

COUNTY COUNCIL

Thursday 10 December 2020

**Question by Pauline Beresford to Richard Long,
Cabinet Member for Education and Skills**

The Cabinet Member for Education and Skills took a decision in July this year to delay the holding of the Kent Test by about a month rather cancelling it and relying on teacher assessments. Does the Cabinet Member believe now with the benefit of hindsight that this was the right decision?

Answer

Thank you for your question Mrs Beresford.

Following the successful delivery of nearly 16,000 Kent Test results on 26 November, all evidence suggests that the proposals that I agreed in July were appropriate.

When proposals were submitted on 19 June, selective LAs across the country were still awaiting guidance from the Department for Education (DfE) on the most appropriate way to vary assessment procedures in light of COVID-19. Registered families required clear guidance on what potential changes could be required, so it was not possible to wait for central guidance indefinitely. Following consultation with Kent schools and interested parties, I agreed to proposals on 22 July. Subsequent guidance, released by the DfE on 24 July, aligned with our plans and reinforced the decision that a delay was preferable to cancelling the test or transitioning to a wholly teacher-based assessment. The difficulties with GCSE and A-Level results later in the year made clear the difficulties that were avoided by maintaining a centralised testing arrangement.

Our plans highlighted the importance of maintaining the Head Teacher Assessment process to ensure that the differing effects of COVID could be considered before children received their outcome. This process was held virtually, facilitating school involvement while limiting the burden on schools that a full transition to teacher-based assessment could have caused.

The process has been actively monitored to ensure that COVID did not disproportionately affect one group of children more than another. Current data shows that this has been achieved. Results are consistent with previous years, with similar selective assessment rates between districts and Free School Meal (FSM) eligible and non-FSM children.

I am therefore confident that proposed plans were suitable, giving pupils the fairest possible way to access Kent grammar schools this year.

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**Question by Sarah Hamilton to Susan Carey,
Cabinet Member for Environment**

We can feel proud of the Biodiversity Strategy for Kent adopted by this Council. However as we know there will be challenges to overcome with the pressures for housing and the aspiration to achieve a net gain. Could the Cabinet Member comment on the planned Government legislation to support Biodiversity and what KCC can do to promote that going forward?

Is there anything more we, as individual members, can do to help improve and promote biodiversity in our Divisions for the benefit of future generations?

Answer

The Environment Bill requires new housing development to deliver, at a minimum, a 10% net gain for biodiversity. Given the pressures facing the county's biodiversity, Kent County Council (KCC) would like to see a higher target adopted across the county to secure genuine gains and a recovering natural capital. KCC is leading a Kent Nature Partnership (KNP) task and finish group to develop the policy and governance for Biodiversity Net Gain across the county. This group has produced Guiding Principles for Biodiversity Net Gain in Kent, which will facilitate a consistent county-wide, strategic approach across Kent.

We are also working with Kent Wildlife Trust and other partners from the Kent Nature Partnership to establish a Nature Recovery Network for the county, which in turn will lead to a Kent Local Nature Recovery Strategy; both are requirements of the Environment Bill. The Nature Recovery Network will support an expanding and increasingly connected area of wildlife-rich habitats and provide wider environmental benefits, such as carbon capture and recreation. Local Nature Recovery Strategies will provide a spatial framework for the county's nature priorities, mapping the most valuable existing habitat and areas for improvement and/or creation. These strategies will assist developers and planning authorities avoid the most valuable existing habitat and direct net gain to where it will achieve the most.

Finally, KCC (with Kent Planning Officers Group) has funded the Kent Wildlife Trust to update the 2011 State of Kent's Wildlife report to establish a new and refreshed understanding of how Kent's biodiversity is faring; it will publish its findings in summer 2021.

KCC hosts and supports the Kent Nature Partnership, which brings together partners to deliver on biodiversity priorities in the county and the requirements of the Environment Bill.

As for what members can do in their own divisions, I can suggest a few key things. If you are a district or borough councillor do support your council in adopting or endorsing the Kent Biodiversity Strategy. This will be key in turning the Strategy into an influential document considered within the county's planning decisions. Members can also support delivery of Kent's Plan Bee by using its principles to identify land that could become a better habitat for pollinators. Similarly, tree and hedgerow planting support biodiversity and I know many members have used their Member grants to support such projects.

