

**ENVIRONMENT, HIGHWAYS AND WASTE CABINET
COMMITTEE**

MINUTES of a meeting of the Environment, Highways and Waste Cabinet Committee held in the Darent Room, Sessions House, County Hall, Maidstone on Wednesday, 4 July 2012.

PRESENT: Mr D L Brazier (Chairman), Mr N J Collor (Vice-Chairman), Mr J R Bullock, MBE, Mr G Cowan, Mr M J Harrison, Mr W A Hayton, Mr C Hibberd, Mrs J P Law, Mr R F Manning, Mr M B Robertson, Mr C P Smith and Mrs E M Tweed

ALSO PRESENT: Mr B J Sweetland

IN ATTENDANCE: Mr M Austerberry (Corporate Director, Environment and Enterprise), Dr (Climate Change Project Manager), Mrs C Arnold (Head Of Waste Management), M D Beaver (Head of Network Management and Performance), Mr J Burr (Director of Highways and Transportation), Ms (Transport Strategy - Delivery Manager), Mr W Forrester (Head of Gypsy & Traveller Unit), Jeffery (Traveller Engagement and Operations Manager), Mr A Kamps (Principal Accountant), Mr T Martin (Strategy Manager), Ms C McKenzie (Sustainability and Climate Change Manager), Mr S Palmer (Head of Highway Operations), Mr T Read (Head of Highway Transport) and Seare (Highways and Transportation)

UNRESTRICTED ITEMS

14. Minutes of the meeting on 11 May 2012

(Item A4)

RESOLVED that the Minutes of the meeting held on 11 May 2012 are correctly recorded and that they be signed by the Chairman.

15. Fees & Charges for Highways & Transportation

(Item B1)

(1) The report detailed a number of proposed adjustments to the Fees & Charges for the services provided by Highways & Transportation. KCC recovered its reasonable costs of supplying certain services; which prevented the Authority subsidising services where external organisations re-charge clients. Most of the existing service fees & charges had been held at the same level for the last 3 years whilst inflation had exceeded 4% per annum. Despite some efficiency savings and relatively small staff salary increases, the cost of providing the services had increased. If fees did not cover KCC's costs then services would need to be reduced or stopped all together. A copy of the full schedule of Fees & Charges was attached as Appendix 1 to the report. It detailed existing charges, statutory or contractual services and proposed new chargeable services.

(2) Subject to approval for all highway charges, a revised schedule of the Fees & Charges would be published on the KCC website. The new rates would apply from 1 September 2012 and would be further reviewed each financial year.

(3) RESOLVED that:-

- (a) the adjustment of existing charges as set out in Appendix 1 of the report, be endorsed;
- (b) the fees and charges for statutory or contractual services be noted; and
- (c) the Cabinet Member be recommended to introduce the proposed new chargeable services.

16. Managing Events on the Highway

(Item B2)

(1) Local community events were an important part of Kent's culture and often took place on the Highway. The events needed to be managed safely with minimal traffic disruption, whilst still enabling the event to take place wherever possible. Kent Police had recently withdrawn their support to control traffic at most events which had caused additional burdens and costs for event organisers. The report discussed the impact of the Police's policy change and set out policy options for KCC involvement in future events.

(2) The Traffic Management Act 2004 placed a statutory Network management Duty on traffic authorities such as KCC to secure the expeditious movement of traffic, which included the need to ensure that actions of others, e.g. event organisers, did not cause unnecessary disruption to the travelling public. There were between 700 to 900 events held on Kent's road network each year and most required some form of temporary traffic control to enable them to take place. Many events required roads to be closed and closing a public road without a lawful closure order was illegal.

(3) There were two sets of legislation that could be used to authorise road closures for events: The Road Traffic Regulation Act 1984 (RTRA 1984) and the Town Police Clauses Act 1847 (TPCA 1847). The use of the Road Traffic Regulation Act 1984 to close each road was restricted to once per year unless special consent was obtained from the Secretary of State. All recent requests for Secretary of State consent had been granted.

