

KENT COUNTY COUNCIL

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 Wednesday, 3 November 2021.

PRESENT: Mr S Holden (Chairman), Mr R C Love, OBE (Vice-Chairman), Mr Baker, Mr C Beart, Mr I S Chittenden, Mr N J Collor, Mr D Crow-Brown, Ms M Dawkins, Mr M Dendor, Mr M A J Hood, Mrs S Hudson, Mr B H Lewis, Mr D Watkins, Mr A Weatherhead and Mr H Rayner

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 for Growth, Environment and Transport), Mrs S Holt-Castle (Director of Growth and Communities), Mr P Lightowler (Interim Director of Transportation) and Mr M Dentten (Democratic Services Officer)

UNRESTRICTED ITEMS

32. Declarations of Interest by Members in items on the Agenda (Item 3)

No declarations were made.

33. Minutes of the meeting held on 8 September 2021 (Item 4)

RESOLVED that the minutes of the meeting held on 8 September 2021 were an accurate record and that they be signed by the Chairman.

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

1. Mr Brazier gave a verbal update. He confirmed that a successful bid had been made to the Department for Transport's Zero Emission Bus Regional Areas (ZEBRA) scheme. He informed members that on 20 October he chaired a meeting of the Kent Rail Summit, which received updates on South Eastern and Network Rail station improvements, and had recently visited the Sevington inland border facility with Lord Agnew from the Cabinet Office and representatives from Her Majesty's Revenue and Customs, Border Force, the Department for Transport and Department for Environment, Food and Rural Affairs. Regarding senior staff changes, he confirmed that Phil Lightowler had been appointed as interim Director of Transport.
2. Miss Carey gave a verbal update. The committee were directed to the quarterly environment and waste member briefing which had been circulated in advance of the meeting. Miss Carey informed members that the Kent Heritage Coast, part of the Kent Downs Area of Outstanding Natural Beauty,

had received international recognition, featuring in Lonely Planet's 'Best in Travel 2022'. She noted that it was the only UK destination included and was selected for its unique experiences and ongoing commitment to sustainable tourism practices. Miss Carey mentioned the Kent Environment Strategy launch event, which had been well attended by business and local government representatives from across Kent, thanks were given to Mr Holden for chairing the event. Members were reminded that the Kent Heritage Strategy's public consultation remained open until 13 December.

RESOLVED that the verbal updates be noted.

35. Decisions taken between Cabinet Committee meetings

(Item 6)

1. Mr Brazier explained the reason for taking the 21/00087: Bus Service Improvement Plan decision on 21 October. He reminded members of the Department for Transport's National Bus Strategy, "Bus Back Better", which was published in March 2021 and allowed KCC, as a Local Transport Authority to create an Enhanced Partnership with local bus operators, in order to maintain access to current and future funding opportunities. He confirmed that the initial decision to create an Enhanced Partnership was taken in July 2021. He stated that the deadline set by the Department for Transport to create an Improvement Plan was 31 October 2021, as a result it was not possible to take the decision after the cabinet committee meeting.

RESOLVED that the decision be noted.

36. Bus Feedback Portal

(Item 7)

Steve Pay (Public Transport Planning and Operations Manager) was in attendance for this item.

1. Mr Brazier introduced the report and summarised the history of the Bus Feedback Portal which was introduced in January 2019 and was last discussed by the committee in December 2019. He recognised that whilst there had been subdued Portal activity since the onset of the pandemic and resulting reduction in bus use, that it remained a useful tool for receiving public feedback.
2. Mr Pay gave a verbal overview of recent trends and the Portal's future role within the Enhanced Bus Partnership. He clarified that it was designed to avoid duplicating corporate complaints and instead collected quantifiable public feedback to aid analysis of service provision and operator performance. He informed members that most complaints related to service reliability and capacity.
3. Ms Dawkins encouraged the continued use of the Portal, recommended innovative advertising methods including QR codes and asked whether feedback was shared with operators. Mr Lightowler confirmed that weekly meetings had taken place with operators throughout the pandemic and that feedback from the Portal was shared. Concerning bus advertising, he noted

that it was agreed during the pandemic that promotional material be replaced with public health information.

