

KENT COUNTY COUNCIL

ENVIRONMENT & TRANSPORT CABINET COMMITTEE

MINUTES of a meeting of the Environment & Transport Cabinet Committee held in the Darent Room, Sessions House, County Hall, Maidstone on Tuesday, 21 July 2015.

PRESENT: Mrs P A V Stockell (Chairman), Mr C R Pearman (Vice-Chairman), Mr A H T Bowles, Mr C W Caller, Mr B E Clark (Substitute), Dr M R Eddy, Mr P J Homewood, Mr B E MacDowall, Mr J M Ozog, Mr C Simkins, Mr A Terry (Substitute), Mrs C J Waters, Mr M E Whybrow and Mr M A Wickham

ALSO PRESENT: Mr M A C Balfour and Mr P M Hill, OBE

IN ATTENDANCE: Mrs B Cooper (Corporate Director of Growth, Environment and Transport), M D Beaver (Head of Network Management and Performance), Ms A Carruthers (Head of Strategic Planning and Policy), Mr R Fitzgerald (Performance Manager), Ms S Holt (Head of Culture & Sport Group), Mr D Joyner (Transport & Safety Policy Manager), Ms K Lewis (Drainage and Flood Manager), Ms C McKenzie (Sustainability and Climate Change Manager), Mr D Thomas (Business Improvement Manager - EHW), Mr R Wilkin (Interim Director of Highways, Transformation and Waste), Mrs L Whitaker (Democratic Services Manager (Executive)) and Mr A Saul (Democratic Services Officer)

UNRESTRICTED ITEMS

87. Membership
(Item A1)

The Chairman welcomed those present including those registered to speak as part of the meeting. The following updates in membership of the Committee were received; Mr Homewood has replaced Mr Harrison, Mr Pearman has replaced Mr Brazier and Mrs Waters has replaced Mrs Hohler.

88. Apologies and Substitutes
(Item A2)

Apologies for lateness were received from Mr Homewood, who would join the meeting later.

Apologies were received from Mr Baldock and Mr Chittenden who were represented by Mr Terry and Mr Clark.

89. Declarations of Interest by Members in items on the Agenda
(Item A3)

No declarations of interest were received.

90. Minutes of the meeting held on 9 April 2015
(Item A4)

The minutes of the previous meeting held on 9 April 2015 were agreed as a correct record.

91. Verbal updates
(Item A5)

The Cabinet Member for Community Services, Mr Hill made the following comment;

- a. *Stop the Scammers*; a ground breaking initiative from Trading Standards intended to assist vulnerable victims of scams such as those targeted by scam phone calls and scam emails. This project has worked in partnership with Community Wardens and 70 of them have now been trained in this role. Their work has included monitoring these situations and working with banks and post offices to prevent fraudulent standing orders and cheques. They have also been installing phone devices that filter 98% of nuisance calls for the victims. *Stop the Scammers* has had significant success in prosecuting scammers. The Community Wardens have been awarded the Hero Award for their work by Trading Standards and the *Stop the Scammers* scheme was a finalist in the 2015 Local Government Services awards.

The Cabinet Member for Environment and Transport, Mr Balfour, made the following comments and announcements;

- a. An Active Travel Strategy was being developed and would come before this Cabinet Committee before a consultation would be undertaken.
- b. That there were problems regarding the Paramount development concerning the methodology by which planning permission was granted. Mr Balfour explained that the proposers of the park were not coming forward with reasonable solutions to the obvious problems that would emerge with Paramount. He has now been appointed to the planning committee of Ebbsfleet Development Corporation.
- c. Roger Wilkin and his team were developing a new Waste Strategy. This would be coming before Environment and Transport Cabinet Committee in coming months and is expected to appear in the September meeting.
- d. In regards to littering, the district councils had agreed to mutual support at a recent Kent Resource Partnership meeting. This should allow districts that are responding better to littering to be able to influence those Districts that are falling behind to improve in this area.
- e. Two problems caused by Operation Stack were brought to the Committee's attention. Firstly, overnight parking and the littering that follows that. Secondly, the ferry disruption. Shepway District Council has made Traffic Regulation Orders (TROs) to enforce stopping lorries parking in certain roads.
- f. A paper on Operation Stack would be compiled in conjunction with the Gateway Group which includes KCC, Shepway District Council, Ashford Borough Council, Dover District Council, ferry companies, the Port of Dover, the Channel Tunnel, haulage organisations and lorry park operators. He confirmed it was not proving easy to acquire an agreement from the group that could be used to speak to Ministers on this issue. Because of this, speaking to Ministers had been put back to September. It had also been difficult to acquire a proposal from Highways England as to what they would suggest doing on this and

