

Regeneration, Culture and Environment Overview and Scrutiny Committee

14 December 2023

Petitions

Report from: Adam Bryan, Director of Place

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Summary

This report advises the Committee of petitions received by the Council which fall within the remit of this Committee including a summary of the responses sent to the petition organisers by officers.

1. Recommendations

- 1.1. The Committee is requested to note the petition responses and appropriate officer actions in paragraph 4.1 of the report.
- 1.2. The Committee is requested to consider the petition referral request in section 5 and the Director of Place's response.

2. Budget and policy framework

- 2.1. In summary, the Council's Petition Scheme requires the relevant Director to respond to the petition organiser, usually within 10 working days of the receipt of the petition by the Council. Overview and Scrutiny Committees are always advised of any petitions falling within their terms of reference together with the officer response. There is a right of referral of a petition for consideration by the relevant Overview and Scrutiny Committee by the petitioners if they consider the Director's response to be inadequate. Should the Committee determine that the petition has not been dealt with adequately it may use any of its powers to deal with the matter. These powers include instigating an investigation, making recommendations to Cabinet and arranging for the matter to be considered at a meeting of the Council.
- 2.2. The petition scheme is set out in full in the Council's Constitution at [Council rules](#).
- 2.3. Any budget or policy framework implications will be set out in the specific petition response.

3. Background

- 3.1. The Council's Constitution provides that petitions received by the Council relating to matters within the remit of an Overview and Scrutiny Committee will be referred immediately to the relevant Director for consideration at officer level.
- 3.2. Where the Director is able to fully meet the request of the petitioners a response is sent setting out the proposed action and timescales for implementation.
- 3.3. For petitions where the petition organiser is not satisfied with the response provided by the Director there is provision for the petition organiser to request that the relevant Overview and Scrutiny Committee review the steps the Council has taken, or is proposing to take, in response to the petition.

4. Completed Petitions

- 4.1. The Response to petitions relevant to this Committee that have been accepted by the petition organiser are set out below.

Subject of petition	Medway Council's response
Medway Council to revisit the safety, security and wellbeing of users in such a way as to stop motorcycles and quad bikes accessing green space in Chestnut Avenue, Chatham.	The Public Space Protection Order addressing the issue of nuisance motorbikes is progressing and will be enforceable very soon. This will permit the Council and Kent Police to issue fixed penalty notice to those involved in such activities. We have also asked our Greenspaces contractor to carry out a feasibility study of placing restrictors/ barriers on the site to discourage access to vehicles and as part of our partnership programme we have asked Kent Police to undertake an increased level of engagements on this issue in this location.

5. Petition referred to this Committee

- 5.1. The following petition has been referred to this Committee because the petition organiser indicated that they were dissatisfied with the response received from the Director of Place.
- 5.2. **Traffic calming measures along the length of the Ratcliffe Highway from Fenn Corner to the Parish boundary with Allhallows.**

5.2.1. A petition signed by 123 people was received by Democratic Services on 19 October. The petition statement was as follows:

“We request that Medway Council urgently review the need for traffic calming measures along the length of the Ratcliffe Highway from Fenn Corner to the Parish boundary with Allhallows.

Not Only has the general volume of traffic along the road increased exponentially over the last few years, but since the expansion of the holiday park in Allhallows, there is a problem with traffic driving at excessive speed. We are convinced that measures must be taken to calm the traffic before inevitable serious injuries or fatalities occur.”

5.2.2. On 2 November the Director of Place responded as follows:

“Thank you for your recent petition requesting that the Council reviews the need for traffic calming measures along the Ratcliffe Highway between Fenn Corner and Allhallows.

The Council takes road safety very seriously and will investigate any instances where concerns regarding road safety are brought to our attention. We also continually monitor personal injury collision records, supplied by Kent Police, in order that we can work to target and reduce people being harmed whilst travelling on Medway’s roads.

To aid consideration of your petition, the safety history of Ratcliffe Highway has been investigated. It is typical for the recent history, usually a three year period, to be reviewed when investigating such matters. I can report that during the last three years of available police records, one injury collision has been recorded throughout this circa 4 kilometre section of road.

The Council works to support safe road use and prioritises safety interventions to help reduce and prevent harm on the highway. It is important that this done in an evidence based way, making best use of the resources that are available.

Following investigation of this matter, regrettably, there are other locations within Medway that are currently recording poorer ongoing road safety problems. The Council’s approach is to tackle those locations with poorest safety records in the first instance. We are therefore unable to progress the requested alterations at this time. Please rest assured the safety record of this location will continue to be monitored.

I should be clear that this does not mean we must wait for collisions before action is taken. Rather, the Council targets those locations that are already suffering safety problems as a priority.