(4) Prior to 2012 traffic control during road closures at most events was carried out by a Kent Police presence. District Councils were able to request a Police presence when a road was closed using the TPCA 1847. Kent Police had now, inline with a national Police directive, withdrawn presence at most events (excluding Remembrance Day, veterans' day events or military funerals).

(5) The report referred to the rules on placing temporary signs on the highway which were set out in the Traffic Signs Regulations and General Directions 2002; current procedures for applications to hold events on the highway which were

processed by the Roadworks Team within Highways & Transportation; and current costs to event organisers, including advertising costs, administration costs and supply of signs.

(6) Options for future County-wide policy were -

Option 1

KCC maintained current situation where we acted in an advisory role for the event organiser, only advising on suitability of measures to minimise traffic impact and reduce safety risk. This did not provide the event organisers any funding support but publishing the policy would manage expectations and help avoid KCC being criticised for the impact of the Police's change in policy.

Option 2

As option 1 but KCC to contribute towards a signing equipment stock for District Councils to manage and distribute as required for events in their areas. This assumed that in accordance with localism principles District Councils would be best placed to promote and manage local events to support the diversity and the culture of their areas. A one-off grant to every District Council to acquire signs and cones would equate to a total estimated cost of £10,000 to be found from existing budgets. However, this would require District Councils to sign up to the proposal following development and consultation with them.

Option 3

KCC fully supported all non profit making (charitable) events with assistance on design of traffic management plans and provision of necessary signage across the county. This would require additional funding and resource from KCC - e.g. sign costs, storage, maintenance/replacement, staff resource (estimated 2 FTEs) and transport. A full assessment would be required to determine the amount of signs required to enable this to be carried out countywide. However, the total estimated annual cost to KCC was likely to be in excess of £100,000, a considerable new budget pressure which would inevitably mean a reduction in service levels elsewhere.

(7) RESOLVED that:-

- (a) a formal request to Kent Police to review their change in policy and continue to provide traffic control support for events be supported;
- (b) policy option 1 above be recommended to the Cabinet Member; and
- (c) the report and draft minute be circulated to the next round of JTBs for information.

(Following on from item B2 (Managing Events on the Highway), it was agreed that a formal request be submitted to Kent Police to review their change in policy and

continue to provide traffic control support for events. Please see the relevant correspondence attached to these minutes)

17. Gypsy and Traveller Pitch Allocation Policy

(Item B3)

(1) The report detailed the outcomes of a consultation over a proposed new Traveller site pitch allocation policy for sites both owned and managed by KCC, and proposed a revised policy for Cabinet Member decision. It described the proposed new policy, and highlighted the key points arising from the consultation.

(2) KCC's objective in owning and managing sites for Gypsies and Travellers was to provide a high quality site pitch for those in need. Allocation of pitches must comply with relevant legislation and case law, in particular the Equality Act, 2010, the Human Rights Act 1998, and allocation decisions must be "reasonable" "fair" and "proportionate". The policy proposed endeavoured to ensure that site pitches would be rented to those Gypsies and Travellers in greatest need, and to those who might have great difficulty in securing pitches on privately owned Traveller sites which were available for rent or which have the benefit of permanent planning consent. The proposed policy would ensure an appropriate 'needs assessment' was completed, applying a points system.

(3) The full purpose and agreed detail of the Gypsy and Traveller Allocations Policy Review were set out in Annex A to the report, and included details of the documents that were subject to a public consultation that ran from 5 March – 25 May 2012. The documents recommended that the allocation policy be brought in line with social housing, as far as was possible by using a similar system to that used by most social housing accommodation providers such as Borough, District and Unitary Councils and Registered Social Landlords (RSLs). The policy would not have any significant impact on the Kent taxpayer but should reduce the risk of legal challenge, and the costs that were likely to be associated with that.

(4) There would be no negative impact on capital and revenue budgets nor spending plans. The risks of challenge, either over equality impact assessment, or challenges over specific allocation decisions, were minimised by the policy proposed, and the processes detailed in the report.

