

ENVIRONMENT, HIGHWAYS AND WASTE POLICY OVERVIEW AND SCRUTINY COMMITTEE

MINUTES of a meeting of the Environment, Highways and Waste Policy Overview and Scrutiny Committee held in the Council Chamber, Sessions House, County Hall, Maidstone on Tuesday, 18 January 2011.

PRESENT: Mr M B Robertson (Vice-Chairman, in the Chair), Mrs P T Cole (Substitute for Mr J M Cubitt), Mr N J Collor, Mr M J Harrison, Mr S Manion, Mr R F Manning, Mr M J Northey (Substitute for Mr J D Kirby), Mr R A Pascoe, Mrs E M Tweed Mr M J Whiting

ALSO PRESENT: Mr D L Brazier Mr N J D Chard

IN ATTENDANCE: Mr J Burr (Director of Kent Highway Services), Mr N Caddick (Policy and Performance Manager), Mr P Crick (Director Integrated Strategy & Planning), Ms D Eden-Green (Public Involvement Manager), Mr D Hall (Head of Transport & Development), Mr R Hallett (Directorate Finance Manager - EHW), Mr L Holliday (Network Performance Manager), Mr T Pierpoint (Public Transport Team Leader), Ms D Smith (Policy Manager), Mr R Smith (Senior Transport Planner) Mrs K Mannering (Democratic Services Officer)

UNRESTRICTED ITEMS

1. Minutes - 4 November 2010

(Item A4)

RESOLVED that:-

- (a) in future the Minutes record more detail of debates; and
- (b) the Minutes of the meeting held on 4 November 2010 are correctly recorded and that they be signed by the Chairman.

2. Cabinet Member's and Executive Director's Update (Oral Report)

(Item B1)

(1) Mr Chard gave a verbal report on the following issues:-

Integrated Strategy and Planning

Growth Without Gridlock; Lower Thames Crossing; Draft Rail Action Plan for Kent; Thanet Parkway Station; Minerals & Waste Development Framework; and Local Development Framework Core Strategy

Kent Highway Services

Winter Service update; Find & Fix; Major projects; Resurfacing; LTP Improvement Schemes; Materials Review Consultation; and Fees & Charges

Environment & Waste

Flood Risk Management; Waste collection & disposal; HWRC/Capital Programme update; and Recycling

- (2) RESOLVED that the update be noted and a copy circulated to Members of the Committee.

3. Financial Monitoring 2010/11

(Item B2)

- (1) Members were asked to note the November budget monitoring exception report for 2010/11 reported to Cabinet on 10 January 2011.

Revenue

- (2) The overall position for the EHW Directorate remained largely unchanged from the previous monitoring. However there were some larger offsetting movements within this, (as shown in the November exception report). The predicted outturn was an underspend of £0.313m of which £0.2m was the rephasing of the MIDAS replacement project into the new financial year, leaving a net real predicted underspend of £0.113m.

- (3) The small underspend comprised some larger over and underspends. Waste was predicted to underspend by £1.8m (reduced tonnage and improved contracting and recycling income) offset by pressures in highways £1.2m (including £0.45m for the early December snow emergency) and pressure on the Freedom Pass of £0.7m (increased take-up).

Capital

- (4) There had been a number of adjustments to the predicted capital outturn, which were detailed in the November exception report, the most significant of which was the rephasing of the A2 cyclo-park project (formerly know as the A2 linear park) by £2.1m, due to difficulties in completing the necessary land transfer agreements. Spending on road maintenance and integrated transport schemes were either on or ahead of schedule and it was expected that both the budgets would be fully spent by the year end.

- (5) During debate the following issues were raised:-

- (a) Mr Whiting referred to the completion dates of capital projects such as the Rushenden Relief Road and the Sittingbourne Northern Relief Road – the budget book stated 2 years but there was funding for 3 years. Mr Hallett stated that the schemes themselves were expected to finish, but the LCA1 compensation was paid a year after completion.
- (b) Mr Whiting stated that there were no costs included for insurance claims and asked what was being done to mitigate claims. Mr Hallett stated that costs were not yet known, but were rolling balances.

- (c) Mr Manning referred to Re-shaping Kent Highways Accommodation and asked what the latest position was in relation to the development of the new Operation Centre. Also, how was the project offset having real estate value. Mr Hallett stated that it would be phased across 2 years, and would be part of the fixed asset.
- (6) RESOLVED that the budget variations for the EHW Portfolio for 2010/11 based on the November exception report to Cabinet, be noted.

