

**ENVIRONMENT & TRANSPORT CABINET COMMITTEE**

**Thursday, 19th January, 2023**

**10.00 am**

**Council Chamber**







## AGENDA

### ENVIRONMENT & TRANSPORT CABINET COMMITTEE

Thursday, 19 January 2023 at 10.00 am  
Council Chamber, Sessions House,  
County Hall, Maidstone

Ask for: **Matt Dentten**  
Telephone: **03000 418 381**

#### Membership (16)

Conservative (12):	Mr S Holden (Chairman), Mr N J Collor (Vice-Chairman), Mr N Baker, Mr T Bond, Mr D Crow-Brown, Mr M Dendor, Mr A R Hills, Mrs S Hudson, Mr H Rayner, Mr A Sandhu, MBE, Mr D Watkins and Vacancy
Labour (2):	Ms M Dawkins and Mr B H Lewis
Liberal Democrat (1):	Mr I S Chittenden
Green and Independent (1):	Mr M Baldock

#### **UNRESTRICTED ITEMS**

*(During these items the meeting is likely to be open to the public)*

- 1 Introduction/Webcast announcement
- 2 Apologies and Substitutes  
To receive apologies for absence and notification of any substitutes present.
- 3 Declarations of Interest by Members in items on the Agenda  
To receive any declarations of interest made by Members in relation to any matter on the agenda. Members are reminded to specify the agenda item number to which it refers and the nature of the interest being declared.
- 4 Minutes of the meeting held on 8 November 2022 (Pages 1 - 12)  
To consider and approve the minutes as a correct record.
- 5 Verbal Updates by Cabinet Members and Corporate Director
- 6 Performance Dashboard (Pages 13 - 24)
- 7 Draft Ten Year Capital Programme, Revenue Budget 2023-24 and Medium Term Financial Plan 2023-26 (Pages 25 - 26)  
Please refer to the draft budget report published and shared on 3 January 2023.

- 8 22/00110 - Thames Way Scheme - Kent Thameside Strategic Infrastructure Programme (Pages 27 - 36)
- 9 22/00111 - Folkestone 'A Brighter Future' Levelling Up Fund Round 2 bid (Pages 37 - 44)
- 10 22/00112 - M20 Junction 7 Capacity Improvements (Pages 45 - 52)
- 11 22/00113 - Review and revision of charges for non-household waste received at Household Waste Recycling Centres (Pages 53 - 60)
- 12 Projects and initiatives at the Household Waste Recycling Centres - Update (Pages 61 - 82)
- 13 22/00114 - Transport for the South East (TfSE) - Strategic Investment Plan (Pages 83 - 90)
- 14 Ash Dieback in Kent - Update (Pages 91 - 104)
- 15 Kent Resource Partnership - Presentation
- 16 Work Programme (Pages 105 - 108)

### **EXEMPT ITEMS**

*(At the time of preparing the agenda there were no exempt items. During any such items which may arise the meeting is likely NOT to be open to the public)*

Benjamin Watts  
General Counsel  
03000 416814

**Wednesday, 11 January 2023**

**KENT COUNTY COUNCIL**

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**ENVIRONMENT & TRANSPORT CABINET COMMITTEE**

MINUTES of a meeting of the Environment & Transport Cabinet Committee held in the Council Chamber, Sessions House, County Hall, Maidstone on Tuesday, 8 November 2022.

PRESENT: Mr S Holden (Chairman), Mr N J Collor (Vice-Chairman), Mr N Baker, Mr D Crow-Brown, Ms M Dawkins, Mrs T Dean, MBE, Mr M Dendor, Mr A R Hills, Mr M A J Hood, Mrs S Hudson, Mr B H Lewis, Mr H Rayner, Mr A Sandhu, MBE, Mr D Watkins and Mr A Weatherhead

ALSO PRESENT: Mr D L Brazier (Cabinet Member for Highways and Transport) and Miss S J Carey (Cabinet Member for Environment)

IN ATTENDANCE: Mr S Jones (Corporate Director of Growth, Environment and Transport), Ms H Chughtai (Director of Highways and Transport), Mr M Smyth (Director of Environment and Waste) and Mr M Dentten (Democratic Services Officer)

**UNRESTRICTED ITEMS****111. Declarations of Interest by Members in items on the Agenda**  
*(Item 3)*

No declarations were made.

**112. Minutes of the meeting held on 8 September 2022**  
*(Item 4)*

RESOLVED that the minutes of the meeting held on 8 September 2022 were an accurate record and that they be signed by the chairman.

**113. Verbal Updates by Cabinet Members and Corporate Director**  
*(Item 5)*

1. Miss Carey reminded the committee that her environment and waste member briefing, which provided all members with an update on recent developments within her portfolio, had been shared in advance of the meeting.
2. Mr Brazier gave a verbal update. He told the committee that he planned to produce member briefings on highways and transport developments, in a similar format to Miss Carey's briefings. He confirmed that he had recently chaired Kent's annual Rail Summit and had worked with the Leader to create a member working group to examine ways of funding and operating more effective, better value, bus services. The committee were informed that a meeting had taken place between the Cabinet Member and the Managing Director of Brompton Bikes, ahead of the company's anticipated move to Ashford by 2030, he noted that the company had high environmental standards and had been impressed with KCC's active travel schemes. He

added that he recently attended an awards ceremony in London, arranged by the Royal Institute of British Architects, where the remodelling of Swanley railway station, which he reopened in November 2021, was nominated for an award. He mentioned that he had also met with Lord Waverley, who was chairing an all-party parliamentary group (APPG) on the future of freight and logistics in the UK and had explained Kent's unique position along with a list of prioritised infrastructure schemes which would be valuable. He informed members that he had attended a meeting of the Margate Town Deal Board, which had received grant funding to remodel the central Cecil Square, to remove highways infrastructure and create shared space, allowing the townscape of Georgian buildings to become more prominent, it was noted that he would continue to monitor the progress of the project. He concluded the verbal update by explaining that he had attended ADEPT's live labs dragons den the previous week and introduced to the judges a scheme from a partnership between KCC, Brighton and Hove Council and consultant colleagues which aimed to acknowledge the increased weight of HGVs and buses powered by non-fossil fuelled means, the scheme demonstrated how it was possible to improve the resilience of highways by 40% and save the same percentage of carbon emissions.

3. Mr Jones gave a verbal update on recent operational developments across the Environment, Waste, Highways and Transport services. He introduced Haroona Chughtai, the new Director of Highways and Transport, noting her strong track record and previous experience at the Department for Transport. Members were informed that National Highways had resubmitted their Lower Thames Crossing development consent order application on 31 October, Mr Jones explained that the Planning Inspectorate were assessing the application and that KCC's role as one of the consultees was to ensure the advocacy of their consultation, with teams within Highways and Transport working closely with the Planning Inspectorate to provide appropriate responses. On parish seminars, Mr Jones noted that many had taken place recently, with particularly positive feedback from communities. In relation to the winter service he reassured members that KCC was in a good position ahead of future cold spells with salt stocks and gritters maintained and on standby. Concerning recent severe weather, he paid tribute to the Highways drainage team who had recently dealt with a high volume of emergencies across the county. On the issue of inflation, he noted that it had affected all contracts, across Environment, Waste, Highways and Transport services and had been monitored closely. He assured members that the directorate endeavoured to limit cost increases, where possible, and kept a tight control of the operating budget. He ended his verbal update by drawing the sustainable communities and businesses team to the attention of the committee, it was explained that they had been working on preparing residents for winter, through the county-wide 'Share The Warmth' campaign, with advice given to families on how to be energy efficient, stay warm and address winter conditions.

RESOLVED to note the verbal updates.

## **114. Active Travel and Cycling Networks Update**

*(Item 6)*

*Nikola Floodgate (Road Safety and Active Travel Group Manager) and Jamie Watson (Senior Programme Manager) were in virtual attendance for this item.*

1. Mr Brazier introduced the report which gave an update on KCC's efforts in support of government's national vision to increase active travel. He confirmed that a Kent Cycling and Walking Infrastructure Plan had been formed to identify active travel network gaps and propose interventions, ensuring that future tranches of funding from government were effectively spent and that cycling routes support current demand whilst encouraging future growth.
2. Mr Watson provided the committee with a progress update on three main areas of active travel development. Firstly, he addressed delivery of projects funded under tranches 2 and 3 of the Active Travel Fund; the proposed 10 year forward plan which had received 80 scheme proposals from districts, required sifting, consultation and implementation over a three-year period; and reminded the committee of the active travel cross-party member working group which guided officers. Secondly, he gave an update on KCC's capability and ambition funding bid, which was expected to be successful and would allow KCC to work further with districts to provide funds to develop local Cycling and Walking Infrastructure Plans, scheme planning, engagement and data collection. Finally, he informed members that a consultant had been commissioned to assist with the development of the Kent Cycling and Walking Infrastructure Plan.
3. Mr Rayner commented that future schemes, following input from districts, should be realistic and prioritise upgrading existing infrastructure over prospective residential development areas. Mr Brazier replied, noting that districts were advised to devise and submit realistic scheme proposals.
4. Mr Hills and Mr Dendor asked whether cycleways and public rights of way could be prioritised in order to further expand bicycle infrastructure which was separate from roads and improved road safety.
5. Following a question from Mr Hood, Mr Brazier confirmed that an active travel scheme along the A26 had been investigated and discounted due to safety concerns.
6. Mr Watkins highlighted the benefits of active travel network expansion on local retail and praised the pre-engagement undertaken with members, residents and businesses ahead of the finalisation of schemes.
7. Following a request from Mrs Dean that members be given sufficient information on active travel schemes, in an early enough fashion that they can consider and influence the outcome of decisions, Mr Jones agreed to discuss the arrangements for sharing scheme information with members, following the meeting.

RESOLVED to note the report.

## **115. Performance Dashboard**

*(Item 7)*

*This item was considered following item 13 (Buses Update).*

*Rachel Kennard (Chief Analyst) was in attendance for this item.*

1. Ms Kennard gave a verbal summary of the performance dashboard to September 2022. She confirmed that of the 17 key performance indicators within the remit of environment and transport, 10 had been RAG rated green, 6 amber and 1 red. She stated that this reflected good overall performance. In relation to WM01 (municipal waste recycled and composted) she explained that the data for the indicator was published quarterly and was the same data reported to the September meeting, members were reminded that an in year directive from the Environment Agency, which had prevented the recycling of mixed wood, would affect the measure throughout the year. Concerning EW02 (greenhouse gas emissions from KCC estate (excluding schools) in tonnes) she highlighted the strong performance, with a significant reduction in the quarter to June 2022.
2. Following a question from Mr Rayner, Miss Carey gave assurance that the Head of Waste and Business Services would write to members explaining how the change in regulations, related to WM01, impacted existing contractual arrangements.
3. Miss Carey highlighted the positive impact of the new Bowerhouse II solar farm in reducing KCC's greenhouse gas emissions. She reminded members that the solar farm had the additional benefit of reducing the authority's energy costs going forward.

RESOLVED to note the Performance Dashboard.

## **116. Kent's Plan Bee Revision**

*(Item 8)*

*Elizabeth Milne (Natural Environment and Coast Manager) was in attendance for this item.*

1. The chairman, Mr Holden, made the following statement:

"I wish to make a personal explanation to correct wrong claims made at full council that Kent's Plan Bee was the "initiative" of a former Green Party councillor, Martin Whybrow, because he moved a motion, borrowed from Friends of the Earth, for a working party in 2018. In fact, I began and named Kent's Plan Bee as a personal initiative five years earlier in 2013 after bees starved to death in a disastrous winter. I began it with a dynamic officer, Allison Campbell-Smith, in her downtime without support or money. From 2013 to 2018 we ran three summits; two school competitions; partnered [with] the Bumble Bee Conservation Trust to win lottery funding; sponsored roadside nature reserves; [and] spoke at many meetings. Kent's Plan Bee was namechecked in the 2014 National Pollinator Strategy. In all the five years Martin Whybrow took absolutely no part in any of this. When he said in 2018 he'd move the Friends of the Earth motion to set up a working group, my party



suggested we should amend it to make it mine. In the cross-party spirit I have always felt right for Plan Bee, I agreed to let him go ahead. I've regretted that generosity ever since because Mr Whybrow repeatedly afterwards claimed it proved Kent's Plan Bee was his initiative. Afterwards having not been involved for the first five years he attended a handful of action group meetings and then stopped coming. He had nothing to do with writing the action plan. Since then, enthusiastic, committed officers, led by Liz Milne and the bee group of keen councillors have developed Kent's Plan Bee. Credit belongs entirely to them, to Allison Campbell-Smith, to me and to no one else."

2. Miss Carey introduced the revision of Kent's Plan Bee pollinator action plan. She explained how the Plan had been resourced and thanked members involved in the cross-party Plan Bee members group for their contributions and work towards achieving the Plan's objectives, and Mr Holden for initiating the Plan. She drew pollinator friendly seeds to the attention of the committee and encouraged their use.
3. Ms Milne outlined the revisions to the Plan, explaining that it had been reviewed and refreshed to ensure that its targets reflected the next stage of delivery, with a fourth objective to "monitor and evaluate its action for pollinators, so that we understand the impact of our efforts and direct continued action and resources to where they are most needed," along with a new action in the form of the Kent Pollinator Pledge added. She reassured the committee that the financial implications were unchanged.

RESOLVED to endorse the revisions made to the Plan Bee pollinator action plan.

### **117. Kent Resource Partnership - Presentation**

*(Item 9)*

This agenda item was deferred to a future meeting.

### **118. 22/00095 - Highway Weed Control Contract**

*(Item 10)*

*This item was considered following item 6 (Active Travel and Cycling Networks Update).*

*Andrew Loosemore (Head of Highways Asset Management) and Robin Hadley (Soft Landscape Asset Manager) were in virtual attendance for this item.*

1. Mr Brazier introduced his proposed decision to procure and delegate authority to the Director of Highways and Transportation to award and enter into appropriate contractual arrangements for the provision of Highway Weed Control including any potential extension periods. He informed the committee that the contracts allowed KCC to continue to effectively eliminate weeds on the highways network's hard surfaces which was essential for road safety.
2. Mr Hadley provided further information on the requirements for and scope of the proposed contracts. He explained the existing contracts expired in March 2023 and that they were required by statute to carry out a re-tender, in order to continue service provision. He told members that to ensure a seamless

transition, the new contracts would need to be in place by 1 April 2023 and that the duty to keep roads and pavements clear of vegetation for highway user safety was a legal requirement. The scope of the proposed contracted works were set out and included two programmed weed treatments per year to highway hard surfaces as well as treatment of Japanese Knotweed and Giant Hogweed. It was noted that key performance targets would be embedded into the contracts and that following the initial 3-year contract term that a decision to enact a further 2-year extension would be linked to performance and contract compliance. Regarding consultation, he confirmed that there had been engagement with the Plan Bee group as well as Kent Wildlife Trust on the use of glyphosate.

3. Following a question from Mr Lewis, Mr Hadley confirmed that there had been no significant changes in highway weed control methodology in recent years which meant that costs had remained stable since 2015.
4. Ms Dawkins asked for an indication of glyphosate unit cost and whether there was any scope to phase out its use by 2030. Mr Hadley confirmed that due to supply chain issues the market price of 5 litres of glyphosate had increased from around £25 to £40 over the past year, though it was noted that a market correction to the previous price was expected. Regarding the phasing out of glyphosate, he explained that the proposed contracts contained alternatives to minimise glyphosate use and trial other options. He made members aware of the downsides of some alternative weed control methods.
5. Mr Hood commented that a hybrid approach to weed control, which expanded the proposed trials into other methods, should be adopted as soon as was practicable.
6. Mrs Dean asked whether Highways could explore the possibility of designing out opportunities for weeds to grow on highway hard surface assets. Mr Jones explained the technical design process in place, which prioritised future proofing infrastructure for maintenance and noted that reducing weeds was within this remit.
7. The chairman stated that whilst he was in favour of eliminating chemicals from the environment that the alternatives to glyphosate were ineffective. He noted that highways had few plants and constituted a small proportion of the county's landscape and environment, which meant that the impact of glyphosate use on pollinators would be minimal.

RESOLVED to endorse the Cabinet Member for Highways and Transport on the proposed decision to procure and delegate authority to the Director of Highways and Transportation to award and enter into appropriate contractual arrangements for the provision of Highway Weed Control including any potential extension periods.

**119. 22/00099 - Kings Hill Solar Park: Additional funding requirement**  
(Item 11)

*This item was considered following item 14 (Work Programme).*

*Jonathan White (Project and Operations Manager) was in attendance for this item.*

1. Miss Carey introduced her proposed decision to deploy up to £878,000 of additional funding to cover the increase in costs including risk contingencies to complete the Kings Hill Solar Park project. She reminded the committee that the original decision (21/00034) to construct the solar park had been funded through Public Sector Decarbonisation Scheme grant funding received from government, which set particularly challenging deadlines. She explained that due to the condensed timeframe and several issues, that the additional allocation was required to complete the project. She reassured the committee that the solar park would have a £13.2m cost benefit to KCC over its lifetime and reduced carbon emissions by 633 tonnes per year.
2. Mr Rayner stated that a lack of project preparation was link directly to the project's overspend and that provisions should have been made for unexploded ordnance surveys, in the original project costings, given the location of the site on a former military airfield. In relation to the unexploded ordnance (UXO) surveys, Mr White confirmed that there had been an allocation in the original plan and that surveys and investigations had been carried out.
3. Mr Hood commended the project's long term environmental and financial benefits. He asked whether the site could be used to farm livestock, as had been possible with other KCC owned solar farms. Mr White confirmed that the site could be grazed by sheep.
4. Mrs Dean commented that whilst the project had been well designed in that it was not overlooked by residential properties, that it had no immediate benefit to the local community and asked if there was any way that a community event, related to the environment, could be held.
5. Mrs Hudson commented that other options, including scaling back the project to deliver it within the original budget, should have been explored further.

RESOLVED to endorse the Cabinet Member for Environment on the proposed decision to deploy up to £878,000 of additional funding to cover the increase in costs including risk contingencies to complete the Kings Hill Solar Park project.

## **120. Road Closures Process**

*(Item 12)*

*This item was considered following item 10 (22/00095 - Highway Weed Control Contract).*

*Andrew Loosemore (Head of Highways Asset Management) was in virtual attendance for this item.*

1. Mr Brazier introduced the report which explained the temporary road closure process and trends in Kent over the past five years. He recognised that temporary road closures affected many residents and that in many instances KCC was required by law to permit road closures.
2. Mr Loosemore gave a detailed overview of the report. He noted that minimum road width, which stood at 3m from the edge of works, was the main factor which required road closures. He outlined the instances where KCC was required by law to agree to external road works, which included upgrades and maintenance by utility providers on their own infrastructure, with these organisations self-monitoring as set out in primary legislation. He explained how officers applied the regulations, with no advanced notice required for emergency works and confirmation 2 hours after the works mandatory, whilst KCC were informed of planned works 12 weeks in advance and ensured that work near schools was completed outside of term time. It was confirmed that emergency works constituted around 1/3 of all temporary road closures and that KCC Highways asset maintenance made up 45% of all closures.
3. Mr Rayner commented that contractors needed to be quicker in removing notices and equipment following the completion of works, to reopen roads as soon as possible and alleviate the impact on the local highways network. He asked that a code of practice be considered in order to share learning from previous issues and enshrine good practice. Mr Jones reassured the committee that Highways were in ongoing dialogue with contractors and recognised that understanding the consequence of works was important, which would be enhanced with further data categorisation.
4. The chairman stated that the rapid increase in road closures over recent years had become source of extreme nuisance for many residents in the county and that KCC should reduce the number and impact of closures, where possible, including a further use of temporary traffic lights to allow routes to stay open.
5. The chairman moved and Mr Rayner seconded a motion “that the committee:
  - a) “note the 225% increase, to nearly 16,000, in road closure permits issued between 2018 and 2022;
  - b) recommend that the Cabinet Member tasks highways officers with seeking to reduce the number of road closure permits issued in the county to levels of the year ending 2018, namely fewer than 5,000;
  - c) recommend that the Cabinet Member ensures that every road closure should carry conditions of extended hours and weekend working to shorten the disruption suffered by road users;

- d) recommend that the Cabinet Member ensures there is a programme of rigorous enforcement of conditions and organisation of diversions; and
  - e) requests that Scrutiny Committee undertake a Short Focused Inquiry into reducing the numbers of road closures in the county.”
6. Mr Brazier shared his concerns that the target set by the motion was unrealistic, given that KCC could not control or reduce the amount of road closures required for emergency works or planned works required by utility companies under statute.
  7. Mr Watkins suggested auditing samples of emergency and planned works to understand whether works were carried out in the appropriate manner and timeframe.
  8. Mrs Dean commented that there should be further investigations into how closures impacted other roads and diversions in the local highways network. She asked whether KCC had the flexibility to charge different road closure rates, including a reduced rate for community events. Mr Loosemore confirmed that charging was set annually and that whilst there were many instances where community and civic events were not charged, commercial events were.
  9. Mr Sandhu spoke in support of the motion and requested that utility companies and authorities be contacted as part of the closures planning process to reduce the possibility of a back-to-back road closures. He stated that night-time works in residential areas should be discouraged.
  10. Members voted on the motion. The motion passed by majority vote.

RESOLVED that the committee:

- a) note the 225% increase, to nearly 16,000, in road closure permits issued between 2018 and 2022;
- b) recommend that the Cabinet Member tasks highways officers with seeking to reduce the number of road closure permits issued in the county to levels of the year ending 2018, namely fewer than 5,000;
- c) recommend that the Cabinet Member ensures that every road closure should carry conditions of extended hours and weekend working to shorten the disruption suffered by road users;
- d) recommend that the Cabinet Member ensures there is a programme of rigorous enforcement of conditions and organisation of diversions; and
- e) requests that Scrutiny Committee undertake a Short Focused Inquiry into reducing the numbers of road closures in the county.

## **121. Buses Update**

*(Item 13)*

*Phil Lightowler (Head of Public Transport) was in virtual attendance for this item.*

1. Mr Brazier introduced the report, explaining that it detailed recent developments in the commercial bus industry and how KCC had confronted and mitigated the impact of commercial service withdrawals, through securing alternative services from other operators, which had ensured that a great

number of children who otherwise would not have been able to get to school because of the actions of the commercial operators were able to.

