have made a very clear case that the scheme is detrimentally affecting their business due to the increased running costs of having to travel further and for longer to avoid the restricted roads. It cannot be disputed that the effect of the scheme has meant and will mean local businesses having to travel further in certain circumstances thus increasing their running costs. This is obviously worse for local businesses located just outside the zone such as those in Pattenden Lane who need to travel to locations just the other side of the zone. This can lead to disproportionately long detours for relatively short journeys including having to take HGV's through Maidstone Town Centre.

It was never the intention of the scheme to significantly disadvantage local businesses or farmers carrying out local business or agricultural activities in

the area. To that end it was agreed during the trial period to issue exemption permits to local businesses and farmers who could demonstrate they are suffering a financial hardship due to the introduction of the scheme. The fundamental purpose of the scheme was to ensure HGV's carrying out long distance deliveries use the main strategic highway network as set out in Objective 3 of Kent's Freight Action Plan "To effectively manage the routing of HGV traffic to ensure that such movements remain on the Strategic Road Network for as much of their journey as possible". This is also compatible with the planning permissions granted for some of the businesses located in Pattenden as evidenced by Yalding Parish Council. The issuing of permits added to the existing exemptions for any vehicles delivering, collecting or carrying out any agricultural activity within the zone itself means the effect on local businesses should now be nominal.

Three permits have already been issued to two individual businesses and it is now understood that this is working well and they are no longer experiencing any adverse problems. A few other enquires have been received for new permits however, on the basis of the objections received from local businesses about the financial hardship being faced it was expected the take up of permits would be greater. This could be down to businesses being unsure whether they qualify for a permit or being unaware of the ability to apply for a permit. If the scheme was to be retained then further publicity could be given with regards to the availability of exemption permits. The long term issuing and renewal of exemption permits would be a potential burden on the County Council and if the scheme was retained the resourcing of this would need to be considered. Some of the businesses have raised concerns that while permits are currently being offered free of charge as part of the trial the Council may charge for these in the future. While there are no current proposals to charge for permits it could not be a guaranteed that an administration charge would levied in the future.

A proposal to overcome some of the businesses objections to the scheme and the need to issue exemption permits would be to extend the current exemption for agricultural activities to all vehicles whether they are within the zone or wish to travel through the zone. Approximately a third of all the businesses / business representatives that commented on the scheme were involved in agricultural activities. As a rural area it is clear that a high proportion of the HGV's in the area are engaged in agricultural activities such as the collection and delivery of fruit. As a predominately seasonal and variable activity it is understood that the pre-application of permits could be difficult therefore, if the scheme was retained and to overcome many of the businesses objections it is recommended that the agricultural activities exemption be extended to include those HGV's wishing to travel through the zone.

The main condition for many of the residents to support making the scheme permanent is the inclusion of the Claygate Road, Darman Lane, Spenny Lane, Pikefish Lane and Laddingford within the zone. With the objections from the businesses on the principal of the scheme and those who only give conditional support if these roads are added it cannot be recommended to

retain the scheme in its current form. If Members agree to make the scheme permanent then to ensure continued community support it must be on the basis that Claygate Road, Darman Lane, Spenny Lane, Pikefish Lane and Laddingford are included within the zone. Legally as this is an extension to the existing scheme then a new Traffic Regulation Order would be required to be made.

5. Conclusions

Concerns over the impact of Heavy Goods Vehicles (HGVs) in the south west of the Borough of Maidstone has been an issue for many years and been subject to many reports, petitions, surveys, much media attention and local campaigns for action. It has been discussed at this Board many times and debated at the County Councils Highways Advisory Board. In response to community demands the local County Councillor funded the implementation of an Experimental Order to restrict HGV's over 7.5 tonnes travelling through a number of roads in the Yalding area. The fundamental purpose of the scheme was to improve the quality of life of residents living along these roads following a campaign for action which has lasted many years. The scheme and its objectives meet with one of the central themes in Kent's Local Transport Plan 3 Enjoying Life in Kent (Improve Quality of Life) and Objective 3 of Kent's Freight Action Plan "To effectively manage the routing of HGV traffic to ensure that such movements remain on the Strategic Road Network for as much of their journey as possible" and Objective 4 "To take steps to address problems caused by freight traffic to communities".

From the results of the public consultation the scheme has the general support of the local community subject to Claygate Road, Darman Lane, Spenny Lane, Pikefish Lane and Laddingford being included within the zone. The local community feel the scheme has improved their quality of life but the traffic survey carried out the County Council does not show any statistically significant change in the number of HGV's travelling through the area despite clear local perception that is has.

Some of the effects of the scheme could be seen as conflicting with one of the key priorities for the County Council as set out in Bold Steps for Kent which is helping the Kent economy grow. The amendments made to the scheme allowing the issuing of exemption permits and the proposal to extend the general exemption for agricultural purposes to include HGV's travelling through the zone should minimise the effect of the scheme on most local businesses but it cannot be totally mitigated against. Maidstone Borough Council did commission an Economic Impact Assessment regarding the scheme, but this was received by the County Council too late for the outcome to be reported in this report. It is understood an update will be provided at the meeting.

Members are asked to consider and compare the perceived benefits of the scheme to the quality of life of the local residents against the effects on the local businesses and make a recommendation as to whether to make the

scheme permanent and include Claygate Road, Darman Lane, Spenny Lane, Pikefish Lane and Laddingford or abandon the scheme.

6. Recommendations

On the basis of the consultation results that the majority of the local community wish to see the scheme retained subject to the inclusion of Claygate Road, Darman Lane, Spenny Lane, Pikefish Lane and Laddingford within the zone and that the issuing of exemption permits and the extension of the agricultural activities exemption minimises the schemes effects on local businesses it is recommended:-

That the Board recommends to the Cabinet Member for Highways, Environment and Waste that the scheme is retained with the inclusion of additional roads including Claygate Road, Darman Lane, Spenny Lane, Pikefish Lane and Laddingford and the agricultural activities exemption is extended to include HGV's travelling through the zone.

7. Contact details

Name: Andrew Corcoran
Title: Traffic Schemes & Member Highway Fund Manager
Tel No: 01233 648302
Email: andy.corcoran@kent.gov.uk