

KENT COUNTY COUNCIL

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**ENVIRONMENT AND REGENERATION POLICY OVERVIEW  
COMMITTEE**

MINUTES of a meeting of the Environment and Regeneration Policy Overview Committee held in the Darent Room, Sessions House, County Hall, Maidstone on Tuesday, 20 January 2009.

PRESENT: Mr R Truelove (Vice-Chairman, in the Chair), Mr M J Angell, Ms S J Carey, Mr A D Crowther, Mr D S Daley, Mr M J Harrison, Mr R E King, Mr R F Manning, Mr J I Muckle, Mr R J E Parker, Mr R J Parry, Mr A R Poole, Mrs P A V Stockell and Mrs E M Tweed

ALSO PRESENT: Mr N J D Chard, Mrs T Dean, Mr K A Ferrin, MBE, Mr R L H Long, TD, Mr K G Lynes and Mr D Smyth

IN ATTENDANCE: Mr M Austerberry (Interim Executive Director, Environment, Highways and Waste), Mr D Cockburn (Executive Director, Strategy, Economic Development & ICT), Dr L Davies (Director, Environment & Waste), Mr R Hallett (Directorate Finance Manager), Mr D Thomas (Business Improvement Manager) and Miss T Grayell (Democratic Services Officer)

**UNRESTRICTED ITEMS**

**107. Membership**

*(Item )*

The Democratic Services Officer reported that, following the decision by County Council on 11 December that Lead Members should not serve on Policy Overview Committees concerned with their subject area, Mr A D Crowther had joined the Committee in place of Mr R L H Long and Mrs E M Tweed had joined in place of Mr C Hibberd.

**108. Interim Director of Economic Development**

*(Item )*

Mr D Cockburn introduced the newly-appointed Interim Director of Economic Development, Ms Claudette Forbes.

**109. Minutes of the Meeting held on 6 November 2008**

*(Item A3)*

RESOLVED that the Minutes of the meeting held on 6 November 2008 are correctly recorded and that they be signed by the Vice Chairman.

**110. Matters arising**

*(Item )*

## Minute 99 – Kent Regeneration Fund

Mr D Cockburn confirmed that the information relating to the increase in income from tourism was now available and would be circulated to Members of the Committee.

## Minute 105 – Highways Adoptions – Cold Case Project

(1) Members expressed disappointment that only 20% of the cold cases listed had so far been adopted. In discussion, Members gave specific local examples of problems and expressed the following concerns:-

- A road constructed ten years ago was still unadopted due to an ongoing row over who should pay the legal fees for the adoption process.
- Drains and manhole covers are left cracked and broken, in one case for nine years. A lack of maintenance gives a poor first impression to visitors to the area and may deter potential house purchasers. Members expressed the view that KCC has an obligation to force developers to maintain roads.
- Developers building fewer houses in the recession could divert time and energy to maintenance.
- Members considered having a special meeting to discuss this issue but ultimately agreed to delay this to allow time for more progress before looking at the issue again.

(2) Mr Ferrin advised that he expected only 40 cold cases to be outstanding by the end of the current financial year. In response to a request, Committee Members would be sent a list of those cases due to be addressed before the end of this year.

## **111. Notes of the Informal Member Group on the Medium Term Plan held on 24 November 2008**

*(Item A4)*

RESOLVED that these be noted. Participants were thanked for a very useful meeting. The Portfolio Holders' responses to the points raised at that meeting were appended to Item B3 on today's agenda.

## **112. Portfolio Holders' Updates**

*(Item B1)*

(1) Mr Ferrin explained that the arrangement for John Hobbs of Worcestershire County Council to undertake project work for Kent had been terminated by mutual agreement due to Mr Hobbs having taken sick leave following an injury shortly after starting work. Unfortunately, by the time Mr Hobbs would have been fit to return to work it would be too late for the project to be useful, so the arrangement had been cancelled. Worcestershire County Council and Mr Hobbs had been thanked for their willingness to help. In response to a question, Mr Ferrin and Mr Austerberry explained that the payment Kent had had to make to Worcestershire to cover Mr Hobbs' time was minimal, being about £600 per day for five days.