2. Mr Lightowler provided further detail of developments in the commercial bus market. He informed members that as a result of a reduction in government financial support and a requirement for operators to make councils aware of future service changes that KCC had been abreast of recent services changes. He highlighted a series of key developments which included: the impact of the pandemic, with passenger numbers failing to reach pre-pandemic levels and a 40% reduction in off peak usage; lower use of the Kent Travel Saver and other discount passes; changing commuter patterns; significant engineering consumables and staff cost increases; and staff shortages which were not expected to be resolved in the near future with insufficient new manpower joining the industry. He reminded the committee that government financial support for commercial bus operators was planned to conclude in January 2023, which combined with the overall drop in revenue and increase in costs left the bus services in a vulnerable position. He warned members that further reductions in commercial services could occur without additional government financial assistance.
3. Mr Lewis moved and Ms Dawkins seconded a motion “that the Cabinet Committee recommend that the Cabinet Member for Highways and Transport request officers to present a report to the Committee on the possibility of a scheme similar to Transport for Cornwall which could be replicated in Kent.”
4. Mr Lewis highlighted the benefits of the bus and train services operating model adopted in Cornwall and mentioned that the rural nature of Cornwall, stating that this made the model replicable in Kent. He raised concerns at the current commercial operating model in Kent and commented that investigations should be undertaken into how ticket prices could be reduced in order to increase passenger numbers.
5. Mr Brazier confirmed that he was aware of the operating model in Cornwall and had put it to Leader that BSIP funding should be used to adopt a similar strategy to that which Cornwall had formulated and funded with BSIP funding.
6. Following assurance from Mr Brazier that a cross-party member group would be formed to investigate ways of funding and operating more effective, better value bus services, Mr Lewis withdrew his amendment.
7. Mr Rayner asked what preparations were in place to ensure that residents would be given reasonable notice of any services changes ahead of the start of the 2023/24 academic year and how KCC’s BSIP allocation affect services. Mr Lightowler reassured members that Public Transport were working proactively to ensure that school bus services were protected and that any service changes were finalised by July 2023 at the latest. In relation to KCC’s BSIP allocation he confirmed that the Department for Transport were yet to finalise it and that Public Transport were in regular contact. Mr Jones noted that recent ministerial changes in the Department for Transport had delayed the allocation confirmation and that an update was expected in the following weeks.

8. Mr Hills shared his concerns that going forward there was a risk that bus services would not be able to sufficiently service communities across Kent without government funding. He asked that member be regularly briefed on developments in the bus services industry.
9. Mrs Hudson asked that members be briefed on the BSIP allocation after the funding arrangements are agreed with the Department for Transport.

RESOLVED to note the report.

## **122. Work Programme**

*(Item 14)*

*This item was considered following item 8 (Kent's Plan Bee Revision).*

RESOLVED that the work programme be agreed.

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From: David Brazier, Cabinet Member for Highways and Transport  
Susan Carey, Cabinet Member for Environment  
Simon Jones, Corporate Director for Growth, Environment and Transport

To: Environment & Transport Cabinet Committee – 19 January 2023

Subject: Performance Dashboard

Classification: Unrestricted

**Summary:**

The Environment and Transport Cabinet Committee Performance Dashboard shows progress made against targets set for Key Performance Indicators (KPIs). The latest Dashboard includes data up to October 2022.

Ten of the seventeen KPIs achieved target and are RAG rated Green. Six KPIs were below target but did achieve the floor standard and are RAG rated Amber. One KPI was below floor standard and is RAG rated Red.

**Recommendation(s):**

The Environment and Transport Cabinet Committee is asked to NOTE the Performance Dashboard.

**1. Introduction**

- 1.1. Part of the role of Cabinet Committees is to review the performance of the functions of the Council that fall within the remit of the Committee. To support this role, Performance Dashboards are regularly reported to each Cabinet Committee throughout the year, and this is the fourth report for the 2022/23 financial year.

**2. Performance Dashboard**

- 2.1. The Dashboard provides a progress report on performance against target for the Key Performance Indicators (KPIs) for 2022/23. These KPIs, activity indicators and targets came before the Cabinet Committee for comment in May 2022. The current Environment and Transport Cabinet Committee Performance Dashboard is attached at Appendix 1.
- 2.2. The current Dashboard provides results up to the end of October 2022.
- 2.3. KPIs are presented with RAG (Red/Amber/Green) alerts to show progress against targets. Details of how the alerts are generated are outlined in the Guidance Notes, included with the Dashboard in Appendix 1.

- 2.4. Three out of the five KPIs in Highways & Transportation achieved or exceeded target for latest month performance and were RAG rated Green. Potholes repaired in 28 calendar days remains below target, but above the floor standard, and so is RAG rated Amber. Faults reported by the public completed in 28 days is above target for the latest month but remains below target for the year to date. There has been no data since July 2022 for Customer Satisfaction (100 call back survey), with the survey suspended whilst the contact centre prioritises other work, therefore, no monthly RAG rating has been given for this KPI.
- 2.5. One of the three digital take-up indicators in Highways and Transportation was RAG rated Green, with online completion of public enquires for Highways Maintenance, and speed awareness course bookings, performing above the floor standard but not achieving their new higher targets, and so RAG rated Amber.
- 2.6. Five of the nine indicators for Environment and Waste were above target. Municipal waste recycled and composted is below its floor standard and remains RAG rated Red. The Household Waste Recycling Centres' (HWRCs) indicators, remain below target but above floor standard, and so RAG rated Amber.

### **3. Recommendation(s):**

The Environment and Transport Cabinet Committee is asked to NOTE the Performance Dashboard.

### **4. Contact details**

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# **Environment and Transport Performance Dashboard**

## **Financial Year 2022/23**

### **Results up to October 2022**

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**Produced by Kent Analytics**

**Publication Date: December 2022**



## Guidance Notes

Data is provided with monthly frequency except for Waste Management and Greenhouse Gases where indicators are reported with quarterly frequency and as rolling 12-month figures to remove seasonality.

### RAG RATINGS

GREEN	Target has been achieved
AMBER	Floor Standard* achieved but Target has not been met
RED	Floor Standard* has not been achieved

\*Floor Standards are the minimum performance expected and if not achieved must result in management action

### Activity Indicators

Activity Indicators representing demand levels are also included in the report. They are not given a RAG rating. Instead, they are tracked within an expected range represented by Upper and Lower Thresholds. The Alert provided for Activity Indicators is whether they are within their expected range or not. Results can either be within their expected range (**Yes**), or **Above** or **Below** their expected range

## Key Performance Indicators Summary

Highways & Transportation	Monthly RAG	YTD RAG
HT01 : Potholes repaired in 28 calendar days (routine works not programmed)	AMBER	RED
HT02 : Faults reported by the public completed in 28 calendar days	GREEN	AMBER
HT04 : Customer satisfaction with service delivery (100 Call Back)	N/a	GREEN
HT08 : Emergency incidents attended to within 2 hours	GREEN	GREEN
HT12 : Streetlights, illuminated signs and bollards repaired in 28 calendar days	GREEN	GREEN

Digital Take up	RAG
DT01 : Percentage of public enquiries for Highways Maintenance completed online	AMBER
DT03 : Percentage of concessionary bus pass applications completed online	GREEN
DT04 : Percentage of speed awareness courses booking completed online	AMBER

Environment & Waste	RAG
WM01 : Municipal waste recycled and composted	RED
WM02 : Municipal waste converted to energy	GREEN
WM01 + WM02 : Municipal waste diverted from landfill	GREEN
WM03 : Waste recycled and composted at HWRCs	AMBER
WM04 : Percentage of HWRC waste recycled and wood converted to energy at biomass facility	AMBER
WM08 : Percentage of customers satisfied with HWRC services	AMBER
EPE14 : Greenhouse Gas emissions from KCC estate (excluding schools)	GREEN
EW1: Percentage of statutory planning consultee responses submitted within 21 days	GREEN
DT05 : Percentage of HWRC voucher applications completed online	GREEN

<b>Division</b>	<b>Corporate Director</b>	<b>Cabinet Member</b>
<b>Highways &amp; Transportation</b>	<b>Simon Jones</b>	<b>David Brazier</b>

### Key Performance Indicators

Ref	Indicator description	Jul-22	Aug-22	Sep-22	Oct-22	Month RAG	Year to Date	YTD RAG	Target	Floor	Prev. Yr
HT01	Potholes repaired in 28 calendar days (routine works not programmed)	88%	84%	84%	84%	AMBER	75%	RED	90%	80%	95%
HT02	Faults reported by the public completed in 28 calendar days	91%	88%	88%	91%	GREEN	88%	AMBER	90%	80%	90%
HT04	Customer satisfaction with service delivery (100 Call Back)	98%	*			N/a	96%	GREEN	95%	85%	96%
HT08	Emergency incidents attended to within 2 hours	97%	98%	98%	**	GREEN	98%	GREEN	98%	95%	98%
HT12	Streetlights, illuminated signs and bollards repaired in 28 calendar days	97%	93%	93%	**	GREEN	93%	GREEN	90%	80%	89%

\* Call back survey paused to assist in catch up of other work.

\*\* Not available at time of reporting.

HT01 – Performance has improved since earlier in the year, although still below target, and the term maintenance contractor has been arranging additional resources to deal with the likely increase in demand that will occur over the Winter period. Market price increases and difficulties in recruiting experienced staff continues to hamper maintaining sufficient resources in a cost-effective way. The Highways Management team will continue to closely monitor performance to ensure it is back to the target level.

HT02 – Similar issues outlined in HT01 are reflected in performance here with the monthly performance now at a Green RAG rating.

Division	Corporate Director	Cabinet Member
Highways & Transportation	Simon Jones	David Brazier

### Activity Indicators

Ref	Indicator description	Jun-22	Jul-22	Aug-22	Sep-22	Oct-22	Year to Date	In expected range?	Expected Range Upper   Lower	
HT01b	Potholes repaired (as routine works and not programmed)	882	460	389	239	335	<b>4,991</b>	<b>Below</b>	8,250	5,450
HT02b	Routine faults reported by the public completed	3,638	3,839	3,947	3,463	3,500	<b>26,103</b>	Yes	32,700	25,700
HT06	Number of new enquiries requiring further action (total new faults)	6,058	5,713	5,951	5,825	5,793	<b>40,711</b>	<b>Below</b>	60,900	49,700
HT07	Work in Progress (active enquiries/jobs) - end of month snapshot	5,511	5,053	5,043	4,921	<b>5,676</b>	N/a	<b>Below</b>	6,800	5,800
HT13	Streetwork permits issued	11,963	12,493	12,724	11,708	12,273	<b>87,278</b>	<b>Above</b>	87,200	71,400

HT01b – To ensure consistency, this measure only includes potholes completed by Amey and so does not include the potholes completed through the Pothole Blitz contractors between August and September which totalled 1173 jobs.

HT06 – Demand remains below previous years across all our key service areas (potholes, street lighting, insurance enquiries, drainage, trees, soft landscapes), mainly due to hot, dry weather over the Summer and milder temperatures into Autumn. However following the recent wet weather, we have seen an increase in demand for November and this is likely to continue over the Winter period.

HT07 – As a result of the continued lower demand in the period to October, staff remain focused on active enquiries and have reduced open enquiries to lower than expected levels. However as can be seen from the October data, we are beginning to see an increase for Work in Progress and will be closely monitoring this over the Winter period.

HT13 - The high demand from utility companies to access their infrastructure under Kent roads continues to increase permit volumes. Staffing pressures exist within this area which can create delays in processing requests, and although some recruitment has taken place, new employees need to be trained and gain experience before they are fully effective.

<b>Division</b>	<b>Corporate Director</b>	<b>Cabinet Member</b>
<b>Highways and Transportation</b>	<b>Simon Jones</b>	<b>David Brazier</b>

### Digital Take-up indicators

Ref	Indicator description	Jul-22	Aug-22	Sep-22	Oct-22	Year to Date	YTD RAG	Target	Floor	Prev. Year
DT01	Percentage of public enquiries for Highways Maintenance completed online	57%	56%	58%	60%	58%	AMBER	60%	50%	59%
DT03	Percentage of concessionary bus pass applications completed online	80%	73%	68%	69%	73%	GREEN	70%	60%	70%
DT04	Percentage of speed awareness courses bookings completed online	86%	86%	83%	81%	85%	AMBER	90%	80%	87%

DT01 – The target for this indicator was increased (from 55% last year to 60%) following above target performance during 2021/22 and performance remains slightly below the new higher target. Online reporting of faults tends to reduce slightly during the Summer as less complex defects such as potholes and streetlights reduce and other defects such as vegetation (which can be harder to plot on our online map) increase and are more likely to be discussed on a call than entered online. Work has begun to improve the fault reporting tool and a pilot called My Kent Highways is being scoped which aims to encourage more online reporting.

DT04 – Several actions in booking a course require completion within non-negotiable timeframes which results in a number of clients making calls to book their courses before deadlines are passed. The demand for courses since last year has increased, due to changes in tolerances set by each Police Force as well as the demand for course spaces from clients who live and work outside of Kent. To ensure that clients from Kent Police (as well as Kent residents) can be offered a space, our team reserve spaces specifically for them. However, this also requires phone contact rather than an online booking, hence the target of 90%, which is an increase from 85% last year, is proving challenging.



Division	Corporate Director	Cabinet Members
Environment & Waste	Simon Jones	Susan Carey

**Key Performance Indicators - Rolling 12 months except WM04 (YTD from 1<sup>st</sup> April 2022) and WM08 (Quarterly)**

Ref	Indicator description	Sep-21	Dec-21	Mar-22	Jun-22	Sep-22	RAG	Target	Floor
WM01	Municipal waste* recycled and composted	46%	46%	45%	44%	43%	RED	50%	45%
WM02	Municipal waste* converted to energy	53%	54%	54%	55%	56%	GREEN	49%	44%
01+02	Municipal waste diverted from landfill	99.0%	99.8%	99.2%	99.2%	99.2%	GREEN	99%	95%
WM03	Waste recycled and composted at Household Waste Recycling Centres (HWRCs)	68%	66%	61%	55%	48%	AMBER	50%	45%
WM04	Percentage HWRC waste recycled/composted & wood converted to energy at biomass facility	New indicator from Jun 22			67%	66%	AMBER	70%	65%
WM08	Overall score for mystery shopper assessment of Household Waste Recycling Centres	96%	96%	97%	93%	96%	AMBER	97%	90%

\* This is waste collected by Districts, and by KCC via HWRCs.

WM01 – Recycling and composting is being negatively affected by the loss of wood recycling at HWRCs because of changes to Government regulations that mean wood that could previously been recycled is now used as waste to energy. There have also been lower volumes of organic waste than expected, following dry summer weather, with 15% less garden waste collected between May and August 2022 compared to 2021. The 50% target for this KPI is within the Kent Joint Municipal Waste Strategy agreed by the Kent Resource Partnership and those Collection Authorities with Inter Authority Agreements with KCC tend to achieve better rates of recycling.

WM03 – Lower volumes of garden waste due to dry summer weather and the regulatory position, whereby HWRC wood can no longer be recycled, will affect this measure throughout the year.

WM04 – Although wood waste volumes have been within expectations, the lower-than-expected volume of organic waste has also impacted on this KPI

WM08 – This indicator has improved since Quarter 1 and is now one percentage point below target which was increased from 96% last year. Since April, a new contractor has been in place to conduct the mystery shopper exercise. The two key areas for improvement are consistent wearing of name badges and ensuring site staff are visibly checking vehicles in at the site entrance.

Division	Corporate Director	Cabinet Members
Environment & Waste	Simon Jones	Susan Carey

**Activity Indicators** (Rolling 12 months, except WM09)

Ref	Indicator description	Sep-21	Dec-21	Mar-22	Jun-22	Sep-22	In expected range?	Expected Range Upper   Lower	
WM05	Waste tonnage collected by District Councils	599,294	591,800	584,371	575,765	<b>562,301</b>	Yes	570,000	550,000
WM06	Waste tonnage collected at HWRCs	96,438	95,721	95,616	97,326	<b>93,128</b>	<b>Below</b>	120,000	100,000
05+06	Total waste tonnage collected	695,731	687,522	679,987	673,091	<b>655,428</b>	Yes	690,000	650,000
WM07	Waste tonnage converted to energy at Allington Waste to Energy Plant	341,831	343,989	334,601	330,283	<b>320,213</b>	<b>Below</b>	347,250	327,250
WM09	Wood Tonnage converted to energy at Biomass Facility (from April 2022, not rolling 12 months)	New indicator			5,973	<b>11,446</b>	Yes	11,625	10,125

WM06 – The volume of waste taken to HWRCs is around 60% of pre-pandemic levels. Cross border usage is at its lowest with less than 2% of visitors to HWRCs now living outside of Kent, compared with 6% in 2018. Good levels of booking capacity exist which is spread evenly through the day, with higher demand at weekends. On-the-day bookings are now available at all sites.

WM07 – Volumes at Allington Energy from Waste Plant are lower than expected, but reflect the decline in waste volumes overall, and are now at a similar level to pre-pandemic.

<b>Division</b>	<b>Corporate Director</b>	<b>Cabinet Member</b>
<b>Environment &amp; Waste</b>	<b>Simon Jones</b>	<b>Susan Carey</b>

**Key Performance Indicator** (reported quarterly in arrears, rolling 12-month total)

Ref	Indicator description	Mar-21	Jun-21	Sep-21	Dec-21	Mar-22	Jun-22	RAG	Target	Floor
EW2	Greenhouse Gas emissions from KCC estate (excluding schools) in tonnes	16,251	16,519	16,601	16,774	17,353	15,605	GREEN	18,543	20,397

EW2 – There was a significant reduction in greenhouse gas emissions in the Quarter to June 2022 due to the addition of electricity generated by KCC’s new Bowerhouse II solar farm. Reduction in emissions remain ahead of target for the quarter, placing us in a strong position to deliver the KCC Net Zero by 2030. Data up to September 2022 will be available in January 2023.

**Key Performance Indicators** (monthly)

Ref	Indicator description	May-22	Jun-22	Jul-22	Aug-22	Sep-22	Year to Date	YTD RAG	Target	Floor
EW1	Percentage of statutory planning consultee responses submitted within 21 days	94%	93%	92%	88%	94%	93%	GREEN	85%	76%
DT05	Percentage of HWRC voucher applications completed online	99%	99%	100%	99%	99%	99%	GREEN	98%	90%

From: Peter Oakford, Deputy Leader and Cabinet Member for Finance, Corporate & Traded Services

To: Environment and Transport Cabinet Committee  
– 19 January 2023

Subject: Draft Ten Year Capital Programme, Revenue Budget 2023-24 and medium term financial plan 2023-26

Classification: Unrestricted

**Summary:**

The administration's budget report published on 3<sup>rd</sup> January 2023 sets out the background to and draft budget proposals for the capital programme, revenue budget for the forthcoming year and medium-term financial plan. The report is a standard report for the whole council focussing on the key strategic considerations underpinning the decisions necessary for County Council to agree the budget at the Budget Meeting on 9<sup>th</sup> February 2023

The administration's overall budget strategy is intended to:

Achieve a balanced one-year budget and balanced medium-term plan with minimal unidentified savings targets

Maintain adequate reserves to mitigate financial risks/shocks and to invest in the future

Maintain a strong positive cashflow and high levels of liquidity

Maintain (but not exceeding) levels of borrowing compared to the asset base (maintaining a healthy balance sheet)

Plan to deliver a financially sustainable Council over the medium term.

In summary, the proposed draft 2023-24 revenue budget requires £39.1m savings, £15.7m additional income from fees and charges and net £14.8m from one-off use of reserves (additional contributions & draw downs, and removal of previous contributions and draw downs). The budget proposes a 5% increase in Council Tax which will generate £41.7m income to support service delivery,

The proposed draft capital programme 2023-33 includes spending of £1,644m of which £996m is funded from confirmed/indicative grants, £407m from borrowing and £261m other sources. The administration's strategy for the capital programme is to minimise the level of additional borrowing, for 2023-24 the changes to the programme represents a £9.6m reduction.

**Recommendations**

The Committee is asked to:

- a) **Comment** on the draft capital and revenue budgets including responses to consultation
- b) **Propose** any changes to the draft capital and revenue budgets for consideration by Cabinet on 26<sup>th</sup> January 2023 before the draft is presented for approval at County Council on 9<sup>th</sup> February 2023

## **Budget Reports**

The full draft budget report and appendices may be accessed on Kent.gov.uk:  
[Our budget - Kent County Council](#)

### **Contact details**

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**From:** David Brazier, Cabinet Member, Highways and Transport  
Simon Jones, Corporate Director of Growth, Environment and Transport

**To:** Environmental and Transport Cabinet Committee - 19 January 2023

**Subject:** Thames Way Scheme – Kent Thameside Strategic Infrastructure Programme

Decision Number: 22/000110

Classification: Unrestricted

**Past Pathway of report:** N/A

**Future Pathway of report:** For Cabinet Member Decision

**Electoral Division:**

Northfleet and Gravesend West – Cllr Conrad Broadley and Cllr Dr Lauren Sullivan  
Swanscombe and Greenhithe – Cllr Peter Harman

**Summary:** This report seeks Member approval to progress to detailed design stage the Thames Way Scheme in Ebbsfleet, as a project within the Kent Strategic Transport Infrastructure Programme (STIP).

The Thames Way Scheme (formerly known as Thames Way Dualling) is a proposed junction upgrade and infrastructure improvement scheme which is a strategic priority for the local highway network within the Ebbsfleet area (Dartford and Gravesham border).

The available funding for the project is £5.5m. This will be fully funded through Developer Contributions into the STIP funding pot of which £3.385m is already received. This budget, for the preferred scheme, is considered healthy with a significant contingency and risk provision. There is no expectation that KCC will be required to forward fund this scheme. An additional paper will be presented to ETCC at detailed design stage to determine whether the scheme can progress to delivery.

**Recommendation(s):**

The Cabinet Committee is asked to consider and endorse, or make recommendations to the Cabinet Member for Highways and Transport on the proposed decision to give approval to progress the Thames Way scheme through the stages of development and delivery as indicated below and specifically for:

I. Approval to delegate the scope change decision, required to allow the scheme to proceed through to detailed design and for the Ebbsfleet Central Application to be determined, to the Corporate Director of Growth, Environment & Transport under the Officer Scheme of Delegations following prior consultation with the Cabinet Member.

II. Approval to delegate the decisions to enter into the appropriate land, development and funding agreements, and all other acts, consents and any

subsidiary contracts required to allow the scheme to be progressed to the appropriate Corporate Director.

III. Approval to carry out any public engagement or consultation required for the Thames Way scheme;

IV. Approval for any further decisions required to allow the scheme to proceed through to detailed design to be taken by the Corporate Director of Growth, Environment & Transport under the Officer Scheme of Delegations following prior consultation with the Cabinet Member

as shown at Appendix D.

