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Minutes of the meeting of the **SCRUTINY (POLICY AND PERFORMANCE) COMMITTEE** held at the Council Offices, Whitfield on Tuesday, 5 July 2016 at 6.03 pm.

Present:

Chairman: Councillor K Mills

Councillors: P M Brivio (as substitute for Councillor M I Cosin)
B J Glayzer
J M Heron
M J Holloway
M J Ovenden (as substitute for Councillor T A Bond)
M Rose
D A Sargent

Also Present: Councillor P M Brivio
Councillor N J Collor
Councillor D G Cronk
Councillor S J Jones

Officers: Director of Environment and Corporate Assets
Head of Community Safety, CCTV and Parking
Team Leader – Democratic Support

16 APOLOGIES

Apologies for absence were received from Councillors T A Bond, M I Cosin and R J Frost.

17 APPOINTMENT OF SUBSTITUTE MEMBERS

It was noted that in accordance with Council Procedure Rule 4, Councillors P M Brivio and M J Ovenden had been appointed as substitute members for Councillors M I Cosin and T A Bond respectively.

18 DECLARATIONS OF INTEREST

There were no declarations of interest made by Members.

19 HEAVY GOODS VEHICLES PARKING IN RESIDENTIAL AREAS OF DOVER

The Chairman introduced the following attendees who had accepted invitations from the Committee to speak on the matter of Heavy Goods Vehicles (HGV) Parking in Residential Areas of Dover.

<u>Attendee</u>	<u>Representing</u>
Mr C Allen	Head of Community Safety, CCTV and Parking, Dover District Council
Mr K Bown	Spatial Planning Manager, Highways England
Ms N Chapman	Head of Policy – London & South East, Freight Transport Association
Mr R Christian	Head of Communication, Port of Dover

Councillor N J Collor	Portfolio Holder for Access and Licensing, Dover District Council
Mr T Dixon	Operations Manager, MOTIS Freight Service Agency
Mr N Hammond	Truck Park & Site Manager, Priority Freight Ltd
Mr P Horne	Port of Dover
Councillor C Precious	Dover Town Council
Ms C Rampley	Manager, Infrastructure, Security & Business Affairs, Road Haulage Association Ltd
Mr J Ratcliffe	Transport Strategy Manager, Kent County Council
Mr P Sherratt	The Dover Society
Inspector G Thompson	Kent Police
Mr T Waggott	Chief Executive, Port of Dover
Mr R Walton	Director of Environment and Corporate Assets, Dover District Council
Mr S Yates	Graduate Transport Planner, Kent County Council

Apologies had been received from Councillor M Balfour of Kent County Council and Mr R Hardy of MOTIS.

Members of the Committee also introduced themselves for the benefit of those in attendance.

Dover District Council

The Director of Environment and Corporate Assets advised that the Council had the power to enforce parking restrictions but not to move on vehicles (except where parked on a footway) as that was a matter for Kent Police. The Council's Civil Enforcement Officers (CEOs) took enforcement action where breaches of restrictions were found but there were concerns that enforcement could displace problems from commercial to residential areas.

The Council would be consulting on introducing trial lorry parking bans in Channel View Road and Poulton Close, Dover.

Highways England

Mr K Bown advised that while Highways England did not have parking responsibilities it was involved in the lorry parking solution for Operation Stack and worked with Kent Police to ensure slip roads and lay-bys on the A20 and A2 were kept clear.

In respect of lay-bys, it was stated that these had been created based on older traffic needs and were unsuitable for HGVs. As a consequence a number of lay-bys had been closed on a temporary basis due to abuse by HGVs and dangers created by HGVs intruding into the carriageway from the lay-by. The long term aspiration for the dualling of the A2 at Lydden would result in the replacement of existing lay-bys with modern ones more suitable for HGVs.

Kent Police

Inspector G Thompson advised that the role of Kent Police was to enforce traffic regulations and it was aware of the problems with HGVs parking in unsuitable locations in Dover. Kent Police did not enforce yellow line restrictions though as this was a matter for the local parking authority.

All calls to the police were assessed based on harm to people using the THRIVE (Threat, Harm, Risk, Investigation, Vulnerability and Engagement) matrix and the

police attended calls where they could. The Committee was advised that Kent Police had responded to a call in Poulton Close, Dover in the last hour.

Port of Dover

Mr T Waggott advised that the Port of Dover was vital to the nation's infrastructure, handling 2 ½ million road haulage vehicles last year, and that there was no substitute capacity elsewhere in the UK.

The Port had developed a 4 kilometre 'buffer zone' which would hold 220 pieces of freight and was working with MOTIS to deal with freight traffic. There were also plans for an additional 6 kilometres of holding space as part of the development plans for the Port. However, the Port of Dover in one day in June 2016 handled 9,400 HGVs.

Members were advised that the key was to optimise the fluidity of the road network and examine the strategic issue of parking space which needed to be solved at a national level.

Road Haulage Association

The Road Haulage Association was working with Highways England and the Department of Transport to look at possible solutions. There was concern over the lack of suitable parking for HGVs and the use of lay-bys that were not fit for purpose.

