

From: Simon Jones, Corporate Director of Growth, Environment and Transport

To: David Brazier Cabinet Member for Highways and Transport

Subject: Policy decision on Highway Rural Swathe Maintenance frequencies.

Key decision: 22/00018

Classification: Unrestricted

Electoral Division: All Districts.

Summary:

The Highway Rural Swathe, Visibility and Hedge Maintenance contract is currently in the tendering process for a Contract start date of 1st April 2022. As part of the tendering process several options have been requested to be priced. This includes the current provision of maintenance frequencies that have been in place for many years as well as two further options which will increase the provision of biodiversity and support the Council's Pollinator Strategy.

There has been a previous key decision providing for the award of a Contract based on current frequencies which is in place to ensure that there is a continuation of service from 1st April 2022. There is an opportunity to enhance the service by selecting one of the higher biodiversity options to allow for an increase in this asset but at greater cost to the overall contract.

A Key Decision is therefore required to change the existing maintenance regimes and to award the contract/s based on the higher biodiversity option as the value exceeds £1m.

Recommendation(s): The Cabinet Member for Highways and Transport is asked to agree to increase the biodiversity provision of the Rural Swathe, Visibility and Hedge Maintenance to Option 3 (Two swathe cuts with a tiered approach to all biodiversity assets) as set out in the report and shown at Appendix A.

1. Introduction

- 1.1 Three swathe contracts expire in March 2022 and as a statutory requirement they are being re-tendered to continue service provision.
- 1.2 The main service areas comprise; rural grass cutting (swathe); visibility cutting at road junctions; maintenance of rural hedges owned by KCC and the managed maintenance of Conservation verges.
- 1.3 The Council has implemented Plan Bee as part of its environmental strategy to improve the biodiversity across its assets. There is an opportunity at this point to change the service policy of the Rural Swathe, Visibility and Hedge Maintenance Contracts to address this strategy and improve the biodiversity of its road verges.

- 1.4 Tenders have recently been procured to replace the existing Contracts which allow for options that provide a greater level of biodiversity content.

2. Biodiversity Gains

- 2.1 A flower-rich grass sward provides great benefit to pollinating insects and wildlife generally. The annual life cycle of pollinators varies but generally there needs to be a constant and diverse range of pollen and nectar sources available, from early spring to late autumn, as well as food plants for caterpillars, to be able to support the widest range of insects. Ideally there also need to be areas of longer, undisturbed grasses and shelter, for nesting and overwintering invertebrates.
- 2.2 A biodiverse grass road verge is one where a range of naturally occurring flowering plant species can flourish. It is vital that wildflowers can complete their full lifecycle – i.e., grow, flower, and set seed; this replenishes the seed bank and allows populations to be maintained cost-free and indefinitely. Cutting too frequently swiftly eliminates many species and creates greater nutrient build-up through the accumulation of more grass cuttings, which reduces the biodiversity value of the road verge. Cutting after flowers have set seed in late summer allows not only a rich source of pollen and nectar for pollinators but also a visually striking display of wildflowers for pollinators and Kent's residents and visitors alike.
- 2.3 Taking steps to enhance our road network to deliver biodiverse grass verges is entirely in line with the purposes of Kent's Plan Bee, the County Council's Pollinator Action Plan; that being to:
 - make the county council a community leader in action for pollinators, showing the way in its own operations
 - ensure that pollinators' needs are always considered throughout our work and services
 - put the conservation of pollinators and their habitats at the heart of the council's land management
 - make a significant contribution to the recovery of pollinator populations

3. Specification Options

- 3.1 The primary aim of swathe cutting is for highway safety, improving visibility, allowing pedestrians and equestrians the ability to pass and repass on the highway verge and providing a refuge where necessary.
- 3.2 Roadside Nature reserves, as recommended by the Kent Wildlife Trust (KWT) are cut twice a year, once during April for safety and again during October. Natural England also provide assents for KCC to cut all our rural verges adjacent to Sites of Special Scientific Interest (SSSI) twice a year with similar timings.
- 3.3 Removing the single swathe cut to follow the Kent Wildlife Trust and Natural England's methodology of early and late cuts would improve biodiversity and increase summer flowering plants.