4. Budget 2011/12 and Medium Term Financial Plan 2011-13

(Item B3)

- (1) The Committee considered budget proposals for the Environment, Highways and Waste Directorate, with reference to the KCC published budget consultation paper issued on 6 January 2011. Members were invited to comment on the key issues on the proposed budget changes for the services provided by the EHW Directorate.
- (2) The total of the proposed savings and income generation required in order to meet the indicative cash limit for 2011/12 was £11.9m. The majority of the savings would come from efficiencies (£6.9m) and new income streams (£0.8m).
- (3) The biggest element of the new income would be from increasing the cost of the Freedom Pass from £50 to £100. The cost to children in receipt of a free school meal would remain at £50 and it would become free to looked after children.
- (4) The efficiencies would be a combination of management reductions, streamlining and reduced assessment, and improvements in procurement and contracting in highways and waste. Because of the level of savings required, efficiencies and new income were not sufficient and some service reductions would also be required (£4.1m).
- (5) The largest of the reductions would correspond with the government reductions in ABG for highways and transportation, resulting in a reduction of £1.7m from road safety (mainly safety camera partnership) and sustainable transport initiatives. The transport offer would be reduced slightly, with the removal of support to those socially necessary but uneconomic bus routes that provided the least added value (£0.6m) and also the removal of the 9:00 - 9:30 discretion on concessionary fares (£0.6m). Third party recycling credits currently passed on to national bodies would be removed and the household waste recycling opening hours would be reviewed. There would also be savings across the environment and planning services, the most significant of which would be reductions in the level of public rights of way maintenance and countryside access services. It was proposed that no inflation was added to highways fees and charges for the new financial year. This continued the freeze in highways fees and charges in 2010/11 and would be a small help to business at this difficult economic time.
- (6) The starting point for the capital programme was the existing published capital programme for 2010/13. The only significant change to the capital programme was the 28% reduction in government funding for the combined highways maintenance

and integrated transport programmes. Frontline road surface was protected as far as possible from the reduction and the split between maintenance and integrated transport programmes was set out in the detailed capital budget in appendix D of the budget book, and in appendix 3 of the report.

(7) There followed a question and answer session which included the following issues:-

- (a) Mrs Tweed asked if it would be possible to stagger payments for the Freedom Pass, after the initial payment of £50. Members supported the idea and Mr Hall undertook to look into this suggestion.
- (b) Mr Harrison referred to
 - (i) the Coastal Protection service, and the payments to District Authorities towards the cost of coastal protection improvements. Mr Hallett stated that the payments were 'historic loans' for infrastructure at the 5 Coastal District Councils several years ago;
 - (ii) no provision having been made for an annual % increase on the freedom pass and asked if building that fact into costs could be investigated; and
 - (iii) the Countryside Access service and which portfolio would it be responsible to following the proposed re-organisation.
- (c) Mrs Cole stated that having recently attended meetings of the Dartford Youth Advisory Group, students were struggling to meet the cost of a Freedom Pass, and asked if it would be possible to implement a direct debit system. Mr Hall undertook to look into the suggestion.

(8) RESOLVED that the revenue and capital budget proposals, together with the responses made to Members questions be noted.

5. Core Monitoring Report

(Item B4)

(1) The second Core Monitoring report, updated to include information for the period up to the end of September 2010, was reported to Cabinet on 29 November 2010. It also incorporated information drawn from the mid-year update of the individual Service Unit Business Plans. The format and presentation of the information had been modified somewhat with the objective of making it clearer and more concise, and now included data tables and some additional comparative information. The objective was to pick out a number of key areas of activity rather than seek to provide information about and comments on all of the performance information that was used within the Directorate.

(2) The number of complaints had increased significantly compared to the same period in 2009, which was unsurprising given the fact that firstly the total number of enquiries had risen significantly, largely due to the severe weather of early 2010

which caused substantial damage to the network, and secondly there had been a conscious effort by KCC to encourage complaints as a means of improving services. There was concern about the impact that the current period of sustained bad weather would have on the transport network. Any serious damage to the infrastructure would inevitably be reflected in measures such as journey time, increased routine highway maintenance demands, and pothole repairs.

(3) Most of the data included in the Core Monitoring formed part of the management information that was used, in a variety of forms, by managers and leadership teams within the Directorate. Data Quality was the subject of a review by audit during 2010 and while the report was still in draft form the conclusions that had been drawn were that key controls were in place and were effectively applied, data was sound, and risks were low. Where comparative or national data was used as a comparison it was extracted from published information that was already in the public domain.

(4) The Core Monitoring report was part of the overall transparency agenda and it was important that it was both clear and comprehensible. The information set out in the Core Monitoring would change over time. On 16 December the County Council approved Bold Steps for Kent, and as the actions necessary to deliver this were developed they might well be included in future Core Monitoring reports.