In the meantime, if you feel that speeding is an ongoing issue at Ratcliffe Highway, you may wish to register any concerns for excess speed with Kent Police, who are responsible for the enforcement of speed limits. As you may be aware, their non-emergency telephone number is 101.”

5.2.3. On 16 November, the petition organiser requested that the matter be reviewed by the relevant Overview and Scrutiny Committee. The reasons for referral are as follows:

“This petition was signed by the majority of adult residents in the parish. We believe that the evidence base chosen to justify the Council’s decision is inadequate and fails to reflect the dangerousness of the road, in that relatively serious accidents are not recorded by the police as involving injury to person. As recently as 31st October 2023, a young driver crashed his car into an electricity pole at Shakespeare Farm Corner, destroying his car, the pole and cutting the electricity supply to several homes. When a witness went to check if he was hurt,he ran away.

Residents have told us of multiple incidents of damage to vehicles and property, where the guilty drivers have simply left the scene, and such incidents are being experienced with increasing frequency. Pedestrians tell us of being forced into hedges and roadside ditches and being verbally abused by drivers, when they protest.

Medway Council is committed to encouraging walking, cycling and use of public transport, but residents are turning to their cars because they feel unsafe. Parents have expressed their fears for their children walking along the road to the school bus stop.

I have lived on this road since we moved here in 1980. Other than the painting of white lines, improvements to the junction at Fenn Corner and the installation of “watch your speed “ indicators around the junction with Hall Road, I can think of no significant upgrades to what was and still is, an unclassified country road joining two villages.

The 40 mph speed limit is welcome but not enforced, being not comprehended, forgotten or simply ignored by a significant minority of drivers. With the expansion of Allhallows and especially the Haven, traffic volumes have grown exponentially over the last few years, and with planned expansion can only get worse.

If Medway Council is really serious about Road Safety, we believe that you should be looking at preventive measures to deter unsafe driving on rural roads, rather than waiting for serious injuries or deaths to occur. We also believe that deterrence could be done without incurring excessive costs.”

5.2.4. In response, the Director of Place has further commented as follows:

Thank you for your further representations in relation to this petition. I would firstly like to reiterate that all concerns for highway safety are taken seriously, and the Council works to promote and improve road safety wherever possible. I note that the Lead Petitioner’s additional comments mention collisions that may occurred more recently. There is a slight delay in such information becoming available to the Council. This is to ensure that the information is

validated. Should any collisions resulting in personal injury be reported to the police, this information would in due course be made available to the Council.

Medway Council and its local road safety partners strive to reduce road safety risks for all that use Medway's roads. We work year-round to promote road safety, provide road safety education to Medway's young people, and target higher risk road user groups. It is important, however, that we recognise that the public highway should always be thought of as presenting some level of road safety risk.

The Council also makes alterations to road in the interest of road safety, and I, of course, note that it is alterations to the road which have been requested via this petition. The resources available for such improvements are, however, not limitless. We therefore target the finite resources available for road safety improvements to those locations that are demonstrating an ongoing pattern of road casualties. This is in the interests of reducing casualties on Medway's roads. Not to do so would mean potentially preventable road casualties would continue.

This inevitably means that decisions do need to be made as to where investment can be supported, making best use of public funding available. Consideration of a particular road safety matter will therefore always include assessment of a location's safety history.

The Council recognises that this is a very important issue and concerning for the local community. Whilst prioritisation is necessary as has been set out above, the Council also seeks to act wherever possible. The Council has in the past introduced lower speed limits on this route, along with localised alterations to signs and verge markers. I can also update that additional localised enhancements are currently receiving attention following further engagement with the local community on this route. These further enhancements relate to supporting safe operation for vehicles and pedestrians around the Shakespeare Farm Road junction, through visibility improvement and new warning signage. Whilst these matters are continuing to receive attention at present, if it is possible to complete them, the works shall be carried out.

The Council is grateful for the additional comments submitted by the lead petitioner in connection with this petition.

6. Risk management

- 6.1. The Council has a clear scheme for handling petitions set out in its Constitution. This ensures consistency and clarity of process, minimising the risk of complaints about the administration of petitions.

7. Financial implications

- 7.1. Any financial implications arising from the issues raised by the petitions will be taken into account as part of the review of these matters. Actions referred to in the officer responses which are not within existing budgets, and any further

activity, would require Cabinet and Council approval for budgetary additions if funding was available.

8. Legal implication

- 8.1. Overview and Scrutiny Rule 21.1 (xiv) in the Council's Constitution provides that the terms of reference of this Committee include the power to deal with petitions referred to the Committee under and in accordance with the Council's petition scheme.

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Appendices

None

Background papers

None