



County Council – 17 May 2018

Item 7 - Questions

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COUNTY COUNCIL

Thursday 17 May 2018

**Question by Emma Dawson to Graham Gibbens,
Cabinet Member for Adult Social Care**

Would the Cabinet Member for Adult Social Care please explain the importance of safeguarding to the Council and provide additional details for Members, in order that they can access the information relating to safeguarding and the added benefit the knowledge will bring to their own divisions

Answer

I am sure you are all aware how passionately I feel about this particular subject and I consider safeguarding, of both adults and children, to be one of the top priorities of the County Council.

The Care Act 2014, places a legal obligation on local authorities, and their partners, to discharge safeguarding obligations. Keeping people safe is a statutory duty of the whole Council, both Members and Officers. I stress, safeguarding is everyone's business and concern.

As Members may know, the Kent and Medway Safeguarding Adults Board, which is a body chaired by an Independent Chair, has been established as a statutory service. Its primary role is to ensure all member agencies are working together to help keep adults in Kent and Medway safe from harm, and ensure that all the necessary steps are taken to protect their rights as citizens.

In terms of accessing information relating to safeguarding, I would like to direct Members to the Kent and Medway Safeguarding Adults Board page on the www.kent.gov.uk/adultprotection website, where they will be able to access information on the duties of the Board as well as information on policies, procedures and about the people who are helped, in any given period.

I would also like to mention that, following the recent Cabinet Committee Member briefing session on Adult Safeguarding, I arranged for the Local Government Association 'Guidance on Safeguarding for Councillors' to be distributed to all KCC Members. It includes top tips on what Members need to know and the kind of questions to ask of those charged with day-to-day management of safeguarding.

Let me finish by saying that, in line with the Kent and Medway Safeguarding Adults Board's, "See it, report it, stop it" campaign, if you think another person in Kent is at risk of harm or abuse, please contact 03000 416161.

COUNTY COUNCIL

Thursday 17 May 2018

**Question by Barry Lewis to Mike Whiting,
Cabinet Member for Planning, Highways, Transport & Waste**

What plans do you have in the immediate future to introduce more power points for electric cars in the county?

Answer

Officers are working on developing an Electric Vehicle strategy for KCC. This will set out roles and responsibilities regarding power points provision and outline how KCC will help to promote the take up of electric vehicles. A draft is anticipated for September. The final Strategy will be agreed by Members.

COUNTY COUNCIL**Thursday 17 May 2018****Question by Martin Whybrow to Mike Whiting,
Cabinet Member for Planning, Highways, Transport & Waste**

Is it usual practice for KCC Highways not to undertake a feasibility assessment of schemes ahead of seeking developer S-106 funding, thereby running the risk that the funding will effectively be wasted, as has been the case with the £330,000 allocated for improvements at Newingreen junction, between the M20 and Hythe? Does he agree that, as the scheme was subsequently assessed as likely to cost £2 million, with no opportunity to gain the additional funding and with no ability to reallocate the developer money, that this sort of situation should be avoided at all costs so that communities can fully benefit from S-106 contributions?"

Answer

Mr Whybrow will know that the 1990 Town and Country Planning Act provides Local Planning Authorities with the right to negotiate obligatory contributions with developers on a case-by-case basis. For an obligation to be lawful it must meet the following legal tests:

1. it must be necessary to make the development acceptable in planning terms;
2. it must be directly related to the proposed development and
3. it must be fairly and reasonably related in scale and kind to the proposed development.

In the case of Newingreen junction, the Transport Assessment carried out by the developers of the "Nicholls Quarry" site identified the capacity problems and a requirement for a junction improvement. The contributions secured are from the Nicholls Quarry Section 106 Agreement, dated 21st May 2010. This secures £162,000 towards the upgrading of the Hythe Road / Ashford Road junction and £127,000 towards the Stone Street / Ashford Road junction. We received the funding on the 8th May 2015 and have 5 years to spend it, so until the 8th May 2020. With index linking we now have approximately £330,000 funding. This funding would be used towards flaring improvements on the Hythe Road and Stone Street arms, but traffic would still have to give way to Ashford Road.

