

KENT COUNTY COUNCIL

ENVIRONMENT, HIGHWAYS AND WASTE POLICY OVERVIEW AND SCRUTINY COMMITTEE

MINUTES of a meeting of the Environment, Highways and Waste Policy Overview and Scrutiny Committee held at Oakwood House, Maidstone on Tuesday, 25 May 2010.

PRESENT: Mr C Hibberd (Chairman), Mr M Robertson (Vice-Chairman), Mr J R Bullock, MBE, Miss S J Carey (Substitute for Mr W Richardson), Mr A R Chell (Substitute for Mr R A Pascoe), Mr N J Collor, Mr J D Kirby, Mr S Manion, Mrs P A V Stockell (Substitute for Mr J Cubitt), Mrs E M Tweed and Mr M Whiting

ALSO PRESENT: Mr D L Brazier and Mr N J D Chard

IN ATTENDANCE: Mr M Austerberry (Executive Director, Environment, Highways and Waste), Mr J Burr (Director of Kent Highway Services), Mr S Allum (Mobility Management Team Leader), Mr N Bateman (Head of Technical Services), Mr D Beaver (Interim Head of Network Management), Mr B Haratbar (Head Of Countywide Improvements), Mrs S Kinsella (Street Lighting Team Leader), Mr M Sutch (Head of Planning & Transport Strategy), Mrs C Valentine (Community Delivery Manager) and Mrs K Mannering (Democratic Services Officer)

UNRESTRICTED ITEMS

1. Minutes - 25 March 2010

(Item A3)

RESOLVED that the Minutes of the meeting held on 25 March 2010 are correctly recorded and that they be signed by the Chairman.

2. Cabinet Member's and Executive Director's Update

(Item B1)

(1) Mr Chard gave a verbal report on the following issues:-

Kent Highway Services

Highways Capital Maintenance outturn; Weather damaged repairs to roads; Kent Permit Scheme; Kickstart; Traffic signals; Drainage; Road Safety – Ditch the Distraction; June and July Road Safety Campaigns; Kent & Medway Safety Camera Partnership.

Environment & Waste

Recent successful prosecutions through Clean Kent Partnership; Charter Mark for Customer Excellence; Flood Risk Management Officer; Country Parks.

Integrated Strategy & Planning

DaSTS Study London to Dover/Channel Tunnel; Lower Thames Crossing; Rail Summit; A21 Tonbridge – Pembury; Lydd Airport; South East Plan: Minerals Review; Minerals & Waste Development Framework; Local Development Frameworks.

(2) Mr Chard stated that, in future, a list of the issues intended to be included in his oral update would be circulated prior to the meeting.

(3) RESOLVED that the update be noted and a copy circulated to Members of the Committee.

3. Winter Service Consultation 2009/10

(Item B2)

(1) At the POSC on 23 March 2010, it was reported that a consultation process on the winter service for 2009/10 would be taking place commencing April 2010. The results of the consultation would be used to inform and improve the winter service policy and plan for 2010/11. District winter plans would be made available on line to county and district Members. The report set out those involved in the consultation. The independent polling organisation IPSOS MORI had been commissioned to conduct in depth interviews with Chief Executives and assess the results of on line surveys.

(2) An interim summary of the results from the district councils was set out in the Appendix to the report. Some of the key findings were:

- Different experience across the districts
- Most main roads were cleared and treated adequately
- During the first phase of the bad weather KHS was thought to be badly prepared but the second phase showed that learning had clearly taken place
- There was a need for local district plans
- Inconsistent communication
- Contact centre needed to respond better to residents
- The Winter Service Policy was considered to be a reference document
- District and KHS should come together for discussions on key priority areas
- Good pre winter meeting needed to identify local priorities

(3) The online fieldwork would be closed on 1 June and IPSOS Mori would submit their final report by 16 June. The final consultation report and an initial draft Winter Service Policy would be presented to the July POSC meeting.

(4) RESOLVED that:-

- (a) the contents of the report be noted; and
- (b) the results of the discussions that had taken place at the meeting be incorporated into the report that would be presented to the Committee in July.

4. Street Lighting Policy and Strategy 2010

(Item B3)

(1) Kent Highway Services (KHS) provided and maintained street lights, lit signs and lit bollards for the benefit of highway users and to aid crime prevention. However, there was no statutory requirement on highway authorities to provide public lighting. All do and therefore require a policy and strategy document to lay out the way in which lighting was provided and maintained.

