

31 January 2008

KENT COUNTY COUNCIL

**ENVIRONMENT AND REGENERATION POLICY OVERVIEW
COMMITTEE**

MINUTES of a meeting of the Environment & Regeneration Policy Overview Committee held on Thursday, 31 January 2008 at Sessions House, County Hall, Maidstone.

PRESENT: Mr R A Pascoe (Chairman), Mr R Truelove (Vice Chairman), Mr M J Angell, Miss S J Carey, Mr D S Daley, Mr M J Harrison, Mr C Hibberd, Mr R A Marsh, Mr J I Muckle (substitute for Mr A R Poole), Mr R J E Parker, Mrs E D Rowbotham (substitute for Mr T J Birkett) and Mrs P A V Stockell.

OTHER MEMBERS PRESENT: Mr K A Ferrin MBE, Cabinet Member for Environment, Highways and Waste and Mr R W Gough, Cabinet Member for Regeneration & Supporting Independence.

IN ATTENDANCE: Mr A Wilkinson, Managing Director Environment & Regeneration, accompanied by Mrs S Barton, Strategic Projects and Business Development Manager, Mr N Caddick, Resource Manager, Ms A Cambray, Climate Change Project Manager, Mr B Gould, Strategic Finance Advisor, Mrs V Hyland, Regeneration & Projects Manager, Mr M Overbeke, Head of Public Rights of Way, Mr A Phillips, Ashford's Future, Mr P D Wickenden, Overview, Scrutiny and Localism Manager.

UNRESTRICTED ITEMS

55. Minutes – 20 November 2007
(Item A3)

RESOLVED that the Minutes of the meeting held on 20 November 2007 are correctly recorded and that they be signed by the Chairman.

56. Budget 2008-09 and Medium Term Plan 2008-09 to 2010-11 and Financial Monitoring Update 2007-08
(Item B1 – Report by Mr A Wilkinson, Managing Director, Environment and Regeneration)

(1) Members received the draft 2008/09 Budget and Medium Term Financial Plan 2008/09 to 2010/11 together with an update of the current position in the current year.

(2) The report specifically covered the Cabinet Member's portfolios for Environment, Highways and Waste and Regeneration and Supporting Independence.

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- (3) In introducing the report Mr Gould referred to the last meeting of the Policy Overview Committee which outlined the Medium Term Plan priorities. This report showed the revenue gross expenditure, income and net expenditure, as contained in Appendices 1 and 2. It also included the Capital Investment Programme in Appendices 3 and 4.
- (4) The Committee were informed that the 2008/09 draft Revenue Budget for Environment, Highways and Waste reflected nearly a 15% increase on the current financial year on a “like for like” basis. Attention was drawn specifically to the £5 million injection into Highway maintenance works and a £4 million injection for the expansion of the current year pilot of the “Freedom Pass”.
- (5) The Committee noted that within the 2008/09 draft Revenue Budget for Regeneration and Supporting Independence there was a transfer in of the Supporting Independence Programme budget of £1 million including Towards 2010 target funding.
- (6) Within the Capital Medium Term Financial Plan the Local Transport Plan settlement from government offered a £37m programme of capital maintenance and integrated transport, though with a marked reduction in grant. The proposals before the Committee reflected a full take up of the offer. The programme also reflected a substantial investment in Waste Infrastructure (some £30m over the Medium Term Financial Plan) and as expected starts on East Kent Access Phase 2 and schemes in the Kent Thameside Growth Area.
- (7) Turning to the current year’s budget the Committee’s specific attention was drawn to the underspend in the Revenue Budget on Waste which was due to the non operation of the Allington Plant. Paragraph 9 of the report before the Committee explained the movements in budget heads since the report to the Cabinet on 3 December 2007, which was attached as Appendix 5. The current underspend forecast was £2.465 million. It would be necessary to make further calls on the corporate centre’s Emergency Conditions Reserve due to the gales and floods in recent weeks.
- (8) With regard to the Regeneration and Supporting Independence portfolio there had been little movement in the budget heads from that reported to Cabinet on 3 December 2007.
- (9) The Committee noted that the Capital Programme had seen significant rephasing into future years, as reported to Cabinet. The latest position indicated that further rephasing would be necessary. Every effort was being made to reduce the rephasing on Highways work programmes.
- (10) For the Regeneration and Supporting Independence portfolio the forecast showed an increased spend from the report to Cabinet and that expenditure related to the EuroKent spine road.

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(11) Mr Gough informed the Committee that much of the regeneration activity goes on through other portfolios. Part of the new Regeneration Strategy and associated restructuring was to ensure better co-ordination of these activities

(12) Mr Ferrin, Mr Gough and Mr Wilkinson then responded to a number of questions from Members which included the following issues:-

Produced in Kent

(13) Mr Gough informed the Committee of the Joint Venture with Hadlow College around 'Produced in Kent'

Current Financial Year Capital Programme

(14) In response to a question about the £2.117m underspend on this financial year's Highways Maintenance and Integrated Transport Scheme Capital Programme the response was that every effort would be made to reduce this re-phasing in the current year.

