

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, 23 May 2023.

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

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 Transportation), Mr M Smyth (Director of Environment and Waste) and Mr M Dentten (Democratic Services Officer)

UNRESTRICTED ITEMS

144. Declarations of Interest by Members in items on the Agenda (Item 4)

No declarations were made.

145. Minutes of the meeting held on 7 March 2023 (Item 5)

RESOLVED that the minutes of the meeting held on 7 March 2023 were an accurate record and that they be signed by the chairman.

146. Verbal Updates by Cabinet Members and Corporate Director (Item 6)

1. Miss Carey and Mr Brazier reminded the committee that their quarterly portfolio briefings, on Environment and Waste and Highways and Transport respectively, had been circulated to members ahead of the meeting and provided an overview of recent developments.
2. Mr Brazier provided a verbal update. He began by reassuring members regarding the collapse of the A226 at Galley Hill, Swanscombe that local people had been kept informed, particularly on the diversion of bus routes. He made the committee aware of the forthcoming closure the B2163 through Leeds for six months, whilst South East Water replaces a 500m length of water main and assured members that KCC Highways would work with the company to prevent congestion in Leeds and the surrounding villages. He explained that the Department for Transport had confirmed that KCC would be awarded £2.3m of BSIP Plus funding. It was noted that he had visited

Tunbridge Wells to inspect a recently completed public realm scheme, which included extensive active travel infrastructure. He concluded his update by explaining that government had offered KCC £12m capital and £750,00 revenue funding to create a network of on-street charging points.

3. Mr Jones provided a verbal update. He drew members' attention to the positive impact of Low Carbon Across the South and East (LoCASE) and its 285 projects. He informed the committee that KCC had planted over 50,000 trees between December 2022 and March 2023, and had made a bid to government's Local Authority Treescapes Fund. He noted that an announcement that KCC would be the responsible authority for the development of the Kent and Medway Local Nature Recovery Strategy was anticipated from the Secretary of State for Environment, Food and Rural Affairs. Additional information on the measures put in place by KCC concerning the A226 at Galley Hill, Swanscombe was provided. Concerning highway surface defect repairs, he explained that over 5,000 repairs and 6,000sqm of patches had been completed since the start of the financial year. He added that an automated machine, Pothole Pro, was being piloted in the county, with a view to a second being acquired if successful. He noted that the Department for Transport had allocated KCC £1.6m from the latest £200m Active Travel Fund tranche, with a focus on boosting children walking or cycling to school. It was also explained that a suitability trial had been undertaken by the safer active journeys team who were working with Team Rubicon to deliver scooter training to children in years one, two and three across 20 Kent primary schools. He concluded by confirming that Operation Brock had been implemented ahead of the Whitsun bank holiday.

RESOLVED to note the updates.

147. Decisions taken between Cabinet Committee meetings

(Item 7)

1. Mr Brazier explained that he had taken key decision 23/00027 (Bus Service Improvement Plan (BSIP) Grant Funding), which permitted receipt of £18,985,735, split as £12,454,840 capital and £6,530,895 revenue, grant funding from the Department for Transport between meetings in order to meet the deadline for acceptance set by the Department. Concerning key decision 23/00033 (Acceptance of Additional Government Pothole Funding) which permitted receipt of £6,054,800 from the Department for Transport for pothole and patching highway repairs, he explained that the decision had been taken between meetings to allow officers sufficient time to award contracts to address the increased high demand levels for repairs and patching following severe weather.
2. The chairman asked how KCC's additional government pothole funding allocation compared to peer authorities. Mr Jones reassured members that KCC's allocation had been consistent with neighbouring authorities, with the allocation based on highway network length. He noted that government were being lobbied to provide further funding in the following year's budget.

RESOLVED to note that decisions 23/00027 (Bus Service Improvement Plan Grant Funding) and 23/00033 (Acceptance of Additional Government Pothole Funding)

were taken between meetings of the Cabinet Committee in accordance with the process set out in the Council's constitution.

148. Performance Dashboard

(Item 8)

David Whittle (Director of Strategy, Policy, Relationship and Corporate Assurance) was in attendance for this item.