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**Question by David Brazier to Susan Carey,
Cabinet Member for Environment**

As it is now the time of year to plant trees, can the Cabinet Member for Environment tell the Council what action it is taking to increase the number of trees in, Kent, where they will be planted and on whose land, in what numbers, and of what species?

Answer

KCC has made a commitment for 1.5 million trees to be planted in Kent. We are looking to involve as many people and organisations as possible in this effort and to see that KCC itself plays a leading role in this.

To list where every tree will be planted, on whose land, in what numbers and of what species would take longer than is scheduled for the entire County Council meeting. For instance, in my own division I have used a KCC Member Grant to pay for two memorial trees to be planted in Canterbury Road. One is a Prunus Sargentii in memory of Paige Brown who died in 2007 aged just four as the original tree in her memory had died. Pink was Paige's favourite colour and the Prunus Sargentii is pink blossomed. The other is a Prunus Royal Burgundy in memory of John Heasman, who served as a councillor in Hawkinge for 43 years. Both trees have been selected with great care by KCC's soft landscape team for their locations near the highway and under power lines.

But to look more widely at our work in this area I can inform the council that there is an internal cross-service working group to oversee a coordinated approach to tree planting by KCC. Its guiding principle is 'right tree, in the right place, for the right reason, with the right management'. Some examples of ongoing planting include:

- 15,000 whips through the Old Chalk New Downs project,
- 16,000 trees and hedge plants across the county planted by Kent's Countryside Management Partnerships.
- 900 trees of over 100 different species and cultivars by Kent Highways on our publicly maintainable highway land.
- Our Country Parks do not plant trees but encourage natural regeneration of trees. One example is at Shorne Country Park, where 30 hectares is under active management to encourage natural regeneration which will amount to 30,000 trees by 2021.
- 13,615 trees to create 1800m of new hedgerow in the Darent Valley. These will all be native species and delivered by working in partnership with private landowners.

There is more to come both on KCC land and with partners and I hope to be able to update members on this soon.

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**Question by Rory Love to Mike Whiting,
Cabinet Member for Economic Development**

My Cheriton, Sandgate, and Hythe East Division includes rural and urban areas of slow broadband and mobile phone 'not-spots'. Like others, many residents of my Division were forced to work from home during lockdown, and many continue to do so. And, of course, many school children and those in further or higher education are also working from home. Fast and reliable Broadband and mobile phone connections have been desirable for both leisure and business in recent years. During the continuing restrictions, they have become a necessity.

Would the Cabinet Member for Economic Development explain the steps he is taking to help ensure both rural and urban areas across Kent have the best possible Broadband and mobile phone connections?

Answer

Kent County Council (KCC) has invested over £35 million with the Government to improve Kent's broadband connectivity. This work has brought faster broadband to over 140,000 homes and businesses across Kent that would otherwise have been left with no or poor broadband. This meant, that at the time of the Covid-19 outbreak, over 95% of homes and businesses could access a superfast broadband service (of at least 24mbps) – and less than 0.5% of premises did not have access to a basic (fixed) broadband service of less than 10mbps.

We are now working with the Government on their plans to rollout full fibre or gigabit-capable broadband to all urban and rural areas – to ensure that Kent's broadband infrastructure meets future needs. This work should also provide a solution for those few remaining areas where there continue to be issues with accessing good broadband speeds.

Through this work, Kent has already been identified as a 'Planning for Gigabit' Pilot for the Government's new £5 billion 'Outside In' programme – which will target areas that broadband network operators will not upgrade under their own investment plans. The Government has also announced the Shared Rural Network initiative with mobile network operators that will improve mobile connectivity in rural areas which have not benefited from investment to date.

In the meantime, we have secured £2 million of Government 'Getting Britain Building' funding to expand the innovative and highly successful Kent Top-Up Voucher – which is providing additional funding for Kent homes and businesses applying for the Government's Rural Gigabit Voucher. This scheme has become a national exemplar and will benefit over 1,000 homes and businesses in the hardest-to-reach parts of Kent. We look forward to working with Government and our local partners to build upon these successes and ensure that Kent residents and business can get the best possible connectivity.

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**Question by Tony Hills to Mike Whiting,
Cabinet Member for Economic Development**

The tourism economy in my division of Romney Marsh, was hugely hit by the pandemic back in March and continues to struggle. What help can the Cabinet Member offer businesses in my area, and those who work for them, who continue to struggle?