3.7 Option 1 – Existing Specification

- 3.7.1 The contract includes one 900mm swathe cut p/a, three visibility cuts p/a, one rural hedge cut p/a and one conservation cut p/a.
- 3.7.2 Swathe makes up the significant volume of work and the cut is carried out during the summer months. The Contract previously provided for two swathe cuts during May and again in September. This was reduced in 2009/2010 to provide financial savings to meet the prevailing budgets.
- 3.7.3 The current contract provides for one programmed swathe cut between the dates of the 30th of May to the 10th of July. This is the optimum time to carry out a one swathe cut programme for safety and ensures grass does not reach a height that causes safety issues.
- 3.7.4 The single summer swathe cut provides little or no benefit for biodiversity.
- 3.7.5 Where higher value biodiverse verges are identified these are currently added into the late Conservation cut following review. This approach is not sustainable under the current funding levels.

3.8 Option 2 – Single Swathe with two Conservation cuts

- 3.8.1 Option 2 is similar to the existing specification but allows for two conservation cuts in March and October which will now include sites that have been identified as **Tier 2 Bee Lines** and **Tier 3 Bee Roads** as well as existing Roadside Nature Reserves and Sites of Special Scientific Interest.
- 3.8.2 There will be an increase in costs for adding additional sites due to lower volumes, increases in downtime due to travelling and timing i.e., shorter days, wetter grass, risk of poor weather.
- 3.8.3 Commencement of rural hedge cutting delayed one month until November to allow fruits to remain on hedgerows longer. There will be an increase in cost of delaying by one month due to the reduced time period for cutting.
- 3.8.4 Option 2 will enable the creation, and subsequent management, of high-value biodiverse road verges, optimising management for wildflowers and benefiting pollinating insects and other invertebrates; this will also support wildlife more generally. These verges will be more resilient to environmental change and provide ecological 'steppingstones' across the wider rural network for pollinators.
- 3.8.5 Added benefits include enhancing the local character and the visual interest of the highway for the road user and help the road blend into the wider landscape, reducing visual impacts. The connection between the road-use and a biodiverse, natural landscapes can support increased health and wellbeing as well as attracting inward investment and promoting civic pride.

3.9 Option 3 - Two Swathe cuts with tiered Conservation cuts (Preferred Option)

- 3.9.1 Option 3 provides a tiered approach to Swathe cutting dependant on biodiversity value and safety requirement and allows a greater degree of flexibility.
- 3.9.2 High value verges such as Bee Roads will be assessed through the contract period and added to a March cut providing there is no impact on highway safety.
- 3.9.3 Lower biodiversity value verges where there is still a safety risk will be added through the contract for an April cut and receive a second cut during Late September.
- 3.9.4 An additional cut is added to the Highway Safety cut which removes the main cut in the middle of the year and replaces with a May and September cut. This reduces the cutting of flowering verges in the middle of the year but still allows for safety to be maintained.
- 3.9.5 An increase in frequency and cutting operations will increase cost due to the loss of economies of scale obtained with one cut but will increase biodiversity.
- 3.9.6 Dividing the swathe into different timings allows flexibility to review specific verges throughout the contract period, adding them to earlier cuts if appropriate thereby increasing our Conservation Asset.
- 3.9.7 Option 3 (two swathe with tiered conservation cuts) will deliver the greatest gains for pollinators, and Kent's wider biodiversity, across the rural verge network.
- 3.9.8 This two-swathe cut approach will result in much larger areas and lengths of the network managed for pollinators, providing greater opportunity for wildflowers and wildlife generally to be supported.
- 3.9.9 By focussing on verges of higher value to pollinators (**Bee Roads**) or those verges in areas of known importance to pollinators (**Beelines**) we can ensure our efforts are targeted to where they are most needed and offer the greatest benefits. Consequently, over time, option 3 will create an extensive network of habitat mosaics across Kent which are interconnected and are managed to optimise the range of habitats provided for pollinators across Kent's rural verge network.