(5) During debate the following issues were raised:-

- (a) Mr Manning expressed disappointment at the status of streetlight faults being repaired by EDF, and asked what was being done to improve the service. Mr Burr stated that response times for KHS was almost at the target of 90%; the response times involving electricity boards were 45.50%. Mr Burr undertook to supply detailed graphs to the next meeting.
- (b) Mr Northey referred to the Kent Permit Scheme. Work being carried out at New Dover Road was causing disruption and at times no-one was on site getting the job done. Mr Northey asked if a scheme could be introduced to ensure a stricter/tighter timetable. Mr Burr stated that there were no statutory powers which would enable KHS to dictate timetables. Mr Northey stated that KCC should lobby Government for more power.
- (c) Mr Harrison referred to the Street Lighting target, and expressed concern that the report was only up until the end November, the period with probably the least street light problems. He also found it difficult to get repairs to street lights carried out, or to make any contact with his local divisional highways officer within the lighting division. The report stated that the Member Highway Fund had received 460 applications to date, and Mr Harrison required the latest figure. Mr Caddick informed Members that the data was, in fact, up to the end of September, not November, and suggested that the Committee reviewed the format and information presented to make it more useful to Members. Mr Chard acknowledged that the information was out of date due to the timing of the Committee calendar. He suggested a review of the dates to ensure

that the POSC received the report as soon as possible after the information was produced.

- (d) Mr Whiting stated that it would be useful, if, at the next meeting officers presented a plan of how it was proposed to move those services in red to green. Mr Chard suggested that an update be submitted to the next POSC, with as much information as possible, to enable a more informed discussion.
- (6) RESOLVED that the information given in the September 2010 Core Monitoring report for Environment, Highways & Waste and the responses given to Members' questions be noted.

6. Growth without Gridlock- A Transport Delivery Plan for Kent *(Item B5)*

(1) The report informed Members about the recent launch of Growth without Gridlock, KCC's landmark transport delivery plan for the county and invited comments on the proposed innovative ways of delivering the programme.

(2) Between March and November 2009, a draft Integrated Transport Strategy (ITS) was prepared by the County Council's Transport Policy Team. Following consultation the ITS was re-drafted during early 2010 with a particular emphasis on ensuring consistency and linkages with the emerging Environment and Housing Strategies. During the summer of 2010, in response to the changing political and economic landscape and an emphasis on local decision making and increased flexibility for local councils, the ITS was revised into a groundbreaking 20 year Transport Delivery Plan. This became a document which KCC could submit to the Coalition Government, highlighting those schemes that could be delivered by KCC and its partners, asking for greater powers and flexibilities and calling on the Government to progress those schemes of national importance including a Lower Thames Crossing, a long-term solution to Operation Stack and a scheme of foreign lorry road user charging.

(3) *Growth without gridlock – A transport delivery plan for Kent* was successfully launched at a well attended media event on 1 December 2010 at County Hall and an executive summary was made available to attendees. At this event, KCC also launched two reports on the Lower Thames Crossing which looked at the feasibility of various crossing locations and the business case and regeneration benefits of a crossing to the east of Gravesend.

(4) Members and officers would be meeting with Ministers to press for the freedoms to implement the Transport Delivery Plan and also to seek a commitment to hypothecate new money raised from foreign lorry charging etc to Kent. The Kent, Greater Essex and East Sussex Local Enterprise Partnership would provide an opportunity to secure funding and deliver strategic transport infrastructure and the County Council would work with all its partners to maximise the benefits for Kent and its communities.

(5) During debate the following issues were raised:-

- (a) Mr Whiting requested an update on the Operation Stack situation. Mr Crick stated that the delay was a combination of both planning

permission and funding. The key issue was to establish a source of funding and he was working with Ministers and officers to bring some of the proposed funding sources forward.

- (b) Mrs Tweed asked if there was a plan B if the extra funding was not forthcoming. Mr Crick confirmed that there was, but he remained positive as several sources of funding were highlighted in Growth without Gridlock.
 - (c) Mr Harrison referred to the Banning of 'belly tanks' and asked if the banning could be achieved now, more as a safety issue rather than funding, and not delay until the whole package was delivered. Mr Crick stated that several avenues were being considered for funding, which would enable certain elements of the package to be delivered. KCC was pressing Ministers and officers to introduce legislation to ban 'belly tanks'.
- (6) RESOLVED that the publication of KCC's *Growth without gridlock - A transport delivery plan for Kent* be noted.