(2) Mr Ferrin confirmed to the Committee that the present interim appointments of Mr Austerberry and Ms C Bruce were still in place and would continue. He was very pleased with the way the appointments had worked out. Members welcomed Mr

Austerberry and invited him to meet the political groups. In response to a question, Mr Ferrin explained that there was no timescale at present for permanent appointments to be made but that, when the time came, such permanent posts would be advertised openly for competition. He emphasised that this was not because he had any doubt or lack of confidence in the interim officers, and confirmed to the Committee that interim directors had all the powers that would be held by permanent directors. He added that the last few years had been very difficult and stressful and assured Members that he had every confidence that, with the officers currently in post, the next six months would be very different from the previous three and a half years.

(3) Mr Ferrin and Mr Austerberry then went on to answer questions from Members about several other topics, as follows:-

- (a) *Public engagement by Kent Highways Services (KHS) officers.* Members reported that some local bodies had previously been advised that it was not the practice of KHS officers to attend evening meetings for bodies other than parish councils, but Members agreed that attendance would be very helpful. KHS had always been very helpful when attending parish council meetings, but many areas of the county did not have parish councils. Mr Ferrin expressed the view that, where any democratically elected body wished to invite KHS to a discussion of highways issues then KHS officers should attend, as long as an agenda item was specific and sufficient notice of it had been given so KHS officers could prepare properly and be ready to respond to questions. The volume of meetings that KHS officers were asked to attend should also be reasonable. *It was suggested that this issue be discussed further at a future meeting.*
- (b) *Officer Contacts.* Members had asked to be given contact numbers for Highways officers in their local area, such as those involved with PIPKIN projects, but these had not been forthcoming and Members had to contact the PIPKIN team via the Community Liaison Manager in their area. Mr Austerberry agreed that Members should be able to contact Kent Highways staff directly, but added that it was important for officers to ensure that all contacts made by Members with staff were still centrally captured and recorded. For routine matters, the most efficient system would remain for Members to continue to go via the Contact Centre. Members said they had experienced problems when ringing via the KCC Contact Centre to pursue questions on behalf of local residents as the Contact Centre staff was not familiar with Members and the way they worked.
- (c) *Developers income.* Mr Ferrin highlighted the need to consider that the reduction in development in Kent due to the recession might lead to a drop in income for KCC. This would be a particular issue for next year's budget.
- (d) *Winter salting.* Mr Ferrin said that in icy weather KCC would always salt roads where needed, regardless of the cost, and would not cut down salting to save costs. The only decision to be made was whether or not

salting was required. He expected this year's salting budget to exceed the sum previously estimated.

- (e) *EDF Energy and Street Lighting.* Mr Ferrin said that continued frustration was being experienced with the performance of EDF in repairing street lights, although he understood that a performance improvement protocol would shortly be signed between EDF, KCC other local authorities who shared the same problem.

(4) Mr Long, Lead Member for Regeneration & Supporting Independence, updated the Committee on the forthcoming launch of a Kent Leader programme called "Kent Downs and Marshes" in Ashford on 23 January 2009. This programme would make available (*via KCC?*) £400,000 of grants to small businesses and the rural economy of mid Kent over five years. Responding to a question, Mr Long said that details of the bidding process should become clear after the launch, but confirmed that anyone could bid for funding under this programme.

(5) Mr K Lynes outlined a number of projects he had been involved with and answered questions put by Members. He referred to the launch of KCC's Regeneration Framework earlier that morning and undertook to make available to all POC Members the "Unlocking Kent's Potential" document which related to this. Members had the opportunity to submit views during the initial consultation period of six weeks.

(6) The "Backing Kent Business" campaign had also been launched that morning, with KCC signing a formal agreement and action plan for joint working with partner organisations with the aim of providing the best possible support to local businesses through difficult times. KCC's webpages offered a link to the pages of various partner organisations.

(7) The Ashford Future Partnership Board (AFPB) *had been set up to allocate £4 million of growth area funding?* Much discussion had been going on with key partners to decide how to allocate the money, and Mr Hallett added that the financial modelling was very complex. Other KCC directorates were also involved in this and the issue was regularly discussed at Chief Officers Group (COG). *It was agreed that Ashford Members be sent copies of minutes of those discussions and meetings of the AFPB.*

(8) Partners in the development of Fastrack had met recently to discuss how to take the project forward. All were keen to extend the scheme, although the recession would inevitably slow down the development of Fastrack and related housing development.