## **1. Introduction**

1.1 Two previous reports (Decision No. 07/01108 and 12/01953) to Cabinet Committees gave a wide range of authorities to allow the Kent Thameside Strategic Transport Infrastructure Programme (STIP), and projects within this programme, to proceed. However, considering the substantial time that has elapsed since the previous decisions and scale of development which has taken place during this time, it is proposed to seek a further Key Decision from the Cabinet Member relating specifically to the Thames Way Scheme.

## **2. The report**

### **2.1 Background**

2.1.1 The STIP is a package of transport improvements that was conceived in 2005 in response to the anticipated impact of planned development across Dartford, Gravesham and Ebbsfleet. The broad aim of the programme is to deliver improvements at key locations across the transport network that would enable the planned level of development to be realised and to support the growth agenda.

2.1.2 Two previous reports to Cabinet Committees gave a wide range of authorities to allow the programme, and projects within this programme, to proceed. The previous two decisions were taken on 21st February 2008 (Decision No. 07/01108) and 20th September 2012 (Decision No. 12/01953). Considering the substantial time that has elapsed since the previous decisions and scale of development which has taken place during this time, it is proposed to seek a further Key Decision from Cabinet relating specifically to the Thames Way Scheme.

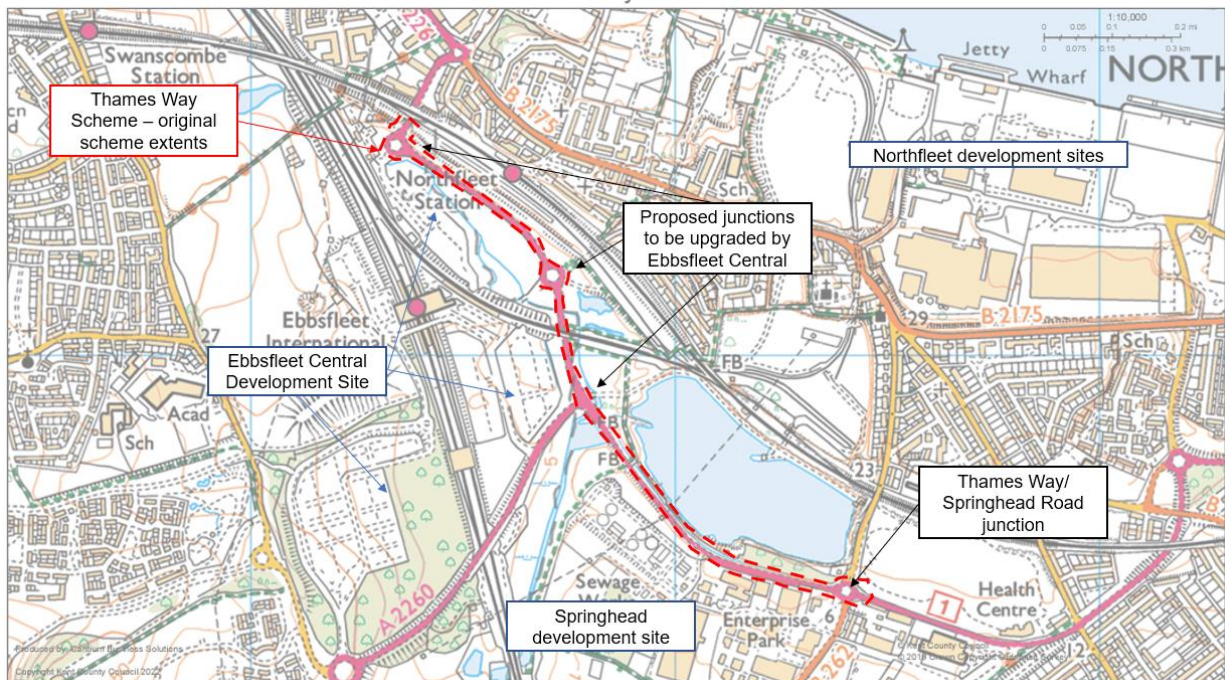
### **2.2 Thames Way Scheme**

2.2.1 The Thames Way Scheme (formerly known as Thames Way Dualling) is a proposed junction upgrade and dualling scheme that is a strategic priority for the local highway network within the Ebbsfleet area (Dartford and Gravesham border).



2.2.2 The scheme as currently approved within the STIP programme would upgrade 1600m of single carriageway to dual carriageway from Stonebridge Road to Springhead Road with improvements to four key junctions on this route.

Figure 1: Site location



2.2.3 A previous study, undertaken by WSP in 2019, investigated the feasibility of dualling Thames Way. The report recommended the provision of a two-lane dual carriageway with all lanes available to all lanes of traffic and an associated upgrade to all junctions within the site. The majority of capacity benefit for this scheme was derived from the junction upgrades and not from dualling the route. This scheme was costed at £14.4m.

2.2.4 Since the production of the report, Ebbsfleet Development Corporation (EDC) have continued to build out in the surrounding area with a strong focus on modal shift. Trip rates previously forecasted across the area have not materialised. Further to this, the SSSI designation of a large portion of the area is likely to result in a reduced expected trip rate.

### 2.3 Proposed scheme scope change

2.3.1 The Thames Way Scheme area is due to be developed by EDC, who have now submitted plans for Ebbsfleet Central. These plans include upgrading three of the four junctions within the scheme area but it should be noted that this will not include the dualling of Thames Way or upgrade the Thames Way Springhead Road junction.

2.3.2 KCC have commissioned further modelling work to determine whether the updated trip data supports the dualling of Thames Way. The results of this modelling highlight that dualling of Thames Way east of the A2260/Thames Way junction is not required and the junction upgrades alone, as proposed in the Ebbsfleet Central application, will be sufficient to realise the required

additional network capacity. However, the Thames Way Springhead Road junction requires improvement to accommodate future traffic flows. Full results of this commission are included within Appendix A.

- 2.3.3 The modelling commission shows that the capacity of the Thames Way/Springhead Road junction still requires improvement. This is evidenced by significant queues in both the AM and PM peak on the 'Do Nothing' modelling scenario. The junction upgrade, as proposed in the initial Thames Way scheme, reduces this queue length, however, there are still residual queues at the junction. During the detailed design stage, further junction upgrade options will be explored to reduce the journey time delay further.
- 2.3.4 The scope change options to progress Thames Way are subsequently discussed:
- 2.3.5 **Option 1** (progress with the Thames Way scheme as previously proposed i.e. dualling and junction upgrades) - least preferred option.
- 2.3.5.1 The dualling and junction improvements along Thames Way will increase the capacity of Thames Way. The dualling will likely have up to a moderate adverse effect on local species and adverse effects on landcover due to the destruction of local vegetation.
- 2.3.5.2 Plans for the development of Ebbsfleet Central will not be able to progress in their current form, delaying housing build out for Dartford and Gravesham. The cost for this scheme, without considering current inflation rates, is estimated at £14.4m. This exceeds the funding available within STIPS.
- 2.3.5.3 Additionally, there are wider implications of progressing this option, including the negative impact on housing growth and the environmental costs of the scheme.
- 2.3.6 **Option 2** (Halt the scheme)
- 2.3.6.1 Given the level of development in the area, by 2036, it is expected that the Thames Way Springhead Road junction will be unable to function effectively during both the AM and PM peak.
- 2.3.6.2 Presuming Ebbsfleet Central receives planning permission, three of the four junctions within the original scheme will be upgraded by this development improving the capacity across the western end of Thames Way.
- 2.3.6.3 The cost of not proceeding with the scheme is less than Option 1, however, the consequence of pollution caused by carbon emissions of queuing vehicles should also be considered. Additionally, abortive costs of work undertaken to date (VISSIM model creation and ecological reports) created by this option are estimated at £300k. Further to this, the developer funding is restricted to schemes within the STIP programme, most of which are complete or under construction.

### 2.3.7 **Option 3 preferred option** (Descope the scheme to upgrade the Thames Way Springhead Road junction only)

- 2.3.7.1 The junction improvement will improve capacity at the Thames Way Springhead Road junction. Thames Way will remain single carriageway across the majority of the route. Dualling will be required on the immediate approach to the junction.
- 2.3.7.2 Presuming Ebbsfleet Central receives planning permission, the remaining junctions will be upgraded by this development improving the capacity across the western end of Thames Way.
- 2.3.7.3 The descoped scheme will likely result in a reduced impact on the local species and landscape. There is also a reduced need for land acquisition.
- 2.3.7.4 The cost of this Option falls within the available funding for the scheme.

## 3. **Financial Implications**

3.1 The available funding for the Thames Way Scheme is £5.5m. This will be fully funded through Developer Contributions into the STIP funding pot. The STIP funding banked for the Thames Way scheme currently totals £3.385m, the remaining £2.115m is secured through S106 agreements with the following development sites:

- £2.1m Northfleet Cement Works 16/0004 (Expected trigger date: 2026)
- £150k Northfleet Embankment East (Expected trigger date: 2023)

3.2 Should, for any reason, one or more of the identified S106 contributions not come forward, there are a number of additional development sites within the vicinity of Thames Way. The developer contributions from these sites could be used to replace any funding shortfall.

3.3 All KCC costs will be capitalised and covered by the Developer Contributions, including any feasibility to date.

3.4 The budget, for the preferred scheme, is considered healthy with a significant contingency and risk provision. There is no expectation that KCC will be required to forward fund this scheme. However, given the added financial pressures of high inflation and market unpredictability, an additional paper will be presented to ETCC following completion of the detailed design to determine whether the scheme can progress to delivery. This paper will present a detailed breakdown of the cost of the fully designed scheme and the associated risks. The project will not proceed to construction until the funding for this scheme is banked.

## 4. **Policy Framework**

4.1 Delivery of the Thames Way junction improvements supports the first three priorities of Framing Kent's Future 2022-2026 as follows:

- 4.1.1 Levelling Up Kent - The scheme will improve travel conditions, reducing journey time delays and queues and provide necessary connectivity to local housing developments in the Ebbsfleet area. In so doing, the Thames Way junction improvements will increase opportunities to access more skilled and better paid employment opportunities, and reduce unproductive time spent in traffic congestion. The scheme output of reduced congestion will make public transport trips more reliable.
- 4.1.2 Infrastructure for Communities – The descopeing of the scheme will provide the necessary junctions improvements to support road loads as developments continue.
- 4.1.3 Environmental Step Change - Improvements to Thames Way junction aims to reduce congestion for traffic, thereby reducing NO2 emissions. The descopeing of the scheme will have a reduced adverse impact on local environment and species.

## **5. Legal implications**

- 5.1 There are no legal implications associated with this scheme. The Section 106 Agreements associated with the scheme are signed, with 50% of the funding already banked.

## **6. Equalities implications**

- 6.1 The Equality Impact Assessment (EqIA) for this scheme is appended to this report (Appendix B).

## **7. Other corporate implications**

- 7.1 No other KCC corporate implications of this report have been identified. However, Ebbsfleet Development Corporation Planning are required to decide on the Ebbsfleet Central development application. It has been determined that a key decision is required on the Thames Way scheme before the application can be decided.

## **8. Governance**

- 8.1 Delegated authority for scope and scheme decisions will be provided to Simon Jones, Corporate Director of Growth, Environment & Transport following prior consultation with the Cabinet Member. Decisions relating directly to Finance or Land Acquisition will be delegated to the relevant director.

## **9. Conclusions**

- 9.1 The Thames Way Scheme is a strategic priority for the local highway network within the Ebbsfleet area (Dartford and Gravesham border). The scheme will provide the necessary capacity improvements on the highway network to accommodate additional vehicular traffic associated with housing developments within Ebbsfleet and the surrounding area.

9.2 The scheme, as originally envisioned is no longer required and is not affordable within the secured funding. It is recommended that the scope be reduced to include the upgrade of the Thames Way/Springhead Road junction only with the approaches to the junction widened to two lanes. Presuming Ebbsfleet Central receives planning permission, the remaining three junctions within the scheme will be upgraded by the developer.

9.3 The scheme will be fully funded by developer contributions and no additional KCC funding will be required. A further paper will be presented to ETCC when the detailed design is complete. This paper will include a detailed cost breakdown of the final scheme.

## **10. Recommendation(s):**

10.1 The Cabinet Committee is asked to consider and endorse, or make recommendations to the Cabinet Member for Highways & Transport on the proposed decision to give approval to progress the Thames Way scheme through the stages of development and delivery as indicated below and specifically for:

I. Approval to delegate the scope change decision, required to allow the scheme to proceed through to detailed design and for the Ebbsfleet Central Application to be determined, to the Corporate Director of Growth, Environment & Transport under the Officer Scheme of Delegations following prior consultation with the Cabinet Member.

II. Approval to delegate the decisions to enter into the appropriate land, development and funding agreements, and all other acts, consents and any subsidiary contracts required to allow the scheme to be progressed to the appropriate Corporate Director.

III. Approval to carry out any public engagement or consultation required for the Thames Way scheme;

IV. Approval for any further decisions required to allow the scheme to proceed through to detailed design to be taken by the Corporate Director of Growth, Environment & Transport under the Officer Scheme of Delegations following prior consultation with the Cabinet Member

As shown at Appendix D.

## **10. Background Documents**

- Appendix A – WSP Modelling Report:  
<https://democracy.kent.gov.uk/documents/s115769/Thamesway%20Network%20Information.pdf> and  
<https://democracy.kent.gov.uk/documents/s115766/MCT.pdf>
- Appendix B – EqlA:  
<https://democracy.kent.gov.uk/documents/s115768/Thames%20Way%20Scheme%20-%20EqlA.pdf>
- Appendix C – Risk Register:  
<https://democracy.kent.gov.uk/documents/s115767/Risk%20Register%20Thames%20Way%20-%20Dec%202022.pdf>

- Appendix D - Proposed Record of Decision

## 10. Contact details

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# KENT COUNTY COUNCIL – PROPOSED RECORD OF DECISION

## DECISION TO BE TAKEN BY:

David Brazier, Cabinet Member for Highways and Transport

## DECISION NO:

22/00110

For publication

Key decision: YES

**Subject Matter / Title of Decision:** Thames Way Scheme – Kent Thameside Strategic Infrastructure Programme

### Decision:

As Cabinet Member for Highways and Transport, I agree to give approval to progress the Thames Way scheme through the stages of development and delivery as indicated below and specifically for:

- I. Approval to delegate the scope change decision, required to allow the scheme to proceed through to detailed design and for the Ebbsfleet Central Application to be determined, to the Corporate Director of Growth, Environment & Transport under the Officer Scheme of Delegations following prior consultation with the Cabinet Member.
- II. Approval to delegate the decisions to enter into the appropriate land, development and funding agreements, and all other acts, consents and any subsidiary contracts required to allow the scheme to be progressed to the appropriate Corporate Director.
- III. Approval to carry out any public engagement or consultation required for the Thames Way scheme;
- IV. Approval for any further decisions required to allow the scheme to proceed through to detailed design to be taken by the Corporate Director of Growth, Environment & Transport under the Officer Scheme of Delegations following prior consultation with the Cabinet Member.

### Reason(s) for decision:

The Thames Way Scheme is a strategic priority for the local highway network within the Ebbsfleet area (Dartford and Gravesham border). The scheme will provide the necessary capacity improvements on the highway network to accommodate additional vehicular traffic associated with housing developments within Ebbsfleet and the surrounding area.

### Cabinet Committee recommendations and other consultation:

The proposal is being considered by Members of the Environment and Transport Cabinet Committee at their meeting on 19 January 2023.

### Any alternatives considered and rejected:

**Progress with the Thames Way scheme as previously proposed; dualling and junction upgrades).** The dualling and junction improvements along Thames Way will increase the capacity of Thames Way. The dualling will likely have up to a moderate adverse effect on local species and adverse effects on landcover due to the destruction of local vegetation. Plans for the development of Ebbsfleet Central will not be able to progress in their current form, delaying housing build out for Dartford and Gravesham. The cost for this scheme, without considering current inflation rates, is predicted at £14.4m. This exceeds the available funding.

**Halt the scheme** – Given the level of development in the area, by 2036, it is expected that the

Thames Way Springhead Road junction will be unable to function effectively during both the AM and PM peak. Presuming Ebbsfleet Central receives planning permission, three of the four junctions within the original scheme will be upgraded by this development improving the capacity across the western end of Thames Way.

**Any interest declared when the decision was taken and any dispensation granted by the Proper Officer:**

.....  
signed

.....  
date



From: David Brazier – Cabinet Member for Highways & Transport  
 Simon Jones – Corporate Director of Growth, Environment & Transport

To: Environment & Transport Cabinet Committee – 19 January 2023

Subject: Folkestone – A Brighter Future – Levelling Up Fund Round 2 bid

Key decision 22/00111

Classification: Unrestricted

Past Pathway of report: None

Future Pathway of report: Cabinet Member for decision

Electoral Division: Folkestone West – Dylan Jeffrey  
 Folkestone East – Jackie Meade

**Summary:** The report outlines the bid that Folkestone and Hythe District Council has submitted to the Levelling Up Fund Round 2 for transport, public realm, and regeneration improvements in Folkestone Town Centre. It seeks endorsement for KCC to act as delivery partner for the transport and public realm elements of the scheme.

**Recommendation(s):**

The Cabinet Committee is asked to consider and endorse or make recommendations to the Cabinet Member for Highways and Transport on the proposed decision (attached as Appendix A), subject to a successful bid to Department for Levelling Up, Housing and Communities (DLUHC) for Levelling Up Fund Round 2 (LUF2) for £19,791,819 to deliver the Folkestone – A Brighter Future scheme to:

- i. Delegate to the Corporate Director of Finance the authority to enter into a delivery partner agreement with Folkestone and Hythe District Council, to deliver the transport and public realm elements of the Folkestone – A Brighter Future scheme aimed at improving gateway to town centre, public realm, and town centre connections.
- ii. Delegate to the Corporate Director of Growth, Environment & Transport the authority to enter into the appropriate land and development agreements, commission detailed design and relevant surveys and the award of the construction contract, and all other acts and consents and any subsidiary contracts required to allow the scheme to be implemented.
- iii. Delegate to the Corporate Director of Growth, Environment & Transport, under the Officer Scheme of Delegations following prior consultation with the Cabinet Member, any further or other decisions as may be appropriate to deliver the Folkestone – A Brighter Future LUF scheme.

## **1. Introduction**

- 1.1 Folkestone and Hythe District Council (FHDC) has submitted a bid to the Department for Levelling Up, Housing and Communities (DLUHC) for Levelling Up Fund Round 2 (LUF2) for £19,791,819 to deliver the Folkestone – A Brighter Future scheme.
- 1.2 The scheme aims to address the issues that the town centre currently faces with high vacancy rates and an overall poor-quality urban environment. It has been struggling over recent years and has seen a 16% drop in footfall over the last four years which has been accelerated by the COVID-19 pandemic. Vacancy rates in the town centre currently are very high at 14.7% and the scheme will aim to reduce this through improved access and public realm. The Folca building, which is currently vacant, will also be refurbished as part of the scheme; though this element will be delivered by FHDC.
- 1.3 This report will outline the LUF2 bid which has been submitted and seek endorsement for KCC to act as the delivery partner for the transport and public realm elements of the bid.

## **2. Discussion**

- 2.1 The Folkestone – A Brighter Future scheme has three key areas of focus to improve Folkestone town centre which are outlined below. A plan showing the proposed scheme is included as Appendix B.
  1. Station Arrival and Town Centre Connections:  
This element of the project aims to improve the links from the railway station for pedestrians and cyclists to encourage use of active travel and public transport and to improve connections for visitors and residents alike.
  2. Improved Gateway to the Town Centre and Bouverie Square:  
This component of the project will unlock transformational change around the town centre. The focus will be to reconfigure the main bus station in the town centre and implement changes to the legacy gyratory road system to the north.
  3. Folca, Sandgate Road and Town Centre Public Realm:  
This element of the project will refurbish the Folca building (the former Debenhams building) into a ‘town lab’ which will encourage and bring new and experimental uses into the town centre. The phased refurbishment of this building will bring a currently redundant building back into use in the town centre and reactivate this part of the high street. It will also improve the public realm on Sandgate Road to encourage footfall in this area of the town centre.
- 2.2 As the potential delivery partner for the scheme; KCC were not involved in assessing the options for the scheme. FHDC developed the Folkestone Place Plan in 2021 to define the scope of the scheme. A total of six possible options were considered in the Folkestone Place Plan as follows: Station Arrival and Town Centre Connections, Improved Gateway to the Town Centre and Bouverie Square, Sandgate Road and Town Centre Public Realm, F51 Environs and Payers Park, Harbour Line & Tram Road, and Sunny Sands.

- 2.3 Following the creation of the six above options public consultation was sought to get an understanding of key stakeholders' opinions of the proposals. Upon completion of this stage, it was concluded that three of the six projects would proceed as described in the background section above. The discarded options still present viable future projects however, as part of this scheme (Folkestone-A Brighter Future) will not be developed further.
- 2.4 FHDC has requested that KCC act as the delivery partner for the transport and public realm elements of the scheme. FHDC will deliver the refurbishment of the Folca building directly, and so this element of the funding would not be included in the delivery partner agreement.
- 2.5 Through acting as the delivery partner for the transport and public realm elements of the scheme, KCC will have greater control over the implementation of the works. KCC will be able to ensure that the materials palette chosen is in line with KCC's Asset Management Strategy and works completed are of a high standard and will not present a maintenance liability in the future.
- 2.6 If the LUF2 bid is successful, a grant agreement will be issued to FHDC as the Accountable Body. This will set out the conditions of the funding including deadlines for spending of the grant and delivering the scheme. The bidding documents stated that a condition of the funding will be that an element of spend is achieved in the 2022/23 financial year. As the funding decision is now delayed until the end of 2022, it is necessary to seek the authority to proceed with the delivery partner agreement and the scheme delivery prior to the funding decision. This will make it possible to proceed at pace with the scheme delivery following a positive funding decision.
- 2.7 The LUF2 funding decision is currently expected later this month. Unfortunately, this does not align with the deadlines to submit reports for this Committee, and so an update will be circulated once the decisions are known.