7. Local Transport Plan for Kent 2011-16 (Item B6)

(1) The report provided the initial results of recent consultation on the draft Local Transport Plan 2011-16 and presented a proposed structure for the LTP3 Implementation Plan based on the Local Transport Settlement in December 2010. Delegated authority was requested for editorial purposes to prepare a final LTP3 Strategy and Implementation Plan for final approval by Full Council on 6 April 2011.

(2) During the summer, KCC's Transport Policy Team prepared a draft Local Transport Plan 2011-16 (LTP3) to form the basis for public consultation. The draft LTP3 was structured around five themes:

- Growth Without Gridlock;
- A Safer and Healthier County;
- Supporting Independence;
- Tackling a Changing Climate; and,
- Enjoying Life in Kent.

(3) The draft LTP3 was posted on KCC's website on 4 October 2010 and a 12 week consultation period was specified with a closing date of 31 December 2010. The report provided a summary of the 60 responses that had been received.

(4) On 13 December 2010, the Government announced the final transport capital block settlement for 2011/12 to 2012/13, which covered the Highways Maintenance Block and the Integrated Transport Block, both of which were calculated using differing needs-based formulae and would be provided as capital grant (not supported borrowing). Indicative funding allocations were also given for 2013-15 and might be subject to change. The allocations for the Kent area were set out in the report. In previous years, integrated transport funding had been transferred across to maintenance and given the continuing need to maintain Kent's roads plus the impact

of recent winter weather, it was planned for 2011/12 that £2.351m would be transferred, leaving £5.848m for integrated transport schemes.

(5) The Local Transport Act 2008 required that LTPs contain a strategy and implementation plan(s). The Implementation Plan(s) set out the proposals for delivery of the objectives contained in the strategy. The Cabinet Member for Environment, Highways and Waste had decided to continue with the Members Highway Fund, which would be funded from the LTP3 Integrated Transport allocation and was also keen that Crash Remedial Measures continued to be funded. Therefore, the following priority and structure for the LTP3 Implementation Plan was proposed:

(a) Integrated Transport Funding

Members Highway Fund – £2.2 million per year with £25,000 allocated to each of the 84 County Councillors to fund schemes which solved local transport issues plus £0.1m to administer the fund.

Crash Remedial Measures - measures at sites with a history of injuries due to vehicle crashes

Integrated Transport Measures – remaining funding allocated to local transport improvements using the budget allocation/spatial distribution approach

(b) Highways Capital Maintenance Funding

Highways Capital Maintenance – funding allocated to meet the priorities and objectives of KCC's Transport Asset Management Plan.

(6) In late September 2010, the Coalition Government announced the launch of a new transport fund called the Local Sustainable Transport Fund. The fund of £560 million replaced a range of previous grants for sustainable forms of travel and would include a mix of £350m revenue and £210m capital funding over the next four years. The fund would be an opportunity for local authorities to take forward sustainable travel measures through their LTPs and to develop packages of measures that supported economic growth and reduced carbon. The DfT had yet to publish its guidance and timescales for potential applicants but it was recommended that the County Council submitted a bid to the fund and LTP3 would be written in a way that would support the bid, highlighting potential packages of measures that could be put forward.

(7) RESOLVED that:-

- (a) the summary of responses received to the LTP3 consultation be noted;
- (b) the proposed structure of the LTP3 Implementation Plan(s) be noted;
- (c) a future bid to the Local Sustainable Transport Fund be supported; and
- (d) authority for editorial changes and production of the final LTP3 be delegated to the Cabinet Member for Environment, Highways and Waste for approval at Cabinet and Full Council.

8. Rail Action Plan for Kent *(Item B7)*

(1) The Rail Action Plan for Kent set out the principal objectives of KCC to ensure that the new Integrated Kent Franchise (IKF) - which was due to commence in April 2014 - delivered a rail service for Kent that met the needs of the county's residents and visitors. It was not concerned with changing the existing franchise operated by Southeastern Railway, although KCC would continue to press for improvements in its current operation.

(2) The Plan listed in detail the rail routes which needed addressing in today's network, and recommended improvements to be incorporated in the new franchise specification. It also recognised the need for the level of rail fares charged in Kent to offer better value for money, so as to encourage economic growth throughout the county.

(3) Following extensive public engagement and consultation, the final version of the Rail Action Plan for Kent would be presented to Cabinet on 4 April 2011 for approval, and then to the 3rd KCC Rail summit on 19 April 2011. It would inform KCC's submission to the Department for Transport (DfT) for the awarding of the contract for the delivery of the IKF from 2014 onwards.

(4) The Rail Action Plan for Kent set out in detail the recommended franchise specification for each of the rail routes in Kent, and also listed the particular issues raised by Rail User Groups and others concerning individual rail services. The final draft report was sent to all interested stakeholders on 23 December 2010. KCC's Rail Action Plan for Kent aimed to represent the needs of Kent's residents, businesses and visitors, by ensuring that the new IKF delivered a rail service that met the demand for the future of rail travel in the county and facilitated economic growth in Kent.

