

ENVIRONMENT AND REGENERATION POLICY OVERVIEW COMMITTEE

MINUTES of a meeting of the Environment and Regeneration Policy Overview Committee held in the Darent Room, Sessions House, County Hall, Maidstone on Tuesday, 31 March 2009.

PRESENT: Mr R Truelove (Vice-Chairman), Mr M J Angell, Ms S J Carey, Mr D S Daley, Mr M J Harrison, Mr R E King, Mr R F Manning, Mr J I Muckle, Mr R J E Parker, Mr A R Poole, Mrs P A V Stockell, Mrs E M Tweed and Mr R A Pascoe (Chairman)

ALSO PRESENT: Mr K A Ferrin, MBE and Mr K G Lynes

IN ATTENDANCE: Mr M Austerberry (Interim Executive Director, Environment, Highways and Waste), Mr D Cockburn (Executive Director, Strategy, Economic Development & ICT), Dr L Davies (Director, Environment & Waste), Mr R Hallett (Directorate Finance Manager), Ms C McKenzie (Greener Kent Manager), Mr D Oxlade (Head Of Policy), Mr N Smith (Head of Development Investment), Mr D Thomas (Business Improvement Manager) and Mrs C A Singh (Democratic Services Officer)

UNRESTRICTED ITEMS

120. Minutes - 20 January 2009

(Item A3)

RESOLVED that the Minutes of the meeting held on 20 January 2009 are correctly recorded and that they be signed by the Chairman.

121. Portfolio Holders' and Executive Directors' Updates

(Item B1)

Portfolio for Regeneration and Supporting Independence

Port of Ramsgate/London Array Windfarm

(1) Mr Lynes advised that there had been progress with the construction of the Thanet Offshore Windfarm. The dredging works and the installation of the offshore cables were due to be completed by November 2009. The full programme of works would be completed at the end of 2013.

Manston Eurokent

(2) The Committee noted that the East Kent Opportunities Board had received and agreed upon an overall strategy to encourage regeneration at Manston and the pursuit of the planning application at Eurokent. Mr D Evans would be heading this project.

"No Use Empty"

(3) Mr Lynes advised that this initiative continued to receive media attention especially in Thanet. The Committee noted that the media attention included discussions around a pilot TV programme on empty homes for the BBC as well as ITV's "Tonight with Trevor McDonald" being on location in Thanet in late February filming for a potential showing in March 2009 as part of their programme focusing on empty homes.

(4) Members of the Committee were given the opportunity to ask questions and make comments which included the following:-

(5) Mr Lynes in response to Mr Harrison agreed to report back to him outside the meeting on windfarms that appeared to have ceased working near Ramsgate.

Portfolio for Environment, Highways and Waste

(6) Mr Ferrin explained that a decision had been reached corporately to advertise Mr Austerberry's interim post as a permanent post of Executive Director, Environment, Highways and Waste, which would be open for competition prior to the County Council elections. The post would be responsible for environment highways, waste and the county planning function including housing. Mr Austerberry in his interim appointment would be responsible for these functions. The Director post would be advertised both externally and internally and would be interviewed by a cross-party Member panel.

Highways

(7) Mr Ferrin advised that the number of calls on highways issues had gone through the roof in February 2009. There had been 1800 separate jobs scheduled due to the amount of water on the road surface that produced cracks and became holes. This increase in calls did not seem to be easing despite the weather conditions improving. Members noted that more gangs had been appointed to carry out the work, 73 compared to 22 in 2008. Additional gangs could not be managed sensibly.

(8) Members were given the opportunity to make comments and ask questions which included the following:-

(9) In response to a question from Mr Parker, Mr Ferrin said that he did not have statistics to hand on the number of potholes that came apart and needed to be refilled. He explained that the permanence of the pothole repairs was doubtful. The options at the time were to either leave the holes in the road or carry out temporary repairs.

(10) In response to a question by Mr Harrison, Mr Ferrin advised that the nature of the problems on the road surfaces was due to water going into the cracks, many were due to various works not by Utilities alone undertaken throughout the year.

(11) RESOLVED that the updates be noted.

122. Financial Monitoring Update 2008/09

(Item B2)

(1) Mr Hallett introduced the report and highlighted key pressures and savings. Issues arising from discussion included the following:-

(2) Mr Ferrin explained to Mr Daley that it was too early to give an answer on the elderly persons travel passes countywide system as the Government's guidance was still awaited. The current system could not be sustainable for the Borough and District Councils, that were having to fund the system.

(3) In response to a question, Mr Ferrin advised Mr Daley that £100k had been allocated for the replacement of trees in the Budget for 2009/10, which should be sufficient. This figure would be reviewed in the following financial year.

(4) Mr Ferrin responded to a question by Mr Poole advising that the underspend on the Freedom Pass was due to assumptions that the South East Trains would be covered as well as buses. This was expected to be £2m, this did not arise as South East Trains did not wish to be included.

(5) In response to a question from Mr Manning, Mr Ferrin explained that KCC in answer to "Kent Jobs for Kent People" had produced an apprenticeship programme. There were current negotiations for different types of work packages to include training with £½m budget to begin with.