### **3. Financial Implications**

- 3.1 The scheme will only proceed if the LUF2 bid is successful; and this will (subject to award) provide funding of £19,791,819 for the scheme. Folkestone & Hythe District Council are committed to contributing the remaining £2,199,091 which equates to the 10% match funding requirement for this project.
- 3.2 As part of the LUF2 bid, a cost estimate was completed by cost consultants in July 2022 and is shown below:

<b>Item</b>	<b>Estimate (£s)</b>
<b>Construction</b>	<b>14,048,127</b>
<b>Construction Contingency</b>	<b>2,400,441</b>
<b>Project Management</b>	<b>1,217,713</b>
<b>Fees</b>	<b>1,816,629</b>
<b>Artists fees</b>	<b>600,000</b>

<b>Materials (Non-Standard)</b>	<b>850,000</b>
<b>Inflation</b>	<b>1,058,000</b>
<b><i>Total</i></b>	<b>21,990,910</b>

- 3.3 Only the LUF funding to deliver the Transport and Public Realm elements of the project will be transferred to KCC through the delivery partner agreement. The funding for the Folca refurbishment will remain with FHDC (this equates to £2.28m construction costs plus a proportion of the project management, contingency, inflation, artist, and consultancy fees).
- 3.4 There will be no KCC capital or revenue funding required to deliver the scheme. All KCC Officer time and costs incurred through delivering the project will be capitalised and charged to the project if it goes ahead, including officer time spent to date on assisting with the bid and project preparations. FHDC would be responsible (as the Accountable body for the LUF2 grant) for any cost overruns; and this will be formalised in the Delivery Partner agreement.

#### **4. Legal implications**

- 4.1 FHDC will be the Accountable Body for the LUF2 allocation (if the bid is successful) and as such they will sign up to the Grant Agreement with Department for Levelling Up, Housing and Communities (DLUHC).
- 4.2 KCC will enter into a Delivery Partner Agreement with FHDC to define the terms for transferring the LUF2 for the delivery of the transport and public realm elements of the project. This would only be entered into if the risks to KCC are deemed acceptable. Invicta Law advice will be sought prior to entering into the Funding Agreement should the funding bid be successful.
- 4.3 Should the Council be successful in these funding bids, the award of any contracts to deliver these requirements will be in full compliance with all relevant procurement and governance regulations.

#### **5. Equalities implications**

- 5.1 An Equality Impact Assessment (attached as Appendix C) was carried out by Folkestone and Hythe district council in July 2022. The assessment indicates that 'there are no concerns at this stage which indicate the possibility of inequalities or negative impacts'. No key issues were found in the assessment and therefore any mitigation has not been included.
- 5.2 The assessment identifies that the project offers an opportunity to promote equality and/or good community relations as there has been an extensive public engagement to date, both with the development of the Folkestone Place Plan and the shaping of the LUF application for Folkestone- A Brighter Future. This project will provide an excellent opportunity to continue with this engagement and will promote equality and good community relations.

5.3 Should the funding bid be successful, and KCC act as delivery partner, an EQIA will be completed for the Transport and Public Realm elements which will be regularly reviewed as the project progresses.

## **6. Other corporate implications**

6.1 None identified

## **7. Governance**

7.1 The Corporate Director of Growth, Environment & Transport is likely to inherit the main delegations via the Officer Scheme of Delegation.

## **8. Conclusions**

8.1 Folkestone and Hythe District Council (FHDC) has submitted a bid to the Department for Levelling Up, Housing and Communities (DLUHC) for Levelling Up Fund Round 2 (LUF2) for £19,791,819 to deliver the Folkestone – A Brighter Future scheme.

8.2 The funding decision is expected to be made in January 2023, and if successful, FHDC has requested that KCC act as the delivery partner for the transport and public realm elements of the bid. Through acting as delivery partner; KCC will have greater control over the scheme delivery.

8.3 Taking the role of delivery partner will not require any revenue or capital funding from KCC as all officer time and costs associated with the project delivery would be capitalised against the scheme.

## **9. Recommendation(s):**

The Environment and Transport Cabinet Committee is asked to consider and endorse or make recommendations to the Cabinet Member for Highways and Transport on the proposed decision (attached as Appendix A) subject to a successful bid to Department for Levelling Up, Housing and Communities (DLUHC) for Levelling Up Fund Round 2 (LUF2) for £19,791,819 to deliver the Folkestone – A Brighter Future scheme to:

i. Delegate to the Corporate Director of Finance the authority to enter into a delivery partner agreement with Folkestone and Hythe District Council, to deliver the transport and public realm elements of the Folkestone – A Brighter Future scheme aimed at improving gateway to town centre, public realm, and town centre connections.

ii. Delegate to the Corporate Director of Growth, Environment & Transport the authority to enter into the appropriate land and development agreements, commission detailed design and relevant surveys and the award of the construction contract, and all other acts and consents and any subsidiary contracts required to allow the scheme to be implemented.

iii. Delegate to the Corporate Director of Growth, Environment & Transport, under the Officer Scheme of Delegations following prior consultation with the Cabinet Member, any further or other decisions as may be appropriate to deliver the Folkestone – A Brighter Future LUF scheme.

## 10. Background Documents

10.1 The following background documents are included as Appendices to this report:

- Appendix A: PROD
- Appendix B: Folkestone – A Brighter Future outline plan:  
<https://democracy.kent.gov.uk/documents/s115763/Appendix%20B%20Folkestone%20LUF%20Outline%20Plan.pdf>
- Appendix C: Equalities Impact Assessment:  
<https://democracy.kent.gov.uk/documents/s115764/AppendixCEqIAFolkestoneABrighterFuture.doc.pdf>

## 11. Contact details

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# KENT COUNTY COUNCIL –PROPOSED RECORD OF DECISION

**DECISION TO BE TAKEN BY:**

David Brazier, Cabinet Member for Highways and Transport

**DECISION NO:**

22/00111

For publication

Key decision: YES

**Subject Matter / Title of Decision**

Folkestone – A Brighter Future – Levelling Up Fund Round 2 bid

**Decision:**

As Cabinet Member for Highways and Transport, subject to a successful bid to Department for Levelling Up, Housing and Communities (DLUHC) for Levelling Up Fund Round 2 (LUF2) for £19,791,819 to deliver the Folkestone – A Brighter Future scheme, I agree to:

- I. Delegate to the Corporate Director of Finance the authority to enter into a delivery partner agreement with Folkestone and Hythe District Council, to deliver the transport and public realm elements of the Folkestone – A Brighter Future scheme aimed at improving gateway to town centre, public realm and town centre connections.
- II. Delegate to the Corporate Director of Growth, Environment & Transport the authority to enter into the appropriate land and development agreements, commission detailed design and relevant surveys and the award of the construction contract, and all other acts and consents and any subsidiary contracts required to allow the scheme to be implemented.
- III. Delegate to the Corporate Director of Growth, Environment & Transport, under the Officer Scheme of Delegations following prior consultation with the Cabinet Member, any further or other decisions as may be appropriate to deliver the Folkestone – A Brighter Future LUF scheme.

**Reason(s) for decision:**

Authority to enter in to a delivery partner agreement with Folkestone and Hythe District Council so that KCC act as the delivery partner for the transport and public realm elements of the Folkestone – A Brighter Future Levelling Up Fund Round 2 bid. This will enable the scheme design and construction to be progressed.

**Cabinet Committee recommendations and other consultation:**

The proposal is being considered by Members of the Environment and Transport Cabinet Committee at their meeting on 19 January 2023.

**Any alternatives considered and rejected:**

The option to not act as delivery partner for the scheme was discarded as this would jeopardise the delivery of the scheme and therefore carry reputational risk for KCC.

**Any interest declared when the decision was taken and any dispensation granted by the Proper Officer:**

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signed

.....  
date

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From: David Brazier – Cabinet Member for Highways & Transport  
 Simon Jones, Corporate Director, Growth, Environment and Transport

To: Environment & Transport Cabinet Committee – 19 January 2023

Decision No: 22/00112

Subject: M20 J7 Improvement Scheme, Maidstone

Classification: Unrestricted

Past Pathway of Paper: None

Future Pathway of Paper: For Cabinet Member Decision

Electoral Division: Within Maidstone Rural North and adjacent to Maidstone Rural East, Maidstone South & Maidstone North East

**Summary:** This paper outlines proposals for improvements to road capacity at the M20 J7 and funding sources.

**Recommendation(s):**

The Cabinet Committee is asked to consider and endorse, or make recommendations to the Cabinet Member for Highways & Transport on, the proposed decision as follows and as indicated on the proposed decision sheet attached at Appendix C to give approval to:

- i) Subject to a successful bid, delegate to the Corporate Director of Finance the authority to accept up to £7.3m of Levelling-up Funding from Government (Department for Levelling up, Housing and Communities) to deliver the M20 Junction 7 Capacity Improvements scheme aimed at reducing congestion, queuing, and air pollution.
- ii) Delegate to the Corporate Director of Finance the authority to accept up to £5.4m of Community Infrastructure Levy funding from Maidstone Borough Council to deliver the M20 Junction 7 Capacity Improvements scheme aimed at reducing congestion, queuing, and air pollution.
- iii) Adopt the M20 Junction 7 Capacity Improvements scheme shown on Drg. Nos. 70040984-GA-0101 T01 and 70040984-GA-0102 T01 for implementation.
- iv) Delegate to the Corporate Director of Growth, Environment & Transport the authority to enter into the appropriate land, development and funding agreements and the award of the construction contract, and all other acts and consents and any subsidiary contracts required to allow the scheme to be implemented.
- v) Delegate to the Corporate Director of Growth, Environment & Transport, under the Officer Scheme of Delegations following prior consultation with the Cabinet Member, any further or other decisions as may be appropriate to deliver the M20 Junction 7 scheme.

## 1. Introduction

- 1.1 M20 Junction 7 at Maidstone experiences significant congestion which without intervention will be exacerbated by the development of the Kent Medical Campus and housing developments in the area.
- 1.2 To the north of the junction, the A249 provides a strategic link to the M2 at Junction 5 and then into Swale. To the south, it provides access to Maidstone and the A20. Immediately south of the junction, the A249 connects to Bearsted Road, providing access to the Newnham Court Shopping Village, the developing Kent Medical Campus, and the Eclipse Park office, retail, and hotel business park.
- 1.3 The proposed M20 J7 improvements will complement and enhance the benefits of the £14.657m A249 Bearsted Road improvement scheme (Decision 22/00025). Together, the proposed M20 J7 improvement and the A249 Bearsted Road improvement form an integrated package of measures to reduce congestion and support new high-quality development. Both parts of the package were identified in the Kent Local Transport Plan (2016-2031) and will unlock the development of 100,000m<sup>2</sup> of specialist medical facilities and related uses, including 25,000m<sup>2</sup> of offices and research and development facilities and 3,000 highly skilled jobs at the Kent Medical Campus (KMC).
- 1.4 The objective of the M20 J7 improvements is to improve road capacity making for more reliable journey times and reduced queues for all road users. The scheme will also yield greater environmental and health and well-being benefits by reducing queuing times and increasing active travel infrastructure.
- 1.5 Following successful applications to the NPIF for funding towards the Bearsted Road improvement, an application was made to National Highways (NH) (formerly Highways England (HE)) for £4.7m from its Growth and Housing Fund to deliver the proposed M20 J7 improvement. Unfortunately, this fund was subsequently withdrawn, leaving that part of the package unfunded, although NH remains strongly supportive of the scheme. Subsequent bids for Local Growth Funding and Levelling Up Fund (LUF) Round 1 were unsuccessful.
- 1.6 The budget estimate for the delivery of the scheme has increased since the original estimate due to inflationary pressures caused by Covid, Brexit and more recently the war in Ukraine.
- 1.7 Due to the importance of delivering this infrastructure improvement, two further funding bids have been submitted:
  - 1.7.1 A bid was for £5.4m was submitted in July 2022 to Maidstone Borough Council's Community Infrastructure Levy (CIL) fund for infrastructure.
  - 1.7.2 A bid was submitted for £7.4m to LUF Round 2 in August 2022 because although the Round 1 bid for the M20J7 was unsuccessful, feedback received from the DfT suggested the bid was strong and could be resubmitted as a Round 2 bid.

1.8 The two possible funding packages to deliver the scheme are outlined in Section 3.

## 2. Scheme description

2.1 The proposed scheme will implement traffic signals at the M20 Junction 7 roundabout and improve the walking and cycling infrastructure through the junction, mitigating the current barrier from north-south between Maidstone and Swale Districts through providing 4 new toucan crossings and a re-aligned shared use pedestrian and cycle path to connect with the existing infrastructure.

2.2 The proposals can be seen on the scheme designs which are shown on Drawing Nos. 70040984-GA-0101 T01 and 70040984-GA-0102 T01 included as Appendix A.

## 3. Financial Implications

3.1 A review of the cost estimate was carried out by Allan Dadswell Cost Consultants (ADCC) in July 2022, following the recent inflationary pressures. A summary of the cost estimate can be viewed below:

Item	Estimates (£s)
<b>Construction (including contingency)</b>	<b>4,353,143</b>
<b>Utilities</b>	<b>250,000</b>
<b>Development and Design</b>	<b>250,000</b>
<b>Fees</b>	<b>716,000</b>
<b>Land and access</b>	<b>103,000</b>
<b>Risk</b>	<b>1,021,031</b>
<b>Inflation</b>	<b>1,644,703</b>
<b>Total</b>	<b>8,338,127</b>

3.2 **No KCC capital or revenue funding will be required to deliver the scheme.** The scheme will only progress if the external funding bid(s) are successful. If the funding is secured and the scheme progresses to construction, then all KCC officer time and costs incurred in scheme delivery will be capitalised against the scheme.

3.3 Delivery of the scheme will also mean existing KCC assets (e.g., surfacing, drainage, and street lighting) can be upgraded as part of the scheme budget; reducing the asset management pressure for the medium term. The materials will also be selected to ensure the pressure is reduced for the longer term.

3.4 Developer contributions of £1,062,429 have been secured and banked. An additional S106 contribution of £390,000 has been invoiced and is currently awaiting payment.

3.5 The two options for funding sources for the scheme are shown in the tables below. The first table is the funding package if the LUF2 bid is successful. The second table shows the funding package if the CIL bid is successful.

### Funding option 1 - LUF bid successful

Funding source	Amount (£s)	Status
LUF 2	7,275,698	Awaiting funding decision
S106	1,062,429	Banked
	390,000	Invoiced awaiting payment
<b>Total</b>	<b>8,728,127</b>	

### Funding option 2 - CIL bid successful

Funding source	Amount (£s)	Status
CIL	5,441,610	Awaiting funding decision
S106	1,062,429	Banked
	390,000	Invoiced awaiting payment
	2,534,327	Awaiting trigger point
<b>Total</b>	<b>9,428,366</b>	

- 3.6 A further S106 contribution of £2,534,327 will become available when the occupation trigger is reached. If the CIL bid is successful and funding option 2 is progressed; then this additional S106 will be needed to deliver the scheme. Therefore, to prevent the requirement for KCC to forward fund the scheme, the award of the construction contract could be delayed until the S106 was banked. If funding Option 1 is progressed, and this additional S106 becomes available within the delivery timescales then this would provide additional risk and contingency for the project.
- 3.7 The funding packages shown in the tables in 3.5 demonstrate that the scheme is affordable with additional contingency funds available if either the LUF2 or CIL bids are successful.
- 3.8 The LUF2 and CIL funding decisions are currently expected in January 2023. Unfortunately, this does not align with the deadlines to submit reports for this Committee, and so an update will be circulated once the decisions are known.

## 4. Policy Framework

4.1 The M20 junction 7 capacity improvements scheme is included as a Transport Priority for Maidstone included in LTP4 'Delivering Growth without Gridlock 2016 - 2031.

4.2 Delivery of the M20 Junction 7 Capacity Improvements supports the first three priorities of Framing Kent's Future 2022-2026 as follows:

4.2.1 Levelling Up Kent - The scheme will improve travel conditions, reducing journey time delays and queues at a key road junction critical for the provision of an effective and efficient transport network in the Maidstone and Swale region. This will provide a catalyst for economic growth and housing development. In so doing, the M20 J7 Improvements will increase opportunities to access more skilled and better paid employment opportunities, and reduce unproductive time

spent in traffic congestion. The scheme output of reduced congestion will also make public transport trips more reliable.

4.2.2 Infrastructure for Communities – The scheme will enable the full build out of the Kent Medical Campus (KMC), providing the necessary infrastructure before the development is completed. By offering improved cycling and walking connectivity, a barrier to active travel will be removed and greater well-being and health choices encouraged.

4.2.3 Environmental step change – The scheme aims to reduce queue lengths and waiting time for approaching traffic at the M20 junction 7, thereby reducing tailpipe emissions in this AQMA and contributing towards the Net Zero targets. The scheme will also provide new cycling and walking infrastructure which will connect with existing facilities complementing the cycling and walking improvements in the Bearsted Road scheme. This will encourage cycling and walking to the KMC, Newnham Court Shopping Village and local residential developments, helping reduce congestion and improve air quality, health and well-being.

## **5. Equalities Impact Assessment**

5.1 An updated Equalities Impact Assessment is included as Appendix B

## **6. Legal implications**

6.1 Should the LUF2 or CIL bids be successful, Invicta Law advice will be sought before the Grant Agreements are entered into to ensure that the risks to KCC are acceptable.

6.2 Should the Council be successful in these funding bids, the award of any contracts to deliver these requirements will be in full compliance with all relevant procurement and governance regulations.

## **7. Conclusion**

7.1 The M20 Junction 7 provides strategic links as a key part of Maidstone's highway infrastructure but additional capacity to accommodate current and future traffic is needed.

7.2 The current proposal will complement and enhance the existing infrastructure with the aim of reducing congestion and improving the connectivity of active transport infrastructure.

## **8. Recommendation(s)**

**8.1 The Environment and Transport Cabinet Committee** is asked to consider and endorse, or make recommendations to the Cabinet Member for Highways and Transport on the proposed decision as follows and as indicated on the proposed decision sheet attached at Appendix C to give approval to:

- i) Subject to a successful bid, delegate to the Corporate Director of Finance the authority to accept up to £7.3m of Levelling-up Funding from Government (Department for Levelling up, Housing and Communities) to deliver the M20 Junction 7 Capacity Improvements scheme aimed at reducing congestion, queuing, and air pollution.
- ii) Delegate to the Corporate Director of Finance the authority to accept up to £5.4m of Community Infrastructure Levy funding from Maidstone Borough Council to deliver the M20 Junction 7 Capacity Improvements scheme aimed at reducing congestion, queuing, and air pollution.
- iii) Adopt the M20 Junction 7 Capacity Improvements scheme shown on Drg. Nos. 70040984-GA-0101 T01 and 70040984-GA-0102 T01 for implementation.
- iv) Delegate to the Corporate Director of Growth, Environment & Transport the authority to enter into the appropriate land, development and funding agreements and the award of the construction contract, and all other acts and consents and any subsidiary contracts required to allow the scheme to be implemented.
- v) Delegate to the Corporate Director of Growth, Environment & Transport, under the Officer Scheme of Delegations following prior consultation with the Cabinet Member, any further or other decisions as may be appropriate to deliver the M20 Junction 7 scheme.

## 9. Background Documents

- Appendix A - Scheme designs: Drawing Nos. 70040984-GA-0101 & T01 and 70040984-GA-0102 T01 to be adopted :  
<https://democracy.kent.gov.uk/documents/s115765/M20J7%20-%20Appendix%20A.pdf>
- Appendix B – Equalities Impact Assessment:  
<https://democracy.kent.gov.uk/documents/s115762/AppendixBEqIAM20J7.docx.pdf>
- Appendix C – Proposed Record of Decision

## 10. Contact details

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# KENT COUNTY COUNCIL –PROPOSED RECORD OF DECISION

## DECISION TO BE TAKEN BY:

David Brazier, Cabinet Member for Highways and Transport

## DECISION NO:

22/00112

For publication

Key decision: YES

## Subject Matter / Title of Decision

M20 Junction 7 Capacity Improvements

## Decision:

As Cabinet Member for Highways and Transport, I agree to:

- I. Subject to a successful bid, delegate to the Corporate Director of Finance the authority to accept up to £7.3m of Levelling-up Funding from Government (Department for Levelling up, Housing and Communities) to deliver the M20 Junction 7 Capacity Improvements scheme aimed at reducing congestion, queuing, and air pollution.
- II. Delegate to the Corporate Director of Finance the authority to accept up to £5.4m of Community Infrastructure Levy funding from Maidstone Borough Council to deliver the M20 Junction 7 Capacity Improvements scheme aimed at reducing congestion, queuing, and air pollution.
- III. Adopt the M20 Junction 7 Capacity Improvements scheme shown on Drg. Nos. 70040984-GA-0101 T01 and 70040984-GA-0102 T01 for implementation.
- IV. Delegate to the Corporate Director of Growth, Environment & Transport the authority to enter into the appropriate land, development and funding agreements and the award of the construction contract, and all other acts and consents and any subsidiary contracts required to allow the scheme to be implemented.
- V. Delegate to the Corporate Director of Growth, Environment & Transport, under the Officer Scheme of Delegations following prior consultation with the Cabinet Member, any further or other decisions as may be appropriate to deliver the M20 Junction 7 scheme.

## Reason(s) for decision:

Authority to accept external funding to deliver the M20 Junction 7 Capacity Improvements scheme aimed at reducing congestion and air pollution and providing improved active travel options. This will enable the scheme design and construction to be progressed and will generate economic growth including delivery of the final 25% of the Kent Medical Campus development.

## Cabinet Committee recommendations and other consultation:

## Any alternatives considered and rejected:

The option to not pursue delivery of the scheme was discarded as this would not address the

congestion at the M20 Junction 7 and the final 25% of the Kent Medical Campus will only be unlocked with the delivery of the scheme.

**Any interest declared when the decision was taken and any dispensation granted by the Proper Officer:**

.....  
signed

.....  
date



From: Susan Carey, Cabinet Member for Environment  
Simon Jones, Corporate Director for Growth, Environment & Transport

To: Environment and Transport Cabinet Committee – 19<sup>th</sup> January 2023

Subject: Waste Management – decision to approve revised charges for non-household waste received at Household Waste Recycling Centres

Key decision 22/00113

Classification: Unrestricted

Past Pathway of report: N/A

Future Pathway of report: For decision by the Cabinet Member for Environment & Waste

Electoral Division: Whole of County

**Summary:** Kent County Council charge for the disposal of soil, rubble, hardcore, plasterboard and tyres at the Household Waste Recycling Centres. This paper details a review of those charges and rationale for recommended increases.

**Recommendation(s):**

The Cabinet Committee is asked to consider and endorse or make recommendations to the Cabinet Member for Environment on the proposed decision to increase disposal charges levied at the HWRCs for non-household waste materials and through the main delegations, via the Officer Scheme of Delegation, for the Director of Environment & Waste to annually review and publish charges in line with changing operational costs.

