

[A copy of this Notification was sent to each of HE, KCC and CCC]

**Address for responses**

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<p>Kent County Council Attn. Mr Mike Whiting, Cabinet Member for Planning, Transport, Hlghways &amp; Waste Invicta House Maidstone Kent ME14 1XX Also: Ms Sally Benge Mr Colin Finch</p> <p><a href="mailto:mike.whiting@kent.gov.uk">mike.whiting@kent.gov.uk</a> <a href="mailto:sally.benge@kent.gov.uk">sally.benge@kent.gov.uk</a> <a href="mailto:colin.finch@kent.gov.uk">colin.finch@kent.gov.uk</a></p>	<p>Canterbury City Council Planning Department Attn.Mr Ian Brown &amp; Mr Richard Moore Military Road Canterbury Kent CT1 1YW Also: Ms Ruth Goudie Mr Austin Mackie</p> <p><a href="mailto:richard.moore@canterbury.gov.uk">richard.moore@canterbury.gov.uk</a> <a href="mailto:ian.brown@canterbury.gov.uk">ian.brown@canterbury.gov.uk</a> <a href="mailto:ruth.gouodie@canterbury.gov.uk">ruth.gouodie@canterbury.gov.uk</a> <a href="mailto:austin.mackie@canterbury.gov.uk">austin.mackie@canterbury.gov.uk</a></p>	<p>Mr Kevin Bown Spatial (Town) Planning Manager Highways England Bridge House 1 Walnut Tree Close Guildford GU1 4LZ</p> <p><a href="mailto:Kevin.Bown@highwaysengland.co.uk">Kevin.Bown@highwaysengland.co.uk</a></p>
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By post and email

22 January 2018

Dear [       ]

**Notification**

**The signatories of this letter consider that Canterbury City Council, Kent County Council, and Highways England are in breach of their respective duties of care regarding:**

- 1. two unsafe road constructions proposed for the A28 junctions with the A2, and**
- 2. existing illegal pollution levels resulting from traffic on the A28 Wincheap, which will be increased by the proposed road constructions.**

1. The four residents' associations (RAs) that are signatories of this Notification, and scores of individuals in Canterbury, have responded with Comments to various planning Applications by developers to Canterbury City Council including, but not exclusively, the following:

CA/14/02891, Pentland Homes Ltd  
CA/15/01479, Pentland Properties Ltd  
CA/17/00519, Quinn Estates Ltd  
CA/17/02718, Pentland Properties Ltd

2. The RAs have also examined and commented in great detail upon several associated documents, including Drawings of proposed road plans, Safety Audits, Transport Assessments, and a Walking, Cycling & Horse-Riding Assessment & Review report. Most of these documents have been produced by developers' agents (in particular Peter Brett Associates) for their clients' purposes, but have been adopted by KCC and CCC in lieu of plans and surveys conducted by their own staff. This has resulted in the agents "marking their own homework", to their principals' benefit.

3. Thanington Without Parish Council has commissioned a Transport and Highways review from Railton TPC Ltd, which exposed profound errors in PBA's surveys of traffic movements and densities on the A28 through Thanington and Wincheap.

4. In addition to Comments posted on planning Applications, copies of reports produced by the Wincheap Society have been provided to KCC and CCC, as has the Railton Report, which is now available on [www.thanington-pc.gov.uk/reports/railtron.pdf](http://www.thanington-pc.gov.uk/reports/railtron.pdf). The Wincheap Society's reports are also posted on [wincheapcampaigns.wordpress.com](http://wincheapcampaigns.wordpress.com) (list included with this Notification).

5. Our concerns in these reports centre upon two main issues:

5.1 Proposals to construct a 4th off-slip from the coast-bound A2 and a contra-flow entrance into the London-bound A2 off-slip at their junctions with the A28, both of which involve dangerous sharp bends and the first of which involves all traffic exiting the A2 for the A28 east- or west-bound to negotiate a "keyhole" road layout manoeuvre including a 360-degree turn on a roundabout. Among other omissions, PBA's presentation of plans for these two constructions do not include assessments whether long commercial vehicles, including road trains and long semi-trailers (LSTs), can safely manoeuvre them.

5.2 KCC and CCC insist these constructions will be carried out before, and not after, implementation of the Wincheap gyratory relief road system and relocation of part of, and increased parking accommodation in, the Wincheap Park & Ride facility. They can provide no timetable for the gyratory system and the source of funding for it is unknown. We suspect it will never happen. There will be a considerable increase in traffic on Wincheap

a. from the new 4th slip road, and

b. from the 750 new dwellings and commercial / social buildings comprised in "Thanington Park" (plus 400 dwellings applied for by Quinn Estates, if that is approved).

Traffic density is currently intense on the A28 from Milton Manor roundabout through to the eastern end of Wincheap, and the resulting pollution reached illegal levels in 2010. This situation has yet to be remedied.

6. We consider our concerns on these issues as set out in our responses and reports to be well founded. We are dismayed and angered that they have been ignored or dismissed by KCC and CCC. We have been very disconcerted that Highways England has not picked up the omissions and evasions in reports and audits sent to them by the developers' agents, and has (so far) approved them. Furthermore, we consider it shameful that we have had to examine all these documents in fine detail, and continually challenge them in reports and responses, when KCC and CCC should be doing so on our behalf, to ensure the safety of the public.

7. Highways England, Kent County Council and Canterbury City Council operate under diverse statutory parameters, but all are required to adhere to a duty of care owed to the public. But when informed of their actual or potential breaches of that duty by us, they have responded with contempt - or not at all. We despair of a system of public consultation which has become an undemocratic farce. It seems that executive arms of local and central government can no longer be held to account by those without deep pockets.

**The statutory authorities have a duty of care to their residents as well as to the wider public. We believe that these schemes raise issues of road safety, general well-being caused by excessive traffic congestion, and air pollution at levels injurious to public health. With this Notification we put our concerns clearly on the public record now and, in the event of any future action or event relating to or resulting from a failure of the duty of care, we will not hesitate to use this letter, together with other documentation referred to within it, as evidence to highlight the failings of the statutory authorities in ignoring their responsibilities.**

**Signed:**

For The Wincheap Society  
Chairman, John Osborne

For Thanington Without Parish Council  
Clerk, Roger Cheeseworth

For the Hilltop Community Association  
Chairman of Trustees, John Richardson

For the Alliance of Canterbury Residents Associations  
Chairman, Clive Church

Wincheap Ward, Canterbury  
Councillor Charlotte MacCaul

cc. by email:

Rosie Duffield, MP Canterbury [rosie.duffield.mp@parliament.uk](mailto:rosie.duffield.mp@parliament.uk)

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