

**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 Darent Room, Sessions House, County Hall, Maidstone on Tuesday, 27 September 2011.

PRESENT: Mr D A Hirst (Chairman), Mr N J Collor, Mr J M Cubitt, Mr M J Harrison, Mr W A Hayton (Substitute for Mr J D Kirby), Ms A Hohler, Mr S J G Koowaree (Substitute for Mr M B Robertson), Mr S Manion, Mr R F Manning, Mr R A Pascoe, Mrs E M Tweed and Mr A T Willicombe (Substitute for Mr M J Northey)

ALSO PRESENT: Mr D L Brazier

IN ATTENDANCE: Mrs C Arnold (Head Of Waste Management), Mr J Burr (Director of Highways and Transportation), Mr P Crick (Director of Planning and Environment), Ms T Easdown (Customer Standards Officer), Ms D Eden-Green (Project Manager, Communication & Engagement), Mr D Latham (Roadworks & Enforcement Manager), Mrs C Valentine (Highway Manager) and Mrs K Mannering (Democratic Services Officer)

UNRESTRICTED ITEMS

41. Declaration of interests by Members in items on the Agenda for this meeting
(Item A3)

Mr Hirst declared an interest in Item C1 as a working surveyor called upon at times in relation to damages/claims in respect of that item.

42. Minutes - 5 July 2011
(Item A4)

(1) The Chairman referred to paragraph 32 (6)(c)(i), and stated that the Cabinet Member had requested the referral of an item to the Budget IMG as part of the current budget considerations. Members were asked to support a review of the proposed future evaluation criteria for bus subsidy by the IMG prior to submission to the POSC.

(2) RESOLVED that:-

- (a) the review of the criteria for bus subsidy be supported; and
- (b) the Minutes of the meeting held on 5 July 2011 are correctly recorded and that they be signed by the Chairman.

43. Dates of Meetings - 2012

(Item A5)

RESOLVED that the following dates for meetings of the Committee in 2012, commencing at 10.00am, be agreed:-

Thursday, 12 January

Wednesday, 4 April

Thursday, 5 July

Thursday, 20 September

Thursday, 15 November

44. Cabinet Member's Update

(Item A6)

(1) Mr Brazier submitted Mr Sweetland's apologies for the meeting, and gave a verbal report on the following issues:-

Planning & Environment

Minerals & Waste Development Framework; National Planning Policy Framework; Local Development Frameworks (LDFs); Community Infrastructure Levy.

Waste Management

Review of Household Waste Recycling Centres

Highways & Transportation

New Contract with Enterprise; Resurfacing (Surface Treatments and Machine Surfacing) and Footway Improvements – Surface Treatments, Winter Damage Works, Machine Surfacing and Footway Improvement Programme.

(2) Mr Burr was to give a verbal update on August performance in Highways & Transportation. However, in order to avoid debate being limited on other items, the update would be circulated to Members.

(3) RESOLVED that:-

- (a) Mr Brazier's update be noted and copies circulated to Members of the Committee; and
- (b) an officer report used by Mr Burr's Senior Management Team to review the key performance measures in Highways & Transportation be circulated to Members of the Committee.

45. Financial Monitoring Report 2011/12

(Item B1)

(1) Members were asked to note the first quarter's full budget monitoring report for 2011/12 reported to Cabinet on 19 September 2011. The approved A-Z of budgets had been realigned for the first quarter's budget monitoring to reflect the new portfolio

responsibilities and new directorate structures to give a new starting position for the year.

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

- (a) Mrs Tweed expressed concern with remarks made relating to the Drivers Roundabout, J9 and Footbridge, and certain design aspects relating to the footbridge. Mr Burr stated that there was not a problem with the footbridge, but certain changes made during construction would affect the cost. Mr Burr undertook to explain in more detail to Mrs Tweed following the meeting, if she so required.
- (b) Ms Hohler referred to the budget for winter salting runs. Having had such heavy snowfall over the last 2 years, should that not be reflected in the budget, and adjusted accordingly. Mr Burr undertook to discuss the issue with Ms Hohler direct.
- (c) Mr Harrison expressed concern over the layout of the report and stated that a brief explanation prior to debate would have been helpful. Mrs Arnold gave a brief outline of the new portfolio format which had been adopted by all POSCs.

(3) RESOLVED that the budget variations for the EHW Portfolio for 2011/12 based on the first quarter's monitoring report to Cabinet, be noted.