**1. Introduction**

- 1.1 KCC operates a network of 19 HWRCs across the county. A policy of charging for the disposal of non-household materials, namely soil, rubble, hardcore and plasterboard was introduced in June 2019. Prior to this, charges for the disposal of vehicle tyres were introduced in 2012.
- 1.2 These materials are treated as non-household waste, which is in accordance with the Controlled Waste Regulations 2012. KCC does not charge residents for any other items to be disposed of at HWRCs other than non-household waste.
- 1.3 Following a review of increases to disposal costs incurred by KCC through the respective material contracts, it is proposed to increase charges in line with inflation. Increases to these charges has not been accrued since the implementation of the policy.

## **2. The report**

- 2.1 Fees were initially set and agreed in 2019 and were determined by several cost factors including disposal and treatment of the material, haulage, contractor management fees, administration fees and resources for the implementation of the service.
- 2.2 Each year, operating costs are increased for haulage and disposal rates for each of the material streams. These increases are based on actual inflationary changes, which are relevant to each materials contract.
- 2.3 Prices have not been reviewed since the commencement of the policy in June 2019. Each disposal contract attracts indexation each year and it is proposed to increase charges by subsequent years of indexation up to 2022 /23, from April 2023. Actual 2023/24 indexation will then be applied for charges from April 2024. These represent the additional costs applied to each of the relevant contracted rates and are the actual cost rises charged to the Waste Disposal Authority.
- 2.4 Increased charges are in line with rises in disposal gate fees, haulage costs and administration associated with updates to signage, data capture technology and communication of changes. Initial set up costs do not need to be included as these were one off expenditure items at the time of the implementation of the policy.

## **3. Financial Implications**

- 3.1 The tables on the following page illustrate the cost increases not recovered for these services; these are compounded by the actual annual inflation for years 2020/21, 2021/22, 2022/23. This unrecovered income will represent an increase of payments charged to the users of the service from April 2023.
- 3.2 Actual inflation, due to be applied to disposal contracts in 2023/24 shall be applied to ensure full cost recovery to KCC. New charges effective from April 2024 will keep pace with costs for the wider service.
- 3.3 The MTFP has provided funding for cost inflation, this proposes to align cost and revenue income.
- 3.4 This policy has delivered cost avoidance, as residents have paid for the disposal of this non-household waste. It is also noted that other forms of disposal have increased, such as re-use and increased skip hire, this has created much needed capacity at the waste sites and has prevented the potential for further revenue and capital investment.

<b>Material Type</b>	<b>2019 / 20 Combined Rate per tonne (haulage and disposal)</b>	<b>2019 / 20 - 23 / 24 Compounded 3 years inflation Increase in Rate %</b>	<b>Current charge</b>	<b>Proposed charge*</b>
Soil, rubble and hardcore	£31.53	21.45%	£4 per bag	£5 per bag
Plasterboard	£93.09	21.45%	£6 per bag / sheet	£7.50 per bag / sheet

\*The proposed charge has been rounded up to the nearest £0.50 to account for admin and contract management fees, and to make the price an easier amount for customers and site staff when calculating costs.

<b>Material Type</b>	<b>2019/20 Spend - Haulage and disposal costs</b>	<b>2019/ 20 - 23 / 24 Compounded 3 years inflation Increase in Rate %</b>	<b>Current charge</b>	<b>Proposed charge**</b>
Tyres	£22,712.80	21.45%	£2.50 per tyre	£3 per tyre

\*\*The proposed charge has been rounded down to the nearest £0.50 for tyres to make the price an easier amount for customers and site staff when calculating costs. Note: admin fees and contract management fees accounted for in the rounding up of costs for soil, rubble, hardcore and plasterboard.

CPI Indexation applied for the above calculations.

<b>Year</b>	<b>CPI Indexation Increases</b>
Apr-20	0.80%
Apr-21	1.50%
Apr-22	9.00%
Apr-23	8.90%

#### **4. Legal implications**

- 4.1 These chargeable materials are treated as non-household waste. This is in accordance with the Controlled Waste Regulations 2012. There is no requirement to accept any waste other than a resident's own household waste free of charge at an HWRC.
- 4.2 The Government launched a consultation on preventing charges for DIY waste at HWRCs and called for evidence on booking systems.
- 4.3 The consultation closed on the 4<sup>th</sup> July 2022. The latest update posted 21<sup>st</sup> September 2022 states that; *2,240 responses were received, with the aim to publish the summary of responses and the government response in autumn 2022.*
- 4.4 Kent County Council responded to this consultation and was able to present clear data that shows that there is no link between such policies and fly tipping. The level of fly-tipped materials brought to KCC for disposal have remained broadly at the same level since 2014/15, with data showing that flytipping levels in Kent have gone down in the last financial year by around 1,000 tonnes (24%).
- 4.5 If legislation is changed by Government, then Kent County Council will have to review a number of its approved service policies.

#### **5. Equalities implications**

- 5.1 No equalities implications have been identified; an Equality Impact Assessment (EqIA), is appended to this report. An action plan which reflects the wider implications of the policy has already been implemented and remains relevant. This proposed increase in charging is not considered to be detrimental to any groups that may have protected characteristics.

#### **6. Other corporate implications**

- 6.1 There are no other functions which overlap or impact upon other areas of the Council's work.

#### **7. Governance**

- 7.1 Through the main delegations via the Officer Scheme of Delegation, it is proposed that the Director of Environment & Waste is to annually review and publish charges in line with changing operational costs.

#### **8. Conclusions**

- 8.1 Prices have not been reviewed since the commencement of the policy in June 2019. It is proposed to increase charges by subsequent years of indexation and actual inflation applied to contracts in 2023/24. These represent the percentage applied to each of the relevant contracted rates, which is the actual cost increase to the Waste Disposal Authority.

## 9. Recommendation

9.1 The Cabinet Committee is asked to consider and endorse or make recommendations to the Cabinet Member for Environment on the proposed decision to increase disposal charges levied at the HWRCs for non-household waste materials and through the main delegations, via the Officer Scheme of Delegation, the Director of Environment & Waste to annually review and publish charges in line with changing operational costs.

## 10. Background Documents

Appendix A: Proposed Record of Decision

Appendix B: EQIA 2019 (reviewed 9<sup>th</sup> Dec 2022) :

<https://democracy.kent.gov.uk/documents/s115783/EqIA%20-%20Charging%20for%20non-household%20waste%20at%20Household%20Waste%20Recycling%20Centres.pdf>

## 11. Contact details

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# KENT COUNTY COUNCIL –PROPOSED RECORD OF DECISION

**DECISION TO BE TAKEN BY:**

Susan Carey, Cabinet Member for Environment

**DECISION NO:**

22/00113

**For publication**

**Key decision: YES**

**Subject Matter / Title of Decision:** Revised charges for non-household waste received at Household Waste Recycling Centres.

**Decision:**

As Cabinet Member for Environment, I agree to increase disposal charges levied at the HWRCs for non-household waste materials and through the main delegations, via the Officer Scheme of Delegation, for the Director of Environment & Waste to annually review and publish charges in line with changing operational costs.

**Reason(s) for decision:**

KCC operates a network of 19 HWRCs across the county. A policy of charging for the disposal of non-household materials, namely soil, rubble, hardcore and plasterboard was introduced in June 2019. Prior to this, charges for the disposal of vehicle tyres were introduced in 2012.

Prices have not been reviewed since the commencement of the policy in June 2019. It is proposed to increase charges by subsequent years of indexation and actual inflation applied to contracts in 2023/24. These represent the percentage applied to each of the relevant contracted rates, which is the actual cost increase to the Waste Disposal Authority.

**Cabinet Committee recommendations and other consultation:**

The proposal is being considered by Members of the Environment and Transport Cabinet Committee at their meeting on 19 January 2023.

**Any alternatives considered and rejected:**

The option to hold charges is discounted as the cost of delivering all aspects of the service has risen. The Council wishes to continue to offer this chargeable service as an option to residents rather than prohibit the acceptance of non-household waste materials at HWRCs.

**Any interest declared when the decision was taken and any dispensation granted by the Proper Officer:**

.....  
signed

.....  
date

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From: Susan Carey, Cabinet Member for Environment  
Simon Jones, Corporate Director of Growth, Environment and Transport

To: Environment and Transport Cabinet Committee – 19 January 2023

Subject: Projects and initiatives at the Household Waste Recycling Centres – an update paper

Key decision: No

Classification: Unrestricted

Past Pathway of report: N/A

Future Pathway of report: N/A

Electoral Division: All divisions

**Summary:** The Kent County Council (KCC) Waste Management Service is undertaking several pilot projects and initiatives at the Household Waste Recycling Centres (HWRCs), to realise an array of benefits including potential savings, increasing income, as well as environmental and social value outcomes. An Officer Decision has also been taken regarding the use of the KCC HWRCs by non-Kent residents.

This paper summarises these projects, with further details included within supplementary appendices.

**Recommendation(s):**

The Cabinet Committee is asked to note and make comment on the content of this paper and its appendices.

**1. Introduction**

- 1.1 Kent County Council (KCC) operates as the Waste Disposal Authority (WDA) and, in accordance with the Environmental Protection Act (EPA) 1990, provides Household Waste Recycling Centres (HWRCs). KCC currently operates a network of 19 HWRCs providing facilities for re-use, recycling, and safe disposal for a range of materials delivered by Kent residents.
- 1.2 KCC's current financial pressures, has required the Waste Management service to consider further options to realise savings and in some instances increase the potential for income as part of the HWRC operations. Whilst the projects described in this paper will elicit varying degrees of financial benefit, it is important to note that they all realise other important benefits too, including environmental gains, and positive social value outcomes through partnership working which serves local communities.

1.1 Given the breadth of detail relating to the projects and initiatives being delivered, they are all subject to their own appendices attached to this report. All papers are for information only.

## **2. Summary of each Appendix report**

### **2.1 Appendix 1: Cross-border customer use of Kent County Council Household Waste Recycling Centres**

2.2 The appendix is a copy of the Record of Officer Decision relating to a cross-border policy at the HWRCs. In accordance with the Environmental Protection Act (EPA) 1990, KCC as the Waste Disposal Authority, provides HWRCs for Kent residents. However, the Act also states that waste can be accepted from non-residents and that charges can be levied for the disposal of this waste i.e., KCC can either prohibit use entirely or charge residents who do not live in the KCC administrative area for using the Authority's HWRCs.

2.3 Financial pressures on the Waste Management service means that it must be considered whether a cross-border customer policy for use of the Authority's HWRCs is necessary. Taking into account the approach by other Local Authorities, public feedback, and financial modelling, in order to continue to provide choice to residents, the policy decision is to continue to allow cross border access for non-Kent residents, albeit for a charge.

2.4 The policy is an extension of the cross-border policy which has been operating at Dartford HWRC for 25 years. It will be administered via the HWRC booking system.

### **2.5 Appendix 2: Reuse Activities at the Household Waste Recycling Centres**

2.6 The report describes the various reuse opportunities and aspirations to be delivered at the HWRCs. Reuse sits higher in the waste hierarchy than recycling. It is where items are reused in their current state or undergo minor repair or refurbishment in order to be reused, rather than undergoing treatment or reprocessing into new items.

2.7 In addition to meeting legislative drivers, there are a number of benefits of increasing reuse, including reduced disposal costs, diversion from recovery, environmental and carbon benefits, maximising value and use of resources, and social value benefits including possible employment, training, reskilling, and support to / partnering with third sector and charity organisations.

### **2.8 Appendix 3: Small Business Recycling at the Household Waste Recycling Centres**

2.9 The report outlines an initiative which will introduce a recycling service for small businesses at HWRCs across Kent which are permitted to carry out the activity.

2.10 The scope of the project is to target small business owners who require an affordable outlet for their business recycling, with the objective that KCC's recycling rates increase, and materials are received that have a commodity value.

2.11 An initial trial will be held at the Canterbury and New Romney sites which already have in place permits allowing the acceptance of trade waste; this will be used to inform a further roll out of the initiative at other HWRC's.

#### **2.12 Appendix 4: Bag splitting at Household Waste Recycling Centres**

2.13 The report outlines a bag splitting initiative which has been introduced at selected HWRCs, with the intention of a full roll-out of the scheme across Kent in the coming months.

2.14 The scope of the project is to target residents who deposit black bags into the residual / general waste container which may contain recyclate materials of value, where they have historically been assigned for incineration at the Energy from Waste facility.

2.15 The pilot commenced on the 29<sup>th</sup> November 2022 at North Farm and Tovil HWRCs under Commercial Services management. The findings across the first week were extremely successful in terms of positive staff and customer attitude to the initiative, and the recovery rate of recyclate.

2.16 To accompany the bag splitting trial, a communications campaign is being run alongside this, to encourage customers to 'pre-sort' their waste before attending the HWRCs. Customers are informed via videos, site signage and postcards that up to 50% of waste in bags destined for the residual / general waste containers could have been recycled and to ensure recyclable materials are separated.

### **3. Financial Implications**

3.1 Please refer to each appendix for specific financial implications.

### **4. Legal implications**

4.1 Please refer to each appendix for specific legal implications.

### **5. Equalities implications**

5.1 Please refer to each appendix for specific equalities implications.

### **6. Other corporate implications**

6.1 Please refer to each appendix for specific corporate implications.

### **7. Governance**

7.1 This paper is an update paper only.

### **8. Conclusions**

8.1 The appendices to this report explain in detail the background to each of the initiatives and pilots that the Waste Management Service is undertaking. The

trials and pilots provide vital insight into the best way to roll these out to further HWRCs. Further developments and implementation will form the work programme for next year, with Members of the committee being kept updated.

## **9. Recommendation(s):**

9.1 The Cabinet Committee is asked to note and make comment on the content of this paper and its appendices.

## **10. Appendices:**

Appendix 1 Record of Officer Decision Cross border customer use of the KCC HWRCs

Appendix 2 Reuse Activities at the KCC Household Waste Recycling Centres

Appendix 3 Small Business Recycling at the Household Waste Recycling Centres

Appendix 4 Bag splitting at the Household Waste Recycling Centres

## **11. Contact details**

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## Appendix 1

### KENT COUNTY COUNCIL – RECORD OF OFFICER DECISION

**Decision:**

As Corporate Director for Growth, Environment and Transport, I agree:

For the Waste Management service to expand the current charging policy for cross-border, non-Kent residents, to continue to use the KCC HWRCs.

I will keep progress of the policy under review and inherit the main delegations via the Officer Scheme of Delegation to make any further operational changes to the policy, including the amount charged, as required.

**Reason(s) for decision:**

Kent County Council (KCC) operates as the Waste Disposal Authority (WDA) and, in accordance with the Environmental Protection Act (EPA) 1990, provides Household Waste Recycling Centres (HWRCs). KCC currently operates a network of 19 HWRCs providing facilities for re-use, recycling, and safe disposal for a range of materials delivered by Kent residents.

The Act states that waste can be accepted from non-residents and that charges can be levied for the disposal of this waste i.e., KCC can either prohibit use entirely or charge residents who do not live in the KCC administrative area for using the Authority's HWRCs.

Furthermore, KCC has an agreement in place with Medway Council for a number of years whereby KCC paid Medway reimbursement costs for Kent residents using the Medway HWRCs. However, as part of the Key Decision taken in October 2019, for the approval of operation a new Allington HWRC, it was agreed that this agreement would only continue until the new HWRC was open as the residents of Tonbridge & Malling now have a local facility to use. The new Allington HWRC opened in May this year (2022), and as such the payment to Medway Council will cease at the end of March 2023.

Cost pressures on the Waste Management service are another factor in considering whether a cross-border customer policy for use of the Authority's HWRCs is still appropriate.

As part of the public consultation undertaken by KCC regarding the HWRC booking system, a 'further consideration' question asked respondents whether they thought residents from outside of Kent should be able to dispose of their waste at KCC's HWRCs. Whilst 44% of respondents thought that residents should not be able to use the KCC HWRCs, 30% thought they should be able to but for a charge. The remaining thought non-Kent residents should be able to use the sites free of charge. Although public opinion is in favour of prohibiting non-Kent residents entirely, in order to continue to provide an element of choice, the chosen policy allows continued access, albeit for a charge.

The proposed policy has also been shared with cross-border authorities for their views and comments in November 2022. Of those that responded / engaged in dialogue, there have been no objections or concerns raised.

The Member Decision [21/00123](#) relating to the HWRC booking system states:

*For the Corporate Director for Growth, Environment and Transport to keep progress of the booking system under review and to inherit the main delegations via the Officer Scheme of Delegation to make any further operational changes to the booking system to maximise customer service.*

This cross-border policy will be managed via the HWRC Booking System. When a customer attempts to make a booking to dispose of household waste from an address outside of the KCC administrative area (i.e., the address occupier does not pay Council Tax to one of the twelve Kent district or borough councils), they will receive a message on the system (or will be read by the Contact Centre agent if a booking is made via the telephone), to inform them that if they still choose to use the KCC HWRC, they will be required to pay £10 on arrival. This information will pull through to the tablet device at the HWRCs, on the live list of bookings, so that the HWRC operative is aware that the customer is from outside of Kent and therefore needs to pay.

A cross-border permit scheme is already in place at Dartford HWRC and was introduced 25 years ago to limit 'free use' of the facility to Kent residents only because use of the site by those who live outside Kent (such as Bexley) became excessive and costly. Furthermore, a number of other Local Authorities (LAs), including those close to or sharing a border with KCC, already have cross-border HWRC policies, or are likely to be considering introducing one, as follows:

- London Borough of Bexley Council – stopped accepting Kent residents during the Covid-19 pandemic and will continue to do so
- London Borough of Bromley residents - £5 per visit for non-Bromley residents
- Surrey County Council – allow Surrey residents only
- West Sussex County Council – allow West Sussex residents only
- East Sussex County Council – no cross-border policy currently
- Medway Council – no cross-border policy currently, but the decision of whether to introduce a policy is with the Leader of the Authority

This could, therefore, impact on the flow of movement across borders including by KCC residents. If KCC were to continue to allow free access, whilst other LAs charged, this would impact the demand at the KCC HWRCs, which could result in capacity issues.

Taking into account the approach by other LAs, public feedback and financial modelling, in order to continue to provide choice to residents, the policy Decision is to continue to allow cross border, non-Kent residents from using the KCC HWRCs, albeit for a charge.

### **Financial Implications:**

The income will offset the costs of disposal and manage the demand on the HWRCs as we retain capacity for Kent residents, especially as the demand on the service will only increase because of housing growth. The policy has been modelled at a cost of £10 per visit. The modelling is based on two different scenarios, because it is difficult to predict resident behaviours. The figures are modelled on an 85% reduction in non-Kent visits, based on the experience of another Local Authority (LA) who have implemented a similar cross-border policy – this may bring in a modest income of £45k.

The model takes into account the potential income to be received from non-Kent residents, as well as the savings to be made from these residents no longer using the HWRCs, and therefore saving KCC the cost per reduced visits. It also factors in KCC residents returning to the KCC HWRCs, if Medway Council also implement a cross-border charging policy once the payment to Medway ceases at the end of March 23.

An income target for introducing a policy of cross-border charging has already been applied to 22/23 budget as it was included in the Medium-Term Financial Plan (MTFP). This target has been met by virtue of a drop in cross border visitors using Kent's waste sites which was higher when the introduction of a policy was initially considered.

Costs:

The policy will not require any additional personnel resource. The set-up of the policy and associated operations will be managed by existing KCC Waste Management staff. The additional requirement to take payment from customers will be managed by existing HWRC site operatives, who have experience using the tablet devices for administering the booking system and taking payments for the disposal of non-household waste items (soil, rubble, hardcore and plasterboard).

There will be some set-up costs associated with the policy, for development works by the Booking System Provider, additional payment machines and associated financial set-up costs, and communications. This is envisaged to be in the region of £25k. There will also be ongoing yearly costs associated with processing the payments from customers (approx. £5k per annum).

**Legal implications:**

KCC is the statutory Waste Disposal Authority (WDA) for the county. There has been a duty on the WDA to provide HWRCs since the Civic Amenity Act 1967. The duty is now embodied within section 51 of the Environmental Protection Act 1990.

The Act states that a WDA should provide places at which residents in its area may deposit their household waste, and that this should be free of charge. The Act also states that waste can be accepted from non-residents and that charges can be levied for the disposal of this waste.

It is important to be aware that we still await a response from DEFRA to a consultation it launched in April 2022, seeking views on charging for non-household waste items and booking systems at HWRCs. There is, therefore, a risk that booking system could be a tool no longer permitted to be used to manage HWRC demand in the future. However, the severe delay in response gives Authorities no choice but to continue developing policies reliant on such tools.

**Equality Implications:**

An Equality Impact Assessment (EqIA) has been undertaken in relation to this policy. As explained, the HWRC booking system will be used to administer the policy, and payments will be taken in the same way as for chargeable materials at the HWRCs. Both of these mechanisms are already subject to their own EqIAs, of which all mitigating actions have been delivered.

No further negative or positive impacts have been identified as a result of implementing the policy, which have not been accounted for in the two existing EqIAs.

**Comments received from members consulted:**

The HWRC Booking System was discussed by Members of the Environment and Transport Cabinet Committee on 18 January 2022. The papers included the results to the public consultation including the question regarding cross-border use of the KCC HWRCs.

A Waste Management update paper on various operational matters is to be taken to the Environment and Transport Cabinet Committee on 19 January 2023 and will include this ROD as an appendix to that report.

The Cabinet Member for Environment is fully supportive of this cross-border policy.

**Any alternatives considered and rejected:**

Waste Management Officers considered the following alternative options that were rejected:

1. Continue to allow cross-border, non-Kent customers, to use the KCC HWRC free of charge: KCC would continue to pay for the disposal of waste from these customers, when not legally required to do so. This pressure could be exacerbated further if Medway Council take the decision to either prohibit / or charge Kent residents from using their HWRCs, as well as the impact of other LAs already prohibiting and / or charging on demand on the KCC HWRCs,

potentially leading to capacity issues.

2. Prohibit cross-border, non-Kent customers from using the KCC HWRCs entirely:  
There is no evidence from financial modelling to suggest there are significantly more savings to be made from prohibiting non-Kent residents, than introducing a charge. This option does not provide choice to a customer, who may simply wish to use the HWRC nearest to them, regardless of which Local Authority is it operated by.



**Simon Jones**

Corporate Director for Growth, Environment & Transport



## Appendix 2

### Subject: Reuse activities at the KCC Household Waste Recycling Centres

Electoral Division: All divisions

#### Summary:

Kent County Council (KCC) operates as the Waste Disposal Authority (WDA) and, in accordance with the Environmental Protection Act (EPA) 1990, provides Household Waste Recycling Centres (HWRCs). KCC currently operates a network of 19 HWRCs providing facilities for re-use, recycling, and safe disposal for a range of materials delivered by Kent residents.