1. Mr Whittle introduced the sixth performance dashboard for 2022/23, up to March 2023. He confirmed that of the 17 key performance indicators within the remit of environment and transport, 8 had been RAG rated green, 6 amber and 3 red, which compared to 13 rated green in March 2022. He addressed the 3 red indicators, explaining that HT01 (Potholes repaired in 28 calendar days) saw a drop in performance due to the adverse weather between December to February, which resulted in a higher demand for repairs and contractor difficulties in recruiting experienced staff. He reminded members that WM01 (Municipal waste recycled and composted) as well as WM03 (Waste recycled and composted at HWRCs) continued to be impacted by in-year regulatory changes. The proposed key performance indicators for 2023/24 were addressed, with it noted that 3 indicators, DT05 (Percentage of HWRC voucher applications completed online), EPE 14 (Greenhouse gas emissions (KCC estate/services and Traded Companies) in tonnes, to measure progress towards Net Zero by 2030) and EW1 (Percentage of statutory planning consultee responses submitted to the local planning authority within 21 days) had revised targets. HT13 (Priority Enquiries completed within 20 working days) and WM10 (Customer satisfaction with HWRCs) were highlighted as new indicators.
2. Mr Jones agreed to investigate the plausibility of indicators for measuring the average time for repairing potholes and completing street work, following comments from Mr Baker and Mr Bond.

RESOLVED to note the Performance Dashboard and comment on the KPIs and targets proposed for 2023/24.

149. 23/00048 - Waste Treatment and Final Disposal Contracts

(Item 9)

David Beaver (Head of Waste Management) and Hannah Allard (Waste Business Development Manager) were in attendance for this item.

1. Miss Carey introduced her proposed key decision to tender and award a new contract for an initial 3-year period with an option to extend for up to 2 years, for the receipt and processing of bulky waste and other waste types related to the scope of these contracts; and delegate authority to the Director of Environment and Waste to award and enter appropriate contractual arrangements as necessary to implement the decision.
2. Mr Beaver clarified following a question from Ms Dawkins, that the bales produced under the contract would be sold by the contractor for use in electricity generation.

RESOLVED to endorse the Cabinet Member for Environment on the proposed decision:

- i. to tender and award a new contract for an initial 3-year period with an option to extend for up to 2 years, for the receipt and processing of bulky waste and other waste types related to the scope of these contracts; and
- ii. delegate authority to the Director of Environment and Waste to award and enter appropriate contractual arrangements as necessary to implement the decision.

150. 23/00052 - Works Asset Management System Contract Award

(Item 10)

Robert Clark (Procurement and Commercial Manager) was in attendance for this item.

1. Mr Brazier introduced his proposed key decision to award the Works Asset Management System (WAMs) contract to Brightly Software Limited from 28th June 2023, for a period of 3 years, with potential for a 1-year extension until 27th June 2027; and delegate authority to the Director for Highways and Transportation to take other relevant actions, including but not limited to finalising the terms of and entering into required contracts or other legal agreements, as necessary to implement the decision.

RESOLVED to endorse the Cabinet Member for Highways and Transport on the proposed decision to:

- a) award the Works Asset Management System (WAMs) contract to Brightly Software Limited from 28th June 2023, for a period of 3 years, with potential for a 1-year extension until 27th June 2027; and
- b) delegate authority to the Director for Highways and Transportation to take other relevant actions, including but not limited to finalising the terms of and entering into required contracts or other legal agreements, as necessary to implement the decision.

151. 23/00038 - Fastrack Electrification - Land matters

(Item 11)

Jacqui Elliott (Public Transport Project Manager) was in attendance for this item.

1. Mr Brazier introduced his proposed non-key decision to authorise the Director of Infrastructure in consultation with the Corporate Director of Growth Environment and Transportation to agree all necessary contractual arrangements relating to land and property matters to facilitate the Fastrack Electrification schemes at Thameside and Dover. He explained that the decision was required to purchase land to allow for the instalment of static components at strategic points on the Fastrack routes.