(2) Street lighting had made great steps forward in the recent past as shown by the very positive responses given as feedback by county and district members and parish councillors in the tracker survey of December 2009. The performance had remained at a consistently high level for defects wholly in the control of KHS. To maintain the progress that had been made and to set out the service direction for the future, a new policy and strategy had been produced by the Street Lighting team.

(3) The policy and strategy had been designed to address the three main principles of the street lighting service -

- Energy and Carbon Emissions
- Maintenance
- Efficiency and Cost Reductions

(4) The proposed Policy document and the Strategy were attached as Appendices to the report. The hierarchy of the documents was very clear with the Strategy delivering the deal behind the Policy. Once the documents were approved, an Asset Management Plan would be created which would set out the levels of service to be delivered and the intervention criteria for maintenance that would apply.

(5) RESOLVED that the adoption of the Policy and Strategy for Street Lighting be supported and recommended to the Cabinet Member for adoption.

5. Policy for the Management of Obstructions and Temporary Items on the Highway

(Item B4)

(1) The report sought approval to a policy for the control and licensing of temporary items on the highway, including Advertising Boards and Tables and Chairs. The Enforcement Team had reviewed the previous Street Furniture Policy document and recommended updating current working procedures and improved control of obstructions on the highway. The main focus of the policy was to allow safe movement for pedestrians, those with buggies and those who had reduced mobility. Enforcement of the policy would be a key point, to remove items causing danger and a process of warnings and charges, ending in removal and disposal, where necessary, of items not licensed or not complying with licensing requirements.

(2) Details of the policy outline; charging and enforcement action were set out in the report. The proposals brought the control of A boards into line with current work practices, particularly in relation to Tables and Chairs which were already licensed,

rather than simply having operating guidelines. There were no major differences in approach and the proposals were both relevant and practicable in the control of A boards, to make the highway a safer place. The suggested fees were £65 per single A-board licence, (Tables and Chairs were currently £150 licence). A non-compliance charge of £47.50 would be applied, where a licence requirement or previous warning was not complied with. Licences were renewable on a yearly basis and would remain unchanged until such times as all licensing charges for highway activities were reviewed.

(3) Subject to the views of the Committee, it was proposed to recommend the approval of the Policy for Obstructions and Temporary Items on the Highway, to allow for licensing A-Boards on the highway as outlined in the report, also for charging of annual fees for A-board or Tables and Chairs licence and of a non-compliance charge to cover the cost of an inspection for any items on the highway, where a premise had after warning, failed to comply with what was required of them, whether through licence or formal warning. This would support the current approach being developed to improve control measures used for items on the highway, helping KHS to continue to provide a better experience for all highway users.

(4) RESOLVED that the Cabinet Member for Environment, Highways and Waste be recommended to approve the Policy for the Management of Obstructions and Temporary Items on the Highway.

6. Cycle Kent 2010

(Item B5)

(1) Cycling was a low cost form of transport that offered numerous benefits for the people of Kent. Investment in cycle infrastructure was extremely cost effective with a reported benefit to cost ratio of at least 3:1 and often higher. Much had been done to meet the targets outlined in the Local Transport Plan for Kent 2006/11 (LTP). However, continued investment in a safe, high quality cycle network, training and promotion was required to significantly increase the number of people choosing to cycle on a regular basis. *Cycle Kent 2010* brought together a new strategic approach with support from national and local stakeholders to ensure that a well planned network that was popular, safe and convenient to use was achieved.

(2) The report outlined the rationale for investing in and supporting a growth in cycling. It highlighted achievements and steps being taken to meet the target to increase cycling trips in Kent. Additionally, Members were invited to attend and support a major event called **Cycle Kent 2010** on 18 June at Shorne Woods Country Park which would showcase cycling to key national and local decision makers.

(3) Whilst much had been achieved to date, it was important that the impetus was maintained and strengthened through further co-ordinated and joint working with partners. To this end, all County and District Members had been invited to attend *Cycle Kent 2010*. This important event for decision makers offered a unique opportunity to meet and question key figures from Cycling England, Sustrans, Department of Health and Britain's Olympic Team. The aim of the event was to maximise the potential of cycling in the county by bringing key stakeholders together to form a new Kent wide partnership and working group that would produce and drive forward a countywide cycling development plan.

(4) Cycling offered a unique combination of well documented benefits for the people of Kent. Benefits included improved health, well-being and fitness as well as delivering reductions in pollution and congestion. In addition, investment in cycling was cost effective and had wide public support.