(5) The proposal to adopt the new pitch allocation policy linked with Kent County Council's Medium Term Plan by ensuring that it supported the need for a new approach. The Medium Term Financial Plan supported the overall plan. The proposal was not related to a plan or strategy as set out in the Councils Policy Framework, therefore, would be subject to referral to the Scrutiny Committee.

(6) The public consultation that was held between 5 March – 25 May 2012 was set out in Annex 2 to the report. An Equality Impact assessment had been undertaken which showed that all areas of consideration had been taken into account. Every District/Borough and Parish Council in Kent were invited to take part in the consultation as were all of the residents on all of the sites that were owned or managed by Kent County Council.

(7) RESOLVED that:-

- (a) the review of the allocation policy, be endorsed;
- (b) the Cabinet Member be recommended to approve the new policy as set out in Annex 1 to the report; and
- (c) the report be circulated to the next round of Locality Boards for information.

18. Chilmington Green Area Action Plan - Decision taken - for information
(Item B4)

(1) The Committee was informed of a decision taken by the Cabinet Member to approve KCC's response to the consultation by Ashford Borough Council on the Chilmington Green Area Action Plan (AAP).

(2) Ashford BC intended to submit the Chilmington Green AAP to the Secretary of State in October 2012 with an examination in Public in late 2012/early 2013. When adopted the Chilmington Green AAP would form part of Ashford Borough Council's local plan and would guide the future development of the new neighbourhood.

(3) Such decisions now came before the Cabinet Committee, which would advise the Cabinet Member on the decision he should take. However, the timing of consultations was determined by the District and Borough Councils and there was a minimum duration of 6 weeks. The EHW Cabinet Committee met every ten weeks and it would not always be possible to place a report about KCC's proposed response on a Committee agenda that would allow the response to be made within the consultation window.

(4) The Group Spokesmen, Mr Robertson and Mr Cowan, were therefore consulted by Mr Brazier about the Cabinet Member's proposed decision to approve KCC's response, and raised no matters that needed to be recorded on the Record of Decision. The decision taken was attached as Annex 1 to the report.

(5) RESOLVED that the decision taken be noted.

19. Swale Borough Council Draft Core Strategy - Decision taken - for information
(Item B5)

(1) The Committee was informed of a decision taken by the Cabinet Member to approve KCC's response to the consultation by Swale Borough Council on the Swale Borough Council Draft Core Strategy.

(2) Swale BC recently consulted on a Draft Core Strategy which set out their preferred amount of development to 2031, allocated key sites, and identified the infrastructure needed to support them. The Borough Council intended to submit their

Core Strategy to the Secretary of State later in 2012, and when adopted after an *Examination in Public* it would replace the Swale Local Plan.

(3) Such decisions now came before the Cabinet Committee, which would advise the Cabinet Member on the decision he should take. However, the timing of consultations was determined by the District and Borough Councils and there was a minimum duration of 6 weeks. The EHW Cabinet Committee met every ten weeks and it would not always be possible to place a report about KCC's proposed response on a Committee agenda that would allow the response to be made within the consultation window.

(4) The Group Spokesmen, Mr Robertson and Mr Cowan, were therefore consulted by Mr Brazier about the Cabinet Member's proposed decision to approve KCC's response, and raised no matters that needed to be recorded on the Record of Decision. The decision taken was attached as Annex 1 to the report.

(5) RESOLVED that the decision taken be noted.

20. Environment, Highways and Waste Forward Plan - current entry (Item B6)

RESOLVED that the current entry in the Forward Plan for Environment, Highways and Waste, be noted.

21. Business Plan Outturn Monitoring 2011 - 12 (Item C1)

(1) The 2011/12 Business Plan outturn monitoring report provided highlights of the achievements in the year for the Enterprise and Environment Directorate.

(2) Significant achievements during the year were highlighted within the report. The majority of projects, developments and activities included within the Business Plans had been completed, and where projects had not been completed this was shown within the report on an exception basis. The report also included outturn figures for the key performance and activity indicators included in the business plans.