2. Ms Elliott confirmed, following a question from the chairman, that no compulsory purchase orders would be required to implement the decision.

RESOLVED to endorse the Cabinet Member for Highways and Transport on the proposed decision to authorise the Director of Infrastructure in consultation with the Corporate Director of Growth Environment and Transportation to agree all necessary contractual arrangements relating to land and property matters to facilitate the Fastrack Electrification schemes at Thameside and Dover.

152. 23/00053 - Maintain Kent Travel Saver Price in 2023/24 and Revised Price Uplift Cap in Future Years

(Item 12)

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

1. Mr Brazier introduced his proposed key decision to agree for financial year 2023/24, to maintain the cost of the standard travel pass at £450 and the low-income pass at £120, through the use of funding provided by the Government's National Bus Strategy; to maintain the current instalments process; to maintain the current £10 administration fee for those paying via instalments on a standard pass; to maintain the current sibling offer, where family who have more than two children eligible for the Kent Travel Saver, will pay no charge for any additional pass beyond two; to maintain the current free pass arrangement for those in care, carers, and care leavers; and for future years, increases in the cost of the standard and/or the low-income pass to match forecasted operator cost inflation. He explained that BSIP revenue funding would be used to maintain the price of the passes and that the cost beyond the financial year was to be determined.
2. Mr Bond asked whether dialogue was planned with bus operators to discuss alternative subsidised bus passes if the Kent Travel Saver would not be financially viable in future years. Mr Brazier stated that bus operators had not fully recovered from the negative impact of the pandemic and that there was little room to negotiate alternative subsidised pass arrangements.

RESOLVED to endorse the Cabinet Member for Highways and Transport on the proposed decision, to agree:

- a) For financial/academic year 2023/24, to maintain the cost of the standard travel pass at £450 and the low-income pass at £120, through the use of funding provided by the Government's National Bus Strategy.
- b) To maintain the current instalments process.
- c) To maintain the current £10 administration fee for those paying via instalments on a standard pass.
- d) To maintain the current sibling offer, where family who have more than two children eligible for the KTS, will pay no charge for any additional pass beyond two.
- e) To maintain the current free pass arrangement for those in care, carers, and care leavers.
- f) For future years, increases in the cost of the standard and/or the low-income pass to match forecasted operator cost inflation. Whereas in previous years, increase in pass cost was capped at 5% of the gross costs of the scheme.

153. 23/00054 - Capital Drainage Framework

(Item 13)

Robert Clark (Procurement and Commercial Manager) was in attendance for this item.

1. Mr Brazier introduced his proposed key decision to agree the Capital Drainage Framework for a maximum of four years; and provide the Corporate Director of Growth, Environment and Transport delegated authority to procure and enter into appropriate contractual arrangements for the provision of capital drainage works or other legal agreements, as necessary to implement the decision.

RESOLVED to endorse the Cabinet Member for Highways and Transport on the proposed decision to:

- a) agree the Capital Drainage Framework for a maximum of four years; and
- b) provide the Corporate Director of Growth, Environment and Transport delegated authority to procure and enter into appropriate contractual arrangements for the provision of capital drainage works or other legal agreements, as necessary to implement the decision.

154. 23/00042 - Kent Minerals and Waste Local Plan 2024-39 and Updated Kent Mineral Sites Plan

(Item 14)

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

1. Miss Carey introduced her proposed key decision to approve and publish for public consultation evidence relating to an update of the Kent Minerals Sites Plan, 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; approve and publish for public consultation further proposed changes to the Kent Minerals and Waste Local Plan 2024-39 and associated supporting evidence, for a minimum six-week period of public consultation in line with Regulation 18 of the Regulations; agree revised timetables for preparation of the Kent Minerals and Waste Local Plan 2024-39 and updated Kent Minerals Sites Plan to be published in an updated Minerals and Waste Local Development Scheme; and delegate to the Corporate Director of Growth, Environment and Transport the authority to approve any non-material changes to the consultation documents in consultation with the Cabinet Member for Environment prior to their publication for consultation. She thanked members of the cross-party Kent Minerals and Waste Local Plan 2024-39 Informal Members Group for their work and support.
2. Mrs Thompson provided a technical overview of the proposal. She explained that there was a statutory requirement to review Minerals and Waste Local Plans every five years. It was noted that public consultation was sought on changes to the strategy, hard rock minerals sites plan, and local development scheme timetable. She highlighted the proposals to remove the strategic site