how much it would cost. The Gateway Group was hoping that when a problem is emerging either with the ferries or in the tunnel the operators should inform the authorities immediately, which had not happened in the past, and that this intelligence should be used to forewarn the appropriate industries to stay out of Kent whilst this is happening. The intention would also be to develop plans for large lorry storage which cannot be like a lorry park. He also stated he would be grateful for support in terms of persuading MPs and others to support KCC on this matter.

- g. Lastly, that Phil Lightowler's team was reviewing all KCC contracts in regards to bus services to persuade operators' to take over certain services that were currently subsidised by KCC.

The Corporate Director of Growth, Environment and Transport, Mrs Barbara Cooper, made the following comment:

- a. Whilst Operation Stack had been in place the Emergency Planning Team, Community Wardens and Highway Stewards of KCC have been hard at work. They were still on standby to assist and respond to the welfare needs that arise during Operation Stack. Mrs Cooper paid tribute to their significant efforts in responding to these challenges.

The following comments were made by members of the committee and Cabinet Members:

1. That perhaps KCC's voluntary wardens should undertake the flood warden training so they could carry out this role as well.
2. Clamping in Ashford, whilst successful, had unfortunately redirected disruption into neighbouring areas and concern was raised that the new Shepway TROs would simply redirect disruption elsewhere.
3. A concern was raised about disruption in Cobham where up to 32 lorries had been parked overnight.
4. In regards to socially necessary buses, it was asked that bus services going to hospitals be considered as a priority.
5. The warning sign to inform drivers of when the motorway was closed due to Operation Stack, that had been placed by the Maidstone Hilton, was complimented as a positive step in responding to the challenges faced by drivers.
6. Further information on the Active Travel Strategy was requested.
7. It was suggested that smaller buses such as those seen in London could be of use in Kent.
8. Members expressed support for Mr Balfour in putting pressure on our MPs in regards to Operation Stack.
9. Comments were made that a previous project on Taxi Tokens be investigated.
10. Questions were raised about the use of the rail network to transport cargo to decrease the amount of lorries required.

The following comments were made by Cabinet Members and officers in response to questions raised by members of the committee:

1. It was accepted that simply redirecting the traffic would not resolve this disruption. The Council was aware just moving lorries would be unhelpful and that there was insufficient parking nationwide. It was confirmed that Mr Balfour

would like to discuss the stretch of road in Cobham with Highways. It was also emphasised that rail featured in plans to decrease the amount of lorries on motorways and would contribute in the long term solution to Operation Stack. In response to concerns about bus services to hospitals it was emphasised that they would be looking at those buses that are socially necessary.

2. Barbara Cooper confirmed that the Active Travel Strategy is a combined strategy involving Highways, Sports Team, Public Health and the Countryside Team.

92. Criteria for determining community requests for changes to neighbourhood lighting
(Item B1)

Roger Wilkin, Interim Director of Highways, Transportation and Waste, introduced the report which asked the Committee to consider and endorse or make recommendations to the Cabinet Member for Environment and Transport on the criteria for determining community requests for changes to current neighbourhood lighting.

In response to comments made and questions raised by members, the following further information was provided by officers:

- i. Consultation would be conducted more transparently in the future.
- ii. Paragraph 6.1 of the report was intended to avoid situations whereby part-night lighting was reversed when a conversion to LED was imminent. This would avoid unnecessary cost and two sets of engineering works in close proximity.
- iii. That there was a key point liaison with Kent Police.