(3) RESOLVED that the report be noted.

22. Environment, Highways & Waste Performance Monitoring (Item C2)

(1) Each Cabinet Committee was being asked to develop and approve a performance dashboard appropriate to the functions covered by the Directorate, and subsequently to monitor performance and make comments/ recommendations.

(2) The Environment, Highways and Waste business plans contained a large number of detailed performance indicators. These were mainly operational and quantitative and used by management within the directorate to monitor, manage and improve the directorate's broad range of ongoing business.

(3) Cabinet Committees had a role in helping shape the selection of indicators included in future year business plans, and to assist the directorate in improving the focus on strategic issues and qualitative outcomes. In that context, Members reviewed the current EHW business plan performance indicators summarised in appendix 1 to the report, and considered the key high priority indicators for inclusion in an appropriately streamlined and manageable performance dashboard.

(4) During debate the Chairman suggested the following -

Performance Indicators collected monthly or quarterly

Highways and Transportation

Average number of calendar days to repair a pothole
Percentage of routine enquiries reported by the public completed in 28 days
Percentage of potholes repaired in 28 calendar days
Percentage of streetlights repaired in 28 days
Percentage of streetlights working
Percentage of customers satisfied with routine service delivery (100 call back)

Waste Management

Percentage of waste material diverted from landfill

Other Indicators

Percentage of Member Enquiries responded to within required timeframe

N.B. Following the meeting the Chairman was advised that the Member Enquiry indicator related to the management of correspondence received by the Cabinet Member's office and not Member contacts received by the E&E directorate. The Chairman has therefore taken the decision to remove this indicator from future performance monitoring reports.

Performance Indicators collected with rolling twelve month, to remove seasonality

Percentage of municipal waste recycled or converted to energy and not taken to landfill
Percentage of household waste recycled and composted
Percentage of waste recycled and composted at HWRCs including soil and hardcore

(5) Mr Harrison commented that the inclusion of a base line percentage figure would provide a greater clarity.

(6) RESOLVED that the list of suggestions in paragraph (4) above form part of the performance dashboard.

23. Environment, Highways & Waste Financial Outturn 2011 - 12

(Item C3)

(1) The report summarised the 2011/12 financial outturn for each of the A-Z budget lines within the Environment, Highways and Waste Portfolio. It was important that committees received timely information on actual costs in advance of considering options for future years' budgets during the autumn.

(2) The overall position for the Environment, Highways and Waste Portfolio was an underspend of £6.998m, excluding Kent Commercial Services which was reported to the Policy and Resources Cabinet Committee.

(3) Table 1 of the report set out the original budget, final approved cash limit and spending for each A-Z budget line within the Environment, Highways and Waste Portfolio. The changes between the original budget and final approved cash limit were all within KCC's "virement" rules as set out in Financial Regulations. Significant variations from the approved cash limits were set out in the report.

(4) The under spend for 2011/12 included a number of areas of committed expenditure, set out in Table 2 of the report, which Cabinet were asked to agree to roll forward into 2012/13.

(5) Table 3 of the report identified the planned and actual spend on all capital projects in 2011/12 and the total approved and forecast spending over the lifetime of the projects.

(6) RESOLVED that the revenue and capital financial outturn for 2011/12, including rollovers for committed projects, and changes to the capital programme due to re-phasing, be noted.

24. Environment, Highways & Waste Financial Monitoring 2012 - 13

(Item C4)

(1) Members were asked to note the first exception financial monitoring report for 2012/13 to be reported to Cabinet on 9 July 2012.

Revenue

(2) The budgeted waste tonnage for 2012-13 was 730,000 tonnes. Comparing the level of affordability with the final outturn figure for last year of 715,000 tonnes and combined with the experience of the last two financial years, this had allowed the Directorate to estimate that the final tonnage figure could be approximately 15,000 tonnes less than budgeted. The forecast reduction in activity had resulted in an underspend of £1m for Waste Management.