46. Reducing Congestion (Management of Road Works)

(Item C1)

(1) The report addressed questions raised by a member for inclusion in September's Policy Overview and Scrutiny Committee. The questions under the broad header of 'Reducing Congestion' were as follows:-

- The policy of the water company running large district to district water pipelines under roads.
- Unnecessary road openings or openings left un-worked for many days.
- The health and safety factors used in deciding on road closure. Who decided?

Part of the answer to the questions was progress made with the Kent Permit Scheme in its first year and part lay in national legislation and codes of practice. Key facts and references to the Kent Permit Scheme annual report and national legislation would be made in the report.

(2) Work carried out on the highway, whether by utility companies or Kent as the Highway Authority, could unavoidably cause disruption to highway users. It was necessary to balance the rights that people had to access services against the right to use the highway. The various Acts in national legislation sought to balance the rights, enabling the Highway Authority to Co-ordinate work to minimise disruption to the travelling public, but equally to allow the statutory undertakers to carry out what was required of them by statute.

(3) Kent utilised the very latest legislation and approached, with the Kent Permit Scheme, to drive improvement in how work on the highway was carried out. The first year report for the permit scheme showed several areas of improvement. Kent was the first authority in the UK to have a permit scheme approved. The Kent Permit Scheme was made statute and law operative from 25 January 2010.

(4) On 22 August 2011 the Government announced the start of a consultation on its new Lane Rental proposals. In essence it was an additional tool to provide an incentive to companies working on the highway to complete work at less disruptive times and in a quicker and more effective way. A quote from the consultation referring to road works was:- “Although the Government understands that such works are essential they do cause significant disruption to road users and local communities, and so is determined to reduce the adverse impacts of these works.”

(5) Specifically, the Kent Permit Scheme had enabled Kent Highway Services to better co-ordinate the timing of Road Works, so that gas, water, telecoms, electricity companies and its own works were on the same part of the road at the same time, thereby reducing the number and duration of Road Works and minimising their impact on motorists and other road users.

(6) KCC Highways and Transportation were keen to formally explore the possible benefits of the newly suggested Lane Rental trial. It would further incentivise those working on the highway at the most difficult locations to do so as quickly and with as little inconvenience as possible. Kent was looking positively at the potential of the proposal.

(7) RESOLVED that the report be noted.

47. EHW Annual Complaints, Comments and Compliments Report 2011

(Item C2)

(1) The report provided information on customer feedback received during 2010/11 and gave examples of where analysis of the data had led to service change across the Directorate. The report also outlined trends, the source of feedback, overall performance on handling complaints, diversity data and an update on Local Government enquiries.

(2) Across EHW, 1694 compliments were received from April 2010 to March 2011 compared to the same time period in the previous year when 1655 compliments were received. This represented a 2% increase in compliment volumes with Kent residents complimenting the Directorate on the way Highways and Transportation managed the winter service, pothole repairs, the calibre of staff and the speed of response.

(3) Looking at complaint volumes, 2272 complaints were received from April 2010 to March 2011 compared to the same time period in the previous year when 1641 were received. These were predominately received by the three service areas that had higher customer contact (or customer footfall) – Highways & Transportation, Country Parks and Waste Management. No complaints were received within Integrated Strategy & Planning.

(4) A number of factors contributed to the increase including the severe weather conditions experienced across the county in December 2010 which had an impact on Kent roads and led to subsequent issues relating to the winter policy, potholes and insurance claims. Feedback was also received on car parking charges at the Country Parks and the twin axle policy/height barriers/walking waste onto the sites at the Household Waste Recycling Centres.

(5) An important part of the analysis around customer feedback (particularly looking at trends) is to identify those things that are causing customer dissatisfaction and then implementing service improvements that make a difference to the residents of Kent.

(6) This was a key focus for EHW throughout 2010/11 with several customer focused improvements being implemented which made a difference to the customer experience when they interacted with the Directorate and KCC overall.

(7) Keeping customers informed of progress is also important and looking at response times, 99.6% of customers received an acknowledgement within 3 working days and 92% received a full response within 20 working days. 1576 (69%) of customer feedback was initially received through the Contact Centre.

(8) During discussion the following issues were raised:-

(a) Mr Willicombe (i) asked if salt bins would be filled prior to the bad weather; and (ii) referred to work carried out on Sterling Road, as a result of severe weather, which had caused road breakage resulting in potholes. The road was due to be thin surfaced but was not carried out due to gas works taking place. Mr Willicombe asked whether the work would be completed. Mr Burr (i) confirmed that all salt bins would be filled prior to winter; and (ii) stated that thin surfacing work was weather susceptible and some schemes needed to be delayed. However, all schemes programmed would be carried out.