With the recent draft site allocation of the Otterpool Park Garden Town in the Shepway District Local Plan and the Taylor Wimpey and Quinn Estates sites in Sellindge, it was logical to assume that the proposed improvements to the junction would not be sufficient to cater for future traffic demand and would become abortive works as part of the longer-term planning for the junction. KCC has therefore had a concept design drawn up and modelled.

It is highly likely that the £330,000 will be used against the larger scheme for preliminary designs and studies such as topographical surveys, detection of underground apparatus and environmental impact assessments in addition to the costing and design of the new junction itself, so it is unlikely that the funding will be returned to the developer.

Wherever possible KCC will seek to secure physical works carried out under a Section 278 Agreement by the developer rather than securing monetary contributions but - as with the above scenario, this is not always possible, and situations can rapidly change in the planning of new development which require the flexibility to adjust to a new set of circumstances.

COUNTY COUNCIL

Thursday 17 May 2018

**Question by Dan Daley to Mike Whiting,
Cabinet Member for Planning, Highways, Transport & Waste**

*Yellow Box Junctions serve a particularly important role in alerting drivers that these should be kept clear at all times and that traffic should not enter unless the exit is clear. I have noted that the yellow boxes protecting the complicated Bridge Gyrotory system in Maidstone are regularly ignored, seriously impeding the designed benefit of the scheme. Although not enforceable in Kent, many yellow box junction markings are beginning to wear out and need to be refreshed but I am informed that this action is not likely to be taken now due to the inability to enforce their use. Would the Cabinet Member agree that this situation is less than satisfactory and if they are not enforceable would he also agree that a better solution would be to replace these with universal **KEEP CLEAR** signage in white paint, which in other places seems to be more effective?*

Answer

I thank the Member for his question.

If drivers enter a yellow box when their exit is obstructed by stationary vehicles, whether in the road ahead or to either side, then they commit an offence which is enforceable by the police. Enforcement is not the responsibility of Kent County Council.

The suggested using of Keep Clear markings can be effective in some situations however, experience across the UK shows that box junctions offer the best benefit on junctions like the gyratory system in Maidstone.

KCC will always try to ensure that safety critical markings and priority congestion markings are kept refreshed and considers the gyratory markings to be a priority. There is an annual maintenance programme for refreshing or refurbishing such signs and lines, which is carried out during the summer. This programme has a particular focus on safety critical markings.

If members of the public do have concerns, they can report these using the on-line reporting function on the KCC website.

COUNTY COUNCIL

Thursday 17 May 2018

**Question by Antony Hook to Peter Oakford,
Cabinet Member for Strategic Commissioning and Public Health**

Following the Air Quality report presented to the Health Reform and Public Health Cabinet Committee on 1st May 2018 which stated that ‘The Director of Public Health has duties to improve and protect the public’s health and work on improving air quality..’, can the Cabinet Member for Strategic Commissioning and Public Health confirm, how many locations in the county have failed to meet recommended or legal standards of air quality levels and how that has changed compared to the previous year?

Answer

Thank you, Chairman and my thanks also to Mr Hook for his question.

KCC as a Public Health authority, has the responsibility for protecting and improving the health of residents. Air quality is the greatest environmental risk to the public’s health and this is recognised both nationally and locally. As an environmental risk, the responsibility for improving air quality lies with the District and Borough councils.

Since December 1997, District and Borough authorities in Kent have been assessing air quality in their areas to ensure compliance with national air quality objectives and EU ambient air quality directives. Where a district authority identifies an area or areas exceeding air quality targets and there is relevant public exposure, it is required to declare an Air Quality Management Area (AQMA) and to draw up an action plan to address the problem.