Capital

(3) The variance was +£0.524m. This was a real variance in 2012-13. Projects subject to real variances affecting 2012-13 were:

- Energy & Water Efficiency Investment (+£0.112m) to be funded by previous year's school loans repayments.
- Ashford – Drovers Roundabout (+£0.300m). This reflected best estimates on negotiations and settlements of claims relating to the final account, with the contractor. The overspend would be funded by additional grant.

Overall there was a residual balance of +£0.112m on a number of other projects.

(4) RESOLVED that the revenue and capital forecast variances from budget for 2012/13 for the Environment, Highways and Waste Portfolio based on the first exception monitoring to Cabinet, be noted.

25. Cabinet Member's and Corporate Director's Update (Oral Report)

(Item D1)

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

Planning & Environment - Kent Minerals and Waste Local Plan; Kent Water Summit; and Wind Turbines

Highways & Transportation - Freight Action Plan; Lane Rental; and Resurfacing – Additional £6million

(2) Mr Austerberry gave a verbal report on the following issues:-

Planning & Environment - Flood Risk and Natural Environment Team's ARCH project

Highways & Transportation - Procurement of Technical Services Contract

Regeneration - Cyclopark

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

26. Bold Steps for Aviation - a Kent County Council discussion document

(Item D2)

(1) The report outlined KCC's discussion document, Bold Steps for Aviation, which suggested how the UK's aviation capacity needs could be met without the need to develop a new hub airport in the Thames Estuary. It was intended to contribute to

the national debate and was published in response to the recent proposals from Lord Foster and the Mayor of London promoting an airport in the estuary.

(2) Bold Steps for Aviation focused on Bold Steps for Kent's aim of helping the Kent economy grow. It championed the use of regional airports in meeting the UK's aviation demands and, in particular, paid particular attention to the use, and development, of Manston and Lydd Airports as promoted by the Regeneration Framework.

(3) The UK's aviation needs were currently being examined by Government and an aviation policy framework would be published for consultation in July 2012. Recently both Lord Foster and the Mayor of London had put forward proposals for a hub airport in the Thames estuary. In response, KCC had not only stated their opposition to the development of an airport in the Thames estuary but had developed a discussion document which set out suggestions for how the forecast growth in aviation could be met without the need for a new hub airport. The document was Bold Steps for Aviation, and was attached to the report.

(4) The document suggested courses of action that would enable the UK to respond more immediately to the capacity issues facing aviation as well as setting out the reasons for KCC's objections to the Thames estuary airport proposals. The six recommendations to Government were set out in the report.

(5) The discussion document would be used as the basis for KCC's response to the Government's forthcoming call for evidence for maintaining the UK's hub status, which was scheduled to commence July 2012. Bold Steps for Aviation demonstrated that there was an alternative to the development of an airport within the estuary in order to meet aviation needs. The document would help commence a dialogue with central Government and other relevant stakeholders.

(6) During debate Mr Harrison asked who was making the recommendations to Government and where had they come from. Mr Austerberry stated that there would be a formal decision taken by the Leader, adopting the report as the basis for the County Council's contribution to the wider debate, once the Government's consultation was launched.

(7) RESOLVED that the recommendations made to Government within the Bold Steps for Aviation discussion document be noted.

27. Policy Development for 20mph Schemes in Kent *(Item D3)*

(1) The report set out the work the County Council and the Government were doing in developing new policy on the implementation of 20mph schemes. It recommended that whilst the work and the associated trials were ongoing, Members re-affirmed their support for the existing County Council policy. The policy stated that 20mph schemes would only be introduced where they could produce crash reductions as part of a Casualty Reduction Scheme. A full review of the policy would be brought to this Committee, once the trials had been evaluated, for Members to consider.