This report describes the various reuse opportunities and aspirations to be delivered at the HWRCs. Reuse sits higher in the waste hierarchy than recycling. It is where items are reused in their current state or undergo minor repair or refurbishment in order to be reused, rather than undergoing treatment or reprocessing into new items.

In addition to meeting legislative drivers, there are a number of benefits of increasing reuse, including reduced disposal costs, diversion from recovery, environmental and carbon benefits, maximising value and use of resources, and social value benefits including possible employment, training, reskilling, and support to / partnering with third sector and charity organisations.

It is important to appreciate that re-use may affect recycling rates and income for certain materials or conversely lesser residual waste rates and cost reduction.

### 1. Introduction

- 1.1 Working with the Providers who operate the HWRC under contract to KCC (FCC Environment and Commercial Services Kent Limited), a new programme of reuse activities is being introduced at the HWRCs. This paper describes the various activities already in operation, as well as plans for the introduction of future initiatives.
- 1.2 Typical items that might be captured for reuse at HWRCs may include furniture, bric-a-brac, waste electrical & electronic equipment (WEEE), textiles and bicycles. These waste streams currently contribute to KCC's recycling figures, if they are diverted to reuse, and therefore no longer form part of the waste disposal process, there is the possibility that recycling levels may change as some items are currently recycled.
- 1.3 Options for reuse can include a light touch approach such as directing customers to local charities or online reuse networks, and / or providing containers at HWRCs to segregate specific items for reuse, through to more in-depth approaches such as the provision of reuse shops.
- 1.4 In addition to meeting legislative drivers, there are a number of different benefits of increasing reuse, including; reduced disposal costs, diversion from recovery, environmental and carbon benefits, maximising value and use of resources, and

social value benefits including possible employment, training, reskilling, and support to / partnering with third sector and charity organisations.

- 1.5 There are a number of other considerations including; available budget for development and ongoing running costs, the availability of suitable sites / space for reuse activities, availability of local reuse opportunities, assessing the sustainability of such projects, and the role of KCC, third sector organisations and waste management companies in any reuse activities.
- 1.6 This paper describes the varied opportunities for re-use, which does not necessarily rely upon retail type environments, it therefore provides a reuse service with little overhead costs or the need for immediate capital investment.

## **2. Reuse Containers**

- 2.1 Commencing in October 2022, residents using the Maidstone (Tovil) HWRC are now able to donate good quality furniture for reuse. The furniture reuse project is arranged between KCC and Making A Difference to Maidstone (MADM) charity, which supports individuals and families who find themselves in crisis through homelessness, domestic abuse, addiction, financial need, unemployment, relationship breakdown and more.
- 2.2 Residents are able to deliver furniture to the HWRC, and after being assessed by site staff, reusable furniture items are placed into a dedicated 'reuse container.' MADM will also provide collections upon request. Where residents are unable to deliver furniture to the HWRC (due to size, no transport etc), they can contact MADM who may be able to collect directly from the resident (information is available at the HWRC).
- 2.3 Furniture will then be sold in MADM's shops to raise money for their outreach work, and some will be gifted to local residents in crisis, ensuring items are provided to those who really need them. MADM works with clients based on referrals from social services, probation, housing associations, community wardens, Kent Police, local councils, churches, and others.
- 2.4 In the first 6 weeks of operation alone, over 30 items of good quality furniture were collected, accounting for approximately 660kg in weight. Not only have these items been diverted to reuse from being destined for disposal, but they will also provide a real difference to the individuals that MADM help.
- 2.5 If this 6-month trial proves to be successful, similar initiatives will be introduced at other HWRCs, partnering with other local charities and organisations. The key outcome from this project is the social value benefits to the community. Whilst minimal savings can be made via waste diversion by keeping items out of the waste stream and therefore avoiding disposal costs, this is not the key driver for this project. This is proving to be a positive, and yet low-cost option which is most practical option which yields a variety of benefits.

## **3. Material specific reuse initiatives**

- 3.1 **Bicycles:** Together with FCC Environment, KCC hosted its first ever bike reuse event at the Ashford HWRC, between 15 October and 6 November 22. Customers were able to bring in unwanted or broken bikes that can be repaired and sold on or used for parts. KCC worked with a local Community Interest Company (CIC) called Cycle Circle who collect the bikes from the HWRC and take them back to the workshop to be fixed and sold at affordable prices. Proceeds were used to fund the repair shop, as well as funding the roll out of the re-cycling programme called 'Cycle Community' with many community activities including bicycle training for all ages, as well as workshops for people to learn how to maintain and do simple repairs on their bikes. Across the event, 54 bikes were collected at the HWRC for reuse rather than recycling. It is hoped to provide similar one-off activities at other HWRCs in the network in the coming months.
- 3.2 **Non-electrical medical equipment:** KCC Waste Management and Adult Social Care and Health have teamed up to work in partnership with NRS Healthcare to reuse old and unwanted medical equipment. It is expected the initiative will launch in early 2023. Residents will be able to take their unwanted medical equipment to HWRCs across Kent (participating HWRCs tbc) where there will be a designated storage container for items including walking aids (frames, crutches, and sticks), and anything from grab rails and handles to furniture raisers and wheelchairs. NRS Healthcare will collect, sort, clean and reuse equipment for the benefit of residents.
- 3.3 **Books:** From early 2023, the majority of the HWRCs will be taking part in a book reuse trial. Customers will be able to leave their books for reuse in a dedicated container, rather than placing in the paper and card containers for recycling or in the residual waste bin for energy recovery. The books will be sent to the Precycle Group to be checked for their physical quality, and if condition allows them to be re-read, they will sell to retail and wholesale customers. They also donate books via their literacy programmes to promote reading.

#### 4. **Pop-up reuse shops**

- 4.1 Again, led by FCC, items which can be reused, are currently being collected at Canterbury, Herne Bay, and Margate HWRCs, to then be sold at a pop-up reuse shop in Canterbury in early 2023, close to the university. The initial trial of pop-up reuse shops is being run in partnership with the Pilgrims Hospice appeal.

#### 5. **Next steps**

Due to current financial pressures, some reuse projects have had to be put on hold. Most notably the proposal to introduce a permanent reuse shop / facility at the Allington HWRC. A shop is not possible at this time as forward capital funding is unavailable, the Allington HWRC will be a prime site to introduce other, more affordable reuse projects in the coming months, which are being considered. The waste service has developer contribution agreements that may be able to fund this provision in the years to come, however, not currently at levels enough to cover costs.

## **6. Financial Implications**

- 6.1 The container used for the furniture reuse trial at Tovil HWRC was already available on site so the only set-up cost was for signage. If the pilot scheme is successful, the cost to extend the scheme to other sites will be limited to containers (where not already available) and signage.
- 6.2 FCC ran the bike reuse event and are leading on the pop-up reuse shops as part of their contractual commitments to reuse / education / and social value, so no cost to KCC.
- 6.3 The costs associated with the medical equipment reuse scheme i.e., containers and collection will be provided by NRS Healthcare.
- 6.4 There are minimal financial benefits to the Authority associated with the reuse activities described in this paper, rather the primary aim of the activities is to realise the many social and environmental benefits. To put the financial benefits into perspective, there is an estimated costs avoidance of circa £100 per tonne, in saved disposal costs for items that are reused, which by way of example when applied to the first 6 weeks of the furniture trial at Tovil, would have resulted in a saving of approximately £66 in disposal cost avoidance.

## **7. Legal implications**

- 7.1 KCC is the statutory Waste Disposal Authority (WDA) for the county. There has been a duty on the WDA to provide HWRCs since the Civic Amenity Act 1967. The duty is now embodied within section 51 of the Environmental Protection act 1990.
- 7.2 Within the Waste Regulations 2011, it is a requirement for any business or public body that produces or handles waste materials or products to take reasonable measure to apply the waste hierarchy, which gives priority to preparing waste for re-use, then recycling, then recovery, and last of all disposal (e.g., landfill).

## **8. Equalities implications**

- 8.1 All waste operations undertaken at the KCC HWRCs, are subject to an Equalities Impact Assessment, and as such reuse trials and initiatives form part of these overall operations.

### **Other corporate implications**

- 8.2 Delivering reuse initiatives at the HWRCs has no negative implications on other areas of the Council's work. It does, however, have the potential to create opportunities for joint working with other areas, for example Adult Social Care and Health as demonstrated with the medical equipment reuse project.

## **9. Conclusions**

- 9.1 In accordance with the Waste Regulations, KCC strives to move waste higher up the hierarchy where possible and practical to do so. A whole host of reuse activities have been introduced as pilot / trial projects at the HWRCs.
- 9.2 Whilst costs for development and ongoing running costs, along with space limitations at many of the HWRCs need to be carefully considered, the projects described in this paper, are all options that overcome these issues.
- 9.3 There is a real emphasis on the social and environmental benefits that delivering projects of this nature can bring. KCC will continue to build upon these initial trials to increase the reuse offering to its customers, whilst delivering benefits to the wider population of Kent.

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## Appendix 3

### Subject: Small Business Recycling at Household Waste Recycling Centres

#### Electoral Division: The initiative is intended to cover all electoral divisions

**Summary:** KCC proposes a pilot project to be introduced at permitted Household Waste Recycling Centres (HWRCs), (with the intention of a policy change to enact a further rollout to a wider remit of approved sites) seeking to address business waste brought to the facilities by small traders, with the focus on providing a valuable recycling service to small business owners, to increase recycling rates and realise income via commodities that attract revenue.

### 1. Introduction

- 1.1 This report outlines an initiative which will introduce a recycling service for small businesses at Household Waste Recycling Centres (HWRCs) across Kent which are permitted to carry out the activity.
- 1.2 The scope of the project is to target small business owners who require an affordable outlet for their business recycling, with the objective that KCC's recycling rates increase, and materials are received that have a commodity value.
- 1.3 An initial pilot will be held at the Canterbury and New Romney sites which already have in place permits allowing the acceptance of trade waste; this will be used to inform a further roll out of the initiative at other HWRCs.
- 1.4 The objectives for the initiative are:
  - i. To implement a scheme which small businesses find an attractive option for recycling their waste;
  - ii. To increase recycling rates at all participating sites;
  - iii. To increase commodity revenue by accepting valued materials;
  - iv. To have minimum impact on the public's experience of using the waste sites by restricting access to traders to one day a week.

### 2. Proposal

- 2.1 Kent County Council is the Waste Disposal Authority and as such is responsible for the disposal of controlled Local Authority Collected Waste deposited by the Waste Collection Authorities (District Councils), and for providing a network of HWRCs for residents to deposit their household waste.
- 2.2 The Controlled Waste (England and Wales) Regulations 2012, state that Trade Waste is not considered "Household Waste" and as such, is not currently accepted at the HWRCs; however, there is an opportunity, via planning and permit variations for KCC to offer small businesses a much needed recycling service for their Trade Waste materials using the vital network of HWRC sites conveniently located across the County.

- 2.3 Planning and permitting variations incur a varied timeframe, where currently Permit approvals are taking between 6-9 months.
- 2.4 At this time, most Kent Waste Transfer Stations offer a Trade Waste service to local businesses which is usually taken up by larger companies that remove waste for other people for a fee, i.e. house clearance, skip companies etc. This provision is a commercial service carried out by the facility operator, and incorporates a calculated gate fee set by the operator, usually based on market conditions.
- 2.5 Kent County Council wishes to support local businesses and encourage commercial growth, and therefore would like to offer an alternative solution for smaller or micro businesses in local areas. KCC is in a unique position to provide a convenient service to business owners who do not have a local affordable outlet and would like to legitimately dispose of their recycling waste.
- 2.6 KCC operates 19 HWRCs across Kent, of varying sizes and capacity. In recent years, waste tonnages nationally have decreased and there is now an opportunity to utilise the capacity within sites to accept more recyclable waste, benefitting both the customer and KCC's revenue streams.
- 2.7 KCC is not intending to accept any residual waste, i.e. non-recyclable, as part of this initiative. By accepting 'recycling only' materials, KCC can keep the charges to a low rate which would be attractive to the market; where recycling materials are presented as an income generating commodity, the charge could be limited to a minimum flat fee to offset onward haulage, or taken free of charge.

Proposed charging for accepted materials:	
Small, fixed fee or FOC:	Recyclable packaging, Textiles, Metal, Paper & Card, Small WEEE, Bulbs and Glass;
Variable Charges apply	Green Waste, Hard Plastics, Wood and Paint
Under existing Charging Policy	Soil, Rubble, Hardcore, Ceramics, Plasterboard and Tyres
Out of Scope (not accepted)	Hazardous, including asbestos, chemicals and oil-based paints; Residual (Household Waste, i.e. food, black bag waste); Waste that is not recyclable or not able to be pre-sorted; Furniture, carpets and mattresses; Commercial Fridges or Freezers; Engine Oil, Fuel or Car Parts.

- 2.8 The booking system is vital in the success of this initiative. The booking system will not only ensure that legitimate bookings are made where the small business must declare they hold an appropriate level of waste carrier's licence, but also that residents using the sites are not inconvenienced by this activity, or that the facilities are not overwhelmed by traders at any one time.



- 2.9 It is intended that registered small businesses, with a “lower tier” waste carrier’s licence will be able to:
- a) Pay for the waste based on vehicle and material type;
  - b) Deposit many recyclables for a small fee or free of charge;
  - c) Feel confident that they know what happens to their waste;
  - d) Inform their clients that their waste has been disposed of responsibly and is being recycled via a legitimate outlet managed by Kent County Council.
- 2.10 For each business owner to be eligible for the Small Business Recycling Scheme, they will need to confirm the following:
- i. the Business should have less than 10 employees, as defined by the Small Business Association (and is therefore classed as a micro or small business);
  - ii. the Business operates predominantly in Kent County Authority and has a trading address in the area;
  - iii. the Business produces waste of a similar nature to householder’s recyclable waste, i.e. not industrial or heavy commercial;
  - iv. the waste is produced by the Business bringing it to the site;
  - v. the Business is in possession of a lower tier waste carrier’s licence appropriate for the size of the business, as required by law;
  - vi. the Business owner consents to follow the site rules including separating waste for recycling and observing health and safety procedures as instructed by the site staff.
- 2.11 KCC Waste sites are regularly at risk from large commercial firms and businesses wanting to dispose of their trade waste at public expense. Currently, users of oversized vehicles can access Household Waste Recycling Centres to dispose/recycle their waste (subject to certain vehicle types and vehicle size restrictions). KCC operates a Voucher System to manage access for any customer who wishes to use a vehicle other than a car to mitigate the risk of Trade Waste abuse of the sites.
- 2.12 As such, to avoid abuse of the initiative, which other Authorities have suffered from, it is proposed that the voucher and booking system will be used in parallel. This will ensure that a) only residents deposit their household waste, and b) pre-approved small business recyclers are given access at specific times to dispose of their recyclables at HWRCs.

### **3. Financial Implications**

- 3.1 It is estimated that the revenue linked with increased recycling commodities is valued at £190,000 p/a, which may have a part year effect dependent on Permit approval duration.

### **4. Legal implications**

- 4.1 HWRCs are provided for the deposit of household waste by householders in the administrative area. Under the Environmental Protection Act 1990 (EPA 1990), commercial waste must be disposed of at appropriately permitted facilities for a reasonable charge and anyone transporting such waste is subject to the requirements of duty of care (set out at section 34 of the EPA 1990).
- 4.2 All businesses have a legal duty of care to make sure their waste is disposed of safely, appropriately and legally, either by themselves or by a licensed waste carrier. Businesses that are contracted to carry somebody else's waste must hold a valid Waste Carrier's Licence. KCC will require evidence that the carrier of the waste has a lower tier licence, which is free to obtain. Businesses can be fined up to £5,000 by the Environment Agency if they do not have a valid Waste Carrier's Licence when transporting waste.

## **5. Equalities implications**

- 5.1 An EQIA is not required as it is a Business to Business initiative and as such, not required to be covered by specific protected characteristics.

## **6. Conclusions**

- 6.1 KCC is proposing a pilot of approximately 3-6 months, with the intention of a full-roll out across sites where permitted, for small business recyclers to utilise the HWRC network in Kent on specific days where it is appropriate to do so. Once the pilot is completed, and permitting and planning secured, a further ETCC report shall be made for consideration. The main objectives are to drive up recycling rates, increase commodity revenue streams via acceptance of valuable recycling materials and provide a much needed local outlet for small businesses.

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## Appendix 4

### Subject: Bag Splitting at Household Waste Recycling Centres

#### Electoral Division: The initiative is intended to cover all electoral divisions

**Summary:** KCC is undertaking a bag splitting pilot at selected Household Waste Recycling Centres (HWRCs), as part of a wider roll-out, with a focus on increasing recycling rates and realising avoidable costs by directing recyclate away from the residual waste stream.

### 1. Introduction

- 1.1 This report outlines a bag splitting initiative which has been introduced at selected Household Waste Recycling Centres (HWRCs), with the intention of a full roll-out of the scheme across Kent in the coming months.
- 1.2 The scope of the project is to target residents who deposit black bags into the residual waste stream which may contain recyclate materials of value, where they have historically been assigned for incineration at the Energy from Waste facility.
- 1.3 A pilot commenced on the 29<sup>th</sup> November 2022, at HWRCs in North Farm, Tunbridge Wells and Tovil, Maidstone.
- 1.4 The objectives for the initiative are:
  - i. To initiate a pilot to understand the feasibility of the project; this has now taken place at a small number of sites, with the intention of full-roll out of a bag splitting scheme at all 19 HWRCs;
  - ii. To implement a scheme which takes recyclate out of bin bags and reassigns the waste to appropriate waste streams;
  - iii. To have no impact on the public's experience of using the waste sites, except where an enquiry is made as to what they have in the bag and whether there is recyclables within it.

### 2. Proposal

- 2.1 Kent County Council is the Waste Disposal Authority and as such is responsible for the disposal of controlled Local Authority Collected Waste deposited by the Waste Collection Authorities (District Councils), and for providing a network of Household Waste Recycling Centres (HWRCs) for residents to deposit their household waste.
- 2.2 Government targets to improve recycling rates mean that KCC must find new ways of increasing recycling at HWRCs, as well as via waste collected at kerbside. In addition, budgetary pressures on the service have expedited this project as avoidable costs can be realised through the introduction of this initiative.

- 2.3 The project being introduced at HWRCs seeks to address waste brought to the facilities in bin bags and usually disposed in the residual bay/container assigned for incineration at the Energy from Waste facility; this project will involve splitting the bag and sorting in situ as a way to increase recycling rates.
- 2.4 The scope of the project is to target approximately 75%+ of all bin bags in the residual and bulky waste streams which are deemed to be in a condition that can be safely handled, i.e., circa 25% are deemed to have obvious malodorous, hazardous, or dangerous waste within the bag and would not be opened or once opened could not be fully examined.
- 2.5 Planning for the pilot and full roll-out of the project was a combined effort from KCC, Commercial Services and FCC Environment Ltd being the site operators. It was imperative that site staff understood how best to engage with the public to educate and encourage customers to sort their waste before they visit the site.
- 2.6 In order to develop the operational practices of undertaking bag splitting, guidance was sought from HSE and WRAP about how splitting operations should be carried out ensuring site operative safety.
- 2.7 To accompany the bag splitting pilot, a communications campaign is being run alongside. This is to encourage customers to 'pre-sort' their waste before attending the HWRCs. Customers are informed that up to 50% of waste in bags destined for the residential waste containers could have been recycled and to ensure recyclable materials are separated. This campaign includes an overarching information film, as well as individual material specific films, which are being shared on social media and the KCC website, including at time of booking. Site signage and postcards are also provided to explain to customers the importance of separating as many items as possible when visiting the HWRCs.
- 2.8 The pilot commenced on the 29<sup>th</sup> November 2022 at North Farm and Tovil HWRCs under Commercial Services management. The findings across the first week were extremely successful in terms of positive staff and customer attitude to the initiative, and the recovery rate of recyclate. Nearly all the bags that were intervened, were able to be split, with very few going directly into the container showing that customers were open to the initiative.
- 2.9 Typically, as part of the pilot over 50% of the sorted waste deposited at the centres in bin bags was found to be recyclable. Most of the recovered material was paper and card, textiles, metal, glass, ceramics, and plastics, as well as electrical appliances and green waste, all of which were placed into separate bays at the centres to ensure that they are recycled properly and avoid the cost of incineration or disposal.
- 2.10 Another unexpected benefit was the recovery of a significant amount of household batteries and other hazardous items, such as a small fire extinguisher, gas bottles, aerosols and mobile phones which are major causes of fires at waste sites.
- 2.11 All waste remains anonymous, and all legitimate household waste brought to the recycling centres in bin bags will continue to be accepted for processing.

2.12 The sites being rolled out following the pilot will be, New Romney, Herne Bay and Allington, with the remaining sites to commence bag splitting and sorting in the new year.

### **3. Financial Implications**

3.1 It is estimated that the cost avoidance and revenue linked with diversion from residual and increased recycling commodities is valued circa £110,000 p/a. There is a small set up cost per site, totalling c.£10,000 for the 19 HWRCs for sorting equipment, tables, additional PPE including full-face masks and puncture resistant gloves.

### **4. Legal implications**

4.1 HWRCs are provided for the deposit of household waste by householders in the administrative area under the Environmental Protection Act 1990.

4.2 In recognition of the intention of local authorities to undertake processing of mixed municipal waste (“black bag waste”) to act as an educational exercise (to change public behaviour and improve recycling), the Environment Agency will support, and has approved, a “low scale” proposal for use at HWRC facility types only, under existing permits.

### **5. Equalities implications**

5.1 This internal and operational process will not impact on specific groups with protected characteristics, as it is not a policy change.

### **6. Conclusions**

6.1 KCC is proposing a full-roll out at all Kent’s HWRCs, following a successful pilot of bag splitting and sorting. The focus of the project is to educate the public in sorting their black bag waste before they visit the HWRC and in doing so increase recycling rates and improve revenues by cost avoidance and acceptance of more valuable recycling materials.

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From: David Brazier, Cabinet Member for Highways and Transport  
Simon Jones, Corporate Director Growth, Environment and Transport

To: Environment and Transport Cabinet Committee – 19 January 2023

Subject: Transport for the South East – Adoption of Strategic Investment Plan

Key decision 22/00114

Classification: Unrestricted

Past Pathway of Paper: N/A

Future Pathway of Paper: For Leader decision

Electoral Division: All divisions

**Summary:** Kent County Council (KCC) was a founding member of Transport for the South East (TfSE), participating and funding TfSE since 2017 (decision ref 16/00120). The Council took a decision (ref: 20/00010) in July 2020 to adopt the TfSE Transport Strategy and support a TfSE proposal to Government for Statutory Powers, and following that bid being unsuccessful, took a further decision in March 2022 (ref: 22/00023) to continue participating in TfSE. These decisions were taken by the Leader as they concern the decision to participate in a partnership.