(9) Mr Lynes also mentioned briefly other current projects for which he had been visiting and liaising with KCC's partner organisations, including the Port of Ramsgate, the Array Windfarm, Manston Park, the "No Use Empty" initiative and the Rendezvous site.

(10) RESOLVED that the updates be noted.

### **113. Financial Monitoring Update, 2008/09**

*(Item B2)*

(1) Mr Hallett introduced the report and highlighted key pressures and savings. Issues arising from discussion were as follows:-

(a) Members expressed disappointment that there had been a lack of progress on the Thameside Strategic Programme to support the growth which was still going on in the Thameside area. Mr Hallett explained that problems had been experienced in negotiating single agreements with partners. Although he explained that the amounts budgeted were relatively small, Members expressed the view that money allocated in a year should be spent in that year, as planned.

(b) Mr Ferrin explained that the Allington incinerator had now been handed over from the contractor to the operator, WRG.

(2) RESOLVED that the content of the report be noted.

### **114. Budget 2009/10 and Medium Term Financial Plan 2009/12**

*(Item B3)*

*(Mr N J D Chard, Cabinet Member for Finance, was present for this item)*

(1) Mr Austerberry introduced the Environment, Highways and Waste part of the Budget, highlighting the key elements in respect of proposed capital investment, and those impacting on the revenue budget. He emphasised that next year's budgets were being set against a very volatile economic climate and that the work of the Environment, Highways and Waste teams was very susceptible to changes in fluctuating oil prices. Nevertheless significantly increased sums had been found to direct towards front-line highways maintenance, and investment provided towards greater energy efficiency of the street lighting stock. Mr Austerberry, Mr Hallett and Mr Ferrin answered a number of questions from Members.

(2) Responding to a question from Mr Daley, Mr Hallett explained that income shown as coming from recyclables came from waste streams such as textiles and metals, which were still able to generate income. The market for paper and plastics was currently less buoyant and therefore the ability to generate income was more limited. Achieving the income targets would therefore need to be watched closely next year.

(3) Mr Hallett explained to Mr Muckle how changes in the Highways Maintenance Budget in the Committee report related to headings in the Budget document, as resources redirected from service units had been shown centrally this year. Mr Ferrin added that there had been a big redirection of funding this year. He gave the example of capitalising buses, of which the IMG had not been in favour but which had freed up very useful revenue which could be diverted to Highways Maintenance.

(4) Mr Parker welcomed the extra investment in vegetation control and asked about the budget for the maintenance and replacement of street trees. Mr Hallett explained that £870,000 had been allocated in the 2008/09 Budget for inspection and maintenance of street trees – *NOTE: Mr Hallett has clarified this figure with KHS and*

*he should have quoted £720k. The difference is a management fee from Jacobs, which covered more than just tree maintenance. This non-tree maintenance management charge should have been removed from the figure quoted.* Mr Ferrin added that no funding had been identified for replacing street trees, although some would certainly be needed. It was difficult, however, to identify how much would be needed.

(5) Mr Daley welcomed the investment in the maintenance of street trees and said he was pleased to see the street scene being taken seriously. He asked about the progress of a survey of street trees which he had been advised a while back was being carried out. Mr Ferrin reassured him that the survey was continuing. There were surveys currently ongoing on several things; for example, street lighting, and he highlighted the complexity of undertaking such surveys. For example, in the case of street lighting, it is necessary to identify the location of each light, to determine who is responsible for it (11,000 lights across Kent were not KCC's responsibility) and the type of lamp it used.

(6) Mr King welcomed the increase in the Highways Maintenance Budget. He then referred to recommendations made by the Flood Risk Select Committee and asked where in the Budget these would be covered. Mr Ferrin explained that much discussion had gone on since the Select Committee had published its report a year ago about what would be covered by the duties of the dedicated Flood Risk Officer post proposed by the Select Committee and from where the budget for it would be drawn. The post could be placed in Environment, Highways and Waste or in Emergency Planning. A major flood risk consultation by the Environment Agency, 'Thames 2100', was due to start in April 2009 and the outcome of this would also need to be taken into account when setting the job specification for the new post. Mr King commented that budget provision would have to be made regardless of where the post was to be placed.

