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Dear Member

COUNTY COUNCIL - THURSDAY, 7 NOVEMBER 2024

Agenda Item No

5 **Questions (Pages 1 - 10)**

Yours sincerely

A handwritten signature in black ink, appearing to read 'Ben Watts', is written over a faint circular stamp.

Benjamin Watts
General Counsel

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Question 1

COUNTY COUNCIL

Thursday 7 November 2024

**Question by Barry Lewis to Dylan Jeffrey,
Cabinet Member for Communications and Democratic Services**

What is the total cost to the Council of engaging with Kent residents via public consultations? Furthermore, does the Cabinet Member think this process is value for money?

Answer

Consultations advice and guidance is provided to services across the council by a small team within the Marketing and Resident Experience department which is funded by the corporate centre. Beyond this, all costs associated with running individual consultations (such as promotional and tactical spend, running engagement events as well as analysis and reporting) are funded from the consulting services' own budgets. It is therefore difficult to calculate and quantify the exact total cost of providing consultations as this will vary in any given time period, however best use of resources is always considered such as low or no cost promotion (for example, for tactical spend media releases, e-newsletters, social media, posters and promotion through Members), that is informed by stakeholder analysis. Appropriate participation methods are required to make sure that target audiences are able to give their views.

KCC has a duty to consult when considering how to meet the Best Value Duty (Local Government Act 1999) and Common Law requirements, such as legitimate expectation and procedural fairness. KCC has a thorough approach to public consultations and to date, the council has not had any legal challenges involving consultation processes upheld.

These are the facts and whether I think the process is value for money is subjective; however, I will always strive to be fiscally responsible with our taxpayer's money and ensure we achieve the best engagement possible with the resources made available.

COUNTY COUNCIL

Thursday 7 November 2024

**Question by Paul Stepto to Neil Baker,
Cabinet Member for Highways and Transport**

In my division, on Lodge Oak Lane to the north of the junction with Tudeley Lane, a streetlight was replaced some time ago but, despite several requests, it has not been connected. This case has been recorded as a fault on the KCC system (enquiry number 625793). I have been informed that KCC's Streetlighting team is waiting for our contractor Equans to programme in the work. Equans in their turn are waiting for UKPN to arrange a date when they will set up the power supply. At present, no dates have been specified. Would the Cabinet Member kindly indicate when I might be able to tell residents that this light will be operational.

Answer

The KCC street lighting term services contractor identified the presence of metal ducting when installing the streetlight JLBQ019 in Lodge Oak Lane. They are not qualified to undertake work on this equipment and the connection needs to be carried out by UK Power Networks, who own the infrastructure.

I understand UKPN are arranging for the excavation of two trial holes. The first is to expose the cable in metal ducting and the second is to locate a potential connection point. This is planned to be undertaken on 25th November.

I have also been advised that UKPN has set aside digging and jointing teams for 4th and 5th December in anticipation of them being able to connect the streetlight.

UKPN is in the process of submitting permit applications to the KCC Street Works team for both dates.

COUNTY COUNCIL

Thursday 7 November 2024

**Question by Chris Passmore to Rob Thomas,
Cabinet Member for Environment**

Analysis by the BBC has found burning rubbish in giant incinerators to make electricity is now the dirtiest way the UK generates power. Almost half of the rubbish produced in UK homes, including increasing amounts of plastic, is now being incinerated, which scientists warn is a “disaster for the climate.” The analysis also found dozens of councils have clauses in contracts with waste companies which demand a minimum amount of waste to be sent to incinerators for burning, known in the industry as “deliver or pay.” Can the Cabinet Member please outline if such clauses exist in the contracts between KCC and operators of our Household Waste Recycling Centres (HWRCs), and how much waste is being incinerated for electricity production? In answering, can the Cabinet Member explain if the administration has any plan to reduce the amount of waste being incinerated, in line with our net zero policies?

Answer

Kent, like many other Local Authorities in England, use energy recovery as the main route of treatments for residual waste in keeping with the legal requirements of the waste hierarchy, where recovery is prioritised over disposal methods such as landfill. The BBC article has not considered all of the issues relevant to this topic. Figures taken from the Environmental Services Association’s response to this article, estimate that Energy from Waste (EFW), saves approximately 200kg of CO₂ per tonne of residual waste, compared to waste that is landfilled.

The Council’s contract for the HWRCs, includes the operation of these sites and haulage of waste to the Council’s designated recycling or disposal points. There is no minimum tonnage commitments included within this contract.