4. Further Considerations for Specification Changes

- 4.1 A recent public perception survey for Kent's Plan Bee showed there would likely be public support for the regime changes of either option. The survey results suggest that whilst there may not currently be widespread public understanding of the best practice of two cuts a year, when given the information and reasoning behind the practice, it would be reasonable to expect a willingness to accept a change in the cutting regime in order to benefit biodiversity and pollinators. The survey results also demonstrate the importance of accompanying any regime change with a public information campaign;

providing simple details of why the changes are being made will help to ensure these changes are understood and supported by Kent's residents.

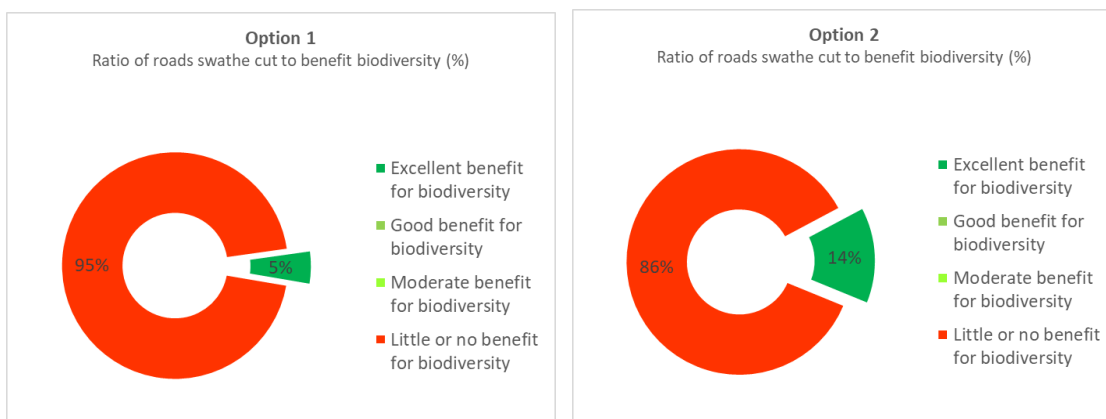
- 4.2 Any new specification will allow flexibility within the Contract to provide cut and collection of cuttings on higher value verges as well as being able to trial alternative methods to increase biodiversity and reduce grass cutting.
- 4.3 A proportion of the conservation verges in Option 2 and the higher value conservation verges in Option 3 will have arisings collected to reduce soil fertility and limit competition from the grass sward.
- 4.4 For both options the Contract will be reviewed throughout the term to maximise the Conservation asset by adding verges where possible.
- 4.5 Full width cutting will be included within the contract and used on higher value Tier 3 verges. It is envisaged that full width cutting will be carried out on a three-year cycle to limit woody growth and competition.