(2) There were currently two different types of 20mph schemes that the County Council could legally implement. One required traffic calming to make the limit self enforcing, and were referred to as “zones”, whilst 20mph “limits” did not require traffic calming but simply relied on signing. The “limits” however must have existing traffic speeds at or around 20mph before a formal Traffic Regulation Order could be introduced and made the limit legal to avoid criminalising large numbers of motorists, presenting the Police with an unrealistic enforcement problem and generating driver frustration and impatience due to delays.

(3) Over the last twelve months the Government had announced some changes to the way local Traffic Authorities could implement 20mph schemes to reduce time-consuming and costly bureaucracy. The changes were intended to reduce the costs for Councils wanting to use 20mph schemes and act faster to respond to the needs of their residents while still ensuring drivers knew what speed they should drive at. The changes were set out in the report.

(4) In response to a petition submitted to the local Maidstone Joint Transportation Board last year requesting the County Council implement blanket 20mph limits outside all schools and residential areas it was agreed to run a trial of cost effective speed management schemes outside Primary Schools in the Maidstone area. These sites, listed in the report, did not have an existing crash problem and therefore a key objective of the trial was to establish whether road users’ perception of safety would change as a result of the schemes. The proposed trial had been limited to Primary schools within 30mph speed limits. The results of the trials would be evaluated and included in the overall 20mph scheme policy review which would be presented to the Cabinet Committee next year.

(5) The increased introduction of 20mph schemes without self enforcing traffic calming could leave to greater dependency on Kent Police to enforce the limits. During discussions with Kent Police it was made clear that Kent Police did not support 20mph limits unless they were self enforcing.

(6) Due to recent press publicity requests for the County Council to implement 20mph schemes had increased. Both the Government and County Council were conducting trials into cost effective speed reduction schemes that, if successful, might enable the introduction of further 20mph schemes without the need for prohibitively expensive traffic calming or presenting an enforcement burden on the Police. While the trials were being conducted it was recommended that the existing policy for 20mph schemes should be promoted only as part of a Casualty Reduction Scheme be reaffirmed.

(7) RESOLVED that:-

(a) the existing policy be noted; and

- (b) new 20mph schemes be promoted only as part of a Casualty Reduction Scheme until the current trials had been evaluated, and a new formal policy had been adopted by the County Council.

28. Member Highway Fund - Public Rights of Way Schemes

(Item D4)

(1) The Member Highway Fund scheme commenced in 1 July 2009. A Member Pack was issued to all members where the Member Highway Fund protocol, as approved by the County Council at its meeting on 25 June 2009, was comprehensively set out. As part of the delegated approval process agreed at this Cabinet Committee on 11 May 2012, the Director of Highways and Transportation will assess all Member Highway Fund applications against current H&T policies, practices and procedures, including the protocols laid down in the Member Pack.

(2) A number of applications received for Member Highway Fund spending on Public Rights of Way schemes had been rejected by the Director of Highways and Transportation, as they were outside of the protocols of the scheme, and passed to the Cabinet Member for consideration.

(3) The Member Highway Fund Protocol 1 July 2009 stated:

“The purpose of the fund is to resolve local highway issues. This should be spending in addition to Kent Highway Services’ normal activities, and should not duplicate work already planned by KHS. It can be used to enhance works already planned.

All proposed spending must comply with the law and existing KCC policies and not prejudice road safety. It should contribute to the overall objectives of Kent County Council, and represent value for money. Members should be aware of the KHS Business Plan, and the targets and objectives applying to KHS.

There is only provision for ongoing maintenance of works normally maintained by KHS; any proposal which does not meet this criterion is excluded.”

(4) The budget for the Member Highway Fund was provided from the Highways and Transportation budget. Public Rights of Way were currently under the responsibility of the Customer and Communities Directorate, and therefore were outside of the current protocol for Member Highway Fund spending.

(5) If Members wanted to use their Member Highway Fund on Public Rights of Way schemes, the existing protocol would need to be changed.

(6) During debate Mr Bullock commented that the PROW Unit be transferred from the Customer & Communities Directorate to the Environment & Enterprise Directorate. Mr Harrison supported the suggestion.

(7) RESOLVED that the MHF protocol be extended to include PROW schemes.