(5) During debate the following issues were raised:-

- (a) Mr Whiting stated that it was an excellent initiative and thanked the officers involved. However, he asked if it would be possible to include rail freight issues somewhere as part of Kent's Integrated Strategy. Mr Crick confirmed this would be included.
- (b) Mr Northey asked if companies could be lobbied to guarantee the third electrical rail would be operative whatever the weather. Mr Crick outlined that weather resilience had been included within the RAPK.
- (c) Mrs Tweed referred to the Through Gatwick – Tonbridge – Ashford hourly all day service and expressed disappointment that it might not commence until 2015. Mr Chard stated that he had met with Southern and Gatwick Airport. The service needed much development work and officers were looking into the financial viability. It was more a case of if, than when.

- (d) Mr Manning referred to the Trans-Manche Metro, and asked if it was reality. Mr Chard stated that it would happen and a business case was currently being prepared.

(6) RESOLVED that:-

- (a) the report be noted; and
- (b) Members submit any comments in response to the final draft Rail Action Plan for Kent to:

railactionplan@kent.gov.uk

9. 'Access to East Kent' Regional Growth Fund bid

(Item B8)

(1) The report summarised Kent County Council's proposed 'Access to East Kent' bid to the Government's Regional Growth Fund. The bid would request a contribution to the capital cost of a new Thanet Parkway Station adjacent to Manston Airport, along with pump-prime funding for a new daily air service from Manston to a European hub airport. The 'Access to East Kent' bid would support the Airport's ambitious expansion plans and, in combination with planned line speed improvements between Ashford and Ramsgate, would significantly enhance the attractiveness of Thanet as a place to live, work and invest.

(2) KCC's Transport Policy Team, together with Infratil and Pfizer Ltd, intended to submit the Access to East Kent Regional Growth Fund bid to Government on 21 January 2011. A successful bid would unlock significant private sector investment in Thanet and would enable the district to fully share in the benefits experienced by Ashford, Canterbury, Dover and Shepway as a result of improved rail journey times to London. RGF funding would also begin to unlock the massive potential posed by Manston Airport, which has both the capacity and vision to become a major Kent employer over the next 30 years, and to provide a focus for future inward investment.

(3) The Government had indicated that successful RGF bids would be provided with conditional offers of funding within 50 days of the first-round submission date, and that RGF funding must be spent within three years.

(4) RESOLVED that the 'Access to East Kent' Regional Growth Fund bid be endorsed.

10. The Management of Double Parking and Parking at Dropped Kerbs

(Item B9)

(1) Within Kent, the 12 District/Borough and City Councils were responsible for the practical application of parking policy and enforcement under 12 individual Agency Agreements. Changes to legislation, brought about by the introduction of the Traffic Management Act 2004 gave powers to the appropriate authority to issue a penalty charge notice to any vehicle double parked or parked adjacent to a dropped

kerb. The current agency agreements between Kent County Council and the 12 district authorities required KCC to give written permission to the district authorities prior to their commencing the powers.

(2) There were three main aspects to the new powers –

Parking adjacent to a dropped kerb at a crossing point (Dropped Kerbs for Community Use which are usually identified by the use of tactile paving); :

Double parking – defined as parking 50cm or more from the kerb:

Parking adjacent to a dropped kerb outside residential premises:

It should be noted that the prohibition of parking at a dropped kerb at a crossing point included where a footway, cycle track or verge had been lowered to meet the level of the carriageway; and it applied equally where the carriageway had been raised to the level of the footway, cycle track or verge.

(3) Additional Civil Enforcement Officers would not be employed to undertake the enforcement and it would be carried out as part of normal day to day enforcement. There was therefore no additional cost in staff time. There may be a limited additional income through the issuing of PCN's but it was to be noted that parking enforcement was a necessary tool to ensure good traffic management and road safety, not to generate an income stream. The penalty charge for the offences was set at £70, which was discounted by 50% if paid within fourteen days.

(4) Enforcement of double parking and parking at dropped kerbs would assist those with visual or mobility impairment as the enforcement action would aim to remove inconsiderate parking to allow ease of access.

(5) Members were informed that the report would be submitted to JTBs and the issues raised during debate would be included.

(6) During debate the following issues were raised:-

(a) were the District/Borough Councils completely aware of the legislation and who was or was not responsible for making fines – Existing powers were already in force, and the function was to be delegated to District/Borough Councils at their request. There was a need to monitor where the problems existed in the County to enable the disabled to cross the road safely.