There also needed to be additional information provided educate drivers as to where they could park and for the planning authorities to be receptive to the planning and building of new secure lorry parks.

In response to a question, the Committee was advised that the need for secure HGV parking had been discussed at a European level.

Freight Transport Association

The Freight Transport Association (FTA) represented UK companies only and European companies were represented by their own respective national organisations. In addition, the IRU was the international body representing transport bodies and associations.

The FTA was lobbying for more HGV parking with better facilities nationally and was aware that HGV parking in inappropriate places gave the industry a bad image. It was accepted that there was a need to tackle dangerous parking as a priority and the FTA supported Operation Kindle.

Due to security issues drivers were not taking rest breaks in France and therefore often had to take them in the UK. As a result there was need for better information for drivers, particularly foreign drivers, to direct them to suitable parking areas to take their rest breaks. This could include using Highways England road signage to identify parking areas for HGVs.

Priority Freight

Mr N Hammond advised that Priority Freight provided secure parking with facilities for 100 trucks and was full every evening. However, there was no room for expansion.

MOTIS

Mr T Dixon advised that MOTIS had the capacity to provide secure parking with facilities for 350 trucks at the Docks. There was demand for more secure parking as due to driving rules many drivers would need to park shortly after crossing the Channel.

He expressed support for enforcement action to tackle dangerous 'fly-parking' and advised that the majority of drivers were provided with money to pay for parking. A recent survey that had found 650 fly-parked trucks in Kent was cited as an illustration of the problem.

Dover Town Council

Dover Town Councillor C Precious emphasised that Dover was a residential town and not just a port and that the noise of HGVs parked on the streets was disturbing residents. In particular, Aycliffe received a lot of night parking and there was a need for better signage.

The Dover Society

Mr P Sherratt advised that there was a lot of illegal parking in Dover, particularly in the Coombe Valley Road area, and that enforcement action needed to be taken by Dover District Council to tackle it. The issue of an unauthorised lorry park in Coombe Valley was also raised. There was also a problem with HGVs parking on paths blocking safe access to Buckland Hospital for those travelling on foot.

It was suggested that multi-lingual leaflets could be provided to drivers on the ferry crossing to inform them of appropriate places to park. In addition, there was £56 million in the HGV levy fund could be utilised to find solutions to the problem.

Kent County Council

The Committee was advised that Kent County Council would be refreshing the 2012 Freight Transport Plan and consulting on an update to the Local Transport Plan.

A survey conducted for Kent County Council had found an average of 506 HGVs parked inappropriately on county roads across Kent with a peak figure of 650 HGVs on one day. There would need to be further analysis undertaken to identify if the private sector could meet this demand.

The 3 day average for the Dover District was 71 vehicles. Swale, Ashford, Tunbridge Wells and Tonbridge and Malling were found to have higher levels of inappropriate parking on county roads than the Dover District during the survey.

Members suggested that parish councils would be a good source of information on what was happening in their areas in respect of inappropriate HGV parking.

Traffic Assessment Project (TAP)

Mr K Bown advised that TAP was being reviewed following the creation of the buffer zone at the Port of Dover and it was hoped that a revised TAP could be introduced in the next few months once the necessary legal and environmental approvals had been gained. Overall, TAP was judged to be successful as it had kept freight free flowing and local traffic routes open.

The new scheme would involve changes to the speed and length of TAP and in the longer term there was an ambition to change the position of the traffic lights near Aycliffe.

In response to a question it was stated that the option of a variable speed limit was being investigated it would most likely be in the form of an on/off switch for the 40 mph limit as opposed to a motorway style variable speed limit. The Director of Environment and Corporate Assets advised Members that the Council had been lobbying the Government in respect of making a variable speed limit TAP a permanent feature.

Coombe Valley

Councillor S J Jones stated that there were 40 HGVs a night parking in the illegal lorry park in Coombe Valley in addition to 7 legally parked and 10 illegally parked on road. The consequences of 57 HGVs using the road each night was causing damage to the footpath and road surface and a longer term solution had to be found to keep HGVs out of residential areas.

The Director of Environment and Corporate Assets advised that the Council would be taking enforcement action in respect of an area of land in Coombe Valley that was being used as a HGV park.

The Chairman introduced two local residents who wished to address the committee in respect of the situation in Coombe Valley. They advised that the following issues were affecting residents:

- there were no toilet facilities in Poulton Close for HGVs and abandoned human waste needed to be cleared from the area;
- anti-social behaviour from HGV drivers towards local residents;
- the danger to pedestrians of kerb stones being displaced by HGVs parking on the footpath;
- concern that drinking by drivers at night while parked meant that they were over the legal limit when they drove the next day; and
- disruption of residents sleep due to the noise of lorry movements.

Kent Police were urged to visit the area at night to witness the anti-social behaviour and in particular the drinking of alcohol by drivers. In response, Inspector Thompson advised that drink driving was a serious matter and that it should be reported to Kent Police.