(5) RESOLVED that:-

- (a) the work undertaken to date to develop and promote cycling initiatives in Kent be noted; and
- (b) the *Cycle Kent 2010* event on 18 June 2010 be endorsed and supported.

7. The Minerals and Waste Development Framework Informal Members Group (Item B6)

(1) The Planning and Compulsory Purchase Act 2004 required the County Council to prepare a *Minerals and Waste Development Framework* (MWDF). This would contain policies and proposals for minerals and waste planning over the next 15-20 years. The MWDF would take into account the waste collection and disposal by KCC and the District Councils, but was at arms length from them. The programme for preparing the MWDF was set out in a *Development Scheme* (DS) approved by Government in May 2009.

(2) When it was adopted, the MWDF would become part of the statutory development plan, alongside the District Council *Local Development Frameworks* and the *South East Plan*. The MWDF was therefore a *Framework Plan* that set out the County Council's policy. Decisions on the policy direction at critical stages of the process, and the adoption of the MWDF were therefore matters for the POSC and the full Council.

(3) The MWDF had considerable technical content and its preparation would extend over about three years up to adoption of the Core Strategy, with the Sites Development Plan Document following immediately after this. The MWDF must be adopted by the full Council, and the route for such a policy document was through the EH&W POSC. The Informal Members Group included members of not only the POSC but also the Planning Applications Committee with experience of minerals and waste related developments. During the preparation of the MWDF the IMG might wish to invite other Members to attend for particular matters. The terms of reference; functions; and programme for the IMG were set out in the report.

(4) RESOLVED that the terms of reference; operation; and programme for the MWDF Informal Members Group be noted.

8. Passenger Rail Services (Item B7)

(1) Following the completion of the Channel Tunnel Rail Link (HS1) in 2007, full domestic services between Kent and Stratford/St. Pancras using the high speed line were introduced from 13 December 2009. At the same time Southeastern completely

revised the timetable for all its services in Kent, South London and Sussex. The report updated Members on passenger rail services following the extensive timetable changes in December 2009.

(2) The Strategic Rail Authority (SRA) had consulted on a draft train specification for the Integrated Kent Franchise (IKF) in February 2004. The specification outlined the proposed number of trains per hour between stations in the peak and off-peak periods. The County Council responded to the draft, objecting in particular on proposals for the:-

- Loss of the Maidstone to Cannon Street service
- Loss of off-peak services at many smaller rural stations
- Reduction of services on the North Kent Line (NKL) to London termini other than St. Pancras
- HS1 services extending only as far as Folkestone Central station

(3) Despite intense lobbying from MPs, Maidstone and Tonbridge and Malling Borough Councils as well as the County Council, the Maidstone – Cannon Street services were cut from December. There were also fewer services from stations east of the Medway Towns on the NKL to Victoria and Charing Cross/Cannon Street and the journey times were now longer compared to the pre-13 December situation as more intermediate stops were made.

(4) Kent County Council held a Rail Summit on 25 March which involved Southeastern, Network Rail, Passenger Focus and rail user groups. Follow up meetings between the County Council and individual rail user groups were planned.

(5) At the Stakeholder meeting on 5 May, Southeastern discounted the likelihood of any significant changes being made in the current franchise which ran until 2012, with a possible extension to 2014 if performance targets were met by the train operator. Southeastern's revenues had not increased as forecast in the franchise agreement due to the recession and the delays in housing and employment development - particularly at Ebbsfleet and Stratford. Indeed, Government had had to grant Southeastern additional subsidy recently to compensate for the loss in revenue.

(6) As the last Government and Southeastern had refused to reintroduce the Maidstone to Cannon Street services, and to enable the High Speed services to stop at Deal, it was necessary to lobby the new Government. In addition, it was imperative that very strong representations were made to the Government to influence the train specification for the next franchise starting in 2014 to ensure that the current deficiencies in rail services were corrected. Specifically for services to and from Maidstone, options for improved services included reinstatement of the Cannon Street service: an all-day service to Blackfriars, City Thameslink, Farringdon and St. Pancras before or after the Thameslink scheme was completed; or the extension of high speed services to Maidstone West, via Strood.

(7) RESOLVED that the contents of the report be noted.