Congestion

(15) Several Members asked questions about the priorities for reducing congestion across Kent. The Committee noted the work that had been undertaken in Maidstone and the continued work on the Maidstone bridge gyratory system, which would need some re-siting of assets owned by EDF Energy. Acknowledging the work already undertaken to reduce congestion in Maidstone town centre the question was asked whether there was any likelihood that the town centre would become an air quality management area.

(16) Priorities after Maidstone were Canterbury and Tunbridge Wells.

(17) After Tunbridge Wells the expected priorities were Thanet and Dartford and Gravesham. The Committee noted that Dartford and Gravesham would be treated as a single area.

(18) The Committee were informed of the ongoing dialogue with the Department of Transport regarding the A2 slip roads at Canterbury and the impact that this would have on reducing congestion within Canterbury city centre.

(19) The inclusion of Kent Thameside in the list of priority plans to reduce congestion was welcomed but the comment was made that much of the problem in this area was relating to roads which were managed by the Highways Agency and not the County Council.

(20) In acknowledging the list of priorities for addressing congestion issues for particular urban areas the question was raised when other areas would be included in the list, for example Sittingbourne and Dover.

Freedom Pass

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(21) Members asked about the robustness of the financial figures in terms of the number of persons using the Freedom Pass and whether the scheme when extended across the county would become even more popular. The response was that estimates for the take up of the Freedom Pass as a pilot had far exceeded what was anticipated and that included estimates made by the transport operators for the pilot areas as well. However, the volume increase within the pilot had not created a comparable cost increase. It was therefore felt that the County Council could expect to see an uplift in the use of the Freedom Pass. The Committee noted the synergy between the Freedom Pass and the potential to reduce congestion.

Economic development

(22) One Member expressed the view that the budget was not as substantive for economic development as maybe it should be and cited a number of countywide initiatives where he felt that the activity could be co-ordinated more effectively through an economic development function.

(23) In response the Committee noted that economic development had for a long time been undertaken by the County Council as a discretionary function. The Committee noted that economic development was planned to be a statutory duty in the future.

(24) RESOLVED that the draft Budget for the Environment, Highways and Waste and Regeneration and Supporting Independence portfolios for 2008/09 and the Medium Term Plan 2008/09 to 2010/11 and the forecast position for the current year's revenue and capital budgets be noted together with the responses made to the questions from Members of the Committee.

57. Environment & Regeneration Performance Update

(Item B2 – report by Mr A Wilkinson, Managing Director, Environment and Regeneration)

(1) The Committee received a report setting out the performance by the Environment & Regeneration Directorate against a number of key documents. Work on the second Kent Local Area Agreement was currently in the process of being prepared. The current Agreement which commenced in 2005 would complete in March 2008.

(2) The report also included:-

- (a) an update on the Department's Business Plan;
- (b) measuring the success of Kent Highway Services;
- (c) looking at the Towards 2010 targets for the Regeneration & Environment portfolios and consideration of the Best Value Performance Indicators including:-

- (i) Road casualties

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- (ii) Street lighting faults
- (iii) Waste management

(3) The report also set out for the Committee the new set of 198 indicators published by the Government in October 2007 which would underpin the National Performance Framework. The Committee noted that from April 2008 the Best Value Performance Indicators would be abolished.

(4) Of the 198 indicators 20 would be collected using a "Place Survey" which replaces the Best Value Performance Indicators General Satisfaction Survey. The Committee were asked to note that the "Place Survey" differed from the Best Value Performance Indicators survey in that it asked respondents about their views on the area, rather than their views on the local authority.

(5) As well as the change flowing from the new "Place Survey" the Committee noted that a number of current Best Value Performance Indicators were not included in the new 198 national indicators. These included waste disposal costs, slight injuries in road accidents, temporary road closures, pedestrian crossings with facilities for the disabled, conditions of footways (pavements), street lighting faults, condition of unclassified roads, plan making progress and milestones and ease of use of public rights of way.

(6) Members of the Committee then asked the two Cabinet Members for responses to the following:-

- (a) The role of the Alliance Board. Mr Ferrin said that he would be very happy to provide Members with information relating to the performance indicators that the Alliance Board receives. He added that the Minutes of the meetings of the Alliance Board were available to Members of the County Council.
- (b) The ongoing work and discussions with Essex County Council regarding a lower Thames crossing.
- (c) Air quality management.
- (d) Urban congestion and reduced peak journey times between and within towns by 10% using methods such as intelligent traffic light management systems and congestion busting teams.
- (e) One Member suggested the possibility of having a Memorandum of understanding in order to influence South East Trains in providing an improved service for Kent residents.
- (f) Target 37 – Improving the way we repair roads and pavements and how this is to be measured.