Mr Caller welcomed the anticipated greater flexibility of the revised review process as detailed in paragraphs 4.1 to 4.6 of the report and proposed:

1. That the following be added to section 4 as paragraph 4.7; Street lights that are converted to LED under a maintenance or replacement programme of works will be returned to AN (all-night) operation pending the outcome of the Post-LED consultation process.
2. That the clear process set out in paragraphs 5.1 to 5.4 for dealing with requests for AN operation be endorsed.
3. That paragraph 6.1 be amended to read:

Unless a site meets the criteria as set out in section 4 of this report, other changes should not be implemented until the installation of the new LED's with Accompanying Central Management System (CMS) has been completed.

In regards to Mr Caller's first proposal to section 4, concerns were expressed that, were it to be included in the report, KCC was pre-empting the result of the consultation and equality impact assessment process.

Mr Caller's recommendation 1 was put to the vote;

Lost, 9 votes to 5.

Mr Caller's recommendation 2 was put to the vote;

Carried, 12 votes to 2.

Mr Caller withdrew recommendation 3 and this was not put to the vote.

Dr Eddy proposed and Mr Bowles seconded that the committee welcomes the anticipated greater flexibility of the revised review process as detailed under 4.1 to 4.6 of the report.

It was RESOLVED that the proposed decision be endorsed and the clear process set out in paragraphs 5.1 to 5.4 for dealing with requests for AN operation be noted.

93. Extension to the Contract for Waste Treatment and Final Disposal to Landfill, of the following Suppliers; Viridor, Biffa, Veolia
(Item B2)

The Chairman asked the committee to agree to move item B2 to the end of the meeting as it included exempt information.

94. Kent Connected - Delivering improved 'door to door' travel options
(Item B3)

David Joyner, Transport and Safety Policy Manager, introduced the report which asked the committee to endorse or make recommendations to the Cabinet Member for Environment and Transport, on a proposed decision to accept Department for Transport's (DfT) funding to enable the Kent Connected initiative to be delivered.

He said the Kent Connected initiative focused on a website bringing together a series of measures to improve journey planning and the funding would be used to:

- i) pay supporting costs associated with delivering the initiative;
- ii) enter into and amend procured contracts as necessary and subject to the council's approval process;
- iii) make grants to transport operators, business and schools, in accordance with agreement procedures; and
- iv) promote the initiative to partner organisations and the public.

In response to comments made and questions raised by Members, Mr Joyner and Mr Balfour gave the following information:

- i) Promoting active travel, including walking and cycling, is an important part of this project.

- ii) This grant would fund the project for one year, including enhancing a number of existing initiatives, and the intention was to leave a legacy of measures and outcomes, which would still exist post funding.
- iii) Funding would be used to get the smart card scheme functioning and if successful, the objective is that the bus companies would maintain it without subsidy from KCC.
- iv) In terms of whether any individual bus operator would benefit from the smart card scheme Mr Joyner confirmed the intention of the smartcard was to support competition and would not favour one operator over another.
- v) That mode share targets would be measured in a number of ways, including through Business & School Travel Plan surveys and by asking customers to report through the website on changes to their travel patterns and experience.

It was RESOLVED that the proposed decision to accept this injection of revenue be endorsed.

95. Highways and Transportation schemes funded through Local Growth Fund Round Two
(Item B4)

Ann Carruthers, Head of Strategic Planning and Policy, introduced the report which asked the committee to endorse or make recommendations to the Cabinet Member for Environment and Transport on a proposed decision to develop agreements for the transfer of funding and conditions of spend to the following delivery organisations:

- National Rail in respect of the Ashford Spurs scheme; and
- Dover Harbour Board in respect of Dover A20 Improvements Scheme

She referred in particular to the following:

- i. That £109 million had been secured for 24 transport and regeneration schemes through the Local Growth Fund (LGF). Four of these would be delivered by third party developers.
- ii. That the Dover A20 Improvements Scheme which focused on improving 2 roundabouts in Dover and was promoted by Dover Harbour Board as part of the Western Docks Revival Scheme.
- iii. The Ashford Spurs scheme would be required for Ashford International Station to stay on the international rail network and as such was of great value and importance to Kent.
- iv. That part of the funding had been secured from the European TEN-T CEF stream, as detailed within the report.
- v. That agreements with the third party deliverers were required as under the terms of the LGF which is allocated via South East Local Enterprise Partnership (for which Essex County Council was the accountable body). All schemes delivered must comply with South East Local Enterprise Partnership's Assurance Framework.