(6) In response to concerns raised by Mr Angell, regarding heavy transport creating damage on country roads, Mr Ferrin sympathised, advising that this came under basic law, which says "if you need access, you can have access", legally KCC cannot stop them using the country roads.

(7) In response to three questions from Mr Parker, Mr Ferrin advised that he would consider the possibility of transport links to country parks to encourage visits. He said that the main reasons for the reduction in Cubit income was due to the scrap value in cars, fewer cars were now abandoned. This would be closely monitored for any changes. Mr Ferrin advised Mr Parker that he had been unable to find a budget for tree replacement in the absence of an available figure for tree replacement, £100k had been agreed.

(8) In response to a request by Mr Harrison, Mr Ferrin advised that he could not give an assurance of underspend being put into the maintenance of country parks at this stage of the budgetary year. Mr Hallett reassured Mr Harrison that within the Medium Term Plan £800k was allocated for country parks.

(9) Mrs Tweed highlighted an exercise conducted by Leicestershire County Council to divert heavy lorries and sought assurances that KCC would look into this. Mr Ferrin said that he was aware of the exercise and questioned that this involved paying local police to enforce restrictions, a role that the police should be carrying out regardless. Mr Ferrin advised that this issue would form part of the work undertaken by Mr A Mee, Director of Integrated Transport Strategy on the KCC Integrated Transport Strategy, that would be completed this year.

(10) RESOLVED that the report and the comments made by Members be noted.

123. Development Contributions and Future Community Infrastructure Provision

(Item B3)

(Mr N Smith, Head of Development Investment was present for this item)

(1) Mr Smith introduced the report highlighting the significant effects of the current economic climate on developments and the effects of the potential changes in the planning system, in particular the effects of delivering community infrastructure in the future.

(2) Mr King expressed concerns regarding the changes with the planning legislation. He felt that planning was now driven by the driver was now development and that the wider issues are not being dealt with, or managed, on a County-wide basis.

(3) In response to Mr Daley, Mr Smith explained that there had been a cumulative success rate of around 80% for KCC. In some cases, across the country it was related to County Councils left wanting rather than District Councils as LPAs. There was now a standard methodology which ensures that developers know exactly where they stand.

(4) Mr Muckle expressed his concerns on the developers appealing against the levy and the changes to the planning system creating more challenges by developers, in particular, the Thameside development of 10k houses would mean no infrastructure. Mr Lynes agreed advising that there was a need to lobby Government to ensure the planning inspectorate look at additional supplements in the levy. Developers need to be encouraged not to build houses, but to build communities with the supporting infrastructure.

(5) **RESOLVED** that (subject to ongoing discussions with Cabinet Members and Budget IMG):-

- (a) approval be given to the guiding principles;
- (b) the Development Investment Team and Finance co-ordinating the development of the infrastructure and finance model to deliver the objectives outlined in paragraph 8.1 subject to allocation of resources be noted;
- (c) where required the use of mitigation measures outlined in paragraph 8.2 of the report and concluded negotiations subject to approval by the Director of Finance and Executive Director, Strategy, Economic Development and ICT and permit the Director of Law and Governance to complete documentation as required be noted;
- (d) consultation with other authorities with a view to making a joint representation, or an individual KCC response if a joint one cannot be agreed, to CLG and Treasury in respect of CIL proposals, additional mainstream and gap funding be noted; and
- (e) the report and the comments made by Members of this Committee be noted.

124. Implications of the Local Democracy, Economic Development and Construction Bill

(Item B4)

(Mr D Oxlade, Head of Policy was present for this item)

(1) The Committee considered a report, which outlined the Government proposals for economic development and regeneration at the regional and sub-regional levels.

(2) Mr Oxlade introduced the report highlighting two major areas; the future of regional planning and economic regeneration.

(3) Mr King expressed his concerns suggesting that KCC needed to be proactive in safeguarding the interest of Kent communities biggest assets, e.g. the countryside and guard against issues falling through the net. Mr Lynes responded saying that the Local Democracy, Economic Development and Construction (LDEDC) Bill would enable the County Council to take forward its Community Leadership role.

(4) RESOLVED that the contents in particular the key actions detailed in paragraph 6 "Next Steps" of the report and comments made by Members be noted.

125. Unlocking Kent's Potential - verbal report by Mr K Lynes, Cabinet Member

(Item B5)

(1) The Committee received a presentation (attached to the Minutes as Appendix 1) setting out in detail the Regeneration Governance Framework, which was launched on 20 January 2009. Mr Lynes made the following points during his presentation:-

- The Framework was currently out for consultation, which would conclude on 17 April 2009. The consultation would include; individual meetings with District Chief Executives and Leaders, [10 out of the 12 District Councils had already been met], meetings with Kent Partnership, Kent Economic Board, Kent Leaders Group and Kent Developers Group.
- Mr Lynes highlighted that "Backing Kent Business" had emerged since the launch event and a lot of activities were taking place including the Kent Business Support Centre that was now up and running. The Kent Messenger newspaper had agreed to a column in Kent Business News and over 130 new contractors were currently being assessed for the KCC approved list of contractors.