9. The Transportation and Safety Package Programme 2010/11

(Item B8)

(1) Kent County Council's (KCC) local transport funding for 2010/11 was determined by the Department for Transport (DfT) in November 2007 as part of its assessment and settlement announcement regarding Kent's transport strategy, the Local Transport Plan (LTP). The funding had been provided to support local transport schemes that delivered the LTP, which itself set out the County Council's approach to achieving a number of key transport objectives.

(2) Kent's LTP funding for 2010/11 included a capital allocation of **£11.065m**, this consisted of borrowing approvals and grant and was intended for the implementation of Integrated Transport (IT) schemes. It was proposed that the total spend on IT schemes in 2010/11 was **£8.752m**; the balance was required for overhead costs including the cost of Over-run Scheme (schemes started in the latter part of 2009/10 and being completed in early 2010/11 financial year). Of this **£2.625m** was required to complete the 2009/10 programme, which included those schemes that were deferred in order to provide additional funding for maintenance. This resulted in a budget for implementing specified new schemes of **£6.052m**, which included an allowance of £50k for additional Casualty Reduction Measures (CRM) likely to come forward during the year and a small contingency reserve. The new schemes proposed for 2010/11 were set out in Appendix 2 of the report. The remaining £75k would be used to fund forward design work needed for planned 2011/12 schemes. The original allocation for new schemes in 2008/09 was £9.952m.

(3) The Transportation and Safety Package Programme for 2010/11 had been devised using Kent's Scheme Prioritisation System (SPS). All scheme proposals had been subjected to a formal assessment and had been prioritised in accordance with their likely impact and wider contribution towards Kent's strategic and local transport objectives.

(4) RESOLVED that:-

(a) the Cabinet Member for Environment, Highways and Waste be recommended to approve the proposed Transportation and Safety Package Programme for 2010/11, as set out in the Appendices to the report; and

(b) the Joint Transportation Boards receive updates on the approved schemes in their areas.

10. Future of Highways - Procurement Update

(Item B9)

(1) On 21 April 2010, the Cabinet Member for Environment, Highways and Waste informed all county members that a decision had been made to procure a new highways maintenance contract. The report provided further information for members' interest, together with an Indicative Timeline.

(2) The main term maintenance and consultancy contracts were re-tendered in 2006 and the three contracts shown in Figure 1 of the report, were awarded with an initial five year term to 2011 with possible annual extensions to 2016. For some months the

Executive Director for Environment, Highways & Waste had been reviewing the highways procurement strategy and developing options for future service delivery with the Cabinet Member and other key stakeholders. The debate had centred on value for money and delivery. As a result of the review work, the decision had been made to re-procure the existing maintenance contracts.

(3) There would be a highways core services contract(s) for routine maintenance to be awarded in early summer 2011, with the following scope:

- routine maintenance (carriageway, footway, structure repairs);
- winter service;
- emergency and out of hours response;

It was essential to have such a core services contract to provide an adequate resource (vehicles and drivers) to deal with any eventuality and especially throughout the winter service.

A 'competitive dialogue' process would determine whether other services should also be included in the core services contract to drive greater economies of scale and deliverability resilience.

(4) Officers were currently preparing the contract notice that would appear in OJEU (the Official Journal of the European Union) and this would seek expressions of interest in the contract. Significant interest was expected, and a Suppliers' Day was planned for 8 June to give prospective bidders the opportunity to hear more about the County Council's requirements and the procurement process. An invitation to the session would be extended to members of the POSC and a further update would be presented at the July meeting.

(5) RESOLVED that:-

(a) the content of the report be noted; and

(b) Members inform the appropriate officers whether they wish to attend the Suppliers' Day on 8 June.

11. Select Committee - Update

(Item C1)

Select Committee: Renewable Energy

(1) Further to Minute 9 of 25 March 2010, the Select Committee had continued with its evidence gathering meetings; attended conferences; and made visits that included Pine Calyx, nr Dover and Renewable Energy Systems Holdings Limited. The Select Committee was now looking to form its recommendations and write its report by the end of July.

Suggestions for Select Committee Topic Reviews

(2) The Scrutiny Board at its meeting on 24 February 2010 received an update on the current Select Committee topic review programme. Although resources to support reviews were all currently allocated, there would be the potential to start new reviews in November 2010 and January 2011. It was agreed that Members be asked

to consider whether there were any topics that they would like to put forward for consideration for inclusion in the future topic review programme.

(3) RESOLVED that:-

(a) the report be noted; and

(b) Members submit any suggestions for the 2010/11 Select Committee Topic Review Programme to Karen Mannering.