In response to comments made and questions raised by members, Ms Carruthers provided the following further information:

- i. The Ashford Spurs schemes would be undertaken in phases. She said she would supply timescales for this to members who requested it after the meeting.
- ii. It was the Dover Harbour Board's intention that the Dover A20 improvements scheme would be implemented in 2016.

It was RESOLVED that the proposed decision to authorise the Council entering into agreement for the transfer of LGF to Network Rail in respect of the Ashford Spurs scheme and to Dover Harbour Board in respect of Dover A20 Improvements Scheme be endorsed.

96. Proposed consultation on the revised policy on street lighting post-LED conversion
(Item B5)

The committee received a report seeking endorsement of, or recommendations to the Cabinet Member of Environment and Transport on the proposed consultation on Street Lighting post-LED conversion.

Roger Wilkin, Interim Director of Highways, Transportation and Waste, introduced the report which set out the consultation approach that would consider the equality impacts of Street Lighting post-LED conversion. He confirmed that following the consultation a further report would be prepared.

The following further information was provided by officers in response to questions from members:

- i. That the consultation would need to start by the end of August 2015.
- ii. That the Equalities and Consultation team would help ensure that groups affected by this policy were identified and participated in the consultation.

Mr Caller proposed the following proposals to the committee to amend the proposed consultation;

1. Section 2 – Scope of the consultation

2.1 That Part-Night lighting be removed as an option for consultation.

2. Section 3 – Consultation approach

- a. That both deliberative workshops and focus groups/meetings as detailed in the report be utilised as part of the consultation process
- b. That the following paragraph be added:
Residents currently affected by Part-Night lighting
Communication will be sent out to all Kent residents currently affected by Part-Night lighting advising them that a consultation being undertaken, the date the consultation closes and how they may access/obtain a copy of the consultation document.

After further debate Mr Caller withdrew the first recommendation to gain cross-party and lead groups agreement to the second recommendation as it became apparent the first recommendation would not be acceptable to them.

Mr Caller's recommendation in **Section 3 part a** was put to the vote;

Lost, 9 votes to 5.

Mr Caller's recommendation **Section 3 part b** was put to the vote;

Lost, 9 votes to 5.

The recommendations in the report were put to vote and it was RESOLVED that they recommendations within the report be agreed;

Carried, 9 votes to 5.

97. Kent and Medway Growth and Infrastructure Framework
(Item C1)

The Cabinet Committee received a report that gives details of the work that has been carried out to develop a Growth and Infrastructure Framework for Kent and Medway. In light of the fact the Cabinet Committee members had been updated on this subject at County Council they agreed to not continue with the accompanying presentation.

98. Consultation for the Kent Environment Strategy 2015
(Item C2)

Cabinet Committee received a report presented by Carolyn McKenzie, Head of Sustainable Business and Communities, which outlined the draft of the refreshed Kent Environment Strategy (KES). She explained that the Strategy would have a detailed implementation plan alongside it and would be refreshed annually.

She said explained that, if the Committee agreed, public consultation would be undertaken from July to September. Further consultation with partners and stakeholders would continue around that consultation.

The following comments were made:

1. That the document was a very good piece of work.
2. That aviation matters should be addressed more in the KES.

In response to concerns about aviation matters not being sufficiently addressed in the KES Ms McKenzie said there was a potential link with regards to noise impacts, and offered to follow up after the meeting.

It was resolved that the new draft KES be NOTED and the consultation be AGREED.