(2) Mr Truelove welcomed the momentum to this now, following a period of hiatus where perhaps there wasn't the commitment that we ought to have had. He welcomed the work with Districts where the view is that this is engagement, which is positive, rather than micro-management and that KCC has a strategic role. Mr Lynes noted, Mr Truelove's suggestion to adding an additional theme to cover investing in Arts and Sports "Improving quality of life" to increase the themes to seven.

(3) Mr King stated that he was very impressed with what Mr Lynes has said, especially regarding how we deliver this and its links to localism. in response to a

question by Mr King, Mr Lynes felt that the relationship between KCC business and other authorities needed to be enhanced. There was a need to look at ways of information sharing between local authorities to prevent duplication in spending and time wasting in repetition. There was a move towards Business in Kent having a database.

(4) Mr Angell congratulated Mr Lynes, and his team, for working up a successful document, which has been long-awaited. In response to a question by Mr Angell, Mr Lynes advised that he would be looking to set up regular sector meetings eg., Legal and Arts.

(5) RESOLVED that the report be noted.

126. A Summary of Progress in Delivery of KCC's Environment Policy, including Climate Change and an overview of next steps for KCC and Environment and Regeneration
(Item B6)

(Ms C McKenzie, Greener Kent Manager was present for this item)

(1) The Committee considered a report that highlighted what significant progress had been made to date on delivering the Environment Policy (including climate change) and the priorities for 2009-2012, together with the specific role and contribution of the Environment and Regeneration Directorate.

(2) Ms McKenzie gave a short presentation (attached to these Minutes as Appendix 2) highlighting the strategic priorities for KCC for the next 3 years together with an indication of the specific role of Environment and Regeneration Directorate and potential changes needed to the existing KCC Environment Policy.

(3) Members were given the opportunity to ask questions and make comments which included the following:-

(4) In response to a question by Mr Truelove on the issue of school transport causing congestion and whether any thought had been given to the site of schools to reduce this, Ms McKenzie advised that the directorate worked closely with Mr G Ward, Director of Resources, Children, Families and Education Directorate on the Eco Schools and Sustainable Schools Programme.

(5) In response to a question by Mr Harrison, Ms McKenzie advised that there was a £75k funding bid by the Police and Fire Authorities that were working on their carbon footprint.

(6) In response to Mr King, Ms McKenzie explained that all KCC buildings achieved a good standard at work with Kent Design to include private properties too. Ms McKenzie explained that much of the work for climate change was not visible, other than campaigns and signage. Work had been undertaken for example to look at solar panelling but at a cost of £250k was felt too costly.

(7) RESOLVED that:-

- (a) the progress to date and the general shape of the “Sustainability and Climate Change Action Plan” going forward be noted;
- (b) the proposed next steps for Environment and Regeneration directorate be noted; and
- (c) the comments made by Members and the report be noted.

127. Kent Highways Services - Performance Management Measuring Success
(Item B7)

(Mr D Thomas, Business Improvement Manager was present for this item)

- (1) The Committee received a report it had requested that detailed the current levels of performance in Kent Highway Services (KHS).
- (2) Mr Thomas advised that the current performance remained below standard although positive progress had been made on a number of the performance indicators and the recently published Highway Tracker survey indicated year on year improvement in public satisfaction.
- (3) Mr Thomas then sought Members comments and suggestions on what performance reporting measures they would wish to see different in the 2009/10 model. No comments were received during the meeting but Mr Thomas said he was happy to discuss any ideas outside of the POC meeting.
- (4) In response to a question by Mr Harrison, Mr Ferrin reflected that the content of the letter from Mr Bateman received by Members of the Highways Advisory Board related to contractual promises by EDF and that this would be monitored.
- (5) RESOLVED that the Members comments and the report be noted.

128. Establishment of KCC Flood Risk Management Group
(Item C1)

- (1) The Committee received a report that recommended that a Flood Risk Management Group of Members be established which would report to the responsible Portfolio Holder or to the Cabinet direct supported by the new Flood Risk Management Officer.
- (2) RESOLVED that:-
 - (a) the proposal to establish a Flood Risk Management Member Group following the County Council elections in June be noted;
 - (b) a meeting of the Chairman and Spokesmen of the County Council Flood Risk Select Committee be convened to develop some proposed Terms of Reference for this Flood Risk Management Member Group be noted; and
 - (c) officers would take necessary steps to appoint a dedicated officer.

129. Select Committees - Update
(Item C2)

(1) The Committee considered a report on the progress of the Select Committee on Passenger Rail Services in Kent and the opportunity for Members to suggest items for the Select Committee Topic Review Work Programme for 2009/10.

(2) RESOLVED that:-

- (a) the update on the Select Committee on Passenger Rail Services in Kent be noted; and
- (b) Members of the Committee agreed to forward suggestions for potential Select Committee Topic Reviews for consideration by the Policy Overview Co-ordinating Committee to the Overview, Scrutiny & Localism Manager.