4. The chairman asked whether there were any concerns on the validity of the public feedback, given the small sample size. Mr Pay acknowledged that the sample size was a challenge, though added that the Portal was often the second port of call, after a direct complaint to the operator. In relation to reliability complaints, Mr Pay confirmed that Public Transport had worked with operators to adjust timetables to increase reliability, where possible.

RESOLVED that the report be noted.

37. Traffic Management Act. Part 6 - Update *(Item 8)*

Tim Read (Head of Transportation) and Neil Edwards (Traffic Manager) were in attendance for this item.

1. Mr Brazier introduced the report, confirmed that the purpose of Part 6 powers under the Traffic Management Act 2004 were to allow Councils outside of London to enforce moving traffic offences, noted that KCC had to apply for the powers and set out the requirements.
2. Mr Edwards gave an update on the progress made in applying for the powers. He confirmed that KCC had submitted a statement of intent to the Department for Transport and that following approval, the Council would be required to undertake a 6 week public consultation on how the powers would be used. He added that a letter of endorsement had been received from Kent Police and that should the Council receive the powers, it would not impact Kent Police's enforcement. Concerning irregularities, Mr Edwards noted that environmental weight limits could be enforced, whilst structural weight limits could not. He informed members that a meeting had been arranged for 4 November with Cardiff Council, the only non-London authority with the powers. The fine issuable under the powers was confirmed at £70, reduced to £35 if paid within 14 days. In relation to the timeframe, he recognised that whilst the secondary legislation linked to the powers had been scheduled for early 2022, this was dependent on the parliamentary timetable.
3. Members commended the powers and Mr Edwards' work on the issue.
4. Mr Rayner stated that the powers would reduce the impact of HGVs on rural communities and infrastructure.
5. The chairman recognised the importance of the powers in improving residents' quality of life and its contribution towards achieving the objectives of the 'get lorries out of lives' campaign.
6. Mr Love asked that the Cabinet Member monitor the use of the powers, if granted, in order to protect against an unnecessary increase in highway cameras.

7. Ms Dawkins asked for further information on camera placement and the technology that would be used for enforcement purposes. Mr Edwards confirmed that the cameras used would be in accordance with the government approved specifications.
8. Following a question from Mr Watkins, Mr Edwards confirmed that the Part 6 powers did not extent to speeding or vehicle width restrictions.
9. Mr Lewis asked for an indication of the overall cost to the Council. Mr Edwards reassured members that revenue linked to the use of the powers would be retained by the Council and recognised that there would be initial costs that would need to be budgeted.
10. Mr Hood asked whether the cost of enforcement would be fully covered by fine revenue and if parking on pavements could be enforced. Mr Edwards explained that he expected to receive a better indication of volume and trends following the meeting with Cardiff Council. Regarding pavement parking he confirmed that it was not a formal offence.

RESOLVED that the work undertaken to date by the officers and the Leader's intention to submit an application to the Department for Transport that will grant KCC via a Designation Order the ability to enforce Traffic Contraventions of the Traffic Management Act 2004 be noted.

38. Waste Management Covid Recovery - Update

(Item 9)

David Beaver (Head of Waste and Business Services) was in attendance for this item.

1. Miss Carey gave a verbal update on waste management developments throughout the pandemic. Members were reminded of the county and districts' respective waste responsibilities. She confirmed that the national HGV driver shortage had impacted district waste collection, with 4 suspending garden waste collection. Strong county-district collaboration on waste during the pandemic, which was coordinated through the Kent Resource Partnership, was highlighted.
2. Mr Beaver provided an overview of key waste management trends and volumes. He confirmed that as of September 2021 the volume of waste managed was 12% lower than the pre-pandemic average. He noted that changes had been made to accommodate the changing work patterns of district waste collection services, which had been impacted by the national shortage of HGV drivers. Concerning Household Waste Recycling Centre use, Mr Beaver informed members that in October 2021 145,000 of 280,000 slots were used.
3. Mr Love asked that the removal of the booking system be considered and noted that some members of the public had been discouraged from using the sites as a result of the system's introduction.