(7) Mr Hallett then introduced the Regeneration part of the Budget and highlighted key changes in the way in which the Budget headings had been presented this year. He pointed out where savings made had allowed investment in other areas, for example, in apprentices, transport strategies, and the Supporting Kent Business project.

(8) In response to a question, Mr Hallett advised Mr Manning that funding planned to be allocated in respect of the Open Golf Championship at Sandwich would now appear in the budget for the 2010/11 financial year.

(9) RESOLVED that the information contained in the Revenue and Capital Budget report and the Medium Term Financial Plan for Environment and Regeneration, and given in response to questions put by Members, be noted, along with the issues raised by the IMG and the portfolio holders' written responses to them, which were appended to the Budget report.

## **115. Half Year Business Plan Monitoring 2008/09**

*(Item B4)*

(1) Mr Thomas introduced the report and pointed out that 88% of actions in the Business Plans were "on target" to complete in this financial year.

- (2) RESOLVED that the progress against Environment and Regenerations Annual Business Operating Plans for the period 1 April to 31 October 2008 be noted.

**116. Kent Highway Services – Performance Management – Measuring Success**  
(Item B5)

- (1) Mr Thomas introduced the report and said he was seeking Members' comments on what was to be included in the performance management report. He responded to comments and questions from Members on the following indicators:-
- *TS02 – EDF Street lighting.* Members welcomed the imminent signing of the agreement between Ofgen and EDF for Kent and were keen to know when the signing would actually take place and when the first quarterly report would be due. This would be reported to the POC and the Highways Advisory Board by Norman Bateman, Head of Technical services.
  - *SP11 & SP13 – responding to letters and outstanding service requests.* Members emphasised the importance of the public face of KHS and of maintaining good public relations.
  - *TD01 – Highways adoptions.* Mr Ferrin emphasised that he always dealt very quickly with requests for him as Cabinet Member to take decisions on highways adoptions, although Members expressed concern that KCC was doing enough to improve the state of its adopted roads.
- (2) RESOLVED that the content of the report be noted .

**117. Equalities in Environment and Regeneration Directorate - Annual Report**  
(Item B6)

*Mr S Bains, Equality and Diversity Officer, was in attendance for this item.*

- (1) Dr Davies introduced Mr Bains to the Committee, who explained that he had been appointed the Equality and Diversity Officer for the E&R Directorate on 18 December 2008. Dr Davies explained that the grading system for Equality Standard for Local Government was about to change from five bands to three. Kent was currently in band 3 and was aiming for Excellent in the new 3-band grading.
- (2) Members expressed concern that the grading system was to be changed before the original system had had a chance to settle in and that Members were being asked to endorse the leadership role that they could play without being clear of what that role entailed.
- (3) RESOLVED that:-
- (a) the new Equality and Diversity Officer be welcomed and his planned action for 2009, set out at paragraph 4.1 of the report, be endorsed, with the further actions set out at paragraph 4.2 of the report;

- (b) the leadership role Members could play in internally and externally promoting this agenda for E&R, guided by the new Equality and Diversity Officer, be endorsed, although Members expressed some concern that this role was not yet completely clear; and
- (c) it be ensured that equality and diversity is fully embedded in all E&R Business and Service Plans for 2009/10 through Members' scrutiny of these in the forthcoming months.

### **118. Environment and Regeneration Risk Register 2009/10**

*(Item B7)*

(1) Mr Thomas introduced the report and explained that staff at all levels of the Directorate were involved in identifying, assessing and managing risks.

(2) RESOLVED that the information given in the report, and in response to Members questions, be noted.

### **119. Select Committees - update**

*(Item C1)*

(1) The Democratic Services Officer introduced the report and explained that the deadline for Members and officers to suggest topics for Select Committee Topic Reviews had been extended from February to the 28 April meeting of the Policy Overview Co-ordinating Committee.

(2) RESOLVED that:-

- (a) the update on the Select Committee on Passenger Rail Services and the Minutes of the 'one year on' meeting of the Select Committee on Flood Risk on 13 November, be noted; and
- (b) suggestions for potential Select Committee Topic Reviews be put forward to the Policy Overview Co-ordinating Committee for its meeting on 28 April 2009.