Since KCC's decision in March 2022, KCC has supported TfSE with the completion of the draft Strategic Investment Plan (SIP). TfSE ran a consultation on the draft SIP from 20<sup>th</sup> June to 12<sup>th</sup> September 2022. On 8<sup>th</sup> September 2022, the Environment and Transport Cabinet Committee gave their views on KCC's draft consultation response to TfSE's draft SIP. KCC submitted its completed consultation response to TfSE on 12<sup>th</sup> September 2022.

Following discussion with TfSE Officers and its Chair, an updated draft final SIP has been prepared by TfSE that reflects KCC's consultation feedback. The TfSE Partnership Board agreed the changes and proposed that TfSE constituent member authorities seek to endorse the draft final TfSE SIP following their respective constitutions. The intention is that once all constituent members of TfSE have endorsed the SIP, the TfSE Partnership Board will finalise the SIP in March 2023 and then submit it to Government at an appropriate time.

**Recommendation:**

The Committee is asked to consider and endorse or make recommendations to the Leader in respect of the proposed decision to:

1. Endorse the Strategic Investment Plan prepared by Transport for the South East and support TfSE with its implementation.

2. Delegate to the Corporate Director Growth, Environment and Transport to take, in consultation with the Cabinet Member for Highways and Transport, the actions necessary to implement the decision.

## 1. Background

- 1.1 Kent County Council (KCC) is the largest single constituent Member of Transport for the South East (TfSE) and provides an annual contribution of £58,000 towards its operating costs. Match funding is provided by other participating County Councils and Unitary Authorities, whilst the Department for Transport (DfT) provides the main portion of funding, set in 2022/23 Financial Year (FY) to £1.725m. TfSE anticipate further DfT funding of £1.175 in 2023/24 and £1.235m in 2024/25.
- 1.2 The first Key Decision was taken by the Leader on 8 December 2018 (16/00120) which agreed to KCC's participation in the TfSE Sub-national Transport Body (STB) as an informal non-statutory body, and to further work to establish TfSE as a formal statutory body.
- 1.3 In July 2020 KCC took a further Key Decision (20/00010) to endorse the TfSE Transport Strategy and to support TfSE's bid for statutory powers and status. TfSE was unsuccessful in securing these powers and hence KCC took a further decision in March 2022 to continue to participate in TfSE noting it would remain as a non-statutory partnership – see decision 22/00023.

## 2. Transport for the South East

- 2.1 TfSE is comprised of 16 Local Transport Authorities (LTAs) and 5 Local Enterprise Partnerships (LEPs). There are also other bodies co-opted onto the board – the Chair of the South Downs National Park to represent protected landscapes and two district council representatives for all the Local Planning Authorities in the region. Network Rail, National Highways and Transport for London (TfL) are non-voting members of the Board. The constituent authorities are:

- East Sussex County Council (lead authority and Accountable Body)
- West Sussex County Council
- Kent Council Council
- Medway Council
- Hampshire County Council
- Surrey County Council
- Brighton and Hove City Council
- Southampton City Council
- Portsmouth City Council
- Isle of Wight Council
- The Berkshire unitary authorities through the Berkshire Local Transport Body (LTB) which includes West Berkshire, Wokingham, Windsor & Maidenhead, Bracknell Forest, Reading and Slough.



- Five LEPs within the TfSE area are also included: South East LEP (SELEP), Enterprise M3, Coast to Capital, Solent and Thames Valley Berkshire.

### **3. TfSE's Strategic Investment Plan**

- 3.1 TfSE has prepared, for submission to Government in spring 2023, a Strategic Investment Plan (SIP). The purpose of the SIP is to set out a thirty-year vision for the region and align with and support government priorities to rapidly decarbonise the transport system, improve public health outcomes, reduce congestion, and improve road safety, level-up left-behind communities and facilitate sustainable economic growth in the South East.
- 3.2 The TfSE SIP promotes ambitious levels of investment, setting out the potential economic gain and improvement in connectivity through Kent and the wider region. The full range of proposals relating to Kent are set out in the draft SIP – see section 11 for its download link. The SIP reinforces key messages KCC has focused on through its own work, such as prioritising improvements to both the A20/M20 corridor and the A2/M2 corridor, in line with KCC's promoted bifurcation strategy for port traffic; improving freight parking and management of flows across the wider region to lessen the burden on Kent itself; and promoting KCC's focus on its Major Road Network schemes such as the A229 Bluebell Hill improvements.
- 3.3 The importance of the rail network in Kent is made clear through the SIP, with proposals over the long term for investment to improve the High Speed network in east Kent. This is coupled with upgrading the domestic rail network by reducing journey times from central and west Kent towards London and cross-boundary towards Surrey and East Sussex.
- 3.4 The SIP echoes the arguments KCC and other TfSE members have made through their respective Bus Service Improvement Plans for investing in local bus networks. The substantial further investment that will be needed in Kent and the rest of the region is also made clear, with the SIP covering the step change in walking and cycling necessary to deliver Government's policies to improve health and reducing carbon emissions from future travel.
- 3.5 The broad case TfSE makes in the SIP will strengthen the case that KCC makes when seeking further funding to improve transport. The SIP will also ease the opportunity to improve cross-boundary connections between Kent and wider TfSE members. Lastly, the SIP provides a clear set of priorities for TfSE to focus its future activity on, helping to maximise the contribution it can make towards its member's own work.
- 3.6 Along with submission of the SIP to Government, TfSE will ask the Secretary of State to have regard to the SIP as priorities are set, policies are developed, and investment decisions are made. TfSE will use its further funding from constituent members and Government to begin to develop the proposals within the SIP. This may include tasks such as developing individual scheme business cases to attract funding through competitive bidding processes or as part of any devolved funding settlements for / within the region.

- 3.7 In response to KCC's consultation response, TfSE amended the list of schemes proposed for the Kent area and strengthened the narrative of the SIP. Specifically, TfSE have strengthened statements to make clear that the investment sought for the SIP is additional to the much-needed investment in existing networks and highways infrastructure.
- 3.8 At the TfSE Partnership Board on 14<sup>th</sup> November, amendments to a new draft final copy of the SIP were agreed, to reflect the consultation responses. KCC is represented on the Partnership Board by Dan Watkins, Deputy Cabinet Member for Highways and Transport. Constituent member authorities including Kent were tasked with endorsing the draft final TfSE SIP following their respective constitutions. The intention is that once all constituent members of TfSE have endorsed the SIP, the TfSE Partnership Board will finalise the SIP in March 2023 and then submit it to Government at an appropriate time.

#### **4. Implications for KCC**

- 4.1 There are no specific actions KCC needs to take arising from the completion of the SIP and its submission to Government. Implementation of the SIP will be dependent on the response from Government, future funding for TfSE, and agreement of actions between TfSE with its constituent member authorities through decisions made at the TfSE Partnership Board.
- 4.2 KCC may decide to invest time and resources into progressing elements of the SIP beyond the financial support it provides to TfSE. Should it do so, it will likely be on those proposals which are also selected as priorities within KCC's own new Local Transport Plan (LTP). As TfSE's SIP makes clear, the content of the SIP is not designed to dictate the content of constituent member LTPs. KCC's LTP will be subject to its own development, consultation, and adoption process in line with government guidance and KCC's constitution. As this takes place, the new KCC LTP will have regard of the TfSE SIP during its development.

#### **5. Legal implications**

- 5.1 As TfSE will remain a non-statutory informal and voluntary group that KCC participates in, there are no legal implications of the planned decision.

#### **6. Financial implications**

- 6.1 KCC contributes £58,000 per year to fund the development of TfSE – a sum included in the base budget for Highways and Transport. If KCC endorses the SIP then KCC will remain a participant in TfSE for the foreseeable future in order to support TfSE with the implementation of the SIP. Hence it is forecast that KCC will continue to pay an annual member contribution of £58,000 per annum for the life of the TfSE current forecast budget period to 2024/25. Doing so commits KCC to a further £116,000 in payments to TfSE and will take KCC's total contribution to TfSE since it was established to £388,000 by end of 2024/25.
- 6.2 KCC's contribution is matched by other constituent members as shown in the table below.

Type of authority	Contribution per annum	Total
County Councils (Kent, East Sussex, West Sussex, Surrey, Hampshire)	£58,000	£290,000
Unitary authorities (Medway, Brighton and Hove, Isle of Wight, Portsmouth, Southampton)	£30,000	£150,000
Other member authorities (Berkshire Local Transport body)	£58,000 (shared between the authorities)	£58,000

6.3 The £58,000 annual contribution from KCC is a direct payment to TfSE and does not include the cost of KCC officer time in attending TfSE meetings, workshops, reviewing documents and other time associated with participating in the partnership.

## **7. Equalities implications**

7.1 The TfSE SIP has had an Integrated Impact Assessment conducted which considered the impact of the SIP proposals on equalities. It concluded that the effect would be positive given improved connectivity and ease of making journeys within the region. The SIP indicates that assessment of equalities impacts should be undertaken should any of the proposals within the TfSE SIP be progressed. Should any of those proposals in the SIP be progressed by KCC, they will be subject to their own Equalities Impact Assessment and included as part of any future decision making.

## **8. Data Protection implications**

8.1 A Data Protection Impact Assessment is not required as this decision does not require the processing of personal data.

## **9. Conclusion**

9.1 KCC's consultation response has been considered by TfSE and amendments made to the SIP. As such it is proposed KCC endorse the SIP, by way of a Leader decision, so it can be made final and submitted by TfSE to Government.

## **10. Recommendation**

10.1 The Committee is asked to consider and endorse or make recommendations to the Leader in respect of the proposed decision to:

1. Endorse the Strategic Investment Plan prepared by Transport for the South East and support TfSE with its implementation.

2. Delegate to the Corporate Director Growth, Environment and Transport to take, in consultation with the Cabinet Member for Highways and Transport, the actions necessary to implement the decision."

The Proposed Record of Decision is attached at Appendix A.

## 11. Background Documents

Appendix A: Proposed Record of Decision

Transport for the South East (TfSE) Strategic Investment Plan (SIP) (word version) available to view on TfSE website here:

<https://transportforthesoutheast.org.uk/app/uploads/2022/12/TfSE-Strategic-Investment-Plan-November-2022-Final-clean-word-version.pdf>

Previous Committee reports:

- ROD 16/00120 concerning Shadow Sub-National Transport Body for the South East: <https://democracy.kent.gov.uk/documents/s88382/1600120%20-%20signed%20ROD%20scanned.pdf>
- ROD 20/00100 concerning Transport for the South East – Proposal to Government: <https://democracy.kent.gov.uk/documents/s97556/20-00010%20-%20ROD.pdf>
- ROD 22/00023 concerning Transport for the South East – KCC Participation: <https://democracy.kent.gov.uk/documents/s110394/Record%20of%20Decision.pdf>
- Kent County Council's response to Transport for the South East's draft Strategic Investment Plan: <https://democracy.kent.gov.uk/documents/s113381/Appendix%203.pdf>

## 12. Contact Details

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# KENT COUNTY COUNCIL – PROPOSED RECORD OF DECISION

**DECISION TO BE TAKEN BY:**

Leader of Kent County Council

**DECISION NO:**

22/00114

**For publication**

**Key decision: YES**

**Subject Matter / Title of Decision: Transport for the South East – Strategic Investment Plan**

**Decision:**

As Leader, I agree to:

1. Endorse the Strategic Investment Plan prepared by Transport for the South East and support TfSE with its implementation.
2. Delegate to the Corporate Director Growth, Environment and Transport to take, in consultation with the Cabinet Member for Highways and Transport, the actions necessary to implement the decision.

**Reason(s) for decision:****Background**

The Cities and Local Government Devolution Act 2016 amended the Local Transport Act 2008 to allow the creation of Sub-national Transport Bodies (STBs). There are now several shadow STBs in England, with Transport for the North becoming the only statutory STB since April 2018.

Transport for the South East (TfSE) is a partnership of 16 Local Transport Authorities and five Local Enterprise Partnerships. In July 2020, TfSE's Shadow Board adopted a Transport Strategy. TfSE then embarked on a series of Area Studies and Thematic Strategies (Freight, Future Mobility and Decarbonisation) in August 2020, completing these in summer 2022. These studies collectively provided the evidence base for a Strategic Investment Plan that TfSE published in draft in July 2022 and undertook a public consultation on. At the TfSE Partnership Board on 14 November 2022, the Board membership endorsed changes that had been made to the Strategic Investment Plan given consultation feedback. This included consultation feedback made by Kent County Council. TfSE constituent member authorities are now tasked with endorsing the Strategic Investment Plan. Following this, TfSE will then submit the Plan in Spring 2023 to central Government for their consideration.

**Financial Implications**

As a constituent authority, KCC contributes £58,000 per year to fund the development of TfSE. The Department for Transport (DfT) has set out indicative funding to TfSE to end of the 2024/25 Financial Year. Hence it is forecast that KCC will continue to pay an annual member contribution of £58,000 per annum for the life of the TfSE current forecast budget period to 2024/25. Doing so commits KCC to a further total £116,000 in payments to TfSE over the next two financial years and will take KCC's total contribution to TfSE by end of 2024/25 to £388,000.

**Legal Implications**

As TfSE will remain a non-statutory informal and voluntary group that KCC participates in, there are no legal implications of the planned decision.

**Equalities implications**

The TfSE SIP has had an Integrated Impact Assessment conducted which considered the impact of

the SIP proposals on equalities. It concluded that the effect would be positive on the basis of improved connectivity and ease of making journeys within the region. The SIP indicates that assessment of equalities impacts should be undertaken should any of the proposals within the TfSE SIP be progressed. Should any of those proposals in the SIP be progressed by KCC, they will be subject to their own Equalities Impact Assessment and included as part of any future decision making.

**Data Protection implications**

A Data Protection Impact Assessment is not required as this project does not require the processing of personal data.

**Cabinet Committee recommendations and other consultation:**

**Is any public consultation planned or has already been undertaken?**

Transport for the South East undertook public consultation on the Strategic Investment Plan in July to September of 2022. Stakeholders across Kent and the general public were invited to respond. KCC also responded to the consultation. The KCC response was considered in public as part of the Environment and Transport Cabinet Committee held on 8 September 2022.

**Cabinet Committee consultation planned or undertaken**

The KCC response was considered in public as part of the Environment and Transport Cabinet Committee held on 8 September 2022. The draft decision to endorse the TfSE Strategic Investment Plan will be considered in public as part of the Environment and Transport Cabinet Committee scheduled for January 19<sup>th</sup> 2023.

**Which Divisions / Local Members are particularly affected:**

All Divisions.

**Have views been sought from local Members?**

All consultations held by Transport for the South East are discussed at Environment and Transport Cabinet Committee.

**Any alternatives considered and rejected:**

Kent County Council considered whether its consultation comments had been addressed by Transport for the South East. Had those comments not been sufficiently addressed, the Council's representative on the TfSE Partnership Board would seek further amendments to the Strategic Investment Plan until such time as the Plan was deemed suitable for the Leader of the Council to adopt it. This alternative approach was rejected on 14<sup>th</sup> November 2022, when the Council's representative on the TfSE Partnership Board endorsed the new draft Plan, with its associated amendments arising from the consultation. This triggered the routing of the draft Plan through the necessary democratic / constitutional processes of constituent member authorities including Kent County Council, to formally endorse the Plan.

**Any interest declared when the decision was taken and any dispensation granted by the Proper Officer:**

.....  
signed

.....  
date

**From:** Susan Carey, Cabinet Member for Environment  
Rebecca Spore - Director of Infrastructure

**To:** Environment and Transport Cabinet Committee – 19<sup>th</sup> January 2023

**Subject:** Ash Dieback in Kent

**Decision No:** N/A

**Classification:** Unrestricted

**Electoral Division:** All Divisions

**Summary:** This report provides an update on Ash Dieback in Kent and describes the evolving local response and the outbreak's environmental and economic impacts. It further seeks to identify future trends and risks, as well as policy, staffing, financial and other resource implications for Kent County Council and its partners. The extent of the challenge is illustrated by the fact that the proportion of trees exhibiting Ash Dieback symptoms across Kent survey sites has increased by an average of 1.21% in the last year.

**Recommendation(s):**

The Cabinet Committee is asked to:

- a) note the significant threat Ash Dieback poses to the environment and economy of Kent and the leadership role being played by the County Council in the response to the outbreak; and
- b) endorse the monitoring, planning, and response strategy outlined within this report.

## 1. Purpose

- 1.1 It was agreed by the Environment, Highways and Waste Cabinet Committee on 10<sup>th</sup> January 2012 that the Committee should receive regular future updates on Ash Dieback impacts. The last update was reported to the Environment & Transport Cabinet Committee on 18<sup>th</sup> January 2022.
- 1.2 This is the fifth report to Cabinet Committee, which outlines the evolution of the outbreak in Kent, developments since the last update, and identifies future trends, risks and resource implications for the County Council and its partners.

## 2 Background

- 2.1 Kent was a bridgehead into the British Isles from continental Europe for the invasive fungal pathogen Ash Dieback. Within its native Far Eastern range,

this organism is a harmless bacterium associated with Manchurian Ash and Chinese Ash. There is no treatment currently available to either prevent or cure Ash Dieback, though genetic resistance may facilitate some recovery of the European Ash population in the longer term.

- 2.2 European Ash is Kent's most widespread tree, recorded in 930 of the County's 1,043 2km squares (89.16% of the County) and forms a key component of the makeup of Kent's nationally significant ancient woodland heritage, where it is often the tallest canopy tree and its dappled shade allows for the development of a uniquely diverse ground flora, in a UK context.
- 2.3 Ash Dieback is now present across the entire County, wherever Ash grows. Survey work undertaken by the County Council identifies some 20,000 Ash present on KCC owned and maintained highway land, with as many as 0.5 million trees growing on private and unregistered land adjacent to highways, by-ways, and other publicly accessible land, this has implications for current and future safety works and associated costs.
- 2.4 In response to the identification of Ash Dieback within the British Isles, KCC and Kent Resilience Forum partners initiated a Strategic Co-ordinating Group (SCG) in November 2012, in compliance with Part II of the Civil Contingencies Act 2004.
- 2.5 It was agreed that the County Council was best placed to assume the strategic lead for Kent because of its animal and plant health duties. Tony Harwood (Resilience and Emergency Planning Manager) is SCG chair, and a Group continues to meet to guide the multi-agency response.

### 3. Progress to Date

- 3.1 The Ash Dieback SCG acted to co-ordinate planning and intelligence gathering and implement a wide-ranging Action Plan. Actions to date have included:
  - contributing to guidance for stakeholders (notably [Managing Chalara Ash Dieback in Kent](#) and [Ash Dieback Advice to Schools](#)).
  - Installing public warning and informing signage, that emphasises biosecurity guidance, across key locations in the County.
  - undertaken annual Ash Dieback surveys since summer 2013. The County Council has contributed its data to an influential scientific paper ["Estimating mortality rates of European Ash \(\*Fraxinus excelsior\*\) under the Ash Dieback \(\*Hymenoscyphus fraxineus\*\) epidemic"](#).
  - significantly informed the Tree Council issued a UK [Toolkit](#),
  - issued 'Trading Standards Alerts' warning the public and businesses of the risk of 'rogue traders' seeking to profit from the outbreak.
  - Interventions to address identified safety concerns in line with the adopted Kent Tree Officers Group Ash Dieback Toolkit. This approach is deemed to be most locally appropriate in fostering genetic resistance, and in landscape, biodiversity, and financial terms.
  - Developed an e-learning package addressing biosecurity policy and practice, and prominently featuring Ash Dieback, completed by more than



516 KCC personnel to date. This training tool has been marketed by the County Council to seek to recoup development costs.

#### 4. Current position

- 4.1 Analysis of [summer 2022 survey data](#) paints a mixed picture (Appendix 1), with some increase in infection rates, over 2021 levels, observed in East and West Kent but with a decrease seen in Mid Kent. The overall proportion of trees exhibiting Ash Dieback symptoms across the nine survey sites, increased by an average of only 1.21% between 2021 and 2022, this follows a larger average increase of 16.70% between 2020 and 2021. Available evidence and comparison with neighbouring counties indicate that the biosecurity interventions delivered by KCC, and its partners have contained and slowed the spread of Ash Dieback in the County, however, the outbreak has now intensified in four of the nine survey tetrads (or 2km squares) since last year.
- 4.2 Biosecurity and containment policies initiated by the Ash Dieback SCG encompassed measures to prevent movement of potentially infective material by human means out of heavily infected East Kent, alongside pro-active maintenance interventions, such as removal of infected saplings and small trees wherever sporadic outlier outbreaks were identified in Mid and West Kent. Survey data indicates that this approach was previously successful in slowing the expansion of the pathogen from its East Kent stronghold. However, recent survey data has evidenced a second infection front spreading Eastwards into Mid and West Kent from East Sussex, Surrey, and Greater London, with fungal spores likely carried on prevailing South Westerly winds.
- 4.3 A concerning development is the recent increase in reports of other new tree pests and pathogens in the County. Larger Eight-toothed European Spruce Bark Beetle (*Ips typographus*) has recently arrived in Kent from continental Europe and is impacting Spruce (particularly trees that are already under stress, such as drought or soil compaction). Though Spruce is non-native and not economically significant in the South East, the Forestry Commission is concerned that Kent could become a 'stepping stone' into those other parts of the UK, where the tree is a significant component of commercial forestry. As a result, the Forestry Commission has recruited a Ips Project Officer to lead its local biosecurity response. More significant from a human safety, wildlife and landscape perspective is the recent emergence in Kent of Acute Oak Decline. This newly described disease of Oak trees was first observed in the UK in the late 20<sup>th</sup> century. It can kill trees within four to six years of the onset of symptoms. For infection to occur, it is likely that trees need to be weakened by external environmental stresses. Recent prolonged drought conditions are thought to be a key factor behind the recent appearance of the disease in Maidstone, the Medway Towns and on the Low Weald.
- 4.4 As a consequence of this growing threat to Kent's trees the long-standing multi-agency Ash Dieback SCG has recently been re-purposed as the Kent Tree Health SCG. KCC provide the chair and secretariat for the SCG, with

membership drawn from Kent Districts, Medway Council, Forestry Commission, Defra, National Highways, Tree Council, Woodland Trust, and Kent Downs AONB Unit. The Surveillance and Management of Multiple Risks to Treescapes, Integrating Epidemiology and Stakeholder Behaviour (SMARTIES) collaborative project, led by Rothamsted Research with Forest Research, has described the SCG as “a forerunner in taking a multi-pest and disease approach to tree health”.