99. Highway Drainage
(Item C3)

The Cabinet Committee received a report presenting the response to reports of flooding and drainage issues on the highway. Mr Balfour introduced the report, explaining it had previously been agreed at a Scrutiny Committee meeting that this paper would be brought before the Environment and Transport Cabinet Committee. This was in response to members wanting further information on over 3,500 highway drainage and flooding enquiries the County Council had received between 23

December 2013 and 1 March 2014. He confirmed this report would detail the nature of these enquiries, why this many were received and what action was taken.

Kathryn Lewis, Drainage & Flooding Manager, was in attendance and gave the following further information in response to questions raised by members;

- i. That the current report predominantly addressed residential property but also referred to business property. A member advised this be referenced more in future reports.
- ii. That concerns about communication with members and the public would be addressed in the service re-design.

It was RESOLVED that the report be NOTED.

100. Work Programme 2015
(Item C4)

The Cabinet Committee received a report from the Head of Democratic Services which contained information on the Environment and Transport Cabinet Committee Work Programme.

RESOLVED that with the inclusion of the Active Travel Strategy, as mentioned in the Verbal Updates, the Work Programme be AGREED.

101. Performance Dashboard
(Item D1)

The Cabinet Committee received a report setting out the Environment and Transport Performance Dashboard, which showed progress made against targets set for Key Performance Indicators up to May 2015.

Richard Fitzgerald, Performance Manager, was in attendance to introduce the report and take questions from members.

He drew the Committee's attention to the performance data from Highways and reported that Highways were back on track for performance.

In response to questions from members Roger Wilkin gave the following information;

- i. That the reduction at recycling of Household Waste Recycling Centres (HWRCs) was due to the district councils with support from Kent County Council investing in further developing and improving kerbside recycling;
- ii. that the data on streetlight repairs had been affected partly by seasonal fluctuations in the use of the streetlights but also due to technical complications with their maintenance. He also said there had been very robust discussions with the relevant provider about delays in maintenance of street lighting.

A comment was also made that changes be made to how the Expected Range data was displayed.

Following further comments Richard Fitzgerald thanked the Cabinet Committee for their feedback and confirmed it would be taken into account in their next report.

RESOLVED that the report be NOTED.

102. Results from the Highways, Transportation & Waste Annual Satisfaction Survey 2014
(Item D2)

The Cabinet Committee received a report on the results from the Highways, Transport and Waste Annual Satisfaction Survey for 2014. David Thomas, the Business Manager for Environment, Growth and Transport, was in attendance to present the report. He explained that the survey gave an overall impression of the view of the service from residents, County Members and Parish/Town Councils.

In response to comments from members, David Thomas confirmed that feedback from members on the way in which the survey data be displayed would be taken into account in future.

Resolved that the report be NOTED.

103. Exclusion of the Public

The Chairman proposed that the press and public be excluded from the meeting.

Resolved that under Section 100A of the Local Government Act 1972 the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the Act.

104. Extension to the Contract for Waste Treatment and Final Disposal to Landfill, of the following Suppliers; Viridor, Biffa, Veolia
(Item E1)

The Committee had agreed to defer the report to the end of the meeting. David Beaver, Commercial Manager for Growth, Environment and Transport, was in attendance to speak on the item which sought to endorse, or make recommendations to the Cabinet Member for Environment and Transport on the proposed decision to extend the current Landfill Contracts up to 31 March 2016:

- Waste Treatment and Final Disposal (Landfill) – Viridor. Ref WTFD 10/23.
- Waste Treatment and Final Disposal (Landfill) – Biffa. Ref WTFD 10/23.
- Waste Treatment and Final Disposal (Landfill) – Veolia. Ref WTFD 10/23.

He emphasised that endorsing this proposal would enable KCC to fulfil its statutory obligations as a Waste Disposal Authority.

In response to comments made and questions raised by members, officers provided the following further information:

- i. It was acknowledged that the three contracts had all expired. Various other waste disposal contracts had also expired recently and these had been resolved through an intensive programme of procurement.
- ii. A report on future waste disposal contracts would be brought to the Environment and Transport Cabinet Committee.
- iii. All procurements would be shown in the Business Plan.
- iv. That KCC was moving towards a better commissioning process.

It was RESOLVED that the proposed decision be endorsed.