(b) Mr Northey asked for clarification as to what double parking actually meant, and 'parking adjacent'. Mr Lloyd stated that it was 50cm or more from the kerb.

(c) Mr Whiting asked how cycle lanes were affected – cycle lanes had their own rules, and would be included in the report JTBs.

(d) Mr Collor asked how it affected vehicles that were loading/unloading – Mr Holliday stated there were different rules to follow, and would also be included in the report to JTBs.

(7) Mr Holliday informed Members that the following had been omitted from the recommendation in the report, and would be included in paragraph (8) below:-

'introduce a double parking and parking adjacent to dropped kerbs with the exception of private driveways'

(8) RESOLVED that:-

- (a) the new powers to undertake civil parking enforcement at dropped kerbs and for double parking to be formally adopted by Kent County Council be noted; and
- (b) the permission to the 12 district authorities to evoke parking contraventions in relation to vehicles parked adjacent to dropped kerbs with the exception of private driveways be noted.

11. Planned Carriageway and Footway Maintenance Programme 2011/12 (Item B10)

(1) Further to Minute 13 of 4 November 2010, the report informed Members on the profile of the provisional programme for 2011/12 and provided a description of the process used to produce the programme. Kent County Council had in place an inspection and survey regime to establish the condition of the carriageway network. The regime incorporated both manual and machine based surveys. The condition data that was collected as part of the exercise was processed within a maintenance optimisation system to produce a prioritised list of roads for treatment.

(2) Sites identified using the process were collated to form what was known as the 1st Draft Programme. At this stage the extents of each site was determined which allowed for an indicative cost estimation which was necessary for the next stage. For 2011/12 a total of 1125 potential sites were contained within the 1st Draft Programme. Once verified there was a need to prioritise schemes contained in the draft programme within the anticipated financial framework for the year. The process of prioritisation produced the 2nd Draft Programme (Baseline Programme) and formed the basis for the necessary detailed design and procurement. The exercise was undertaken in readiness for when funding was announced and so as to commence the works at the start of the financial year in April. When the detailed financial allocation was confirmed in February 2011 the Baseline Programme would be reviewed and adjusted to conform to the allocation. The programme would then be confirmed as the Baseline Programme (Funded) and would be submitted for approval and then published.

(3) The effective use of resources was always of prime consideration when determining the Planned Carriageway and Footway Maintenance Programme. It was therefore important that the correct sites were matched to the most effective treatments. Preventative maintenance techniques, such as surface dressing and micro asphalt, were a cost effective way of arresting the deterioration of the carriageway network. The level of preventative maintenance contained within the programme was significantly higher than previous years. This was in response to the severe impact that the 2009/10 winter had on the highway network which required a

significant increase in the level of expenditure on reactive patching. The increase in preventative maintenance would mean that less funding would be available for the resurfacing element of the programme. Resurfacing had therefore been proposed on roads that were critical either in terms of safety or were in such a condition that deferring them in the short term would leave them to change from a thin surfacing scheme to a more extensive and expensive strengthening or reconstruction scheme.

(4) When the detailed financial framework for 2011/12 was confirmed during February 2011 the definitive programme for the next financial year would be drawn up for approval. Based on the Baseline Programme, the details provided in the table below identified the indicative profile for treatment types that would form the 2011/12 programme.

| | | |
|-------------|------------------|-----|
| Carriageway | Resurfacing | 32% |
| | Surface Dressing | 54% |
| | Micro Asphalt | |
| Footway | Resurfacing | 14% |

(5) Following a request from Mr Harrison the table above would include 'Repair and' before 'Resurfacing'. Mr Manning referred to the surface treatment programme and asked about preparation work, such as repairing deformed carriageway beneath that, or substantial potholes before it was carried out. Mr Haratbar confirmed that if there were sections of a carriageway requiring fundamental re-structure, it would be included.

(6) RESOLVED that the provisional profile of the Planned Carriageway and Footway Maintenance Programme for 2011/12 be noted.

12. Future Highways Procurement - Update
(Item B11)

(1) The report gave an update on how the Council was transforming the delivery of highway services, by reprocurring the term maintenance contract, to drive improvement in highway condition, improve customer perception across Kent and deliver increased value for money. The procurement process to replace the existing Highway Maintenance Contract was a key workstream within the Future Highways Programme, one of five transformation workstreams designed to support the procurement activities and deliver Kent Highways' vision. In replacing the existing contract, the Council had the opportunity to modernise the whole of the service by adopting a fresh delivery model and enable a strong client approach.

