

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 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.