29. A Renewable Energy Action Plan for Kent

(Item D5)

(1) On recommendation of Kent County Council's Renewable Energy Select Committee and as a key priority within the Kent Environment Strategy, Kent County Council commissioned a renewable energy resource and opportunities study for Kent. The study was developed with input from stakeholders across the public, private and voluntary sectors as well as a number of community groups. It had provided the best insight to date of the significant opportunities across Kent and had resulted in the development of the *Renewable Energy Action Plan for Kent: Delivering Opportunities*, attached as an appendix to the report.

(2) The work had been funded through ClimaactRegions, an Interreg IVc project looking at the development of strategies and actions for the reduction of greenhouse gas emissions. www.climactregions.eu. Consultation on the study (February 2012) asked stakeholders a series of questions as to what they saw as the priorities for Kent and where there might be gaps or risks to delivery. The feedback had resulted in an update of the study (April 2012) and the development of the draft *Renewable Energy Action Plan for Kent: Delivering Opportunities*.

(3) The draft plan detailed actions divided into a series of seven work packages:

WP1: Skills and Training

WP2: Public Sector Leadership

WP3: Planning and Development

WP4: Business and Innovation

WP5: Community Energy

WP6: Wind Energy

WP7: Bioenergy

It had been identified that delivery of activity with the plan across partners could result in emissions savings of around 10%, a significant proportion of the Kent Environment Strategy target of a 34% reduction overall by 2020.

(4) The proposed next steps for the Renewable Energy Action Plan would be a consultation with stakeholders including:

- An Online survey for stakeholders on actions identified, partner leads and potential risks
- Updates to key forums and networks including Kent Forum, Kent Environment Champions Group, Kent Environment Strategy Executive Officer Group, Kent Planning Officers Group and the Kent Climate Change Network

(5) RESOLVED that the proposed next steps for consultation, be endorsed

30. Kent Environment Strategy Targets and 'Climate Local Kent'

(Item D6)

(1) At the Kent Forum on 8 February 2012 a request was made for a set of targets to be agreed for the Kent Environment Strategy that the Forum would monitor

on a more regular basis. In parallel the Government was in the process of developing 'Climate Local' which would be the national framework for climate change agreements and targets which local government would be asked to sign up to and which could be adapted to reflect local conditions. The draft targets put forward in the paper would form the basis of a suggested approach for a 'Climate Local Kent' agreement taking a pragmatic approach and based on Kent's ambitions and the Environment Strategy. The agreement would be circulated for consultation once the Government had launched the national framework with the recommendation that Kent became an early signatory to the national framework.

(2) Appendix 1 to the report set out the suggested draft targets where confirmed, with an indication of where further baseline data was required before targets could be set. Targets would be developed at the Kent level, but with the flexibility for reflection of local conditions at the District level, similar to the Kent Environment Strategy. The sub-targets and baseline data would be finalised by the end of July. The Environment Strategy and final targets would be a substantive item on the 20 July Kent Forum meeting.

(3) The next steps would be to

- Consult further on DRAFT targets – any comments about them being used as the basis for Climate Local Kent, to be sent to Carolyn McKenzie
- Discuss the finalised targets as part of a more detailed Kent Environment Strategy agenda item at the next Forum meeting on 20 July
- Launch the targets as part of a 'Climate Local Kent' agreement, if supported by this Cabinet Committee and the Kent Forum.

(4) During debate Mr Bullock requested more information relating to Ambition Boards i.e. what were they and who was responsible for them. The Chairman undertook to ask Mr Bowles, Deputy Cabinet for the Democracy and Partnerships, to contact Mr Bullock direct.

(5) RESOLVED that:-

- (a) any feedback on the draft KES and Climate Local Kent targets be provided to Carolyn McKenzie direct; and
- (b) KCC as part of 'Climate Local Kent', becoming an early signatory of the national Climate Local Government initiative, with a launch planned for September at the Kent Environment Strategy Conference, be endorsed.