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- (g) Target 40 – Ensuring that new housing developments include the right infrastructure and local facilities and cater for a mix of age groups and incomes.
- (h) Target 42 – Reducing the impact of KCC’s buildings and vehicles on the environment including trialling the use of bio-fuels and other new technologies. The Committee noted that the use of information technology equipment (ICE), the length of time buildings were occupied, (for example for out of school activities) and considering rationalising a number of the Kent County Council buildings were all aspects which needed to be taken into account when measuring this target. The Committee also acknowledged that the Freedom Pass represented one way in which the County Council was seeking to reduce its carbon footprint; and
- (i) The interrelationship between the Local Strategic Partnership, Local Area Agreement and Target 59 – working with partners to reduce the number of deaths and serious casualties from road accidents.

(7) RESOLVED that the report be noted and that this half yearly monitoring be made a standard item of the Committee’s future business.

58. Ashford Growth Area – Progress and issues

(Item B3 – report by Mr A Wilkinson, Managing Director Environment & Regeneration)

- (1) The Committee received a report setting out the progress and issues relating to the Ashford Growth Area.
- (2) The report informed Members of the proposal for the County Council to enter into a formal collaboration agreement with the three main Ashford’s Future Partners, Ashford Borough Council, South East England Development Agency (SEEDA) and English Partnerships and the proposed establishment of a Special Purpose Vehicle (SPV) as a key new element in the delivery structure for Ashford’s Future in Delivering Growth to Ashford.
- (3) The collaboration agreement was being developed in a effort to put the partnership on a more formal basis. This will outline those areas that the partners agree to deliver. The collaboration agreement will be complimented by a programme for development (effectively a Business Plan) for the partnership. This programme will identify lead partners for key projects and those projects to be developed by the Special Purpose Vehicle (SPV)
- (4) The Committee noted the implications of these proposals for the County Council which included:-
 - (a) the democratic accountability over public investment in Ashford;

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- (b) potential conflicts of interest (e.g. by locating the programme and the SPV delivery functions together);
- (c) Membership of the new SPV and partnership boards; and
- (d) the resource implications for the County Council.

(5) The Committee noted that the revised arrangements as proposed should retain the confidence of the Department of Communities and Local Government and improve the Ashford's Future Partnership's chances of securing adequate ongoing funding for the Ashford's Future programme including adequate revenue funding for the SPV team and the programme management role carried out currently by the core team. The report also set out for the Committee an update of activity for the Ashford's Future Partnership.

(6) Mr Angell welcomed the SPV and felt that this was a good way forward. He also indicated that he welcomed the appointment of the Interim Managing Director. He did however have some concerns over KCC's representation and felt that as a local Member he had very little input into what was going to happen in Ashford. Mr Gough responded that the County Council was a key player in the SPV and the Ashford Partnership Board but he acknowledged that communication with local Members was vital.

(7) Mr Angell also expressed concerns that the town was overcrowded and overpopulated. He mentioned specific problems associated with Junction 9 and 10 on the M20 particularly when Operation Stack was in place.

(8) Finally he answered questions relating to the water efficiency measures being referred to in paragraph 3.3 of the report.

(9) In response, the Committee noted that any major transportation scheme would be dealt with and considered by the Joint Transportation Board.

(10) In response to a question relating to how scrutiny of bodies such as the South East England Development Agency took place Mr Gough responded that he was very much in agreement with enhanced scrutiny of these types of quangos.

(11) In conclusion the Committee noted that the County Council would continue to have a very important role in the development of Ashford and in making a major contribution to the "growth" agenda. The Committee noted that the revised arrangements of the Ashford's Future Partnership would assist in formalising and streamlining the County Council's input.

(12) RESOLVED that the Committee support in principal the proposal to establish a SPV to support the delivery of the Ashford's Future programme subject to funding being made available to cover establishment and operational costs in the current and future years.

59. Borough Green and Platt Bypass

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(Item B4 – oral report by Mr A Wilkinson, Managing Director Environment & Regeneration)

- (1) The Committee received an oral report which included the anticipated timescales to build the Borough Green and Platt Bypass.
- (2) RESOLVED that the oral report be noted.