The latest data published are for 2016 and these show that there were 39 AQMAs declared in Kent County in 2016, an increase of 8 from the 31 declared in 2015. These AQMAs range in size from small areas to larger conurbations.

The Public Health team continue to work in partnership with many of the Districts and Boroughs, with academic institutions, and with colleagues in the KCC Growth, Environment and Transport Directorate on Kent-wide measures and strategies, and to understand local impacts of air quality on health, to support the improvement of air quality in Kent.

COUNTY COUNCIL**Thursday 17 May 2018****Question by Rob Bird to Paul Carter as Leader of the Council and
Cabinet Member for Traded Services & Health Reform**

The House of Commons Transport Committee has recently launched an inquiry to examine the potential effects of Brexit on UK freight operations and assess the preparatory steps operators, their customers and the Government need to take. Will the Leader confirm that Kent County Council will be making a representation to the Commons Transport Committee? And, in so doing, will the Leader make clear that this Council and the residents of Kent require the Government to ensure that there will continue to be frictionless movement of ro-ro freight through our Channel Ports and that Kent's roads will not be used as a lorry park?

Answer

I can confirm that Kent County Council are developing a response to the House of Commons Transport Committee Freight and Brexit inquiry call for evidence, into the potential effects of Brexit on UK freight operations and the preparatory steps operators, their customers and the Government need to take. We intend to make a written submission, alongside key partners including Kent Strategic Freight Group members and national bodies such as the Freight Transport Association. We will also be responding to the forthcoming Highways England public information exercise to address interim and permanent solutions for the M20 and vital lorry parking capacity in Kent.

Kent County Council's response will highlight that any changes to existing border and customs arrangements as a result of the Brexit negotiations between the UK and EU are likely to have a significant impact on Kent as a gateway county, including the ports, Eurotunnel and our surrounding transport networks. We will urge the UK Government to uphold their commitment to a 'frictionless as possible' border to continue to facilitate free-flowing trade and transport throughout Kent. Should traffic flow be disrupted due to delays at the port for any reason, the M20 and M2 must be kept open in both directions at all times. This will require timely decisions and appropriate investment by the UK Government.

COUNTY COUNCIL**Thursday 17 May 2018****Question by Ida Linfield to Susan Carey,
Cabinet Member for Customers, Communications and Performance**

The Council has already taken an active approach to ensure that residents find information about Council services on the website. The website must be both inclusive and accessible to ensure that all Kent residents are involved in decision making, are knowledgeable about the services that KCC can offer them and so are empowered to resolve their own concerns. Bearing this in mind, can the Cabinet Member for Customers, Communications and Performance please inform the Council if our website has the capability for the user to actually listen to content, as Kent Sport's site has and if not, what are the Council going to do to ensure that users can use such a service in the future? Will the Cabinet Member please also include in their answer if the Council has considered seeking accreditation for the Crystal Mark, which is the Plain English Campaign award, and similar to the accessibility standards that Conservative-run Dorset County Council have adopted to further enhance this feature?

Answer

Thank you for your question and the praise for KCC's active approach in helping our residents access council services on the website.

Kent.gov has been designed to meet high standards and is carefully evaluated before being published. Each year the Society of Information Technology Management (SOCITM) tests our site using mystery shoppers.. For the last 8 years we have been awarded 4 stars for quality, which is the highest category.

Kent.gov is designed to meet the W3C's (World Wide Web Consortium) Checklist for Web Content Accessibility Guidelines 2.0 and AA accessibility standards which make a website easier for those with disabilities to use.

We are not registered with Crystal Mark but everything written specifically for Kent.gov is written in plain English following the guidelines set out the Plain English campaign website.

There are many different types of screen reading software freely available (including the one used by the Kent Sport website) that can be used with the Kent.gov website. KCC believes that users should be free to choose one that best suits their needs.

KCC fully meets its statutory requirement under the Disability Discrimination Act of ensuring accessibility of design, layout and content and we are continuing to review the website to improve accessibility for all users.