Bryan Sweetland
Cabinet Member for Environment, Highways & Waste



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Date: 14 August 2012

Dear Chief Constable Learmonth

Managing Events on the Highway

Following Kent Police's change in policy for events on the highway, the County Council have received a substantial number of complaints from local event organisers, District, Town and Parish Councillors. It is clear they are concerned about the change in policy, which withdraws Police support from events and places a burden both financial and organisational on those promoting such events. This is threatening the viability of events, which are very important to local people and help celebrate the local diversity among Kent's communities.

As a consequence of the level of concern, the matter was subject to a report and debate at the County Council's Environment, Highways & Waste Cabinet Committee on 4 July 2012. The Committee agreed that KCC continue to provide help and advice to event organisers and that I should write to you to request that you review your change in policy and continue to provide traffic control support for local events. Police control is not only important to minimise costs and burdens on event organisers, it is also often the best way to minimise disruption to traffic.

I therefore formally ask that Kent Police carryout a full and complete review of this change of policy.

I look forward to receiving the findings and actions from this review and hope that Police resource can be restored to local events in Kent.

Yours sincerely

A handwritten signature in black ink that reads "Bryan Sweetland". The signature is written in a cursive, flowing style.

Bryan Sweetland

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Andy Adams
Assistant Chief Constable (Central Operations)

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Date: 29 August 2012
Ref: AA/TS 3508/2012

Dear Mr Sweetland

Thank you for your letter regarding Managing Events on the Highway addressed to the Chief Constable who has passed this to me to respond.

The Kent Police Event Policy (M30) was reviewed and re-published on the 14 March 2012 and complies with national guidance and direction but, perhaps more importantly, it complies with the law.

The Association of Chief Police Officers (ACPO) issued, its Public Safety Policy in 2009. This policy and the Kent Police Events Policy are both accessible online for your reference:

- http://www.kent.police.uk/about_us/policies/m/m030.html
- <http://www.acpo.police.uk/documents/uniformed/2009/200910UNPSP01.pdf>

The police role at events is clearly articulated in the ACPO 2009 Policy and is reproduced below for your convenience.

Assessment of the need for Police attendance and action at public events will be principally based on the need to discharge our core responsibilities which legal advice indicates are as follows:

- *Prevention and detection of crime;*
- *Preventing or stopping breaches of the peace;*
- *Traffic regulation within the legal powers provided by statute, a Road Closure Order (Town Police Clauses Act 1847) or a Traffic Regulation Order (Road Traffic Regulation Act 1984);*
- *Activation of a contingency plan where there is an immediate threat to life and co-ordination of resultant emergency service activities.*

At this point, I would ask you to note that traffic regulation is different from traffic management and that police powers to regulate traffic for planned events are extremely limited.

Continued ... 2

The organising of an event carries a great weight of responsibility and the organiser should enter this environment with the full understanding of the role they have to play. It is not the role of Kent Police to minimise costs to event organisers. Indeed, we have a duty to minimise the costs to taxpayers and this includes ensuring our resources are appropriately deployed in accordance with our policies, national directions and the law.

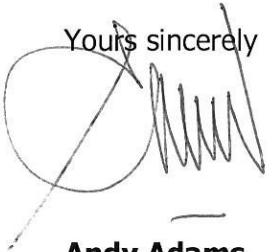
Kent Police will seek to support event organisers in developing their traffic management plans and officers from the force have been assigned to this task for sometime.

Legal opinion suggests that where events occur on a road then the Local Authority may also have a responsibility.

Kent Police have accredited a number of staff from Kent Highways Service under the Community Safety Accreditation Scheme. This accreditation includes powers to deal with traffic at events. A number of local authorities have staff trained under the same scheme.

Potentially, there is scope for Kent Police to offer further training opportunities to KCC staff including your Community Wardens. If you require further information regarding this please make contact with Chief Inspector Bryan Whittaker.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Andy Adams', written over a circular stamp or mark.

Andy Adams
Assistant Chief Constable
Central Operations