Separately, since 2005, the Council has a contract for the disposal of residual waste at Allington, run by FCC. This contract has a minimum tonnage commitment. At this time this was standard practice for contracts of this type as it involved the commissioning of new infrastructure. In 2023-24, the Council sent 331,594 tonnes through this contract.

FCC monitors emissions which continue to fall within the requirements of the permit granted by Environment Agency and engages with the local community through a Community Liaison Group. The Allington plant generates up to 43 megawatts of electricity supporting plant operations and powers 60,000 homes. Additionally, FCC is looking to develop a local district heating network which will further drive decarbonisation.

Our EFW contract is an essential to our waste disposal strategy, but we recognise that benefits of reducing waste to EFW including lower emissions and financial benefit. We promote waste reduction, reuse and recycling through initiatives such our ‘Nothing Wasted’ campaign.

As a waste disposal authority, we are preparing for waste reforms aimed at reducing waste and moving to a circular economy. We support the principal of extending producer responsibility beyond packaging waste to encompass additional materials.

COUNTY COUNCIL

Thursday 7 November 2024

**Question by Mark Hood to Neil Baker,
Cabinet Member for Highways and Transport**

The Cabinet Member will recognise the frustration of Kent residents and visitors when confronted with Road Closure signs, which frequently lack detail on proposed alternative routes, scheduling, or potential hazards ahead.

What steps can the council take to encourage utility companies and traffic management firms to add consistent and works-specific details to this signage to prevent unnecessary diversions and risk of harm?

Answer

All signage, and the size, colour and type, that is used on the highway is prescribed by The Traffic Signs Regulations and General Directions 2016. The Regulation are clear that road signs must be designed to be easily read, clear and succinct.

The regulations do not allow for diversion/alternative routes to be identified on a single sign as the sign would be too large and could cause road user confusion and could pose a highway safety hazard. There is also the need to be mindful of avoiding confusion by adding multiple signs, while ensuring key information is conveyed.

It is recommended that regular and strategically placed diversion route are signs placed along the route as this is deemed to be sufficient to warn, inform and to safely guide the prevailing traffic.

While there remains no ability to mandate that utility companies go further than these regulations, KCC Streetworks team do try to get companies to provide additional location specific signage as part of the permit process and where it is safe and sensible to do so.

COUNTY COUNCIL

Thursday 7 November 2024

**Question by Jackie Meader to Neil Baker,
Cabinet Member for Highways and Transport**

The Stagecoach bus service in Folkestone and Hythe District is being cut back more and more, buses are either overcrowded or there are three of the same buses travelling behind each other. There are constant cancellations, the app does not work correctly and several of the new proposed cuts to services are leaving residents isolated and unable to travel. Can the Cabinet Member please confirm how we as KCC engage with Stagecoach and other bus service providers? Can the Cabinet Member also confirm how residents should raise concerns about this issue with KCC to support engagement with the bus provider?

Answer

The majority of bus services in Kent are operated on a commercial basis, with no direct input or control from Kent County Council.

In regard to the network operated in Folkestone by Stagecoach, the majority of services are commercially provided.

In September of 2023 Stagecoach made significant changes to its Folkestone network as part of a plan to try to improve the financial viability of the network. And this also included the closure of Folkestone bus depot. At that time KCC stepped into to support the provision of a number of services, which would have been lost and that served a social need.

Since that time there has been no major network changes in Folkestone, with Stagecoach making operational changes to services, to improve reliability and/or address other issues arising from the September 2023 changes.

KCC Officers meet regularly with Stagecoach to discuss network/operational issues and to raise concerns regarding reliability and capacity. Stagecoach for their part will investigate and report back to KCC Officers.

Should a member of public have a complaint or concerns about a Stagecoach service, then in the first instance it is recommended that they contact Stagecoach directly. The Stagecoach website sets out how people can contact them or alternatively they can call 0345 241 8000. The Stagecoach customer contact centre is open between 8:00 and 18:00 from Monday to Friday and between 09:00 and 17:00 Saturday and Sunday.

COUNTY COUNCIL

Thursday 7 November 2024

**Question by Alister Brady to Neil Baker,
Cabinet Member for Highways and Transport**

The footpath at the top of St Thomas Hill in my division in Canterbury has been closed for over two years. It is on a busy stretch of road leading to two schools creating a dangerous situation for pedestrians. When will this reopen, and do you think two years is an acceptable duration of time to not have remedied the situation?