allocation at Norwood Quarry, Sheppey for the landfill of hazardous waste and remove the provision for the management of non-hazardous residual waste produced in London, owing to London's plan to be self-sufficient in the management of such waste by 2026. She emphasised that no decision had been taken on the allocation of new hard rock sites.

3. Following a question from the chairman, Mrs Thompson confirmed that the alternative to a new hard rock site in Kent would be import to meet the county's needs, which would incur a significant increase in carbon emissions.

RESOVLED to endorse the Cabinet Member responsible for the Minerals and Waste Local Plan in respect of her decision to:

- i. approve and publish for public consultation evidence relating to an update of the Kent Minerals Sites Plan, 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 (the Regulations);
- ii. approve and publish for public consultation further proposed changes to the Kent Minerals and Waste Local Plan 2024-39 and associated supporting evidence, for a minimum six-week period of public consultation in line with Regulation 18 of the Regulations;
- iii. agree revised timetables for preparation of the Kent Minerals and Waste Local Plan 2024-39 and updated Kent Minerals Sites Plan to be published in an updated Minerals and Waste Local Development Scheme; and
- iv. delegate to the Corporate Director of Growth, Environment and Transport the authority to approve any non-material changes to the consultation documents in consultation with the Cabinet Member for Environment prior to their publication for consultation.

155. Household Waste Recycling Centre Review

(Item 15)

This item was considered following item 8 (Performance Dashboard).

Mr Anthony Hook (Member for Faversham), Mr Tom Cannon (Member for Maidstone Central), David Beaver (Head of Waste Management) and Hannah Allard (Waste Business Development Manager) were in attendance for this item.

1. Miss Carey introduced her report which detailed the savings required at Household Waste and Recycling Centres, in line with KCC's medium term financial plan. Key considerations, including three potential options identified were highlighted. It was noted that closing sites for two days per week had been discounted as an option as it would not deliver the savings required.
2. Mr Hook addressed the committee. He raised concerns that the report contained insufficient information on the financial impact and bearing on other HWRCs of the potential options to inform member consideration and the public consultation. In relation to the potential closure of Faversham HWRC cited in option 2 and 3, he warned that routes from Faversham to the nearest

alternative HWRCs would involve travel through Air Quality Management Areas (AQMA).

3. Members commented that further information was required to fully understand the long-term impact of the proposed options, factoring in projected population growth in the county. Reassurance was sought that the consultation process would be open and transparent.
4. Ms Dawkins moved and Mr Lewis seconded a motion that the Cabinet Committee “recommend that the Cabinet Member for Environment delay consultation until feasibility studies have been carried out into the introduction of repair shops at Household Waste Recycling Centres and an inhouse waste pick up service.”
5. Miss Carey responded by commenting that it was unlikely that the proposed measures recommended in the amendment would realise the required savings.
6. Mr Beaver noted the operational changes reported to the committee in January which included bag splitting and the introduction of trade waste handling. He added that the experiences of other authorities had indicated that repair shops did not yield significant savings and required initial capital investment which was not currently available.
7. Members voted on the motion. The motion was lost.
8. Mr Sandhu commented that HWRCs played an important role in helping households manage their waste and improve recycling. He warned that decreasing the number of sites could lead to an increase in fly tipping and place an additional burden on district councils as waste collection authorities.
9. In relation to option 2, Mr Chittenden raised concerns that closure of Tovil, Maidstone HWRC would increase congestion in Maidstone. Mr Cannon addressed the committee, adding that closure of Tovil HWRC would negatively impact Maidstone’s waste infrastructure and stressed that any options considered should be fully future proofed to take account of housing and population increases.
10. Concerning the considerations detailed in all 3 potential options cited in the report, the vice-chairman and Mr Crow-Brown asked that further information be provided on the rationale for closing the Richborough HWRC. It was noted that significant development was planned in the sites vicinity.
11. Mr Chittenden moved and Mr Lewis seconded a motion that the Cabinet Committee “recommend that the Cabinet Member for Environment consider further alternative options to those cited in the report.”
12. Members voted on the motion. The motion was lost.
13. The chairman moved and Mr Whiting second a motion that the Cabinet Committee “recommend that the Cabinet Member for Environment:

- a) form an informal working group of the committee to consider the information contained within the consultation document; and
- b) report the consultation document to the next meeting of the committee.”