4. Mr Crow-Brown asked whether an allowance for larger trailers could be made. Miss Carey agreed to consider an allowance, in the form of specialist large trailer slots, subject to sufficient demand and site accessibility.
5. Mr Lewis suggested that future decisions on Household Waste Recycling Centre booking be made on a site by site basis.
6. Mr Rayner asked whether Kent residents were able to use Household Waste Recycling Centres in Medway. Mr Beaver confirmed that residents from both areas were able to use each other's Centres and that Kent boasted some of the best accessibility in the country, in terms of opening hours.
7. Following a question from Mr Weatherhead, Mr Beaver confirmed that all district councils in Kent, except Sevenoaks, charged for curbside garden waste collection.
8. Mr Baker commended the performance of Household Waste Recycling Centres and the booking system. He emphasised the need to fully understand use patterns and booking culture. The correlation between the ease of waste disposal and volume was noted.
9. Members noted that the booking system had improved traffic around Household Waste Recycling Centres and agreed to wait for the full evaluation of public consultation responses before discussing the matter further.
10. Mr Love moved and Mr Rayner seconded an amendment to add, **“and ask that the Cabinet Member for Environment give due consideration to the issues raised during the debate.”**
11. Members voted on the amendment. The vote was won by majority vote.

RESOLVED that the committee note the report and ask that the Cabinet Member for Environment give due consideration to the issues raised during the debate.

39. Electric Vehicle Charging Infrastructure in Kent - Update (Item 10)

Tim Middleton (Transport Innovations Programme Manager) was in attendance for this item.

1. Mr Middleton summarised electric vehicle trends, which included a significant growth in ownership and public support for green infrastructure. Concerning future infrastructure, he noted that alongside the volume of charging points, positioning and charging speed were vital for supporting greater take-up. He confirmed that government had not yet set quotas for councils and that modelling had been undertaken to judge future infrastructure requirements. In terms of delivery, he recognised that the private sector would take the greater role in expanding electric vehicle charging infrastructure in Kent. The committee were informed that 600 new electric vehicle charging points would be installed by KCC.

2. Mr Love commented that regular electric vehicle charging point servicing was important for maintaining capacity. He asked whether a vehicle charging infrastructure portal would be considered by the Cabinet Member. Mr Brazier welcomed Mr Love's suggestion and confirmed that it would be looked into in due course.
3. Mr Hood encouraged collaboration between KCC and district councils on electric vehicle infrastructure wherever possible. He noted that whilst public car parks were accessible areas for charging, they were not evenly distributed throughout the county.
4. Ms Dawkins asked that pavement gullies be investigated to allow for an expansion of on street charging. Mr Middleton recognised the challenge of on street charging and informed the committee that Oxford Council was running a pilot on the matter, which KCC monitored.

RESOLVED that the report be noted.

40. Plan Tree - Update

(Item 11)

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

1. Miss Carey gave an update on the progress of Plan Tree, KCC's Tree Establishment Strategy 2021-2031, which committed to plant 1.5m new trees in Kent. She emphasised the importance of member involvement, members would be given the opportunity to participate by establishing trees within their own divisions across the four-year term, based on a target of 350 trees per division.
2. Ms Milne set out the strategy's key principles, targets, overall coverage and environmental benefits. She noted that the strategy extended beyond carbon capture and acknowledged the health, social and economic benefits of tree planting. Improved tree management and natural regeneration were highlighted, as was a commitment to a 'right tree, right place' approach to planting. Ms Milne confirmed that the strategy would go out to public consultation following the committee's endorsement.
3. Mr Chittenden asked whether tree replacement, including street trees, would be included in the member tree planting scheme. Miss Carey confirmed that tree replacement would be permitted wherever possible.
4. Mr Collor supported the 'right tree, right place' approach to planting and noted that if handled incorrectly leaves could negatively impact drains and other highway infrastructure.

RESOLVED that the committee endorse the draft Plan Tree, Kent County Council's Tree Establishment Strategy 2021-2031, for public consultation.

41. Adaptation Programme

(Item 12)

Tom Henderson was in attendance for this item.

