



COUNTY COUNCIL QUESTIONS AND ANSWERS

20 October 2016

This page is intentionally left blank

Question 1

COUNTY COUNCIL

Thursday 20 October 2016

**Question by Mike Harrison to Mark Dance,
Cabinet Member for Economic Development**

"Will the Cabinet Member for Economic Development explain just what will happen to our (KCC's) office in Brussels now that the dust is settling from the Brexit referendum. I am reliably informed that other counties are going to keep their offices ongoing as they feel there are still opportunities for funding streams."

Answer

Kent County Council has only one member of staff based in Brussels, who works from the Brussels office of the French region Hauts de France.

With a representation in Brussels, Kent County Council has secured more than £31 million EU funding since 2007 for Kent's small businesses, tourism, environmental protection and education and training.

Keeping this small but effective KCC presence in Brussels during the period of Brexit will help secure Kent's interests in the forthcoming negotiations.

And finally, it is worth noting that we are still bidding for European Funding and will continue to do so up until and hopefully beyond the time Article 50 is invoked as the funding contract period on monies received goes to 2020. We will review the decision post-Brexit.

COUNTY COUNCIL

Thursday 20 October 2016

**Question by Nick Bond to Matthew Balfour,
Cabinet Member for Environment and Transport**

“Six months ago I raised the issue of the dangerous practice of lorries parking and taking up whole lay-bys, the Council was advised that action was being taken.

Can the Cabinet Member tell the Council what action has been taken in the last six months.”

Answer

I am pleased to report that our work continues. We have undertaken lorry counts across the County in June and September and this has helped inform our work to identify potential sites for small commercial lorry parks.

We have commissioned consultants AECOM to re-visit the site selection work that they did for us on potential sites. By early November they will produce a commercial viability assessment for a short list of three to five sites in the North West of the county. This is the part of the county that will not benefit from the provision of 500 overnight lorry parking spaces at the Stanford West lorry area near Junction 11 of the M20 being delivered by Highways England as part of the solution to Operation Stack; 3,600 spaces in total.

Dangerous parking, wherever it might be, is a matter for Kent Police if it is an immediate risk to the safety of other road users.

Civil parking enforcement in Kent is a responsibility delegated to district councils but can only be done if there is a formal parking restriction backed by a traffic regulation order, yellow lines and signs. Inconsiderate parking where there are no regulations and done safely is unenforceable.

I have repeatedly asked the Government for powers to make it generally illegal for HGVs to stop for longer than a reasonable time other than in an authorised place, such as a goods yard or lorry park. However, the view of the Department for Transport is that we must use existing legislation which would require signing and lining, therefore Officers are working up a plan for how this could be implemented on such a large scale but I will continue to press Government for a more rational approach.

In addition, we continue to work with Kent Police, Highways England and district councils to address the problem. One such initiative is Operation Kindle whereby the Police remove dangerous and anti-socially parked lorries from the motorway network. Some Districts have implemented lorry bans and clamping.

COUNTY COUNCIL

Thursday 2 October 2016

**Question by Trudy Dean to Matthew Balfour,
Cabinet Member for Environment and Transport**

“Would the Cabinet Member for Environment and Transport please say what the Government’s current policy is with regard to assessing submissions from Local Authorities and individuals to Planning Applications on the basis of the impact of traffic generation?”

Could he in his reply include the cumulative effect of multiple applications feeding onto the same road network, and say what effect this policy has on the County Council's ability to obtain adequate contributions towards particularly road improvements, and the County Council's ability to influence the preparation of Local Plans.”

Answer

The Government policy which applies to how highway authorities advise on local plans and assess planning applications is contained within the 2012 National Planning Policy Framework. As highway authority KCC is a statutory consultee in the planning process, but not the final decision maker.

KCC is consulted when local planning authorities are developing local plans and will advise on transport strategies needed to accommodate growth and where necessary improvements should be secured.

Where our views are sought on planning applications, the Framework states that developments must be assessed in terms of their ‘*residual cumulative impacts*’. This means we must take into account the traffic generation from the established land use of the site and its’ highway impact in determining the net impact of the planning application.

We take account of the cumulative effect of developments which have been granted planning permissions when assessing projected traffic flows on the highway network, but in accordance with the Framework, applicants can only be reasonably required to put in place measures that mitigate the net impact of their proposal on the network.

The overall Government policy in this area is a presumption in favour of development to contribute to housing targets and facilitate growth. Development can only be prevented or refused on transport grounds where its’ impact is considered to be ‘severe’. The use of the word severe is not defined, but it effectively prevents highways authorities from recommending objections to proposals that could result in some worsening of an existing congestion problem.

COUNTY COUNCIL

Thursday 20 October 2016

**Question by Ian Chittenden to Matthew Balfour,
Cabinet Member for Environment and Transport**

“The number of sawn-off streetlight columns around the County seems to be on the increase, most have been taped and left for many months. Not only are they a blot on the landscape, but the lack of light in localised areas increases safety risk for both motorists and pedestrians.

Could the Cabinet Member for Environment & Transport advise when he expects all sawn-off street-light columns across the County will be replaced or removed?”

Answer

The decision to leave a sawn-off column rather than remove it is due to the additional time and cost needed for UK Power Networks to disconnect the power supply. With regards to the number of sawn-off streetlights across the County, I agree the numbers were increasing due to the delays in repairs and removals. However, I am pleased to say this number is now coming down and the overdue removal jobs should be completed by the end of December.