- 4.5 Recent years have seen an ebb and flow of infection across the County. In 2021 the proportion of trees exhibiting symptoms increase by an average of 16.7% over 2020 levels, when infection rates had decreased by an average of 13.14% over 2019 totals.
- 4.6 There is evidence from both Kent and Denmark that the impact of Ash Dieback on street and other urban trees is less severe than in semi-natural habitats such as woodland. This is due to lower levels of airborne fungal spores, increased airflow, higher canopy temperatures (limiting fungal development), and a lower likelihood of infection by secondary pathogens. However, a further study has shown that trees in the wider rural landscape, including agricultural land, are infected as readily as woodland trees.

## 5. Looking Forward

- 5.1 Any local expansion and intensification of the Ash Dieback outbreak will result in increases in reactive health and safety tree works, with resultant impacts upon all relevant KCC budgets and most significantly Highways, Public Rights of Way and Access and the Resilience and Emergency Planning Service.
- 5.2 The current observed annual average rate of increase in Ash Dieback infection in the County, calculated from annual survey data, is 1.21% (with an average of 50.12% of Ash trees in the County currently showing signs of infection). However, there is some local evidence of individual trees, in particular older specimens, showing natural resistance and recovery to the pathogen. It should be noted that following initial infection there is a time lag before the extent of dieback, secondary infection and/or decay processes render trees unsafe. Further, recovery occurs in those years where climatic conditions favour Ash and/or disadvantage the fungal pathogen. Therefore, the actual time horizon for the range of Ash Dieback impacts in Kent cannot be reliably forecast at this time. High rainfall levels in the summer months, as seen in 2021, appear to favour the development of fungal fruiting bodies, sporulation and hence infection rates. The hot and dry spring and summer experienced in 2022 should, theoretically, have created sub-optimal conditions for the fungus and therefore 2023 may provide an opportunity for some recovery of Ash (see Appendix 2 for context).
- 5.3 Reflecting the continued increase in documented Ash Dieback infection across the County and rising costs and challenges surrounding non-compliant private landowners, the County Council’s Corporate Management Team continues to identify Ash Dieback as a **medium** risk.

## 6. Financial and Other Implications

- 6.1 Initial projections indicated a potential eventual cost as high as £16 million for Ash Dieback related highway safety interventions in Kent (this was calculated on the basis that 4% (20,000) of KCC street trees are Ash with a median cost for maintenance interventions, lane hire fees and other costs of £800 per tree).
- 6.2 With as many as 0.5 million trees growing on private and unregistered land adjacent to the public highway, the eventual worst-case longer-term cost to KCC was estimated to be as high as £400 million. This figure was predicated upon the fact that interventions for trees on private and unregistered estates often incur legal and administrative costs for Local Authorities to find and engage with landowners.
- 6.3 In a wider context, research published in the journal Current Biology in May 2019 calculates the eventual cost to the UK from Ash Dieback at £14.8 billion. For comparison, this figure is one third greater than the National Audit Office estimate for the total cost of the 2000/2001 UK Foot and Mouth Disease outbreak.
- 6.4 However, evidence to-date continues to show safety intervention costs associated with Ash Dieback in Kent, are much lower than these earlier estimates. This is due to fluctuations in infection intensity from year to year, the relative resilience of Ash outside of woodlands, and its ability to mount a recovery in years with lower infection rates. (See Appendix 3).
- 6.5 So far, the cost to KCC Highways for the 2022/23 financial year is £23,445 (covering the period until December 2022). Since a peak of £66,000 in 2018/19, costs have since decreased annually (down 37% between 2020/21 and 2021/22, 7% between 2019/20 and 2020/21 and 22% between 2018/19 and 2019/20).
- 6.6 In recognition of the potentially significant costs which could arise from Ash Dieback in the future, at the start of the outbreak, KCC submitted the required 'expression of interest' for a claim against the Bellwin Scheme of Emergency Financial Assistance within the prescribed timescale. Where the criteria for the scheme are met, the grant is normally payable to authorities at 85% of eligible costs incurred above a threshold set for each authority (for KCC this remains £1,764,324). However, to date, all costs captured fall well below this qualifying threshold.
- 6.7 A practical concern amongst local stakeholders is lane hire cost and management of road closures to undertake necessary safety interventions in response to Ash Dieback impacts. At a Forestry Commission event, held with conservation organisations from across the South-East, this was identified as a major operational obstruction to progress, with achieving effective co-operation between the County Council, landowners and contractors seen as a key challenge. This issue has been raised by KCC at the Defra ADB Health and Safety Taskforce.

## 7. Conclusion

- 7.1 Overall, Ash decline is continuing in Kent, and there will be changes to our landscape and wildlife as profound as those experienced during the historic Elm and Lime declines. The resultant loss of Ash is already eroding tree cover and associated benefits from environmental services – including flood attenuation, shelter, shade and sequestration of atmospheric carbon and particulates.
- 7.2 Young trees continue to be susceptible to Ash Dieback further limiting recruitment of new generations of Ash, while mortality of semi-mature and mature Ash is also increasing, particularly in those locations where trees are subject to secondary infection and additional stressors such as drought, soil compaction or waterlogging.
- 7.3 **Veteran and ancient** Ash (those trees aged between 100 and 200+ years), continue to evidence an observed sustained recovery in crown health across all survey areas (and elsewhere in the County).
- 7.4 The continued unpredictability of outbreak intensity and resultant requirements for safety interventions underlines the importance of maintaining ongoing monitoring and cost recording, including KCC's annual survey and analysis effort. Ensuring up-to-date outbreak data enables informed decision making and implementation of measured, appropriate, and cost-effective safety interventions.
- 7.5 Recovery considerations will also increasingly come to the fore and will encompass the replacement of lost tree cover. From a local perspective, KCC must ensure records are maintained of how many Ash trees are lost from their estate, informing any eventual tally to be replaced. This will allow for restocking once sustainable planting sites are identified and a local recovery process is determined and funded. The KCC tree establishment strategy includes consideration of the options for tree replacement including native tree species Field Maple, Small-leaved Lime, and Large-leaved Lime.
- 7.7 KCC continue to lobby Government and other potential sponsors for a sustainable funding mechanism to support recovery. Latterly, Government has initiated a [Tree Health Pilot Scheme](#), where Kent is singled-out as a 'primary target area' for investment. KCC is yet to make a bid.
- 7.8 Further, the County Council accessed, with four other English local authorities, a share of a £2.53 million HM Treasury Shared Outcomes Fund grant award, which provides 100% funding for a project officer post until September 2023 and has already seen 3,942 native trees and shrubs planted across Kent, as well as 33,181 tree seeds sown, 18,589 seedlings propagated, 5,000 square meters set aside for natural regeneration and 17,930 native trees provided free to Kent residents as part of the KCC Free Tree Scheme.

**8. Recommendation(s):**

8.1 The Cabinet Committee is asked to:

- a) note the significant threat Ash Dieback poses to the environment and economy of Kent and the leadership role being played by the County Council in the response to the outbreak; and
- b) endorse the monitoring, planning, and response strategy outlined within this report.

**9. Background documents**

Appendix 1 - Percentage of Ash with No Symptoms Compared to Ash with Observed Symptoms

Appendix 2 - Increase/Decrease of Ash Dieback Symptoms Observed Symptoms in Summer 2018 2019 2020 2021 2022

Appendix 3 - Percentage increases in trees exhibiting Ash Dieback Symptoms Observed Across All Survey Sites

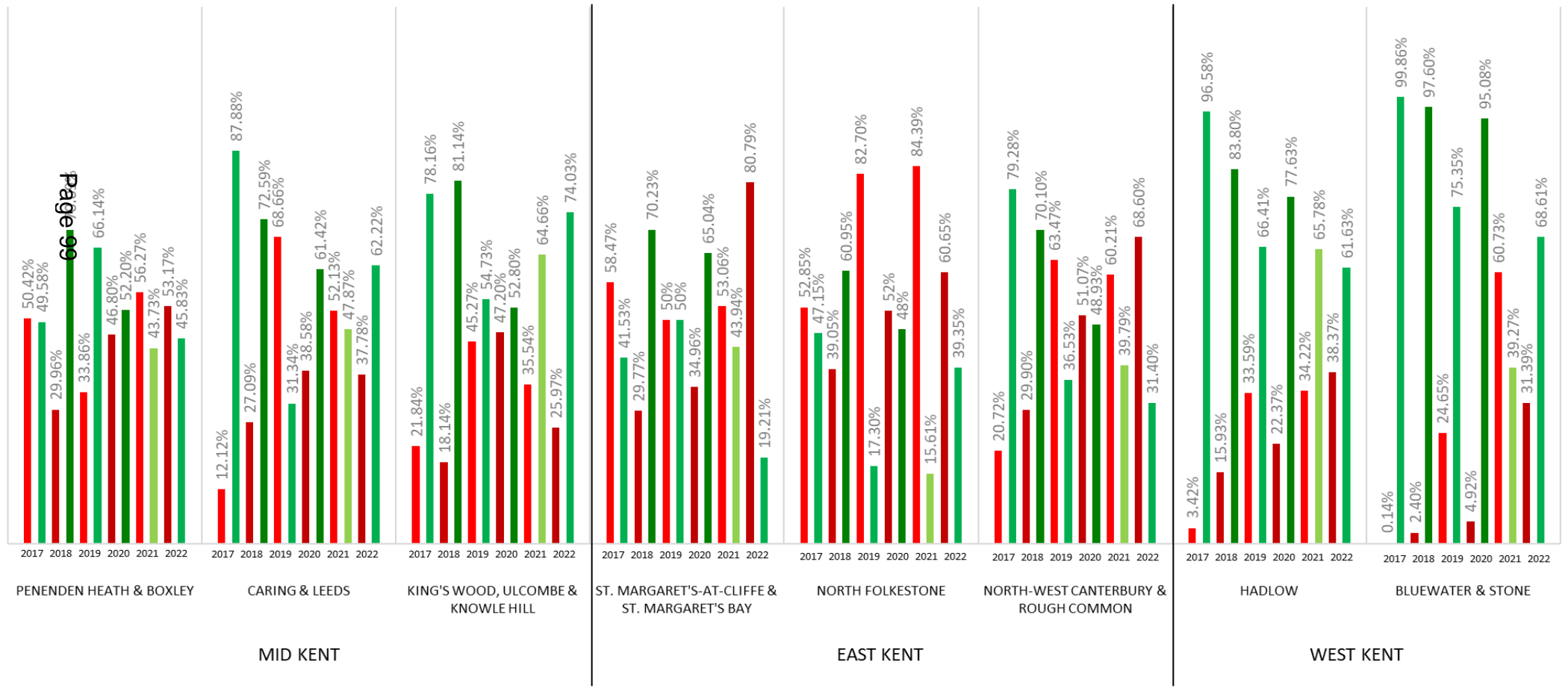
**10. Contact Details**

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# Appendix 1 Percentage of Ash with No Symptoms Compared to Ash with Observed Symptoms Summer 2017, 2018, 2019, 2020, 2021, 2022

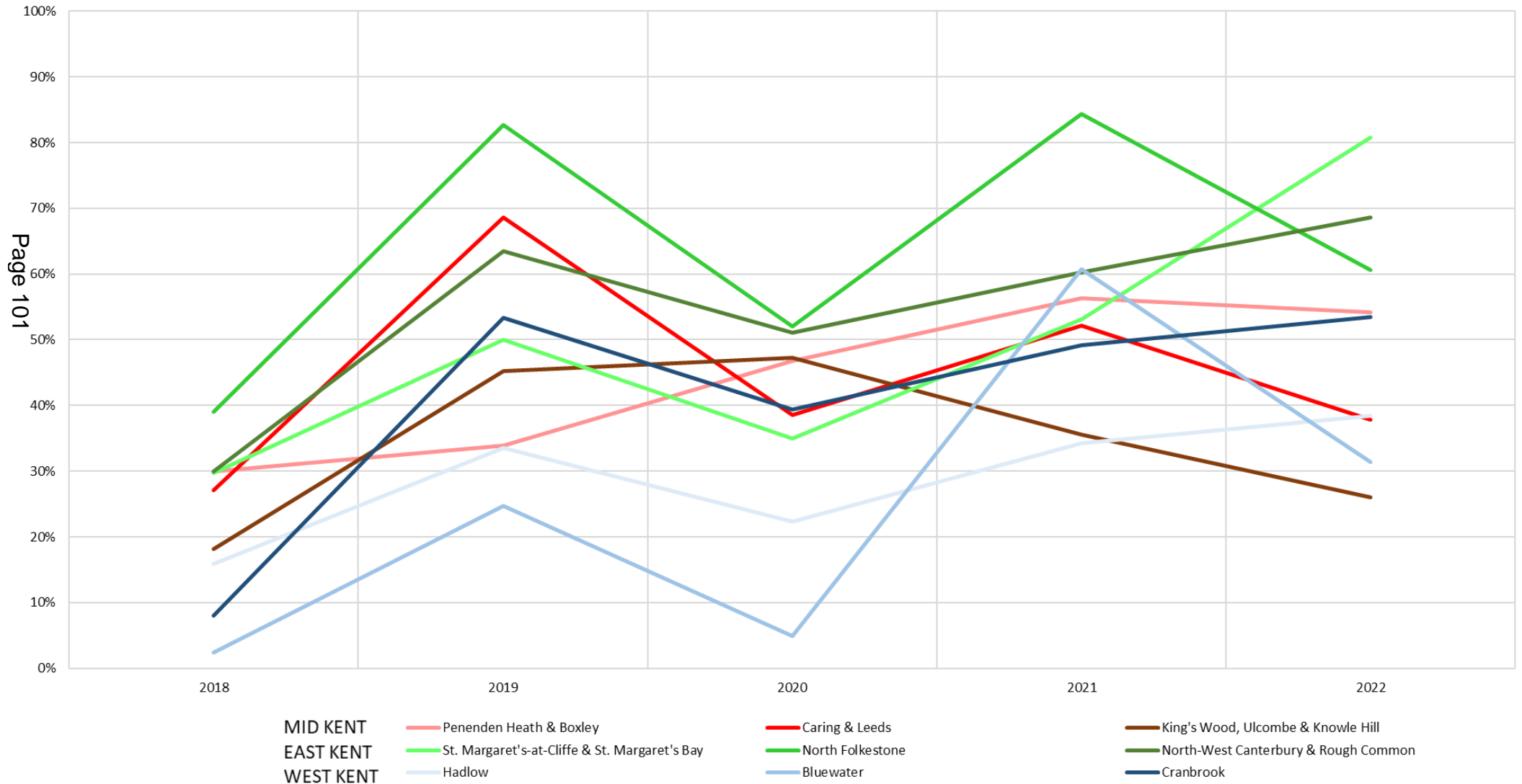
- Symptoms Observed 2017
- No Symptoms 2017
- Symptoms Observed 2018
- No Symptoms 2018
- Symptoms Observed 2019
- No Symptoms 2019
- Symptoms Observed 2020
- No Symptoms 2020
- Symptoms Observed 2021
- No Symptoms 2021
- Symptoms Observed 2022
- No Symptoms 2022





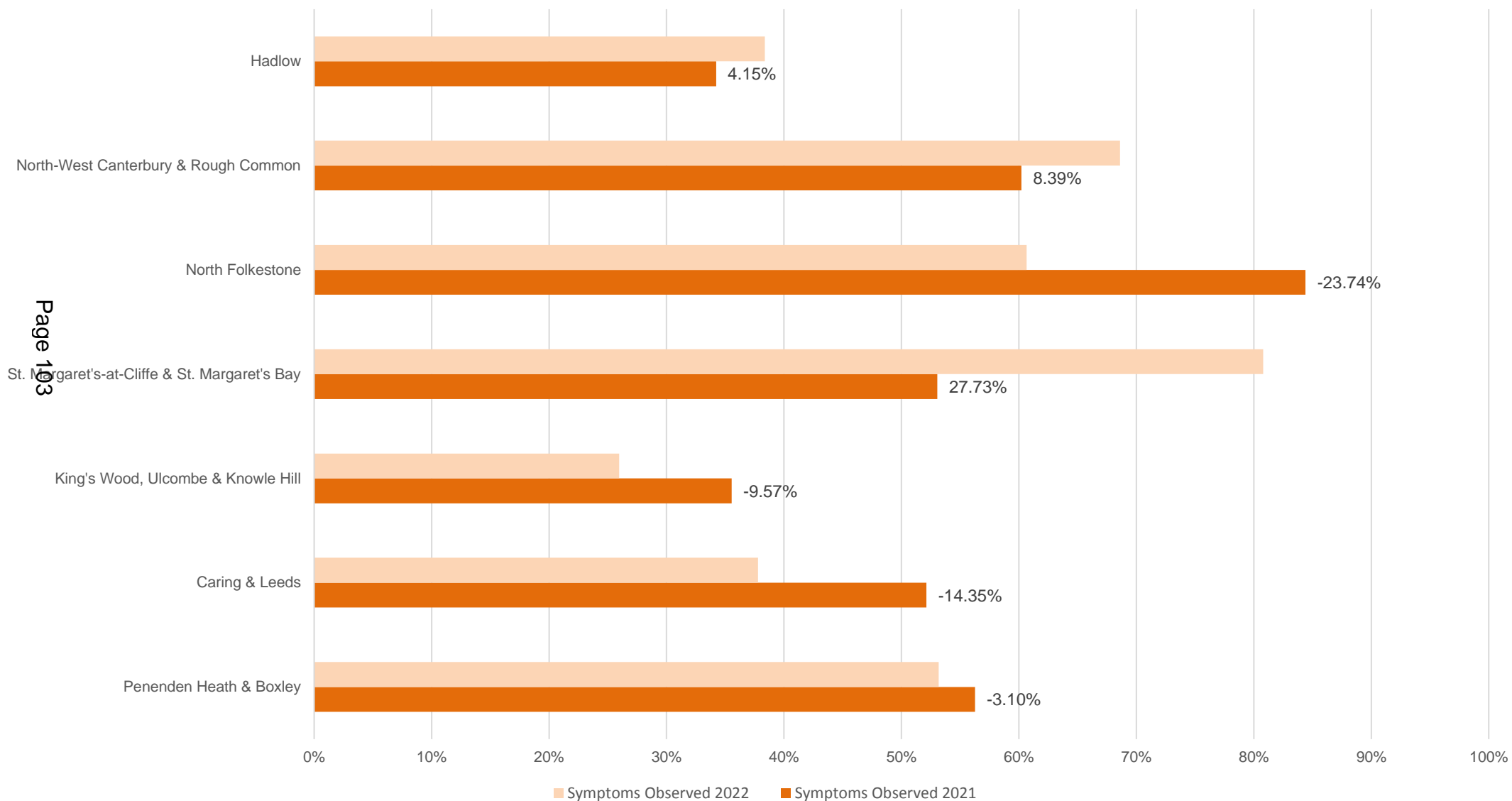


## Appendix 2 Increase/Decrease of Ash Dieback Symptoms Observed Symptoms in Summer 2018, 2019, 2020, 2021 & 2022



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### Appendix 3 Percentage Increases in Trees Exhibiting Ash Dieback Symptoms Observed Across All Survey Sites Between 2021 & 2022



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**From:** Benjamin Watts, General Counsel  
**To:** Environment and Transport Cabinet Committee – 19 January 2023  
**Subject:** Work Programme

**Classification:** Unrestricted

**Past and Future Pathway of Paper:** Standard agenda item

**Summary:** This report gives details of the proposed work programme for the Environment and Transport Cabinet Committee.

**Recommendation:** The Environment and Transport Cabinet Committee is asked to consider and agree its Work Programme.

## **1. Introduction**

- 1.1 The proposed work programme, appended to the report, has been compiled from items in the Future Executive Decision List and from actions identified during the meetings and at agenda setting meetings, in accordance with the Constitution.
- 1.2 Whilst the chairman, in consultation with the cabinet members, is responsible for the programme's fine tuning, this item gives all members of this cabinet committee the opportunity to suggest amendments and additional agenda items where appropriate.

## **2. Work Programme**

- 2.1 The proposed work programme has been compiled from items in the Future Executive Decision List and from actions arising and from topics, within the remit of the functions of this cabinet committee, identified at the agenda setting meetings [Agenda setting meetings are held 6 weeks before a cabinet committee meeting, in accordance with the constitution].
- 2.2 The cabinet committee is requested to consider and note the items within the proposed Work Programme, set out in appendix A to this report, and to suggest any additional topics to be considered at future meetings, where appropriate.
- 2.3 The schedule of commissioning activity which falls within the remit of this cabinet committee will be included in the work programme and considered at future agenda setting meetings to support more effective forward agenda planning and allow members to have oversight of significant services delivery decisions in advance.
- 2.4 When selecting future items, the cabinet committee should consider the contents of performance monitoring reports. Any 'for information' items will be sent to members of the cabinet committee separately to the agenda and will not be discussed at the cabinet committee meetings.

### 3. Conclusion

- 3.1 It is vital for the cabinet committee process that the committee takes ownership of its work programme to deliver informed and considered decisions. A regular report will be submitted to each meeting of the cabinet committee to give updates of requested topics and to seek suggestions for future items to be considered. This does not preclude members making requests to the chairman or the Democratic Services Officer between meetings, for consideration.

**4. Recommendation:** The Environment and Transport Cabinet Committee is asked to consider and agree its Work Programme.

**5. Background Documents:** None

### 6. Contact details

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## Environment and Transport Cabinet Committee – Work Programme for 2023

Item	Cabinet Committee to receive item
Verbal Updates by Cabinet Members and Corporate Director	At each meeting
Performance Dashboard	At each meeting
Work Programme	At each meeting
Draft Budget	Annually (January)
Strategic Risk Register	Annually (March)
Winter Service Policy	Annually (September)
Bus Information Portal Feedback	Bi-Annual
Southern Water - Presentation	Bi-Annual

### 7 March 2023

No.	Item	Additional Comments
	Strategic Risk Register	Annual
	Highways Assets Audit Status - Report	Requested at ETCC on 19 May 2022
Page 107	Local Transport Plan 5 - Update	
	Sturry Link Road - Key Decision	
	Amey contract extension - Key Decision	
	Southern Water - Presentation	Bi-Annual

### 9 May 2023

No.	Item	Additional Comments
	Adaptation Plan	

### 5 July 2023

No.	Item	Additional Comments

### Items for Consideration that have not yet been allocated to a meeting

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