14. Members voted on the motion. The motion passed.

RESOLVED to recommend that the Cabinet Member for Environment:

- a) form an informal working group of the committee to consider the information contained within the consultation document; and
- b) report the consultation document to the next meeting of the committee.

156. Highway Term Maintenance Service Commissioning Programme Update *(Item 16)*

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

1. Mr Brazier introduced the report which gave an update on KCC’s Highways Term Maintenance Contract, which was due to expire on 31 August 2023, confirmed that a new commissioning programme to replace this contract was expected to take 27-months and outlined the market risks identified.
2. Mr Jones provided further information on the reasons that reprocurement of the contract which would commence in August 2026 and align with the winter service requirements was being pursued, which included current market uncertainty and financial advantages.
3. The chairman emphasised that it was important that alternative options be explored.
4. Mr Chittenden commented that highways maintenance material and labour costs continued to increase and that suggested approach was sensible.
5. In response to a question from Ms Dawkins, Mr Loosemore confirmed that monthly board meetings were held with the contractor to review performance, which included performance standards. He noted that there were financial incentives which could be imposed on contractors for poor performance.

RESOLVED to note and comment on the report.

157. Temporary Road Closures Update Report *(Item 17)*

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

1. Mr Brazier introduced the report which updated the committee on the position regarding temporary road closure applications and the actions taken since the previous report to the committee on 8th November 2022.

2. The chairman moved and Mr Lewis seconded a motion that the Cabinet Committee “note the report and recommend that the Cabinet Member for Highways and Transport investigate the feasibility of the following measures for reducing the number of road closures in Kent:
 1. Roads should only be closed when workers are present unless the works go all the way across the carriageway.
 2. Whenever possible roads should be reopened when workers are not present such as at weekends and after hours.
 3. Every road closure permit issued should have a condition of late evening work and weekend work to shorten the period of disruption.
 4. The works on a site should be staged so that work which does not need closure is done before moving to the one metre safety rule needing closure on the opposite carriage way.
 5. There must be better coordination between the main contractors whose schedules should be rearranged so that when one works behind road closed signs as many others as possible do their work at the same time.
 6. Discover ways to get around the one metre rule, for instance with ramps on pavements or verges, allowing traffic to move partly over them.
 7. There should be more unannounced inspections of diversions with penalties for inadequate signage and routing.”
3. The motion was agreed without a vote.
4. Mr Brazier agreed to provide an updated report to the committee’s next meeting, taking account of the recommendations and whether or not the suggestions would be implementable, factoring in legal and safety considerations.

RESOLVED to note the report and recommend that the Cabinet Member for Highways and Transport investigate the feasibility of the following measures for reducing the number of road closures in Kent:

1. Roads should only be closed when workers are present unless the works go all the way across the carriageway.
2. Whenever possible roads should be reopened when workers are not present such as at weekends and after hours.
3. Every road closure permit issued should have a condition of late evening work and weekend work to shorten the period of disruption.
4. The works on a site should be staged so that work which does not need closure is done before moving to the one metre safety rule needing closure on the opposite carriage way.
5. There must be better coordination between the main contractors whose schedules should be rearranged so that when one works behind road closed signs as many others as possible do their work at the same time.
6. Discover ways to get around the one metre rule, for instance with ramps on pavements or verges, allowing traffic to move partly over them.

7. There should be more unannounced inspections of diversions with penalties for inadequate signage and routing.

158. Work Programme

(Item 18)

RESOLVED to agree the Work Programme.