New orders for the replacement of sawn off columns is being dealt with through the new Street Lighting Term Maintenance Contract. I can confirm that replacements are progressing well and to schedule. Officers will continue to monitor the progress of the outstanding repairs and replacements, to ensure we are back on programme as soon as possible.

COUNTY COUNCIL

Thursday 20 October 2016

**Question by Roger Truelove to Roger Gough,
Cabinet Member for Education and Health Reform**

When LEA schools are deemed to be failing in some regard they risk management takeovers by Multi Academy Trusts. Do you agree that it would be appropriate when Multi Academy Trusts, such as Lilac Sky, have failed then the schools should return to LEA management, rather being passed on to alternative MATs with every possibility of further failure?"

Answer

It does remain the case that Local Authorities, as Michael Gove confirmed to the Education Select Committee a few years ago, are the provider of last resort. So, if a school failed and no suitable Multi Academy Trust (MAT) could be found as an alternative provider, the school would default to Local Authority maintained status. However, being realistic, it seems highly unlikely that the Government will go any further than this or indeed choose this course in the vast majority of circumstances.

Clearly if one MAT were to fail, it does not automatically mean that all MATs are likely to fail. However, I think that Mr Truelove's enquiry does raise the question as to whether there are enough good quality MATs in the system, particularly at this stage of their development. This was raised as part of Kent's response to the White Paper Education Excellence Everywhere that proposed compulsory academisation.

We are also examining the scope, through the education services company, for developing MATs that would have support from the Local Authority, so this may be a way of meeting some of the concerns behind Mr Truelove's question.

COUNTY COUNCIL

Thursday 20 October 2016

**Question by Rob Bird to Matthew Balfour,
Cabinet Member for Environment and Transport**

Up to now the works on the Maidstone Bridges Gyratory have progressed well and traffic flows have generally been well managed. Unfortunately, on Saturday 24th September scores of motorists spent 2 hours queuing to get out of the Fremlin Walk car-park because of congestion caused by the roadworks. We have recently learnt that this situation was exacerbated and prolonged because the Kent Highways Management Centre at Aylesford was not manned at week-ends.

Will the Cabinet Member for Environment & Transport please provide assurance that measures are now in place to ensure that such an unacceptable situation does not happen again here in Maidstone nor elsewhere in the county?"

Answer

Yes, I can provide assurances and I apologise to those caught up in the jams, but let me explain. The Maidstone Bridges gyratory started in June 2016 and is being phased to ensure that the majority of lanes are available during the peak periods. Construction work at weekends has been limited to minimise disruption.

On Saturday 24th September, no works were being carried out on the scheme and the traffic management arrangements were no different than on previous weekends. However as Mr Bird rightly says, motorists experienced delays in getting in and out of Fremlins Walk car park.

Officers quickly liaised with the Fremlins Management and concluded that a combination of factors caused the congestion which were:

- there were increased visitor numbers in Maidstone due to the close proximity to pay-day;
- drivers were not obeying the yellow box junctions causing obstructions;
- Kent County Council's Highway Management Centre is unmanned at weekends; and there a fault with the existing traffic signals which had been reported on this Friday.

Mitigating measures were agreed and put in place including for the immediate fix of the traffic signals, Highway Management Centre is to be staffed until completion of the project, and warning signs erected advising motorists not to block yellow boxes.

The site team continue to work with Fremlins Walk management in relation to programme and traffic management alterations. We have not received any further reports of congestion at weekends.

Maidstone Bridges project will be substantially completed by mid-November and we will see the new north bound lanes fully operational, which will be a huge benefit for the town.

COUNTY COUNCIL

Thursday 20 October 2016

**Question by Pam Brivio to Graham Gibbens,
Cabinet Member for Adult Social Care and Public Health**

Does the Cabinet Member for Adult Social Care and Social Care share the concerns of the Care Quality Commission who have warned that the quality and safety of social care services are at risk as care homes and providers pull out of the market because of funding issues?

Answer

In broad terms the basis of the concern stated by the Care Quality Commission is one that I, along with a number of key organisations, such as the Local Government Association, the Association of Directors of Adult Social Services and the County Council Network have also expressed due to the current financial pressures.

I am mindful of the long term effect of not addressing the fundamental underlying reasons, which is why I have pushed for the development of a new strategy, 'Your life, your well-being', as the basis for making sure that we can take forward the further integration of health and social care at scale and pace.

The new strategy has the vision of 'helping people to improve and maintain their well-being and to live as independently as possible'. This would be delivered by taking a fresh approach to how we work with care providers across the board, to ensure that we develop new models of care centered on effective care pathways and supporting and stimulating a diverse range of services. By making sure that we develop the right incentives for providers who are better able to meet and improve outcomes for people.

The development and use of community hubs is central to how services should be delivered in the future in line with the vision. They will be based around GP practices and establish strong links with care homes and providers. They will provide quick, coordinated access to a wide range of services, professionals and therapies close to or at home.

The implementation plan will give us the platform to fulfil the county council's market shaping responsibilities which means assessing the overall market position on a regular basis to maintain and sustain sufficiency of supply to meet the need of local residents with care and support needs.

I am confident that by redesigning how we do things we may be in position where care homes and providers continue to provide the valuable services that people depend upon.