Answer

Mr Hills speaks for all Members whose divisions have been severely affected by the Covid-19 pandemic. The impact on our local hospitality and tourism sector has been devastating, and nearly 90 percent of businesses in that sector have had to close, a higher percentage than in any other sector.

Since the outbreak of the crisis Kent County Council (KCC) has worked hard to support the visitor economy and quickly put in place measures to support businesses seeking help. We have funded the Covid-19 Business Helpline which was launched in March and run by Kent Chamber of Commerce: up to the end of last week, it has taken over 13,000 calls with the largest number coming from businesses in the hospitality and leisure sector.

The Kent and Medway Economic Partnership highlighted the particular needs of the sector in its Economic Renewal and Resilience Plan and KCC, with its District and Borough partners, have put in place a range of measures to help.

To supplement the Government's announcements of government-backed loans, business rates relief, and tourism and hospitality grants, KCC offered its own interest-free loans to eligible small businesses. This has meant that tourism businesses across Kent and on the Romney Marsh were eligible to apply for loans with a zero percent interest rate from the Kent and Medway Business Fund (KMBF). Details of an extended offer of interest-free loans will be published on the KCC website next month.

Members will be aware that the Scrutiny Committee has recently conducted a Short Focused Inquiry into the Visitor Economy and I am looking forward to its recommendations which I am sure will provide us with welcome suggestions as to how we can extend our support for this hard hit part of our county.

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**Question by James McInroy to Mike Hill,
Cabinet Member for Community & Regulatory Services**

Kent County Council manages the longest length of public rights of way of any local authority in the country. It has been widely evidenced that usage and footfall has been significantly up during lockdown and sustained even after lockdown eased. How can we ensure these highly valued routes play their role in a 'green recovery' from COVID and are utilised to best effect to support the health and wellbeing of our residents for the long term?

Answer

The 4,300 mile Public Rights of Way (PRoW) network is one of the most important recreational assets in the county, offering unparalleled access to Kent's countryside and coast and touching every community. Use of the network is hugely beneficial to health and well-being and supports the rural economy. The network also continues to reflect its historic origins providing for everyday journeys and supporting active travel.

There are a number of electronic counters on the network measuring the level of use by pedestrians and cyclists. The counters have shown very significant increases, universally 300% and in one case over 1000% (Peters Village). Although figures dropped off as restrictions were eased, the levels of use remain 200%-300% above pre-COVID levels.

In terms of securing the greatest benefit from the increased use of the network, there is of course "The Public Rights of Way Improvement Plan 2018-28" and I would encourage Mr McInroy to read this. It is a statutory plan that sets out how KCC aims to improve the network to secure the greatest benefit for residents and visitors to the county.

Our ambitions to increase the use of the network predate COVID (the first Improvement Plan was produced in 2007). We actively promote the network through the excellent Explore Kent website and perhaps one of the positives to be taken from COVID is that many more people are aware of the countryside on their doorstep and the value of the PRoW network. While winter will no doubt play its usual role in dissuading many to venture out in their boots, I am optimistic that having discovered their local PRoW many will continue to use the network in the longer term.

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Question by Dan Daley to Roger Gough,
Leader of Kent County Council

Nadhim Zahawi, Parliamentary Under-Secretary of State for Covid Vaccine Deployment, has suggested that the government is looking at rolling out 'immunity passports' through a smartphone app to provide evidence of who has had a Covid-19 vaccination. This has led to widespread alarm from human rights organisations such as Liberty, who have raised concerns about those people unable to prove they have immunity being blocked from accessing essential public services.

Will the Leader of the Council provide assurances to worried Kent residents that there are no plans to impose any restrictions to KCC services based upon an individual's vaccination status.

Answer

Thank you, Chairman, and my thanks, also to Mr Daley for his question.

Firstly, as members will no doubt be aware, following Nadim Zahawi's comments, the Government has clarified that there are currently no plans for an immunisation passport to prove that a person has received the vaccine. The emphasis at the moment is, quite rightly, on rolling out the vaccine quickly to as many people as possible and our role will be to support the National Health Service locally in delivering this massive programme.