(2) The Invitation to Submit Detailed Solutions (ISDS) was issued to the short listed contractors in November: Colas, Enterprise and May Gurney; the bidders submitted their Draft Detailed Solutions on 14 December 2010; during the period between 14 and 23 December the Detailed Solutions were evaluated by a number of KHS officers; on 17 and 21 December a Competitive Dialogue Event was undertaken to discuss the submissions with the bidders. The objective being to further shape the proposals to ensure that bidders fully understood and were aligned to KHS' service

delivery requirements; on 23 December a refined document was sent out to the bidders, giving them until 20 January to submit their detailed solutions; and Reference Site Visits had been arranged for the week of 7 February.

(3) From the bidder's submissions in January, KHS would extract the best solutions and compile the Final Tender Documents, which would be sent out on 17 February. The intention to award the contract was due to take place on 2 June 2011 with the contract due to commence on 1 September 2011.

(4) RESOLVED that the report be noted.

13. Member Highway Fund

(Item B12)

(1) A Member Highway Fund providing each Member with £25,000 per annum to spend on local highway related issues was approved at County Council in June 2009 as an initial pilot running until March 2011. The scheme had operated well, broadly and had led to the introduction of local schemes which were greatly appreciated by the community. It was innovative and an excellent example of localism in action. The report reviewed the operation of the Member Highway Fund Scheme and recommended its continuation beyond the pilot stage.

(2) There had been some criticism of the time taken to deliver Member Highway Fund schemes. In some cases the criticism was justified and strengthening of the staffing function had resulted in improved service delivery to Members. The principle of the Member Highway Fund was its ability to cover costs without drawing on other KHS budgets. Whilst the principle had been broadly established, the small scale nature of some schemes and the requirement to deliver them more speedily had created an additional cost base which was not entirely covered by the investigation fee or overhead charge (overall).

(3) Other main areas of concern that had been expressed were

- Investigation Fee for small scale works
- Time taken to deliver schemes
- Apparent disparity between costs of KHS quotes and those of external contractors
- As at 1 January 2011, around £2.0m remained uncommitted by members.

(4) During debate the following issues were raised:-

- (a) Mr Manning expressed concern at the delays with contractors and asked, from a Members point of view, for an assurance that there would be a timely delivery. Mr Hall stated that the current process was being streamlined. As a result of re-structuring it was proposed to have a simpler approach to the Member Highway Fund.

- (b) Mr Harrison referred to the overhead charge of 15%, and suggested that it should be 15% or £1,000 whichever was the greater, to avoid considerable amounts of money on big schemes. The time factor caused great delay and he also suggested that the CLM scheme at County Hall could liaise with the relevant District Council CLM to assist with the administrative role. Mr Hall undertook to discuss with Mr Harrison.
 - (c) Mr Whiting referred to KHS quotes for works that included an allowance for overheads. Mr Hall stated that it was a question of finding the right balance, and undertook to discuss with Mr Whiting direct.
 - (d) Mr Manion shared the concern over delays. He referred to the use of external contractors. A quote was obtained for one particular project, then was informed that two more quotes were necessary. He requested that the document be more explicit in relation to obtaining quotes, and that use of the initial KHS quote was included as one of them. Mr Hall confirmed that the process of requiring three quotes did include the KHS quote.
- (5) RESOLVED that the Cabinet Member for Environment Highways and Waste be recommended to approve the following amendments:-
- (a) the Member Highway Fund be continued beyond the pilot completion date of 31 March 2011, with an annual allocation of £25,000 per Member;
 - (b) a removal of the charges for a scheme investigation for the first four work requests for each Member;
 - (c) the overhead charge be raised to 15%;
 - (d) Contractors on the KHS Approved Contractors list be used for works subject to pricing to the same specification as KHS; and
 - (e) the Member Highway Fund scheme continued to allow the transfer of funds over one financial year only but a one-off amnesty be provided to 31 March 2012 for Members who had not spent their pilot scheme allocation, subject to agreement through the budget setting process and an undertaking by Members to commit the funds by 1 April 2011. After 31 March 2012, any unspent funds from the trial period be transferred out of the scheme.

14. Equalities Update *(Item B13)*

- (1) The report summarised recent changes in the strategic context for Equalities; and informed Members of EHW's work on Equality and Diversity during 2010.

(2) In common with all other aspects of public life, the political and economic landscape for the Equalities agenda was rapidly changing. Since taking office, the new Coalition government had been giving out clear messages about its vision of a fair and equal society, and had given some indications of how it expected the public sector to deliver Equalities. Tackling disadvantage was one of the three main aims of Bold Steps for Kent, KCC's medium-term plan for the next four years. The theme ran throughout the plan, with the stated objective - of making Kent 'a county of opportunity, where aspiration rather than dependency is supported, particularly for those who are disadvantaged - or who struggle to help themselves and their family.'