Answer

The footway adjacent to St Thomas Hill was left unsupported due to a private developer carrying out a large unsupported excavation on private land immediately adjacent to the footway. The footway had been showing distress following the excavation and eventually collapsed into the excavation—in October 2022. To safeguard the public KCC Highways closed the footway.

Alternative crossing points are located at either end of the closed section to ensure pedestrian access is maintained. The site is currently subject to a prohibition notice from the Health and Safety Executive (HSE) for both the unsafe excavation and the inappropriate proposed supports, the developer is not permitted to progress until such time as KCC Highway Structures are satisfied the proposal safeguards the highway appropriately.

KCC Highways teams have been engaged with the developer since May 2022, to approve a suitable temporary retaining wall to support the footway. Unfortunately, this has proven fruitless and as such we sought legal advice and duly served notice on the developer under S167 of the Highways Act in May 2024.

KCC is unable to step in and undertake works at this site as the issue is on private land and legally there very little opportunity in recovering costs from the developer. All current costs for legal action and staff time to date are considered unrecoverable.

The developer has failed to respond to the notice and has not provided a proposal for the temporary wall. KCC is now exploring further legal recourse, and this is likely to progress to the Magistrates Court.

COUNTY COUNCIL

Thursday 7 November 2024

**Question by Antony Hook to Roger Gough,
Leader of Kent County Council**

In January 2023, the Care Quality Commission rated the maternity services at East Kent Hospitals NHS Trust as inadequate. Babies' lives were lost at, or shortly after birth, who should have lived. As KCC is a member of the Integrated Care Board, can the Leader provide an update on progress to resolve these failures?

Answer

While we work alongside maternity services and the Integrated Care Board, this is not something that the Council can respond to in its role on the ICB.

I would recommend directing your request to the East Kent Hospitals Foundation Trust or NHS Kent and Medway. I am aware that this matter has previously been discussed at the Health Overview and Scrutiny Committee and is also due to be discussed again at the meeting on 28 January 2025 and would suggest raising your request for an update on progress at the January meeting.

COUNTY COUNCIL

Thursday 7 November 2024

Question by Rich Lehmann to Rob Thomas,
Cabinet Member for Highways and Transport

In July 2023, I asked the then Cabinet Member for Environment about the carbon emissions from the energy plant at Allington, which ranked second highest out of 57 incinerators across the UK in terms of carbon per kilowatt hour produced. The report stated that Allington's emissions were 24% higher in carbon than energy from coal-fired power stations, and around 100 times more carbon intensive than power produced by offshore wind. Following the recent news that the UK is no longer producing electricity from coal, and that the burning of household waste is now the dirtiest form of energy production in the UK, please could the Cabinet Member for Environment please provide an update on the latest carbon per kilowatt hour figures for energy produced by Allington Power Station, and whether any of the measures outlined in the previous Cabinet Member's response to my question last year have been successful in reducing the volume of waste sent for incineration?

Answer

The latest carbon per kilowatt hour for energy produced by the Allington Energy from Waste (EFW) plant has been provided by Kent Enviro Power as the quantity of CO₂ per Mega Watt hours produced and is 2.11 tCO₂/MWh.

The primary goal of EFW plants is to manage waste effectively rather than generate energy. When waste is landfilled, it releases significantly more greenhouse gases. In contrast, EFW plants reduce emissions by approximately 200 kg of CO₂ equivalent per tonne of waste treated.

EFW plants play a crucial role in waste management by treating waste that remains after recycling, ensuring it does not end up in landfills complying with the legal requirements of the waste hierarchy, which prioritises recovery over disposal methods like landfill.

Over the past decade, the increase in EFW facilities has significantly reduced landfill use, saving millions of tonnes of greenhouse gases. Kent is one of the best councils in the UK for diverting waste from landfill. EFW contracts are designed to handle residual waste that cannot be recycled, and high recycling rates can coexist with EFW.

Despite an increase in population and domestic waste received by KCC being up by 1.6% this year, KCC has introduced several initiatives to minimise waste incineration. These include food waste campaigns, installing a food waste bay at Church Marshes, and various community-based programs such as medical equipment take-back, recycling of books, pop-up reuse shops, and the commencement of the Allington reuse shop build due to complete in March 2025 to reduce overall waste disposal and diversion from the incinerator.

The Nothing Wasted campaign encourages the public to sort waste before visiting an HWRC, and resources on sites continue to split bags to ensure more recyclable materials are diverted from the waste stream before reaching the incineration stage.

Continued efforts from both the Waste Disposal Authority and the Waste Collection Authorities, along with collaboration and innovation, will be key to achieving long-term environmental goals.

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