From KCC's point of view, I can assure members that there are no plans to impose any restrictions to KCC services based upon an individual's vaccination status. Regarding statutory services, to impose any such restrictions would require changes to legislation and we would expect that local authorities would be consulted. I cannot envisage a situation where we would support restrictions of this type without consultation and consequent national legislation, if indeed then.

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**Question by Ida Lindfield to
Sue Chandler, Cabinet Member for Integrated Children's Services**

A newly published report from the NSPCC has shown that in Kent there has been a 163% increase in child neglect and cruelty offences recorded by Kent Police in 2019/20 when compared to 2016/17. There were 548 offences in 2019/20 up until the end of March, so this does not include figures for most of the lockdown. Then from April to June this year there were 184 more cases. This means that in just 15 months there were a total of 732 recorded offences in Kent.

Will the Cabinet Member for Integrated Children's Services please detail what measures KCC is undertaking to urgently address this escalating crisis?

Answer

Given that child neglect and cruelty is most likely to take place behind closed doors, this increase in reporting is to be welcomed because it demonstrates that both partner agencies and members of the public are showing an increased confidence in reporting it to the police.

I understand from Kent Police that the increase in recorded offences was in part due to the changes introduced by the police in the way that crimes were recorded in 2017, which resulted in a substantial increase in recording between 2016 and 2017. Since 2017, increases in the number of offences recorded have continued to rise but at a much slower rate. Over half of all the child cruelty offences recorded by the police are then referred to another agency, such as children's services, and only a small number of reported offences will be severe enough to result in a charge.

Kent's Integrated Children's Services receives its contacts from the police through the Front Door and the majority of these relate to domestic violence rather than neglect or cruelty. On average 1200 contacts per month were received from the police each month from January 2019 up until April 2020. From April 2020 onwards, the police introduced a new process for dealing with the lower level Domestic Abuse Notifications now being referred to the school or health under Op Encompass rather than through the Front Door, which has been recognised as an improved method for the safeguarding of children. This change has resulted in the number of contacts from the police into the Front Door dropping to around 1000 per month.

Integrated Children's Services' staff work closely with families and with partner agencies to ensure the children get the help and support they need to have a reasonable standard of health and development. When there are concerns that the child cannot remain safe in the family home, then the decision will be made to bring them into the care of the local authority.

During the pandemic, there has been considerable concern raised nationally around the issue of 'hidden harm' where vulnerable children and young people, not already known to

Children's Services have not been seen by professional agencies in the way they were prior to the start of the Covid-19 Pandemic. Whilst referrals did drop during Lockdown 1 as fewer children and young people were seen in their usual settings such as schools, these have increased steadily since the summer and are now slightly above numbers from this time last year. The Service have been regularly modelling demand and we are continually reviewing that modelling to ensure that we can meet the demand but more importantly provide the help and care that children and families need currently.

Throughout the pandemic period we continued with face to face visiting for the most at-risk children and young people, with other children being seen virtually. Children's Services have regularly reviewed this approach, increasing the number and frequency of face to face visiting as restrictions were relaxed. This has continued through the recent lockdown and current Tier 3 restrictions.

I would therefore like to reassure Mrs Linfield that the Local Authority takes its duties around child neglect and cruelty very seriously and would always urge members of the public to contact us through our 24-hour phone line if they have concerns about a child's safety.

The number during office hours is 03000 41 11 11 (text relay 18001 03000 41 11 11) or 03000 41 91 91 during out of office hours (nights/weekends/bank holidays). Alternatively any concerns can be emailed to social.services@kent.gov.uk

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**Question by Mr Chittenden to Michael Payne,
Cabinet Member for Highways and Transport**

In the haulage industry, time is money. Thus, drivers will always be under pressure to get into the queues for Dover and the Channel Tunnel as soon as possible, regardless of the numbers of lorries already stuck in Kent. The Government has stated that in a 'reasonable worst-case scenario,' roughly 7,000 Europe-bound lorries could be parked up in the county. Whilst the current plans have made provisions for slightly more capacity than this, it is clear that Kent's roads will quickly become gridlocked whenever the number of lorries queuing in the county exceeds this number.

Would the Cabinet Member please advise what steps the County Council is taking to ensure that the number of border-ready vehicles does not exceed this limit at any given time?