The Committee was advised that the footpath was considered part of the highway so vehicles parking on it would be committing an offence.

Lydden

Councillor M Rose informed the Committee that Lydden Hill was also a hot spot for illegal HGV parking and that road signs were being knocked over and road surfaces damaged as a result. In addition, HGVs had also driven through the village pond on several occasions.

In response to concerns expressed by Councillor M Rose that the Kent Police response to 101 calls on the matter was inconsistent, Inspector G Thompson advised that all calls over safety matters were taken seriously and if there were concerns with the response to 101 calls, Members could discuss the issues directly with him.

Sandwich

Councillor M J Holloway raised the worsening problem of foreign HGVs causing damage to properties and the infrastructure of the public realm in Sandwich.

The Freight Transport Association advised that the new weight restrictions in Sandwich had been passed onto its UK members and would be shown on HGV specific satnavs which considered size of the vehicle and weight restrictions in plotting routes unlike normal car satnavs. However, it was ultimately the responsibility of the driver to remain aware of road conditions and take action accordingly.

In addition, as each nation had its own transport association, the Freight Transport Association was unable to directly influence foreign drivers' behaviour.

Enforcement

The Committee was advised that Operation Fennel was a multi-agency strategic co-ordinating group which oversaw Operation Stack and Operation Kindle.

As part of Operation Kindle additional officers had been trained to enforce the moving on of unsafely parked HGVs and additional police officers had been trained to issue graduated Fixed Penalty Notices (FPN) where appropriate. A graduated FPN allowed police officers to take payment for a FPN on-the-spot using a credit card machine.

As parking enforcement was a civil matter it was the responsibility of local authorities since its decriminalisation. In contrast, in some European countries such as Germany parking enforcement was still a criminal matter and there were different rules on parking enforcement in other European nations.

The Committee was advised that with over 60% of cross channel freight being foreign registered and in the absence of a European wide register of vehicle keepers it was difficult for local authorities to enforce FPNs on the registered keeper of foreign vehicles. The Director of Environment and Corporate Assets stated that the key to the issuing of Fixed Penalty Notices was the ability to recover the fine otherwise there was no effective deterrent. Members questioned whether payment of outstanding FPNs could be recovered at the Port of Dover as the point of entry.

Members were informed of the pilot clamping scheme operated by Ashford Borough Council in conjunction with Kent County Council, where a HGV was clamped on the issuance of a fourth FPN. It was noted that the enforcement of clamping was not cost neutral in the longer term and there would be an enforcement cost to the Council if it was introduced. For a clamping scheme to be operated in the Dover District it would require Kent County Council to make a Traffic Regulation Order which would then be enforced by Dover District Council.

The effectiveness of waiting for a fourth FPN to be issued before clamping on changing behaviour was questioned by Members and the example of London where clamping was used for first offences was raised.

The impact of parking enforcement in other districts displacing the problem to the Dover District was discussed and in particular the new parking regulations in operation in Shepway.

The consensus of opinion amongst Members was that multi-agency targeted enforcement combined with education was necessary to tackle inappropriate and dangerous parking of HGVs in residential areas. The issue of displacement of HGVs as a consequence of enforcement action was considered and Members were of the

view that the enforcement of parking regulations in residential areas should be prioritised over industrial areas in general due to the impact on local residents.

RESOLVED: (a) That it be recommended to the Cabinet that:

- (i) That the Director of Environment and Corporate Assets be requested to investigate the feasibility of introducing a range of parking restrictions in the Dover District to tackle the problem of unsafe, illegal and anti-social HGV parking in residential areas and that a report be submitted to the 13 September 2016 meeting of the Scrutiny (Policy and Performance) Committee on the options available to the Council.
- (ii) That as part of the report the following matters be considered:
 - (1) That a survey of the district be undertaken to identify areas where HGV parking was a problem and investigate potential solutions including signage, traffic restrictions and clamping.
 - (2) That as part of the process of identifying problem areas parish council's be contacted. In addition, the Committee identified particular problems in Coombe Valley as well as issues in Lydden Hill and Sandwich.
 - (3) That as part of investigating the feasibility of clamping for HGV's found to be parked in contravention of parking regulations, the option of clamping on a first occurrence be considered as opposed to on the fourth occurrence as trialled in Ashford.
 - (4) That the Council investigate the feasibility of using the Automatic Number Plate Recognition system at the Port of Dover as a method of identifying foreign HGV's that have outstanding Penalty Charge Notices in the district.
- (b) That the work of Operation Kindle be promoted through the Council's communications and the @kentpoliceroads Twitter account be promoted through the Council's social media.
- (c) That any future revisions of the Council's Local Plan consider the need for lorry parks and the impact of HGV traffic growth on local infrastructure and communities.
- (d) That it be recommended to Kent County Council that the Freight Action Plan be maintained as a live document and regularly updated.
- (e) That the Cabinet be requested to organise a meeting with the Minister of Transport and Kent County Council to discuss the transport and parking issues facing the Dover District.

The meeting ended at 9.20 pm.