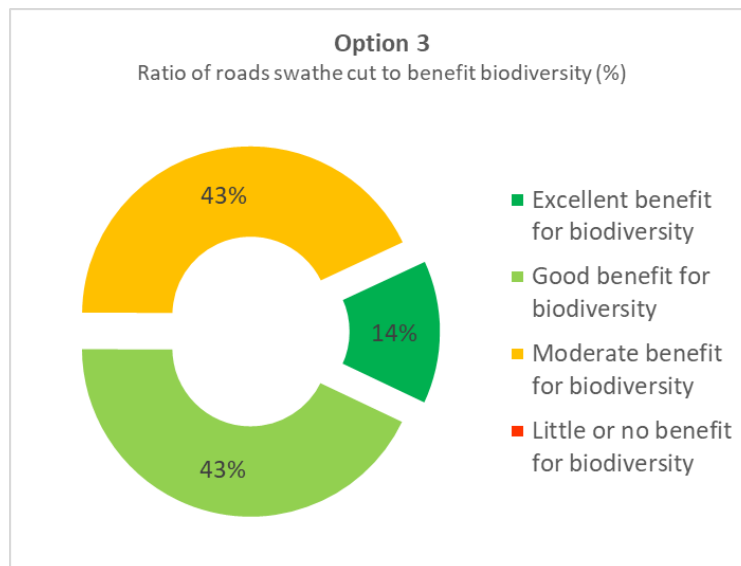
5. Ongoing Asset collection

- 5.1 Over the course of the contract, verges that are identified by officers or stakeholders as higher value should be added to the appropriate regime if safe to do so.
- 5.2 A communications plan to empower stakeholders to put forward verges that they consider to be high biodiversity would increase the growth of the Conservation asset. Additions will need to be capped dependant on available budget and resource.
- 5.3 To create a sustainable approach to the management of our verges an annual investment would be required to ensure that these additional verges can be added.

6. Biodiversity Gains for each Option

- 6.1 To establish the biodiversity benefits that each Option delivers the total amount of roads within the Contract has been reviewed and those roads that would be in a beneficial programme identified as below:





7. Financial Implications

- 7.1 Improvements in biodiversity and the inclusion of Plan Bee initiatives will increase costs for the Rural Swathe, Visibility and Hedge Maintenance Contracts
- 7.2 The revenue budget for this work is contained within Highways Asset Management. A Medium-Term Financial Plan(MTFP) pressure of £300k has been identified for a change in specifications for 2022 and was agreed by full Council on the 10th of February 2022 to allow for the proposed changes.

8. Legal implications

- 8.1 The Council has a legal duty to keep roads and pavements clear of vegetation for safe passage of highway users.
- 8.2 The award of any contracts will be in full compliance with all relevant procurement regulation.

9. Equalities implications

- 9.1 An Equalities Impact Assessment has been carried out and no implications have been identified at this early stage. This will be continually reviewed as the programme continues and has been attached in Appendix B.
- 9.2 The initial screening identified that a Data Projection Impact Assessment will not be necessary as no personal data is collected for this commission.

10. Policy Framework

- 10.1 This commission is detailed within the following plans:
- Highways, Transport and Waste Service Level Business Plan 20/21
- 10.2 The recent Environment Act (2021) has amended the existing Biodiversity Duty of the 2006 NERC Act and now specifically requires public authorities to look strategically at their policies and operations and assess what action they can take to further the conservation and enhancement of biodiversity. Moving

to a two-swathe cut regime presents an early opportunity for Kent County Council to demonstrate action against this duty, whilst also delivering on a key objective of Kent's Plan Bee.

11. Other corporate implications

11.1 The decision to change Policy for the Highway Rural Swathe, Visibility and Hedge Maintenance Contract is in line with the Councils Plan Bee – Pollinator Strategy.

12. Conclusions

12.1 The Council has implemented Plan Bee as part of its environmental strategy to improve the biodiversity across its assets. There is an opportunity to add significant weight to this strategy through a revised specification.

12.2 We have seen the emphasis of the soft landscape service change over recent years from one of purely maintaining for safety reasons to one where we are maintaining highway safety whilst delivering key Kent County Council Environmental strategies within the service.

12.1 The current one swathe cut regime although appropriate for safety does not deliver on biodiversity. Two swathe cuts present a more sustainable approach to delivering Plan Bee aspirations.

13. Recommendation:

The Cabinet Member for Highways and Transport is asked to agree to increase the biodiversity provision of the Rural Swathe, Visibility and Hedge Maintenance to Option 3 (Two swathe cuts with a tiered approach to all biodiversity assets) as set out in the report and shown at Appendix A.

14. Background Documents

Appendix A – Record of Decision

Appendix B – Equalities Impact Assessment

15. Contact details

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