Answer

Thank you for your question, Mr. Chittenden. Kent County Council (KCC) has continued to work with its partners through the Kent Resilience Forum (KRF) to ensure that the Government is fully apprised of the concerns of the residents and businesses in Kent around the myriad of issues surrounding transition. As you state, the Government's reasonable worst-case scenario is for up to 7,000 Heavy Goods Vehicles (HGVs) to be delayed in Kent for up to two days. Working with national Government, the multi-agency KRF has developed the Op Fennel Traffic Management Plan to deal with that number of HGVs.

KCC have, however, also been pressing the Government for their plans should this capacity in Kent be overwhelmed. Indeed the Leader wrote to Michael Gove, the Chancellor of the Duchy of Lancaster, on 13 November on this very matter.

The Government apparently has additional sites across the country on key north to south routes that can hold additional HGVs, and there will also be a national communications strategy asking freight to consider either using other ports or delaying their journey to Kent. There will also be close, daily working between the Government and our local intelligence sources to ensure there is shared knowledge about capacity levels.

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**Question by Mr Bryan Sweetland to Shelina Prendergast,
Cabinet Member for Communications, Engagement and People**

Can the Cabinet Member for Communications, Engagement and People please inform the Council as to what plans she has put in place to communicate with Kent residents and Council Members in the event of any potential significant disruptions on Kent's roads as a result of the ending of the EU Transitional period?

Answer

The Kent Communications team has been planning extensively for potential Transition disruption for some time, building resilience and working closely with the Kent Resilience Forum (KRF) to ensure alignment of messaging. Additional resources have been employed within Kent Communications to manage the flow of information about disruption to traffic and any consequential impact on our services and to deal with increased media enquiries.

The Contact Centre will also be resourced to deal with any uplift in call volume from members of the public who require information. The kent.gov website pages have been restructured to allow any KCC service disruption to be displayed clearly and accessed easily and this will continue to operate throughout Transition. In addition, messaging will be published across all KCC's organic channels including all social media platforms where messages can be updated and issued at pace.

Our strong relationship with the KRF, Districts and Boroughs and other partners will ensure that messaging is promoted and shared across the county at all times. Members will have easy access to these information channels and the information on KNet which will be regularly updated with key intelligence on transition impacts relevant to an internal KCC audience. Regular bulletins from The Information Point will also include information relevant to Members as appropriate. In taking these steps I am confident that Kent residents and Members will be kept well informed and updated in the event of any potential significant disruption resulting from the ending of the EU Transitional period.

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**Question by Mrs Trudy Dean to Michael Payne,
Cabinet Member for Highways and Transport**

I recently received an enquiry from a resident who wishes to purchase an Electric Vehicle, but doesn't have access to off-street parking. Currently KCC is advising residents against running Electric Vehicle charging cables across pavements yet offers no alternative options for residents living in areas which only have access to on-street parking. London already has over 1,000 on-street parking points, with many being located within existing lamp posts, with many other areas such as Oxford and Reading also adopting this approach. In contrast, Hampshire County Council are now actively encouraging residents to deploy charging cables across pavements without the need for a licence, providing their guidance is followed.

With the government's proposed date of 2030 for ending the sale of new petrol and diesel cars, clearly a solution needs to be adopted by KCC sooner rather than later.

Could the Cabinet Member for Highways and Transport please clarify what the appropriate solution is for this resident, and the many others whose only access to parking is on-street?

Answer

Thank you Mrs. Dean. Although Kent County Council's (KCC) strategy is to focus on charger hubs in key destinations, as these will provide greatest efficiencies and serve most of the need, it is recognised that there will be instances where on street charging is necessary. Our work to date includes preparing policy to help direct our district partners in what can be safely installed on the highway when they seek to make an installation under their own powers; assessing the necessary steps and safeguards required to allow the streetlight network to be used. Note, this will not be an easy solution due to numerous limitations such as parking enforcement and power capability, however it could serve a purpose in specific circumstances.

With regards to trailing cables, we believe only one Local Authority has allowed residents to lay cables across the footpath, albeit strapped down. It is not yet clear what the potential legal implications will be if a resident trips and injures themselves. There are also concerns regarding street clutter and equalities considerations so whilst this appears the quickest and lowest cost solution it is likely to lead to more longer term problems as adoption of Electric Vehicles (EV) becomes more widespread.