(3) Changes in the National policy context; Kent County Council context; and EHW Directorate context were set out in the report. The following highlighted some achievements against the current action plan, to deliver the KCC Equalities Strategy. More detailed information about the achievements was included in the appendix to the report.

- There continued to be a developing culture within the directorate with Heads of Service requesting advice, guidance and support on implementing equality and diversity in their services.
- The Sustainable Transport team in KHS co-ordinated the Kent Reference Panel. The group, which was chaired by Cabinet Member, Nick Chard, brought together representatives of Kent-based Access Groups and KHS staff to engage on issues relating to transport and the public realm.
- Kent Highway Services' Winter Service policy prioritised service to particular groups and organisations including hospitals, doctors' surgeries and old peoples' homes.
- In 2010, 509 stiles had been removed from Public Rights of Way to improve access for all, especially the ageing population;
- Staff capacity continued to be built through the EHW local induction processes. Clear corporate messages were enabled through the use of KCC's "Together... making a difference" corporate induction video, along with a short presentation introducing staff to their responsibilities. This had been well received by new staff and contributed to raising levels of awareness in services.
- The directorate Equality Champions delivered a bridging session to staff, to improve understanding of Equality issues and their relevance to the services we delivered.

(4) The next steps were:-

- Continue to raise awareness of, and support staff to carry out, Equality Impact Assessments, with particular focus on service and staff reductions prompted by budget constraints
- Support staff in preparing for and implementing new duties brought about by the Equality Act and the public sector Equality Duty

- Align to business planning process in order to identify and manage equality outcomes in service planning and delivery.

(5) RESOLVED that the content of the report be noted.

15. Update on KCC Health Inequalities Strategy

(Item B14)

(1) The KCC Health Inequalities Strategy 2009-14 was approved by Cabinet on 13 September 2010, along with a summary of the influential Marmot report on Health Inequalities entitled 'Fair Society, Healthy Lives'. The report contained a summary of the Marmot Review and an update of KCC's Health Inequalities Strategy.

(2) The Marmot Report on Health Inequalities, 'Fair Society, Healthy Lives' acknowledged the crucial role of the Local Authority and the services it provided in the shaping of people's life chances and lifestyle choices. The report perceived Health Inequality more as behaviour change and the factors that influenced people's lives than physical access to health care. Many of the Report's proposals adopted the same model of some of the Kent County Council initiatives (eg. HOUSE & ACTIVMOBS).

(3) The KCC Health Inequalities Strategy 2009-2014 had been produced with representation from all KCC directorates and some Local Strategic Partnerships (LSPs) who had formed a Working Group to maximise the commitment of KCC to reduce Health Inequalities, both strategically at policy and planning level and locally at local planning and delivery level. The Group also worked cohesively, involving LSPs and the NHS to address long and short term measures, sustainability of good practice across relevant government agencies and the third and private sector to achieve the integrated, holistic approach recommended by the Review. The KCC Working Group was also organising a briefing event on Health Inequalities for Cabinet Members, POSC representatives and CMT to identify specific challenges for Kent. The event was scheduled for 4 February and was led by the Local Government Improvement and Development Team (formerly I&DeA).

(4) RESOLVED that:-

- (a) the summary of the Marmot Review on Health Inequalities 'Healthy People, Healthy Lives' and the implications recommended for Local Authorities be noted;
- (b) the update on the status of the Kent County Council Health Inequalities Strategy 2009-14 be noted; and
- (c) the 4 February event on Health Inequalities to raise current issues of Health Inequalities, especially in the light of the new Public Health White Paper, Healthy Lives, Healthy People be noted.

16. Select Committee - update

(Item C1)

Select Committee: Renewable Energy

(1) Further to Minute 14 of 4 November 2010, the Select Committee report on Renewable Energy was received by the Cabinet on 29 November and considered by the County Council on 16 December 2010. The focus of the report was welcomed and the Select Committee thanked for its work. A copy of the executive summary was attached to the report for Members information. In accordance with the monitoring process for Select Committee reports as set out in the Constitution, this Policy Overview and Scrutiny Committee would receive an action plan for the recommendations at the April meeting.

Select Committee topic review programme

(2) The Select Committee work programme consisted of the following:-

- Educational Attainment of Pupils and Schools in Areas of High Deprivation – which was due to start its work shortly.
- Dementia – inaugural meeting on 5 January 2011.
- The Student Journey – due to start its work in Spring 2011.

(3) RESOLVED that:-

- (a) the Select Committee update be noted; and
- (b) Members advise the Democratic Services Officer of any further items that they would like to suggest for inclusion in the topic review programme.