1. Miss Carey introduced the report which provided an overview of key developments related to the Climate Change Adaptation Programme for Kent and Medway. She reminded the committee that the Kent and Medway Climate Change Risk and Impact Assessment results were discussed at its March 2021 meeting with the main findings that climate change was likely to result in warm, wet winters and hot, dry summers, with more frequent extreme weather events. She confirmed that the development of a localised adaptation plan had involved extensive engagement with local partners across key sectors.
2. Mr Henderson detailed the impact of existing climate change on Kent and Medway, which noted that over recent years extreme weather events had increased in frequency and had direct negative financial implications. In relation to the progress required to achieve carbon net zero in Kent by 2050, he explained the key roles of the local government, agriculture and utility sectors. Examples of the work already carried out by Kent businesses to reduce their carbon footprint were shared. The need to protect against the impact of rising sea levels and coastal flooding was stressed.
3. Miss Carey emphasised the need for the adaptation programme to become embedded in the actions of Council and county as a whole, in order to meet the target of carbon net zero by 2050.
4. Mr Chittenden asked if there had been any consideration towards including environmental impact assessments as part of all executive key decisions, in a similar format to pre-existing Equality Impact Assessments. Mrs Holt-Castle confirmed that initial investigations had been undertaken.
5. Mr Hood highlighted the importance of wastewater management and up-to-date surface water mapping for monitoring the impact of climate change. Miss Carey reminded members of the Kent Flood Risk Management Committee's functions, which included scrutinising flood and coastal erosion risk management functions exercised by the Environment Agency and KCC.
6. Ms Dawkins stressed the importance of investing in education and skills to create the required capacity for making environmental improvements. Miss Carey reassured members that a report on new green job opportunities would go to the appropriate Cabinet Committee in due course.

RESOLVED that the ongoing development of the Climate Change Adaptation Programme for Kent and Medway be noted.

42. 21/00089 Kent Minerals and Waste Local Plan 2013-30 - 5 year review public consultation
(Item 13)

Sharon Thompson (Head of Planning Applications Group) was in attendance for this item.

1. Miss Carey introduced the proposed decision. She thanked members for their involvement in the minerals and waste working group and confirmed that the plan protected access to minerals and waste in the county.
2. Mrs Thompson reminded members of the previous decision taken to review the 2016 adopted Plan (21/00073 - Kent Minerals and Waste Local Plan 2013-30, 5 Year Review), which was endorsed by the committee in September. The changes to the plan, outlined in the decision report, were highlighted and Mrs Thompson confirmed that national planning and environmental policy changes had necessitated the proposed alterations. She informed members that the public consultation would take place over 6 weeks, with responses reviewed at its conclusion, in line with the timeline set out in 1.8 of the report.
3. Mr Rayner sought assurance that mineral sites in Kent would not be sterilised and that KCC would continue to support the policies outlined in the Plan, if pressured by operators to deviate. Mrs Thompson gave assurance that policies DM7 (Safeguarding Mineral Resources) and DM8 (Safeguarding Minerals Management, transportation Production & Waste Management Facilities) would be upheld.

RESOLVED to endorse the proposed decision of the Cabinet Member responsible for the Minerals and Waste Local Plan to:

1. Approve the proposed updates to the Vision, Strategic Objectives, Policies (and supporting text) and Chapters 1 and 2 of the Kent Minerals and Waste Local Plan 2013-30 as set out in Appendix 1;
2. Delegate to the Corporate Director for Growth, Environment and Transport the authority to approve draft updates to the Minerals Safeguarding Areas in the Kent Minerals and Waste Local Plan in consultation with the Cabinet Member for Environment prior to their publication for consultation;
3. Agree to publish the proposed updates to the Kent Minerals and Waste Local Plan, and associated supporting evidence, for a minimum six week period of public consultation in line with Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012;
4. Agree the revised Local Plan Timetable, as shown in paragraph 1.8, to be set out in an update to the Kent Minerals and Waste Local Development Scheme; and
5. Delegate to the Corporate Director for Growth, Environment and Transport the authority to approve any non-material changes to the proposed updates of the Vision, Strategic Objectives, Policies (and supporting text) and Chapters 1 and 2 in the Kent Minerals and Waste Local Plan in consultation with the Cabinet Member for Environment prior to their publication for consultation.

43. Southern Water - Presentation

(Item 14)

The chairman informed the committee that Southern Water had been invited to present at its January meeting.

44. Performance Dashboard

(Item 15)

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

RESOLVED that the report be noted.

45. Work Programme

(Item 16)

RESOLVED that the Work Programme for 2021/22 be noted.