The Electric Vehicle Charging Infrastructure Programme run by the Transport Innovations Team is committed to rolling out appropriate and widespread charging infrastructure to support and encourage the take up of EV in the county. The team is designing projects in the context of ever-changing technology whilst also ensuring projects are safe, affordable, and sustainable and meet the varying needs of residents and businesses.

To date KCC successes have included bringing together multiple districts to focus on car parks, with 150 locations put forward to provide a widespread network of rapid (50kwh) and fast (97-22kwh) charger solutions depending on customer need in each area. We are also preparing a Parish charger network, using locations outside village halls and community halls. Additionally, KCC has school charger grants available and fourteen rapid taxi chargers being installed across six of the county's districts.

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Question by Antony Hook to Clair Bell,
Cabinet Member for Adult Social Care and Public Health

In the Autumn Spending Review, the Chancellor of the Exchequer announced that local councils in England would receive just £300m of additional grant funding, plus the ability to levy 3% on top of council tax. This will equate to roughly £1bn, far short of the £7bn increase which the Health and Social Care Select Committee, chaired by former Health Secretary Jeremy Hunt, said was needed in order to avoid 'market collapse' and protect users against 'catastrophic care costs.

In light of this wholly inadequate settlement proposal, can the Cabinet Member please confirm what pro-active steps are now being undertaken to persuade the government to give KCC the money it desperately needs to properly fund Adult Social Care services in the coming year?

Answer

The Spending Review announcements of a £300m social care grant and the ability to raise up to 3% adult social care levy on council tax will provide over £1bn additional funding for social care, which is very welcome. Whilst we will not know the detail of our grant allocation until the local government finance settlement is announced next week, any additional funding will help us address the spending pressures on our budget.

We are awaiting the publication of the Green Paper on Adult Social Care (ASC) which will set out how the Government will ensure the funding of Adult Social Care is put on a more sustainable footing. In the meantime I have been meeting regularly with ASC providers together with the Leader, Cabinet Member for Finance and Traded Services and officers since the start of the pandemic, to understand and respond to the challenges they are facing and to provide them with both financial and practical support, such as additional payments made to reflect the extra costs due to Covid 19 and establishing joint training arrangements.

We have received un-ringfenced Covid 19 emergency grant funding since the start of the pandemic totalling £56m and a significant proportion of this has been used on ASC. The government have also provided Infection Control Fund grant funding to support care homes totalling £35.5m. We will be getting further Covid related funding that includes support for ASC.

We have continued to lobby government on the need for additional funding, including for the increasing cost pressures in ASC and we are working jointly with our care providers to lobby the Department of Health and Social Care on the urgent need for additional funding.

Also, in the latest budget survey by the Association of Directors of Adult Social Services (ADASS) in England a strong case was made on behalf of local authorities. The ADASS President and the LGA Deputy Chief Executive appeared before the Commons Select Committee where they made the case for more funding. ADASS and the LGA continue to lobby central government for long term sustainable funding and move away from one off payments.

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**Question by Rob Bird to Michael Payne,
Cabinet Member for Highways and Transport**

Kent County Council has implemented some good schemes as part of the first tranche of the Government's Active Travel funding. Unfortunately, because of the limited timeframe available for consultation, some of the other new schemes have been less successful.

As the Council considers how best to implement the Government's second tranche of funding, will the Cabinet Member give an assurance that KCC will only introduce those schemes which demonstrably address the needs and safety of all road users, especially pedestrians, schoolchildren and disabled persons?

Answer

Thank you for your question Mr Bird. I can confirm that Kent County Council (KCC) is consulting with communities on the initial concept designs and scheme locations that were submitted by officers according to Government's bidding process. They will then be assessed in line with Government guidelines. Both the Government and KCC have made it clear that proper consultation has to form part of this process. Indeed KCC's consultation was launched yesterday on 9 December and has been extended due to the Christmas period to run until 19 January.

The schemes are still very much at an early concept stage. KCC officers want to understand and incorporate the views of local residents, stakeholders and the travelling public on the initial proposals. Feedback from these consultations will be vital in helping to shape how or whether these schemes are progressed. All the schemes will be subject to full quality and road safety audits and all will be tailored to local circumstances as well as being subject to full local consultation. Kent Highways wish to use this opportunity to improve conditions for pedestrians, and for other road users, as well as for local residents in the establishment of safer and healthier neighbourhoods as part of these schemes where possible.