60. Waste Strategy Issues

(Item B5 – report by Mr A Wilkinson, Managing Director Environment & Regeneration)

- (1) The Committee received a report on the Waste Strategy Issues for the County Council. This had been referred to the Committee by the Informal Member Group (IMG) on Budgetary Issues. The IMG recommended that the Waste Disposal Strategy, which relied on incineration as a significant element, should be considered by the Committee.
- (2) The report provided information on proposals to invest through the capital programme in waste disposal infrastructure, to underpin delivery of the Kent Joint Municipal Waste Management Strategy and sustain a range of waste diversion routes.
- (3) The Committee noted that the Allington plant would come back online by 8 February following the completion of work to the refractory linings.
- (4) The Committee considered the issue of plastic and how best to dispose of this. Reference was made to a good model for dealing with plastic being operated in Gloucestershire. Mr Ferrin responded that there needs to be a bigger plant waste stream to make it economical for dealing with it as a single waste stream. At the current time it was more appropriate that plastic bottles were incinerated. Members of the Committee felt that there might be problems with incineration especially in terms of dioxins. Another Member expressed the view that Kent County Council should lead by example and consideration should be given to a waste stream for dealing solely with plastics.
- (5) In answer to a question relating to the Landfill Allowance Trading Scheme (LATS) and what risks there were for Kent in terms of penalties because the county had not achieved the required level of landfill diversion, Mr Ferrin responded that he felt this was minimal. He added this was still the case despite the problems which had been experienced with the waste to energy plant at Allington.
- (6) RESOLVED that the report by noted.

61. Endorsement of the Kent Countryside Access Improvement Plan

(Item B6 – report by Mr A Wilkinson, Managing Director Environment & Regeneration)

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(1) The Countryside and Rights of Way Act 2000 requires the County Council to prepare and publish a Rights of Way Improvement Plan, “the Countryside Access Improvement Plan”. The Countryside Access Improvement Plan was submitted to the Committee for its endorsement as a strategy for the management of Public Rights of Way and Countryside Access for the period 2007-2017. The Countryside Access Improvement Plan sits alongside the Local Transport Plan for Kent 2006-2011.

(2) In delivering the Improvement Plan significant contributions would be made to Target 45 ‘Protect and enhance Kent’s Ancient Woodlands and Improve Access to Countryside, Coasts and Heritage’ and Target 48 ‘Increase Opportunities for Everyone to take Physical Exercise’ contained within ‘Towards 2010’.

(3) In considering the report a number of questions were asked by Members of the Committee particularly in relation:-

- (a) to access to the countryside by those who are less able;
- (b) Public Rights of Way used by horses who come across kissing gates; and
- (c) by-ways which are used by ‘off riders’.

(4) RESOLVED that the Committee support the adoption of the Countryside Access Improvement Plan as a strategy to enhance the network of Public Rights of Way and open green spaces until 2017.

62. A summary of progress towards implementation of the Select Committee on Climate Change recommendations, as drawn together in Kent County Council’s Climate Change Action Plan.

(Item B7 – report by the Cabinet Working Group on Climate Change)

(1) The Committee received a summary of progress made to date in implementing action arising from the Select Committee report on Climate Change which published a wide range of recommendations in October 2006. The Committee noted that the Climate Change agenda was moving fast. The Committee were informed that the Select Committee on Climate Change was to be reconvened shortly in order to consider progress and propose next steps in the context of the latest science and policy.

(2) There was an acknowledgement by the Committee that the County Council should lead by example and be a leader in the field.

- (3) RESOLVED that:-
- (a) the report be noted; and

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- (b) the Cabinet Working Group on Climate Change's invitation to interested Committee Members to participate in a challenge panel discussion at a future Cabinet Working Group meeting also be noted.

63. Select Committee Update

(Item C1 – Report by Overview, Scrutiny & Localism Manager)

(1) The Committee noted the outcome of the work of the Select Committee on Flood Risk which was to be the subject of a special County Council meeting on 13 March 2008.

(2) Attached to the report were the Minutes of the reconvened meeting of the Select Committee on Water and Wastewater, particularly for Ashford.

(3) It was noted that the Policy Overview Co-ordinating Committee was to meet shortly to consider the topics for inclusion in the Topic Review Programme. Suggestions for other potential Topic Reviews were invited from the Committee.

(4) RESOLVED that:-

- (a) the outcome of the work of the Select Committee on Flood Risk be noted and would be considered by a special meeting of the County Council on 13 March 2008;
- (b) the Minutes of the meeting for the Select Committee Water and Wastewater, particularly in Ashford be noted; and
- (c) the update on the Select Committee Topic Review Work Programme be noted.

64. Invitation to participate in a Joint Committee with East Sussex County Council

(Item C2 – Report by Overview, Scrutiny & Localism Manager)

(1) The Overview, Scrutiny and Localism Manager reported that the Chairman of East Sussex County Council's Transport and Environment Scrutiny Committee had asked whether the County Council would be interested in a one day Joint Committee to scrutinise the Highways Agency about the A21 trunk road at Flimwell.

(2) RESOLVED that the Committee support the proposed participation in a joint review with East Sussex County Council on the A21 at Flimwell and authorise the Overview, Scrutiny and Localism Manager to arrange the County Council's

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representation following consultation with the Chairman, Vice Chairman and Liberal Democrat Spokesman of the Committee.