(b) Mr Harrison stated that Street lighting was not mentioned and referred to the former system of posting stickers on columns. Mr Burr stated that there very few complaints relating to street lighting and he would ask the Street Lighting Manager to contact Mr Harrison direct to discuss.

(c) Mr Manion requested a geographical spread of complaints. Mrs Easdown stated that records were maintained geographically, area by area, and would supply the relevant information direct.

(9) RESOLVED that the report be noted.

48. Connecting with Communities - 2010/11 Annual Report on Consultation, Engagement and Involvement Activity in Environment, Highways and Waste *(Item C3)*

(1) The purpose of the report was to update Members on the activities that took place between 1 April 2010 and 31 March 2011 to consult, engage and involve all those who were interested in, or involved with, our services. It also informed

Members on both existing and future work and highlighted the changes the Council intended to make to further embed and extend engagement processes.

(2) Work would continue during 2011-12 and three particular priorities would be:

- Undertaking a rigorous and mandatory assessment of all consultation, engagement and involvement proposals at a very early stage, in order to identify those projects that were not a priority and would not be pursued, and also those that were a priority and did not just need to be done, but need to be done in a demonstrably exemplary manner.
- Exploring how digital technologies could be better deployed, to make engagement work cheaper, quicker, more responsive, more relevant and more convenient for residents and businesses.
- Using every opportunity to keep down the costs of consultation exercises; minimise duplication and to make best use of the analysis and information that was collected.

(3) During debate Mr Manion asked for confirmation that sections of the County would not be excluded from KCC's communication/access strategy; some residents did not have the internet, and some parts of the County did not have adequate broadband provision. Ms Eden-Green undertook to reply to Mr Manion direct.

49. Winter Service Policy 2011/12

(Item C4)

(1) Further to Minute 39 of 5 July 2011, the allocated budget for winter service for 2011/12 was £3,159,581. As in previous years the weather forecast service would be provided by Meteogroup and the ice prediction service by Vaisala Ltd. The three year contract for the weather forecast service expired next year and arrangements would be made to go out to tender for a new three year contract.

(2) The Winter Service Policy was set out in the Appendix to the report. Members' attention was directed to section 7.4.2 which set out the arrangements for parish councils to purchase salt bins. The Winter Service Plan had been updated and discussions had been had with the new contractor Enterprise plc to ensure that plans were aligned. As reported in July, an initial screening had been carried out on the winter service policy and work was in progress for a full impact assessment to be made, the results of which would be reported to a future meeting of the POSC

(3) The Winter Service Policy and Plan set out Highways and Transportation's arrangements to deliver a winter service across Kent. Both documents had been updated and revised, including the provision for parish councils to purchase, manage and maintain salt bins.

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

- (a) Mr Harrison stated that not all Divisions had Parish Councils, and asked if traders and other groups would be able to purchase salt bags. Mrs Valentine offered to speak to Mr Harrison direct, but had received such requests from Town Councils.

- (b) Mr Harrison asked what the position was relating to on-costs if a Member had funded a salt bin for 2011/12 from the Member Highway Fund. Mrs Valentine stated that the charge included some future fills, after which Highways and Transportation took on responsibility for further fills.
- (c) Mr Manion referred to the absence in the policy of snow fencing. Mrs Valentine stated that it would be put in place if it was felt necessary.
- (d) Mr Manning asked
- In relation to snow clearance who was responsible for implementing the works and when. Mrs Valentine stated that it depended on when the bad weather was expected, but H&T worked closely with the District Councils.
 - Who notified the farmers when they were needed to work and what was required. Mrs Valentine stated that farmers were given pre-set routes at the start of the season, and following a recent Parish Councils Seminar, Parish Councils would act as co-ordinators.
 - In relation to the Member Highway Fund, a list of charges would be useful i.e. for salt bins, shovels, etc. Mrs Valentine stated that if further supplies were needed engineers were available to advise Members of procedure.
- (e) Mr Collor asked if Town Councils could purchase salt bins in the same way as Parish Councils; and also referred to the colour of bins. Mrs Valentine stated that Town Councils could purchase bins, and different colours helped to differentiate between KCC bins and Parish Council bins. There were brochures available that detailed where bins could be purchased and colour choice.
- (f) Mrs Tweed referred to a previous discussion that had taken place with regard to the provision of salt bins for schools, and asked if there had been any development. Mrs Valentine had had meetings with education, and stated that such a decision was a matter for individual headteachers. Assistance was available in terms of what was required.
- (g) Mrs Tweed referred to National Cycle Route 18 – complaints had been made as to the absence of any salt bins or gritting along the route. Mrs Tweed asked if something could be done to improve the situation, including other urban roads. Would it be possible to use the Member Highway Fund to help. Mrs Valentine stated that it would be, and undertook to discuss routes with Mrs Tweed direct.
- (h) Mr Cubitt requested confirmation that salt bins provided through the Member Highway Fund, and those provided by Parish Councils, were the same provided they met the criteria. Mrs Valentine confirmed that they were.

(5) RESOLVED that the Winter Service Policy and Plan as amended September 2011, be agreed.

50. Select Committee - update

(Item D1)

(1) The report updated Members on the following reviews which were underway – Dementia; Educational Attainment at Key Stage 2; and The Student Journey.

(2) A proposal for a Select Committee topic review on Domestic Abuse would be submitted to the Scrutiny Board in November for their approval.

(3) RESOLVED that:

(a) the review work currently underway be noted; and

(b) Members advise the Democratic Services Officer of any topics which they would like to put forward for consideration for inclusion in the future Select Committee Topic Review Work Programme.

EXEMPT ITEMS

(The following is an unrestricted minute of matters which the POSC resolved under Section 100A of the Local Government Act 1972, the press and public should be excluded from the meeting on the grounds that they involve the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the Act.)

51. Review of the operation of Household Waste Recycling Centres in Kent

(Item 1)

(1) Further to Minute 25 of 8 April 2011, the aim of the review was to identify the right level of HWRC service for Kent residents at the right cost. An Informal Member Group was established to guide the officer review and consisted of:

John Cubitt (chair),
Mike Harrison,
Steve Manion,
Malcolm Robertson, and
Elizabeth Tweed

(2) The group held three meetings and visited some of the HWRC sites to examine the current provision and the issues surrounding the sites, including opportunities to make savings in the service. The report included their findings and recommendations on improving the cost effectiveness of the service. The review examined the current provision and location of HWRCs, their operating policies, the potential for increasing income, as well as the options for making savings.

Current provision and location

(3) As the waste disposal authority for Kent, KCC had a statutory obligation under the Environmental Protection Act 1990 “for places to be provided at which persons resident in its area may deposit their household waste and for the disposal of waste so deposited”. However, it did not specify how many sites that might be or the ratio of

sites to households or length of travel. Currently most of the population of Kent was within a 20 minute drive to a HWRC. Kent had 19 HWRCs, of which 6 were co-located with waste transfer stations.

Operating policy options considered by the review

(4) The remit of the review was to look at current operating practice and optimise the service. The report contained a map showing the network of transfer stations and household waste recycling centres across Kent; and a table which set out the interventions proposed to realign the HWRC policy in line with other waste disposal authorities. The Informal Member Group asked officers to estimate how much could be saved by implementing the recommendations. The table included a breakdown of the savings identified and supported by the IMG over the period 2011-15.

(5) The report set out the current capital provision for waste management infrastructure. In order to plan for the future it was important to consider the network as a whole rather than make opportunistic advances. It was necessary also to take account of growth and regeneration, the significant improvements in the highway network in Kent over the past 30 years, and the extent or otherwise that existing facilities meet current demands and standards. In particular, irrespective of the standard of the actual sites, the IMG noted serious access issues at several facilities.

(6) With that in mind, the existing network of 19 sites had been divided into 6 zones or clusters. The IMG considered that the approach should provide the blueprint for future network delivery. The clusters were:

- A Pepperhill, Dartford Heath and Swanley,
- B Sheerness, Church Marshes and Faversham
- C Canterbury, Herne Bay, Margate, Deal and Richborough
- D Dover, New Romney, Shornecliffe, Hawkinge and Ashford
- E Tovil (Cuxton),
- F Sevenoaks and Tunbridge Wells

(7) Prior to discussion Members were informed of Mr Robertson's support for the current recommendations and the direction of travel.

(8) Mrs Barton informed the Committee that a briefing session for all Members would be held on 1 November 2011 to provide an opportunity to learn more about the proposals. A public consultation exercise would then be carried out to inform the process before final recommendations were presented for decision by Cabinet.

(9) RESOLVED that the following recommendations of the Informal Members Group be supported:-

- (a) for operational savings as set out in the table referred to in paragraph (4) above; and
- (b) that officers in consultation with the Cabinet Member, be requested to investigate further the business case to rationalise the clusters of HWRCs in each of the zones referred to in paragraph (6) above.